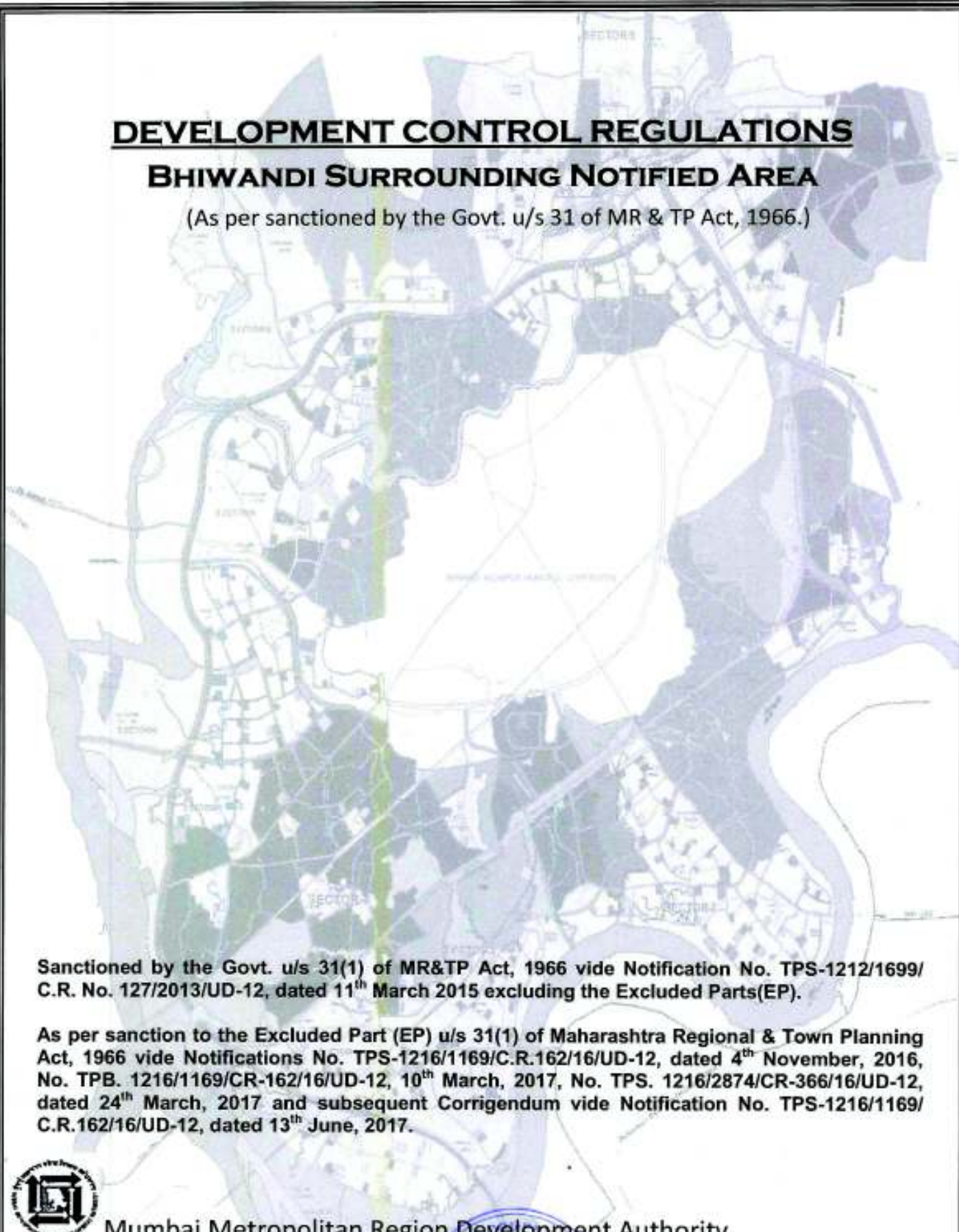


# **DEVELOPMENT CONTROL REGULATIONS**

## **BHIWANDI SURROUNDING NOTIFIED AREA**

(As per sanctioned by the Govt. u/s 31 of MR & TP Act, 1966.)



Sanctioned by the Govt. u/s 31(1) of MR&TP Act, 1966 vide Notification No. TPS-1212/1699/ C.R. No. 127/2013/UD-12, dated 11<sup>th</sup> March 2015 excluding the Excluded Parts(EP).

As per sanction to the Excluded Part (EP) u/s 31(1) of Maharashtra Regional & Town Planning Act, 1966 vide Notifications No. TPS-1216/1169/C.R.162/16/UD-12, dated 4<sup>th</sup> November, 2016, No. TPB. 1216/1169/CR-162/16/UD-12, 10<sup>th</sup> March, 2017, No. TPS. 1216/2874/CR-366/16/UD-12, dated 24<sup>th</sup> March, 2017 and subsequent Corrigendum vide Notification No. TPS-1216/1169/ C.R.162/16/UD-12, dated 13<sup>th</sup> June, 2017.



Mumbai Metropolitan Region Development Authority



**Legend:**

- a. Text 'abc' represents proposed addition by the Planning Authority under section 30.
- b. Text '~~abc~~' represents proposed deletion by the Planning Authority under section 30.
- c. Text 'abc' (in red colour) represents proposed addition by the Govt. under section 31.
- d. Text 'abc' or '~~abc~~' (in red colour) represents proposed deletion by the Govt. under section 31.
- e. Sanctioned Modification shown thus SM No. [    ]
- f. Proposed Excluded Part(EP) shown thus EP No. [    ]
- g. Sanctioned Excluded Part(EP) shown thus EP No. [    ]

sd/-

Chief,  
Town & Country Planning  
Division MMRDA

sd/-

Addl. Metropolitan Commissioner.  
MMRDA

sd/-

Metropolitan Commissioner.  
MMRDA

**Sanctioned by the Govt. u/s 31(1) of MR&TP Act, 1966 vide Notification No. TPS-1212/1699/C.R. No. 127/2013/UD-12, dated 11<sup>th</sup> March 2015 excluding the Excluded Parts(EP).**

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Town Planning Officer  
& Senior Planner,  
MMRDA.

  
Assistant Director  
of Town Planning,  
Thane.

  
Joint Director  
of Town Planning,  
Konkan Division.

  
Joint Secretary,  
Urban Development  
Department.



**DRAFT  
DEVELOPMENT CONTROL REGULATIONS  
FOR  
BHIWANDI SURROUNDING NOTIFIED AREA  
THANE DISTRICT  
MAHARASHTRA**

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**(PUBLISHED UNDER SECTION 28(4) OF MR & TP ACT, 1966)  
5<sup>th</sup> September, 2012**



**Mumbai Metropolitan Region Development Authority**

## Prologue

The Urban Development Department, Government of Maharashtra, vide Notification No.TPS 1206/330/CR-230/06/UD-12 dated 17<sup>th</sup> March 2007 published in Maharashtra Government Gazette dated 19<sup>th</sup> April 2007, has appointed the Mumbai Metropolitan Region Development Authority (MMRDA) as 'Special Planning Authority' (SPA) under sub-section (1) of section 40 of the Maharashtra Regional and Town Planning Act, 1966 (MR & TP Act) for the development of 60 villages (Originally 51) as 'Bhiwandi Surrounding Notified Area' (BSNA) of Bhiwandi tehsil and Thane District.

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

As per the letter dated 11<sup>th</sup> January 2007 from the Urban Development Department, Government of Maharashtra, the proposals/Regulations in the sanctioned Regional Plan for Mumbai Metropolitan Region (1996-2011) are applicable to the proposed development in BSNA till the Development Plan is prepared and published.

While preparing the Draft Development Plan and DCRs for the BSNA, the provisions of Regional Plan of MMR (1996-2011) have been perused and suitable modifications have been proposed for applicability in the BSNA in view of the proposed development. The Draft Development Plan Report and Draft DCRs were placed before the Authority in its 129<sup>th</sup> Meeting held on 8<sup>th</sup> September 2011. The Authority by its Resolution no. 1257 dated 8<sup>th</sup> September 2011 has accepted the Draft Development Plan with the necessary amendments/corrections to be made therein and has authorized the Metropolitan Commissioner to publish the same for inviting suggestions and objections from public under the provisions of MR & TP Act, 1966.

Accordingly, the Draft Development Plan was published on 28<sup>th</sup> December 2011 inviting suggestions and objections from public within a period of 30 days from the date of publication. The Authority received 2295 suggestions/objections from the public within the stipulated time of 30 days. The Planning Committee, constituted under section 28 (2) of the Act has given the hearing from 13<sup>th</sup> March 2012 to 16<sup>th</sup> May 2012 to the persons who have filed the suggestions/objections. On the basis of the Planning Committee's Report dated 29<sup>th</sup> August 2012, the corrected/amended\* Draft Development Control Regulations are hereby published under section 28(4) of the MR & TP Act, 1966 prior to its submission to the Govt. for final sanction under section 30 of the MR & TP Act, 1966.

sd/-

Mumbai

(Rahul Asthana)

Date: 05<sup>th</sup> September, 2012

Metropolitan Commissioner, MMRDA

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



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**PART - I**  
**ADMINISTRATION**

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## PART- I

### ADMINISTRATION

#### 1. SHORT TITLE, EXTENT AND COMENCEMENT

##### 1.1. TITLE

These Regulations ~~may~~ shall be called as the "Development Control Regulations for Bhiwandi Surrounding Notified Area of Thane District. (Hereinafter called as "these Regulations")

##### 1.2. JURISDICTION

These Regulations shall apply to building activity and development works in areas under the jurisdiction of the Mumbai Metropolitan Region Development Authority (MMRDA) as the Special Planning Authority appointed by the Government of Maharashtra vide Notification No. TPS/1206/330/CR-230/06/UD-12 dated 17<sup>th</sup> March 2007 published in Maharashtra Government Gazette dated 19<sup>th</sup> April, 2007 issued under Section 40(1)(c) of the Maharashtra Regional and Town Planning Act, 1966 (Maharashtra Act. No. XXXVII of 1966) in respect of Bhiwandi Surrounding Notified Area in Thane District, as amended from time to time (hereinafter referred to as "the Notified Area").

**(SM-59) [ If there is a conflict between the requirements of these Regulations and those of any rules or byelaws, these regulations shall prevail. ]**

##### 1.3. DATE OF COMING INTO FORCE

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

#### **(SM-60) [ 1.4. APPLICABILITY OF THE DEVELOPMENT CONTROL REGULATIONS**

1.4.1 Without prejudice to the Municipal-Planning-Authority ~~MMRDA Act, 1974~~ or ~~Bombay Provincial Municipal Corporations Act, 1949~~, these Development Control Regulations shall apply to all the development activities as under:

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

1) **DEVELOPMENT OF SITE OR / AND SUB-DIVISION OR AMALGAMATION OF LAND:** - Where land is to be developed, subdivided, or two or more plots are to be amalgamated, or a lay-out is to



be prepared these Regulations shall apply to the entire area under development, sub-division, amalgamation, and layout. Provided that, where a developed land, an existing lay-out / sub-division plan is being altered, these Regulations shall apply only to that part which is being altered.

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

~~1.4.2 — If there is a conflict between the requirements of these Regulations and those of any rules or by-laws, these Regulations shall prevail.~~

~~1.4.3 — These Regulations shall be applicable in the U-1 and U-2 zones of Mumbai Metropolitan Region included within the jurisdiction of the Special Planning Authority as per the use zones proposed in the Draft Development Plan, from the date of their enforcement. ] (SM-60)~~

#### 1.5. DELEGATION OF POWERS

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

~~(SM-61) [~~

#### ~~1.6. POWER TO DELEGATE~~

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

#### 1.7. DISCRETIONARY POWERS OF PLANNING AUTHORITY

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



- i) Decide on matters, where it is alleged that there is an error in any order, require decision, determination or interpretation made by an officer in the application of these Regulations;
- ii) Determine and establish the location of zonal boundaries in exceptional cases, or in case of doubt or controversy;
- iii) Interpret the provisions of these Regulations where the streets layout actually on the ground varies from the street layout as shown on the Development plan;
- iv) Modify the limit of a zone with the previous approval of the Government where the boundary line of the zone divides a plot and
- v) Authorize the erection of a building or use of premises for a public service undertaking for public utilities purposes only, where it finds such an authorization to be reasonably necessary for the public convenience and welfare event if it is not permitted in land use classification.

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

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

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

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

- i) Where any sort of relaxation is granted under the Regulation 1.7.2 and
- ii) Where additional benefit is accruable under these Regulations over and above the provisions of the earlier sanctioned Development Plan and the Development Control Regulations there under as amended from time to time.

#### 1.8. POWER TO PRESCRIBE THE PROFORMAS

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

#### (SM-62) [ 1.9. AMENDMENTS / MODIFICATIONS TO APPENDICES

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



## 2. MEANINGS AS IN THE ACTS, RULES, ETC.

(SM-63) [

### 2.1. GENERAL

- 1) In these Regulations, unless the context otherwise requires, the definitions given in Regulations 1 to ~~134-138~~ of 2.2 hereunder shall have the meaning indicated against each of them.
- 2) Terms, Words and expressions not defined in these Regulations shall have the same meaning or sense, as indicated in the following legislations and the codes:
  - i) Maharashtra Regional & Town Planning Act, 1966. (Maharashtra Act No. XXXVII of 1966),
  - ii) ~~The Bombay Provincial Municipal Planning Authorities Corporations Act, 1949 (Bombay Act No. LIX of 1949) and the Brihan Mumbai Planning Authority Act, 1988,~~
  - iii) The Maharashtra Land Revenue Code 1966 as the case may be,
  - iv) The National Building Code of India, 2005.
  - v) The Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships Act, 1965. (Maharashtra Act No. XL of 1965) and the rules or bye-laws framed there under, as the case may be, unless the context otherwise require. ]

(SM-64) [

### 2.2. DEFINITIONS:

1. "ACCESS" means aligned means of passage from the public road to the plot or land;
2. "ACCESSORY BUILDING" means building separated from the main building on a plot and put to one or more accessory uses;
3. "ACCESSORY USE" means any use of the premises subordinate to the principal use and customarily incidental to the principal use;

(SM-65) [

4. "ACT" means ~~the Bombay Provincial Municipal Authorities Corporations Act, 1949 (Bombay Act no. LIX of 1949) and~~ the Maharashtra Regional and Town Planning Act, 1966 (Mah. Act No. XXXVII of 1966); ]
5. "ADVERTISING SIGN" means any surface of structure with characters, letters or illustrations applied thereto and displayed in any manner whatsoever out of doors for purposes of advertising or giving information regarding or to attract the public to, any place, person, public performance, article or merchandise whatsoever, and which surface or structure is attached to, forms part of, or is connected with, any building or is fixed to a tree or to the ground or to any pole, screen, fence or hoarding or displayed in space;
6. "AIR-CONDITIONING" means the process of treating air so as to control simultaneously its temperature, humidity, cleanliness and distribution to meet the requirement of enclosed space;
7. "ADDITION AND/OR ALTERATION" means change from one occupancy to another or a structural change. Such as an addition to the area or height or the removal or part of a building or a change to the structure such as the construction or cutting into or removal of any wall, part of a wall partition, column, beam, joist floor including a mezzanine floor or other support or a change to or closing of any required means of ingress or egress or charge to fixtures or equipment as provided in these Regulations;
8. "APPROPRIATE AUTHORITY" means Any public authority on whose behalf land is reserved or designated for a public purpose in any plan or in any scheme or set aside for taking over by;



the authority by taking recourse to the provisions of Regulation 7.3.1 (c) (i) or Regulation 7.3.1 (c) (ii) which it is otherwise authorized to acquire under any law;

9. **"APPROVAL BY THE AUTHORITY HAVING JURISDICTION"** means the Authority which has been created by a statute and which, for the purpose of administering the Regulations, may authorize a committee or an official to act on its behalf, hereinafter called "the Authority";

10. **"ASSEMBLY BUILDING"** includes means any building or part of a building where group of people congregate or gather for amusement, recreation, social, religious, patriotic, civil, travel and similar purposes such as theatres, motion picture houses, drive-in-theatres, assembly halls, museums, mangal karyalayas, skating rinks, gymnasium, restaurants, eating houses, boarding houses, places of worship, dance halls, club rooms, gymkhana, passenger stations and terminals of air, surface and other public transportation services, recreation piers and stadia;

11. **"AUTOMATIC SPRINKLER SYSTEM"** means an arrangement of piping and sprinklers designed to operate automatically by the heat of fire and to discharge water upon the fire and which may also simultaneously give automatic audible alarm;

~~(SM-66) [12. **"AUTHORITY"** means Planning Authority/Special Planning Authority/Local Authority/ Appropriate Authority. ]~~

13. **"BALCONY"** means a horizontal projection beyond building line including a parapet, handrail, balustrade to serve as a passage or a sitting out place;

14. **"BASEMENT" OR "CELLAR"** means the lower storey of a building below or partly below ground level;

~~(SM-67) [15. **"BUILDABLE PLOT AREA"** means an area computed as per Regulation 7.5.1-(1)(b). ]~~

16. **"BUILDING"** means a structure, constructed with any materials whatsoever for any purpose, whether used for human habitation or not, and includes -

- i. Foundation, plinth, walls, floors, roofs, chimneys, plumbing and building services, fixed platforms;
- ii. Verandahs, balconies, cornices, projections;
- iii. Part of a building or anything affixed thereto;
- iv. Any wall enclosing or intended to enclose any land or space, signs and outdoor display structures;
- v. Tanks constructed for storage of liquids;
- vi. All types of buildings defined ~~here-in-below~~ in these Regulations, but tents, shamianas and tarpaulin shelters erected for temporary purposes occasionally shall not be considered to be "building";

17. **"BUILDING LINE"** means the line up to which the plinth of a building adjoining a street or an extension of a street or a future street may lawfully extend and shall include the lines prescribed, if any, in any scheme or development plan;

18. **"BUILT-UP AREA"** means the area covered by a building on all floors including cantilevered portion, if any, but excepting to areas excluded specifically under these Regulations;

19. **"BUSINESS BUILDING"** includes means any building or part thereof which is used for transaction of business or for the keeping of accounts and records and also office, bank or

professional establishment, court house or library if the principal use of any of them is transaction of public business or keeping of books and records;-

20. **"CABIN"** means a non-residential enclosure constructed of non-load bearing partition;
21. **"CARPET AREA"** means the net floor area including balconies within an apartment but excluding the area of walls;
22. **"CHAJJA"** means a sloping or horizontal structural overhang usually provided over openings on external walls to provide protection from sun and rain;
23. **"CHIMNEY"** means the construction by means of which a flue is formed for the purpose of carrying the products of combustion to the open air and includes chimney stacks and the flue pipe;
24. **"COMBUSTIBLE MATERIAL"** means a material, if it burns or adds heat to a fire when tested for combustibility in accordance with IS: 3808-1966 Method of Test for combustibility of building materials;
25. **"CONTIGUOUS HOLDING"** means a contiguous piece of land in one ownership irrespective of separate property register cards or 7/12 extract;
26. **"CONGESTED AREA"** means the area indicated as such on the Development Plan, if any;

**SM-68) [27. "CONVENIENCE SHOPPING"** means shops, each with an area not exceeding 20 sq. m. and comprising those dealing with day to day requirements, as distinguished from whole-sale trade or shopping such as following:-

- i. Food grain or ration shops each with a carpet area not exceeding 50 sq. m.;
- ii. Pan Shop;
- iii. Tobacconists;
- iv. Shops for collecting and distribution of cloths and other materials for cleaning and dyeing establishments;
- v. Tailor or danner shops;
- vi. Groceries, confectioneries, wine and general provision shops each with a carpet area not exceeding 50 sq. m.;
- vii. Hair dressing saloons and beauty parlors;
- viii. Bicycle hires and repair shops;
- ix. Vegetable and fruit shops;
- x. Milk and milk product shops;
- xi. Medical and Dental Practitioners, Dispensaries or clinics, Pathological or Diagnostic clinics and Pharmacies each with a carpet area not exceeding 50 sq.m. ;
- xii. Shops dealing in ladies ornaments such as bangles, etc.;
- xiii. Florists;
- xiv. Bakeries and shops selling products;
- xv. Newspaper and magazine stalls;
- xvi. Wood, coal and fuel shops each with a carpet area not exceeding 30 sq. m.;
- xvii. Books and stationery shops or stores;



- xviii. Cloth and garment shops;
- xix. Plumbers, electrician, radio, television and video shops and libraries and repairs shops connected therewith;
- xx. Restaurants and eating houses each with a carpet area not exceeding 50 sq. m.;
- xxi. Shoes and sports shops each with a carpet area not exceeding 75 sq. m. ]
28. **"COURTYARD"** means a space permanently open to the sky within the site around a structure and paved/concreted;
29. **"CHOWK"** means a fully or partially enclosed space permanently open to the sky within a building at any level;
30. **"CORRIDOR"** means a common passage of circulation space including a common entrance hall;
31. **"CUPBOARD"** means a cantilevered projection at floor level permitted in a required open space except on ground floor level, cupboard on ground floor at plinth level, but not in required mandatory open space;
32. **"DEPTH OF SITE"** means the mean horizontal distance between the front and the rear side boundaries;
33. **"DETACHED BUILDING"** means a building whose walls and roofs are independent of any other building with open spaces on all sides;

(EP-196) 1-34. **"DEVELOPMENT RIGHTS (DR)"** ~~The floor space potential of a plot required to be surrendered to the Planning Authority / Appropriate Authority by virtue of a reservation/ designation proposed in the development plan, regular line of street prescribed under the relevant Act or public amenity site; or compensation for loss of floor space potential due to restriction on development of Heritage Structures/Sites/Precincts, etc.~~ recreational open space user imposed under Regulation 7.3.1 (c) (i) or 7.3.1 (c) (ii). While working out the value of Development Rights, the FSI admissible for the plots from the predominant use zone of the surrounding lands shall be considered. The FSI prescribed for the user in favour of which the plot is being surrendered shall, however, be totally disregarded. DR could also be earned by undertaking development of a reservation / designation, amenity site under Regulation 7.3.1 (c) (i) or 7.3.1 (c) (ii), construction of Development Plan roads or construction for widening of an existing road to the extent a Regular line of street is prescribed. means right to carry out development or to develop the land or both and shall include the transferable development right in the form of right to utilize the Floor Space Index of land, utilizable either on the remainder of the land partially reserved for a public purpose or elsewhere, granted in lieu of compensation for the land surrendered to the Planning Authority or Appropriate Authority or as compensation for loss of floor space potential owing to restriction on development of Heritage Structures/Sites/Precincts, as the Final Development Control Regulations in this behalf provide.]

2-35. **"DEVELOPMENT RIGHTS CERTIFICATE (DRC)"** means a document specifying the extent of DR earned and allowed to be utilized in the form of TDR.

3-36. **"DOUBLE FRONTAGE SITE"** means a site having a frontage on two streets other than a corner plot;

4-37. **"DRAIN"** means a line of pipe including all fittings and equipment such as manholes, inspection chambers, traps, gullies and floor traps used for the drainage of building, or a



number of buildings or yards appurtenant to the buildings within the same cartilage and shall include open channels used for conveying surface water or a system for the removal of any liquid.

- 5.38. **"DRAINAGE"** means the removal of any liquid by a system constructed for that purpose;
- 6.39. **"DHARMASHALA"** means a building used as a place of religious assembly, a rest house, a place in which charity is exercised with religious or social motives, or a place where in a certain section of people have a right of, or are granted, residence without payment or on nominal payment.
- 7.40. **"EDUCATIONAL BUILDING"** means a building exclusively used for a school or college, recognized by the appropriate Board or university, or any other Planning-Competent Authority involving assembly for instruction, education or recreation incidental to education use, and including a building for such other user's incidental thereto such as a library or a research institution. It shall also include quarters for essential staff required to reside in the premises, and a building used as a hostel captive to an educational institution whether situated in its campus or not.
- 8.41. **"ENCLOSED STAIRCASE"** means a staircase separated by fire resistant walls and door or doors from the rest of the building;
- 9.42. **"ESCAPE ROUTE"** means any well ventilated corridor, staircase or other circulation space, or any combination of the same by means of which a safe place in the open air at ground level can be reached;
- 10.43. **"EXISTING BUILDING"** or "existing use" means a building or, as the case may be, use which is lawfully in existence immediately before the commencement of these Regulations;
- 11.44. **"EXIT"** means a passage, channel or means of egress from any building, storey or floor area to a street or other open space of safety; horizontal, outside and vertical exits having meanings at (i), (ii) and (iii) respectively as under –
- i. **"Horizontal exit"** means an exit which is a protected opening through or around a fire wall or a bridge connecting two or more buildings.
  - ii. **"Outside exit"** means an exit from a building to a public way, to an open area leading to a public way or to an enclosed fire resistant passage leading to a public way.
  - iii. **"Vertical exit"** means an exit used for ascending or descending between two or more levels, including stairways, smoke-proof towers, ramps, escalators and fire escapes.
45. **"EXTERNAL WALL"** means an outer wall of a building not being a party wall even though adjoining to a wall of another building or a wall abutting on an interior open space of any building.
46. **"FIRE AND/OR EMERGENCY ALARM SYSTEM"** means an arrangement of call points or detectors, sounders and other equipment for the transmission and indication of alarm signals, for testing of circuits and whenever required for the operation of auxiliary services workable automatically or manually to alert the occupants in the event of fire or other emergency;
47. **"FIRE LIFT"** means one of the lifts specially designed for use by fire service personnel in the event of fire or other emergency.



48. **i) "FIRE PUMP"** means a machine driven by external power for transmitting energy to fluids, by coupling the pump to a suitable engine or motor which may have varying outputs/capacity but shall be capable of having a pressure of 3.2kg./cm<sup>2</sup> at the topmost level of a multistoried or high-rise building.
- ii) "BOOSTER FIRE PUMP"** means a mechanical/electrical device which boosts up the Water pressure at the top level of a multistoried high rise building and which is capable of a pressure of 3.2 kg./cm<sup>2</sup> at the nearest point.
49. **"FIRE PROOF DOOR"** means a door or shutter fitted to a wall opening, and constructed and erected with the requirement to check the transmission of heat and fire for a specified period;
50. **"FIRE RESISTANCE"** means the time during which a material fulfils its function of contributing to the fire safety of a building when subjected to prescribed conditions of heat and load or restraint according to the fire resistance test of structures done in accordance with IS:3809-1966 Fire Resistance Test of Structures.
51. **"FIRE RESISTING MATERIAL"** means a material which has certain degree of fire resistance;
52. **"FIRE SEPARATION"** means the distance in metres measured from any other building on the site, or from other site, or the opposite of a street or other public space to the building;
53. **"FIRE SERVICES INLETS"** means a connection provided at the base of a building for pumping up water through inbuilt fire fighting arrangements by fire service pumps in accordance with the recommendations of the Fire Service Authority;
54. **"FIRE TOWER"** means an enclosed staircase which can only be approached from the various floors through landing or lobbies separated from both the floor areas and the staircase by fire-resisting doors, and open to the outer air;
55. **"FLOOR"** means the lower surface in a storey on which one normally walks in a building and does not include a mezzanine floor. The floor at ground level with a direct access to a street or open space shall be called the ground floor; the floor above it shall be termed as floor 1, with the next higher floor being termed as floor 2, and so on upwards;
- (EP-197) 56. **"FLOOR SPACE INDEX (FSI)"** means the quotient of the ratio of the combined gross floor area of all floors excepting area specifically exempted under these Regulations, to the total ~~buildable-net~~ area of the plot viz.

$$\text{Floor Space Index (FSI)} = \frac{\text{Built up area of all floors}}{\text{Buildable Net plot area}}$$

57. **"FOOTING"** means a foundation unit constructed in brick work, masonry or concrete under the base of wall or column for the purpose of distributing the load over a large area;
58. **"FOUNDATION"** means that part of the structure which is in direct contact with and transmitting loads to the ground;
59. **"FRONT"** means the space between the boundary line of a plot abutting the means of access/road/street and the building line. Plots facing two or more means of access/roads/streets shall be deemed to front on all such means of accesses/roads/streets.
60. **"FOYER"** means a lobby for waiting;

61. **"GALLERY"** means an intermediate floor or platform projection from a wall of an auditorium or a hall providing extra floor area or additional seating accommodation and includes the structures provided for seating at stadia;
62. **"GARAGE-PRIVATE"** means a building or a portion thereof designed and used for the parking of vehicles;
63. **"GARAGE-PUBLIC"** means a building or portion thereof, designed other than as a private garage, operated for gain, designed and/or used for repairing, servicing, hiring, selling or storing or parking motor-driven or other vehicles;

**(EP-198) [63A) "GROSS PLOT AREA" means the area of land bounded by plot boundaries; ]**

**(EP-199)[**64. **"GROUP HOUSING SCHEME"** ~~Group of multi storied housing for more than one dwelling unit where land is owned jointly (as in case of co-operative societies or the public agencies such as local authorities or housing boards etc.) and the construction is undertaken by one authority.~~ **"GROUP HOUSING SCHEME"** means a building or a group of buildings constructed or to be constructed with one or more floors, each floor consisting of one or more dwelling units and having common service facilities. ~~Common service facilities means facilities like stair case, balcony, corridor, varandaha, lift, etc. The group housing scheme means group of such buildings proposed in one plot.]~~

65. **"HABITABLE ROOM"** means a room occupied or designed for occupancy by one or more persons for study, living, sleeping, eating or kitchen room used as a living room, but not including bathrooms, water closets ~~compartment,~~ toilets, laundries, serving and storage pantries, corridors, cellars, attics, and inhabitable spaces that are not used frequently or during extended periods;

**(SM-69) [**66. **"HAZARDOUS BUILDING"** ~~includes any building or part thereof which is used for the storage, handling, manufacture or processing of radioactive substances or of highly combustible or explosive materials or products which are liable to burn with extreme rapidity or which may produce poisonous fumes or explosions or for storage, handling, manufacturing or processing which involved highly corrosive, toxic or noxious alkalis, acids or other liquids or chemicals producing flame, fumes, explosives or mixtures of dust or which result in the division of matter into the particles subject to spontaneous ignition; ]~~

**[ 66-67. "HAZARDOUS MATERIAL" means**

**(SM-70)**

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

**(SM-69) [67A) "HAZARDOUS BUILDING" means and includes any building or part thereof which is used for the storage, handling, manufacturing or processing of Hazardous Material; ]**

68. **"HEIGHT OF A BUILDING"** means the vertical distance measured in the case of flat roofs, from the average level of the developed ground around and contiguous to the building to the highest finished roof level point of the building and, in the case of pitched roofs, up to the point where the external surface of the outer wall intersects the finished surface of the

sloping roof, and, in the case of gables facing the road, the mid-point between the eaves level and the ridge.

69. "HEIGHT OF A ROOM" means the vertical distance measured from the finished floor surface to the finished ceiling/slab surface. The height of a room with a pitched roof means the average height between the finished floor surface and the bottom of the eaves and the bottom of the ridge;

Explanation: Architectural features serving no other function except that of decoration shall be excluded for the purpose of taking heights under this clause;

(EP-200) 43.70. "HIGH RISE BUILDING" means a building of a height more than 7015 meters above the surrounding average ground level or as indicated in the National Building Code of India, 2005, as amended from time to time;]

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

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

(SM-71) [ "HORIZONTAL EXIT" means a protected opening through or around a fire wall or a bridge connecting two buildings; ]

(SM-70) [ "HAZARDOUS MATERIAL" means

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

(SM-72) [72. "INDUSTRIAL BUILDING" includes means and includes any building or structure or part thereof, in which products or materials of all kinds are fabricated, assembled or processed like assembly plants, laboratories, power plants, mills, dairies or factories; ]

73. "INFORMATION TECHNOLOGY ESTABLISHMENT" means an establishment which is in the business of development of IT software, IT Hardware, IT services, IT enabled services as defined below:

- a. IT Software: IT Software is defined as any representation of instruction, data, sound or image, including source code and object code, recorded in a machine readable form and



capable of being manipulated or providing interactivity to a user, with the means of a computer.

- b. IT Hardware: IT Hardware shall cover such industrial units as may be decided by the Director of Industries.
- c. IT services and IT Enabled Services: These include various IT Services and are defined by the IT Task force of the Government of India as follows:
- d. "IT Service including IT Enabled Service is defined as any unit that provides services that result from the use of any IT Software over a Computer System for realizing any value addition".
- e. The Directorate of Industries has prepared and published an illustrative list of such IT Enabled Services (Appendix-II) which is to be updated from time to time".

74. "INNER CHOWK" means a chowk enclosed on all sides;

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

76. "INTERIOR OR TANDEM SITE" means a site access to which is by a passage from a street, whether such passage forms part of the site or not;

77. "LEDGE" or "TAND" means a shelf-like projection, supported in any manner whatsoever, except by means of vertical supports within a room itself but not having wider than half meter.

78. i) "LICENSED SURVEYOR/ENGINEER/STRUCTURAL ENGINEER/ SUPERVISOR" means a qualified surveyor, engineer, structural engineer or supervisor, licensed by the Planning Authority;

ii) "ARCHITECT" means an architect who is an associate or corporate member of the Indian Institute of Architects or who holds a degree or diploma which makes him eligible for such membership for such qualifications listed in Schedule XIV of the Architects Act, 1972, and being duly registered with the council of Architecture under that Act;

79. "LIFT" means an appliance designed to transport person or materials between two or more levels in a verticals or substantially vertical directions by means of a guided car platform;

80. "LOFT" means an intermediary floor between two floors or a residual space in a pitched roof, above normal floor level which is constructed and adopted for storage purposes;

EP-201) 14.81. "LOGISTICS PARK" means an attributed area that provides for services including warehousing, cold storage, multi-modal transport facility, container depots, container freight stations, etc. ]

15.82. "MAJOR WATER COURSE" means a water course which carries storm water discharging from a contributing area of not less than 160 hectares, the decision of the Planning Authority on



the extent of the contributing area being final. A minor water course is one which is not a major one.

83. "MASONRY" means an assemblage of masonry units properly bounded together with mortar;

84. "MASONRY UNIT" means an unit whose net cross-sectional areas in every plane parallel to the bearing surface is 75 percent or more of its gross cross-sectional area measured in the same plane. It may be either clay, brick, stone, concrete, block or sand-lime brick;

85. "MERCANTILE BUILDING" includes any building or part thereof which is used as shop, store or market for display and sale of merchandise, either wholesale or retail, or which is used as office or for providing storage and service facilities incidental to the sale of merchandise and located in one and the same building;

86. "MEZZANINE FLOOR" means an intermediate floor, not being a loft between the floor and ceiling of any storey;

~~(SM-73) 87. "MULTI-STORIED BUILDING" or "high-rise building" means a building of a height of 16 meters upto 70m or more above the surrounding average ground level. A building of height less than 24m shall be a normal building. ]~~

~~(EP-202) 88. "NET PLOT AREA" means plot area remaining after deducting from the gross area of the plot, area of holding areas under roads, and reservations and amenities, if any, of the Development Plan; falling within the boundary of the said plot;]~~

89. "NON-COMBUSTIBLE" means not liable to burn or add heat to a fire when tested for combustibility in accordance with the IS-3808-1966 Method of Test for Combustibility of Building Materials;

90. "OCCUPANCY" OR "USE" means the principal occupancy or use for which a building or a part of it is used or intended to be used, including contingent subsidiary occupancies, mixed occupancy buildings being those in which more than one occupancy are present in different portions of the buildings;

91. "OFFICE BUILDING" or "PREMISES" means the premises which is to be or which is solely or principally used as office for administration, clerical work or handling money or for operating telephone, telegraph or computer;

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

92. "OPEN SPACE" means an area forming an integral part of the site left open to the sky;

93. "OUTER CHOWK" means a chowk where one of the sides is not enclosed;

94. "PARAPET" means a low wall or railing built along the edge of a roof or a floor;

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

96. "PARTITION" means an interior non-load bearing divider full storey or part storey in height;

97. "PARTY WALL" includes:



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

98. "PERMANENT OPEN AIR SPACE" means a space:

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

99. "PERMISSION" means a permission or authorization in writing by the Planning Authority to carry out any building activity or development work to which these Regulations apply;

100. "PLINTH AREA" means the built-up covered area measured at the floor level of the basement or of any storey;

101. "PLINTH" means the portion of a structure between the surface of the surrounding ground and surface of the floor immediately above the ground;

(EP-203) 102. "PODIUM" means a continuous projecting base or pedestal under a building, within the permissible ~~marginal open spaces and set backs; building line;~~

103. "PORCH" means a covered surface supported on pillars or otherwise for the purpose of pedestrian or vehicular approach to a building;

(SM-74) 104. "RESIDENTIAL BUILDING" ~~includes means~~ any building in which sleeping accommodation is provided for normal residential purposes with or without cooking or dining or both facilities or one or two or multi-family dwellings, lodging or rooming houses, hostels, dormitories, apartment houses ~~and flats, residential hostels~~ and private garages; ]

(EP-204) 105. "RENTAL AFFORDABLE HOUSING" means a housing development project for vital public purpose as defined ~~vide Government Notification No. TPS—1208 / MMR / CR—393 / 08 / UD—12 dated 04/11/2008 and adopted in these Regulations in the Regulation no. 10.2. ]~~

106. "RETENTION ACTIVITY" means an activity or use which is allowed to continue, notwithstanding its non-conforming nature in relation to the permitted in the adjoining or surrounding area;

107. "REVAS PROJECTION" means a part of a room or rooms projection in the open space beyond the building line;

(SM-75) 108. "ROAD" and "STREET" means any highway, street, lane, pathway, alley, stairway, passageway, carriageway, footway, square, place ~~of~~ or bridge, whether a ~~thoroughfare~~ 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 includes all bunds, channels, ditches, storm water drains, culverts, sidewalks, traffic islands, roadside trees and hedges, retaining walls, fences, barriers and railings within the street lines; ]



109. **"ROAD OR STREET LEVEL OF GRADE"** means the officially established elevation or grade of the central line of the street upon which a plot fronts and if there is no officially established grade, the existing grade of the street at its mid-point;
110. **"ROAD OR STREET LINE"** means the line defining the side limits of a road or street;
111. **"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;
112. **"ROW HOUSING"** means a row of houses with only front, rear and interior open spaces;
113. **"SEMI-DETACHED BUILDING"** means a building detached on three sides with open spaces on each of such three sides as specified in these Regulations;
114. **"SERVICE LANE"** means a road or lane provided at the rear or side of a plot for service purposes;
115. **"SITE" or "PLOT"** means a parcel or piece of land enclosed by definite boundaries;
116. **"SITE CORNER"** means a site at the junctions of, and fronting on, two or more intersecting streets;
117. **"SITE DEPTH"** means the mean horizontal distance between the front and rear site boundaries;
118. **"SITE WITH DOUBLE FRONTAGE"** means a site having frontage on two streets other than a corner plot;
119. **"SMOKE-STOP DOOR"** means a door for preventing or checking the spread of smoke from one area to another;
120. **"STILT"** means a portion of a building at ground level open from at least two sides, used for parking of vehicles or as play field;
121. **"STAIR COVER"** means a structure with a covering roof over a staircase and its landing built to enclose only the stairs for the purpose of providing protection from weather and not used for human habitation;
122. **"STORAGE"** means a place where goods are stored;
123. **"STORAGE BUILDING"** includes any building or part thereof used primarily for the storage or sheltering of goods wares or merchandise like warehouse, cold storage, freight depots, transit sheds, store houses, public garages, hangers, truck terminals, grain elevators, bars and stables;
124. **"STORE ROOM"** means a room used as storage space;
125. **"STOREY"** means the portion of a building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between any floor and ceiling next above it;
- (SM-76)/126. "SPECIAL BUILDING"** means a building solely used for the purpose of a drama or cinema theatre, a drive-in-theatre, an assembly hall or auditorium, an exhibition hall, theatre, museum, a stadium, a "Mangal Karyalayas" or ~~whether~~ where **in the case of mixed**



occupancies, the built-up area of such a user exceeds 600 sq. m. ~~in the case of mixed occupancies includes; or~~

- i. An industrial building (except Service Industry);
- ii. A hazardous building;
- iii. A building of a wholesale establishment;
- iv. A residential hotel building or centrally air-conditioned building which exceeds ~~16-24~~ 15 m. in height, or **has**
- v. ~~A total built-up area of 600 sq.m. ]~~

127. "TENEMENT" means an independent dwelling unit with a kitchen; or a cooking alcove;

(EP-205) 128. "TERRACE" means

- a. Roof Terrace on the uppermost storey open to sky;
- b. Set-back terrace at floor level open to sky;
- a-c. Double height terrace at **alternative alternate** floor level with roof at double height equal to two storeyes.]

129. "TO ABUT" means to abut on a road such that any portion of the building is fronting on the road;

130. "TO ERECT" means;

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

131. "TOWER LIKE STRUCTURE" means ~~that a~~ structure whose height of tower like portion is at least twice ~~the~~ width of the broader base;

132. "TRAVEL DISTANCE" means the distance from the remotest point on a floor of a building to a place of safety be it a vertical exit, horizontal exit or an outside exit measured ~~along~~ the line of travel;

133. "THEATRE" means a place of public entertainment for the purposes of exhibition of motion picture and/or dramas and other social or cultural programs;

134. "UNSAFE BUILDING" means ~~that a~~ building which is structurally unsafe, unsanitary or not provided with adequate means of egress or ingress which constitutes a fire hazard or is otherwise dangerous to human life or which in relation to existing use constitutes a hazard to ~~safely safety~~ or health or public welfare, by reason of inadequate maintenance, dilapidation or abandonment;

135. "VOLUME TO PLOT RATIO (V.P.R.)" means the ratio of volume of building measured in cubic metres to the area of plot measured in square metres and expressed in metres;

136. "WATER CLOSET (W.C.)" means a privy with an arrangement for flushing the pan ~~with water~~ but does not include a bathroom;



137. **"WHOLESALE ESTABLISHMENT"** includes means an establishment wholly or partly engaged in wholesale trade and manufactures, wholesale outlets including related storage facilities, warehouses and establishments engaged in truck transport including and truck transport booking agencies;
138. **"WINDOW"** means an opening other than a door, to the outside of the a building which provides all or part of the required natural light, ventilation or both to an interior space; ] (SM-64)

### 2.3. INTERPRETATION

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



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

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## PART II:

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

#### 3. DEVELOPMENT PERMISSION / COMMENCEMENT CERTIFICATE

##### 3.1. PERMISSION FROM THE AUTHORITY IS MANDATORY

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

**(SM-77)**

##### 3.2. UNAUTHORIZED DEVELOPMENT / LIABILITY FOR OFFENCES AND PENALTIES:

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

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

##### 3.3. EXEMPTION

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

##### 3.4. VALIDITY OF DEVELOPMENT PERMISSION

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

##### 3.5. APPLICABILITY TO PARTIALLY COMPLETED WORKS-

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



#### 4. PROCEDURE FOR OBTAINING DEVELOPMENT PERMISSION/ COMMENCEMENT CERTIFICATE

(SM-78)

##### 4.1. NOC FOR NON – AGRICULTURAL (NA) PERMISSION

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

(SM-79)

##### 4.2. NOTICE OF INTENTION TO CARRYOUT DEVELOPMENT -

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

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

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

##### 4.3. APPLICATION / PLANS FOR INTENDED DEVELOPMENT

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

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



**(SM-80)[xi, Payment of ~~development permission~~ scrutiny fee (True copy challan) ]**

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

**4.3.1.SIZE OF DRAWING SHEETS**

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

**TABLE 1: DRAWING SHEET SIZES**

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

**4.3.2.COLOURING NOTATIONS FOR PLANS –**

The plan shall be ~~colouring~~ coloured as specified in Table 2 as-given below and prints of plan shall be on one side of paper only.

**TABLE 2: COLOURING OF PLANS**

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

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

**4.3.3.DIMENSIONS**

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



(SM-81)/

#### 4.4. INFORMATION ACCOMPANYING THE APPLICATION

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

##### 4.4.1. PLANS AND STATEMENTS

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

##### 4.4.2. OWNERSHIP TITLE AND AREA

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



#### 4.4.3. KEY PLAN (LOCATION PLAN):

A key plan drawn to a scale of not less than 1:10000 shall be submitted as per Regulation 4-14.2 along with the application for building permission and commencement certificate, showing the boundary locations of the site with respect to neighborhood land-marks.

#### 4.4.4. SITE PLAN:

The site plan to be sent with the application under Regulation 4-4 4.2 shall be drawn to a scale of 1:500 or 1:600 and shall show.

- a. The boundaries of the site and of any contiguous land belonging to the owner thereof
- b. The position of the site in relation to neighboring-neighbouring street
- c. The name of the street in which the building is proposed to be situated, if any;
- d. All existing buildings standing on over or under the site;
- e. The position of the building and of all other buildings (if any) which the applicant intends to erect upon his contiguous land referred to in clause (a) in relation to -
  - i. The boundaries of the site and where the site has been partitioned the boundaries of the portion owned by the applicant and also of the portions owned by others
  - ii. All adjacent streets buildings (with number of story's and height) and premises within a distance of 12m. of the site and of the contiguous land (if any) referred to in clause (a) and
  - iii. If there is no street within a distance of 12m of the site the nearest existing street;
- f. The means of access from the street to the building (if any) which the applicant intends to erect upon his contiguous land referred to in clause (a);
- g. Space to be left around the building to secure a free circulation of air, admission of light and access for scavenging purposes;
- h. The width of the street (if any) in front and of the street (if any) at the side or near the building;
  - i. The direction of north line relative to the plan of the buildings;
  - j. Any existing physical features, such as wells, drains, and trees;
- k. The ground area of the whole property and the breakup of covered area on each floor with the calculations for percentage covered in each floor in terms of the total area of the plot as required under these Regulations governing the coverage of area,
- l. Overhead, electric supply line, water supply and drainage line;
- m. Such other particulars as may be prescribed time to time by the Planning Authority.

#### 4.5. PLANS

##### 4.5.1. PROPOSAL FOR SITE DEVELOPMENT OR / AND SUB DIVISION

- 1) In case of the properties comprising of two or more different holdings belonging to the same or different owners, provided the developer is same then the plans for amalgamation of the holdings shall be got approved from the Authority.
- 2) The application shall be accompanied by the sub-division, layout or amalgamation plan if any, which shall be drawn to a scale of 1:500, containing the following:-





- a) Measurement plan/City Survey Map duly authenticated by the Taluka/District Inspector of Land Records / City Survey Officer.
- b) Scale used and the North point;
- c) The location of all proposed and existing roads with their names, existing / proposed / prescribed width within the land;
- d) The location of drains, sewers, public facilities and services and electric lines etc.;
- e) location and areas of reservations / designations, proposed in the development plan, if any, the regular lines of street prescribed under the relevant sets, if any, the public amenity sites prescribed under Regulation 7.3.1 (c) (i), if any, and the recreational open spaces prescribed under Regulation 7.3.1 (c) (ii) if any.
- f) A statement indicating the total area of the holding, the plot wise areas of various uses / occupancies, total area under roads and various reservation / designations, proposed in the development plan, if any, the regular lines of street prescribed under the relevant Act, if any, the public amenity sites and the recreational open spaces prescribed if any under Regulation 7.3.1 (c) along with their percentage with reference to the total area of the site proposed to be subdivided.
- g) Dimensions of all plots sub-plots, if any, proposed to be carved out broad use / occupancy proposed therein, along with building lines, the set-backs with dimensions within each plot. In the case of composite development involving no sub-division of the property, dimensions of all buildings showing setbacks and distances between the buildings, light receiving planes and height of various parts of the buildings and the open marginal spaces;
- h) The FSI, DR, and / or TDR, if any, assigned to each sub plot;
- i) In the case of plots in built-up areas, in addition to the above, the means of access to the holding from existing streets.

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

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

- a) include floor plans of all floors together with the covered areas clearly indicating the sizes of rooms, the position and width of staircases, ramps and other exit ways, which shall show :-
  - (i) Lift wells, lift machine room and lift pit details;
  - (ii) Ground and all other floor plan details including those of basement;
  - (iii) Electric sub-station and meter room details (if any);
  - (iv) Details of parking spaces, loading and unloading spaces provided around and within building, access ways and appurtenant open spaces with projections in dotted lines;
  - (v) Distance from any building existing on the plot in figured dimensions along with accessory building. These plans will also contain further details as in Proforma prescribed by Planning Authority on time to time.
- b) Show the use or occupancy of all parts of the building;
- c) Show exact location of essential services, e.g. wc, sink, bath and the like;
- d) Includes sectional drawings showing clearly the size of the footings, thickness of basement wall, wall constructed size and spacing of framing members, floors slabs, roofs slabs with the materials. The section shall indicate the height of building and rooms and also the height of the parapet; and the drainage and the slope of the roof. At least one section should be taken



through the staircase provided further that the structural plan giving details of all structural elements and materials used along with structural calculations shall be submitted separately but in any circumstances before the issue of the building **permit permission** or commencement certificate;

- e) Show all street elevations;
- f) Indicate details of basket privy (served privy) if any;
- g) Give dimensions of the projected portion beyond the permissible building line;
- h) Include terrace plan indicating the drainage and the slope of the roof;
- i) Give indication of the north line relative to the plan;
- j) Give dimensions and details of doors, windows and ventilators;
- k) Give such other particulars as may be prescribed by the Planning Authority.

**(SM-82) 4.5.3. BUILDING PLANS FOR MULTI-STORIED HIGH RISE OR SPECIAL BUILDINGS:**

For **multi-storied high rise** buildings which are more than ~~46-24~~ 15m. in height above plinth and for special buildings like assembly **buildings**, institutional **buildings**, industrial **buildings**, storage **buildings and** hazardous **buildings** and **buildings having** mixed occupancies with any of the aforesaid occupancies ~~housing-with~~ area more than ~~450sq~~ 600 sq. m., the following additional information as specifically mentioned in Appendix 'O' shall be furnished in the building plans in addition to the items (a) to (k) of Regulation 4.5.2 namely:

- a. Access to fire appliances/vehicles with details of vehicular turning circle and clear, motor able access way around the building
- b. Size (width) of main and alternate staircases along with balcony approach, corridor ventilated lobby approach;
- c. Location and details of lift enclosures;
- d. Location and size of fire lift;
- e. Smoke stop lobby/door where provided;
- f. Refuse chutes refuse chamber and service duct,
- g. Vehicular parking spaces and loading and unloading spaces;
- h. Refuse area, if any, as per National Building Code of India, 2005;
- i. details of building services i.e. air-conditioning system with position of fire dampers, mechanical ventilation system, electrical services, boilers, gas pipes and such other devices;
- j. Details of exits including provision of ramps for hospitals and special risks;
- k. Location of generator, transformer and switch gear room,
- l. Smoke exhauster system, if any;
- m. Details of fire alarm system net work;
- n. Location of centralized control connecting all fire alarm systems built in fire protection arrangements and public address systems;
- o. Location and dimensions of static water storage tank and pump room along with fire service inlets for mobile pump and water storage tank;
- p. Location and details of fixed fire protections installations such as sprinklers, wet risers hose cells, drenches and CO<sub>2</sub> installation and;
- q. Location and details of first aid firefighting equipment/installations. ]

**(SM-83) 4.5.4. RECEIPT OF CAPITATION FIRE SERVICE FEE FOR FIRE PROTECTION TO BE SENT WITH BUILDING PLAN IN CERTAIN CASES**

In the case of buildings more than ~~46-24~~ 15m in height, the receipt showing payment of **capitation Fire Service fees** for fire protection as **provided prescribed in Regulation 4.19** accordance with the **Maharashtra Fire Prevention and Life Safety Measures Act, 2006** shall be sent along with the building plan referred to in Regulation 4.5.3. ]

**(SM-84) 4.5.5. DESIGN BRIEF**

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

**4.6. SERVICE PLAN**

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

**4.7. SPECIFICATIONS:**

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

**4.8. CERTIFICATE OF SUPERVISION:**

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

**(SM-80) 4.9. DEVELOPMENT PERMISSIONS CRUTINY FEE RECEIPT:**

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

**(SM-85) 4.9.1. EXEMPTIONS FROM PAYMENT OF DEVELOPMENT PERMISSION FEES:**

For special housing schemes for economically weaker sections, low income group and slum clearance redevelopment schemes undertaken by public agencies or subsidized by State Government; with carpet area of a tenement is as prescribed by the Government from time to time, of not more than 21 sq. m. no **development permission scrutiny fee is shall be** chargeable. ]

**(SM-86) 4.9.2. REFUND OF FEES IN CASE OF REJECTION**

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



**(SM-87)**

#### **4.10. SECURITY DEPOSIT**

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

**(SM-88)**

#### **4.11. ENVIRONMENTAL IMPACT ASSESSMENT CLEARANCE FOR CERTAIN KINDS OF PROJECTS AND COASTAL ZONE REGULATIONS**

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

- 1) Any person who intends to carry out any development of the type listed in this Regulation and involving an investment of Rs.50 crores or more shall submit to the Planning Authority a copy of the application for development permission submitted by him to the Planning Authority concerned, along with the information in the form prescribed by competent authority or other additional guidelines amended on time to time and an Environmental Impact Assessment report in respect of the development proposed.
  - a) River valley projects including hydel power, irrigation or their combination;
  - b) Highways, expressways, major bridges, railway lines;
  - c) Treatment or disposal of solid waste including toxic and hazardous waste;
  - d) Storage of hazardous material;
  - e) Slaughter house or facilities for processing and disposal of dead animals.
- 2) Any person who intends to carry out any development of the type listed in this Regulation shall submit to Planning Authority a copy of the application for development permission submitted by him to the Planning Authority concerned, along with the information in the form prescribed by competent authority. If the environmental screening indicates that the proposed development will have significant impact on the environment, the Planning Authority may, at its discretion, call upon the applicant to submit an EIA report for such development.
  - a) All projects listed as item (a) to (e) in Sub Regulation 4.11 (1) where investment is upto Rs.50 crores.
  - b) Minor ports and harbors.
  - c) Quarrying for stone, murum and earth, including sand dredging from rivers, creeks and estuaries.
  - d) Any development of lands admeasuring 25 ha. or more.
  - e) Development of land for Industrial purpose.
  - f) Any development of wetlands including reclamation, bunding etc. for salt pans, fish farms etc.
  - g) Film and video shooting sites on land admeasuring 5 ha. or more.
  - h) Poultry farms, cattle stables, piggeries, sheep farms and stud farms. ]

**(SM-89)[ 4.11.1. COASTAL REGULATION ZONE (CRZ)**

Any person who intends to develop any land in the CRZ within the notified area shall also require clearance of the competent authority as required under the provisions of Coastal Regulation Zone notification of the Ministry of Environment and Forests, Government of India and as amended from time to time. ]

**(SM-90)[ 4.12. EXCAVATION AND RESTORATION PLAN FOR QUARRYING**

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

**(SM-91)[ 4.13. SIGNING THE PLANS**

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

**(SM-92)[ 4.14. QUALIFICATIONS & COMPETENCE OF THE ARCHITECTS/ENGINEERS/LICENSED SUPERVISORS/ENGINEER/SURVEYOR-/LICENSED STRUCTURAL ENGINEERS**

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

**(SM-93)[ 4.15. DEVELOPMENT CHARGES**

The applicant shall have to pay Development charges on development and / or construction as levied by the Planning Authority in accordance with the provisions of ~~chapter VI (A) Section 124B~~ of the MR & TP Act, 1966, as amended from time to time. For the purpose of information ~~the~~ The rates of the development charge presently being levied are indicated in Appendix 'C'. The Development charge shall be levied as per the rates mentioned in Appendix- C; which may be amended by the Planning Authority as per the provisions of the said Act. ]

**4.16. GRANT OF PERMISSION OR REFUSAL**

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

**(EP-206)[ 4.17. DEEMED PERMISSION**

If the Planning Authority does not communicate its decision ~~either~~ whether to grant or ~~to~~ refuse permission to the applicant within ~~60~~ sixty days from the date of receipt of his application, or within sixty days from the date of receipt of ~~the~~ reply from the applicant in respect of any requisition made by the Planning Authority, whichever is later, such permissions shall be deemed to have been



granted to the applicant on the date immediately following the date of expiry of the ~~60~~ sixty days; provided that, the development proposal, for which the permission was applied for, is strictly in conformity with the requirements of these Development Control Regulations framed under MR & TP Act, 1966 or bye-laws or regulations framed in this behalf under any law for the time being in force and the same in no way violates either the provisions of any draft or final plan or proposals published by means of notice or submitted for sanction under the said Act and the Scrutiny Fees, ~~development charges as well as premiums, deposits or other fees etc.~~ & Security Deposit prescribed under these Regulations, are paid to the Planning Authority prior to commencement of work as in the case of any proposal ~~granted-sanctioned~~ by the Authority.

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

Provided further that, any development carried out in pursuance of such deemed permission which is in contravention of the above provisions, shall be deemed to be an unauthorised development for the purposes of sections 52 to 57 of MR & TP Act, 1966.]

**(SM-94)**

**4.18. APPLICANT TO MODIFY PLANS IN CERTAIN CASES:**

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

**(SM-95)**

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

~~Plans regarding of buildings having 16-24 15m or as prescribed in the National Building Code of India, 2005, as amended from time to time and above height/Special Buildings shall be scrutinized also by the Competent Fire Authority and no such plans shall be sanctioned by the Planning Authority unless a clearance is given by the Competent Fire Authority, in accordance with the provisions of the Maharashtra Fire Prevention and Life Safety Measures Act, 2006. ]~~

**(SM-96)**

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

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

**4.21. REVOCATION OF PERMISSION**

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

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

Neither the granting of the development permission nor the approval of the drawings and specifications, nor the inspections, made by the Planning Authority during erection of the building shall, in any way, relieve the Owner/Architect/Structural Engineer/Developer of such building from full responsibility for carrying out the work in accordance with the requirements of these Regulations.

**4.22. COMMENCEMENT CERTIFICATE (C.C):**

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

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

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

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

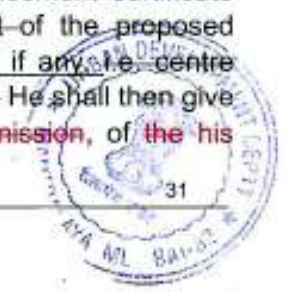
**(EP-207)** [4.22.4 For the purpose of this Regulation, 'Commencement' shall mean as under:-

	Type of Development	Commencement stage
a)	For a building work including additions and alterations	Upto a <u>basement/plinth/stilt/podium</u> level
b)	For bridges and overhead tanks	Foundation and construction work up to the base floor
c)	For underground works	Foundation and construction work up to under ground floor.
d)	For lay-out, sub-division and amalgamation proposals	Final demarcation and provision of infrastructure and services up to the Following stages i) Roads: <b>Completion of Water Bound Macadam complete</b> ii) Sewerage, Drainage and Water supply; <b>(Completion of excavation and base concreting complete.)</b>

**5. PROCEDURE DURING CONSTRUCTION**

**(SM-97)** [5.1. INTIMATION FOR COMMENCEMENT OF WORK

1) The owner shall within one year from the date of issue of building permission / commencement certificate, commence the work for which the building permission/commencement certificate has been issued. The owner shall mark ~~on the~~ building site the ~~line-out~~ of the proposed development work along with D.P. reservations, new roads/road widening, if any, site centre lines of all external walls / columns proposed on ground floor of the structure. He shall then give notice to ~~the~~ Planning Authority, ~~along with copy of Non-Agricultural permission, of the his~~



intention to start work on the building site in the Proforma prescribed by the Planning Authority ~~on from~~ time to time **along with copy of Non-Agricultural Permission**. ~~The Planning Authority within 7 days of the receipt of such notice shall check the lineout. The owner may anytime after seven days have elapsed from the date of service of such notice to the Planning Authority or earlier if permitted by the Planning Authority commence the work.~~

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

## 5.2. DOCUMENTS AT SITE

### 5.2.1. RESULTS OF TESTS OF MATERIALS

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

### 5.2.2. APPROVED PLANS

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

### 5.2.3. SAFETY MEASURES AT SITE

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

**(SM-98)**

## 5.3. PLINTH AND STILT COMPLETION CERTIFICATE:

- 1) The Owner shall give notice in the form to the Planning Authority after the completion of work up to plinth level and where there is no plinth, construction above general ground level upto 0.60 m. with a view to enabling the Planning Authority to ensure that the work is carried out in accordance with the sanctioned plans. The Planning Authority within ~~seven-fifteen~~ days from the receipt of such notice shall carry out inspection **and**; give approval to the work up to plinth level and **grant** permission for carrying out further construction work as per sanctioned plans; ~~if N.A. permission is produced and compliance of CC in the form prescribed by the Planning Authority on from~~ time to time; **provided, the conditions on which CC has been given are complied with.**

i)—Provided that, before giving such approval and permission the Planning Authority shall ~~require~~ the applicant to fix a metal, wooden or plastic board of the size of 1.5 m x 1m at the conspicuous place at the site indicating there on the following particulars and no such approval and permission shall be given unless the board so fixed is inspected by the Planning Authority.

- 2) Particulars to be shown on the board –

- a<sub>1</sub> Name of the Owner of the land and his address;
- b<sub>1</sub> Name of the licensed Architect/Surveyor and their address;
- c<sub>1</sub> License No. of the licensed Architect/Surveyor;
- d<sub>1</sub> Name of the developer and his address, where the developer is a firm, the name of the firm and its address;





- e. C.S.No./C.T.S.No./S.No. and Name of the Village;
  - f. Number and date of development permission and commencement certificate granted by the Planning Authority;
  - g. Area under building project, F.S.I. consumed;
  - h. Number and date of U.L.C. Clearance Certificate, if required.
3. If within the statutory period, the permission is not refused, the permission shall be deemed to have been given provided the applicant fixes a board as provided in sub-Regulation (1) except that instead of giving number and date of development permission or commencement certificate, indication shall be given on the board that the permission is deemed to have been given under this Regulation, but the construction shall be strictly as per Development Control Regulations.
4. Development charges and / or other balance charges as may be due shall also be paid before seeking plinth / stilt completion certificate. ]

#### 5.4. DEVIATIONS DURING CONSTRUCTIONS:

If during the construction of a building any departure from the sanctioned plan is intended to be made by way of internal alternations or external additions which violate any provisions regarding general building requirements, structural stability or fire safety requirements of these Regulations, sanction of the Planning Authority shall be obtained. Any work carried out in contravention of the sanctioned plan, without prior approval of the Planning Authority shall be deemed to be unauthorized. The Planning Authority shall take appropriate action u/s 52 to 54 of the M.R. & T.P. Act in such cases.

#### 5.5. COMPLETION CERTIFICATE/ACCEPTANCE OF THE COMPLETION CERTIFICATE

- 1) The owner through the licensed Architect, Engineer, Structural Engineer, or Supervisor, as the case may be, who has supervised the construction shall give notice to the Planning Authority regarding completion of work described in the development permission. The completion certificate shall be submitted in the form ~~in Appendix-J4 prescribed by the Planning Authority from time to time.~~ and shall be accompanied by six sets of completion plan, one of which shall be cloth mounted.

The six sets mentioned above are for following purposes:

- i. Cloth mounted for office record;
  - ii. Collector of the District;
  - iii. Owner;
- 2) The Planning Authority shall inspect the work and after satisfying him that there is no deviation from the approved plans issued a certificate of acceptance of the completion of work in the form prescribed by the Planning Authority. ]

#### 5.6. OCCUPANCY CERTIFICATE:

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



#### 5.7. PART OCCUPANCY CERTIFICATE:

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

**(SM-102)]**

#### 5.8. OCCUPANCY CERTIFICATE FOR SPECIAL BUILDINGS:

The work of construction of a building having ~~height of more than 1624~~ 15m, or as prescribed in the **National Building Code of India, 2005, as amended from time to time and above height** or a **Special building** shall be subject to inspection ~~also of the Planning Authority; and unless a necessary clearance regarding completion of the work from the point of view of fire protection~~ **point of view is in accordance with the provisions of the Maharashtra Fire Protection and Life Safety Measures Act, 2006 given by him the Competent Fire Authority.** ~~no Occupation Occupancy Certificate shall be issued by the Planning Authority in respect of such building granted thereafter by the Planning Authority only after ascertaining this aspect. ]~~

#### 5.9. REFUND OF SECURITY DEPOSIT

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

**(SM-103)]**

#### 5.10. DEMOLITION OF DILAPIDATED AND UNSAFE BUILDINGS:

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

#### 5.11. REPAIRS TO STRUCTURES AFFECTED BY DP RESERVATIONS

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

#### 5.12. INSPECTION

##### 5.12.1. INSPECTION AT VARIOUS STAGES-

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

##### 5.12.2. INSPECTION BY FIRE DEPARTMENT-

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



### 5.13. PERMISSION FOR TEMPORARY STRUCTURES.

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



**PART - III**  
**LAND USE ZONES AND PERMISSIBLE USES**

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## PART - III

### LAND USE ZONES AND PERMISSIBLE USES

#### 6. LAND USE ZONES

##### 6.1. DEVELOPMENT TO BE IN CONFORMITY OF THE USE ZONES

In the Development Plan, the areas within the Planning Authority's jurisdiction are categorized into various land use zones. These zones are depicted distinctly by different colors and notations on the Development Plan. Development of any plot or premises shall necessarily be in conformity with the Use Zone in which it is situated or the specific use / occupancy assigned to it in the Development Plan.

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

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

##### 6.2. LAND USE CLASSIFICATION

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

- Residential;
- Commercial;
- Industrial;
- Transportation and communication;
- Transport Hub and Logistics Park Zone;
- Public Utilities;
- Public and Semi-Public;
- Open Spaces;
- No Development Zone;
- Recreational and Tourism Zone;
- Forests. ]

##### 6.2.1. MICRO ZONES RESIDENTIAL ZONE

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

##### (EP-208) [1] RESIDENTIAL ZONE (R1)

Residential Zone (R1) consists of all plots situated ~~on~~ along roads having existing or ~~prescribed~~ proposed width of less than ~~30~~ 18 m. ~~and the plots situated on roads on which shop line is not marked in the development plan.~~

##### 2) RESIDENTIAL ZONE (R2)



Residential Zone (R2) consists of all plots **situated** along roads **situated-on-roads**-having existing or **prescribed proposed** width of **3018 m.** and above.

Rental Housing as shown on the Development Plan and or as approved by the Planning Agency

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

### 6.3. USES PERMITTED IN DIFFERENT ZONES:

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

### 6.4. CHANGE IN USE OF BUILDING NOT PERMITTED:

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

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

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

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

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

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

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

Provided further that no such shifting of any reservation shall be permitted unless-

- a. Full reservation is relocated;
- b. The land under such reservation is handed over to the Planning Authority against TDR.
- c. Concurrence of the Appropriate Authority, wherever applicable, is taken for such shifting of reservation.

Each such relocation of reservation shall be notified by the Planning Authority for information of the general public and the Planning Authority shall make necessary corrections in the DP and inform the Director, Town Planning & the Govt. about the same.]

#### 6.7. USES TO BE IN CONFORMITY WITH ZONE:

Where the use of the buildings or premises is not specifically designated in the development plan it shall be in conformity with the zones in which they fall; provided that, any lawful use of premises, existing prior to the date of commencement of these Regulations shall continue; provided further that, a non-conforming use shall not be extended or enlarged except as provided in Regulations 6.9 and 6.10 and that when a building containing non-conforming use is pulled down or has fallen down, the use of the new building shall be in conformity with these Regulations. Provided further that a non-conforming industrial use for which permission is not obtained under the Development Control Regulations, existing prior to the date of the publication of the draft development plan in M.G.G. but the same is fitting in the requirements of the Development Control Regulations of the Draft Development Plan and is non polluting shall be allowed to continue subject to the payment of premium as will be decided by the Planning Authority.

#### 6.8. WIDTH OF ROADS IN THE DEVELOPMENT PLAN:

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

#### 6.9. NON-CONFORMING USER FOR INDUSTRIES:

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

- i. Such schemes form an integral part of, and are directly connected with, the process carried on in the existing unit;



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

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

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

#### **6.10. NON CONFORMING USERS OTHER THAN FOR INDUSTRIES:**

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

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

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

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

#### **6.12: DEVELOPMENT FOR MEGA CITY PROJECT:**

~~For developing an area within the jurisdiction of the Planning Authority socially and economically, Mega City Projects would be permitted in Residential and Commercial Zones in a contiguous,~~



~~unbroken and uninterrupted holding admeasuring minimum of 100 hectare of area in one place having frontage on road of atleast 24 m. wide (existing or proposed) and subject to the CRZ provisions. Such Mega City shall be permitted as per the Development Control Regulation No. 15.4.3 of the Mumbai Metropolitan Region as sanctioned vide Urban Development Department Notification No. TPS-1208/1570/CR-161(B)/09/UD-12 dated 28th August 2009 and as amended from time to time and subject to following:~~

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

(EP-210)[

#### **6.13. DEVELOPMENT OF SPECIAL TOWNSHIP:**

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

(EP-254)[

#### **6.14. DEVELOPMENT OF RENTAL HOUSING:**

~~The Rental Housing projects within the limits of the 'Notified Area' for which MMRDA is the PIA (Project Implementation Agency) shall be a project for vital public purpose and the Metropolitan Commissioner, MMRDA shall be Chief Executive Officer of such projects, which shall be regulated as per regulations Government of Maharashtra Notifications, issued from time to time in respect of Appendix Z to AB.~~

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

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



- vi. ~~The buildings having height more than 24m shall be permissible subject to NOC from competent Fire Authority. ] (EP-254)~~

**(EP-290)**

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

**(Kept in Abeyance)**

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

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

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

**(EP-211)**

**6.17. OTHER DEVELOPMENTS:**

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

**(EP-212)**

**6.18. DEVELOPMENTS IN TRANSPORT HUB AND LOGISTICS PARK ZONE:**

~~The Regulations for developments in Transport Hub and Logistics Park Zone shall be applicable as given in Appendix AF.]~~

**6.19. COMMERCIAL USE OF LANDS IN THE POSSESSION OF THE MAHARASHTRA STATE ROAD TRANSPORT CORPORATION (MSRTC):**

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



## **PART: IV**

### **GENERAL PLANNING REQUIREMENTS FOR DEVELOPMENT OF LAND**

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## PART: IV

### GENERAL PLANNING REQUIREMENTS FOR DEVELOPMENT OF LAND

#### 7. DEVELOPMENT PROPOSAL

##### 7.1. REQUIREMENT OF SITE FOR DEVELOPMENT:

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

- a. If the Planning Authority considers that the site is insanitary or that it is dangerous to construct a building thereon;
- (EP-213) b. If the site is within a distance of 9 m. from the edge of water mark of a minor water course (like nallah) and 15 m. from the edge of water mark of a major water course (like river, creek, etc). and However, if the owner of the property, channelizes and/or diverts the water course to an alignment and the cross section as determined by and to the satisfaction of the Planning Authority without changing the position of existing inlet and outlet of the water course, ~~then these distances from the width of minor and major water course shall not be less than 3 m. and 5 m. respectively.~~ no construction shall be permitted within a distance of 6m. from the edge of water mark of a minor water course and 9m. from the edge of water mark of a major water course.]
- c. If the site is adjacent to a Nala, 9 m. distance is to be kept free within the site. In flood prone areas, constructions may be allowed on stilt instead of the ground;
- d. If the site is not drained properly or is incapable of being well drained;
- e. If the owner of the building has not taken to the satisfaction of the Planning Authority all the measures required to safeguard the construction from constantly getting damp;
- f. If the building is proposed on any area filled up with carcasses, excreta, filthy and offensive matter, till the production of certificates of the Health Officer and the Engineer of the Authority/Zilla Parishad/Local Authority to the effect that it is fit to be built upon from the health and sanitary point of view;
- g. If the use of the site for the purpose which, in the opinion of the Planning Authority, be a source of annoyance to the health and comfort of inhabitants of the neighborhood;
- h. If the plot has not been approved as a building site by the Planning Authority;
- i. If the level of the site is less than prescribed level depending on topography and drainage aspects.

(EP-214) j. If site is within the boundary of CRZ, provisions of CRZ Notification dated 06<sup>th</sup> January, 2011, as amended from time to time shall apply.]

###### 7.1.2. ADDITIONAL RESTRICTIONS ON CONSTRUCTION/RECONSTRUCTION:

###### A) Distance of Site from Electric Lines.

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

**TABLE 3: DISTANCE OF SITE FROM ELECTRIC LINES**

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

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

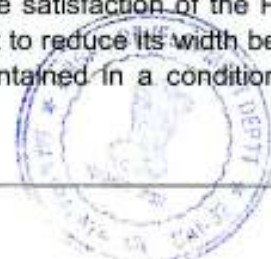
**(SM-107)(B) Distance from Railway:**

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

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

**7.2. MEANS OF ACCESS**

- 1) Every building existing or proposed shall have public and / or internal means of access as required in these Regulations.
  - i) Every plot shall be accessible through a paved public means of access like street / road or layout road. Every plot owner has a legitimate right to access to his plot from the Public Street / road or layout road; else the private means of access shall be made accessible to his plot.
  - ii) Such a means of access serving plot upto 500 sq. m. shall not be less than 3.0 m. in width with a length not more than 30 m. from a public street / road or layout road. However, in the case of larger plot, width of such means of access shall be consistent with the internal road to which it connects.
- 2) Every person who erects a building shall not, at any time, erect or cause or permit erection or re-erection of any building, which in any way encroaches upon or diminishes the area set apart as means of access.
- 3) The means of access shall be clear of marginal open space by at least 3 m. from the existing building line.
- 4) The length of main means of access shall be determined by the distance from the farthest plot or building to ~~to~~ and the public street. The length of the (subsidiary access) way shall be measured from the point of its origin to the next wider road on which it meets.
- 5) In the interest of general development of an area the Planning Authority for the reasons to be recorded in writing may require the means of access to be of larger width than that required under these Regulations.
- 6) Means of access shall be leveled, metalled, flagged, paved, severed, drained, channeled, lighted, laid with water supply line and provided with trees for shade to the satisfaction of the Planning Authority, free of encroachment by any structure or fixture so as not to reduce its width below the minimum prescribed under Regulation ~~7.57.2.1~~ 7.2.1 and shall be maintained in a condition to the satisfaction of the Planning Authority.



- 7) Cul-de-sacs would be permissible only on straight roads and cul-de-sac ends shall be higher in level than the level of starting point.

**(EP-215)** [8] In case of a plot surrounded on all sides by other plots i.e. a land locked plot which has no access ~~to from~~ any street or road, the Planning Authority may require access through an adjoining plot or plots which shall, as far as possible be nearest to the street or road to the land locked plot, ~~at the cost of owner of the land locked plot at Ready Reckoner land rate or by granting in-lieu-of equivalent FSI to the owner or owners of the adjoining plot or plots, in lieu of the land surrendered for the access road, on and such other conditions as the Planning Authority may specify.]~~

#### 7.2.1. WIDTH OF MEANS OF ACCESS

1. **Residential and Commercial Zone** – The plots shall abut on a public means of access like street or road. Plots which do not abut on a street or road shall abut or front on a means of access the width and other requirements of which shall be as given in Table 4 as given hereunder: -

**TABLE 4: WIDTH OF ACCESS FOR RESIDENTIAL AND COMMERCIAL ZONES**

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

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

- 2(a) The Planning Authority shall permit access from streets having width of not less than 6 m. through land over which the public have a customary right of access or have used it or passed over it uninterruptedly for a period of 20 years.

**(SM-108)** 2(b) In gaathan/congested area width of the right-of-way may be permitted to be reduced to 4.5 m up to a length of 150 m provided that permission may be granted on plots ~~facing on abutting~~ proposed D.P. Road; provided owner undertakes responsibility to construct ~~partial~~ D.P. Road ~~from his plot upto the nearest existing road and/or alternative means of access. ]~~

#### 3. **Width of Access for Industrial Zone and Special Type of Buildings:**

**TABLE 5: WIDTH OF ACCESS FOR INDUSTRIAL ZONE AND SPECIAL TYPE OF BUILDINGS**

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

**4. Access for Residential, Commercial and Industrial Zones (Tables 45 and 56):**

- a<sub>1</sub> Shall be clear of marginal open spaces but not less than 3 m. from the building line;
- b<sub>1</sub> May be reduced by 1 m. in their prescribed widths if the plots are on only one side of the access;
- c<sub>1</sub> Shall be measured in length from the point of its origin to the next wider public street it meets.

5. In the interest of the general development of any area, the Planning Authority may require the means of access to be of larger width than required under these Regulations.
6. Notwithstanding the above, in partially built-up plots where the area still to be built upon does not exceed 5,000 sq. m., access of 3.6 m. width may be considered adequate. If such an access is through a built over arch, this access shall have a height of not less than 4.5 m. If such access is at least 3 m. in width, it shall be considered as adequate means of access for areas to be built upon not exceeding 5,000 sq.mts and any development on 3m. access shall be on stilts.

~~(SM-109)[7. In the case of a plot, surrounded on all sides by other plots i.e. a land-locked plot which has not access to any street or road, the Planning Authority may require access through an adjoining plot or plots which shall, as far as possible be nearest to the street or road to the land-locked plot, at the cost of owner of the land-locked plot and such other conditions as the Planning Authority may specify. ]~~

8. Notwithstanding the provisions regarding access in these Regulations, an access provided in Town Planning Schemes if any shall be deemed to be adequate.
9. In no case shall the means of access be lesser in width than the internal access ways in layouts and sub-division;
10. The approach to every building from roads, street or internal means of access shall be through paved pathway of width not less than 1.5 m. provided its length is not more than 20m from the main or internal means of access;
11. In case of special housing schemes for low income groups and economically weaker sections of society developed up to two Storey Row Housing Scheme, the pathway width shall be 3m. which shall not serve more than 50 m length and 8 plots on each side of pathway.
12. The length of the means of access shall be determined by the distance from the farthest plot (building) to the public street. The length of the subsidiary access way shall be measured from the point of its origin to the next wider road on which it meets.
13. Where a private passage is unrestrictedly used by the public for more than 20 years as a means of access to a number of plots and the width of such means of access is not less than 9 m. the Planning Authority may improve the passage at public cost and thereafter take steps under the Act to declare it to be public street, subject to the provisions of applicable local authority act, if any.

~~(SM-109)[14. In congested areas or Gaothans, in the case of plots facing street or means of access less than 4.5 in width the plot boundary shall be shifted to be away by 2.25 m. from the central line of the street or means of access way to give rise to a street or means of access way width of 4.5 m. ]~~

15. Means of access shall be free of encroachment by any structure or fixtures so as not to reduce its width below the minimum required under Sub-Regulation (1) and shall be maintained in a condition to the satisfaction of the Planning Authority.
16. Private Street: if any private street or other means of access is not constructed or maintained as specified in sub-Regulation (1) above or if structures or fixtures are raised thereon in contravention of that sub-rule, the Planning Authority may by written notice direct the owner or



owners of the several premises fronting or adjoining the said street or other means of access or abutting thereon or to which access is obtained through such street or other means of access or which shall benefit by works executed to carry out any or all of the aforesaid requirements in such manner and within such time as it shall direct. If the owner or owners fail to comply with the ~~its~~ direction, the Planning Authority may arrange for its execution and recover the expenses incurred from the owner or owners.

**(SM-109)** ~~17. If any structure or fixture is set upon a means of access so as to reduce its width below the minimum required, the Planning Authority may remove the same and recover the expenses so incurred from the owner; ]~~

#### 7.2.2.WIDTH OF PATHWAYS (FOR RESIDENTIAL ZONE ONLY)

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

TABLE 6: WIDTH OF PATHWAYS (FOR RESIDENTIAL ZONES)

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

#### **(SM-110)** 7.2.3.ACCESS FROM HIGHWAYS AND WIDER ROADS:

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

#### **(SM-111)** 7.2.4.ADDITIONAL PROVISIONS REGARDING MEANS OF ACCESS TO APPLY TO HIGH RISE OR SPECIAL BUILDINGS:

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

- a. The width of the main street on which the building abuts shall not be less than 12 metres and one end of this street shall join another street of width not less than 12m in width.
- b. The approach to the building and open spaces on all of its sides ~~including having minimum width of 6 m. width-minimum~~ and the layout for the same shall be ~~done kept in-consultation~~





with as directed by the Planning Authority and the same shall be on hard surface capable of taking the weight of fire engine weighing up to 18 tones. The said open space shall be kept free of obstructions and shall be motorable. ]

### 7.3. DEVELOPMENT PROPOSAL

(EP-216)[

#### 7.3.1.CONTENT:

Every development proposal shall contain:

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

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

Sr. No	Plot Area (Sq. m)	Land to be kept as Open Space	Land to be kept as Amenity Space
1	1000 and below	Nil	Nil
2	1001 – 10,000	15 % of net plot area	Nil
3	2501 - 10000	20% of net plot area	Nil
4	10001 and above – 20000	25-20% of net plot area	5% of net plot area Nil
5	20001 and above	25% of net plot area	5% of net plot area

- c (ii) ~~In any layout exceeding 2 (two) hectares in area in residential and commercial zones, 5 percent of total net plot area shall be designated/reserved as amenity space for provision~~ The area designated/reserved for amenity space, as mentioned above shall be used In any layout exceeding 2 (two) hectares in area in residential and commercial zones, where the development plan has not provided for amenities and services or facilities, or if provided they are inadequate, 5 percent of the total area shall be designated/reserved as amenity space for provision of Primary Schools, Balwadis, sub post offices, sub post offices, Police Posts, Dispensary, Convenience Shopping, Multipurpose Hall, Community Center, Library, Auditorium, Fire Station, Electric Sub-Station, Elevated or Underground Water Reservoir, Pump House, etc. as directed and approved by the special planning authority/ Planning Authority and such amenity or facility amenities or facilities shall be deemed to be designations or reservations in the Development Plan thereafter. TDR of such amenity will shall be available after handing over this amenity space free of cost to special planning authority / the Planning Authority. In deciding the requirements for additional amenities, the Special Planning Authority/Planning Authority will be guided by Table 98 given below.]

(EP-210)[

(iii) ~~For layouts exceeding 5 Hectares area, the Regulations for Special Township shall be applicable which are as mentioned in Appendix – W.) ]~~

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

(SM-112)[

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

Within a given zone, reservations / designations proposed in the development plan, public amenity sites proposed under Regulation 7.3.1 (c) (ii) and the recreational open spaces as required under Regulation 7.3.1 (c) (i), in their entirety may be allowed to be relocated by the Planning Authority



~~within the boundaries of the same holding or over the adjoining land with the consent of the interested persons and the person interested in the adjoining land. The site of relocation shall, however, be vacant, free of all encumbrances and shall bear tenure of exactly similar nature as that of the plot from where the public amenity is being shifted.~~

~~If the land proposed to be laid out is affected by any reservations or public purposes, the Authority may agree to adjust the location of such reservation to suit development without altering the area of such reservation.~~

~~Provided that no such shifting of the reservations shall be permitted-~~

~~e. beyond 200 m. of the location in the Development Plan;~~

~~f. beyond the same holding of the owner in which such reservation is located;~~

~~g. unless the alternative location and size is at least similar to the location and size of the Development plan as regards access, levels, etc. and~~

~~h. unless the relocation is within area covered by the layout or development permission under sanction.~~

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

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

The nature of the amenity shall be decided by the Planning Authority according to the provisions of the Regulation 6.11 and Table 8.

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

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



**(EP-216)** TABLE 8: **COMMUNITY FACILITIES, AMENITIES AND OTHER SUB-DIVISION REQUIREMENTS**  
(Sub Regulation no 7.3.1.c (ii))

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



Sr. No.	Facilities-Amenities_Required		Scale of Provision (Population Norm)	Minimum area required and Remarks
	Main Type	Sub Type		
1	2	3	4	5
5	Social and Cultural facilities	Religious building Community Hall and Library Cinemas	1 for every 15,000 1 for every 15,000 1 for every 25,000	0.8 Ha location not at intersection of roads and 60m away from junctions 0.30 Ha 0.30 Ha with parking location in Zonal Shopping Centre business and commercial area not in residential zone.
6	Facilities for Industrial Zone	Labour Welfare Centre Convenience Shops Bus station, Health Centre, Post Office, Telephone Exchange, Banks Petrol pump-cum-service station Police Station with staff quarters Fire station with staff quarters	1 for every 40 Ha.         for every 200 Ha	0.2 Ha 5 shops of 10 sq.m. each 0.2 Ha. 0.6 Ha. 0.04 Ha. 0.04 Ha. 200 sq.m. 30 x 45m 0.4 Ha. 0.8 Ha <b>J (EP-216)</b>



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

**1. Open spaces in Residential and Commercial Zone.**

a) **Extent-** In any layout ~~of~~ or sub-division of vacant land in a residential and commercial zone open spaces shall be provided as given in Table 7.

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

b) **Minimum area** – No such recreational space shall measure less than 125 sq. m. and at least 50% of the recreational open spaces shall be 250 sq. m. or more in area.

c) **Minimum dimensions** – The minimum dimension of such recreational space shall not be less than 7.5m. and if the average width of such recreational space is less than 16.6m., length thereof shall not exceed 2.5 times the average width. The Planning Authority may relax minimum dimensions prescribed taking into consideration, plot size, area and site conditions on case-to-case basis, if required.

d) **Access** –Every plot meant for a recreational space shall have independent means of access, unless in the layout, it is approachable directly from every building. The building line shall be at least 3 m. away from the boundary of recreational open space.

e) **Ownership** - The ownership of such recreational space shall, by provision in a deed of conveyance, vest in all the property owners on account of whose holdings the recreational space is assigned.

f) **Tree growth** - Excepting for the area covered by the structures permissible under (g) below, the recreational space shall be kept permanently open to the sky and accessible to all owners and occupants as a garden or a playground etc. and trees shall be grown as under:

- i) at the rate of 5 trees per 100sq.m. or part thereof to be grown in a plot.
- ii) at the rate of 1 tree per 80sq.m. or part thereof to be grown in a plot for which a sub-division or layout is not necessary.

**(EP-217) (g) Structures/uses permitted in recreational open spaces:**

- i) in a recreational open space exceeding 250–400 sq. m. in area (in one piece), elevated/underground water reservoirs, electric sub-stations, pump houses may be built not utilizing more than 10% of the ~~area of the~~ open space in which they are located. ~~and shall be single storeyed.~~
- ii) In a recreational open space ~~or playground~~ of 1000 sq. m. or more in area (in one piece and at one place), structures for pavilions, gymnasia, crèche, club houses, meditation centre and other structures for the purpose of sports and recreation activities may be permitted with built up area not exceeding 15% of the total recreational open spaces at one place. The area of the plinth of such structures shall be restricted to 10% of the ~~area-of-the-total~~ recreational open space in which they are located. The height of any such structure which may be single storey shall not exceed 8 m. A swimming pool may also be permitted in such a recreational open space shall



be free of F.S.I. Recreational open spaces having area more than 1 Ha. may be utilized for Circus, Entertainment programs, Public meetings/Discourses, Yoga, Meditations, Cultural programs, Exhibitions and the like. Structures for sports, recreation and crèche activities shall conform to the following requirements:]

- a) The ownership of such structures and other appurtenant users shall, by provision in a deed of conveyance, vest in all the owners on account of whose cumulative holdings, the recreational open space is required to be kept as recreational open space or ground in the layout or sub-division of the land.
  - b) The proposals for construction of such structures should come as a proposals from the owner/owners/society/societies or federation of societies without any profit motive and shall be meant for the beneficial use of the owner/owners/members of such society/societies/ federation of societies.
  - c) Such structures shall not be used for any other purpose, except for recreational activities for which a security deposit as decided by the Planning Authority will have to be paid to the Planning Authority.
  - d) The remaining area of the recreational open space or playground shall be kept open to sky and properly accessible to all members as a place of recreation, garden or a playground.
  - e) The owner/owners or society or societies or federation of the societies shall submit to the Planning Authority a registered undertaking agreeing to the conditions in (a) to (d) of (g) (ii) above.
- iii) No detached toilet block shall be permitted.

## 2. Open spaces in industrial plots/layout of industrial plots.

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

### 7.3.6. INTERNAL MEANS OF ACCESS TO EACH PLOT

They shall conform to the requirements of Regulation 7.2.

**(SM-113) 7.4. SUB-PLOTS MINIMUM PLOT AREA**

Minimum plot areas for various uses, the minimum width of roads along which they can be sited and the nature of development permitted in the sub-plots shall be as shown in Table 9 below:

**TABLE 9: MINIMUM PLOT AREAS FOR VARIOUS USES**

Sr. No.	Land use / use occupancy	Plot area (sq. m.)	Required Minimum Width of Road	Type of Development. (either single residential/ commercial / industrial unit or a building comprising multiple units)
(1)	(2)	(3)	(4)	(5)
1	Residential & Commercial (except those in 2, 3 & 4 below )	i) 25 and above but less than 40	As required by Regulation 7.2.	Row
		ii) 40 and above but less than 125		Row/Semi-detached
		iii) 125 and above with no dimension less than 9m.		Row/Semidetached/ Detached
2	Plot in Public Housing/ High Density Housing /Sites and Services/Slum up-gradation/ Reconstruction Scheme	21 with minimum width of 3m	As required by Regulation 7.2.	Row
3	Petrol filling Station -			
	i) without service bay	545 (with one dimension not less than 16.0 m.)	18 m.	Detached.
	ii) with service bay	1100 (with one dimension not less than 30.5 m.)	18 m.	Detached.
4	Cinema, Theatre, Assembly buildings.	3 sq. m. per seat (including parking requirements.)	18 m.	Detached.
5	Marriage Hall	1000	18 m.	Detached.
6	3 Star Hotel when in independent plot.	1000	18 m.	Detached
7	4 and 5 Star Hotel in independent plot.	2500	18 m.	Detached
8	Industry	300 (With minimum width of 15m)	18 m.	Detached
9	Activities in No Development Zone	2000	18 m.	Detached

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

**7.4.1. SIZE OF PLOTS FOR SPECIAL HOUSING SCHEME**

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



#### 7.4.2. SIZE OF PLOT IN INDUSTRIAL ZONE

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

#### (SM-114) 7.4.3. PROVISION FOR SHOPPING CENTER

- i) In addition to Amenity space required under Regulation no. 7.3, in the case of layouts or sub-divisions of area in excess of 2 Ha. in Residential and Commercial Zones, 5% plots of the total area of the layout shall be provided for shopping centers that may have an area upto 5% of the area of the plot. In industrial zones, the provision of sub-regulation (2)-(b) of Regulation 7.3.5 shall apply.
- ii) The shopping center area of 5% may be distributed within the layout for making it available within accessible distances from the different parts of the layout.
- iii) The shopping center These shops shall not abut on roads more less than 12 48m. in width.
- iv) Within a layout, the shopping center, which must include Convenience shopping and stalls for fruits/vegetable vendors, shall be provided on ground floor and upper floor may be utilized for residential purpose and conveniences like banks, places for doctors and medical practitioners, etc. as defined in Regulation 2.2-(26) ]

#### (SM-115) 7.4.4. PROVISIONS FOR ELECTRIC SUB-STATION, ETC.

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

#### 7.4.5. INTERSECTIONS OF ROADS:

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

#### 7.4.6. BUILDING-LINE

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

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

##### (EP-218) 7.5.1. FLOOR SPACE INDEX (FSI)

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

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



iii) Area under regular line of street, if any,

b. The buildable plot area shall be as under:

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

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

2) Net Plot Area is the area of the plot after deducting the area of existing and proposed DP road, reservation and amenity, if any, from the Gross plot area.

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

#### 7.5.2. VALUES OF FSI

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

- the size of the holding under development of which the plot forms a part;
- the width of road on which the plot abuts;
- the user assigned to the plot in the development plan.

The value of FSI and DR for various land uses are hereunder.

1) **FSI for Residential Land use (R 1, R 2-Zone), Commercial, Industrial and other land use/ zones:**

The permissible FSI in the Residential, Commercial, Industrial and other land uses/ Zones is as per the table 1012.

i) Plots situated within Gaothan or congested area - The Base FSI for any plot shall be 1.0 of the net plot area.

Plot situated outside Gaothan or congested area-The basic Base FSI for any plot having area upto 1000sq.m. shall be 1.0 of the net plot area and Base FSI for any plot having area more than 1000sq.m. shall be 0.95 of the net plot area.

The Planning Authority may permit additional FSI over and above Base FSI, depending on the width of road on which plot abuts and the plot size for the categories of buildings/uses mentioned hereinafter; with or without premium and/or TDR as given in the Table Nos. 12, 12A & 12B and subject to such terms and conditions as Planning Authority may prescribe. In case of layouts, 0.95 FSI of net area will be consumed on pro-rata basis on each buildable plot including amenity plot. plot is 1.0 and any additional FSI above beyond 1.0 will be purchased as premium FSI 50% by premium FSI and 50% by TDR. The premium to be charged for additional FSI by Planning Authority shall be as per the prevailing rate of land stipulated in the Stamp Duty Ready Reckoner of Govt. of Maharashtra for the relevant prevailing year of development permission.



- ii) ~~The additional FSI to be made available on payment of premium by the Planning Authority shall be granted without any condonation in the requirement of marginal open spaces, parking, fire fighting provisions, structural safety, health safety etc.~~
- iii) ~~The maximum FSI allowed in plotted Housing Schemes and Group Housing Scheme is 1.5 irrespective of the plot size and the right-of-way. The maximum FSI allowed in the Group Housing Schemes fronting on roads above 24 m. will be 2.0.~~
- iv) ~~Maximum FSI allowed for Rental/Affordable Housing is 4.0 shall be in accordance with the provisions of Regulation 8.406.14 and Government Notifications in force. The provisions of Govt. Notification No. TPS-1208 / MMR / CR-393 / 08 / UD-12 dated 4th November 2008 in respect of Rental Housing projects in the jurisdiction of KDMC, AKBSNA, TMC, BNMC, VVNA etc. shall be applicable in the DCRs of BSNA.~~
- v) ~~The maximum FSI allowed in Gaathan/Congested area is 1.5 subject to other conditions specified by Planning Authority from time to time.~~

**Note:**

- 1) ~~Parking is free of FSI calculation, whether above or below the ground.~~
- 2) ~~Balconies and Terraces are free of FSI. If these are more than 10% of the built up floor then these should be calculated in FSI as 100% of their additional area.~~

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

Plot Size	Proposed ROW of Adjacent Road		
	Less than 15 M	15 M to Less than 30 M	30 M and Above
Upto 2000 sq. mtr	1.0 (No premium)	1.00 (No premium)	1.5 (Including Premium)
Above 2000 sq. mtr	1.0 (No premium)	1.5 (Including Premium)	2.0 (Including Premium)

**2). FSI for Commercial Land Use**

The permissible FSI in Commercial Zone will be as per table 11 as follows:

- i) ~~The basic FSI for any plot is 1.0 and any additional FSI above 1.0 will be either in the form of DR or purchased as premium FSI. The premium to be charged for additional FSI by Planning Authority shall be as per the rate of land stipulated in the Stamp Duty Ready Reckoner of Govt. of Maharashtra for the relevant year of development permission.~~
- ii) ~~The additional FSI, on payment of premium, to be made available by the Planning Authority without any condonation in the requirement of marginal open spaces, fire fighting provisions, structural safety, health safety etc.~~
- iii) ~~In the Commercial zone (as specified by the Development Plan), the maximum permissible FSI is 2.0.~~

**TABLE 11: MAXIMUM PERMISSIBLE FSI IN COMMERCIAL LAND USE**

Plot Size	Proposed ROW of Adjacent Road		
	Less than 15 M	15 M to Less than 30 M	30 M and Above
Upto 2000 sq. mtr.	1.0 (No premium)	1.50 (Including premium)	2.0 (including premium)
Above 2000 sq. mtr.	1.0 (No premium)	1.50 (Including premium)	2.0 (including premium)

**3) FSI for Other Land use**

The permissible FSI for Other Land Use Zones will be as per Table 12 as follows:

**TABLE 12: MAXIMUM PERMISSIBLE FSI IN OTHER VARIOUS LAND USES/ZONES**

Land-use categories	Base-FSI	Maximum Permissible FSI
Public and semi-public (amenities, utilities, religious, institutional)	1.0	1.5 (with premium)
Industrial	1.0	1.5 (with premium)
Land Under Transport Facilities ( J-17, L-11, M-3, N-2)	1.0	1 to 4 as decided by the competent authority
No-Development-Zone	0.1	0.1

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

**Table No. 12- BASE FSI, ADDITIONAL FSI, TDR & MAXIMUM PERMISSIBLE FSI IN GAOTHAN AND SIMILAR CONGESTED AREA AS MAY BE SHOWN ON THE DEVELOPMENT PLAN**

Sr. No.	Minimum Width of Road	Base FSI	Permissible Additional FSI on Payment of Prescribed Premium			Permissible Utilisation of TDR	Rate of Premium as % of the A.S.R. Value	Conditions
			Plot size ≤ 500 sq.m.	Plot size 501 to 1000 sq.m.	Plot size > 1000 sq.m.			
1	Below 9m	1.00	NIL	NIL	NIL	NIL	For plots above 1000 sq.m, marginal open spaces shall be as per the norms for non-congested area.	
2	9m upto 12m	1.00	0.10	0.20	0.25	NIL		
3	More than 12m	1.00	0.20	0.30	0.50	NIL		

**Table No. 12A- BASE FSI, ADDITIONAL FSI, TDR & MAXIMUM PERMISSIBLE FSI IN AREA OUTSIDE GAOTHAN AND NON-CONGESTED AREA**

Sr. No.	Minimum Width of Road	Base FSI		Permissible additional FSI on Payment of Premium					Permissible Utilisation of TDR (In situ)	Rate of Premium as % of the A.S.R. Value	
		Plot size ≤ 1000 sq.m.	Plot size > 1000 sq.m.	Plot size ≤ 500 sq.m.	Plot size 501 to 1000 sq.m.	Plot size 1001 to 2000 sq.m.	Plot size 2001 to 4000 sq.m.	Plot size > 4000 sq.m.			
<b>Residential and Commercial Zone</b>											
1	Below 9m	1.00	0.95	NIL	NIL	NIL	NIL	NIL	NIL	NIL	100% 60% for Residential zone and 80% for Commercial zone.
2	9m upto 12m	1.00	0.95	NIL	NIL	NIL	NIL	NIL	0.10	0.10	
3	More than 12m upto 18m	1.00	0.95	NIL	NIL	0.10	0.10	0.10	0.15	0.15	
4	More than 18m upto 24m	1.00	0.95	0.10	0.10	0.20	0.20	0.20	0.30	0.20	
5	More than 24m	1.00	0.95	0.20	0.30	0.40	0.50	0.50	0.60	0.40	
<b>Industrial Zone</b>											
1	Below 9m	1.00	0.95	NIL	NIL	NIL	NIL	NIL	NIL	NIL	100% 60%
2	9m upto 12m	1.00	0.95	NIL	NIL	NIL	NIL	NIL	NIL	NIL	
3	More than 12m upto 18m	1.00	0.95	NIL	NIL	NIL	NIL	NIL	NIL	NIL	
4	More than 18m upto 24m	1.00	0.95	NIL	NIL	NIL	NIL	NIL	NIL	NIL	
5	More than 24m	1.00	0.95	0.10	0.10	0.20	0.20	0.30	0.30	0.20	
<b>Transport Hub &amp; Logistics Park Zone</b>											
1	-	1.00	0.95	NIL	NIL	NIL	NIL	NIL	NIL	NIL	100%
<b>No Development Zone</b>											
1	-	0.10 or as mentioned in Appendix V; whichever is applicable.		-	-	-	-	-	-	-	-

**Table No. 12B- BASE FSI, ADDITIONAL FSI, TDR & MAXIMUM PERMISSIBLE FSI FOR PUBLIC/SEMI PUBLIC AND OTHER BUILDINGS/USES**

Sr. No.	Type of Building/Use	Min. Width of Road (m.)	Base FSI		Permissible additional FSI on Payment of Premium		Permissible Utilisation of TDR		Rate of Premium as % of the A.S.R. Value	Conditions
			Plot size ≤ 1000 sq.m.	Plot size > 1000 sq.m.	Plot size ≤ 1000 sq.m.	Plot size > 1000 sq.m.	Plot size ≤ 1000 sq.m.	Plot size > 1000 sq.m.		
1	Educational Buildings	6	1.00	0.95	0.50	0.45	0.50	0.45	Charitable Trust: 25% Others: 50%	i. 50% of the premium will be paid to the Govt. ii. The additional built-up area, over and above the permissible FSI, shall be utilized for bonafide purposes only.
2	Medical Institutions									
3	Institutional Buildings of Govt. or Public Authorities									
4	Buildings of Govt/Semi Govt/PSU	6	1.00	0.95	No premium	No premium	-	-	NA	-
5	Buildings of all Star category Residential Hotels under one establishment as approved by the Department of Tourism	18	1.00	0.95	1.00	0.95	0.50	0.45	100%	i. The site should be situated on independent plot without other commercial or business users. ii. No condonation in the required set backs, marginal open spaces, parking and other requirements as mentioned in these Regulations (except where demonstrable hardship is seen and any such condonation shall be given only after recording the reasons in writing).
6	Buildings of Residential Hotels with boarding and/or other tourist facilities as approved by the Department of Tourism or by the MTDC.	6	1.00	0.95	1.00	0.95	0.50	0.45		
6	Building of IT Establishment	18	1.00	0.95	1.00	0.95	-	-	25%	As mentioned in Appendix P.
7	Bio-Technology Park	12	1.00	0.95	1.00	0.95	-	-	25%	As mentioned in Appendix Q.
8	Buildings of Police, Municipal Council/Corporation, Jail, Home Guard, Fire Brigade etc. including their Staff Quarters and for the users other than the above users permissible in Public'	6	1.00	0.95	-	-	-	-	-	i. Commercial user shall be permissible upto 25% of the total permissible built-up area. ii. For Reconstruction/Redevelopment of land, provisions mentioned in Appendix R shall apply.



9	Semi Public Zone Religious buildings	6	1.00	0.95	0.50	0.50	--	--	25%	<p>i. The religious building shall be on independent plot for religious purpose of registered Public Trust.</p> <p>ii. No Objection Certificate shall be obtained from concerned Police Authority and District Magistrate before applying for permission as per directives of the Government.</p> <p>iii. Additional FSI shall be used for religious purpose only. Ancillary residential user may be permissible within 10% of total area. No commercial use shall be permissible, provided that petty shops catering to the needs of Religious activity to the extent of 5% may be permitted.</p> <p>iv. The additional FSI shall be permissible to existing authorized religious user subject to structural stability.</p> <p>v. No condonation in the required marginal open spaces and parking shall be allowed in case of grant of such additional FSI. However, in cases where the additional FSI is to be loaded on existing authorized structures, condonation in the required marginal open spaces and parking may be allowed in cases of demonstrable hardship, for reasons to be recorded in writing.</p> <p>vi. The premium shall be shared equally by the Govt. and the Planning Authority.</p> <p>vii. The minimum area of plot shall be 250 sq.m.</p> <p>viii. The proposal shall be consistent with the Development Plan Proposals.</p>
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**Note-**

1. Maximum Permissible FSI on any plot shall be the sum total of its Base FSI, Premium FSI and TDR, as per the aforesaid Table no. 12, 12A & 12B.
2. The utilization of premium FSI shall be allowed before availing FSI by way of TDR.
3. Conditions, if any specified in these DCRs at any other places shall also be applicable to the zones, buildings or uses mentioned in above Tables.
4. Staff Quarters, Training Centers & Allied amenities as ancillary uses for the uses specified above may be permitted upto 25% of the Base FSI, over and above the maximum permissible FSI specified above.
5. Percentage of Rates mentioned above for charging the premium shall be as per the rate stipulated in the A.S.R. of Registration Dept. prescribed for the year in which development/building permission is granted.
6. Common Parking is free of FSI calculation, whether above or below the ground.
7. Balconies are also free of FSI. If they are more than 10% of built up area of the floor then 100% of their additional area shall be counted towards FSI.

**4) Applicability of Additional FSI in Residential and Commercial Zone.**

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

**TABLE 13: LAND AREA TO BE CONSIDERED FOR APPLICATION OF RESPECTIVE MAXIMUM FSI**

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

Note:

- 1) ~~Parking is free of FSI calculation, whether above or below the ground.~~
- 2) ~~Balconies and Terraces are free of FSI, If these are more than 10% of the built up floor then these should be calculated in FSI as 50% of their additional area.~~
- 3) ~~No permanent built structures are allowed in the recreational amenities / open spaces; however temporary structures like kiosk can be built.~~

**45) Additional Floor Space Index which may be allowed in certain categories:**

- a) ~~Transfer of Development Rights: In certain circumstances, the development potential of a plot of land may be separated from the land itself and may be made available to the owner of the land in the form of Transferable Development Rights (TDR) as defined under 7.5.7. Appendix AG.~~
- b) ~~D.P. Reservations other than Accommodation reservations. Road widening and construction of new roads: The Planning Authority may permit additional floor space index on 100 per cent of 1.25 for the area required for such D.P. reservations, road widening or for construction of new roads proposed under the development plan or those proposed under the Local Authority Act, if any, excluding areas of internal means of access, if the owner (including the lessee) of such land surrenders such land for such D.P. reservations, road widening or new road construction without claiming any monetary compensation in lieu thereof and hands over the same to the Planning Authority free of encumbrances to the satisfaction of the Planning Authority. Such 100 per cent of the 1.25 FSI on the land so surrendered to the Planning Authority may be utilized upto the limit of maximum permissible FSI as given in Table Nos. 12, 12A & 12B on the remainder of the land upto a limit of 40 per cent maximum permissible FSI as given in Table no. 12 of the area of the plot remaining after such surrender and the balance FSI remaining thereafter shall be allowed to be utilized as a Development Right in accordance with the Regulations governing Transfer of Development Rights (TDR) in 7.5.7. Appendix AG or the full F.S.I. on of the land surrendered to the Planning Authority may be allowed to be used as Development Right in accordance with the Regulation governing~~



Transfer of Development Rights (TDR) in ~~7.5.8. Appendix AG~~. Thereafter, ~~the such D.P. reservations/road land shall be transferred in the Revenue Records in the name of the Planning Authority and shall vest in it, becoming part of a public amenity/street. The Planning Authority shall permit in addition to the above, equivalent built up area equivalent to the built up portion demolished and surrendered free of cost and free of encumbrances for road widening or for new road with the condition that it will this provision shall apply to the authorized buildings only.~~

**c) Buildings of Star category / MTDC approved Residential Hotels Category Hotels:**

~~With the previous approval of the Government and subject to payment of premium if any, as may be fixed by Government shall be paid to Government out of which 50% shall be payable to Planning Authority, and such other terms and conditions as may be specified, floor space indices specified above may be permitted to be exceeded in respect of starred category hotels (approved by the Department of Tourism) built on independent plots and under one establishment and used exclusively for that purpose.~~

~~Provided the maximum additional FSI which may be granted under this sub-regulation shall not exceed 50% for star category hotels with prior approval of Government.~~

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

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

**d) Public Libraries:**

~~The Planning Authority may permit the prescribed FSI to be exceeded upto 2.50 for the Public Libraries which falls under "A" category as per Rule 10 of the Maharashtra Public Library Rules, 1970 framed under the Maharashtra Public Libraries Act, 1967. Out of the above 2.50 FSI, FSI to extent of 1 (one) may be permitted to be used for commercial purpose on the following terms and conditions:-~~



- ~~i) Convenience shopping, branches of banks and, small restaurants etc. will be permitted. However, wine shops, hotels, tobacco shops, pan thelas, lottery shops and likewise uses which may cause nuisance to the public life, shall not be permitted. Also hazardous uses like gas godowns etc., shall not be permitted.~~
- ~~ii) Income received from commercial use shall be used for development of library.~~
- ~~iii) The authority shall ensure that adequate parking facilities are provided for such user.~~
- ~~iv) Additional FSI so sanctioned shall be subject to other Development Control Regulations.~~

**e) ~~Building of Educational and Medical Institutions, Institutional Buildings:~~**

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

~~Terms and Conditions:~~

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

**f) ~~Buildings of Government or Semi Government and Public Sector Undertakings:~~**

~~The Planning Authority may permit 50% additional floor space index over and above the maximum permissible FSI without charging premium in the case of buildings of Government and semi government offices and public sector undertakings. ] (EP-218)~~

**g) ~~Development of Low-cost housing schemes of the Maharashtra Housing and Area Development Authority:~~**

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

**h) ~~Construction for resettlement and rehabilitation of Project Affected People (PAP):~~**

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

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

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

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

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

**~~i) Reconstruction of structurally unsafe buildings / dilapidated buildings/ unhygienic buildings:~~**

~~In the case of proposals involving reconstruction of dilapidated /unsafe /unhygienic buildings declared under provisions of Local Authority Act, wholly or in part, the maximum permissible FSI shall be equal to the FSI already consumed by the occupants to be rehoused plus the FSI otherwise permissible under these Regulations.~~

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

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

**~~j) Reconstruction of damaged/destroyed/collapsed buildings due to natural calamity:~~**

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

**(EP-280)[ k] Development Of Information Technology Establishments:**



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

**~~l) Development Of Bio-Technology Units/Parks:~~**

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

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

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

**~~n) Construction of Religious Buildings:~~**

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

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

**~~o) Development of Multi Storeyed /Parking Lots:~~**

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

~~This will be subject to following conditions:~~

- ~~i. The minimum area of plot shall be 2000 sq.m. The minimum number of Motor Vehicle public parking spaces provided shall not be less than 50 subject to minimum parking space of 700 sq.m. The location of parking spaces can be in basement ground floor or upper floors, with access through ramps / lift or combination of both~~



~~subject to clearance from Competent Fire Authority with special emphasis on fire hazard.~~

- ~~ii. A Committee under the Chairmanship of Metropolitan Commissioner, MMRDA shall earmark/ select the plots for public parking. On the basis of their suitability and seek Government's approval for it. The Committee shall comprise of (i) Joint Commissioner of Police (Traffic) or its representative (ii) Assistant Director of Town Planning, Thane (iii) Chief Engineer, MMRDA. (Member Secretary).~~
- ~~iii. The incentive FSI given on this account will be over and above the FSI permissible under any other provisions of DCR. This incentive FSI shall be allowed to be used on the same plot in conformity with DCR/DP, within the overall cap/limit of total maximum permissible FSI as given (vii) below.~~
- ~~iv. The proposed development shall be further subject to such conditions as mentioned/ prescribed by the Planning Authority.~~
- ~~v. Concerned land owner/ development/society/company shall not be allowed to operate the public parking.~~
- ~~vi. Area covered under parking shall not be counted towards FSI consumption.~~
- ~~vii. Additional FSI on built up parking area and total permissible FSI including additional FSI shall be as follows.~~

**TABLE 13(A): PERMISSIBLE ADDITIONAL FSI ON BUILT UP PARKING AREA**

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

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

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

**p) Tenements/ Plots for EWS/LIG in Layout/Sub-Division of Private Land:**

- ~~i. For the sub-division of land admeasuring 2000 sq.m. and more, minimum 20% area shall be provided in the form of 30 to 50 sq.m. developed plots for EWS/LIG (affordable plots).~~
- ~~ii. For the layout of land admeasuring 2000 sq.m. and more, minimum 20% of the built up area shall be provided for EWS/LIG housing (27.88 to 45 sq.m.) (affordable tenements).~~

~~The following conditions shall be applicable:~~

- ~~i. The developer shall sell the affordable tenements to MHADA/Planning Authority on priority in lieu of the cost of construction of such tenements. The FSI of such affordable tenements may be allowed to be utilized in the same layout over and above the maximum permissible FSI limits including TDR loading. If MHADA/Planning Authority declines to~~



~~purchase the affordable tenements within a reasonable time of three months, he can sell the affordable tenements in the open market, in such case additional FSI of affordable tenements shall not be eligible.~~

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

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

#### **q) Construction of Housing for the Dishoused:**

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

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

~~e. Condonation:~~

~~No condonation in the required open space, parking and other requirements as in these Regulations shall be allowed in the case of grant of such additional floor space index.~~

#### **7.5.3. DEVELOPMENT RIGHTS (DR)**

~~1) Development Rights (DR) due to surrendering of land for public amenities / recreational open spaces/reservations/roads to the Planning Authority.~~

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

#### **2) Development rights (DR) for developing public amenity.**

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

#### **7.5.4. VALUE OF DR**

~~1) The Value of DR would be equivalent to 2 (two) 1.25 times the area of land surrendered to the Planning Authority and subject to the conditions stipulated in Regulation 7.5.7.~~

~~2) DR towards expenditure incurred for developing amenities shall be at the scale laid down below in table 14 and as per the design and specifications prescribed by the Planning Authority.~~



**TABLE II - SEQ TABLE 1\* ARABIC II 14II : VALUE OF DR TOWARDS EXPENDITURE INCURRED FOR DEVELOPING AMENITIES**

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

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

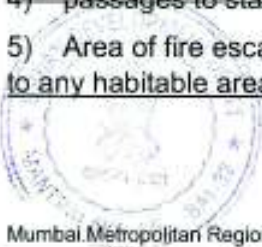
- 1) In no case, the total FSI consumed in a plot shall exceed the maximum permissible FSI of the subject plot. The maximum permissible FSI varies based on land use zones, plot size and the width of road on which the plot abuts.
- 2) Residual FSI / DR which cannot be consumed in the holding / adjoining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

#### **(SM-116) 7.5.6. EXCLUSIONS FROM FSI COMPUTATION**

The following shall not be counted towards FSI or DR:

Areas covered by

- 1) Area covered by features permitted in Regulation 7.6.9 and 7.6.10.
- 2) Area covered by staircase rooms for stair flights of width 0.75m and above in case of row housing, pent houses and duplexes, 1.20 m and above in case of Residential/Commercial buildings and 2m and above in case of assembly halls, area of staircase wells, lift wells, lift rooms, lift lobbies, staircase flights, mid-landing and floor landings, staircase passages, ramps, irrespective of width of staircase subject to payment of premium to be decided by the Planning Authority and without any premium for Government, Semi-government buildings, Educational and Hospital buildings of Charitable Trusts, Architectural features, Chimneys, and Elevated tanks; of permissible area, area of fire escape stairways and lifts with cantilevered fire escape passages according to the Planning Authority's requirements, Lift room, Lift wells, Lift lobbies subject to premium as decided by Planning Authority.
- 3) Area of staircase wells, lift wells, ramps, staircase rooms/lift rooms on top most storey;
- 4) passages to staircases, lifts;
- 5) Area of fire escape stairways and lifts with fire escape passages, which do not provide access to any habitable area, as per the requirements of Competent Fire Authority;



6) Area of basements used for parking, air-conditioning plants and other machines used for services and utilities of the building, electric sub-stations (which will conform to required safety requirements);

7) Area of stilts;

8) Area of covered parking spaces, whether above or below ground in the side and rear marginal open spaces;

(EP-219) [9] area of one office room of Area co-operative housing society of apartment owners association Supported or projected double height terraces:

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

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

10) Area of the sanitary block consisting of Area bath-room and water closet at each floor mid-landing level of prescribed dimensions for the use of domestic servants engaged on the premises;

11) Refuge area;

12) area covered by-

a. lofts

b. meter rooms

c. air-conditioning plant rooms

d. porches

e. canopies

f. ~~service floor of height not exceeding 1.5 m with the special permission of the Planning Authority,~~

g. Video Surveillance room of size 5 sq. m.

h. watchman's cabin of size 5.00 3.00 sq. m.

13) Area of balconies as per Regulation 7.6.9 (iii). If the area of balconies on any floor is more than 10% of the area of such floor, then 100% of such excess area shall be counted towards FSI.

14) Area of structures for an Effluent Treatment Plant, as required to be provided by Industries, as per the requirements of the Maharashtra Pollution Control Board or other relevant authorities. However that, in case of an existing industry, if no vacant land is available, the Planning Authority may permit structure for such Effluent Treatment Plant on 10% amenity open space.

15) Area covered by service ~~chutes~~ ducts, pump room, electric substations, passages and additional amenity of lift and/or staircase beyond those required under the rules with the permission of the Planning Authority.

16) Area covered by new additional lifts and staircases, including passages to be provided within a building Area with permission of Metropolitan Commissioner Planning Authority.

(EP-220) [17] Service floor of height not exceeding 2.00 1.50 m. (floor to floor) where main user of the building requires such floor for providing better sanitary, electrical and other services. Provided that, Service Floor in Commercial buildings shall be permitted with prior approval from Competent Fire Authority. If actual height of such Service floor exceeds 2.00 1.50 m., the entire floor area will have to shall be computed in F.S.I. below the soffit of the beams not exceeding 1.5m, with special permission of the Planning Authority.]



~~18) Area of one milk booth under the public distribution system with the permission of the Planning Authority;~~

19) Area of ~~one public telephone booth and~~ one telephone exchange (PBX) per building with the permission of the Planning Authority.

20) Area of one room for installation of telephone concentrators as per the requirements of Mahanagar Telephone Nigam Limited or the Companies authorized in that behalf, but not exceeding 20 sq. m. per building, with the permission of the Planning Authority;

21) Area of a separate letter box on the ground floor of residential and commercial buildings with five or more storeys to the satisfaction of the Planning Authority;

~~22) area covered by new lift and passage thereto in an existing building with area height upto 16 m.~~

23) Area of a covered passage of clear width not more than 1.52m. (5 ft) leading from a lift exit at terrace level to the existing staircase so as to enable ~~decent descent~~ to lower floors in a building to reach tenements not having direct access to a new lift in a existing building without a lift;

~~(EP-221) [24) Entrance foyer, Atrium in shopping malls, public buildings. a) the area between external face of the building upto staircase/lift (b) the width of foyer shall not be more than lift and stair width.]~~

25) Cupboards to the extent of 0.60 x 2.042.40 m. shall be permitted in required open space and on one side of the room. However, cupboards may be permitted on ground floor within the building line.

26) Covered antenna/dish antenna Communication Tower will be allowed to be erected free of FSI if used for Telecom (basic cellular or satellite telephone) or ITE purposes, which shall includes the equipment relating to earth station, V-Sat., routes, transponders and similar Information Technology related structures or equipment.

27) An office room upto 12 sq. m., if the number of tenements in the building does not exceed 20 and upto 20 sq. m. otherwise for the use of a Co-operative Housing Society or an Apartment Owners' Association.

28) In every residential building constructed or proposed to be constructed for the use of a Co-Operative Housing Society or an Apartment Owners' Association a Fitness Center Room will be permitted. The area of the such room shall be limited to 2 (two) percent of the total built up area of such building or 20 sq. m. whichever is more. It shall not be used for any other purpose, except for fitness activities and its ownership shall vest in with such Society or Association.

~~(EP-222) [29) Sewerage Treatment Plant, Septic Tank, etc.]~~

**Note for Regulation 7.5.6:** Provided that,

(i) this Regulation shall not be applicable for to the building proposals where Occupancy Certificates have has been granted prior to the issue of the coming into force of these Regulations. Provided further that

(ii) where a permissible FSI has not been exhausted in the case of an existing building and cases decided by the Planning Authority prior to the coming into force of these modified Regulations, provisions about regarding the exclusion from FSI computation as mentioned in these Regulations will shall be available for construction of remaining the balance FSI on site. Also Provided further that

(iii) this Regulation shall not be applicable for to the change in occupancy in of existing building after issue of these Regulations. Also provided further that





(iv) the extent of exemption for free of premium area excluding minimum required parking area under this Regulation shall not in any case exceed 30% of permissible FSI. All buildings which are constructed from 1996 onward having width of staircase 1.2 m. entitled for permissible F.S.I. with premium. J (SM-116)

(EP-289) [ 7.5.7. CONDITIONS GOVERNING AWARD OF DEVELOPMENT RIGHTS (DR)

1) Development Rights shall be equivalent to 2.0 (two) times the total floor space which could be constructed in the originating plot, considering the permissible base FSI for plots of equivalent area from the surrounding zone.

2) The quantum of DR to which the owner is eligible due to surrender of land under reservation/designation in the development plan or that under regular lines of street land from his holding, and surrender of public amenity/recreational open space site from the holding constructed amenity (as given in Table no. 14) shall be separately recorded on the plans while granting permission for development of site or / and sub-division, where development permission construction of buildings is directly being sought the value of DR be recorded at the time of approval of the building plans.

3) The Development Rights on the net plot area shall be used anywhere in the 'Notified Area' except over Recreational open spaces and in any zone excepting No Development Zone, Forest land, CRZ area, applicable, if any, under CRZ notification, Heritage structures/Sites/Precincts and Gaathan area.

4) Development Rights would be allowed to be utilized only after the requisite land is handed over to the Planning Authority in vacant state, free of all encumbrances, free of cost.

5) Once the development proposal recording the DR is approved, the DR could be utilized in phases, any time in the future, subject to compliance of other requirements.

6) For lands which are either retainable under the provisions of the Urban Land (Ceiling and Regulation) Act, 1976 or for lands which do not attract provisions of the aforesaid Act, Development Rights would be to the extent of loss of the permissible floor space on surrender of the land to the Planning Authority due to reservation. For non-retainable plot the Development Rights shall be to the extent and subject to such conditions as the Government in Housing and Special Assistance Department may specify.

7) Where the plot being surrendered is held on leasehold basis, the Development Rights shall be apportioned between the lessor and the lessee on the principle of apportionment of compensation under Land Acquisition Act, 1894.

8) The surrendered plot / constructed space for which DR have been awarded shall, by virtue of the provisions of sub-section (1) of Section 126 of Maharashtra Regional & Town Planning Act, vest in the Planning Authority. The Revenue authorities on intimation shall take appropriate entry in the City Survey Records / Revenue Records to transfer its ownership in the name of the Planning Authority. Where the Planning Authority is not the Appropriate Authority, the surrendered land/built up space so transferred to the Planning Authority, will be leased out by it in favor of the Appropriate Authority on such terms as may be decided by the State Government.

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

In addition to the provisions in Regulation 7.67.5.7 the TDR will be regulated as;

1) DRC will be issued for any land reserved or designated in the development plan. Similarly, where due to ceiling limit as per the Sub-Regulation 7.5.5, the DR generated under regulation 7.5.3 cannot be utilized in the remaining part of the holding, the owner shall be entitled for DRC. Such DRC could be utilized anywhere within the "Notified Area" in which DR originate in



Residential, Commercial or Industrial Zone provided that the overall FSI of receiving plot after consumption of TDR does not exceed the respective limits.

- 1A) ~~Development Right of the owner/lessee of any Heritage buildings who suffers loss of Development Rights due to any restrictions imposed by the Commissioner or Government, under Regulation 6.15, shall be eligible for award of Transferable Development Rights (TDR) in the form of Floor Space Index (FSI) to the extent and on the conditions stipulated in these Regulations. Such award will entitle the owner of the Heritage Building to FSI in the form of a Development Rights Certificate (DRC) which he may use himself or transfer to any other person.~~
- 1B) ~~All the DRC could be utilized anywhere within the "Notified Area" for compatible user in receiving zone except over Recreational open spaces, No Development Zone, Forest land, CRZ area, if any, under CRZ notification, Heritage structures/Sites/ Precincts and Gaethan. Provided that the overall FSI of receiving plot after consumption of TDR does not exceed the respective limits.~~
- 2) ~~Transferable Development Rights (TDR) certificates will be issued by the Metropolitan Commissioner himself. The certificates will state, in figures and words the floor space credit in square metres, to which the land owner is entitled.~~
- 3) ~~Where the TDR emanates from land being surrendered for public amenity, DRC shall be issued on compliance of the requirements of Regulation 7.5.7~~
- 4) ~~Where the TDR emanates from construction of a building for public amenity / development of site for recreational open space, the DRC shall be issued after completion certificate for the building/development works has been obtained by the owner.~~

#### 7.5.9. CONDITIONS GOVERNING UTILIZATION OF DR / TDR

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

<del>Predominant Zone proposed in D.P. in which reserved site is situated</del>	<del>Land user to be permitted in receiving area</del>
<del>(1) Residential</del>	<del>Residential users in Residential Zone Compatible user of receiving zone will be permitted</del>
<del>(2) Commercial</del>	<del>Commercial users in Commercial and residential Zones Compatible user of receiving zone will be permitted</del>
<del>(3) Industrial</del>	<del>Industrial users in Industrial Zone only Compatible user of receiving zone will be permitted</del>
<del>(4) Public and Semi-Public/ Public Utilities</del>	<del>Public Semi public users in Public and Semi-Public, residential, commercial and Compatible user of receiving zone will be permitted</del>
<del>(5) Transport Hub &amp; Logistics Park</del>	<del>Compatible user of receiving zone will be permitted</del>

- 3) ~~With an application for development permission, when an owner seeks utilization of TDR, he shall submit the DRC to the Planning Authority who shall endorse thereon in writing, in figures and words, in square metres the quantum of the TDR proposed to be utilized, before granting development permission and when the development is complete, the Planning Authority shall endorse on the DRC in writing, in figures and words, the quantum of DR actually utilized and the balance remaining thereafter, if any, before issue of occupation certificate.~~

- 4) ~~A DRC shall be issued by the Planning Authority as a certificate printed on a bond paper in an appropriate form approved by the State Government, such a certificate, after due authentication by~~

~~the Planning Authority will be a transferable "negotiable instrument". The Planning Authority shall maintain a register in the form prescribed by the State Government of all transactions regulating to issue of DRC and utilization thereof.~~

~~5) If a holder of a Development Rights Certificate (DRC) intends to transfer it to any other person, he shall submit the DRC to the Planning Authority for endorsement of the new holder's name, i.e. transferee on the said Certificate. Without such an endorsement by the Planning Authority, the transfer shall not be valid and the Certificate will be available for use only by the original holder.] (EP-289)~~

#### **7.6. MARGINAL OPEN SPACES**

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

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

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

##### **7.6.2. SETBACKS AND OPEN SPACES WITHIN BUILDING PLOTS (EXTERIOR OPEN SPACE)**

1). The provision of open spaces at the front, side and rear of the buildings, shall depend upon the occupancy, plot sizes, nature of development, width of the road fronting the plot, height of the building etc. The same shall be as given in Appendix F.

2). When different open spaces/widths are prescribed under these Regulations, the largest of them shall prevail, except when specifically provided otherwise, the general conditions governing open spaces shall be as under:

- i). Building abutting more than one street: when a building abuts two or more streets, the setbacks from each of them shall be such as if the building were fronting each such street;
- ii). Open space separate for each building or wing: the open spaces required under these Regulations shall be separate or distinct for each building and where a building has two or more wings, each wing shall have separate or distinct open spaces as required under these Regulations. Provided that if one of the wings does not depend for light and ventilation on the open space between the two wings, the said open space shall be the one required for the higher wing.
- iii) Open spaces to be provided for the full consumption of FSI: the open spaces to be left at the sides and rear shall relate to the height necessary to consume the full FSI permissible for the occupancy in the zone.
- iv). Manner of computing front open space/setback where the street is to be widened: If the building plot abuts any road which is proposed to be widened under the draft development plan or because of the prescription of regular lines of streets, the front open space/road-side setback shall be measured from the resulting road widening line or the centre line of the widened road as the case may be. Where there is any conflict between the width provided in the draft development plan and the width resulting from the prescription of a regular line of a street, the larger of the two shall prevail.



- v). The building shall be at least 3 m. away from the boundary of recreational open space. In the case of multi-storied buildings, such minimum margin shall be 6 m.
- vi). For developments in plots abutting classified roads prevailing Rules under Highway Ribbon Development Rules shall be observed.
- vii). Construction of otta, railings, and barricades shall not be allowed in front marginal space

**(SM-117)/ 7.6.3.OPEN SPACE REQUIREMENTS:**

i). The open space requirements shall be as per 'Appendix- F'. However, for residential and commercial zone following provisions shall be observed in addition.

- a). Building having length/depth upto 40 m: the open spaces on all sides except the front side of a building shall be of width not less than one third of the height of that building with minimum 3.00 m. above the ground level, rounded to the nearest decimeter subject to a maximum of 20 m.- the minimum being 3.00 for a residential building without any projection thereon and 4.5m. for a commercial building.
- b). Building with length/depth exceeding 40 m.: if the length or depth of a building exceeds 40 m. an additional width of 10 % of the dimension in excess of 40m shall be required on the side or rear open spaces as the case may be.

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

Provided further that:

- i) the open space for separation between any building and single-storey accessory building need not exceed 1.5 m.
- ii) the minimum distance between any two ground floor structures in public housing/high density housing shall be 4.5 m., if habitable rooms derive light and ventilation from the intervening space, if not, the distance may be reduced to 1.5 m.
- iii) except where the plot size is less than 2500 sq. mtrs, the marginal open space in a plot abutting amenity/recreational open space in the same layout shall not be less than 3 m.
- iv) where the amenity open space being accessible from all the layout plots does not have an exclusive means of access, the rear marginal open space shall not be less than 3m.

~~c). Building existing on 1st February 1964 to 16<sup>th</sup> October 1973, the date of coming in force of the Regional Plan for Mumbai Metropolitan Region and those constructed thereafter: (i) in respect of buildings existing on 1st February 1964 to 16<sup>th</sup> October 1973, upper floors may be permitted with set-back at upper level in the case of new development to make up for deficiencies in the open spaces as required under these Regulations; (ii) with the permission of the Planning Authority, setbacks as in clause (i) above may be allowed for the buildings constructed after 1st February 1964 to 16<sup>th</sup> October 1973 to avail additional FSI that may become available due to road setback, transfer of Development Rights, FSI in lieu of staircase, staircase room /lift, wells or any change in the Regulations whereby additional FSI may become available.~~

d). **Setback at upper level** : The Planning Authority may permit smaller setbacks at upper levels and also permit additional floor area upto a limit of 10 sq. m. over the permissible FSI to avoid structural difficulties or hardships but so as not to affect adversely the light and ventilation of an adjoining building or part thereof.



e). **Tower like structures:** Notwithstanding any provision to the contrary, a tower-like structure may be permitted with 6 m. open space at the ground level and one set back at the upper levels provided that the total height does not exceed 25 m.; if it exceed 25 m. but does not exceed 28 m. the minimum open space at ground level shall be 9 m. Beyond 28 m. the minimum open space at ground levels shall be 12 m. with two setbacks at upper levels. The terrace created by the setback shall be accessible through the common passage and/or common staircase only.

f). Where a room does not derive light and ventilation from an exterior open space, the width or extent of the exterior open space as given in this Regulation may be reduced to 3 m. up to a height of 24 m. and 6 m. to a height above 24.0m

g). ~~The open spaces for the above purposes would be deemed to be sufficient if their widths are not less than one-fourth of each dimension of the site of the building and the percentage of the building area does not exceed 25% of the area of the site, when the least dimension of the site is not less than 18m for the base FSI. ]~~

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

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

#### 7.6.5. REVAS PROJECTION

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

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

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

#### 7.6.7. INTERIOR OPEN SPACES (CHOWKS)

##### 1) INNER CHOWK:

- i) Unless it abuts on a front, rear or side open space, the whole of one side of every room other than a habitable room shall abut on an interior open space, courtyard or chowk, whose minimum width shall be 3 m. such interior space courtyard or chowk shall be accessible at least on one side at ground floor level through a common passage or space. Further the inner chowk shall have an area at all its level of not less than the square of one fifth of ~~the height~~ of the highest wall abutting the chowk.



- ii) Provided that when any room (excluding the stairway bay, the bathroom and water closet) depends for its light and ventilation on an inner chowk, the dimension shall be such as is required for each wing of the building.
- iii) The building were the provision for air circulation is provided for bathrooms/ W.C. through the interior open space (Chowk), the area of chowk shall not be less than the 1/5th of the square of the height of adjacent wall to the chowk also shall be in line with the provisions for ventilation shaft as in Regulation 7.6.8. The minimum width of this chowk shall be at least 1.2 m.
- iv) Where a staircase is dependent on light and ventilation through on inner chowk, the dimension of the chowk shall be 3 m. X 3 m. irrespective of the height of the building.

## 2) OUTER CHOWK

The minimum width of the outer chowk (as distinguished from its depth) shall be 2.4 m. but if the depth exceeds the width the open space between the wings shall be regulated by clause 1(ii) of Sub-Regulation of this Regulation when any habitable room depends or light and ventilation on such outer chowk. A recess less than 2.4 m. wide shall be treated as notch and not as a chowk.

### 7.6.8. VENTILATION SHAFT

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

Water-closet and bath-room, not opening on the front, side, rear or interior open spaces, but open into the ventilation shaft, the size of such ventilation shaft shall not be less than the values given below table 15-

TABLE 15: MINIMUM AREA FOR VENTILATION SHAFT

Height of Buildings in m.	Size of Ventilation Shaft in sq. m	Minimum side of Shaft in m.
(1)	(2)	(3)
upto 12	2.8	1.2
18	4.0	1.5
24	5.4	1.8
30	8.0	2.4

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

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

- (SM-118)** i) Projection into open spaces: Every open space provided either interior or exterior shall be kept free from any erection thereon and shall be open to the sky and no cornice, chajja, roof or weather shed more than 0.75 m. wide shall overhang or project over the said open space so as to reduce the width to less than the minimum required. ~~However, sloping chajja provided over balcony/gallery etc. may be permitted to project 0.3 m beyond balcony projections at an angle of 30-degree from horizontal level.~~ ]
- (EP-223)** [ii) A Canopy not exceeding 5.5 m. in length in the form of cantilever and unenclosed over the main entrance providing a minimum clear height of 2.2 m. below the canopy. The canopy shall not have access from upper floor (above floors), for using as a sitting out place there shall be a minimum clearance of 1.5 m. between the plot boundaries and canopy. Canopies of larger size in public or special buildings may, however, be permitted under Regulation 1.7.]

iii) Balcony: In any residential zone or in a residential building in any other zone, balconies may be permitted free of FSI at each floor, excluding the grounds and the terrace floors, of an area not more than 10 percent of the area of the floor subject to the following conditions:

- a) No balcony shall reduce the minimum marginal open space to less than 3 m. in the rear and sides and 1.5m in the front. The width of the balcony will be measured perpendicular to the building line and reckoned from that line to the balcony's outermost edge.
- b) Balconies may be allowed to be enclosed subject to payment of premium. When balconies are enclosed one-third of the area of their faces shall have louvers, glass shutters or grills on the top and the rest of the area except the parapet shall have glazed shutters.

**(SM-119)** iv) Where the facilities in an existing building are inadequate:

- a) a sanitary block not exceeding 3 m. in height and 4 sq. m. in carpet area;
- b) at least 7.5 m from the road line or the front boundary and 1.5 m. from other boundaries, and
- c) at least 1.5 m. away from the main building;
- v) Un-enclosed covered parking spaces at least 7.5 m. from any access road, subject to Regulation 7.8.7 (d) ]

**(SM-120)** ivi). Suction tank, pump room, electric meter room or sub-station, garbage shaft, space required for fire hydrants, electrical and water fittings, water tank, dust-bin, ~~inverter room upto 10 sq.m.~~ etc. ]

**(EP-224)** (vii). Ramps to basements; provided they do not reduce the width of the open space to less than 4.5 m ~~½ of the requirements.~~ However, in case of High Rise buildings, width of such open space shall not be less than 6m.

vi). Over hanging cupboards and shelves upto 2.4m. in width and 0.60 m. in depth restricted to one cupboard per living room.]

**(SM-121)** 7.6.10. **OTHER FEATURES / ACCESSORY BUILDINGS PERMITTED IN FRONT, SIDE AND REAR MARGINAL OPEN SPACES**

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

- i). In existing building, sanitary block of one storey in height, in the rear and side open space at a distance of 7.5m from the road line or the front boundary and 1.5 m. front other boundaries may be permitted, where facilities are not adequate, provided that, the Planning Authority may reduce the 1.5 m margin in rare cases to avoid hardship,
- ii). Parking lock-up garages not exceeding 2.4 m. height shall be permitted in the side or rear open spaces at a distance of 7.5 m. from any road line or the front boundary of the plot Parking lock-up garages when located within the main building shall be 7.5 m. away from the road line and shall be of such construction as will give fire resistance of 2 hours. The area of sanitary block and parking lock-up garages shall be taken into account for the calculations of F.S.I. and covered area calculations, subject to the permission of the Planning Authority under regulation 7.5.67.6.9.
- iii). ~~An unenclosed porch open to three sides, not more than 5.5 m. in length parallel to the main building in front of common entrance only and except rear open space and no part of such porch shall be less than 1.5 m. from the boundary.~~



- iv). A rockery, well and well structures, plant nursery, water pool or fountain, swimming pool (if uncovered and only beyond the required open space as required under these Regulations), platform around a tree, tank, bench, gate, slide, swing, ramp, compound wall;
- v). ~~A cantilevered and un-enclosed canopy over common entrance and each common staircase not more than 5.5 m. long and at least 2.2 m. above ground level. The outer edge of the canopy shall be at least 1.5 m. from the plot boundary. Canopies of larger size in public or special buildings may, however, be permitted.~~
- vi). An un-enclosed porch open on three sides, not more than 5.5m. in length parallel to the main building in front of common entrance only and except rear open space. No part of such porch shall be less than 1.5 m. from the plot boundary;
- vii). ~~A balcony for a residential or commercial building if it does not reduce the width or the clear required marginal open space to less than 3 m. at the rear and sides and 1.5 m. in the front. The width of a balcony will be measured perpendicular to the building line and reckoned from that line to the balcony's outer most edge;~~
- viii). ~~A chajja, cornice weather shade, sun breaker and other ornamental projections projecting not more than 1.2 m. from the face of the building. No chajja, cornice, weather shade, sun breaker or other ornamental projection etc. shall be permissible, which will reduce the width of the required open space, to less than 2.5 m.~~
- ix). ~~A chajja, cornice, weather shade and sun breaker over a balcony or gallery, its projection not exceeding from the balcony or gallery face with level difference of 0.3 m. in relation to the floor level. However an ornamental projection over a balcony or gallery may be allowed to project upto 0.75 m.~~
- x). ~~Over hanging cupboards and shelves upto 2.4 m. in width and 0.250.60 m. in depth restricted to one cupboard per living room.~~
- xi). Watchman's booth not over 3 sq. m. in area. ]

#### 7.7. HEIGHT OF BUILDING:

~~There are no direct ceilings to the height of buildings specified in Draft Development Plan with Building shall be permissible to any height subject to these Regulations and requirement of fulfillment of provisions of no condonation in parking requirements, marginal open spaces, fire fighting provisions, health and structural safety, etc. requirements~~

~~However, the total built up area of any building will depend on the permissible FSI as per the plan, also and with in the conformity to with the Regulations (i) to (iii) as follows:~~

- (EP-225) [i. Height vis-à-vis the road width: The height of a building shall not exceed one and a half times the total of the width of the street on which it abuts and the required front open space. For this purpose, the width of the street, may be the prescribed width of the street, provided the height of the building does not exceed twice the sum of the width of the existing street and the width of the prescribed and required open space between the existing street and the building. The latter width shall be calculated by dividing the area of land between the street and the building by the length of the front face of the building.

Explanation- "Prescribed width" here means the width prescribed in the Development Plan or the width resulting from the prescription of a regular line of street under the relevant Local Authority Act, whichever is larger.]

- ii. If a building abuts on two or more streets of different widths, the building shall be deemed to face upon the street that has the greater width and the height of the building shall be



regulated by the width of the street and may be permitted to this height to a depth of 24 m. along the narrower street subject to conformity of Regulation 7.6.2.

- iii. For buildings in the vicinity of aerodromes, the maximum height of buildings shall be subject to values framed by the Civil Aviation Authorities.
- iv. Industrial chimneys coming near airport zone shall be of such height and character as prescribed by Civil Aviation Authorities and all Industrial chimney shall be of such character as prescribed by the Chief Inspector of Steam Boiler and Smoke Nuisance.

#### **(SM-122) 7.7.1. HEIGHT EXEMPTIONS**

The following appurtenant structures shall not be included in the height of buildings-Roof tanks and their support, ventilating shafts, air-conditioning plant, lift room and similar service equipment, roof structures other than barsatis, stair cover (~~Maximum~~), Chimneys, parapet wall and architectural feature not exceeding ~~1.00~~~~1.50~~1.00m. in height.

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

#### **7.8. PARKING, LOADING & UNLOADING SPACES**

##### **PARKING SPACES**

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

##### **7.8.1. GENERAL SPACE REQUIREMENTS**

- a). Types - The parking spaces mentioned below include parking spaces in basements or on a floor supported by stilts, or on upper floors, covered or uncovered spaces in the plot and lock-up garages
- b). Size of parking space - the minimum sizes of parking spaces to be provided shall be as shown in table 16 below:

**TABLE 16: SIZE OF PARKING SPACES.**

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

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

- c). Marking of Parking spaces: parking spaces shall be paved and clearly marked for different types of vehicles.
- d). Maneuvering and other ancillary space: Off-street parking space must have adequate vehicular access to a street, and the area shall be exclusive of drives, aisles and such other provisions required for adequate maneuvering of vehicles.
- e). Ramps for Basement Parking- Ramps for parking in basements should conform to the requirements of Regulation ~~8.28-68.13.2.~~



- f). ~~Parking spaces to be paved: Parking spaces shall be paved and clearly marked for different type of vehicles.~~

### 7.8.2. QUANTITATIVE REQUIREMENTS –

For wheeled auto-vehicles: Parking spaces for Two and Four-wheeled auto vehicles shall be as per Table 17 below, any fractional space of more than half resulting from the ratio in column (3) shall be rounded off upward to the nearest integer.

(EP-226) [TABLE 17: OFF-STREET PARKING SPACES

(1)	(2)	(3)	(4)	(5)
1.	Residential i) Multi-family residential	a) 2 tenements having floor area 81 sq. m. and above.	3	4
		b) 1 tenement having floor area between 41 sq.m. to 80 sq.m.	1	2
		c) 1 tenement having floor area between 20 sq. m. to 40 sq. m.	-	1
		In addition to the parking spaces specified in (a), (b) & (C) above parking spaces for visitors' parking shall be provided to the extent of 10 percent of the number stipulated above subject to the minimum of one.		
	ii) Lodging establishments, tourist homes and hotels with lodging accommodation	Five guest rooms	1	2
	iii) Restaurants.	d) for grade I hotel eating houses, 80 sq.m. of area of restaurant including kitchen, pantry hall, dining room etc.	2	2
		e) for grade II & III hotels eating houses, etc. for an area of 80 sq. m. or part thereof.	-	4
2.	Institutional (Hospital, Medical Institutions).	Every 20 Beds or 300 sq. m. floor area whichever is more	1	2
3.	Assembly buildings, Assembly Halls including those in Colleges & Hostels & Auditoriums for Educational buildings	40 Seats or 100 sq. m. floor area or fraction thereof where there are no fixed seats.	1	5
4.	Educational, Office & Public Buildings, Mercantile & Storage (Markets, Departmental stores, Shops & other commercial user), Wholesale establishments, Hazardous Bldg.	100 Sq. m. or fraction thereof of the floor area for meant for administration use or as public service areas.	1	2
5.	Industrial, Storage	Every 300 sq. m. of floor area or fraction thereof.	1	2

Sr. No.	Occupancy	Parking Space required
1	(i) Residential	One parking space for every a) 4 tenements having carpet area upto 35 sq.m. each. b) 2 tenements with carpet area exceeding 35 sq.m. but not exceeding 45 sq.m. each. c) 1 tenement with carpet area exceeding 45 sq.m. but not exceeding 70 sq.m.

		<p>d) 1/2 tenement with carpet area exceeding 70 sq.m.</p> <p>In addition to the parking spaces specified in (a), (b), (c) &amp; (d) above, parking for visitors shall be provided to the extent of atleast 25 per cent of the number stipulated above, subject to minimum of one.</p> <p>For the redevelopment under these Regulations, the parking shall be as follows:</p> <p>One parking space for every-</p> <p>a) 8 tenements having carpet area upto 35 sq.m. each.</p> <p>b) 4 tenements with carpet area exceeding 35 sq.m. but not exceeding 45 sq.m. each.</p> <p>c) 2 tenements with carpet area exceeding 45 sq.m. but not exceeding 70 sq.m. each.</p> <p>d) 1 tenement with carpet area exceeding 70 sq.m.</p> <p>In addition to the parking spaces specified in (a), (b), (c) &amp; (d) above, parking for visitors shall be provided to the extent of atleast 25 per cent of the number stipulated above, subject to minimum of one.</p>
	(ii) For all starred category hotels	One parking space for every 60 sq.m. of total floor area.
	(iii) For lodging establishments	One parking space for every 120 sq.m. of total floor area.
	(iv) For Grade I, II and III Hotels	<p>For Grade I hotels and eating houses, one parking space for every 12.5 sq.m. of area of restaurant including hall, dining room, pantry and bar.</p> <p>For Grade II and III hotels and eating houses, one parking space for every 40 sq.m. of restaurant including hall, dining room, pantry &amp; bar.</p>
2	Educational	One parking space for 35 sq.m. carpet area of the administrative office area and public service area.
3	Assembly and assembly halls or auditorium (including those educational uses and hostels)	<p>One parking space for 12 seats / persons.</p> <p>Without fixed seats, one parking space for every 15 sq.m. of floor area.</p> <p>For canteen, bar and restaurant additional parking required under these Regulations for other permissible users as per provisions made herein for such purposes shall be provided.</p>
4	Government or semi-public or private office business buildings	One parking space for every 37.5 sq.m. of office space upto 1500 sq.m. and for every 75 sq.m. of additional space for areas exceeding 1500 sq.m. in other areas.
5	Mercantile (Markets, Departmental stores, shops and other commercial users) (I.T. Parks)	One parking space for every 40 sq.m. of floor area upto 800 sq.m. and one parking space for every 80 sq.m. of space for areas exceeding 800 sq.m. Provided that no parking space need to be provided for floor area upto 50 sq.m.
6	Industrial	One parking space for every 150 sq.m. thereof subject to minimum of two spaces.
7	Storage	One parking space for every 150 sq.m. thereof subject to minimum of two spaces.
8	Hospitals and Medical Institutions	One parking space for every 150 sq.m. of total floor area, except that it would be one parking space for every 600 sq.m. of the total floor area in the case of Govt. and Municipal Hospitals and Medical Institutions. In addition, one parking space for ambulance parking measuring 10 m. x 4 m. for Hospitals or Medical Institutions with bed strength of 100 or more.



9	Cinemas and Theaters	Parking spaces equivalent to eight per cent of the total number of seats with additional parking as otherwise also required for other permissible users in conjunction with that of cinema/theatre.
10	Shopping (not included under Mercantile Occupancy)	One parking space for 150 sq.m. of total floor area, in the case of shopping user with each shops upto 20 sq.m. in area (i.e. in convenience shopping) and one parking space for 50 sq.m. of total floor area for shops each over 20/30 sq.m. area.
11	Stadia and Clubs (not included under Assembly Occupancy)	One parking space for every 100 seats plus additional parking as in these Regulations for occupancies like those of restaurants; etc. with such stadia or clubs.

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

Sr. no.	Occupancy	Parking space for every	Four wheelers -	Two wheelers -
(1)	(2)	(3)	(4)	(5)
1.	Residential	a) 4 tenements having carpet area upto 35 sq.m. each	1	4
		b) 2 tenements with carpet area exceeding 35 sq.m. but not exceeding 45 sq.m. each	1	2
		c) 1 tenement with carpet area exceeding 45 sq.m. but not exceeding 60 sq.m. each	1	2
		d) 1 tenement with carpet area exceeding 60 sq.m. each	2	2
		In addition to the parking spaces specified in (a), (b), (c) & (d) above, parking spaces for visitors' shall be provided to the extent of 10 percent of the number stipulated above subject to minimum of one.		
2.	Star Hotels	For every 40 sq.m. built-up area	1	-
	Lodging establishments, tourist homes and hotels with lodging accommodation	For every 60 sq.m. built-up area	1	2
	Restaurants	For every 12.5 sq.m. built-up area of restaurant including hall, dining room, pantry and bar	1	4
3.	Educational	For every 35 sq.m. built-up area of the administrative office area, staff room, canteen, pantry, public service area, In addition, bus parking area at the rate of one parking space for 100 students.	1	1
4.	Office (Government or Private) and Business buildings	For every 30 sq.m. built-up area upto 1500 sq.m. and for every 60 sq.m. of additional space for areas exceeding 1500 sq.m. built-up area.	1	2
5.	Assembly (theatres, cinema houses, concert halls, auditoria, assembly halls including those of Educational buildings and hostels)	(a) For every 12 seats/persons (b) Without fixed seats, for every 15 sq.m. of built-up area For canteen, bar and restaurant, additional parking required under these Regulations for other permissible users as per provisions	1	2

Sr. no.	Occupancy	Parking space for every	Four wheelers -	Two wheelers -
(1)	(2)	(3)	(4)	(5)
		made herein for such purposes shall be provided.		
6.	Mercantile	For every 40 sq.m. of built-up area upto 800sq.m. and for every 80 sq.m. of space for areas exceeding 800 sq.m.	1	1
7.	Industrial	For every 70 sq.m. built-up area thereof (minimum 2 spaces); in addition to a loading/unloading spaces	1	1
8.	Storage	For every 100 sq.m. thereof (minimum 2 spaces)	1	1
9.	Hospitals and Medical Institutions	For every 100 sq.m. built-up area, In addition, 2 parking spaces for ambulance parking measuring 10m. x 4m. with bed strength of 100 and more; one ambulance parking space for additional 50 bed each.	1	5
10.	Shopping (not included under mercantile occupancy)	For every 50 sq.m. built-up area	1	2
11.	Stadia and clubs (not included under Assembly Occupancy)	For every 75 seats plus additional parking as in these Regulations for occupancies like those of restaurants, etc. with such stadia or clubs.	1	10

Provided that, in case of plots exceeding 1000 sq. m. in area for all land uses except industrial and storage land use, suitable spaces shall be carved out for visitors' parking in the front area within the plot by means of compound wall.] (EP-226)

#### 7.8.3. OTHER VEHICLES

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

#### 7.8.4. TRANSPORT VEHICLES

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

#### 7.8.5. ACCESS AISLES AND DRIVEWAYS

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



#### 7.8.6.COMMON PARKING LOT BY A GROUP OF PROPERTY OWNERS

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

#### 7.8.7.PARKING SPACES – WHERE TO BE ACCOMMODATED.

The parking spaces may be provided:

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

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

#### **(SM-123)** 7.8.8.CINEMAS, THEATERS AND ASSEMBLY HALLS

Subject to the provisions of Sub-Regulation 7.8.7 above, in sites of cinemas, theatres auditoria and assembly halls, one row of uncovered parking may be allowed in the front margin space of 12 m. or more, if the clear vehicular access way is not reduce to less than 6 m. The parking spaces in cinemas, theatres and places of public assembly shall be provided as given table 18 below.

TABLE 18: PARKING SPACE FOR ASSEMBLY BUILDING SUCH AS CINEMA ETC

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

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

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

**(SM-124) 7.8.10. PARKING SPACES TO BE LEFT OUT IN ADDITION TO OPEN SPACE FOR LIGHTING AND VENTILATION:**

The spaces to be left out for parking as provided in Regulations 7.8 ~~both inclusive~~ shall be in addition to the open space left out for lighting and ventilation purposes as provided in Regulations 7.6.3 to 7.87.6, ~~and subject to Regulations 7.8.12.~~ Provided that, one row of car parking may be provided in the front and marginal open spaces of 12 m. without reducing the clear vehicular access way to less than 6 m.

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

Further 50 % of the open space required under Regulations 7.6 ~~(both inclusive)~~ around buildings except those in front and the recreational or amenity open space required under Regulations 7.3.5 may be allowed to be utilized for parking or loading or unloading spaces, provided a minimum distance of ~~3-63.0~~ m. around the building is kept free from any parking, loading and unloading spaces. ]

**(SM-125) 7.8.12. PROVISION FOR LOADING AND UNLOADING IN CERTAIN CASES:**

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

**(EP-227) 7.8.13. VEHICULAR RAMPS**

In the case of parking spaces provided in basements or on upper stilts, at least two ramps of width not less than ~~4.5~~ 3 m or a single ramp of width not less than ~~6-7.5~~ m and with 1:10 slope shall be provided, located preferably at opposite ends. Alternatively vehicular lifts shall be permitted in place ~~or of~~ ramps. ]



## **PART: V**

### **SPECIFICATION REQUIREMENTS OF PARTS OF BUILDINGS**

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## PART: V

### SPECIFICATION REQUIREMENTS OF PARTS OF BUILDINGS

#### (SM-126) 8. SPECIFICATION REQUIREMENTS OF PARTS OF BUILDINGS

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

#### 8.1. PLINTH

- i. The plinth of building shall be so located with respect to the surrounding ground level that ~~adequate drainage of the site is assured~~. The height of plinth shall not be less than 45 cm above the surrounding ground level. In areas subjected to flooding, the height of the plinth shall be at least 60 cm. above the highest flood level or greater than 60 cms. as may be decided by the Planning Authority.
- ii. Interior Courtyards, Covered parking spaces and garages: ~~these~~ shall be raised at least 15 cm. above the surrounding ground level and shall be satisfactorily drained. ~~The plinth height of shops may be 30 cm.~~
- iii. In the case of special housing schemes ~~of the undertaken~~ by public agencies for low income group and economically weaker sections of society, the minimum plinth height shall not be less than 30cm. ~~The minimum height of plinth shall be regulated on the basis of environmental & topographical conditions and higher plinth height may be required in areas prone to flooding.~~

#### 8.2. HABITABLE ROOM

##### 8.2.1. SIZE AND DIMENSION OF HABITABLE ROOMS

~~Minimum~~ internal dimensions and size of rooms ~~meant~~ for various uses, ~~and occupancies and those of lofts / mezzanines / basements stairways etc.~~ shall be as in table 19 below.

TABLE 19 : MINIMUM SIZE AND DIMENSION OF HABITABLE ROOM

No	Occupancy	Minimum Size-area in sq. m.	Minimum width in m.	Remarks
(1)	(2)	(3)	(4)	(5)
1	Any Habitable room in residential building / room in any other occupancy like hostels, residential hotel, lodging & boarding/housing etc. except kitchen	9.5	2.4	
2	Room in a <del>one single</del> -room tenement in High density Housing / Housing scheme for EWS & LIG.	12.5	2.4 3.0	
3	Rooms in a two-room tenements			
	a) one of the rooms	9.6 9.5	2.4	
	b) other room	7.5	2.4	
4	Rooms in a two-room tenement in Housing scheme for EWS & LIG			
	a) One of the rooms	9.0	2.5	
	b) Other rooms	6.5	2.1	
4	<del>Rooms in a two-room tenement of site and</del>	-	-	



No	Occupancy	Minimum Size-area in sq. m.	Minimum width in m.	Remarks
(1)	(2)	(3)	(4)	(5)
-	services project-			
	a) One of the rooms	9.3	2.4	
	b) Other rooms	5.6	2.3	
5	Kitchen			
	a) one room — kitchen tenement	7.5	1.8	
	b) Two room — kitchen tenement	5.5	2.1	
	c) Kitchen in alcove with direct access from the main room without inter communicating door	2.4	1.2	
	d) Kitchen cum-Dining	9.5	2.4	
	e) Loft over kitchen	-	-	25% of the carpet area of the kitchen.
6.5	Single bedded room in a hostel of a recognized educational institution	7.5	2.4	
7	Shop in Residential zone	6	1.8	
	Shop in other than Residential zone	10	2.0	
8	Class room in an educational building	5-538	385.6	or area at 0.8 sq. m. per student whichever is more
9	Institutional building	-	-	
	a) Special room	9.5	3.2	
	b) General Ward	40	5.5	
10	Cinema Hall, auditorium assembly hall etc.	Inconformity with the Maharashtra Cinema Rules		

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

### 8.2.2. HEIGHT OF HABITABLE ROOMS:

The minimum and maximum height of a habitable room shall be as given in Table 20 hereunder

TABLE 20: HEIGHT OF HABITABLE ROOMS:

Sr. No.	Occupancy	Minimum Height (in metres)	Maximum Height (in metres)
(1)	(2)	(3)	(4)
1	Flat roof -		
	a) Any habitable room	2.75	4.2
	b) Habitable room in High-Density EWS / LIG Housing	2.6	4.2
	c) Air-conditioned habitable room	2.4	4.2
	d) Assembly halls, residential hotels of 3-star category and above, rooms in Institutional, Educational, Industrial, hazardous or storage occupancies, Departmental stores and assembly halls entrance halls & lobbies to Departmental stores & Assembly halls	With permission of the Planning Authority for greater height 3-6	4.2

Sr. No.	Occupancy	Minimum Height (in metres)	Maximum Height (in metres)
(1)	(2)	(3)	(4)
2	Pitched roof		
	a) Any habitable room	2.75	4.2
	b) Habitable room in High-Density EWS / LIG Housing	2.6 (average with 2.0 m at the lowest point)	4.2 (average with 3.2 m at the lowest point)

Provided that –

- i) the minimum head-way under any beam shall be 2.4 m.
- ii) in all occupancies, ~~except those included in Serial No. 1 (d) in the Table above,~~ any height in excess of 4.2 m. shall be deemed to have consumed in-additional FSI of 50 percent of the relevant floor area.
- iii) ~~Other requirements: One full side of habitable room must abut or open into an open space as provided in Regulation 7.6.7.~~
- iv) ~~For any telemetric-telematic equipment storage erection facility the height can be as required for effective functioning of the system.~~

### 8.3. KITCHEN:

#### 8.3.1. SIZE OF KITCHEN:

- i. The area of the kitchen ~~where separate dining area is provided~~ shall be not less than 5.5 sq. m. with a minimum width of 1.8 m, ~~whereas a kitchen, but in a two room tenement the minimum area of the room to be used as a kitchen shall be 7.5 sq. m. with minimum width of 2.1 m. which is intended for use as a dining area also, shall have a floor area of not less than 7.5sq.m. with a minimum width of 2.1m.~~
- ii. In the case of special housing schemes, ~~undertaken by of the~~ public agencies for low income group and economically weaker sections of the society, ~~the size of a cooking alcove, serving as cooking space shall not be less than 2.4sq.m. with a minimum width of 1.2m. no provision for kitchen shall be necessary. In case of double room tenements, the size of a kitchen shall be not less than 4.0 sq. m. with a minimum width of 1.5 m.~~ The size of individual kitchen provided in a two-roomed house shall be not less than 3.3sq.m with a minimum width of 1.5m.

#### 8.3.2. HEIGHT OF KITCHEN:

The ~~room~~ height of a kitchen measured from the surface of the floor, to the lowest point in the ceiling shall not be less than 2.75 m. ~~except for the portion to accommodate floor trap of the upper floor~~ subject to provisions of Regulation 8.2.2.

#### 8.3.3. OTHER REQUIREMENTS OF -A KITCHEN

Every room to be ~~used~~ as a kitchen shall have:

- i) unless separately provided in pantry, means for the washing of kitchen utensils which shall lead directly or through a sink to grated and trapped connection to the waste pipe;
- ii) an impermeable floor;
- iii) a flue, if found necessary,



- iii)iv) Window of not less than 1 sq. m. in area, opening directly into an interior or exterior open space, but not into a shaft; and
- iv) ~~in the case of multi-storied residential buildings more than 15m. in height, refuse chute,~~
- v) Refuse chutes in the case of High Rise residential buildings more than 15 m. in height.

#### 8.3.4. REQUIREMENTS REGARDING PANTRIES:

A pantry shall have:

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

#### 8.4. BATH-ROOM AND WATER-CLOSET

(EP-228) [

##### 8.4.1. SIZE OF BATHROOM AND WATER CLOSET:

- i. The size of a bathroom shall not be less than 1.8 sq. m. with a minimum width 1.2 m. The size of a water closet shall not be less than 1.10 Sq. m with a minimum width of 0.9 m. The minimum area of a combined bathroom and water-closet shall be ~~2.6~~ 2.8sq. m. with a minimum width of 1.2 m.
- ii. In the case of a special EWS/LIG housing scheme the sizes of bathroom and water-closet shall be as follows:
  - a). independent water-closet: ~~1.1 m. x 0.9 m.~~
  - b). independent bathroom: ~~1.3 m. x 1.1 m~~
  - c). ~~combined bathroom and water-closet: 2.0 sq. m. with minimum width of 1.2 m~~
    - a. The size of independent water-closet shall be at least 0.90sq.m. with minimum width of 0.9m.
    - b. The size of independent bathroom shall be at least 1.20sq.m. with a minimum width of 1.00m.
    - c. The size of combined bathroom & water-closet shall be at least 1.80sq.m. with minimum width of 1.0m.]

(SM-127)[

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

The height of a bathroom or water closet measured from the surface of the floor to the lowest point of the ceiling shall be not less than ~~2.2~~ 2.1m. ]

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

Every bathroom or water-closet shall:

- i. Be so situated that at least one of its walls shall open to external air,
- ii. Not be directly over or under any room other than another water-closet, washing place, bath or terrace, unless it has a water-tight floor,
- iii. ~~has~~ Have platform or seat made of water-tight non-absorbent material;

iv. Be enclosed by walls or partitions and the surface of every such wall or partition shall be finished with a smooth impervious material to a height of not less than 1 m. above the floor of such a room;

**(SM-128)** v. Every water closet and/or a set of urinals shall have a flushing cistern of adequate capacity attached to it. In **High-Density EWS/LIG** housing, however, no such flushing cistern need be provided; ]

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

**(SM-128)** vii. In **High-Density EWS/LIG** housing, pour flush water seal latrines (NEERI type) may be permitted where sewerage system is not available and the water table in the area is not high.]

viii. All the sewerage outlets shall be connected to the sewerage system. Where no such systems exist a septic tank shall be provided within the plot conforming to the requirements of Regulations No. 8.32.3.

**(EP-229)** [ix. Have a window or ventilator, opening to a shaft or open space, of area not less than 0.3sq.m. with side not less than 0.3m.]

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

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

#### 8.5. LEDGE OR TAND /LOFT

Location and extent: Lofts may be provided over kitchen, habitable room, bathroom, water closet, and corridor within a tenement in residential buildings, ~~as mentioned in table 21 below~~, over shops and in industrial building, ~~as mentioned in below Table No. 21~~ subject to the restrictions as follows:

**(EP-230)** i. The clear headroom under the loft shall not be less than ~~2.0~~ 2.2m.

ii. Loft in commercial **areas** and industrial building shall be located 2 m. away from the entrance.

iii. Loft shall not interfere with the ventilation of the room under any circumstances.

iv. The minimum headroom of Ledge or Tand / Loft shall be 2.2m.

v. The maximum height of loft shall be 1.5m.]

TABLE 21: PROVISION OF LOFT

Sr. No.	Rooms over which Permitted	Maximum Coverage (Percent to the area or of the room below)
1	Kitchen/Habitable room	25
2	Bathroom, water closet, corridor	100
3	Shop with width up to 3 m.	33- 1/3
4	Shop with width exceeding 3 m.	50
5	Industrial	33- 1/3

#### **(SM-129)** 8.5.1.SIZE OF LEDGE OR TAND:

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



#### 8.5.2. HEIGHT OF LEDGE OR TAND:

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

#### (SM-130)] 8.5.3. PROJECTIONS OF CUP-BOARDS, ETC., AND SHELVES:

The cantilevered projections of Cupboards and shelves may be permitted and shall be exempted from covered area calculations. Such projections may project upto 60 cm. in the set-backs for residential buildings provided the width of such cupboards or shelves does not exceed 2.4 m. and there is not more than one such cupboards or shelves in each room. However, cupboards on ground floor may be permitted within the building line. Continuous cupboards or shelves, with 60 cm. projection, may be permitted underneath the sill portion of a window, not exceeding 90 cm. from the floor, and over the lintel of windows at a height not less than 2.00 m. above floor level. ]

#### (SM-131)] 8.6. MEZZANINE FLOOR

##### 8.6.1. SIZE OF MEZZANINE FLOOR

The minimum size of the mezzanine floor, if it is to be used as living room, shall not be less than 9.5sq.m. The aggregate area of such mezzanine floor in a building shall in no case exceed one-third the plinth area of the building.

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

##### 8.6.2. HEIGHT OF MEZZANINE FLOOR

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

##### 8.6.3. OTHER REQUIREMENTS OF MEZZANINE FLOOR:

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

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

## 8.7. STORE ROOM

### 8.7.1. SIZE OF STORE ROOM:

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

### 8.7.2. HEIGHT OF STORE ROOM:

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

## 8.8. GARAGE

### 8.8.1. SIZE OF PRIVATE GARAGE:

(EP-231) i. The size of a private garage in residential building shall not be less than 2.5 m. x 5.5 m. ~~or 2.3 m. x 4.5 m. as provided in clause II of the note under Sub-Regulation (ii) of Regulation 7.6.10. and not more than 3.0m x 6.0m.]~~

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

### 8.8.2. SIZE OF PUBLIC GARAGE:

The size of a public garage shall be calculated based on the number of vehicles to be parked as specified in Regulation 7.8.42.

### (SM-132) 8.8.3. HEIGHT OF GARAGE

The minimum ~~head-room~~ and maximum height in a garage shall be 2.4 m. and 2.75 m. respectively. ]

### 8.8.4. PLINTH OF GARAGE:

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

### 8.8.5. SET-BACK OF GARAGE:

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

### (SM-133) 8.9. CORNER SITE:

#### 8.8.6 LOCATION OF GARAGE IN CASE OF CORNER PLOT]

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

### 8.10. ROOF:

The roof of a building shall be so constructed or framed as to permit effectual drainage of the rainwater there from by means of sufficient rainwater pipes of adequate size, wherever required.



so arranged, jointed and fixed as to ensure that the rain-water is carried away from the building without causing dampness in any part of the walls or foundations of the building or those of the adjacent buildings.

#### 8.11. RAIN WATER PIPES:

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

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

(EP-232)

#### 8.12. BASEMENT:

i) ~~The One or more basements shall be put only to the~~ may be permissible for following uses ~~specified hereafter and~~ shall be constructed within the prescribed setback, ~~except front margin~~ and prescribed building lines and subject to maximum coverage on floor 1 (entrance floor) including premium permitted by the ~~Planning Authority~~ and subject to payment of premium for the uses other than (c) and (d) below:

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

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

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

- ii) The basement shall not be used for residential purpose.
- iii) The basement shall have the following requirements -
  - a) every basement shall be in every part at least 2.4 m. in height from the floor to the underside of the roof slab or ceiling;
  - b) adequate ventilation shall be provided for the basement. The standard of ventilation shall be the same as required by the particular occupancy according to these Regulations. Any deficiency may be met by providing adequate mechanical ventilation in the form of blowers, exhaust fans or air-conditioning systems;
  - c) the minimum height of the ceiling of any basement shall be 0.9 m. and the maximum shall be 1.2 m. above the average surrounding ground level;



- ~~e1) Extended basement projected beyond building line only in side and rear open spaces — should be flushed with ground level subject to provision of mechanical lighting and ventilation;~~
- d) adequate arrangements shall be made so as to ensure that surface drainage does not enter the basement;
- e) the walls and floors of the basements shall be water-tight and be so designed that the effect of the surrounding solid and moisture if any is taken into account in design and adequate damp proofing treatment is given; and
- f) the access to the basement shall be separate from the main and alternate staircase providing access and exit from higher floors. Where the staircase is continuous the same shall be enclosed type serving as a fire separation from the basement floor and higher floors. Open ramps shall be permitted if they are constructed within the building line subject to the provision of clause (d) above.

(EP-233)[

### 8.13. RAMPS

#### 8.13.1. RAMPS FOR PEDESTRIANS-NON-VEHICULAR RAMP:

All the requirements of stairways in Regulation 8.278.28 shall apply mutatis mutandis to non-vehicular ramps and in addition, the following requirement shall also be complied with:

- a) Ramps with a slope of not ~~more steeper~~ than 1 in 10 may be substituted for and shall comply with all the applicable requirements of required stairways as to enclosure, capacity and limited dimensions. ~~In certain cases steeper slopes may be permitted but in no case greater than 1 in 8.~~ Ramps shall be surfaced with approved non slipping material. Provided that in the case of public offices, hospitals, assembly halls, etc. the slope of the ramp shall not be more than 1 : 12.]
- b) The minimum width of the ramps in hospitals shall be 2.25 m.
- c) Handrails shall be provided on both sides of the ramp.
- d) Ramps shall lead directly to outside open space at ground level or courtyards or safe place.
- e) For buildings above 24 m. in height access to ramps from any floor of the building shall be through smoke stop door.

(EP-234) [f) ~~When there is a difference in level between connected areas of horizontal exists, ramps not more than 1 in 10 slope shall be provided; steps shall not be used.~~

- g) ~~For High Rise building, if marginal open space is greater than minimum 6 m. then ramps may be permitted.]~~

#### (EP-235)[8.13.2. RAMPS TO BASEMENTS AND UPPER STOREYS FOR VEHICLES

For parking spaces in a basement and upper floors, at least two ramps of ~~adequate~~ minimum 3.6 m. width and slope not more than 1:10 shall be provided preferably at the opposite ends. ~~Such ramps may be permitted in the side and rear marginal open spaces after leaving sufficient space~~ minimum distance of 4.5 m. for movement of fire-fighting vehicles.]

### 8.14. BALCONY

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



**(SM-134)/ 8.15. STILTS**

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

**(SM-135)/ 8.16. CHIMNEYS**

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

**8.17. LETTER BOX**

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

**(EP-236)/ 8.18. METER ROOM**

~~An independent and ventilated well lighted meter (service room directly accessible from the outside) shall be provided on stilt/ground floor/basement and/or on upper floors, according to the requirements of the electric supply undertaking. The door to the room shall have fire resistance of not less than two hours. For all building above 15m in height and in special occupancies like educational, assembly, institutional, industrial, storage, hazardous and mixed occupancies with any of the aforesaid occupancies, having area more than 500sq.m on each floor, provision shall be made for an independent and ventilated meter (service) room, as per the requirements of Electric (service) Supply Undertakings, on the ground floor with direct access from outside for the purpose of termination of electric supply from the licensee's service and alternative supply cables. The door/doors provided for the service room shall have fire resistance of not less than two hours.]~~

**8.19. COMMON ANTENNA FOR TELEVISION TRANSMISSION RECEPTION**

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

**8.20. LIGHTING AND VENTILATION OF ROOMS**

- i. **Adequacy and manner of provision:** All parts of any room shall be adequately lighted and ventilated. For this purpose every room shall have:
  - a. One or more apertures, excluding doors, with area not less than one-sixth of the floor area of the room, with no part of any habitable room being more than 7.5 m. away from the source of light and ventilation. However, a staircase shall be deemed to be adequately lighted and ventilated, if it has one or more openings, ~~then their~~ area taken together measuring not less than 1 sq. m. per landing on the external wall;
  - b. An opening with a minimum area of 1 sq. m. in any habitable room including a kitchen, and 0.30 sq. m. with one dimension of 0.30 m. for any bathroom, water closet or store;

- c<sub>2</sub> All the walls, containing the openings for light and ventilation fully exposed to an exterior open space either directly or through a verandah not exceeding 2.4 m. in width provided that a room meant for non-residential user shall be considered as adequately lighted and ventilated if if, its depth from the side abutting, the required open space does not exceed 12 m.

(EP-237)ii. ~~Artificial Ventilation shaft: A bathroom, water closet staircase or store may abut on the ventilation shaft, the size of which shall not be less than the values given below: For ventilating the spaces for water closets & bathrooms, if not opening on front, side, rear & interior open spaces, these shall open on the ventilation shaft, the size of which shall not be less than the values given below:~~

Sr. No	Height of Buildings in m.	Cross-section of Ventilation shaft in sq. m.	Side of shaft Minimum one dimension of the shaft in m.
(1)	(2)	(3)	(4)
1	upto <del>12</del> 10	<del>2.8</del> 1.2	<del>1.2</del> 0.9
2	upto <del>18</del> 12	<del>4.0</del> 2.4	<del>1.5</del> 1.2
3	upto <del>24</del> 18	<del>5.4</del> 4.0	<del>1.8</del> 1.5
4	up to <del>30</del> 24	<del>8</del> 5.4	<del>2.4</del> 1.8
5	Above upto 30	<del>9</del> 8.0	<del>3</del> 2.4
6	Above 30	<del>9.0</del>	<del>3.0</del>

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

- iii<sub>1</sub> Artificial Lightning and Mechanical ventilation: where lighting and ventilation requirements are not met through day-lighting and natural ventilation, these shall be ensured through artificial lighting and ventilation in accordance with the provisions of Part VIII, Building Services- Section 11, Lighting and Ventilation, National Building Code of India, 2005.
- iv<sub>1</sub> In any residential hotel where toilets are provided with a mechanical ventilation system, the size of the ventilation shaft prescribed in this Regulation may be suitably relaxed by the Planning Authority.

(EP-238)v<sub>1</sub> ~~For fully air-conditioned residential building for lodging purposes, the ventilation shaft need not be insisted upon, provided the air-conditioning system works in an uninterrupted manner, also, provided there is an alternative source of power supply.]~~

**(SM-136) 8.20.1. DISTANCE FROM APERTURES MEANT FOR LIGHTING**

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

**8.21. OVERHEAD TANKS:**

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



(EP-239)[

#### 8.22. PARAPET:

Parapet walls and handrails provided on the edges of roof terraces, or balcony, varandah shall not be less than ~~1.15~~ 1.0m. ~~above the finished floor level and not more than 1.30 m. above the unfinished floor level in height, and not more than 1.2m in height from the finished floor level.]~~

(SM-137)[

#### 8.23. CABIN:

The size of cabins shall not be less than 3.0 sq. m. ~~with a minimum width of 1m.~~ The clear passages within the divided space of any floor shall not be less than 0.9 m. and the distance from the farthest space in a cabin to any exit shall not be more than 18.5 m. In case the sub-divided cabin does not derive direct lighting and ventilation from any open space or mechanical means, the maximum height of the cabin shall be 2.2 m. ]

#### 8.24. BOUNDARY WALL / COMPOUND WALL

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

(SM-138)[

#### 8.25. OFFICE ROOMSOCIETY OFFICE:

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

#### 8.26. PROVISION OF LIFT

(EP-240) [i. Planning and design:

At least one lift shall be provided in every building more than ~~16m~~ 15m (or as amended from time to time in NBC) in height. In case of buildings more than 24m high at least two lifts shall be provided. However, in the case of a proposal to add one additional floor to an existing building having a lift, it will not be necessary to raise the existing lift to the additional floor. Provided that in the case of an existing building with height of ~~1615m~~ or above one additional floor may be permitted without insisting on a lift in the case of chawl like structures. The same concession would be available for buildings with apartment accommodation provided the additional floor space is limited to 120 sq.m. The total height shall not exceed ~~1615m~~ or ground and five upper floors.

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

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

**SM-139/ii. Maintenance:**

- a. The lift installation should receive regular cleaning, lubrication adjustment and adequate servicing by authorized competent persons at such intervals as the type of equipment and frequency of service demand. In order that the lift installation is maintained at all times in a safe condition, a proper maintenance schedule shall be drawn up in consultation with the lift manufacturer and rigidly followed. A log book to record all items relating to general servicing and inspection shall be maintained. The electrical circuit diagram of the lift with the sequence of operation of different components and parts shall be kept readily available for reference by persons responsible for the maintenance and replacement, where necessary, to the satisfaction of the Planning-Competent Authority (i.e. Lift inspector of the Government of Maharashtra.)
- b. Any accident arising out of operation of maintenance of the lifts shall be duly reported to the Planning-Competent Authority, i.e. Lift Inspector of the Government of Maharashtra. **A notice may be put in the machine room to this effect.**
- iii c. All the floors shall be accessible for 24 hours by the lifts. The lifts provided in the buildings shall not be considered as a means of escape in case of emergency.
- iv d. **Grouping-Grounding** switch at ground floor level to enable the fire service to ground the lift cars in an emergency shall also be provided;
- v e. The lift machine rooms shall be separate and no other machinery shall be installed therein.
- f. **Particular attention may be directed for thorough periodical examination of wire ropes when in service. Attention should also be directed to the thorough examination of the groove of the drums, sheaves and pulleys when installing a new rope. A groove deepened by rope wear is liable to lead to early failure of a new rope unless the groove is returned.**
- vi. ~~In the case of an existing buildings, for construction of one additional floor, the existing lift may not be raised to additional floor. ]~~

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

**8.27.1. EXIT REQUIREMENTS**

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

- ~~a). provide continuous egress to the exterior of the building or to an exterior open space leading to the street;~~
- ~~b). be so arranged that, except in a residential building, they can be reached without having to cross another occupied unit;~~
- ~~c). be free of obstruction;~~
- ~~d). be adequately illuminated;~~
- ~~e). be clearly visible, with the routes reaching them clearly marked and signs posted to guide any person to the floor concerned;~~



- ~~f). be fitted, if necessary, with fire fighting equipment suitably located but not as to obstruct the passage, clearly marked and with its location clearly indicated on both sides of the exit way;~~
- ~~g). be fitted with a fire alarm device, if it is either a multi-storeyed high rise or a special building so as to ensure its prompt evacuation;~~
- ~~h). remain unaffected by any alteration of any part of the building so far as their number, width, capacity and protection thereof is concerned;~~
- ~~i). be so located that travel distance on the floor does not exceed the following limits:
  - ~~i) Residential, educational, institutional and hazardous occupancies: 22.5 m.~~
  - ~~ii) Assembly, business mercantile, industrial and storage buildings: 30 m.~~~~

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

### **(EP-241) [8.27. GENERAL EXIT REQUIREMENTS:**

#### **8.27.1.**

- a) An exit may be a doorway; corridor, passageway(s) to an internal staircase, or external staircase, or to a VERANDAH or terrace(s), which have access to the street, or to the roof of a building or a refuge area. An exit may also include a horizontal exit leading to an adjoining building at the same level.
- b) Lifts and escalators shall not be considered as exits.
- c) Every exit, exit access or exit discharge shall be continuously maintained free of all obstructions or impediments to full use in the case of fire or other emergency.
- d) Every building meant for human occupancy shall be provided with exits sufficient to permit safe escape of occupants, in case of fire or other emergency.
- e) In every building or structure, exits shall comply with the minimum requirements of this part, except those not accessible for general public use.
- f) No building shall be so altered as to reduce the number, width or protection of exits to less than that required.
- g) Exits shall be clearly visible and the route to reach the exits shall be clearly marked and signs posted to guide the occupants of the floor concerned. Signs shall be illuminated and wired to an independent electrical circuit on an alternative source of supply. The sizes and colours of the exit signs shall be in accordance with good practice, as per Part 4 of National Building Code of India, 2005. The colour of the exit signs shall be green.
- h) The floors of areas covered for the means of exit shall be illuminated to values not less than 1 ft candle (10 lux) at floor level. In auditoriums, theatres, concert halls and such other places of assembly, the illumination of floor exit/access may be reduced during period of performances to values not less than 1/5ft. candle (2 lux).
- i) Fire doors with 2 h fire resistance shall be provided at appropriate places along the escape route and particularly at the entrance to lift lobby and stairwell where a 'funnel or flue effect' may be created, inducing an upward spread of fire to prevent spread of fire and smoke.



- j) All exits shall provide continuous means of egress to the exterior of a building or to an exterior open space leading to a street.
- k) Exits shall be so arranged that they may be reached without passing through another occupied unit.]

#### 8.27.2. TYPE OF EXITS:

An exit may be a doorway, a corridor, a passage or a way to an internal staircase or external staircase, ramp or to a verandah and/or terraces which have eves to the street or to roof of a building. An exit may also include a horizontal exit leading to an adjoining building at the same level. Lifts and escalators shall not be considered as exits.

#### 8.27.3. ARRANGEMENT OF EXITS:

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

#### (SM-140) 8.27.4. OCCUPANT LOAD:

~~The population in rooms areas of floors shall be calculated on the basis of occupation load as given in Table 22 below: For determining the exits required, the number of persons within any floor area or the occupant load shall be based on the actual number of occupants, but in no case less than that specified in Table No.22 below-~~

TABLE 22: OCCUPANT LOAD

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

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

Note:

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

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

#### 8.27.5. CAPACITY OF EXITS

- 1) ~~The capacity of exits (doors and stairways) indicating the number of persons that could be safely evacuated through an exit, width unit of 50 cm. shall apply as given in Table 23 below: Occupants per unit exit width shall be in accordance with Table No. 23.~~

(EP-242) [TABLE 23: OCCUPANTS PER UNIT EXIT WIDTH

Sr. No	Group of Occupancy	Number of Occupants		
		Stairways	Ramps	Doors
(1)	(2)	(3)	(4)	(4)(5)
1	Residential	25	50	75
2	Educational	25	50	75
3	Institutional	25	50	75
4	Assembly	60- 40	50	90 60
5	Business	50	60	75
6	Mercantile	50	60	75
7	Industrial	50	60	75
8	Storage	50	60	75
9	Hazardous	25	30	40 40]

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

#### (EP-243) [8.27.6. PROVISION FOR STAIRCASE:

~~For all non-residential buildings accepting single and multi-family dwellings below above 16 24 m, in height, there shall be minimum two staircases. One of them shall be an enclosed stairway and the other shall be on the external walls of buildings and shall open directly to the exterior or interior open space or to any place of safety subject to NOC from Competent Fire Authority. All buildings, which are 15 m in height or above, and all buildings, used as educational, assembly, institutional, industrial, storage and hazardous occupancies and mixed occupancies with any of the aforesaid occupancies, having area more than 500sq.m. of each floor shall have minimum of two staircases. They shall be of enclosed type; at least one of them shall be on external walls of buildings and shall open directly to the exterior, interior open space or to an open place of safety. Further, the provision or otherwise of alternative staircases shall be subject to the requirements of travel distance being complied with.]~~



#### 8.27.7. WIDTH PROVISION FOR STAIRCASE:

Notwithstanding anything contained in Regulations 8.27.3, 8.27.4 and 8.27.5 the following minimum width provisions shall be made for staircases flight/corridor.

i. Residential Building -1.2 m.;

(EP-244) [ii. Residential hotel building- 1.5m.]

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

(SM-141) [iii. Assembly Building like auditorium, theatres and cinemas: 2.0 m.;

iii)iv. Institutional Buildings ~~like hospitals up to 10 beds: 1.5 m. more than 10 beds:~~ 2.0 m.;

iv)v. Educational Building ~~like schools:~~ 1.5 m.;

v)vi. All other Buildings: 1.50 m.;

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

#### 8.28. REQUIREMENT OF INDIVIDUAL EXIT AT EACH FLOOR:

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

##### (SM-142) [ 8.28.1. DOORWAYS:

i. Every exit doorway shall open into ~~an enclosed stairways~~ stairway or a horizontal exit, or a corridor or passageway providing continuous and protected means of egress; ]

(EP-245) [ii. No exit doorway shall be less than 100 cm. in width. ~~except assembly building where door width shall be not less than 200 cm.~~ Doorway shall not be less than 200 cm. in height. Doorways for the bathrooms, water-closets or stores shall not be less than 75 cm. wide.]

(SM-142) [iii. Exit doorways ~~of non-residential buildings~~ shall open outwards, that is ~~to say,~~ away from the room but shall not obstruct the travel along any exit. No door, when opened shall reduce the required width of stairways or landing to less than 90 cm. Overheads or sliding doors shall not be installed.

iv. Exit door shall not open immediately upon a flight ~~or of~~ stair. A landing equal to at least the width of the door shall be provided in the stairway at each doorway. Level of landing shall be the same as that of the floor which it serves.

v. Exit doorway shall be openable from the side they serve without the use of a key.

vi. ~~Mirrors shall not be placed in exit ways or exit doors to avoid confusion regarding the direction of exit. ]~~

##### 8.28.2. REVOLVING DOORS:

i. Revolving doors shall not be used as required exits except in residential, business and mercantile occupancies; they shall not constitute more than half the total required door width.

ii. When revolving doors are considered as required exit way, the following ~~assumptions requirements~~ shall apply:

a. Each revolving door shall be credited one-half a unit width and

b. Revolving doors shall not be located at the foot of stairway; any stairway served by a revolving door shall discharge through a lobby or foyer.



### 8.28.3. STAIRWAYS:

- i. Interior staircase shall be constructed of non-combustible materials throughout;
- (SM-143) ii. Interior staircase shall be constructed as a self contained unit with at least one side adjacent to an external wall and shall be completely enclosed. ~~For buildings more than 25-24 m. in height, all staircases shall be enclosed;~~
- iii. A staircase shall not be arranged around a lift shaft ~~unless the latter is entirely enclosed by a material of fire resistant rating as that for type of constructions itself. For buildings more than 25-24 m. in height the staircase location shall be to satisfaction of the Planning Authority. ]~~
- iv. Hollow combustible construction shall not be permitted.
- v. The minimum width of tread without nosing shall be 25 cm. for an internal staircase for residential building. In the case of other buildings, the minimum tread shall be 30 cm. The treads shall be constructed and maintained in a manner to prevent slipping.
- (SM-143) vi. ~~The minimum width of an internal staircase shall be 120 cm. subject to provisions of Regulation 8.28.27.7. ]~~
- (EP-246) vii. The maximum height of riser shall be 19 cm. in the case of residential buildings and ~~16~~ 15cm. in the case of other buildings. These shall be limited to ~~12~~ 15 per flight. ~~"In narrow plots and in high density housing, single flight staircase may be permitted and also in case of internal staircase the single flight may be allowed"~~
- viii. Handrails shall be provided with a minimum height of ~~90~~ 100cm. from the centre of the treads to the top of the handrail. Balusters / railing shall be provided such that the width of staircase does not reduce. ]
- ix. Floor indicator: The number of each floor shall be conspicuously painted in figures at least 15 cm. large on the wall facing the flights of a stairway or at such suitable place as is distinctly visible from the flights.
- x. Minimum headroom in a passage under the landing of a staircase shall be 2.2 m.
- (EP-246) xi. For buildings more than ~~25~~ 15m. in height, ~~or more~~ access to the main staircase shall be gained through at least half an hour fire resisting automatic closing doors placed in the enclosing wall of the staircase. It shall be a swing type door opening in the direction of the escape. ]
- xii. No living space, store or other space including fire risk shall open directly into the staircase.
- xiii. External exit door of staircase enclosure at ground level shall open directly to the open space or should be reached without passing through any door other than a door provided to form a draught lobby.
- (SM-144) xiv. In the case of assembly, institutional or residential occupancies of hotels or industrial and hazardous occupancies, the exit sign with arrow indicating the way to the escape route shall be provided at a height of 0.5 m. from the floor level on the wall and shall be illuminated by electric light connected to corridor circuits. All exit way marking signs should be flushed with the wall and so designed that no mechanical damage shall occur to them due to moving of furniture or other heavy equipments. Further all ~~landing landings~~ of floor shall have floor ~~indication~~ indicating boards prominently indicating the number of floor. The floor indication board shall be placed on the wall immediately facing the flight of stairs and nearest to the landing. It shall not be less than 0.5 x 0.5 m in size. ]
- xv. In case of a single staircase, it shall terminate at the ground floor level and the access to the basement shall be by a separate staircase. Whenever the building is served by more than one staircase one of the staircases may lead to basement level provided the same is separated at

ground level either by a ventilated lobby or by a cut-off screen wall without opening, having a fire resistance of not less than 2 hours with discharge point at two different ends or through enclosures. It shall also be cut-off from the basement area at various basement levels by a protected and ventilated lobby or lobbies.

~~(SM-145) [ xvi The staircase shall be lighted and ventilated and the minimum size of openings on walls abutting to open space shall be 1.5 sq. m per landing. ]~~

~~(EP-247) [ 8.28.4. FIRE ESCAPE OR EXTERNAL STAIRS:~~

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

- ~~i shall not be taken into account in calculating the evacuation time of a building;~~
- ~~ii all shall be directly connected to the ground;~~
- ~~iii entrance to these shall be separate and remote from the internal staircase;~~
- ~~iv the fire escape shall have the required fire resistance;~~
- ~~v shall be constructed of non-combustible material;~~

~~An external staircase is desirable to be provided for high rise buildings. External stairs, when provided shall comply the following:~~

- ~~i. External stairs shall always be kept in sound operable conditions.~~
- ~~ii. All external stairs shall be directly connected to the ground.~~
- ~~iii. Entrance to the external stairs shall be separate and remote from the internal staircase.~~
- ~~iv. Care shall be taken to ensure that no wall opening or window opens on to or close to an external stairs.~~
- ~~v. The route to the external stairs shall be free of obstructions at all times.~~
- ~~vi. The external stairs shall be constructed of non-combustible materials, and any doorway leading it shall have the required fire resistance.~~
- ~~vii. No external staircase, used as a fire escape, shall be inclined at an angle greater than 45 degree from the horizontal.~~
- ~~viii. External stairs shall have straight flight not less than 1250 mm wide with 250 mm treads and risers not more than 190 mm. The number of risers shall be limited to 15 per flight.~~
- ~~ix. Handrails shall be of a height not less than 1000 mm and not exceeding 1200 mm. There shall be provisions of balusters with maximum gap of 150 mm.~~
- ~~x. The use of spiral staircase shall be limited to low occupant load and to a building not exceeding 9 m in height. A spiral staircase shall be not less than 1500 mm in diameter and shall be designed to give adequate headroom.~~
- ~~xi. Unprotected steel frame staircase will not be accepted as means of escape. However, steel staircase in an enclosed fire rated compartment of 2 hr. will be accepted as means of escape.]~~

~~(SM-146) [ 8.28.5. SPIRAL STAIRS (FIRE ESCAPE)~~

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



**(SM-147) [ 8.28.6. RAMPS**

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

**(SM-148) [ 8.28.7. CORRIDORS & PASSAGEWAYS:**

- i. The minimum width of a corridor shall not be less than 75 cm. in the case of 2- storey row housing residential buildings and 100 cm. in the case of other buildings and actual width shall be calculated based on the provision of Regulations 8.27.4 and 8.27.5 (both inclusive).
- ii. ~~In the case of more than one main staircase of the building by a corridor or other enclosed space, there shall be at least one smoke stop door across the corridor or enclosed space between the doors in the enclosing walls of any two staircases. Where there is more than one staircase serving a building, there shall be at least one smoke-stop door in the space between the staircases.~~
- iii. (a) Exit corridors & passageways shall be of a width not less than the total aggregate required width of exit doorways leading from them in the direction of travel of the exterior/stairways.  
(b) Where stairways discharge through corridors & passageways, the height of the corridors & passageways shall not be less than 2.4 m.
- iv. All means of exit including staircases, lifts, lobbies & corridors shall be adequately ventilated.]

**(EP-248) [ 8.29. REFUGE AREA:**

For all buildings exceeding ~~16~~ 24 m. in height, refuge areas shall be provided as follows:

a	For floor above 16m and upto 24m	One refuge area on the floor immediately above 16m
ab	For floors above 24 m. and up to 36 m.	One refuge area on the floor immediately above 24 m.
bc	For floors above 36 m.	One refuge area after every five floors above 36 m.

For buildings more than 24 m in height, refuge area of 15 sq.m. or an area equivalent to 0.3 sq.m. per person to accommodate the occupants of two consecutive floors, whichever is higher, shall be provided as under ;

The refuge area shall be provided on the periphery of the floor or preferably on a cantilever projection and open to air at least on one side protected with suitable railings.

- a) For floors above 24 m and up to 39 m- One refuge area on the floor immediately above 24 m.
- b) For floors above 39 m-One refuge area on the floor immediately above 39 m and so on after every 15 m. Refuge area provided in excess of the requirements shall be counted towards FSI.]

(SM-149)

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

- i. Size of the Classroom: Refer Table 19 Regulation 8.2.1.  
Minimum area 38 sq.m. with minimum width 5.5 m.
- ii. Height of the Classroom: Refer Table 20 Regulation 8.2.2  
Minimum height 3.6 m. ]
- iii. Exit Requirements: Refer Table 23 of Reg. 8.27 and Reg. 8.28.7.
- iv. Parking Requirement: Refer Table 16 and 17 Regulation 7.8.

(EP-249) [v. Educational building shall not be permissible within 60m. from the existing assembly building and 90m. from the existing petrol pump.]

In addition to above, every educational building shall be provided with:

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

(EP-250) [8.30A SPECIAL REQUIREMENTS FOR INSTITUTIONAL BUILDING LIKE HOSPITAL, MATERNITY HOMES, HEALTH CENTRES AND SANATORIA :

- i) Size of Special room Minimum area 9.5 sq.m. with minimum width 3 m
- ii) Height of Special room Minimum height 3.6 m.
- iii) Size of General Ward Minimum area 40 sq.m. with minimum width 5.5 m
- iv) Height of General Ward Minimum height 3.6 m.

**8.30B SPECIAL REQUIREMENTS FOR CINEMA THEATRES :**

- i) Size and height of Cinema Theatres shall be in conformity with the Maharashtra Cinema (Regulations) Rules, 1966, as amended from time to time.
- ii) Cinema Theatres shall not be located within a distance of 60 m. from existing School and Hospital buildings.]

(EP-251)

**8.31. FACILITIES FOR PHYSICALLY HANDICAPPED CHALLENGED PERSONS:**

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

**8.32. WATER SUPPLY AND DRAINAGE ARRANGEMENTS**

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

### 8.32.1. DRINKING WATER ARRANGEMENT

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

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

### 8.32.2. WELLS

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

#### 1) Location

The Well shall be located:

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

#### 2) Requirements

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

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

### 8.32.3. SUB-SOIL DISPERSION SYSTEM / SEPTIC TANK

Every building, group of buildings together shall be either connected to the Municipal Drainage system or provided with sub-soil dispersal system in the form of septic tank which shall be

governed by the following or any other alternative design and specifications as approved by State Government:

### 1) Design of Septic Tanks

Where a septic tank is used for sewage disposal the location, design and construction of the septic tank shall conform to the requirements of the following sub-regulations:

### 2) Location of septic tank and subsurface absorption systems:

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

### 3) Requirements

- a) Septic tanks shall have a minimum width of 75 cm, a 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 ~~Appropriate~~-Authority.
- c) Under no circumstances should effluent from a septic tank be allowed into an open channel drain or body of water without adequate treatment.
- d) Minimum nominal diameter of pipe shall be 100 mm. Further, at junctions of pipes in manholes, direction of flow from a branch connection should not make an angle exceeding 45° with the direction of flow in the main pipe;
- e) The gradient of land drains, under-drainage as well as the bottom of dispersion trenches and soak-ways should be between 1:300 and 1:400.
- f) Every septic tank shall be provided with ventilating pipe of at least 50 mm diameter. The top of the pipe shall be provided with a suitable cage of mosquito proof wire mesh. The ventilating pipe shall extend to a height which would cause no smell nuisance to any building in the area. Generally, the ventilating pipe may extend to a height of about 2 m. when the septic tank is at least 15 m. away from the nearest building and to a height of 2 m. above the top of the building when it is located closer than 15 metres.
- g) When the disposal of septic tank effluent is to seepage pit, the seepage pit may be of any suitable shape with the least ~~craps~~ 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 RCC cover slabs. Where no lining is used, specially near trees, the entire pit should be filled with loose stones. A masonry ring may be constructed at the top of the pit to prevent damage by flooding of the pit by surface run off. The inlet pipe may be taken down a depth of 90 cm from the top as an anti mosquito measure; and
- h) When the disposal of septic tank effluent is to a dispersion trench, the dispersion trench shall be 50 to 100 cm deep and 30 to 100 cm wide excavated to a slight gradient and shall be provided with 15 to 25 cm of washed gravel or crushed stones. Open jointed pipes placed inside the trench shall be made of unglazed earthenware clay or concrete and shall have



minimum internal diameter of 75 to 100 mm. No dispersion trench shall be longer than 30 m and trenches shall not be placed closer than 1.8 m.

**(SM-150)**

### 8.33. FIRE PROTECTION REQUIREMENTS:

Buildings shall be planned, designed and constructed to ensure fire safety and this shall be done in accordance with Part-IV/4- Fire Protection and Life Safety, National Buildings Code of India unless otherwise specified in these Regulations. ~~In the case of buildings referred to in Regulation 4.19 the building schemes shall also be cleared by the Planning Authority. ]~~

**(EP-252)**

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

The additional provisions contained in Appendix "O" relating to fire protection shall apply to buildings more than ~~16-24 m~~ 15 m (or as prescribed in the National Building Code of India, 2005, as amended from time to time) in height referred to in Regulation 4.5.3.]

### 8.35. SPECIAL REQUIREMENTS OF INDUSTRIAL BUILDINGS:

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

**(EP-253)** [v. Minimum buffer open space from the industrial building/industrial use to residential or habitable zone/use shall not be less than 23 m.]

### 8.36. SPECIAL PROVISIONS FOR INSTALLATION OF WATER HEATING SYSTEM

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

### 8.37. INSTALLATION OF RAIN WATER HARVESTING STRUCTURE

All the layout open spaces/amenity spaces of housing societies and new constructions/reconstructions/additions on plots having area not less than ~~300-500~~ 300-500 sq.mt. ~~in non Gaothan areas of the Notified Area~~ shall have one or more Rain Water Harvesting structures system having a minimum total capacity as detailed in Schedule under Appendix M.

**(SM-151)**

### 8.38. PROVISION FOR INSTALLATION OF SOLAR ENERGY ASSISTED SYSTEMS

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





(EP-290)

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

(Kept in  
abeyance)

Rules for controlling developments mentioned in this Regulation shall be as specified in Appendix G, H, I and J. These shall be permitted in the Residential Zone. Schemes for EWS and LIG under taken by MHADA shall be permitted as per the prevailing Govt. orders. ] (EP-290)

(EP-254)

**8.40. RENTAL HOUSING**

The Rental Housing projects within the limits of the 'Notified Area' for which MMRDA is the Project Implementation Agency (PIA) shall be a project for vital public purpose and the Metropolitan Commissioner, MMRDA shall be the Chief Executive Officer of such projects, which shall be regulated as per Sub-Regulations 8.40.1 to 8.40.3 of this Regulation. ](EP-254)

**8.40.1. CONSTRUCTION OF RENTAL HOUSES ON UNENCUMBERED LAND:**

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

—Or

**8.40.2. CONSTRUCTION OF RENTAL HOUSES ON UNENCUMBERED LAND:**

—For construction of Rental Houses on unencumbered land by land owner or any other Agency approved by MMRDA within the limits of 'Notified Area' with the FSI of 4.0 subject to the Regulations in Appendix Z<sup>1</sup>:

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

For construction of Rental Houses on unencumbered lands by MMRDA on lands vested with them within the limits of the 'Notified Area' with FSI 4.0 and out of 4.0 FSI, 25% of 4.0 FSI shall be allowed for commercial use which can be sold in open market to subsidize the component of Rental housing subject to the provisions as Appendix Z<sup>2</sup>. ](EP-254)

(EP-255) [ 8.41. PODIUM

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



## 9. STRUCTURAL SAFETY AND SERVICES

**(SM-152)**

### 9.1. STRUCTURAL DESIGN:

- i) The structural design of foundations, elements made of masonry, timber plain concrete, reinforced concrete, pre-stressed concrete and structural steel shall be carried out in accordance with Part- VI~~6~~, Structural Design, Section 1 Loads, Section 2 foundation, Section 3 wood, Section 4 Masonry, Section 5 Concrete, Section 6 Steel, Section 7 Prefabrication, Systems Building and Mixed/ Composite Construction of National Building Code of India, 2005.

- ii) ~~To avoid threat from earthquake, after completion of earthquake resistance safety footing work approved by Structural Engineer, certificate of the said Structural Engineer should be submitted to the Planning Authority prior to plinth certificate.~~

All the structural members shall be design considering the seismic zone factor and based on design that the earthquake is expected to occur at least once during the design life of structure and it shall be carried out in accordance with the Part 6- Structural Design-section I of NBC, 2005. To perform well in an earthquake, a building should possess four main attributes, namely, simple and regular configuration and adequate lateral strength, stiffness and ductility. For the purpose of resistant design of building seismic zone and seismic factor shall be taken into consideration. The foundation shall be proportioned for the following combination of loads :

- a) Dead load + imposed load; and  
b) Dead load + imposed load + wind load or seismic loads, whichever is critical.

- iii) Structural Audit, as per the directions given by the Govt. from time to time. ]

### 9.2. QUALITY OF MATERIAL AND WORKMANSHIP:

- i) All materials and workmanship shall be of good quality conforming generally to accept Standards of Public Works Department of Government of Maharashtra and Indian Standard specifications and Codes as included in part V~~5~~- Building Materials and part VI~~4~~-7- Constructional Practices and Safety of National Building Code of India, 2005.
- ii) All borrow pits dug in the course of construction and repair of buildings, roads or embankments, shall be deep and connected with each other in the formation of a drain directed towards the lowest level and properly stepped for discharge into a river, stream, channel or drain and no person shall create any isolated borrow pit which is likely to cause accumulation of water which may breed mosquitoes.

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

- i) The provisions of these Regulations are not intended to prevent the use of any material or method of design or construction not specifically prescribed by these Regulations provided any such alternative has been approved by the Planning Authority
- ii) The provisions of these Regulations are also not intended to prevent the adoption for architectural planning and layout conceived as an integrated development scheme.

**(SM-153)**

- iii) The Planning Authority may approve any such alternative provided it is found that the proposed alternative is satisfactory and conforms to the provisions of relevant parts regarding material, design and construction and that material, method or work offered is for the purpose intended, at least equivalent to that prescribed in these Regulations in quality, strength, compatibility, effectiveness, fire and water resistance, durability and safety, etc.]



#### 9.4. TESTS

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

(SM-154)

#### 9.5. BUILDING SERVICES

##### 9.5.1.ELECTRICAL INSTALLATIONS

The planning, design and installation of electrical installations, air-conditioning and heating work shall be carried out in accordance with Part- VIII8, Building Services, Section 2 - Electrical and Allied Installations, Section 3 - Air Conditioning, Heating and Mechanical Ventilation and Heating of National Building Code of India, 2005.

##### 9.5.2.LIFTS AND ESCALATORS INSTALLATION

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

(SM-155)

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

The planning, design, construction and installation of water supply, drainage and sanitation and gas supply systems shall be in accordance with the provisions of the water supply and Drainage Byelaws, if any, of the Planning/Municipal Authority of the and part IX9- Plumbing Services, Section 1- Water Supply, Drainage and Sanitation (including Solid Waste Management), Section 2- Drainage and sanitation Section 3- Gas Supply of National Building Code of India, 2005. ]

##### 9.6.1.REQUIREMENTS OF WATER SUPPLY IN BUILDINGS:-

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

TABLE 24: WATER SUPPLY REQUIREMENTS IN BUILDINGS

Occupancy	Basis
Residential building	5 persons / tenement.
Other buildings	Number of persons based on occupant load area of floors given in table - 22



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

#### 9.6.2.SANITARY REQUIREMENTS:-

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

**(SM-156)**

#### 9.7. SIGNS AND OUTDOOR DISPLAY STRUCTURES:

- 1) The display of advertising signs on buildings and lands shall be in accordance with Part X10-Landscaping, Signs and Outdoor Display Structures of National Building Code of India, 2005.
- 2) In addition to provisions of ~~Sub-Regulation 9.7~~ (1), the following provisions shall be complied with for permitting advertising signs in different land use zones-

i) **Residential Zone:** The following non-flashing and non- neon signs with illumination not exceeding 10 ft. candles.

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

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

Provided that such signs shall not face residential buildings and shall be in conformity with the following;

- a. Not more than one overhanging sign may be permitted for each 4.5 m of plot frontage; and
  - b. The area of such overhanging signs shall not be more than 1 sq. m. except that for each 0.9 m. plot frontage above first 4.5 m an increase in area of 0.2 sq. m. shall be permitted.
- 3) Prohibition of advertising signs and outdoor display structures in certain cases:

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

- 4) The **Planning Authority Commissioner** may, **with the approval of the planning Authority**, add, alter or amend the provisions in Sub-Regulation (2) above. ]



**PART – VI**  
**SPECIAL REGULATIONS RELATED TO**  
**HOUSING AND URBAN RENEWAL**

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## PART – VI

### SPECIAL REGULATIONS RELATED TO HOUSING AND URBAN RENEWAL

#### 10. SPECIAL REGULATIONS RELATED TO URBAN RENEWAL AND HOUSING- APPLICABLE FOR AVAILING ADDITIONAL FSI

**(EP-210)** **10.1. DEVELOPMENT OF SPECIAL TOWNSHIP:**

For developing an area within the jurisdiction of the Planning Authority, socially and economically, Special Township Projects shall be permissible in a contiguous, unbroken and uninterrupted holding admeasuring minimum of 40 hectare of area in one place having frontage on road of at least 18 m width and subject to the CRZ provisions. Such Special Township Project shall be permissible as per the provisions as detailed in Appendix- W. ]

**(EP-254)** **10.2. DEVELOPMENT OF RENTAL HOUSING:**

~~The Rental Housing projects within the limits of the 'Notified Area' for which MMRDA is the PIA (Project Implementation Agency) shall be a project for vital public purpose and the Metropolitan Commissioner, MMRDA shall be Chief Executive Officer of such projects, which shall be regulated as per Regulations Government of Maharashtra Notifications, issued from time to time in respect of Appendix Z to AB.~~

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

- ~~i. In the areas specifically marked in the Residential zone for Rental Housing Projects, development of land only for these projects shall be permitted.~~
- ~~ii. The MMRDA shall be the Project Implementation Authority (PIA) and the Metropolitan Commissioner, MMRDA is the Chief Executive Officer (CEO).~~
- ~~iii. Minimum area for these projects shall be as given in respective Appendices.~~
- ~~iv. Such projects shall front on existing or proposed public road having width of 18m and above.~~
- ~~v. In addition to the provisions of Appendix Z, AA and AB, the development shall conform to these Regulations.~~
- ~~vi. The buildings having height more than 24m, shall be permissible subject to NOC from competent Fire Authority. ] (EP 254)~~

**(EP-254)** **10.2. REGULATIONS FOR AFFORDABLE HOUSING SCHEME:**

1. In order to promote construction of affordable housing stock on private lands, the Planning Authority may permit implementation of Affordable Housing Scheme in accordance with the provisions of these Regulations. Affordable Housing Scheme ~~(hereinafter referred to as 'the Scheme')~~ shall be permissible only on the lands situated ~~within the limits of the Urban Local Bodies (ULBs) Bhiwandi Surrounding Notified Area in the Mumbai Metropolitan Region (MMR)., excluding the area under the Municipal~~

~~Corporation of Greater Mumbai, the Municipal Corporation of Navi Mumbai and the Matheran Municipal Council.~~

2. (i) Affordable Housing Scheme shall be permissible in Residential Zone / Affordable Housing Zone shown on the Development Plan only and on plots having access from an existing or proposed Development Plan Road having width equal to or in excess of 18 mt. or an existing road in respect of which Regular Line of Street has been declared under the relevant provisions of Maharashtra Municipal Corporation Act, Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships Act, 1965 for a width of 18 mt. or more, provided permissible FSI on such plots is 1.00 or more and TDR/additional FSI on payment of premium more than 0.6 is allowable. However in case of a proposed road, the land under the said proposed road shall be acquired before the approval of building plans for the Affordable Housing Scheme. Affordable Housing Scheme shall not be allowed in areas where FSI is less than 1.00 or where use of TDR is not permissible.
  - (ii) Minimum plot area for the Affordable Housing Scheme shall be 4000 sq.mt., excluding area under D.P. Roads and D.P. Reservations, if any.
  - (iii) The plot under the Scheme shall be independent, unencumbered and contiguous.
  - (iv) The Scheme shall not be permissible in congested areas, demarcated as such on the Development Plan.
3. ~~The concerned Urban Local Body (ULB), being a Planning Authority~~ Special Planning Authority for Bhiwandi Surrounding Notified Area, shall be competent to grant both location clearance and layout approval/building permission for an Affordable Housing Scheme.
4. (i) Maximum permissible FSI (including the base FSI of 1.00) under the Scheme shall be 3.00 on the gross plot area, including mandatory layout recreational open space and Amenity Space. The FSI to be utilized shall be in the proportion of 1:3 for the Affordable Housing Component and the Free Sale Housing Component on 1/4<sup>th</sup> and 3/4<sup>th</sup> part of the land respectively. Thus Affordable Housing and Free Sale Housing shall be proposed on the same plot of land but on two separate independently buildable pockets. For lands in Affordable Housing Zones, the owner/ developer may be allowed to develop the land as per the Rules of the Affordable Housing Policy with the proviso that free sale to Affordable Housing FSI ratio will be 1.8 : 1 instead of 1.66 : 1 and the maximum FSI will be 2.5.

Or

the owner / developer may be allowed to develop the land as permissible in Residential Zone as per prevailing Development Control Regulation subject to the condition that the area of tenements to be constructed with entire potential of the land, shall be of Affordable Housing Scheme. However if the provisions of inclusive housing stipulated in notification Dated 8/11/2013 and 3/9/2015 are applicable to this area then, it shall also be made applicable to such land.

(ii) Under Affordable Housing Scheme, upto 15 % of the total built-up area of the Affordable Housing Component may be used for construction of shops/commercial use as per the direction of ~~Urban Local Body~~ Special Planning Authority for Bhiwandi Surrounding Notified Area and such commercial built-up area shall be handed over to the ~~concerned ULB~~ Special Planning Authority for Bhiwandi Surrounding Notified Area free of cost.



5. (i) An Affordable Housing Unit shall be a self-contained dwelling unit of 25 sq.mt. carpet area. However the carpet area of a Housing Unit shall be 160 sq.ft., where the construction under the Rental Housing Scheme has already commenced.

(ii) The amenity space for Affordable Housing shall be 10 % of the gross plot area under the Scheme and it shall be proportionately provided in the area earmarked for the Affordable Housing Component and the Area kept for Free Sale Housing Component.

Provided that where the Scheme is to be implemented on a plot in Industrial Zone where the Planning Authority has duly permitted Residential user under the relevant provisions of the Development Control Regulations :-

(a) no further area shall be required to be kept as amenity space under Regulation 5 (ii) for the Scheme if the area prescribed to be kept as amenity space while permitting residential user in Industrial zone is equal to or more than 10% of the gross plot area.

(b) only the balance area shall be required to be kept as amenity space under Regulation 5(ii) for the Scheme if the area of amenity space prescribed by the Planning Authority, while permitting residential user in Industrial zone, falls short of 10%.

(iii) Notwithstanding anything contained in the relevant provisions of the Development Control Regulations for the respective Municipal Corporation/Municipal Council regarding the provision of Amenity Space in general, and also regarding permitting Residential User in Industrial Zone, it shall be obligatory on the Developer/Owner to develop the amenity space for users (hereinafter referred to as prescribed amenity users) such as School, Play Ground, Garden, Health Care Facilities, Multipurpose Hall, Auditorium, etc. with the approval of Municipal Commissioner of the Municipal Corporation /Chief Officer of the Municipal Council/Chief Executive Officer of Special Planning Authority, as per the specifications prescribed by the said Authority, subject to the condition that atleast 50% of such amenity space shall be kept for open users, before seeking Occupancy Certificate for the Free Sale Housing Component of the Scheme, failing which the land under such amenity space shall be handed over free of cost to the Planning Authority and such land shall be developed by the Municipal Commissioner of the Municipal Corporation/Chief Officer of the Municipal Council /Chief Executive Officer of Special Planning Authority for the aforesaid prescribed amenity users only.

No compensation in the form of TDR shall be admissible to the Owner/Developer for development of such prescribed amenities under this Regulation.

(iv) Irrespective of whether the Owner/Developer develops the prescribed amenity users as per the provision of Clause (iii) above or fails to do so, the process of handing over the land under such amenity space, along with the developed prescribed amenities, where such prescribed amenities have been developed, shall be completed within one month from the date of application by the Developer/Owner for seeking Occupancy Certificate for the free sale Housing Component of the Scheme and if such handing over process is not completed within the said period, the occupancy Certificate for the free sale Housing Component of the Scheme shall be with held by the Municipal Commissioner of the Municipal Corporation/Chief Officer of the Municipal Council /Chief Executive Officer of Special Planning Authority, till such amenity space, along with developed prescribed amenities, where such prescribed amenities have been developed, is handed over to the Planning Authority.





(v) Under the Affordable Housing Scheme, there shall be a welfare hall and a Balwadi at the rate of 30 sq.mt. for every multiple or part of 200 residential units and an office for Managers/Co-operative Housing Society at the rate of 30 sq.mt. per every multiple or part of 500 residential units which shall be treated as a part of Affordable Housing Component and shall not be counted towards the FSI while computing 3.00 FSI on the site and shall be given along with layout/DP roads and shops, free of cost to the concerned-ULB Special Planning Authority for Bhiwandi Surrounding Notified Area. These facilities shall be constructed at locations as suggested by the concerned-ULB Special Planning Authority for Bhiwandi Surrounding Notified Area and shall be transferred free of cost to it.

6. Under the Affordable Housing Scheme, Off-Site Infrastructure Charges at the rate of 5% of the land rate as given in the Annual Statement of Rates (ASR) prepared by the Inspector General of Registration, Maharashtra State, for the year in which Commencement Certificate is issued, subject to a minimum of Rs. 2000 per sq.mt., shall be paid by the Developer for the built up area, over and above the normal permissible FSI. This amount shall be paid to the concerned-ULB Special Planning Authority for Bhiwandi Surrounding Notified Area.

7. Release of FSI under the Scheme shall be as follows:-

FSI for Affordable Housing Component and the Free Sale Housing Component under the Scheme shall be released in accordance with the following Table:-

Sr. No.	Stages of Release FSI	Affordable Housing Component*	Free Sale Component*
1.	On Grant of Building Permission/Commencement Certificate up to plinth by ULB Special Planning Authority for Bhiwandi Surrounding Notified Area /Planning Authority to the Affordable Housing Project.	3.00	1.00
2.	On Completion of 50% BUA of Affordable Component	-	0.75
3.	On Completion of 100% BUA of Affordable Component	-	0.75
4.	On handing over of 25% land and completed Affordable Housing Component buildings with Occupancy Certificate	-	0.50
	Total	3.00*	3.00*

\*Explanation- The FSI of 3.00 is to be calculated on the one-fourth of plot area for Affordable Housing Component as well as three-fourth of plot area for Free-Sale Housing Component.

8. The Affordable Housing Component under the Scheme shall be handed over alongwith the ¼ part of the total plot of land, free of cost to the concerned-ULB Special Planning Authority for Bhiwandi Surrounding Notified Area.

9. (i) The affordable Housing stock created under the Scheme shall be allotted by the concerned-ULB Special Planning Authority for Bhiwandi Surrounding Notified Area as follows:-



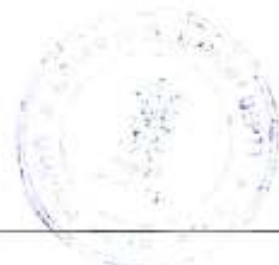
Percentage	Allotment to	Category of Stock	Rate of Allotment
25	Respective ULBs Special Planning Authority for Bhiwandi Surrounding Notified Area for use as PAP tenements or Staff Quarters or Transit Accommodation.	Ownership	Free of Cost
25	Outright sale to Govt. of Maharashtra and its statutory bodies/Govt. undertakings for use as PAP tenements or staff quarters or Transit Accommodation.	Ownership	As per Construction rate of ASR
50	Outright sale as affordable housing by MHADA subject to the general or specific directions of the Government.	Ownership	Free of Cost to MHADA which shall dispose of the same as per its pricing policy and by drawal of lots.

- (ii) The Affordable Housing stock shall be disposed of as per the prevailing policy of MHADA regarding pricing and disposal of its housing Stock meant for affordable housing. Each Project approved under the Scheme Shall be brought to the notice of the Government of Maharashtra and its statutory bodies/Government undertakings by means of Press Advertisement and if the Government of Maharashtra or any of its statutory bodies/Government Undertakings doesn't place firm requirement for the housing stock earmarked for them in the Scheme before the Completion Certificate/Occupation Certificate for the said Scheme is issued, the same shall come to the share of MHADA for outright sale as per the Prevailing Policy of the MHADA.
- 10 (i) The other aspects of the Development of Affordable Housing Scheme, not specifically dealt with hereinabove, shall be as per the relevant provisions of the Development Control Regulations of the respective Planning Authority.
- (ii) It shall also be permissible for the Developer/Owner to utilize the FSI available for Free Sale Housing Component, fully /partly for any other user otherwise permissible as per Development Plan and Development Control Regulations.
- (iii) In case owing to genuine hardship and site conditions, relaxation in marginal open spaces is sought by the Developer/Owner, the Municipal Commissioner of the Municipal Corporation / Chief Officer of the Municipal Council /Chief Executive Officer of Special Planning Authority may consider such request, using his discretionary powers under the Development Control Regulations, subject to the condition that in no case shall the clear marginal open space reduced below 6.m No premium shall be charged for granting such relaxation in marginal open space in respect of Affordable Housing Component of the Scheme.
11. No project under the Rental Housing Scheme envisaged under the said directives issued by the Government vide orders dated 6<sup>th</sup> August 2008, 25<sup>th</sup> August 2009, 4<sup>th</sup> November 2008 and 21<sup>st</sup> August 2008 shall be permitted after the date on which the

Notice No. TPS-1212/79/ C.R. 60/12/UD-12, dated 30<sup>th</sup> November 2013 regarding this Regulation under section 37 (1AA) of the Maharashtra Regional and Town Planning Act, 1966 was published in the official Gazette (herein after referred to as 'the cut of date').

Provided that the Rental Housing Projects in respect of which Location Clearance had been granted by MMRDA, but Commencement Certificate has not been issued by the concerned planning Authority, shall be allowed to continue, as such in case such project proposals are resubmitted to MMRDA within a period of 30 days from the date of this Notification in the Official Gazette. All such project proposals received by MMRDA within the prescribed time limit shall be scrutinized by MMRDA on merit and submitted for the prior approval of the State Government for their continuance under the Rental Housing Scheme.

Provided further that the Rental Housing Projects already approved may be allowed to be converted into Affordable Housing Projects under the provisions of this Regulation, with prior approval of the State Government. ] (EP 254)



**PART –VII**  
**LIST OF APPENDICES**

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**(SM-157) APPENDIX - A: OPERATIONAL CONSTRUCTIONS OF GOVERNMENT DEPARTMENTS**

**(Regulation 3.3)**

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

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

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

~~(A) The operational construction/installation of the Government, whether temporary or permanent, which is essential for the operation, maintenance, development or execution of any of the following services may be exempted from the point of view of the byelaws;~~

- ~~a. Railways;~~
- ~~b. National Highways;~~
- ~~c. National Waterways;~~
- ~~d. Major ports;~~
- ~~e. Airways and aerodromes;~~
- ~~f. Posts and telegraphs, telephones, wireless, broadcasting, and other like forms of communications;~~
- ~~g. Regional grid for electricity;~~
- ~~h. Defence; and~~
- ~~i. Any other service which the Central/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 these byelaws;~~



In case of construction/installation where no approvals are required, the concerned agencies which are exempted from seeking approval shall submit the drawings/plan/details for information and records of the Authority before construction/installation.

(B) However, the following construction of the Government departments do not come under the purview of operational construction for the purpose of exemption under A above:

- a. New residential building (other than gate lodges, quarters for limited essential operational staff and the like), roads and drains in railway colonies, hospitals, clubs, institutes and schools, in the case of railways; and
- b. A new building, new construction or new installation or any extension thereof in the case of any other services. ]

(BC) Repairs and renovation of existing installations or buildings used for operational purposes only which do not involve addition or increase in the built-up area;

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

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

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

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

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



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

**(Regulation 4.1-(1)4.2)**

**B.1 GENERAL:**

1.1 The qualification of the technical personnel and their competence to carry out different jobs for development permission and supervision for the purpose of licensing by the Planning Authority shall be as given in paragraphs B-2 to B-59. The procedures for licensing the technical personnel is given in paragraph B-610.

**B.2 ARCHITECT:**

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

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

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

**B.3 ENGINEER:**

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

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

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

**B.4 SUPERVISOR:**

**B.4.1 Qualifications** – The qualifications for licensing of supervision ~~will~~ shall be-

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

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

- a. For Supervisor-I



- i) All plans and related information connected with development permission on plots up to 200 sq. m. and up to 2 storeys or height up to 9 m.
  - ii). Certificate of supervision on buildings on plots up to 200 sq. m. and up to 2 storeys; and completion thereof.
- b. For Supervisor-II
- i) All plans and related information up to 50 sq. m. built up area and up to 2 storeys ; and
  - ii). Certificate of supervision for limits at (i) above.

#### **B.5 STRUCTURAL ENGINEER:**

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

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

#### **B.5.2 Competence** –

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

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

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

#### **(EP-256) [B.6 TOWN PLANNER**

**B.6.1 Qualifications** – The minimum qualification for a town planner shall be Associate Membership of the Institute of Town Planners or having graduate or post-graduate degree in Town and Country Planning.

**B.6.2 Competence** - Only a registered town planner shall be competent to carry out the work related to the development permit as given below:

- a) Preparation of plans for land sub-division/layout, Master Plans, Development Plans, Schemes such as Special Townships, Housing Projects, SEZ, etc. and related information connected with development permission for all areas.

b) Issuing of certificate of supervision for development of land for all areas.





**NOTE-** However, for land layouts for development permission above 5 hectare in area, landscape architect shall also be associated, and for land development infrastructural services for roads, water supplies, sewerage/drainage, electrification, etc. the registered engineers for utility services shall be associated.

## **B.7 LANDSCAPE ARCHITECT**

**B.7.1 Qualifications** – The minimum qualification for a landscape architect shall be a Bachelor or Master's degree in Landscape Architecture or equivalent from any recognized Indian or foreign university.

**B.7.2 Competence** – Only a registered landscape architect shall be competent to carry out the work related to landscape design for building/development permit for land areas admeasuring 5 hectares and above. In case of metro-cities, this limit of land area shall be 2 hectares and above.

**NOTE** – For smaller areas below the limits indicated above, association of Landscape Architects may also be considered from the point of view of desired landscape development.

## **B.8 URBAN DESIGNER**

**B.8.1 Qualifications** – The minimum qualification for an urban designer shall be a Master's degree in Urban Design or equivalent from any recognized Indian or foreign university.

**B.8.2 Competence** - Only a registered urban designer shall be competent to carry out the work related to the building permission of urban design for land areas admeasuring more than 5 hectares and campus area more than 2 hectares. He/She shall also be competent to carry out the work of urban renewal for all areas.

**NOTE** – For smaller areas below the limits indicated above, association of Urban Designers' may be considered from the point of view of desired urban design.

## **B.9. ENGINEERS FOR UTILITY SERVICES**

For buildings identified in 12.2.5.1 of Part 2 of National Building Code of India, 2005, the work of building and plumbing services shall be executed under the planning, design and supervision of competent personnel. The qualification for registered mechanical engineer (including HVAC), electrical engineer and plumbing engineer for carrying out the work of Air conditioning, Heating and Mechanical Ventilation, Electrical Installations, Lifts and Escalators and Water Supply, Drainage, Sanitation and Gas Supply installations respectively shall be as given in Part 8 'Building Services' and Part 9 'Plumbing Services' or as decided by the Authority taking into account practices of the National Professional Bodies dealing with the specialist engineering services.

### **B.610 LICENSING:**

**B.610.1 Technical personnel to be licensed** – The qualified technical personnel or group as given in-referred to in B<sub>2</sub>-3-0, B<sub>2</sub>-4-0 and B<sub>2</sub>-5-0, B.7, B.8 & B.9 shall be licensed by the Planning Authority and the license shall be valid for one calendar year ending 31 December after which it shall be renewed annually.

**B.610.2 Fees for licensing-** The annual licensing fees shall be as follows –

For Landscape Architects	Rs. 1000/- p.a.
For Urban Designers	Rs. 1000/- p.a.



For Engineers for utility services	Rs. 1000/- p.a.
For Town Planners	Rs. 1000/- p.a.
For Engineers and structural engineers	Rs. 250750/- p.a.
For Supervisors S-I	Rs. 40500/- p.a.
For Supervisors S-II	Rs. 50250/- p.a.

Provided that, fees for licensing, specified above, shall not be applicable to the persons having graduate or post graduate degree in Architecture and registered with Council of Architecture.] (EP-256)

**B.610.3 Duties and responsibilities of licensed technical personnel** –The duties and responsibilities of licensed technical personnel shall be as follows:

1. It will be incumbent on every licensed technical personnel in all matters in which he may be professionally consulted or engaged to assist and co- operate with the Planning Authority other Officers in carrying out and enforcing the provisions of the Act, and of any bye-laws for the time being in force under the same.
2. Every licensed technical personnel shall be in every case in which he may be professionally consulted or engaged, be responsible, so far as his professional connection with such case extends for the compliance with the provisions of Chapters XII, XIV and XV of the B.P.M.C. Act, M.R. & T.P. Act and of any rules Regulations or bye-laws for the time being in force under the said Acts or such of them as may respectively be applicable to the circumstances of the particular case and in particular it will be obligatory on him to satisfy himself that a qualified and competent site supervisor with prescribed qualifications is constantly employed and present on the work to supervise the execution of all works and to prevent the use of any defective material therein and the improper execution of any such work.
3. In every case in which a licensed technical personnel is professionally concerned in connection with any buildings or work upon any premises in respect of which a right to require a set-back has occurred or is about to occur to the Planning Authority under the provisions of sections 210 and 211 of the B.P.M.C. Act, or any of them, it will be incumbent on such licensed personnel to ascertain whether "regular line of the street" has been prescribed under section 210 and whether any portion of the said premises is required for the street and no licensed technical personnel must, on any account or under any pretext whatever, be a party to any evasion or attempted evasion of the set-back (if any) that may be required.
4. In every case in which a licensed technical personnel is professionally concerned in connection with any building or work upon any premises designed or intended to be used for any purpose in respect for which the written permission or license of the Planning Authority, is prescribed by the said Act as a necessary condition to the establishment or use of such premises for such purpose, it shall be incumbent on such licensed technical personnel, so far as his professional connection with such case extends, to see that all condition prescribed by the said Act, or by any bye-law or rules/ Regulations for the time being in force there under are duly fulfilled or provided for.
5. Licensed technical personnel shall not carry out any work in connection with any building or other erection on a plot of land leased or agreed to be leased by the Authority in contravention of any term or condition of the lease or agreement for lease.
6. When licensed technical personnel cease to be in the employment for the development work, he shall report the fact forthwith to the Planning Authority.



7. Every technical personnel must certify on the plan that, the plans prepared by him are in accordance with the norms as specified by Indian Standards Institute and he will be held responsible for any harm caused in earthquake due to negligence of the standards. If it is not possible for him to certify, then same should be obtained from Indian Structural Institute and accordingly be noted on plan.

**B.610.4 Revocation of License:-**

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

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



**APPENDIX - C: - FEES, DEPOSITS AND CHARGES**

**(Regulation 4.1-(2)4.2)**

**(EP-257) [C.1 GENERAL:**

The planning Authority may decide the rates of fees from time to time subject to minimum fee as given below.

**C.1.1 BUILDING PERMISSIONS SCRUTINY FEES:**

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

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

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

Area to be Developed	Fees in Rs.
Upto 0.3 ha.	Rs. 450/-450/-
0.3 to 1 ha.	Rs. 300/-900/-
1 to 2.5 ha.	Rs. 600/-1800/-
2.5 to 5 ha.	Rs. 900/-2700/-
above 5 ha.	Rs. 900/-2700/- plus Rs. 300 per ha. or part thereof for area above 5 ha. plus Rs.100 per ha. or part thereof for area above 5 ha.

The above fee shall be subject to revision from time to time by the Planning Authority.

**C.1.1.2 RESIDENTIAL BUILDINGS:**

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

	PURPOSE	SCALE OF SCRUTINY FEE
1)	To construct or reconstruct a building covered under <del>section 253 to 269 of B.P.M.C. Act 1949</del> and Section 44, 45 & 58 of the M.R. & T.P. Act 1966	Rs. 20/- 60/- per 10 30 sq. m. of built up area or part thereof with a minimum of Rs. 100/- 300/- and maximum of Rs. 10,000/- per proposal. Nominal fee of Rs. 10/- 30/- for construction restricted to 30 sq. m. built over area.
2)	For alteration and/or additions to the existing building covered under <del>section 253 to 269 of B.P.M.C. Act</del> & MR&TP Act, 1966.	Same as above for additional built-up area plus Rs. 50/- 150/- for alterations.
3)	For alterations covered under <del>Section 253 to 269 of B.P.M.C. Act</del> & under provisions of M.R. & T.P. Act, 1966	Rs. 50/- 150/- per proposal.
4)	In the case of amended plans for sanctioned proposal.	Fee of Rs. 100/- 300/- with every amended proposal wherein no extra floor area is proposed otherwise as for the additional area proposed Rs. 20/- 60/- per 10 sq. m. of built up area or part thereof with a minimum of Rs. 100/- 300/- and maximum of Rs. 10,000/- per proposal.
5)	Application for renewal of a sanctioned proposal, plans remaining the same before the end of each year from the date of Commencement Certificate/ Building Permission.	No-Fees Rs. 150/-
	Application for renewal of a sanctioned proposal plans remaining the same after the end of each year from the date of Commencement Certificate/Building Permission.	A lump sum fee of Rs. 10/- 30/- if application for renewal is submitted before the expiry of the date of validity of the permission Rs. 100/- 300/- per month or part thereof (the number of months being calculated for the delay period) if application is



	submitted after the expiry of the date of validity but within 3 years from original sanction.
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**C.1.1.3 In case of proposals from medical, educational and charitable Institutions** which are duly registered, fees shall be charged at one-fourth of the basic scale, subject to a minimum of Rs. ~~400/-~~300/- and maximum of Rs. ~~2,500/-~~ 7500/- per proposal.

**C.1.1.4** In case of proposals for industrial, 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. ~~200/-~~600/- and maximum of Rs. ~~20,000/-~~ 60000/- per proposal.] (EP-257)

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

#### **C.1.2. EXEMPTIONS TO RULE 4.0C.1.1**

For special housing schemes for economically weaker section of society and low income group and slum clearance scheme undertaken by public agencies or subsidized by state Government with plinth area of tenement not more than 30 sq. m. the [~~building permission scrutiny~~] fee may be exempted. (SM-81)

#### **C.1.3. RULES FOR FIXATION OF FEES:**

The following rules shall apply:

1) The total plinth area on all floors shall be taken as the basis for calculation of fees including the basement floor and accessory buildings,

(SM-158) 2) No ~~application notice~~ under Section 44 & 58 of the M.R.&T.P. Act, 1966 shall be deemed valid unless and until the person ~~giving notice~~ has paid the fees to the ~~Municipal~~ Planning Authority and an attested copy of the receipt of such payment is attached with the notice. ]

3) In case the proposal is finally rejected, ten percent of the fees shall be retained and the balance shall be refunded to the applicant within one month of the date of rejection.

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

(EP-258) [1.4.1 The stacking of building materials and debris on public roads, highways, shall be prohibited except with special permission of the Appropriate Authority. Where such permission has been granted the license fee for depositing building materials and debris on public roads, highways, etc, shall be as follows:

PURPOSE	SCALE OF FEES
A) For construction of Residential buildings	= Rs. <del>25/-</del> 75/- per sq. m per week
B) For construction of Non-residential buildings	= Rs. <del>50/-</del> 150/- per sq. m. per week

Note:

1) The stacking of materials would be permitted till the completion of the building. ~~if~~ after completion of the building, in the opinion of the Appropriate Authority, certain material has not been cleared or left in a stage causing annoyance or inconvenience, ~~the Appropriate Planning~~ Authority shall take necessary action against the owner and any cost incurred in the removal of such material, which has been carried out by the ~~Appropriate Planning~~ Authority shall be recovered from the owner.



- 2) Fees for compound walls, storage tanks, garages, open structures, other temporary structures, repairs of existing structures, demolition works shall be Rs. ~~500~~ 1500 per proposals.] (EP-258)
- 3) For the purpose of this regulation a residential building with shop shall not be treated as commercial building. Also fees shall be charged according to the use of area as commercial or residential or industrial use. Similarly, watchmen's quarters in an industrial premise shall be considered as an industrial building.

**(EP-259) [C.2.0 SCRUTINY FEES FOR VARIOUS TYPES OF APPLICATIONS**

**-FEES FOR CERTIFIED COPIES OF APPROVED PLANS AND DOCUMENTS:**

Scrutiny Fees for development of land and buildings:

~~As one of the conditions under section 45(1)(ii) of Maharashtra Regional and Town Planning Act, 1966 no notice shall be deemed valid unless and until the person giving such notice encloses the challan or receipt for having paid the necessary license fee/scrutiny fee as prescribed below :-~~

**Sub-division of Land or Development work:**

Area to be developed	Rupees
upto 1 Ha.	50.00
above 1 Ha.	100.00

**Residential Buildings:**

Total covered area on all floors	Fees in Rupees
upto 150 sq.m.	10.00
upto 300 sq.m.	100.00
above 300 sq.m.	200.00

**Mercantile (Commercial) and Business Buildings, Assembly Buildings, Hazardous, Storage and Industrial Buildings:**

(i.e. shops, showrooms, business offices, godowns, warehouses, banks, cinema theatres, clubs etc.)

Total covered area on all floors	Fees in Rupees
upto 150 sq.m.	50.00
upto 300 sq.m.	100.00
above 300 sq.m.	200.00

**Public Buildings for Educational Religious and Charitable use :**

Total covered area on all floors	Fees in Rupees
upto 150 sq. m.	15.00
more than 150 sq. m.	25.00

Sr.No	Certified Copy of	Fees per Copy
1	Approved building and layout plans	Rs. <del>50</del> 150/-
2	CC, PCC, OC or NOC	Rs. <del>25</del> 75/-
3.	Part of DP (colored)	Rs. <del>25-75/-</del> for size of 15 cm x 20 cm.]

**(SM-159)[C.3.0 DEVELOPMENT CHARGES**

Any person who intends to carry out development or change any use of any land or building for which the development permission is required under these Regulations, whether he has applied for such permission or not or who has commenced carrying out any such development or has carried out any change in such use or who has applied to the Authority for grant of Occupancy Certificate shall pay to the Competent Authority the development charge in accordance with the Provisions of MR&TP Act., 1966 amended from time to time. These charges shall be subject to revision from time to time by the Planning Authority. ~~procedure laid down in Section 124 A to L of MR and TP Act, 1966, amended from time to time and in accordance with the directives received from the State Government for levy of development charges as narrated below.~~



**Maharashtra Regional and Town Planning Act, 1966 – specifying the rates of Development Charges:**

**SECOND SCHEDULE – (See section 124B) – Part – I**

Sr.no.	Areas	Nature and particulars of development	Rate at which development charge to be levied
			(in rupees per square meters)
(1)	(2)	(3)	(4)
1	Areas under the jurisdiction of the Municipal Corporations constituted or demand to have been constituted under the Mumbai Municipal Corporation Act, the Bombay Provincial Municipal Corporations Act, 1949 and the City of Nagpur Corporation Act, 1948, the Municipal Councils constituted under the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships Act, 1965; and Special Planning Authorities and New Town Development Authorities constituted under this Act.	Development of land for residential or institutional use, not involving any building or construction operations.	0.5 per cent of the rates of developed land mentioned in the Annual Statement of Rates prepared under the Bombay Stamp (Determination of True Market Value of Property) Rules, 1995 made under the Bombay Stamp Act, 1958 (hereinafter, in this Schedule, referred to as "the Stamp Duty Ready Reckoner")
		Development of land for residential or institutional use, involving only building or construction operations.	-
		Where development charge under clause (a) has been paid;	2.00 per cent of the rates of developed land mentioned in the Stamp Duty Ready Reckoner;
		Where development charge under clause (a) is not required to be paid as the land has been developed before the commencement of the Maharashtra Regional and Town Planning (Amendment) Act, 1992	2.00 per cent of the rates of developed land mentioned in the Stamp Duty Ready Reckoner.
		3) Development of land for residential or institutional use, also involving building or construction operations.	-
		For development;	0.5 per cent of the rates of developed land mentioned in the Stamp Duty Ready Reckoner.
		For construction.	2.00 per cent of the rates of developed land mentioned in the Stamp Duty Ready Reckoner

**Part – II**

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

(2) In the area under the jurisdiction of the respective Municipal Corporations, the development charge shall be levied for reconstruction or for the making of any material change in a building, at the rates specified in Part-I of the Schedule for the purpose of development of land involving only building or construction operations in such area. ]



**APPENDIX - D: - LAND USE CLASSIFICATION AND USES PERMITTED**  
**(Regulation 6.3)**

**D-1: POWER OF GRANTING PERMISSION:**

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

**(EP-260) [D-2: PURELY RESIDENTIAL ZONE (R-1 ZONE)**

Residential Zone (R1) consists of all plots situated on roads having existing or prescribed width of less than 30-18 m. ~~and the plots situated on roads on which shop line is not marked~~ in the development plan.]

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

1. Customary home occupations, if with motive power total load not to exceed 1 H.P.
2. Medical and Dental practitioner's dispensaries including pathological laboratory, diagnostic clinics, polyclinics to be permitted on any floor above. However, maternity homes, clinics, nursing home with indoor patients on ground or still floor or on first floor with separate means of access of staircase from within the building or outside but not within the prescribed marginal open spaces on the plots abutting on roads not below 12m width, in any case with the special permission of Planning Authority.
3. Nursing homes, polyclinics maternity homes and medical practitioners/consultants in different disciplines of medical sciences in independent buildings or independent parts of buildings on the ground floor, floor 1 and floor 2 with separate means of access/staircase from within the building or outside, but not within the prescribed marginal open spaces in any case, and with the special permission of the Planning Authority.
4. Professional offices and studies of a resident of the premises and incidental to such residential use or medical and dental practitioners dispensaries or clinics of a resident of the building with only outpatient treatment facilities without any indoor work, each not occupying a floor area exceeding 30 sq.m.
5. Educational buildings, excluding building of trade schools but including students' hostels in independent buildings, religious buildings, community halls, welfare centers and gymnasia:
  - i) Provided that the Planning Authority may, by order, permit Montessori schools, Kindergarten classes or Bal-mandirs in a part of a residential building on the ground floor or on the floor above the stilts if the area thereof is not less than 40 sq .m. and no nuisance is likely to be caused to the residents of the building :
  - ii) Provided further that in congested localities where it is not possible to provide a separate building for a school, the Planning Authority may allow a primary school in any part of or on any separate floor of a residential building. In doing so, he shall take into account the location, room sizes, means of access, water and sanitary arrangements and other relevant factors. He shall also ensure that a staircase is easily accessible from the entrance and serves the classrooms. The school shall also conform to other requirements of educational buildings stipulated in Regulation 1568-30 and Appendix F.
6. Public libraries on the ground floor and floor 1 or on two consecutive floors immediately above the stilts in a building constructed on stilts, and museum in part or entire building.





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



**(EP-261)** [19. Any other use allowed in consultation with the Director of Town Planning, Maharashtra State in accordance with the intent and spirit of these Regulations.]

**D-3: RESIDENTIAL ZONE WITH ROADS 30-18M. AND ABOVE (R-2 ZONE):**

**(EP-262)** [A] The Residential Zone (R-2 zone) will comprise of:

a) Plots in a residential zone along roads having existing or prescribed width of 30-18 m and above, provided that above restrictions on shopping will not apply to the reconstruction or redevelopment of an existing building having existing shopping users.]

B) Notwithstanding anything contained in this Regulation, for reasons of congestion, traffic or nuisance, new shopping or convenience shopping, even if otherwise permissible, the Planning Authority may not for reasons to be recorded in writing, permit such shopping.

C) **Uses permitted in the Residential Zone (R-2 Zone):** the following uses shall be permitted in buildings, premises or plots in a residential zone with shop line:-

1. All uses permitted in the purely residential zone (R-1 zone);
2. Stores or shops for conduct of retail business, including departmental stores. There will, however, be no storage or sale of combustible materials except with the Planning Authority's special permission;
3. Personal services establishments, only in the areas other than congested area;
4. Hair dressing saloons and beauty parlours;
5. Frozen food stores;
6. Shoe repair and sports shops;
7. Professional offices each not exceed 100 sq.m. in area only in the areas other than congested areas;
8. Shops for the collection and distribution of clothes and other materials for cleaning, pressing and dyeing establishments;
9. Tailoring, embroidery and button-hole making shops, each employing not more than 9 persons;
10. Cleaning and pressing establishments for clothes, each occupying a floor area not more than 200 sq. m. and not employing solvents with a flash point lower than 59 c. machine with dry load capacity not exceeding 30 kg. and employing not more than 9 persons;

**(SM-160)** ~~11. Provided that the total power requirement does not exceed 4 KW; ]~~

**11.12.** Shops for goldsmiths, lock-smiths, watches and clocks and their repairs, bicycles and their rental and repairs, optical glass grinding and repairs, musical instruments and their repairs, picture-framing, radio, television and household appliances and their repairs, umbrellas and their repairs and upholstery work, each employing not more than 9 persons;

**12.13.** Coffee grinding establishments with electric motive power not exceeding 0.75 KW (0.025 KW individual motor each);

**13.14.** Restaurants, eating houses, cafeterias, ice-cream and milk bars under one establishment with total area not exceeding 200 sq. m. on the ground and/or floor 1 of a building with the special permission of the Planning Authority;

**14.15.** Bakeries, with no floor above, each not occupying for production an area more than 75 sq. m. and not employing more than 9 person if the power requirement does not



- exceed 4 KW where only electrical ovens are used, an additional heating load up to 12 KVA being permitted;
- 15.16. Confectioneries and establishments for the preparation and sale of eatables each not occupying for production an area more than of 75 sq. m. per establishment and employing not more than 9 persons, motive power not exceeding 1.12 KW as well as sugarcane and fruit juice crusher each employing not more than 6 persons with motive power not exceeding 1.12 KW and area not more than 25 sq. m.;
- 16.17. Printing presses with aggregate motive power each not exceeding 3.75 KW and not employing more than 9 persons and individual electric motors of not more than 1.5 KW;
- 17.18. Trade and other similar schools, not involving any danger of fire or explosion, or offensive noise, vibration, smoke dust, odour, glare, heat or other objectionable features;
- 18.19. Vegetable, fruit, flower, frozen fish, frozen meat or frozen food shops;
- 19.20. Battery charges and repairing establishments each not employing more than 6 persons with an area not more than 25sq.m. and not more than 2 charges with power not exceeding 5 KW;
- 20.21. Photographic studios with laboratories, Xeroxing, photo-copying, video-taping establishments etc. and their laboratories each with an area not exceeding 50 sq. m. and employing not more than 9 persons and not using power more than 3.75 KW;
- 21.22. Coal or fire-wood shops;
- 22.23. Local sub-offices of any public utility.
- 23.24. Electronic industry of assembly, but not of manufacturing type, with the Planning Authority's special permission, subject to following restrictions:-
- 25-a) Only on the ground floor each with an area not exceeding 50 sq. m.;
- 26-b) Total electric power inclusive of motive power and heating load not to exceed 3.75 KW;
- 27-c) Employing not more than 9 persons each;
- 24.28. Pawn-Pan shops;
- 25.29. Art galleries i.e. display shops;
- 26.30. Undertakers' premises;
- 27.31. Establishments using power only for heating, refrigeration or Air-conditioning purposes;
- 28.32. Private lockers in the congested area the total area shall not exceed 400 sq. m. each;
- 29.33. Data-processing unit, with use of computers;
- 30.34. Repairing garages, without activities of body-building and spray painting, each employing not more than 9 persons or using 1.5 KW motive power with no floor, above with the permission of the Planning Authority to be allowed to function only between 08 and 20 hours.
- 31.35. Motor driving schools, with the permission of the Planning Authority;
- 32.36. Travel agencies, ticket booking and selling agencies for air, surface or water travel or transport of any other modes of travel or transport;
- 33.37. Accessory uses customarily incidental to any permitted principal use, including storage up to 50 per cent of the total floor area of the principal use;



**34.38.** Notwithstanding anything contained in these Regulations, Information Technology Establishment (pertaining to software only) on the plots/premises fronting on roads having width more than 18 m;

**(EP-263) [35.39** Any other use allowed in consultation with the Director of Town Planning, Maharashtra State in accordance with the intent and spirit of these Regulations.]

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

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

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

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

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

**(EP-264) [F)** Notwithstanding anything contained in these Regulations convenience shops as defined in item No. 26-27 of Regulation No. 2.2 may be permitted on all roads, having width of ~~48m~~12m. and above.]

**(SM-161) [G)** ~~Service industry as specified in Table No. 25 may be permitted.~~ ]

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

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

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

Provided further that in the case of development and/or re-development of a cinema/theatre the user for a cinema/theatre may be permitted in combination with the permissible users in a residential zone (R-2 zone) excluding the users for bakery, confectionary, trade and other similar schools and coal or fire wood shops with a cinema/theatre being permitted underneath or above any building subject to compliance with fire and safety requirements specified by and



to the satisfaction of the Planning Authority. However, residential user in combination with that of a cinema/theatre may not be allowed in the same building.

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

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

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

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

ii) Floor Space Index: On redevelopments, the F.S.I shall be as otherwise admissible for the permissible users under the Development Control Regulations.

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

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

2. Petrol filling and service stations each employing not more than 9 persons in combination with other permissible uses in the zone subject to clearance by the Controller of Explosives and the Chief fire Officer, and observance of such conditions as they may prescribe and with the permission of the Planning Authority
3. Trade or other similar schools.
4. Bulk storage of kerosene and bottled gas for domestic consumption with the special permission of the Planning Authority.
5. Parking of automobiles and other light vehicles on open plots as a business or otherwise.
6. Fish or meat shops.
7. Residential hotels of lodging houses in independent buildings or parts of buildings or on upper floors thereof with special written permission of the Planning Authority, who will take into account the suitability of the size and shape of the plot, means of access, water and sanitary arrangements etc. before granting the permission. The Planning Authority shall not permit such use unless he is satisfied about the provision of these arrangements.
- 8—Provided that residential hotels of 4 & 5 star categories may be allowed only in an independent plot of size not less than 2,500 sq. m. and on roads of 16 m. width or more, a hotel of lower star category being also allowed on a separate floor of a premises or a building with separate access.
- 9—Provided further that development of residential hotels of the star categories shall be permitted by the Planning Authority, only after due approval by a committee consisting of the Planning Authority, the Planning Authority of police (Law, Order and Traffic) and the Managing Director, Maharashtra Tourism Development Authority Ltd.

- 840 General agriculture, horticulture and domestic poultry, with limitation of keeping of up to 20 birds at the rate of 0.25 sq. m. per bird.
- 944 Repairing garages not employing not more than 9 persons or 1.5 KW motive power with no floor above, with permission of the Planning Authority
- 1042 Business offices on roads of 18m. width and more subject to the fulfillment of parking and other requirements; except that balconies if any of such building shall not be free of F.S.I. computation.
- 1143 Correctional and mental institutions, institutions for children, the aged or widows sanatoria and hospitals (except veterinary hospitals) with special permission of the Planning Authority, provided that those principally for contagious diseases shall be located not less than 36m. from any boundaries.
- 1244 Stadia.

(EP-265) [1345- Other uses listed in Table 26 in independent building.

1446 Any other use allowed in consultation with the Director of Town Planning, Maharashtra State in accordance with the intent and spirit of these Regulations.]

#### D-4: COMMERCIAL ZONE (C ZONE):

1. Uses permitted in Commercial zone.

(EP-266) [ Any use permitted in the Residential zones subject to the condition that Commercial Use shall be at least 20% 50% of the total built-up-area base FSI permissible.]

- ii Confectioneries, bakeries and establishments for the preparation and sale of eatables each not occupying for production an area in excess of 250sq.m. per establishment and employing not more than 25 persons or using power exceeding 10 KW with no upper floors over the furnace portion. If only electrical ovens are used an additional load of up to 24 KVA may be permitted.
- iii Auto part stores and show room for motor vehicles and machinery.
- iv Sale of used or second hand goods for merchandise, excepting for junk, cotton and other waste rags or other materials of an offensive nature.
- v Club houses or other recreational activities conducted as business (with an extension counter or branch of a bank).
- vi Storage of furniture and household goods.
- vii Retailing of building materials, open or enclosed with not more than 500 sq.m. of area per establishment.
- viii Pasteurizing and milk processing plants each employing not more than 9 persons and 7.5 KW motive power within an area not more than 50 sq.m.
- ix Printing, book-binding, engraving and block-making, each with an area not exceeding 120sqm. and motive power not exceeding 7.5 Kw per establishment.
- x Veterinary dispensaries and hospitals and kennels in the areas other than congested areas.
- xi Supari and masala grinding/pounding using motive power not exceeding 7.5KW or occupying more than 25 sq. m. area with the special permission of the Planning Authority
- xii Prisons and animal pounds only in areas other than congested areas ~~from extended authority limits.~~

- xiii Repair, cleaning shops and analytical experimental or testing laboratories each employing not more than 15 persons (but not including cleaning and dyeing establishments, using a cleaning or dyeing fluid having a flash point lower than 59°C and machine with dry-load capacity not exceeding 30 kg or any establishment carrying on activities that are offensive because of emission of odour dust, smoke, gas, noise or vibration or otherwise dangerous to public health and safety ), provided that the motive power requirement of each such establishment does not exceed 7.5KW.
- xiv Paper-box manufacturing, including paper-cutting each employing not more than 9 persons with motive power not exceeding 3.75 KW and area not more than 50 sq.m.
- xv Mattress making and cotton cleaning each employing not more than 9 persons with motive power not exceeding 2.25 KW and area not more than 50sqm. per establishment.
- xvi Establishments requiring power for sealing tins, packages etc. each employing not more than 9 persons with motive power not exceeding 2.25 KW.
- xvii Ice factories in independent building, each with an area of not more than 250 sq.m. and power not more than 34 KW.
- xviii Business offices, including trade exchanges.
- xix Accessory uses, customarily incidental to any permitted principal use including storage space up to 50 per cent of the total floor area occupied for the principal use.
- xx All goods offered for sale shall be displayed within the building and not in passages and open spaces.
- xxi When the commercial zone boundary falls short of a street, the frontage along such street shall not be developed for uses which would not be permissible along such street.
- xxii Aquariums.
- xxiii wholesale establishments; each with storage capacity not exceeding 200 sq.m. for commodities other than those prohibited by any statute or rules.
- xxiv Printing, book-binding, engraving and block making if they are in an independent building, subject to any special conditions the Planning Authority may prescribe in the interest of the adjoining developments.
- xxv Public utility buildings.
- xxvi Head quarters of a commercial organisations.

**(EP-267)** [xxvii Other uses listed in Table 26.

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

2. General conditions governing the uses permitted in 'C' zone - In buildings, premises or plots in commercial zone, the uses permitted shall be subject to the following conditions'

- a. All goods offered for sale shall be displayed within the building and not in passages and open spaces.
- b. When the commercial zone boundary falls short of a street, the frontage along such street shall not be developed for uses which would not be permissible along such street
- c. **# If** the uses, excepting those permissible in the residential zone derive access from the side of rear open space the width of such open space shall not be less than 7 m.

**(SM-161)** **D-5: SERVICE INDUSTRY ZONE (SI)**



~~i. Service Industry Zone consist of land/plots specifically designated in the Draft Development plan as SI Zone and meant for accommodating service industries, stores and warehousing activities and space extensive commercial uses and trades. The various permissible uses in this zone or detailed out in Table No. 26. ]~~

#### **D 6: INDUSTRIAL ZONE (~~I-2 AND I-3 ZONES~~)**

~~i1. Uses p Permissible in industrial zone shall be uses in the Industrial zone shall be as per the industrial location policy of the Govt. as may be amended from time to time.~~

~~ii2. The uses specified in the Industrial zones are as specified in Table No. 25 and 26 given hereinafter.~~

~~iii3. Essential staff quarters, watchman's quarters, canteens, banks.~~

~~iv4. Uses Permissible in the Commercial Zone.~~

~~v5. Slaughter House and the similar users which are not permissible in residential zone with the approval of the Planning Authority.~~

~~vi6. On production of No Objection Certificate from U.L.C. authorities conversion of zoning shall be permitted as below:~~

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

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

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

~~ii. In such lay-outs or sub-divisions each more than 2 Ha. in area amenities and facilities shall be provided as required by these Regulations. In addition to this 2.5% of the total area shall be reserved for such amenities. The plot shall be preferably located near the separate boundary of the zones.~~

~~These areas will be in addition to those to be earmarked for public utilities and amenities in accordance with clause b (i) above and in addition to the recreational space as is required to be provided under these Regulations further 10 per cent shall be provided as additional recreational space.~~

~~iii. The required segregating distance as prescribed under these Regulations shall be provided within such land intended to be used for residential or commercial purposes.~~

~~iv. Such residential or local commercial development shall be allowed within the permissible FSI of the residential or commercial zone.~~

~~v. Provision for public utilities and amenities and additional recreation ground as in (ii) above shall be considered to be reservations in the development plan and Transferable Development Rights as per Regulation 7.5.~~



~~c.—With the previous approval of the Planning Authority, and subject to such terms as may be stipulated by it, open land in existing industrial premises, which is unoccupied or is surplus to the requirement of the industry's use may be permitted to be utilized for commercial or residential purpose.~~

~~d.—With the special written permission of the Planning Authority, isolated open plots which are allocated for industrial purposes and situated predominantly in the residential zone may be permitted to be used for any other permissible users in Residential zone.~~

(EP-268) [6.

- a) With the previous approval of Planning Authority in consultation with the Divisional Head of concerned division of the Town Planning and on such conditions as deemed appropriate by him, the existing or newly built-up area of unit, in the Industrial zone may be permitted to be utilized for residential or commercial purposes.
- b) With the previous approval of the Planning Authority, in consultation with the Divisional Head of Town Planning, land or industrial lands in the Industrial Zone including lands in industrial zone in Town Planning Scheme area may be permitted to be converted to Residential Zone and may be utilized for any of the permissible users in the Residential and Commercial Zone or the Residential Zone subject to the following conditions :
- i) The conversion of Industrial Zone to Residential / Commercial zone in respect of industries which are not in operation shall not be permitted unless NOC from Labour Commissioner, Maharashtra State, Mumbai stating that all legal dues have been paid to the workers or satisfactory arrangement between management and workers have been made, is obtained. However, in respect of any open land in the Industrial Zone where industry never existed, NOC from Labour Commissioner is not required.
- ii) In the layout or sub-division of such land admeasuring upto 2 Ha. 10% land for public utilities and amenities, like electric sub-station, bus-station, sub-post office, police out-post and such other amenities/utilities, as may be considered necessary shall be provided.
- iii) In such layouts of sub-division having area more than 2 Ha. but less than 5 Ha., 20% land shall be provided for public utilities and amenities like electric sub-station, bus-station, sub-post office, police out-post, garden, playground, school, dispensary and such other amenities/utilities, as may be considered necessary.
- In such layout or sub-division each more 5Ha. in area, 25% land for public utilities and amenities like electric sub-station, bus-station, sub-post office, police out-post garden, playground, school, dispensary and such other amenities shall be provided.
- iv) The land under public utility / amenity shall be handed over to the Planning Authority with proper access and basic land development and shall always be open for general public without any restriction. These areas will be in addition to the recreational space as required to be provided under these regulations provided that at least 50% of land out of the total provided public amenity / utility space shall be reserved for unbuildable purposes such as garden, recreational ground, etc.
- c) The required segregating distance between Industrial Zone and Residential use as prescribed under these regulations shall be provided within such land intended to be used for residential or commercial purpose.
- d) Such residential or local commercial development shall be allowed within the permissible FSI of the nearby Residential or Commercial Zone.



- e) Provision for public utilities and amenities shall be considered to be reserved in the Development Plan and Transferable Development Rights as per Regulation No. 7.5, may be given or FSI of the same shall be available for utilization on the remaining land.

**Note-**

- i) Conversion from Industrial Zone to Residential/Commercial Zone shall be applicable to the part area of the land holding subject to the condition that total area of the entire land holding shall be considered for deciding the percentage of the land to be reserved for public amenity/utility spaces, as per these regulations.
- ii) The area under reservation if any, in the said land, shall be adjusted in the area of required amenity / utility space as per these regulations and TDR / in-situ FSI for this area will be allowed.
- iii) Out of the total area proposed to be utilized for residential development, 20% of the same shall be built for residential tenements having built up area upto 50 sq.m. or plot area upto 150 sq.m.
7. With the previous approval of the Planning Authority, and subject to such terms as may be stipulated by it, open land in existing industrially zoned land or space, excluding land or space of cotton textile mills, which is unoccupied or is surplus to requirement of the industry's use may be permitted to be utilized for office or commercial purpose.
8. With the special written permission of the Planning Authority, isolated small open plots up to 0.4 hectare in size which are allocated for industrial use and situated predominantly in the residential zone (excluding the plots of cotton textile mills) may be permitted to be used for any other permissible users in Residential zone.] (EP-268)



**(SM-162)] TABLE 25: USES PERMISSIBLE IN VARIOUS ZONES**

Wherever specified

**A** = Maximum Floor Area in sq. m.

**F** = Floor on which the activity is permissible;

**P** = Maximum Power permissible;

**Sp. C.** = Special Condition.

**Note :** In NDZ, development permitted would be subject to the restriction of number of storeys, minimum plot size of 2000 sq. m., maximum FSI 0.10 and the owner undertakes to provide and maintain infrastructure at his own costs and to the satisfaction of the Planning Authority.

Sr. No.	USES/OCCUPANCY	CONDITION	ZONES/MICRO ZONES				
			R1 Residential Zone	R2 Residential Zone	SI Service Industry	I Industry Zone	NDZ No Development Zone
1.	1 USES/ACTIVITIES Any Residence	2	3 Permitted Permitted 200	4 Permitted Permitted 400	5 Not Permitted Not Permitted	6 Not Permitted Not Permitted	7 Permitted Permitted No additional restrictions
2.	Lodging houses, lodging and boarding houses and residential hotels, hostels, working women's hostels, welfare and community activities such as founding homes, children's homes (orphanages), aftercare hostels, child guidance clinics day care centres, rescue homes, protective homes.	A  F  Sp.-C.	Ground, first or two floors immediately above stilts. i) Independent access ii) Special permission of the Planning Authority with regard to suitability of the site.	Ground, first or two floors immediately above stilts. i) Independent access ii) Special permission of the Planning Authority with regard to suitability of the site.	Ground, first or two floors immediately above stilts. i) Independent access ii) Special permission of the Planning Authority with regard to suitability of the site.	Ground, first or two floors immediately above stilts. i) Independent access ii) Special permission of the Planning Authority with regard to suitability of the site.	Ground and first or floor immediately above stilts.  i) Independent access  ii) Special permission of the Planning Authority with regard to suitability of the site.





			the Planning Authority who shall consult the Health Office / regarding suitability of the design and the site.	special permission of the Planning Authority who shall consult the concerned Health Office / regarding suitability of the design and the site.			regarding suitability of the design and the site.
	d) Sale of crackers and other inflammable goods.	A	Not Permitted	Permitted	Permitted	Permitted	Permitted
				2	40	40	No restrictions
		Sp-C	Permitted with special permission of the Planning Authority.	Permitted with special permission of the Planning Authority.	Permitted with special permission of the Planning Authority.	Permitted with special permission of the Planning Authority.	Permitted with special permission of the Planning Authority.
	e) Coal and fire wood shop	Sp-C	Not Permitted	Not Permitted	Permitted	Permitted	Permitted
	f) Bulk storage of kerosene		Not Permitted	Not Permitted	Permitted	Permitted	In independent premises Permitted
		A			80-sq. m.	80-sq. m.	No additional restrictions
		Sp-C-1			Independent ground floor structure in conformity with the requirements of the Chief Controller of Explosives, Government of India.	Independent ground floor structure in conformity with the requirements of the Chief Controller of Explosives, Government of India.	Independent ground floor structure in conformity of the Chief Controller of Explosives, Government of India.
		Sp-C-2			Subject to owner's	Subject to owner's making	Subject to owner's making and maintaining adequate



					making and maintaining adequate fire fighting arrangements at his cost.	and maintaining adequate fire fighting arrangements at his cost.	fire fighting arrangements at his cost.
			Permitted	Permitted	80 sq. m.	Permitted	Permitted
	A		Independent ground floor structure in conformity of the requirement of the Chief Controller of Explosives, Government of India.	Independent ground floor structure in conformity of the requirement of the Chief Controller of Explosives, Government of India.	80 sq. m.	80 sq. m.	No restrictions
	Sp-G-1		Subject to owner's making and maintaining adequate fire fighting arrangements at his cost.	Subject to owner's making and maintaining adequate fire fighting arrangements at his cost.			Independent ground floor structure in conformity of the requirement of the Chief Controller of Explosives, Government of India.
	Sp-G-2						Subject to owner's making and maintaining adequate fire fighting arrangements at his cost.
			Not Permitted	Not Permitted	Not Permitted	Not Permitted	Permitted
	h) Storage of obnoxious or hazardous materials.						Subject to owner's making and maintaining adequate fire fighting arrangements at his cost and obtaining necessary permission from the Inspector of Explosives.
			Not Permitted	Not Permitted	Not Permitted	Not Permitted	Permitted
	i) Underlaker's shops		Not Permitted	Not Permitted	Not Permitted	Permitted	Permitted





<p>6) Other educational buildings, community halls, clubs, welfare centres, gymkhanas, public libraries, art galleries, museums, auditoria, theatres, public halls, cinema houses and other places of entertainment.</p>	<p>F</p>	<p>Ground floor, first floor or floor immediately above stilts.</p>	<p>Ground floor, first floor or floor immediately above stilts.</p>	<p>Not Permitted</p>	<p>Not permitted</p>	<p>No additional restrictions</p>
	<p>A</p>	<p>200</p>	<p>400</p>			<p>No additional restrictions</p>
	<p>F</p>	<p>Ground floor, first floor or floor immediately above stilts.</p>	<p>Ground floor, first floor or floor immediately above stilts.</p>			<p>No additional restrictions</p>
	<p>Sp.C-1</p>	<p>Independent means of access</p>	<p>Independent means of access</p>			<p>Independent means of access</p>
	<p>Sp.C-2</p>	<p>The Planning Authority shall take into consideration the suitability of the site with regard to the adequacy of means of access, the nuisance factor the user may cause etc.</p>	<p>The Planning Authority shall take into consideration the suitability of the site with regard to the adequacy of means of access, the nuisance factor the user may cause etc.</p>			<p>The Planning Authority shall take into consideration the suitability of the site with regard to the adequacy of means of access, the nuisance factor the user may cause etc.</p>
<p>Other trade schools, motor driving</p>		<p>Not Permitted</p>	<p>Not</p>	<p>Permitted</p>	<p>Permitted</p>	<p>Permitted</p>







F	Ground floor 7.5 K.W.	Ground 7.5 K.W.
P	Single storeyed detached or semi-detached structure	Single storeyed detached or semi-detached structure
Sp-C:	Not Permitted	Not Permitted
12:	Research experimental and testing laboratories, film processing laboratories,	Not Permitted
13:	Fair grounds, circus ground, stadia, public swimming pools, sports gymkhana, exhibition grounds,	Not Permitted
14:	Places of disposal of human bodies	Not Permitted
15:	Petrol filling stations and service stations.	Not Permitted
16:	Parking lots in independent plot.	Permitted
17:	Bus shelter, taxi stand.	Permitted
	b) Bus terminus.	Not Permitted
18:	General agriculture and horticulture including domestic poultry with a space required at 0.25 sq.m./bird.	Permitted
19:	Cattle stables of agriculturist	Permitted
20:	Information Technology Establishment -- for details refer to Appendix -- U'	Permitted

**Note 1:** In addition, accessory non-residential uses customarily incidental to residential user including storage upto 50% of the total floor area of principal non-residential users shall be permitted.

**Note 2:** The users of cinema theatres shown as existing cinema theatres in the Development Plan shall be regarded as designated users and in case of redevelopment of such property a theatre of at least 1/3rd capacity of said theatre or 150 seats whichever is less shall be provided and the rest of the floor space will be allowed for uses generally permitted in the surrounding zone.

**Note 3:** The Planning Authority may amend the list from time to time to include likewise activities at similar scale. ] (SM 162)



(SM-163)

**TABLE 26: SCHEDULE FOR SERVICE INDUSTRIES OF PERMISSIBLE INDUSTRIAL USES IN RESIDENTIAL ZONE (R-2), COMMERCIAL, INDUSTRIAL AND TRANSPORT & LOGISTICS PARK ZONES**

(Paragraph D3, D4, D5 and D6 (Appendix D) & Regulation 6.18)

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

Sr.No.	Category of Industry	Service Industry (Permitted in Commercial and Industrial zones) Criteria for Classification and Special conditions				Special Conditions, if any
		Maximum Permissible Power Requirement	Maximum Employment	Permissible Area	Maximum Permissible Floor Area	
1	Manufacture of Bidi	No Power to be used	No Limit	250 sq.m.		To be permitted
iii)	Textile and Textile Products					
8)	Handloom/ Power loom subject to a maximum of 4 looms	5 HP	9 persons	50 sq.m.		May be permitted in Residential Zone with such conditions as deemed appropriate by the Planning Authority
9)	Embroidery & Marking crape laces and fringes	5 HP	9 persons	50 sq.m.		
10)	Manufacture of all type of textile, garments including wearing apparel	3 HP	9 persons	50 sq.m.		
11)	Manufacture of made up textile goods such as curtains mosquito nets, mattresses bedding, materials, pillow cases, textile bags etc.,	3 HP	9 persons	50 sq.m.		
IV)	Wood Products and Furniture					
12)	Manufacture of wooden furniture and fixtures	7 HP	9 persons	50 sq.m.		i) Shall not be permitted under or adjoining a dwelling unit. ii) Operation shall be permitted only between 8 hrs. to 20 hrs.
	Manufactures of bamboo and cane furniture and fixtures	7 HP	9 persons	50 sq.m.		
	Paper Products and Printing					



Sr.No.	Category of Industry	Service Industry (Permitted in Commercial and Industrial zones)-Criteria for Classification and Special conditions					Special Conditions, if any
		Maximum Permissible Power Requirement	Maximum Employment	Permissible	Maximum Permissible Floor Area	5	
		2	3		4	5	
14)	Manufacture of containers and boxes from paper pulp	5 HP	9 persons		50 sq.m.		Manufacture with paper pulp not permitted
15)	Printing and Publishing periodicals, books, journals, atlases, maps envelop printing, picture post-cards embossing.	10 HP	9 persons		120 sq.m.		i) Shall not be permitted under or adjoining a dwelling unit ii) Operation shall be permitted between 8 hrs to 20 hrs iii) No restriction on power, No. of employees, area .No. hours of operation shall apply if located in building in separate plot not less than 500 sq.m. and if special permission of the Planning Authority is obtained.
16)	Engraving etching block marking etc.,	10 HP	9 persons		120 sq.m		Operation shall be permitted only between 8 hrs to 20 hrs.
17)	Book Binding	10 HP			9 persons		120 sq.m.
VI)	Leather Products						
18)	Manufacture of leather footwear	5 HP	9 persons		50 sq.m.		
19)	Manufacture of wearing apparel like coats gloves etc.,	5 HP	9 persons		50 sq.m.		

Sr.No.	Category of Industry	Service Industry (Permitted in Commercial and Industrial zones) Criteria for Classification and Special conditions				Special Conditions, if any
		Maximum Permissible Power Requirement	Maximum Employment	Permissible Area	Maximum Permissible Floor Area	
1		2	3	4	5	
20)	Manufacture of leather consumer goods such as upholstery suitcases pocket book cigarette and key cases purees etc.	5 HP	9 persons	50 sq.m.		
21)	Repair of footwear and other leather goods	5 HP	9 persons	50 sq.m.		
VII)	Rubber and Plastic Products					
22)	Retreading and Vulcanizing works	2 HP	9 persons	50 sq.m.		----
23)	Manufacture of rubber balloons	2 HP	9 persons	50 sq.m.		----
VIII)	Metal Products					
24	Tool sharpening and razor sharpening works	1 HP	9 persons	25 sq.m.		Operation shall be permitted only between 8 hrs. to 20 hrs.,
IX)	Electrical Goods					
25)	Repair of household electrical appliances such as radio set, television set, tape recorders, refrigerators, heaters, irons, shavers, vacuum cleaners, air conditioners, washing machine, electric cooking ranges, motor rewinding works etc.,	3 HP	9 persons	50 sq.m.		Operation shall be permitted only between 8 hrs to 20 hrs.
X)	Transport Equipment					
	Service of motor vehicles and motor cycles with no floor above	5 HP	9 persons	50 sq.m.		Operation shall be permitted only between 8 hrs to 20 hrs



Sr.No.	Category of Industry	Service Industry (Permitted in Commercial and Industrial zones)-Criteria for Classification and Special conditions				Special Conditions, if any
		Maximum Permissible Power Requirement	Maximum Employment	Permissible Floor Area	Maximum Permissible Floor Area	
		2	3	4	5	
b)	Repair of motor vehicles and motor cycles with no floor above	5 HP	9 persons	50 sq.m.		Spray painting not permitted
c)	Battery charging and repair	5 HP	6 persons	25 sq.m.		
27)	Repair of bicycles and cycle rickshaws	5 HP	6 persons	50 sq.m.		Spray painting not permitted
XI)	Other manufacturing and Repair Services					
28)	Manufacture of jewellery and related articles	3 HP	9 persons	50 sq.m.		Operation shall be permitted only between 8 hrs to 20 hrs.
29)	Repair of watch clock and jewellery	3 HP	9 persons	50 sq.m.		Operation shall be permitted only between 8 hrs to 20 hrs
30)	Manufacture of musical instrument and its repair	No power to be used	6 persons	50 sq.m.		Operation shall be permitted only between 8 hrs to 20 hrs
31)	Repairs of locks, stoves, umbrellas, sewing machines, gas burners, buckets and other sundry household equipments optical glass grinding and repairs.	3 HP	9 persons	50 sq.m.		Operation shall be permitted only between 8 hrs to 20 hrs
32)	Fuel filling stations	10 HP	9 persons	i) 30.5 x 16.75 m ii) 33.5 x 30.5 m		Plot size to be in line with IRC recommendations depending on service bay or not
33)	Laundries, laundry service and cleaning dyeing ,bleaching and dry cleaning	4 KW	9 persons	50 sq.m.		i) Cleaning and dyeing fluid shall not have flash point lower than 138 F.



Sr.No.	Category of Industry	Service Industry (Permitted in Commercial and Industrial zones) Criteria for Classification and Special conditions				
		Maximum Permissible Power Requirement	Maximum Employment	Permissible Floor Area	Maximum Permissible Floor Area	Special Conditions, if any
1		2	3	4	5	
34)	Photo processing laboratories, Xeroxing, photo copy, videotaping and their repairing	5 HP	9 persons	50 sq.m.		ii) Operation shall be permitted between 8 hrs to 20 hrs iii) Machinery having dry load capacity of 20KG and above
(EP-267) (35)	Ready Mix Concrete Plant	3.75 HP	9 persons	50 sq.m.		Operation shall be permitted between 8 hrs to 20 hrs
36)	Non polluting, High Tech, High Value added Electronic Industries	---	9 persons	50 sq.m.]		

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

Note 2 With the approval of the Govt. the Planning Authority may amend the list from time to time to include likewise activities at similar scale add to alter or amend the above table.

Note 3 Information Technology Establishment will be permissible in Commercial zone and service Industrial Estates on all plots abutting the roads having width more than 12m. J (SM 163)



**D-56.1 Industrial zone: ( I zone) Exceptions:**

**56.1.1** General conditions governing the uses permitted in an I zone- includes any building or part of a building or structure in which products or materials of all kinds and properties are fabricated, assembled or processed e.g. assembly plants, laboratories, dry- cleaning plants, power plants, pumping stations, smoke houses, laundries, gas plants, refineries, dairies and saw-mills.

**56.1.2** Buildings or premises in the General Industries Zone may be used for any industrial and accessory uses except the following:

1. Any dwelling other than dwelling quarters of watchmen, caretakers or other essential staff required to maintain the premises;
2. Acetone manufacture;
3. Acetylene gas manufacture and storage;
4. Acid manufacture;
5. Air-craft (including parts ) manufacture;
6. Alcohol manufacture;
7. Ammonia manufacture;
8. Aniline dyes manufacture;
9. Arsenal manufacture
10. Asphalt manufacture or refining;
11. Automobiles, trucks and trailers (including parts) manufacture or engine re-building or motor body-building employing pneumatic riveting
12. Blast furnace;
13. Bleaching powder manufacture;
14. Boiler works manufacture or repairs, except repairs to boilers with heating surface not exceeding 5 sq. m.
15. Bricks tile or terra-cotta manufacture
16. Carbide manufacture
17. Caustic Soda and compound manufacture;
18. Celluloid or cellulose manufacture or treatment and articles manufacture;
19. Cement manufacture
20. Charcoal and fuel briquettes manufacture;
21. Coke manufacturing ovens;
22. Chlorine manufacture;
23. Concrete product manufacturing including concrete central mixing and proportioning plants;
24. Cotton ginning, cleaning, refining or pressing and manufacture or cotton wadding or lint, except cotton processing for the purpose of preparing mattresses;
25. Creosote manufacture or treatment;
26. Disinfectant manufacture, except mixing of prepared dried liquid ingredients;
27. Distillation of bones, coal or weed;



28. Dye-stuff manufacture, except mixing of dry powders and wet mixing;
29. Exterminator or pest poison manufacture except mixing of prepared ingredients;
30. Emery cloth and sand-paper manufacture;
31. Explosive or firework's manufacture or storage, except storage in connection with retail sale;
32. Fat rendering;
33. Fertilizer manufacture
34. Photographic film manufacture;
35. Flour mill with motive power exceeding 18.75 KW grain crushing or processing mill with motive power exceeding 37.5 KW massala grinding mill with motive power exceeding 11.25 KW or a combination of more than one of the above mills with aggregate motive power exceeding 45 KW and any one mill using motive power in excess of the above limits;
36. Forges, hydraulic or mechanically operated;
37. Garbage, offal or dead animals reduction, dumping or incineration;
38. Gas manufacture and storage in cylinders, except manufacture of gas as an accessory to a permissible industry;
39. Glass manufacture, except manufacturing of glass products from manufactured glass;
40. Glue, sizing material or gelatin manufacture;
41. Graphite and graphite products manufacture ;
42. Gypsum or plaster-of-paris manufacture
43. Hair, felt, fur and feather-bulk-processing, washing, curing and dyeing
44. Hydrogen and oxygen manufacture;
45. Industrial alcohol manufacture;
46. Printing ink manufacture ;
47. Junk (iron, aluminum, magnesium or zinc) cotton-waster or rags storage and bailing;
48. Jute, hemp, sisal, coir and cokum products manufacture ;
49. Lime manufacture ;
50. Match manufacture ;
51. Lamp, black, carbon black or bone black manufacture ;
52. Metal foundries with an aggregate capacity exceeding 10 tones a day;
53. Metal processing (including fabrication and machinery manufacture ), factories employing such machine tools or process as a power hammer forging machine, pneumatic drilling or riveting, sheet working with heavy sledge hammers, or processes expressly prohibited herein;
54. Metal finishing, enameling, anodizing japanning, plating, galvanizing, lacquering, grinding, polishing, rust-proofing and heat treatment;
55. Paint oil, shellac, turpentine or varnish manufacture, except manufacture of edible oils;
56. Oil-cloth or linoleum manufacture, except water-proofing of paper or cloth;
57. Paper, card-board or pulp manufacture;



58. Petroleum or its products, refining or wholesale storage;
59. Plastic materials and synthetic resins manufacture;
60. Pottery or ceramic manufacture, other than the manufacture of handicraft products;
61. Potash works;
62. Pyrexilin manufacture or products;
63. Rolling mills;
64. Rubber (natural or synthetic) or gutta-percha manufacture, except manufacture of latex goods and small rubber products and synthetic-treated fabrics, such as washers, gloves footwear, bathing caps, atomizers, hoses tubing's, wire-insulation, toys and balls, but including manufacture of tyres and tubes.
65. Salt works, except manufacture of common salt from sea water;
66. Sand, clay or gravel quarrying;
67. Smelting, reduction, refining and alloying of metal and metal ores except of rare and precious metals;
68. Soap manufacture, other than cold mix;
69. Soda and compound manufacture
70. Starch, glucose or dextrose manufacture ;
71. Stock-yard or slaughter of animals or fowls, except the slaughter of fowls in dental to retail business;
72. Stone crushing and quarrying;
73. Shoe polish manufacture;
74. Sugar manufacture or refining;
75. Tallow, grease or lard manufacture;
76. Tar fining, curing or storage of raw hides or skins;
77. Tar distillation or manufacture;
78. Tar products manufacture;
79. Textiles manufacture, excepting manufacture of rope, bandage, net and embroidery using electric power upto 37.5 KW;
80. Vegetable oil manufacturing and processing plants;
81. Wood and timber, bulk processing and wood working including saw-mills and planing mills, excelsior plywood and veneer and wood preserving treatment, except the manufacture of wooden articles with saw or planing machines;
82. Wax products manufacture from paraffin;
83. Wool-pulling or scouring;
84. Yeast plant;
85. In general, those uses which may be offensive by reason of emission of odor liquid effluvia, dust, smoke, gas noise, vibration or fire hazards.

**(SM-164)/56.1.3.** Notwithstanding anything contained above:

- a. Service industries and service industrial estates shall be permissible in the General Industries zone;



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

These areas will be in addition to those to be earmarked for public utilities and amenities in accordance with clause (c) (i) above and in addition to the recreational space as is required to be provided under these Regulations and further 10 per cent shall be provided as additional recreational space.

- The required segregating distance as prescribed under these Regulations shall be provided within such land intended to be used for residential or commercial purposes.
- Such residential or local commercial development shall be allowed within the permissible FSI of the nearby residential or commercial zone.
- Provision for public utilities and amenities shall be considered to be reservations in the development plan and transferable development rights as in Appendix W shall be available for such reservations.
- With the previous approval of the Planning Authority, and subject to such terms as may be stipulated by it, open land in existing industrially zoned land or space, excluding land or space of cotton textile mills, which is unoccupied or is surplus to the requirement of the industry's use may be permitted to be utilized for office or commercial purposes in the other areas of the authority or for commercial purposes (excluding offices) in the congested area of erstwhile Planning Authority, but excluding warehousing.
- With the special written permission of the Planning Authority, isolated small open plots upto one hectare in size which are allocated for industrial purposes and situated predominantly in the residential zone (excluding the plots of cotton textile mills) may be permitted to be used for any other permissible users in Residential zone. ] (SM 164)

**56.1.4. Other uses in the General industrial zone:** If a plot in the General Industrial Zone becomes unbuildable for industrial uses because of any restriction in the industrial Location Policy or restrictions regarding segregating distances as provided under these Regulations, the following uses may be permitted on such a plot, with the written permission of the Planning Authority:

- Petrol pumps and service stations



- ii. Parking lots;
- iii. Electric sub-stations;
- iv. Non-residential buildings , offices for public utility concerns or organizations in the suburbs and extended suburbs.
- v. Branches of bank, including safe deposit vaults (except that their area in each case shall not exceed 400 sq. m. in the congested area). telephone exchanges, police station, Government and semi-Government offices, only in the uncongested area, sub-offices fire stations posts and telegraph offices,
- vi. Hotels each with not more than 50 rooms;
- vii. Convenience shops, department stores tea stalls etc.
- viii. Restaurants;
- ix. Warehouses in other areas of the authority, with the prior approval of the Government, the Planning Authority may alter, amend or add to the list of the above users.

**(SM-165) D.56.2. Non-viable plots in industrial zone:**

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

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

~~With the prior approval of the Government, the~~ The Planning Authority may in consultation with Director of Town Planning amend or ~~alter or~~ add to the list of the above users; ~~from time to time. ]~~

**D.67. USES PERMITTED PURELY IN NO DEVELOPMENT ZONE (NDZ) (APPENDIX-V)**

~~**(SM-166)** The following uses are permissible in a No Development Zone (NDZ). However, all the service infrastructure like adequate access, water supply, sanitation, conservancy services, sewage disposal and off-street parking shall be provided and maintained by the owner / project proponent at his cost and to the satisfaction of the Planning Authority:~~

~~(i) Agriculture, horticulture and animal husbandry (except for keeping animals on a commercial scale) subject to a limit of 25 head of cattle per hectare and providing accessory buildings, pig sties, stables, garages and storage buildings;~~

~~(ii) Forestry;~~



- (iii). ~~Golf clubs and the links;~~
- (iv). ~~Public parks, private parks, gardens, play fields, stadia, gymnasia and clubs, swimming pools, gliding facilities, temporary camps for recreation of all types ;~~
- (v). ~~Amusement park in a plot of not less than 5 ha. in area with recreational and amusement devices like a giant wheel, roller coaster, merry go round or similar rides, aquatic park, swimming pool, magic mountain and lake, ethnic village, shops for sale of souvenirs, toys, goods, refreshments and beverages with the special permission of the Planning Authority and on such conditions as it may prescribe ;~~
- (vi). ~~Film and video shooting sites in a plot not less than 5 ha. in area with studio and other related facilities.~~
- (vii). ~~Race tracks and shooting ranges;~~
- (viii). ~~Brick, tile or pottery manufacture with temporary buildings;~~
- (ix). ~~Public utility establishments such as electric sub-stations, receiving stations, switch yards, over-head line corridors, radio and television stations, receiving stations, main stations for storage and public gas distribution, sewage treatment and disposal works, water works along with residential quarters for essential staff for such works and other Government establishments requiring large tracts of land such as Special Reserve Police camps with the special permission of the Planning Authority ;~~
- (x). ~~Poultry keeping, dairy farming, piggeries, fisheries and fish curing, fish farming provided the activity is at least 500 m. away from existing or proposed residential zone;~~
- (xi). ~~Fish farms, fish drying, storage of boats, servicing and repairs of boats.~~
- (xii). ~~Storage and drying of fertilizers.~~
- (xiii). ~~Religious buildings, cemeteries and crematoria and structures incidental thereto;~~
- (xiv). ~~Structures for watchmen's quarters, each not exceeding 20 sq. m., not to be included in FSI. Numbers of such structures in the plot shall be decided by the Planning Authority.~~
- (xv). ~~Residential, commercial or Industrial buildings, accessory users and/or uses ancillary to such uses or ancillary and holiday resort in a plot not less than 0.2 ha. in area, such plots meant for residential, commercial, or Industrial use shall be subject to the restrictions mentioned in Appendix D Regulation 7.~~
- (xvi). ~~Small agro-based industries processing agricultural products like rice mills, poha factories and other rural based service industries;~~
- (xvii). ~~Quarrying of stone, murrum or earth including mechanized stone crushing or stone dressing subject to Regulation 4.12;~~
- (xviii). ~~Petrol pumps, service shops and other road-side amenities ;~~
- (xix). ~~Construction of new communication routes including roads, highways, railways, airports, jetties, etc.~~
- (xx). ~~Storage of obnoxious or hazardous material subject to Regulation 4.11.~~
- (xxi). ~~Slaughter house or facilities for processing and disposal of dead animals subject to conditions of Planning Authority;~~
- (xxii). ~~L.P. Gas Godowns would be permissible in No Development Zone (NDZ) within municipal limits subject to following conditions:~~
- (ia) ~~Area of plot shall not be less than 2000 Sq.mtr.~~
- (iib) ~~The maximum permissible FAR shall be 0.20 on this plot.~~



- ~~(iii) Only ground floor structure would be permissible.~~
- ~~(iv) It is necessary to obtain "No Objection Certificate" from Controller of Explosives and Chief Fire Officer.~~
- (e) Condition imposed by the Planning Authority should be followed. ]

**(SM-167)[D.78 USES PERMISSIBLE IN PUBLIC/SEMI PUBLIC LAND USE:**

- 1) Primary School, High School, all ~~sorts types~~ of Educational ~~Colleges College~~, Technical School/Colleges, Educational Complex, Hostel for students and essential Staff Quarters.
- 2) Hospital, Dispensary, Maternity Homes, Health Centre, ~~Complex of such uses~~, Dharmashala for the visitors to patients, essential staff quarters, Veterinary Hospital, Auditorium Exhibition hall and Gallery.
- 3) Training institutions, Home for aged, essential quarters.
- 4) Government/Semi-Government/Local Self Government offices, Court buildings, essential Staff Quarters. ]

**(EP-269) [5) Post office, Telegraph Office, Telephone Exchange, Radio station, ~~Complex of such uses~~, Staff Quarters and similar ~~Public/Semi public uses including solid waste management~~ Govt./ Semi Govt. officers and quarters.]**

**(SM-167)[6) Library, Mangal Karyalaya, Gymnasium, Gymkhana, Water tanks, Stadium, Community Hall, Religious Temple, Mosques, Church etc.,**

7) The private or rental premises designated in Public/Semi-public Zone will continue to be in this zone as long as public or semi-public user exists, otherwise these lands shall be considered to be included in the adjoining ~~major predominant land~~ use zone. ]

**(EP-270) [8) Any other use allowed in consultation with the Director of Town Planning, Maharashtra State in accordance with the intent and spirit of these Regulations.]**

**(SM-167)[ Note:**

i) ~~In the education complex, Primary School, High School, all types of Colleges, Technical School, Colleges/all types of Medical education and students' hostels and essential staff quarters shall be permitted.~~

ii) ~~With the prior approval of Director of Town Planning, Maharashtra State, Pune, the Planning Authority shall include other items of public interest in the list which are not covered in the above list.~~

9 iii) Besides above uses, commercial use shall be permitted as given in the table below:

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

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

i) ~~Convenient shopping~~, branch of bank, small ~~hotels~~ ~~restaurants~~ etc., shall be permitted but shops/~~hotels for wine~~ ~~Restaurant and permit room~~, pan, cigarette, tobacco, lottery tickets and such other which do not serve public purpose, similarly domestic gas shops/godowns which are dangerous to public health shall not be permitted.



ii) ~~The income from such commercial uses shall be utilized for main users for which the Development has taken place or would take place.~~

2.iii) Such a commercial development shall be in harmonious with the principal activity of the land take place in such a way that it shall not affect the view of the main development on the land; similarly such a commercial user shall be permitted upto 50% length of the plot.

3iv) The Planning Authority shall ascertain ensure that for adequate parking spaces and for the traffic, sufficient area is kept in the plot for maneuvering the vehicles.

4v) Additional FSI shall be allowed only on the plot, area remained after deducting the plot area utilized for commercial user.

5vi) The Planning Authority shall not allow sub-division of S. No./Gat. No./Plot No. on which such a Development which may cause/has taken place/would take place is proposed.

6vii) The Commercial user is permitted upto a depth of 12m.

7viii) The land owner/developer/institution shall give guarantee assurance in writing to the Planning Authority for following all the stipulated conditions scrupulously.

8ix) The plots in which there is an existing development, such commercial use shall be restricted to maximum 20% of the balance potential. ] (SM-167)

#### D.89 TRANSPORTATION LAND USE:

Following are the permissible user of the Transportation Land Use:

- (a) Proposed D.P. Roads & Existing Roads/ Street
- (b) Proposed widening of existing road/street envisaged either in the Development Plan or by prescription of a regular line of street under the Maharashtra Municipal Act., 1965.
- (c) Transport Facilities
- (d) Bus Stand/ S.T. Stand
- (e) Parking Lot (PL)
- (f) Public Transportation System like Metro Rail, Mono Rail, BRTS etc.

#### (EP-271) [D.910 FOREST LANDS:

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

- i. Forest and allied activities permitted under the Forest Act.
- ii. Roads, Railways, Highways undertaken by the Government.
- iii. Laying of electric, telephone, gas, drainage, sewerage and water lines.(without building operations) undertaken by the public authorities and with the prior approval of the Government.
- iv. Other utilities and services specifically permitted by the Government.]



**APPENDIX - E: TABLE-27 REGULATIONS FOR ACCOMMODATION OF RESERVATIONS/LAND USES AND MANNER OF DEVELOPMENT**

**Table 27 Land Uses and Manner of Development  
(Regulation 6.5 & 6.11)**

**Regulations for Accommodation Reservations: Land users and the Manner of Development**

Use (Allocation, Designation or Reservation)	Person/ Authority who may develop	Condition subject to which development is permissible
(4)	(2)	(3)
<b>1. RESIDENTIAL (R)</b>		
(a) Residential (R-1)	Owner	
(b) Residential (R-2)	Owner	
(c) Govt. Housing (GH)	Govt./Semi Govt.	
(d) Municipal Housing (MH), Transit Camps, Public Offices and Staff Quarters	Local Authority Planning Authority	
(d1) Housing for the Dis housed	Planning Authority/Owner	Planning Authority may acquire the reserved land or the Chief Officer may allow the owner to develop the reservation, subject to handing over of 25% land to Planning Authority free of cost. If the owner agrees to handover 25% land alongwith 25% built up area of the permissible potential of FSI to the Planning Authority free of cost, then he shall be entitled to utilize permissible FSI of his entire plot without deducting the area handed over free of cost. Where Appropriate Authority is other than the Planning Authority Appropriate Authority/Government/ Departments of State Government, then cost of land as per Ready Reckoner shall be paid to the Planning Authority by such authority and cost of construction to the owner/ developer.
(e) Public Housing (PH) and Housing for Dis housed (HD) Rehabilitation of Slum Dwellers Reservation	Planning Authority /Public Semi Public Authority or Owner	A public, semi public authority may develop the land after acquiring it in accordance with law OR The owner may develop the land subject to conditions that (i) While laying out the land, 50% plots shall be of minimum size as prescribed in these Regulations and plots of such minimum areas equivalent to 10% of the area of the total land under layout; shall be handed over free of cost to the Planning Authority OR (ii) If owner proposed to construct multi tenanted building, at least 50% of the tenements shall be of 30 sq.mt. in area. The owner shall surrender, free of cost, 10% of the tenements out of these tenements having area of 30 sq.mt. to the Local Authority/planning authority. (iii) FSI equivalent to the land/ built up area to be surrendered free of cost as aforesaid, shall be available to the owner, on the remaining plot, over and above the normal permissible FSI.

		(iv) The Planning Authority may allot these 10% plots / tenements for the purpose of rehabilitation of persons displaced from sites reserved for public purposes or amenities in the Development Plan.
(ef) Government Staff Quarters	Government/Semi-Government Authority	Government/Semi-Government
<b>2-COMMERCIAL (C)</b>		
Local Commercial	Owner	(1) The owner may be allowed to develop this zone on such terms and conditions as may be agreed between him and the Planning Authority. (2) In cases where the owner has been granted exemption under section 20 or 21 or redevelopment permission under section 22 of Urban Land (Ceiling and Regulation) Act, 1976, prior to coming into force of these Regulations, he would be entitled to develop the land in accordance with the terms and conditions set out in exemption order issued by the Government or the Competent Authority under that Act.
District Commercial C-2	Local Authority / Planning Authority / Public-Semi Public Authority or Owner	(1) The owner may be allowed to develop this zone on such terms and conditions as may be agreed between him and the Planning Authority. (2) The owner may be permitted to develop the land provided 15% of total land shall be kept for public purposes such as Fire Station, Electric Substation Overhead Water Tank and Sanitary Blocks etc., 30% land shall be utilized for District Commercial User and balance 55% land shall be utilized for shops on ground floor and other floors for offices/residential uses. (3) In cases where the owner has been granted exemption under section 20 or 21 or redevelopment permission under section 22 of Urban Land (Ceiling and Regulation) Act, 1976, prior to coming into force of these Regulations, he would be entitled to develop the land in accordance with the terms and conditions set out in exemption order issued by the Government or the Competent Authority under that Act.
Retail Market (RM)	Planning Authority/ Owner	The Planning Authority may acquire the land and develop the retail market. OR The owner may be permitted to develop the retail market, on 20% area of the reserved plot, as per the norms and conditions prescribed by the planning authority and further, subject to owner agreeing to hand over, the built up market area to the Planning Authority free of cost. Thereafter, the remaining plot/building may be put to use in conformity with the development permissible in the adjacent land. The owner will be entitled to have full permissible FSI of the reserved plot without taking into account the area utilized for the Retail Market.
Vegetable Market (VM) / Open Market (OM)	Local Authority / Planning Authority or	The Planning Authority/ Local Authority may acquire or develop the market OR The Owner may be permitted to develop the market with the type, number and size






<p>(ii) Municipal Market (MM) (iii) Fish Market (FM) (iv) Vegetable and other Wholesale Market (VWM)</p>	<p>Owner</p>	<p>of Stalls as prescribed by the Planning Authority/Local Authority and further subject to owner agreeing to hand over 20% built up market area to the Planning Authority/Local Authority free of costs. Thereafter the owner will be entitled to have the full permissible FSI of the plot without taking into account the area utilized for the market/vegetable market as per the users permissible in adjoining land.</p>
<p>(ce) Shopping Centre/Shopping Complex</p>	<p>Local Authority/ Planning Authority or Owner</p>	<p>The Planning Authority/Local Authority may acquire the land and develop it for the Shopping Centre. Or The owner may develop the shopping centre on his agreeing to give 25% of the shops to the Planning Authority / Local Authority for Municipal shops for the purpose of rehabilitation of shop keepers displaced from sites reserved for public purposes or amenities in the development plan on payment of cost of construction + 15% cost of construction or subject to his agreeing to handover the aforesaid 25% built up shopping area to the Local Authority free of costs. Thereafter, he owner will be entitled to have the full permissible FSI of the plot without taking into account the built up area handed over to the Planning Authority/Local Authority.</p>
<p>(f) Market and Shopping Centre/ Shopping Centre and Vegetable Market</p>	<p>Local Authority/ Planning Authority or Owner</p>	<p>(1) The Planning Authority/Local Authority may acquire the land and develop it for the Market and Shopping Centre, Shopping Centre and Vegetable Market. (2) The owner may be permitted to develop these reservation on the terms and conditions as decided by the Planning Authority/Local Authority, in terms of proportionate area of reservations and thereafter the conditions mentioned in C and D above will apply in that proportion.</p>
<p>(g) Town Centre/Town Hall</p>	<p>Local Authority/ Planning Authority or Owner</p>	<p>(1) The owner may be allowed to develop the site on such terms as may be agreed between him and the Planning Authority/Local Authority. (2) The owner may be permitted to develop the land provided 20% of the total land shall be kept for public purposes such as Fire Station, Electric Sub-Station, Overhead Water Tank and Sanitary Blocks etc.</p>
<p>13. Industrial (I)  (ba) Industrial Estate (IE)</p>	<p>Owner  Public Authority/Owner</p>	<p>The Public Authority may acquire the land and develop the industrial estate. OR The owner may develop the industrial estate on his agreeing to give 25% of galas to the Planning Authority on payment of cost of construction plus 15% thereof. The Planning Authority may allot these galas for the purpose of rehabilitation of persons displaced from sites reserved for public purpose or amenities in the Development Plan.</p>
<p>(eb) Service Industrial Estate (SIE) (ec) Godown / Warehousing V4. Transportation (e) Proposed D.P. Roads/Street</p>	<p>Public Authority/Owner Public Authority/Owner  Local Authority/</p>	<p>As above</p>

<p>(b) Proposed widening of existing road/ street envisaged either in the Development Plan or by Prescription of regular line of street under the Maharashtra Municipal Act, 1965.</p>	<p>Planning Authority</p>	
<p>(c) Transport Facilities i.e. Bus Stand, Jetties, Ferries, Integrated Rail Bus Terminus (IRBT), Regional Bus Stand (PRB), Passenger Railway Station (PPR), etc.</p>	<p>Local Authority/ Planning Authority/ Public Semi-Public Authority.</p>	<p>The Local Authority may acquire, develop and maintain the amenity as a reservation. OR The owner may be permitted to develop the amenity subject to the handing over to the Local Authority free of charge the built up space for amenity constructed according to norms prescribed by the Planning Authority. Local Authority. Thereafter he will be entitled to have the full permissible FSI of the plot for other permissible user of the plot without taking into account the area utilized for constructing the amenity.</p>
<p>(d) Municipal Store/Municipal Shade (MS)</p>	<p>Local Authority/Owner.</p>	
<p>(e) Truck Terminus Stand</p>	<p>Local Authority/ Planning Public-Semi Public Authority.</p>	
<p>(f) Bus Stand/ S.T. Stand</p>	<p>MSRTC</p>	<p>The Local Authority may acquire the land and develop, operate and maintain parking lot. OR A public authority or public organization or the owner may be allowed to develop the parking lot for the public according to the design, specification and conditions prescribed by the Authority utilizing the full built up area equal to the FSI available on the plot for the purpose of providing the parking spaces. The operation and maintenance of the facility will be decided by the Chief Officer irrespective of the authority. Appropriate Authority, organization or person who develops the facility. The parking spaces may be in the basement or open spaces or under the stairs or on the upper floors. The Local Authority, Public Authority, Public organization or the Owner will be entitled thereafter to have the full permissible FSI of the plot without taking into account the areas utilized for providing the parking spaces for other permissible users of the plot.</p>
<p>(g) Parking Lot (PLY) Parking</p>	<p>Local Authority/ Planning Authority/ Public Authority/ Public Organization/ Owner</p>	
<p>(a) Dispensary (D) Maternity Home (D) Ambulance</p>	<p>Local Authority/ Planning Authority/ Public Authority/ Organization/Owner</p>	<p>The Planning Authority/ Local Authority may acquire, develop and maintain the amenity. OR The owner may be permitted to develop the amenities as per the norms prescribed Planning Authority/ Local Authority on:</p>
<p>(b) Maternity Home (c) Primary Health Centre</p>	<p>Local Authority/ Public Authority/ Organization/Owner</p>	



 <p>(eg) Welfare Centre (WC)                  (fe) Women's Welfare Centre (WWC)                  (gf) Social/Cultural and Welfare Centre                  (hg) Children's Welfare Centre                  (th) Centre for Handicapped                  (fi) Community Centre                  (kj) Multipurpose Hall                  (lk) Public Facility Center                  (ml) Aquarium/ Science Centre</p>		<p>i) 15 per cent of the reserved plot in case of Dispensary and civic centre.                  ii) 25 per cent of the reserved plot in case of Maternity Home and Primary Health Centre.                  iii) 30 per cent of the reserved plot if both amenities are combined.                  This development by the owner shall be further and subject to his agreeing to handover the built up area of the amenities as aforesaid to the Planning Authority free of cost.                  Thereafter the remaining plot / building may be put to use in conformity with the development permissible in the adjacent land and the owner will be entitled to have full permissible FSI of the reserved plot, without taking into account the area utilized for Dispensary / Maternity Home, Primary Health Centre/ Civic Centre as the case may be.</p>
	<p>Local Authority / Planning Authority / Public Organization/ Owner</p>	<p>The Local Authority/ Planning Authority may acquire, develop and maintain the amenity as a reservation. OR                  The owner may be permitted to develop the amenity subject to the handing over 15 percent of the carpet area to Planning Authority free of cost. Thereafter, the owner will be entitled to have the full permissible FSI of the plot for the surrounding users as permissible without taking into account the area utilized for constructing the amenity. The Chief officer/ Planning Authority may handover the amenity space for Welfare Centre, Women's Welfare Centre, Social/ Cultural and Welfare Centre, Children's Welfare Centre, Centre for Handicapped, Community Centre Multipurpose Hall, Public Facility Center of Aquarium/ Science Centre to a public organization for operation and maintenance on the terms as decided by him.                  Explanation: Welfare Centre also include Homes, Shelters or Institutes for homeless or street children, WAIFS, destitute children (but not beggars) stray delinquents, abandoned or destitute women, homes for the destitute or dying destitute, drug addicts and alcoholics, crèches or day-care centre for children of working parents, Sevaghars, mobile crèches and for physically disabled or handicapped provided they are all run by registered public trust.</p>
<p>(bm) Hospital/ Veterinary Hospital</p>	<p>Local Authority / Planning Authority / Public Organization/ Owner                  Government / Semi Government Organization</p>	<p>When the owner develops the facilities, it will be in accordance with the specifications and conditions approved by the Planning Authority.</p>
<p>(en) Government Offices/ Administrative Headquarters                  VI6 Educational -                  (a) Primary School (PS)</p>	<p>Local Authority / Planning Authority / Registered Institute or Owner</p>	<p>Planning Authority may acquire the land and develop Primary School or entrust the amenity to a Registered Institutions of Trust OR                  The owner may be allowed to develop the land and operate it himself or entrust its</p>





		<p>maintenance of the facility to suitable agency on terms to be decided by him.</p>
<p>fg) Gymnasium / Gymkhana</p>	<p>Local Authority / Planning Authority / Public Authority / Public Organization</p>	<p>The Local Authority/ Planning Authority may acquire, develop and maintain the amenity as a reservation. OR The owner may be allowed to develop the amenity subject to the handing over 20 percent built up area of total permissible area to the Local Authority/Planning Authority free of charge for amenity constructed according to norms prescribed by the Local Authority/Planning Authority / Planning Authority. Thereafter, he will be entitled to have the full permissible FSI of the plot for other permissible users of the plot without taking into account the area utilized for constructing the amenity. The Local Authority/Planning Authority may handover the amenity space for Gymnasium/gymkhana to a public organisation for operation and on terms decided by him.</p>
<p>ng) Library</p>	<p>Planning Authority or Owner</p>	<p>The Planning Authority may acquire and develop the library. OR The owner may be permitted to develop the library on 20% area of the reserved plot as per the norms prescribed by the Divisional Deputy Director of Town Planning and further subject to his agreeing to hand over the built up library space to the Local Authority free of cost. The location of the library shall be on ground or first floor. Thereafter, the remaining plot/ building may be put to use in conformity with the development permissible in the adjacent land and the owner will be entitled to have full permissible FSI of the reserved plot, without taking into account the area utilized for Library.</p>
<p>VIIIg. Public Utility</p>		<p>The Government Department concerned may acquire develop and maintain the users.</p>
<p>(1a) Post Office (PO)</p>	<p>Government / Department concerned or Owner.</p>	<p>OR The owner may be permitted to develop the facility subject to his handing over the required built up space to the Government Department concerned free of charge for the facility constructed according to the norms prescribed by the said Government Department. Thereafter the owner will be entitled to have the full permissible FSI of the plot, without taking into account the area utilized for constructing the facility.</p>
<p>(2b) Police Station</p>		
<p>(jc) Telephone Exchange (TE)</p>	<p>Government Department</p>	
<p>(gd) Fire Station</p>	<p>Local Authority / Planning Authority</p>	
<p>(be) Sewage Treatment Plant (STP)</p>	<p>Local Authority / Planning Authority</p>	
<p>(f) Solid Waste Conversion Plant / Public-Semi Public Solid Waste Management</p>	<p>Local Authority / Planning Authority</p>	




Disposal Plant	Local Authority/ Planning Authority	Local Authority/ Planning Authority
(g) Water Purification Tank/Water Works/Public Utility (Water Supply)	Local Authority/ Planning Authority	Local Authority/ Planning Authority
(eh) Dumping Ground	Local Authority/ Planning Authority	Local Authority/ Planning Authority
(f) Ganesh-Visarjan Ghat	Local Authority/ Planning Authority	Local Authority/ Planning Authority
(gt) Slaughter House	Local Authority/ Planning Authority	Local Authority/ Planning Authority
(hk) Cemetery, Cremation Ground, Burial Ground	Local Authority/ Planning Authority/Public Authority/Owner	Local Authority/ Planning Authority
(k) MSEB Electricity Sub-Station	MSEB	MSEB
(m) APMC	APMC	APMC

The Local Authority / Planning Authority/ Public Authority (with the approval of the Local Authority) may acquire and develop the land for cemetery/Cremation Ground/Burial Ground. OR  
The owner may be allowed to develop the land for cemetery, Cremation Ground, Burial Ground with the approval of Local Authority/Planning Authority on such terms and conditions as it may specify.

Use (Allocation, Designation or Reservation)	Person/ Authority who may develop	Conditions, subject to which development is permissible
(1)	(2)	(3)
1. Residential a. Govt. Housing b. Municipal Housing c. Warship Camp d. Govt. School Quarters	Planning Authority or Govt./Semi-Govt. Authority	



 <p>e. Housing for Dishoused f. Rehabilitation of Slum dwellers g. Public Housing</p>	<p>Planning Authority or Govt./Semi-Govt. Authority or Owner/Developer</p>	<p>The Planning Authority or Govt./Semi-Govt. Authority may acquire and develop the reservation.</p> <p>OR</p> <p>The Planning Authority may allow the owner/developer to develop the reservation, subject to handing over of 50% land to the Planning Authority alongwith the constructed built-up area with FSI of 2.00 thereon, as per the design and specifications approved by the Planning Authority. The minimum carpet area of a tenement, to be handed over to the Planning Authority, shall be 25 sq.m. for uses at (e) &amp; (f) and 30 to 50 sq.m. or as decided by Planning Authority, for use at (g). Thereafter, the owner/developer shall be entitled to use the remaining 50% of the land for any use, permissible in the adjoining zone, with FSI of 2.00 thereon. He shall also be entitled to have additional FSI of 0.50 on his share of land, which shall be used by him as TDR.</p>
<p><b>2. Commercial</b></p> <p>a. Market (Retail/Vegetable/ Municipal)</p> <p>b. Shopping Centre</p> <p>c. Town Centre (having users such as Offices, Theatre/Multiplex, Shopping Centre, Art Gallery, etc.)</p>	<p>Planning Authority or Public Authority or Owner/Developer</p>	<p>The Planning Authority may acquire and develop the reservation.</p> <p>OR</p> <p>The Planning Authority may allow the owner/developer to develop the reservation-</p> <p>i. in independent plot, subject to handing over of 50% land to the Planning Authority alongwith the constructed built-up area with FSI of 2.00 thereon, as per the design and specifications approved by the Planning Authority. Thereafter, the owner/developer shall be entitled to use the remaining 50% of the land for any use, permissible in the adjoining zone, with FSI of 2.00 thereon. He shall also be entitled to have additional FSI of 0.50 on his share of land, which shall be used by him as TDR; OR</p> <p>ii. in composite building, subject to handing over of 50% of the constructed built-up area on lower floors, as per the design and specifications approved by the Planning Authority, with FSI of 1.00 of such reservation site, to the Planning Authority. Thereafter, the owner/developer shall be entitled to use the upper floors for any use, permissible in the adjoining zone, with FSI of 1.00 of such reservation site. He shall also be entitled to have additional FSI of 0.25 of such reservation site, which shall be used by him as TDR.</p>
<p><b>3. Industrial</b></p> <p>a. Industrial Estate</p> <p>b. Service Industrial Estate</p> <p>c. Godown/Warehousing</p>	<p>Public Authority or Owner/Developer</p>	<p>The Public Authority may acquire the land and develop the reservation.</p> <p>OR</p> <p>The owner may develop the reservation on his agreeing to give 25% of no. of galas to the Planning Authority on payment of cost of as per A.S.R. of the Registration Dept. construction plus 15% thereof.</p> <p>The Planning Authority may allot these galas for the purpose of rehabilitation of persons displaced from sites reserved for public purpose or amenities in the Development Plan.</p>

<p><b>4. Public Semi-public</b></p> <p>a. Primary School b. Secondary School c. College d. Polytechnic e. Technical School f. Educational Complex</p>	<p>Planning Authority or Public Institution or Owner/Developer</p>	<p>Planning Authority may acquire the land and develop it for these reservations or entrust the same to a Registered Institution or Trust.</p> <p>OR</p> <p>A Public Authority, a registered Public Trust or a registered Society may be allowed to acquire and develop the land for these reservations.</p> <p>OR</p> <p>The owner/developer may be allowed to develop these reservations and operate it himself or entrust its operation to Registered Institutions or Trust.</p>
<p>g. Public (Govt) Office</p>	<p>Govt./Semi Govt. Organisation</p>	
<p>h. Slaughter House</p>	<p>Planning Authority</p>	
<p>i. Dispensary j. Maternity Home k. Primary Health Centre l. Hospital/Veterinary Hospital m. Social/Cultural Centre n. Welfare Centre o. Centre for handicapped p. Multipurpose Hall q. Public Facility Centre r. Post Office /Sub Post Office s. Police Station / Police Post t. LPG Godown u. Community Hall/Community Centre v. Library w. Civic Centre (having combination of facilities such as Market, Civic Facility Centre, Welfare Centre, Post Office, Branch of a bank, Dispensary, etc.)</p>	<p>Planning Authority/ Public Authority/ Public Organisation or Owner/Developer</p>	<p>The Planning Authority may acquire and develop the reservation.</p> <p>OR</p> <p>The Planning Authority may allow the owner/developer to develop the reservation in independent plot, subject to handing over of 50% land to the Planning Authority alongwith the constructed built-up area with FSI of 2.00 thereon, as per the design and specifications approved by the Planning Authority. Thereafter, the owner/developer shall be entitled to use the remaining 50% of the land for any use, permissible in the adjoining zone, with FSI of 2.00 thereon. He shall also be entitled to have additional FSI of 0.50 on his share of land, which shall be used by him as TDR.</p>



	Planning Authority	
<p><b>5. Assembly and Recreational</b></p> <p>a. Playground b. Garden/Park c. Recreational Ground d. Swimming Pool e. Club f. Open Air Theatre g. Cinema/Drama Theatre/ Auditorium</p>	<p>Planning Authority or Owner/Developer</p>	<p>The Planning Authority may acquire and develop the reservation. OR The owner/developer shall construct such reservation having capacity of atleast 300 seats or 33% of the existing capacity (in case of redevelopment of existing such use), whichever is more and remaining FSI may be allowed to be utilised for other permissible user subject to other D.C. Regulations and conditions, as imposed by Planning Authority.</p>
<p>h. Gymnasium/Gymkhana i. Sports Complex j. Exhibition Hall k. Aquarium/Science Centre l. Art Gallery m. Museum n. Town Hall</p> <p><b>6. Public utilities</b></p> <p>a. Water Reservoir and Distribution b. Sewerage Treatment Plant c. Solid Waste Management Disposal Plant/Landfill site d. Fire Station e. Electric Sub-Station f. Ganesh Visarjan Ghat g. Cremation/Burial Ground</p>	<p>Planning Authority/ Public Authority/ Public Organisation or Owner/Developer</p> <p>Planning Authority/ Public Authority (like MSEB, etc)/ Public Organisation</p>	<p>The Planning Authority may acquire and develop the reservation. OR The Planning Authority may allow the owner/developer to develop the reservation, specified at (h) to (n), in independent plot, subject to handing over of 50% land to the Planning Authority alongwith the constructed built-up area with FSI of 2.00 thereon, as per the design and specifications approved by the Planning Authority. Thereafter, the owner/developer shall be entitled to use the remaining 50% of the land for any use, permissible in the adjoining zone, with FSI of 2.00 thereon. He shall also be entitled to have additional FSI of 0.50 on his share of land, which shall be used by him as TDR.</p>

<p>h. Telephone Exchange</p>	<p>Planning Authority/ Public Authority (like BSNL, etc)/ Public Organisation or Owner/Developer</p>	<p>The Planning Authority may acquire and develop the reservation.</p> <p>OR</p> <p>The Planning Authority may allow the owner/developer to develop the reservation in independent plot, subject to handing over of 50% land to the Planning Authority alongwith the constructed built-up area with FSI of 2.00 thereon, as per the design and specifications approved by the Planning Authority. Thereafter, the owner/developer shall be entitled to use the remaining 50% of the land for any use, permissible in the adjoining zone, with FSI of 2.00 thereon. He shall also be entitled to have additional FSI of 0.50 on his share of land, which shall be used by him as TDR.</p>
<p><b>7. Transportation</b></p> <p>a. Bus Stand/ Bus Depot</p> <p>b. S. T. Stand/S. T. Depot</p>	<p>M.S.R.T.C. or Local Body Transport Undertaking</p>	
<p>c. Transport/Truck Terminus</p>	<p>Planning Authority/Public or Semi-public Authority</p>	
<p>d. Parking Lot</p>	<p>Planning Authority or Owner/Developer</p>	<p>The Planning Authority may acquire, develop and maintain the reservation.</p> <p>OR</p> <p>The Planning Authority may allow the owner/developer to develop the reservation-</p> <p>i. on independent plot, subject to handing over of 50% land to the Planning Authority alongwith the constructed built-up area (multi-storeyed, etc.) and provision of Ramps and/or lifts, etc. with FSI of 2.00 thereon, as per the design and specifications, approved by the Planning Authority. Thereafter, the owner/developer shall be entitled to use the remaining 50% of the land for any use, permissible in the adjoining zone, with FSI of 2.00 thereon.</p> <p>In case, the owner/developer develops the 50% land for surface parking, to be provided on ground, the owner/developer shall be entitled to use the remaining 50% of the land for any use, permissible in the adjoining zone, with FSI of 1.00 thereon; OR</p> <p>ii. in composite building, subject to handing over of 50% of the constructed built-up area, with FSI of 1.00 of such reservation site, to the Planning Authority, alongwith Ramps and/or lifts, etc. on lower floors, as per the design and specifications approved by the Planning Authority. Thereafter, the owner/developer shall be entitled to use the upper floors for any use, permissible in the adjoining zone, with FSI of 1.00 of such reservation site. He shall also be entitled to have additional FSI of 0.25 of such reservation site, which shall be used by him as TDR.</p> <p>The operation and maintenance of parking lots, thus developed, shall be decided by the Planning Authority.</p>



**Explanation:**

1. In case of independent buildings, land remaining after handing over to Planning Authority, shall only be used for the uses which are permissible in the adjoining zone.
2. After tearing of such buildings constructed on the land of reservation, the land shall be treated to be in the adjoining zone for further development/redevelopment. Reservations, developed by such manner, shall be treated as fully developed.
3. In case of composite buildings, developed by owner/developer, the share of Planning Authority shall be on the lower floors only.
4. In cases, where the reservation is developed by the owner/developer, all other stipulations related to marginal distances, height limitations, etc. shall be strictly followed. Further, the parking spaces required for Planning Authority's share shall be provided in the same share on pro-rata basis.
5. (1) Where the owner is permitted to develop the reservation, he can develop it as per norms and conditions prescribed by the Planning Authority in consultation with MMRDA and Divisional Deputy Director of Town Planning.
6. (2) Even where an owner, in terms of column (3) in above Appendix is permitted to develop certain categories, reservations, allocations or designations, the Planning Authority or concerned Authority, may at any time, acquire land thereunder; but such acquisition will not be done after owner is permitted to develop the reservation as per these Regulations.
7. (3) An owner who in terms of Column (3) in above Appendix is permitted to develop certain categories, allocations, designations or reservations, shall provide the required parking space for the same, in addition to those required for the development he is permitted to undertake.
8. (4) In the case of development of lands for Gymnasium, Gymkhanas, Clubs, Stadiums, Swimming Pools, Recreation Grounds and Playgrounds, constructions for Ancillary uses only may be permitted (in a suitable locations so as to keep as much of the remaining space open) upto 10 per cent of the area of the land of the said amenities.
9. (5) Where the owner is permitted to develop certain categories of reservations, he shall submit the proposal of at least 51 per cent continuous land of the reservation.
10. (6) In case, where any reservation is in sanctioned Development Plan do not appear in the list of reservations to be permitted to be developed by the owner in above Appendix and owner of land under such reservations is interested to develop such reservations, in that case the matter will be referred to Government and Government may permit to develop such reservation on the conditions similar to such other reservation.
11. (7) In case the owner is not in a position to utilise the permissible FSI within the plot, he will be entitled to have TDR as per the provisions of Regulation no. 7-5-8 Appendix AG of these Regulations.] (EP-272)

**(SM-168)/ APPENDIX - F: SET BACKS AND MARGINAL OPEN SPACES**  
**(Regulations 7.6.2 and 7. 6.3)**

**F.1. F.S.I — MARGINAL DISTANCES: ]**

**(EP-273) [F.1.1. APPLICABLE TO GOATHAN / CONGESTED AREA:**

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

**F.1.1.2. RESIDENTIAL BUILDING.**

a) Front open spaces- The minimum setback from existing or proposed road shall be as under:-

- (i) For streets, 7.5m. to less than 12.00 m. in width.....1.0m.
- (ii) For streets, 12.0 m. and to less than 18m. above in width.....1.5m.
- (iii) For streets, 18m, and above in width.....2.0m.

b) Side and rear open spaces shall be as below:

Residential Plot Area	Side	Rear
Upto 250 sq.m	00m.	00m.
Abov 250 and upto 500 sq.m	1.00m.	1.00m.
Above 500 sq.m. and upto 1000 sq.m.	2.00m.	2.00m.
Above 1000 sq.m.	As per the prescriptions made for the plots above 1000 sq.m. in non congested area.	

ciii) For streets less than 7.5 m. in width no set-back shall be prescribed subject to condition that no street lane shall be less than 4.5 m.in width clear of structural projections. For lanes less than 4.5 m. in wide-width, a setback of 2.25 m. shall be prescribed for from the centre line of such street/ lane. Where such streets, despite their narrowness, form part of traffic circulation system widening shall be proposed and normal set-back of 1.5 m. from edge of existing street shall be provided.

d)iv) Structural projections such as balconies, cornices, weather sheds and roof projections shall be allowed in the set-back distance prescribed above. Excepting balconies none of such projections shall be taken into consideration for calculation of built over area.

**F.1.1.3. OTHER BUILDING –**

Open spaces - A clear open space of 3 m. around building shall be provided.] (EP-273)

**(SM-168)/ F.1.2. APPLICABLE TO THE AREAS OUTSIDE THE GAOTHAN/CONGESTED AREA:**

**F.1.2.1. RESIDENTIAL BUILDINGS**

a) Floor Space Index: The permissible base FSI shall be 1.00 and permissible maximum FSI shall be 2.0 subject to marginal open space and provisions in Regulations 7.3 and 7.5.

ab) The provisions as given below in Table 28 and 29 shall apply for residential buildings, residential-cum-office or shop buildings with shopline on ground floor office or buildings permissible in areas other than Gaothans / congested areas.



b e) Minimum distance between main and subsidiary building : A clear distance of at least 3.00 m, subject to the open spaces required for the taller building shall be left between the main building and any subsidiary building such as an outhouse, garage, etc. constructed in one building plot.

cd) Number of main and subsidiary buildings in a plot: only one main building either a tenement house or a block of flats or a dwelling house together with such out houses, garages etc. as are reasonably required for the bonafide use and enjoyment of the occupants of such main building and their domestic servants and which shall not be separately, let out, shall be permitted to be erected on any plot.

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

#### F.1.2.2 EDUCATIONAL BUILDINGS

- a) ~~Built up area: The maximum permissible built up area shall not be more than 1/3 of plot area.~~
- b) ~~FSI: The maximum permissible FSI shall be 1.5~~
- c) A minimum open space of 6 m. shall be left on all sides from boundaries of the plot
- d) No educational building shall be constructed if the distance between ~~the perimeter of the site of the~~ proposed building and cinema theatre/assembly hall is less than 60 m.

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

- a) ~~Built up area: The built up areas shall not be more than 1/3 rd of the area of the plot~~
- b) ~~FSI: The maximum FSI shall be 1.5~~
- c) There shall be a minimum open space of 6 m. on all sides.
- d) No building shall be constructed if the distance between ~~the perimeter of the~~ site of the proposed building and cinema theatre/assembly halls is less than 60 m.

#### F.1.2.4. CINEMA THEATRES/ASSEMBLY HALLS

- a) Open spaces:
  - i) Front set-back of 12 m. from road shall be left:  
Note: Further in the case of plots facing National Highway, State Highway and Major District Roads the Building line shall be ~~as per Ribbon Development Rules amended from time to time 37 m. from the centerline of existing~~ or proposed road or 12 m. from plot boundary whichever is more.
  - ii) Side and Rear open space: Side and rear marginal distances to be left open shall be minimum 6 m. and shall be exclusive of parking spaces, subject to Regulation 7.8.12.
- b) The minimum distance between boundary of the site for cinema theatre/assembly halls and boundary of educational, institutional and other government buildings shall not be less than 60 m.
- c) The provisions of Maharashtra Cinema (Regulations/Rules) 1966 as amended from time to time shall be applicable.

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





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

**F.1.2.6. FUEL/PETROL FILLING STATIONS WITH OR WITHOUT SERVICE BAYS**

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

**F.1.2.7. BUILDINGS IN COMMERCIAL ZONE (C ZONE)**

- a) Means of access- When two or more buildings are constructed in the same plot every building shall be provided with independent means of access of not less than 6 m. width. The means of access shall not be considered as part of marginal open spaces required to be left around the buildings.  
 b) ~~Built up area : Maximum plot coverage shall be half the plot size.~~  
 c) ~~FSI: The Maximum FSI permissible shall be 2.0 for the purpose of FSI net area of land excluding open space and areas covered by internal roads shall only be considered road width as defined in Regulations 7.3 and 7.5.~~  
 d) Open spaces: Marginal open spaces along periphery of land or plot shall be 4.5 m. minimum, provided that in case of land/plot fronting on classified roads, setback prescribed under Ribbon Development Rules or 4.5m. whichever is more shall be observed. Further provisions of Regulation No. 7.6.5 shall be applicable for increased heights.

Note:- The provisions of note under paragraph F.1.2.4 (a) (i) shall apply for front open space in the case of storage building. ] **(SM-168)**

**(EP-274) [F.1.2.8. INDUSTRIAL BUILDINGS AND BUILDINGS IN TRANSPORT HUB & LOGISTICS PARK ZONE:**

- a) Minimum size of plot, minimum marginal open spaces to be left in a plot, and minimum width of plot and permissible FSI to be provided in a plot shall be as given in following Table-34.

Sr.No	Plot size (Sq.m.)	Minimum marginal open spaces.		Minimum width of plot
		Front (M)	Rear and side (M)	
1	Upto 800	6	3	12
2	Above 800 – 1200	6	4	20
3	Above 1200 – 2,000	6	5	25
4	2,001 and above	6-9	6	35

Note:



1.—In Industrial Zone, actual factory or workshop building and storage or godown shall not be constructed within a distance of 10m. & 22.5 m. from the boundary of service & other industrial zone respectively as the case may be where it separates an industrial zone from any other use, except a large open space and vis-a-vis for residential building in Industrial Zone, if permitted by the Commissioner as per the provision made under Appendix D.

2.—Provided that, such distance shall be measured from the opposite edge of the road where the zone abuts on an existing or proposed road.

3.—Provided further that, ancillary buildings such as essential staff quarters, canteen, garages, electricity stations, water tank etc. may be permitted in such open spaces, provided a minimum distance of 6m. & 10.5 m. respectively is left free from the boundaries.]

**(SM-168) F.2. DEVELOPMENT IN NO DEVELOPMENT ZONE (NDZ):**

Development in NDZ shall be allowed as per stipulations in Appendix-V<sub>1</sub>

**F.3. NARROW PLOTS (APPLICABLE ONLY TO THE AREAS OTHER THAN GAOTHAN / CONGESTED AREA)**

Residential/ Commercial zone -

Narrow plots are those of which width and depth is less than 15 m. The provision of Table 30 shall be applicable in such cases.

b) Industrial Zone:

Narrow plots are those of which width and depth is less than 15 m. The provision of Table No.31 given on the next page shall be applicable in such cases.

**F.3.1. NARROW PLOTS IN GAOTHANS**

Those plots which are less than 15 m. wide or deep will be permitted the relaxation shown in column 3 of Table 32 hereunder subject to the restrictions in column 4 thereof.

**TABLE 28 : MINIMUM SETBACKS PRESCRIBED FOR DIFFERENT ROADS**

**(Paragraph F. 1.21. Appendix F)**

Sr. No.	Category and road width and discription of housing	Minimum size of the Plot fronting on the road	Frontage minimum	Minimum set-back from the road in front in m.
1	2	3	4	5
1	National Highways, State Highway	750 Sq.m.	18m	Residential buildings 24.5m from the centre line of the road (road existing or proposed) or 4.5m from plot boundary, whichever is more
2	Other road 24m wide and above	600 Sq.m.	18m	6m
	Roads of width below 24m and above 15m	Above 500 Sq.m.	15m	4.5m
	Roads of width 12 to 15m	Above 250-500 Sq.m. (with proviso to developed two semi detached buildings)	12m	3.0m
	Roads of width below 12m	Above 125-250 Sq.m.	8.12m	3m



6	Row Housing on roads of width 12m. & below.	Above 25-125 Sq.m.	4.8m.	2.25m
7	Row housing For EWS/LIG by public agencies	As per Appendix G (kept in Abeyance)		

**TABLE 29: MINIMUM SETBACKS FROM THE ROAD**

(Paragraph F. 1.12. Appendix F)

Sr. No.	Minimum size of the Plot fronting on the roads	Minimum set-back from the road in front in m.	Minimum distance at the rear in m	Minimum side set back in m
(1)	(2)	(3)	(4)	(5)
1	Above 750 sq.m.	Residential building 34.5m from the centre line of the 60m and above highway road (road—existing or proposed) or 4.5m from plot boundary, whichever is more	3m	3m
2	600-749 sq. m.	6m	3m	3m
3	Above 500-599 sq.m.	4.5 m	3m	3m
4	Above 250-500 499 sq.m.	4.5 m	3m	2.25m
5	Above—125/250-249 Sq. m.	3m	3m	2.25m only on one side Gr+2 with addl. Marginal space of 1m for every additional floor height of 3m or part thereof
6	Above-25-125/124 Sq. m.	2.25m	2.25 m (Gr.+2 upper floors)	Nil

Note:-

- 1) Subject to the condition that a row housing plot at the junction of two roads shall be larger to enable set-backs from both roads being left and subject further to the condition that not more than 8 and less than 4 plots shall be allowed in each block of the row. Each block shall be separated from the other by 6 m. and buildings shall conform to a type design prescribed by the Planning Authority.
- 2) Subsidiary structures such as car park, garage, out house, independent sanitary block, gotha shed etc. shall not be permitted in plot having area below 450 sq. m.

**TABLE 30: OPEN SPACE RELAXATION IN NARROW PLOTS IN RESIDENTIAL AND COMMERCIAL ZONES**

(Paragraph F. 1.8 (a))

Sr. No.	Plot Size	Relaxation	Restrictions on Buildings
1	2	3	4
1)	Depth less than 14m but more than 11m	Rear Open Space to be reduced to 1.8m	i) Depth not to exceed 6m ii) Height not to exceed 3 storeys or 10m
2)	Width less than 14m but more than 11m	One side open space may be reduced to 1.8m	i) Width not to exceed 6m ii) Height not to exceed 3 storeys or 10m
3)	Two adjoining plots each less than 14m but more than 11m wide	Semi-detached structure permitted subject to Table 28 & 29	Height not to exceed 3 storeys or 10m
4)	Depth or width less than 11m	Open space on all sides 1.5m	Ground floor structure
5)	Two adjoining plots each less than 11m wide	Semi-detached structure with open space 1.5m wide all round	Ground floor structure Height not to exceed 4m



Note :- No dimension of any building in a narrow plot shall exceed 30m.

**TABLE 31- OPEN SPACE RELAXATION IN NARROW PLOTS INDUSTRIAL ZONES**

**(Paragraph F-1.8 (b))**

Sr. No.	Relaxation granted in or imposed conditions	Width less than 9m	Depth less than 9m	Width between 9m and 15m	Depth between 9m and 15m
(1)	(2)	(3)	(4)	(5)	(6)
1	Open space	Side open space may be reduced to 1.5m	Rear open space may be reduced to 1.5m	May be reduced on one side only but to not less than 1.8m	May be reduced at the rear but to less than 1.8m
2	Building :- a) Dimensions i) Maximum width ii) Maximum depth iii) Maximum height	6m 30m 4.5m (One storey)	30m 6m 4.5m (One storey)	6m 30m 8m (Two storeys)	30m 6m 8m (Two storeys)
	b) Walls	Dead walls 40cm thick on both sides	Dead wall 40cm thick on the rear side	Dead wall 40cm thick facing the reduced open space	Dead wall 40cm thick facing the rear side
	c) Use	Storage only	Storage only	As permissible	As permissible

**TABLE 32: - OPEN SPACE RELAXATION IN NARROW PLOTS IN GAOTHANS**

Sr.No.	Plot size / dimension	Relaxation	Restrictions on building
(1)	(2)	(3)	(4)
1.	Depth less than 15 m. but more than 11.5 m.	Rear open space may be reduced to 3 m.	No room except store room and staircase derives light and ventilation from reduced open space.
2.	Width less than 15 m. but more than 11.5 m.	Side open space may be reduced to 3 m.	No room except store room and staircase derives light and ventilation from reduced open space.
3.	Depth less than 11.5 m. but more than 9 m.	Front open space may be reduced to 3 m. and rear open space reduced to 1.8 m.	Depth of the building not to exceed 5.5 m. Height not to exceed, 3 storeys or 10 m.
4.	Width less than 11.5 m. but more than 9 m.	One side open space may be reduced to 3 m. and the other side open space may be reduced to 1.8 m.	Width of the building not to exceed 5.5 m. Height not to exceed, 3 storeys or 10 m.
5.	Depth or width less than 11.5 m. but more than 9 m.	Semi detached structure on adjoining plots with open spaces as at Sr. Nos. 3 or 4 above.	Depth of the building not to exceed 5.5 m. Height not to exceed, 3 storeys or 10 m.
6.	Depth or width less than 9 m.	Open space may be reduced to 1.5 m. all around	Only ground floor structure.

Note:

- 1) No dimension of any building in a narrow plot shall exceed 30 m.
- 2) In areas when the majority of the plots are less than 11.5 metres in width or depth, the Planning Authority may prescribe building lines in which row houses would be permissible: ] **(SM-168)**



**(EP-290) APPENDIX – G – REGULATIONS FOR LOW COST HOUSING SCHEMES OF THE MAHARASHTRA HOUSING AND AREA DEVELOPMENT AUTHORITY FOR ECONOMICALLY WEAKER SECTION (EWS) AND LOW INCOME GROUPS (LIG)**  
**(Kept in Abeyance)**  
**(Regulation 8.7.5.2 (5) (f))**

**G.1. FSI:** – The floor space index for low cost housing schemes for economically weaker sections and low income groups of the Maharashtra Housing and Area Development Authority, having at least 60 percent of the tenements under economically weaker section (EWS) and Low Income Group (LIG) categories shall be allowed to be increased by 20 percent over and above the normally permissible FSI. For the purpose of calculating the FSI, the entire area of the layout shall be considered and underutilized FSI of the economically weaker section and low income group schemes areas may be permitted to be utilized for Higher Income Group (HIG), Middle income Group (MIG) and other amenities in the Schemes. Sub-division of plots will be permissible on the basis of compulsory open spaces as in these Regulations.

**G.2. Density:**

- a. Density shall be upto 450 tenements per net hectare having at least 60 per cent tenements for EWS/LIG housing.
- b. Extra Density of 20 per cent over and above the normally permissible density will apply for such housing schemes, with 60 percent tenements under the E.W.S. and L.I.G. categories.

**G.3. Minimum Plot Size:**

- a. In the case of a growing house on a plot of 25 sq. m. a room of minimum size of 5.57 sq. m. (60 sq. ft.) with toilet arrangement in the first phase shall be permitted. In the second phase, one room of 9.30 sq. m. (100 sq. ft) may be allowed to be added. However, commencement and occupation certificate shall be granted initially, to the first phase only and subsequent certificate for second phase issued as required.
- b. Multi-purpose room: A multi-purpose room shall be allowed with size upto 12.5 sq. m. with a minimum width of 2.4 m.
- c. Cooking space (alcove): Provision of separate kitchen shall not be necessary. However, cooking space shall be allowed with a minimum of 2.4 sq. m. with minimum width of 1.2m
- d. Combine toilet: A combined toilet shall be permitted for more than one tenement with a minimum area of 1.85 sq. m. with a minimum width of one meter.
- e. Height: the average height for a habitable room with slopping roof shall be minimum 2.6m. with minimum height of 2m. at the eaves. In the case of a flat roof, minimum clear height shall be 2.6 m. for a habitable room. Kitchen area shall have minimum clear height/average height of 2.4 m. and bath and water closet (without-loft) shall have a clear minimum height of 2.2 m.
- f. Plinth: the minimum plinth height shall be 30 cm. and in areas subject to flooding the plinth shall be higher than the high flood level.

**G.4. External Walls:** 115-mm. thick external brick wall without plaster shall be permitted.

**G.5. Staircase:**

Single flights staircase without landing between the two floors shall be permitted.

**G.6. Front open space**

The front open space from roads having width of 9.14 m. and below shall be of a minimum of 1.5m. for buildings width height of upto 10 m.



### **G.7. Open space (side and rear)**

The distance between two ground floor structures shall be of a minimum of 4.5 m. for purposes of light and ventilation of habitable rooms. In case of toilets deriving light and ventilation from an open space, the distance between the two ground floor structures shall be a minimum of 1.5 m.

### **G.8. Pathways:**

The widths of pathways shall be as follows:

- i) 1.5m. width of pathways upto 20 m. in length;
- ii) 2.0m. width pathways upto 30m. in length;
- iii) 2.5m. width of pathways upto 40m. length;
- iv) 3.0m. width of pathways upto 50m. length;

### **G.9. Flushing Cistern:**

In water closets, flushing cistern shall not be essential and toilets without this provision may be permitted.

### **G.10. Water closet pan size:**

Water closet seat shall be of a minimum of 0.46 m. (18 inches) in length.

### **G.11. Septic tank and leaching pits (soak pits):**

A septic tank shall be provided with capacity of 141.6 liters. (five cubic feet) per capita. Where the basic services are likely to be available within four to five years or so, pour flush water seal latrines (NEERI type) shall be permitted where the sewerage system is not available and the water table in the area is not high.

### **G.12. Convenience shopping:**

Convenience shopping as defined in these Regulations shall be permitted along layout roads with width of 12.212 m. to 18.4918 m. provided that a minimum set-back of 1.5 m. and a minimum plot area of 25.2 m. 25 sq.m. is available and is provided.

### **G.13. Recreation Ground:**

In the layouts provisions for recreation ground shall be on the lines prescribed in these Regulations.

### **G.14. Ancillary structures:**

Ancillary structures such as underground tank, overhead tank, substations etc. shall be permissible in the compulsory recreation open space subject to the condition that not more than 10 per cent of such space shall be utilized for such purposes. ]



**(EP-290) APPENDIX - H: REGULATIONS FOR RECONSTRUCTION / REDEVELOPMENT**  
(Kept in Abeyance) **(Regulation - 8.396.17)**

~~"Reconstruction/redevelopment schemes under taken by the owners for the authorised existing tenanted residential building by availing grant of additional FSI for redevelopment of old and dilapidated buildings".~~

These provisions shall be applicable to following proposals:

~~H.1. The reconstruction/ redevelopment shall be allowed only in respect of the authorized building declared by the Dilapidated Committee and existing prior to the date as mentioned below:~~

~~A.— 16/10/1973: the date of coming into force of the sanctioned Regional Plan, for the remaining area included in the Authority limits.~~

~~H.2. For reconstruction/ redevelopment schemes undertaken by the owner in respect of existing authorized tenanted residential building which is existing on or before reference date specified above. The FSI consumed by existing authorised tenanted buildings or FSI permissible as per prevailing D.C. R. whichever is more shall be allowed. In addition to this 50% additional FSI of occupied area of tenants shall be allowed. The total FSI of the new structure shall not exceed 2.5.~~

~~H.3. The development charges for these building shall be as per prevailing provision of DCR.~~

~~H.4. In redevelopment scheme rules of Slum Improvement Boards are not applicable.~~

~~H.5. The committee appointed by the Planning Authority shall consist of Superintending Engineer, Public Work Department, Dy. Director of Town Planning, Thane Division, and the City Engineer of Municipal Authority for deciding dilapidated building.~~

~~H.6. Other than above rules and conditions mentioned above; the remaining rules and conditions framed by Authority are applicable.~~

~~H.7. This modification shall be given with effect from the dated 6th October, 2000 of sanctioning these Regulations.~~

~~H.8. If the landholder intends to take benefit of these Regulations, he shall fulfill the conditions and the provisions of the prevailing Development Control Regulations. ]~~

**(EP-290) APPENDIX - I:- REGULATION FOR RE-DEVELOPMENT/CONSTRUCTION OF ACCOMMODATION FOR CENSUSED SLUM DWELLERS THROUGH OWNERS/DEVELOPERS/CO-OPERATIVE HOUSING SOCIETIES OF SLUM DWELLERS/AUTHORITY/MHADA/OTHER PUBLIC AUTHORITIES**

(Kept in Abeyance)

**(Regulation No. 8.396.17)**

I.1. For redevelopment or restructuring of censused slums or such whose structures and inhabitants names appear in the Legislative Assembly Voters' list of 1985, by the owners/developers of the land on which such slums are located or by Co-operative Housing Societies of such slum dwellers; a total floor space index of up to 2.5 may be granted in accordance with schemes to be approved by special permission of the Planning Authority in each case.

**Eligibility of the Hutment Dwellers.**

The hutment dwellers actually residing will be eligible for the benefit of redevelopment scheme if:

a. he/she is the original structure owner as per the census conducted in 1976; or is in possession photo pass issued by a Planning Authority in his/her own name.

Or

b. In absence of (a) above, but she/he is head of family and his/her name is included in the voters list 1980/1985 and he/she is residing at present at the same address as given in the voters list.

Or

c. If the original hutment dwellers in category (a) and (b) above is deceased and his/her legal heir is present occupant.

Or

d. The hutment dweller actually residing at present has purchased the censused structure with photo pass any, from any of the categories above and that this transfer has been regularized.

I.2. The Local Authority/Planning Authority/the Collector of Thane/ Housing and Area Development Board shall be the "designated authorities" for notified slums located on lands owned by the Authority, the said Housing and Area Development Board or the Govt. respectively.

I.3. The FSI shall be restricted to a maximum of 2.5.

I.4. The names of the eligible slum dwellers on private and Government lands shall be duly certified by the respective Collector. The list of the names of eligible slum dwellers on public lands and lands in possession of the Housing and Area Development Board should be duly certified by the respective authorities.

I.5. All eligible slum dwellers residing on the plot to be developed shall have to be accommodated on the same plot as far as possible.

I.6. The designated authorities for slums located in their respective lands shall formulate schemes for each plot according to the guideless in this Appendix, and before inviting tenders/bids, shall obtain the approval of the Planning Authority to such schemes subject to Regulation 19 in this Appendix

I.7. Development of slums on privately owned lands shall be regulated in accordance with the Regulation 16 in this Appendix.





~~I.8. In case of developments undertaken by the Housing and Area Development Board/ Collector, surplus tenements which come into their possession shall be used for accommodating project affected persons and footpath dwellers in consultation with the Planning Authority~~

~~I.9. After formulation of the scheme and its approval by the Planning Authority, the designated authorities shall invite quotations/bids from the developers/owners in terms of the surplus tenements which would be made available to the said designated authority.~~

~~I.10. The respective designated authority shall be competent to decide on acceptance of bids on merits and make use of the surplus tenements thus available.~~

~~I.11. The area required for provision of civic/social amenities in the redevelopment scheme shall be cleared and made available by the developers/owners/co-operative housing societies of such slum dwellers to the designated authorities for provision of the said amenities. Depending on the size of the plot/area taken up for redevelopment, the schemes may also provide that the developers/owners/Co-operative housing societies of such slum dwellers may develop and provide civic facilities on the land designated for the same as approved in the scheme.~~

~~I.12. The scheme shall provide that each slum dweller/project affected person shall be given a tenement of carpet area of 180 sq.ft. (16.75 sq.m.) (Including toilet, but excluding common areas.)~~

~~I.13. The maximum density should not exceed 500 tenements per net hectare on the basis of FSI 1.00. The number of tenements per net hectare shall be increased or decreased in proportion to the permitted FSI.~~

~~I.14. In any scheme of redevelopment, commercial/office area, shop area for the project affected/ slum dwellers shall not exceed the areas which existed prior to the redevelopment of the property.~~

~~I.15. Convenience shopping as defined in item (26) of Regulation 2 shall be permitted along the layout roads within the scheme area with width of 12.2 m. and above, provided a setback of 3m. is provided. This shopping provision would be in addition to the provision for shop area allowed according to the previous Regulation.~~

~~I.16. In the case of notified slums on private lands, the Planning Authority with the consent of the owners may invite quotations for redevelopment in terms of surplus tenements as provided in these Regulations from developers/owners. In such cases, the owner would expect a return based on the existing balance land potential. This potential would be the permitted FSI in that scheme minus the actual FSI consumed in the slum. In the quotations given by the owner, developer would be presumed that he would have taken into account this aspect. Therefore, while evaluating and comparing the quotations from the owner and other developers, necessary loading should be done for proper evaluation of the bids. In case, however, the consent of the owner is not forthcoming within the stipulated time in accordance with the above conditions, such land can be developed according to the scheme after following acquisition proceedings under the respective Act.~~

~~I.17. The scheme would also provide that 5 per cent of the net plot area (excluding the area for civic amenities from the gross plot) may be used for commercial purpose. This would be in addition to the provisions in Regulations 14 and 15 in this Appendix.~~

~~I.18. The construction of the building for the rehabilitation of slum dwellers and the tenements to be made available to the appropriate authority shall be as per the designs and specifications approved by the Planning Authority.~~

~~I.19. Approval to the schemes in this Appendix shall be given by a Committee comprising of the Planning Authority, the Vice-president and the Chief Executive Officer, Maharashtra Housing and Area Development Authority and the Collector of Thane.~~

~~I.20. Co-Operative housing societies of slum dwellers would also be entitled to a right of first refusal in accordance with these Regulations.~~



~~I.21. Multi-purpose room: A multi-purpose room shall be allowed with size up to 12.5 sq. m. with a minimum width of 2.4 m.~~

~~I.22. Combined toilet: A combined toilet shall be permitted for more than one tenement with a minimum area of 1.85 sq. m. with minimum width of one meter.~~

~~I.23. Cooking space (Alcove): provision of a separate kitchen shall not be necessary. However, cooking space shall be allowed with a minimum size of 2.4 sq. m. with minimum width of 1.2 m.~~

~~I.24. Height: The average height for a habitable room with slopping roof shall be minimum 2.6m. with minimum height of two metres at eaves. In the case of a flat roof, minimum clear height shall be 2.6m. for habitable rooms. Kitchen areas shall have minimum clear height/average height of 2.4m. and bath and water closet (without loft) shall have a clear minimum height 2.2m.~~

~~I.25. Plinth: The minimum plinth height shall be 30cm. and in areas subject to flooding the plinth shall be higher than the high flood level.~~

~~I.26. External walls: 115 mm. Thick external brick wall without plaster shall be permitted.~~

~~I.27. Staircase: Single flight staircases without landing between the two floors shall be permitted.~~

~~I.28. Front open space: The front open space from roads having width of 9.00 m., and below shall be of a minimum of 1.5 for buildings with heights of up to 10 m.~~

~~I.29. Pathways—The width of pathways shall be as follows:~~

~~i. 1.5m. width for pathways up to 20m. in length.~~

~~ii. 2.0m. width for pathways up to 30m. in length.~~

~~iii. 2.5m. width for pathways up to 40m. in length.~~

~~iv. 3.0m. width for pathways up to 50m. in length.~~

~~I.30. Flushing cistern: In water closets, flushing cistern shall not be essential and toilets without this provisions may be permitted.~~

~~I.31. Water Closet pan size: The water closet seat shall be of a minimum of 0.46m (18 inches) in length.~~

~~I.32. Septic Tank and Leaching pits (soak pits): Aseptic tank shall be provided with a capacity of 141.6 liters. (Five cubic feet) per capita. Where the basic service are likely to be available within four to five years or so, pour flush water seal latrines (Neeri type) shall be permitted where the sewerage system is not available and the water table in the area is not high.~~

~~I.33. In the case of multistoried structures constructed for rehabilitation of the slum dwellers and for the tenements to be made available to the appropriate authorities as mentioned in Regulation 8 in this Appendix, the provisions of Regulations 21 to 31 in this Appendix shall not apply to that portion of the construction not intended for rehabilitation and such constructions shall be governed according to the normal provisions of these Development Control Regulations, are relaxed only in the case of reconstruction of old and dilapidated ~~ceased~~ buildings in accordance with the provisions in Appendix 'H' of these Regulations. ]~~



**(EP-290) APPENDIX - J: - REGULATION FOR SITES AND SERVICES AND FOR SMALL SIZE TENEMENTS FOR THE HOUSING SCHEMES UNDER THE URBAN LAND (CEILING AND REGULATIONS) ACT 1976 APPROVED BY GOVERNMENT FROM TIME TO TIME**

(Kept in Abeyance)

**(Regulation - 8.396.17)**

**J.1. F.S.I.**

The FSI shall be the same as is permissible under these Regulations which shall prevail over the corresponding provisions of Rules/Regulations in force as amended from time to time.

**J.2. Density**

Density up to 450 tenements per net hectare (180 tenements per net acre?) shall be permitted on 70 percent of net developable land for plots above 4000 sq. m. on which the sites and services scheme is implemented according to Government orders. For land below 4000 sq. m. the normal Regulations shall apply.

**J.3. Minimum Plot Size**

- a. A serviced site shall be of 25 sq. m. and shall have plinth of adequate height for W.C. and bathroom. The size of the plinth for W.C. shall be 1.2m x 0.9m (4' x 3')
- b. In the case of a dwelling unit as a core house in addition to the services mentioned in (a) the said unit shall have plinth with adequate height, the total area of which shall not exceed 21sq.m. in a plot with an area of 25sq.m. Further, in the case of a core house on a plot of 25 sq. m. a room of a minimum size of 5.57 sq. m. with a toilet arrangement in the first phase shall be permitted. In the second phase one room of 9.30 sq. m. may be allowed to be added. However, the occupation certificate shall be granted initially to the first phase only and sub-sequent certificates for second phase issued as and when required.

**J.4. Multipurpose rooms:**

A multipurpose room shall be allowed with a minimum size of 12.5 sq. m. and with a minimum width of 2.4m

**J.5. Cooking Space (Alcove) :**

Provision of separate kitchen shall not be necessary. However a separate cooking space shall be allowed with a minimum size of 2.4 sq.m. with minimum width of 1.2 m.

**J.6. Combined Toilet:**

A combined toilet shall be permitted for more than one tenement up to five tenements with a minimum area of 1.85 sq. m. with a minimum width of one meter.

**J.7. Height:**

The average height for a habitable room with slopping roof shall be 2.6mt with a minimum height of 2mt at the eaves. In case of a flat roof, the minimum clear height shall be 2.6m for a habitable room. Kitchen shall have minimum height of 2.4m and bath and W.C. (without loft) shall have a clear minimum height of 2.2 m

**J.8. Plinth:**

The minimum plinth height shall be 30cm but in any case above high flood level.



**J.9. External walls:**

115mm for external brick wall without plaster shall be permitted.

**J.10. Front open space:**

The front open space from roads having width of 9m and below shall be of a minimum of 1.5m.

**J.11. Open spaces (side and rear):**

The distance between two ground floor structures shall be of a minimum of 4.5m for purposes of light and ventilation of habitable rooms. In the case of toilets, deriving light and ventilation from an open space, the distance between the two ground floor structures shall be of a minimum 1.5m

**J.12. Pathways — The width shall be as follows:**

- i. — 2.5m width for pathways up to 40m in length.
- ii. — 3.0m width for pathways up to 60m in length.

**J.13. Water closet pan size:**

— The water closet pan size shall be of a minimum of 0.46m (18 inches) in length.

**J.14. Flushing Cistern:**

— In water closets, a flushing cistern shall not be essential and toilets without this provision may be permitted.

**J.15. Septic Tank and Leaching Pits (Soak Pits):**

— A Septic tank shall be provided with capacity of 141.6 liters. (five cubic feet) per capita where basic services are likely to be available within 4 to 5 years or so pour flush water seal latrines (NEERI type) shall be permitted where the sewerage system is not available and the water table in the area is not high.

**J.16. Convenience Shopping:**

Convenience shopping as defined in these Regulations shall be permitted along layout roads with width of 12m to 18 m provided that a minimum setback of 1.5 m and a minimum plot area of 25.2 sq. m are available and provided.

**J.17. Recreation Ground**

In the layouts of housing schemes under this category, provision for recreation ground shall be as normally required by these Regulations.

**J.18. Ancillary structures:**

Ancillary structures such as underground tank, overhead tank sub-station etc., shall be permissible in the compulsory recreation space subject to the condition neither that nor more than 10 percent of such recreation space shall be allowed to be utilized for such purposes. ]



**(EP-251) [APPENDIX - K: SPECIAL \_FACILITIES FOR PHYSICALLY HANDICAPPED CHALLENGED PERSONS SPECIAL REQUIREMENT FOR PLANNING OF PUBLIC BUILDING MEANT FOR USE OF PHYSICALLY CHALLENGED**

**(Regulation 8.31)**

**K.1. DEFINITIONS:**

**1.1 Non-ambulatory Disabilities:** – Impairments that, regardless of cause or manifestation, for all practical purposes, confine individuals to wheelchairs.

**1.2 Semi-ambulatory Disabilities:** – Impairments that cause individuals to walk with difficulty or insecurity. Individuals using braces or crutches, amputees, arthritics, 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 of wheel chair shall be taken as 1050 mm. X 750 mm.

**K.2. SCOPE:**

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

**K.3. SITE DEVELOPMENT:**

Level of the roads, access paths and parking areas shall be described in the plan along with specification of the materials.

**3.1 Access path/walk way:** – Access path from plot entry and surface parking to building entrance shall be of minimum of 1800 mm wide having even surface without any slope. Slope if any shall not have gradient greater than 5%. Finishes shall have a no-slip surface with a texture traversable by a wheel chair. Curbs wherever provided shall blend to a common level.

**3.2 Parking:** – For parking of vehicles of handicapped physically challenged people, the following provisions shall be made:-

- a. Surface parking for two car spaces shall be provided near entrance for the physically handicapped challenged persons with maximum travel distance of 30 m. from building entrance.
- b. The width of parking bay shall be minimum 3.60 m.
- c. The information stating that the space is reserved for wheel chair users shall be conspicuously displayed.

**K.4. BUILDING REQUIREMENT:**

The specified facilities for the buildings for physically handicapped challenged persons shall be as follows:-

- i. Approach to plinth level.
- ii. Corridor connecting the entrance/exit for the handicapped physically challenged.
- iii. Stairways.



- iv. Lift.
- v. Toilet.
- vi. Drinking Water.

**4.1 Approach to Plinth Level:**— Every building should have at least one entrance accessible to the handicapped physically challenged and shall be indicated by proper signage. This entrance shall be approached through a ramp together with the stepped entry.—

**4.1.2 Ramped Approach:**— Ramp shall be finished with no-slip material to enter the building. Minimum width of ramp shall be 1800 mm. With maximum gradient 1:12. Length of ramp shall not exceed 9.0 mt. Having 800 mm. High hand rail on both sides extending 300 mm. Beyond top and bottom of the ramp. Minimum gap from the adjacent wall to the hand rail shall be 50 mm.

**4.1.3 Stepped Approach:**— For stepped approach size of tread shall not be less than 300 mm. And maximum riser shall be 150 mm. Provision of 800 mm. High hand rail on both sides of the stepped approach similar to the ramped approach.

**4.1.4 Exit/Entrance Door:**— Minimum clear opening of the entrance door shall be 900 mm. And it shall not be provided with a step that obstructed the passage of wheel chair user. Threshold shall not be raised more than 12 mm.

**4.1.5 Entrance Landing:**— Entrance landing shall be provided adjacent to ramp with the minimum dimension 1800 x 2000 mm. Finishes shall have a non-slip surface with a texture traversable by a wheel chair. Curbs wherever provided should blend to a common level.

**4.2 CORRIDOR CONNECTING THE ENTRANCE/EXIST FOR THE HANDICAPPED PHYSICALLY CHALLENGED:**— The corridor connecting the outdoors to a place where information concerning the overall use of the specified building can be provided to visually impaired persons either by a person or by signs, shall be provided as follows:-

- a. The minimum width shall be 1500 mm.
- b. In case there is a difference of level slope ways shall be provided with a slope of 1:12.
- c. Hand rails shall be provided for ramps/slope ways. ———

**4.3 STAIR WAYS:**— One of the stair ways near the entrance/exist for the handicapped physically challenged shall have the following provisions:—

- a. The minimum width shall be 1350 mm.
- b. Height of the riser shall not be more than 150 mm. And width of the tread 300 mm. The steps shall not have abrupt (square) nosing.
- c. Maximum number of risers on a flight shall be limited to 12.
- d. Hand rails shall be provided on both sides and shall extend 300 mm. On both sides and shall extend 300 mm. On the top and bottom of each flight of steps.

**4.4 LIFTS:**— Wherever lift is required as per bye laws, provision of at least one lift shall be made for the wheel chair user with the following cage dimensions:

- 1. Clear internal depth : 1100 mm.
- 2. Clear internal width : 2000 mm.
- 3. Entrance door width : 900 mm.

- a) ~~A hand rail not less than 600 mm. Long at 1000 mm. Above floor level shall be fixed adjacent to the control panel. Also, switch control shall be at an operating height equal to that of hand rails.~~
- b) ~~The lift lobby shall be of an inside measurement of 1800 x 1800 mm. or more.~~
- c) ~~The time of an automatically closing door should be minimum 5 second and the closing speed should not exceed 0.25 M/sec.~~
- d) ~~The interior of the cage 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 physically challenged with essential provision of wash basin near the entrance for the handicapped physically challenged:~~

- a. ~~The minimum size shall be 1500 x 1750 mm.~~
- b. ~~Minimum clear opening of the door shall be 900 mm. and the door shall swing out.~~
- c. ~~Suitable arrangement of vertical/horizontal handrails with 50 mm. Clearance from wall shall be made in the toilet.~~
- d. ~~The W.C. seat shall be 500 mm. from the floor.~~

**4.6 DRINKING WATER:** ~~Suitable provision of drinking water shall be made for the handicapped physically challenged near the special toilet provided for them.~~

**4.7 DESIGNING FOR CHILDREN:** ~~In the buildings meant for the predominant use of the children, it will be necessary to suitably alter the height of the handrail and other fittings and fixtures etc.~~

## **K-1 GENERAL**

**K-1.1** These requirements apply to all buildings and facilities used by the public. These apply to temporary or emergency conditions as well as permanent conditions. It does not apply to private residences.

These requirements are concerned with non- ambulatory disabilities, semi-ambulatory disabilities, sight disabilities, hearing disabilities, disabilities of in co-ordination, aging, allergies, heart and lung diseases, epilepsy, hemophilia, incontinence and enterostomy.

It is intended to make all buildings and facilities used by the public accessible to, and functional for the physically challenged through and within their doors, without loss of function, space or facility where the general public is concerned. It supplements the general requirements of the Code, and reflects greater concern for safety of life and limb. In cases of practical difficulty, unnecessary hardship, or extreme differences, the Authority may grant exceptions from the literal requirements of this Appendix or permit the use of other methods or materials, but only when it is clearly evident that equivalent facilities and protection are thereby secured.

**K-1.2** For the purpose of this Appendix, the following definitions shall apply.

### **K-1.2.1 Aging**

Those manifestations of the aging processes that significantly reduce mobility, flexibility, co-ordination, and perceptiveness but are not accounted for in the categories mentioned in **K-1.2.3.1 to K-1.2.3.9.**

### **K-1.2.2 Appropriate Number**

The number of a specific item that would be necessary, in accordance with the purpose and function of building or facility, to accommodate individuals with specific disabilities in proportion to the anticipated number or individuals with disabilities who would use a particular building or facility.

### **K-1.2.3 Disabilities**

#### **K-1.2.3.1 Non-ambulatory disabilities**

Impairments that, regardless of cause or manifestation, for all practical purposes, confine individuals to wheelchairs.

#### **K-1.2.3.2 Semi-ambulatory disabilities**

Impairments that cause individuals to walk with difficulty or insecurity. Individuals using braces or crutches, amputees, arthritis, spastics and those with pulmonary and cardiac ills may be semi-ambulatory.

#### **K-1.2.3.3 Sight disabilities**

Total blindness or impairments affecting sight to the extent that the individual functioning in public areas is insecure or exposed to danger.

#### **K-1.2.3.4 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.

#### **K-1.2.3.5 Disabilities of in co-ordination**

Faulty co-ordination or palsy from brain spinal or peripheral nerve injury.

#### **K-1.2.3.6 People with allergies**

People with allergies may be sensitive to dust, mildew, pollen, animal hair, formalin, turpentine, etc. Some are sensitive to contact with substances and materials, such as, nickel, chromium and rubber.

#### **K-1.2.3.7 People with heart and lung diseases**

People with heart and lung diseases may only be able to walk short distances and may be unable to climb stairs. The requirements of these people are similar to those with impaired mobility.

#### **K-1.2.3.8 People with epilepsy, hemophilia, etc**

The requirements of those with epilepsy, hemophilia, etc, are related primarily to the design of buildings and the need to minimize the risk of injury caused by falling or encountering obstacles.

#### **K-1.2.3.9 People with incontinence, enterostomy operations, etc.**

The requirements of people with incontinence, enterostomy operations, etc (colostomies, ileostomies and urostomies) are mainly related to bathroom provision. In certain circumstances, for example, in public water-closet compartments, it may be desirable to provide a special sink for emptying urine bags.

### **K-1.2.4 Fixed Turning Radius, Front Structure to Rear Structure**





The turning radius of a wheelchair, left front-foot platform to right rear wheel, or right front-foot platform to left rear wheel, when pivoting on a spot.

#### **K-1.2.5 Fixed Turning Radius Wheel**

The tracking of the caster wheels and large wheels of a wheelchair when pivoting on a spot.

#### **K-1.2.6 Involved (Involvement)**

A portion or portions of the human anatomy or physiology, or both, that have a loss or impairment of normal function as a result of genesis, trauma, disease, inflammation or degeneration.

#### **K-1.2.7 Ramps, Ramps with Gradients**

Because the term 'ramp' has a multitude of meanings and uses, its use in this text is clearly defined as ramps with gradients (gradual slope joining two level surfaces) that deviate from what would otherwise be considered the normal level. An exterior ramp, as distinguished from a 'walk', would be considered an appendage to a building leading to a level above or below the existing ground level.

#### **K-1.2.8 Walk, Walks**

Because the terms 'walk' and 'walks' have a multitude of meanings and uses, their use in this standard is clearly defined as a predetermined prepared surface, exterior pathway leading to or from a building or facility, or from one exterior area to another, placed on the existing ground level and not deviating from the level of the existing ground immediately adjacent.

### **K-2 SITE DEVELOPMENT**

**K-2.1** Almost any building can be made accessible to physically challenged persons by so planning the site that the terraces, retaining walls and winding walks are used effectively.

**K-2.1.1** Site development is the most effective means to resolve the problems created by topography, definitive architectural designs or concepts, water table, existing streets, and typical problems, singularly or collectively, so that ingress, egress to buildings by physically challenged may be facilitated while preserving the desired design and effect of the architecture.

#### **K-2.2 Walks**

**K-2.2.1** Public walks should be at least 1200 mm wide and should have a gradient not greater than 1 in 20.

**K-2.2.1.1** It is essential that the gradient of walks and driveways be less than that prescribed for ramps, since walks would be devoid of handrails and kerbs and would be considerably longer and more vulnerable to the elements. Walks of near maximum grade and considerable length should have level areas at intervals for purposes of rest and safety. Walks or driveways should have a non-slip surface.

**K-2.2.2** Such walks shall be of a continuing common surface not interrupted by steps or abrupt changes in level.

**K-2.2.3** Wherever walks cross other walks, driveways, or parking lots they should blend to a common level.

**K-2.2.3.1** This requirement, does not require the elimination of kerbs, which, particularly if they occur at regular intersections, are a distinct safety feature for all of the challenged, particularly the blind. The preferred method of meeting the requirement is to have the walk incline to the level of the street. However, at principal intersections, it is vitally important that the kerbs run parallel to the street, up to the point where the walk is inclined, at which point the kerb would turn in and gradually meet the level of the walk at its highest point. A less preferred method would be to gradually bring the surface of the driveway or street to the level of the walk. The disadvantage of this method is that a blind person would not know when he has left the protection of a walk and has entered the hazards of a street or driveway (see Fig. 9).

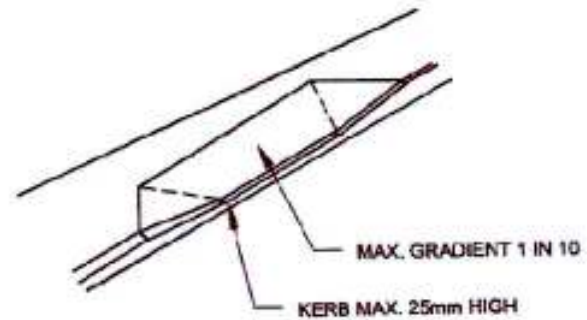


FIG. 9 SUITABLE METHOD OF BLENDING PAVEMENT AND ROADWAY SURFACES

**K-2.2.4** A walk shall have a level platform at the top which is at least 1 500 mm long, if a door swings out onto the platform or towards the walk. This platform shall extend at least 300 mm beyond each side of the doorway.

**K-2.2.5** A walk shall have a level platform at least 900 mm deep, if the door does not swing onto the platform or towards the walk. This platform shall extend at least 300 mm beyond each side of the doorway.

### **K-2.3 Parking Space**

**K-2.3.1** Spaces that are accessible and approximate to the facility should be set aside and identified for use by individuals with physical disabilities.

**K-2.3.2** A parking space open on one side, allowing room for individuals in wheelchairs or individuals on braces and crutches to get in and out of an automobile onto a level surface, is adequate. It should have a minimum width of 2700 mm preferably 2 800 mm for ambulant disabled and minimum 3 000 mm preferably 3300 mm for wheel chair users.

**K-2.3.3** Parking spaces for individuals with physical disabilities when placed between two conventional diagonal or head-on parking spaces should be 3.6 m to 3.8 m wide and the length of the aisle should 7.3 m, 6.1 m and 6.5 m for head-on, 90° and 60° parking respectively.

**K-2.3.4** Care in planning should be exercised, so that individuals in wheelchairs and individuals using braces and crutches are not compelled to wheel or walk behind parked cars.

**K-2.3.5** Consideration should be given to the distribution of spaces for use by the disabled in accordance with the frequency and persistency of parking needs.

**K-2.3.6** Walks shall be in conformity with **K-2.2**.

## **K-3 BUILDINGS**

### **K-3.1 Ramps with Gradients**

Where ramps with gradients are necessary or desired, they shall conform to the following requirements (see Fig. 10).



**K-3.1.1** A ramp when provided should not have a slope greater than 1 in 20 or maximum of 1 in 12 for short distance up to 9000 mm.

**K-3.1.2** A ramp shall have handrails on at least one side, and preferably two sides, that are 900 mm high, measured from the surface of the ramp, that are smooth, and that extend 300 mm beyond the top and bottom of the ramp. Where major traffic is predominantly children, the handrails should be placed 760 mm high.

#### NOTES

1. Where handrails are specified to be of heights other than 80 cm, it is recommended that two sets of handrails be installed to serve all people. Where major traffic is predominantly children, particularly physically disabled children, extra care should be exercised in the placement of handrails, in accordance with the nature of the facility and the age group or groups being serviced (see also **K-3**).

2. Care should be taken that the extension of the handrails is not in itself a hazard. Extension up to 300 mm may be made on the side of a continuing wall.

**K-3.1.3** A ramp shall have a surface that is non-slip surface and if length is 3500 mm, the minimum width shall be 1500 mm.

**K-3.1.3.1** The provision of non-slip surfaces on ramps greatly assists the challenged persons with semi ambulatory and ambulatory disabilities. Non-slip surfaces are provided by many finishes and materials. The surfaces of the concrete ramps can be made non-skid by brooming the surface or by finishing with an indenting roller.

**K-3.1.4** A ramp shall have a level platform at the top which is at least 1 800 mm long, if a door swings out onto the platform or toward the ramp. This platform shall extend at least 300 mm beyond each side of the doorway (see Fig. 11).

**K-3.1.5** Each ramp shall have at least 1800 mm of straight clearance at the bottom.

**K-3.1.6** Ramps shall have level platforms at 10 m to 12 m intervals for purposes of rest and safety, and shall have platforms minimum 1.5 m length wherever they turn.

**K-3.1.7** For visually impaired people, ramps may be colour contrasted with landing.

**K-3.1.8** To minimize rise to wheelchair users, ramps should be equipped with kerbs approximately 50 mm high at exposed sides.

#### **K-3.2 Entrances**

**K-3.2.1** At least one primary entrance to each building shall be usable by individuals in wheelchairs (see Fig. 12A) and shall be indicated by a sign (see Fig. 12B).



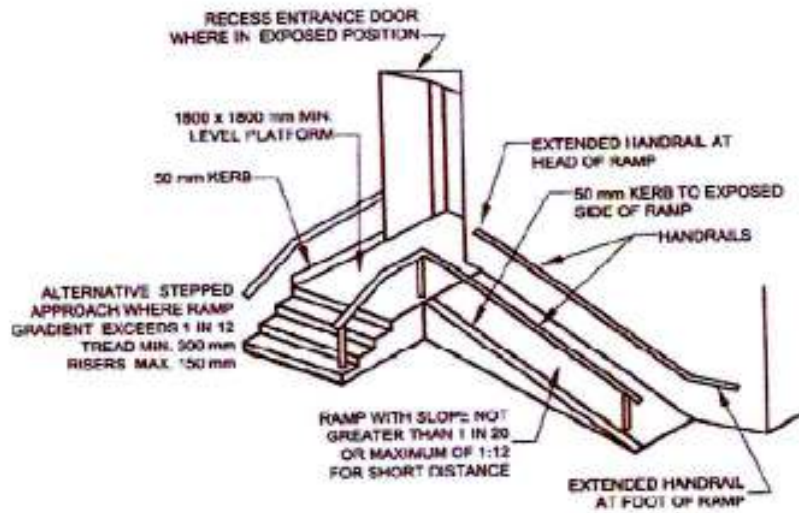
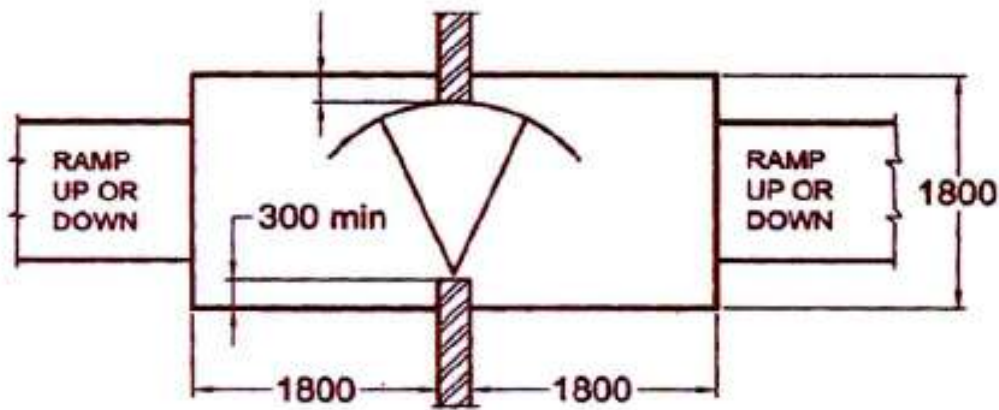
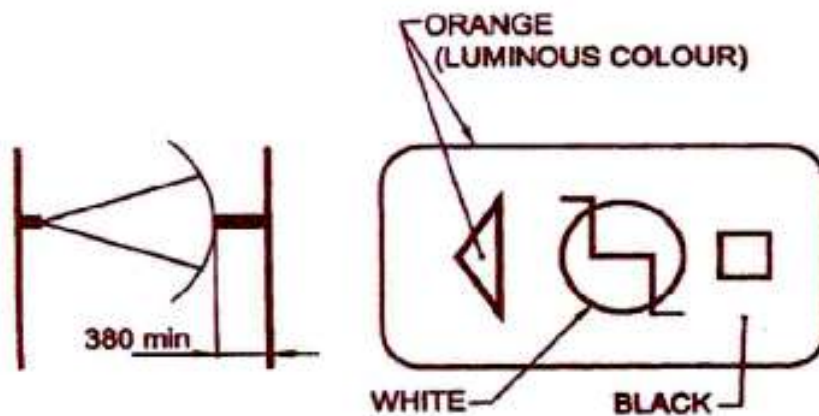


FIG. 10 EXAMPLE OF RAMPED APPROACH



All dimensions in millimetres.

FIG. 11 LEVEL AREAS REQUIRED AT END OF RAMPS LEADING TO DOORWAYS



12A PLAN OF DOORS SUITABLE FOR THE WHEELCHAIR BOUND

12B SIGN FOR USE AT THE ENTRANCE

FIG. 12 ENTRANCES



**K-3.2.2** At least one entrance usable by individuals in wheelchairs shall be on a level that would make the elevators accessible.

### K-3.3 Doors and Doorways

#### K-3.3.1 Door width

To enable wheelchair users to pass through doors, the minimum clear width should be 900 mm and shall be operable by a single effort. In certain cases the clear width should be 900 mm to 1000 mm, for example, if the wheelchair has to be turned in the doorway, where there is a door-closer or at entrance doors to public buildings and in other situations where there is considerable traffic.

**K-3.3.1.1** Two-leaf doors are not usable by those with disabilities defined in **K-1.2.1**, **K-1.2.2** and **K-1.2.5** unless they operate by a single effort or unless one of the two leaves meets the requirements of **K-3.3.1**.

#### K-3.3.1.2 Side-hung doors

To facilitate wheelchair manoeuvre, doors should be hung with the hinges in room corners. Doors opening out into corridors or circulation spaces should be avoided as far as possible.

**K-3.3.1.3** It is recommended that all doors have kick plates extending from the bottom of the door to at least 400 mm from the floor, or be made of a material and finish that would safely withstand the abuse they might receive from canes, crutches, wheelchair foot-plates, or wheelchair wheels.

#### K-3.3.2 Wheelchair Manoeuvring Space

To enable wheelchair users to approach doors manoeuvring space is needed as shown in the Fig. 13. A corridor should have a width of at least 1200mm to allow a 90° turn to be made through a door. In narrow spaces sliding doors may be preferable.

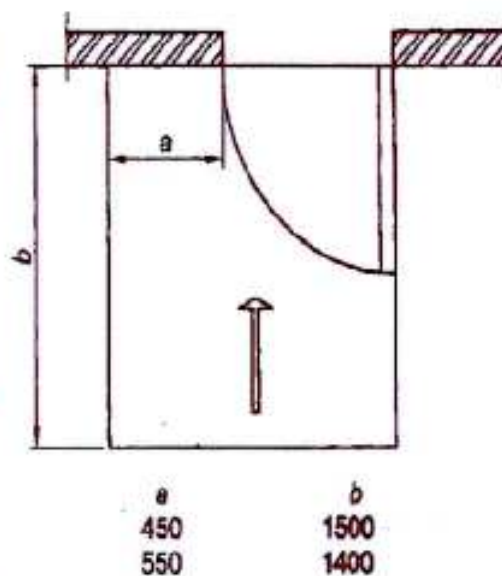
#### K-3.3.3 Thresholds

Raised thresholds should be avoided, but where this is not possible, their height should not exceed 25 mm. Rubber thresholds are advantageous for wheelchair users.

**K-3.3.3.1** Care should be taken in the selection, placement and setting of door closers so that they do not prevent the use of doors by the physically disabled. Time-delay door closers are recommended.

#### K-3.3.3.2 Self-closing doors

Wheelchair users and other with impaired mobility have difficulty in using self-closing doors. The force required to open them should be reduced as far as possible. Public buildings should preferably have sliding automatic doors.



All dimensions in millimetres.

NOTE — Depending on the free space beside the opening side (450 or 550 mm), the depth of free space should be 1500 or 1400 mm.

FIG. 13 MANOEUVRING SPACE NEEDED FOR WHEELCHAIR USERS TO APPROACH DOORS

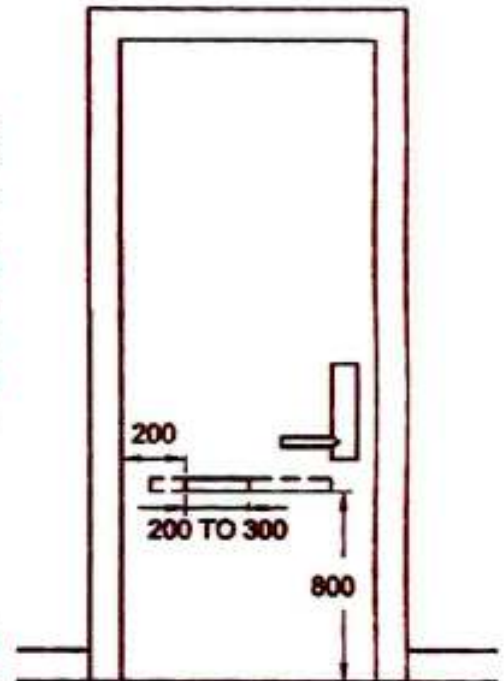


### K-3.3.4 Door Identification

To help people with impaired vision to see doors, the door and frame should be in a colour which contrasts with the adjoining wall. Glass or glazed doors should be marked with a coloured band or frame, a little below eye-level.

### K-3.3.5 Handles

Door handles and locks should be easy to manipulate. To facilitate the closing of a door by wheelchair users (for example, a water-closet compartment), the door should have a horizontal handle approximately 800 mm from the floor. Self-closing doors should be equipped with an easy gripped vertical pull-handle with a length of at least 300 mm, and with the lower end approximately 800 mm above floor. For many people and specially those with impaired vision, it is helpful to make clear whether doors are to be pulled or pushed. (See fig. 14).

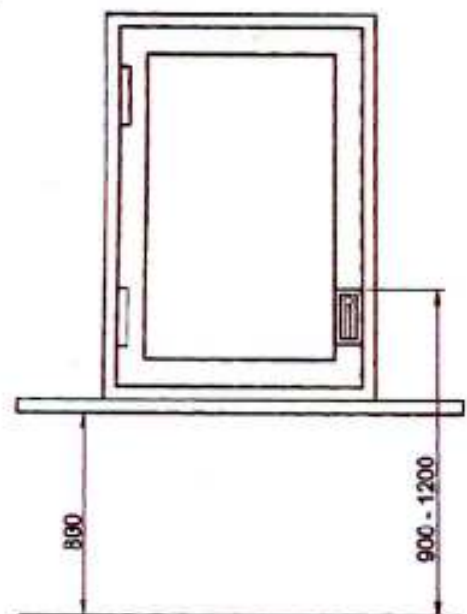


All dimensions in millimetres.

FIG. 14 POSITION OF HANDLE

### K-3.4 Windows

Windows should be designed to avoid the glare which is a particular problem for people with impaired vision. Large glass areas close to circulation spaces should be marked a little below eye-level with a coloured band or frame. To enable wheelchair users to see through a window comfortably, the sill should be not higher than 800 mm from the floor. Windows should be easy to open and close. Their controls should be placed in the zone 900 to 1200 mm from the floor (see Fig. 15).



All dimensions in millimetres.

FIG. 15 POSITION OF SILL AND WINDOW CONTROL

### K-3.5 Stairs

Stairs should not be the only means of moving between floors. They should be supplemented by lifts or ramps.

**K-3.5.1** Straight flights of steps are preferred by ambulant disabled people. Treads should be approximately 300 mm deep and raised not higher than 150 mm. Steps should be of a consistent height and depth throughout the stair. Projecting nosings and open stairs should be avoided to minimize the risk of stumbling.



**K-3.5.2** Handrails should be provided to both sides of any stairway. They should be continuous and extend not less than 300 mm beyond the top and bottom step (otherwise it is difficult for the disabled to use the rail at the first and last step; see Fig. 16).

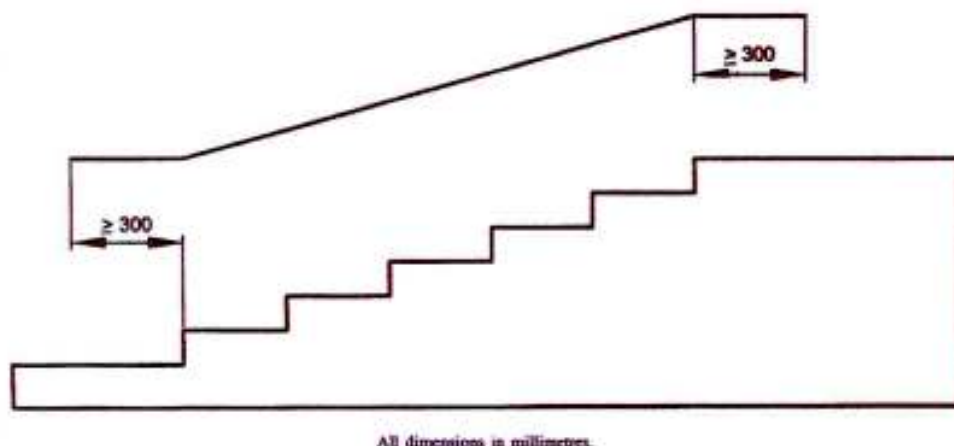


FIG. 16 EXTENSION OF HANDRAIL IN STAIRS

**K-3.5.3** For people with impaired vision, there should be a colour contrast between landings, and top and bottom steps of a flight of steps, or the front edge of each step should have a contrasting colour.

### K-3.6 Floors

**K-3.6.1** Floors shall have a non-slip surface.

**K-3.6.2** Floors on a given storey shall be of a common level throughout or be connected by a ramp in accordance with **K-3.1.1** to **K-3.1.8**

**K-3.6.2.1** A gentle slope up to 10 mm may be given between the level of the floor of the corridor and the level of the floor of the toilet rooms.

**K-3.6.2.2** There should not be a difference between the level of the floor of a corridor and the level of a meeting room, dining room, or any other room, unless proper ramps are provided.

### K-3.7 Sanitary Facilities

It is essential that sanitary facilities, in accordance with the nature and use of a specific building or facility be, made accessible to, and usable by, the physically challenged.

**K-3.7.1** Sanitary facilities shall have space to allow traffic of individuals in wheelchairs (see fig. 17 and 18).

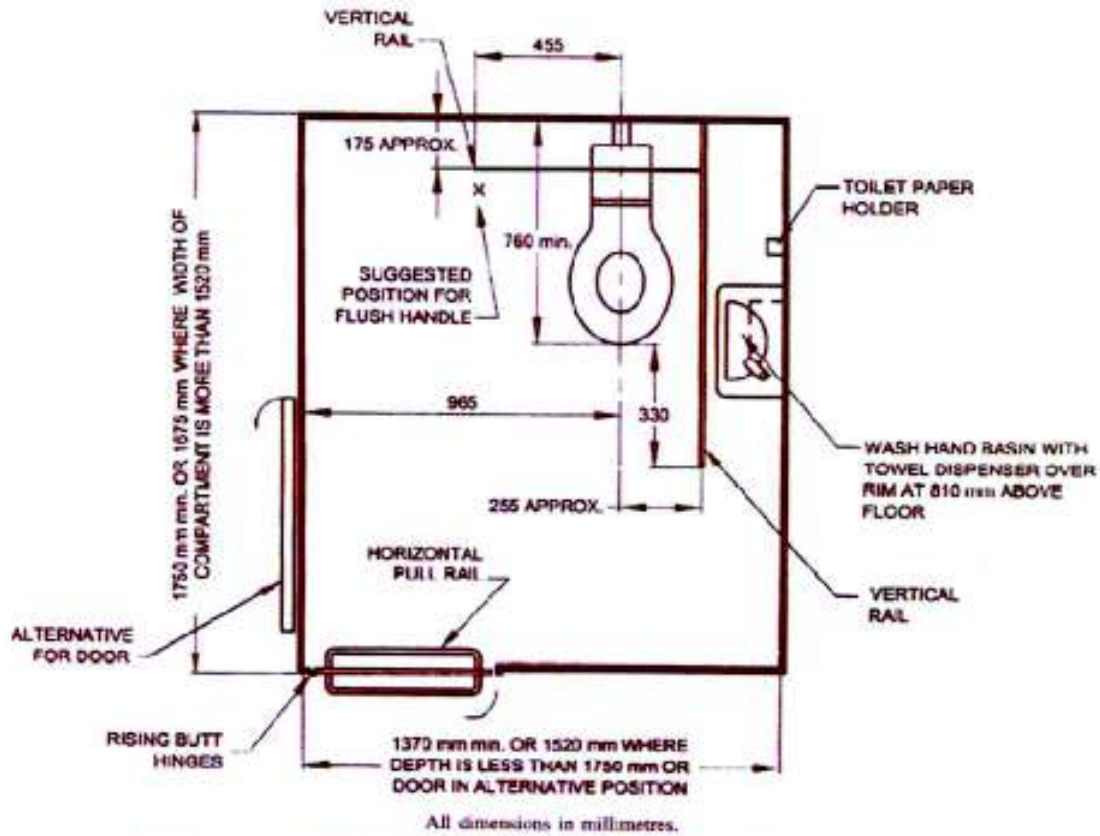


FIG. 17 SUGGESTED PLAN OF WC COMPARTMENT FOR THE WHEELCHAIR BOUND

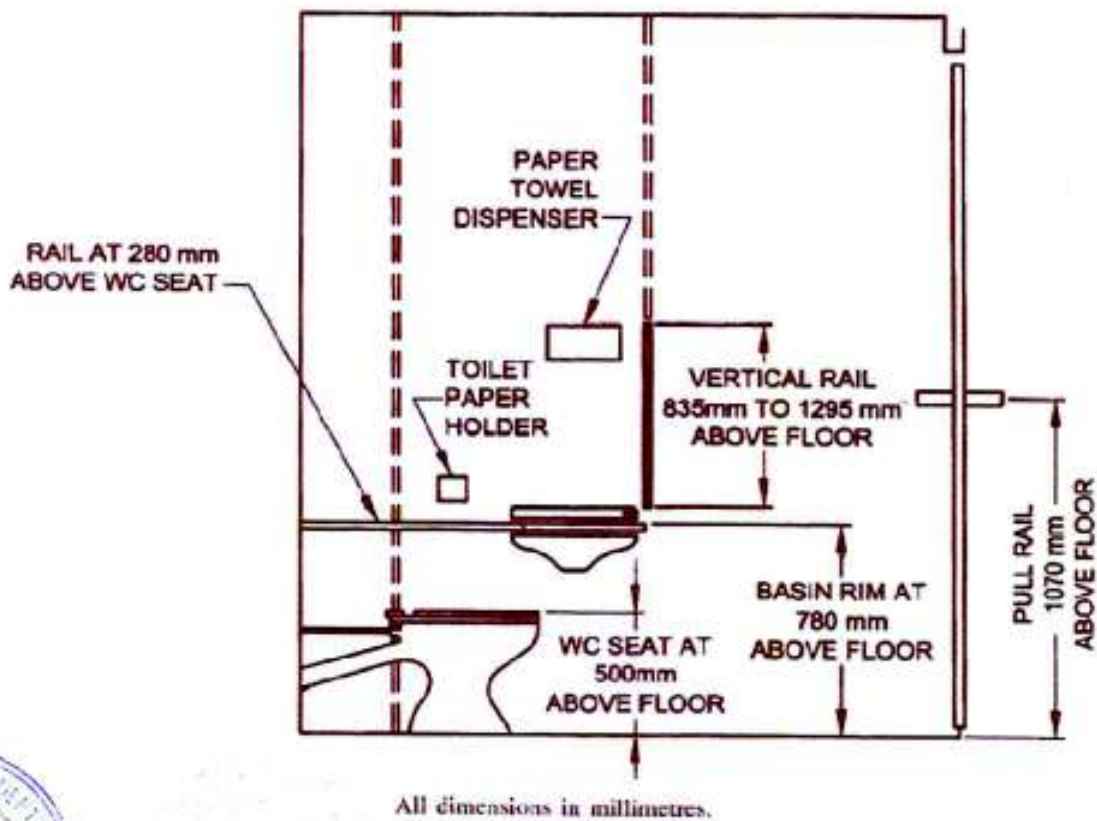


FIG. 18 SECTION THROUGH WC COMPARTMENT FOR THE WHEELCHAIR BOUND





**K-3.7.2** Sanitary facilities shall have at least one water-closet, cubical for the ambulant disabled (see Fig. 19 and 20), that:

- is 900 mm wide;
- is at least 1500 mm, preferably 1600 mm deep;
- has a door (where doors are used), that is, 800 mm wide and swings out;
- has handrails on each side, 780 mm high and parallel to the floor, 40 mm clearance between rail and wall, and fastened securely at ends and centre;
- has a water-closet with the seat 500 mm from the floor.

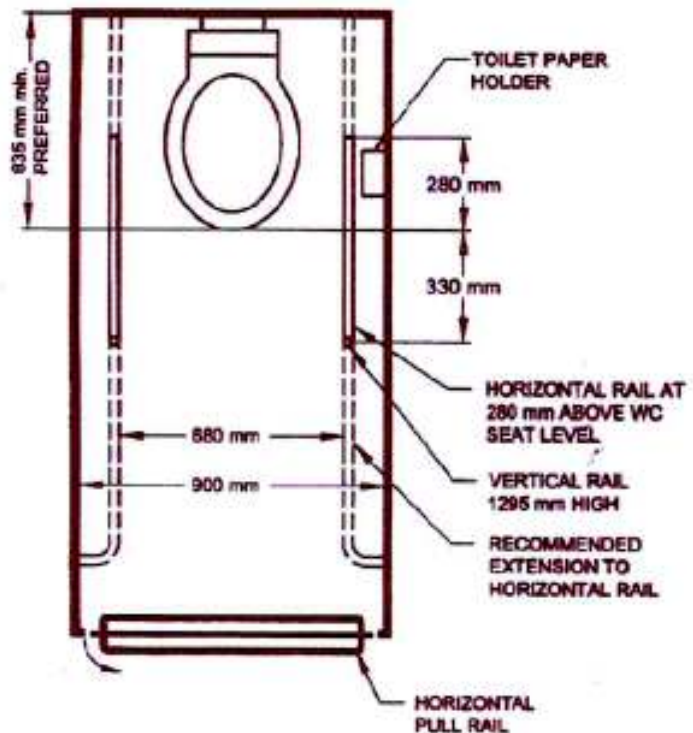


FIG. 19 SUGGESTED PLAN WC COMPARTMENT FOR THE AMBulant

NOTE— The design and mounting of the water-closet is of considerable importance. A wall-mounted water-closet with a narrow understructure that recedes sharply is most desirable. If a floor mounted water-closet must be used, it should not have a front that is wide and perpendicular to the floor at the front of the seat. The bowl should be shallow at the front of the seat and turn backwards more than downwards to allow the individual in a wheelchair to get close to the water-closet with the seat of the wheelchair.

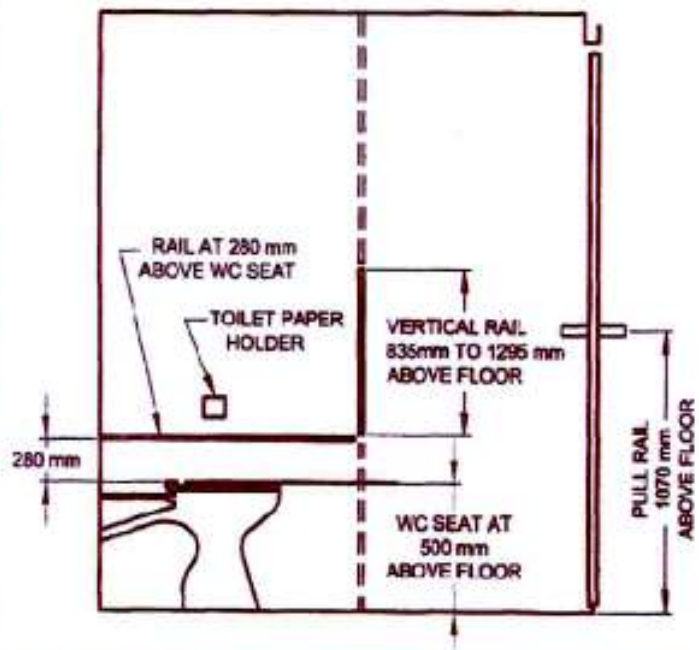


FIG. 20 SECTION THROUGH WC COMPARTMENT FOR THE AMBulant DISABLED

**K-3.7.3** Sanitary facilities shall have wash basins with narrow aprons, which when mounted at standard height are usable by individuals in wheelchairs; or they shall have wash basins mounted higher, when particular designs demand, so that they are usable by individuals in wheelchairs.

**K-3.7.3.1** The drain pipes and hot-water pipes under a sanitary appliance shall be covered or insulated so that a wheelchair individual do not find it inconvenient.

**K-3.7.4** Some mirrors and shelves shall be provided above the wash basins at a height as low as possible and not higher than 1 m above the floor, measured from the top of the shelf and the bottom of the mirror.

**K-3.7.5** Sanitary facilities for men shall have wall-mounted urinals with the opening of the basin 460 mm from the floor, or shall have floor-mounted urinals that are on level with the main floor of the toilet room.

**K-3.7.6** Toilet rooms shall have an appropriate number of towel racks, towel dispensers, and other dispensers and disposal units mounted not higher than 910 mm from the floor.

### K-3.8 Drinking Fountains

An appropriate number of drinking fountains or other water-dispensing means shall be accessible to and usable by the physically disabled.

**K-3.8.1** Drinking water fountains or water coolers shall have up front spouts and controls.

**K-3.8.2** Drinking water fountains or water coolers shall be hand-operated, or hand and foot-operated.

**K-3.8.2.1** Conventional floor mounted water coolers may be convenient to individuals in wheelchairs if a small fountain is mounted on the side of the cooler 800 mm above the floor.

**K-3.8.2.2** Fully recessed drinking water fountains are not recommended.

**K-3.8.2.3** Drinking water fountains should not be set into an alcove unless the alcove is wider than a wheelchair.

### K-3.9 Public Telephones

An appropriate number of public telephones should be made accessible to and usable by the physically disabled.

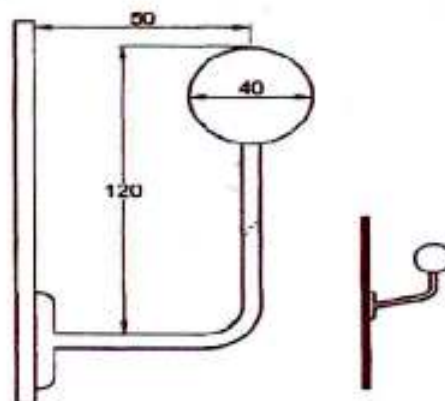
NOTE — The conventional public telephone booth is not usable by most physically disabled individuals. There are many ways in which public telephones may be made accessible and usable. It is recommended that architects and builders confer with the telephone companies in the planning of the building or facility.

**K-3.9.1** Such telephones should be kept so that the dial is placed at minimum 1 200 mm from floor and the handset may be reached by individuals in wheelchairs.

### D-3.10 Handrails

Handrails are used as a locational and mobility aid by blind and visually impaired people and as a support for people with mobility impairments. The handrail should be securely fitted to the wall to withstand heavy pressure. Handrails should turn in towards the wall at either end.

**K-3.10.1** Handrails should be approximately 900 mm from the floor. The rail should be easy to grip, having a circular section with a diameter of approximately 40 mm and fixed as shown in Fig. 21.



All dimensions in millimeters.  
FIG. 21 FIXING OF HAND RAIL.

**K-3.10.2** To aid identification, the colour of the rail should contrast with the wall behind.

### K-3.11 Elevators

In a multi-storey building, elevators are essential to the successful functioning of physically disabled individuals. They shall conform to the requirements given in **K-3.11.1** and **K-3.11.2**.

**K-3.11.1** Elevators shall be accessible to, and usable by the physically disabled on the level that they use to enter the building, and at all levels normally used by the general public.

**K-3.11.2** Elevators shall allow for traffic by wheelchairs (see *also* **K-3.3**).

### K-3.12 Controls

It is advantageous for wheelchair users if controls are placed at low level. For visually impaired people, they should be at eye-level.

**K-3.12.1** To enable wheelchair users to reach controls while not placing them too low for visually impaired people, controls should be in the zone 900 mm to 1200 mm from the floor. It is advantageous if controls in, for example, lifts are placed at an angle of approximately 45° to the wall so that they are easier to read and operate. To cater for wheelchair users, controls should be placed not less than 400 mm from room corners. All the power and electric points should be placed at one metre above the floor level and should not project outside walls.

**K-3.12.2** Again, to cater for visually impaired people, controls should be colour-contrasted with backgrounds. Information should preferably be in relief for tactile reading.

**K-3.12.3** To aid operation for people with impaired co-ordination or impaired vision, switches, etc. should have large push plates.

**K-3.12.4** Controls for powered door openers to hinged doors should be located so that the doors do not conflict with wheelchairs, sticks, walking aids, etc.

**K-3.12.5** To facilitate operation for people with limited strength in arms and hands, handles should be easy to grip and turn.

### K-3.13 Identification

Appropriate identification of specific facilities within a building used by the public is particularly essential to the blind.

**K-3.13.1** Raised letters or numbers shall be used to identify rooms or offices.

**K-3.13.2** Such identification should be placed on the wall, to left of the door, preferably at a height of 1500 mm from the floor.

**K-3.13.3** Doors that are not intended for normal use, and that might prove dangerous if a blind person were to exit or enter by them, should be made quickly identifiable to the touch by knurling the door handle or knob (see Fig. 22).

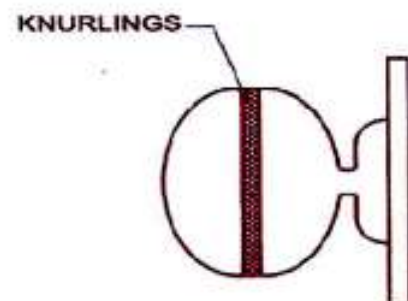


FIG. 22 DOOR HANDLE



### **K-3.14 Warning Signals**

**K-3.14.1** Audible warning signals shall be accompanied by simultaneous visual signals for the benefit of those with hearing disabilities.

**K-3.14.2** Visual signals shall be accompanied by simultaneous audible signals for the benefit of the blind. To assist blind people, lettering and symbols on signs should be in relief for tactile reading.

**K-3.14.3** Signs should be designed and located so that they are easy to read. For visually impaired people, signs should preferably be at eye-level and it should be possible to approach them closely. Text and symbols should be colour-contrasted with the background. The letters should not be less than 12 nun high.

**K-3.14.4** Signs should be well illuminated and surfaces should not cause mirroring or reflections. Signs should not be behind glass or similar materials.

**K-3.14.5** Information based on colour codes only should be avoided; colour-blind people may find them difficult to understand.

### **K-3.15 Work Bench**

This should be at least 800 mm wide, 600 mm deep and 650 mm to 700 mm high. For wheelchair users, the convenient height of work tops is between 750 mm and 850 mm; flexible provision is preferred. Further, for wheelchair access to a work bench, wash basin or table, a clear space for knees and footrests is needed.

### **K-3.16 Hazards**

Every effort shall be exercised to obviate hazards to individuals with physical disabilities.

**K-3.16.1** Access panels or manholes in floors, walks, and walls may be extremely hazardous, particularly when in use, and should be avoided.

**K-3.16.2** When manholes or access panels are open and in use, or when an open excavation exists on a site, particularly when it is in proximity of normal pedestrian traffic, barricades shall be placed on all open sides, at least 8.5 m from the hazard, and warning devices shall be installed in accordance with **K-3.14.2**

**K-3.16.3** Low-hanging door closers that remain within the opening of a doorway, when the door is open or that protrude hazardously into regular corridors or traffic ways when the door is closed, shall be avoided.

**K-3.16.4** Low-hanging signs, ceiling lights and similar objects or signs and fixtures that protrude into regular corridors or traffic way shall be avoided. A minimum height of 2.1 m measured from the floor is recommended.

**K-3.16.5** Ramps shall be adequately lighted.

**K-3.16.6** Exit signs shall be in accordance with good practices.

**K-3.16.7** Equipment and materials causing allergic reactions should as far as possible be avoided in dwellings and buildings.



#### **K-4 DESIGNING FOR CHILDREN**

The dimensions given in this Appendix are for adults of average stature. In designing buildings for use by children, it may be necessary to alter some dimension, such as, height of handrails, in accordance with accepted standards.

**K-5** For additional information regarding other facilities and conveniences required in buildings meant for use of physically challenged, reference may be made to accepted standards.] (EP-251)



**(SM-169)/ APPENDIX - L: SPECIAL PROVISIONS FOR INSTALLATION OF SOLAR WATER HEATING SYSTEM  
(Regulation No 8.36)**

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

L.1) The solar water heating system should be mandatory in the hospitals and hotels, where the hot water requirement is of continuous nature. In these building the system must be provided with auxiliary backup system.

L.2) The use of solar water heating system is recommended is following type of building in the Government/Semi-Government and institutional building where the hot water requirement may not be continuous/permanent.

- i. Guest Houses.
- ii. Police men/Army barracks.
- iii. Canteens.
- iv. Laboratory and Research Institutions where hot water is needed.
- v. Hostels, Schools, Colleges and Other Institutes.

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 liters per day based on ~~thermosyphenomic~~ thermosyphonic system with necessary electrical back-up be installed at residential building like hostels.

In order to facilitate the installation of solar water heating system, the new building 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 sq. m. for the installation of solar water heating system.
- 3) A Solar water heating system can also be integrated with the building design. These can ~~either earlier~~ be put on the parapet or could be integrated with the south facing vertical wall of the building. The best inclination of the collector for regular use throughout the year is equal to the local latitude of the place. The collectors should be facing south. However, for only winter use the optimum inclinations of the collector would be (latitude + 15 degrees of the south). Even if the collectors are built in the south facing vertical wall of the building the output from such collectors during winter month is expected to be within 32% outputs 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 pipeline 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 building. The norms for hospitals, hotels and other functional building ~~are area~~ given below.



Type of Building	Per-Capacity Recommended- Liters per capita per day
(1) Hospitals	100
(2) Hotels	150
(3) <del>Hotels</del> <del>Hostels</del> and other such buildings	35
(4) Canteen	As required.
(5) Laboratory and Research Institutions	As required.

6) An open area of 3 sq. m. would be required for installation of a ~~collection-collector~~ which ~~supply\_supplies about about~~ 100 liters of water per day. At least 60% of the roof area may be utilized 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 confirming to ~~Bureau of Indian Standards-latest Standards should IS-No. 12933-shall~~ be used in all such solar water heating systems. ] **(SM-169)**



**(SM-170) APPENDIX - M: INSTALLATION OF RAIN WATER HARVESTING STRUCTURE SYSTEM**  
**(Regulation 8.37)**

**(EP-275)** [M. a) All the layout open spaces/amenity spaces of housing societies and new constructions/reconstructions/additions on plots having area not less than 300 500 sq.mt. ~~in non Gaothans areas of all towns~~ shall have one or more Rain Water Harvesting ~~structures System~~ (RWHS) having a minimum total capacity as detailed in Schedule below.

Provided that the **Planning** authority may approve the Rain Water Harvesting ~~Structures System~~ of specifications different from those in Schedule, subject to the minimum capacity of Rain Water Harvesting being ensured in each case.]

**(SM-170)** [M. b) The owner/society of every building mentioned in the (a) above shall ensure that the Rain Water Harvesting ~~structure System~~ is maintained in good ~~condition repair~~ for storage of water for non potable purposes or recharge of groundwater at all ~~lines times~~. ]

**(EP-276)** [M. c) ~~The Local Authority/Planning Authority may impose a levy of not exceeding Rs.1000/- per annum for every 100 sq.mt. of built up area for failure of the owner of any building mentioned in the (a) above to provide or to maintain Rain Water Harvesting structures as required under these regulations~~ Failure to provide Rain Water Harvesting System shall deemed to be breach of the conditions on which the development permission has been granted.

Further, failure to maintain Rain Water Harvesting System shall make the owner liable for payment of fine which shall not exceed 50% of the Property Tax leviable on the concerned building or buildings, or Rs. 10,000/- per annum, whichever is more.]

**SCHEDULE**

**(SM-170) RAIN WATER HARVESTING**

Rain Water Harvesting in a building site includes storage or recharging ~~into the ground of water by~~ rain water falling on the terrace or on any paved or unpaved surface within the building site.

M.1.The following systems may be adopted for harvesting the rain water drawn from terrace and the paved surface.

- (i) Open well of a minimum of 1.00 m. diameter and 6 m. in depth into which rain water may be channeled and allowed ~~after filtration to filter~~ for removing silt and floating material. The well shall be provided with ventilating covers. The water from the open well may be used for non potable domestic purposes such as washing, flushing and for watering the garden etc.
- (ii) Rain ~~water~~ ~~harvesting~~ for recharge of ground water may be done through a bore well around which a pit of one meter width may be excavated upto a depth of at least 3.00 m. and refilled with stone aggregate and sand. The filtered rain water may be channeled to refilled pit for recharging the bore well.
- (iii) An impervious surface/underground storage tank of required capacity may be constructed in the setback or other open space and the rain water may be channeled to the storage tank. The storage tank shall always be provided with ventilating covers and shall have draw-off taps suitably placed so that the rain water may be drawn off for domestic, washing gardening and such other purposes. The storage tanks shall be provided with an overflow.
- (iv) The surplus rain water after storage may be recharged into ground through percolation pits or trenches or combination of pits and trenches. Depending on the geomorphological and topographical conditions, the pits may be of the size of 1.20 m. width x 1.20 m. length x 2.00 m. to 2.50 m. depth. The trenches can be of 0.60 m. width x 2.00 to 6.00 m. length x 1.50 to



2.00 m depth. Terrace water shall be **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 upto 20% of the depth;
- c) Coarse sand as upper middle layer upto 20% of the depth;
- d) A thin layer of fine sand as top layer;
- e) Top 10% of the pits/trenches will be empty and a splash is **to 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 atleast be 15 cms.

- g) Perforated concrete slabs shall be provided on the pits/trenches.

(vii) If the open space surrounding the building is not paved, the top layer upto a sufficient depth shall be removed and refilled with **course coarse** sand to allow percolation of rain water **into** ground.

M.2. The terrace shall be connected to the open well/borewell/storage tank/recharge pit/trench by means of HDPE/PVC pipes through filter media/ A valve system shall be provided to enable the first washings from roof or terrace catchment, as they would contain undesirable dirt. The mouths of all pipes and opening shall be covered with mosquito (insect) proof wire net. For the efficient discharge of rain water, there shall be at least two rain water pipes of 100 mm dia mtr. for a roof area of 100 sq.mt.

M.3. Rain Water Harvesting structures shall be sited as not to endanger to stability of building or earthwork. The structures shall be designed such that no dampness is caused in any part of the walls or foundation of the building or those of an adjacent building.

M.4. The water so collected/recharged shall as far as possible be used for non-drinking and non-cooking purpose.

Provided that when the rain water, in exceptional circumstances, will be utilized for drinking and/or cooking purpose, it shall be ensured that proper filter arrangement and the separate outlet for by passing the first rain-water has been provided.

Provided further that it will be ensured that for such use, proper disinfectants and the water purification arrangements have been made. ] **(SM-170)**



**(SM-151)/ APPENDIX - N: PROVISION OF SOLAR ENERGY ASSISTED SYSTEMS**

**Regulation 8.38**

**N.1. DEFINITIONS**

Unless the context otherwise requires, the following definitions shall be applicable for the purpose of this Regulation.

i)	"Solar Assisted Water Heating System" (SAWHS)	A device to heat water using solar energy as heat source
ii)	"Auxiliary Back Up"	Electrically operated or fuel fired boilers / systems to heat water coming out of solar water heating system to meet continuous requirement of hot water.
iii)	"New Buildings"	Buildings governed under Regulation 4.
iv)	"Existing Building"	Such buildings which are licensed to perform their respective business.

**N.2. SOLAR ASSISTED WATER HEATING SYSTEMS (SAWHS)**

Building of the following categories shall provide the system or the installation having an auxiliary Solar Assisted Water Heating Systems (SAWHS):

1. Hospitals and Nursing Homes.
2. Hotels, Lodges and Guesthouses.
3. Hostels of Schools, Colleges, Training Centers.
4. Barracks of armed forces, paramilitary forces and police.
5. Individual residential buildings having more than 150 sq. m. plinth area.
6. Functional Building of Railway Stations and Airports like waiting rooms, retiring rooms, rest room, inspection bungalows and catering units.
7. Community Centers, Banquet Halls, Barat Ghars, Kalyan mandaps (Marriage Halls) and Buildings for similar use."

**N.3. INSTALLATION OF SOLAR ASSISTED WATER HEATING SYSTEMS (SAWHS)**

The following provisions shall be applicable for all the new buildings of categories mentioned in N.2 for installation of Solar Energy Assisted Systems.

- i. Adequate provisions shall be made for installation of SAWHS in the building design itself for and insulated pipeline from the rooftop to various distribution points, within the aforesaid occupancies. The building must have a provision for continuous water supply to the solar water heating system.
- ii. In case of hot water requirement, the building should also have open space on the rooftop, which receives direct sunlight. Wherever hot water requirement is continuous, auxiliary heating arrangement either with electric elements or oil of adequate capacity can be provided.
- iii. The load bearing capacity of the roof should at least be 50 kg. per sq.m. All new buildings of above said categories must complete installation of solar water heating systems before obtaining necessary permissions to commence their activities.
- iv. The capacity of solar water heating system to be installed on the building different categories shall be decided in consultation with the Planning / Local Authority concerned. The recommended minimum capacity shall not be less than 25 litres per day for each bathroom and kitchen subject to the condition that maximum of 50% of the total roof area is provided with the system.
- v. Installation of SAWHS shall conform to BIS (Bureau of Indian Standards) specifications IS-12933. The solar connectors used in the system shall have the BIS certification mark.
- vi. Building permissions for all the new constructions / buildings of the aforesaid categories shall be granted only if they have been complied with these provisions.

N.4. In case of existing building, the above provisions shall be mandatory at the time of change of use / expansion of use to any of the categories governed under Regulation 4 above, provided there is already system or installation for supplying hot water. ]



**APPENDIX - O: ADDITIONAL FIRE PROTECTION REQUIREMENTS FOR BUILDINGS MORE THAN 16  
24-15 M. (OR AMENDED FROM TIME TO TIME IN NBC, 2005) IN HEIGHT AND SPECIAL BUILDINGS  
(Regulations 4.5.3 and 8.34)**

**O.1 General**

~~(SM-171)~~ O.1.1 ~~In addition to the provisions of Part IV4 Fire Protection and Life Safety of National Building Code of India, 2005, the~~ The Planning Authority/Local authority may insist on suitable protection measures from fire and life safety point of view depending on occupancy and height of a building. ~~provisions in buildings, from fire safety and fire fighting point of view, depending on the occupancy and height of buildings. If there is conflict between the provisions given below and the provisions as given in Maharashtra Fire Prevention and Life Safety Act, 2006, the latter shall prevail. ]~~

~~(SM-172)~~ **O.2 Construction:**

**O.2.1 Building Materials.**

O.2.1.1 ~~All materials of constructions in load bearing elements, staircases & corridors & facades~~ Load bearing elements of construction and elements of construction for which the required fire resistance is one hour or more shall be of non-combustible material with fire resistance of one hour or more. Interior finish materials (wall panelings, floor coverings finish, etc.) may be permitted of materials having their rating for flames spread and smoke developed not exceeding a very low flames spread limit in accordance with IS : 1642 -1960 (Class I). Ceiling linings shall be of non-combustible or of plasterboard.

~~O.2.1.2 Stairways and corridors shall not contain combustible materials.~~

O.2.2 Structural members such as supports and bearing walls shall have fire resistances rating of 3 hours, transoms and ceilings 2 hours to 4 hours.

O.2.3 Internal walls and partitions separating corridors from area of floor that are used for any purpose other than circulation shall have a fire resistance of not less than one hour. There shall be no opening in such walls other than for doors or delivery hatches with fire resistance not less than half an hour to one hour. Fire sections (fire walls) sub-dividing the building to prevent fire spread, shall have a fire resistance rating not less than two hours.

O.2.4 ~~Facades shall consist of non-combustible building materials.~~ A fire must bridge a distance of at least 0.9 metres/meters between storeys.

**O.3 Staircase enclosures:**

O.3.1 The internal enclosing walls of staircase shall be of brick or R.C.C. construction having fire resistance of not less than two hours. All enclosed staircases shall be reached via ventilated lobby and shall have access through self closing doors of at least half hour fire resistance. These shall be single swing doors opening in the direction of the escape. The door shall be fitted with check action door closers.

O.3.2 The staircase enclosure on external wall of the building shall be ventilated to atmosphere at each landing and a vent at the top.

O.3.3 Permanent vent at the top equal to 5 per cent of the cross sectional area of the enclosure and openable sashes at each floor level with area equal to 15 % of the cross sectional area of the enclosure on the external wall shall be provided. The roof of the shaft shall be at least 1.0m above the surrounding roof. There shall be no glazing or glass bricks in any internal



enclosing wall of a staircase. if the staircase is in the core of the buildings and cannot be ventilated at each landing a positive pressure of 5mm. W.g.water gauge by an electrically operated blower/blowers shall be maintained.

O.3.4 The mechanism for ~~pressuring~~ ~~pressurizing~~ the staircase ~~shaft shall be so installed that the same~~ shall operate automatically ~~with fire alarm system. and also with manual operation facilities. When the automatic fire alarm operates.~~ Glazing or glass, if used in staircase, shall have fire resistance rating of minimum 2 hours.

#### O.4 Lift Enclosures:

O.4.1 The walls enclosing lift shafts shall have a fire resistance of not less than two hours. Shafts shall have permanent vents at the top not less than 1800 sq.cm. (0.2 sq. m.) in clear area. Lift motor rooms shall preferably be cited at the top of the shaft and shall be separated from lift shafts by the enclosing wall of the shaft or by the floor of the motor rooms.

O.4.2 Landing doors in lift enclosures shall open in the ventilated or pressurized corridor/lobby and shall have fire resistance of not less than one hour. ~~(for buildings above 16 m. in height).~~

O.4.3 The number of lifts in one ~~row~~ for a lift bank shall not exceed four. Shaft for fire lift in a lift bank shall be separated from each other by a brick masonry or R.C.C. wall of fire resistance of not less than two hours.

~~For buildings above 16 m. in height lift car doors shall have fire resistance of not less than one hour.~~

O.4.4 If the lift shaft and lift lobby are in the core of the building, a positive pressure of not less than 2.5mm. and not more than 3mm. w.g.water gauge by an electrically operated blower/blowers shall be maintained in the lift lobby and positive pressure of not less than 5 mm. w.g.water gauge shall be maintained in the lift shaft. The mechanism for pressurizing the lift shaft and lift lobby shall be so installed that they shall operate automatically ~~when the automatic~~ with fire alarm operates. The mechanism shall have facilities to operate manually also. ~~(For buildings more than 25 m. in height).~~

O.4.5 Exit from the lift lobby if located in the core of the building, shall be through a self closing smoke stop door of half hour fire resistance

O.4.6 The lift machine room shall be separate and no other machinery shall be installed therein.

O.4.7 Lifts shall not normally communicate with the basement. However, one of the lifts may be permitted to reach the basement levels provided the lift lobby at each basement level is pressurized and separated from the rest of the basement areas, by smoke actuated fire resisting door of two hours fire resistance. These doors can also be kept in hold-open position by an electro magnet device to be linked with smoke detector.

O.4.8 Grounding switch/switches at the ground floor level to enable the fire service to ground the lift car/cars in an emergency shall be provided ~~(for buildings more than 1624 m. height)~~ provided on all the lifts to enable the fire service to ground the lift. ]

#### O.5 External Windows

O.5.1 ~~Areas of the openable external windows on a floor shall be not less than 2.5 % of the floor area. The locks for these windows shall be fitted with budget lock of the carriage key type (which can be opened with the point of a fireman's axe).~~

**(SM-173) O.65 Lifts and Fire Lifts (for buildings more than 1624 m in height.):**

O.6.5.1. Telephone communication system in the lift car/cars with speaker/telephone assembly shall be provided. ~~for buildings more than 45m. in height.~~

O.6. 5.2. Provisions for a Fire Lift shall be made as per the following details

- a. To enable Fire services personnel to reach to the upper floors with the minimum delay, one or more of the lifts shall be so designed as to be available for the exclusive use of the fireman in an emergency and be directly accessible to every dwelling/liftable/lettable floor space on each floor.
- b. The lift shall have a floor area of not less than 1.4 sq. m. It shall have loading capacity of not less than 545 kg. (8 persons lift) with automatic closing doors.
- c. The electric supply shall be on a separate service from electric supply mains in a building and the cables run in a route safe from fire, that is, within the lift shaft. In case of failure of normal electric supply; it shall automatically trip over to alternate supply. For apartment buildings, this change over of supply could be done through manually operated change over switch.
- d. The operation of a fire lift is by a simple toggle or two button switch situated in a glass fronted box adjacent to the lift at the entrance level. When the switch is on, landing call-points will become inoperative and the lift will be on car control only or on a priority control device. When the switch is off, the lift will return to normal working. This lift can be used by the occupants in normal times.
- e. The words "FIRE LIFT" shall be conspicuously displayed in fluorescent paint on the lift landing doors at each floor level.
- f. ~~For building above 16 m. in height~~ Collapsible gates shall not be permitted for lifts and shall have solid doors with fire resistance of at least one hour.
- g. The speed of the fire lift shall be such that it can reach the top floor from ground level within one minute or 91.5 m. per minute whichever is less. ]

**O.6 External windows**

Area of the openable external windows on a floor shall be not less than 2.5% of the floor area. The locks for these windows shall be fitted with budget lock of the carriage key type (which can be opened with the point of a fireman's axe).

**O.7 Basement:**

O.7.1 Each basement shall be separately ventilated. Vents with cross sectional area (aggregate) not less than 2.5% of the floor area spread evenly round the perimeter of the basement shall be provided in the form of grills or breakable stall board lights or pavement lights or by way of shafts. Alternatively, a system of air inlets shall be provided at basement floor level and smoke outlets at basement ceiling level. Inlets and extracts may be terminated at ground level with stall boards or pavement lights as before but ducts to convey fresh air to the basement floor level have to be laid. Stall boards and pavement lights should be in positions easily accessible to the fire brigade and clearly marked "SMOKE OUTLET" or "AIR INLET" with an indication of area served at or near the opening.



O.7.2: The staircase of basements shall be of enclosed type having fire resistance of not less than two hours and shall be situated at the periphery of the basement to be entered at ground level only from the open air and in the basement shall not obstruct any exit serving the ground and upper storey's of the building and shall communicate with basement through a lobby provided with fire resisting self closing doors of one hour fire resistance. If the travel distance exceeds 18.50m. additional staircases at proper places shall be provided.

O.7.3 In multi-storey basements, intake ducts may serve all basement levels but each basement and basement compartment shall have separate smoke outlet duct(s).

O.7.4 Mechanical extractors for smoke venting system from lower basement levels also be provided. The system shall be of such design as to operate on actuation of heat sensitive detectors or sprinklers if installed and shall have considerably higher performance than the standard units. It should also have an arrangement to start it manually and shall be designed to function at a temperature not less than 5500-C550<sup>o</sup> C.

O.7.5 Kitchens working on gas fuel, department stores, and shops shall not be permitted in basement/sub-basement.

#### **O.8. Compartmentation (Fire-Sections):**

O.8.1 If the un-compartmented floor space on a floor exceeds 750 sq.m. it shall be separated in compartments each not exceeding 750 sq.m. by means of fire walls of not less than two hour fire resistance. In extended buildings, fire walls should be erected at distances not exceeding 40 metres. For floors with sprinklers, the area mentioned above may be increased by 50 percent.

#### **O.9 SERVICE DUCTS REFUSE CHUTES AND REFUSE CHAMBERS:**

O.9.1 Service ducts shall be enclosed by walls having a fire resistance of not less than two hours. Doors for inspection or access shall also have a fire resistance not less than two hours.

O.9.2 if the cross-sectional area exceeds 1 sq. m., it shall be sealed where it passages a floor by carrying the floor through the duct. The floor within the duct shall be pierced for any service pipe or ventilation trunk and shall fit as closely as possible around any such pipe or trunk.

O.9.3 A permanent vent shall be provided at the top of the service shaft of cross sectional area not less than 460 sq.cm. or 6.25 sq. m. for each 900 sq.cm. of the area of the shaft whichever is more.

O.9.4 Hoppers to refuse chutes shall be situated in well ventilated positions and the chutes shall be continued upwards with an outlet **1 M.** above roof level and with an enclosure wall of non-combustible material with fire resistance not less than two hours. The hopper shall not be located within the staircase enclosure.

O.9.5 Inspection panel and hopper (charging station) opening shall be fitted with tight fitting metal doors, covers, having a fire resistance of not less than one hour.

O.9.6 Refuse chutes shall not be provided in staircase wells, air conditioning shafts, etc.

O.9.7 Refuse chambers shall have walls and floor or roofs constructed of non-combustible and impervious material and shall have a fire resistance of not less than two hours. They shall be located at a safe distance from exit routes.

#### **O.10 Building Services:**



#### O.10.1 Electrical services:

- a. The electric distribution cables/wiring shall be laid in separate duct. The duct shall be sealed at every alternative floor with non-combustible materials having the same fire resistance as that of the duct.
- b. Water mains, telephone lines, inter-com lines, gas pipes or any other service line shall not be laid in the duct for electric cables.
- c. Separate circuits for water pumps, lifts, staircase and corridor lighting and blowers for pressurizing system shall be provided directly from the main switch gear panel and these circuits shall be laid in separate conduct pipes so that fire in one circuit will not affect the others. Master switches controlling essential services circuits shall be clearly labeled.
- d. The inspection panel doors and any other opening in the shaft shall be provided with air tight fire doors having the fire resistance of not less than two hours.
- e. Medium and low voltage wiring running in shafts, and within false ceiling shall run in metal conduct.
- f. An independent well ventilated service room shall be provided on the ground floor with direct access from outside or from the corridor for the purpose of termination of electric supply from the licensee's service and alternate supply cables. The doors provided for the service from shall have fire resistance of not less than two hours.
- g. If the licensees agree to provide metres on upper, floors, the licensee's cables shall be segregated from consumers, cable by providing a partition in the duct. Meter rooms on upper floors shall not open into staircase enclosure and shall be ventilated directly to open air outside.
- h. PVC cables should have an additional sheeting or protection provided by compounds sprayed on after installation because of the notorious secondary damage in case of fire.

#### (SM-174) O.10.2 Town Gas/L.P. Gas supply pipes:

Where gas pipes are run in the building, the same shall be run in separate shafts exclusively for this purpose and these shall be on external walls, away from the staircases. There shall be no inter connection of this shaft with the rest of the floors. **LPG distribution pipes shall always be below the false ceiling.** Gas, metres shall be housed in a suitably constructed metal cupboard located at well ventilated space at ground level. ]

#### O.10.3: Staircase and Corridor Lightings:

- a. The staircase and corridor lighting shall be on separate circuits and shall be independently connected so that it could be operated by one switch at any time on the ground floor easily accessible to fire fighting staff at any time irrespective of the position of the individual control of the light points if any.
- b. Staircase and corridor lighting shall also be connected to alternative supply as provided in O.10.4
- c. Suitable arrangements shall be made by installing double throw switches to ensure that the lighting installed in the staircase and the corridor do not get connected to two sources of supply simultaneously. Double throw switch shall be installed in the service room for terminating the stand by supply.
- d. Emergency lights shall be provided in the staircase/corridor for assembly, and institutional buildings.



#### **O-10.4: Alternate source of Electric supply:**

A stand by electric generator shall installed to supply power to staircase and corridor lighting circuits, fire lifts, the stand by fire pump, pressurization fans and blowers, smoke extraction and damper systems in case of failure of normal electric supply. The generator shall be capable of taking starting current of all the machines and circuits stated above simultaneously. If the stand-by pump is driven by diesel engine, the generator supply need not be connected to the standby pump where parallel HV/LV supply from a separate sub-station is provided with appropriate transformer for emergency. The provisions of generator may be waived in consultation with the Planning Authority.

#### **O.10.5 Transformers:**

- a. If Transformers are housed in the building below the ground level it shall be necessarily in the first basement in separate fire resisting room of 4 hours rating. The room shall necessarily be at the periphery of the basement. The entrance to the room shall be provided with a steel door of 2 hours fire rating. A curb (still) of a suitable height be provided at the entrance in order to prevent the flow of oil from ruptured transformer into other parts of the basement. The direct access to the transformer room shall be provided preferably from outside. The switch gears shall be housed in a separate room separated from the transformer bays by a fire resisting wall with fire resistance not less than four hours.
- b. transformer, if housed in basement shall be protected by an automatic high pressure water spray system (Mulsifyre system).
- c. In case the transformers housed in the basements are totally segregated from other areas of the basements by 4 hours fire resisting wall/walls with an access directly from outside these may be protected by carbon-dioxide or B.C.F. fixed installation system.
- d. When housed at ground floor level, it/they shall be cut off from the other protection of premises by fire resisting walls of 4 hours fire resistance.
- e. They shall not be housed on upper floors.
- f. A tank of RCC construction of capacity of accommodating entire oil of the transformers shall be provided at lower level to collect the oil from the catch-pit in case of emergency. The pipe connecting the catch-pit to the tank shall be of non combustible construction and shall be provided with a flame arrester.

#### **O.10.6 Air conditioning:**

- a. Escape routes like staircases, common corridors, lift lobbies etc. shall not be used as return air passage.
- b. The ducting shall be constructed of substantial gauge metal in accordance with IS4/-655-1963 Metal Air Ducts (Revised).
- c. Wherever the ducts pass through fire walls or floors, the opening around the ducts shall be sealed with fire resisting materials such as asbestos rope, vermiculite concrete glass-wool etc.
- d. As far as possible metallic ducts shall be used even for the return air instead of space above the false ceiling.
- e. The materials used for insulating the duct system (inside or outside) shall be of non-combustible materials such as glass wool, sunglass with neoprene facing.





- f. Area more than 750 sq. m. on individual floor shall be segregated by a fire wall and automatic fire wall and automatic fire dampers for isolation shall be provided where the ducts pass through fire walls. The fire dampers shall be capable of operating manually.
- g. Air ducts serving main floor areas, corridors etc., shall not pass through the staircase enclosure.
- h. The air handling units shall as far as possible be separate for each floor and air ducts for every floor shall be separate and in no way interconnected with the ducting of any other floor.
- i. If the air handling unit serves more than one floor the recommendations given above shall be complied with in addition to the conditions given below:
  1. Proper arrangements by way of automatic fire dampers working on smoke detectors for isolating all ducting at every floor from the main riser shall be made.
  2. When the automatic fire alarm operates, the respective air handling units of the air-conditioning system shall automatically be switched off.
    - a. Automatic fire dampers shall be provided at the inlet of the fresh air duct and the return air duct of each compartment on every floor.
    - b. Automatic fire dampers shall be so arranged as to close by gravity in the direction of the air movement and to remain tightly closed upon operation of a smoke detector.
    - c. The air filters of the air-handling units shall be of non-combustible materials;
    - d. The air handling unit room shall not be used for storage of any combustible materials.
    - e. Inspection panels shall be provided in main trunking to facilitate the cleaning of ducts of accumulated dust and to obtain access for maintenance of fire dampers.
    - f. No combustible material shall be fixed nearer than 15 cm to any duct unless such duct is properly enclosed and protection with non-combustible material (glass wool or spun-glass with neoprene facing enclosed and wrapped with aluminum sheeting) at least 3.2 mm. Thick and which would not readily conduct heat.

**O.10.7 Boiler Room** - Provisions of Boiler and Boiler Rooms shall conform to Indian Boiler Act, Further the following additional aspects may be taken into account in the location of Boiler/Boiler Room.

- a. The boilers shall not be allowed in sub-basement but may be allowed in the basements away from the escape routes.
- b. The boilers shall be installed in a fire resisting room of 4 hours fire resistance rating and this room shall be situated on the periphery of the basement. Catch-pits shall be provided at the low level.
- c. Entry to this room shall be provided with a composite door of 2 hours fire resistance.
- d. The boiler room shall be provided with fresh air inlets and smoke exhausts directly to the atmosphere.
- e. The furnace oil tank for the Boiler if located in the adjoining room shall be separated by fire resisting wall of 4 hours rating. The entrance to this room shall be provided with double composite doors A curb of suitable height shall be provided at the entrance in order to prevent the flow of oil into the boiler room in case of tank rupture.
- f. Foam inlets shall be provided on the external walls of the building near the ground level to enable the fire services to use foam in case of fire.



## O.11 Provisions of First Aid Fighting Appliances:

O.11.1 The first-aid fire fighting equipments shall be provided on all floors including basements. Lift rooms etc. in accordance with IS: 2217 1963 recommendations for providing First Aid fire Fighting Arrangements in public Buildings in consultation with the Planning Authority.

O.11.2 The fire fighting appliances shall be distributed over the building in accordance with IS : 2190-71 code of practice for selection, installation and maintenance of portable fire-aid fire appliances.

## (SM-175) O.12 Fixed Fire Fighting Installations:

O.12.1 ~~Buildings above 16 m. in height~~ Depending upon the occupancy use shall be protected by wet riser, wet riser-cum down comer, automatic sprinkler installation, high pressure water spray or foam generating system etc.

O.12.2 The wet riser/wet riser-cum-down comers installations with capacity of water storage tanks and fire pumps shall conform to the requirements as specified in Table 33.

O.12.3 The wet riser installations shall conform to IS:3844 3644-1966 Code of Practices for installation of internal fire hydrants in multi-storeyed or high rise buildings.

~~In addition to wet riser, shall be designed for zonal distribution ensuring that unduly high pressure, are not developed in riser and hose pipes in addition to wet riser/~~ wet riser-cum- down comer, first-aid hose reels shall be installed on all the floors of the buildings above ~~25-24~~ 24 m in height and conforming to IS: 884- 1969 specification for First-Aid Hose Reel for Fire-Fighting (Fixed Installation). The first aid hose reel shall be connected to one of the female couplings ~~or of~~ twin couplings of landing valves directly to the Wet Riser installations by means of ~~adopter~~ adapter.

O.12.3.1 Static water storage Tank- A satisfactory supply of water for the purpose of fire fighting shall always be available in the form of underground static storage tank with capacity specified in Table 33 for each building by the local Fire Authority with arrangements of replenishment by town's main or alternative source of supply @ 1000 liters per minute. The static storage water supply required for the above-mentioned purposes should ~~entirely~~ easily be accessible to the fire engines of the Local Fire Service. Provision of suitable number of manholes shall be made available for inspection, repairs and inspection of section hose etc. The covering slab shall be able to withstand the vehicular load of 18 tons.

The domestic suction tank connected to the static water storage tank shall have an overflow capable of discharging 2250 liters per minute to a visible drain point from which by a separate ~~conducts~~ conduit, the overflow shall be conveyed to a storm water drain.

O.12.3.2 To prevent stagnation of water in the static water storage tank the suction tank of the domestic water supply shall be fed only through an overflow arrangement to maintain the level therein at the minimum specified capacity as specified by the competent authority from time to time. ] (SM-175)



**(EP-252) [TABLE 33: THE WET RISER/WET-CUM-DOWN-COMERS INSTALLATIONS WITH CAPACITY OF WATER STORAGE TANKS AND FIRE PUMPS**

Sr. No.	Type of building/occupancy	Type of Installation	Requirements			Pump Capacity	
			Water supply	Terrace Tank	Near the underground Static Tank	At the Terrace Level	
			Underground Static Tank (4)	(5)	(6)	(7)	
1)	Apartment buildings below 16m 24m in height	Nil	Nil	Nil	Nil	Nil	Nil
2) a)	Apartment buildings Above 16m but not exceeding 25m	Wet riser-cum down-cum with provisions of fire service inlet only near ground level	Nil	10,000-ltrs.	Nil	400-ltrs. per minute giving a pressure not less than 1.5 kg/cm <sup>2</sup> at the top most hydrant	
b)	Apartment buildings exceeding 25m 24m but not exceeding 45m	Wet riser-cum down-cum	50,000 ltrs.	20,000-ltrs.	1,400-ltrs. per minute giving a pressure not less than 3.2 kg/cm <sup>2</sup> at the top most hydrant	450-ltrs. per minute giving a pressure not less than 2.1 kg/cm <sup>2</sup> at the top most hydrant	
c)	Above 25m 24m and not exceeding 36m with shopping area upto 250 Sq.m. and restricting the shopping areas to the ground floor only	Wet riser-cum down-cum	50,000 ltrs.	20,000-ltrs.	1,400-ltrs. per minute giving a pressure not less than 3.2 kg/cm <sup>2</sup> at the top most hydrant	900-ltrs. Per minute giving a pressure not less than 2.1 kg/cm <sup>2</sup> at the top most hydrant	
d)	Above 25m 24m and not exceeding 35m with shopping area exceeding 250 Sq.m.	Wet riser-cum down-cum	1,00,000 ltrs.	20,000-ltrs.	2,400-ltrs. per minute giving a pressure not less than 3.2 kg/cm <sup>2</sup> at the top most hydrant	900-ltrs. per minute giving a pressure not less than 2.1 kg/cm <sup>2</sup> at the top most hydrant	
e)	Above 45m and not exceeding 60m	Wet riser-cum down-cum	75,000 ltrs.	20,000 ltrs.	2,400-ltrs. per minute giving a pressure not less than 3.2 kg/cm <sup>2</sup> at the top most hydrant	900-ltrs. per minute giving a pressure not less than 2.1 kg/cm <sup>2</sup> at the top most hydrant	



Sr. No.	Type of the building/occupancy	Type of Installation	Requirements			Pump Capacity		
			Water supply	Terrace Tank	Underground Static Tank	Near the underground Static Tank	At the Terrace Level	
			(4)	(5)	(6)	(7)		
3)								
a)	Non-apartment/Special type buildings	Nil	50,000-ltrs.	Nil	Nil	Nil	Nil	Nil
b)	Upto 15m in height Above 15m in height but not exceeding 24m except for institutional, business and educational buildings	Wet riser-cum-down-comer	50,000-ltrs.	40,000-ltrs.	1-350-ltrs. per minute giving a pressure not less than 3.2 kg/cm <sup>2</sup> at the top-most hydrant	1-350-ltrs. per minute giving a pressure not less than 3.2 kg/cm <sup>2</sup> at the top-most hydrant	450-ltrs. per minute giving a pressure not less than 2.1 kg/cm <sup>2</sup> at the top-most hydrant	450-ltrs. per minute giving a pressure not less than 2.1 kg/cm <sup>2</sup> at the top-most hydrant
b1)	Educational buildings above 15m but not exceeding 25m in height	Wet riser-cum-down-comer	Nil	40,000-ltrs.	—	—	—	—
b2)	Above 25m-24m but not exceeding 35m	Wet riser-cum-down-comer	75,000-ltrs	20,000-ltrs.	2,400-ltrs. per minute giving a pressure not exceeding 2.3 kg/cm <sup>2</sup> . the pump provided will be of multistage type with suction and delivery sizes not less than 6" diameter with low level riser upto 10 storeys and high level riser delivery for upper floors	2,400-ltrs. per minute giving a pressure not less than 3.2 kg/cm <sup>2</sup> at the top-most hydrant. The pump provided should be of multistage type with suction and delivery sizes not less than 6" diameter with low level riser upto 15 storeys and high level riser delivery for upper floors.	900-ltrs. per minute giving a pressure not less than 2.1 kg/cm <sup>2</sup> at the top-most hydrant	900-ltrs. per minute giving a pressure not less than 2.1 kg/cm <sup>2</sup> at the top-most hydrant

Sr. No.	Type of the building/occupancy	Type of installation	Requirements			
			Water supply	Terrace Tank	Pump Capacity	
			Underground Static Tank (4)	(5)	Near the underground Static Tank (6)	At the Terrace Level (7)
de)	Above 35m but not exceeding 60m	Wet riser (fully charged with adequate pressure at all times and automatic in operation.)	10,00,000-ltrs	Nil	Nil	Nil
ef)	Above 60m but not exceeding 92m	Wet riser (fully charged with adequate pressure at all times and automatic in operation)	1,50,000-ltrs.	Nil	i) 2,400-ltrs per minute giving a pressure not exceeding 3.2 kg/cm <sup>2</sup> . The pump provided will be of multistage type with suction and delivery sizes not less than 6" diameter with low level riser delivery for upper floors ii) A stand by pump of equal capacity shall be provided on alternative source of supply	Nil
fg)	Above 92 m	Wet riser (fully charged with adequate pressure at all times and automatic in operation)	2,00,000-ltrs.	Nil	1) 2,400-ltrs. per minute giving a pressure not exceeding 3.2 kg/cm <sup>2</sup> . The pump provided will be multistage type with suction and delivery sizes not less than 6" diameter with low level riser upto 15-storeroys and high level riser delivery for upper floors upto 60m. Another pump of equal performance with a break tank of 12000-ltrs. capacity at 75m level and set out ball valves to supply the tank with atleast 2400-ltrs. per minute from the first pump A stand by pump of equal capacity provided on alternative source supply.	



**TABLE 33: MINIMUM REQUIREMENTS FOR FIRE FIGHTING INSTALLATIONS**

	Type of Building Occupancy	Type of Installation										Water Supply (in lit.)		Pump Capacity (in lit./min)	
		Fire Extinguisher	Hose Reel	Dry Riser (see Note 6)	Wet Riser	Down-Corner Hydrant	Yard Hydrant	Automatic Sprinkler System	Manually Operated Electric Fire Alarm Systems	Automatic Detection and Alarm System	Underground Static Water Storage Tank	Terrace Tank	Pump Near Underground Static Water Storage Tank (Fire Pump) with Minimum Pressure of 3.5 kg/cm <sup>2</sup> at Terrace Level	At the Terrace Tank Level with Minimum Pressure of 2.0 kg/cm <sup>2</sup>	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	
<b>RESIDENTIAL BUILDINGS (A)</b>															
a) Lodging or Rooming Houses (A-1) (see Note 1)															
Less than 15 m in height															
i)	Upto 15 rooms	R	NR	NR	NR	NR	NR	R (see Note 2)	NR	NR	NR	5000 (see Note 3)	NR	NR	
ii)	More than 15 and up to 30 rooms	R	R	NR	NR	NR	NR	R (see Note 2)	NR	NR	NR	5000 (5000) (see Note 4)	NR	450 (450) (see Note 4)	
iii)	More than 30 rooms	R	R	NR	NR	NR	NR	R (see Note 2)	R (see Note 5)	NR	NR	10,000 (5000) (see Note 4)	NR	450 (450) (see Note 4)	
b)	One or two Family Private Dwellings (A-2) (see Note 1)	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	
c) Dormitories (A-3) Apartment Houses (A-4)															
1)	Less than 15 m in height	R	R	NR	NR	NR	NR	R (see Note 2)	NR	NR	NR	5000 (5000) (see Note 4)	NR	450 (450) (see Note 4)	
2)	15 m and above but not exceeding 35 m in height	R	R	NR	NR	R	NR	R (see Note 2)	R (see Note 7)	NR	NR	25,000	NR	900	

3)	Above 35 m but not exceeding 45 m in height	R	R	NR	R	NR	NR	R	R (see Note 2 and 8)	R	NR	75,000	5000 (5000) (see Note 4)	(see Note 19)	NR
4)	Above 45 m but not exceeding 60 m in height	R	R	NR	R	NR	NR	R	R	R	NR	75,000	10,000	(see Note 20)	NR
5)	Above 60 m in height	R	R	NR	R	NR	NR	R	R	R	R	1,00,000	25,000	(see Note 21)	NR
d)	Hotels (A-5)														
1)	Less than 15 m in height														
i)	Covered area not exceeding 300 m <sup>2</sup> on each floor	R	R	NR	NR	NR	NR	R	R (see Note 2)	R	NR	NR	5000 (see Note 2)	NR	450 (see Note 3)
ii)	Covered area exceeding 300 m <sup>2</sup> but not more 1000 m <sup>2</sup> on each floor	R	R	NR	NR	R (See Note 5)	NR	R	R (see Note 2)	R	R	10,000 for every 500 m <sup>2</sup> covered are subject to minimum of 50,000 (see Note 5)	10,000 (See Note 2)	(see Notes 5 and 19)	NR
iii)	Covered area exceeding 1000 m <sup>2</sup> on each floor	R	R	NR	NR	R (see Note 9)	NR	R	R (see Note 10)	R	R	1,00,000 (see Note 9)	10,000 (see Note 2)	(see Notes 9 and 19)	NR
2)	15m and above but not exceeding 30 m	R	R	NR	NR	R	NR	R	R (see Note 10)	R	R	1,50,000	20,000	(see Note 20)	NR
3)	Above 30 m in height	R	R	NR	NR	R	NR	R	R (see Note 10)	R	R	2,00,000	20,000	(see Note 21)	NR
e)	Hotels (A-6)	R	R	NR	NR	R	NR	R	R (see Note 10)	R	R	2,00,000	20,000	(see Note 22)	NR

**REGULATORY BUILDINGS (B)** (see Note 12)

1) Less than 15 m in height







Custodial (C-2), and Penal and Plental (C-3)														
Less than 10m in height														
i)	Upto 300 persons	R	R	NR	NR	NR	R (see Note 2)	R	NR	NR	10,000 (see Note 4)	NR	NR	450 (900) (see Note 4)
ii)	More than 300 persons	R	R	NR	NR	NR	R (see Note 2)	R	NR	NR	15,000 (5000) (see Note 4)	NR	NR	450 (900) (see Note 4)
2)	10m and above but not exceeding 15m in height	R	R	NR	R	R	R (see Note 2)	R	R	50,000	5000 (5000) (see Note 4)	(see Note 20)	NR	NR
3)	15 m and above but not exceeding 24 m in height	R	R	NR	R	R	R (see Note 11)	R	R	75,000	10,000	(see Note 20)	NR	NR
4)	24 m and above but not exceeding 30 m in height	R	R	NR	R	R	R (see Note 11)	R	R	1,00,000	20,000	(see Note 21)	NR	NR
ASSEMBLY BUILDINGS (D) (see Note 12)														
Buildings (D-1 to D-5)														
Less than 10 m in height														
i)	Up to 300 persons	R	R	NR	R	NR	R (see Note 2)	R	NR	NR	10,000 (5,000) (see Note 4)	NR	NR	450 (450) (see Note 4)
ii)	More than 300 persons	R	R	NR	R	NR	R (see Note 2)	R	NR	NR	15,000 (5000) (see Note 4)	NR	NR	900
2)	Above 10m but not exceeding 15m in height	R	R	NR	R	NR	R (see Note 2)	R	R	50,000	5000 (5000) (see Note 4)	(See Note 20)	NR	450 (450) (see Note 4)





ii)	Ground plus one storey and covered area exceeding 500 m <sup>2</sup>	R	R	NR	NR	R	NR	R (see Note 2)	R	NR	NR	NR	25,000	NR	NR	900
iii)	More than ground plus one storey	R	R	NR	NR	R (see Note 2)	NR	R (see Note 2)	R	NR	NR	NR	5000 (5000) (see Note 4)	NR	NR	900
2)	Above 15 m but not exceeding 24 m in height	R	R	NR	NR	R (see Note 11)	R	R (see Note 11)	R	NR	R	1,00,000	10,000	(see Note 20)	NR	NR
3)	Above 24 m but not exceeding 30 m in height	R	R	NR	NR	R (see Note 10)	R	R (see Note 10)	R	R	R	1,50,000	10,000	(see Note 21)	NR	NR
b)	Underground shopping complex (F-3) (see Note 13)	R	R	NR	NR	R (see Note 10)	R	R (see Note 10)	R	R	R	1,50,000	10,000	(see Note 21)	NR	NR

**INDUSTRIAL BUILDINGS (G) (see Note 14)**

a)	Low Hazard (G-1) (see Note 15)	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	450 (see Note 3)
i)	Built up area up to 100 m <sup>2</sup>	R	NR	NR	NR	R (see Note 2)	NR	R (see Note 2)	NR	NR	NR	NR	5000 (see Note 3)	NR	NR	NR	450
ii)	Built up area more than 100 m <sup>2</sup> and up to 500 m <sup>2</sup>	R	R	NR	NR	R (see Note 2)	R	R (see Note 2)	NR	NR	NR	NR	5000 (5000) (see Note 4)	NR	NR	NR	450
iii)	Built up area more than 500 m <sup>2</sup>	R	R	NR	NR	R (see Note 7)	R	R	NR	R	R	1,00,000	10,000	(see Note 20)	NR	NR	450
b)	Moderate Hazard (G-2) (see Note 14)	R	R	NR	NR	R	NR	R	NR	NR	NR	NR	NR	NR	NR	NR	450





ii)	Built up area more than 100 m <sup>2</sup> and upto 500 m <sup>2</sup>	R	R	NR	NR	NR	R	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	900				
iii)	Built up area more than 500 m <sup>2</sup> and up to 1000 m <sup>2</sup>	R	R	NR	R (see Note 7)	R	R	R	R	R	R	R	R	R	R	R	R	R	R	75,000	20,000	(see Note 20)	900	
iv)	Built up area more than 1 000 m <sup>2</sup>	R	R	NR	R (see Note 7)	R	R	R	R	R	R	R	R	R	R	R	R	R	R	1,00,000	20,000	(see Note 20)	900	
c) High Hazard (G-3) (see Note 16)																								
i)	Built up area up to 50 m <sup>2</sup>	R	R	NR	NR	NR	R	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	450
ii)	Built up area more than 50 m <sup>2</sup> and upto 150 m <sup>2</sup>	R	R	NR	NR	NR	R	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	450
iii)	Built up area more than 150 m <sup>2</sup> and up to 300 m <sup>2</sup>	R	R	NR	NR	NR	R	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	25,000	10,000	(see Note 19)	450	
iv)	Built up area more than 300 m <sup>2</sup> and upto 500 m <sup>2</sup>	R	R	NR	NR	NR	R	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	50,000	20,000	(see Note 19)	900	
v)	Built up area more than 500 m <sup>2</sup>	R	R	NR	R (see Note 7)	R	R	R	R	R	R	R	R	R	R	R	R	R	R	1,00,000	20,000	(see Note 20)	900	
<b>STORAGE BUILDINGS (H) (see Note 17)</b>																								
1)	Below 15 m in height and covered area less than 250 m <sup>2</sup>	R	R	NR	NR	NR	R	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	25,000	5000	(see Note 19)	450	

Below 15 m in height and covered area more than 250 m <sup>2</sup>												
	Ground floor only	R	R	R	R	R	R	R	R	R	R	
i)	Ground floor only	R	R	R	R	R	R	R	R	R	R	450
ii)	Ground plus one floor	R	R	R	R	R	R	R	R	R	R	450
iii)	More than ground plus one floor	R	R	R	R	R	R	R	R	R	R	450
<b>HAZARDOUS BUILDINGS (J)</b> (see Note 17)												
Upto 15 m in height												
i)	Single Storey Building	R	R	R	R	R	R	R	R	R	R	NR
ii)	More than one floor building but not exceeding 15m	R	R	R	R	R	R	R	R	R	R	900

R – Required

NR – Not Required

**Notes:**

- Buildings above 15 m in height not to be permitted for occupancies A-1 and A-2.
- Required to be installed in basement if area of basement exceeds 200 m<sup>2</sup>.
- Required to be provided if basement area exceeds 200 m<sup>2</sup>.

Additional value given in parenthesis shall be added if basement area exceeds 200 m<sup>2</sup>.  
 Required to be provided for buildings with more than two storeys (Ground + One).  
 As per requirement of Local Authority Dry Riser may be used in hilly areas, industrial areas or as required.



7. Required to be provided for buildings with height above 15 m.
8. To be installed in basement. If basement provided is used for car parking and area thereof exceeds 750 m<sup>2</sup> then the sprinklers shall be fed water from both underground static water storage tank and terrace tank.
9. Required to be provided for buildings with more than one storey.
10. To be installed in entire buildings.
11. To be installed in all floors at appropriate places and in consultation with local fire authorities.
12. Buildings above 30 m in height not to be permitted for Group B, Group C, Group D and Group F occupancies.
13. All underground shopping areas should be fully air-conditioned.
14. The requirements given in this table for Group G Industrial Buildings are for small scale industry units. For other industries the requirements will have to be worked out on the basis of relevant Indian Standards and also in consultation with the local fire authorities.
15. Buildings above 18 m in height not to be permitted for G-1 and G-2 occupancies.
16. Buildings above 15 m in height not to be permitted for G-3 occupancies.
17. Buildings above 15 m in height not to be permitted for Group H and Group J occupancies.
18. Pump capacity shall be based on the covered area of the building.
19. One electric and one diesel pump of capacity 1620 l/min and one electric pump of capacity 180 l/min (see Fig. 1).
20. One electric and one diesel pump of capacity 2280 l/min and one electric pump of capacity 180 l/min (see Fig. 1).
21. Two electric and one diesel pump of capacity 2280 l/min and one electric pump of capacity 180 l/min (see Fig. 2).
22. Two electric and one diesel pump of capacity 2850 l/min and one electric pump of capacity 180 l/min (see Fig. 2).
23. For buildings 45 m and above, the entire quantity of water for fire fighting purpose (as required in respective occupancy), if provided at the terrace level, the main pump, sprinkler pump, jockey pump and common pump need not be provided, however one electric fire pump of 900 LPM capacity with automatic operation is required to be provided.

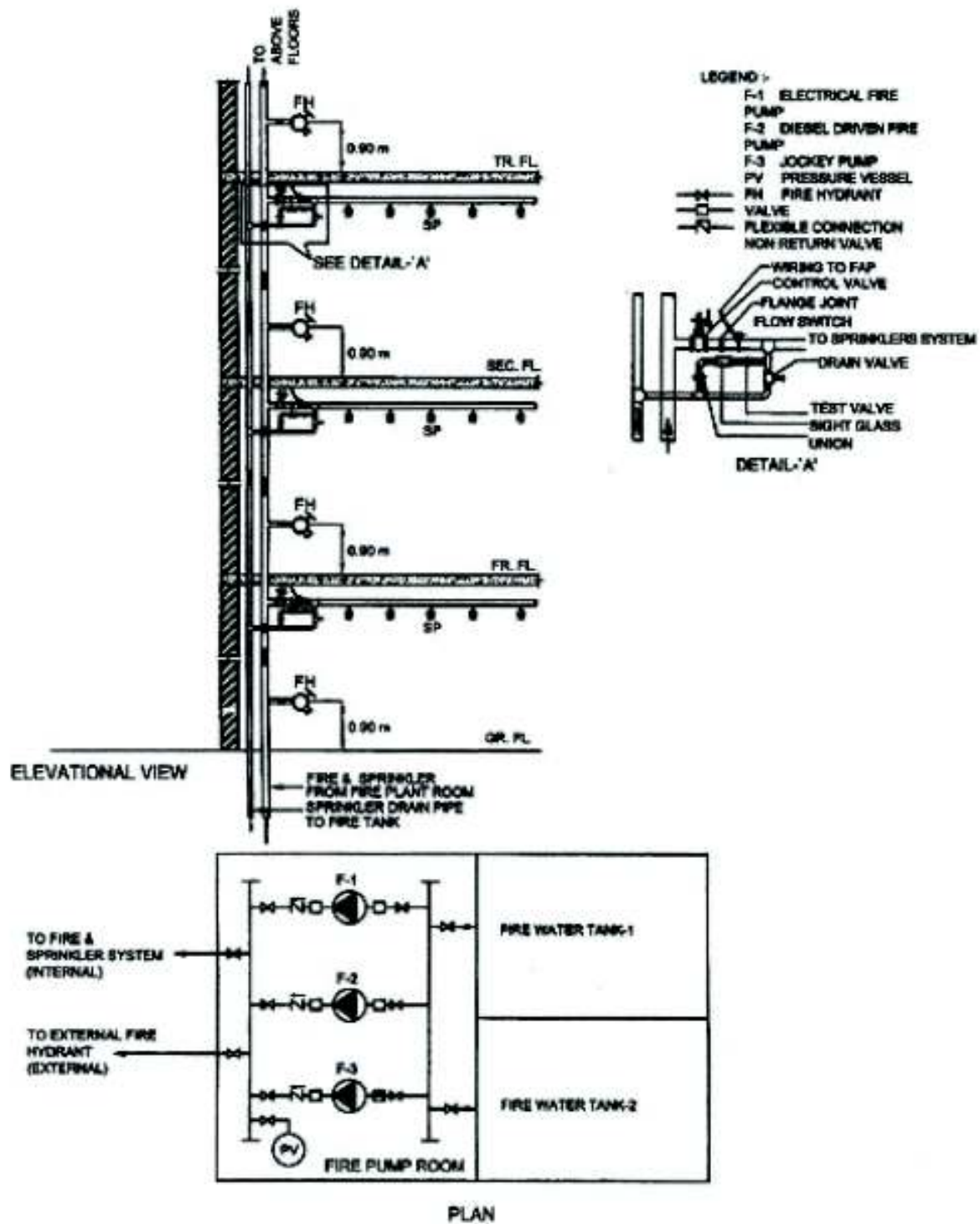


FIGURE 1: Typical System of Pumping with one Electric and one Diesel Fire Pump

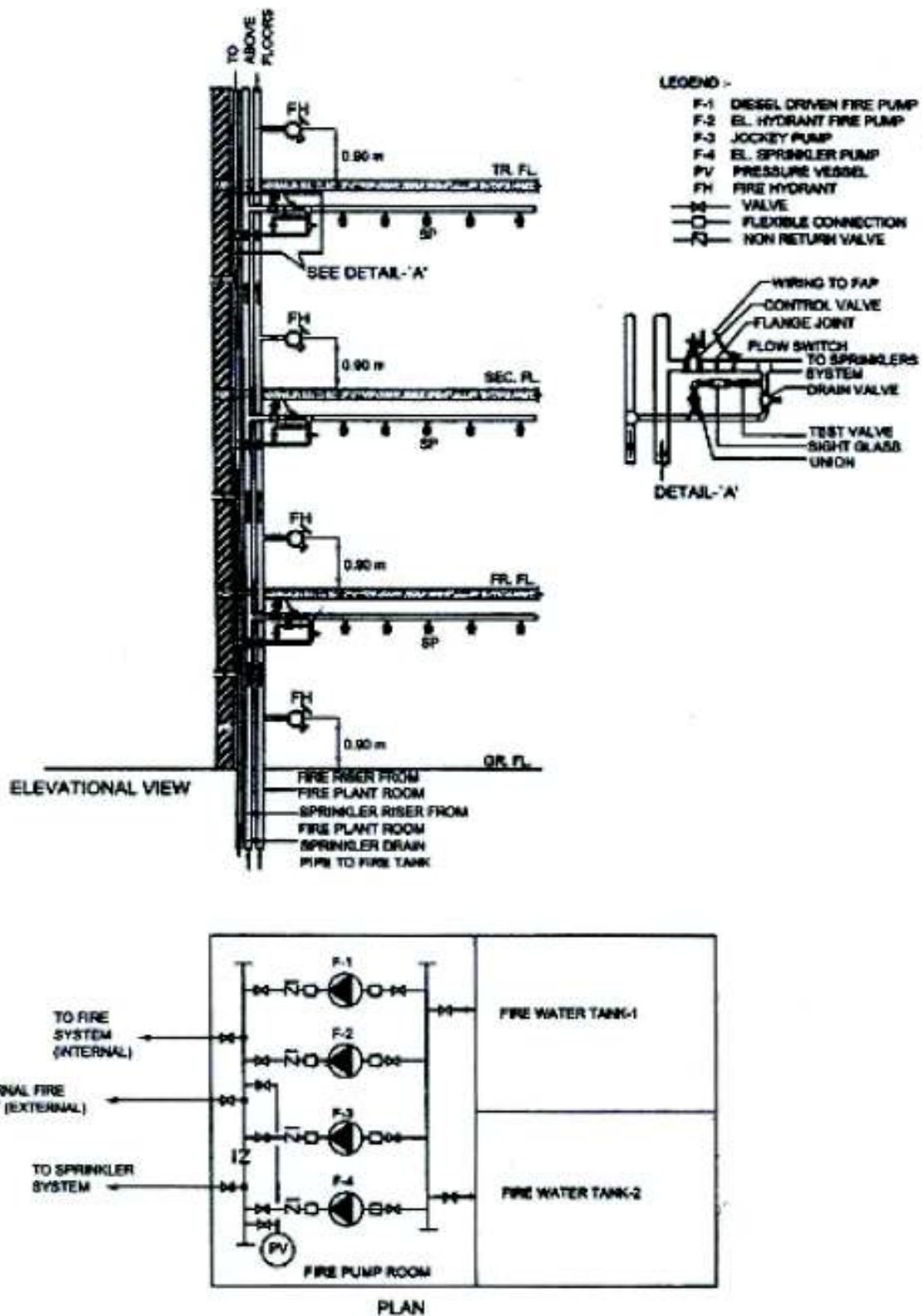


FIGURE 2: Typical System of Pumping with two Electric and one Diesel Fire Pump] (EP-252)





**Note:**

1. Any of the above category may incorporate an automatic sprinkle/drencher system, if the risk is such that it requires installation of such protective methods.
2. Minimum of two hydrants shall be provided within the courtyard.
3. Wet riser cum down comer is an arrangement for firefighting within the building by means of vertical rising mains not less than 1,000 cm. internal diameter with hydrant outlets and hoses reel on floor/landing connected to an overhead water storage tank for firefighting purpose, through a booster pump, gate valve and a non-return valve near the tank end and a fire pump, gate and non-return valve, over the underground static tank. A fire service inlet at ground level fitted with non return valve shall also be provided to the rising main for charging it by fire services pump in case of failure of static fire pump over the underground static tanks.
4. The performance of pumps specified above shall be at R.P.M. not exceeding 2000.
5. The above quantities of water shall be exclusively for fire fighting and shall not be utilized for domestic or other uses. The layout of underground water static tank shall be as per figures in Appendix Q the standards given in Part 4 of the National Building Code of India, 2005.
6. Size of the riser shall be as under (internal diameter):
  - a. Apartment buildings:
    - i. upto 60m. 10cm. with single hydrant outlets and hose reel on each floor.
    - ii. above 60m. 15cm. with twin hydrant outlets and hose reel on each floor.
  - b. Non-apartment building—
    - i. upto 25 m. 10cm. with single hydrant outlet and hose reel on each floor.
    - ii. above 25m. 15cm. with twin hydrant outlets and hose reel on each floor.
7. A capacity to boost up water pressure in the riser directly from the mobile pumps shall also be provided to the Wet riser system with a suitable fire service inlets (collecting breaching with 2 numbers of 63 mm. Inlets for 10cm. rising main 4 numbers of 63 mm. Inlets with check valves for 15 cm. diameter rising main) and non-return valve and a gate valve.
8. House Hose Reel- The internal/diameter of rubber hose for hose reel shall be minimum 19 mm. A shut-off branch with nozzle of 4.8 mm. Size shall be provided.

**O.12.3.3** The static water storage tank shall be provided with a fire brigade collecting breaching with 4 nos. 65mm. diameter instantaneous male inlets arranged in a value box at a suitable point at street level and connected to the static tank by a suitably fixed pipe not less than 15mm. Diameter to discharge water into the tank when required at a rate of 2250 liters per minute.

**O.12.4 Automatic Sprinklers-**

Automatic sprinklers shall be installed:-

- a. In basement used as car parks, if the area exceeds 500 sq. m.
- b. In multi-storeyed basements used as car parks, and for housing essential service ancillary to a particular occupancy.
- c. In any room of other compartment of a building exceeding 750 sq. m.
- d. In departmental stores or shops which totally exceed 750 sq.m.
- e. In all non-domestic floors of mixed occupancy considered to constitute a hazard and not provided with staircases independent of the remainder-remainder of a building
- f. In godown and warehouses as considered necessary.



g. On all floors of the buildings other than apartment buildings, if the height of the building exceeds 60 m.

h. In dressing rooms, scenery docks, stages and stage basements of theatres.

#### **O.12.5 Automatic high pressure water spray (mulsifyre) System:**

This systems shall be provided for protection of indoor transformers of a sub-station in a basement area.

#### **O.12.6 ~~Form~~ Foam generating system:**

This system shall be provided for protection of boiler rooms with its ancillary storage of furnace oils in a basement.

#### **O.12.7 Carbon-Dioxide fire Extinguishing System:**

Fixed CO2 fire extinguishing installation shall be provided as per IS: 6382 - 1971 code of practice for design and installation of fixed CO2 fire extinguishing system on premises where water or foam cannot be used for fire extinguishment because of the special nature of the contents of the buildings/areas to be protected. Where possible BCF (Bromochlorodifluoromethane) installation may be provided instead of CO2 installation.

#### **O.13 Fire Alarm system:**

**(EP-277)** ~~O.13.1~~ All buildings with heights of 15 m. or above or as amended from time to time in NBC, 2005 mentioned against each shall be equipped with fire alarm system as given in paragraphs O.13.1.1 and O.13.1.2, and automatic fire alarm system in accordance with good practice, as specified in NBC, 2005.

**O.13.1.1 Residential Buildings (~~Dwelling House and Hostels~~) above 35m; 30m., and educational Educational Buildings, Institutional buildings, business buildings and Industrial buildings above 25m~~24m.~~ but not exceeding 30m. in height.]**

a. Such buildings shall be equipped with manually operated electrical fire alarm systems with one or more call boxes located at each floor. The location of the call boxes shall be decided after taking into consideration the floor plan with a view to ensure that one or the other call box shall be readily accessible to all occupants of the floor without having to travel more than 22.5 m.

b. The call boxes shall be of the 'Break-glass' type without any moving parts, where the call is transmitted automatically to the control room without any other action on part of the person operating the call box.

c. All call boxes shall be wired in a close circuit to a control panel in the control room, located as per paragraph O-14 so that the floor number ~~where the call box is actuated is clearly~~ where the call box is actuated is clearly indicated on the control panel. The circuit shall also include one or more batteries with a capacity of 48 hours normal working at full load. The battery shall be arranged to be continuously trickle charged from the electric mains. The circuit may be connected to alternate source of electric supply as defined in paragraph O.10.4.

d. The call boxes shall be arranged to sound one or more sounders so as to ensure that all occupants of the building shall be warned whenever any call box is actuated.

e. The call boxes shall be so installed that they do not obstruct the exit-ways and yet their location can easily be noticed from either direction. The base of the call box shall be at a height of 1m. from the floor level.

**O.13.1.2 Business and Industrial Buildings above 25m~~24m.~~ but not exceeding 30 m.**



~~a. Such buildings shall be equipped with manually operated electrical fire alarm system with one or more call boxes located at each floor. The location of the call boxes shall be decided after taking into consideration the floor plan with a view to ensuring that one or the other call box shall be readily accessible to all occupants of the floor without having to travel more than 22.5m.~~

~~b. The call boxes shall be of the 'break glass' without any moving parts, where the call is transmitted automatically to the control room without any other~~

~~c. action on the part of the person operating the call box.~~

~~dc. All call boxes shall be wired in a close circuit to a control panel in the room located as specified in O.14.1 so that floor number from where the call box is actuated is clearly indicated on the control panel. The circuit shall also include one or more batteries with a capacity of 48 hours normal working at full load. The battery shall be continuously trickle-charged from the electric mains. The circuit may be connected to alternate source of electric mains. The circuit may be connected to alternate source of electric supply as specified in O.10.4;~~

~~ed. The call boxes shall be arranged to sound one or more sounders so as to ensure that all occupants of the buildings shall be warned whenever any call box is actuated.~~

~~fe. The call boxes shall be so installed that they do not obstruct the exit way and yet their location can easily be noticed from either direction. The base of the call box shall be at a height of 1m. from the floor level.~~

**O.13.1.3** All other buildings exceeding 25-24 m. in height excluding those mentioned in O.13.1.1 and O.13.1.2. These buildings shall, in addition to the manually operated electrical fire alarm system be equipped with an automatic fire alarm system. The latter shall be in addition to the alarm which may be sounded by the actuation of any automatic fire extinguishing system, which may be installed in any particular occupancy in accordance with these by-laws. The detectors for the automatic fire alarm shall conform to relevant IS specification Heat/Smoke sensitive type Fire Detector and the system shall be installed in accordance with IS 2189/1976 code of practice for Automatic Fire Alarm system or any other relevant Indian Standards prescribed from time to time.

Note1: Several types of fire detectors are available in the market but the application of each type is limited and has to be carefully considered in relation to the type of risk and the structural features of the building where they are to be installed.

Note2: No automatic detector shall be required in any room or portion of a building which is equipped with an approved installation of automatic sprinklers.

**(EP-278) [O.14 Control Room:**

**O.14.1** For all buildings mentioned in O.13.1.1, O.13.1.2 and O.13.1.3 except with height of 15m (or as amended from time to time in NBC, 2005) and apartment buildings not exceeding 60m with height of 30m and above, there shall be a control room on the entrance floor of the building with communication system (suitable public address system) to all floors and facilities for receiving the message from different floor. Details of all floor plans along with the details of firefighting equipment and installations shall be maintained in the control room. The control room shall also have facilities to detect the fire on any floor through indicator boards connecting fire detecting and alarm system on all floors. The staff in-charge of control room shall be responsible for the maintenance of the various services and firefighting equipment and installations in co-ordination with security, electrical and civil staff of the building.

**O.15** Caretaker for Residential Hotels, Business, Mercantile, Industrial, Storage and Hazardous Buildings with height more than 45m30m.]

**(SM-176) [O.15.1** A qualified fire Officer with experience of not less than 3 years (in city fire brigade) shall be appointed as a caretaker who will be available on the premises at all times.



~~The lightning protection for buildings shall be provided based on the provisions of Part III 8 Building Services, Section 2 Electrical and Allied Installations of the National Building Code of India 2005 1970.~~

**O.15.2** The Fire Officer shall

- i. Maintain the fire fighting equipment in good working condition at all times.
- ii. **Prepare Layout** fire orders and fire operational plans.
- iii. Impart **regular** training to the occupants of the buildings in the use of firefighting equipment provided on the premises and keep them informed about the fire emergency **evaluation evacuation** plan, and
- iv. Keep proper liaison with City Fire Brigade. ] **(SM-176)**

**O.16 House-keeping:**

**(SM-177)** **O.16.1** To eliminate fire hazards a good housekeeping, **both inside and outside**, the building **and outside the buildings** shall be strictly maintained by the occupants and/or the owner of the building.

~~For all buildings mentioned in paragraphs O.14.1.1, O.14.1.2, and O.14.1.3 except apartment buildings not exceeding 60 m. there shall be a control room on the entrance floor of the buildings with communication system (suitable public address system), to all floors. ]~~

**(EP-279)** **O.17 Fire Drills and Fire Orders: Evacuation.**

**O.17.1** Fire notice/orders shall be prepared to fulfill the requirements of the fire fighting and evacuation from the buildings in the event of fire and other emergency. The occupants shall be made thoroughly conversant with their action in event of the emergency, by displaying fire notices at vantage points. Such notices should be displayed prominently in broad lettering.

**Fire drills shall be conducted in accordance with the fire safety plan, at least once every 3 months for existing building during the first 2 years. Thereafter, fire drills shall be conducted at least once every 6 months.**

**A plan for orderly and systematic evacuation is prepared in advance and all occupants are well drilled in the operation of such plans.**

**O-18** All other Regulations/provisions which are not covered under these Regulations; the provisions specified in National Building Code of India, 2005 shall be applicable.]



**(SM-178) APPENDIX - P: REGULATIONS FOR DEVELOPMENT OF INFORMATION TECHNOLOGY ESTABLISHMENT**

**(Regulation 7.5.2 (6) (i))**

Development of Information Technology Establishments shall be regulated as per the Revised Information Technology & Information Technology Enabled Services (IT/ITES) Policy 2003 as declared by Government Resolution No. ITP 2003/CR-3311/IND.7 dated 12/07/03, along with the following modifications in the above-mentioned resolution.

**1.0. DEFINITION OF INFORMATION TECHNOLOGY ESTABLISHMENT:**

"Information Technology Establishment" means an establishment which is in the business of development of IT software, IT hardware, IT services, and IT enabled services as defined below:

- a. IT Software: IT Software is defined as any representation of instruction, data, sound or image, including source code and object code, recorded in a machine readable form and capable of being manipulated or providing interactivity to a user, with the means of a computer.
- b. IT Hardware: ~~IT Hardware shall cover such industrial units as may be decided by the Director of Industries.~~ IT Hardware shall covers approximately 150 I.T. products, as notified by Directorate of Industries.
- c. IT Services and IT Enabled Services: These include various IT Services and are defined by the IT Task Force of the Government of India as follows:
- d. "IT Service including IT Enabled Service is defined as any unit that provides services, that result from the use of any IT Software over a Computer System for realizing any value addition".
- e. The Directorate of Industries has prepared and published an illustrative list of such IT Enabled Services which is to be updated from time to time.

**2.0. BUILDING OF INFORMATION TECHNOLOGY ESTABLISHMENT:**

The ~~Commissioner/Head~~, Planning Authority may permit the floor space indices specified in Table No. 4412, 12A & 12B above to be exceeded by 100%, subject to following conditions, in respect of -

- a. All IT and ITES units in Public IT Parks.
- b. All registered IT and ITES Units located in Private IT Parks, approved by Director of Industries in the State. ] **(SM-178)**

<b>(EP-280) [Subject</b>	<b>Provision</b>
Height of the room for ITE	Any telemetric equipment storage or erection facility can have a height as required for effective functioning of that system.
Covered antenna to be free of FSI	Any covered antenna/dish antenna / communication tower will be allowed to be erected free of FSI if used for Telecom (basic cellular or satellite telephone) or ITE purposes, which shall include equipment relating to earth station, V-Sat, Routes, Transponders and similar IT related structures or equipment.
In Residential Zone	Information Technology Establishment (pertaining to software only) be allowed on the plots/premises fronting on roads having width 48 12 meter and more.
In Industries Zone, Transport Hub & Logistics Park zone and in Transformation Zone	Information Technology Establishment shall be permitted in Industries Zone, Transport Hub & Logistics Park zone and in Transformation Zone on all plots fronting on roads having width 48 12 meter and more.
Users to be free of FSI	Any covered antenna/dish antenna / communication tower will be allowed to erect free of FSI if used for Telecom (basic cellular or satellite telephone) or ITE purposes, which shall include equipment relating to earth station, V-Sat, Routes, Transponders and similar IT related structures or equipment.
In No Development Zone	Development of Information Technology Establishment (pertaining to software only) with ancillary residential development shall be allowed in No development Zone subject to the following:



	<p>i) The total FSI shall not exceed 0.2.</p> <p>ii) Residential development shall not have FSI of more than 0.05 exceed one third of the total built up area.</p> <p>iii) <del>The total F.S.I. has to be consumed on ground coverage not exceeding 10% of the plot area. On remaining 90% plot, trees shall be planted at the rate of 500 trees per hectare. Construction of ITE / ancillary Residential use may be permitted (in a suitable location so as to keep as much of remaining space open) upto 20% on 10% of the area of plot on remaining 90% plot, trees per hectare.</del></p> <p>iv) Sub - division of land shall be permitted with area of the plot so sub-divided being not less than 4000 sq.m.</p>
Additional FSI to ITE	<p><del>Buildings of Information Technology Establishment (pertaining to software only): The Metropolitan Commissioner may permit normal floor spaces index one to be exceeded in respect of buildings in independent plots of Information Technology Establishment set up by Public Bodies like MHADA, SEEPZ, MIDC, SICOM, STP, or their joint venture companies having more than 51% stake of these bodies by 100% or lessees of these public Bodies having plots exclusively used for ITE subject to terms and conditions as he may specify. Subject to approval by Director of Industries, the Commissioner / Chief Officer or as the case, may permit the floor spaces indices specified in these regulations to be exceeded to the extent of 100% over and above the permissible FSI as under, including for IT / ITEs units located in NDZ proposed in the Development Plan.</del></p> <p>i) 100% additional FSI shall be made available to all IT / ITES units in public IT Park.</p> <p>ii) 100% additional FSI shall also be made available to all registered IT / ITES units located in Private IT Parks approved by the Directorate of Industries.</p> <p>iii) Permission for erecting towers and antenna upto the height permitted by the Civil Aviation Department shall be granted by the concerned municipal bodies at the time and as a part of approval of building plan itself.</p>
	<p><del>Provided in case of additional Floor Space Index allowed in respect of Information Technology Establishment, as aforesaid premium as may be determined by Government shall be paid to the Government out of which 50% shall be payable to the MMRDA.]</del></p>

**(SM-178)β.0. CONDITIONS FOR ADDITIONAL FSI:**

- 1). Additional FSI to IT/ITES units would be available only upon full utilization of basic admissible FSI.
- 2). Additional FSI to IT/ITES units would be available to IT/ITES Parks duly approved by the Directorate of Industries.
- 3). The additional FSI shall be granted upon payment of premium which shall be paid in the manner as may be determined by the Government. Such premium shall be recovered at the rate of 25% of the **present-day** market value of the land under reference as indicated in the **Ready-Reckoner, Annual Statement of Rates for the year in which permission is granted.**
- 4). 25% of the total premium shall be paid to the Govt. and remaining 75% amount shall be paid to the said **Planning Authority.**
- 5). The premium so collected by the Planning Authorities shall be primarily used for development/up gradation of **offsite** infrastructure required for the IT/ITES Park and the utilization of this premium shall be monitored by the empowered committee.
- 6). In the event, the developer comes forward for provision of such off site infrastructure at his own cost, then the said Planning Authority shall determine the estimated cost of the works and shall also prescribe the standards for the work. After completion of the works the said Planning Authority shall verify as to whether the same is as per prescribed standards and thereafter, by deducting the cost of works, the balance amount of premium shall be recovered by the said Planning Authority.
- 7). Users/Services ancillary to the IT/ITES:
- 8). While developing site for IT/ITES with additional FSI, user's ancillary to the principal user, as may be approved by the Directorate of Industries shall also be allowed.
- 9)8). No condonation in the required open spaces, parking and other requirements prescribed in these regulations shall be allowed in case of such additional FSI. ] **(SM-178)**



**(SM-179) APPENDIX - Q: REGULATION FOR DEVELOPMENT OF BIOTECHNOLOGY UNITS / PARKS**

**(Regulation 6.37.5.2(5)(k))**

~~Development of Biotechnology biotechnology units/Parks setup by public bodies shall be as per the regulations directed by Government Resolution No. TPB 4302/818/CR-88/2002/UD-11 dated 10/10/02 and 17/03/03.~~

**1. Definition-**

The Biotechnology Units/ Parks shall mean Biotechnology units/ parks which are certified by the Development Commissioner (Industries) or any officer authorized by him in his ~~belief~~ behalf. The Biotechnology Park and unit/units outside park shall have minimum land area of 2 acres or 20000 sq.ft. built up area. The said requirement of 20000 sq.ft. shall be as per normal permissible FSI and without considering permissible additional FSI/ TDR/ Free of FSI area.

**2. Biotechnology Units/ Parks to be allowed in Industrial Zone-**

Biotechnology Units/Parks shall be permitted in Industrial Zone on all plots fronting on roads having width more than 12 meter.

**3. Biotechnology Units/Park to be allowed in No Development Zone earmarked in the Development Plan.**

Biotechnology Units/Parks shall be permitted in No Development Zone subject to following conditions.-

- i) Maximum FSI limit shall be 0.20 and as far as possible the development shall be at one place of the total land.
- ii) The ground coverage shall not exceed 10% of the area of the plot.
- iii) Tree plantation shall be done at the rate of 500 Trees/Ha on the remaining land excluding the built up area and the surrounding open space/utility space.
- iv) The maximum height of buildings shall not exceed 24 mt.
- v) Essential residential development for the staff/ officer's accommodation shall be permitted upto the extent of 33% of the permissible built up area.
- vi) These users shall be permitted in No Development Zone, within a distance of 3 km. from the adjoining developable ~~area zone~~.
- vii) Development in plots affected by CRZ area, shall be permissible subject to the notification issued by MOEF regarding CRZ.

**4. Additional FSI to Biotechnology Units/Park**

Subject to approval by Director of Industries, the Commissioner/ Chief Officer/ Competent Planning Authority or as the case may permit the floor space indices specified in these regulations to be exceeded to the extent of 100% over and above the permissible FSI (including for Biotechnology Units/Park located in No Development Zone proposed in the Development Plan) for biotechnology units/parks subject to following conditions;

- i) Out of total built up area minimum 90% shall be used for Biotechnology purpose and maximum 10% (by deducting parking space) shall be used for ancillary users such as specified



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in the Govt. Resolution of Industry, Energy and Labour Deptt. No. BTP 2008/CR-1608/Ind-2, dated 10/2/09.

- ii) Additional FSI to Biotechnology units would be available to Biotechnology Parks duly approved by the Directorate of Industries and after observance of all the regulation of environment.
- iii) Parking spaces, as per the provision of Development Control Regulation shall be provided subject to minimum requirement of one parking space per 100 sq.mt. built up area.
- iv) The additional FSI shall be granted upon payment of premium which shall be paid in the manner as may be determined by the Government. Such premium shall be recovered at the rate of 25% of the present day market value of the land under reference as indicated in the Ready Reckoner.
- v) 25% of the total premium shall be paid to the Govt. and remaining 75% amount shall be paid to the said Authority.
- vi) The premium so collected by the Planning Authorities shall be primarily used for development/up gradation off site infrastructure required for the Biotechnology Parks.
- vii) In the event, the developer comes forward for provision of such off site infrastructure at his own cost, then the said Planning Authority shall determine the estimated cost of the works and shall also prescribe the standards for the work. After completion of the works the said Planning Authority shall verify as to whether the same is as per prescribed standards and thereafter, by deducting the cost of works, the balance amount of premium shall be recovered by the said Planning Authority.
- viii) No condonation in the required open spaces, parking and other requirement prescribed in the regulations shall be allowed in case of additional FSI.
- ix) Development of biotechnology park shall be done as per the guidelines issued by Industries Department vide the said resolution. ] **(SM-179)**





**(EP-281) [APPENDIX - R: REGULATIONS FOR CONSTRUCTION OF BUILDINGS OF DEPARTMENT OF POLICE, POLICE HOUSING PLANNING AUTHORITY, MUNICIPAL COUNCIL/CORPORATION, JAIL, AND HOME GUARD, FIRE BRIGADE, ETC. INCLUDING THEIR STAFF QUARTERS OF GOVERNMENT OF MAHARASHTRA.**

**(Regulation 7.5.2 (5)-(f))**

R.1. ~~Regulations for buildings of Department of Police, Police Housing Planning Authority, Jail and Home Guard of Government of Maharashtra for use as their Staff Quarters situated in the Gaathan or similar congested area and outside congested area.~~

R.2. ~~In cases of buildings of Department of Police, Police Housing Planning Authority, Jail and Home Guard of Government of Maharashtra for use as their Staff Quarters, the Planning Authority/Chief Officer may permit the Floor Space Index to be exceeded upto 2.5.~~

Note :- R.1. It shall be permissible to submit a composite scheme for the development or redevelopment of land of Department of Police, ~~Police Housing Planning Authority~~ Municipal Council/Corporation, Jail, and Home Guard, Fire Brigade, etc. for the utilization of permissible commercial user under D.C. Regulation so that commercial potential of one plot can be shifted to other plot, provided the aggregate FSI on any plot shall not exceed 2.50.

R.32. For reconstruction/redevelopment of the buildings of ~~Department of Police, Police Housing Planning Authority, Jail and Home Guard of Government of Maharashtra~~ for these users constructed prior to 1940, the FSI shall be 2.50 or consumed Floor Space Index of existing old building plus 50% incentive FSI, whichever is more.

R.43. In the cases of development or redevelopment of land of ~~Department of Police, Police Housing Planning Authority and Home Guard~~ these users, Commercial user permissible under D.C. Regulation may be permitted up to 25% of the total permissible built-up area.]



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**APPENDIX - S: COMMERCIAL USE OF LANDS IN THE POSSESSION OF THE MAHARASHTRA STATE ROAD TRANSPORT AUTHORITY CORPORATION (MSRTC)**

**(Regulation 7.5.2(5)(g)) 6.19)**

S.1. Notwithstanding anything to the contrary contained in these Regulations (refer to Regulation 7.5 table 12) or the Development Plan/Planning proposals, land in the possession of the **M.S.R.T.C. Maharashtra State Road Transport Corporation** shall be allowed to be developed for commercial use to the extent of 50% of the admissible Floor Space Index (FSI) subject, however to the general restrictions applicable to such development, and also in accordance with the Government of Maharashtra, Home Department, Resolution No. STC 3400/CR 148/TRA- 1, dated 1st February 2001 or as may be modified from time to time.

S.2. Whenever diversion road constructed for national highway, state highway and major district road passes through Urban / Industrial or Rural areas then "Building Line" shall be restricted 40 m from centre of diversion road and "Control Line" shall be restricted to 75 m, from centre of diversion road and bounded according to the rules ~~change-in force~~ from time to time of P.W.D. of Govt. of Maharashtra.



**(SM-180) APPENDIX - T: PER CAPITA WATER REQUIREMENT OF VARIOUS USES/OCCUPANCIES**  
(Regulation 9.6.1)

**1.0 PER CAPITA WATER REQUIREMENT FOR VARIOUS OCCUPANCIES / USES**

Sr.No.	Types of Occupancy	Consumption per head per day (in litres)
(1)	(2)	(3)
1	RESIDENTIAL	
a)	In living unit located on plots less than 50 sq.m.	90
b)	In living units	135
c)	Hotels with lodging accommodation (per bed)	180
2.	EDUCATIONAL	
a)	Day schools	45
b)	Boarding schools	135
3.	INSTITUTIONAL (Medical Hospitals)	
a)	Number of beds not exceeding 100	340
b)	Number of beds exceeding 100	450
c)	Medical quarters and hostels	135
4.	Assembly Cinema theatres, auditoria, etc. (per seat of accommodation)	15
5.	Government <del>or</del> and Public /Semi-Public <del>business-uses</del>	45
6.	MERCANTILE (Commercial)	
a)	Restaurants (per seat)	70
b)	Other business buildings	45
7.	INDUSTRIAL	
a)	Factories where bath rooms are to be provided	45
b)	Factories where no bath rooms are required to be provided	30
8.	Storage (Including warehousing)	30
9.	Hazardous	30
10.	Intermediate / Stations (excluding mail & express stops)	45 (25)*
11.	Junction Stations	70 (45)*
12.	Terminal / Stations	45
13.	International and Domestic Airports	70

\*The values in parenthesis are ~~not-for~~ stations where bathing facilities are not provided.

Note : The number of persons for Serial Number (10) to (13) shall be determined by the average number of passengers handled by the station daily; due consideration may be given to the staff and workers likely to use the facilities.

**2.0 FLUSHING STORAGE CAPACITIES**

Sr.No	Classification of Buildings	Storage Capacity
1.	For tenements having common convenience.	900 liters net per <del>WG</del> w.c. seat.
2.	For residential premises other than tenements having common convenience.	270 liters for one <del>WG</del> w.c. seat & <del>80</del> 180 liters for each additional seat in the same flat.
3.	For factories and workshops.	900 liters per <del>WG</del> w.c. seat and 180 liters per urinal seat.
4.	For cinemas, public assembly halls etc.	900 litres per <del>WG</del> w.c. seat & 350 liters per urinal seat.

**3.0 DOMESTIC STORAGE CAPACITIES**

Sr.No	Number of Floors	Storage Capacity	Remarks
(1)	(2)	(3)	(4)
I.	For premises occupied as tenements with Common conveniences.		
1.	Floor 1 (Ground).	Nil	Provided no down-take fittings



			are installed.
2.	Floors 2, 3, 4, 5 & upper floors.	500* liters per tenement	---
II.	For premises occupied as flats <i>of</i> or blocks <i>-of</i> .		
1.	Floor 1.	Nil	Provided no down-take fittings are installed.
2.	Floors 2, 3, 4, 5 & upper floors.	500* liters per tenement	---

\* Subject to provisions of water supply and drainage rules.

Note 1 : If the premises are situated at a place higher than the road level, ~~in-front-of-the-premises~~, storage at ground level shall be provided in ~~front of the premises~~ on the same lines as on floor 2.

Note 2 : The above storage may be permitted to be installed provided, that the total domestic storage calculated on the above basis is not less than the storage ~~calculated calculation~~ on the number of down-take fittings according to the scales given below.

Down-take taps	70 <del>litres</del> liters each
Showers	135 <del>litres</del> liters each
Bathtubs	200 <del>litres</del> liters each

4.0 All other provisions which are not covered under these Regulations; the provisions specified in the National Building Code of India, 2005 shall be applicable.] (SM-180)



**(SM-181)/ APPENDIX - U: SANITATION REQUIREMENTS FOR VARIOUS USES / OCCUPANCIES**

**(Regulation 9.6.2)**

**1.0 SANITATION REQUIREMENTS FOR SHOPS AND COMMERCIAL OFFICES**

Sr.No.	Fitments	For personnel
(1)	(2)	(3)
1.	Water-closet	One for every 25 persons or part thereof exceeding 15 (including employees and customers). For female personnel, 1 per every 15 persons or part thereof exceeding 10.
2.	Drinking fountain water	One per every 100 persons with a minimum of one on each floor.
3.	Wash basin	One for every 25 persons or part thereof. One of such wash basins on each floor shall be fixed at height of 80 cm. with tap at 100 cm. above finished floor level for the use of handicapped disabled, old and infirm persons.
4.	Urinals	<del>Same at serial number 3 of Table 30.</del> One for 50 persons or part thereof.
5.	Cleaner's sink	One per floor minimum, preferably in or adjacent to sanitary rooms.

Note : Number of customers for the purposes of the above calculations shall be the average number of persons in the premises for a time interval of one hour during the peak period. For male-female calculation a ration of 1:1 may be assumed.

**2.0 SANITATION REQUIREMENTS FOR INSTITUTIONAL (MEDICAL) OCCUPANCY - (STAFF QUARTERS & HOSTELS)**

Sr.No.	Fitments	Doctor's Dormitories		Nurse's Hostel
		For Male Staff	For Female Staff	
(1)	(2)	(3)	(4)	(5)
1.	Water-closet	One for 4 persons	One for 4 persons	One for 4 persons or part thereof.
2.	Ablution taps	One in each water closet	One in each water closet	One in each water closet
3.	Wash basin	One for every 8 persons or part thereof. One of such wash basins on each floor shall be fixed at height of 80 cm. with tap at 100 cm. above finished floor level for the use of <del>handicapped-disable</del> persons with disabilities, old and infirm persons.	One for every 8 persons or part thereof.	One for every 8 persons or part thereof.
4.	Baths (with shower)	One for 4 persons or part thereof.	One for 4 persons or part thereof.	One for 4-6 persons or part thereof.
5.	Cleaner's sink	One per floor minimum	One per floor minimum.	One per floor minimum.
6.	Drinking water fountains	1 per 100 persons or part thereof with a minimum of 1 on each floor.		

**3.0 SANITATION REQUIREMENTS FOR GOVERNMENT AND PUBLIC / BUSINESS OCCUPANCIES AND OFFICES**

Sr.No.	Fitments	For Male Personnel	For Female Personnel
(1)	(2)	(3)	(4)
1.	Water-closet	One for every 25 persons or part thereof.	One for every 15 persons or part thereof.



2.	Ablution taps	One in each water closet	One in each water closet
3.	Urinals	Nil upto 6 persons. One for 7-20 persons, 2 for 21-45 persons, 3 for 46-70 persons, 4 for 71-100 persons. From 101 to 200 persons add at the rate of 3 percent. For over 200 persons add at the rate of 2.5 percent.	
4.	Wash basin	One for every 25 persons or part thereof. One of such wash basins on each floor shall be fixed at height of 80 cm. with tap at 100 cm. above finished floor level for the use of <del>handicapped</del> <b>disable persons with disabilities</b> , old and infirm persons.	
5.	Drinking water fountains.	One for every 100 persons with a minimum of one for each floor.	
6.	Baths	Preferably one on each floor	
7.	Cleaner's sinks	One per floor minimum preferably in or adjacent to sanitary rooms.	

#### 4.0 SANITATION REQUIREMENTS FOR RESIDENCE

Sr.No.	Fitments	Dwellings with Individual convenience	Dwellings without Individual convenience
(1)	(2)	(3)	(4)
1.	Bath room	1 provided with water tap.	1 for each two tenements
2.	Water closet	1	1 for each two tenements
3.	Sink (or Nahani) in the floor	1 From 101 to 200 persons add at the rate of 3 percent. For over 200 persons at the rate of 2.5 percent.	
4.	Wash tap	1	1 with draining arrangement in each tenement. 1 in common bath room and common water closets.

Note : Where only one water closet is provided in dwelling, the bath and water closet shall be separately accommodated.

#### 5.0 SANITATION REQUIREMENTS FOR ASSEMBLY OCCUPANCY BUILDINGS - (CINEMAS, THEATRES AND AUDITORIA)

Sr. No.	Fitments	FOR PUBLIC		FOR STAFF	
		For Male	For Female	For Male	For Female
(1)	(2)	(3)	(4)	(5)	(6)
1.	Water-closet	1 per 100 persons upto 400 persons.	3 per 100 persons upto 200 persons	1 for 1-15 persons 2 for 16-35 persons	1 for 1-12 persons 2 for 13-25 persons
2.	Ablution taps	One in each water closet	One in each water closet	One in each water closet	One in each water closet
3.	Urinals	1 for 25 persons or part thereof.		Nil upto 6 persons 1 for 7-20 persons 2 for 21-45 persons	
4.	Wash basin	1 for every 200 persons or part thereof.	One for every 200 persons or part thereof. One of such wash basins on each floor	1 for 1-15 persons 2 for 16-35 persons	1 for 1-12 persons 2 for 13-25 persons



			shall be fixed at height of 80 cm. with tap at 100 cm. above finished floor level for the use of <b>handicapped disable persons with disabilities</b> , old and infirm persons.		
5	Drinking water fountains	1 per 100 persons or part thereof.			

Note : It may be assumed that two thirds of the number are males and one third females.

#### 6.0 SANITATION REQUIREMENTS FOR ASSEMBLY OCCUPANCY BUILDINGS - (ART GALLERIES, LIBRARIES AND MUSEUMS)

Sr. No.	Fitments	FOR PUBLIC		FOR STAFF	
		For Male	For Female	For Male	For Female
(1)	(2)	(3)	(4)	(5)	(6)
1.	Water-closet	1 per 200 persons upto 400 persons.	1 per 100 persons upto 200 persons	1 for 1-15 persons 2 for 16-35 persons	1 for 1-12 persons 2 for 13-25 persons
2.	Ablution taps	One in each water closet	One in each water closet	One in each water closet	One in each water closet
3.	Urinals	1 for 50 persons		Nil upto 6 persons 1 for 7-20 persons 2 for 21-45 persons	
4.	Wash basin	1 for every 200 persons or part thereof. For over 400 persons, add at the rate of 1 per 250 persons or part thereof.	One for every 200 persons or part thereof. For over 200 persons add at the rate of 1 per 150 persons or part thereof. One of such wash basins on each floor shall be fixed at height of 80 cm. with tap at 100 cm. above finished floor level for the use of <b>handicapped disable persons with disabilities</b> , old and infirm persons.	1 for 1-15 persons 2 for 16-35 persons	1 for 1-12 persons 2 for 13-25 persons
5	Drinking water fountains	1 per floor, minimum			

Note : It may be assumed that two thirds of the number are males and one third females.

#### 7.0 SANITATION REQUIREMENTS FOR RESTAURANTS

Sr. No.	Fitments	FOR PUBLIC		FOR STAFF	
		For Male	For Female	For Male	For Female



(1)	(2)	(3)	(4)	(5)	(6)
1.	Water-closet	One for 50 seats upto 200 seats. For over 200 seats, add at the rate of one per 100 seats or part thereof.	One for 50 seats upto 200 seats. For over 200 seats, add at the rate of one per 100 seats or part thereof.	1 for 1-15 persons 2 for 16-35 persons 3 for 36-65 persons 4 for 66-100 persons	1 for 1-12 persons, 2 for 13-25 persons 3 for 26-40 persons 4 for 41-57 persons 5 for 58-77 persons 6 for 78-100 persons
2.	Ablution taps	One in each water closet	One in each water closet	One in each water closet	One in each water closet
3.	Urinals	1 for 50 persons	---	Nil upto 6 persons 1 for 7-20 persons 2 for 21-45 persons 3 for 46-70 persons 4 for 71-100 persons	---
4.	Wash basin	One for every water closet provided			
5.	Kitchen sinks and dish washers	One in each kitchen.			
6.	Slop or service sink	One in the Restaurant			

Note : It may be assumed that two thirds of the number are males and one third females.

### 8.0 SANITATION REQUIREMENTS FOR FACTORIES

Sr.No.	Fitments	For Male Personnel	For Female Personnel
(1)	(2)	(3)	(4)
1.	Water closet	1for 1-15 persons. 2 for 16-35 persons. 3 for 36-65 persons. 4 for 66-100 persons.	1for 1-12 persons. 2 for 13-25 persons. 3 for 26-40 persons. 4 for 41-57 persons. 5 for 58-77 persons. 6 for 78-100 persons
		From 101 to 200 persons, add at the rate 3 percent. From over 200 persons, add at the rate of 2.5 percent.	From 101 to 200 persons, add at the rate 5 percent. From over 200 persons, add at the rate of 4 percent.
2.	Ablution taps	1 in each water closet	1 in each water closet
		One water tap with draining arrangement shall be provided for every 50 persons or part thereof in the vicinity of water closets and urinals.	
3.	Urinals	Nil upto 6 persons. 1 for 7-20 persons. 2 for 21-45 persons. 3 for 46-70 persons. 4 for 71-100 persons.	
4.	Washing taps and draining	1 for every 25 persons or part thereof.	1 for every 25 persons or part thereof.
5.	Drinking water fountain.	1 for every 100 persons with a minimum of one on each floor.	
6.	Baths (preferably showers)	As required for particular trades of occupations.	

Note 1 : For many trades of a dirty or dangerous character, more extensive provisions are required.



Note 2 : Crèches, where provided shall be fitted with water closets (one for 10 persons or part thereof) and wash basins (one for 15 persons or part thereof) and drinking water tap with draining arrangements (one for every 50 persons or part thereof.)

### 9.0 SANITATION REQUIREMENTS FOR LARGE STATIONS AND AIR-PORTS

Sr.No. (1)	Place (2)	WC for Males (3)	WC for Females (4)	Urinals for Males only (5)
1.	Junction stations, intermediate stations and bus stations.	3 for first 1000 persons and 1 for every subsequent 1000 persons or part thereof.	4 for first 1000 persons and 1 for every additional 1000 person.	4 for every 1000 persons and 1 for every additional 1000 persons.
2.	Terminal stations and bus terminals	4 for first 1000 persons and 1 for every subsequent 1000 persons or part thereof.	5 for first 1000 persons and 1 for every subsequent 2000 persons or part thereof.	6 for first 1000 persons and 1 for every additional 1000 persons or part thereof.
3.	Domestic airports min.	2*	4*	2*
	for 200 persons	5	8	6
	for 400 persons	9	15	12
	for 600 persons	12	20	16
	for 800 persons	16	26	20
	for 1000 persons	16	29	22
4.	International Airports			
	for 200 persons	6*	10	8
	for 600 persons	12	20	16
	for 1000 persons	18	26	22

\* At least one Indian Style Water Closet shall be provided in each toilet. Assume 60 Males to 40 Females in any area. Male population may be assumed as three-fifth and female population as two-fifth.

Note 1: Provisions for wash basins, baths including shower stalls, shall be in accordance with Part IX Section 2 Drainage and Sanitation of National Building Code of India.

### 10.0 Fire Fighting Installations / Requirements – (Under Appendix 12.1)

Sr. No.	Type of Building Occupancy	Type of Installation	Water Supply		Pump Capacity	
			Underground Static Tank	Terrace Tank	Near the Underground Static Tank	At the Terrace level
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.	Apartment buildings below 15 m.	Nil	Nil	Nil	Nil	Nil
2.	Apartment buildings above 15 m, but not exceeding 24 m.	Wet riser cum down-comer with provision of fire service inlet only near ground level.	Nil	10000 liters	Nil	100 liters per minute giving a pressure not less than 15 kg/cm <sup>2</sup> at the topmost.



						hydrant.
3.	Non-apartment buildings					
	Industrial Storage and Hazardous	Nil	50000-liters	Nil	Nil	Nil
	Educational building above 15 m. but not exceeding 24 m. in height.	Wet riser cum-down comer	Nil	10000 liters	Nil	Nil

Note 1: Any of the above categories may incorporate an automatic sprinkler / drencher system, if the risk is such that requires installation of such protective methods.

Note 2: Minimum of two hydrants shall be provided within the courtyard.

Note 3: Wet riser cum down comer is an arrangement for firefighting within the building by means of vertical rising mains not less than 10.00 cm. internal diameter with hydrant outlets and house reel on each floor / landing connected to an overhead water storage tank for firefighting purpose, through a booster pump, gate valve and a non return valve near the tank end and a fire pump, gate and non return valve, shall also be provided to the rising main for charging it by fire services pump in case of failure of static fire pump over the underground static tanks.

Note 4: The performance of pumps specified above shall be at R.P.M. not exceeding 2000.

Note 5: The above quantities of water shall be exclusively for fire fighting and shall not be utilized for domestic or other use.

Note 6: A facility to boost up water pressure in the riser directly from the mobile pump shall also be provided to the wet riser system with a suitable fire service inlets (collecting breaching with 2 numbers of 63 mm. Inlets for 10 cm. rising main and 4 numbers of 63 mm. Inlets with check valves for 15 cm. diameter rising main) and a non return valve and a gate valve.

Note 7: Hose Reel- internal diameter of rubber hose for hose reel shall be minimum 19 mm. A shut-off branch with nozzle of 4.8 mm. Size shall be provided.

11.0 All other Regulations/provisions which are not covered under these Regulations; the provisions specified in National Building Code of India, 2005 shall be applicable. ] **(SM-181)**



**(SM-166) APPENDIX - V: NO DEVELOPMENT ZONE (NDZ)**

**(Regulation 6.3 and Appendix D-67)**

**No-Development Zone (NDZ)**

The following uses are permissible in a No Development Zone (NDZ) ~~provided~~. However, no services of any kind will be provided by the Planning Authority:

- i. Agriculture, horticulture and animal husbandry (except for keeping animals on a commercial scale, subject to a limit of 10 head of cattle per acre and providing necessary buildings, garages, pig ~~sties~~, ~~sites~~ stables and storage buildings;
- ii. Gardens and poultry farms;
- iii. Forestry;
- iv. Golf clubs and links;
- v. Public parks, private parks, play fields, stadia, gymkhanas, swimming pools gliding facilities, temporary camps for recreation of all types.
- vi. Amusement park, in a plot of not less than 5 ha. in area, with recreational and amusement devices like a giant wheel, roller coaster, merry-go-round or similar rides ~~both indoor and outdoor~~, ocean-park, swimming pool, magic mountain and lake, ethnic village, shops for souvenirs, toys, goods, refreshments and beverages on the following conditions with the special permission of the Planning Authority ~~/Head, Planning Authority~~:-
  - a. The entire land for the amusement park shall vest in a single ownership and the land shall not be sub-divided at any time.
  - b. Structure for the amusement park shall not be sold at any time to any other person.
  - c. The required infrastructure, like proper and adequate access to the park, water supply, sanitation, conservancy services, sewage disposal and adequate off-street parking will have to be provided and maintained by the promoters of the project at their cost and to the satisfaction of the Planning Authority ~~/Head, Planning Authority~~.
  - d. The promoters of the project shall provide adequate facilities for collection and disposal of garbage at their cost, and to the satisfaction of the Planning Authority and will keep, at all times, the entire environment clean, neat and hygienic.
  - e. Structures for ~~indoor rides~~ and ancillary activities, such as administrative offices, exhibition hall or auditorium, restaurant, open air theatre, essential staff quarters, store buildings, fast food shops, museum, souvenir and small shops, ancillary structures to swimming pool, may be permitted subject to a maximum floor space index not exceeding 0.04; i.e. FSI of 0.025 for principal activity and 0.015 for ancillary activities.
  - f. Structures permitted in the amusement park (except those intended for park apparatus, entertainment such as magic mountain etc. and other equipment) should be ground floor structures, with the construction blending with the surrounding environment and landscape.
  - g. Except for minor dressing, hills and natural features, if any, shall be maintained in their natural condition and beautified with planting of trees etc.
  - h. All trees already growing on the land shall be preserved to the extent possible, except that if it becomes necessary to cut any tree, the required permission of the Planning Authority should be obtained under the law. At least 5 trees per 100 sq. m. shall be planted and grown within the area of the park.
  - i. Structures, buildings or monuments of historical, aesthetical, architectural, or heritage importance, if any, shall be preserved and maintained properly.



- j. Sufficient parking facilities and ancillary facilities for cars, buses, transport vehicles etc. shall be provided on site as prescribed by and to the satisfaction of the Planning Authority and ~~Planning Authority of~~ Police.
- k. The promoters of the project will prepare a suitable layout with appropriate landscaping of the recreational and other facilities and obtain approval of the Planning Authority.
- l. No objection certificate of the Tourism Department shall be obtained.
- m. The development shall be regulated according to other requirements of these and all applicable rules and Regulations and subject to all other clearances as may be required.
- n. Proper arrangements for safety, Regulations of traffic approaches to the park etc. shall be made to the satisfaction of the Planning Authority ~~and of~~ Police from the law and order and traffic aspects.

viii ~~vii~~7. Race tracks and shooting ranges.

ix ~~viii~~8. Fish curing on open land/fish farming.

xix ~~9~~. Salt manufacture from sea water.

xi ~~x~~10. Public utility establishments such as electric sub-stations, receiving stations, switch yards, over-head line corridors, radio and television stations, receiving stations, main stations for public gas distribution, sewage treatment and disposal works, water works along with residential quarters for essential staff for such works, with the special permission of the Planning Authority.

Xii ~~xi~~11. Cemeteries and crematoria and structure incidental thereto.

Xiii ~~xii~~12. -Structure for watchmen's quarters each not exceeding 20 sq.m. Numbers of such structures in each plot to be decided by the Planning Authority/~~Head, Planning Authority~~ ] (SM-166)

(EP-282) [Xiv ~~xiii~~13. A residential building, in an area other than that of an amusement park as in (6vi) above, subject to the following :-

- a-i. Building to be not more than ground and one ~~storey storey~~ with a height not exceeding 9.75m. ~~including the height of stilt, if any;~~
- b. ~~including the height of stilted portion, if any;~~
- e-ii. FSI to be not more than 0.05 for independent plots of area upto one hectare each;
- d-iii. For plots each more than one hectare in area FSI to be 0.05 for upto the first hectare and thereafter to be not more than 0.025 for the remaining area of the plot, no sub-division of plots ~~being shall be~~ permitted.
- iv. Minimum plot area shall be 1 Ha.
- v. Maximum plinth area shall be 2.5% total plot area.
- vi. Building & its apartment paved area shall not be more than 5% of the total plot area.
- vii. Approach road having maximum width of 4.5m. upto a distance 50m shall only be permissible.
- viii. Tree plantation shall be done at the rate of 500 trees per hectare on the area remaining after construction of building.] (EP-282)

(SM-166) [xv ~~xiv~~14. Construction of transit camp tenements required for implementation of Slum Rehabilitation Schemes provided the area is within No Development Zone, but restricted to within 100 metres from the periphery of No Development Zone towards the developed/non-NDZ area.

xvix ~~v~~15. IT/ITES Parks/Units\* set up by public or private sector; shall be allowed in No Development zone, subject to following conditions:

- a. Total FSI shall not exceed 0.20.
- b. Residential development shall not exceed one-third of the total built-up area.
- c. Construction of buildings for IT/ITES shall be permitted to the extent of 20% on 10% of the total plot area and shall be located such that, as much of remaining open space is available in a contiguous manner and on remaining 90% of plot area, trees shall be planted at the rate as may be prescribed by the Planning Authority or the concerned officer.
- d. Sub-division of land shall be permitted in such a way that the subdivided plot does not measure less than 4000 sq.mt.
- e. Lands from No Development Zone shall be contiguous to the development zone prescribed in the Development Plan.

(b)f. ~~Additional FSI to IT/ITES Parks/Units set up by public or private Sector in No Development Zone:~~ Subject to the approval by the Director of Industries, the Planning Authority or the concerned officer may permit the FSI of 0.20, available in NDZ to be exceeded by 100%. Grant of such additional FSI shall be further subject to following terms and conditions.:

b4.i) Additional FSI to IT/ITES units would be available only upon full utilization of basic admissible FSI of 0.20.

e2.ii) Additional FSI to IT/ITES units would be available to IT/ITES parks duly approved by the Directorate of Industries.

d3.iii) The additional FSI shall be granted upon payment of premium to the said Planning Authority which shall be paid in the manner as may be determined by the Govt. Such premium shall be recovered at the rate of 25% of the ~~present day~~ market value of the land under reference as indicated in the ~~Ready Rreckoner Annual Statement of Rates for the year in which the permission is granted~~ residential use.

e4. Out of which 25% the total premium shall be payable to the Govt. and remaining 75% amount shall be payable to the Planning Authority.

f5.iv) The premium so collected by the said Planning Authority shall be primarily used for development /up gradation of off-site infrastructure required for the IT/ITES park and the utilisation of this premium shall be monitored by the empowered committee.

xvii6.v) In the event, the developer comes forward for provision of such offsite infrastructure at his own cost, then they said Planning Authority shall determine the estimated cost of the works and shall also prescribe the standards for the work. After completion of the works the said Planning Authority, shall verify as to whether the same is as per prescribed standards and ~~thereafter deducting the cost of works, the balance amount of premium shall be recovered by the said Planning Authority. refund such amount incurred by the developer.~~

xviii7.vi) ~~Users/services ancillary to the IT/ITES:~~ While developing site for IT/ITES with additional FSI, users ancillary to the principal user, as may be approved by the Directorate of Industries shall also be allowed.

xix8.vii) No condonation in the required open spaces, parking and other requirements prescribed in these Regulations shall be allowed in case of such additional FSI.

xxg. Relaxation of height/extent of built up areas, for IT/ITES Units located in developable Zones:

xxi- In cases of grant of additional FSI, if the Planning Authority is satisfied that it is not possible to utilize the full built-up area, it may grant relaxation in height of the buildings and



extent of built up area, provided such relaxation's is not contrary to the any other Regulations in these regards.

~~xvi-xxii~~ **16.** Development of Cinema and TV Film production, shooting, editing and recording studios with its ancillary and supporting users, including construction of staff quarters, rest rooms, canteens etc. shall be allowed subject to the following conditions:

- a. The minimum plot area (necessarily under one ownership) shall not be less than 2 hectares.
- b. The total permissible FSI shall not exceed 0.2.
- c. Out of the permissible built up area equivalent to 0.2 FSI, built up areas for ancillary and supporting users shall not exceeding  $1/3^{rd}$  of permissible FSI ~~0.2~~.
- d. The construction shall be confined to 10% of the plot and the remaining plot (excluding areas required for parking, roads etc.) shall be planted with trees at the rate of 500 trees per hectare.

~~xxiii-xvii~~ **17.** Users such as Educational Institutions ,Medical Institutions, Research and Development Institutions and Biotech units shall be permitted into No Development Zone subject to the following conditions:-

- a. Minimum area of plot shall be 5.0 Ha.
- b. Maximum FSI ~~limit~~ shall be 0.20 and as far as possible the development shall be at one place of the total land.
- c. The ground coverage shall not exceed 10% of the area of plot.
- d. Tree plantation shall be done at the rate of 500 Trees/Ha. on the remaining land excluding the built-up area and the surrounding open space/utility space.
- e. The maximum height of the building shall not exceed 24 mt.
- f. Essential residential development for the staff/officer's accommodation shall be permitted upto the extent of 33% of the permissible built-up area.
- g. These uses shall be permitted in No Development Zone, within a distance of 3 km. from the adjoining developable zone.
- h. Development in plots affected by CRZ area shall be permissible, subject to the ~~notification issued by MOEF, regarding CRZ. MoEF notification issued from time to time. ] (SM-166)~~

~~(EP-283) [i. Research and Development of hazardous chemical and explosives shall not be permissible.]~~

~~(SM-166)[18) Fish farms, fish drying, storage of boats, servicing and repairs of boats.~~

~~19) Storage and drying of fertilizers.~~

~~20) Religious buildings, cemeteries and crematoria and structures incidental thereto; ]~~

~~(EP-283) [21) Residential, commercial or Industrial building accessory users and/or uses ancillary to such use or ancillary and holiday resort in a plot not less than 0.2 ha. in area. Such plots meant for residential, commercial, or Industrial use shall be subject to the restrictions mentioned in Table 26. Commercial, storage & Industrial building as mentioned at Sr. no. 18, 19, 23, 25, 27 & 28 in a plot not less than 0.2 Ha in area & shall be subject to the restrictions mentioned in Table - 26.]~~

~~22) Small agro based industries processing agricultural products like rice mills, poha factories and other rural based service industries;~~

~~(SM-166)[~~

~~23) Quarrying of stone, murum or earth including mechanized stone crushing or stone dressing subject to Regulation 4.12.~~

~~24) Petrol pumps, service shops and other road side amenities;~~

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25) Construction of new communication routes including roads, highways, railways, airports, jetties, etc.

26) Storage of obnoxious or hazardous material subject to Regulation 4.11.

27) Slaughter house or facilities for processing and disposal of dead animals subject to conditions of Planning Authority.

28) L.P. Gas Godowns would be permissible in No Development Zone (NDZ) within municipal limits subject to following conditions:

(i) Area of plot shall not be less than 2000 Sq.m.

(ii) The maximum permissible FSI shall be 0.20.

(iii) Only ground floor structure would be permissible.

(iv) It is necessary to obtain "No Objection Certificate" from Controller of Explosives and competent fire authority.

(v) Condition imposed by planning authority should also be followed. ] **(SM-166)**

**(EP-283)** [29) Highway Amenities such as Transport Mall, Truck Terminus, Motels, Restaurants etc. having structures upto G+1, in a plot not less than 0.4 Ha in area shall be permissible with 0.2 FSI.]



**APPENDIX - W: REGULATIONS FOR DEVELOPMENT OF SPECIAL TOWNSHIP PROJECT**

**(Regulation 7.36-1310.1)**

**(SM-182)[W.0-GENERAL REQUIREMENTS]**

Development of Special Townships shall be as per the Regulations mentioned hereby.

**(SM-183)[W.1 Applicability-** ~~These~~ ~~This~~ Regulations would be applicable to the area under sanctioned ~~Mumbai Metropolitan Regional Development Plan of Bhiwandi Surrounding Notified Area of Bhiwandi Tehsil of Thane District, excluding the area under jurisdiction of Municipal Planning Authorities, Municipal Councils, Cantonment Boards, Maharashtra Industrial Development Corporation Planning Authority and Special Planning Authority, where the land has been proposed to be acquired if any.~~

*Provided that, in case of a newly constituted Municipal Council or Municipal Corporation or Special Planning Authority, this Regulation shall be applicable till such authority makes or adopts suitable Regulation in this regard, with the approval of the Government. ] (SM-183)*

**(EP-210) [1.1. Area Requirements-** Any suitable area free from all encumbrances having ~~sufficiently wide means of access (not less than 18 m. wide)~~ access by means of an existing or a proposed Development Plan road having a minimum width of 18m, can be identified for the purpose of development as "Special Township Project". The area ~~notified~~ under the Special Township Project shall not be less than 40 Ha. (100 acres) ~~be at one place, contiguous, unbroken and uninterrupted and in any case shall not be less than 40 Ha (100 acres) at one place, contiguous, unbroken and uninterrupted~~ which shall not include the area under Eco-Sensitive Zone, Forests, Hill-Tops, Hill-Slopes, Water Bodies like rivers, creeks, canals, reservoirs, lands falling within the belt of 100 ~~500~~ m. from the High Flood Line (HFL) of major lakes, dams and its surroundings restricted area, lands in the command area of irrigation projects, land falling within the belt of 200 m. from the Historical Monuments and Places of Archeological importance, Archeological Monuments, Heritage precincts and Places, any Restricted Areas, notified National Parks, existing and proposed Industrial Zone, Gaothan areas ~~or and~~ congested areas, truck terminus specially earmarked on the Development Plan, wild life corridors and biosphere reserves, Eco-sensitive zone/area, quarry zone and Recreational ~~and~~ Tourism Development Zone, catchment areas of water bodies, Defence areas, Cantonment areas, notified area of SEZ, ~~and~~ designated Port/Harbour areas, ~~designated port/harbour areas and Recreational Tourism Zone designated Airport areas.~~

However, such Special Township Project may also include private lands under commercial zone, industrial zone, Transport Hub & Logistic Park and Public/Semi-public Zone subject to the conditions that -

- i) In case of lands falling under industrial zone, minimum 60 percent built-up area of the basic FSI from the land under Industrial Zone shall be for the purpose of Industrial user and the remaining maximum 40 percent, for the Residential and Allied users and
- ii) In case of lands falling under commercial zone, minimum 50 percent built-up area of the basic FSI from the land under Commercial Zone shall be for the purpose of commercial user and the remaining maximum 50 percent, for the Residential and Allied users.
- iii) In case of lands falling under Transport Hub & Logistic Park, minimum 60 percent built up area of the basic FSI from the land under Transport Hub & Logistic Park shall be for the purpose of Transport Hub & Logistic Park User and the remaining maximum 40 percent, for the Residential and Allied users.

In case of lands falling under public/semi public Zone, minimum 60 percent built-up area of the basic FSI from the land under Public/Semi-public Zone shall be for the purpose of





Public/Semi-public Zone and the remaining maximum 40 percent, for the Residential and Allied users. ]

**(SM-183)[1.2. Manner of Declaration-** Any area, identified above and if found suitable, can be Notified by the Government in the Urban Development Department, for the purpose of development as "Special Township Project" by following procedure prescribed under section 37 of the Maharashtra Regional and Town Planning Act, 1966 and also in such other manner, as may be determined by it, for the purpose of development as "Special Township Project". However, in cases where the proposal of Special Townships Project is submitted by the land owners by themselves or by the Developer who holds rights to develop the whole land under the Special Township Project, the area shall be notified by the Government following procedure under section 37 44(2) of the said Act. In such cases, procedure under section 37 shall not be necessary.

**1.3. Infrastructure Facilities-** The entire Special Township Project should be an integrated one, with having all the facilities within the boundaries of the declared Special Townships Project. All the on site infrastructures, i.e. roads, including D.P. roads, and approach roads, street lights, water supply, sewerage system and drainage system shall be provided and maintained in future by the Developer till an urban local body is constituted for such area. and The Developer shall also carry out development of amenities or proposals, if any, designated in the Development Plan, in accordance with the prevailing Development Control Regulations.

**(A) Water Supply-** The Developer shall be required to develop the a source for drinking water (excluding the groundwater source) or secure firm commitment from any water supply authority for meeting the daily water requirement of the expected population, at the rate of minimum 140 liters per capita per day, exclusive of requirement of water for fire fighting and gardening. The storage capacity of the same shall be at least 1.5 times of the actual required quantity, as determined on the basis of by expected population (both resident and floating) and other uses. The Developer would shall be required to develop proper internal distribution and maintenance systems and shall specially undertake rain water harvesting, groundwater recharging and waste water recycling projects within the Township.

**(B) Drainage and Garbage Disposal-** The developer shall make suitable and environment friendly arrangements for the disposal and treatment of sewage and solid waste as per requirements of the Maharashtra Pollution Control Board. Recycling of sewage and waste water for gardening and other non-potable purposes shall be undertaken by the Developer. The Developer shall develop eco-friendly garbage disposal system by adopting the recycling and bio-degradation system, in consultation with the Maharashtra Pollution Control Board.

**(C) Power-** The Developer shall ensure continuous and good quality power supply to the township area. The Developer may draw the power from an existing supply system or may go in for arrangement of captive power generation with the approval from of concerned authority. If power is drawn from an existing supply system, the Developer shall, before commencement of development, procure a firm commitment of power supply for the entire township from the power supply company. ] **(SM-183)**

**(EP-210) [1.4. Environment-** The development contemplated in a Special Townships Project shall not cause damage to ecology. In no case it shall involve topographical changes, or changes in alignment or cross section of existing water course, if any, in the scheme project area or adjacent to scheme the project area. Environmental clearances shall be obtained from the Ministry of Environment and Forests, Government of India as per the directions issued by the MoEF's Notification dated 7<sup>th</sup> July 2004 and as amended from time to time. The Special Township Project shall provide at least 20% 10% of the total project area as parks/gardens/playgrounds as mentioned at in sub-regulation no. W.4.(f) below, with proper landscaping and open uses designated in the



Special Township Project shall be duly developed by ~~owner/the~~ Developer. ~~These amenities and shall be open to the~~ general public, without any restriction or discrimination.]

**(SM-183) W.2. SPECIAL CONCESSIONS:**

**(A) N.A. Permission-** ~~Permission for~~ Non-agricultural ~~permission will~~ shall be automatic. As soon as the ~~scheme~~ Special Township Project is notified, as per sub-regulation no. W.1.2, lands notified under the Special Township Project ~~area as per W.1.2 will~~ shall be deemed to have been converted ~~into~~ non-agricultural user and no separate permission ~~is shall be~~ required thereafter. However, non-agricultural assessment ~~however will~~ shall commence from the date of sanction of ~~scheme the~~ Project as per sub-regulation no. W.7(C).

**(B) Stamp Duty-** The stamp duty rates applicable in the area of Notified Special Township Project area shall be 50% of the prevailing rates of the Mumbai Maharashtra Stamp Act, 1958.

**(C) Development Charge-** A Special Township Project shall be exempted from payment of Development Charge to the extent of 50%.

**(D) Grant of Government Land-** Any Government land falling under the area of Special township Project area shall be leased out to the Developer at the prevailing market rate, on usual terms and conditions, without any subsidy.

**(E) Relaxation from Mumbai Tenancy and Agricultural Land Act, 1948-** The condition that only ~~the an~~ agriculturist ~~will~~ shall be eligible to buy the agricultural land shall not be applicable in the area of Special Township Project area.

**(F) Ceiling ~~of on~~ Agriculture Land-** There shall be no ceiling limit for holding agricultural land to be purchased by the ~~owner/~~Developer for such Special Township Project.

~~g. Exemption from Urban Land (Ceiling and Regulation) Act, 1976: Special Township projects will be exempted from the purview of Urban Land (Ceiling and Regulation) Act, 1976.~~

**(h.G) Scrutiny Fee-** A Special Township Project shall be partially exempted from payment of scrutiny fee being levied by the Special Planning Authority, ~~Municipal Corporation/Council~~ for processing the development of proposal on certain terms and conditions, as may be decided by the ~~concerned~~ Special Planning Authority/~~Municipal Corporation/Council~~ functioning in the area.

**(i.H) Floating FSI-** ~~There will be floating FSI in the township. Unused FSI of one plot can be used anywhere in the whole township.~~ The FSI admissible to a Special Township Project shall be floating in the sense that the unused FSI of a plot in the area of the Project can be used anywhere in the area of the Special Township Project.

**(j.I) Special benefits / concessions** in respect of Star Category Hotels, Hospitals and Multiplexes / Property Tax shall be ~~provided~~ shall be admissible in the area of the Special Township Project. ] **(SM-183)**

**(SM-184) W.3. PLANNING CONSIDERATIONS:**

The Special Township project ~~has to~~ shall be an integrated township project. ~~The project should and shall~~ necessarily provide land for the following users:-

- a. Residential
- b. Commercial
- c. Educational
- d. Amenity Spaces
- e. Health Facilities

- f. Parks, Gardens and Play Grounds
- g. Public Utilities]

(EP-210) [h. Transport and Communication

- i. Service Industries
- j. Economic Activities.]

#### W.4. GENREAL NORMS FOR DIFFEENT LAND USES:

The overall planning of the Special Townships Project shall be such that the project fairly meets with the specifications spelt out in the prevailing planning standards approved by the Government. Further, the planning of Special Township Project shall take care of the following land uses in particular. ] (SM-185)

(EP-210) [(A) Residential: The residential area should be well defined in clusters or neighborhoods or in plotted development with proper road grid. Out of the total built-up area proposed to be utilized, which is permissible as proportionate to the zoning of the area under such township, at least 60% of the floor area generated by utilizing the basic Floor Space Index (FSI), may be used for purely residential development (hereinafter referred to as "Residential Component" of the Special Township). and further out of the total built-up area proposed to be utilized for residential development, 10% of the same shall be built for residential tenements having built-up area up to 40sqmt.

*The area earmarked for social housing for the Economically Weaker Sections (E.W.S.) and the Lower Income Group (L.I.G.) shall be governed by sub-regulation no. W.5.1(i) and 5.1(ii) in such a way that the building permission for the residential component of the Special Township Project shall be given pro rata in accordance with the development of Social Housing for the E.W.S./L.I.G.]*

(SM-185) [(B) Commercial: The commercial area shall be properly distributed in hierarchical manner such as convenience shopping, community centres, etc.

(C) Educational: Comprehensive educational system providing education from primary to secondary level should be provided as per the requirement. Minimum area required for educational purpose shall be as per the prevailing planning standards. The area allocation for educational use should be on the basis of projected population base and as far as possible, the educational complex facilities should not be concentrated at one place. All such complexes educational facilities should also have adequate allocation of area allocation for playground. and minimum area required for educational purpose shall be as per prevailing planning standards.

(D) Amenity Spaces: The area allocation of area in a Special Township Project towards for amenity spaces, for providing for amenities like market, essential shopping area, recreation centers, town hall, libraries, etc. should shall not be less than 5% of the gross area of the Project and should be evenly placed distributed.

(E) Health Facilities: Adequate area should be allocated allocation for health care facilities for primary health care as well as secondary health care. should be provided for. The Minimum area required for health care facilities shall be as per the prevailing planning standards. [(SM-185)

(EP-210) [(F) Parks, Gardens and Play grounds: The Special Township Project shall also provide at least 20% 10% of the gross township area of the project as parks/gardens/play grounds without changing the topography. These should be exclusive of the statutory open spaces to be kept in smaller layout and should be distributed in all residential clusters. This 20% area should which shall be developed by the Developer as such for such purposes and kept open to all the



general public without any restriction or discrimination. This shall be exclusive of the statutory open spaces to be kept in smaller layouts and should be distributed in all residential clusters.]

**(SM-185) (G) Public Utilities:** Appropriate area allocation of area under Special Township Project should be provided for (a) power receiving station/sub-station, (b) water supply system, (c) sewerage sewage and garbage disposal system, (d) police station, (e) public parking, (f) cemetery/cremation ground, (g) bus station, (h) fire brigade station and other public utilities as per requirements.

**(H) Transport and Communication:** The entire area of Special Township Project shall be well knitted knit with proper road pattern, taking into consideration the linkages with existing roads within the township and as well as the outside area as well. All such roads shall be developed by the Developer as per the prescribed standards and road widths shall be as given below.

- Classified Road – as prescribed.
- Main road/Ring road - minimum 18 to 24 meter wide.
- Internal Road- As per prevailing bye laws applicable to Regional-the Development Plan, subject to minimum road width of 9m.

**(I) Service Industries:** In the area of the Special Township Project area, lands required for commercial uses and industrial uses, permissible in residential user, may also be earmarked. However, the predominant land use in the Special Township Project would shall be residential use. **[(SM-185)]**

**(EP-210) [(J) Economic Activities:** In order to make the Special Townships self-sustainable and ensure their development as new self-contained micro-centers of urban growth, the Special Township Project shall ideally be centered around one or more key economic activities like Trade/Commerce, Education, Health Care, Non polluting Industries, Service Industries, Entertainment, Tourism, etc. Special Township Project shall compulsorily provide minimum 20% Built-up Area for such economic activities and development of the Residential Component of the Special Township Project shall be permissible pro rata, in accordance with the development of economic activity.

Explanation:-

- i. Educational activity and Health Care activity mentioned above shall not include Primary / Secondary Schools and Primary / Secondary Health Care facilities respectively.
- ii. The total built-up area for Commercial activities under sub-regulation No. W.4(B) and the total commercial built-up area under sub-regulation No. AB.4(D) shall be counted towards the built-up area for the aforesaid Economic Activity.]

**(SM-185) [Note** Provided that:-

- i. All the amenities referred to above shall be inclusive of designated amenities and the Amenity space required as per the Development Control Regulations of the Development Plan.
- ii. Location of any Reservation shown in the Development Plan reservations can be shifted anywhere in the area of the Special Township Project area with the approval of the Special Planning Authority.
- iii. The Development Plan reservations in the area of Special Township Project area, shall not be handed over to the Special Planning Authority, but the same shall be developed by the Developer for the designated amenity.
- iv. Development Plan roads in the area of Special Township Project area shall be developed and maintained by the Developer and the same shall be always open for to the general public without any restrictions thereupon.



- v. Minimum parking shall be provided as per these Development Control Regulations. ~~the DCR of the Development Plan for hotel, restaurant, collage, school, educational institute, educational classes, hospitals, polyclinics and diagnostic centers, offices, Mangal Karyalaya, town hall, clubs, etc. onsite parking shall be provided. For buildings having mixed users, in addition to the regular parking area as mentioned above a space of 3.0mt. wide strip along the road on front/side shall be provided for visitor's parking. ]~~

**(SM-186) [W.5. Development Control Regulations:**

Prevailing Development Control Regulations of the sanctioned Development Plan as well as provisions of MoEF CRZ Notification, dated ~~19th February 1994~~ issued from time to time shall be applicable mutatis mutandis to the Special Township Project, except for those expressly provided in ~~these Special Regulations this Regulation for Special Township Projects. ]~~

**(EP-210) [5.1 Special Township Projects in Residential, Residential with No Development Zone/Green Zone and Urbanisable Zone:**

~~i. The total built-up area/FSI of entire gross area of the Special Township declared as per W.1.4 above excluding the area under No development Zone/Green Zone, if any, included in the project shall be 1.00. The FSI for areas from No Development Zone/Green Zone, if any, included in special township zone shall be 0.5 in proportion to the area of the zones. There will be no limit of total built-up area/FSI for the development of individual plots. Height of building shall be as per prevailing Development Control Regulations of the Development Plan. However, it may be increased subject to provisions of fire fighting arrangements with prior approval of concerned fire authority, Government of Maharashtra.~~

(i) The admissible FSI in respect of Special Township Project in the Residential and Urbanisable zone within the Development Plan area shall be as given below:

Sr. No.	Area of Township (In Ha.)	Basic FSI	Additional FSI for Social Housing (@20% of the basic FSI) for EWS/LIG (Compulsory)	Additional FSI on Payment of Premium (Optional)	Maximum Total Permissible FSI on Gross Plot Area.
(1)	(2)	(3)	(4)	(5)	(6)
1	40 to 100	1.00	0.2	0.3	1.5
2	Above 100 to 200	1.00	0.2	0.4	1.6
3	Above 200	1.00	0.2	0.5	1.7]

~~ii. In case area notified under special township falls partly in residential zone and partly in no development zone/green zone, the provisions applicable to such scheme shall be proportionate to the area under the respective zoning as per the sanctioned Development Plan.~~

~~iii.(ii) For the Special Township Projects in Agricultural zone/Urbanisable Zone, No Development zone/Green zone, the following provisions shall be applicable.~~

Development of a Special Township Project in ~~areas from urbanisable zone, Agricultural zone/No Development Zone/Green zone~~ contained in the Development Plan shall be permissible subject to the conditions that 50% percent of the gross area of the project shall be kept open while the project of Special Township Project shall be executed on the remaining 50% percent land with gross built-up area/the Basic FSI of 0.50 worked out on the entire gross area of the project. Further, while developing such projects, it ~~would~~ shall be obligatory on the part of the Developer to provide and develop all the infrastructure facilities, including the sites required for public purposes as per the prescribed planning norms. As regards 50% percent of land which is required to be kept open, the same shall be made free of encumbrances and no development except town level open amenities, shall be permissible of thereon.



Provided that, over and above the built-up area corresponding to the basic FSI of 0.50, the Developer shall have to compulsorily provide the built-up area, for the EWS and the LIG equal to 20% of the basic FSI (i.e. 0.10 FSI on gross plot area) which shall not be counted towards the total FSI of the Project.

(iii) Subject to the limits imposed by the overall FSI admissible under these Regulations to the Special Township Project, there shall be no limit on the total built up area / FSI utilisation for the development of any individual plot in the Special Township Project. Maximum height of any building shall be as per these Development Control Regulations.

However, the height of a building may be increased further, subject to provision of fire fighting arrangements, with prior approval of the Director of Fire Services, Government of Maharashtra. For height of a building above 36 m. the norms and guidelines for marginal distances as specified in National Building Code as amended from time to time, shall be followed.

(iv) The Planning and Design of Social Housing Component for the EWS/LIG shall not be amenable to combining one or more flats to make larger flats.

(v) a) The Landowner / Developer shall construct the stock of the EWS/LIG tenements in the same Special Township Project and the Special Planning Authority, shall ensure that the Occupancy Certificate for the rest of the development under the Special Township Project is not issued till the Occupancy Certificate is issued for the EWS/LIG tenements under said Special Township Project.

b) The Completion of EWS/LIG tenements under the Special Township Project, alongwith necessary particulars including a copy of the Occupancy Certificate granted by the Special Planning Authority in respect thereof, shall be immediately intimated by the Landowner / Developer to MHADA. Upon such intimation MHADA, within a period of six months from the date of receipt of such intimation, shall either purchase such EWS/LIG tenements or allot such tenements to the allottees selected by MHADA through a system of lottery, drawn after such EWS/LIG tenements have been granted Occupancy Certificate and thereafter, the Landowner / Developer shall dispose of such tenements to MHADA or such allottees, as the case may be, at the construction rates in the Annual Statement of Rates (ASR) prepared by the Inspector General of Registration and Controller of Stamp, applicable to the land under the project, on the date of grant of Occupancy Certificate to such EWS/LIG tenements.

c) The Landowner / Developer may also be permitted to utilize 1/4<sup>th</sup> of the total 20% F.S.I. earmarked for EWS/LIG to construct EWS/LIG Tenements in the form of service quarters in the same Special Township Project but in a separate block which shall have to be sold as service quarters only to the purchasers of the free sale flats constructed under the Residential Component of the Special Township Project.

(vi) The optional Additional FSI as per sub-regulation No. W.5.1(i) to be granted against premium shall be sold in the Notified Area by the Special Planning Authority at 100% of the land rate as prescribed in ASR. No premium shall be charged for the grant of FSI for the social housing for the EWS/ LIG.

(vii) The amount of premium collected by the Special Planning Authority shall be deposited in a separate Account and shall be exclusively used for creating off-site infrastructure and implementation of Development Plan of the Notified Area.

All provisions of these regulations except W.4.f shall apply to the development of township in area from green zone.

iv. The following shall not be included in covered area for built-up area and F.S.I. calculations:



- a. ~~Area covered by the staircase rooms for stair flights of width 0.75m & above, in case of row housing & pent houses and duplexes, 1m, in case of residential building, 1.2m & above in case of commercial (mercantile) buildings and 2m & above in case of Public Semi-public subject to payment of premium in consultation with Town Planning & Valuation Department.~~
- b. ~~Area covered by lift room for a building with height up to 16m.~~
- c. ~~Still floor space (exclusively for parking space) constructed under building of maximum cleared height 2.4m and which shall be open at least from three sides.~~
- d. ~~Balcony or Balcones of a minimum width of one m. may be permitted free of F.S.I at any upper floor, subject to maximum of 1/3rd length of perimeter of building and such balcony projection shall be subject to the following conditions:~~
- v. ~~No balcony shall be allowed on ground floor.~~
- vi. ~~Balcony or balconies shall be permitted to project in the marginal open space of not less than 3m in width.~~
- vii. ~~Notwithstanding anything contained in any other laws, rules, Regulations or bye-laws in force, a balcony shall not be permitted to be enclosed.~~
- viii. ~~In special Township schemes at the rate of minimum 150 trees per ha. and 400 trees per ha. Respectively shall be planted and maintained by the developer.~~
- ix. ~~Once the proposal for Special Township is submitted to the Government under Regulation No.7 (A) no change of zone proposal in such Township area shall be considered by Government.]~~

**SM-187][5.2. General Regulations:**

- i. In the event the Special Township Project contains sites reserved public purposes (~~buildable reservations~~) in the Development Plan for which ~~the an~~ Appropriate Authority is (eg. any department of the State Government/Central Government or any Government undertaking) ~~has been notified~~, the Developer shall construct the amenity as per ~~the~~ requirement of the concerned ~~department~~ Appropriate Authority and handover the constructed amenity free of cost to ~~that department~~ such Appropriate Authority. Upon such handing over of the constructed amenities, the Developer ~~would~~ shall be entitled to utilize additional floor space, ~~over and above the FSI permissible~~ equivalent to the built-up area of the constructed amenity, ~~over and above the FSI permissible~~, anywhere within the area of the Special Township Project.
- ii. In every ~~proposal of a Special Township proposal~~ Project, the structural designer of the Developer ~~has to~~ shall submit a declaration, along with a ~~detailed~~ Project Report, to the Special Planning Authority/~~concerned Municipal Council~~ about the constructions of buildings under the project as below:
- 'I have confirmed that the proposed constructions in the ~~scheme~~ Special Township Project are as per the norms as specified by the Indian Standards Institute, as regards ~~for~~ the resistance of to earthquake, fire safety and the natural calamities.'*
- iii. Upper and lower ground floor type of construction shall not be allowed under the Project.
- iv. In any Special Township ~~schemes~~ Project in under (a) Residential Zone/Urbanisable Zone and (b) Agricultural Zone/Green Zone/No Development Zone, trees at the rate of minimum 150 trees per hectare and 400 trees per hectare, respectively, shall be ~~planned~~ planted and maintained by the Developer.
- v. Once the ~~clearance to the~~ proposal for Special Township Project is ~~granted~~ submitted by to the Government under ~~sub-regulation no. W.7(A)~~, no change of zone proposal in the ~~area~~ such of Project ~~township area~~ shall be considered by the Government. ] (SM-187)



**(SM-188) W.6.Sale Permission:**

It ~~would shall~~ be obligatory on the part of the Developer ~~firstly to first~~ provide for basic infrastructure and ~~as-such~~ no permission for sale of plot/flat shall be ~~allowed given~~ unless the basic infrastructure as per ~~sub-regulation~~ No. W.1.3 is provided by the Developer to the satisfaction of the ~~Special~~ Planning Authority. In case the development is proposed in Phases & sale permission is expected after completion of Phase-wise basic infrastructure, such permission may be granted by the ~~Special~~ Planning Authority. Before granting such sale permission, ~~the Developer has shall have~~ to submit an undertaking ~~about regarding~~ the basic infrastructure to be provided and completed, phase-wise, by ~~the~~ Developer. The plots earmarked for amenities, facilities and utilities shall ~~also be also~~ simultaneously developed phase wise along with residential/ ~~and~~ allied development.

**W.7.Procedure for approval:**

**A. Locational Clearance:**

The proposal for development of Special Township, along with details of ownership of land or Development Rights ~~in respect~~ of lands in the proposed ~~scheme-Special Township Project~~, site plan; ~~and~~ part plan of sanctioned Development Plan, shall be submitted to ~~the~~ Government in the Urban Development Department, along with a copy ~~of to the~~ Director of Town Planning, Maharashtra State, Pune ~~and the~~ Environment Department of ~~Maharashtra the State Government, Irrigation-Department~~ for grant of Locational Clearance. Upon receipt of such proposal, depending upon ~~receipt-of-such-proposal, depending-upon~~ the merits of the case, Locational Clearance may be granted by ~~the~~ Government u/s 45 44(2) of ~~MR&TP the Maharashtra Regional and Town Planning Act, 1966, in consultation with the Director of Town Planning and Environment Department and other~~ ~~respective concerned~~ departments of the State Government whose No Objection Certificates/Letter of approval, signed by an authority not below the rank of Regional Head of the Department (HOD), are not submitted by the Developer along with the proposal, within a period of 90 days from the date of receipt of the proposal, ~~& after completion of all prescribed in accordance with the procedure specified prescribed in sub-Regulation No.W.1.2 above and upon such compliance of any such document~~ as may be required by ~~the~~ Government. This Locational Clearance ~~will shall~~ be valid for one year from the date of issue and if within ~~such the said~~ period, the letter of intent and final approval ~~is are~~ not ~~taken obtained~~ or not applied for, ~~then~~ such ~~Locational Clearance/approval will shall~~ stand lapsed, unless ~~it-is~~ renewed by ~~the~~ Govt. for sufficient reasons. Application for renewal of ~~Locational Clearance~~ has to be made to ~~the~~ Govt. before expiry of the said period of one year. ~~These special Regulations shall not be applicable to the area where such Clearance/approval have lapsed.~~ This special Regulation shall be applicable to the area where such Locational Clearance has lapsed.

**B. Letter of intent:**

i.—Upon receipt of Locational Clearance from the Government, the Developer shall submit the proposal in respect of ~~the~~ Special Township ~~Project~~ to the Special Planning Authority, along with the environmental clearance as mentioned in ~~sub-regulation~~ No. W.1.4, for issue of Letter of Intent. The proposal shall contain ~~documents showing~~ ownership rights/development rights, ~~document~~ in respect of at least 50% of ~~the~~ area under ~~scheme the~~ ~~Project~~ and ~~such~~ other particulars as ~~may be~~ decided and directed by ~~the~~ Special Planning Authority, ~~including~~ details of qualified technical staff and ~~the~~ consultants in ~~relevant~~ technical ~~and law~~ fields. Letter of Intent shall be issued within a period of 45 days from the date of receipt of the ~~final proposal~~, completed in all respect. The Letter of Intent shall be valid for six months ~~from the date of issue~~, unless renewed.





### C. Final Approval:

- i. The Developer shall submit the layout plan of the entire ~~township~~ area under the proposed ~~Special Township Project~~, along with sector-wise detailed building plans and details of phasing, for final sanction to the ~~Special~~ Planning Authority. The developer shall also submit an Undertaking and execute an Agreement about development and maintenance of basic infrastructural amenities in future with a Bank Guarantee of 15% of ~~it's~~ the development cost of the ~~Special Township Project~~. The Special Planning Authority shall conduct proper enquiry and ~~ensure-the-verify~~ correctness of title and ownership etc. Only after such verification, ~~shall the~~ Special Planning Authority ~~shall~~ grant approval to the layout plan and sector-wise detailed building plan, in consultation with the ~~Divisional-Deputy~~ Joint Director of Town Planning, ~~Konkan Division, Konkan Bhavan, Navi Mumbai~~, within the stipulated period, on terms and conditions as may be determined by the Special Planning Authority.
- ii. The period required ~~by~~ for technical consultation with ~~concerned-Deputy~~ the Joint Director of Town Planning, ~~Konkan Division, Konkan Bhavan, Navi Mumbai~~ shall not be taken into account while computing the period prescribed for such permission computed.
- iii. Any one aggrieved by an order passed ~~by~~ the Special Planning Authority in this regard ~~under prevailing-Development-Control-Regulations~~ may within forty days of the date of communication of the order, prefer, an appeal to the State Government. ~~The appeal shall be cleared within 60 days.~~
- iv. Every application shall be accompanied by-
  - a. Ownership Document: V.F. No. 7/12 extract/ Property Card, Ownership rights Documents in original along with a list of such documents.
  - b. Extent of area of the Project: Village maps showing the extent of area and authenticated measurement plan/gut book of the land in original, and along with a list of such documents.
  - c. Authenticated copies for Locational Clearance and Letter of Intent, Environmental Clearance, are as applicable.
  - d. Layout and Building Plans: ~~(Prepared & designed by experts in respective field and team headed by an Architect-Town-Planner)~~
    - i. Layout plan showing all details of area utilized under roads, open spaces for parks/ gardens/ and playgrounds and amenities, prepared and signed by experts in respective fields, with a Town Planner or an Architect having specialization in Town Planning as the Head of the Team..
    - ii. Detailed layout plan, building plans of all proposed development, with areas of all sectors and individual plots and along with built-up area/FSI proposed on each sector and plot.
    - iii. Detailed Report comprising of expected population, requirement of amenities and proposed amenities with reference to prevailing planning standards approved by the Government, and sources of all basic amenities, and ~~it's~~ details about of implementation and maintenance, & Taxes taxation etc.
    - iv. Details of zoning zones of all areas included in the Scheme as per sanctioned D.P and area under such respective zones.
    - v. Details of FSI/total built-up area proposed to be utilized in scheme the Project.
    - vi. Details of eco-friendly amenities provided.
    - vii. Plan showing road hierarchy and road widths, pedestrian facility facilities, street furniture, plantation, side walkways, sub-ways with area details.
    - viii. Details of solid waste management plan.
    - ix. Plan showing High Flood Line (HFL) of major lakes/river, if any, certified by Irrigation & Water Resources Department.
    - x. Plan showing details of distribution of total built up area/ space.



- xi. Plan showing water supply distribution system, including reservoirs, waste water recycling system, details of rainwater harvesting system, etc.
- xii. Details of storm water drainage scheme system.
- xiii. Details of fire fighting mechanism and fire brigade station.
- xiv. All other documents as determined and directed by the Special Planning Authority/Collector, Thane.

~~xix.~~ **Note Explanation-** The above prescribed periods shall be computed after compliance of all the requirements listed above and submission of any other additional information called for from the owner/Developers by the Government/ Special Planning Authority. ] **(SM-188)**

**(EP-210) [ (D) Transition Policy :** Any Special Township Project in respect of which Locational Clearance has previously been granted and any Megacity Project which is previously Notified under section 37(2) of Maharashtra Regional and Town Planning Act, 1966 and any Megacity Project which is previously approved by MMRDA, prior to the date of coming into force of this Regulation, may be allowed to be converted into a Special Township Project under the provisions of this Regulation (hereinafter referred to as the Modified Scheme), with the prior approval of the Government, subject to the following conditions : -

- i) FSI as per the Modified Scheme shall be permissible only on the balance un-built, unencumbered and buildable land parcel, having a minimum area of 8 Ha. If such balance un-built, unencumbered and buildable area is 8 Ha. or more but less than 40 Ha. then, admissible FSI on such land parcel, upon conversion shall be admissible as per the minimum given in sub-regulation W.5.1(i) above for the respective zones. If such land parcel is more than 40 Ha, then, the admissible FSI shall be calculated as per the area wise entitlement given in sub-regulation W.5.1(i).
- ii) Development on the balance area as above shall be strictly in conformity with the Planning standards and these Development Control Regulations. No relaxation shall be granted in marginal spaces, road width, etc.]

**(SM-189)(W.8.Implementation & completion:**

- i. Development of Basic infrastructure & amenity amenities in the area of the Special Township shall be completed by the Developer to the satisfaction of the Special Planning Authority as per the phases of scheme the Project. Development of the scheme Project shall be completed within 10 years from the date of final sanction to of the layout plan of scheme-the Project.
- ii. No building in the scheme-is Project shall be permitted to be occupied in any manner unless Occupancy Certificate in respect thereof is issued by the Special Planning Authority. ~~in consultation with local Branch officer of Town Planning & Valuation Department.~~
- iii. Final Completion Certificate for the scheme Project is to be issued by the Special Planning Authority in consultation with ~~Local Branch Officer of Town Planning and Valuation Department,~~ the Maharashtra Pollution Control Board, ~~Forest Department~~ the Tree Authority as far as tree plantation is concerned and the Director of Fire ~~Officer of state Services,~~ Government of Maharashtra.
- iv. Application for ~~Occupation~~ Occupancy Certificate of or final completion Occupancy Certificate shall be submitted along with a declaration and undertaking by the Developer and as well as his Structural Consultant, Architect, Town Planner, as follows:
  - a. We confirm that all buildings constructed in the scheme project area are as per the norms as specified by the Indian Standards Institute, as regards for the resistance for to earthquakes, fire safety and natural calamities.
  - b. Work is done as per the sanctioned plan

- 
- c. Built-up area ~~and as well as~~ FSI consumed in ~~scheme~~ the project is as per the sanctioned plan of the ~~scheme~~ project.
- d. ~~No balcony is enclosed.~~
- ed. If it is found that extra built-up area/FSI is consumed in ~~that scheme~~ the project at any time, is more than what has been sanctioned, then it shall be demolished by the developer at his own cost, as directed by the Special Planning Authority within one month from the date of the order passed by the Special Planning Authority in this regard."

#### **W.9.Interpretation:**

If any question or dispute arises with regard to the interpretation of any part of these this Regulations, the matter shall be referred to the State Government. The Government, after considering the matter, and if necessary, after giving hearing to the parties, shall give a decision on the interpretation of the provisions of the Regulations. The decision of the Government on the interpretation of these this Regulations shall be final and binding on all the concerned. ] **(SM-189)**

#### **(EP-210) [ Note:-**

Modification Sanctioned vide notification dated 11/03/2015 regarding Special Township policy (SM-182, SM-183, SM-184, SM-185, SM-186, SM-187, SM-188, SM-189) of Bhiwandi Surrounding Notified Areas stands superseded by the respective regulation of the Integrated Township Policy finally sanctioned on dated 26/12/216 and applicable to MMRDA as Special Planning Authority. ]



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**(SM-107) [ APPENDIX -X: RAILWAY ADJOINING AREAS**

**Regulation 4.4.2**

**X.1 RAILWAY ADJOINING AREAS**

—“No Objection Certificate” from the concerned railway authority shall be insisted before granting permission for the building plans between the railway boundary and 30 mt. distances from it. ]



**(SM-190) APPENDIX - Y: SPECIAL ECONOMIC ZONE (SEZ)**

**[Regulation 6.11]**

**Y.X.1 — REGULATIONS FOR DEVELOPMENT OF SPECIAL ECONOMIC ZONE (SEZ)**

The SEZ Company shall be appointed as the "Special Planning Authority" (hereinafter referred to as "SPA" for "SEZ") for the SEZ area of more than 20 hectares in the limits of jurisdiction of Special Planning Authority subject to the following conditions-

- a. A representative ~~of~~ Planning Authority ~~of or the concerned Special Planning Authority~~ shall be made a Member of the SPA for SEZ.
- b. All development and planning permissions of land, building granted by SPA for SEZ should be brought to the notice of the concerned Special Planning Authority not later than 3 months of the commencement of the development, failing which the ~~Special~~ Planning Authority shall have a right to stop the development.
- c. If the Special Planning Authority on examination of the plans submitted and the conditions prevailing on ground within the SEZ, finds violation of Development Plan and Development Control Regulations, shall take necessary steps under the said Act against such violations.
- d. The powers of relaxation of norms under the ~~D.C.R. Rules Regulations~~ shall not be exercised by the SPA for SEZ under any circumstances.
- e. The SPA for SEZ will be bound to pay all civic taxes and dues prescribed under the various Acts and Rules in force.
- f. As per section 40(3) read with section 115, a SPA for SEZ shall from time to time submit to the State Govt. its proposal for the development of the land.
- g. ~~In this regard, All the existing reservations/designations/reservations in the Development of the~~ plan of the concerned Planning Authority shall be retained. Such reservations shall be shifted at suitable places on the periphery of the SEZ areas by the concerned Special Planning Authority.
- h. Buildable reservations in the SEZ area shall be developed under the concept of Accommodation of Reservation and constructed amenity along the proportionate fenced plot shall be handed over to ~~concerned-Special the~~ Planning Authority free of cost. The SPA for SEZ will be entitled for the FSI of constructed amenity, without the plot FSI. ~~to be This FSI may be used in SEZ areas. Such constructed amenity shall be available to be used for General Public in the area of Special Planning Authority. ] (SM-190)~~

- (EP-284) [i.** Non-buildable reservations in the SEZ area shall be fenced and developed as per the specification of the Special Planning Authority and shall be handed over to the ~~Special~~ Planning Authority free of cost, ~~and shall to be available for general public. Thereafter the SPA for SEZ will be entitled for the FSI of constructed amenity equal to cost incurred divided by market value of the land as per A.S.R. for to the extent of 25% FSI of the area under reservation, without the plot FSI. to be This FSI may be used in SEZ area.]~~



**(EP-254) [ APPENDIX - Z: RENTAL HOUSING ON UNENCUMBERED LAND WITH SUBJECT TO FSI 3.0**

**{Regulation 8.40.6.14-10.2}**

**1.(I) — ELIGIBILITY FOR ALLOTTING RENTAL HOUSES:**

- i) The allottee under the project shall have employment /self employment/ business within Mumbai Metropolitan Region and minimum family income of the allottee shall be Rs. 5000/- per month.
- ii) The allottee and his family member shall not own any house in Mumbai Metropolitan Region (MMR).
- iii) The domiciled resident of Maharashtra State shall be given preference in the allotment.
- iv) The allotment shall be made in the joint name of spouse if married.

**2.(II) — DEFINITION OF RENTAL HOUSING UNIT**

A. 14.86 sq.mt. (160 sq.ft) carpet area self contained residential unit to be given on leave and license for a period to be decided by MMRDA, at a monthly charge to be decided by Metropolitan Commissioner, MMRDA considering the location of the project and residential unit, cost of construction, market condition and any other expenses.

**3.(III) — LAND, CONSTRUCTION AND INCENTIVE COMPONENT:**

Sr.No	Conditions
(a)	If Rental Housing project is taken up on an unencumbered plot, Transferable Development Rights (TDR) equivalent to the plot area shall be sanctioned to the land owner who spares the plot for this purpose as Land TDR.
(b)	Permissible FSI on site for construction of Rental Housing Project shall be 3.00 and shall be used only for rental housing.
(c)	The total built up area of Rental Houses shall mean all Built up area of residential units as well as non-residential units meant for Rental Houses but excluding what is set down as under. This total built up area of Rental Houses with FSI 3.00 shall be given free of cost to the Project Implementing agency i.e. MMRDA. The construction built up area shall exclude what is set down as under: Exclusion from FSI computation :- The following shall not be counted towards FSI :- a) Areas covered by stair case rooms, lift rooms above the topmost storey, lift wells and stair cases and passages thereto, architectural features, chimneys and elevated tanks of permissible dimensions in respect of buildings in the MMR with the special permission of the Commissioner. b) Area of fire escape stairways and cantilever fire escape passages according to the Chief Fire Officer's requirements, if any. c) Area of the basement, if any. d) Area of covered parking spaces, if any. e) Area of one office room of a co-operative housing society or apartment owners association or Rent Manager f) Area of the sanitary block(s) consisting of a bathroom and water closet for each wing of each floor of a building of prescribed dimensions deriving access from a common passage for the use of domestic servants engaged in the premises. g) Refuge area as per requirement of Chief Fire Officer h) Areas covered by:- (i) Lifts (ii) Meter rooms (iii) Porches (iv) Canopies (v) Air conditioning plant rooms. (vi) Electric Sub stations (vii) Service floor of height not exceeding 1.5 m. with the special permission of the Commissioner. i) Area of balconies not more than 10 percent of the area of the floor. j) Area of structures for an effluent treatment plant as required to be provided by industries as per the requirements of the Maharashtra Pollution Control Board or other relevant authorities. k) Area covered by service ducts, pump rooms, electric sub stations, niches upto 1m. depth below window sill, passages and additional amenity of lift and/or staircase beyond those required under the Regulations with the permission of the Commissioner. l) Area of one milk booth under the public distribution system with the permission of the Commissioner. m) Area of one public telephone booth and one telephone exchange (PBX) per building with the permission of the Commissioner.



Sr.No	Conditions
	<p>n) Area of one room for installation of telephone concentrators as per requirements of Mahanagar Telephone Nigam Limited, but not exceeding 20 sq.m. per building, with the permission of the Commissioner.</p> <p>o) Area of a separate letter box on the ground floor of residential and commercial buildings with five or more storeys to the satisfaction of the Commissioner.</p> <p>p) Area of a covered passage of clear width not more than 1.52 m. (5 ft.) leading from a lift exit at terrace level to the existing staircase so as to enable descent to lower floors in a building to reach tenements not having direct access to a new lift in a building without an existing lift.</p>
(d)	If desired by MMRDA, Non-residential units/convenient shopping shall be constructed to the extent of 15% of the total built up area of Rental Houses, along the layout roads and shall be given free of cost to the Project Implementing Agency i.e. MMRDA.
(e)	There shall be Welfare Hall and Balwadi in each project as a part of the construction of Rental Houses component. It shall be at the rate of 14.86 sq. Mts. for every multiple or part of 200 residential units but located so as to serve all the floors and buildings equitably and shall not be counted towards the FSI even while computing 3.00 FSI on site. This shall be given free of cost to the PIA i.e. MMRDA.
(f)	There shall be manager's office space of size 14.86 sq.mt. carpet area for every multiple or part of 500 rental units located as desired by MC, MMRDA in the project as a part of construction of Rental Houses component and shall not be counted towards the FSI even while computing 3.00 FSI on site. This shall be given free of cost to the PIA i.e. MMRDA.
(g)	Total Construction Component shall mean the construction built up area of Rental Houses of self-contained 14.86 sq.m. carpet area (160 sq.ft.), including areas under passages with minimum 2.0 mt. width, balwadis, welfare centers, manager's office, Non-residential units/convenient shopping, which are to be given free of cost to the PIA i.e. MMRDA.
(h)	<p>Project FSI for the Rental Housing project includes FSI of the total construction component of Rental Houses given in (g) above and Construction TDR. The ratio between the total Construction component and construction TDR shall be as laid herein below:-</p> <p>If total construction component of Rental Houses at (g) above is 10 sq.mts. then TDR of 13.33 sq.mts. will be permitted to the developer as Construction TDR which can be sold in the open market to subsidize the total construction component of Rental Houses.</p> <p>Project FSI to be sanctioned for Rental Housing project site may exceed 3.00 because of in-situ construction component of Rental Houses at (g) above and construction TDR at (i) above. However the maximum FSI that can be utilized on any Rental Housing Project site shall not exceed 3.00 and the difference between project FSI above and 3.00 will be made available in the form of Construction Transferable Development Right (TDR) to be used as per DCR provisions applicable. The Land TDR at (a) above and Construction TDR at (h) above generated in Rental Housing project shall be treated as TDR, in accordance with the provisions of the said Regulation.</p>

#### 4.(IV) – BUILDING DETAILS AND OTHER REQUIREMENTS:

Sr.No	Details
1	Size of Rental unit – A Rental unit shall be of 14.86 sq.mt. carpet area including cooking space, bath & water closet.
2	Density
(a)	Density shall be minimum 1500 Rental units of 14.86 Sq.mts. carpet area per net hectare.
3	Minimum plot size
(a)	Plot of minimum 500 sq.mt. is required for the project. However, it may be relaxed with the special permission of Metropolitan Commissioner, MMRDA.
4	Components of Rental Unit
(a)	Multipurpose Room: A multipurpose room shall be allowed with size up to 12.5 sq.mts with a minimum width of 2.4m.
(b)	Cooking space (alcove) – Provision of separate kitchen shall not be necessary. However, cooking space (alcove) shall be allowed with a minimum size of 2.4 sq.mts. with minimum width of 1.2 mts
(c)	Bath & WC: A Combined bath & WC shall be of minimum area of 1.85 sq.m. with minimum width of one meter. There shall be no stipulation of one wall abutting open space etc. as long as artificial light & ventilation through any means are provided. Water closet seat shall be of minimum length of 0.46 mt. A septic tank filter bed shall be permitted with a capacity of 150 lit per capita, where the municipal services are likely to be available within 4-5 years.
5	Height: The height of Multipurpose room shall be minimum 2.75 mt. and the height of building shall be as permissible by the Civil Aviation Authority.
6	Plinth: Minimum plinth height shall be 30 cm. and in areas subject to flooding the plinth shall be higher than the high flood level.
7	External Walls: Minimum 150 mm thick external brick wall without plaster shall be permitted. However, for use of modern construction technology and material etc, this thickness may be reduced with prior approval of Metropolitan Commissioner, MMRDA.
8	Staircase: The staircase shall be of dogleg type. If a single flight staircase is accepted, the flight shall not be less than 1.5 mt.
9	(a) Front & marginal Open spaces: For buildings of Rental Housing Project having height up to 24 mt, the front & marginal open space shall be 3.6 mt. for these buildings. Provided, however that in case of



Sr.No	Details										
	these buildings having height more than 24 mts the minimum marginal open space shall be 6 mts. or as may be prescribed by Metropolitan commissioner, MMRDA										
(b)	Notwithstanding the provisions in DCR where the location of the plot abuts DP Road, the front marginal open space in layout shall not be insisted upon beyond 3.6 mt. provided subject to rules in force from time to time.										
(c)	Where the location of plot abuts a nalla, the marginal open space along the nalla in the lay-out shall not be insisted upon beyond 3 mt. from the edge of the trained nalla.										
(d)	The distance between any two buildings shall not be less than 4.5 mt.										
10	(a) Means of access: The ratio between the length of pathway and width thereof shall be as follows: <table border="0" style="margin-left: 20px;"> <tr> <td style="text-align: right;">Length</td> <td style="text-align: center;">Width</td> </tr> <tr> <td>Upto 20 mt</td> <td>1.5 mt</td> </tr> <tr> <td>Up to 30 mt</td> <td>2.0 mt</td> </tr> <tr> <td>Up to 40 mt</td> <td>2.5 mt</td> </tr> <tr> <td>Up to 50 mt</td> <td>3.0 mt.</td> </tr> </table>	Length	Width	Upto 20 mt	1.5 mt	Up to 30 mt	2.0 mt	Up to 40 mt	2.5 mt	Up to 50 mt	3.0 mt.
Length	Width										
Upto 20 mt	1.5 mt										
Up to 30 mt	2.0 mt										
Up to 40 mt	2.5 mt										
Up to 50 mt	3.0 mt.										
(b)	Between the dimensions prescribed for the pathway & marginal distances the larger of the two shall prevail. The pathway shall act as access wherever necessary. The building shall be permitted to touch pathway.										
(e)	The means of access shall be normally governed by the provisions of DCR however in the project wherever the design of the buildings in the same layout require relaxation it may be given. Access through existing pathways/layout roads but not less than 3.6 mt. in width, shall be considered adequate for any Rental Housing Project, containing buildings having height less than 24 mt. including stairs.										
11	(a) Even if the amenities space is reduced to make the project viable, a minimum of at least 8% of amenity open space shall be maintained and while FSI computation for plot the area for recreational/amenity open space shall not be excluded.										
(b)	Wherever more than the minimum front & marginal spaces have been provided such additional area provided may be considered as part of the amenity open space in the project without charging any premium in relaxation of the stipulation in DCR wherever it is necessary.										
12	Premium shall not be charged for exclusion of staircase & lift well etc. as covered under the provision of III(C) above.										
13	In order to make the Rental Housing project viable, the relaxation in DCR such as providing viability gap etc. shall be granted by Metropolitan Commissioner, MMRDA, if necessary.										

#### 5.V) PAYMENTS TO BE MADE TO MMRDA:

An amount of Rs 500/- per sqmt shall be paid by the land owner/developer for the built up area over and above the normal permissible FSI. This amount shall be paid to Metropolitan Commissioner, MMRDA, in accordance with the time schedule for such payment as may be laid down by the Metropolitan Commissioner, MMRDA. However, by the time of completion of construction for occupation of the rental housing units, the total amount shall be deposited in full. This amount shall be used for schemes to be prepared for improvement of infrastructure in rental housing scheme provided that out of Rs.500/- per sq.mt. infrastructural charges, 90% amount will go to said Authority and 10% amount will remain with the MMRDA.] (EP-254)





**[APPENDIX – Z<sup>1</sup>AA: RENTAL HOUSING ON UNENCUMBERED LAND WITH SUBJECT TO FSI 4.0**  
**(EP-254) (Regulation 8.40.6.14-10.2)**

**1.(I) — ELIGIBILITY FOR ALLOTTING RENTAL HOUSES:**

- i) The allottee under the project shall have employment /self employment/ business within Mumbai Metropolitan Region and minimum family income of the allottee shall be Rs.5000/- per month.
- ii) The allottee and his family member shall not own any house in Mumbai Metropolitan Region (MMR).
- iii) The domiciled resident of Maharashtra State shall be given preference in the allotment.
- iv) The allotment shall be made in the joint name of spouse if married.

**2.(II) — DEFINITION OF RENTAL HOUSING UNIT:**

A. 14.86 sq.mt. (160 sq.ft) carpet area self contained residential unit to be given on leave and license for a period to be decided by Mumbai Metropolitan Region Development Authority (MMRDA), at a monthly charge to be decided by Metropolitan Commissioner, MMRDA considering the location of the project and residential unit, cost of construction, market condition and any other expenses.

**3.(III) — LAND, CONSTRUCTION AND INCENTIVE COMPONENT:**

Sr.No	Conditions
(a)	If Rental Housing Project is taken up on unencumbered land, the land owner shall convey minimum 25% of total land area in the name of MMRDA free of cost for Rental Housing and retain maximum 75% of the total land area with him. However, the division of these area's shall not be considered for side margin, front and rear open space etc.
(b)	Permissible FSI on site for construction of Rental Housing Project shall be 4.00. Out of 4.0 FSI, FSI 1.00 shall be used for construction of Rental Houses on minimum 25% of land and handed over free of cost by land owner to PIA i.e. MMRDA and FSI 3.00 shall be used for construction of Housing Units by land owner on maximum 75% of land which can be sold in open market to subsidize the component of Rental housing.
(c)	The total construction built up area of Rental Houses and Houses to be sold in open market shall include all Built up area of residential units and non-residential units. Built up area of Rental Houses with FSI 1.00 shall be given free of cost to PIA i.e. MMRDA. The construction built up area shall exclude what is set down as under:
	<p>Exclusion from FSI computation :- The following shall not be counted towards FSI :-</p> <ol style="list-style-type: none"> <li>a) Areas covered by stair case rooms, lift rooms above the topmost storey, lift wells and stair cases and passages thereto, architectural features, chimneys and elevated tanks of permissible dimensions in respect of buildings in the MMR with the special permission of the Commissioner.</li> <li>b) Area of fire escape stairways and cantilever fire escape passages according to the Chief Fire Officer's requirements, if any.</li> <li>c) Area of the basement, if any.</li> <li>d) Area of covered parking spaces, if any.</li> <li>e) Area of one office room of a co-operative housing society or apartment owners association or Rent Manager</li> <li>f) Area of the sanitary block(s) consisting of a bathroom and water closet for each wing of each floor of a building of prescribed dimensions deriving access from a common passage for the use of domestic servants engaged in the premises.</li> <li>g) Refuge area as per requirement of Chief Fire Officer</li> <li>h) Areas covered by:- <ol style="list-style-type: none"> <li>(i) Lofts</li> <li>(ii) Meter rooms</li> <li>(iii) Porches</li> <li>(iv) Canopies</li> <li>(v) Air-conditioning plant rooms.</li> <li>(vi) Electric Sub stations</li> <li>(vii) Service floor of height not exceeding 1.5 m. with the special permission of the Commissioner.</li> </ol> </li> <li>i) Area of balconies not more than 10 percent of the area of the floor.</li> <li>j) Area of structures for an effluent treatment plant as required to be provided by industries as per the requirements of the Maharashtra Pollution Control Board or other relevant authorities.</li> <li>k) Area covered by service ducts, pump rooms, electric substations, niches upto 1m. depth below window.</li> </ol>



Sr.No	Conditions
	<p>ell, passages and additional amenity of lift and/or staircase beyond those required under the Regulations with the permission of the Commissioner.</p> <p>l) Area of one milk booth under the public distribution system with the permission of the Commissioner.</p> <p>m) Area of one public telephone booth and one telephone exchange (PBX) per building with the permission of the Commissioner.</p> <p>n) Area of one room for installation of telephone concentrators as per requirements of Mahanagar Telephone Nigam Limited, but not exceeding 20 sq.m per building, with the permission of the Commissioner.</p> <p>o) Area of a separate letter box on the ground floor of residential and commercial buildings with five or more storeys to the satisfaction of the Commissioner.</p> <p>p) Area of a covered passage of clear width not more than 1.52 m. (5 ft.) leading from a lift exit at terrace level to the existing staircase so as to enable descent to lower floors in a building to reach tenements not having direct access to a new lift in a building without an existing lift.</p>
(d)	<p>If desired by MMRDA, Non-residential units/convenient shopping shall be constructed to the extent of 15% of the total built up area of Rental Houses of FSI 1.00, along the layout roads/DP roads/Municipal roads and shall be given free of cost by land owner to the Project Implementing Agency i.e. MMRDA.</p> <p>If desired by MMRDA, the land owner shall also construct non-residential units for commercial user/convenient shopping to the extent of 15% of the total built up area on Housing Units of FSI 3.00 along the layout roads/DP roads/Municipal roads. The Housing Units with shopping units can be sold by land owner in open market.</p>
(e)	There shall be Welfare Hall and Balwadi in each project as a part of the construction of Rental Houses component. It shall be at the rate of 14.86 sq. Mts. for every multiple or part of 200 residential units but located so as to serve all the floors and buildings equitably and shall not be counted towards the FSI even while computing 4.00 FSI on site. This shall be given free of cost to PIA i.e. MMRDA.
(f)	There shall be manager's office space of size 14.86 sq.mt. carpet area in the project for every multiple or part of 500 rental units, located as desired by MC, MMRDA as a part of construction of Rental Houses component and shall not be counted towards the FSI even while computing 4.00 FSI on site. This shall be given free of cost to PIA i.e. MMRDA.
(g)	Total Construction Component shall mean the construction built up area of Rental Houses of self-contained 14.86 sq.m. carpet area (160 sq.ft.), including areas under passages with minimum 2.0 mt width, balwadis, welfare centers, manager's office, Non-residential units/convenient shopping of commercial use. This shall be given free of cost to PIA i.e. MMRDA.

#### 4.(IV) — BUILDING DETAILS AND OTHER REQUIREMENTS:

Sr.No	Details
1	Size of Rental unit — A Rental unit shall be of 14.86 sq.mt. carpet area including cooking space, bath & water closet, but excluding common areas.
2	<b>Density</b>
(a)	Density of Rental Housing shall be minimum 500 Rental units of 14.86 Sq.mts. carpet area per net hectare and Density of Housing to be sold in open market shall be minimum 100 tenements per net hectare.
3	<b>Minimum plot size</b>
(a)	Plot of minimum 1000 sq.mt. is required for the project. However, for small plot size approval may be obtained from Metropolitan Commissioner, MMRDA.
4	<b>Components of Rental Unit</b>
(a)	Multipurpose Room: A multipurpose room shall be allowed with size up to 12.5 sq.mts with a minimum width of 2.4m.
(b)	Cooking space (alcove) — Provision of separate kitchen shall not be necessary. However, cooking space (alcove) shall be allowed with a minimum size of 2.4 sq.mts. with minimum width of 1.2 mts
(c)	Bath & WC: A Combined bath & WC shall be of minimum area of 1.85 sq.m. with minimum width of one meter. There shall be no stipulation of one wall abutting open space etc. as long as artificial light & ventilation through any means are provided. Water closet seat shall be of minimum length of 0.46 mt. A septic tank filter bed shall be permitted with a capacity of 150 lit per capita, where the municipal services are likely to be available within 4-5 years.
5	<b>Height:</b> The height of Multipurpose room shall be minimum 2.75 mt. and the height of building shall be as permissible by the Civil Aviation Authority.
6	<b>Plinth:</b> Minimum plinth height shall be 30 cm. and in areas subject to flooding the plinth shall be higher than the high flood level.
7	<b>External Walls:</b> Minimum 150 mm thick external brick wall without plaster shall be permitted. However, for use of modern construction technology and material etc, this thickness may be reduced with prior approval of Metropolitan Commissioner, MMRDA.
8	<b>Staircase:</b> The staircase shall be of dogleg type. If a single flight staircase is accepted, the flight shall not be less than 1.5 mt.



Sr.No	Details										
9	(a) <b>Front &amp; marginal Open spaces:</b> Notwithstanding the provisions in <del>these DCRs 15.5.3.5, table 15.4,</del> for buildings of Rental Housing Project having height up to 24 mt. the front & marginal open space shall be 3.6 mt. for these buildings. Provided, however that in case of these buildings having height more than 24 mts the minimum marginal open space shall be 6 mts. or as may be prescribed by Metropolitan Commissioner, MMRDA.										
	(b) Notwithstanding the provisions in DCR where the location of the plot abuts sanctioned road, having width of 18.30 m and above, the front marginal open space in layout shall not be insisted upon beyond 3.6 mt. provided subject to rules in force from time to time.										
	(c) Where the location of plot abuts a nalla, the marginal open space along the nalla in the layout shall not be insisted upon beyond 3 mt. from the edge of the trained nalla.										
	(d) The distance between any two buildings shall not be less than 4.5 mt.										
10	Any composite building (Rental Housing Project Building + Housing Building) shall contain at least 50% of the built up area for Rental Housing Project.										
11	(a) <b>Means of access:</b> The ratio between the length of pathway and width thereof shall be as follows: <table border="0"> <thead> <tr> <th>Length</th> <th>Width</th> </tr> </thead> <tbody> <tr> <td>Upto 20 mt</td> <td>1.5 mt</td> </tr> <tr> <td>Up to 30 mt</td> <td>2.0 mt</td> </tr> <tr> <td>Up to 40 mt</td> <td>2.5 mt</td> </tr> <tr> <td>Up to 50 mt</td> <td>3.0 mt.</td> </tr> </tbody> </table>	Length	Width	Upto 20 mt	1.5 mt	Up to 30 mt	2.0 mt	Up to 40 mt	2.5 mt	Up to 50 mt	3.0 mt.
Length	Width										
Upto 20 mt	1.5 mt										
Up to 30 mt	2.0 mt										
Up to 40 mt	2.5 mt										
Up to 50 mt	3.0 mt.										
	(b) Between the dimensions prescribed for the pathway & marginal distances the larger of the two shall prevail. The pathway shall act as access wherever necessary. The building shall be permitted to touch pathway.										
	(c) The means of access shall be normally governed by the provisions of DCR however in the project wherever the design of the buildings in the same layout requires relaxation it may be given. Access through existing pathways/layout roads but not less than 3.6 mt. in width, shall be considered adequate for any Rental Housing Project, containing buildings having height less than 24 mt. including stilts.										
12	(a) Even if the amenities space is reduced to make the project viable, a minimum of at least 8% of amenity open space shall be maintained and while FSI computation for plot the area for recreational/amenity open space shall not be excluded.										
	(b) Wherever more than the minimum front & marginal spaces have been provided such additional area provided may be considered as part of the amenity open space in the project without charging any premium in relaxation of the stipulation in DCR wherever it is necessary.										
13	Premium shall not be charged for exclusion of staircase & lift well etc. as covered under the provision of III (c) above.										
14	All relaxation for the Housing Buildings to be sold in open market — Relaxation contained in sub-regulation No. 9 (a), (b), (c), (d), 11 (b), (c), 12 above, as well as other necessary relaxation shall be given to these Housing buildings.										
15	In order to make the Rental Housing project viable, the relaxation in DCR of MMR such as providing viability gap etc. shall be granted by Metropolitan Commissioner, MMRDA, if necessary.										

5.V) The land owner shall give priority to construction of rental housing over the construction of housing to be sold in open market and shall ensure that the rental housing gets completed before the latter.

#### 6.VI) PAYMENTS TO BE MADE TO MMRDA:

An amount of Rs.500/- per sq.mt shall be paid by the land owner/developer for the built up area over and above the normal permissible FSI. This amount shall be paid to Metropolitan Commissioner, MMRDA, in accordance with the time schedule for such payment as may be laid down by the Metropolitan Commissioner, MMRDA. However, by the time of completion of construction for occupation of the rental housing units, the total amount shall be deposited in full. This amount shall be used for schemes to be prepared for improvement of infrastructure in rental housing scheme provided that out of Rs.500/- per sq.mt. infrastructural charges, 90% amount will go to said Authority and 10% amount will remain with the MMRDA. ] (EP-254)



**(EP-254) [ APPENDIX – Z<sup>2</sup> AB: RENTAL HOUSING PROJECT ON UNENCUMBERED LANDS VESTED WITH MUMBAI METROPOLITAN REGION DEVELOPMENT AUTHORITY (MMRDA)**

**{Regulation 8.40.36.14-10.2}**

**1.(I) — ELIGIBILITY FOR ALLOTING RENTAL HOUSES:**

- i). The allottee under the project shall have employment /self-employment/ business within MMR and minimum family income of the allottee shall be Rs. 5000/- per month;
- ii). The allottee shall not own any house in Mumbai Metropolitan Region (MMR);
- iii). The domiciled resident of Maharashtra State shall be given preference in the allotment;
- iv). The allotment shall be made in the joint name of spouse if married.

**2.(II) — DEFINITION OF RENTAL HOUSING UNIT:**

A. 14.86 sq.mt. (160 sq. ft) carpet area self-contained residential unit to be given on leave and license for a period to be decided by MMRDA at a monthly charge to be decided by Metropolitan Commissioner, MMRDA considering the location of the project and residential unit, cost of construction, market condition and any other expenses.

**3.(III) — LAND, CONSTRUCTION AND INCENTIVE COMPONENT:**

Sr. No	Conditions
(a)	Permissible FSI on site for construction of Rental Housing Project shall be 4.00 and out of 4.0 FSI, 75 % of 4.00 FSI shall be used for construction of Rental Houses and 25% of 4.0 FSI shall be allowed for commercial use and can be sold in open market to subsidize the component of Rental housing.
(b)	<p>The total construction built-up area of Rental Houses shall mean all Built up area of residential units as well as non-residential units of commercial use meant for Rental Houses but excluding what is set down as under :- Exclusion from FSI computation :- The following shall not be counted towards FSI :-</p> <ol style="list-style-type: none"> <li>a) Areas covered by stair case rooms, lift rooms above the topmost storey, lift wells and stair cases and passages thereto, architectural features, chimneys and elevated tanks of permissible dimensions in respect of buildings in the MMR with the special permission of the Commissioner;</li> <li>b) Area of fire escape stairways and cantilever fire escape passages according to the Chief Fire Officer's requirements, if any.</li> <li>c) Area of the basement, if any.</li> <li>d) Area of covered parking spaces, if any.</li> <li>e) Area of one office room of a co-operative housing society or apartment owners association or Rent Manager</li> <li>f) Area of the sanitary block(s) consisting of a bathroom and water closet for each wing of each floor of a building of prescribed dimensions deriving access from a common passage for the use of domestic servants engaged in the premises.</li> <li>g) Refuge area as per requirement of Chief Fire Officer</li> <li>h) Areas covered by:-               <ol style="list-style-type: none"> <li>(i) Lofts</li> <li>(ii) Meter rooms</li> <li>(iii) Porches</li> <li>(iv) Canopies</li> <li>(v) Air conditioning plant rooms.</li> <li>(vi) Electric Sub stations</li> <li>(vii) Service floor of height not exceeding 1.5 m with the special permission of the Commissioner.</li> </ol> </li> <li>i) Area of balconies not more than 10 percent of the area of the floor</li> <li>j) Area of structures for an effluent treatment plant as required to be provided by industries as per the requirements of the Maharashtra Pollution Control Board or other relevant authorities :-</li> </ol>



Sr.No	Conditions
	<p>k) Area covered by service ducts, pump rooms, electric substations, niches upto 1m. depth below window sill, passages and additional amenity of lift and/or staircase beyond those required under the Regulations with the permission of the Commissioner.</p> <p>l) Area of one milk booth under the public distribution system with the permission of the Commissioner.</p> <p>m) Area of one public telephone booth and one telephone exchange (PBX) per building with the permission of the Commissioner.</p> <p>n) Area of one room for installation of telephone concentrators as per requirements of Mahanagar Telephone Nigam Limited, but not exceeding 20 sq.m. per building, with the permission of the Commissioner.</p> <p>o) Area of a separate letter box on the ground floor of residential and commercial buildings with five or more storeys to the satisfaction of the Commissioner.</p> <p>p) Area of a covered passage of clear width not more than 1.52 m. (5 ft.) leading from a lift exit at terrace level to the existing staircase so as to enable descent to lower floors in a building to reach tenements not having direct access to a new lift in a building without an existing lift.</p>
(c)	There shall be Welfare Hall and Balwadi in each project as a part of the construction of Rental Houses component. It shall be at the rate of 14.86 sq. Mts. for every multiple or part of 200 residential units but located so as to serve all the floors and buildings equitably and shall not be counted towards the FSI even while computing 4.00 FSI on site.
(d)	There shall be manager's office space of size 14.86 sq.mt. carpet area in the project for every multiple or part of 500 rental units, located as desired by MC, MMRDA as a part of construction of Rental Houses component and shall not be counted towards the FSI even while computing 4.00 FSI on site.
(e)	Total Construction Component shall mean the construction built up area of Rental Houses of self-contained 14.86 sq.m. carpet area (160 sq.ft.), including areas under passages with minimum 2.0 mt width, balwadis, welfare centers, manager's office, Non-residential units/convenient shopping of commercial use.

#### 4.(IV) BUILDING DETAILS AND OTHER REQUIREMENTS:

Sr.No	Details
1	Size of Rental unit - A Rental unit shall be of 14.86 sq.mt. carpet area including cooking space, bath & water closet, but excluding common areas.
2	Density
(a)	Density shall be minimum 1500 Rental units of 14.86 Sq.mts. carpet area per net hectare.
3	Minimum plot size
(a)	Plot of minimum 500 sq.mt. is required for the project. However, for small plot size approval may be obtained from Metropolitan Commissioner, MMRDA.
4	Components of Rental Unit
(a)	Multipurpose Room: A multipurpose room shall be allowed with size up to 12.5 sq.mts with a minimum width of 2.4m.
(b)	Cooking space (alcove) - Provision of separate kitchen shall not be necessary. However, cooking space (alcove) shall be allowed with a minimum size of 2.4 sq.mts. with minimum width of 1.2 mts.
(c)	Bath & WC: A Combined bath & WC shall be of minimum area of 1.85 sq.m. with minimum width of one meter. There shall be no stipulation of one wall abutting open space etc. as long as artificial light & ventilation through any means are provided. Water closet seat shall be of minimum length of 0.46 mt. A septic tank filter bed shall be permitted with a capacity of 150 lit per capita, where the municipal services are likely to be available within 4-5 years.
5	Height: The height of Multipurpose room shall be minimum 2.75 mt. and the height of building shall be as permissible by the Civil Aviation Authority.
6	Plinth: Minimum plinth height shall be 30 cm. and in areas subject to flooding the plinth shall be higher than the high flood level.
7	External Walls: Minimum 150 mm thick external brick wall without plaster shall be permitted. However, for use of modern construction technology and material etc, this thickness may be reduced with prior approval of Metropolitan Commissioner, MMRDA.
8	Staircase: The staircase shall be of dogleg type. If a single flight staircase is accepted, the flight shall not be less than 1.6 mt.
9	(a) Front & marginal Open spaces: For buildings of Rental Housing Project having height up to 24 mt. the front & marginal open space shall be 3.6 mt. for these buildings. Provided, however, that in case of these buildings having height more than 24 mts the minimum marginal open space shall be 6 mts. or as may be prescribed by Metropolitan Commissioner, MMRDA.
(b)	Notwithstanding the provisions in DCR where the location of the plot abuts DP Road, the front



Sr.No	Details
	marginal open space in layout shall not be insisted upon beyond 3.6 mt. provided subject to rules in force from time to time.
(c)	Where the location of plot abuts a nalla, the marginal open space along the nalla in the lay-out shall not be insisted upon beyond 3 mt. from the edge of the trained nalla.
(d)	The distance between any two buildings shall not be less than 4.5 mt.
10	Any composite building (Rental Housing Project Building + commercial Building) shall contain at least 50% of the built up area for Rental Housing Project.
11	(a) Means of access; The ratio between the length of pathway and width thereof shall be as follows: Length _____ Width Up to 20 mt _____ 1.5 mt Up to 30 mt _____ 2.0 mt Up to 40 mt _____ 2.5 mt Up to 50 mt _____ 3.0 mt.
(b)	Between the dimensions prescribed for the pathway & marginal distances the larger of the two shall prevail. The pathway shall act as access wherever necessary. The building shall be permitted to touch pathway.
(c)	The means of access shall be normally governed by the provisions of DCR however in the project wherever the design of the buildings in the same layout require relaxation it may be given. Access through existing pathways/layout roads but not less than 3.6 mt. in width, shall be considered adequate for any Rental Housing Project, containing buildings having height less than 24 mt. including stairs.
12	(a) Even if the amenities space is reduced to make the project viable, a minimum of at least 8% of amenity open space shall be maintained and while FSI computation for plot the area for recreational/amenity open space shall not be excluded.
(b)	Wherever more than the minimum front & marginal spaces have been provided such additional area provided may be considered as part of the amenity open space in the project without charging any premium in relaxation of the stipulation in DCR wherever it is necessary.
13	Premium shall not be charged for exclusion of staircase & lift well etc. as covered under the provision of III(b) above.
14	All relaxation for the Commercial Building Relaxation contained in sub regulation No. 9 (a), (b), (c), (d), 11 (b), (c), 12, 13 above, as well as other necessary relaxation shall be given to the Commercial building.
15	In order to make the Rental Housing project viable, the relaxation in these DCRs of MMR, such as providing viability gap etc. shall be granted by Metropolitan Commissioner, MMRDA, if necessary.

#### 5.(V) — PAYMENTS:

MMRDA shall pay to the said Authority Rs. 450/- per sq.mt. (90% of Rs.500/-) for the built up area over and above the normal permissible FSI as infrastructural charges before occupation of rental housing. ]



**(SM-90) APPENDIX- ACANNEXURE--A: GUIDELINES FOR PERMITTING QUARRIES**

**(Regulation 4.12)**

1. a) No quarrying operations shall be carried out without obtaining Development Permission of the Planning Authority under the provisions of the Maharashtra Regional and Town Planning Act, 1966. ]

(EP-285) b) The quarrying and mining operations shall be permitted outside CRZ and notified eco-sensitive zone and Heritage precinct but only at specific locations decided by the Competent Authority. The development permission shall be granted subject to production of order to carry out these activities from the Revenue Authority concerned under the Minor Minerals Act and NOC of the MPCB.]

(SM-90)2. The application for Development Permission of quarrying shall include:

- a) A location plan at 1:5000 scale of the quarry site and an area upto 500 metres around the quarry site showing important natural and manmade features and contours ;
- b) A site plan at 1 : 500 scale showing site boundaries, contours, all existing natural and man-made features such as hills, water courses, trees and other important landscape features, access roads, building and other structures ;
- c) Proposed excavation plan and cross sections at 1:500 or larger scale showing proposed phasing; terracing; stepping; benching slopes; locations of process equipment; diversion of water courses; impounding lake; storage areas for top soil, waste material, quarried material; workers housing; landscaping including screen planting, mounding and measures against visual intrusion etc.
- d) A restoration plan including landscaping proposals, phasing and proposal for reuse of the area after quarrying;
- e) A report supplementing the excavation and restoration plans, costs and implementation programme. ] (SM-90)

(EP-286) f) Scrutiny fee shall be paid by the owner at the rate given in Regulation C.1.1.1 of Appendix C.

g) Development Charge for the land under Quarrying shall be paid by the owner, as per the provisions of section 124B of the MR & TP Act 1966, at 0.50% of the rates of developed land mentioned in the Stamp Duty Ready Reckoner, A.S.R. of the Registration Dept. of the year in which permission is granted.]

(SM-90)3. No quarrying shall commence until the excavation plan is proved approved also by the Director of Geology and Mining, Government of Maharashtra, Nagpur.

4. The Restoration Plan approved by the Planning Authority shall be carried out in consultation with concerned Conservator of Forest or District Forests Officer and/or the Revenue Authority.

5. Natural gradient of slope should be maintained during quarrying operations slope of the foot-wall side (Slope in the direction in which mining does not exist) should be properly stabilised by planting adequate trees of suitable species so as to have soil binding vegetation.

6. In the case of murum quarrying entire weathered soil or murum shall not be excavated exposing hard rock ; instead, a capping of at least half a metre be left so that it can support vegetation and plantation that be done later on. Similarly, these operations shall not cause depression below the average ground level.

7. Water course, if any from a higher slope, should be properly diverted out of quarry area so that minimum water flows into the quarry and is safely channeled out of any nearby human settlement.

8. During quarrying operations, the water should be sprayed at least once in a day over the roads at quarry sites and nearby area.



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9. Kachha road leading to quarry site shall be invariably sprayed by water during the period when trucks use carrying murum. In addition, in order to minimize dust pollution, measures such as adoption of hoods at transfer points, vulcanizing of conveyer belt joints, under belt cleaning devices, apart from installation of dust extrication system for conveyance shall be adopted. The kachha road leading to the quarry shall have roadside plantation in order to arrest the dust pollution. ] (SM-90)

(EP-287) [10. ~~No blasting shall be permitted if a public road, railway line or any human settlement is located with 500 metres from the quarrying site. No Quarrying and crushing shall be permitted if a highway or public road having width of 30m. or more, railway line or any human settlement is located within 200m. from the quarrying site. However, for quarrying with blasting operations, the distance shall be at least 500 m.]~~

11. Residences for labourers and related temporary structures should be constructed at least 500 metres away from the place of blasting as well as from the place of quarrying. Heavy blasting by use of heavy machinery shall be prohibited.

(EP-288) [12. ~~The Development Permission for quarrying shall be granted for a specific period, after which fresh permission for further quarrying will be necessary. In granting such fresh permission, the Planning Authority shall have regard to the applicant's performance in observing the approved excavation plans and restoration plans, and in carrying out the quarrying operations in accordance with these guidelines. The development permission for quarrying shall be granted for period of 1 year and may be revalidated every year for a maximum period of 3 years. After this fresh permission for further quarrying will be necessary. In granting such fresh permission, the Planning Authority shall have regard to the applicant's performance in observing the approved excavation and restoration plans, and in carrying out the quarrying operations in accordance with these guidelines.]~~





**(EP-290) APPENDIX--AD: REGULATIONS FOR HERITAGE STRUCTURES/SITES/PRECINCTS**

(Kept in  
Abeyance)

(Regulation 6.15)

1. **Preamble:** These regulations are imposed with a view to regulate and conserve the listed buildings, areas, artifacts, structures and precincts of historical and/or aesthetic and/or architectural and/or cultural value, i.e. heritage buildings and heritage precincts.
2. **Applicability:** These regulations will apply to those buildings, artifacts, structures and/or precincts of historical and/or aesthetic and/or architectural and/or cultural value (hereinafter referred to as listed building/heritage buildings and listed precincts/heritage precincts). These shall also apply to heritage buildings / heritage precincts as may be listed in notification(s) to be issued by Government, from time to time.

**3. Restriction on Development/Redevelopment/Repairs etc.:**

- i. No development or redevelopment or engineering operation or additions, alternations, repairs, renovation including the painting of buildings, replacement of special features or demolition of the whole or any part thereof or plastering of said listed/heritage buildings or listed/ heritage precincts shall be allowed except with the prior written permission of the Competent Authority. The Competent Authority shall act on the advice the Heritage Conservation Committee to be appointed by Government (hereinafter called "the said Heritage Conservation Committee").

Provided that in exceptional cases for reasons to be recorded in writing the Competent Authority may overrule the recommendation of the Heritage Conservation Committee.

- ii. Changes, repairs, additions, alterations and renovations required in respect of religious buildings, on religious grounds mentioned in sacred texts, or as a part of holy practices laid down in religious codes shall be treated as permissible, subject to their being in accordance and consonance with the original structure and architecture, designs, aesthetics and other special features thereof. However, before arriving at its decision, the Competent Authority shall take into consideration the recommendations of the Heritage Conservation Committee.
- iii. The State Government shall by notification list the structures and sites having heritage values. The said list of buildings, artifacts, structures and precincts of historical, and/or aesthetic, and/or architectural and/or cultural value to which these regulations apply shall not form part of this Regulation for the purpose of Section 37 of the Maharashtra Regional and Town Planning Act, 1966. This list may be supplemented, altered, deleted or modified from time to time by Government on receipt of proposals from the Competent Authority or from the said Heritage Conservation Committee, or by Government suo moto provided that before the list is supplemented, altered, deleted or modified, objections and suggestions from the public are invited and duly considered by the Competent Authority and/or by Government.
- iv. Power to alter, modify or relax Regulations—With the approval of Government and after consultation with the said Heritage Conservation Committee, the Competent Authority shall have the power to alter, modify or relax the provisions of other Regulations of the Development Control Regulations applicable to and in force if it is needed for the conservation, preservation or retention of historical, aesthetical, cultural or architectural quality of any listed buildings/heritage buildings or listed precincts/heritage precincts.
- v. Hearing etc. to persons likely to be affected shall be given in case any alterations modifications or relaxation of any of the provisions of the Development Control Regulations cause undue loss to the owner/lessee and to the public.



- vi. ~~Grant of compensation in cases of loss of Development Rights:— If any application for development is refused under this Regulation or conditions are imposed while permitting such development which deprive the owner/lessee of any unconsumed FSI the said owner/lessee shall be compensated by grant of Development Rights Certificate (herein referred to as TDR) of the nature set out in Development Control Regulation no. 7.5.8 and as may be prescribed by the Government from time to time. The TDR from heritage buildings will be consumed in designated areas. The extent of TDR certificates to be granted may be determined by the Planning Authority, if required in consultation with the Heritage Conservation Committee and will not be awarded unless sanctioned by the Government.~~
- vii. ~~Restrictive Covenants:— Restrictions existing as on date of this notification imposed under covenants, terms and conditions on the leasehold plots by State Government shall continue to be imposed in addition to Development Control Regulations. However, in case of any conflict with the heritage preservation interest, the stringent of the two regulations shall prevail.~~
- viii. ~~Grading of the Listed Buildings/Listed Precincts:— In the said list of Heritage buildings, Heritage Precincts, "Grades" as I and II shall be mentioned. The meaning of these Grades and basic guidelines for development permissions are as follows:—~~

~~Listing does not prevent change of ownership or usage. However, such usage should be in harmony with the said listed precinct/building. Care will be taken to ensure that the development permission relating to these buildings is given without delay.~~

#### MEASURES TO CONSERVE HERITAGE SITES

Sr No.	Grade-I	Grade-II	Grade-III
A.	Definition : Heritage Grade-I comprises of buildings, and precincts of national or historical importance, embodying excellence in architectural style, design, technology and material/usage, they may be associated with a great historical event, personality, movement or institution. They have been and are the prime landmarks of the Sub Region.	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 town scape; they evoke architectural aesthetic or sociological interest though not as much as in Heritage Grade-II. These contribute to determine the character of the locality, and can be representative of life style of a particular community or region and, may also be distinguished by setting on a streetline, or special character of the façade and uniformity of height, width and scale.
B.	Objective : Heritage Grade I richly deserves careful preservation.	Heritage Grade II deserves protection of unique features and attributes.	Heritage Grade III deserves protection of unique features and attributes.
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	Grade-II(A) Internal changes, adaptive reuse and external changes will be generally allowed but will be subject to strict scrutiny. Care would be taken to ensure the conservation of all special aspects for which it is included in Heritage	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



	thereof. For this purpose, absolutely essential and minimal changes would be allowed and they must be in accordance with the original	Grade – II(A).  Grade – II(B) In addition to above extension or addition buildings in the same plot or compound could in certain circumstances, be allowed provided that the extension/additional building is in harmony ( and does not detract) existing heritage building(s) or precincts especially in terms of height and façade.	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 available.  However, unless absolutely essential, nothing should spoil or destroy any special features or attributes for which it is placed in the Heritage List.
D.	Procedure – Development permission for the changes would be given by the Competent Authority on the advice of the Heritage Conservation Committee to be appointed by State Government.	Development permission for changes would be given by the Competent Authority but in consonance with guidelines, which are to be laid down by Government in consultation with the Heritage Conservation Committee.	Development permission would be given for changes by the Competent Authority itself but in consonance with guidelines, which are to be laid down by Government in consultation with the Heritage Conservation Committee.
E.	Vistas/Surrounding Development : All development in areas surrounding Heritage Grade-I shall be regulated and controlled, ensuring that it does not mar the grandeur of or views from Heritage Grade-I. ] (EP-290)		



**APPENDIX - AE: REGULATIONS FOR DEVELOPMENT/REDEVELOPMENT OF HOUSING SCHEMES  
OF MAHARASHTRA HOUSING AND AREA DEVELOPMENT AUTHORITY  
(Regulation 6.16)**

1. ~~The FSI for a new scheme on vacant lands of Low Cost Housing Schemes for Economically Weaker Section, Low Income Groups and Middle Income Group of the MHADA having at least 60% built-up area in the form of tenements under EWS, LIG and MIG categories shall be 2.50.~~
2. ~~For redevelopment of existing housing scheme of MHADA, undertaken by the MHADA departmentally or jointly with societies/occupiers of buildings or by housing societies/occupiers of building or by lessees of MHADA or by the developer, the FSI shall be as under:-~~
  - (a) ~~Total permissible FSI shall be 2.5 on gross plot area.~~
  - (b) ~~The incentive FSI admissible against the FSI required for rehab shall be as under :-~~
    - (i) ~~In congested area, for the area upto 4000 sq.m, the Incentive FSI admissible will be 50%.~~
    - (ii) ~~In congested area, for the area above 4000 sq.m, the Incentive FSI admissible will be 60%.~~
    - (iii) ~~Outside congested area for the area upto 4000 sq.m, the incentive FSI admissible will be 60%.~~
    - (iv) ~~Outside congested area for the area above 4000 sq.m, the incentive FSI will be 75%.~~
  - (c) ~~In the redevelopment scheme either-~~
    - (i) ~~Difference between 2.5 FSI and the FSI required for "rehab + incentive" shall be shared between MHADA and Society/Developer in the ratio of 2:1. OR~~
    - (ii) ~~for additional built up area over and above permissible FSI MHADA shall charge premium at the rate decided by Govt. in Housing Department from time to time.~~
  - (d) ~~In the scheme, for the land allotted for societies of MIG and HIG and developed plot allotted individually to MIG and HIG group the permissible FSI shall be as per Regulation no. 7.5.2.~~
3. ~~In case of grant of NOC with additional permissible Built up area over and above the permissible FSI by Konkan Board/MHADA for the purpose of undertaking Redevelopment/Utilization, MHADA shall charge premium at the rate decided by Government in Housing Department from time to time.~~
4. ~~For the purpose of calculating the FSI, the entire area of the layout including development plan roads and internal roads but excluding the land under the reservation of public amenities shall be considered. Sub-division of plots will be permissible on the basis of compulsory open spaces as in these Regulations. For Low Cost Housing Schemes of MHADA for EWS, LIG categories, the Regulations in Appendix G (excluding regulation No. 2(b) above shall apply).~~
5. ~~For the purpose of this Regulation the carpet areas for EWS, LIG or MIG tenements shall be as determined by the Government from time to time.~~
6. ~~For the off site infrastructure, MHADA shall pay to the Planning Authority 12.5% of the charges collected by MHADA for the grant of additional FSI (FSI over and above the normally permissible FSI) for the Redevelopment Schemes.~~
7. ~~Notwithstanding anything contained in these Regulations, the relaxations incorporated in Appendix I of these regulations shall apply for Housing Schemes under this regulation for tenements under EWS/LIG and MIG categories. However, the front open space in any case shall not be less than 3.6 m.~~
8. ~~In any Redevelopment scheme where the Co-operative Housing Society/Developer appointed by the Co-operative Housing Society has obtained No Objection Certificate from the MHADA/Konkan Board thereby sanctioning additional balance FSI with a consent of 70% of its members and where such NOC holder has made provision for alternative accommodation in the proposed building (including transit accommodation) then it shall be obligatory for all the occupiers/members to participate in the Redevelopment scheme and vacate the existing tenement for the purpose of redevelopment. In case of failure to vacate the existing tenements the provisions of section 95A of the MHADA Act mutatis mutandis shall apply for the purpose of getting the tenements vacated from the non co-operative members.~~
9. ~~A corpus fund, as may be decided by MHADA, shall be created by the Developer which will remain with the societies for its maintenance.~~ ] (EP-290)



**(EP-212) [ APPENDIX - AF: REGULATIONS FOR DEVELOPMENTS IN TRANSPORT HUB AND LOGISTICS  
PARK ZONE  
(Regulation 6.18)**

**AF. 1.0. Applicability, FSI, etc.:**

- a. Warehousing, cold storages, multi-modal transport facilities, container depots, container freight stations, etc. and other uses listed in table 26 alongwith ancillary Residential/ Commercial/Institutional users shall be permitted in Transport Hub and Logistics Park zone on a minimum plot area of 2000 4000 sq.m. in detached plot and for the proposal of regularisation; such plot area shall be minimum 2000 sq.m. Provided that, such ancillary user shall may be limited permitted to the extent of 40% of the maximum permissible FSI or of the plot. The maximum permissible FSI for above the users allowed in this zone shall be 1.50 as given in Table no. 12A. The Development Rights Certificate (DRC) will be allowed to be used in this zone for uses that are permissible in Residential and Commercial zones subject to limit of maximum permissible FSI of 1.50 as given in Table no. 12A.
- b. Residential/Commercial/ Institutional users can be permitted if they are proposed on independent plots and having minimum marginal open space of 5 m. with the prior approval of the Planning Authority.
- c. Common facility buildings may be permitted in the 5% area kept mandatory in the layouts as per applicability and out of this 60% may be used for staff and manager's quarters.

**AF.1.1. Sub-Division/Layout of land:**

- a. Sub-division/ amalgamation of lands or layouts of lands in this zone is required to be done when land under development admeasures 10,000 sq.m. or more. Provided that, the area of such subdivided plots shall be at least 2000 sq.m.
- b. Minimum widths of layout roads/streets/pathways in this zone shall be as given in the table below. However, the public road abutting the layout shall be equal to or more in width than the specified internal road.

Length of internal road/approach road in m.	Minimum width in m.
Upto 100	15
Above 100 and upto 300	18
Above 300	21

**AF.1.2. Recreation Open Space:**

For uses in Transport Hub and Logistics Park lay-outs, the recreational open space shall be provided as follows:

- a. The recreational open space shall be provided at the rate of 10% of the net plot area where net plot area under layout or subdivision exceeds 3000 sq.m.
- b. Such open space shall as far as possible be provided in one place. However, in the case of layouts exceeding 10000 sq. m. in net area the required open spaces may be located in more than one place provided that at least one such open space shall not be less than 800 sq.m. in area. The minimum dimension of such recreational space shall in no case be less than 7.5 m. and if the average width of such open space is less than 24 m. the length thereof shall not exceed two and half times the average width.
- c. Such open space shall abut a layout road/pathway/public road or shall be directly accessible to all the buildings or plots proposed in a layout. Access through a marginal open space shall be allowed.



- 
- d. Such open spaces shall be used only for recreational activities and for parking of vehicles.
- e. When this open space exceeds 1500 sq.m. the excess area may be used for construction of buildings for banks, canteens, welfare centers, offices, **gymnasia, health club, creches** and for any other purpose considered necessary by the Planning Authority. Built up area of such constructions shall not exceed 10% of the total recreational open space with ground and one upper floor. The maximum height of such structures shall not exceed 8.0 m.
- f. Swimming pool, skating rinks and other paved areas, without any structure, shall be permitted in such a recreational open space and shall not be counted towards the built-up area, provided that the total ground coverage for such spaces as well as other structures does not exceed 20% of the area of the open space in which the same is located.

**AF.1.3. Common Facility Centers (CFC):**

a. In any layout or sub-division of land intended for uses given in AF.1.0(a) , where net plot area exceeds 8000 sq.m., 5%of the net plot area shall be designated/reserved as Common Facility Center (CFC) **which shall be in addition to the necessary open space.** The activities permissible in the Common Facility Centre are as follows:

- i) Any utility such as water storage reservoirs/ treatment plants, **fire brigade, etc.**
- ii) Educational use, **creche,**
- iii) Health related use, **Dispensary, Gymnasium etc.**
- iv) Social facility including post office, police station, telephone exchange etc.
- v) Public parking.
- vi) Any other utility/ amenity/ public conveniences, as may be decided by the Planning Authority.
- vii) **Administrative building.**
- viii) **Restaurant/ Canteen.**
- ix) **Petrol pump.**
- x) **Garage.**
- xi) **Space for weigh bridge.**
- xii) **Automobile shops.**
- xiii) **Rest House(Hotel type) for truck drivers/ cleaners.**
- xiv) **Transport office shed.**
- xv) **Workshop for repairing.**
- xvi) **Bank.**
- xvii) **ATM.**
- xviii) **Fire Brigade Services.**
- xix) **Welfare Centres.**
- xx) **Godowns.**
- xxi) **Parking.**
- xxii) **Water tank.**
- xxiii) **Loading/unloading platform.**
- xxiv) **Watch and ward.**
- xxv) **PCO.**
- xxvi) **Transport Mall and other common purposes considered necessary with the prior approval**



of the Planning Authority.

- b. ~~Where the CFC plots of upto exceeds 1500 sq.m, then 50% thereof can be used as parking space. area provided as per above provision shall serve as general parking space unless otherwise specified by the Planning Authority. When it exceeds 1500 sq.m., the excess area may be used for construction of buildings for banks, canteens, and welfare centers, offices of industry associations/federations, crèches and other common purposes considered necessary with prior approval of the Planning Authority.~~

**AF.2.0. Height of buildings:**

~~Buildings intended for warehouses and/or storage of hazardous / inflammable / chemical explosive materials shall be single storeyed structures only with normal permissible height of 10m. Any height in excess of 10 m. upto total height of 24m. of such single storeyed structure shall be deemed to have consumed additional FSI of 50 percent of the relevant floor area.~~

**AF.3.0. Other Regulations:**

- a. ~~Parking: Car space of 1 for 250 sq.m. with additional loading and unloading area as decided by the Planning Authority shall be provided for such developments.~~

~~Note: i) The aforesaid provision is not inclusive of parking spaces required for two wheelers.~~

~~ii) Loading – unloading space shall be minimum 4.0 m X 6.0 m.~~

- b. ~~Per capita water requirements for such users shall be 30 liters per day.~~

- c. ~~The NOC of Competent Fire Authority and Chief Controller of explosives shall be mandatory for development of warehouses and/or storage of hazardous / inflammable / chemical explosive materials.~~

~~AF.4.0. All other Regulations given in the DCRs shall be applicable for items not covered in this Appendix.]~~



**(EP-289) [APPENDIX - AG: DEVELOPMENT RIGHTS (DR) & TRANSFERRABLE DEVELOPMENT RIGHTS (TDR)]**

**AG. 1.1. DEVELOPMENT RIGHTS (DR)**

**1) DEVELOPMENT RIGHTS (DRS) DUE TO SURRENDERING OF LAND FOR RESERVATIONS/ROADS TO THE PLANNING AUTHORITY**

The owner shall be entitled to utilize Development Rights (DRs) earned by surrendering the part of his holding earmarked in the Development Plan as Reservation/Road and that fall under regular line of street free of encumbrances and free of cost to the Planning Authority.

**2) DEVELOPMENT RIGHTS (DRS) FOR DEVELOPING PUBLIC AMENITY**

Where the owner also develops a public amenity on the surrendered plot i.e. either a structure permissible in a plot reserved / designated anywhere in the Development Plan, or in a plot set aside for public amenity under Regulation 7.3.1(c)(ii) or develops recreational open space reserved / designated in the Development Plan or constructs a public road within regular line of street at his cost, as prescribed by the Planning Authority and to the satisfaction of the Planning Authority, and hands it over to the Planning Authority free of cost and free of rent, he shall be entitled for additional DRs, subject to the extent prescribed in Regulation AG.1.2 and conditions mentioned in Regulation AG.1.4.

**AG.1.2.VALUE OF DR**

- 1) The Value of DRs would be equivalent to 1.25 times the area of land surrendered to the Planning Authority and subject to the conditions stipulated in Regulation AG.1.4.
- 2) DRs towards expenditure incurred for developing amenities shall be in the form of FSI, equivalent to the amount worked out by dividing cost of construction of the amenity as per ASR of the year in which construction has commenced by land rate per sq.m. as per ASR of the year in which such construction has commenced.

$$\text{DR/TDR in sq.m.} = \frac{\text{Cost of construction of amenity in Rs. as per ASR}}{\text{Land rate per sq.m. as per ASR}}$$

**AG.1.3 CEILING ON CONSUMPTION OF FSI / DR IN A HOLDING**

- 1) In no case, the total FSI consumed in a plot shall exceed the maximum permissible FSI of the subject plot, mentioned in Regulation 7.5.2. The maximum permissible FSI varies based on land use zones and the width of road on which the plot abuts.
- 2) Residual FSI / DRs which cannot be consumed in the holding / adjoining plot in view of the aforesaid ceiling shall be allowed to be carried to and utilised on other plots in the form of Transferable Development Rights (TDR) subject to the provisions of Regulation AG.1.5.
- 3) DRs granted against developing amenities shall be free of FSI.
- 4) Maximum permissible FSI shall be attained by consuming premium FSI and FSI availed by way of TDR, as mentioned in Table no. 12, 12A & 12B.

**AG.1.4. CONDITIONS GOVERNING AWARD OF DEVELOPMENT RIGHTS (DRS)**

The quantum of DRs to which the owner is eligible due to surrender of land under reservation / designation in the Development Plan or that under regular lines of street, land from his holding and surrender of constructed amenity shall be separately recorded on the plans while granting





permission for development of site or / and sub-division, where development permission / construction of buildings is directly being sought the value of DRs be recorded at the time of approval of the building plans.

2. The Development Rights on the net plot area shall be used anywhere in the 'Notified Area' except over Recreational open spaces and in any zone excepting No Development Zone, Forest land, CRZ area, if any, under CRZ notification, Heritage structures/Sites/Precincts and Gaothan area.
3. Development Rights would be allowed to be utilised only after the requisite land is handed over to the Planning Authority in vacant state, free of all encumbrances, free of cost.
4. Once the development proposal recording the DRs is approved, the DRs could be utilised in phases, any time in the future, subject to compliance of other requirements.
5. For lands which are either retainable under the provisions of the Urban Land (Ceiling & Regulation) Act, 1976 or for lands which do not attract provisions of the aforesaid Act, Development Rights would be to the extent of loss of the permissible floor space due to surrender of the land to the Planning Authority due to reservation. For non-retainable plot the Development Rights shall be to the extent and subject to such conditions as the Government in Housing & Special Assistance Department may specify.
6. Where the plot being surrendered is held on leasehold basis, the Development Rights shall be apportioned between the lessor and the lessee on the principle of apportionment of compensation under Land Acquisition Act, 1894.
7. The surrendered plot / constructed space for which DRs have been awarded shall, by virtue of the provisions of sub section (1) of Section 126 of Maharashtra Regional & Town Planning Act, vest in the Planning Authority. The Revenue Authorities on intimation shall take appropriate entry in the City Survey Records / Revenue Records to transfer its ownership in the name of the Planning Authority. Where the Planning Authority is not the Appropriate Authority, the surrendered land / built up space so transferred to the Planning Authority, will be leased out by it in favor of the Appropriate Authority on suitable terms as may be decided by the State Government.

#### **AG.1.5. CONDITIONS GOVERNING AWARD OF DEVELOPMENT RIGHTS CERTIFICATE (DRC)**

In addition to the provisions in Regulation AG.1.4 the TDRs will be regulated as -

1. DRCs will be issued for any land reserved or designated in the Development Plan. Similarly where due to ceiling limit as per the Regulation AG.1.3, the DRs generated under Regulation AG.1.1 cannot be utilised in the remaining part of the holding, the owner shall be entitled for DRCs.
2. Development Right of the owner/lessee of any Heritage buildings who suffers loss of Development Rights due to any restrictions imposed by the Commissioner or Government, shall be eligible for award of Transferable Development Rights (TDR) in the form of Floor Space Index (FSI) to the extent and on the conditions stipulated in these Regulations. Such award will entitle the owner of the Heritage Building to FSI in the form of a Development Rights Certificate (DRC) which he may use himself or transfer to any other person.
3. All the DRCs could be utilised anywhere within the "Notified Area" for compatible user in receiving zone except over Recreational open spaces, No Development Zone, Forest land, CRZ area, if any, under CRZ notification, Heritage structures/Sites/Precincts and Gaothan. Provided that the overall FSI of receiving plot after consumption of TDR does not exceed the respective limits.
4. Transferable Development Rights (TDR) certificates will be issued by the Metropolitan Commissioner himself. They will state, in figures and words the floor space credit in square meters, to which the land owner is entitled.
5. Where the TDRs emanate from land being surrendered for public amenity, DRC shall be issued on compliance of the requirements of Regulation AG.1.4.
6. Where the TDRs emanate from construction of a building for public amenity/development of site for recreational open space; the DRC shall be issued after Completion Certificate for the building/development works has been obtained by the owner.



#### AF.1.6. CONDITIONS GOVERNING UTILIZATION OF DR / TDR

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

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

3. With an application for development permission, when an owner seeks utilisation of TDRs, he shall submit the DRC to the Planning Authority who shall endorse thereon in writing, in figures and words, in square meters the quantum of the TDRs proposed to be utilised, before granting development permission and when the development is complete, the Planning Authority shall endorse on the DRC in writing, in figures and words, the quantum of DRs actually utilised and the balance remaining thereafter, if any, before issue of Occupation Certificate.
4. A DRC shall be issued by the Planning Authority as a certificate printed on a bond paper in an appropriate form approved by the State Government. Such a certificate, after due authentication by the Planning Authority will be a transferable "negotiable instrument". The Planning Authority shall maintain a register in the form prescribed by the State Government of all transactions regulating to issue of DRCs and utilization thereof.
5. If a holder of a Development Rights Certificate (DRC) intends to transfer it to any other person, he shall submit the DRC to the Planning Authority for endorsement of the new holder's name, i.e. transferee on the said Certificate. Without such an endorsement by the Planning Authority himself, the transfer shall not be valid and the Certificate will be available for use only by the earlier original holder.] (EP 289)



**ANNEXURE – BAPPENDIX AGAH: LIST OF ABBREVIATIONS**

AKBSNA	Ambarnath, Kulgaon-Badlapur and Surrounding Notified Area
BIS	Bureau of Indian Standards
BIFR	Board of Industrial and Financial Reconstruction
BNMC	Bhiwandi Nizampur Municipal Corporation
BRTS	Bus Rapid Transit System
BPMC	Bombay Provincial Municipal Planning Authority Act
BSNA	Bhiwandi Surrounding Notified Area
CC	Commencement Certificate
CEPT	Common Effluent Treatment Plant
CRZ	Costal Regulation Zone
DCRs	Development Control Regulations
DDP	Draft Development Plan
DReDRC	Development Rights Certificate
DRs	Development Rights
EIA	Environment Impact Assessment
EWS	Economically Weaker Section
FSI	Floor Space Index
HIG	Higher Income Group
IS	Indian Standards
IT	Information Technology
KDMC	Kalyan-Dombivli Municipal Corporation
LIG	Low Income Group
MHADA	Maharashtra Housing and Area Development Authority
MIDC	Maharashtra Industrial Development Corporation
MIG	Middle Income Group
MSPCB	Maharashtra State Pollution Control Board
MMRDA	Mumbai Metropolitan Region Development Authority
MMR	Mumbai Metropolitan Region
MOEF	Ministry of Environment and Forest
(MR and TP Act)	Maharashtra Regional and Town Planning Act, 1966
MSRTC	Maharashtra State Road Transport Corporation
NA	Non Agricultural
NBC	National Building Code of India
NDZ	No Development Zone
NEERI	National Environmental Engineering Research Institute
NOC	No Objection Certificate
PIA	Project Implementing Agency
PWD	Public Works Department
RoW	Right of Way
SAWHS	Solar Assisted Water Heating Systems
SEEPZ	Santacruz Electronics Export Processing Zone
SEZ	Special Economic Zone
SI	Service Industry
SPA	Special Planning Authority
STP	Sewage Treatment Plant
TDR	Transfer of Development Rights
TMC	Thane Municipal Corporation
ULC	Urban Land Ceiling
VPR	Volume to Plot Ratio
VVNA	Virar Vasai Notified Area
WC	Water Closet
WWC	Women's Welfare Centre





DEVELOPMENT CONTROL REGULATIONS FOR BHIWANDI  
SURROUNDING NOTIFIED AREA OF BHIWANDI TEHSIL

**REGULATIONS KEPT IN ABEYANCE**

AS PROPOSED BY SCRUTINY COMMITTEE  
(DECEMBER, 2013)

(EP-290)



**(EP-290) 6.15. DEVELOPMENT OF AREA UNDER HERITAGE STRUCTURES/SITES/PRECINCTS:**

**(Kept in Abeyance)** The Regulations for development of Heritage Structures/ Sites/Precincts shall be applicable as given in Appendix AD.

**APPENDIX - AD: REGULATIONS FOR HERITAGE STRUCTURES/SITES/PRECINCTS**

**(Regulation 6.15)**

- 1 These regulations shall apply to the Bhiwandi Surrounding Notified Area of Bhiwandi tehsil of Thane District (hereinafter referred to as the said Notified Area)
  - 1.1 These regulations will apply to heritage sites which means building, structures, artifacts, area, precincts, conservation areas, forest or wooded areas, of historic 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 situated in the notified area hereinafter referred to as 'listed sites / building / features / features / precincts / areas / properties' which are listed in the heritage list. The list as notified shall be hereinafter referred to as 'the said heritage list'.
  - 2.1 No development, re-development of engineering operation including but not limited to demolition, additions, alterations, repairs, restoration, renovation, painting of building, change of name, replacement of special features | whole or part of any listed sites / features / precincts / areas / properties / buildings shall be allowed except with the prior written permission of the commissioner. Before granting any such permission, the commissioner shall consult the Heritage Conservation Committee (to be appointed by the State Government) hereinafter referred to as 'the said Heritage conservation committee and shall act strictly on the advice of the said Heritage conservation committee.
  - 2.2 Provided that in exceptional cases, and for reasons to be recorded in writing, the commissioner may overrule the advice of the said Heritage conservation committee. Provided further that the power to overrule the advice of the said Heritage Conservation Committee shall not be delegated by the commissioner to any other officer. Provided further that the commissioner shall in writing explain the facts why he needs to differ from the advice of the said Heritage Conservation Committee
  - 2.3 The said Heritage Conservation Committee shall have the power to direct the commissioner 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
  - 2.4 In relation to the wider environment and ecological setting of the said notified area, 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 refutes, electrical and such other proposals, shall be informed by the Commissioner to the said Heritage conservation Committee.
  - 3.1 The Government in consultation with the said Heritage Conservation Committee shall approve with additions, deletions if any, to the heritage list approved by Government 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. 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, altered, deleted or modified from time to time by Government and / or the Commissioner on the advice of the said Heritage conservation Committee or suo moto. Provided that before the list is supplemented objections and suggesting 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/the said Heritage conservation committee 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 Heritage list approved by the said Heritage conservation Committee 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 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, provided that the said Heritage conservation Committee on merits of the case shall decide ,modify the boundary
- 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 Commissioner on the advice of and in consultation with the said the said Heritage conservation Committee.
- 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 Commissioner in consultation with the said Heritage conservation Committee.
- 4.3 After consideration of the above suggestion and objections, the Commissioner in consultation with and on the advice of the said Heritage conservation Committee 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 Commissioner and the said Heritage conservation Committee shall have due regard to the above draft special regulations / guidelines while considering application for their development / re-development, etc.

- 5.1 The Planning Authority 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.
- 5.2 If there are any new roads or road widening lines proposed in the draft or sanctioned Development Plan, the Commissioner shall in consultation with the said Heritage conservation Committee consider the heritage provisions and environmental aspects while considering applications for development permissions. Necessary steps may be taken to modify the Development Plan accordingly. Pending this action, the road widening / development of new roads shall not be carried out.
- 5.3 No widening of the existing roads under the Maharashtra Municipalities Act or in the Development Plan 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.
- 6.1 If there are any Development Plan reservations shown on heritage buildings, or on listed natural features the same shall not be implemented. If required, the Commissioner, on the advice of the said Heritage conservation Committee, shall move Government to get these reservations deleted / modified as need be.
- 7.1 On the advice of the said Heritage conservation Committee and with the Government approval for reasons to be recorded in writing, the Commissioner shall alter, modify or relax the provisions of other Regulations of the Development Control Regulations / Building Byelaws 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 Notwithstanding anything contained in any other law, rule or regulation no plot on the premises on the heritage list shall be permitted to be sub-divided or amalgamated with any other plot / premises.
- 8.2 The Commissioner on advice of the said Heritage conservation Committee 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.
- 8.3 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 Commissioner in consultation with the said Heritage conservation Committee and after obtaining approval of the Government shall provide suitable advice to the applicant in this behalf.
- 8.4 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 Commissioner as per recommendations of the said Heritage conservation Committee. However, structures existing prior to publication of the said list will be considered separately by the Commissioner in consultation with the said Heritage conservation Committee.

Development Permission shall not be require 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 said Heritage conservation Committee on experience from time to time.

8.5 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 Commissioner on the advice of the said Heritage conservation Committee.

9.1 After the commencement of this Regulation, adaptive reuse of listed building shall be permitted as per special guidelines by the Commissioner on the advice of the said Heritage conservation Committee. 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 Heritage conservation Committee.

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 Commissioner shall withdraw the permission forthwith and obtain further advice from the said Heritage conservation Committee.

10.1 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 surroundings 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 Commissioner on the advice of the said Heritage conservation Committee. However, the building height of any of these building shall not exceed 9 m.

11.1 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 the Planning Authority 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.

12.1 With a view to give monetary help for repairs of structures in the said heritage list a separate fund may be created by the Govt. of Maharashtra for Heritage Conservation and Environmental Preservation, which would be kept at the disposal of the Commissioner, who will make disbursement from the funds on the advice of the said Heritage conservation Committee and on approval of the Collector. Provisions 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 alteration(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 Heritage conservation Committee , such demolition / reconstruction / addition / alteration / repair / renovation / restoration / renaming is undesirable.
- 15 So as to preserve the beauty of the region, the said Heritage conservation Committee 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.
- 16.1 For heritage listed sites, features, precincts and areas special separate regulations / guidelines shall be framed by the Commissioner in consultation with the said Heritage conservation Committee pertaining to ensure high standards of Townscape Detail and Planting and Planning including trees and shrubs (in revenue and forest lands), Signs and Advertisements, Street Furniture, Boundary (compound) Walls, Floors cape, Railings and Public Art.
- 17.1 Commissioner on the advice of the said Heritage conservation Committee 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 permitted. However, name plates up to 1sq.m. area shall be permitted with approval of the Commissioner on the advice of the said Heritage conservation Committee.
  - 17.2 Prohibition of advertising signs and outdoor display structures display structures in certain cases: Notwithstanding anything contained in sub-regulations 17.1, 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 Commissioner, on the advice of the said Heritage conservation Committee, 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 of related programmes.
    - 17.2.1 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 b e permitted outside a plot boundary.
  - 17.5 If the said Heritage conservation Committee so advice, the Commissioner shall refuse permission for any sign or outdoor display structure.
  - 17.6 The Commissioner may on the advice of the said Heritage conservation Committee 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 Heritage conservation Committee, which may prescribe additional guidelines for the same.
- 18.1 There shall be a said Heritage conservation Committee for the said notified area of The Committee shall comprise of member with the following qualification:



1. Expert Members with relevant - 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. – Chairman
  2. Structural Engineers having experience of 10 years in the field and membership of the Institute of Engineers. –2 Members
  3. Architects, Engineers having 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 these having experience in Conservation architecture. –2 Members
  4. Qualified Environmentalists (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 subject matter. –Member
  5. Qualified Expert in the field of History (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) – Member
  6. Joint Director of Town Planning, Konkan Division – Member
  7. Collector of the Thane District – Member
  8. Metropolitan Commissioner, MMRDA – Member Secretary
- 18.2 The tenure of the Members of category (2), (3), (4) and (5) 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 Heritage conservation Committee 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 Heritage conservation Committee
- 18.4 The said Heritage conservation Committee shall come into existence with effect from the date of its publication in the official Gazette.
- 18.5 No act of the said Heritage conservation Committee 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 The terms of the Reference of the said Heritage conservation Committee shall be, *inter alia*.
- i) to advise the Commissioner 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 an / or of scenic beauty including but not restricted to sacred groves, headlands, hills, Sub-hills, plateaus, sub-plateaus, springs, caves, water 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.



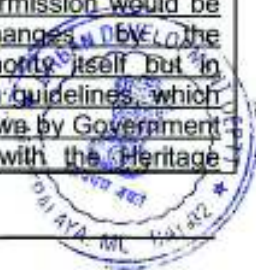
- iii) To advise whether any relaxation, modification, alteration or variance of any of the Regulations / Byelaws is called for:
- iv) To suggest amendments, changes or special regulation or modifications to special regulations under these Regulations and to advise the Commissioner regarding the same.
- v) To advise whether to allow adaptive reuse of any listed structure or precinct and when to terminate the same.
- vi) To frame special regulations for natural features and to advise the Commissioner 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 sitting 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 Commissioner 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 Commissioner to evaluate the cost of repairs to be given to owner to bring the existing buildings back to the original condition, For this purpose the Committee may also try to help the Commissioner 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 intact 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 purpose 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 advice 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 said notified area 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 said notified area.



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

**MEASURES TO CONSERVE HERITAGE SITES**

Sr No.	Grade - I	Grade -II	Grade - III
A.	<p><u>Definition :</u> Heritage Grade-I comprises of buildings, and precincts of national or historical importance, embodying excellence in architectural style, design, technology and material/usage, they may be associated with a great historical event, personality, movement or institution. They have been and are the prime landmarks of the Sub Region.</p>	<p>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.</p>	<p>Heritage Grade III Comprises of buildings, and precincts of importance for town scape; they evoke architectural aesthetic or sociological interest though not as much as in Heritage Grade-II. These contribute to determine the character of the locality, and can be representative of life style of a particular community or region and, may also be distinguished by setting on a streetline, or special character of the façade and uniformity of height, width and scale.</p>
B.	<p><u>Objective :</u> Heritage Grade-I richly deserves careful preservation.</p>	<p>Heritage Grade II deserves protection of unique features and attributes.</p>	<p>Heritage Grade III deserves protection of unique features and attributes.</p>
C.	<p><u>Scope for Changes :</u> 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</p>	<p><u>Grade – II(A)</u> Internal changes, adaptive reuse and external changes will be generally allowed but will be subject to strict scrutiny. Care would be taken to ensure the conservation of all special aspects for which it is included in Heritage Grade – II(A).</p> <p><u>Grade – II(B)</u> In addition to above extension or addition buildings in the same plot or compound could in certain circumstances, be allowed provided that the extension/additional building is in harmony ( and does not detract) existing heritage building(s) or precincts especially in terms of height and façade.</p>	<p>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 available.</p> <p>However, unless absolutely essential, nothing should spoil or destroy any special features or attributes for which it is placed in the Heritage List.</p>
D.	<p><u>Procedure --</u> Development permission for the changes would be given by the Competent Authority on the advice of the Heritage Conservation Committee</p>	<p>Development permission for changes would be given by the Competent Authority but in consonance with guidelines, which are to be laid down by Government in consultation with the Heritage</p>	<p>Development permission would be given for changes by the Competent Authority itself but in consonance with guidelines, which are to be laid down by Government in consultation with the Heritage</p>



	<u>to be appointed by State Government.</u>	<u>Conservation Committee.</u>	<u>Conservation Committee.</u>
<u>E.</u>	<u>Vistas/Surrounding Development. :</u> <u>All development in areas surrounding Heritage Grade-I shall be regulated and controlled, ensuring that it does not mar the grandeur of or views from, Heritage Grade-I.</u>		



## PART – VI

### SPECIAL REGULATIONS RELATED TO HOUSING AND URBAN RENEWAL

#### 10. SPECIAL REGULATIONS RELATED TO URBAN RENEWAL AND HOUSING- APPLICABLE FOR AVAILING ADDITIONAL FSI

##### 10.3. DEVELOPMENT/REDEVELOPMENT OF HOUSING SCHEMES OF MAHARASHTRA HOUSING & AREA DEVELOPMENT AUTHORITY (MHADA):

Development/Redevelopment of Housing Schemes of Maharashtra Housing & Area Development Authority shall be permissible in accordance with the provisions contained in Clause No. I of Appendix AH.

##### 10.4. DEVELOPMENT OF LOW COST HOUSING SCHEMES OF MAHARASHTRA HOUSING & AREA DEVELOPMENT AUTHORITY FOR ECONOMICALLY WEAKER SECTION (EWS) AND LOW INCOME GROUPS (LIG):

Development of Low Cost Housing Schemes of Maharashtra Housing & Area Development Authority for Economically Weaker Section (EWS) and Low Income Groups (LIG) shall be permissible in accordance with the provisions contained in Clause No. II of Appendix AH.

##### 10.5. CONSTRUCTION OF TENEMENTS FOR RESETTLEMENT AND REHABILITATION OF PROJECT AFFECTED PERSONS (PAP):

Construction of tenements for Resettlement and Rehabilitation of Project Affected Persons (PAP) shall be permissible in accordance with the provisions contained in Clause No. III of Appendix AH.

##### 10.6. RECONSTRUCTION OF STRUCTURALLY UNSAFE BUILDINGS / DILAPIDATED BUILDINGS/ UNHYGIENIC BUILDINGS:

Reconstruction of structurally unsafe buildings / dilapidated buildings/ unhygienic buildings shall be permissible in accordance with the provisions contained in Clause No. IV of Appendix AH.

##### 10.7. RECONSTRUCTION OF DAMAGED/DESTROYED/COLLAPSED BUILDINGS DUE TO NATURAL CALAMITY LIKE FIRE, ETC.:

Reconstruction of damaged/destroyed/collapsed buildings due to natural calamity like fire, etc. shall be permissible in accordance with the provisions contained in Clause No. V of Appendix AH.

##### 10.8. CONSTRUCTION OF BUILDINGS FOR HOUSING THE DISHOUSED:

Construction of buildings for housing the dishoused shall be permissible in accordance with the provisions contained in Clause No. VI of Appendix AH.

##### 10.9. DEVELOPMENT OF SITES AND SERVICES AND SMALL SIZE TENEMENTS FOR THE HOUSING SCHEMES UNDER THE URBAN LAND (CEILING AND REGULATIONS) ACT, 1976 APPROVED BY GOVERNMENT FROM TIME TO TIME:

Development of sites and services and small size tenements for the Housing Schemes under the Urban Land (Ceiling and Regulations) Act, 1976 approved by Government from time to time shall be allowed to continue in accordance with the provisions contained in Clause No. VII of Appendix AH.



**10.10. TENEMENTS/ PLOTS FOR EWS/LIG IN LAYOUT/SUB DIVISION OF PRIVATE LAND:**

Development of Tenements/ Plots for EWS/LIG in Layout/Sub Division of Private Land shall be permissible in accordance with the provisions contained in Clause No. VIII of Appendix AH.

**10.11. RECONSTRUCTION OR REDEVELOPMENT OF BUILDINGS UNDER URBAN RENEWAL SCHEME:**

Reconstruction or Redevelopment of buildings under Urban Renewal Scheme shall be permissible in accordance with the provisions contained in Clause No. IX of Appendix AH.

**10.12. Redevelopment/construction of accommodation for hutment/pavement-dwellers through owners/developers/co-operative housing societies of hutment/pavement-dwellers/Public Authorities/Non-Governmental Organizations:**

Redevelopment/construction of accommodation for hutment/pavement-dwellers through owners/developers/co-operative housing societies of hutment/pavement-dwellers/Public Authorities/Non-Governmental Organizations shall be permissible in accordance with the provisions contained in Clause No. X of Appendix AH.





**APPENDIX AH: SPECIAL REGULATIONS RELATED TO URBAN RENEWAL AND HOUSING -  
APPLICABLE FOR AVAILING ADDITIONAL FSI**

**(Regulations 10.3 to 10.12)**

**I. Development/Redevelopment of Housing Schemes of Maharashtra Housing & Area Development Authority:**

- 1) The FSI for a new scheme of Low Cost Housing, implemented by MHADA departmentally on vacant lands for Economically Weaker Sections (EWS), Low Income Group (LIG) and Middle Income Group (MIG) categories shall be 3.0 on the gross plot area and at least 60% built-up area in such scheme shall be in the form of tenements under the EWS, LIG and MIG categories, as defined by the Government in Housing Department from time to time.
- 2) For redevelopment of existing housing schemes of MHADA, containing (i) EWS/LIG and/or (ii) MIG and/or (iii) HIG houses with carpet area less than the maximum carpet area prescribed for MIG, the total permissible FSI shall be 3.0 on the gross plot area.

2.1) Where redevelopment of buildings in existing housing schemes of MHADA is undertaken by the housing co-operative societies or the occupiers of such buildings or by the lessees of MHADA, the Rehabilitation Area Entitlement, Incentive FSI and sharing of balance FSI shall be as follows:-

**A) Rehabilitation Area Entitlement:**

- i) Under redevelopment of buildings in existing Housing Schemes of MHADA, the entitlement of rehabilitation area for an existing residential tenement shall be equal to sum total of –
  - a) a basic entitlement equivalent to the carpet area of the existing tenement plus 35% thereof, subject to a minimum carpet area of 300 sq.ft. and
  - b) an additional entitlement governed by the size of the plot under redevelopment, in accordance with the Table- A below:-

**Table A**

Area of the Plot under Redevelopment	Additional Entitlement (As % of the Carpet Area of the Existing Tenement)
Upto 4000 sq.m.	Nil
Above 4000 sq.m. to 2 hect.	15%
Above 2 hect to 5 hect.	25%
Above 5 hect to 10 hect.	35%
Above 10 hect.	45%

Explanation: *The plot under redevelopment means the land demarcated by MHADA for redevelopment.*

Provided that the maximum entitlement of rehabilitation area shall in no case exceed the maximum limit of carpet area prescribed limit for MIG category by the Govt. as applicable on the date of approval of the redevelopment project.

Provided further that the entitlement of rehabilitation area as admissible under this regulation shall be exclusive of the area of balcony.

- ii) Under redevelopment of buildings in existing Housing Schemes of MHADA, the entitlement of rehabilitation area of any existing commercial/amenity unit in the



Residential Housing Scheme shall be equal to the carpet area of the existing unit plus 20% thereof.

- B) Incentive FSI-** Incentive FSI admissible against the FSI required for rehabilitation, as calculated in (a) above, shall be based on the ratio (hereinafter referred to as Basic Ratio) of Land Rate (LR) in Rs./Sq.m. of the plot under redevelopment as per the Annual Schedule of Rates (ASR) and Rate of Construction (RC)\* in Rs./Sq.m. applicable to the area as per the ASR and shall be as given in the Table B below:-

**Table B**

Basic Ratio (LR/RC)	Incentive (As % of Admissible Rehabilitation Area)
Above 4.00	40%
Above 3.00 and upto 4.00	50%
Above 2.00 and upto 3.00	60%
Above 1.00 and upto 2.00	70%
1.00 or below	

**Explanation:-**

\* RC is the rate of construction in respect of R.C.C. Construction, as published by the Chief Controlling Revenue Authority & Inspector General of Registration, Maharashtra State in the Annual Schedule of Rates.

Provided that the above incentive will be subject to the availability of the FSI on the Plot under redevelopment and its distribution by MHADA.

Provided further that in case there are more than one land rate applicable to different parts of the plot under redevelopment, a weighted average of all the applicable rates shall be taken for calculating the Average Land Rate and the Basic Ratio.

Provided further that the Land Rate (LR) and the Rate of Construction (RC) for calculation of the Basic Ratio shall be taken for the year in which the redevelopment project is approved by the Authority competent to approve it.

**C) Sharing of the Balance FSI:**

The FSI remaining in balance after providing for the rehabilitation and the incentive components, calculated as per (A) and (B) above respectively, shall be shared between the Co-operative Housing Society and MHADA in the form of built-up area, as given in Table C below and the share of MHADA shall be handed over to MHADA free of cost.

**Table C**

Basic Ratio (LR/CR)	Sharing of balance FSI	
	Co-operative Society Share	MHADA Share
Above 4.00	30%	70%
Above 3.00 and upto 4.00	35%	65%
Above 2.00 and upto 3.00	40%	60%
Above 1.00 and upto 2.00	45%	55%
1.00 or below		

2.2) Where redevelopment of buildings in the existing Housing Schemes of MHADA is undertaken by MHADA or jointly by MHADA alongwith the housing societies or the occupiers of such building or by the lessees of MHADA, the Rehabilitation Area Entitlement, incentive FSI and sharing of balance FSI shall be as follows:

- A) Rehabilitation Area Entitlement:** The Rehabilitation Area Entitlement shall be increased by 15% of the existing carpet area, over and above the Rehabilitation Area Entitlement calculated in (A) of 2.1 above, subject to the maximum of the size of MIG prescribed by the Government in the Housing Department.
- B) Incentive FSI:** Incentive FSI shall be the same as in (B) of 2.1.
- C) Sharing of the balance FSI:** Sharing of the balance FSI shall be the same as in (C) of 2.1.
- 3) For the purpose of calculating the FSI, the entire area of the layout including Development Plan roads and internal roads but excluding the land under the reservation of public amenities shall be considered. Sub-division of plots shall be permissible on the basis of the compulsory open spaces as in these Regulations. For low cost housing schemes of MHADA for EWS/LIG categories, the Regulation no. II below [excluding 1(b)] shall apply. Provided that there shall be no restriction on the utilization of the FSI permissible under this Regulation except for the restrictions under any law, rule or regulation.
- 4) For the purpose of this Regulation, the carpet areas for EWS, LIG or MIG tenements shall be as determined by the Government from time to time.
- 5) a) For providing the requisite infrastructure for the increased population, an infrastructure charge at the rate of 7% of the Land Rate as per the ASR of the year of approval of the redevelopment project shall be chargeable for the extra FSI granted over and above the normal FSI for the redevelopment schemes. 5/7<sup>th</sup> part of the Infrastructure Charge levied and collected by MHADA shall be transferred to the Planning Authority for developing necessary off-site infrastructure.
- 6) Notwithstanding anything contained in these Regulations, the relaxation incorporated in Regulation No. X below of this Appendix shall apply to the Housing Schemes under this Regulation for construction of tenements under EWS/LIG and MIG categories. However, the front open space shall not be less than 3.6m.
- 7) a) In any Redevelopment Scheme where the Co-operative Housing Society/Developer appointed by the Co-operative Housing Society has obtained No Objection Certificate from the MHADA/Konkan Board, thereby sanctioning additional balance FSI with the consent of 70% of its members and where such NOC holder has made provision for alternative accommodation in the proposed building (including transit accommodation), then it shall be obligatory for all the occupiers / members to participate in the Redevelopment Scheme and vacate the existing tenements for the purpose of redevelopment. In case of failure to vacate the existing tenements, the provisions of section 95A of the MHAD Act mutatis mutandis shall apply for the purpose of getting the tenements vacated from the non co-operative members.
- b) For redevelopment of buildings in any existing Housing Scheme of MHADA under clause 2.2 hereinabove, by MHADA, the consent of the Co-operative Housing Society in the form of a valid Resolution as per the Co-operative Societies Act, 1960 will be sufficient. In respect of members not co-operating as per approval of the redevelopment project, action under section 95(A) of the Maharashtra Housing and Area Development Act, 1976 may be taken by MHADA.
- 8) A corpus fund, as may be decided by MHADA, shall be created by the Developer which shall remain with the Co-operative Housing Societies for the maintenance of the new buildings under the Rehabilitation Component.



**II. Development of Low Cost Housing Schemes of Maharashtra Housing & Area Development Authority for Economically Weaker Section (EWS) and Low Income Groups (LIG):**

**1. Density:**

- a. Density shall be upto 450 tenements per net hectare having at least 60 per cent tenements for EWS/LIG housing.
- b. Extra Density of 20 per cent over and above the normally permissible density will apply for such housing schemes; with 60 percent tenements under the EWS and LIG categories.

**2. Minimum Plot Size:**

- a. In the case of a Group house on a plot of 25 sq.m., a room of minimum size of 5.57 sq.m. (60 sq.ft.) with toilet arrangement in the first phase shall be permitted. In the second phase, one room of 9.30 sq.m. (100 sq.ft) may be allowed to be added. However, commencement and occupation certificates shall be granted initially to the first phase only and subsequent certificate for second phase issued as required.
- b. Multi-purpose rooms- A multi-purpose room shall be allowed with size upto 12.5 sq.m. with a minimum width of 2.4m.
- c. Cooking space (alcove) - Provision of separate kitchen shall not be necessary. However, cooking space shall be allowed with a minimum of 2.4 sq.m. with minimum width of 1.2m.
- d. Combined toilet- A combined toilet shall be permitted for more than one tenement with a minimum area of 1.85 sq.m. with a minimum width of one meter.
- e. Height- The average height for a habitable room with slopping roof shall be minimum 2.6m. with minimum height of 2m. at the eaves. In the case of a flat roof, minimum clear height shall be 2.6 m. for a habitable room. Kitchen area shall have minimum clear height/average height of 2.4 m. and bath and water closet (without loft) shall have a clear minimum height of 2.2 m.
- f. Plinth- the minimum plinth height shall be 30 cm. and in areas subject to flooding the plinth shall be higher than the High Flood Level.

3. **External Walls:** 115 mm thick external brick wall without plaster shall be permitted.

4. **Staircase:** Single flight staircase without landing between the two floors shall be permitted.

5. **Front open space:** The front open space from roads having width of 9.14 m. and below shall be a minimum of 1.5m. for buildings width height of upto 10m.

6. **Open space (side and rear):** The distance between two ground floor structures shall be a minimum of 4.5m. for purpose of light and ventilation of habitable rooms. In case of toilets deriving light and ventilation from an open space, the distance between the two ground floor structures shall be a minimum of 1.5 m.

7. **Pathways:** The widths of pathways shall be as follows:

- a. 1.5m. width of pathways upto 20 m. in length;
- b. 2.0m. width pathways upto 30m. in length;
- c. 2.5m. width of pathways upto 40m. length;
- d. 3.0m. width of pathways upto 50m. length;



8. **Flushing Cistern:** In water closets, flushing cistern shall not be essential and toilets without this provision may be permitted.
9. **Water Closet Pan Size:** Water closet seat shall be a minimum of 0.46m. (18 inches) in length.
10. **Septic Tank and Leaching Pits (Soak Pits):** A septic tank shall be provided with capacity of 141.6 liters (five cubic feet) per capita; where the Municipal services are likely to be available within four to five years or so. Pour flush water seal latrines (NEERI type) shall be permitted where the Municipal sewerage system is not available and the water table in the area is not high.
11. **Convenience Shopping:** Convenience shopping as defined in these Regulations shall be permitted along layout roads with width of 12m to 24m; provided that a minimum set-back of 1.5 m. and a minimum plot area of 25 sq.m. is available and is provided.
12. **Recreation Ground:** In the layouts, provisions for recreation ground shall be on the lines prescribed in these Regulations.
13. **Ancillary Structures:** Ancillary structures such as underground tank, overhead tank, substations etc. shall be permissible in the compulsory recreation open space subject to the condition that not more than 10 per cent of such space shall be utilised for such purposes.

### III. Construction for Resettlement and Rehabilitation of Project Affected People (PAP):

1. Subject to approval of location, for Development of sites reserved for resettlement and rehabilitation for the purpose of accommodating Project Affected People (PAP) the FSI shall be allowed upto 2.5; as detailed below.
2. The normally permissible FSI on the plot may be used for the purpose for which it is designated in the Development Plan. Out of the total additional FSI, 40% FSI to be used for tenements for PAP and the remaining FSI for free sale component.
3. Only after the above mentioned percentage of PAP tenements are handed over free of cost to the Planning Authority after getting Occupation Certificate, Water connection, Power connection to PAP tenements, plans for remaining additional FSI shall be approved.
4. The additional FSI shall be permitted also in cases where construction has already taken place consuming full or part of the normally permissible FSI provided in the separate buildings.
5. The Planning Authority can consider the proposal in Industrial zones, in case of such requirement and with prior approval it may grant any combination of industrial and non-industrial tenements to any PAP which otherwise as created hardships for completing the project. Provided further that, Planning Authority shall be empowered to allot large size tenement having multiple rooms in cases where the affected persons are residing in bungalow or buildings having tenements of two or more rooms. However, total carpet area shall not be more than that earlier occupied by the affected persons.

#### Details of PAP:

- a. **Location:** The Planning Authority, after considering the requirement and preference from the affected persons due to projects undertaken by it, will decide the locations where the PAP development shall be permitted. The locations shall be thereafter published/notified from time to time and thereafter Owner/Developer can come forward for the development of the PAP tenement on their plot. The location can be changed, if, no proposal within such published/notified location is received for PAP tenements in time limit, which may be decided by the Planning Authority.



- b. **Extent:** The Owner/Developer shall construct the tenements for purpose of accommodating PAPs as per the requirement of Planning Authority. The tenement will include residence, shops, commercial areas, office spaces, industrial galas, etc.
- c. **FSI:** The Owner/Developer shall submit the plans proposing PAP area. In the first phase, whole of the PAP area will be counted towards base FSI of the plot, not exceeding 0.6 for PAP. After handing over the PAP area in the form of complete tenement, built up area to the extent of 150 % of the area of the PAP handed over shall be admissible. In second phase, after handing over the PAPs in the manner described below, plans for additional FSI along with remaining base FSI shall be approved by the Planning Authority.
- d. **PAP tenements:** The Owner/Developer will construct tenements as per the requirement of the Planning Authority. If Owner/Developer proposes non-residential user in the plot, then he has to construct non-residential tenements for the proportionate built-up area for the PAP.

For residential tenements, the minimum carpet area shall be 100 sq.ft. for multi-purpose single room and a combined W.C. and bathroom as specified in Regulation no. 8.4. The tenement shall include a Cooking alcove of a minimum length of 1.5 m and a minimum width of 1.2 m. A window of at least 1.5 sq.m. opening to external face or courtyard should also be provided.

All non-residential and industrial tenements should conform to relevant provisions of these Regulations and as specified by the Planning Authority.

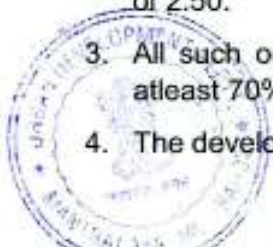
- e. **Handing over:** After having the Amenity constructed to the satisfaction of the Planning Authority, the Owner/Developer in consultation with the Planning Authority shall prepare the Gift Deed. All the charges, fees, expenses etc. for the preparation of the Gift Deed shall be borne by the Owner/Developer. After approval of the Planning Authority, the deed shall be duly registered. Planning Authority shall retain such documents securely in the Treasury of it.

#### **IV. Reconstruction of structurally unsafe buildings / dilapidated buildings/ unhygienic buildings:**

In the case of proposals involving reconstruction of dilapidated /unsafe /unhygienic buildings declared under provisions of Local Authority Act, wholly or in part, the maximum permissible FSI shall be equal to the FSI already consumed by the occupants to be rehoused plus the FSI otherwise permissible under these Regulations.

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

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



**V. Reconstruction of damaged/destroyed/collapsed buildings due to natural calamity like fire, etc.:**

In the case of proposals involving reconstruction of a building in whole or in part (not being a building wholly occupied by warehousing user and also not being a ground floor structure), which has ceased to exist in consequence of an accidental fire, collapse, or earthquake or similar natural calamities beyond the human control or any other genuine reasons or demolition for the reason, of the same having been declared unsafe by or under a lawful order of the Planning Authority or the Maharashtra Housing and Area Development Board (MHADA) or is likely to be demolished for the reason of the same having been declared unsafe by or under a lawful order of the said Authority or the said Board and duly certified by them, shall be allowed with an FSI in the new building not exceeding that of the original building (or the FSI permissible under these Regulations; whichever is more). This FSI will be subject to the following regulations:

1. Reconstruction of the new building on the plot should conform to the provisions of the Development Plan and these Regulations. Reconstruction on the said plot not so affected by the Development Plan is permissible.
2. The new building may be permitted to be reconstructed in pursuance of an agreement to be executed on stamp paper by at least 70 per cent of the landlord/occupants (if any) in the original building, within the meaning of the Mumbai Rents, Hotel and Lodging House Rates Control Act, 1947 and such agreement shall make a provision for accommodation for the said landlord/all occupants in the new building on agreed terms and a copy of such agreement shall be deposited with the Planning Authority before commencement or undertaking reconstruction of the new building.
3. The Carpet area of part or parts of the new building intended to be used as office premises shall not exceed the carpet area of part or parts of the original building so used as office premises or for commercial use.
4. The new building shall be reconstructed in accordance with these Regulations and all other Regulations and orders as applicable from time to time. The Planning Authority may exercise his powers under Regulation No. 1.7 for condonation of minor variations in respect of such reconstruction.
5. The maximum area of a residential tenement in the reconstructed building shall not exceed 70 sq.m. or such larger area as may be decided by the State Government in deserving cases.
6. The landlord/occupants of the original buildings shall furnish a duly stamped undertaking that he/they shall allot to all the occupants in the original building accommodation in the new building in accordance with Regulation no. 2 above.
7. No construction or reconstruction shall be permitted in set-back areas or areas required for road-widening and such areas shall be handed over to the Planning Authority.
8. Reconstruction of collapsed/gutted/demolished portions of buildings (provided such collapsed/gutted/demolished portion is not more than 25 per cent of the whole building, excluding sanitary portions and common facilities, passages and usages such as lift portion and lift wells, staircases, etc.) will be permitted subject to these Regulations with the use of conventional materials only, except for repairs to the aforesaid sanitary portions and common facilities which will be permitted in R.C.C. with existing FSI, irrespective of permissible FSI.



## VI. Construction of buildings for housing the dishoused:

For the construction of the building by the Planning Authority in the category of 'Housing the Dishoused' for the purpose of the housing those who are displaced by the projects undertaken by the Planning Authority for implementation of proposals of the Development Plan, the maximum permissible FSI shall be allowed to be exceeded by 50%. Such additional FSI will not be available when owner undertakes development as in Sr. No. 1 (d1) of Appendix E.

## VII. Development of sites and services and small size tenements for the Housing Schemes under the Urban Land (Ceiling and Regulations) Act, 1976 approved by Government from time to time:

1. **FSI:** The FSI shall be the same as is permissible under these Regulations which shall prevail over the corresponding provisions of Rules/Regulations in force as amended from time to time.
2. **Density:** Density upto 450 tenements per net hectare (180 tenements per net acre) shall be permitted on 70 percent of net developable land for plots above 4000 sq.m., on which the sites and services scheme is implemented according to Government orders. For land below 4000 sq.m., the normal Regulations shall apply.
3. **Minimum Plot Size:**
  - a. A serviced site shall be of 25 sq.m. and shall have plinth of adequate height for W.C. and bathroom. The size of the plinth for W.C. shall be 1.2m x 0.9m (4' x 3').
  - b. In the case of a dwelling unit as a core house, in addition to the services mentioned in (a), the said unit shall have plinth with adequate height; the total area of which shall not exceed 21 sq.m. in a plot with an area of 25 sq.m. Further, in the case of a core house on a plot of 25 sq.m., a room of a minimum size of 5.57 sq.m. with a toilet arrangement in the first phase shall be permitted. In the second phase, one room of 9.30 sq.m. may be allowed to be added. However, the occupation certificate shall be granted initially to the first phase only and subsequent certificates for second phase issued as and when required.
4. **Multipurpose rooms:** A multipurpose room shall be allowed with a minimum size of 12.5 sq.m. and with a minimum width of 2.4 m.
5. **Cooking Space (Alcove):** Provision of separate kitchen shall not be necessary. However a separate cooking space shall be allowed with a minimum size of 2.4 sq.m. with minimum width of 1.2 m.
6. **Combined Toilet:** A combined toilet shall be permitted for more than one tenement upto five tenements with a minimum area of 1.85 sq.m. with a minimum width of one meter.
7. **Height:** The average height for a habitable room with slopping roof shall be 2.6 m. with a minimum height of 2m. at the eaves. In case of a flat roof, the minimum clear height shall be 2.6m for a habitable room. Kitchen shall have minimum height of 2.4m., and bath & W.C. (without loft) shall have a clear minimum height of 2.2 m.
8. **Plinth:** The minimum plinth height shall be 0.30m., but in any case above High Flood Level.
9. **External walls:** 115mm for external brick wall without plaster shall be permitted.
10. **Front open space:** The front open space from the roads having width of 9.14 m. and below shall be of a minimum of 1.5m.
11. **Open spaces (side and rear):** The distance between two ground floor structures shall be of a minimum of 4.5m. for purposes of light and ventilation of habitable rooms. In the case of



toilets, deriving light and ventilation from an open space, the distance between the two ground floor structures shall be a minimum of 1.5 m.

12. **Pathways:** The width shall be as follows:
  - a. 2.5 m. width for pathways upto 40 m. in length.
  - b. 3.0 m. width for pathways upto 50 m. in length.
13. **Water Closet Pan size:** The water closet pan size shall be of a minimum of 0.46 m. (18 inches) in length.
14. **Flushing Cistern:** In water closets, a flushing cistern shall not be essential and toilets without this provision may be permitted.
15. **Septic Tank and Leaching Pits (Soak Pits):** A Septic tank shall be provided with capacity of 141.6 liters. (five cubic feet) per capita; where Municipal services are likely to be available within 4 to 5 years or so. Pour flush water seal latrines (NEERI type) shall be permitted where the Municipal sewerage system is not available and the water table in the area is not high.
16. **Convenience Shopping:** Convenience shopping as defined in these Regulations shall be permitted along layout roads with width of 12 m to 24m, provided that a minimum setback of 1.5 m and a minimum plot area of 25.2 sq.m. are available and provided.
17. **Recreation Ground:** In the layouts of housing schemes under this category, provision for recreation ground shall be as normally required by these Regulations.
18. **Ancillary structures:** Ancillary structures such as underground tank, overhead tank, sub-station, etc. shall be permissible in the compulsory recreation space; subject to the condition that not more than 10 percent of such recreation space shall be allowed to be utilized for such purposes.

#### VIII. Tenements/ Plots for EWS/LIG in Layout/Sub Division of Private Land:

1. For the sub-division of land admeasuring 2000 sq.m. and more, minimum 20% area shall be provided in the form of 30 to 50 sq.m. developed plots for EWS/LIG (affordable plots).
2. For the layout of land admeasuring 2000 sq.m. and more, minimum 20% of the built-up area shall be provided for EWS/LIG housing (27.88 to 45 sq.m.) (affordable tenements).
3. The following conditions shall be applicable:
  - a. The developer shall sell the affordable tenements to MHADA/Planning Authority on priority in lieu of the cost of construction of such tenements. The FSI of such affordable tenements may be allowed to be utilized in the same layout over and above the maximum permissible FSI limits including TDR loading. If MHADA/ Planning Authority declines to purchase the affordable tenements within a reasonable time of three months, he can sell the affordable tenements in the open market, in such case additional FSI of affordable tenements shall not be eligible.
  - b. The developer shall sell the affordable plots to MHADA/Planning Authority in lieu of equivalent FSI to be utilized in the remaining plots. If MHADA/Planning Authority declines to purchase the same within a reasonable time of three months, he can sell the affordable plots in the open market, in such case additional FSI of affordable plots shall not be eligible.



- c. MHADA may designate any other Public Authority for the purpose of procuring the affordable tenements/affordable plots, as mentioned in 3(i) and 3(ii) above.
- d. Amalgamation of affordable plots/ affordable tenements shall not be allowed.

#### **IX. Reconstruction or Redevelopment of buildings under Urban Renewal Scheme:**

For Reconstruction or Redevelopment of buildings under Urban Renewal Scheme, undertaken by (a) the Maharashtra Housing & Area Development Authority (MHADA) or Planning Authority/Local Authority either departmentally or through any suitable agency or (b) MHADA/Planning Authority/ Local Authority jointly with land owners and/or Co-op. Housing Societies of tenants / occupiers of buildings or Developer or Co-op. Housing Society of hutment dwellers therein or (c) independently by land owners and/or Co-op. Housing Societies of tenants /occupiers of buildings or (d) Developer, the FSI shall be 4.00 or the FSI required for rehabilitation of existing tenants/occupiers plus incentive FSI as given below, whichever is more.

1. "Urban Renewal Scheme" means any scheme having a minimum area of 4000 sq.m. bounded by existing distinguishing physical boundaries such as roads, nallas, railway lines etc. and which consists of a mix of structures of different characteristics such as -
  - a. Buildings erected and acquired by MHADA under MHADA Act, 1976.
  - b. All buildings belonging to the Government, semi Government and Planning Authority/Local Authority including institutional buildings, office buildings, tenanted municipal buildings and buildings constructed by MHADA and having built up area upto 2000 sq.m. However, prior permission of concerned department shall be obtained before granting development permission.
  - c. Other buildings which are, by reason of dis-repair or have structural / sanitary defects, unfit for human habitation or are by reasons of their bad configuration or the narrowness of streets, dangerous or injurious to the health of the inhabitant of the area as may be certified by the officer designated by MHADA/ Planning Authority/Local Authority.

Provided that building which fulfills the above conditions shall be considered with prior approval of State Govt.

- d. Slum areas declared as slums under section 4 of Maharashtra Slum Areas Act, 1971 or slums on Public lands prior to 01/01/1995 or such other reference date, notified by the Government. Provided that in the mix of structures of different characteristics, the percentage of slum area and area under such buildings, if any, included in the Urban Renewal Scheme, shall not exceed 25% (i.e. 1/4) of the total plot area.
- e. Any land belonging to the Government, semi Government, Planning Authority/Local Authority or MHADA (either vacant or built upon) which have been given on lease or have the tenure of Occupant Class II, which falls within the proposed Urban Renewal Scheme shall be made available for the project; subject to payment of premium at the rate of 25% of the Ready Reckoner rate of that year.

**Explanation:** If some areas are previously developed/ are in the process of development, under the different provisions of the DCR, such areas can be included in cluster for the purpose of calculation of area of cluster. However, such area along with slum area and area under such buildings, as per Regulation 1(d) above, shall not exceed 25% of total plot area. FSI admissible for such areas shall be admissible as per the relevant provisions of DCR under which the areas



are developed/under development. However, it shall be necessary to obtain consent of owner/owners of such areas to become part of the cluster.

## 2. Eligibility for Reconstruction/ Redevelopment under Urban Renewal Scheme:

### a. Buildings:

- i. No new tenancy created after 13/06/1996 shall be considered. Further, unauthorized construction made in buildings shall not be considered while computation of existing FSI. A certified inspection extract of the Planning Authority/Local Authority for the year 1995-96 or Courts' order proving the existence of tenements prior to 13/06/1996 shall be considered adequate evidence to establish number of tenements. However, the Govt. may issue comprehensive guidelines for determination of eligibility of occupiers and tenants therein.
- ii. The list of occupants and area occupied by each of them in municipal buildings shall be certified by Planning Authority/Local Authority. The list of occupants and area occupied by each of them in other buildings, excluding slums and irrevocable written consent as specified in 3(a) shall be certified by Competent Authority of MHADA.
- iii. Mezzanine floors constructed prior to 13/06/1996 and regularised subsequently will be eligible for rehab and incentive FSI.

### b. For Slum Areas:

- i. All the inhabitants of existing structures whose names and structures are included in the Assembly Election roll of 01/01/1995 or such other reference date notified by the government or a date prior thereto and who are staying there at.
  - ii. A structure shall mean all the dwelling areas of all persons who are enumerated as living in one numbered house in the electoral roll of the latest date, upto 01<sup>st</sup> January 1995 and regardless of the number of persons, or location of rooms or access.
  - iii. The eligibility of the participants will be certified by the Competent Authorities as notified under the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971.
3. a. Redevelopment or Reconstruction under Urban Renewal Scheme may be permitted in pursuance of an irrevocable written consent by not less than 70% of the eligible tenants/occupiers of each plot involved in the Urban Renewal Scheme or as provided in MHADA Act, 1976. If MHADA/Planning Authority/Local Authority undertakes development directly, then consent of 70% tenants/occupiers for reconstruction or redevelopment is not required.
- b. All the eligible occupants / tenants of the building shall be rehabilitated in the redeveloped building.
4. Each occupant/ tenant shall be rehabilitated and given the carpet area occupied by him for residential purpose in the old building subject to the minimum fixed carpet area of 27.88 sq.m. (300 sq.ft.) and maximum area equivalent to the area occupied in the old building. In case of non-residential occupier, the area to be given in the reconstructed building will be equivalent to the area occupied in the old building.

Provided that, for the carpet area for the residential purpose exceeding 70 sq.m. the cost of construction shall be paid by the tenant/occupant to the developer.

The cost of construction shall be fixed by Govt. from time to time. However, the carpet area exceeding 70 sq.m. shall be considered for rehab FSI but shall not be considered for incentive FSI.



The slum dwellers shall be eligible for the area admissible as per Regulation no. X below.

5. The FSI for rehabilitation of the existing tenants / occupiers in a redevelopment / reconstructed building, owners share, Planning Authority's/Local Authority's/MHADA's share and incentive FSI shall be as under –

- a. The total permissible FSI shall be on gross plot area excluding reservations / designations, but including the built up area under reservation / designation.

Provided that in all the projects undertaken jointly with the land owners and / or Co-op. Housing Societies of tenants/occupiers of the buildings or Developer or Co-op. Housing Society of hutment dwellers therein where the rehab FSI exceeds 2.50, MHADA/Planning Authority shall get 5% of built up area for FSI 4.00 free of cost. This additional area shall be included in rehabilitation area and incentive to the extent of 50% shall be available for this area.

- b. The FSI for Urban Renewal Schemes in CRZ area, shall be governed by the MOEF notifications issued from time to time.

- c. The incentive FSI admissible against the FSI required for rehab shall be as under:

- i. Where the total area of amalgamated plots is between 4000 - 8000 sq.m., then the incentive FSI admissible will be 55%.
- ii. Where the total area of amalgamated plots is between 8001 - 12000 sq.m., then the incentive FSI admissible will be 65%.
- iii. Where the total area of amalgamated plot is above 12001 - 16000 sq.m., then the incentive FSI admissible will be 70%.
- iv. Where the total area of amalgamated plot is above 16001 - 20000 sq.m., then the incentive FSI admissible will be 75%.
- v. Where the total area of amalgamated plot is more than 20000 sq.m., then the incentive FSI admissible will be 80%.

If any new area is added and if there is change in the slab prescribed above, the incentive FSI for the additional area in the changed slab shall be determined as per the area falling the next slab. However augmentation of area of cluster is not allowed after completion of scheme.

Provided that amalgamation of the plots from Revenue Department shall be insisted before the issue of Commencement Certificate.

- d. In the proposal of maximum 4.00 FSI the permissible maximum FSI over and above "rehab + incentive" as per (c) above shall be shared in terms of built up area between Planning Authority or Local Authority/MHADA (in proportionate to their plot areas) and private developer in Joint Venture in the ratio of 1:0.5.

Provided that the area equivalent to the market value of area admissible as per the prescribed percentage of built up area and the share of built up area admissible under 5(a) and 5(d) respectively can be made available within the Notified Area.

- e. In the urban renewal scheme for those structures containing other than as mentioned in 1 above, for the land component area beneath such structure, the FSI shall be admissible as per Regulation No.7.5 and for remaining plot of land area the FSI shall be admissible as per 5(a) to (c) above.

With the prior approval of the High Power Committee, occupant of tolerated structures encroaching over roads in nearby vicinity should be allowed to be included in the



scheme and its built up area shall be included in rehab area, provided the structure is permanently removed.

6. From the entire FSI available under clause 5, entire rehab and MHADA's share shall be allowed to be utilized on plot / plots under redevelopment scheme. In case of part of incentive FSI, is not proposed to be utilized on the same plot, the benefit of Transferable Development Rights to be used as per Regulation No. 7.5 and Appendix AF, shall be given.

Even if the scheme partly includes slum, the TDR generated it will be considered at par with reservation TDR.

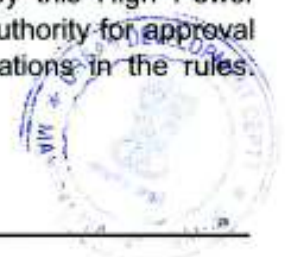
7. Construction or reconstruction of slums/buildings falling under Reservations contemplated in Development Plan shall be permitted as under –
- Redevelopment/reconstruction in any zone shall be allowed to be taken in site without going through the process of change of zone. However, for the industrial user, the existing segregating distance shall be maintained from the existing industrial unit.
  - Any land under non-buildable reservations, admeasuring only upto 500 sq.m. may be cleared by shifting the existing tenants from that site.
  - If the area under non buildable reservation like Gardens, Playgrounds, Parks, etc. in such area is more than 500 sq.m., 100% of the area under reservation shall be developed for same purpose and handed over to Planning Authority/Local Authority and remaining unreserved land shall be allowed for development.
  - All the reservations in the Development Plan shall be rearranged if necessary with same area and same width of access road or as required under DCR, whichever is more.
  - For the reservation of parking lot on land, built up area equivalent to zonal permissible FSI for area under reservation in that plot shall be made available free of cost for the Planning Authority/Local Authority or for any other Appropriate Authority. Built up area to be handed over shall be free of FSI.
  - For other buildable reservations on land, built-up area equal to 60% of zonal permissible FSI under reservation or existing built up area of the amenity whichever is more in that plot shall be made available free of cost for the Planning Authority/Local Authority or for any other Appropriate Authority. Built up area to be handed over shall be free of FSI.
8. 30% of the incentive FSI can be used for non-residential purposes otherwise permissible in the DCR.
9. An amount of Rs. 5000/- per sq.m. shall be paid by the owner / developer/ society as additional development cess for the built-up area over and above the normally permissible FSI, for the rehabilitation and free sale components. This amount shall be paid to the Planning Authority/Local Authority in accordance with the time schedule for such payment as may be laid down by it; provided that the payment of instalments shall not go beyond the completion of construction. This amount should be kept in separate account and shall be used for Scheme to be prepared for the improvement of off-site infrastructure around the cluster. The above development cess shall be enhanced @ 10.00% every three years.
10. For smooth implementation of the redevelopment scheme undertaken by owners and/or Co-operative Housing Society of the tenants / occupiers, the temporary transit camps may be permitted on the same land or land situated elsewhere belonging to the same owner/ developer with the concessions permissible under SRA project under Regulation X of this Appendix. Such transit camps should be demolished within one month from the date of occupation certificate granted by the Planning Authority/Local Authority for the reconstructed/rehabilitation building.



11. Non conforming activities – All activities which are existing shall be allowed to be reaccommodated regardless of the non conforming nature of the activities except those which are hazardous and highly polluting and except in cases where the alternative accommodation have already been provided elsewhere by the Planning Authority/Local Authority.
12. Relaxation in Building and other requirements: In case of tenement of 27.88 sq.m. area for rehabilitation/additional tenement to be given to Repairs Board/Konkan Board/ Planning Authority/Local Authority following components are included-
- The calculation of FSI for all purposes shall be on gross area i.e. without deducting any percentage for recreation open space. This shall not affect the requirement of physical open space keeping aside the said recreational open space on site as per the prevailing D.C. Regulations.
  - The provisions in Regulation no. 8.14 relating to balcony will apply to the scheme with the following modifications. There shall be no restriction on zone and balcony shall not reduce marginal open space to less than 3.00 metres. However, at ground level minimum 4.5m. clear margin shall be maintained. For calculation of area of 27.88 sq.m. the area of the enclosed balcony shall be included.
  - Areas of common passages not exceeding 2.00 m. in width, provided in rehabilitation component and Repairs Board/Planning Authority/Local Authority component to give access shall not be counted towards FSI.
  - Front and marginal open spaces, for a building having height upto 24.0m. in the rehab component or composite building, shall be 4.5 m. for these buildings.
  - Notwithstanding the provisions in Regulation no. 7.6 & Appendix F regarding Marginal Open spaces where the location of the plot abuts DP Road having width of 18m. and above, the front marginal open space shall not be insisted upon beyond 4.5m. provided, it is not a State/National Highway, Multi-Modal Corridor or Express highway of road wider than 52 m.
  - Where the location of the plot abuts a trained nallah, the marginal open space along the nallah shall not be insisted upon beyond 4.5m. from the edge of the trained nallah. Or as per requirement of Competent Dept. of Planning Authority/Local Authority, whichever is greater.
  - The distance between any two rehabilitated buildings shall not be less than 6.00m.
  - If the height of building is more than 24m., 6 m. wide marginal open space or as per the requirement of CFO, whichever is greater, shall be considered.
  - A composite building shall contain at least 50 percent of the built up area as rehabilitation component.
  - Wherever more than the minimum front and marginal spaces have been provided, such additional area provided may be considered as part of the amenity open space in the project comprising both rehabilitation and free sale components, and without charging any premium, in relaxation of the stipulations in Regulation No. 7.3, wherever necessary.
  - Pathways and means of access – The ratio between the length of the pathway and the width thereof shall be as follows.

Length	Width
Upto 20 meters	1.5 meters
21 to 30 meters	2.0 meters

- 31 to 40 meters      2.5 meters
- 41 to 50 meters      3.0 meters.
- l. Between the dimensions prescribed for the pathway and marginal distances, the larger of the two shall prevail. The pathway shall act as access wherever necessary. The building shall be permitted to touch pathways.
- m. The means of access shall be normally governed by provisions of Regulation No. 7.2. However, in the project, wherever the design of the buildings up to 24 m. height in the same land requires relaxation, it may be given. High rise building shall be permitted only on access having width of 9 m.
- n. Even if the recreational open space is reduced to make the project viable, a minimum of at least 10 percent of plot area shall be provided as recreational open space. In addition to this, 10 percent of plot area shall be earmarked for amenity space which can be adjusted against the DP reservation, if any.
- o. Premium shall not be charged for exclusion of staircase and lift well etc. as covered under the provisions of Regulation no. 7.5.6.
- p. In order to make the urban renewal scheme viable, the Metropolitan Commissioner, MMRDA shall be competent to sanction any relaxation in marginal open spaces; except front marginal open spaces and parking requirement; wherever necessary due to bonafide hardship; for reasons to be recorded in writing which shall not affect general and fire safety requirements.
- q. All relaxations outlined hereinabove shall be given in the rehabilitation component and also to the composite buildings in the Project. Premium shall not be charged for all or any of the relaxations given hereinabove or for any other mentioned in Regulation no. 7.5.6.
- r. The parking in the scheme shall be provided as per Regulation no. 7.8 or one car park per tenement of sale component, whichever is higher.
13. The approving /sanctioning Authority for the building plans under the scheme will be the Chief Executive Officer of Planning Authority/Local Authority as per the Local Authority Act & MR & TP Act; even if the scheme partly consists of declared slums/slums on Government lands prior to 01/01/1995 or such other reference date notified by the Government.
14. Religious structures existing prior to redevelopment if allowed in accordance with the guidelines issued by Government from time to time as part of redevelopment, shall not exceed the area that existed prior to redevelopment.
15. Restriction on transfer of tenements shall be governed by provision of Rent Control Act till Co-operative Society is formed and after that the same shall be governed by the provision of Maharashtra Co-op. Society's Act. However, tenements constructed for slum rehabilitation shall not be transferred for the period of 10 years.
16. A Corpus fund is to be created by the Developer which will take care of the maintenance of the building for a period of 10 years, to be decided by the High Power Committee under clause 18.
17. A High Power Committee (HPC) will be constituted which will approve the schemes with the previous sanction of the Govt. under this Regulation. On approval by this High Power Committee, the proposal will be submitted to Planning Authority/Local Authority for approval of plans. The Govt. will have the powers for any relaxations/modifications in the rules. Separate guidelines will be issued for the HPC.



**X. Redevelopment/construction of accommodation for hutment/pavement-dwellers through owners/developers/co-operative housing societies of hutment/pavement-dwellers/Public Authorities/Non-Governmental Organizations:**

**1. Eligibility for redevelopment scheme:**

- A. For redevelopment of slums including pavements, whose inhabitants' names and structures appear in the electoral roll prepared with reference to 1<sup>st</sup> January, 1995 or a date prior thereto, but where the inhabitants stay at present in the structure, the provisions mentioned hereinbelow in Schedule shall apply on the basis of a tenement in exchange for an independently numbered structure.
- B. Subject to the foregoing provisions, only the actual occupants of the hutment shall be held eligible, and the so called structure-owner other than the actual occupant, if any, even if his name is shown in the electoral roll for the structure, shall have no right whatsoever to the reconstructed tenement against that structure.

**2. Definition of Slum, Pavement, and Structure of hut :**

- A. For this purpose, slums shall mean those censused, or declared and notified, in the past or hereafter under the Maharashtra Slum Areas (Improvement, Clearance and redevelopment) Act, 1971. Slum shall also mean area/pavement stretches, hereafter notified or deemed to be and treated as Slum Rehabilitation Areas.
- B. If any area fulfils the condition laid down in section 4 of the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971 to qualify as slum area and has been censused or declared and notified shall be deemed to be and treated as Slum Rehabilitation Areas.
- C. Slum rehabilitation area shall also mean any area declared as such by the Slum Rehabilitation Authority though preferably fulfilling conditions laid down in section 4 of the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971 to qualify as slum area and/or required for implementation of any slum rehabilitation project. Any area where a project under Slum Rehabilitation Scheme has been approved by CEO / SRA shall be a deemed slum rehabilitation area.
- D. Any area required or proposed for the purpose of construction of temporary or permanent transit camps and so approved by the Slum Rehabilitation Authority shall also be deemed to be and treated as Slum Rehabilitation Areas, and projects approved in such areas by the Slum Rehabilitation Authority shall be deemed to be Slum Rehabilitation Projects.
- E. A pavement shall mean any Municipal/Government/ Semi-Government pavement, and shall include any viable stretch of the pavement as may be considered viable for the purpose of Slum Rehabilitation Scheme.
- F. A structure shall mean all the dwelling areas of all persons who were enumerated as living in that one numbered house in the electoral roll of the latest date, upto 1<sup>st</sup> January, 1995 and regardless of the number of persons, or location of rooms or access.
- G. A composite building shall mean a building comprising both rehab and free-sale components or part thereof in the same building.
- H. Censused shall mean those slums located on lands belonging to Government, any undertaking of Government or Planning Authority/Local Authority and incorporated in the



records of the land owning Authority as having been censused in 1976, 1980 or 1985 or prior to 1<sup>st</sup> January, 1995.

3. **Joint ownership with spouse:** The reconstructed tenement shall be of the ownership of the hutment dweller and spouse conjointly, and shall be so entered and be deemed to be so entered in the records of the co-operative housing society, including the share certificates or all other relevant documents.
4. **Denotification as Slum Rehabilitation Area:** Slum Rehabilitation Authority on being satisfied that it is necessary so to do, or when directed by the State Government, shall denotify the slum rehabilitation area.

### SCHEDULE

1. **Applicability of the provisions of this Schedule:** The following provisions will apply for redevelopment/construction of accommodation for hutment/pavement-dwellers through owners/ developers/co-operative housing societies of hutment/pavement-dwellers/public authorities such as MHADA, MIDC, MMRDA etc./ Non-Governmental Organizations. However, NGO should be registered under the Maharashtra Public Charitable Trusts Act, 1961 and the Societies Registration Act, 1960 at least for the last five years or be certified by NGO, approved by SRA.

#### RIGHT OF THE HUTMENT DWELLERS:

- A. Hutment-dwellers, in the slum or on the pavement, eligible in accordance with the provisions of this Regulation shall in exchange for their structure, be given free of cost a residential tenement having a carpet area of 25 sq.m. including balcony, bath and water closet, but excluding common areas.
- B. Even those structures having residential areas more than 20.90 sq.m. will be eligible only for 25 sq.m. of carpet area. Carpet area shall mean exclusive of all areas under walls including partition walls, if any, in the tenement. Only 20.90 sq.m. carpet area shall be given and if proposal contains more area, it shall not be taken up for consideration.
- C. All eligible hutment dwellers taking part in the slum rehabilitation scheme shall have to be rehabilitated according to the provisions in this Schedule. It may be in-situ and in the same plot as far as possible.
- D. Pavement dwellers and hutment dwellers in the slum on lands required for vital urgent public utility/purpose or on the hazardous location shall not be rehabilitated in-situ but in other available plots and in accordance with these Regulations.
- E. A certified extract of the relevant electoral roll shall be considered adequate evidence to establish the eligibility of a person; provided he is found residing in the structure. This is to avoid the possibility of persons who have left the structure, coming back to claim free tenement under the scheme; even though they have in the normal course left the slum and gone away into a proper non-slum area or out of Notified Area. If hutment dwellers are found resident in the structure, but the names are on the electoral roll on or prior to 1<sup>st</sup> January, 1995 at another slum/pavement site in Notified Area, they shall be considered eligible, but only at the place of present residence. In case of doubt or dispute, the decision of the Competent Authority to be appointed by the Government in Housing and Special Assistance Department shall be final and binding on all the parties concerned.



- F. An individual agreement shall be entered into by the owner/developer/ co-operative housing society/NGO with the eligible hutment-dwellers of each structure in the slum/pavement.
- G. The individual agreement entered into between hutment-dweller and the owner/ developer/co-operative housing society/NGO shall be in the joint names of pramukh hutment-dweller and spouse for every structure.
- H. Hutments having a physically handicapped person or female headed households shall be given first preference in allotment of tenements. Thereafter, lots shall be drawn for allotment of tenements from the remaining tenements to the other hutment-dwellers. The details about the specific tenement allotted should be given to the hutment-dwellers preferably before shifting them to the transit tenement.
- I. Transfer of Photopasses - Since only the actual occupant at present will be eligible for redevelopment, there shall be no need to regularize the transfers of photopasses that have occurred so far. A photopass will be given after the new tenement has been occupied.
- J. Any person whose name is enrolled in a non-slum area in Notified Area, but has purchased a hutment and therefore got his name also included in electoral roll for the slum area, i.e. he has his name in the electoral roll at two places, he shall not be held eligible for the scheme.
- K. Premium for ownership and terms of lease - The part of Government/Planning Authority/Local Authority/ MHADA land on which the rehabilitation component of the Slum Rehabilitation Scheme will be constructed shall be leased to the Co-operative Housing Society of the slum-dwellers on 30 years lease, at the lease rent of Rs.1001 for 4000 sq.m. of land or part thereof and renewable for a further period of 30 years. The same conditions shall prevail for the land under the free sale component and the land shall be leased directly to the Society/Association of the purchasers in the free sale component and not through the society of hutment dwellers, and pending the formation of the Society/Association of the purchasers in the free sale component, it shall be leased to the Developer. The said lease deed shall be executed within 60 days from the date of building permission being issued. In addition to above, the Developer/ Co-op. Housing Society shall pay premium at the rate of Twenty Five percent in terms of Ready Reckoner in respect of slum Rehabilitation Scheme proposed to be undertaken on lands owned by Government, Semi-Government undertakings and Local Bodies.
- L. Automatic cancellation of Vacant Land Tenure - If any land or part of any land on which slum is located is under vacant land tenure, the said tenure/ lease created by Planning Authority/Local Authority shall stand automatically terminated as soon as slum rehabilitation scheme, which is a public purpose, on such land is prepared and submitted for approval to the Slum Rehabilitation Authority. Any arrears of dues to be collected by Planning Authority/Local Authority shall not be linked to the issue of any certificate or NOC relating to the Slum Rehabilitation Project.
- M. Recovery of pending dues such as assessment, compensation, occupational charges, non-agricultural tax/dues etc. pending with Public Authorities such as State Government, MHADA, and /or Planning Authority/Local Authority shall be dealt with separately and not be linked to grant of approval or building permission to the slum rehabilitation projects.
- N. A Slum Rehabilitation Project shall be considered preferably when submitted through a proposed or registered co-operative housing society of hutment dwellers on site. The said society shall include all the eligible hutment dwellers on site when applied therefore, and/ or other eligible and allotted by Slum Rehabilitation Authority, as members of the society.



- O. Where 70 percent or more of the eligible hutment-dwellers in a slum or pavement in a viable stretch at one place agree to join a rehabilitation scheme, it may be considered for approval. Provided that nothing contained herein shall apply to Slum Rehabilitation Projects undertaken by the State Government or Public Authority or as the case may be a Govt. company as defined in Section 617 of the Companies Act, 1956 and being owned and controlled by the State Government.
- P. In respect of those eligible hutment-dwellers on site, who do not join the Project willingly, the following steps shall be taken :-
- Provision for all of them shall be made in the rehabilitation component of the scheme.
  - The details of the actual tenement that would be given to them by way of allotment by drawing lots for them on the same basis as for those who have joined the Project will be communicated to them in writing by the Managing Committee of the Cooperative Housing Society, if it is registered or the developer, and in case of dispute, decision of the CEO / SRA shall be final and binding on all the parties concerned.
  - The transit tenement that would be allotted to them would also be indicated alongwith those who have joined the Project.
  - If they do not join the scheme within 15 days after the approval has been given to the Slum Rehabilitation Project on that site, then action under the relevant provision including sections 33 and 38 of the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971, as amended from time to time, shall be taken and their hutments will be removed and it shall be ensured that no obstruction is caused to the scheme of the majority of persons who have joined the scheme willingly.
  - After this action under the foregoing clause is initiated, they will not be eligible for transit tenement along with the others and they will not be eligible for the reconstructed tenement by lots, but they will still be entitled only to what is available, after others have chosen; which may be on the same or some other site.
  - If they do not join till the building permission to the Project is given, they will completely lose the right to any built-up tenement, and their tenement shall be taken over by the Slum Rehabilitation Authority, and used for the purpose of accommodating pavement-dwellers and other slum dwellers who cannot be accommodated in-situ etc.
  - A pitch of about 3m x 3.5m will be given elsewhere, if and when available and construction therein will have to be done on their own.
- Q. The Managing Committee of the proposed as well as registered Co-operative housing society of hutment dwellers shall have women to the extent of one-third of the total strength and actual members on the committee at any time.
- R. Restriction on Transfer of Tenements- The tenement obtained under this scheme cannot be sold/leased/assigned or transferred in any manner for a period of ten years from the date of allotment/possession of the tenement. In case of breach of conditions, except transfer to legal heir, the tenement will be taken over by Slum Rehabilitation Authority.

## 2. Building Permission for Slum Rehabilitation Project:

- A. The proposal for each Slum Rehabilitation Project shall be submitted to the Slum Rehabilitation Authority with all the necessary documents, no objection certificates and the plans as may be decided by the Slum Rehabilitation Authority from time to time.



- B. The approval to the Project shall be given by the Slum Rehabilitation Authority within a period of 30 days from the date of submission of all relevant documents. In the event of a failure by Slum Rehabilitation Authority to do so, the said approval shall be deemed to have been given, provided the Project is in accordance with the provisions in this Schedule.
- C. The Slum Rehabilitation Authority while giving the approval may lay down terms and conditions as may be necessary.
- D. The Slum Rehabilitation Authority shall adopt the procedure laid down in the Maharashtra Regional and Town Planning Act, 1966 for giving building permission to any Slum Rehabilitation Project under this Scheme.
- E. On compliance with the terms and conditions, the building permission shall be given, in accordance with the provisions under section 45 of the Maharashtra Regional and Town Planning Act, 1966 to the Project under the Slum Rehabilitation Scheme, first to the Rehabilitation component and thereafter to the Freesale component subject to the provisions in clause below.
- F. Correlation between Rehabilitation and freesale components- Building permission, for 10 percent of built up areas of both the rehab and freesale components may be given simultaneously and thereafter proportionately or as may be decided by the Chief Executive Officer, Slum Rehabilitation Authority.
- G. Where there is no builder-developer, but the Project is implemented directly by an NGO of established reputation, Chief Executive Officer, Slum Rehabilitation Authority may sanction 20 percent of the freesale component right in the beginning without waiting for any expenditure on the rehabilitation component, but the approval for remaining part of freesale component will be given only after at least 30 percent of rehabilitation component is completed on site.
- H. As soon as the approval is given to the Project, the no objection certificate, for building permission, of the landowning authority shall be given in respect of that slum located on lands belonging to any department, undertaking, agency of the State Government including MHADA, or Planning Authority or any local self-Government such as the Municipal Corporation/Council, etc. within 30 days after the intimation of such approval to the Project is communicated. In the event of its not being given within the period, it shall be deemed to have been given.
- I. Occupation certificate shall not be held up only for want of lease documents to be executed, in all slum rehabilitation projects taken up on lands belonging to any department, undertaking, agency of the State Government, including MHADA and Planning Authority or any local self-Government such as the Municipal Corporation/ Council, etc.



### **3. Rehabilitation and Freesale Component:**

- A. FSI for rehabilitation of eligible slum/pavement-dwellers includes the FSI for the rehab component and for the freesale component. The ratio between the two components shall be as laid down hereinbelow.
- B. Built-up area for rehabilitation component shall mean total construction area of rehabilitation component, excluding what is set down in Regulation no. 7.5.6 but including areas under passages, balwadis, welfare centres, society office, religious structures, other social infrastructure like School, Dispensary, Gymnasium run by Public Authority or Charitable trust, 5 percent incentive commercial areas for the Co-operative

- society and the further 5 percent incentive commercial area for the NGO , Govt./Public Authority/Govt. Company wherever eligible.
- C. If rehab component is 10 sq.m. of built-up area, then an additional 10 sq.m. of built-up area will be permitted so that this additional 10 sq.m. can be utilised for disposal in the open market and the rehab component subsidized.
- D. In difficult areas and such other areas as may be notified by the Slum Rehabilitation Authority/Planning Authority/Local Authority hereafter, if the rehab component is 10 sq.m. of built-up area, then an additional 13.33 sq.m. of built-up area will be permitted and this area of additional 13.33 sq.m. can be utilised for disposal in the open market and the rehab component subsidized.
- E. Provision in (C) and (D) hereinabove shall also apply to the sites where the Slum Rehabilitation Project of eligible pavement dwellers will be implemented.
- F. FSI to be sanctioned on a Slum Rehabilitation Project on a site may exceed 3.00.
- G. Maximum FSI Permissible for Consumption on the Plot - Even though the sanctioned FSI may be more than 3.00, the maximum FSI that can be utilised on any slum-site for the project shall not exceed 3.00 and the difference between sanctioned higher FSI and 3.00 if any, will be made available in the form of Transferable Development Right (TDR) in accordance with the provisions of Appendix- AF.2. The computation of FSI shall be done for both rehab and freesale components in the normal manner, that is giving the benefit of what is set down in Regulation No. 7.5.6. While the areas referred in sub Regulation No. 6.J and 8.B of this Schedule shall not be included for computation of FSI, the said areas shall be included for computation of the rehab component of 10 sq.m. in sub-Regulations 3(C) and 3(D) hereinabove. Provided that if the existing tenement density is more than 650 per hectare, Govt. in Urban Development Department may allow FSI consumption in situ to be exceeded upto the sanctioned FSI but not exceeding 4.00 FSI. In such cases the difference between sanctioned higher FSI and 4.00 if any, will be made available in the form of Transferable Development Rights (TDR) in accordance with the provisions of Appendix- AF.2.
- H. Notwithstanding the provisions in (G) above, on account of constraints such as height restrictions, uneconomical site conditions, etc; if the full 2.5 FSI cannot be used on the same site, TDR may be allowed as may be necessary even without consuming FSI upto 2.5 on the same site. However, TDR may be allowed only when the frame work for one complete building in rehab component is constructed or when 10% of the rehab component has been constructed on site and the said TDR will not exceed 50 percent of the construction of rehab component at any point of time till the total rehab component has been completed. On completion of the total rehab component balance TDR will be allowed.
- I. The rehabilitation component shall mean all residential tenements as well as non-residential built-up premises given free of cost in accordance with the provisions of the Slum Rehabilitation scheme outlined in this Schedule; excluding what is set down in Regulation no. 7.5.6 and excluding built-up area given for buildable Development Plan reservations.
- J. If rehabilitation project of a slum located on land belonging to Public Authority and needed for a vital public purpose, is taken up on an unencumbered plot in addition to the rehabilitation and freesale components as laid down hereinabove, TDR for the area of the land spared for this purpose shall also be sanctioned for the owner of the said unencumbered plot. Provided that, the State Govt. or Public authority or a Govt. Company as defined in Section 617 of the Companies Act, 1956 and owned and controlled by the State Govt. (hereinafter referred as the 'Agency') may undertake Slum



Rehabilitation Project on its own land and be eligible for the benefits under this Regulation subject to following conditions :

- i. The Rehabilitation Project is approved by the Slum Rehabilitation Authority.
- ii. The tenements so constructed in execution of the Project are offered to slum dwellers located on land belonging to Govt. or Public Authority and needed for vital public purpose and within 270 days from the date of issue of LOI, the Agency shall identify the slum dwellers.
- iii. If the Agency fails to identify the slum dwellers needed to be shifted for a vital public purpose, as above, then the tenements so constructed shall be offered-
  - a. to the slum dwellers located on land belonging to Government or Public Authority within a distance of 2 km from the land on which the Project is undertaken; or
  - b. to the slum dwellers located anywhere in Notified Area on lands belonging to Govt. or Public Authority; or
  - c. to the slum dwellers located on private lands, if the land owner pays the entire cost of tenements, as determined by the Agency.

Provided further that, in all the three categories of (a), (b) & (c) referred above, slum TDR of land component shall not be given and the construction TDR shall be released only after identification of eligible slum dwellers.

- iv. Further provided that in all above cases the relocation of slum dwellers in any case will be undertaken not with reference to individuals but reference to assembly of slum dwellers for the purpose of releasing the plot of land wholly from slums and not only the patches of land.
- K. Minimum density on the plot including Non-Residential units: The minimum density of rehabilitation component on plot shall be 500 tenements per net hectare, that is, after deducting all reservations actually implemented on site including the land appurtenant thereto, but not deducting the recreational/amenity open space on the remaining area. If the number of tenements to be provided to the hutment dwellers is less than the minimum, the balance shall be handed over free of cost to the Slum Rehabilitation Authority. The Authority shall use them for the purpose of transit or project-affected persons or pavement-dwellers or slum dwellers from other slums.

Provided. if slum rehabilitation scheme is undertaken by a Federation, Co-Op. Housing society consisting of members who are serving or retired State Govt. Employees/Employees of the State Govt. Undertakings/Employees of local bodies of State Government for providing housing to its members, such tenements which are generated over and above the tenements to be provided to the existing eligible hutment dwellers, shall be handed over back to the said Federation/Co-operative Housing Society for providing housing to its above mentioned members and subject to further additional terms and conditions as would be imposed by the Chief Executive Officer, Slum Rehabilitation Authority to ensure adequate membership of class III and class IV employees.

- L. All non-residential built-up areas shall be included in the computation of minimum density but on the scale of 20.90 sq.m. of carpet area being one tenement. In slums where the existing tenement density is already more than 500 per hectare, the calculation of FSI for all purposes shall be on gross area, that is, without deducting any percentage for recreational open space/amenity space. This shall not affect the requirement of physical keeping aside the said recreational open space/amenity space on site, subject to the provisions in this Schedule in that regard.



- M. Amalgamation/Subdivision of plots and balancing of FSI thereon: Any land declared as Slum Rehabilitation Area or on which Slum Rehabilitation Project has been sanctioned, if it is spread on part or parts of C.S. Nos. or CTS Nos. or S. Nos. shall be treated as natural amalgamation/subdivision(s) of that C.S. or CTS or S. No. or F.P. No. for which no separate approval for amalgamation/subdivision of land would be necessary.
- N. Boundaries and the measurement of plot areas of the Slum Rehabilitation Area shall be declared by the Competent Authority after actual measurement of plot area on site and the same shall be adopted for planning purpose for calculation of density and Floor Space Index.
- O. The Chief Executive Officer, Slum Rehabilitation Authority, may if required, adjust the boundary of the plot declared as Slum Rehabilitation Area so as to suit the building design and provide proper access to the Project.
- P. After approval is given to the Slum Rehabilitation Project, the area may be further subdivided, if necessary to earmark separate plots for the 'rehab' component and the 'freesale' component. The plot area and the built-up area in terms of square meters on the said plot shall be separately mentioned in the lease agreements and Record of Rights.
- Q. The Settlement Commissioner, Maharashtra State on payment of such fees, as may be decided by the Government, ensure that the City Survey sheet and Property Cards are corrected accordingly and fresh Property Cards are opened for each of the plots giving details regarding the area of the plots and the total area of the floors of the built-up property and TDR given, that is, the FSI used on that plot.
- R. Declaration of Additional Areas as Difficult Category: The Slum Rehabilitation Authority may consider declaring additional areas as 'Difficult' and publish it in the Maharashtra Government Gazette, provided the following criterion/criteria are fulfilled:
- Overcrowding, High density and Unhygienic conditions; or
  - To vacate land required for implementation of reservations for essential public purposes; or
  - Required for rehabilitation to avoid loss of human life.

Provided, for difficult areas to be declared on account of overcrowding, high density and unhygienic conditions, the area required shall not be less than 40 hectares in one contiguous area fulfilling the conditions mentioned in (i) above.

#### 4. Temporary Transit Camps

- A. The temporary transit camp shall be provided on or close to the site itself, and if need be on the area of statutory open space to be left in accordance with Regulation No. 7.3 on the plot.
- B. On the slum site itself approved for rehabilitation, multi-storied temporary transit tenement may be allowed to be constructed.
- C. The area of temporary transit tenements shall be excluded from the computation of FSI, but the safety of the structure shall be ensured.
- D. Such building permission shall be given within 15 days from the date of application and after approval to the project by Slum Rehabilitation Authority, failing which it shall be deemed to be given.



- E. If a site reserved in Development Plan for any buildable public purpose is vacant or partly encumbered, or it happens to be the unused portion of cemetery or other such public purpose for which it is reserved, or is occupied by a public building such as market or library etc. at ground level, temporary construction of transit tenements in such sites and on top of such existing public buildings may be allowed; wherever possible.
- F. On any nearby vacant site without any reservation in the Development Plan construction of temporary transit tenements with the consent of the landowners, made of light material shall be allowed upto an FSI of 2.5. Temporary shall mean made of detachable material such as tubular/ prefabricated light structurals.
- G. In all such cases where the temporary transit camp is erected, the condition shall be that the structures shall be demolished by the Developer/Society/ NGO within 30 days of granting Occupation Certificate to the rehab buildings and the site should be brought back to the original state.

**5. Commercial / Office / Shop / Economic activity free of cost:**

- A. The eligible existing area under commercial/office/economic activity shall be computed on actual measurement/inspection, and/or on the basis of official documents such as License under the Shops and Establishment Act, Electricity bills, Photopass etc.
- B. In the rehabilitation component, the built-up area for commercial/office/shop/ economic activity that existed prior to 1<sup>st</sup> January, 1995 subject to the provisions in the sub-regulation below, shall be given. Where a person has both residential and commercial premises without common wall between residential and commercial premises, for commercial/office/shop/economic activity in the slum/ pavement, he shall be held eligible for a residential unit and also for built-up area for commercial/office/shop/economic activity, both free of cost.
- C. Built up area for commercial/office/shop/economic activity upto 20.90 sq.m. (225 sq. ft.) carpet area or actual area whichever is less, shall be provided to the eligible person free of cost, as part of the rehabilitation project. Any area in excess of 20.90 sq.m. to the extent of existing area may, if required, be sold on preferential basis at the rate for commercial area in the free-sale component.
- D. Such area may be allowed on any side of the plot abutting 3.0m. wide pathway and deriving access from 3.0m. wide pathway/open space. Back-to-back shopping on ground floor shall also be allowed for the purpose of rehabilitation. After exhausting these provisions it may be allowed on the first floor to the extent necessary.
- E. Non-Conforming Activities: All activities which were previously existing shall be allowed to be relocated regardless of the non-conforming nature of the activities, except those which are hazardous and highly polluting and except in cases where the alternative accommodation has already been allotted elsewhere by the Planning Authority/Local Authority.
- F. Convenience Shopping in Free-Sale Component: Convenience shopping in the free-sale component vide Regulation no. 2.2(26) shall be permitted along the layout roads. The Chief Executive Officer. Slum Rehabilitation Authority may add to alter or amend the said list for convenience shopping.
- G. Incentive Commercial Areas for Society and NGO-
  - I. The scheme, when undertaken by a Co-operative Housing Society of slum dwellers, may provide an additional 5 percent built-up area on the rehabilitation area free of cost for commercial purpose, even where the site is in Commercial zone. This area





will be at the disposal of the Cooperative Housing Society of the hutment-dwellers. The corpus amount shall not be spent, but the income from the property/corpus alone shall be used by the Society for maintenance of the building and premises, and such other purposes as may be laid down by the Slum Rehabilitation Authority.

- ii. Where the scheme is undertaken by a Non-Government Organization or Govt. or Public Authority or Govt. Company, another additional 5 percent built-up area on the rehabilitation area may be given free of cost for commercial purpose, even where the site is in Commercial zone. This area shall be at the disposal of the Non-Governmental Organization or Govt. or Public Authority or Govt. Company in consultation with the Co-operative Housing Society.

**6. Relaxation in building and other requirements:**

- A. A multi purpose room shall be allowed with size upto 12.5 sq.m. with a minimum width of 2.4 m.
- B. Separate kitchen shall not be necessary. Cooking space (alcove) shall be allowed without any minimum size restrictions. Where a kitchen is provided, the minimum area shall be 5 sq.m., provided the width shall be at least 1.5m.
- C. There shall be no size restriction for Bath or Water Closet unit. Moreover, for bathroom, water closet or kitchen, there shall be no stipulation of one wall abutting open space, etc. as long as artificial light and ventilation through any means are provided.
- D. In water closet, flushing cisterns shall not be essential and toilets without this provision may be permitted. Water closet seat shall be of a minimum length of 0.46m. (18 inches).
- E. A septic tank filter bed shall be permitted with a capacity of 150 litres per capita, where the municipal services are likely to be available within 4-5 years.
- F. The minimum plinth height shall be 0.30m. and in areas subject to flooding, the plinth shall be higher than the High Flood Level.
- G. The staircase(s) shall be of dog legged type. If a single flight staircase is accepted, the flight width shall not be less than 1.50 m. However, if two or more staircases are provided, the flight width may be reduced to 1.2 m. In such case, provided that both the staircases shall be interconnected by means of common passage/corridors, so as to serve as alternate means of access/escape in the event of emergency.
- H. In the rehabilitation component, lift shall not be insisted upon, upto ground plus five floors.
- I. The provisions in Regulation no. 8.14 relating to balcony will apply to the scheme with the following modifications. There shall be no restriction on zone and balcony shall not reduce marginal open space to less than 1.5m. For calculating of area of 20.90 sq.m. the area of the balcony shall be included.
- J. Areas of common passages not exceeding 2.0 m. in width provided in rehabilitation component to give access shall not be counted towards FSI; even while computing 2.5 FSI on site.
- K. Front and marginal open spaces: For building having height upto 24 m. in the rehab component or composite building, the front and marginal open space shall be 1.5 m. for these buildings.



Provided however, that in case of buildings having height more than 24 m. the minimum marginal open space shall be 6.0 m. or as may be prescribed by CFO.

- L. Notwithstanding the provisions in Regulation no. 7.6 & Appendix F; where the location of the plot abuts DP Road, having width of 18 m. and above, the front marginal open space shall not be insisted upon beyond 3.0 m. provided it is not a State/National Highway or Multi-Modal Corridor or Express highway or road wider than 52 m.
- M. Where the location of the plot abuts a nallah, the marginal open space along the nallah shall not be insisted upon beyond 3 m. from the edge of the trained nallah.
- N. The distance between any two rehab/composite buildings shall not be less than 3 m.
- O. A composite building shall contain at least 50 percent of the built-up area as rehabilitation components; provided it shall be reduced to 40 percent for the projects in difficult areas.
- P. Wherever more than the minimum front and marginal spaces have been provided, such additional area provided may be considered as part of the amenity open space in the project comprising both rehabilitation and free sale components, and without charging any premium, in relaxation of the stipulations in Regulation no. 7.3, wherever necessary.
- Q. Pathways and means of access: The ratio between the length of the pathway and the width thereof shall be as follows:-

Length	Width
Upto 20 m.	1.5 m.
Upto 30 m.	2.0 m.
Upto 40 m.	2.5 m.
Upto 50 m.	3.0 m.

- R. Between the dimensions prescribed for the pathway and marginal distances, the larger of the two shall prevail. The pathway shall act as access wherever necessary. The building shall be permitted to touch pathways.
- S. The means of access shall be normally governed by the provisions of Regulation No. 7.2. However, in the project, wherever the design of the buildings in the same land requires relaxation, it may be given. Access through existing pathways including the roads maintained under relevant Local Authority Act but not less than 3.6 m. in width, shall be considered adequate for any Slum Rehabilitation Project, containing buildings having height less than 24 m. including stilts.
- T. Even if the amenity space is reduced to make the project viable, a minimum of at least 8% of amenity open space shall be maintained.
- U. Premium shall not be charged for exclusion of staircase and lift-well etc. as covered under the provisions of Regulation no. 7.5.6.
- V. All relaxations outlined hereinabove shall be given to the rehabilitation component, and also to the composite buildings in the project. Premium shall not be charged for all or any of the relaxations given hereinabove or for any other mentioned in Regulation no. 7.5.6.
- W. Relaxations for the free sale component: Relaxation contained in sub regulation No. L, M, R, S & T above, as well as other necessary relaxation shall be given to the free sale components, on payment of 10% of the normal premium.



- X. In order to make the Slum Rehabilitation Scheme viable, the Chief Executive Officer of Slum Rehabilitation Authority shall be competent to make any relaxation wherever necessary for reasons to be recorded in writing.

**7. Slums and Development Plan Reservations:**

- A. Slums situated in lands falling under various reservations/zones in the Development Plan shall be developed in accordance with the provisions of the notification, dated 3<sup>rd</sup> June, 1992; issued under Section 31 of the Maharashtra Regional and Town Planning Act and as modified by the provisions in the present Schedule.
- B. Slums in any zone shall be allowed to be redeveloped in-situ without going through the process of change of zone. In the free-sale component in any zone, in addition to residential user, all the users permitted for the original zone shall be permitted. For industrial user, the segregating distance shall be maintained from the existing industrial unit.
- C. Any plot under non-buildable reservations admeasuring only upto 500 sq.m. may be cleared by shifting the slum-dwellers from that site.
- D. The stipulation of 33 percent of area under non-buildable reservation may be reduced to the extent necessary where there are height and such other restrictions.
- E. For other buildable reservations on lands under slum, where guidelines approved by Government under section 31 of the Maharashtra Regional and Town Planning Act are not available, built-up area equal to not more than 15 per cent area of the entire plot or 25 percent of the area under that reservation in that plot, whichever is less, shall be demanded free of cost by the Slum Rehabilitation Authority for the Planning Authority/Local Authority or for any other appropriate Authority.
- F. Where DP road passes through slum rehabilitation area, the entire 100 per cent FSI of the road may be given in the same site, on the remainder of the plot.
- G. Wherever slum and Govt./MHADA property are found together or adjoining, it would be eligible for redevelopment using provisions of these Regulations. Development of slum and contiguous non-slum area under any other provisions of regulations may be allowed together in order to promote flexibility of design as well as to raise more resources, provided that the FSI of non-slum quantum of area shall be restricted to that permissible in the surrounding zone, inclusive of admissible TDR on non-slum area. Such a project shall be deemed to be a Slum Rehabilitation Project and plans for non slum area including the plans for admissible TDR shall be approved by CEO, SRA. The power under Regulation no. 6.6 for shifting and/or interchanging the purpose of designations/reservations shall be exercised by the Chief Executive Officer, Slum Rehabilitation Authority in respect of slum rehabilitation areas/projects.
- H. In case of two or more number of slums taken up for development by same owner/developer/NGO/Co-operative Society of the Slum dwellers, both Rehab and Free Sale Components of the said slums can be combined and located in any proportion in those plots provided in any plot, the FSI does not exceed 2.5 subject to the condition that the said slums have the same ratio of Rehab component to Free Sale Component as laid down in the Clause 3(C) & 3(D) of this Schedule.
- I. Slum Rehabilitation Permissible on Town Planning Scheme Plots: Slum Rehabilitation Project can be taken up on Town Planning Scheme plots also, after they are declared as slums/ slum rehabilitation areas. Wherever Town Planning Scheme Regulations so



provide, there shall be no insistence on 15 percent recreational/amenity open space for FSI deduction.

- J. Contravening structures in the adjoining final plots, if declared as a Slum Rehabilitation Area by the Competent Authority, may be included in the Slum Rehabilitation Scheme in the relevant Final Plot of the Town Planning Scheme.
- K. In case of a Slum Rehabilitation Project adjoining railway tracks, a boundary wall of minimum 2.4 m. in height shall be constructed.

#### **8. Welfare Hall, Balwadi, Society Office and Religious Structure:**

- A. There shall be a welfare hall in each Project as part of the rehabilitation component. It shall be at the rate of 20.90 sq.m. for every multiple or part of 100 hutment dwellers families, but located so as to serve all the floors and buildings equitably. In case of misuse, it shall be taken over by the Slum Rehabilitation Authority which will be competent to allot the same to some other Organization /Institution for public use. Balwadi shall also be provided for in a similar scale. An office for the Co-operative housing society shall be also constructed in accordance will Regulation No. 8.25. However, if the number of rehab tenements exceeds 100 then for every 100 rehab tenements such additional society office shall be constructed.

Religious structures existing prior to redevelopment, if allowed in accordance with the guidelines issued by Government from time to time as part of redevelopment shall not exceed the area that existed prior to redevelopment. Other social infrastructure like School, Dispensary, Gymnasium run by Public Authority or Charitable Trust that existed prior to the redevelopment shall be allowed without increase in existing area.

- B. All the areas underlying welfare hall(s), society office, balwadi(s), religious structure(s), social infrastructure like School, Dispensary, Gymnasium run by Public Authority or Charitable Trust, the commercial areas given by way of incentives to the co-operative society and the non-governmental organization shall be free of cost and shall form part of rehabilitation component and it is on this basis the freesale component will be computed.
- C. Welfare halls, society office, balwadis, religious structures, social infrastructure like School, Dispensary, Gymnasium run by Public Authority or Charitable Trust in the rehab component shall not be counted towards the FSI even while computing 2.5 FSI on site.

#### **9. Payments to be made to SRA and installments:**

- A. An amount of Rs. 20,000/- or such an amount as may be decided by the Government from time to time per tenement including the welfare hall and balwadi in the rehab component as well as in the case of permanent transit camp tenements will have to be deposited by the owner/ developer/society with the Slum Rehabilitation Authority, in accordance with the time-schedule for such payment as may be laid down by the Chief Executive Officer, Slum Rehabilitation Authority. However, by the time of completion of construction for occupation of tenements by the hutment dwellers, the total amount at the rate of Rs. 20,000 per tenement completed should have been deposited in full. The building permission for the last 25 percent of the freesale component would be given only after all the required amount is deposited in full with Slum Rehabilitation Authority.
- B. An amount of Rs. 560 per sq.m. shall be paid by the Owner/Developer/Society/NGO for the built-up area over and above the normally permissible FSI, for the rehabilitation and



freesale components. Similarly, it shall be paid for the built-up area over and above the normally permissible FSI for construction of transit camps. This amount shall be paid to the Slum Rehabilitation Authority in accordance with the time schedule for such payment, as may be laid down by the Chief Executive Officer, Slum Rehabilitation Authority. Provided the installments shall not exceed beyond the completion of construction. This amount shall be used for Schemes to be prepared for the improvement of infrastructure in slum or slum rehabilitation areas.

Provided that out of Rs. 560/- per sq. m. infrastructural charges, 90% amount will go to Planning Authority/Local Authority & 10% amount will remain with SRA.

- 10. Conversion of old project into new project:** Wherever there is an application for conversion of the old project of slum redevelopment into the new, it shall be considered only if the full occupation certificate has not been given and provided the conditions relating to the payment as specified in clause 9 are complied with, and subject to such other conditions as may be imposed by the Chief Executive Officer.

**Note :** - All Regulations / modifications mentioned in Appendix- AG above shall not be applicable to the areas which are affected by Coastal Regulations Zone Notification issued by Ministry of Environment and Forest, Government of India vide Notification dated 06 January 2011 and orders issued from time to time.



## **APPENDIX AG.2: GRANT OF TDR TO THE DEVELOPERS/CO-OPERATIVE HOUSING SOCIETIES/NGOS IN RESPECT OF SLUM REHABILITATION SCHEME**

### **(Regulation 10.12)**

1. The developer/society/NGO on a plot of land for which the Slum Rehabilitation Project is sanctioned under these Regulations shall be eligible for the award of TDR for the FSI, if any, in excess of 2.5 or as may be specifically permitted by the Chief Executive Officer, Slum Rehabilitation Authority.
2. DRC for the TDR will be issued by the Metropolitan Commissioner, MMRDA himself on recommendation by Chief Executive Officer, Slum Rehabilitation Authority. The FSI credit in square metres of built-up area will be stated in figures and in words, the place where TDR is earned.
3. The built-up area for the grant of DRC shall be equal to the FSI of the sanctioned Slum Rehabilitation Project allowed to be taken in the form of TDR.
4. When a buildable amenity on the reserved plot for which slum rehabilitation project is sanctioned and handed over free of cost to the Planning Authority, the Commissioner may grant a further TDR due for the construction of the said amenity, and in accordance with the general policy of the Planning Authority in this regard.
5. A DRC will be issued only on the satisfactory compliance with the conditions prescribed in this Appendix as well as in Regulation no. 10.12.
6. If the holder of a DRC intends to transfer it to any other person/s he will submit it to the Commissioner with an appropriate endorsement of the new holder's name. Without such endorsement by the Commissioner himself, the transfer shall not be valid, and will be available for use only by the original holder.
7. A holder of a DRC who desires to use the FSI credit certified therein on a particular plot shall attach to his application for development permission valid DRCs to the extent required.
8. A DRC shall not be valid for use on receivable plots in the areas listed below-
  - (i) Over Recreational open spaces, No Development Zone, Forest land, CRZ area, if any, under CRZ notification, Heritage structures/Sites/Precincts and Gaothan area/congested area.
  - (ii) On plots where Slum Rehabilitation Projects have been taken up or are possible. However, in cases where a non-slum plot is amalgamated with a slum plot then DRC shall be valid for use on non-slum plot. In such cases utilization of DRC shall be governed as per procedure and provisions stipulated in Appendix AG.1.
9. Notwithstanding the provisions in Appendix AG.1, sub-regulation 1.6, the use of DRC on the TDR receiving plot will be subject to the same regulations that are applicable to the TDR receiving plot. There will be no restrictions on which zone TDR can be received, except the provisions in sub-regulation 8 above.
10. The DRC may be used on one or more plots of land whether vacant or already developed by the erection of additional floors, or in any other manner consistent with these regulations, but not so as to exceed the FSI prescribed below.



11. Any TDR receiving plot shall not be eligible for more than 100 per cent additional FSI in whichever combination TDRs are received provided at least 20 percent of the FSI shall be mandatorily kept for use of TDR generated as surplus from slum rehabilitation scheme. The source of TDR could be from slum redevelopment, DP reservations or DP road going through TDR receiving plot.
12. Before granting development permission to use TDR in full or in part, the Commissioner shall endorse in writing in figures and in words the quantum of DRC proposed to be utilised in the development permission.
13. A DRC shall be issued by the Commissioner himself as a certificate printed on bond paper in an appropriate form prescribed by the Commissioner. Such a certificate shall be a transferable/ negotiable instrument after due authentication by the Commissioner.
14. The Commissioner shall maintain a register in a form considered appropriate by him of all transactions relating grant or utilisation of DRCs arising out of slum rehab projects. From time to time at least once in three months these transactions shall be published in the Maharashtra Government Gazette for the information of the public, provided however the utilisation of TDR/ DRCs shall not be dependent upon any such publication.
15. Wherever TDR arising out of slum rehabilitation project is received, the relaxation as required shall be given for such slum TDR on the same basis as for free sale component in the slum rehabilitation project. ] ([EP-290](#))



