



**Development Control and  
Promotion Regulations for Nagpur  
Metropolitan Regional Development Authority  
(Nagpur Metropolitan Area Development Plan)**

**URBAN DEVELOPMNET DEPARTMENT, GOVERNMENT OF MAHARASHTRA**

(Sanctioned under Section 31(1) of MRTP Act, 1966 vide Government

Notification No.TPS-2416/CR-122(A)/2016/DCPR-NMA/UD-9 dated 5<sup>th</sup> January, 2018)

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**GOVERNMENT OF MAHARASHTRA**

**Urban Development Department**

**Mantralaya, Mumbai 400032.**

**Date : 05/01/2018**

**NOTIFICATION**

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

**No.TPS-2416/CR-122(A)/2016/DCPR-NMA/UD-9:** Whereas, the Government in Urban Development Department vide Notification No. TPS-1899/1191/C.R.80/99/UD-13, Dated the 23<sup>rd</sup> July, 1999, issued in exercise of the powers conferred by clause (c) of Article 243-P of the Constitution of India read with clause (c) of section 2 of the Maharashtra Metropolitan Planning Committees (Continuance of Provisions) Act, 1999 (Mah. V of 2000) has declared an area, around the City of Nagpur, as specifically described in the Schedule appended to the Notification as “Nagpur Metropolitan Area” (hereinafter referred to as “**the said Nagpur Metropolitan Area**”);

And whereas, in exercise of the powers conferred by Section 40(1) & (1B) of the Maharashtra Regional Town Planning Act. 1966 (Mah.XXXVII of 1966) (hereinafter referred as “the said Act.), the Nagpur Improvement Trust constituted under the Nagpur Improvement Trust Act, 1936 (C.P. and Berar XXXVI of 1936) is appointed as the Special Planning Authority (hereinafter referred to as “**the said Special Planning Authority**”) for the said Nagpur Metropolitan Area vide Government in Urban Development Department Notification No. TPS-2409/2890/ C.R.356/UD-9, 31<sup>st</sup> August, 2010, (hereinafter referred to as “**the said Notification**”);

Whereas, the said Special Planning Authority under its General Body Resolution No.2/1106, Dated 24/02/2012 has prepared the draft development plan after following the due procedure as mention in the said Act and published the Draft Development Plan along with Development Control Regulations for the said Nagpur Metropolitan Area (hereinafter referred to as “the said Draft Development Plan”) under Section 26 (1) of the Maharashtra Regional & Town Planning Act, 1966 for inviting suggestion and objection from general public (hereinafter referred to as “the said Act”) and notice to that effect has appeared in extra Ordinary Maharashtra Government Gazette, in Nagpur Division, Part - 1 supplement, Dated 26/02/2015 ;

And whereas, after considering the suggestions and objections received on the said Draft Development Plan within stipulated period, and giving opportunity of being heard the Planning Committee appointed under Section 28 (2) of the said Act, has submitted its Report to the said Planning Authority on 24/06/2016;

And whereas, in accordance with the provisions of section 28(4) of the said Act, the Planning Authority after considering the report of the Planning Committee makes some modification in the said draft development Plan and Notice to that effect is published in Maharashtra Govt. Gazette Dated 24/08/2016, and then in accordance with the provisions of sub-section (1) of Section 30 of the Said Act, the said Planning Authority has submitted the **Said modified Draft Development Plan** along with the **Development Control Regulations** to the Government of Maharashtra for Sanction vide its Marathi letter No.प्रावियो/नामक्षे/कलम-/30अ.अ6089/., Dated 24/08/2016 ;

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And whereas, the Director of Town Planning, vide his Marathi letter No .डिटीपी /3117/टीपीव्ही-3042/2, Dated the 09/06/2017, has submitted his Report on the said modified Draft Development Plan and the Draft Development Control Regulations to Government for sanction ;

And whereas, in accordance with Sub-Section (1) of Section 31 of the Said Act, after making necessary enquiries and after consulting the Director of Town Planning, Maharashtra State, Pune the State Government is of the opinion that the **Draft Development Plan** should be **Sanctioned** along with **Draft Development Control Regulations** with Modifications shown in **SCHEDULE-A** (as **SM-1, SM-2....etc.**) appended here to, excluding the substantial Modifications (as **EP- 1, EP-2,.....etc.**) as specified in **SCHEDULE-B** appended (hereinafter referred to as the “**said Proposed Substantial Modification i.e.(EP)** ”);

And whereas, in accordance with Sub-Section (1) of Section 31 of the Said Act, after making necessary enquiries and after consulting the Director of Town Planning, Maharashtra State, Pune the State Government **has accorded sanctioned** to the said draft development plan with modification shown in **SCHEDULE-A** appended to the Notification No. **TPS-2416/C.R.122 (A)/2016/SM/UD-9, Dt. 05/01/2018** excluding the **Substantial Modification** as shown in **SCHEDULE-B**;

Now therefore, in **exercise** of the powers conferred by **Sub-Section (1) of Section 31** of the Said Act and of all other powers enabling it on that behalf, the Government of Maharashtra hereby:-

- a) Development Control Regulations for the whole **Nagpur Metropolitan Area** is sanction with certain modification. These regulations shall be the **Development Control and Promotion Regulations** for **Nagpur Metropolitan Regional Development Authority** (Nagpur Metropolitan Area Development Plan). The **Sanctioned Set of DCPR** for NMRDA area is attached herewith.
- b) Extends the period prescribed under Section 31 (1) of the Said Act, for sanctioning the Said **Development Control and Promotion Regulations** up to and inclusive of the date of this Notification.
- c) Fixes the date one month after of publication of this Notification in the Official Gazette to be the date on which the Said Sanctioned DCPR shall come into force.

The aforesaid Final **Development Control and Promotion Regulations** of the said Nagpur Metropolitan Area sanctioned by the State Government vide this Notification shall be kept open for inspection by the general public during office hours on all working days for a period of one month from the date of coming into force of this Notification, in the office of the Metropolitan Commissioner, Nagpur Metropolitan Regional Development Authority, Nagpur.

This Notification shall also be published on the Government web-site at [www.maharashtra.gov.in](http://www.maharashtra.gov.in) (कायदे व नियम)

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

(Sanjay Saoji)

**Deputy Secretary to the Government.**

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Promotion Regulations for Nagpur  
Metropolitan Regional Development Authority  
(Nagpur Metropolitan Area Development Plan)**

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**PART I**  
**ADMINISTRATION**

**1.0 SHORT TITLE, EXTENT AND COMMENCEMENT**

**i) Title:** These regulations shall be called as Development Control and Promotion Regulations for Nagpur Metropolitan Regional Development Authority (Nagpur Metropolitan Area Development Plan)

**ii) Extent** - These regulations shall apply to the areas within the jurisdiction of Nagpur Metropolitan Regional Development Authority (Nagpur Metropolitan Area Development Plan)

iii) All development work shall conform to the respective provisions made under these regulations. If there is any conflict between the requirements of these regulations and those of any other rules or bye-laws, these regulations shall prevail.

iv) **Commencement** - These regulations shall come into force from the date of publication of notification in Official Gazette and these shall replace all existing building bylaws and development control rules.

v) **Savings** - Notwithstanding anything contained herein, any permission granted or any action taken under the regulations in force prior to these regulations shall be valid and continue to be so valid, unless otherwise specified in these regulations. Provided that, permissions granted earlier shall be eligible for renewal as per the provisions of the Act. Provided further that, the words 'action taken' in this regulation shall also include the issuance of demand note for granting the development permission.

vi) **Committed Development** - Any development permission granted or any development proposal for which tentative or final approval has been recommended by the concerned Town Planning Office and is pending with the concerned Revenue Authority for demarcation or for final NA before publication of draft DP, shall be continued to be valid for that respective purpose along with approved Floor Space Index. Provided that it shall be permissible for the owner to either continue with the permission in toto as per such earlier approval for that limited purpose under erstwhile regulation or apply for grant of revised permission under the new regulations. In such revision of cases, the premium if any shall not be applicable for the originally approved land use and FSI. However, premium shall be applicable if revision of cases applied for the additional FSI irrespective of its confirmative zoning.

**2.0 DEFINITIONS-**

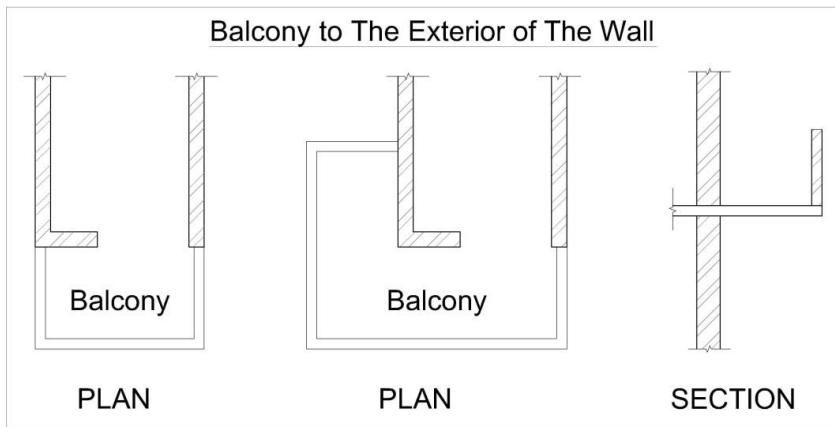
**2.1 General**

In these regulations, unless the context otherwise requires, the definitions given hereunder shall have meaning indicated against each of them.

2.2 Words and expressions which are not defined in these Regulations shall have the same meaning or sense as in the -

- i) The Maharashtra Regional and Town Planning Act, 1966,
- ii) Maharashtra Metropolitan Region Development Authority Act, 2016, and
- iii) National Building Code (2005 or amended from time to time)

- 2.3 **Act –Act in these Regulations shall mean -**  
i)The Maharashtra Regional and Town Planning Act, 1966;  
ii)Maharashtra Metropolitan Region Development Authority Act,2016
- 2.4 **Authority** - Authority constituted under the Maharashtra Metropolitan Region Development Authority Act,2016
- 2.5 **Alteration :-** Any change in existing authorized building or change from one occupancy to another, or a structural change, such as an addition to the area or height, or the removal of part of a building, or any change to the structure, such as the construction of, cutting into or removal of any wall, partition, column, beam, joist, floor, roof or other support or a change to or closing of any required means of ingress or egress or a change to the fixtures of equipment as provided under these regulations. However modification in regards to gardening, white washing, painting, plastering, pointing, paving and retiling shall not be deemed to be alteration.
- 2.6 **Advertising Sign:** - Any surface of structure with characters, letters or illustrations applied thereto and displayed in any manner whatsoever outdoor for purposes of advertising or to give information regarding or to attract the public to any place, for public performance, article or merchandise whatsoever, or is attached to, or forms a part of building, 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.
- 2.7 **Air-conditioning:-**The process of treating air so as to control simultaneously its temperature, humidity, cleanliness and distribution to meet the requirement of conditioned space.
- 2.8 **Accessory Building:-**A building separate from the main building on a plot and containing one or more rooms for accessory use such as servant quarters, garage, store rooms etc.
- 2.9 **Accessory / Ancillary Use:-**Any use of the premises subordinate to the principal use and incidental to the principal use.
- 2.10 **Amenity Space:-** amenity space means a statutory space provided under the provision of these regulations in any layout to be used for any of the amenities specified in these regulations.
- 2.11 **Access:-**Clear approach to a plot or a building.
- 2.12 **Architect:** - An Architect is a person registered with Council of Architecture as per Architects Act, 1972 as an Architect.
- 2.13 **Atrium -** Atrium means a sky lighted, naturally/mechanically ventilated area in buildings, with no intermediate floors, used as circulation space or entrance foyer.
- 2.14 **Balcony :-** A Horizontal projection cantilever or otherwise shown in the figure below, including parapet and handrail balustrade to serve as a passage or sitting out place atleast one side fully open, except provided with railing or parapet wall for safety.



- 2.15 **Basement:** - The lower storey of a building below or partly below the ground level.
- 2.16 **Building:-**Any structure for whatsoever purpose and of whatsoever materials constructed and every part thereof whether used as human habitation or not and includes foundation, plinth, walls, floors, roofs, chimneys, wells, door steps, fencing, plumbing and building services, fixed - platforms, verandas, balcony; cornice or projection, part of a building or anything affixed thereto or any wall fence enclosing or intended to enclose any land or space and signs and outdoor display structures. However, tents, shamianas and the tarpaulin shelters erected for temporary and ceremonial occasions with the permission of the Authority shall not be considered as building.
- 2.17 **Built up Area:-**The area covered by a building on all floors including cantilevered portion, mezzanine floors, if any, but accepting the areas excluded specifically from FSI under these Regulations.
- 2.18 **Building Line:-**The line upto which the plinth of a building adjoining a street or an extension of a street or on a future street may lawfully extend.
- 2.19 **Building Height :-** The vertical distance measured in the case of flat roofs, from the average level of the ground around and contiguous to the building or as decided by the Authority to the terrace of last liveable floor of the building adjacent to the external walls; to the highest 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 gable facing road, the mid-point between the eaves level and the ridge. Architectural features serving no other function except that of decoration shall be excluded for the purpose of measuring heights.
- 2.20 **“Builder/Developer”** Means the person who is legally empowered to construct or to execute work on a building unit, building or structure and / or land development, or where no person is empowered, the owner of the building unit, building or structure.
- 2.21 **Cabin:-** A non - residential enclosure constructed of non - load bearing, non-masonry partitions having area not exceeding 3.00 sq.m.
- 2.22 **Carpet Area:-** Means the net usable floor area of an apartment, excluding the area covered by the external walls, areas under services shafts, exclusive balcony or veranda area and exclusive open terrace area, but includes the area covered by the internal partition walls of the apartment.

Explanation – For the purpose of this clause, the expression “exclusive balcony or veranda area” means the area of the balcony or veranda, as the case may be, which is appurtenant to the net usable floor area of an apartment, meant for the exclusive use of the allottee; and “exclusive open

terrace area” means the area of open terrace which is appurtenant to the net usable floor area of an apartment, meant for the exclusive use of the allottee;

- 2.23 **Chajja:** - A sloping or horizontal structural overhang usually provided over openings on external walls to provide protection from sun and rain and for purpose of architectural appearance.
- 2.24 **Chimney:-** An upright shaft containing one or more flues provided for the conveyance to the outer air of any product of combustion resulting from the operation of heat producing appliance or equipment employing solid, liquid or gaseous fuel.
- 2.25 **Combustible Material:-** 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, National Building Code.
- 2.26 **Control Line:-**A line on either side of a highway or part of highway beyond the building line fixed in respect of such highway by the Highway Authority.
- 2.27 **Courtyard or Chowk:-** A space permanently open to sky enclosed on sides fully or partially by buildings and may be at ground level or any other level within or adjacent to a building.
- 2.28 **Canopy:-**A projection over any entrance.
- 2.29 **Congested area:-** means the congested area as shown on the Development Plan.
- 2.30 **Convenience Shopping:-**Means shops for domestic needs each with a carpet area not exceeding 10 sq.mt.
- 2.31 **Corridor:-** means a common passage or circulation space including a common entrance hall.
- 2.32 **Detached Building:-** A building whose walls and roofs are independent of any other building with open space on all sides as specified.
- 2.33 **Development :-** Development with its grammatical variations means the carrying out of buildings, engineering, mining or other operations in, or over, or under, land or the making of any material change, in any building or land or in the use of any building or land or any material or structural change in any Heritage building or its precinct and includes demolition of any existing building, structure or erection of part of such building, structure of erection and reclamation, redevelopment and layout or sub-division of any land and to develop shall be construed accordingly.
- 2.34 **Development Plan:-**“Development Plan” means a plan for the development of the area within the jurisdiction of a Planning Authority and includes revision of a development plan and proposals of a special planning Authority for development of land within its jurisdictions.
- 2.35 **Drain:-** means a system or a line of pipes, with their fittings and accessories, such as manholes, inspection chambers, traps, gullies, floor traps used for the drainage of building, or number of building or yards appurtenant to the buildings within the same cartilage. A drain shall also include open channel for conveying surface water or a system for the removal of any liquid.
- 2.36 **Dwelling Unit /Tenement:-**An independent housing unit with separate facilities for living, cooking and sanitary requirements.

- 2.37 **Density:-**The residential density expressed in terms of the number of dwelling units per hectare.
- 2.38 **Enclosed Stair- case:-** A stair case separated by fire resistant walls and door (s) from the rest of the building.
- 2.39 **Existing Building or use:-** A building, structure or its use existing authorisedly.
- 2.40 **Exit:-** A passage, channel or means of egress from any building, storeys or floor area to a street or other open space of safety.
- 2.41 **Vertical Exit:-**A vertical exit is a means of exit used for ascension or dissension between two or more levels including stairways, smoke proof towers, ramps, escalators and fire escapes.
- 2.42 **Horizontal Exit:-** A horizontal exit is protected opening through or around a firewall or a bridge connecting two buildings.
- 2.43 **Outside Exit:-** An outside exit is an exit from the building to public way, to an open area leading to public way, to an enclosed fire resistive passage to a public way.
- 2.44 **External Wall:-**An outer wall of a building not being a party wall even though adjoining to a wall of another building and also means a wall abutting on an interior open space of any building.
- 2.45 **Escalator:-**A power driven, inclined, continuous stairway used for raising or lowering passengers.
- 2.46 **Floor:-** The lower surface in a story on which one normally walks in a building. The general term floor unless otherwise specifically mentioned shall not refer to a mezzanine floor.
- Note:-** The sequential numbering of floor shall be determined by its relation to the determining entrance level. For floor at or wholly above ground level the lowest floor in the building with direct entrance from / to road or street shall be termed as ground floor. The other floors above ground floor shall be numbered in sequence as Floor 1, Floor 2, etc., with number increasing upwards.
- 2.47 **Floor space index (F. S. I):-** The quotient obtained by dividing the total covered area (plinth area) on all floors, excluding exempted areas as given in Regulation No.26.9 by the area of the plot.
- $$\text{F.S.I.} = \frac{\text{Total covered areas on all floors}}{\text{Plot area}}$$
- 2.48 **Footing:-**A foundation unit constructed in brick work, masonry or concrete under the base of a wall or column for the purpose of distributing the load over a large area.
- 2.49 **Foundation:-**That part of the structure which is in direct contact with an transmitting loads to the ground.
- 2.50 **Front:-** The space between the boundary line of plot abutting the means of access / road / street and the building line. In case of plots facing two or more means of accesses / roads / streets, the plot shall be deemed to front on all such means of access / road / streets.
- 2.51 **Gallery:-** An intermediate floor or platform projecting from a wall of an auditorium of a hall providing extra floor area, additional seating accommodation etc. These shall also include the structures provided for seating in stadia.
- 2.52 **Garage-Private:-** A building or portion thereof designed and used for parking of private owned motor driven or other vehicles.



- 2.53 **Garage-Public :-**A building or portion thereof designed as other than a private garage, operated for gain, designed or used for repairing, servicing, hiring, selling or storing or parking motor driven or other vehicles
- 2.54 **Group Housing Scheme:-** Group housing scheme means a building or a group of buildings constructed or to be constructed with one or more floors, consisting of more than one dwelling units and having common service facilities. Common service facilities means facilities like stair case, balcony, corridor, and veranda, lift, etc.
- 2.55 **Ground Level -** The average level of the ground in a plot.
- 2.56 **Habitable Room:-** Habitable room or living room means, a room constructed or intended for human habitation
- 2.57 **Home Occupation:-** Customary home occupation other than the conduct of an eating or a drinking place offering services to the general public, customarily carried out by a member of the family residing on the premises without employing hired labour, and for which there is no display to indicate from the exterior of the building that it is being utilized in whole or in part for any purpose other than a residential or dwelling use, and in connection with which no article or service is sold or exhibited for sale except that which is produced therein, which shall be non-hazardous and not affecting the safety of the inhabitants of the building and the neighbourhood and provided that no mechanical equipment is used except that as is customarily used for purely domestic or household purposes and / or employing licensable goods. If motive power is used, the total electricity load should not exceed 0.75 KW. Home Occupation may also include such similar occupations as may be specified by the Commissioner with the approval with the approval of Director of Town Planning and subject to such terms and conditions as may be prescribed.
- 2.58 **Information Technology Establishment (ITE):-** means an establishment which is in the business of developing either software or hardware relating to computers or computer technology as approved by Director of Industries.
- 2.59 **Layout Open Space / Recreational Open Space:-** Shall mean a statutory common open space kept in any layout exclusive of margins and approaches, at a height not more than ground level of the building unit.
- 2.60 **Ledge or Tand: -** A shelf like projection, supported in any manner whatsoever, except by vertical supports within a room itself but not having projection wider than half meter.
- 2.61 **Licensed Engineer / Structural Engineer / Supervisor:-**A qualified Engineer/Structural Engineer / Supervisor licensed by the Metropolitan Commissioner/appropriate authority.
- 2.62 **Licensed Technical Persons:-**means a qualified Engineer, Structural Engineer, and Supervisor etc. licensed by the Commissioner / appropriate authority.
- 2.63 **Lift:-** An appliance designed to transport persons or materials between two or more levels in a vertical or substantially vertical directions, by means of a guided car platform.
- 2.64 **Lift Machine:-** Part of the lift equipment comprising the motor(s) and the control gear there with, reduction gear (if any), brakes and winding drum or sheave, by which the lift car is raised or lowered.

- 2.65 **Lift Well:-** Unobstructed space within an enclosure provided for the vertical movement of the lift car(s) and any counter weights, including the lift pit and the space for top clearance.
- 2.66 **Loft:-** Shall mean, an intermediate floor between two floors which is constructed for storage purpose and as defined in Regulation No.41.5.1
- 2.67 **Laying out of New Street:-**Includes provision of road for levelling, formation, metalling or paving of a road and footpaths, etc. including layout of the services such as water supply, drainage, etc.
- 2.68 **Mall:-** A large enclosed shopping area.
- 2.69 **Marginal distance/ Set back:-**Minimum distance required to be left open to sky between boundary of the building plot and the building excluding court yard/chowk, which is an integral part of the plot.
- 2.70 **Metropolitan Commissioner :-** “Metropolitan Commissioner” appointed under section 12(1) of Maharashtra Metropolitan Region Development Authority Act, 2016.
- 2.71 **Mezzanine floor:-** An intermediate floor between two floors of any story, forming an integral part of floor below, overhanging or overlooking a floor beneath, not being a loft between the floor and ceiling of any storey.
- 2.72 **Means of Access:-**These shall include the road/ street/ vehicular access way, pathway upto the plot and to the building within a plot as defined in Regulation No. 23.0
- 2.73 **Net plot area:** The net plot area shall be as defined in Regulation No.24.9
- 2.74 **Non -Combustible Material:-** A material which does not burn nor add heat to a fire when tested for combustibility in accordance with IS: 3808 - 1966 'Method of Test for Combustibility of Building Materials'.
- 2.75 **Non-conforming User:** -Any lawful use / building existed on the site but which does not conform to the zoning shown on the Development Plan.
- 2.76 **Occupancy or Use Group :-**The principal occupancy or use for which a building or a part of a building is used, or intended to be used, for the purposes of classification of a building according to the occupancy, an occupancy shall be deemed to include subsidiary occupancies which are contingent upon it. Buildings with mixed occupancies are those buildings in which more than one occupancy are present in different portions of the building. The occupancy classification shall have the meaning given from 2.76.1 to 2.76.12 unless otherwise spelt out in Development Plan.
- 2.76.1 **Assembly Buildings:-**These shall include any building or part of building where groups of people congregate or gather for amusement, recreation, social, religious, patriotic, civil, travel and similar purposes, e.g. theatres, motion picture house, drive-in-theatres, multiplexes, assembly halls, city halls, town halls, auditoria, exhibition halls, museums, mangal karyalaya, cultural centre, skating rinks, places of worship, dance theatres, club & gymkhana, passenger stations and terminals of air, surface and other public transportation services, recreation piers and stadia.
- 2.76.2 **Business Buildings:-**These shall include any building or part of building, which is used for transaction of business for the keeping of accounts and records for similar purposes; offices, banks, professional establishments, I.T. establishments, call centre, offices for private entrepreneurs, court houses, libraries shall be classified in this group in so far as principal function of these is transaction of public business and the keeping of books and records.

- 2.76.3 **Educational Buildings :-** A building exclusively used for a school or college recognized by the appropriate Board or University, or any other competent authority involving assembly for instruction, education or recreation incidental to educational use, and including a building for such other users incidental thereto such as library, coaching class 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 attached to an educational institution situated in its campus and, also includes day care purposes more than 8 hours per week.
- 2.76.4 **Hazardous Buildings :-**These shall include any building or: part of a building which is used for the storage, handling, manufacture or processing of highly combustible or explosive materials or products which are liable to burn with extreme rapidity and / or which may produce poisonous gases or explosions during storage, handling, manufacturing or processing, which involve highly corrosive, toxic or noxious alkalis, acids or other liquids or chemicals producing flames, fumes and explosive, mixtures of dust or which result in the division of matter into fine particles subject to spontaneous ignition.
- 2.76.5 **Industrial Buildings:-**These shall include any building or part of a building or structure, in which products or materials of all kinds and properties are fabricated assembled or processed like assembling plants, laboratories, power plants, smoke houses, refineries, gas plants, mills, dairies, factories etc.
- 2.76.6 **Institutional Buildings:-** A building constructed or used by Government, Semi - Government organization or registered trusts or persons and used for medical or other treatment, or 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 hospitals, sanatoria, custodial and penal institutions such as jails, prisons, mental hospitals, houses of correctional detention and reformatories.
- 2.76.7 **Mercantile Buildings:-**These shall include any building or part of a building, which is predominantly used as shops, stores, market, malls for display and sale of merchandise either wholesale or retail, office, storage and service facilities incidental to the sale of merchandise and located in the same building shall be included under this group.
- 2.76.8 **Office Building / Premises:-**The premises whose sole or principal use is to be used as an office or for office purpose; "office purposes" shall include the purpose of administration, clerical work, handling money, telephone/ telegraph/ computer operations and "clerical work" shall include writing, book-keeping, sorting papers, typing, filing, duplicating, drawing of matter for publication and the editorial preparation of matter for publication.
- 2.76.9 **Public Semi-public Building:-** A building constructed or used by Government, Semi Government Organization, Government Undertaking, Local Authorities, for conducting public semi-public use like municipal office, post office, telephone office, etc.
- 2.76.10 **Residential Buildings:-**These shall include any building in which sleeping accommodation is provided for normal residential purposes with or without cooking or dining or both facilities. It includes one or two or multi-family dwellings, lodging or rooming houses, residential hotels, hostels, dormitories, dharmshalas, apartment houses, flats, service apartment, studio apartment and private garages incidental thereto.

- 2.76.11 **Storage Buildings :-**These shall include any building or part of a building used primarily for the storage or sheltering of goods, wares or merchandise, like ware houses, cold storage, freight depots, transit sheds, godowns, store houses, public garages, hangars, truck terminals, grain elevators, barns and stables.
- 2.76.12 **Wholesale Establishments:-**These shall include establishments wholly or partly engaged in wholesale trade, manufactures, wholesale outlets including related storage facilities, A.P.M.C. establishments, warehouses and establishments engaged in truck transport including truck transport booking agencies.
- 2.77 **Owner:-**The person who has legal title for land or building.
- 2.78 **Parapet: -** A low wall or railing built along the edge of a roof, terraces, balcony, verandah etc.
- 2.79 **Parking Space:-** An enclosed or unenclosed, covered or open area sufficient in size to park vehicles. Parking space shall be served by a driveway connecting them with a street or alley and permitting ingress or egress of vehicles.
- 2.80 **Permit / Permission: -** A permission or authorization in writing by the Authority to carry out the work regulated by these Regulations.
- 2.81 **Plinth: -**The portion of a structure between the surface of the surrounding ground and surface of the floor immediately above the ground.
- 2.82 **Plot / Site:-**A parcel or piece of land enclosed by definite boundaries and approved by an authority as a building site, under these Regulations.
- 2.83 **Pandals/Shamiyanas:-** means a temporary structure with roof or walls made of canvas, cloth other like material which is not adopted for permanent or continuous occupancy.
- 2.84 **Podium:-**A continuous projecting base or pedestal under or around the building, generally used for parking and movement of vehicle within the permissible area as specified in Regulation.
- 2.85 **Porch: -**A covered surface supported on pillars or otherwise for the purpose of pedestrian or vehicular approach to a building.
- 2.86 **Road / Street:-** Any highway, street, lane, pathway, alley, stairway, passageway, carriageway, footway, square place 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.
- 2.87 **Road / Street Line:-** The line defining the side limit of a road / street.
- 2.88 **Room Height:-**The vertical distance measured from the finished floor surface to the finished ceiling/ slab surface. In case of pitched roofs, the room height shall be the average height between bottom of the eaves and bottom of ridge.
- 2.89 **Row Housing:-**A row of houses with only front, rear open spaces.
- 2.90 **Semi Detached Building: -**A building detached on three sides with open spaces as specified.

- 2.91 **Site corner:-** The side at the junctions of and fronting on two or more intersecting streets.
- 2.92 **Site, Depth of:-** The mean horizontal distance between the front and rear side boundaries.
- 2.93 **Site, Double Frontage:-**A site, having a frontage on two streets other than a corner plot.
- 2.94 **Site, Interior or Tandem:-**A site, access to which is by a passage from a street whether such passage forms part of the site or not.
- 2.95 **Smoke Stop Door:-** A door for preventing or checking the spread of smoke from one area to another.
- 2.96 **Special building:-**This shall mean building as specified in Regulation No.6.2.2.g.
- 2.97 **Stair Cover:-**A structure with a covering roof over a stair case and its landing built to enclose only the stair for the purpose of providing protection from weather and not used for human habitation.
- 2.98 **Stilts or Stilt Floor:-** Stilts or stilt floor means portion of a building above ground level consisting of structural column supporting the super structure with at least two sides open for the purpose of parking vehicles, scooters, cycles, etc.
- 2.99 **Storage:-** A place where goods are stored.
- 2.100 **Store Room:-**A room used as storage space.
- 2.101 **Storey:-**The portion of a building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between any floor and the ceiling next above it.
- 2.102 **Service Floor:-**Means a floor generally provided in multi-storied buildings and especially in starred hotels where from services like water supply, sewerage disposal system, electricity etc. are co-ordinated/maintained. Height of such floor shall not be more than 1.8m. from floor level to soffit of outer beam and shall not be counted in FSI.
- 2.103 **Stall:-** means a small shop, floor area of which does not exceed 5.0sqm.
- 2.104 **Tenement:-**An independent dwelling unit with a kitchen or cooking alcove.
- 2.105 **Terrace:-** A flat open to sky roof of a building or a part of a building having parapet.
- 2.106 **To Erect :-** To erect a building means
- (a) to erect a new building on any site whether previously built upon or not;
  - (b) to re-erect any building of which portions above the plinth level have been pulled down, burnt or destroyed; and
- ® conversion from one occupancy to another
- 2.107 **Travel Distance:-**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.
- 2.108 **Tower like structure:-** A structure in which the height of the tower like portion is at least twice the width of the broader base.

- 2.109 **Unsafe Building:-**Unsafe buildings are those which are structurally unsafe, unsanitary or not provided with adequate means of ingress or egress which constitute a fire hazard or are otherwise dangerous to human life or which in relation to existing use constitute a hazard to safety or health or public welfare, by reason of inadequate maintenance, dilapidation or abandonment.
- 2.110 **Veranda :-** A covered area with at least one side open to the outside with the exception of 1 m. high parapet on the upper floors to be provided on the open side.
- 2.111 **Water Closet (WC):-**A privy with arrangement for flushing the pan with water. It does not include a bathroom.
- 2.112 **Water Course:-**A natural channel or an artificial one formed by draining or diversion of a natural channel meant for carrying storm and waste water.
- 2.113 **Width of Road: -** The whole extent of space within the boundaries of road when applied to a new road, as laid down in the city surveys map 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 whichever is more.
- 2.114 **Window:-** An opening to the outside other than the door which provides all or part of the required natural light, ventilation or both, to the interior space.

### 3.0 APPLICABILITY OF REGULATIONS

3.1 These Regulations shall apply to all development, redevelopment, erection and/or re-erection of a building, change of user etc. as well as to the design, construction or reconstruction of, and additions and alteration to a building. These Regulations shall also apply to any revision of the development permissions/building permissions granted earlier under any Development Control Regulations. Further, these Regulations shall apply to development work defined in Regulation No. 3.2 to 3.6.

#### 3.2 **Development of sites or/and subdivision or amalgamation of land:-**

Where land is to be developed, subdivided, or two or more plots are to be amalgamated, or a layout is to be prepared; these Regulations shall apply to the entire area under development, subdivision, amalgamation and layout. Provided that, where part of an existing lay-out / sub-division plan is being altered, these Regulations shall apply only to that part which is being altered without adversely affecting the requirements of layout roads, recreational open space etc. of the earlier sanctioned layout.

#### 3.3 **Construction / Part Construction -**

Where the whole or part of a building is demolished or altered or reconstructed, removed, except where otherwise specifically stipulated, or part is proposed to be newly constructed or revised, these Regulations apply only to the extent of the work involved.

#### 3.4 **Change of Occupancy / User:-**

Where the occupancy or the user of a building is changed, except where otherwise specifically stipulated, these Regulations shall apply to all parts of the building affected by the change.

#### 3.5 **Reconstruction -**

The reconstruction, in whole or part of a building which has ceased to exist due to an accidental fire, natural collapse or demolition, having been declared unsafe, or which is likely to be

demolished by or under an order of the Municipal Corporation and for which the necessary certificate has been given by the said Municipal Corporation, shall be allowed subject to the provisions in these Regulations.

### 3.6 Revised permission –

Any development permission granted earlier may be revised. While granting the revised permission, the approved plans and commencement certificate of the earlier permission with the owner and office, shall be stamped as ‘CANCELLED’ by the Authority.

## 4.0 INTERPRETATION

- 4.1 In these Regulations, the use of present tense includes the future tense, the masculine gender includes the feminine and the neutral, the singular number includes the plural and the plural includes the singular. The word "person" includes a corporation/company, "writing" includes "printing and typing" and "signature" includes thumb impression made by a person who cannot write if his name is written near such thumb impression or digital signature in case of e submissions.
- 4.2 Whenever sizes and dimensions of rooms and spaces within buildings are specified, they shall mean clear dimensions unless otherwise specified in these Regulations. However, sizes and dimensions may not be disputed with reference to finished/unfinished surfaces unless it differs overall dimensions of the building.

## 5.0 DEVELOPMENT PERMISSION AND COMMENCEMENT CERTIFICATE

- a) No person shall carry out any development work in contravention of the development plan proposals.
- b) No person shall carry out any development work including development of land by laying out into suitable plots and amalgamation of plots or development of any land as group housing scheme or to erect, re-erect or make alterations or demolish any building or cause the same to be done without first obtaining a separate building permit / commencement certificate for each such development work / building from the Metropolitan Commissioner.
- c) No temporary construction shall be carried out without obtaining prior approval of the Metropolitan Commissioner, which may be granted subject to such conditions as may be deemed necessary by him. However, temporary site office/watchman cabin/labour- material shed/toilet may be constructed without permission after the development permission is granted. These temporary constructions shall be removed after the completion of construction under development permission.

## 6.0 PROCEDURE FOR OBTAINING BUILDING PERMISSION AND COMMENCEMENT CERTIFICATE

- 6.1 **Application/ notice:** Every person who intends to carry out development and erect, re-erect or make alterations in any place in a building or demolish any building, shall give notice/submit application in writing through registered Architect/ Engineer/Structural Engineer/ Supervisor shall be registered / licensed to the Authority of his said intention in the prescribed form (See Appendix A1 or A2 ) and such notice /application shall be accompanied by the following requirements and plans wherever necessary.

Minimum four copies of plans and statements shall be made available along with the notice. In case of building schemes, where clearance is required from other agencies like Fire Services and other, number of copies of plans required shall be as decided by the Metropolitan

Commissioner. The plans may be submitted in the form of soft copy as may be specified by the Metropolitan Commissioner from time to time.

## 6.2 Information accompanying notice / application

### 6.2.1 Ownership title and area: -

Every application for development permission and commencement certificate shall be accompanied with the following documents for verifying the ownership and area etc. of the land.

- i) Latest 7/12 extracts or property register card of a date not more than six months prior to the date of submission. Attested copy of original registered sale / lease – deed, if required. A copy of power of attorney, wherever applicable.
- ii) A certified copy of the Measurement Plan of the property under 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 Commissioner.
- iv) Any other document prescribed by the Metropolitan Commissioner.
- v) Wherever third party interest is created by way of agreement to sale or mortgage etc. the registered consent of such interested persons shall be submitted with the application.
- vi) A certified copy of approved sub-division / amalgamation / layout of land from the concerned authority.
- vii) In case of land leased by the Government or local authorities, no objection certificate of Government or such authorities shall be obtained if there is deviation from lease conditions and shall be attached to the application for development permission in respect of such land.

### 6.2.2 Plans to be submitted along with application / Notice

**a) Key Plan or Location Plan:-**The key plan drawn to a scale of not less than 1:10000 shall be submitted along with the application for a building permit and Commencement Certificate showing the boundary and locations of the site with respect to neighbourhood landmarks or with respect to the area within a radius of 200 meters from the site whichever is more

**b) Site Plan:** -The site plan shall be submitted with an application for building permission drawn to a scale of 1:500 or more. This plan shall be based on the measurement plan duly authenticated by the appropriate officer of the Department of Land Records. This plan shall have following details-

- i) The boundaries of the site and of any contiguous land belonging to the neighbouring owners;
- ii) The position of the site in relation to neighbouring streets ;
- iii) The name of the street, if any, from which the building is proposed to derive access;
- iv) All existing buildings contained in the site with their names (where the buildings are given names);
- v) The position of the building and of other buildings, if any, which the applicant intends to erect, upon his contiguous land referred to in (i) above in relation to;
  - a) The boundaries of the site and, in a case where the site has been partitioned, the boundaries of the portions owned by others;



- b) All adjacent streets, buildings (with number of storeys and height) and premises within a distance of 12 m. of the work site and of the contiguous land (if any) referred to in (i),
- vi) The means of access from the street to the building and to all other buildings (if any) which the applicant intends to erect upon.
  - vii) The space to be left around the building to secure free circulation of air, admission of light and access.
  - viii) The width of the street (if any) in front and the street (if any) at the side or near the building, including proposed roads;
  - ix) The direction of the north line relative to the plan of the building;
  - x) Any existing physical features, such as wells, tanks, drains, pipe lines, high tension line, railway line, trees, etc.;
  - xi) The ground area of the whole property and the break-up of the covered area on each floor;
  - xii) A plan indicating parking spaces as required and provided under these Regulations;
  - xiii) Overhead electric supply lines, if any, including space for electrical transformer / substation according to the requirements of the electric distribution company,
  - xiv) Any water course existing on site;
  - xv) Existing alignments of water supply and drainage line;
  - xvi) Such other particulars as may be prescribed by the Metropolitan Commissioner.

**c) Sub - Division/ Layout Plan:-** In the case of development of land, the notice shall be accompanied by the sub -division/ layout plan which shall be drawn to a scale of not less than 1 : 500, however, for layout having areas 4.0 ha. and above, the plan shall be drawn at a scale of not less than 1:1000, **containing** the following:-

- (a) Scale used and north point;
- (b) The location of all proposed and existing roads with their existing /proposed widths within the land;
- (c) Dimension of plots;
- (d) The location of drains, sewers, public facilities and services, electrical lines, natural watercourses, water bodies and streams etc.
- (e) Table indicating size, area and use of all plots in the sub-division/ layout plan;
- (f) The statement indicating the total area of the site, area utilized under roads, recreational open spaces, amenity spaces, playground, recreation spaces and development plan reservations/roads, schools, shopping and other public places along with their percentage with reference to the total area of the site proposed to be sub-divided / laid out;
- (g) In case of plots which are sub-divided in built-up areas, in addition to the above, the means of access to the sub-division from existing streets;
- (h) Contour plan of site, wherever necessary.

**d) Amalgamation Plan:-**Where two or more plots / holdings are to be amalgamated, plan showing such amalgamation drawn to a scale not less than 1:500. Instead of submitting a separate plan, such amalgamation may be allowed to be shown on building / layout-plan itself. However, 7/12 extract or property card of amalgamated plot shall be submitted before occupation certificate.

**e) Service Plan:-** Plans, elevations and sections of water / grey-water supply, sewage disposal system and details of building services, where required by the Metropolitan Commissioner, shall be made available to a scale not less than 1:100 and for layouts 1:1000.

**f) Building plan:-**The plans of the building with elevations and accompanying the notice/application shall be drawn to a scale of 1: 100 or more and shall;

- i) include floor plans of all floors together with the built-up /covered area clearly indicating the sizes of rooms and the position and width of staircases, ramps and other exit ways, lift wells, lift machine room and lift pit details. It shall also include ground floor plan as well as basement plan and shall indicate the details of parking space and loading and unloading spaces provided around and within the building as also the access ways and the appurtenant open spaces with projections in dotted lines, distance from any building existing on the plot in figured dimensions along with accessory building ;
- ii) show the carpet area of every flat or shop or any unit.
- iii) show the use or occupancy of all parts of the buildings;
- vi) show exact location of essential services, such as water closet (W.C.), bath, sink and the like;
- v) include sectional drawings showing clearly the size of the footings, thickness of basement wall, wall construction size and spacing of framing members, floors, slabs, roof slabs with the materials. The section shall indicate the height of the building, rooms and parapet, drainage and slope of the roof. At least one section should be taken through the staircase provided further that the structure plan giving details of all structural elements and materials used along with structural calculations shall be submitted separately but in any circumstances before the issue of the building permit or commencement certificate;
- vi) include sectional drawings of the building showing all sectional details including staircase.
- vii) show all street elevations.
- viii) give dimensions of the projected portion beyond the permissible building line.
- ix) include terrace plan indicating the drainage and the slope of the roof.
- x) give indication of the north line relative to the plan.
- xi) give dimensions and details of doors, windows and ventilators.
- xii) give such other particulars as may be required to explain the proposal.

**g) Building Plans for Special Buildings:-** For

- (i) multi-storeyed buildings which are more than 16 mt height; or
- (ii) special buildings like educational, assembly, mercantile, institutional, public and semi-public, industrial, storage and hazardous having area more than 500 sq. m. on each floor; or
- (iii) buildings with mixed occupancies with any of the aforesaid occupancies mentioned in (ii) above, having built-up area more than 500 sq. m. on each floor;

**The following additional information shall be furnished / indicated on the Building Plans in addition to the items (i) to (xii) of Regulation No. 6.2.2.(f)**

- (a) access to fire appliances/vehicles with details of vehicular turning circle and clear motor able access way around the building except front margin, which should be of atleast 6 mtr. or as decided by Metropolitan Commissioner in consultation with the fire officer (whichever is more);

- (b) size (width) of main and alternate staircases, wherever necessary as per Regulation 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, service duct, etc.;
- (g) vehicular parking spaces;
- (h) refuge area, if any;
- (i) details of Building Services:- Air-conditioning system with position of fire dampers, mechanical ventilation system, electrical services, boilers, gas pipes etc.,
- (j) details of exits including provision of ramps, etc. for hospitals and buildings requiring special fire protection measures,
- (k) location of generator, transformer and switch gear room;
- (l) smoke exhauster system, if any;
- (m) details of fire alarm system network;
- (n) location of centralized control, connecting all fire alarm systems, built in fire protection arrangements and public address system etc.
- (o) location and dimensions of static water storage tank and pump room alongwith fire service inlets for mobile pump and water storage tank;
- (p) location and details of fixed fire protection installations such as sprinklers, wet risers, hose reels, drenchers, Co2 installation etc.;
- (q) location and details of first aid, fire-fighting equipments /installations'
- (r) certificate of structural engineer about structural and earth-quake safety;

**Provided further that the provision of fire escape staircase shall be made as per regulation no 41.25.7.**

### 6.2.3 **Fees and Charges:**

**a) Building/ layout permission/Scrutiny Fee:-** The notice shall be accompanied by an attested copy of receipt of payment of Building/ layout permission. Application Fee. These fees shall be as decided by the Metropolitan Commissioner from time to time subject to Government orders, if any. Such fee shall be increased by 5 % per year. Provided that, such fees shall not be applicable for the development proposals implemented by Government / Government departments or Public Authorities of State or Central Government.

**b) Security Deposit Fee:-** For ensuring the faithful compliance of regulations and the directions given in the sanctioned plan and other terms and conditions, a security fee shall be charged at rates as specified by the Metropolitan Commissioner. The same shall be returned to the owner after the issue of the full occupancy certificate for the building by the Metropolitan Commissioner.

**c) Development Charges:-**Development charges as required under Section 124 A of the Maharashtra Regional and Town Planning Act, 1966 shall be deposited with the Authority before issue of development permission/commencement certificate. In case of revised permission, where no development is carried out in pursuance of the earlier permission, amount of difference of development charges, if any, shall be levied and recovered. In case of revised permission, where development is commenced in pursuance of earlier permission, development charges shall be levied on the land and built-up area, over and above the area covered in the earlier permission.

**d) Premium Charges:** -Premium charges as may be required to be recovered under these regulations shall be paid to the Planning Authority before issue of development permission / commencement certificate. The amount of premium collected shall be kept in a separate account and it shall be utilised for development of civic amenities and infrastructure.

**e) Tax receipt for tax clearance:** -The notice shall also be accompanied by the attested copy of a tax receipt from the Assessment Department of the Authority for payment of Tax up to date.

#### 6.2.4 Clearances from Other Departments:-

In case of development / construction of buildings requiring clearance from the authorities like Civil Aviation Authority, Railways, Directorate of Industries, Maharashtra Pollution Control Board, District Magistrate, Inspectorate of Boilers and Smoke Nuisance, Defence Department, Maharashtra Coastal Zone Management Authority, Archaeological Department etc, the relevant no objection certificates from these authorities, applicable to the occupancy, shall also accompany the application.

In case of building identified in **Regulation No.6.2.2.(g)** the building scheme shall also be cleared by the Fire Officer of the Authority or in absence of Chief Fire officer from the Nagpur Municipal Corporation.

#### 6.2.5 Supervision

The notice /application shall be further accompanied by a certificate of supervision in the prescribed form as given in Appendix B, by a licensed Architect/ Engineer/ Structural Engineer, as the case may be. In the event of the said licensed technical personnel ceasing to be employed for the development work, further development work shall stand suspended till a new licensed technical person is appointed.

#### 6.3 a) Size of drawing sheets and colouring of plans.

The size of drawing sheets shall be any of those specified in **Table No. 1.**

TABLE NO. 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

i) If necessary, submission of plans on sheets bigger than A0 size is also permissible.

ii) All dimensions on plans shall be indicated only in metric units.

**b) Colouring Notations for Plans :**

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

<b>TABLE NO. 2</b>					
<b>COLOURING OF PLANS</b>					
S. No.	Item	Site Plan		Building Plan	
		White Plan	Ammonia Print	White Plan	Ammonia Print
(1)	(2)	(3)	(4)	(5)	(6)
1	Plot lines	Thick Black	Thick Black	Thick Black	Thick Black
2	Existing street	Green	Green	.....	.....
3	Future street, if any	Green dotted	Green dotted	.....	.....
4	Permissible building lines	Thick dotted black	Thick dotted Black	.....	.....
5	Existing work	Black (Outline)	Blue	Black	Blue
6	Work proposed to be demolished	Yellow Hatched	Yellow Hatched	Yellow Hatched	Yellow Hatched
7	Proposed work	Red (Outline)	Red	Red	Red
8	Drainage & Sewerage work	Red dotted	Red dotted	Red dotted	Red dotted
9	Water supply work	Black dotted thin	Black dotted thin	Black dotted thin	Black dotted thin
10	Deviations from sanctioned plan	Red hatched	Red hatched	Red hatched	Red hatched
11	Recreation ground	Green wash	Green wash	Green wash	Green wash
<b>Note-</b> For land development/sub-division/layout/building plan, suitable colouring notations shall be used which shall be indexed.					

6.4 **Signing of the Plan** – All the plans shall be duly signed by the owner, co-owner, if any, and the Architect or Licensed Engineer / Structural Engineer / Supervisor and shall indicate his name, address and license number allotted by the Metropolitan Commissioner.

- 6.5 **Qualification and Competence of the Architect / Licensed Engineer / Structural Engineer/ Supervisor:** Architect/ Engineer/Structural Engineer/ Supervisor shall be registered / licensed by the Commissioner as competent to plan and carry out various works as given in **Appendix- C**. The qualification and procedure for registration and licensing of the Engineer / Structural Engineer / Supervisor / shall be as given in **Appendix- C**. Architects registered with council of architecture shall not be required to register with the Authority.

## 7.0 GRANT OR REFUSAL OF PERMISSION

- i) After receipt of the notice/ application as mentioned in Regulation No.6.1 above, the Authority may either sanction or refuse the plans or may sanction them with such modifications or directions as it may deem necessary after having recovered the necessary charges and there upon shall communicate its decision to the person giving the notice in the prescribed form given in Appendix D1/ D2/ D3 and E1/ E2 as the case may be within the time limit prescribed in the Act.
- ii) The building plans for buildings identified in Regulation no.6.2.2.g shall also be subject to the scrutiny of the Chief Fire Officer, of the Authority and the sanction / development permission shall be issued by the Metropolitan Commissioner after the clearance from the Chief Fire Officer of the Authority. In absence of such Officer, the clearance from the Chief Fire Officer of Nagpur Municipal Corporation shall be obtained.
- iii) In case of land subdivision or plotted layout, tentative layout shall be approved for demarcation at first instance. After having demarcated the layout by the Land Records Department, the owner shall submit the demarcated layout for final approval to the Metropolitan Commissioner and the Metropolitan Commissioner shall examine the provision laid down in Regulation No.9.0 (ii) and grant final approval if it is in accordance with the tentative layout approved for demarcation or with minor changes confirming to the regulations. This shall also be mandatory to Group Housing Scheme/ Education Campus Planning or similar type of development where roads in the adjoining layouts/ Development Plan roads are to be coordinated and/or amenity space is to be earmarked. In other circumstances, it shall not be necessary.
- iv) After the plan has been scrutinized and objections have been pointed out, the owner giving notice shall modify the plan, comply with the objections raised and resubmit it. The prints of plans submitted for final approval, shall not contain superimposed corrections. The authority shall grant or refuse the commencement certificate / building permit within 60 days from the date of resubmission. No new objections may generally be raised when they are resubmitted after compliance of earlier objections, except in circumstances to be quoted for additional compliances.

- 7.1 **Approval of building permission on Risk Based Classification** - Notwithstanding Anything Contains in this DCPR, the Regulations Regarding Approval Of Building Permission by the Architect /L.S./Engineer at the Stage of Commencement , Plinth Checking and Completion cum Occupancy shall be as per Risk Based Classification of Building given in **Annexure-N**.

## 8.0 DEEMED PERMISSION

If within sixty (60) days of receipt of the notice, along with necessary fees/ deposit under the regulations, the Authority fails to intimate in writing to the person, who has given the notice; of its refusal or sanction or sanction with such modifications or directions, the notice with its plans and statements shall be deemed to have been sanctioned, provided nothing shall be construed to authorise any person to do anything on the site of the work in contravention or against the terms of lease or titles of the land.

Provided further that, the development proposal, for which the permission was applied for, is strictly in conformity with the requirements of provisions of these regulations, or regulations framed in this behalf under any law for the time being in force and the same in no way violates either provisions of any draft or final plan or proposals published by means of notice, submitted for sanction under the Act.

Provided further that, any development carried out in pursuance of such deemed permission which is in contravention of the provisions mentioned above, shall be deemed to be an unauthorized development for purposes of Sections 52 to 57 of the Maharashtra Regional and Town Planning Act, 1966 and other relevant Acts.

Provided further that, upon receipt of intimation of any claim for deemed permission, the Metropolitan Commissioner shall within fifteen days from the date of receipt of such claim, communicate its remarks, if any, regarding deemed permission to the applicant, failing which, the proposal shall be approved and commencement certificate and one set of duly approved plans for proposed development shall be issued to the applicant within fifteen days thereafter.

Provided further that, necessary explanation shall be called from the concerned officer of the Authority for not processing and disposing of the proposal within 60 days.

## 9.0 COMMENCEMENT OF WORK & EXTENSION OF PERIOD OF PERMISSION

i) The Commencement certificate/development permission shall remain valid for 4 years in the aggregate but shall have to be renewed every year from the date of its issue. The application for renewal shall be made before expiry of one year if the work is not already commenced. Such renewal can be done for three consecutive terms of one year after which proposals shall have to be submitted to obtain development permission afresh. If application for renewal is made after expiry of the stipulated period during which commencement certificate is valid, then the Metropolitan Commissioner may condone the delay for submission of application for renewal by charging necessary fees; but in any case, commencement certificate shall not be renewed **beyond** 4 years from the date of commencement certificate/ development permission. Provided that no such renewal shall be necessary if the work is commenced within the period of valid permission.

ii) For the purpose of this regulation, "**Commencement**" shall mean as under:-

For a building work including additions and alterations	Construction of basement upto ground level slab or construction of building at plinth level, whichever is minimum.
For bridges and overhead tanks construction	Foundation and work up to the base floor under ground floor.
For underground works/	Foundation and work upto floor level of underground floor.
For layout, sub-division and amalgamation	Final demarcation and provision of water bound macadam roads complete.

iii) In case of land subdivision / group housing schemes, it shall be the responsibility of the owner /developer to construct all infrastructure including roads with asphaltting, storm water drains, sewer lines, water supply lines, development of recreational open spaces etc. In case of land subdivision, these works shall generally be completed within two years and phase wise building permission shall be granted depending upon the percentage of infrastructure work completed. The layout plots should be released for construction in stages according to infrastructure work completed. The condition to that effect shall be incorporated in the commencement certificate. In case of group housing scheme, these works shall be completed before completion of the project and occupancy certificate shall be granted phase wise as per completion of infrastructure work.

Only after handing over roads and infrastructure to the corporation after completion of scheme, the responsibility of maintenance shall lie with the corporation in such cases these roads shall be treated as public road. Otherwise internal roads and infrastructures in the group housing scheme shall be maintained by the owner / society.

## **10.0 PROCEDURE DURING CONSTRUCTION:-**

### **10.1 Owner / Architect / Developer / Engineer / Structural Engineer / Supervisor or any licensed Technical persons' liability:-**

Neither granting of the development permission nor the approval of the drawings and specifications, nor the inspections, made by the Commissioner during erection of the building shall, in any way relieve the Owner / Architect / Developer / Engineer / Structural Engineer / Supervisor or any licensed technical person, of such building from full responsibility for carrying out the work in accordance with the requirements of these regulations. Every owner shall, Permit the Authority to enter the building or premises for which the permission has been granted at any reasonable time for the purpose of enforcing these Regulations.

### **10.2 Documents at Site:**

- i) **Development Permission:-**The Person to whom development permission is issued shall, during construction, keep;
  - a) Posted in a conspicuous place, on the site in respect of which the permission is issued, a copy of the Development permissions and
  - b) A copy of the approved drawings and specifications referred to in Regulation no.7.0 on the site in respect of which the development permission was issued.
- ii) Display board mentioning name of the owner, name of architects, name of structural engineer, details as per approved plan, except for small individual plot holders

### **10.3 Checking of plinth, columns upto plinth level-** The owner through his licensed surveyor, engineer, structural engineer or supervisor or his architect, as the case may be, shall give notice in the form of **Appendix-F** to the Metropolitan Commissioner on completion of work upto plinth level and where there is no plinth, construction above general ground level upto 0.60 m. to enable and ensure that the work conforms to the sanctioned plans. The Metropolitan Commissioner may inspect the work jointly with the licensed technical personnel or architect within 15 (fifteen) days from the receipt of such notice and either **grant** or **refuse** permission for further construction as per the sanctioned plans in the form in **Appendix -G**. If within this period, the permission is not refused it shall be deemed to have been granted, provided the work is carried out **strictly** according to the sanctioned plans.

### **10.4 Deviation during constructions:-**If during construction of a building any deviation of a substantial nature from the sanctioned plans is intended by way of internal or external additions, sanction of the Metropolitan Commissioner shall be necessary. A revised plan showing such deviation shall be submitted and the procedure laid down for the original plans shall apply to all such amended plans. Any work done in contravention of the sanctioned plans, without prior approval of the Metropolitan Commissioner shall be deemed as unauthorized. However, any changes made within the internal layout of a residential or commercial unit, which do not violate FSI or other regulations, shall not be treated as unauthorised. Such changes shall be incorporated in plan along with completion certificate.



10.5 **Completion certificate:-**The owner through his licensed surveyor / engineer / structural engineer/ supervisor or his architect, as the case may be, who has supervised the construction, shall furnish a building completion certificate to the Metropolitan Commissioner in the form in **Appendix-H** This certificate shall be accompanied by three sets of plans of the completed development

10.6 **Occupancy certificate:-**The Metropolitan Commissioner after inspection of the work and after satisfying himself that there is no deviation from the sanctioned plans, issue an occupancy certificate in the form in **Appendix-I** or refuse to sanction the occupancy certificate in **Appendix - J** within 21 days from the date of receipt of the said completion certificate, failing which the work shall be deemed to have been approved for occupation, provided the construction conforms to the sanctioned plans. One set of plans, certified by the Metropolitan Commissioner, shall be returned to the owner alongwith the occupancy certificate. Where the occupancy certificate is refused or rejected, the reasons for refusal or rejection shall be given in intimation of the rejection or the refusal

In case of building identified in Regulation No.6.2.2.g, the occupancy certificate shall be issued by the Metropolitan Commissioner, only after the clearance from the Chief Fire Officer, regarding the completion of the work from fire protection point of view.

10.7 **Part occupancy certificate:-** When requested by the holder of the development permission, the Commissioner may issue a part 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 to ensure public safety and health. The occupancy certificate shall be subject to the owners indemnifying the Metropolitan Commissioner in the form in **Appendix- K**

#### 11.0 **Inspection:-**

The Metropolitan Commissioner shall have the power to carry out inspection of the work under the provisions of the Act, at various stages to ascertain whether the work is proceeding as per the provisions of regulations and sanctioned plan.

#### 12.0 **Unsafe Buildings:-**

All unsafe buildings shall be considered to constitute danger to public safety and hygiene and sanitation and shall be restored by repairs or demolished or dealt with as otherwise directed by the Metropolitan Commissioner. The redevelopment of such building shall be as per provisions mentioned in these regulations.

#### 13.0 **Revocation of Permission:-**

a) Without prejudice to the powers of revocation conferred by Section 51 of the Maharashtra Regional and Town Planning Act, 1966, the Metropolitan Commissioner may, after giving the opportunity of being heard, revoke any development permission issued under these regulations where it is noticed by him that there had been any false statement or any misrepresentation of material fact in the application on the basis of which the development permission was issued and thereupon the whole work carried out in pursuance of such permission shall be treated as unauthorized.

b) In the case of revocation of the permission under above Regulation No.13.0 (a), no compensation shall be payable.

#### 14.0 Development undertaken on behalf of Government :-

As per the provisions of Section 58 of The Maharashtra Regional and Town Planning Act, 1966 the office in-charge of the Government Department shall inform in writing to the Authority of the intention to carry out its purpose along with details of such development or construction as specified below :-

- a) An official letter by the authorized officer of Government Department addressed to the Authority, giving full particulars of the development work or any operational construction.
- b) Ownership document and measurement plan issued by the Competent Authority of Land Records Department.
- c) Development / building plans conforming to the provisions of Development Plan and these Regulations for the proposed development work to the scale specified in these Regulations.
- d) The proposals of the Development Plan or Town Planning Scheme affecting the land.
- e) A Site Plan (in required no of copies) of the area proposed to be developed to the scale.
- f) Detailed plan (of required copies) showing the plan, sections and elevations of the proposed development work to the scale ,including existing building specifying either to be retained or to be demolished.

#### 15.0 Items of operational construction by some authorities to be excluded:

Construction for operational purpose, including maintenance of operational structures, by the following organizations, authorities or departments, whether temporary or permanent, may be exempted by the special permission of Commissioner in each case from the purview of these Regulations, except those relating to floor space index and fire precautions:

- a) Railway;
- b) National Highway;
- c) National Waterway;
- d) Airway and Aerodromes and Major Ports
- e) Posts and Telegraphs, Telephones, Wireless, Broadcasting and other like forms of Communication;
- f) Regional grid for electricity;
- g) Defence Authorities and
- h) Any other services which the State Government may, if it is of opinion that the operation, maintenance, development for execution of such services are essential to the life of the community, by notification in the Official Gazette, declare to be a service for the purpose of this regulation.

All such constructions shall, however, conform to the prescribed requirements for the provision of essential services, water supply connections, drains, etc. to the satisfaction of the Commissioner.

However, the following constructions of the Government Departments do not come under the purview of operational construction for the purpose of exemption.

- i) 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 case of railways; and
- ii) A new building, new construction or new installation or any extension thereof, in case of any other services.

However, no permission shall be necessary for the following works:-

- i) The carrying out of works in compliance with any order or direction made by any authority under any law for the time being in force.
- ii) The carrying out of work by any Authority in exercise of its powers under any law for time being in force.
- iii) The carrying out of any works by the Central or State Government or any local authority
  - a) required for the maintenance or improvement of highway, road or public street, works being carried out on land within the boundaries of such highway, road or public street;
  - b) required the purpose of inspecting, repairing or renewing any drains, sewers mains, pipes, cable, telephone or cables, or any other apparatus including the breaking open of any street, or other land for the purpose.

*Provided that*, the concerned authority shall inform the local authority, in writing, one month before carrying out such development.

- iv) For the excavation (including wells) made in the ordinary course of agricultural operation.
- v) For the construction of a road intended to give access to land solely for agricultural purpose.
- vi) For normal use of land which has been used temporarily for other purposes like marriage pandals or for festive occasions; and
- vii) In case of land, normally used for one purpose and occasionally used for any other purpose, such occasional use of land for that other purpose.

## **16.0 DISCRETIONARY POWERS -**

### **16.1 Interpretation -**

In conformity with the intent and spirit of these regulations, the Metropolitan Commissioner may,

- i) Decide on matters where it is alleged that there is an error in any order, requirement decision, and determination on interpretation made by him or officer authorised by him in the application of these regulations.
- ii) determine and establish the location of zonal boundaries in exceptional cases, or in cases of doubt or controversy;
- iii) decide boundaries of the survey number shown on development plan if it varies with the boundaries as per revenue record/ measurement plan/ city survey sheets without affecting the development plan proposals.
- iv) decide the alignment of development plan road, where the street layout actually on the ground or as per acquisition proposal varies from the street layout as shown on the Development Plan;
- v) decide the alignment of blue and red flood line on development plan where it varies with the said lines given by the irrigation department from time to time;
- vi) authorise erection of a building or use of premises for a public service undertaking for public utility purposes only, where he finds such authorisation to be reasonably necessary for the public convenience and welfare, even if it is not permitted in any Land Use Classification,
- vii) Modify the limit of a zone where the boundary line of the zone divide the plot. In such cases, the zone over the larger portion of the plot having area more than 50 percent shall be considered.

### **16.2 Relaxation in specific cases -**

In specific cases, where a clearly demonstrable hardship is caused, the Metropolitan Commissioner may-

Permit any of the dimensions / provision 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 buildings and the neighbourhood. However, no relaxation for the front setback required from the road boundary or F.S.I. or parking requirements shall be granted under any circumstances. While granting relaxation/permission, conditions may be imposed on size, cost or duration of the structure, abrogation of claim of compensation, payment of deposit and its forfeiture for noncompliance and payment of premium, as may be prescribed by the Metropolitan Commissioner.

**16.3 Delegation of Powers** - Except the discretionary powers, and where the Metropolitan Commissioner's special permission is expressly stipulated, the powers or functions vested in him by these Regulations may be delegated to any official under his control, subject to his revision if necessary and to such conditions and limitations, if any, as he may prescribe

#### **17.0 TEMPORARY CONSTRUCTION:**

The Commissioner may grant permission for temporary construction for a period not exceeding six months at a time, in the aggregate not exceeding for a period of one year. Such permission may be given by him for the construction of the following:-

- a) Structures for protection from the rain or covering of the terraces during the monsoon only.
- b) Pandals/Shamiyanas for fairs, ceremonies, and religious function etc.:
- c) Structures for godowns / storage of construction materials within the site.
- d) Structure for exhibitions / circuses etc.
- e) Structures for storage of machinery, before installation, for factories in industrial lands within the site.
- f) Structures for ancillary works for quarrying operation in conforming zones.
- g) MAFFCO stalls, milk booths, telephone booths and ATM centres.
- h) Transit accommodation for persons to be rehabilitated in a new construction.
- i) Structures for educational and medical facilities within the site of the proposed building during the phase of planning and constructing the said permanent buildings.
- j) Ready mix concrete plant.
- k) Temporary site offices, and watchman chowkies within the site only during the phase of construction of the main building.

**Provided that** temporary constructions for structures etc. mentioned at (c), (e), (h), (i), (j) and (k) may be permitted to be continued temporarily by the Commissioner but in any case not beyond completion of construction of the main structure or building, and that structure in (f) and (g) may be continued on annual renewable basis by the Commissioner beyond a period of **one** year. Provided further that approval of Fire Officer of the authority shall be obtained wherever necessary

#### **18.0 UNAUTHORISED DEVELOPMENT - LAIBILITY FOR OFFENCES AND PENALTIES:**

Any person who contravene any of the provisions of these regulations / 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 guilty of an offence and upon conviction shall:

- a) be punished with a fine as fixed by the Commissioner and as stipulated in Section 52 of The Maharashtra Regional and Town Planning Act, 1966;
- b) further the Metropolitan Commissioner may take suitable actions including demolition of unauthorised works as decided by the Metropolitan Commissioner as stipulated under Section 53 of the Maharashtra Regional and Town Planning Act, 1966;
- c) in case of Licensed Engineer / Structural Engineer / Supervisor /Builder/developer, the Commissioner may take suitable action against him which may include cancellation of license and debarring him from further practice / business for a period as decided by the Commissioner;
- d) in case of registered architects, the Metropolitan Commissioner may report to the Council of Architecture to take suitable action against the Registered Architect as per the provisions of Architect Act, 1972

#### **19.0 AMENDMENT TO APPENDICES**

The Metropolitan Commissioner may amend the Appendices A to K (except Appendix C) in these regulations, as and when necessary.

- 20.0 PROVISIONS OF NBC** - Any aspect not covered in these regulations or in particular the planning, design and construction of building and its appurtenant services shall be done to the satisfaction of Metropolitan Commissioner. The NBC shall be reference document for conformity regarding the various aspects. The latest version to the NBC shall be referred at the time of enforcement of these regulations

#### **21.0 CLARIFICATION**

If any question or dispute arises with regards to interpretation of any of these regulations, the matter shall be referred to the Director of Town Planning, Maharashtra State, who after considering the matter and after giving hearing to the parties, if necessary, shall give a decision on the interpretation of the provisions of these Regulations. The decision of the Director of Town Planning, Maharashtra State, on the interpretation of these Regulations, shall be final and binding on the concerned party or parties.

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**PART II**  
**GENERAL LAND DEVELOPMENT REQUIREMENTS**

**22.0 REQUIREMENTS OF SITES -**

**22.1 A) SITES NOT ELIGIBLE FOR CONSTRUCTION OF BUILDING:-**

**No piece of land shall be used as a site for the construction of building,**

a) if the Authority considers that the site is insanitary, incapable of being well drained or it is dangerous to construct a building on it;

b) if the site is within a distance of 6 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, water body) shown on Development Plan or village/city survey map or otherwise, provided that where a minor water course passes through a low lying land without any well-defined banks, the owner of the property may be permitted by the Commissioner to restrict and or to re-align the same within the same land, along with cross section as determined by the Metropolitan Commissioner without changing the position of the inlet and outlet of the water course. In such case marginal open space shall be atleast 4.50 m. from the edge of the trained nala.

Notwithstanding anything contained hereinabove, the Metropolitan Commissioner shall be entitled to take cognizance of the existence of all water courses whether shown on the Development Plan or not, while sanctioning layouts and no person shall take any action without the permission of the Commissioner which results in reducing the water way or closing or filling up of any existing water course. If any watercourse, whether shown in the Development Plan/Revenue Record or not, but existing on the site/land, owned by private person, the area under such water course shall not be deducted for computation of FSI.

c) if the owner of the building has not proposed appropriate measures required to safeguard the construction from constantly getting damp to the satisfaction of the Metropolitan Commissioner.

d) if the use of the site is for the purpose, which in the opinion of the Metropolitan Commissioner will be a source of annoyance to the health and comfort of the inhabitants of the neighbourhood;

e) if the proposed occupancy of the building on the site does not conform to the land use proposals in the development plans or Zoning Regulations,

f) if the level of the site is less than prescribed datum level depending on topography and drainage aspects.

g) if it doesn't derive access from an authorised street/means of access described in these Regulations,

h) if it is within the river/lake boundary and blue flood line of the river (prohibitive zone), unless otherwise specified

i) if the site is not developable in view of provisions of Coastal Regulation Zone, as per Notification Dt. 06/01/2011, as may be amended from time to time.

j) if the site is not developable by virtue of restrictions imposed under any law or guidelines of any Government Department.

k) if the site is hilly and having gradient more than 1:5.

1) If the site is not developable / buildable by virtue of restrictions imposed under any law or guidelines of any Government department.

## 22.2 Distance of site from Electric Lines:

No structure including veranda or balcony shall be allowed to be erected or re-erected or any additions or alterations made to a building on a site within the distance quoted in Table No. 3 below in accordance with the prevailing Indian Electricity Rules and its amendments from time to time between the building and any overhead electric supply line

<b>Table No. 3</b>		
<b>Voltage Lines</b>	<b>Vertically(Meters)</b>	<b>Horizontally(Meters)</b>
Low and medium voltage Lines and service lines.	2.50	1.20
High voltage lines up to and including 33,000 V	3.70	2.00
Extra High voltage lines beyond 33,000 V	3.70	2.00
	(Plus 0.3 m. for every additional 33,000 V or part thereof)	
<b>Note-</b> The minimum clearance specified above shall be measured from maximum sag for vertical clearance and from maximum deflection due to wind pressure for horizontal clearance.		

## 22.3 Construction within blue and red flood line –

i) Area between the river bank and blue flood line (Flood line towards the river bank) shall be prohibited zone for any construction except parking, open vegetable market with otta type construction, garden, open space, cremation and burial ground, public toilet or like uses, provided the land is feasible for such development.

Provided further that redevelopment of the existing authorised properties within river bank and blue flood line, may be permitted at a height of 0.45 m. above red flood line level subject to NOC from Irrigation Department.

ii) Area between blue flood line and red flood line shall be restrictive zone for the purposes of construction. The construction within this area may be permitted at a height of 0.45 m. above the red flood line level.

iii) If the area between the river bank and blue flood line or red flood line forms the part of the entire plot in developable zone i.e. residential, commercial, public-semi-public, industrial, then, FSI of this part of land may be allowed to be utilised on remaining land.

iv) The blue and red flood line shown on the development plan shall stand modified as and when it is modified by the Irrigation Department for a stretch of water course. In such case it will be necessary to issue order to that effect by the Metropolitan Commissioner.

## 22.4 Development within 30 m. from Railway boundary

For any construction within 30 m. from railway boundary, No Objection Certificate from Railway Authority shall be necessary.

22.5 **Environmental Clearance** – Environmental Clearance shall be necessary and be submitted for the project as prescribed by the Ministry of Environment from time to time. The Regulation in respect of **Integration of Environmental condition in the building bye laws** to incorporate the environmental norms/ environmental safeguards to be adopted for all buildings and constructions having built up area 5000 Sq. mt. to 1,50,000 Sq. mt. notified by MoEF vide notification No.S.O.3999(E), dated 9<sup>th</sup> December, 2016 and the same was published under section 20(3) of the Act by the Government for sanctioned Regional Plan vide Notice No. **TPS-1816/CR-443/16/RP notice /UD-13, dated 13/04/2017** shall be applicable as and when finally approved by the Government.

22.6 (a) **Development Along Highways / Classified Roads**

The development along the highways shall be subject to the provisions of State Highways Act, 1965 and National Highway Act, 1956 and orders issued by Public Works Department in this regards, from time to time.

A service road of 12 m. wide shall be provided along State and National Highways on both sides. These service roads may not be provided in piecemeal where authorized development / construction have already taken place without the provisions of service road.

(b) **Width of roads to be considered while granting development permissions as mentioned in table given below:-**

Sr.No.	Category of Road	Width of Road	Remarks
1	2	3	4
1	National Highway	60 mt.	Width inclusive of 12 mt. service road on both side
2	State Highway	45 mt.	Width inclusive of 9 mt. service road on both side
4	Major Dist. Road	24 mt.	No service road required.
5	Other Dist. Road	18 mt.	No service road required.
6	Village Road	15 mt.	No service road required.
<p>Note:- 1) If the width of any existing road is more than what is specified in above table then the greater width shall prevail.</p> <p>2) The above widths of road are subject to vary according to guidelines or circulars issued by the respective department.</p>			

22.7 **Development within 500 M. From the Jail Premises.**

The development within 500 m. from the prison premises is restricted. However, it may be permitted with prior consent of the committee constituted in this regard vide government order no.UOR-81-2013-UD-11, Dated 4 December, 2013 and TPB-4315/146/CR-113/2015/UD-11, dated 6th august 2015. This provision shall be subject to the orders issued by the Government from time to time.



#### 22.8 **Distances from land fill sites.**

For any residential development, segregating distance from the land fill site shall be observed as specified under Solid Waste Management Rules in force from time to time or as specified by Competent Authority.

#### 22.9 **Restrictions in the vicinity of Airport**

Height restriction in the vicinity as well as the funnel of the Airport, as may be specified by the concerned authority from time to time, shall be observed.

#### 22.10 **Restrictions in the vicinity of Ancient Monuments**

Restrictions for Development in the vicinity of the declared monuments as prescribed under the Ancient Monuments and Archaeological Sites and Remains Act, 1960 and Maharashtra Ancient Monuments and Archaeological Sites and Remains Act, 1960 shall be observed.

#### 22.11 **Restrictions by Other Departments**

Restrictions imposed on any development by any other department of Government under the provisions of their Act shall be followed.

#### 22.12 **Authorities to supply complete Information to the Authority**

It is the duty of the concerned authority putting restrictions as per their respective legislations/ regulations/ rules to submit the full details of restrictions (including graded restriction, if any) along with the relevant map detailing restrictions to the Metropolitan Authority. In the interest of increasing ease of doing business, no individual applicant should be required to approach the concerned departments for NOC. However it is the duty of the applicant to ensure that restrictions informed by the authorities are followed scrupulously. The Metropolitan Commissioner shall ensure compliance of the restriction informed by the concerned authorities while sanctioning the development permission.

#### 23.0 **Means Of Access**

a) Every plot / building whether existing or proposed, shall have means of access as required in these Regulations.

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

### 24.0 **REGULATIONS FOR LAND SUB -DIVISION AND LAYOUT**

#### 24.1 **Obligation to Prepare Layout**

Building layout or Sub-division proposal shall be submitted for the following:

(i) When more than one building, excepting accessory buildings in the case of residential building, is proposed on any land, the owner of the land shall submit proposal for proper layout of building.

(ii) When development and redevelopment of any land which includes division and sub-division or amalgamation of plots for various land uses is proposed.

#### 24.2 **Roads/ streets in land subdivision or layout:-**

##### **A) For Residential Development -**

The plots shall abut on a public means of access like street / road. Minimum width of access / layout road / internal road in any development proposal / subdivision / group housing shall be as given in Table No.4.

<b>Table No.4 MEANS OF ACCESS</b>		
<b>Sr.no.</b>	<b>Length of Mean of Access in m.</b>	<b>Width of Means of Access in m.</b>
i	Upto 150	9.00
ii	Above 150 and upto300	12.00
iii	Above 300	15.00

**B) For Other than Residential Development -**

The minimum width of access / layout road / internal road in any development proposal other than residential (for commercial/industrial use) shall be as given in Table No. 4 (a).

**Means of Access For Other than Residential Development**

<b>Table No.4 (a) MEANS OF ACCESS</b>		
<b>Sr.no.</b>	<b>Length of Mean of Access in m.</b>	<b>Width of Means of Access in m.</b>
i	Upto 75	12
ii	75 to 150	15
iii	Above 150	18 or more

**Note - 1)** The means of access shall be clear of required marginal open spaces from the existing building line. In no case, development on plots shall be permitted unless it is accessible by the authorized public street existing prior to coming in to force of these Regulations or road from the layout sanctioned prior to these Regulations.

**Note - 2)** For layout or part of layout where plots of 50 sq.m. or less are proposed for Economical Weaker Sections (EWS), 4.5 wide road of length upto 60 m. and 6 m. wide road of length upto 100 m. maybe permitted so that EWS plots shall abut on both sides of such 6 m. wide road.

**C) For group housing schemes -**

In case of group housing schemes minimum width of internal means of access shall be as under

<b>Table No.4(b ) MEANS OF ACCESS</b>		
<b>Sr.no.</b>	<b>Length of Mean of Access in m.</b>	<b>Width of Means of Access in m.</b>
i	Upto 150	7.50
ii	Above 150 and upto300	9.00
iii	Above 300and upto 600	12.00
iv	Above 600	15.00

**Note 1-** In case group housing scheme, building is proposed as mentioned in Regulation No. 6.2.2.g then such plot shall abut on minimum road width of 12 m.

**Note 2-** It shall be necessary to provide through roads, in group housing scheme of area more than 2 Hector, so as to coordinate the adjoining major road link (15 m and above) or give way to new road link for adjoining area. The road width required for such road link shall be as per Table no.4 such obligation of providing new road link of 15m width shall not be necessary where adjoining

layout road of 15m or more is being co-ordinated. This shall not bar coordination of smaller width roads approaching from adjoining area, if owner so desires. Further the authority may insist on co-ordination of smaller width road from adjoining area, if required from planning point-of-view.

**D) Pathways:** In case of group housing scheme / campus planning, a pedestrian approach to the buildings from road / street / internal means of access wherever necessary, shall be through paved pathway of width not less than 3.0, 4.5m., provided its length measured from farthest building is not more than 60m and 100m., respectively from the main /internal means of access. If the length is more than 100m., then regular street as provided in Table No. 4 (b) shall be necessary. The marginal distances shall not be required from such pathways, however, distance between two buildings shall be maintained.

- 24.2.1 The length of 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.
- 24.2.2 In the interest of general development of an area, the Metropolitan Commissioner may require the mean of access to be of larger width than that required under Regulation No. 24.2
- 24.2.3 While granting the development permission for land sub-division or group housing/campus planning, it shall be necessary to coordinate the roads in the adjoining lands subject to provisions mentioned in Regulation No.24.2.C (Note No 2).
- 24.2.4 In case where a private passage is unrestrictedly used by public for more than 10 years as a means of access of width not less than 9 m. to a numbers of plots, the Metropolitan Commissioner may take steps including improvement under, the provision of relevant Act to declare it as a public street.
- 24.2.5 In congested areas in the case of plots facing street / means of access less than 4.5 m. in width the plot boundary shall be shifted to be away by 2.25 m. from the centre line of the street/ means of access to give rise to a new street / means of access of width of 4.5 m. clear from the structural projections.
- 24.2.6 Means of access shall be levelled, metalled, flagged, paved, sewerred, drained, channelled, lighted, laid with water supply line and provided with trees for shade (wherever necessary) to the satisfaction of the Authority, free of encroachment and shall be maintained in a condition to the satisfaction of the Metropolitan Commissioner.
- 24.2.7 If any private street or any other means of access to a building is not constructed & maintained as specified above, the authority may by written notice require 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 more of the aforesaid requirements in such manner and within such time as the authority shall direct. If the owner or owners fail to comply with this direction, the authority may arrange for its execution and recover the expenses incurred from the owner/ owners.
- 24.2.8 **Cul-de-sacs**
  - b) In addition to the provisions of Regulation No.23.0, Cul-de-sacs giving access to plots and extending upto 150 m. normally and 275 m. maximum with an additional turning space at 150 m. will be allowed only in residential area, provided that Cul-de-sacs would be permissible only on straight roads and further provided that cul-de-sacs ends shall be higher in level than the level of starting point. The turning space, in any case shall be not less than 81 sq. m. in area with no dimension being less than 9 m.

**24.2.9 Means of access to Special Buildings of regulation no 6.2.2(g)-**

- a) The width of the main street on which the Plot abuts shall not be less than 12 m. and one end of this street shall join another street of width not less than 12 m. in width .
- b) The open spaces on its all sides shall be minimum of 6 m. width or as per Regulation No.26.2.4 whichever is more and the layout for the same shall be approved in consultation with the Fire Officer, Municipal Corporation and the same shall be of hard surface capable of taking the weight of fire engine. The said open space shall be kept free of obstructions and shall be motorable.
- c) Main entrances to the plot shall be of adequate width to allow easy access to the fire engine and in no case it shall measure less than 4.5 m. The entrance gate shall fold back against the compound wall of the premises, thus leaving the exterior access way within the plot free for movement of fire service vehicles. If main entrance at boundary wall is built over, the minimum clearance shall be 4.5 m.

**24.2.10 Land Locked Plot :-**

In case of a plot surrendered on all sides by other plots i.e. a land locked plot which has no access to any street or road, the commissioner 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 Commissioner may specify.

If the Plot is land locked by any reservation, then access may be made available by shifting of reservation (within owners land). In such cases such land locked plot is considered to be fronting on the main road from which the access is made available irrespective of the width of internal road / access.

24.2.11 Whenever called upon by the planning authority to do so, areas under roads shall be handed over to the planning authority by way of deed after development of the same for which nominal amount of Re 1/- shall be paid by the planning authority.

**24.2.12 Intersection of Roads:-**

At junctions of roads meeting at right angles, the rounding off at the intersection shall be done, unless otherwise directed by the Metropolitan Commissioner, with the tangent length from the point of intersection to the curve being 1/2 the road width across the direction of tangent as given in fig 1. The building shall also set back at required marginal distance from this rounding off.

Fig. 1- Rounding off intersections at junctions

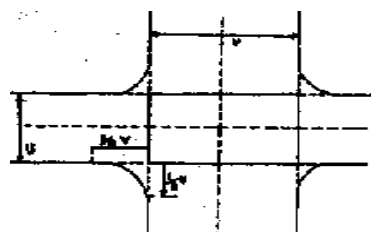
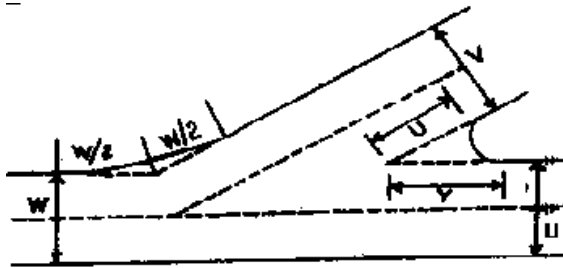


Fig.2. - Rounding off intersection at junctions.



For junctions of road meetings at less than 60 degree, the rounding off or cut or similar treatment shall have tangent length of U and V from the intersections point as shown in fig 2. The tangent length at obtuse angle junction shall be equal to half the width of the road from which the vehicle enters as shown in fig 2. Provided however, that the radius for the junction rounding shall not be less than 6 m.

### 24.3 Recreational open spaces:

In any layout or subdivision or any development of land for any use/zone, admeasuring **0.20 Ha.** or more after deducting D. P. Road and reservation area, if any, 10% of the land under layout or subdivision shall be reserved as recreational **open space** which shall as far as possible be provided in one place. In case of land admeasuring more than 0.8 hecter, recreational open space may be allowed to be left at different locations in the same layout.

#### 24.3.1 Provided further that,

i) If the area under subdivision/layout is less than 0.20 hect, the recreational open space may not be insisted, however 10% area of the land under layout shall not be considered for computation of FSI. The basic FSI of such subdivided plot shall be restricted to 90% of basic FSI as mention in table no 11.

ii) No such open space shall be necessary in case of layout or subdivision of plots from already sanctioned layout by the Planning Authority where the requisite recreational open space has already been left in the sanctioned layout.

iii) In case of development of land for educational purpose, 40% of the gross area (or as decided by the Government from time to time) shall be earmarked for playground which shall be inclusive of 10% recreational open space. Notwithstanding anything contained in this rule, the shape and location of such open space shall be such that it can be properly utilized as playground. Provided that, FSI of such playground shall be available on rest of the plot area.

iv) Provided further that no such open space shall be necessary for development of the reservations in the development plans designated for the purpose other than residential.

v) Provide further that no such open space shall be necessary for development of users mentioned in Regulation No. 25.6 with restriction on permissible FSI upto 0.2.

24.3.2 The owner shall have to give an undertaking that the recreational open space shall be for the common use of all the residents or occupants of the layout / building unit.

a) On sanction of the development permission, the recreational open space shall deem to have vested in the society/association of the residents/occupants. In case such society or association is to be formed, the possession/custody of recreational open space shall remain with the Commissioner until such association/society is formed. In case of group housing scheme, if the

developer/owner intend to develop such open space for bonafide use of resident, then the Commissioner may allow the same while granting the development permission. The recreational open space shall not be sold/leased out to any other person and it shall not be put to any other user except for the common use of residents / occupants.

**b)** If the Metropolitan Commissioner is convinced that there is misuse of open spaces; in such case the Metropolitan Commissioner shall take over the land of recreational open space.

24.3.3 No permission shall be granted to delete / reduce open spaces of the existing sanctioned layout / subdivision. However, while revising the layout, such recreational open space may be rearranged without decrease in area subject to minimum prescribed area under these Regulations with the consent of plot / tenement holders / co-owners; but such revision of recreational open space area shall ordinarily not be allowed after a period of 4 years from the first sanction.

24.3.4 The open spaces shall be exclusive of roads, streets, means of accesses ,internal roads, designations or reservations in development plan roads and areas for road widening

24.3.5 No such recreational open spaces shall admeasure less than 200 sq. m.

24.3.6 Such recreational open space may be allowed to be left in green belt area shown on the development plan, excluding 15 m. width along river bank and 6 m. along nala, provided such recreational space is sizable.

Provided that, structures and uses permissible as per Regulation No.24.3.8 shall not be allowed in such open spaces.

24.3.7 **Minimum dimensions** -The minimum dimensions of such recreational open space shall be not less than **10** mt. and if the average width of such recreational open space is less than **20** mt. the length thereof shall not exceed 2 ½ times the average width.

24.3.8 Structure and uses which can be permitted free of FSI in the recreational open spaces shall be as under:

i) The maximum permissible built up area shall be 15 % of recreational open space, out of which 10% built up area shall be allowed on ground floor and remaining 5% can be permitted on 1<sup>st</sup> floor.

ii) The structures used for the purpose of pavilion or gymnasia or club house or vipashyana and yoga centre or crèche or kindergarten or library or water tank, or other structures for the purpose of sports and recreation activity may be permitted.

iii) A swimming pool may also be permitted in such a recreational open space. The ownership of such structures and other appurtenant users shall vest in all the owners on account of whose cumulative holdings; the recreational open space is required to be kept in the land.

iv) The proposal for the construction, if any, shall come from the owner/s, owners' society / societies or federation of owners' societies and shall be meant for the beneficial use of the owners / members of such society / societies / federation of societies. The owners' society / societies, the federation of the owners' societies shall submit to the Commissioner, a registered undertaking agreeing to these conditions while obtaining permission for the above said construction.

v) The remaining area of the recreational open space shall be kept open to sky and properly accessible to all members as a place of recreation, garden or a playground.

24.3.9 Every plot meant for a recreational open space shall have an independent means of access. In case of group housing scheme, if such recreational open space is surrounded by buildings and is meant for use by the occupants of those buildings, then independent means of access may not be insisted.

**24.4 Amenities Space for layouts of larger areas in Residential /Commercial:**

In any layout or sub division of plots or development proposal, having area 1.00 ha. or more, Amenity space of 10 % on gross area excluding area under development plan road and reservation shall be provided while granting permission to the layout / development proposal. These Amenity Space shall be deemed to be a reservation in development plan and Floor Space Index (FSI) in lieu thereof may be made available in-situ (on remaining land). The calculation of this in-situ FSI shall be shown on the layout / building plan. If the owner desires to have TDR against it, instead of in-situ FSI, then he may be awarded TDR. The generation of TDR or in-situ FSI shall be equivalent to the quantum mentioned in TDR Regulation.

Provided that, it shall not be necessary to provide such Amenity space, if the land is proposed to be developed for IT or ITES users only and having area upto 2.00 Hectare.

Provided that, if there is any development plan reservation proposed in the land, then area of such reservations may be adjusted against this amenity space and the owner of the said land may not be required to part with the area for the amenity space to that extent. However, such area under reservation shall be handed over, free from all encumbrances, to the planning authority at the time of approval of the development proposal.

Provided that, the Metropolitan Commissioner shall ensure that amenity space shall be earmarked in the layout so that after amalgamating the amenity spaces in the adjacent layouts, it becomes larger in area. It shall be approachable by minimum 12 m. wide road except the cases where 12 m. approach road to the site is not available.

Provided further that, if the amenity space is less than 200sq.m. in area and not suitable for creation of amenity, then, Metropolitan Commissioner may instead of open land insist for amenity space in the form of built up area equal to 50% of amenity space as decided by the Commissioner This built up amenity space preferable on ground floor and TDR shall be allowed for such construction amenity as mentioned in TDR regulations.

Provided that, this regulation shall not be applicable to Regulation no.25.4.2 (i.e Regulation for allowing Residential /Commercial user in Industrial Zone),wherein separate provision for land for public amenities / utilities is made.

Provided further that, this regulation shall not be applicable where entire development permission is for amenities specified in definition of amenity space.

Provided further that, this regulation shall not be applicable for revision of earlier sanctioned development permissions granted under the regulations in force prior to these regulations, where no such amenity space is provided in earlier sanctioned development permission. However, if some amenity space is provided in the earlier permission, then quantum of such amenity space in the revised permission –

- i) shall be limited to the area provided in earlier permission.
- ii) shall not be reduced even though area of such amenity space is more than what is specified in this regulation

#### 24.4.1 **Uses in Amenity Space provided under Regulation No. 24.4**

The area earmarked for amenity space shall be developed for uses such as open spaces, parks recreational grounds, playgrounds, sports complex, gardens, convenience shopping, parking lots, primary and secondary schools, nursery, health club, sub post-office, police station, electric substation, ATM of banks, electronic cyber library, open market, garbage bin, water supply, electricity supply and includes other utilities, services and conveniences. Any other use not mentioned above may be allowed in consultation with Director of Town Planning M.S.Pune.

#### 24.4.2 **Development of Amenity Space-**

Development of amenity space may be carried out by the Authority, or the owner may be allowed to develop the same for the amenities as per priorities mentioned here in below, if allowed to do so by the Metropolitan Commissioner.

The priority for development of particular amenity in particular Residential area shall be decided by the Metropolitan Commissioner. If the Metropolitan Commissioner is of the opinion that the amenity space is required to be develop for Playground, Garden, Park, Primary School, High School, Hospital, Dispensary, Fire Brigade Station, Police Station, Electric Sub-Station, Parking and like other services, etc. then, such amenity space shall be handed over to the authority and the Authority shall develop for the said purpose. If the Metropolitan Commissioner is of the opinion that, the amenity space is not required for above mentioned purposes then on satisfaction that the proposal is in public interest he may allow the owner to develop the same for the other amenities mentioned in this regulation.

However, building plan for development of such amenity shall be got approved along with the regular proposal of development on the land and the development of such amenity shall be carried out ahead of development on owner's land. At any point of time, if it is observed that there is breach of condition, the development permission of the entire land shall be revoked by the Municipal Commissioner. The agreement to that effect shall be executed and also condition to that effect shall be incorporated in commencement letter.

After construction of the amenity, it shall be the responsibility of the owner to maintain the amenity and make it available for the use by the public, on reasonable charges, wherever necessary, on terms and condition as may be decided by the Metropolitan Commissioner. This shall be the part of agreement to be executed between the Metropolitan Commissioner and the owner.

Wherever, after construction of amenity, it is to be handed over to the Authority as per agreement, then, the owner shall be entitled for the further TDR as mentioned in TDR Regulation.

Any other use not mentioned in these regulations may be allowed to be developed by the Metropolitan Commissioner similar to the use of amenity.

Provided that, the amenity spaces which are earmarked in the layout tentatively or finally sanctioned earlier and not developed so far, may also be allowed to be developed as mentioned in this regulation.



**24.5 Provision for electric sub- station-**

In case of development/re-development of any land, building or premises mentioned below, provision for electric sub-stations may be made as under, if the requirement for the same is considered necessary by the concerned power supply authority.

1 Plot above 2000 sq.m. and less than 2.0 hectare- One single transformer sub-station of the size of 5m.x5m. and height of not more than 5m.

2 Layout or sub-division of a plot measuring 2 .0 ha. or more - A suitable site for an electric sub-station (11kv/33kv/110kv.) as decided by the Commissioner.

Provided that the sub-station is constructed in such a manner that it is away from main building at a distance of atleast 3 mt. and in general does not affect the required side marginal distances or prescribed width or internal access or larger open space or as may be decided by the Commissioner.

**24.6 a)Minimum Plot area, plot width for various uses:**

Minimum plot areas for various uses shall be as given in Table No.5 below -

<b>Table No.5</b>				
<b>MINIMUM PLOT AREA, PLOT WIDTH FOR VARIOUS USES</b>				
<b>Sr. No</b>	<b>Uses</b>	<b>Plot area (in sq.mt.)</b>	<b>Min. Plot Width</b>	<b>Type of Development</b>
1	2	3	4	5
1	Residential and Commercial (except those in 2,3 & 4 below)	30 and above but upto 125	As per Table No.9	Row
		Above 100but less than 250		Semi-detached / Detached
		250 & above		Detached
2	Plots in EWS Housing / High Density Housing / Sites and Services / Slum Up-gradation / Reconstruction Scheme by public authority.	20 and above but upto 125	As per Table No.9	Row
3	Petrol Filling station-			
	(a) Without service bay	545	16.75 m	Detached
	(b) With service bay	1100	30.5 m	Detached.
4.	Industrial	300	10 m	Detached.
5.	Cinema Theatre /Assembly Halls	The minimum size of plots for cinema theatre/assembly building shall be on the basis of seating capacity of the building at the rate 3.0sq.m per seat, subject to minimum 1000 sq.m.		
6.	Public Entertainment Hall/Mangal Karyalaya	The minimum size of plots shall be 1000 sq.m		

7.	Other Buildings	The minimum size of plots for buildings like business, educational, mercantile and other uses which are not specified in this regulation, shall be decided by the Commissioner
<p>Note: in case of sr.no.1, pattern of development permissible within a plot shall be shown in dotted line while approving the layout. However change in pattern may be permitted in future, if it fits in to above pattern of development and does not disturb the overall pattern of development already approved.</p>		

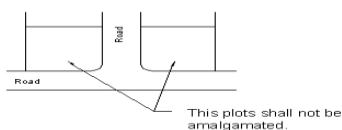
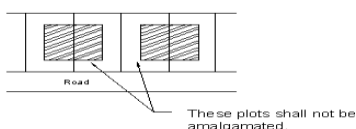
**24.7 Provision of plots / tenements for EWS/LIG:**

The provision regarding inclusive housing in development proposal shall be made applicable as mentioned at Regulation No.37.0

**24.8 Amalgamation of Plots:**

Amalgamation of plots shall be permissible if they form a sizable plot from planning point of view and are contiguous.

- a) amalgamation of plot having different tenure, or
- b) The amalgamation of plot which is not desirable from planning point of view (eg. as shown in below) shall not be permitted.



**24.9 Net Plot area for Computation of FSI:-**

For the purpose of computing FSI/Built - up area, the net area of the plot shall be considered. Such net area shall be computed as under.

- i) In case of a plotted layout/sub-division /group housing scheme/ any development, net area shall be the balance area of the plot, after deducting from the total area of plot, the area covered by Development Plan roads, reservations and deemed reservations like amenity spaces, if any.
- ii) In case of plotted layout, FSI of such net area shall be distributed on all plots on prorata basis or on certain plots on which the land owner desires, subject to maximum receiving potential described in these regulations.
- iii) In case of plots from the approved layouts, the same plot shall be treated as net plot area and shall be eligible for full permissible FSI under these Regulations.
- iv) The above regulations in respect of net plot area and computation of FSI shall apply to proposals in all land use zones.

**24.10 Relocation of DP Sites/DP Proposals while approving the subdivision of land-**

If the land proposed to be laid out for any development is affected by any reservations for public purposes, the Metropolitan Commissioner may agree to adjust the boundaries of the reservation or shift 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) if the reservation proposed to be relocated is in parts;
- (b) beyond 300 mts. of the location in the Development Plan;
- (c) beyond the same holding of the owner in which such reservation is located;
- (d) unless the alternative location and size is at least similar to the location and size of the Development plan as regards access, levels, etc.;
- (e) unless the relocation is within area covered by the layout or development permission under sanction; and
- (f) if the reservation is already shifted under these regulations.
- (g) if the land is reserved in view of its geographical location like Bio-Diversity Proposal, Nala training reservation etc.

Provided further that, relocation of the reservation from a land may also be permitted on any land within 200 meters belonging to other owner's land if the other owner consents to such relocation of reservation on his land and consents to hand over his land to the Planning Authority where reservation is proposed to be relocated in lieu of TDR subject to conditions mentioned in sub Regulation No. (d) and (f) above.

All such relocation of the reservations / alignment of roads shall be carried out in consultation with the Divisional Head of concerned division of the Town Planning Department and shall be reported by the Metropolitan Commissioner to the Government under intimation to the Director of Town planning at the time of sanctioning the development permission. The Development Plan shall deem to be modified to that extent.

**24.11 Transfer of DP sites (other than DP roads) in lieu of FSI** - If in any development proposal, owner desires to hand over the reserved site to the Planning Authority, then FSI of such reserved site equivalent to the TDR may be allowed to be utilized on the remaining land. Transfer deed to that effect shall be executed and FSI calculation shall be mentioned on the plans of development proposal. In case of plotted layout, distribution of FSI of plots in pursuance of such transfer shall be as desired by the owner and may differ from plot to plot. If some FSI remains unutilized, the owner shall be entitled for TDR against the remaining FSI.

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**PART III**  
**LAND USE CLASSIFICATION AND PERMISSIBLE USES.**

**25.0 GENERAL**

(1) In case of Development / re-development of any land, building or premises, the intended use shall conform to the land use zones, purpose of designation, allocation or reservation, as the case may be, in the development plan, unless specified otherwise.

(2) **Lawful existing non-conforming uses-** Any lawful non-conforming use of premises existing prior to the date of enforcement of these regulations, shall continue and may be allowed to be expanded within the holding in the original sanction, unless in the opinion of the Metropolitan Commissioner the activity poses danger to public safety and/or life 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 or with lawful existing use.

(3) **Discontinuance of zoning in pursuance of existing use** – If any private land is shown in Public Semi-public / public utility, because of the activity existed there-on , such lands shall be deemed to have been shown in the adjoining predominant zone after such activity ceases to exist and thereupon, the development shall be permissible as per the adjoining predominant zone.

(4) **Drafting error** –Draftsman errors which are required to be corrected as per actual situation on site or as per the city survey record or sanctioned layout etc. or correction in existing boundaries of the establishments like MIDC, Koradi and NTPC Thermal Power Station, Defence Establishment, MADC, Reserved Forest etc. is required to be corrected as per city survey record or revenue record or as per acquisition and possession of lands or as per valid sanctioned layout etc. may be corrected by the Metropolitan Commissioner in consultation with Joint Director, Town Planning, Nagpur Division, Nagpur.

In respect of High Tension Line, the alignment shown on DP is to be corrected or deleted wherever required by the Metropolitan Commissioner in consultation with the concerned department. However, due to shifting or deletion of such High Tension Line, the land use zone of lands (before shifting) under H.T. Line shall be the zone of adjoining land.

The Metropolitan Commissioner, after due verification and satisfying himself regarding such error, shall issue a written, well-reasoned, speaking order modifying Development Plan to that effect and copy of such order in original shall be forwarded to the Government in Urban Development Department and Director of Town Planning, Maharashtra State, Pune for record.

**(5) Error regarding existing nalas, river, canal, lake and like water bodies, pandhan etc. -**

a) The Metropolitan Commissioner may correct the draftsman's / typographical errors on Development Plan in respect of showing alignment of existing nalas, river, canal, lake and like water bodies, pandhan (village roads) etc. by taking into account a Revenue/Land Record or City Survey, village map and other revenue records, as the case may be, in consultation with Joint Director, Nagpur Division, Nagpur. The Metropolitan Commissioner, after due verification and satisfying himself regarding such error, shall issue a written, well-reasoned, speaking order modifying Development Plan to that effect and copy of such order in original shall be forwarded to the Government in Urban Development Department and Director of Town Planning, Maharashtra State, Pune for record.

b) The width of Recreational Open Space (ROS) along the water bodies should be consider as 50 mt. for major River, 36 mt. for minor River. The building line along nalas, shall be as per the DCPR. The modification proposed in respect of ROS are sanctioned considering these widths of ROS. The land released considering the above width of ROS shall deemed to be included in the adjoining zone / reservations if any. If the width of ROS is less than what is stated above, in such case the authority shall insist the required width as mentioned here

**(6) Private land in designated PSP / Forest / Defence Zone -** If any private property is included within the PSP Zone / Forest Land Use Zone / Defence Zone and if the owner establish that the private / individual ownership of land vest with him then the land use adjoining to such zone shall be assigned to piece of such land by the Metropolitan Commissioner in consultation with Divisional Joint Director, Town Planning, Nagpur.

**(7) Existing features shown on development plan –** The existing features shown on Development Plan are indicative and stand modified on Development Plan as per actual position. Merely mention of particular existing use on Development Plan, shall not bar the owner from development permission in that zone. Also, the boundaries of s. no., alignment of existing road / nala and other physical features of land shall be as per measurement plan of Land Records Department.

## 25.1 Land use classification -

**The land uses classification & uses permissible there-in are as given below:-**

- 1) Residential Zone (R) – The proposed Residential Zone viz. R-1, R-2, R-3 and R-4 are merged into one common Residential Zone. Such common Residential Zone is further classified into two categories viz. a) Purely Residential Zone (R-1) and b) Residential Zone (R-2).
- 2) Commercial Zone (C)
- 3) Industrial Zone (I)
- 4) Public & Semi Public Zone(PSP )
- 5) Agriculture/Green Zone - The proposed Agriculture A-1 and A-2 Zone are merged into one common Agriculture Zone.
- 6) Green belt / Recreational Open Space along water bodies.
- 7) Public Utility Zone.
- 8) Transportation Zone.
- 9) Mines and Quarries Zone.
- 10) Quarry to Park Zone.
- 11) Defence Zone.
- 12) Forest Zone.

## 25.2 Residential Zone (R)-

Residential Zone is classified into two categories viz. a) Purely Residential Zone (R-1) and b) Residential Zone (R-2). The parameters applied for the sub-classification are as under:-

### **A) R-1-Purely Residential Zone -**

Residential Zone (R1) consists of all plots situated **along** roads having existing or **proposed** width of less than 12 m in non -congested area and less than 9 m. in congested area.

The following uses and ancillary uses to the principal use shall be permitted in buildings or premises in purely Residential Zone subject to other regulations:

- i) Any residences / residential buildings;
- ii) Customary Home occupation, i.e. occupations customarily carried out by the members of household without employing hired labour and shall include stitching embroidery, button making, etc., with or without motive power. If motive power is used, the total electricity load should not exceed 1 H. P.
- iii) Medical and Dental Practitioner's Dispensaries including pathological laboratory, diagnostic clinics, polyclinics, to be permitted on any floor. However, maternity homes, clinics, nursing home with indoor patients on ground or stilt floor or on first floor with separate means of access of staircase from within the building or outside, but not within the prescribed marginal open spaces. Maternity Homes and Hospitals are permitted for maximum 20 beds.
- iv) Professional Offices or medical and dental practitioner's dispensaries, clinics for out patient's treatment without indoor treatment facilities, in residential tenement for own purpose not exceeding carpet area of 50 sq.m. each.
- v) Primary and secondary school buildings, excluding building of trade schools but including students' hostels in independent buildings on roads 9.00 meter or above width and nursery schools on road having width 6.00 meter or above.
- vi) Public or private parks, gardens, Club house and playfield not utilised for business purposes,
- vii) Religious buildings.
- viii) Public Libraries and Museums in independent structures. In case of mixed use, public libraries and museum on the ground floor and floor 1 or on two consecutive floors immediately above the stilts in a building constructed on stilts may be permitted.
- ix) Community hall, welfare centre, gymkhanas, gymnasia (each not exceeding 100 sq.m.)
- x) Bus shelters, taxi-stands.
- xi) Roads, Bridge, culverts and construction for any mode of transportation.
- xii) Radio broadcasting and television studios and sound recording and dubbing studios
- xiii) Convenience shops not more than 10 sq. m. each, at ground floor such as ration shops, pan shops, Dhobi/ Dry cleaning Shops, Darners, Tailors, Groceries, Confectionary and other general stores. Hair Dressing Saloon and Beauty Parlour, Bicycle Hire and Repair; Shoe Repair, umbrella repair, Vegetable & Fruit Stalls, Milk Shops. Dispensaries, Floweriest, Bangles and other articles needed by women, Small Bakeries, Newspaper Stalls, Tea Shops, ATM, etc.
- xiv) Police stations, telephone exchanges, Government sub-office, Municipal sub-office, sub-offices of Electric supply and Transport undertaking or the concerned electric company consulate offices, post and telegraph offices branches of banks including safe deposit vaults, electrical sub-stations, receiving stations, fire stations, civil defence warden posts and first aid posts home guards and civil defence centres, pumping stations, sewage disposal works and water supply installations and ancillary structures thereof required to cater to the local area .
- xv) Information Technology Establishment (ITEs) (pertaining to software only) on plots/ premises fronting on roads having width 9.00 meter and above.
- xvi) Flour mill and wet / dry masala grinding subject to following conditions:
  - (a) It is located on ground floor.
  - (b) Adequate care has been taken in structural design.
  - (c) It does not cause any nuisance to the neighbour and residents of upper floor.
  - (d) Power requirement does not exceed 10 H.P. each.
- xvii) Burial grounds, cremation grounds and essential public utilities on a road having width of 9 m. and above subject to the Planning Authority's approval.

- xviii) Agricultural, Horticultural and allied uses (except agro-based industries) are permitted. 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.mt. 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 and 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, Raisin production.
- xix) 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 existing residential building.
- xx) Public conveniences.
- xxi) Lodging and Boarding, sanatorium, old age home, hostel for students / working men / women with or without boarding facilities on road having width 9.00 meter and above.

**B) R-2- Residential Zone-**

Residential Zone (R2) consists of all plots abutting roads having existing or proposed width of 12 m. and above in non-congested area and 9 m. and above in congested area the following uses and mix uses may be permitted. The following uses and ancillary uses to the principal use shall be permitted in buildings or premises in Residential Zone R-2:

**I) All Uses permissible in R1 zone shall be permitted in R 2 zone.**

**II) Other Uses permissible in R-2 zone:-** The following non-residential mix uses are permitted subject to condition that,

- a) 50 % **mix use** may be permitted irrespective of floor restriction. Such additional user shall in no case consume FSI of more than 0.5 in both congested and non-congested areas except in buildings on independent plots. Also these uses are independently allowed on independent plot.
- b) Where the building or premises abut on two or more streets, no direct opening of such shop shall be permissible on the street, which is less than 9 m. in congested and 12 m. in non -congested area.
- c) All goods offered for sale and brought for repair shall be displayed and kept within the building and shall not be kept in the passages or footpaths or roads.
- d) No trade and business involving any danger of fire, explosion, offensive noise, vibrations, smoke, dust glare heat or other objectionable influence may be allowed.
- e) Area of each shop will not exceed 100 sq.m. however this area may be increased in specific cases considering the merits.
- f) 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.
- g) Power may be discontinued if the Planning Authority is satisfied that the particular use is a nuisance to the residents.

**III) Non-residential mix uses to be allowed in R-2 Zone.**

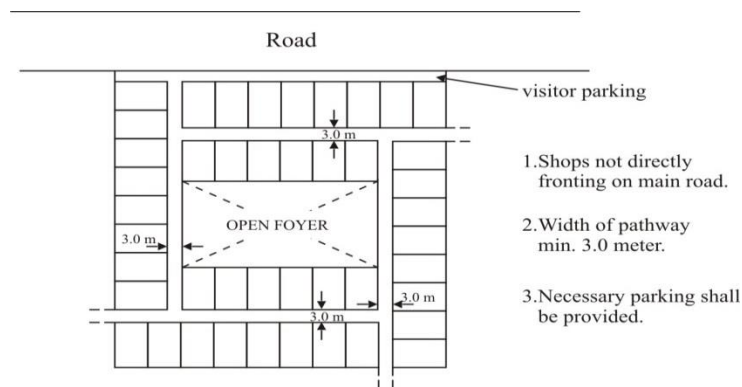
- i) Stores or shops for the conduct of retail business including departmental stores. Storage and sale of combustible materials shall not normally be permitted except with the special permission of the concerned authority.
- ii) Personal and or professional service establishments, professional offices.

- iii) Radio broadcasting stations and studio, telephone exchanges.
- iv) Frozen food lockers, fast food and vending stalls.
- v) Tailor shops not employing more than 9 persons and embroidery shops and button - hole making shops not employing more than 9 persons with individual motors not exceeding 1 H. P. and total H. P. not exceeding 3.
- vi) Shops for goldsmiths, locksmiths, watch and clock repairs, optical glass grinding and repairs, musical instrument repairs, picture framing, radio and household appliances repairs, upholstery and diamond cutting and polishing not employing, more than 9 persons with individual motors not exceeding 1 H. P. and total H. P. not exceeding 3 H. P.
- vii) Coffee grinding with electric motive power not exceeding 1 H.P.
- viii) Auto part stores and show rooms for motor vehicles and machinery.
- ix) Sale of used or second hand goods or merchandise (not junk, cotton waste, rage or other materials of offensive nature).
- x) Club houses or other recreational activities, conducted as business.
- xi) Storage of furniture and household goods.
- xii) Repairs to all household articles (excluding auto vehicle).
- xiii) Veterinary dispensaries and hospitals.
- xiv) Animal pounds.
- xv) Repair, cleaning shops and analytical, experimental or testing laboratories not employing more than 15 persons in the industrial activity but not including cleaning and dyeing establishment using a cleaning or dyeing fluid having a flash point lower than 60 degree C. and machines with dry load capacity of 30 kg. for any establishment carrying on activities that are noxious or offensive because of emission of odour, dust, smoke, gas, noise or vibration or other-wise dangerous to public health and safety, provided that the motive power requirement of such establishment does not exceed 10 H. P.
- xvi) Accessory uses customarily incidental to any permitted principal use including storage space, upto 50 percent of the total floor area used for the principal use.
- xvii) Paper box manufacturing including paper cutting, not employing more than 9 persons, with motive power not exceeding 5 H. P. and area not more than 50 sq. m.
- xviii) Mattress making and cotton cleaning, not employing more than 9 persons with motive power not exceeding 3 H.P. and area not more than 50 sq. m.
- xix) Establishment requiring power for sealing tin, packages, etc. not employing more than 9 persons, with motive power not exceeding 3 H.P.
- xx) Commercial halls, exhibition halls, community halls, welfare centre, gymnasias, etc.
- xxi) Art galleries, aquariums;
- xxii) Research, experimental and testing laboratories not involving any danger of fire or explosion nor of any noxious nature and located on a site not less than 2 Ha. in area.
- xxiii) Restaurants, eating houses, cafeteria, ice - cream parlours and milk bars.
- xxiv) Establishment for preparation and sale of eatables not occupying for production an area in excess of 75 sq. m. per establishment and not employing more than 9 persons. Sugarcane and fruit juice crushers not employing more than 6 persons with 1.5 H.P. with area not more than 25 sq.mt. shall also come under that sub - rule.
- xxv) Trade or other similar schools not involving any danger of fire or explosion nor of offensive noise, vibration, smoke, dust, odour, glare, heat or other objectionable influences;



- xxvi) Repairing garages not employing more than 9 persons and 2 H.P. motive power in the industrial activity with no floor above.
- xxvii) Battery charging and repairing not employs more than 6 persons with an area not more than 25 sq.mt. and not more than 2 chargers with power not exceeding 5 KW.
- xxviii) Photographic studios and laboratories with not more than 50 sq. m. area, not employing more than 9 persons and not using power more than 3 H. P.
- xxix) Showroom for Distribution and sale of LPG.
- xxx) Coal and Firewood Shops.
- xxxi) Polyclinics on separate floors, preferably ground floor, pathology laboratories.
- xxxii) Residential Hotels, Boarding and Lodging shall be permitted in independent building or parts of building, but on separate floors.
- xxxiii) Book Depot, Medicine and chemist shops.
- xxxiv) Business/ corporate office on any floor.

**IV) Notwithstanding** anything contained above a pedestrianized shopping precinct extending to a depth of not more than 12 m. (40 ft.) may be allowed subject to the condition that no shop in such pedestrianized precinct shall be allowed to open directly on the road in front. The minimum width of pedestrian way provided shall be 3 m. clear of all steps or projections and bollards shall be placed at the entrance of such pedestrian passage to prevent entry of vehicles provided further that satisfactory arrangements for natural or artificial ventilation are made as may be directed by the Metropolitan Commissioner.



**C) Uses to be permitted in independent premises / buildings-**

**Notwithstanding** anything contained above in Regulation No. 25.2(B), The following uses shall be permitted in independent premises / building.

- i) Drive - in - theatres, theatres, cinema houses multiplex, club houses, assembly or concert halls, dance and music studios and such other places of entertainment.
- ii) Petrol filling and CNG service stations.
- iii) Colleges, Secondary Schools, Trade or other similar schools.
- iv) Storage and sale of kerosene not exceeding 1000 litres in groceries and approved ration shops on retail basis.
- v) Bulk storage and sale of kerosene not exceeding 13000 litres in separate godowns conforming to the existing regulations of Chief Controller of Explosives, Government of India provided further that the applicant shall make adequate fire-fighting arrangements at his cost in his plot to the entire satisfaction of the Metropolitan Commissioner.
- vi) Storage and sale of LPG in cylinders not exceeding 100 kg. in showrooms / distribution centre.

- vii) Storage and sale of LPG in cylinders not exceeding 6300 kg in a separate godown conforming to the existing regulations of Chief Controller of Explosives, Government of India provided further that the applicant shall make adequate fire-fighting arrangements at his cost in his plot to the entire satisfaction of the Metropolitan Commissioner.
- viii) Parking of automobiles and other light vehicles on open plots even as a business.
- ix) Vegetable, fruit, flour, fish or meat market place.
- x) General Agriculture and Horticulture (including domestic poultry) upto the tune of 20 birds per plot and with a space requirement of 0.25 sq. m. per bird.
- xi) Correctional and mental institutions, institutions for the children, the aged or widows, sanatoria and hospitals in independent building facing on roads of width not less than 12 m. (except veterinary hospitals) provided that those principally for contagious diseases, the insane or for correctional purposes shall be located not less than 45 m. from any residential premises.
- xii) Repairing garages not employing nor more than 9 persons or 1.5 KW motive power with no floor above, with the permission of the Planning Authority.
- xiii) Business offices on roads of 18m. width and more subject to the fulfilment of parking and other requirements; except that balconies if any of such building shall not be free of F.S.I. computation.
- xiv) 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 Commissioner shall not permit such use unless he is satisfied about the provision of these arrangements. Provided that, residential hotels of 4 & 5 star categories may be allowed only in an independent plot of size not less than 2,000 sq.mt. and on roads of 15 m. width or more. A hotel of lower star category being allowed with minimum separate access of 12 meter and more. Provided further that, development of residential hotels of the star categories shall be permitted by the Commissioner, only after due approval from the Tourism Development Authority.
- xv) **Service Industries** - The Service Industries may be permitted in independent Plot building (independent designated plot) in R2 and Commercial zones along with the limitation of area, maximum number of persons to be employed, maximum permissible power requirement and the special conditions if any as given in Table No. 6 for service industries.
- xvi) Any other use allowed in consultation with the Director of Town Planning, Maharashtra State in accordance with the intent and spirit of these Regulations.

**Note:** - Drive-in theatres, theatres, cinemas, club-houses, assembly or concert halls and such other places of entertainment shall be allowed on roads having width exceeding 15m and more. 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, however, in the case of a cinema/theatre the front open space 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 R-2 zone. However, residential user in combination with that of a cinema/theatre may not be allowed in the same building. *Provided further that*, on plot/lands where there is an existing cinema Theatres, redevelopment of the plots shall be allowed subject to the condition that at least 1/3<sup>rd</sup> of the existing seats shall be retained, which shall not be below 150 seats and may be developed in combination with R2 zone uses.

### 25.3 Commercial Zone -

In commercial zones, buildings or premises shall be used for the uses and purposes given below, provided all goods offered for sale shall be displayed within the building, excluding passages.

- i) Any use permitted in residential R 2 zone without area and floor restrictions subject to minimum 40 % shall be used for purely commercial.
- ii) Uses permissible in Public Semi-public Zone.
- iii) Public utility buildings.
- iv) Whole-sale establishments with storage area, subject to fire protection requirements and any commercial use.

### 25.4 Industrial Zone-

The following users shall be permissible in Industrial Zone.

**a) Service Industries:** The service industries may be permitted as given in **Table No. 6**, without restrictions on power requirement, employment, floor area etc.

**b) Other Industries :**

- i) Industries shall include any building or part of a building or structure, in which products or materials of all kinds and properties are fabricated, assembled or processed, for example, assembly plants, laboratories, dry cleaning plants, power plants, pumping station; smoke houses laundries, gas plants, refineries, dairies and saw – mills
- ii) The uses like Information Technology Establishments, Petrol Pumps and Service Station as per provision made in these regulation, Parking lots, Electric Sub - station, Building of public utility concerns except residence, The branches of Banks, industrial training centre/ institute, Storage Buildings, Drive-in -Theatres, cinema house or theatres, subject to provision of separate entries and exits for the cars shall also be allowed.

#### 25.4.1 Conditions for allowing Uses in Industrial Zone -

- i) Any industry / industries may be permitted only with the special permission of the Metropolitan Commissioner who may grant it after such scrutiny as may be necessary to ensure that the location is appropriate and is not likely to cause nuisance and hazard to adjoining owners. Before granting any such permission, the Metropolitan Commissioner may prescribe special condition about minimum size of plot and minimum buffer open spaces(including marginal distance and road width if any)from the industrial building/ industrial use to residential or habitable zone / use, which shall not however be less than 23 m.
- ii) Building or premises in industrial zone may be used for any industrial and also accessory uses like banks, canteens, welfare centre and such other common purposes considered necessary for the industrial workers, except for any dwelling purpose other than quarters of watchmen, caretakers or other essential staff required for maintenance of the premises. Such use may be permitted up to 25% of the permissible FSI.
- iii) Means of access, Minimum plot size, Permissible FSI, Additional FSI, Marginal distances etc. shall be as mentioned in this Development control regulation.

#### 25.4.2 Regulations for permitting Residential /commercial use in industrial zone (I to R Policy).

a) With previous approval of Metropolitan Commissioner in consultation with the Divisional Head of concerned division of the Town Planning Directorate and on such conditions as deemed appropriate by him, The existing or newly built-up area of Industrial unit, in the Industrial zone may be permitted to be utilised for residential or commercial purposes.

b)With the previous approval of the Metropolitan Commissioner, in consultation with the Divisional Head of Town Planning Directorate, The lands in the Industrial Zone including lands in industrial zone in Town Planning Scheme area, may be utilised for any of the permissible users in the Residential and Commercial Zone subject to the following conditions :

i) Such user shall be allowed only on payments of **Premium** as decided by the Government from time to time .

ii) The Residential/ Commercial user 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 shall not be required.

iii) 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.

iv) In such layouts of sub-division having area more than 2 Ha. and upto 5 hect, 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.

v) In such layout or sub division each more than 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.

vi) With the special written permission of the Metropolitan Commissioner, The land having area up to 0.20 hectare in size which are allocated for industrial use may be permitted to be used for Residential purpose or any other permissible users in Residential Zone. Provided that, in such case the owner / developer shall require to provide either by providing 10% amenity space in the form of open land or 5% built up space in the proposed construction at appropriate location preferably on ground floor. Provided that, amenity TDR as per regulation containing provisions of TDR, shall be permissible.

vii) The land under public utility / amenity shall be handed over to the Planning Authority in lieu of FSI / TDR with proper access and basic land development. These areas will be in addition to the recreational space as required to be provided under these regulations.

*Provided that,* at least 50% of total land provided for public amenity/ utility space shall be reserved for unbuildable purposes such as garden, recreational ground, etc.

Provided also that irrespective of land use zone, where the provisions of Development Control Regulations provide for amenity Space in Residential area which is more than what is stipulated in these regulations, then Amenity Space which is more shall only be provided.

c) The required segregating distance between Industrial Zone and the area over which Residential use is permitted under this regulation, 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 Amenity Spaces shall be considered to be reservations in the Development Plan and Transferable Development Rights against such amenity as per Regulation No.40.0/Part IX may be given or FSI of the same equivalent to the TDR quantum shall be available for utilisation on the remaining land. Moreover, the owner shall be entitled to develop remaining land with permissible TDR potential including the land under amenity space subject to maximum permissible limit of FSI (Maximum Building Potential) as mentioned in Regulation No.26.3.

**provided that,**

i) Residential/Commercial user may be allowed on 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) If Development Plan Reservations (excluding DP Road/Road widening) are in the land under I to R conversions, then such reservation may be adjusted in amenity space as mention in following manner.

a) If the area under development plan reservation is less than the required area of public amenity space as per the said regulation, then only the difference between the area shall be provided for public amenity spaces.

b) If the area under development plan reservation is more than the required area of public amenity spaces as per the said regulation, then the area for public amenity spaces shall be provided equal to Development Plan reservation area.

iii) Out of the total area proposed to be utilised for residential development, 20% of the same shall be built for residential tenements having built up area 30 sq.mt and upto 50 sq.m. or in the plotted development, 20 % area shall be of plots upto 150 sq.m.

vi) While allowing such conversion minimum 20 % built up area shall be used for offices and commercial purpose.

vii) The provision of inclusive housing as mentioned in regulation no. 37 shall not be applicable while allowing such conversion.

## **25.5 Public Semi-Public Zone-**

### **A) The following uses shall be permissible in Public Semi-Public Zone-**

- i) Pre-primary, Primary Schools, High Schools, Technical / Trade Schools, Colleges, Educational Complex, Hostel for students and essential staff quarters.
- ii) Hospital, Sanatoria, Dispensary, Maternity Homes, Health Centre, Dharmashala for the visitors of the patients, pilgrims and like, essential staff quarters, veterinary hospital, auditorium exhibition hall and gallery.
- iii) Training institutions, Home for aged, essential quarters.
- iv) Government/ Semi -Government/ Local self-Government offices, Court buildings, essential staff quarters.
- v) Post Office, Telegraph office, Telephone Exchange, Radio Station, Staff quarters and similar Govt. / Semi-Govt. offices and quarters.

- vi) Library, Mangal Karyalaya, Gymnasium, Gymkhana, Water tanks, Stadium, Community hall, Religious Structures, etc
- vii) Besides above, the **commercial user upto 15% of basic permissible FSI** shall be permissible subject to following conditions:
  - a) Convenience shopping, branch of bank, small restaurants etc. shall be permitted. However, hotels/shops for liquor, pan, cigarette, tobacco, lottery tickets and such other uses which do not serve public purpose, similarly domestic gas, kerosene shops/ godowns which are dangerous to public health shall not be permitted.
  - b) Additional F. S. I. shall be allowed only on the plot area remained after deducting the notional plot area utilised for commercial user.
  - c) The Metropolitan Commissioner 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.
  - d) The retail commercial user is permitted upto a depth of 12 m. or in separate building
  - e) The plots in which there is an existing development; such commercial use shall be restricted to maximum 15% of the existing and proposed development taken together.
  - f) The landowner / developer / institution shall give guarantee in writing to the Metropolitan Commissioner for following all the stipulated conditions scrupulously.
- viii) Petrol/LPG/CNG Pumps shall be allowed subject to conditions mention in Regulation No. 25.6(xxvi)
- ix) In case of lands owned by Zilla parishad and Panchayat samiti, Government and semi-government bodies and allocated in public and semi-public zone, the limit of such commercial user shall be upto 33%

**B)** In case any private property is included within the boundary of public and semi-public use and if the owner can establish that the private/ individual ownership of land vest with him, the land use existing/ adjoining to the PSP zone shall be assigned to this piece of land with special written permission of the Metropolitan Commissioner.

## 25.6 Agriculture /Green Zone.

Agriculture/Green Zone - The proposed Agriculture A-1 and A-2 Zone are merged into one common Agriculture Zone. The following uses are permissible in such zone.

- i) Agriculture, horticulture and animal husbandry
- ii) Gardens, Forestry, Public parks, private parks, play fields, stadia, gymkhanas, swimming pools, sports and games, health club, cafeteria-canteen incidental to principal use, gliding facilities, summer camps for recreation of all types,
- iii) Agriculture research and agriculture education by Government or Semi-Government organisation, with full permissible FSI as that of Residential zone.
- iv) Golf clubs and links, race tracks and shooting ranges;
- v) Poultry farms
- 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, oceanic -park, swimming pool, magic mountain and lake, ethnic village, shops for souvenirs/citations, toys, goods, refreshments and beverages on the following **conditions** with the special permission of the Metropolitan Commissioner.

- a. 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 Metropolitan Commissioner.
  - b. The promoters of the project shall provide adequate facilities for collection and disposal of garbage at their cost, and to the satisfaction of the Metropolitan Commissioner and will keep, at all times, the entire environment clean, neat and hygienic.
  - c. Structures for indoor rides and ancillary activities, such as administrative offices, exhibition hall or auditorium, restaurant, hotels, 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 0.20; i.e. FSI of 0.15 for principal activity and 0.05 for ancillary activities.
  - d. 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.
  - e. Except for minor dressing, hills and natural features, if any, shall be maintained in their natural condition and beautified with planting of trees etc.
  - f. 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 Metropolitan Commissioner should be obtained under the law relevant Act. At least 5 trees per 100 sq. m. shall be planted and grown within the area of the park.
  - g. 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 Metropolitan Commissioner.
  - h. The promoters of the project will prepare a suitable layout with appropriate landscaping of the recreational and other facilities and obtain approval of the Metropolitan Commissioner.
    - i. No objection certificate of the Tourism Department shall be obtained.
  - j. 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.
  - k. Proper arrangements for safety, Regulations of traffic approaches to the park etc. shall be made to the satisfaction of the Planning Authority and Police from the law and order and traffic aspects.
- vii) Pottery manufacture;
  - viii) Fish curing on open land/fish farming.
  - ix) Salt manufacture from sea water.
  - x) 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 Metropolitan Commissioner.
  - xi) Cemeteries and crematoria and structure incidental thereto.

- xii) Structure for watchmen's quarters each not exceeding 20 sq. m.
- xiii) IT/ITES Parks set up by public or private sector; subject to Regulation No. 27.7 of Part V.
- xiv) **Research and Development Institutions** / Centres on following conditions:-
- The area of land shall be minimum 10 hectare.
  - FSI permissible shall be maximum 0.20 on gross plot area after deducting D.P.Road/ Reservation area if any.
  - Out of the total allowable FSI, FSI for staff Quarters shall not exceed 50%.
  - Total strength of the employees shall be limited to 10 per hect.
  - On 50% of plot area, trees shall be planted at the rate of 500 trees per hect.
  - Research and Development of hazardous chemical and explosives may be permitted with the special permission of Metropolitan Commissioner which may be granted after compliance of all safety measures and certification from concerned Government Authorities.
- xv) **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. subject to the following conditions:
- The minimum plot area (necessarily under one ownership) shall not be less than 2 hectares.
  - The total permissible FSI shall not exceed 0.2 on gross plot area after deducting Development Plan Road/ Reservation area if any.
  - Out of the permissible built up area equivalent to 0.2 FSI, built up areas for ancillary and supporting users shall not exceed 1/3<sup>rd</sup> of permissible FSI
  - 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.
- xvi) **Development of buildings of educational and medical institutions-** Such institutions run by Government / Public Authorities or run by Public Charitable Trusts may be permitted in Agriculture / No Development Zone with **built up area upto 1/5<sup>th</sup> (i.e. 20%)** of the net plot area, subject to plantation of trees at the rate of 5 trees per Are on the plot.

Provided that additional FSI over and above the basic FSI permissible above may be granted by the Concerned Authority as per the following Table and subject to the conditions mentioned below: -

Sr. No.	Land Fronting on Road	Basic Permissible FSI on Net Plot Area	Additional FSI*	Maximum Permissible FSI	Note
1	2	3	4	5	6
1	Road having width of 12 mt. and above but less than 18mt.	0.2	0.5	0.7	The building height above 15 mt. subject to maximum upto 30 mt. or as mentioned in Maharashtra Fire Prevention and Life Safety Measure Act, 2006 shall be allowed after clearance / No objection certificate from the Fire Advisor / Chief Fire Officer
2	Road having width of 18 mt. above	0.2	0.8	1.0	



### Conditions:-

- a) The additional FSI as mentioned in Column No. 4 of the Table above is to be granted only on payment of premium calculated considering 30% rate of the said land as prescribed in the Annual Statement of Rates (ASR) of the year of granting such additional FSI. Such premium shall be deposited in the concerned Branch Office of Town Planning Department or in the Concerned Authority wherever applicable. The land area consider for premium shall be equal to additional FSI / built-up area granted
  - b) In case the educational use involves the nursery and elementary Schools, such nursery and elementary Schools shall be housed in single building with maximum Ground + 2 floor.
  - c) Other Regulation of the Standardised Development Control and Promotion Regulations shall apply to the above buildings constructed under this Regulation.
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- xvii) Fish farms, fish drying, storage of boats, servicing and repairs of boats.
  - xviii) Storage and drying of fertilizers.
  - xix) Brick, tile manufacture.
  - xx) Sand clay or gravel quarries.
  - xxi) Scrap Market with FSI of 0.20
  - xxii) Religious buildings and structures incidental thereto;
  - xxiii) Small agro based industries processing agricultural products like rice mills, poha factories and other rural based service industries;
  - xxiv) Ancillary service industries for agriculture produce marketing and management, ancillary service uses for agro related products like flowers, fruits, vegetables, poultry products, marine products, related collection centres, auction hall, godowns, grading services and packing units, knowledge parks, cold storages, utility services (like banking, insurance, post office services) as service industries for agriculture produce marketing on the land owned by individuals / organizations with FSI of 0.20.
  - xxv) Quarrying of stone, murum or earth including mechanized stone crushing or stone dressing subject to conditions mentioned by the District Collector.
  - xxvi) **Petrol Pump/LPG Pump/CNG Pump**: Petrol Pump, LPG Pump, CNG Pump is permissible in No Development Zone subject to following conditions:-
    - a) The minimum size of plot shall be,
      - i) 30.50 m x 16.75 m. in the case of Petrol/LPG/CNG Filling Station with kiosk without service bay;
      - ii) 36.50 m x 30.50 m. in the case of Petrol/LPG/CNG Filling Station with service bay.
    - b) Plot shall be located /fronting on National Highway, State Highway, Major District Road, Other District Road or Village Road or other road with a minimum width of 12.00 m. or more.
    - c) Permission from Government of India, Petroleum Ministry and Chief Controller of Explosives shall be necessary.
    - d) NOC from public works department and other related departments shall be obtained as per the prevailing rules. Also regarding service road / building line / control line, Government Resolution, Public Works Department, No. RBD-1081/ 871/Raste-7, dated 09 March 2001 and circulars issued in this regard from time to time shall be observed. Instructions
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contained in Government of India, Ministry of Road Transport and Highways letter dated 25/09/2003 and 17/10/2003 and its enclosures shall be observed.

- e) The plot on which a petrol filling station with or without service bays is proposed shall be on an independent plot on which no other structure shall be constructed.
  - f) Petrol/LPG/CNG station shall not be permitted within a distance of 90 meter from junction of roads having minimum width of 12 m. each. Also Petrol station shall not be sited within a distance of 90 m. from the nearest gate of school, hospital and theatre, place of assembly or stadium.
  - g) In the case of kiosks and other buildings for sales office, snack bars etc. within the plot for Petrol/LPG/CNG filling stations, the setbacks from the boundaries shall be 4.50 m. Further the other clearances for the installations shall be as per the Petroleum Rules of 1937.
- xxvii) Bus Terminus, Construction of new communication routes including roads, highways, railways, airports, jetties, etc.
- xxviii) Automobile Showrooms and workshops with FSI of 0.20.
- xxix) Tourism activities as specified in Regulation No.29.0
- xxx) Mobile Phone Towers with ancillary equipments as specified in Regulation No.31.0
- xxxi) Slaughter house or facilities for processing and disposal of dead animals with the special permission of Metropolitan Commissioner
- xxxii) **L.P. Gas Godowns** subject to following conditions:
- 1) Area of plot shall not be less than 1000 Sq.m.
  - 2) The maximum permissible FSI shall be 0.20.
  - 3) Only ground floor structure shall be permissible.
  - 4) It is necessary to obtain “No Objection Certificate” from Controller of Explosives and competent fire authority.
- xxxiii) **Integrated highways amenities** such as motels, way-side restaurants, fuel pumps, service stations, restroom and canteen for employees working on site and truck drivers, service godowns, factory outlets, highway malls, hyper market along with public conveniences like toilets, trauma center, medicine shop, bank ATMs, logistic park and like activities with FSI of 0.5 on gross area. The **Integrated highways amenities** shall be allowed subject to following condition.
- a) Minimum area of plot shall be 10000 Sq.mt.
  - b) 10 % amenity space shall be provided which shall be handed over to planning authority free of cost with fencing constructed as per the satisfaction of Commissioner.
- xxxiv) Solid waste management, land fill sites, power generation from waste.
- xxxv) Power generation from non-conventional sources of energy, bio-gas plants. Area covered under solar power shall not be counted in FSI.
- xxxvi) **Industrial Use** -Any industry / industries may be permitted only with the special permission of the Metropolitan Commissioner who may grant it after such scrutiny as may be necessary to ensure that the location is appropriate and is not likely to cause nuisance and hazard to adjoining owners. Before granting any such permission, the Metropolitan Commissioner may prescribe special conditions about minimum size of plot and minimum buffer open distance from the industrial building/ industrial use to residential or habitable zone / use, which shall not however be less than 23 m. Such industrial use shall be allowed with basic FSI of 0.20.

However the additional FSI over and above the basic permissible FSI for the above industrial use may be granted by the concerned Authority as per the following Table and subject to the conditions mentioned below. However also, if the earlier permissions which were granted as per NDZ regulations and now shown in Industrial Zone in DP, premium as mentioned below shall also be applicable for additional FSI over and above the permissible FSI.

Sr. No.	Width of road abutting the Plot of Land	Basic Permissible FSI*	Additional FSI*	Maximum Permissible FSI*
1	2	3	4	5
1	Road having width of 12 mt. but less than 18 mt.	0.20	0.60	0.80
2	Road having width of 18 mt. and above	0.20	0.80	1.00

(\*FSI indicated in the Table above is calculated over the entire plot area.)

**Conditions: -**

1. The additional FSI as mentioned in Column No. 4 of the Table above is to be granted only on payment of premium at the rate of 30% of the land rate of the said land as prescribed in the ASR of the year of granting such additional FSI. Such premium shall be deposited in the concerned Authority .
2. The concerned Authority shall ensure that additional FSI under this Regulation is granted for Industrial use. If the owner avail such additional FSI, then ground coverage shall be the coverage after proposing required marginal distance as per the prevailing DCPR of the Authority.
3. All other Regulations as applicable to the Industrial Zone, shall apply to the building constructed under these Regulations.
4. The revision of earlier approved cases for industrial permission shall be allowed subject Regulation No.1(vi) irrespective of its zoning shown on Development Plan or not.

**xxxvii) Star Category Hotels along Highways-** Additional FSI, in Agriculture / No-Development Zone for **three stars and above category Hotels** along National and State Highways shall be permissible subject to following conditions: -

- (i) Development of buildings for **three stars and above category Hotels** in No Development Zone along National and State Highways shall be permissible **on independent plot** upto FSI limit of 0.20 on gross plot area.
- (ii) Additional FSI upto 0.80 on gross plot area, over and above the basic FSI permissible under clause (i) above, may be granted by the Appropriate Authority on payment of premium at the rate of 35% of the said land rate as prescribed in the Annual Statement of Rates (ASR) for the year in which such additional FSI is granted. Such premium shall be deposited in the concerned Authority office.
- (iii) All other regulations, as applicable to Residential Zone, shall apply to the layout and buildings constructed under this Regulation.

**xxxviii)** Government project affected Rehabilitation sites.

**xxxvix) Town planning scheme** under the provisions contained in chapter V of Maharashtra Regional & Town Planning Act, 1966 shall be allowed for minimum 20 hector area, having access road of the width of minimum 18 mt., subject to condition that road network in scheme

area shall be provided and entire cost of scheme shall be borne by the owners/developers. After sanction of preliminary scheme under section 86 of the act, all uses as that of residential zone, shall be permitted. FSI and other regulation shall be applicable as per residential zone.

However, if the owners come together for development on aforesaid concept of town planning scheme instead of undertaking town planning scheme under the Act, the Metropolitan Commissioner may allow such development subject to earmarking 40% of the land for roads, park, playground, garden, social infrastructure, sale component by the Corporation, which shall be handed over to the Corporation. However, development permission for uses permissible in Residential Zone shall be granted phase wise after completion of physical infrastructure works including off site infrastructure and handing over of land to the Corporation. The FSI of land handed over to the Corporation shall also be allowed on remaining land on the lines of Regulation No.24.9. The land under such proposals shall be entitled for total FSI /TDR permissible in residential zone.

**xxxx) Residential and Institutional use permissible subject to following conditions.**

- (i) Minimum area of land shall be 15.0 hect.
- (ii) Land shall front on minimum 12 m. wide existing road.
- (iii) The offsite infrastructure like road, water supply, sewerage treatment plant having zero discharge shall be developed by land owner at his own cost.
- (iv) 10% of the entire holding area shall be handed over to the Planning Authority free of cost, without any FSI/TDR and free of all encumbrances for sale by Planning Authority for residential, commercial or industrial use depending upon the nature of development. This 10% area shall be over and above recreational open space and amenity space to be provided as per regulation. This 10% area shall front on minimum 12 m. wide road.
- (v) Premium for the gross area at the rate of 5% of the value of the land as given in the Annual statement of rates shall be paid to the Planning Authority
- (vi) Regulations for residential zone and other regulation shall be applicable.

**(xxxxi) Mangal karyalaya / lawns.**

- a) Minimum area for Mangal Karyalaya shall be 0.40 hect. with FSI of 0.20. It may be permitted along with essential guest rooms not exceeding 30% of the area of Mangal Karyalaya. Area for parking shall be 40% of gross area which shall be properly earmarked and bounded by bifurcating wall.
- b) Lawns for ceremony shall be 0.80 hect. with FSI of 0.20. Area for parking shall be 40% of gross area.
- c) The plot shall abut on road having width of minimum 15m.
- d) Such user (Mangal Karyalaya and Lawns) shall be allowed only on payments of premium at the rate 10 % of the land value arrived as per Annual Statement of rates (without considering the guidelines therein) of the respective year.

**(xxxxii) Farm houses** subject to following conditions:-

- (a) The land in which it is to be constructed is actually put under agricultural use.
- (b) Minimum plot area under above use shall be 0.4 Ha. And only one farm house shall be allowed per holding.
- (c) Farm house shall be permitted in accordance with the provisions of Maharashtra Land Revenue Code, 1966.
- (d) The FSI shall not exceed 0.0375 of gross plot area subject to a maximum built up area of 400 sq.mt. in any case.

- (e) Only ground floor structure with or without stilt shall be permissible with 12m. margin from the boundary of land.

(xxxxiii) **Development permission around the periphery of Gaothan boundary –**

Development permission around the periphery of Gaothan boundary shall be allowed as per the Regulation mentioned at **Appendix-L**. This regulation shall be applicable only for the **Rural centre and rural area (excluding nine urban centre area)**. Regulation for residential zone and other regulation shall be applicable.

**Note:-**The permissible FSI for uses in No Development Zone will be **0.20** on gross area after deducting D.P.Road/ Reservation area if any, if not specified.

## **25.7 GREEN BELT / Recreational Open Space**

Following uses shall be permissible

- i) Agriculture,
- ii) Tree Plantation, Gardens, Landscaping, public park Landscaping, Forestry and Nursery etc.
- iii) River front development by Municipal Corporation, or any institution authorised on behalf of Municipal Corporation
- iv) Development of pedestrian pathways, Jogging track, Cycle track, Boat club etc.
- v) Swimming pool, club house, recreational facilities after leaving marginal distance of 15 m. belt along river bank and 9.0m. from river and nalas, respectively subject to FSI of 10% with ground floor structure only.
- vi) Public toilets as per requirement.
- vii) Recreational open space of any layout/ sub-division/ development proposals, if submitted along with the developable land adjoining to such green belt, after leaving marginal distances of minimum 15m. and 9.0m. from river and nalas, respectively, (clarification – it is clarified that the FSI of the land under green belt zone shall be permissible to be utilized on the land adjoining but outside such green belt zone.)

The users and its extent shall be permissible in such Recreational open space, as prescribed in the regulation of Green Belt as mentioned above

If the land under green belt zone, excepting open space therein if any, is required by Metropolitan Commissioner for the public purposes mentioned above, the owner shall hand over the possession of such land for the development and maintenance of public purposes. Thereafter, such land shall remain open and accessible to general public for recreational activities.

Provided that, FSI of such land under Green Belt zone shall be permissible only after handing over such land to the Municipal Corporation free of cost and free from encumbrances

The side/rear marginal distances for the proposed building adjoining to river / nala shall be maximum of-side / rear marginal distance, to be measured from river/nala, as required according to height of building or 4.5 m. from the dividing line between green belt zone and the other developable zone.

## **25.8 Public Utility Zone-**

The following users shall be permissible in this Zone.

Water treatment plant, water reservoirs, pumping station, water storage tank, sewage / influent treatment plant, waste water recycling plant, electric substation, cemeteries, burial ground and cremation grounds, slaughter house, solid waste landfill / management site, fire station, post, telegram and communication office, telephone exchange, cattle pond and dairy farm, public urinals.

### **25.9 Transportation Zone-**

The following uses shall be permissible in this Zone:-

Roads, bus depot, railway station, public transit stations such metro / mono rail station, public parking garages, truck terminus etc.

### **25.10 Mines and Quarries Zone-**

The following uses shall be permissible in this Zone:-

Stone quarrying, soil excavation, stone crushing or other similar activities, mining activity, brick kilns, caretaker's quarters or residential quarters for essential staff upto maximum BUA 20 sqm, ancillary buildings like site offices, cafeteria with maximum BUA upto 250 sqm.

The existing uses within these zones such as bricks kilns, fly ash bricks, cremation ground etc. shall be continued for the respective purposes. The mining and quarry operation shall not be permitted within the restrictive area as per their prevailing regulations. The development after the closing of existing mining areas / quarries shall be as per the closing policies of the respective department. However, the private lands which are included in Mines and Quarry Zone shall deemed to be included in the adjacent zone and Metropolitan Commissioner shall grant development permission accordingly.

### **25.11 Quarry to Park Zone-**

The existing operational quarries area continue to be in operation. The existing uses within these zones such as bricks kilns, fly ash bricks, cremation ground etc. shall be continued for the respective purposes. The development after the closing of existing quarries shall be as per the closing policies of the respective department. Though the land under this zone are included in Quarry to Park Zone, the uses and development activities as per the uses included in No Development Zone of DCPR shall only be permissible subject to due NOC from the respective department.

However, the private lands which are included in Quarry to Park Zone shall deemed to be included in the adjacent zone and Metropolitan Commissioner shall grant development permission accordingly.

### **25.12 Defence Zone-**

Areas under the Defence Zone are lands under occupation and ownership of the Defence Department. This zone will be subject to the relevant Defence rules.

Further, certain areas adjoining the Defence Zone, as may be specifically notified from time to time, shall be subject to restrictions on constructions or on the use of lands in the interest of safety and security of the defence services or the civil population living in the surrounding areas.

If any private property is included within the Defence Zone and if the owner establish that the private / individual ownership of land vest with him then the land use adjoining to such zone shall be assigned to piece of such land by the Metropolitan Commissioner in consultation with Joint Director, Town Planning, Nagpur Division, Nagpur.

### **25.13 Forest Zone-**

Areas under Forest Zone are lands under ownership of the Forest Department and subject to applicable rules and regulations of the Forest Department.

If any private property is included within the forest Zone and if the owner establish that the private / individual ownership of land vest with him then the land use adjoining to such zone shall be assigned to piece of such land by the Metropolitan Commissioner in consultation with Joint Director, Town Planning, Nagpur Division, Nagpur.

#### 25.14 Uses Permissible In Reservations-

- i) The uses permissible in reserved sites shall be conforming to the use for which it is reserved. The required parking, public toilets and separate place for garbage bins shall also be provided in the reserved site itself.
- ii) Where the Metropolitan Commissioner or the Appropriate Authority proposes to use land / building / premises reserved for one specific public purpose / purposes, partly for different public purpose/purposes, it may do so, provided that such partial use shall not exceed 40% of the reserved area and such combination shall not be of incompatible uses. However, area upto 300 sq.m. from any reserved land may be allowed to be developed for construction of arogya kothi i.e. waste segregation centre except site mentioned at (a), (b) and (c).
- iii) Municipal Corporation may acquire and develop any of the reservation proposed in the development plan, partly or fully, for multi-story public parking, irrespective of its designation, if amenity of parking is direly needed in the area.
- iv) Combination of uses as mentioned below may be permissible even if the reservation is for a specific purpose.
  - a) **Playground** - In playground reservation, minimum 90% area shall be kept open for open play activities. In remaining 10% of area, covered swimming pool & allied construction, gymnasium, covered badminton court, pavilion, watchman quarter, small restaurant to the extent of 20 sq.m. (for every 4000 sq.m. reservation area) may be permitted. The FSI permissible shall be 0.15. If required, the sites of playground may be developed for park or garden, however, such change shall not exceed 10% in the said sector of development plan.
  - b) **Stadium** - In addition to the uses permissible in playground mentioned above, shops below the spectators' tiered gallery may be permitted. The FSI permissible shall be 0.25.
  - c) **Garden** – In addition to the main use of garden, open swimming pool & allied construction, water tank, rain water harvesting system, gardener / watchman quarter, small restaurant or food stalls to the extent of 20 sq.m.(for every 4000 sq.m. reservation area) may be permitted. Total FSI used for such constructions shall not exceed 0.1 of the garden area. If required, the sites of garden may be developed for playground, however, such change shall not exceed 10% in the said sector of development plan.
  - d) **Weekly Market** - Weekly vegetable market with open ottas, cattle market and ancillary petty convenience shops.
  - e) **Vegetable Market** - Open or covered ottas along with petty convenient shops, fruit stalls.
  - f) **Shopping Centre / Market** - Shopping, Vegetable market, departmental stores, offices, banks / community hall on upper floors.
  - g) **Town-hall** - Town hall, exhibition hall, art gallery, meeting / conference hall, library, small restaurant to the extent of 20 sq.m.
  - h) **Drama Theatre / Natyagriha** – Drama theatre / natyagriha, art gallery, exhibition hall, library, small restaurant to the extent of 20 sq.m., allied users such as guest rooms for the artists.
  - i) **Cultural Hall** - Cultural hall, marriage hall, socio-cultural activities, art gallery, exhibition hall, performing arts activities, small restaurant to the extent of 20 sq.m., allied users such as guest rooms, yoga centre.

- j) **Primary School** -Secondary, Primary & pre-primary schools and allied activities.
- k) **Secondary / High School** – Junior college, secondary / high school and primary- pre-primary school & allied activities.
- l) **Library** – In addition to library, nursery school, balwadi.
- m) **Health Centre / Hospital / Maternity Home / Dispensary** – Any sort of medical facilities alongwith ancillary construction such as staff quarters, chemist shop, restaurant, ATM, PCO, cyber café of not more than 20 sq.m., etc. sleeping accommodation for guests in case of bigger hospitals of built up area not less than 2000 sq.m. may be permissible.
- n) **Truck Terminus** - In addition to minimum 60% area for parking of trucks, restaurant, hotel, motel, lodging facility for drivers, auto repair centre, auto service centre, shops for auto spare parts, shops for daily needs, ATM, PCO, primary health centre / first aid centre, provision for loading-unloading.
- o) **S.T. Stand and commercial uses** -Out of total FSI, maximum 1.00 FSI shall be allowed to be developed for commercial use and remaining FSI shall be for the self-use of the said Corporation permissible as per the Development Plan.

**Note:-**

- 1) The permissible FSI for above uses shall be as that of residential zone, including premium FSI and loading of TDR, if not specified.
- 2) **Other reservations** - The reservations which have not appeared in the above list, may be allowed to be permitted to be developed for the compatible uses with the approval of the Director of Town Planning, Maharashtra State, Pune

## 25.15 ADDITIONAL USES:

The lists of uses mentioned under the various land use zoning herein above at regulation no.25.2 to 25.7 may be amended by the Metropolitan Commissioner from time to time, with the consent of Divisional Head of Town Planning Department

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**TABLE NO. 6 : SERVICE INDUSTRIES-  
SCHEDULE OF PERMISSIBLE SERVICE INDUSTRIAL USES IN RESEDENTIAL ZONE (R-2) ,COMMERCIAL & INDUSTRIAL ZONES**

Sr.No.	Category of Industry	Classification & Special condition				Special Conditions If Any
		Maximum Permissible Requirement	Power	Maximum Permissible Employment	Maximum Permissible Area	
1	2	3	4	5	6	
<b>I)Food Products</b>						
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.	--
7)	Cold Storage	15 HP			
<b>II) Beverages &amp; Tobacco</b>					
	Manufacture of Bidi	No Power to be used	No Limit	250 sq.m.	To be permitted
<b>III) Textile and Textile Products</b>					
8)	Handloom/ Power loom subject to a maximum of 4 looms	5 HP	9 persons	50 sq.m.	To be permitted in Residential Zone in area designated by the Metropolitan Commissioner
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.	--
<b>IV) Wood Products &amp; Furniture</b>					
12)	Manufacture of wooden furniture and fixtures	7 HP	9 persons	50 sq.m.	i) Shall not be permitted under or adjoining a dwelling unit. ii) Operation shall be permitted only between 8 hrs. to 20 hrs.
13)	Manufactures of bamboo and cane furniture and fixtures	7 HP	9 persons	50 sq.m.	--
<b>V) Paper Products &amp; Printing</b>					
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.	<p>i) Shall not be permitted under or adjoining a dwelling unit</p> <p>ii) Operation shall be permitted between 8 hrs to 20 hrs</p> <p>iii) No restriction on power no. of employee's area of hours of operation shall apply if located in building in separate plot not less than 500 sq.m.</p>
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.
<b>VI) Leather Products</b>					
18)	Manufacture of leather footwear	5 HP	9 persons	50 sq.m.	--
19)	Manufacture of wearing apparel like coats gloves etc.,	5 HP	9 persons	50 sq.m.	--
20)	Manufacture of leather consumer goods such as upholstery suitcases pocket book cigarette and key cases purees etc.	5 HP	9 persons	50 sq.m.	--
21)	Repair of footwear and other leather goods	5 HP	9 persons	50 sq.m.	--
<b>VII) Rubber and Plastic Products</b>					
22)	Retreading and Vulcanizing works	2 HP	9 persons	50 sq.m.	----
23)	Manufacture of rubber balloons	2 HP	9 persons	50 sq.m.	----
<b>VIII) Metal Products</b>					
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.,

<b>IX) Electrical Goods</b>					
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.
<b>X) Transport Equipment</b>					
26)	a) Service of motor vehicles and motor cycles with no floor above	5 HP	9 persons	50 sq.m.	Operation shall be permitted only between 8 hrs to 20 hrs
	b) Repair of motor vehicles and motor cycles with no floor above	5 HP	9 persons	50 sq.m.	No spray painting permitted
	c) Battery charging and repair	5 HP	6 persons	25 sq.m.	--
27)	Repair of bicycles and cycle rickshaws	5 HP	6 persons	50 sq.m.	No spray painting permitted
<b>XI) Other manufacturing and Repair Services</b>					
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)	Petrol filling stations	10 HP	9 persons	i) 30.5 x 16.75 m ii) 33.5 x 30.5 m	Plot size (i) for filling stations without service bay and (ii) for filling stations with service bay

33)	Laundress laundry service and cleaning dyeing bleaching and dry cleaning	4 KW	9 persons	50 sq.m.	i) Cleaning and dyeing fluid shall not have flash point lower than 138 F.
					ii) Operation shall be permitted between 8 hrs to 20 hrs
					iii) Machinery having dry load capacity of 20KG and above
34)	Photo processing laboratories, Xeroxing photo copy videotaping and their repairing	5 HP	9 persons	50 sq.m.	Operation shall be permitted between 8 hrs to 20 hrs
35)	Ready Mix Concrete Plant	3.75 HP	9 persons	50 sq.m.	--
36)	Non-polluting, High Tech, High Value added Electronic Industries	---	9 persons	50 sq.m.	--

**PART IV**  
**GENERAL BUILDING REQUIREMENTS**  
**SET BACKS, MARGINAL DISTANCES, HEIGHT, PERMISSIBLE FSI**

**26.0 GENERAL**

Following regulations for congested area shall be applicable for the lands included in congested area as shown on the development plan. For the areas outside congested area in the development plan, regulation for outside-congested area shall apply. However, in congested area, if the original land holding is more than 0.40 Hector, then all the regulations of non-congested area except FSI shall apply. In such cases FSI shall be as per Regulation No 26.1

**26.1 REGULATION FOR CONGESTED AREA**

**26.1.1 Residential and mix user buildings -**

**a) Floor Space Index-**

Maximum permissible FSI shall be 1.50 for purely residential building and in case of mix residential with commercial or other user, additional FSI, limited to 0.5 for non-residential user may be permitted.

**b) Set back (Road side Margin/s)-**

The minimum front set back from the existing or proposed road/s shall be as under:-

<b>Table No. 7</b>			
<b>Sr. No.</b>	<b>Road width</b>	<b>For Purely Residential</b>	<b>For Mixed Users</b>
(i)	For streets less than 7.5 m. in width	NIL	1.50 m. (for uses other than residential, fronting on road)
(ii)	For streets 7.5 m. to less than 12 m. in width	1.00 m.	2.00 m.
(iii)	For streets 12 m to less than 18 m. in width	1.50 m	2.50 m.
(iv)	For streets 18 m & above in width	2.00 m	3.00 m

No such setback shall be necessary for pathways provided as per Regulation No. 24.2(D)

**c) Side & rear marginal distances shall be as below :-**

<b>Table No.8</b>		
<b>Residential Plot Area</b>	<b>Side</b>	<b>Rear</b>
Upto 250 sq. m	0.00	1.00
Above 250 & upto 500 sq. m	1.00	1.00
Above 500 sq. m. & upto 1000 sq.m	2.00	2.00
Above 1000 sq.m.	As per Regulation No. 26.2	

**Note :-**

a) For lanes less than 4.5 m. in width, a setback of 2.25 m. shall be prescribed from the centre line of such lane. Streets less than 4.5 m. shall be treated as lanes only when they serve as access to the properties fronting on them.

b) Structural projections such as balconies, cornices, weather sheds, roof projections etc. shall be allowed in the setback distance prescribed above as per Regulation No. 26.8.

c) **Height-** Above set back and marginal distances shall be applicable for buildings less than 15 m. in height. Marginal distances shall be increased by 1m. for buildings having height 15 m. and more but less than 24 m. For building having height 24 m. and more, marginal distances shall be as per regulations of non-congested area.

d) Steps may be allowed within marginal distance

e) **Parking** – parking shall be provided as per the provisions in Regulation No.42.0

**26.1.2 Public semi-public, Educational, Medical, Institutional, Commercial, Mercantile and Other Buildings:**

a) **Floor Space Index** - Maximum FSI permissible shall be 2.00.

b) **Marginal distances** - For these buildings marginal distances shall be 3 m. on all sides.

c) For buildings having height more than 15.00 m., regulations of non-congested area shall apply for front, side & rear marginal distances.

Provided that for buildings like cinema theatre, multiplex, assembly buildings, shopping malls, regulations prescribed in non-congested area, except FSI, shall apply.

**26.1.3** Pathway for access to the internal building or interior part of the building, the pathway shall not be less than 3.0 mt. and shall be subject to provisions mentioned in Regulation No. 24.2(D).

**26.1.4** If the width of property is less than 3.6 m. (12 ft), the entire ground floor shall be on stilts.

**26.1.5** Front open space as prescribed by the Highway or any other rules shall be applicable if they are over and above as prescribed in these regulations.

**26.2 REGULATION FOR OUTSIDE CONGESTED AREA.**

**26.2.1 Marginal Distances for Residential Buildings Height 16 mt. and Below.**

The provisions for minimum marginal distances as given in **Table No.9** shall apply for the residential buildings, residential with mix uses permissible in non-congested areas and ancillary residential buildings permissible in industrial zones having height upto 16 mt. and below.

Table No.9							
Sr. No.	Description of the road	Min Plot Size in Sq. m.	Min width of plot in meter	Min set back from road side in meter	Min. side margins in meter	Min. rear margins in meter	remarks
1	NH/SH	450	15	6.0m for NH and 4.5 m. SH or as specified by Highway rule whichever is more	3.0	3.0	--
2	MDR/ODR	450	15	4.5 m. or as specified by Highway rule whichever is more	3.0	3.0	--
3	Roads 24 meters and above	300	12	4.5	3.00	3.0	--
4	Roads of width below 24 mt and upto 18 mt.	250	10	3.00	3.00	3.0	--
5	Roads of width below 18 mt and upto 15 mt.	250	10	3.00	2.25	2.25	Side and rear margins in this row only for G+2 or stilt + 2 structure
6	Roads of width below 15 mt and above 9 mt.	150	8	3.00	1.50 (in case of semi-detached building, only one side open space shall be permissible)	1.50	--do-
7	Road of width upto 9 mt.	100	7	3.00	1.50 (in case of semi-detached building, only one side open space shall be permissible)	1.50	--do-



8	Row Housing on roads of 12 mt. and below	30 to 125	3.50	2.25	0.00 (In case of corner plot, 1.50 or building line of adjoining road whichever is more)	1.50	Side and rear margins in this row only for G+1 or stilt + 2 structure
9	Row Housing for EWS/LIG/SI um Up gradation etc. by public authority.	20 to 50	3.00	0.90 mt from pathway or 2.25 mt from road boundary	As per Sr.No.7 above	0.90m	Side and rear margins in this row only for G+1 or stilt + 1 structure

**Note-**

- (1) Higher height may be permitted subject to marginal distance mentioned in Regulation No. 26.2.4.
- (2) The minimum area of plots fronting on service roads along highways, shall be with reference to the width of service road.
- (3) For semidetached buildings, side margin shall be on one side only.
- (4) Row-housing plots at the junction of two roads shall be larger to maintain the setback from both roads. Not more than 12 and not less than 3 plots shall be allowed in each block of row housing. Each block shall be separated from the other by 6 m. road or 6 m. side margin distance of the plot or space including side marginal distance of the plot.
- (5) No garage shall be permitted in a building having stilt or basement provided for parking.
- (6) Construction of ottas, railings, barricades or supporting columns for canopy or porch shall not be allowed in front marginal distances. However, steps may be permitted within 1.2 m. from the building line. Also supporting columns for canopy or porch may be allowed within building line.
- (7) In no case ribbon development rules shall be relaxed without consent of the Highway Authority.
- (8) In case of special building as specified in Regulation No.6.2.2.g, marginal distances shall be as per said regulations.
- (9) The plot width to depth ratio shall be 1:1.5 to 1:2.5; as far as possible in case of plotted layout development permission.
- (10) In Public Housing Schemes for E.W.S. undertaken by government or semi-government organisations, marginal distances shall be as per their respective schemes and rules.
- (11) The front setback set-out in already approved and partially developed layouts / schemes, may be retained as per said approval, so as to maintain the building line.
- (12) The pattern of development like semi-detached, row housing, etc. in already approved layout shall be as per said approved layout.
- (13) Where commencement certificate is granted prior to publication of draft development plan and the said plot is affected by new road proposed in the development plan, then front margin stand relaxed to that extent.

**26.2.2 Other Buildings:** The Provision as given in Table No.9 a below shall apply for different categories of other buildings.

<b>Table No.9a</b>				
<b>Sr. no.</b>	<b>Type of building</b>	<b>minimum road width required</b>	<b>Minimum marginal distances</b>	<b>Other stipulations</b>
1	2	3	4	5
1	Medical buildings			
	a) Hospital, Maternity Homes, Health Club, Public Semi-public buildings being special building	12 m.	6 m. on all sides	As per table no. 14
	b) Hospital, Maternity Homes, Health Club, Public Semi-public buildings not being special buildings	12 m.	Front margin as per Table no. 7 remaining sides 4.5 m.	As per table no. 14
	c) Clinics on plot upto area 300 sq.m.	9 m.	Front margin as per Table no. 7 other all sides 3.0 m.	
2.	Educational buildings			
	a) Pre-primary School	6m.	As per Table No.7	As per table no. 14
	b) Primary School	9m.	4.5m. on all sides	
	c) Other Educational Buildings	12m.	6.0 m. on all sides	
3.	Cinema Theatre/ Drama Theatre/ Assembly Hall/ Multiplex / Shopping Malls	15 m.	Front – 12 m. (only on one major road) Remaining front and/or all sides 6 m.	construction of Cinema Theatre/Multiplex shall confirm to the provisions of Maharashtra Cinema (Regulations) Rules, 1966 as amended from time to time.
4.	Mangal Karyalaya like buildings	12 m.	--do--	-
5.	Petrol/Fuel Filling Stations with or without service bays	12 m.	6.0 m. on all sides.	i) Plot should not be located within the distance of 90 m. from any junction of roads having min. width

				<p>12 m. each. In case of 'T' junction, this restriction of 90 m. shall apply on a side where perpendicular road meets the junction..</p> <p>ii) Restrictions imposed by Ribbon Development Rules, IRC, MoRTH shall apply.</p> <p>iii) Petrol filling 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 90 m. and vice versa, a petrol station may be permitted on such a convex curve.</p>
6.	Mercantile/ Business/ hotel/ Commercial/ mix use with residential buildings.	12	Front 6.0 m. Side & rear 4.5 m.	<p>i) Shops may also be allowed fronting side and rear margins.</p> <p>ii) Minimum area of Shops shall be 6 Sq.mt with a minimum width of 2.00 mtr.</p>
7.	Stadium / Pavilion	12	6 m. on all sides	Covered portion shall not exceed 20% of plot area. The spectators' gallery of the stadium shall not be counted towards FSI. Shops below spectator's gallery may be permissible.

**NOTE:**

- i) In case of plots fronting on National Highway, State Highway and Major District Roads, the building line shall be as per Ribbon Development Rules as given in Table above, whichever is more.
- ii) Side and rear marginal distances mentioned in above Table shall be subject to Regulation No.26.2.4, whichever is more.
- iii) In case of special building as specified in Regulation No. 6.2.2(g), marginal distances shall be as per said regulations.

**26.2.3 Characteristic Specified Areas** -Notwithstanding anything contained in these regulations, Development Control Rules for Characteristic Specified Areas within NMA Area if any shall prevail

**26.2.4 Marginal distances for Buildings of Higher Heights**

The Requirement for front, rear and side marginal distances are as mentioned below shall apply for all buildings except the marginal distances specified in Table No.9. for the heights mentioned there in.

**a) Front Margin Requirements** - Subject to provision in Regulation No.26.5(a), minimum front margin required under this regulation shall be as given below.

- i) Height above 16 m. & upto 24 m. -- 4.50 m. or as per Table No.9 whichever is maximum
- ii) Height above 24 m. & upto 37.5 m. -- 6.00 m.
- iii) Height above 37.5 m. & upto 50.0 m. -- 9.00 m.

**b) Side or rear Marginal distances Requirements -**

<b>Table No. 10</b>		
<b>Sr. No.</b>	<b>Height of Building</b>	<b>Side / rear space requirement</b>
1	Height specified in Table No.9 (16 mtr and below)	As per <b>Table No.9</b>
2	For height more than specified in Table No.9 Above 16 mtr)	H/4 subject to a minimum of 3.0 m for residential building, 4.5 m. for commercial building, and 6.0 m. for special building mentioned in Regulation No. 6.2.2.(g)
Where, H = height of building above average surrounding ground level.		

Provided that such marginal distance shall be subject to maximum of 16.0 mt. Provided also that, if the land owner wishes to keep higher margins, he may allow to do so.

Provided further that for calculating the marginal distances, the building height shall be exclusive of height of parking floors maximum upto 6.0 m.

**c) Provision for Step Margin:** - Step margins may be allowed to be provided on upper floor at height 24 m. and above to achieve required marginal distances as mentioned in these regulations subject to structural stability and fire protection norms as prescribed from time to time. If building height 24 m. and above minimum side margin at ground level shall be 7.5 m. and if building height 50 m. and above the minimum side margin shall be 9.00 m. In congested area minimum side margin at ground level shall be 6.00 m

**d) The Distance between the two building -**

The distance between two buildings shall be the side marginal distance required for the higher building between two adjoining buildings.

Provided where rooms do not derive light and ventilation from the exterior open space, the distance between the two buildings may be reduced by 1 m subject to a minimum of 3 m. (if necessary 6.0m. in case of special building) and a maximum of 8 m. No projections shall be permitted in this exterior space.

In case of group housing scheme or in housing scheme where building abuts on internal road or abut on recreational open space then in such cases the minimum 3.0 m. set back from internal road or distance between two buildings whichever is more shall be provided. For Development plan road or classified road or through road, passing through Group Housing Scheme, the setback as prescribed in the regulations shall be provided.

**e) Buildings abutting Two or More Streets -**

When a Building abuts two or more streets, the setbacks from the streets shall be such as if the building is fronting each such street.

**26.3 PERMISSIBLE FSI**

Permissible basic FSI, additional FSI on payment of premium, Permissible TDR Loading on a plot in non-congested area for Residential, Commercial uses shall be as per the following Table No. 11

**Table No. 11**

**Permissible basic FSI, FSI on payment of premium, Permissible TDR Loading on a plot in non-congested area for Residential, Commercial uses**

Sr. No	Road width in meter	Basic FSI	Additional FSI on payment of premium	Maximum Permissible TDR Loading	Maximum Building potential on plot
1	2	3	4	5	6
1	Below 9.00 meter	1.1	--	—	<b>1.10</b>
2	9.00 meter and upto 12.00 meter	1.1	0.30	0.40	<b>1.80</b>
3	12.00 meter and upto 18.00 meter	1.1	0.30	0.65	<b>2.05</b>
4	18.00 meter and upto 24.00 meter	1.1	0.30	0.90	<b>2.30</b>
5	24.00 meter and upto 30.00 meter	1.1	0.30	1.15	<b>2.55</b>
6	30 meter & above	1.1	0.30	1.40	<b>2.80</b>

**Note-**

- i) For the other Non-Residential Buildings (except Residential and Residential with mix uses), the basic FSI for such type of buildings shall be 1.25.
- ii) Additional FSI upto 0.20 on payment of premium shall be allowed for the redevelopment of Authorised Residential buildings on roads having width below 9 mt., subject to condition that the construction/redevelopment shall be allowed only if the building is more than 30 years old.
- iii) Maximum permissible building potential on plot mentioned at column no.6 shall be exclusive of FSI allowed for Inclusive Housing as per Regulation No.37.0.
- iv) The restrictions of road width mentioned above shall not be applicable in cases where, the permissible FSI is more than the basic FSI in various schemes such as, slum rehabilitation scheme, redevelopment of dangerous buildings, cluster development for core area, redevelopment of MHADA buildings, MRTs and BRTs routes, etc.

- v) The maximum limits of FSI prescribed above shall be applicable to fresh permission and also to an existing building which has not been granted full occupation certificate but subject to production of stability certificate from structural engineer in respect of such existing building. However, in no case the rights of the flat owner / unit holders shall be adversely affected.
- vi) **Premium** - Rate of premium for the additional FSI as mentioned in column no 4 above shall be decided by Government from time to time. The premium collected shall be shared 50:50 between State Government & Corporation respectively. The premium of the Government shall be deposited by the planning authority in a Government head account.
- vii) On request of Planning Authority, Government may vary the ratio of Additional FSI and TDR as mention in column 4 and 5 by issuing Directives.

## 26.4 INDUSTRIAL BUILDINGS

Minimum plot area, marginal space, Permissible FSI, Additional FSI with payment of premium for industrial building shall be as per the Table No. 12 given below:-

### a) Minimum plot area, marginal space, Permissible FSI-

Table No. 12						
Sr. No.	Min. road width	Plot Size in sq.m.	Basic Permissible FSI	Additional FSI on payment of premium	Min. Front Margins	Min. Side & Rear Margins
1	2	3	4	5	6	7
1	12m.	Upto1000	1.10	0.30	4.50	3.00
2	12m.	1001 to 5000	1.10	0.30	9.00	6.00
3	12m.	5000 and above	1.10	0.30	12.00	9.00

### Note-

- i) In case of plots fronting on National Highway, State Highway and Major District Roads, the building line / control line shall be as per Ribbon Development Rules as given in Table above, whichever is more.
- ii) Front, side and rear marginal open spaces shall be as per above Table.
- iii) Minimum and maximum height shall be 3.60 m. & 4.2 m. respectively for industrial buildings. The greater height may be permitted as per the requirement.
- iv) In addition of provisions of these regulations, regulations prescribed under Factory Act shall be applicable.
- v) **Premium** - Rate of premium for the additional FSI as mentioned in column no 5 above shall be decided by Government from time to time. The premium collected shall be shared 50:50 between State Government & Corporation respectively. The premium of the Government shall be deposited by the planning authority in a Government head account
- vi) **Buffer zone**-For construction of industrial building, buffer zone of 23 m. wide shall be left from residential or incompatible zone, wherever necessary. Such buffer zone shall be part of sizable required recreational open space. Roads and marginal distance is may also be treated as a part of Buffer Zone. However, area of such buffer zone shall be counted in gross area for computation of FSI. Where green belt is shown in development plan between residential and industrial zone, area of such green belt shall be counted in gross area for calculation of FSI. Provided also that marginal distance for a building shall not be exclusive of buffer zone. The floor height for industrial building shall be as per requirement.

### **26.5 a)Height of Building-**

- (i) Height of building is allowed to the extent that is required to consume the maximum building potential on plot as given in the table under regulation no. 26.1.1 & 26.3 , subject to other restrictions as per these regulations and prior approval of Chief Fire Officer, if required under this regulation. In any case maximum height of building shall not exceeds **50 m**.

Notwithstanding anything contained in these regulations, for the building having height 24.0 mtr and more , the minimum road width shall be 12.0 mtr. and for building having height equal to or more than 50.0 m., the minimum road width shall be 15.0 mtr.

Provided further that building of greater height above 50.0 m. may be allowed in consultation with Chief Fire Officer and subject to approval of High Rise Committee.

- (ii) If a building abuts on two or more streets of different widths, the height of building shall be regulated by the street of greater width.
- (iii) For building in the vicinity of aerodromes, the maximum height of such buildings shall be subject to values framed by the Civil Aviation Authorities or the development permission shall be considered only after applicant produces NOC from Air Port Authority.
- (iv) In addition to (iii) for Industrial Chimneys coming in the vicinity of aerodromes, it shall be of such height and character as prescribed by Civil Aviation Authorities and all Industrial Chimneys shall be of such character as prescribed by the Chief Inspector of Steam Boilers and Smoke Nuisance, and
- (v) Buildings intended for hazardous godowns storage of inflammable materials and storage of explosives shall be single storied structures only.

### b) Height Exemptions-

The appurtenant structures such as roof tanks and their supports, ventilating, air-conditioning, lift rooms and similar service equipment, stair cover, chimneys and parapet walls and architectural features not exceeding 1.2 m. in height shall not be included in computation of height of building.

## 26.6 HIGH RISE COMMITTEE

It is mandatory for the Metropolitan Commissioner that, for the buildings **height 36 mt. and more**, the building approval proposal shall be cleared from the High Rise Committee. The High Rise Committee shall be constituted by the Commissioner. The structure of the Committee is as under. The decision of the high rise committee shall be binding on every owner/developer.

### a) Constitution of the Committee -

Table No. 13		
S. No.	Members	Post
1	Additional /Deputy Commissioner of the concern Authority	Chairman
2	Assistant Director of Town Planning / Town planner of the concerned Branch	Member
3	Superintendent Engineer, Public Works Department, Govt. of Maharashtra or officer nominated by him not below the rank of Executive Engineer.	Member
4	Head of Department, Soil Mechanics, Govt. College of Engineering	Member
5	Head of Department Structural Engineering, College of Engineering in the vicinity	Member
6	Chief Fire Officer of the concerned authority or if not available then from Nagpur Municipal Corporation	Member
7	Deputy/Assistant Director of Town Planning of the concern Authority.	Member Secretary
8	Structural Engineer of the concerned project	Invitee

### b) Building proposals to be referred to the Committee-

- i) All new building proposals where the height of the proposed buildings, exceeds 36 mt. shall be referred to the committee. Apart this, any new building proposal, in the opinion of the Commissioner, which inter alia involves major disturbance of and/or integrated to the existing natural land formation and profile as also substantial reclamation may also be referred to the Committee.
- ii) It is mandatory for all the high rise buildings to comply with the structural design and stability and Fire Safety as mentioned in Part - XII and XIII.
- iii) The Committee shall be of advisory nature and it will advise the Metropolitan Commissioner regarding the feasibility of development proposals considering the opinion of the expert members of the committee.
- iv) In specific case, if the Chairman desires, any expert from other fields may be invited for the meeting of the Committee.



- v) The Corporation shall render necessary help for functioning of the Committee, provision of place for meetings, secretarial assistance, etc.
- vi) The non-official members of the Committee shall be paid honorarium as may decided by the Commissioner.
- vii) The Commissioner may levy additional scrutiny fee for such building proposals.
- viii) The Committee shall offer its remarks on the building proposal within a period 45 days from the date of receipt of the proposals.

## 26.7 INTERIOR AND EXTERIOR CHOWK-

**(a) Interior chowk :** Wherever habitable rooms or kitchen derives ventilation from inner chowk or interior open space, the size of such interior open space shall not be less than 3 m. x 3 m. upto height of 16 m. and for height more than 16 m., the interior open space shall not be less than H/5 m. x H/5 m. where H = height of highest wall of the chowk.

**(b) Exterior chowk :** The minimum width of the exterior chowk for the purpose of light and ventilation, shall not be less than 2.4 m. and depth shall not exceed 1.5 times the width for buildings upto 16 m. height and for height more than 16 m., the exterior open space shall not be less than H/6 m. x H/6 m. where H = height of highest wall of the chowk. If the width of the exterior chowk is less than 2.4 m. it shall be treated as a notch.

*Provided that,* Where only water closet, bathroom, combined bathroom and water closet abutting on the interior open space, the size of the interior open space shall be in line with the provision for ventilation shaft as given in Regulation No. 41.19 / **Table No. 20.**

## 26.8 PERMISSIBLE STRUCTURES / PROJECTIONS IN MARGINAL OPEN SPACES.

The following projections shall be permissible in marginal distances:

**(a) Projections into distances:** - 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 shade more than 0.75 m. wide shall overhang or project over the said marginal distances so as to reduce the width to less than the minimum required. However, sloping/horizontal chajja provided over balcony/ gallery etc. may be permitted upto balcony projections at horizontal level, Cupboards as specified in Regulation No. 41.5.2.

**(b) A canopy** not exceeding 5m. in length and 2.5 m. in width in the form of cantilever and unenclosed over the main entrance providing a minimum clear height of 2.40 m. below the beam bottom of canopy. The canopy shall not have access from upper floors (above floors), for using as sitting out place. There shall be a minimum clearance of 1.5 m. between the plot boundaries and canopy. Provided that, more than one canopy may be allowed in case of special buildings, as per requirement.

**(c) A projection** of maximum 30 cm. on roof top terrace level may be allowed throughout the periphery of the building. In case of pitched roof projection of maximum 45 cm. at rooftop terrace level throughout periphery of the building shall be allowed.

**d) Accessory buildings:-** The following accessory buildings may be permitted in the marginal open spaces :-

- i) In an existing building where toilet is not provided, a single storeyed toilet subject to a maximum area of 4.0 sq. m. in the rear or side open space and at a distance of 7.5 m. from the road line or the front boundary and 1.5 m. from other boundaries may be permissible. The Commissioner may reduce 1.5 m. margin in exceptional cases to avoid hardship.

ii) Parking lock up garage not exceeding 2.4 m. in height shall be permissible in the rear corner of the plot with independent bungalow. Parking lock up garage when attached to main building shall be 7.5 m. away from the road line and shall be of such constructions giving fire resistance of 2 hours. The area of sanitary blocks and parking lock up garage shall be taken into account for the calculation of FSI.

iii) Suction tanks, soak pits, pump room, meter room, garbage shaft, space required for fire hydrants, electrical and water-fittings, water tanks, dustbins etc.

iv) One watchman's cabin / booth not more than 3 sq. m. in built up area having min. 1.20 m. width or diameter of cabin / booth.

**Note :-** When a building abuts falling on three or more roads then above mentioned user, except (iv), shall be permissible in front setback facing the smaller road of less important from traffic point of view.

e) **"Ramp" in basement** shall be allowed subject to 6.0 m. clear marginal distance for movement of fire fighting vehicle.

f) **Fire escape staircase** of single flight not less than 1.2 m.

g) **Staircase mid-landing** of 1.2 m. width with clear minimum headway of 2.1 m. below the mid-landing. However, clear distance from edge of landing to the plot boundary shall not be less than 1.8 mt.

h) **Supported double height terraces ( within the building line )-**

Supported double height terraces (open terraces with railing having minimum height equal to two floors) within the building line, not exceeding 20% of the built up area of the same floor.

## 26.9 Exclusion of structures / projections for FSI calculation

i) **Structures/** Projections /features / ornamental projection of glass façade permitted in marginal open spaces as mentioned in Regulation No.26.8 (a),(b),(c),(d) (iii), (e), (f) , (h).

ii) Stilt / Multi-storeyed floors /podium/ basement used as parking including passage therein.

iii) Areas covered by electric cabin, Porches, Entrance lobby / foyer, canopies, chajjas, cornice, weather shade, sun breaker, Air conditioning plant rooms, lift well and service floor of height not exceeding 1.8 m. for hospitals, shopping malls, plazas and Star category hotels ( rating with three stars and above).

iv) Area of structure for an effluent treatment plant as required as per the requirements of the Maharashtra Pollution Control Board or other relevant authorities.

v) Rockery, Well and well structures, plant, Nursery, Water pool platform around a tree, Fountain bench, Chabutara with open top and unenclosed sides, Ramps, Compound wall, Gate slide / swing, Steps outside the buildings, Domestic working place (open to sky), Overhead water tank on top of the building, Stair Case, Fire escape stair case, Balconies as specified in Regulation No. 41.14, and Refuge area for high rise buildings as specified in Regulation No. 41.27.

vi) Telecommunication tower, antenna and allied activities.

vii) Atrium in shopping malls, public buildings.

viii) Open to sky swimming pool of the top terrace and top most podium.

**26.10 FSI of Green Belt / ROS along water bodies -**

FSI of the green belt zone shown on the development plan may be allowed on remaining land of the owner by counting area of green belt in gross area of plot subject to condition that the area shall always be under tree cover. The owner shall plant trees in this area with proper planning at the rate of minimum 100 trees per hectare and should have been survived for atleast one year prior to issuance of occupation certificate.

Provided that, such FSI shall not be allowed if such green belt area is included in recreational open space to be left as per regulation no.24.3.6

**26.11 Special Regulations for Nagpur Improvement Schemes -** The improvement schemes by Public participation which are sanctioned by Government under the provisions of the Nagpur Improvement Act 1936 and which comes under the jurisdiction of the NMA area shall be valid and continue to be valid for the said purpose under the said Act. The Special Development Control Regulations for these schemes shall be as per the **Appendix M** .

Any changes/ Modifications /Amendments in the details layout or in the master plan shall be carried out by the Metropolitan Commissioner at their own level. However the Public Amenity/Public Utility Areas and their percentage as per original sanction shall not be changed while making Modifications /Amendments in the Schemes.

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**PART V**  
**ADDITIONAL FSI IN CERTAIN CATEGORIES**

**27.0 GENERAL**

Additional/higher Floor space index may be allowed in certain categories in non-congested area, except as otherwise specified, as mentioned in Regulation no 27.1 and subject to following conditions:

a) Permissible **additional FSI** for the buildings as mention in Table no 27.1 shall be the maximum permissible building potential according to road width as mention in column 6 of Table no.9 **minus** Basic FSI ( column 3 ) .Such additional FSI shall be available for use for which additional FSI is granted only.

**b) Premium** – Premium for additional F.S.I. shall be per column 4 of the table. Rate of the premium is based on the land rate mentioned in ASR for respective S.No./CTS No. The premium collected shall be shared 50:50 between State Government & Corporation respectively. Premium to be paid to the Government shall be deposited in the concerned Account Head of Urban Development Department at Government Treasury by the Planning Authority. The percentage of premium shall be subject to the orders of the Government from time to time.

c) The additional FSI shall also be permissible to existing authorised users subject to structural stability.

d) The other conditions as mentioned in the Government Directives issued under section 154 of the M.R.& T.P.Act 1966 vide Resolution no TPS-1815/2647/CR-13/15/UD 13/Dared 14/03/2016 shall also be applicable.

e) If the owner / developer desire to avail such additional FSI in future for new buildings , then while seeking building permission at first instance, the building plan shall be submitted considering the Marginal distances as required for the height of buildings for such additional FSI. No condonation in the required open spaces, parking and other requirements in these regulations shall be allowed. However for the existing building proposals, such condition need not be insisted. But proposal shall be cleared only after strictly confirming structural and fire safety norms.

f) Exit Requirements, Requirements of Water Supply, Drainage and Sanitation Parking spaces requirements, Fire provision requirements shall conform the provisions as mentioned in these regulations

g) No amenity space shall require to be provided for the uses mentioned in Table No.14 except at Sr.No.(I).

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**Table No. 14**

**27.1 Permissible Marginal spaces, permissible basic FSI, Additional FSI for buildings in non-congested area**

<b>Categories of the other buildings</b>	<b>Basic FSI</b>	<b>Additional FSI</b>	<b>Rate of the Premium</b>	<b>Conditions if any,</b>
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>A)Educational</b> i) Pre-primary School, Nursery Kinder Garden and Special Educational Institute for Physically handicapped/Mentally ill.	As per Regulation No.26.3	Maximum building potential limit as per road width as mention in Regulation No 26.3/ Column 6 of Table No. 11 <b>minus</b> Basic FSI	10 %	i) The Educational Institute shall be of Government/Semi Government public authorities, Charitable Institutions or Private Institutions ii) Educational buildings shall not be permissible within 60 m. from the existing assembly building and 90 m. from the existing petrol pump. iii) Educational building shall only be permitted if 40% area is available for playground. However, this provision shall not be applicable to already approved existing building wherein construction of additional floor is proposed. iv) No classroom shall admeasure less than 38 sq. m. with a minimum dimension of 5.50 m. The height of any classroom shall not be less than 3.60 m. v) While granting Additional FSI to Educational Institutions offering primary and secondary education 5 % seats shall be reserved for admission for Government nominees. Deputy Director, Education Department shall be competent to decide such nominations. However, this condition shall not be applicable for Higher Education, Technical Education and Medical Education. vi) As and when required, some rooms of Educational Buildings shall be made available to the Government by the concerned institutions. vii)The Educational Institution shall maintain records regarding free / concessional education rendered to the needy persons, which shall be made available to the Director of School Education, Higher and Technical Education on demand. viii) The Director of School Education, Government of Maharashtra shall be the competent authority to monitor as to whether the Educational Institution is observing the terms and conditions referred to at (i) ,(ii)and (iii) above
ii) Primary School	-- do --	-- do --	15 %	
iii) Other Educational Buildings including boys / girls / youth hostels within 500 m. periphery from the recognised educational institution.	-- do --	-- do --	25 %	

				<p>and, in case of any breach thereof or in case the Education being rendered by the Educational Institution are not to the satisfaction of the said Department, the Director of School Education shall have the right to suitably penalise the Education Institution.</p> <p>ix) The Educational Institution shall file an undertaking that it shall abide by the above enumerated terms and conditions.</p> <p>x) Adequate Parking facilities as required per prevailing Development Control Regulation shall be provided.</p> <p>xi) While granting occupation certificate the Metropolitan Commissioner shall intimate to the Director of school Education for compliance of afore said condition along with copy of occupation certificate and plan.</p> <p>xii) Maximum of height of Educational building shall be as per The Maharashtra Fire protection and Life Safety Measure, Act, 2006</p>
<p><b>B)Medical Institutions-</b> Hospital, Maternity Homes, Health Club, buildings</p>	-- do --	-- do --	<p>i) No premium for Government, Semi Government, public authorities' hospitals.</p> <p>ii) 25% for Charitable Institutions</p> <p>iii) 35% for private hospitals</p>	<p>i) The Medical Institutions of Government, Semi Government, public authorities, Charitable Institutions or private owner.</p> <p>ii) Free medical treatment to the extent of atleast 20% of the total number of beds shall be given to persons from Economically Weaker Sections of society or to persons below the poverty line. In addition, 10% of the total number of patients in OPD shall be provided treatment at concessional rates, viz. rates that are being charged in government hospitals. The Medical Institution shall furnish the requisite periodical statements to the Director of Health Services in this regard.</p> <p>iii) The Medical Institution shall maintain records regarding free/concessional medical treatment rendered to the needy persons, which shall be made available to the Director of Health Services on demand.</p> <p>vi) Any Special ward in the hospital building shall not admeasure less than 9.0 sq.m. in area with no side less than 3 m.</p> <p>v) Area of the general wards shall not admeasure less than 40 sq. m. with no side less than 5.5. m.</p> <p>vi) Every building shall have a refuge collection area of minimum 7.50 sq. m. size with cover on top and unclosed on at least three sides. The same shall</p>

				<p>not be allowed in marginal open spaces. Modern method of incineration of the refuse may be adopted.</p> <p>vii) Minimum and maximum height shall be 3.00 m. &amp; 4.2 m. respectively. The greater height may be permitted by the Authority as per the requirement.</p> <p>viii) The Director of Health Services, Government of Maharashtra shall be the Competent Authority to monitor as to whether the Medical Institution is observing the terms and conditions referred above and in case of any breach thereof or in case the medical services being rendered by the Medical Institution are not to the satisfaction of the Director of Health Services, the Director of Health Services shall have the right to suitably penalise the Medical Institution.</p> <p>ix) While granting occupation certificate the Metropolitan Commissioner shall intimate to the Director of Health Services, Government of Maharashtra for compliance of afore said condition along with copy of occupation certificate and plan.</p> <p>x) Maximum of height of building for hospitals, sanatorium and nursing homes, shall be as per The Maharashtra Fire protection and Life Safety Measure, Act, 2006.</p>
<b>C)Institutional buildings / Nationalise banks / District banks / Central banks / Schedule banks / Co-operative banks</b>	-- do --	-- do --	as above	<p>i) The institutional Buildings shall be of Government, Semi Government, public authorities or registered Charitable Institutions.</p> <p>ii) Minimum and maximum height shall be 3.60 m. &amp; 4.2 m. respectively. The greater height may be permitted by the Authority as per the requirement.</p>
<b>D)Starred category hotels (two star and above)</b>	-- do --	-- do --	<p>35% (up to four star)</p> <p>45 % (five star and above)</p>	<p>i) The star category hotels shall be constructed on independent plot.</p> <p>ii) Certificate from the Tourism Department, GOI shall be necessary.</p> <p>iii) Minimum and maximum height shall be 3.60 m. &amp; 4.2 m. respectively. The greater height may be permitted by the Authority as per the requirement.</p> <p>iv) While granting Additional FSI to starred category Residential Hotels 5% of rooms shall be reserved for Government nominees free of cost. Provided that such rooms be reserved for a period of not exceeding thirty days in a</p>

				<p>calendar year in a particular hotel. The head of respective authorities shall be competent to decide and monitor whether the institution is observing the terms and conditions as mentioned.</p> <p>v) While granting occupation certificate the Metropolitan Commissioner shall intimate to the Competent Authority for compliance of afore said condition along with copy of occupation certificate and plan.</p>
<b>E)Buildings of Government and Semi-Government Offices, local authorities and Public Sector Undertakings:</b>	-- do --	-- do --	No Premium for Buildings of Government and Semi-Government Offices, local authorities. For public sector building premium equal to 30%.	<p>i) The Metropolitan Commissioner with the previous approval of State Govt. may exceed the additional FSI.</p> <p>ii) Minimum and maximum height shall be 3.60 m. &amp; 4.2 m. respectively. The greater height may be permitted by the Authority as per the requirement.</p>
<b>F)Religious Building:</b>	-- do --	-- do --	15%	<p>i) No Objection Certificate shall be obtained from concerned Police Authority and Collector before commencement of construction.</p> <p>ii) The additional FSI shall also be permissible to existing authorised religious users subject to structural stability.</p> <p>iii) The proposal shall be consistent with the Development Plan proposals.</p> <p>iv) Minimum and maximum height shall be 3.20 m. &amp; 4.2 m. respectively. The greater height may be permitted by the Authority as per the requirement</p>
<b>G)Yatri Niwas, Youth Hostel:-</b>	-- do --	-- do --	15%	<p>i) The building shall be on independent plot having minimum plot area of 1000 sq.mt.</p> <p>ii) Minimum and maximum height shall be 3.00 m. &amp; 4.2 m. respectively. The greater height may be permitted by the Authority as per the requirement.</p>



<b>H)The Land in possession of Maharashtra State Road Transport Corporation</b>	-- do --	-- do --	No premium	Out of total FSI, maximum 1.00 FSI shall be allowed to be developed for commercial use and remaining FSI shall be for the self-use of the said principal use. Appropriate land shall be kept open for parking of buses, movement of buses and passengers.
<b>I)Basic shelter for urban poor and housing scheme developed for backward class of the society.</b>	--do --	-- do --	No premium	<p>Any housing scheme undertaken by planning authority, government / semi government organisation, under the basic shelter for urban poor or similar programme / scheme of the Central / State Government, may be allowed FSI upto 2.5, subject to following conditions:-</p> <ul style="list-style-type: none"> <li>i) The said scheme shall be for EWS/LIG housing.</li> <li>ii) The scheme shall be implemented by the Municipal Corporation / Government/semi-Government Authority stipulated by the Government, from time to time.</li> <li>iii) The use of the land under the Scheme shall be in consonance with the proposals of the sanctioned development plan.</li> <li>iv) Total permissible floor space index for the scheme shall be 2.50 of the gross plot area (excluding the area affected by the D.P. Reservations).</li> <li>v) The entire 2.50 FSI as made permissible shall be utilised of the scheme only.</li> <li>vi) All the development plan reservations on the land under the scheme shall be developed by the said authority and the amenities thus created shall be handed over to the planning authority.</li> </ul>

## 27.2 ROAD WIDENING AND CONSTRUCTION OF NEW ROADS

The Metropolitan Commissioner may permit on the same plot, additional FSI of the area required for road widening or for construction of a new road proposed under the Development Plan, if the owner (including the lessee) of such land surrenders such land for road widening or construction of new road without claiming any monetary compensation in lieu thereof and hand over the same free of encumbrances to the satisfaction of the Metropolitan Commissioner. FSI generated against the surrender of land, shall be in proportion to the provisions mentioned in TDR Regulation and may be utilised on the remaining land. If desired by the owner, TDR may be granted against such surrendered land instead of utilizing FSI on remaining land. Such TDR shall be allowed to be utilised as a Development Rights in accordance with the rules regulating Transfer of Development Rights (TDR). Thereafter, the road shall be transferred in the city survey records/revenue records in the name of the Authority and shall vest in it becoming part of a public street.

### 27.3 Development / Redevelopment for construction of staff quarters of the State Government or its statutory bodies or Municipal Corporation.

**27.3.1** Regulation for staff quarters of the State Government or its statutory bodies or Municipal Corporation on land belonging to such Authorities situated in developable zones such as Residential / Public Semi-public / Commercial Zones etc. except restricted zone such as Green Belt, Agricultural Zone, No development Zone, CRZ, etc.

**27.3.2** The basic FSI specified in these regulations may be allowed to be exceeded as per following table on the gross plot area solely for the project of construction of staff quarters (herein after referred to as “staff quarter project”) for the employees of the Government, or its statutory bodies or the Municipal Corporation (hereinafter collectively referred to as “User Authority”), on land belonging to such User Authority, by the PWD of the Government of Maharashtra or MHADA or Maharashtra Police Housing Corporation or Municipal Corporation or any other Public Agency nominated by the Government for this purpose, which also include any Special Purpose Vehicle, wherein the Government or a fully owned Company of the Government holds at least 51% equity share (hereinafter collectively referred to as “implementing Public Authority”)

27.3.3	Road width and plot area	Maximum permissible FSI (Including basic FSI)
	12.00 mt. above	2.50

**27.3.4** For the purpose of calculating the FSI, the entire area of the plot excluding area under Development Plan roads and Development Plan reservations, if any, shall be considered.

*Provided that*, the Development Plan reservations like Government Staff Quarters, Police Housing, Municipal Housing, Municipal Staff Quarters etc. on lands belonging to Government / Public Authorities / Local Authorities, shall not be excluded.

*Provided further that*, amalgamation of such Development Plan reservation/s with adjoining lands for the execution of project under this regulation, shall be permissible.

**27.3.5** The total permissible FSI under this regulation shall be utilised for construction of staff quarters for the User Authority, subject to the following

- i) The area of staff quarters for various categories of employees shall be as per the norms prescribed by the concerned User Authority and in no case shall the area of staff quarters exceed the maximum limit of carpet area as prescribed therein.

ii-a) Metropolitan Commissioner may also permit upto 1/3<sup>rd</sup> of the total permissible FSI under this regulation for construction of free sale area (hereinafter referred to as “free sale component”) to be disposed of by the Implementing Public Authority as provided herein. The free sale component shall preferably be constructed in a separate block. Sub-division of plots shall be permissible on the basis of equitable distribution of FSI, in case construction of free sale component is permitted by the Metropolitan Commissioner.

The free sale component may be utilised for commercial use as per potential of plot as decided by the following committee. The extent of commercial use, if required shall be decided by the said committee strictly within the limits as specified in these regulations

- 1) Metropolitan Commissioner – Chairman
- 2) Police Commissioner – Member
- 3) Collector of Concerned District – Member
- 4) Superintendent Engineer (PWD) – Member

ii-b) If the User Authority required construction of staff quarters to the extent of full permissible FSI, then the User Authority shall pay full cost of construction + 5% of construction cost as establishment charges to the Implementing Public Authority.

ii-c) The flats constructed under the free sale component shall be first offered to the Central Government, its statutory bodies, Central /State PSUs for purchase as staff quarters and if the Central Government or its statutory Bodies or Central /State PSUs do not indicate willingness to purchase the same within the prescribed time limit, such flats shall be sold in open market.

- 27.3.6** i) Notwithstanding anything contained in these regulations, no amount shall be charged towards Premium, Scrutiny Fee etc., for the projects proposed under this regulation.
- ii) The provisions of Inclusive Housing, mentioned in these regulations, shall not be applicable for development under this regulation.

**27.3.7** For any staff quarters project under this regulations, a development agreement shall be executed between the User Authority and the Implementing Public Authority, which, inter alia, shall authorise the Implementing Authority to dispose of the flats constructed under the free sale component of the project, wherever applicable. Such development agreement shall contain the details regarding the modalities and conditions of transferring such quarters (whether free of cost or on payment/ receipt of certain amount by the User Authority) to the user authority and also conditions modalities of disposing of the flats under the free sale components by the Implementing Public Authority.

#### **27.4 Development/ Redevelopment of Housing Schemes of Maharashtra Housing & Area Development Authority (MHADA):-**

- 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 2.50 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 2.50 on the gross plot area (exclusive of the Fungible FSI).

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 No. 15A below:-

Table No. 15A	
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%

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 Statements 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 No.15B below:-

Table No. 15B	
Basic Ratio (LR/RC)	Incentive (As % of Admissible Rehabilitation Area)
Above 6.00	40%
Above 4.00 and upto 6.00	50%
Above 2.00 and upto 4.00	60%
Upto 2.00	70%

**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 Statements of Rates.

Provided that the above incentive shall 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 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 No. 15C below and the share of MHADA shall be handed over to MHADA free of cost.

<b>Table No. 15C</b>		
<b>Basic Ratio (LR/CR)</b>	<b>Sharing of balance FSI</b>	
	<b>Share of Co-operative Society</b>	<b>Share of MHADA</b>
Above 6.00	30%	70%
Above 4.00 and upto 6.00	35%	65%
Above 2.00 and upto 4.00	40%	60%
Upto 2.00	45%	55%

2.2) Where redevelopment of buildings in the existing Housing Schemes of MHADA is undertaken by MHADA or jointly by the 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 10% 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 above.

**C) Sharing of the balance FSI:** Sharing of the balance FSI shall be the same as in FAÇADE 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 **prevailing Regulations of the DCR** 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 (excluding the fungible FSI) granted over and above the normal FSI admissible for the redevelopment schemes. 50% of the Infrastructure Charge levied and collected by MHADA shall be transferred to the Authority for developing necessary off site infrastructure.
- b) No premium shall be charged for the FSI admissible as per the prevailing regulations
- (i) Construction of EWS/LIG and MIG tenements by MHADA on a vacant plot, or(ii) in a redevelopment project for the construction of EWS/LIG and MIG tenements towards the share of MHADA, or (iii) for rehabilitation component of a redevelopment project.
- 6) Notwithstanding anything contained in these Regulations, the relaxation incorporated in **the prevailing** Regulation shall apply to the Housing Schemes under this Regulation for 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, 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 9A of the MHAD Act mutatis mutandis shall apply for the purpose of getting the tenements vacated from the not 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.

## **27.5 REDEVELOPMENT OF EXISTING BUILDINGS BELONGING TO EWS / LIG GROUPS.**

Reconstruction / Redevelopment of **existing buildings of EWS / LIG undertaken by landlord and / or co-operative housing societies and / or occupiers having carpet area of all tenements less than the EWS / LIG norms prescribed by MHADA**, which existed prior to these regulations which has ceased to exist in consequence of accidental fire / natural collapse or demolition for the reasons of the same having been declared unsafe by or under a lawful order of the Metropolitan Commissioner, shall be allowed *subject to following conditions*

- 1) FSI to be allowed for such redevelopment proposal shall be base FSI permissible under these regulations or the FSI consumed by the existing authorized building whichever is more. In addition to this minimum 10 sq. mt. built up area per Residential flat shall be allowed as incentive to the owner excluding bungalow:-

- 2) All the occupants of the old building shall be re-accommodated in the redeveloped building.
- 3) In case of fire gutted buildings the conditions of more than 30 years age of buildings shall not be made applicable, provided the structural stability certificate from nearest Govt. Engineering College shall be necessary.
- 4) The Committee comprises of Metropolitan Commissioner, Superintending Engineer, Public Works Department, State of Maharashtra, Joint Director, Town Planning, Chief Fire Officer, and the Head of department structural Engineering of Government Engineering College shall be set-up to decide whether the building is “dangerous or dilapidated or Unsafe”
- 5) Reconstruction of the building on the plot shall conform to the provisions of the sanctioned Development Plan and sanctioned Development Control regulations.

## 27.6 REDEVELOPMENT OF OLD DILAPIDATED/DANGEROUS BUILDINGS

Reconstruction / Redevelopment in whole or in part of any tenanted building which existed prior to these regulations which has ceased to exist in consequence of accidental fire / natural collapse or demolition for the reasons of the same having been declared dangerous or dilapidated or Unsafe by or under a lawful order of the Metropolitan Commissioner, shall be allowed subject to following conditions.

a) Redevelopment of **tenanted** building undertaken by landlord and / or co-operative housing societies of landlord and / or occupiers shall be allowed, with an FSI equivalent to **the Rehab Area plus 50% incentive FSI of the rehab area. Provided that Rehab Area will be the authorisedly utilised Area or 27.87 sq.mt. per tenement whichever is more.**

However as per the road width if the potential of **the Plot** is more than what is mention above, **then** the balance **potential** available on plot after deducting rehab and incentive FSI may be allowed to be utilized to that extent by the way of TDR or Additional FSI **on payment of premium** if any.

(b) All the **certified tenants** of the old building shall be re-accommodated in the redeveloped building. Each **tenant** shall be rehabilitated and given free of cost the carpet area occupied by him for residential purpose in the old building subject to the minimum carpet area of **27.87sq. mt.** or existing carpet area whichever is more **subject to** maximum carpet area upto 70 sqmt. (753 sqft.) . In case of non-residential occupier the area to be given in the reconstructed building **shall** be equivalent to the area occupied in the old building.

Provided that if the carpet area under Residential use exceeds 70 sq.mt., the cost of construction **for Area exceeding 70 sq.mt.** shall be paid by tenant / occupant to the developer. The cost of construction shall be as per the ready reckoner rate of that year. The carpet area exceeding 70 sq.mt. shall be considered for rehab FSI but shall not be consider for incentive FSI.

(c) In case of fire gutted buildings the conditions of more than 30 years age of buildings shall not be made applicable, provided the structural stability certificate from nearest Govt. Engineering College shall be necessary.

(d) The Committee comprises of Metropolitan Commissioner, Superintending Engineer, Public Works Department, State of Maharashtra, Joint Director, Town Planning, Chief Fire Officer, and

the Head of department structural Engineering of Government Engineering College shall be set-up to decide whether the building is “dangerous or dilapidated or unsafe”.

**Note:-**

- (1) For the purpose of deciding authenticity of the structure if the approved plans of existing structure are not available, the Metropolitan Commissioner shall consider other evidences such as Assessment Record or City Survey Record or Sanad.
- (2) In case where there are number of buildings. on plot, in such cases, equivalent land component of the buildings which is declared unsafe shall be worked out and incentive FSI shall be based on such land component.
- (3) Reconstruction of the building on the plot shall conform to the provisions of the sanctioned Development Plan and sanctioned Development Control Regulations.
- (4) The new building may be permitted to be reconstructed in pursuance of an agreement to be executed on stamp paper by atleast 70 percent of the landlord / occupants in the original building, within the meaning of the Bombay Rents, Hotel and Lodging House Rents Control Act, 1947 or Apartment Act and its related provision and in such agreement provision for accommodation for all occupants in the new building on agreed terms shall be made and a copy of such agreement shall be deposited with the Authority before commencement or undertaking reconstruction of the new buildings.
- (5) The carpet area of part or parts of the new building intended to be used as non-residential use shall not exceed the carpet area of part or parts of the original building so used
- (6) No new tenancy shall be created
- (7) An amount as may be decided by the Government shall be paid by the Owner /Developer / Society as additional Development Cess for the built up area over and above the Base FSI. A corpus fund as decided by the Metropolitan Commissioner is to be created by the Developer which will take care of the maintenance of the building for a period of 10 years.

## **27.7 REGULATIONS FOR DEVELOPMENT OF INFORMATION TECHNOLOGY ESTABLISHMENT**

Development of Information Technology Establishments shall be regulated as per the Information Technology & Information Technology Enabled Services (IT/ITES) Policy 2015 as declared by Industries Department vide Government Resolution No. ITP 2013/CR-265/IND-2 dated 25/08/2015, along with the special regulations sanctioned by the Government vide notification \_No. TPB 4316/CR-167/2016/(3)/UD-11/dated 15<sup>th</sup> July, 2016 and amended time to time which are mention below..

1) The Metropolitan Commissioner may permit additional FSI upto 200 % over and above the basic permissible F.S.I. to all registered Public and Private IT/ITES Parks/AVGC Parks /IT SEZs or IT Parks in SEZs / Stand-alone IT/ITES units in public IT Park (including IT/ITES units located in Residential / Industrial/No Development/ Green/Agriculture Zone or any other land-use zone in which such users are permissible), which have been approved by the Directorate of Industries, proposed to be set up or already set up under present / previous IT/ITES policies, ( hereinafter referred to as the "said unit") by charging premium of 30% of the land rate for the said land as prescribed in Annual Statement of Rates for the relevant year of granting such additional F.S.I. for Pune, Pimpri-Chinchwad, Navi Mumbai Notified Area, Municipal Corporations in Mumbai Metropolitan Region and 10% of the land rate for the said land as prescribed in Annual Statement of Rates for the relevant year of granting such additional F.S.I. for other Municipal Corporations.



In case of the Navi Mumbai Notified Area, the CIDCO as land owner may recover lease premium for additional F.S.I. if applicable under land disposal policy of CIDCO.

Provided that additional FSI above 100% and upto 200% shall be permissible only on plots having an access road of minimum 18 meters width.

Provided further that, the premium so collected shall be shared between the Planning Authority and the Government in the proportion of 50 : 50. The share of the Government shall be paid to the concerned Branch office of the Town Planning Department. (Explanation: - Premium charges shall be calculated on the value of lands under such zones, determined by considering the land rates of the said land as prescribed in Annual Statement of Rates (ASR). These charges shall be paid at the time of permitting additional F.S.I. by considering the ASR for the relevant year without applying the guidelines)

2) No premium shall be chargeable in Municipal Corporation areas, if they are covered under No Industry Districts and Naxalism affected areas of the State ( as defined in the " Package Scheme of Incentives-2013" of the Industries, Energy & Labour Department of the State ).

3) The total maximum permissible F.S.I. shall not exceed limit of 3.00.

4) Maximum 40% of total proposed Built-up area (excluding parking area) inclusive of such additional F.S.I. may be permitted for support services in IT Parks in Municipal Corporations which are not covered under Serial No.4 above and remaining built-up area shall be utilized for IT/ITES.

5) New said unit shall allocate at least 2% of the total proposed built-up area, for providing incubation facilities for new units. This area would be treated as a part of the Park to be used for IT activities and eligible for additional FSI benefits accordingly.

6) Premium to be received by the Planning Authority as per provisions in this regulation shall be deposited in a separate fund viz. "Critical Infrastructure Fund for IT/ITES Industries" and this fund shall be utilized only for creation of Critical Infrastructure for IT/ITES Industries;

Provided that in the event, the developer come forward for providing such off site infrastructure at his own cost, instead of paying premium as prescribed above, then the Planning Authority may determine the estimated cost of the work by using rates prescribed in District Schedule of Rates (DSR) of the relevant year, in which order for commencement of such work is issued. The Planning Authority shall also prescribe the standards for the work. After completion of the works, the Planning Authority shall verify and satisfy itself that the same is developed as per prescribed standards and thereafter, by deducting the cost of works, the balance amount of premium shall be recovered from such developer before issuing Occupancy Certificate.

Provided that, in case the cost of work is more than the premium to be recovered, such additional cost to be borne by such developer.

7) Permission for erecting towers and antenna upto height permitted by the Civil Aviation Department shall be granted by the Commissioner as per the procedure followed for development permission or otherwise as may be decided by the Government.

8) While developing site for IT/ITES with additional FSI, support services as defined in the IT Policy 2015, shall be allowed.

9) The sanctioned existing regulations in respect of I.T. Establishments, are proposed to be replaced suitably and for the Planning Authorities, which have no provisions in respect of I.T. Establishments, these regulations shall be proposed to be inserted as new regulations.

10) Notwithstanding anything contained in the Development Control Regulations of Planning Authorities, no amenity space is required to be left for development of plot/land upto 2.00 Hect. for IT/ITES.

11) Notwithstanding anything mentioned in these Regulations, special provisions mentioned in the existing Regulations of respective Planning Authority, which areas are not covered under these regulations shall continue to prevail unless otherwise specified.

12) The Directorate of industries will develop a web portal on which the developer of every IT park will be bound to provide / update detailed information about names of the units in the park, utilization of built-up area and activities being carried out, manpower employed in the It Park for IT/ITES and support services on yearly basis.

If a private IT park has availed additional FSI as per the provisions of IT/ITES policy and subsequently it is found that the built-up space in the park is being used for non IT/ITES / commercial activities / any other activity not permitted as per the IT/ITES policy under which the said park was approved, a penal action as below will be taken, the payment shall be shared between the concerned Planning Authority and the Government in the ratio of 3:1.

a) The misuse shall be ascertained by physical site verification of the said private IT park by a team of officers from the Directorate of industries and the Planning Authority which has approved the building plans of the said private IT park.

b) ) A per day penalty equal to 0.3% of the prevailing ready reckoner value of the built-up area that has been found to be used for non- IT/ITES activities.

c) The penalty will be recovered from the date of commencement of unauthorized use till the day non IT use continues.

After payment of the penalty to the concerned Planning Authority which has sanctioned the building plans of the concerned private IT park, the said private IT Park will restore the use of premises to the original purpose for which LOI/ Registration was granted. If the private IT Park fails to pay penalty and / or restore the use to its original intended use, the concerned Planning Authority will take suitable action under the Maharashtra Regional and Town Planning Act 1966, against the erring private IT Park under intimation to the Directorate of Industries. This provision will also be applicable to existing IT Parks.

## **27.8 REGULATION FOR DEVELOPMENT OF BIOTECHNOLOGY PARKS**

### **A. DEFINITION-**

The Biotechnology Units/ Parks shall mean Biotechnology units/ parks which are certified by the Development Commissioner (Industries) or any officer authorised by him in his 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.

### **B. 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.

### **C. 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 zone.
- vii) Development in plots affected by CRZ area shall be permissible subject to the notification issued by MOEF regarding CRZ.

### **D.ADDITIONAL FSI TO BIOTECHNOLOGY UNITS / PARK**

Subject to approval by Director of Industries, the Commissioner/ Commissioner/ 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 in the Govt. Resolution of Industry, Energy and Labour Department. 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 of offsite 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

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**PART VI**  
**SPECIAL SCHEMES, AND THEIR REGULATIONS**

**28.0 INTEGRATED TOWNSHIP POLICY:-**

Integrated Townships Policy shall be allowed to be developed in NMRDA Area as per Government Notification No.TPS-1816/CR-368/15/20(4)/UD-13, dated 09/11/2016 sanctions for Regional Plan Nagpur.

**29.0 TOURISM DEVELOPMENT ACTIVITIES**

The Metropolitan Commissioner may allow the development of tourism activities in Agriculture /Green Zone/ No **Development Zone** and other developable zone, as per following terms & conditions-

**1) General Conditions –**

Where the lands are located in unique/picturesque area, particularly suitable for development of tourism in view of existing water body, scenic beauty, tree plantation or geological formation etc. such area can be specified as Tourism Development Zone on request of land owner. The minimum area of such site, however, shall not be less than 1.00Ha.Tourism Development Zone can be developed by individual or company or partnership firm or Government / Semi-government Organizations / Corporations.

On the request of owner/applicant, Tourism Development Zone shall be identified by the following Committee taking into consideration the location of area and its surrounding –

**Constitution of committee -**

<b>Sr. No.</b>	<b>Name</b>	<b>Position</b>
i	Metropolitan Commissioner	Chairman
ii	Regional officer MTDC	Member
iii	Environmentalist to be appointed by Metropolitan Commissioner	Member
iv	District Head of Town Planning Department	Member
v	Deputy / Assistant Director of Town Planning, / City Engineer / Head of Planning Department, Municipal Corporation	Member Secretary

This Committee may be called “Tourism Development Zone Committee” (TDZC). The tenure of the member at Sr.No.3 shall be of 3 years; however, the same person shall be eligible for reappointment as a member.

**2) Condition for development**

i) Maximum permissible FSI on the land situated in agriculture / green zone/ no development zone identified for Tourism development zone shall be 0.25 of net plot area.

Provided that, Tourism Development Zone as identified in Developable Zone shall be granted FSI as permissible for that zone in these DCR.

ii) The uses like resort, Holiday camp, recreational activities, amusement park, may be permitted in this zone.

- iii) If the site is located adjacent to forts, archaeological and historical monuments, the development shall be governed by the rules prescribed by the archaeological department.
- iv) No development shall be permissible within 500 m. from full reservoir level (FRL) of the irrigation projects on the upstream side and within such distance as may be prescribed under river zone management guidelines on the down-stream side, except for existing congested area (gaothan) and its 100 m. Periphery and except for the purpose of restoration, conservation, improvement, maintenance and management of the places of recreational and tourism value and projects.
- v) If the site is located near natural lakes, then, development shall be governed by the following

Distance from high flood line (HFL) / full storage level (FSL)	Development to be allowed
Upto 100 m.	Not permissible
Above 100 mtr. to 300 m.	Ground floor structure with maximum height of 5 mtr.
Above 300 mtr to 500 m.	G+1 storey structure with maximum height of 9 m.
Above 500 mtr.	Within permissible FSI and subject to other regulations

vi) No subdivision of land shall be allowed and structure to be constructed shall not allowed to be sold and condition to that effect shall be stamped on the approved plan.

vii) the land should have approach of minimum 9 m. wide road.

**3) Infrastructural Facilities** – All the infrastructural facilities required in site as specified by Metropolitan Commissioner and also as suggested by Tourism Development Zone Committee shall be provided by the developer at his own cost on the site. Proper arrangement for treatment and disposal of sewage and solid waste shall be made to the satisfaction of Metropolitan Commissioner. No untreated effluent shall be allowed to pass into any watercourse. However, no effluent shall be allowed to pass into natural water body.

**4) Environment & Education** – Places where rare species of migratory birds are known to visit and where there is a heritage of flora & fauna shall be given preference for development as Tourism Development Zone. Efforts should be made for creating environmental awareness among the local population & especially among school going children in nearby area

## 30.0 CONSERVATION OF HERITAGE BUILDINGS / PRECINCTS / NATURAL FEATURES

### 30.1 Applicability:

This regulation will apply to those buildings, artefacts, structures, areas and precincts of historic and/or architectural and /or cultural significance (hereinafter as ‘Listed Buildings/Heritage Buildings and listed precincts/Heritage precincts’) and those natural features of environmental significance including scared graves, hills, hillocks, water bodies (and the areas adjoining the same) etc.

### 30.2 Preparation of list of Heritage Buildings, Heritage Precincts and Natural Features.

The Metropolitan Commissioner in consultation with Heritage Conservation Committee, shall prepare list of buildings, artefacts, areas and precincts of historic and /or cultural significance and the list of those natural features of environmental significance including sacred graves, hills, hillocks, water bodies (and areas adjoining the same) etc. to which this regulation applies.

Whenever such list is to be prepared independently or required to be amended, it shall not be necessary to follow the procedure under Section 37 of Maharashtra Regional and Town Planning Act of 1966. The procedure as laid down in this regulation shall be followed.

The Metropolitan Commissioner shall issue public notice in the local newspapers declaring his intention to include the buildings, artefacts, areas and precincts of historic and /or cultural significance and the list of natural features of environmental significance, including sacred graves, hills, hillocks, water bodies etc. and invite objections and suggestions from any person in respect of the proposed inclusion within a period of 30 days from the date of such notice.

The Metropolitan Commissioner shall issue notice to the owner of the buildings, artefacts, areas and precincts of historic and/or cultural significance etc. and invite objections and suggestions from such person in respect of proposed inclusion within 30 days from the date of such notice.

The Metropolitan Commissioner on respect of any objections or suggestions shall decide the same after giving hearing to the objector.

Provided that, the Metropolitan Commissioner may supplement or amend the list from time to time either suo-moto or on the advice of the Heritage Committee after following the procedure as described above.

Provided further that, any draft list published as above, shall be the part these regulations after sanction by the Government.

### **30.3 Restriction on development, Redevelopment/repairs etc.**

No development or redevelopment or engineering operations or addition, repairs renovation including the painting of buildings, replacement of special features or plastering or demolition of any part thereof of the said listed buildings, or listed precincts or listed natural features shall be allowed except with the prior written permission of the Metropolitan Commissioner. Before granting any such permission, the Metropolitan 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 on the advice of the Heritage Conservation Committee.

Provided that before granting any permission for demolition or major alterations/addition to listed buildings (or buildings within listed precincts) objections and suggestions from the public shall be invited and duly considered by the Heritage Conservation Committee.

Provided that, in exceptional cases for reasons to be recorded in writing the Metropolitan Commissioner may overrule the advice of the Heritage Conservation Committee.

Provided further that, the power to overrule the advice of the Heritage Conservation Committee shall not be delegated by the Metropolitan Commissioner to any other officer.

If the application for development, alteration, modification of the Heritage precincts or listed building is rejected under this regulation or while granting such permission any conditions are imposed on the owner which deprives him to use the FSI, the said owner shall be compensated by grant of Development Right Certificate

### 30.4 Incentive uses for Heritage Buildings.

After the commencement of this Regulation, the Heritage Precincts or the Listed Buildings shall not be permitted to be used for any commercial or office purpose except with the permission of the Heritage Conservation Committee. However, in cases of buildings included in the Heritage Conservation List, if the owner /owners agree to maintain the listed Heritage Building as it is in the existing stage and to preserve its heritage with due repairs, the owner/owners may be allowed with the approval of the Heritage Conservation Committee to convert part of the whole of the non-commercial area to commercial /office use. Provided that, if the heritage building is not maintained suitably or if the heritage value of the building is allowed to be spoiled in any manner, the Metropolitan Commissioner shall withdraw the permission forthwith.

### 30.5 Grant of Transferable Development Rights to owners/lessees of heritage buildings/heritage precincts.

If the owner is deprived of using FSI on the said plot or development permission is granted to him with conditions which deprive him of use of FSI, then he shall be entitled for TDR as decided by the Commissioner in consultation of Heritage Conservation Committee. The utilisation of this TDR shall be as per TDR Regulation.

### 30.6 Maintaining Skyline

Building included in heritage precincts shall maintain the skyline in the precincts (without any high-rise development) as may be existing in the surrounding area, so as not to demolish or destroy the value and beauty of the said heritage buildings/heritage precincts. The development within the precincts shall be in accordance with the guidelines framed by the Metropolitan Commissioner on the advice of the Heritage Conservation Committee.

### 30.7 Restrictive Covenants

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

### 30.8 Grading of the listed buildings/Listed Precincts.

The Metropolitan Commissioner shall classify the Heritage Precincts, Heritage Buildings in “Grades” such as (I), (II), (III). The meaning of these grades and basic guidelines for development permissions are as follows:

Grade-I	Grade-II	Grade-III
<b>(A) Definitions</b>		
Heritage Grade-I comprises Buildings and precincts of National or Historic importance, excellence in architectural style, design technology and material usage and/or aesthetics; associated with a great historic event, personality, movement or institution. They have been and are the prime landmarks	Heritage Grade –II (A and B) comprises buildings and precincts of Regional importance, possessing special architectural or aesthetic merit, or cultural or historical significance though of a lower scale than Heritage Grade- I. They are local landmarks, which contribute to the image and	Heritage Grade –III comprises buildings and precincts of local importance for townscape, they evoke architectural, aesthetic, or sociological interest though not as in Heritage Grade –II. These contribute to determine the character of the locality and can be representative of life-style of a particular



of the city and of National importance.	identity of the region. They may be the work of master craftsmen or may be models of proportion and ornamentation or designed to suit a particular climate.	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.
<b>(B) Objective</b>		
Heritage Grade-I richly deserves careful preservation.	Heritage Grade-II deserves intelligent conservation.	Heritage Grade-III deserves intelligent conservation (though on a lesser scale than Grade-II and special protection to unique features and attributes.)
<b>(C) Scope for Change</b>		
No interventions be permitted either on exterior or interior unless it is necessary in the interest of strengthening and prolonging the life of the buildings or precincts or any part of features thereof. For this purpose absolutely essential and minimum changes would be allowed and they must be in accordance with the original.	<p><b>Grade-II (A)</b> Internal changes and adaptive reuse and external changes may by and large be allowed but 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</p> <p><b>Grade-II (B)</b> In addition to the above, extension of Additional building in the same plot or compound, in certain circumstances be allowed, provided that, the extension/additional building is in harmony with (and does not detract from) the existing heritage buildings or precincts especially in terms of height, and facade.</p>	External, internal changes and adaptive reuse would by and large be allowed. Changes can include extensions, and additional buildings in the same plot or compound. However any changes should be such that they do not detract from the existing heritage building/ precinct.
<b>(D) Procedure</b>		
Development permission for the changes would be given by the Commissioner on the advice of the Heritage Conservation Committee.	Development permission for the changes / additional construction would be given by the Commissioner on the advice of Heritage Conservation Committee.	Development permission for the changes / additional construction would be given by the Commissioner on the advice of the Heritage Conservation Committee.

<b>(E) Vistas/ Surrounding Development</b>		
All developments in areas surrounding Heritage Grade-I shall be regulated and controlled by ensuring that it does not mar the grandeur of or view from Heritage Grade-I		

### **30.9 Signs and outdoor display structures**

No display or advertising signs and outdoor display structures on listed buildings and or the heritage precincts shall be permitted except in accordance with Part X- (Signs and outdoor display structures) National Building Code of India, with prior approval of Heritage Conservation Committee.

#### **i) Prohibition of advertising signs and outdoor display structure in certain cases :**

Notwithstanding the provisions mentioned above no advertising sign or outdoor display structures shall be permitted on buildings of architectural aesthetic historic or heritage importance as may be decided by the Metropolitan Commissioner, 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.

Providing that as advertising or display structures shall be permitted in listed natural features.

Provided further that, if the Heritage Conservation Committee so advises, the Metropolitan Commissioner may add, alter or amend the above provision.

### **30.10 Composition of Heritage Conservation Committee.**

There shall be Heritage Conservation Committee for the City. This Committee shall be nominated by the State Government. The committee shall comprise of the following members:

1	Member having knowledge of architecture, art, conservation as Expert member with relevant experience, being a retired Secretary to the State Government, or retired Metropolitan Commissioner or retired Divisional Commissioner or a Heritage Conservation expert, having 15 years' experience. or as nominated by State Government	<b>Chairman</b>
2	Eminent Structural Engineer having experience of ten years in the field of conservation and having membership of the Institute of Engineers.	<b>1 member</b>
3	Eminent Architect / Urban Designer / Heritage Conservation Architect having 10 years' experience in conservation architecture and membership of the Council of Architecture.	<b>1 member</b>
4	Environmentalist having in-depth knowledge and experience of 10 years in the subject matter.	<b>1 member</b>
5	Expert in the field on History, having 10 years' experience in the Field.	<b>1 member</b>
6	Representative of NGO with proven Experience in heritage conservation.	<b>1 member</b>
7	Representative of the Department of Archaeology, Government of Maharashtra.	<b>1 Member</b>
8	Representative of Archaeological Survey of India.	<b>1 Member</b>

9	Head of the Concerned Branch Office of Town Planning Department.	<b>Member</b>
10	Head of Department of Town Planning of concerned Municipal Corporation.	<b>Member Secretary.</b>

- i) The Committee shall have the powers to co-opt up to three additional members who may have lesser experience, but who have special knowledge of the subject. Provided that additional members may be co-opted for special purpose or on sub-committees of the Heritage Conservation Committee.
- ii) The tenure of the Members of Category 1 to 6 above shall change after three years, provided however that the same person shall be eligible for reappointment as Member.
- iii) The Heritage Committee shall come into existence with effect from the date of its publication in the Official Gazette.
- iv) No act of the committee done in good faith shall be deemed to be invalid by reason only of some defect subsequently discovered in the Organization of the Committee or in the Constitution of the Committee or in appointment of the Member or on the ground that such member was disqualified for being appointed.
- v) The Chairman and in his absence the Vice-Chairman of the Committee shall preside over the meetings of the Committee

**The Terms of reference of the Committee shall be inter alia.**

- (i) To advise the Metropolitan Commissioner whether development permission should be granted under this Regulation and the conditions of such permission.
- (ii) To prepare a list or supplementary list of building artefacts, structures, areas precincts of historic aesthetic architectural cultural significance and a supplementary list of natural features of environmental significance including scared groves, hills, hillocks etc. water bodies (and the areas adjoining the same) to which this regulation would apply.
- (iii) To advise whether any relaxation, modification, alteration, or variance of any of the Development Control and Promotion Regulations is called for.
- (iv) To suggest amendments, changes or special regulations or modification to regulations for listed buildings and the heritage precincts regulated under these regulations and to advise the Metropolitan Commissioner regarding the same.
- (v) To advise on the extent of Development Rights to be granted to the owners of listed Building of the Heritage Precincts.
- (vi) To advise whether development Rights Certificates may be allowed to be consumed in a heritage precinct.
- (vii) To advise whether to allow commercial /office user of any listed building of Heritage Precincts and when to terminate the same.
- (viii) To advise the Commissioner to regulate erection of outside advertisement/bill boards.
- (ix) To recommend to the Commissioner guidelines to be adopted by those private parties who sponsor beautification schemes at public intersection and elsewhere.
- (x) To recommend to the Commissioner to evaluate the cost of repairs to be given to the owners to bring the existing building back to the original condition. For this purpose the Committee may also try to help the Metropolitan Commissioner to raise funds through private sources.
- (xi) To prepare special designs and elements and guidelines for listed buildings and control of height and essential façade characteristics such as maintenance of the buildings and to suggest suitable design adopting new materials for replacements keeping the old form intact to the extent possible.

- (xii) To prepare guideline relating to design elements and conservation principles to be adhered to and to prepare other guideline for the purpose of this regulation.
- (xiii) To advice the Metropolitan Commissioner 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.

**30.11 POWER TO ALTER, MODIFY OR RELAX REGULATIONS:**

On advice of the said Heritage Conservation Committee and for reasons to recorded in writing, the Metropolitan Commissioner may alter, modify or relax the provisions of other Regulations of the Development Control Regulation / Building Bye-laws (hereinafter referred to as “the said Regulations) with the previous sanction of the State Government if it is needed for the conservations, preservation or retention of historic and / or aesthetic and / or cultural and / or architectural quality of any listed buildings / heritage buildings or listed precincts /heritage precincts and preservation of any listed natural features and or environment.

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**PART - VII**  
**REGULATION FOR SPECIAL ACTIVITIES**

**31.0 ERECTION OF MOBILE TOWERS**

Regulation for setting up of Telecommunication Cell Site(s)/Base Station(s) and installation of the equipments for Telecommunication Network in NMRDA area.

**31.1 Applicability:**

This Regulation, shall apply to all existing and/or proposed Telecommunication Cell Sites/Base Stations installed or to be installed in NMRDA area.

**31.2 Control Over Development**

No Telecommunication Cell Site/Base Station shall be setup or installed without the previous permission in writing of the Metropolitan Commissioner. The permission shall be granted in the same manner as prescribed under Sections 44 to 47 of the Maharashtra Regional and Town Planning Act, 1966.

If the Metropolitan Commissioner does not dispose of the application within a period of 60 days from the date of submission, the said application by the Telecom Service Provider/Infrastructure Provider (TSP/IP) shall be deemed to have been approved as per the provisions under Section 45 of the Maharashtra Regional and Town Planning Act, 1966.

**31.3 Procedure for Obtaining Development Permission**

- A** All the applications for setting up or installation of any Telecommunication Cell Site/ Base Station(TCS/BS) or erection of a part thereof, shall be made to the Metropolitan Commissioner by the concerned Telecom Service Provider (TSP) or the concerned Infrastructure Provider (IP), in such form and containing such particulars as may be prescribed by the Metropolitan Commissioner.
- B** The application to the Metropolitan Commissioner for obtaining the aforesaid development permission shall be accompanied by the following documents-
- (a) All the documents as otherwise required to be attached for any development permission under the sanctioned Development Control Regulations for the area in which the site under application is located.
  - (b) Plans showing Location Map, Key Plan, Site Plan, Block Plan and Plans of the proposed work. In case of roof-top tower, the copy of Occupation Certificate or copy of sanctioned building plans or copy of Commencement Certificate issued by the Metropolitan Commissioner or any other valid proof, in respect of the building on which the erection of roof-top tower is proposed, showing that such building is authorised.
  - (c) Notarised consent of the Owner of premises, which shall mean and include consent of the owner of property or no-objection certificate of the concerned registered Co-op Housing Society or notarised consent of 70% of the total number legal occupants in case of Apartments or Condominium or no-objection certificate of the lessor in case of a lease – hold property.
  - (d) Copy of agreement between the TSP/IP and the Owner of premises.
  - (e) Copy of Access Service License/ Infrastructure Provider (IP) Registration Certificate, granted to the TSP/IP by the Department of Telecommunications (DoT), Government of India (GoI).

- (f) Copy of clearance from the Standing Advisory Committee for Frequency Allocations (SACFA) or copy of application made to SACFA for the said Location submitted to Wireless Planning Commission (WPC) wing of the Department of Telecommunications (DoT), with registration number as WPC Acknowledgement, along with an undertaking that in case of any objection/ rejection, TSPs/IPs will take corrective actions or remove the TCS/BS.
- (g) Acknowledgement receipt issued by Telecom Enforcement Resource and Monitoring (TERM)Cells in respect of the self-certificate submitted by TSP/IP regarding mobile towers/Base Transceiver Station (BTS) (Ground-based or Roof-Top or Pole/wall-mounted) in the formats prescribed by Telecom Engineering Centre (TEC), DoT, establishing/certifying that all General Public areas around the TCS/BS will be within safe Electro-Magnetic Radiation(EMR) exposure limit as per peak traffic measurement after the antennae starts radiating
- (h) Copy of Structural Stability Certificate for any ground-based Base Transceiver Station (BTS).

OR

In case of any roof-top BTS tower, Structural Stability Certificate for the building, based on written approval of any authorized Structural Engineer of the State/local Body/Central Building Research Institute (CBRT), Roorkee/ IIT/ NIT or any other Agency, authorized by the Metropolitan Commissioner.

Provided that, such NOC shall not be required for the single pole antennae or cellular signal boosters.

- (i) Copy of the type test certificate issued by Automotive Research Association of India (ARAI)to the manufacturers of the Diesel Generator (DG) Sets.
- (j) Notarised undertaking from the Applicant/Owner of premises :-
  - (i) That the cabin will not be utilized for any purpose other than the Telecommunication Cell Site/Base Station.
  - (ii) That if the said activity is discontinued by the Applicant, the said cabin will be demolished forthwith by the Applicant /Owner of premises.
- (k) No objection certificate from the Authority concerned under the Civil Aviation Ministry (hereinafter referred to as the said Authority) in case of any building falling in any area where such no objection certificate of the said Authority is required under the relevant rules or law.
- (l) No objection certificate of the Maharashtra Pollution Control Board regarding compliance with the norms prescribed for noise levels and smoke levels for the power generating sets having capacity above 100 kw, to be provided for Base Transceiver Stations.
- (m) No objection certificate of the Chief Fire Officer of the Municipal Corporation only in case of High Rise buildings having height of 15 m. or more measured from ground level.
- (n) Copy of clearance from the State Environment Department as well as the Forest Department, in case of forest, protected areas, if applicable.
- (o) Data Sheet containing the information regarding –
  - (a) Name of Telecom Service Provider/ Infrastructure Provider,
  - (b) Location,
  - (c) Tower Reference-
    - (i) Height and Weight of Tower,
    - (ii) Ground Based Tower/Roof Top Tower,

- (iii) Number of Antennae planned on Tower,
  - (iv) Permissible maximum EMF Radiation Level,
  - (v) Proposed maximum EMF Radiation Level.
- (p) Requisite fees, charges, as applicable.
- C** In case of a listed Heritage building/ Heritage precinct and/or in case of cessed buildings and/or in case of area under Environmentally Sensitive Zone (ESZ), notified by the Ministry of Environment and Forest (MoEF), Government of India (GoI), all the applications for installation of any TCS/BS or erection of a part thereof, shall be made to the concerned Metropolitan Commissioner, which will forward it to the Heritage Conservation Committee concerned and/or High Level Monitoring Committee (HLMC) appointed/constituted by MoEF respectively.
- D** The erection of the Base Station including tower, shall be commenced within 90 days from the date of receipt of permission from the Metropolitan Commissioner and report of erection shall be made to the Metropolitan Commissioner.

#### **31.4 Leviable charges**

The Metropolitan Commissioner, while granting permission under sub regulation (3) hereinabove, shall levy and collect the following charges:-

- (a) Development Charge.-Development charge shall be levied and collected by the Metropolitan Commissioner as per the provisions under section L24-B of The Maharashtra Regional and Town Planning Act, 1966. For the purpose of assessing the development charge, the setting up of Base Station on land and on roof-tops shall be classified under commercial category, calculated over the foot print area occupied by the Telecommunication Cell Site/Base Station.
- (b) Administrative Fee.-Over and above the development charge as stipulated in clause 4(a) above, TSP/IP shall pay to the Municipal Corporation, a onetime non-refundable Administrative fee of Rs.30000, or as per the rates revised from time to time by the Government.

#### **31.5 Planning Norms For Erection of TCS /BS**

- (a) Notwithstanding the land use provisions under these regulations, subject to the compliance of other provisions of these Regulations, it shall be permissible to install TCB/BS, on
- (i) all land uses as earmarked in development plan,
  - (ii) all lands which are designated for non-buildable reservations in development plan, subject to the condition that the maximum permissible area for installation of such TCS/BS shall not be more than 5% of the area of the reserved site or 100 sq.mt., whichever is less, and shall be located in one corner of the reserved site.
  - (iii) all lands which are designated as open spaces/recreational open spaces/recreational grounds in a sanctioned layout, where such installation shall be permissible only with the no-objection certificate of the concerned registered co-operative housing society or consent of 70% of the total number of legal occupants/plot holders of such layout, subject to the condition that the maximum permissible area for installation of such TCS/BS shall not be more than 5% of such area or 100 sq.mt, whichever is less, and the same shall be located in one corner of such area.
  - (iv) all buildable reservations in development plan, except for buildings of uses mentioned in Regulation No.31.5(f), where such installation shall be permissible on the roof top, but only after development of the said reservation.

(v) all open lands in slum areas belonging to the Government/public Authority planning Authority, where only ground-based TCS/BS shall be permissible and no Roof-Top Tower shall be permissible, save as provided in Regulation No.31.5(a)(vi) herein below.

(vi) Public buildings in slum areas, like public toilets, community centres etc., constructed by any Public Authority or to be constructed by the TSP/IP, where construction of Roof Top Towers shall be permissible, subject to maintenance and compliance of other terms and conditions specified by the Metropolitan Commissioner.

(b) No permission for installation of TCS/BS shall be granted in ecologically important areas, without ecological impact assessment and review of installation site. The Forest Department should be consulted before installation of TCS/BS in and-around protected areas and Zoos.

(c) The TCS/BS must have clear access by means of an existing road having minimum width of 6 m. for locations falling in Core area as earmarked on DP and 9 m., for locations falling outside such Core area. However, in exceptional circumstances, the Metropolitan Commissioner may relax such road width suitably, but in no case, shall it be less than 5 m.

(d) In case of both ground-based towers and roof-top towers, there shall be no nearby buildings right in front of the antenna(e) of equivalent height, taking into account the tilt of the lowest antenna on tower, as per the details in the **Table No. 16** below:-

<b>Table No. 16</b>		
Sr. No.	Number of Antenna(e) Pointed in the Same Direction	Building/ Structure Safe Distance from the Antenna (e) at the Same Height (in m.)
1	2	3
1	1	20
2	2	35
3	4	45
4	6	55

Provided that the antennae at the same height only are to be counted, as the beam width of mobile antennae, in the vertical direction, is very narrow.

(Explanation.-The distance figures in the above Table are based on empirical estimation considering that all the antennae are emitting at their maximum RF power of 20 Watts and exactly in the same direction with the same height.)

Provided further that above norms shall automatically stand revised as per the latest guidelines, issued by the DoT from time to time.

(e) In case of Wall Mounted/Pole Mounted Antenna(e) :-

(i) Wherever the antennae are mounted on the wall of a building or pole or along the road, their height should be atleast 5 m., above ground level/road level. Provided that such installations shall have to comply with the prescribed radiation limits.

(ii) As far as safe distance of buildings from antenna (e) is concerned, guidelines as in Regulation No.31.5 (d) above shall apply.

(f) Installation of Base Station antenna (e) shall not be permissible within the premises of schools, colleges, and hospitals as well as on the adjoining land /building within 3 m., from the boundary of premises of schools, colleges and hospitals. Also antenna (e) shall not be directed/ positioned towards any school/college/ hospital building.



- (g)** The existing Base Station antenna(e) approved earlier on any school/college/ hospital, building shall not be renewed further after the expiry of period of approval and the same shall be removed immediately thereafter, subject to the provisions of Regulation No.31.7 (d).
- (h)** Access to Base Station Antenna site shall be prohibited for the general public, by putting in place suitable measures such as wire-fencing, locking of the door to the roof, etc.
- (i)** The roof-top TCS, IBS towers shall be put only on buildings which are declared structurally strong enough to bear the load of such installation. The base connection to the building should be got designed from a qualified structural engineer. Structural safety certificate of the composite structure [Building + Tower(s)] shall have to be obtained from any of the recognized Government Institutes.
- (j)** While according permission for installation of TCS/BS, permissible for erection of a cabin at ground level may be granted. However, the same shall not be allowed in the prescribed marginal distances. The area of such cabin shall not be more than 20 sq.mt. for each TSP/IP, subject to the certificate of structural safety. Built-up area of such cabin(s) shall not be counted towards built-up area or FSI.
- (k)** No permission for installation of TCS/BS shall be granted on buildings which are unauthorized and structurally unsafe. If permission for installation of such structures is granted on a building, which is declared as unauthorized at a later point of time, the Metropolitan Commissioner shall first take recourse to the provisions of sections 52, 53, 54 and 55 of the Maharashtra Regional and Town Planning Act, 1966 or other relevant laws, as the case may be, against such unauthorized building and in case the Metropolitan Commissioner, after completing the due process of law, decides to undertake any action of demolition against such unauthorised building then such decision shall also be conveyed to the concerned TSP/IP with a direction to relocate the TCS/BS within a period of 90days, after which the Metropolitan Commissioner shall not be under any obligation to send any further intimation to the TSP/IP concerned before demolishing such unauthorised building, and it shall not be liable to pay compensation for the loss of the Base Station as a consequence of the demolition of the unauthorised building. The TSP/IP shall indemnify the Metropolitan Commissioner to this effect, while seeking permission for installation of TCS/BS.
- (l)** Permission for installation of TCS/BS, once granted shall remain valid for next 5 years. The TSP/IP shall apply for renewal of permission to the Metropolitan Commissioner. The Metropolitan Commissioner, while considering renewal, shall insist upon submission of fresh structural stability certificate for buildings more than 30 years of age. Administrative fee shall be levied and collected as prescribed in Regulation No.31.4 (b) hereinabove, for every such renewal. If TSP/IP fails to apply for renewal alongwith all necessary documents before the expiry of earlier permission, then such TSP/IP shall be liable for action under the provisions of the Maharashtra Regional and Town Planning Act, 1966.
- (m)** In case of any existing TCS/BS on a slum structure, every effort shall be made to relocate such TCS/BS on a nearby suitable public building or any other authorised structure or open land in the slum. If such relocation is not possible, then such TCS/BS may be allowed to be continued on such slum structure subject to its structural suitability, till the TCS/BS is shifted to any other authorised structure or till the redevelopment of the slum, whichever is earlier.
- (n)** While granting permission for TCS/BS, the Metropolitan Commissioner shall stipulate that TSP/IP shall conduct regular audit in accordance with the directions/guidelines issued by TERM Cell or DoT from time to time.

### **31.6 Electro-Magnetic Field (EMF) Radiation Norms**

(a) Prior to installation of TCS/BS, the TSP/IP shall have to obtain Site clearance from the Standing Advisory Committee on Frequency Allocation (SACFA) of the Department of Telecommunication(DoT) for every site from the point of view of interference with other wireless users, aviation hazards and obstruction to any other existing microwave links.

(b) The Electro-Magnetic Field (EMF) radiation from BTS towers shall be subject to the regulations framed by the DoT from time to time. The TSP/IP shall periodically conduct audit and monitor EMF radiation in Urban localities, hospitals and educational/industrial /residential / recreational premises, especially around the Protected Areas (PAs) and ecologically sensitive areas, in accordance with the guidelines issued by DoT in this regard. It shall be binding on TSP/IP to follow the mechanism prescribed by the DoT/TERM Cell at local level for ensuring control on the EMF radiation and for notifying on continual basis the radiation level at critical location. For all the existing as well as new BTSs/Towers, TSPs are required to submit self-certificates periodically in the format prescribed by TEC, DoT, in order to ensure that normally all general public areas around the TCS/BS site are within the safe EMR exposure limits. Audit of the self-certification furnished by the TSPs shall be done by the TERM Cell periodically. TERM Cell shall carry out test audit of the BTS sites on random basis as per the guidelines received from DoT and also in respect of all cases where there is a public complaint. The TERM Cell shall have due regard to the instructions issued by DoT regarding technical audit of TCS/BS, including radiation of towers within safe limits. These shall include Roof Top/Ground Based./Pole Mounted/Wall Mounted Towers. The TERM Cell shall also verify antenna orientation, safe distance from the Tower (exclusion zone) etc. For non-compliance of EMF standards, Telecom Service Provider shall be liable for penal action by the TERM Cell and/or Department of Telecommunication (DoT). Any violation noticed may attract heavy penalties on TSPs and may also lead to shut down of TCS/ BS, in case the violation persists.

### **31.7 Miscellaneous Provisions**

(a) Any complaint concerning illegal installation of TCS/BS on any building or any query of any nature regarding the installation of telecommunication equipment, shall be addressed to the Metropolitan Commissioner which shall intimate the concerned TSP/IP about the same with a direction to resolve the issue under intimation to the Metropolitan Commissioner, within such period as may be prescribed by the Metropolitan Commissioner.

(b) The TSP/IP, who has erected TCS/BS without due permission, shall apply to the concerned Metropolitan Commissioner for regularization within 180 days from the date of coming into force of this Regulation. In case such application is made within the prescribed period, then the offence, if any, registered against the TSP/IP may be compounded by the Metropolitan Commissioner under section 143 of the Maharashtra Regional and Town Planning Act, 1966, subject to the provisions of these regulations.

(c) The TSPs/IPs who have earlier erected TCS/BS with due permission, shall apply afresh, for validation of the previous permission, to the Metropolitan Commissioner within a period of 90 days from the date of commencement of this Regulation, in order to ensure due compliance of this Regulation. However Administrative fee in such cases shall not be leviable if appropriate fee/Development charge, not less than the amount prescribed under Regulation No.31.4 (b)above, has already been paid. In case the amount paid is less than what is prescribed hereinabove, the difference in amount shall be recovered from the TSP/IP.

(d) Any existing TCS/BS not conforming to any of the above provisions shall have to be removed within one year from the date of commencement of this Regulation, unless the same is specifically regularized by the Metropolitan Commissioner following due compliance by TSP/IP. However,

operation of such non-conforming Telecommunication Cell Site/Base station shall be discontinued within a period of 30 days from the date of receipt of notice from the Metropolitan Commissioner to that effect, which shall however be issued only after obtaining the consent of the TERM Cell of DoT.

(e) The Licensees shall try to share the tower for fixing their respective antennae provided the prescribed conditions are duly fulfilled, so as to ensure curtailing of multiple towers and optimizing the use of the existing ones.

(f) Sign boards and Warning signs ("Danger", "RF Radiation", "Restricted Area", "Don't Enter" etc.) shall be provided at TCS/BS antenna sites which are clearly visible and identifiable.

(g) The TSP/IP shall display the details of the following on a board (minimum size 24" x 48") separately or prominently on the cabin, for the perusal of general public in such a way that the same shall be clearly visible and identifiable.

i. Name of TSP/IP :-

ii. Location :-

iii. Tower Reference :-

(a) Height, (b) Weight (c) Number of antennae planned on tower, (d) Permissible EMF radiation level (e) Proposed EMF radiation level.

iv. Due date for next renewal.

v. Contact Person's name, address and Telephone Number

vi. Address of Complaint Redressing Authority with Telephone Numbers

vii. Police Control Room- 100

viii. Fire Control Room – 101

ix. Ambulance – 102

x. Other important information, if any.

Provided that in case of Telecommunication Cell Site/Base station on roof-top, the fore said information shall be displayed on the ground floor of the building.

(h) The Metropolitan Commissioner shall display the list of authorized TCS/BS on their official web site, along with the date of permission and due date for renewal of permission.

(i) TCS/BS Tower shall be inspected for distortion of members, torques of nuts and bolts at least once in five years. However, in case of areas affected by any natural calamity, such as cyclone, earthquake, flood, etc., such inspection shall be carried out immediately after such incident suo-moto or on being directed by the Metropolitan Commissioner. Such inspection shall be carried out only by a qualified structural engineer and a certificate to that effect shall be submitted to the Metropolitan Commissioner.

(j) TCS/BS Towers located in highly corrosive environment shall be painted every year. Other towers shall be painted at least once in five years to give additional protection.

(k) The Metropolitan Commissioner shall make efforts to provide Single Window clearance to TSP/ IP for disposal of their applications in a time bound manner.

**31.8** Notwithstanding anything contained hereinabove, all the Regulations/Bye-Laws/ Memorandum /Directions /Guidelines in this regard, issued or to be issued from time to time, by the Department of Telecommunications, Government of India, shall prevail and be binding on TSP/IP and also on the Municipal Corporation, in which case, this Regulation shall stand modified to that extent.

### **31.9 Powers of Interpretation and Removal of Doubt.-**

If any interpretation is required regarding the clauses of this Regulation, then the matter shall be referred to the Urban Development Department, Government of Maharashtra, whose decision shall be final.

### **32.0 QUARRYING OPERATIONS-**

Mining or Quarrying operations may be permitted on following conditions:

1. (a) No quarrying operations shall be carried out without obtaining Development Permission of the Planning Authority under the provisions of the Maharashtra Regional and Town Planning Act, 1966.
- (b) The quarrying and mining operations shall be permitted outside CRZ 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.
2. The application for Development Permission of quarrying shall include:
  - a) A location plan at 1:5000 scale of the quarry site and an area upto 500 meters around the quarry site showing important natural and manmade features and contours;
  - b) A site plan at 1:500 scale showing site boundaries, contours, all existing natural and man-made features such as hills, water courses, trees and other important landscape features, access roads, building and other structures;
  - c) Proposed excavation plan and cross sections at 1 : 500 or larger scale showing proposed phasing ; terracing ; stepping ; benching slopes; locations of process equipment ; diversion of water courses; impounding lake ; storage areas for top soil, waste material, quarried material ; workers housing ; landscaping including screen planting, mounding and measures against visual intrusion etc.
  - d) A restoration plan including landscaping proposals, phasing and proposal for reuse of the area after quarrying;
  - e) A report supplementing the excavation and restoration plans, costs and implementation programme;
  - f) Scrutiny fee shall be paid by the owner;
  - 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 A.S.R. of the Registration Dept. of the year in which permission is granted.
3. No quarrying shall commence until the excavation plan is approved also by the Director of Geology and Mining, Government of Maharashtra, Nagpur.
4. The Restoration Plan approved by the Metropolitan Commissioner shall be carried out in consultation with concerned Conservator of Forest or District Forests Officer, and 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 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 meter 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 channelled out of any nearby human settlement.
8. During quarrying operations, the water should be sprayed at least once in a day over the roads at quarry sites and nearby area.
9. Kachha road leading to quarry site shall be invariably sprayed by water during the period when trucks use carrying murum. In addition, in order to minimize dust pollution, measures such as adoption of hoods at transfer points, vulcanizing of conveyer belt joints, under belt cleaning devices, apart from installation of dust extrication system for conveyance shall be adopted. The kachha road leading to the quarry shall have roadside plantation in order to arrest the dust pollution.
10. No Quarrying and crushing shall be permitted if a highway or public road having width of 30m. or more, railway line or any human settlement is located within 200m. from the quarrying site. However, for quarrying with blasting operations, the distance shall be at least 500 m.
11. Residences for labourers and related temporary structures should be constructed at least 500 meters away from the place of blasting as well as from the place of quarrying. Heavy blasting by use of heavy machinery shall be prohibited.
12. The development permission for quarrying shall be granted for 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 Metropolitan Commissioner 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.

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**PART - VIII**  
**SPECIAL PROVISIONS IN CERTAIN BUILDINGS**

**33.0 PROVISIONS OF FACILITIES FOR DIFFERENTLY ABLED PERSONS.**

**A ) Definitions-**

**i) Non-ambulatory Disabilities:** - Impairments that, regardless of cause or manifestation, for all practical purposes, confine individuals to wheelchairs.

**ii) 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.

**iii) 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.

**iv) Sight Disabilities:** - Total blindness or impairments, which affect sight to the extent that the individual, functioning in public areas, is insecure or exposed to danger.

**v) Wheel Chair:** - Chair used by disabled people for mobility. The standard size of wheel chair shall be taken as 1050 mm x 750 mm.

**B ) Scope-**These regulations are applicable to all buildings and facilities used by the public such as educational, institutional, assembly, commercial, business, mercantile buildings constructed on plot having an area of more than 2000 sq.mt. It does not apply to private and public residences

**C ) Site development**

Level of the roads, access paths and parking areas shall be described in the plan along with specification of the materials.

**1) Access Path / Walk Way:-** Access path from plot entry and surface parking to building entrance shall be minimum of 1800 mm wide having even surface without any steps. Slope, if any, shall not have gradient greater than 5%. Selection of floor material shall be made suitably to attract or to guide visually impaired persons (limited to coloured floor material whose colour and brightness is conspicuously different from that of the surrounding floor material or the material that emits different sound to guide visually impaired persons; hereinafter referred to as “guiding floor material” (Annexure-I). Finishes shall have a non-slip surface with a texture traversable by a wheel chair. Curbs wherever provided should blend to a common level.

**2) Parking:-** For parking of vehicles of handicapped people, the following provisions shall be made-

a) Surface parking for two car spaces shall be provided near entrance for the physically handicapped persons with maximum travel distance of 30.0 m. from building entrance.

b) The width of parking bay shall be minimum 3.6 meter.

c) The information stating that the space is reserved for wheel chair users shall be conspicuously displayed.

d) Guiding floor materials shall be provided or a device, which guides visually impaired persons with audible signals, or other devices, which serves the same purpose, shall be provided.

**D ) Building requirements**

The specified facilities for the buildings for physically handicapped persons shall be as follows:

**i) Approach to plinth level** - Every building should have at least one entrance accessible to the handicapped and shall be indicated by proper signage. This entrance shall be approached through a ramp together with the stepped entry.

**i.i) Ramped Approach** – Ramp shall be finished with non-slip material to enter the building. Minimum width of ramp shall be 1800mm with maximum gradient 1:12. Length of ramp shall not exceed 9.0 meter having 800mm high hand rail on both sides extending 300mm beyond top and bottom of the ramp. Minimum gap from the adjacent wall to the hand rail shall be 50mm.

**i.ii) Stepped Approach:-** For stepped approach size of tread shall not be less than 300mm and maximum riser shall be 150mm. Provision of 800mm high hand rail on both sides of the stepped approach similar to the ramped approach.

**i.iii) Exit/Entrance Door:-** Minimum & clear opening of the entrance door shall be 900mm and it shall not be provided with a step that obstructs the passage of a wheel chair user. Threshold shall not be raised more than 12mm.

**i.iv) Entrance Landing:-** Entrance landing shall be provided adjacent to ramp with the minimum dimension 1800mm x 2000mm. The entrance landing that adjoins the top end of a slope shall be provided with floor materials to attract the attention of visually impaired person's (limited to coloured floor material whose colour and brightness is conspicuously different from that of the surrounding floor material or the material that emits different sound to guide visually impaired persons hereinafter referred to as "guiding floor material". Finishes shall have a non-slip surface with a texture traversable by a wheel chair. Curbs wherever provided should blend to a common level.

**ii) Corridor connecting the entrance / exit for the handicapped:** The corridor connecting the entrance / exit for handicapped leading directly 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) Guiding floor materials' shall be provided or device that emits sound to guide visually impaired persons.
- b) The minimum width shall be 1500mm.
- c) In case there is a difference of level, slope ways shall be provided with a slope of 1:12.
- d) Hand rails shall be provided for ramps/slope ways.

**iii) Stair-ways** - One of the stair-ways – near the entrance / exit for the handicapped shall have the following provisions:

- a) The minimum width shall be 1350 mm
- b) Height of the riser shall not be more than 150 mm and width of the tread 300mm. 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 the top and bottom of each flight of steps.

**iv) 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 of lift recommended for passenger lift of 13 persons capacity of Bureau of Indian Standards.

Clear internal width                      1100 mm

Clear internal width                      2000 mm

Entrance door width                      900 mm

- a) A hand rail not less than 600mm long at 1000mm above floor level shall be fixed adjacent to the control panel.
- b) The lift lobby shall be of an inside measurement of 1800 mm x 1800 mm or more.
- c) The time of an automatically closing door should be minimum 5 seconds 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 indicates that the door of the cage of entrance/exit is either open or closed.

**v) Toilets** -One special W.C. in a set of toilets shall be provided for the use of handicapped with essential provision of washbasin near the entrance for the handicapped.

i) The minimum size shall be 1500 mm x 1750 mm.

ii) Minimum clear opening of the door shall be 900mm and the door shall swing out.

iii) Suitable arrangement of vertical/horizontal handrails with 50 mm clearance from wall shall be made in the toilet.

iv) The W.C. seat shall be 500mm from the floor.

**vi) Drinking Water:-** Suitable provision of drinking water shall be made for the handicapped near the special toilet provided for them.

**vii) Designing for Children:-** In the buildings meant for the pre-dominant use of the children, it will be necessary to suitably alter the height of the handrail and other fittings & fixtures, etc.

## **E ) Explanatory notes:-**

### **1) Guiding / Warning Floor Material:**

The floor material to guide or to warn the visually impaired persons with a change of color or material with conspicuously different texture and easily distinguishable from the rest of the surrounding floor materials is called guiding or warning floor material. The material with different texture gives audible signals with sensory warning when a person moves on this surface with walking stick. The guiding/warning floor material is meant to give the directional effect or warn a person at critical places. This floor material shall be provided in the following areas:

a) The access path to the building and to the parking area.

b) The landing lobby towards the information board, reception, lifts, staircases and toilets.

c) Immediately at the beginning/end of walkway where there is a vehicular traffic.

d) At the location abruptly changing in level or beginning/end of a ramp.

e) Immediately in front of an entrance/exit and the landing.

### **2) Proper signage:-**

Appropriate identification of specific facilities within a building for the handicapped persons should be done with proper signals. Visually impaired persons make use of other senses such as hearing and touch to compensate for the lack of vision, whereas visual signals benefit those with hearing disabilities.

Signs should be designed and located so that they are easily legible by using suitable letter size (not less than 20 mm high). For visually impaired persons, information board in brail should be installed on the wall at a suitable height and it should be possible to approach them closely. To ensure safe walking, there should not be any protruding sign which creates obstruction in walking. Public Address System may also be provided in busy public areas.

The symbols/information should be in contrasting colour and properly illuminated because people with limited vision may be able to differentiate amongst primary colours. International Symbol Mark for wheel chair be installed in a lift, toilet, staircase, parking areas, etc., that have been provided for differently abled.



### **34.0 RAIN WATER HARVESTING:-**

The provision for Rain Water Harvesting shall be made as under:

a) All the layout open spaces/amenity spaces of housing societies and new constructions/reconstruction/ additions on plots having area not less than 500 sq.mt. in non-congested areas shall have one or more Rain Water Harvesting structures having a minimum total capacity as detailed in Schedule.

Provided that the Metropolitan Commissioner may approve the Rain Water Harvesting structures of specifications different from those in Schedule, subject to the minimum capacity of Rain Water Harvesting being ensured in each case.

b) The owner/society of every building mentioned in the (a) above shall ensure that the Rain Water Harvesting System is maintained in good condition for storage of water for non-potable purposes or recharge of groundwater at all times.

c) The Authority may impose a levy of not exceeding Rs.1000/- per annum for every 100 sq.mt. of built-up area for the failure of the owner of any building mentioned in the (a) above to provide or to maintain Rain Water Harvesting structures as required under these regulations. Failure to provide Rain Water Harvesting System shall deem to be breach of the conditions on which the development permission has been granted.

#### **SCHEDULE**

Rain Water Harvesting in a building site includes storage or recharging the ground water by rainwater falling on the terrace or any paved or unpaved surface within the building site.

1. The following systems may be adopted for harvesting the rainwater drawn from terrace and the paved surface.

i) Open well of a minimum 1.00 mt diameter and 6mt in depth into which rain water may be channelled and allowed 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 groundwater may be done through a bore-well around which a pit of 1m width may be excavated upto a depth of at least 3m and refilled with stone aggregate and sand. The filtered rain water may be channelled to the refilled pit for recharging the bore-well.

iii) An impressive surface/underground storage tank of required capacity may be constructed in the setback or other open spaces and the rain water may be channelled to the storage tank. The storage tank shall always be provided with ventilating covers and shall have draw-off taps suitably placed so that rain water may be drawn off for domestic, washing, gardening and such other purposes. The storage tank shall be provided with an overflow.

iv) The surplus rain water after storage may be recharged in to ground through percolation pits or trenches or combination of pits and trenches. Depending on the geo-morphological and topographical conditions, the pits may be of the size of 1.20 m width X 1.20 m length X 2 m to 2.50 m depth. The trenches can be of 0.60 m width X 2 to 6 m length X 1.50 to 2 m depth. Terrace water shall be channelled 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 at least be 15 cm.
- g) Perforated concrete slabs shall be provided on the pits/trenches.
- h) If the open space surrounding the building is not paved, the top layer up to a sufficient depth shall be removed and refilled with coarse sand to allow percolation of rain water into ground.
- v) The terrace shall be connected to the open well/bore-well/storage tank/ recharge pit/trench by means of HDPE / PVC pipes through filter media. A valve system shall be provided to enable the first washing from roof or terrace catchment, as they would contain undesirable dirt. The mouth 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. for a roof area of 100 sq.m.
- vi) Rain Water Harvesting structures shall be sited as not to endanger the stability of building or earthwork. The structure 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.
- vii) 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 utilised for drinking and/or cooking purpose, it shall be ensured that proper filter arrangement and the separate outlet for bypassing 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.

### **35.0 SPECIAL PROVISIONS FOR INSTALLATION OF SOLAR ASSISTED WATER HEATING SYSTEM**

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

- 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.
- 2) The use of solar water heating system is recommended in following type of building in 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.
- 3) The installation of gas instantaneous water heaters or the electrical back-up in all such water heating system shall be optional depending on the nature of requirement of the hot water.
- 4) It is suggested that solar water heating system of the capacity of about 100 litres per day based on thermo-symphonic system with necessary electrical back-up be installed at residential building like hostels.

5) In order to facilitate the installation of solar water heating system, the new building shall have the following provisions:-

i) All such buildings where solar water heating systems are to be installed will have open sunny roof area available for installation of solar water heating system.

ii) The roof loading adopted in the design of such building should be at least 50 kg per sq.m. for the installation of solar water heating system.

iii) A Solar water heating system can also be integrated with the building design. These can either be put on the parapet or could be integrated with the south facing vertical wall of the building. The best inclination of the collector for regular use throughout the year is equal to the local latitude of the place. The collectors should be facing south. However, for only winter use the optimum 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% output from the optimum inclined collector.

iv) All the new buildings to be constructed shall have an installed hot water line from the roof top and also insulated distribution pipeline to each of the points where hot water is required in the building.

v) The capacity of the solar water heating system to be installed on the building shall be described on the basis of the average occupancy of the building. The norms for hospitals, hotels and other functional building are given below.

Type of Building	Capacity Recommended - Litres per capita per day
(1) Hospitals	100
(2) Hotels five star	150
(3) Hotels other than five star	100
(4) Hostels and other such buildings	35
(5) Canteen	As required.
(6) Laboratory and Research Institutions	As required.

vi) An open area of 3 sq.m. would be required for installation of a Collector which supplies about 100 litres of water per day. At least 60% of the roof area may be utilized for installation of the system.

vii) The specification for the solar water heating system laid down by the Ministry of Non-Conventional Energy Sources can be followed. Flat plate collector conforming to latest Bureau of Indian Standards should be used in all such solar water heating systems

## 36.0 REGULATIONS FOR WASTE WATER RECYCLING

### 36.1 Type of Waste Water

The Waste Water is of following types:--

Black Water.- means Waste Water from W.C. Urinals and M.S.W.

(ii) Grey Water.-means Waste Water from Bathrooms, Sinks, Shower and Wash Areas etc.

(iii) Apart from Residential Waste Water, Waste Water generated from Industrial, Medical, Commercial and Waste generated from Garbage shall also be treated as per the guidelines given by the Maharashtra Pollution Control Board.

## **36.2 APPLICABILITY**

These Regulations shall be applicable to all Developments/ Redevelopments/part Developments for the uses as mention under (C-1) to (C-6) shall have the provision for treatment, recycling and reuse of Waste Water. The applicant shall along with his application for obtaining necessary layout approval/ building permission shall submit a plan showing the location of Waste Water Treatment Plant, furnishing details of calculations, references, implementation, etc. This Plan shall accompany with the applicant's commitment to monitor the system periodically from the date of occupation of the respective building.

## **36.3 REGULATIONS**

### **36.3.1 (C-1) For Layout Approval/Building Permission**

- (i) In case of Residential layouts, area admeasuring 10000 sq.m. or more, in addition to 10 % open space, prescribed in the bye- laws, a separate space for Waste Water Treatment and Recycling Plant should be proposed in the layout.
- (ii) On the layout Plan, all Drainage lines, Chambers, Plumbing lines should be marked in different colour and submit the layout for approval to the Authority.
- (iii) The Recycled Water shall be used for Gardening, Car Washing, Toilet Flushing, Irrigation, etc. and in no case for drinking, bathing, washing utensils, clothes, etc
- (iv) In the Estimate of Waste Water Recycling Plant only provision for basic civil work and required machinery will be proposed by the Authority other than these provisions, additional machinery, plumbing, Water tank pipe, landscape should be provided by Owner or Developer on his Own Cost.
- (v) A clause must be included by the Owner/ Developer in the purchase agreement that the purchaser, Owner of the Premises/Organization or Society of the purchasers shall ensure that:
  - a. The Recycled Water is tested every six months either in in the laboratory approved by the Authority or by State Government and the result of which shall be made accessible to the Competent Authority/ EHO of the respective Ward Office.
  - b. Any recommendation from testing laboratory for any form of corrective measures that are needed to be adopted shall be compiled. Copy of any such recommendation and necessary action taken shall also be sent by the testing laboratories to the Competent Authority/ EHO of respective Wards.
  - c. Maintenance of Recycling Plant should be done by the Developer or Housing Society or Owner.

### **36.3.2 (C-2) Group Housing/Apartment Building**

In case of Group Housing if the area admeasuring 4000 sq.m. and above or if consumption of Water is 20,000 litres per day or if a multi-storeyed building where there are 20 or more tenements then Waste Water Recycling Plant as mentioned in (C-1) above should be constructed.

### **36.3.3 (C-3) Educational, Industrial, Commercial, Government, Semi-Government Organizations, Hotels, Lodgings etc.**

For all above buildings having built-up area 1500 sq.m. or more or if Water consumption is 20,000 litre per day whichever is minimum, then provision for Waste Water Treatment Plant as mentioned in (C-1) is applicable.

### **36.3.4 (C-4) Hospitals**

Those Hospitals having 40 or more beds, Waste Water Recycling Plant as mentioned in (C-1) is applicable.

### **36.3.5 (C-5) Vehicle Servicing Garages**

All Vehicle servicing garages shall ensure that the Waste Water generated through washing of vehicles is treated and recycled back for the same use as mentioned in (C-1)

### **36.3.6 (C-6) Other Hazardous uses**

All other Establishments/ Buildings where chances of Waste Water generated containing harmful chemicals, toxins are likely and where such water cannot be directly led into municipal sewers, the concerned Competent Authority may direct the Owners, users of such Establishments, Buildings to treat their Waste Water as per the directions laid in (C-1)

### **36.4 INCENTIVE**

i. The Owner/Developer/Society setting up and agreeing to periodically maintain such Waste Water Treatment and Recycling Plant entirely through their own expenditure shall be eligible for an incentive in the form of fiscal benefits in Property Tax to the extent of 5% to Tenement holder/Society.

### **36.5 Penalty Clause**

(i) Any person / Owner / Developer / Organization / Society violating the provisions of these bye-laws, he shall be fined Rs.2,500/- on the day of detection and if the violation continues, then he shall be fined Rs.100/- for every day as concrete action after written Notice from the Authority

(ii) If any person / Owner /Developer / Organization / Society fails to operate as determined by the Authorised Officer of the Authority and from the observations of test results and/or physical verification) the Recycling plant, then he will be charged a penalty of Rs.300/- per day and disconnection of Water connection also.

## **37.0 REGULATION FOR INCLUSIVE HOUSING:-**

The provision regarding inclusive housing in development proposal shall be made applicable as mentioned below.

**37.1** (a) For the sub-division or layout of the land admeasuring **10000 sq.mt.** or more for residential purpose minimum 20% of the net plot area shall have to be provided,

i) Either in the form of developed plots of 100 to 150 sq.mt. size for Economically Weaker Sections/ Low Income Groups (EWS/LIG), (hereinafter referred to as "affordable plots") in which plots of 100 sq.mtr. size shall be kept for EWS **OR**

ii) In the form of equivalent 20% net plot area, for constructing EWS/LIG tenements,

(b) The Landowner Developer shall sell the said affordable plots as mentioned at (i and ii ) to MHADA at the land rate prescribed in the Annual Statement of Rates prepared by the Inspector General of Registration, Maharashtra State, Pune. If MHADA declines to purchase the same within a reasonable time of six months, then he can sale the affordable plots in the open market.

**37.2** For a plot of land, admeasuring **10000 sq.mt.** or more to be developed for a Housing Scheme consisting of one or more buildings (hereinafter referred to as 'the said Scheme'), EWS/LIG Housing in the form of tenements of size ranging between 30 to 50 Sq.mt, (hereinafter referred to as 'affordable housing tenements') shall be constructed at least to the extent of 20% of the basic zonal F.S.I., subject to the following conditions:-

a) The built up area of the EWS/LIG tenements constructed under the Scheme shall not be counted towards F.S.I.

b) The Landowner / Developer shall construct the stock of the affordable housing tenements in the same plot and the Planning Authority shall ensure that the Occupation Certificate for the rest of the development 'under the said Scheme is not, issued till the Occupation Certificate is issued for the Affordable Housing tenements under the said Scheme.

Provided further that the Affordable Housing tenements of equivalent value as per ASR subject to minimum 20 % of built-up area as per original location may also be provided at some other location (s) within the same Administrative Ward of the Authority.

c) The Project Proponent/s, after getting the Commencement Certificate for the scheme, shall immediately intimate to MHADA regarding the numbers of **affordable housing tenements** to be disposed by them to the allottee. Upon such intimation, MHADA within a period of six months from the date of receipt of such intimation shall duly after following procedure of lottery system prepare the list of the allottee and forward it to the Project Proponent/s. The project proponent shall dispose of such EWS housing tenements to the allottees at the construction cost in ASR applicable to the land under the Scheme plus 20 % additional cost. Out of this 20 % additional cost, 10 % shall be paid to MHADA towards their administration charges.

d) There shall be no obligation to construct affordable Housing tenements in the redevelopment project of any co- operative Housing Society in which the carpet area of all existing individual residential tenements does not exceed 80 sqm.

e) In case of Redevelopment of Individual bungalow these provisions shall not apply. However if redevelopment proposed on area more than 10000 Sq mt, this provisions shall be applicable.

f) There shall be no obligation to construct affordable housing tenements in accordance with these provisions in any Housing Scheme or residential development project wherein, owing to the relevant provisions of the Development Control Regulations, 20% or more of the basic Zonal FSI is required to be utilized towards construction of residential tenements for the EWS/LIG and also for the development / redevelopment of any land, owned by the Government or any Semi-Government organization. Provided such development / redevelopment is undertaken by the Government or such Semi- Government Organization by itself or through any other agency under BOT or PPP model.

Provided that in case of Development of reservations of Public Housing, Housing for Dis-housed, Public Housing / High Density Housing and the EWS/LIG tenements constructed under the provisions of any other Act, these provisions shall not be applicable.

**37.3** Amalgamation of affordable plots / affordable tenements shall not be allowed

**37.4** These provisions shall be applicable prospectively and shall not be applicable to any Housing Scheme or residential development project wherein Commencement Certificate for full area had been issued prior to the date of coming into force of these provisions and was valid on such date. In case of revised approval this provision shall not be applicable. However, in case of part Commencement Certificate or revision of proposal where newly proposed area is more than 10000 sq mt then to that extent these regulations shall apply.

## 38.0 Special Regulations for Development / Redevelopment of building falling within Transit Oriented Development Corridor (TOD)

Transit oriented development aims at a development focused around a mass rapid transit corridor (hence forth called as TOD corridor) which facilitates ease of access to the transit facility, thereby encouraging people to walk and use public transportation over personal modes of transportation. Development along mass rapid transit corridor shall be governed by the following special regulations.

### Special Regulations for Development / Redevelopment of building falling within Nagpur Metro Rail Corridor (NMRC)

#### 38.1 Definitions

(i) **Nagpur Metro Rail Corridor (NMRC)** - It is the area falling within 250 mt. distance on either side of the Nagpur Metro Rail measured from its Centre line and also includes the area falling within 250 mt. distance from the longitudinal end of the last Metro Railway Station as shown on development plan.

(ii) **Base permissible FSI** -It is the FSI that is otherwise permissible on any land with respect to zone shown as per the sanctioned development plan and the relevant provision of the Principal DCR excluding the TDR and the premium FSI, redevelopment incentive FSI that can be received.

(iii) **Gross plot area** - Gross Plot Area means total area of land after deducting area under reservation or deemed reservation like amenity space if any, area under D.P. Road and Road widening.

(iv) **Principal DCR** -Development Control and Promotion Regulations sanctioned by Govt. for Nagpur Metropolitan Regional Development Authority

#### 38.2 Maximum Permissible FSI

The maximum permissible total FSI in NMRC shall be 4.00 including the base permissible FSI, subject to condition that, the additional FSI over and above the base permissible FSI shall be allowed within the overall limit of maximum permissible FSI, as given in the Table below-

Sr. No.	Minimum Road Width	Plot Area	Maximum Permissible FSI
1	9.00 mt.	Below 1000 sq.mt.	2.00
2	9.00 mt.	1000 sq.mt. or above	3.00
3	12.00 mt.	2000 sq.mt. or above	3.50
4	15.00 mt.	2000 sq.mt. or above	4.00

#### **Explanation:-**

- 1) The maximum permissible FSI as per the above Table shall be determined by satisfaction of both the criterias viz. Minimum Road width as well as plot area, simultaneously. However in case, both these criterias are not satisfied simultaneously, the maximum permissible FSI shall be the minimum of that permissible against each of these two criterias, as illustrated below ;

2) Land owner / Developer shall not have option to use TDR in NMRC.

**Illustrations for Utilization of FSI -**

Plot Area	Road width			
	Less than 9mt.	9 mt. & above	12 mt. & above	15 mt. & above
below 1000 sq.mt.	Principal DCR	2	2	2
1000 sq.mt. up to 2000 sq.mt.	Principal DCR	3	3.5	3.5
Above 2000 sq.mt.	Principal DCR	3	3.5	4.0

**38.2.1 Premium to be Paid-** Additional FSI over and above base permissible FSI of respective land use zones as per principal DCR, may be permitted on the payment of premium as may be decided by the Govt. from time to time.

(a) The additional FSI as prescribed in the Table under provision 38.2 above, in case of development / redevelopment proposed in the NMRC with minimum tenement density per hectare of the gross plot area as given below.

Minimum Numbers of Tenements = Gross Plot Area x Maximum Proposed FSI for

Residential use x 200 Tenement per Hector.

(b) However, subject to the provisions of regulation 38.3 herein below, if the tenement density proposed is less than that stipulated in the table under 38.2.1(a), the premium to be paid in that event the additional premium shall be paid as may be decided by the Govt. from time to time and such premium shall be chargeable on the total additional FSI to be availed beyond the base permissible FSI

**38.2.2 Impact Assessment and Integrated Mobility Plan**

Such additional FSI over and above the base permissible FSI, shall be granted by the Commissioner, NMRDA after taking into account the Impact Assessment of the implementation of these regulations regarding the impact on the city and sector level infrastructure and amenities as well as traffic and environment on such NMRC. Such Impact Assessment shall also contain measures to be undertaken to mitigate its likely impact and the Action Plan for implementation of such measures in a time bound manner. It shall also contain Integrated Mobility Plan envisaging therein inter-linkages between different modes of mass transport, parking management, traffic management and pedestrianisation.

**38.2.3** The maximum permissible FSI as given in Table under regulation 38.2 shall be calculated on the gross plot area.

**38.2.4** In case of plot / plots falling partly within the NMRC, the FSI permissible shall be as follows, provided that the total area of the plot (plot falling within NMRC plus plot falling outside NMRC) shall be as prescribed in the table in regulation no. 38.2 :-

(i) Where 50% or more area of such plot / plots falls within NMRC, these regulations including FSI shall apply to the total area of such plot / plots.



- (ii) Where less than 50% area of such plot / plots falls within NMRC, these regulations including FSI shall be applicable to the part of plot / plots falling within NMRC, whereas for the part of plot / plots falling outside NMRC, these regulations except provisions regarding FSI shall be applicable. The FSI permissible for the part falling outside NMRC shall be as per Principal Development Control Regulations.

**38.2.5** Notwithstanding anything contained in any other provision of this DCR the Parking, Double height terraces up to 20% and 15% balconies not enclosed, Stair cases, Lift wells with machine rooms, Refuge areas, Voids, Service Floor & Entrance lobbies of the building in NMRC shall be free of FSI. However, open balconies are allowed after leaving 4.5 mt. distance from plot boundary subject to condition of fire NOC.

**38.2.6** Notwithstanding anything contained in any other provisions of these regulations, TDR shall not be allowed to be received on the plots within NMRC, irrespective of its location in congested area / non congested area as per the Sanction Development Plan of Nagpur.

### **38.3 Permissible mixed use in NMRC:**

Mixed use in the form of residential and commercial may be permissible on the residential plot in NMRC fronting on the road width of 12 mt. and above. And mix use on plot / plots in commercial zone in Nagpur Municipal Corporation shall be permissible as per the principal DCR and the maximum permissible FSI under these regulations shall be allowed on the payment of premium.

**38.4** Other provisions regarding marginal open spaces shall be governed by the proposed height of structure, as given in the provisions 38.5 below and should conform to the Maharashtra Fire Prevention and Life Safety Measures Act, 2006 (Maharashtra Act no. III of 2007) as amended from time to time. No building permission shall be issued without NOC of the Fire Officer. Other regulations regarding room sizes, apertures for light and ventilation shall be as per the principal DCPR, in force.

### **38.5 Marginal Spaces**

<b>Sr. No.</b>	<b>Building Height</b>	<b>Side and Rear Margins</b>	<b>Remark</b>	
<b>a</b>	15.0 mt and below	H/2-4	Minimum 3.0 mt. for Residential minimum 4.5 mt. for Commercial and Minimum 6.0 m. for Special Buildings.	However, if from one side clear minimum marginal distance maintain as per this DCPR then for other sides marginal distance may be relaxed by the Authority by 1.5 mt. maximum.
<b>b</b>	Above 15.0 mt. and upto 18.0 mt.	H/4	Minimum 6.0 mt. for all Buildings.	
<b>c</b>	18.0 mt and above	H/5 subject to Maximum 12.0 mt.	Minimum 6.0 mt.	

**Note-** However if Developer / Owners provides more than 12.00 mt. side and rear margins shall be permissible.

**38.5.1** No projections shall be allowed in marginal spaces so that minimum 6 mt. marginal spaces remain free from all encumbrances for the movement of fire tenders. The Commissioner may take decision to allow ramp in maximum side marginal distance as mentioned in above table and subject to fire NOC. In case if ramp is necessary from accessibility, such ramp may be allowed after living 6 mt. clear margin,

**38.5.2** For calculation of marginal distances the height of the parking floors (Maximum two floors above the Ground Level) shall not be taken in account, However height of such parking floors will be counted towards the total height of the building for de-ciding the building as high rise building and for civil Aviation purpose.

**38.5.3** Car lift / mechanical parking shall be permissible, as per Principal DCR as amended from time to time.

### **38.6 Parking**

Parking in the NMRC shall be provided as per the table given below.

Sr. No.	Occupancy	One parking space for every	Transit Oriented Development Influence Zone		
			Car	Scooter / Motorcycle	Cycle
1	<b>Residential</b>	<b>(a) Tenements having carpet area</b>			
		From 25 and upto 40 sq.mt.	0	1	2
		For 2 units above 40 and upto 60 sq.mt.	1	1	2
		For every unit above 60 and upto 80 sq.mt.	1	1	2
		For every unit above 80 sq.mt	1	2	1
2	<b>Govt. &amp; Semi Govt. Private business buildings</b>	100 sq.mt carpet area or fraction thereof	1	2	2

**Note:** i) Parking spaces for differently – abled persons shall be provided as per Indian Road Congress Code No. IRC 103:2012 in each new construction / development / re-development in the NMRC.

ii) No on street parking shall be permissible, unless specifically allowed in the impact assessment and mobility report.

**38.6.1 Incentive for providing Public Parking in the area falling within the radius of 200 mt. from the Metro Station** -If the owner / developer of the plot falling within the radius of 200 mt. from the Metro Station, is willing to provide Public Parking space over and above the parking spaces required as per the table given in regulation No.38.6 of these regulations, the same shall be allowed and in that case the premium to be paid by such developer / owner as per regulation No.38.2.1 shall be reduced by the amount equal to the premium worked out for 25% of the area earmarked for such additional Public Parking space, subject to following conditions:-

- a) Such parking area shall be in the built-up form and shall be handed over to Planning Authority free of cost before granting the Occupation Certificate to the project. The Planning Authority should enter into an agreement with owner / developer for such parking space at the time of granting Commencement Certificate to the project. Such Public Parking area shall be clearly shown on the proposed building plan / layout and a condition to above effect shall be incorporated in the Commencement Certificate.
- b) The parking area shall have independent access from major road adjacent to the plot and with proper entry and exits.
- c) The parking area to be made available at individual site shall be at minimum 100 sq.mt. at one place either at Ground floor / Stilt floor or first floor.
- d) The maximum parking area that can be provided shall be decided by the Metropolitan Commissioner, NMRDA on considering the location of such site and the parking requirement.
- e) A board showing the location of such public parking space should be displayed at suitable places by the Planning Authority.
- f) Area covered under such parking shall not be counted towards FSI consumption.
- g) Concerned land owner / developer / society / public company shall not be allowed to operate the public parking.
- h) The proposed development shall be further subject to such conditions as may be decided by the Metropolitan Commissioner.

**38.7** In case of development or redevelopment, proposed by the Authority / individual applicant / any other Planning Authority, from the edge of the Metro Rail, within 20 mt. distance from the Metro Rail, on its either side, the concerned Planning Authority before granting such permission for development / redevelopment shall seek prior NOC from the Nagpur Metro Railway Corporation Ltd as required under the Metro Railways (Construction of Works) Act, 1978 from the point of view of safety of the Metro Railway and such other related matters.

**38.8** In case of any conflict between these Special Regulations and any other Regulation/s of the DCPR, the Special Regulations shall prevail for the NMRC.

**38.9** No Compound wall / fencing shall be permissible on the boundary of plot fronting on road and 50% front marginal distance (subject to minimum of 3.0 mt.) shall be kept accessible and to be used as foot paths, for pedestrians. However, it shall be permissible for the applicant to construct / erect fencing, on the boundary, after leaving the space for pedestrians as specified above.

However for the plots situated on 9mt. and 12mt. wide Roads having 100% residential use therefore above rule shall not be made applicable.

**38.9.1** Large wholesale stores, car dealer showrooms, warehouses/storages, auto service centers, Garages etc. shall not be permissible in NMRC.

**38.9.2** Provision of Inclusive housing shall not be applicable in NMRC.

**38.9.3** For Gunthewari development regularized under the provisions of Maharashtra Gunthewari Development Act, 2001 and falling in NMRC, seeking provisions for redevelopment, these regulations shall apply.

- 38.9.4** The width of passage shall be minimum 1.2 mt. for residential use & 2.0 mt. for commercial use.
- 38.10** Above regulations shall be applicable to all buildings (i.e. newly proposed buildings as well as to the old buildings on which building potential is balanced.)
- 38.11** The Metropolitan Commissioner may grant relaxation as per the provision of principle DCPR (**Regulation No.16.2**)

**PART IX**

**ACQUISITION / DEVELOPMENT OF RESERVED SITES IN DEVELOPMENT PLAN**

**39.0 MANNER OF DEVELOPMENT OF RESERVED SITES IN DEVELOPMENT PLAN  
(ACCOMMODATION RESERVATION PRINCIPLE)**

The use of land situated within the NMRDA Area which has been reserved for certain purpose in the Development Plan shall be regulated in regard to type and manner of development / redevelopment according to the provisions mentioned in following Table.

When owner is allowed to develop the reservation, he should have exclusive ownership/ title of the land without any restriction under any other Act or regulation in force.

<b>Reservation</b>	<b>Person/Authority who may acquire/develop</b>	<b>Principle For Development through Accommodation Reservation subject to which development is permissible</b>
<b>1</b>	<b>2</b>	<b>3</b>
<p><b>1)Recreational -</b> 1.1) Open reservations like Garden, Play Ground, Children PG, Open Space, Recreation Ground Park, Park etc</p>	<p>Planning Authority/ Appropriate Authority / Owner</p>	<p>Planning Authority may acquire the land and develop the same for the purpose. The ancillary users like indoor games, public toilet, changing Rooms, gymnasium, canteen, sport shop, meditation, yoga hall, may be allowed at one corner/side of the reservation subject to condition that maximum built-up area for such user shall be 15%, out of which maximum 10% shall be allowed on ground floor&amp; remaining on first floor. However, if the Land under reservation is owned by any Government agency / Authority, in such cases the Planning Authority may allow such Government agency / Authority to Develop full reservation for the said purpose subject to condition as may be decided by the Commissioner and such Developed Amenity shall be open to the general Public.</p> <p><b>OR</b></p> <p>The Metropolitan Commissioner may allow the owner to develop the reservation on <b>70 %</b> of the land and after handing over it to the planning authority free of cost then remaining <b>30 %</b> land may be allowed to be developed as per adjoining use subject to following terms /conditions:-</p> <p>i) The owner shall be entitled to develop remaining 30 % land for the uses permissible in adjoining zone with full permissible FSI of the entire Plot and permissible TDR potential of the entire Plot.</p>

		ii) The Metropolitan Commissioner, if required, shall allow the TDR for the unutilised FSI if any (after deducting in-situ FSI as mentioned in Sr. no (i) above) which shall be utilised as per the TDR utilisation regulations.
1.2) Stadium, Sport Complex, Recreational Centre etc.	Planning Authority/ Appropriate Authority	Planning Authority/ Appropriate Authority shall acquire the land and develop the same for the purpose.
1.3) Swimming Tank/ Swimming Pool	Planning Authority/ Appropriate Authority/ Owner	The Planning Authority/ Appropriate Authority may acquire and develop the site for the same purpose.  OR The Planning Authority/ Appropriate Authority after acquiring the land or after acquiring and developing the same, as the case may be, lease out as per the provisions of the respective Authorities Act, to the Registered Public Institution for developing and running or only for running the same.  OR The Owner may be allowed to develop according to the designs; specifications and conditions prescribed by the Metropolitan Commissioner and run the same.
<b>2 ) Public Utilities</b> a)Cremation round, b)Burial Ground, c)Slaughter House, d)Sewerage Treatment Plant, e)Water Treatment Plant, f)Water Tank	Planning Authority/ Appropriate Authority	<b>2) The Planning Authority/ Appropriate Authority shall acquire the land and develop the reservation for the same purpose.</b>
<b>3) Commercial Utilities</b> <b>3.1) Market and Mandies</b> a)Weekly Market/ b)Vegetable Market c) Open Market. d)Hawkers Market	Planning Authority /Appropriate Authority / Owner	The Planning Authority/ Appropriate Authority shall acquire the land and develop the reservation for the same purpose.  OR i) The Metropolitan Commissioner may allow the owner to develop the reservation, subject to handing over to the Planning Authority 40 % independent plot along with 50% constructed amenity of total area free of cost in lieu of construction amenity TDR as per general Regulation No (iii) mention

<p><b>3.2) Shopping centres -</b>  a) Shopping Centre,  b) Commercial Complex,  c) Municipal Market  d) Fish Market etc.</p>		<p>below &amp; as per norms prescribed by Metropolitan Commissioner.</p> <p>ii) The owner shall be entitled to develop remaining 60 % land for the uses permissible in adjoining zone with full permissible FSI of the entire Plot and permissible TDR potential of the entire Plot.</p> <p>iii) The Metropolitan Commissioner, if required, shall allow the TDR for the unutilised FSI if any (after deducting in-situ FSI as mentioned in sr.no (ii) above) which shall be utilised as per the TDR utilisation regulations.</p> <p>iv) Reservation shall allow to be developed in parts.</p>
<p><b>4) Health Facility</b>  a) Health Centre  b) Dispensary  c) Maternity Home  d) Veterinary Hospital/Clinic  e) Urban Health Centre  f) Rural Hospital and like</p>	<p>Planning Authority  /Appropriate Authority  / Owner</p>	<p>The Planning Authority / Appropriate Authority may acquire and develop the reservation site for the same purpose.</p> <p>OR</p> <p>i) The Metropolitan Commissioner may allow the owner to develop the reservation, subject to handing over to the Planning Authority 40 % independent plot along with 50% constructed amenity of total area free of cost in lieu of construction amenity TDR as per general Regulation no (iii) mention below &amp; as per norms prescribed by Metropolitan Commissioner.</p> <p>ii) The owner shall be entitled to develop remaining 60 % land for the uses permissible in adjoining zone with full permissible FSI of the entire Plot and permissible TDR potential of the entire Plot.</p> <p>iii) The Metropolitan Commissioner, if required, shall allow the TDR for the unutilised FSI only (after deducting in-situ FSI as mentioned in sr. no (ii) above ) which shall be utilised as per the TDR utilisation regulations.</p> <p>iv) Reservation shall be allowed to be developed in parts.</p>
<p><b>5) Transportation –</b>  <b>5.1 ) Depots and Stands-</b>  (a) Bus Stand  (b) Bus Depot etc.</p>	<p>Planning Authority  /Appropriate Authority  / Owner</p>	<p>The Planning Authority / Appropriate Authority may acquire and develop the reservation site for the same purpose.</p> <p>OR</p>

<p>(c) Metro Car Shed (d) MRTS Station (e) PMPML</p>		<p>i) The Metropolitan Commissioner may allow the owner to develop the reservation, subject to handing over to the Planning Authority 50 % independent plot along with 50% constructed amenity of total area free of cost in lieu of construction amenity TDR as per general Regulation No. (iii) mention below &amp; as per norms prescribed by Metropolitan Commissioner.</p> <p>ii) The owner shall be entitled to develop remaining 50 % land for the uses permissible in adjoining zone with full permissible FSI of the entire Plot and permissible TDR potential of the entire Plot.</p>
<p><b>5.2) Roads-</b> Proposed Development Plan Roads / Road widening.</p>	<p>Planning Authority/ Appropriate Authority.</p>	<p>The Planning Authority/ Appropriate Authority shall acquire the land and develop the reservation for the same purpose.</p>
<p><b>5.3) Parking -</b></p>	<p>Planning Authority /Appropriate Authority / Owner</p>	<p>i) The Planning Authority/ Appropriate Authority may acquire and develop the site for the same purpose.</p> <p>OR</p> <p>ii) The Planning Authority/ Appropriate Authority after acquiring the land or after acquiring and developing the same, as the case may be, lease out as per the provisions of the respective Authorities Act, to the Registered Public Institution for developing and running or only for running the same.</p> <p>OR</p> <p>The Owner may be allowed to develop parking space according to the designs, specifications and conditions prescribed by the Metropolitan Commissioner subject to handing over of constructed parking area equal to double the reservation area, to Planning Authority free of cost subject to condition that,</p> <p>i) The operation and the maintenance of the facility will be decided by Metropolitan Commissioner.</p> <p>ii) Parking spaces may be in basement or on stilts or on first/second floor with separate entry &amp; exit.</p> <p>After handing over the above said parking area to the Planning Authority, the owner</p>



		<p>shall be entitled to construct with full permissible FSI of the entire Plot and permissible TDR potential of the entire Plot for other permissible user in that zone .</p> <p>iii) The Metropolitan Commissioner, if required, shall allow the TDR for the unutilised FSI if any (after deducting in-situ FSI as mentioned in sr no (ii) above ) which shall be utilised as per the TDR utilisation regulations.</p>
<p><b>6 ) Educational –</b>  (a) Primary School  (b) High School  (c) College</p>	<p>Planning Authority/  Appropriate Authority/  Registered Public</p>	<p>The Planning Authority/ Appropriate Authority may acquire and develop the site for the same purpose. The Planning Authority/ Appropriate Authority after acquiring land or after acquiring and constructing the building on it, as the case may be, lease out the same as per the provisions of the respective Authorities Act to the Registered Public Educational Institution trust for developing and running or only for running the same.</p> <p>OR</p> <p>The owner may be allowed to develop the reservation for the same purpose. The Registered Public Educational Institution trust on behalf of owner may be allowed to be develop subject to terms /conditions as prescribed by the Planning Authority.</p> <p>OR</p> <p>i) The Metropolitan Commissioner may allow the owner to develop the reservation, subject to handing over to the Planning Authority 50 % independent plot along with 50% constructed amenity of total area free of cost in lieu of construction amenity TDR as per general Regulation No.(iii) mention below &amp; as per norms prescribed by Metropolitan Commissioner.</p> <p>ii) The owner shall be entitled to develop remaining 50 % land for the uses permissible in adjoining zone with full permissible FSI of the entire Plot and permissible TDR potential of the entire Plot.</p> <p>iii) The Metropolitan Commissioner, if required, shall allow the TDR for the unutilised FSI if any (after deducting in-situ FSI as mentioned in sr no (ii) above ) which</p>

		<p>shall be utilised as per the TDR utilisation regulations.</p> <p>Provided that the area of reservation to be handed over shall not be less than norms decided by the Education Department.</p> <p>iv) Reservation shall not be allowed to be developed in parts.</p>
(d)Educational Complex	Planning Authority/ Appropriate Authority/ Land Owner	<p>The Planning Authority/ Appropriate Authority may acquire and develop the site for the same purpose.</p> <p><b>OR</b></p> <p>The Planning Authority/ Appropriate Authority after acquiring land or after acquiring and constructing the building on it, as the case may be, lease out the same as per the provisions of the respective Authorities Act, to the Registered Public Educational Institution Trust for developing and running or only for running the same.</p> <p><b>OR</b></p> <p>The owner may be allowed to develop the reservation for the same purpose. The Registered Public Educational Institution trust on behalf of owner may be allowed to be develop subject to terms /conditions as prescribed by the Planning Authority.</p> <p><b>OR</b></p> <p>If the area of the Educational Complex reservation is more than 3.00 Hect, then</p> <p>i)The Metropolitan Commissioner may allow the owner to develop the reservation, subject to handing over to the Planning Authority 50 %independent plot along with 50% constructed amenity of total area free of cost in lieu of construction amenity TDR as per general Regulation No.(iii) mention below &amp; as per norms prescribed by Metropolitan Commissioner.</p>
		<p>ii) The Metropolitan Commissioner, if required, shall allow the TDR for the unutilised FSI if any (after deducting in-situ FSI as mentioned in sr. no (ii) above ) which shall be utilised as per the TDR utilisation regulations.</p> <p>iii) The Planning Authority, if required, shall allow TDR to the owner after deducting in-situ FSI utilized on 50% land mentioned in (ii).</p>
<b>7) Residential(R)-</b> (a)Public Housing	Planning Authority/ Appropriate Authority/	Planning Authority / Appropriate Authority may acquire the reserved land and develop for the same purpose.

<p>EWS/LIG Housing.</p> <p>(b)High Density Housing.</p> <p>(c)Housing for Dis-housed.</p> <p>(d) Public Housing / Housing for Dis-housed.</p> <p>(e)Reservation similar as above.</p>	<p>Owner</p>	<p>OR</p> <p>i) The Metropolitan Commissioner may allow the owner to develop the reservation, subject to handing over of 40% land alongwith 50% built up area of basic FSI constructed tenements of 25 sq.m. to 30 sq.mt carpet area to the Planning Authority free of cost in lieu of construction amenity TDR as per general Regulation No.(iii) mention below &amp; as per norms prescribed by Metropolitan Commissioner.</p> <p>ii) The owner shall be entitled to develop remaining 60 % land for the uses permissible in adjoining zone with full permissible FSI of the entire Plot and permissible TDR potential of the entire Plot.</p> <p>iii) The Planning Authority, if required, shall allow TDR to the owner after deducting in-situ FSI utilized on 40% land mentioned in (i).</p> <p>iv) The Planning Authority / Appropriate Authority shall allot such tenement on priority to the persons dispossessed by implementation of Development Plan.</p> <p>OR</p> <p>The Metropolitan Commissioner may allow the owner to develop the reservation, subject to a) Handing over of 50 % land to Planning Authority, for laying out plots for EWS/LIG , The owner shall thereafter be entitled to develop remaining plot as per the uses permissible in residential zone with permissible FSI of entire plot on remaining plot without taking into account the area handed over to the Planning Authority.</p> <p>The Planning Authority / Appropriate Authority shall prepare layout for EWS/LIG plots and allot such plots on priority to the persons dispossessed by implementation of Development Plan. The Planning Authority may construct EWS/LIG tenements on such land.</p> <p>Owner can select any one option of the above, once the permission for that option is granted and work commenced then he cannot be permitted to shift for other option.</p>
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<p><b>8) Assembly and Institutional-</b> Town Hall, drama Theatre, Auditorium, Samaj Mandir, Community Hall, Multipurpose Hall etc.</p>	<p>Planning Authority/ Appropriate Authority/ Owner</p>	<p>i) The Planning Authority / Appropriate Authority may acquire and develop the site for the same purpose.</p> <p>ii) The Planning Authority / Appropriate Authority after acquiring the land or after acquiring and developing the same, as the case may be, lease out as per the provisions of the respective Authorities Act, to a Registered Public Institution to develop and running or only for running the same.</p> <p><b>OR</b></p> <p>i) The Metropolitan Commissioner may allow the owner to develop the reservation, subject to handing over to the Planning Authority 50 % independent plot along with 50% constructed amenity of total area free of cost in lieu of construction amenity TDR as per general Regulation No.(iii) mention below &amp; as per norms prescribed by Metropolitan Commissioner.</p> <p>ii) The owner shall be entitled to develop remaining 50 % land for the uses permissible in adjoining zone with full permissible FSI of the entire Plot and permissible TDR potential of the entire Plot.</p> <p>iii) The Metropolitan Commissioner, if required, shall allow the TDR for the unutilised FSI if any (after deducting in-situ FSI as mentioned in sr no (ii) above ) which shall be utilised as per the TDR utilisation regulations.</p> <p>iv) Reservation shall not be allowed to be developed in parts.</p>
<p><b>9) Reservations of composite nature like Vegetable Market &amp; Shopping Centre, Town Hall &amp; Library, etc.</b></p>	<p>Planning Authority/ Appropriate Authority/ Owner</p>	<p>i) The Planning Authority / Appropriate Authority may acquire and develop the site for the same purpose.</p> <p><b>Clarification-</b> For the reservation of composite nature, proposed in Development Plan except Town Hall&amp; Library, area of each user shall be considered equal i.e. 50-50% and such area shall be allowed to be developed as per the guidelines applicable for such reservation as mentioned in these regulations.</p> <p>For Town Hall &amp; Library, area of Library shall be 10% of area of Town Hall.</p>

<p><b>10)</b> Reservations which are not included in these regulations but are compatible to other similar type of reservation.</p>	<p>Planning Authority/ Appropriate Authority/ Owner</p>	<p>Planning Authority/ Appropriate Authority may acquire the reserved land and develop for the same purpose. <b>OR</b> The development permissions for such type of user under this Regulation may be granted by the Metropolitan Commissioner in consultation with the Divisional Joint Director of Town Planning, subject to verification of compatibility of both the users and allowed to be developed as per the guidelines applicable for such reservation as mentioned in these regulations.</p>
<p><b>11)</b> For other buildable reservations shown in Development Plan which are not covered above</p>	<p>Planning Authority/ Appropriate Authority Owner.</p>	<p>The Planning Authority / Appropriate Authority may acquire and develop the reservation site for the same purpose. <b>OR</b> i) The Metropolitan Commissioner may allow the owner to develop the reservation, subject to handing over to the Planning Authority 40 % independent plot along with 50% constructed amenity of total area free of cost in lieu of construction amenity TDR as per general Regulation No.(iii) mention below &amp; as per norms prescribed by Metropolitan Commissioner. ii) The owner shall be entitled to develop remaining 60 % land for the uses permissible in adjoining zone with full permissible FSI of the entire Plot and permissible TDR potential of the entire Plot. iii) The Metropolitan Commissioner, if required, shall allow the TDR for the unutilised FSI if any (after deducting in-situ FSI as mentioned in sr. no (ii) above ) which shall be utilised as per the TDR utilisation regulations. iv) Reservation shall be allowed to be developed in parts.</p>
<p><b>12)</b> Reservations for the Appropriate Authority other than Municipal Corporation</p>	<p>Planning Authority/ Appropriate Authority/ Owner</p>	<p>Planning Authority / Appropriate Authority may acquire the reserved land and develop for the same purpose. <b>OR</b> The Authority may allow the owner to Develop the reservation subject to condition that;</p>

		<p>i) Wherever the reservation is to be developed by the Appropriate Authority other than NMRDA, No Objection Certificate from the Appropriate Authority shall be obtained before granting development permission.</p> <p>ii) The concerned Appropriate Authority (other than the State Government Department) shall deposit cost of construction for the built-up area to be handed over to it, as per Annual Statement of Rates with the Planning Authority. However, the Metropolitan Commissioner shall handover such constructed area to the State Government / concerned State Government Department free of cost.</p>
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**General conditions to allow development under above regulations:-**

- i) The above permissions for development of reservations shall be granted by the Metropolitan Commissioner as per the norms mentioned in these regulations. Such permission may be granted by the Metropolitan Commissioner where the land is not actually put to acquisition under The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 or proposal to that effect is not under process.
- ii) If the area of reservation is not adequate to construct independent building as mentioned above OR When it is not possible to handover individual plot along with public amenity, then in such cases Metropolitan Commissioner may allow composite building on said land subject to condition that the built up area mentioned as above may be allowed to be handed over to the Planning Authority or Appropriate Authority, as the case may be, preferably on ground floor and subject to premium as may be decided by Government from time to time. If ground floor is utilised for parking, then on stilt/first floor with separate entry & exit from public street. In such cases, built-up area along with proportionate undivided share of land shall be handed over to the Planning Authority or Appropriate Authority, as the case may be. In such cases no compensation of proportionate undivided land share shall be permissible.
- iii) In cases where not specifically mentioned in this regulation, if the area under the reservation is owned by more than one owners, then the owner/s may come forward jointly or the owners holding atleast 50% or more area shall be allowed to develop the reservation on such land.
- iv) The owner/developer shall be entitled for construction amenity TDR as per the TDR regulations after handing over the constructed amenity free of cost on the land surrendered to the planning Authority under this Regulation. For specific reservation where construction amenity is not required by the Commissioner, in such cases Metropolitan Commissioner should not insist for such amenity.
- v) It shall be obligatory on Planning Authority to make registered agreement with the developer /owner at the time of granting the development permission subject to terms and conditions as it deem fit. Occupancy Certificate shall be issued only after compliance of all terms & conditions and getting possession of the constructed amenity.
- vi) The above permissions for development of reservations shall be granted by the Metropolitan Commissioner as per the norms mentioned in these regulations

vii) The area / built-up area to be handed over to the Planning Authority under these Regulations shall be earmarked on the sanctioned building plan clearly mentioning the same, and registered agreement to that effect shall be executed. After completion of construction, the said amenity shall be handed over by executing the deed of transfer in this respect and expenses thereon shall be borne by the owner. The occupation certificate to the construction belonging to owner shall be granted only after handing over said amenity to the Planning Authority. The constructed amenity shall be made available to the general public by the Metropolitan Commissioner within 3 month from possession as per the condition as Commissioner deem fit.

viii) In cases, where permission for development under accommodation reservation principle is already granted as per earlier regulations, the same shall continue to be valid till completion of construction.

ix) Provisions of Regulations of Inclusive Housing, Amenity Space if any, shall not be applicable for development under this Regulation. Moreover Regulation of required recreational open space shall not be applicable for development of reservation other than Residential purpose as mention at sr.no.7.

x) Notwithstanding anything contained in these regulations, there shall be no cap for utilization of available in-situ FSI/and TDR potential of the entire plot on the remaining plot provided that no relaxation in side margin shall be permissible.

xi) Once sanction is granted under this regulation, the owner /developer shall have to complete the development and hand over the developed reservation to Planning Authority within the period as specified by Metropolitan Commissioner. Thereafter Planning Authority may levy penalty for any delay.

#### **40.0 TRANSFERABLE DEVELOPMENT RIGHTS ( TDR )**

**40.1** Transferable Development Rights (TDR) is compensation in the form of Floor Space Index (FSI) or Development Rights which shall entitle the owner for construction of built-up area subject to provisions in this regulation. This FSI credit shall be issued in a certificate which shall be called as Development Right Certificate (DRC).

Development Rights Certificate (DRC) shall be issued by Metropolitan Commissioner under his signature and endorse thereon in writing in figures and in words, the FSI credit in square meters of the built-up area to which the owner or lessee is entitled, the place from where it is generated and the rate of that plot as prescribed in the Annual Statement of Rates issued by the Registration Department for the concerned year.

#### **40.2 CASES ELIGIBLE FOR TRANSFERABLE DEVELOPMENT RIGHTS ( TDR ):-**

Compensation in terms of Transferable Development Rights (TDR) shall be permissible for

i) lands under various reservations for public purposes, new roads, road widening etc. which are subjected to acquisition, proposed in Draft or Final Development Plan, prepared under the provisions of the Maharashtra Regional and Town Planning Act,1966;

ii) lands under any deemed reservations according to any regulations prepared as per the provisions of Maharashtra Regional & Town Planning Act, 1966;

iii) lands under any new road or road widening proposed under the provisions of any Act ;

iv) development or construction of the amenity on the reserved land;

v) unutilized FSI of any structure or precinct which is declared as Heritage structure or Precinct under the provisions of Development Control Regulations, due to restrictions imposed in that regulation;

- vi) in lieu of constructing housing for slum-dwellers according to regulations prepared under the Maharashtra Regional & Town Planning Act, 1966;
- vii) The purposes as may be notified by the Government from time to time, by way of, modification to, new addition of, any of the provisions of sanctioned Development Control Regulations.

**40.3 CASES NOT ELIGIBLE FOR TRANSFERABLE DEVELOPMENT RIGHTS ( TDR ):-**

It shall not be permissible to grant Transferable Development Rights (TDR) in the following circumstances:-

- i) For earlier land acquisition or development for which compensation has been already paid partly or fully by any means;
- ii) where award of land has already been declared and which is valid under the Land Acquisition Act, 1894 or the Right to Fair Compensation & Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 unless lands are withdrawn from the award by the Appropriate Authority according to the provisions of the relevant Acts.
- iii) In cases where layout has already been sanctioned and layout roads are incorporated as Development Plan roads prior to these regulations.
- iv) in cases where layout is submitted along with proposed Development Plan Road, in such cases TDR shall not be permissible for the width of road that would be necessary according to the length as per Development Control Regulations;
- v) if the compensation in the form of FSI / or by any means has already been granted to the owner.
- vi) where lawful possession including by mutual agreement /or contract has been taken.
- vii) For an existing user or retention user or any required compulsory open space or recreational open space or recreational ground, in any layout.
- viii) For any designation, allocation of the use or zone which is not subjected to acquisition.

**40.4 GENERATION OF THE TRANSFERABLE DEVELOPMENT RIGHTS ( TDR )**

**40.4.1 Transferable Development Rights (TDR) against surrender of land :-**

- a) For Surrender of the gross area of the land which is subjected to acquisition, free of cost and free from all encumbrances, the owner shall be entitled for TDR or DR irrespective of the FSI permissible or development potential of the vary said land to be surrender and also that of land surrounding to such land at the rate as given below:-

<b>Area Designated on DP</b>	<b>Entitlement for TDR/DR</b>
Non-congested Area	<b>2 times</b> the area of surrendered land.
Congested Area	<b>3 times</b> the area of surrendered land.

(Explanation: Above entitlement may also be applicable to the compensation paid in the form of FSI to the owner to be utilised on unaffected part of same land parcel and in such cases the procedure of DRC shall not be insisted.)

Provided that, if leveling of land and construction/erection of the compound wall / fencing as per Clause No.40.4.1.b to the land under surrender is not permissible as per the prevailing Development Control Regulations, the quantum of TDR shall be reduced to 1:1.85 and 1:2.85 in non-congested area and congested area respectively.

Provided also that Additional / incentive Transferable Development Rights (TDR) to the extent of 20 %, 15 % , 10 % and 5% of the surrendered land area shall also be allowed to the land owners who submit the proposal for grant of Transferable Development Rights (TDR ) within 1, 2 ,3 years and 5 years from this notification respectively.



Provided that the quantum of generation of TDR as prescribed above, shall not be applicable for TDR generated from construction of amenity or construction of reservation/roads, Slum TDR, and Heritage TDR. The quantum of TDR generated from reservations in areas having legal impediment / constraint on construction or development shall be 50% of normal TDR generated as prescribed above. Where there is no such legal impediments / constraints to development or construction, the normal TDR generation shall be as per above regulations.

b) DRC shall be issued only after the land is surrendered to the Authority, free of cost and free from encumbrances and after levelling the land to the surrounding ground level and after constructing / erecting a 1.5 m. high compound wall / fencing i.e. brick/stone wall up to 0.60 mt above ground level and fencing above that up to remaining height with a gate, at the cost of the owner and to the satisfaction of the Metropolitan Commissioner. Provided that, if on certain lands such construction / erection of compound wall / fencing is prohibited or restricted by any regulation, then quantum of Transferable Development Rights (TDR ) shall be reduced as prescribed in proviso to Clause 40.4.1.a.

Provided further that, such construction / erection of compound wall/ fencing shall not be necessary for area under Development Plan roads. In such cases TDR equivalent to entitlement as mentioned in Regulation No. 40.4.1.a shall be granted without any reduction.

c) If any contiguous land of the same owner/developer, in addition to the land under surrender for which Transferable Development Rights (TDR) is to be granted, remains unbuildable, the Metropolitan Commissioner may grant Transferable Development Rights (TDR) for such remaining unbuildable land also if the owner / developer hands it over free of cost and free from all encumbrance and encroachment. If such land is from the proposed roads then such land shall be utilised for road side parking, garden, open space or road side amenities including bus bays, public toilets or any compatible user as the Commissioner may decide and if the such land is from the proposed reservation then same shall be included in such proposed reservation and shall be developed for the same purpose. The Metropolitan Commissioner shall quarterly report such cases to Government.

d) In case of lessee, the award of Transferable Development Rights (TDR) shall be subject to lessee paying the lessor or depositing with the Planning Authority for payment to the lessor, an amount equivalent to the value of the lessors' interest to be determined by the Planning Authority on the basis of Land Acquisition Act, 1894 or the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 against the area of land surrendered free of cost and free from all encumbrances.

#### **40.4.2 Transferable Development Rights (TDR ) against Construction of Amenity-**

When an owner or lessee with prior approval of Metropolitan Commissioner, may develop or construct the amenity on the surrendered plot or on the land which is already vested in the Planning Authority, at his own cost subject to such stipulations as may be prescribed and to the satisfaction of the Metropolitan Commissioner and hands over the said developed/constructed amenity free of cost to the Metropolitan Commissioner then he may be granted a Transferable Development Rights (TDR ) in the form of FSI as per the following formula:-

**Construction Amenity TDR in sq.m. = A/B \* 1.25**

Where,

A= cost of construction of amenity in rupees as per the rates of construction mentioned in Annual Statement of Rates (ASR) prepared by the Inspector General of Registration for the year in which construction of amenity is commenced.

B = land rate per sq.m. as per the Annual Statement of Rates (ASR) prepared by the Inspector General of Registration for the year in which construction of amenity is commenced.

#### **40.5 UTILISATION TRANSFERABLE DEVELOPMENT RIGHTS ( TDR ):-**

- 40.5.1** A holder of DRC who desires to use FSI credit therein on a particular plot of land shall attach valid DRCs to the extent required with his application for development permission. Proposal for Transferable Development Rights (TDR) utilisation shall be submitted alongwith the documents as may be prescribed by the Metropolitan Commissioner or by the Government from time to time.
- 40.5.2** With an application for development permission, where an owner seeks utilisation of DRC, he shall submit the DRC to the Metropolitan Commissioner who shall endorse thereon in writing in figures and words, the quantum of the TDR proposed to be utilised, before granting development permission. Before issuance of Occupation Certificate, the Metropolitan Commissioner shall endorse on the DRC, in writing in figures and words, the quantum of TDR/DRs actually used and the balance remaining if any.
- 40.5.3** The Transferable Development Rights (TDR ) generated from any land use zone shall be utilised on any receiving plot irrespective of the land use zone and anywhere in congested or non-congested area earmarked on Development Plan. The equivalent quantum of Transferable Development Rights (TDR ) to be permitted on receiving plot shall be governed by the formula given below:-

**Formula:  $X = (R_g / R_r) \times Y$**

Where, X = Permissible Utilisation of TDR/DR in sq.m. on receiving plot

R<sub>g</sub> = Rate for land in Rs. per sq.m. as per ASR of generating plots in generating year

R<sub>r</sub> = Rate for land in Rs. per sq.m. as per ASR of receiving plot in generating year

Y = TDR debited from DRC in sq.m.

#### **40.5.4 Utilisation of Transferable Development Rights (TDR ) and Road Width Relation:-**

1) Notwithstanding anything contained in any regulation, the total maximum permissible built-up area and utilisation of Transferable Development Rights (TDR ) on receiving plot shall be, subject to the road width, as prescribed below:-

<b>Sr. No.</b>	<b>Plots Fronting on Road width</b>	<b>Maximum permissible TDR Loading</b>
<b>1</b>	<b>2</b>	<b>3</b>
1	9mt and above but less than 12	0.40
2	12mt and above but less than 18	0.65
3	18mt and above but less than 24	0.90
4	24mt and above but less than 30	1.15
5	30 mt. and above	1.40

#### **Note:-**

i) Column No.3 shows the maximum permissible TDR that can be utilised on any plot. Provided that specific area based restriction where TDR utilisation is not permissible by earlier regulations shall remain in force except for Gaathan / Congested areas. Provided also that the above utilisation of TDR would be available to an existing road width of 9mt and above so marked under the relevant Municipal Corporation Act.

ii) Maximum Building potential shall be the basic FSI+TDR +Additional FSI if any +Road widening FSI of the very said plot if any subject to limitation mention in Regulation no 26.3/Table no.11/Column No.6. However the Metropolitan Commissioner shall not grant any relaxation due to such allowable loading potential unless he himself satisfied that there is constraint on development.

iii) Maximum permissible TDR loading as mentioned above on any plot shall be exclusive of FSI allowed for inclusive housing if any.

iv) The priority and quantum of maximum permissible TDR loading mentioned above shall include atleast 20 % slum TDR (wherever applicable) and DRC generated from the vary said land and/or DRC generated from other location up to the permissible limit mention above .

v) If a plot is situated on internal road having dead end within 50 mt. from the main road, then such plot shall be treated as fronting on main road for the purpose of utilisation of TDR.

2) Provided that, the restrictions of total maximum permissible built up area in terms of FSI with respect to road width mentioned above shall not be applicable in cases where, the permissible FSI is more than the basic FSI in various schemes, like Slum Rehabilitation Scheme, Redevelopment of cess buildings, redevelopment of dangerous buildings, Urban Renewal Scheme, Redevelopment of MHADA buildings/Colonies, Metro Influence Zone BRTs, TODs etc. where specific provisions which are sanctioned by the Government shall apply.

3) Provided that, the additional FSI permissible in certain categories of buildings such as, Educational building, Registered Charitable Institutional/ Medical / Hospital Building, Star Category Hotel, Religious Building etc. as per prevailing Development Control Regulations, if any, can be availed either by full or part utilization of TDR or full or part utilization of additional FSI at the option of owner. However, the restriction of road width mentioned as above shall not be applicable when the owner exercises his option of availing utilization of additional FSI and in such cases limitation of maximum building potential as mentioned in Regulation No 40.5.4.1 shall not be applicable.

4) The utilisation of Transferable Development Rights (TDR) shall be permissible by considering Gross Plot Area excluding area affected by reservations or deemed reservation, if any. This principle shall also be applicable to the reservations to be developed under the provisions of Accommodation Reservation, by considering the total area of such reservation before surrender.

#### **5) Areas Restricted from Utilisation of Transferable Development Rights (TDR) :-**

Utilisation of Transferable Development Rights (TDR) shall not be permitted in following areas:-

a) Agricultural / no development / Green zone / HTHS Zone and Bio Diversity Park reservation in the Development Plan.

b) Area within the flood control line i.e. blue line (prohibitive zone) as specified by Irrigation Department.

c) Coastal regulation zone.

d) Where the permissible basic Zonal FSI is less than 0.75.

e) Area having developmental prohibition or restrictions imposed by any notification issued under the provisions of any Central/State Act (like CRZ regulations, Defence restriction areas, etc.) or under these regulations.

#### **40.6 GENERAL STIPULATION:-**

**40.6.1** Development Rights (DRs) will be granted to an owner or lessee, only for reserved lands which are retainable and not vested or handed over to the Government /Urban Local Bodies and not exempted under section 20 or 21 of the then Urban Land (Ceiling and Regulations) Act, 1976 and undertaking to that effect shall be obtained, before a Development Right is granted. In the case of schemes sanctioned under section 20 or 21 of the said Act, the grant of Development Rights (DRs) shall be to such extent and subject to the conditions mentioned in section-20 scheme and such conditions as the Government may prescribed. In case of non-retainable land, the grant of Development Rights shall

be to such extent and subject to such conditions as the Government may specify. The provisions of this Regulation shall be subject to the orders issued by the Government from time to time in this regard.

Provided that, in case of lands having tenure other than Class-I, like Inam lands, tribal lands etc., N.O.C. from Competent Authority, mentioning i)share of Government and land holder ii)transfer of such land in the name of Planning / Appropriate Authority, shall be produced by the land holder at the time of submission of application for grant of TDR.

**40.6.2** DRC shall be issued by the Metropolitan Commissioner as a certificate printed on bond paper in an appropriate form prescribed by him. Such a certificate shall be a “transferable and negotiable instrument” after the authentication by the Metropolitan Commissioner. The Metropolitan Commissioner shall maintain a register in a form considered appropriate by him of all transactions, etc. relating to grant of, or utilisation of, DRC.

**40.6.3** The Commissioner shall issue DRC within 180 days from the date of application or reply from the applicant in respect of any requisition made by him, whichever is later.

**40.6.4 Transfer of DRC-**

1) The Metropolitan Commissioner shall allow transfer of DRC in the following manner

i) In case of death of holder of DRC, the DRC shall be transferred only on production of the documents as may be prescribed by him from time to time, after due verification and satisfaction regarding title and legal successor.

ii) If a holder of DRC intends to transfer it to any other person, he shall submit the original DRC to the Metropolitan Commissioner with an application alongwith relevant documents as may be prescribed by the Metropolitan Commissioner and a registered agreement which is duly signed by Transferor and Transferee, for seeking endorsement of the new holders name, i.e., the transferee, on the said certificate. The transfer shall not be valid without endorsement by the Metropolitan Commissioner and in such circumstances the Certificate shall be available for use only to the holder / transferor.

2) The utilisation of TDR from certificate under transfer procedure shall not be permissible, during transfer procedure.

**40.6.5** The Metropolitan Commissioner may refrain the DRC holder from utilizing the DRC in the following circumstances:-

i. Under direction from a competent Court.

ii. Where the Metropolitan Commissioner has reason to believe that the DRC is obtained **a)** by producing fraudulent documents **b)** by misrepresentation,

**40.6.6** Any DRC may be utilised on one or more plots or lands whether vacant, or already developed fully or partly by erection of additional storeys, or in any other manner consistent with the prevailing Development Control Regulations,

**40.6.7** DRC may be used on plots/land having Development Plan reservations of buildable nature, whether vacant or already developed for the same purpose, or on the lands under deemed reservations, if any, as per prevailing Regulations.

**40.6.8** DRC may be used on plots/land available with the owner after surrendering the required land and construction to the Planning Authority under the provisions of Accommodation Reservation. In such circumstances, for the purpose of deciding Transferable Development Rights (TDR ) receiving potential, the total area of the reservation before surrender, shall be considered.

**40.6.9 Infrastructure Improvement Charges-**

The utilizer shall pay to the Planning Authority, an infrastructure improvement charges, for a proposed quantum of TDR to be utilised, at the rate of 5% of construction cost as per the prevailing Annual Statement of Rates.

**40.7 VESTING OF LAND :-**

**40.7.1** The Metropolitan Commissioner, before issuing DRC, shall verify and satisfy himself that the ownership and title of the land proposed for surrender is with the applicant, and get the Record of Right to be corrected in the name of Planning Authority.

**40.7.2** In case the Appropriate Authority for reservation is other than Planning Authority, it shall be permissible for the Commissioner on the request of such authority to grant TDR under this regulation and hold such possession as a facilitator. Provided that, the Metropolitan Commissioner shall handover the possession of such land to concerned Appropriate Authority, after receipt of value of land, from such Appropriate Authority as per Annual Statement of Rates prevailing at the time of handing over possession of land under reservation.

Provided also that, if such Appropriate Authority is the State Government Department, the Metropolitan Commissioner shall handover the possession of such land to the concerned Department free of cost.

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**PART- X**  
**REQUIREMENTS OF PARTS OF BUILDINGS**

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

**41.1 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 the 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 45cm. above the high flood level or greater than 45 cm. as may be decided by the Planning Authority in deserving cases.
- ii) Interior Courtyards, Covered parking spaces and garages shall be raised at least 15 cm. above the surrounding ground level and shall be satisfactorily drained.
- iii) In the case of special housing schemes undertaken by public agencies for low income group and economically weaker section of society, the minimum height of plinth shall be not less than 30 cm. The minimum height of plinth shall be regulated on the basis of environmental & topographical condition & higher plinth height may be required in areas prone to flooding.

**41.2 Habitable Room:-**

**41.2.1 Size and Dimension of Habitable Rooms**

Internal dimensions & size of rooms for various uses and occupancies shall be as in Table No.17 below:-

<b>Table No. 17</b>			
<b>No</b>	<b>Occupancy</b>	<b>Minimum Area in sq. m.</b>	<b>Minimum width in m.</b>
<b>(1)</b>	<b>(2)</b>	<b>(3)</b>	<b>(4)</b>
1	Any habitable room in residential building / room from any other occupancy like hostels, residential hotel, lodging & boarding/housing etc. except kitchen.	9.5	2.4
	Any Habitable room from any other occupancy like hostels, residential hotel, lodging & boarding houses etc.	9.5	2.4
2	Room in a single – room tenement in Housing scheme for EWS & LIG.	12.5	3.0
3	Room in two-room tenements-		
	a) one of the rooms	9.5	2.4
	b) other room	7.5	2.4
	Room in a two-room tenement in Housing scheme for EWS & LIG		
	a) one of the room	9.0	2.5
	b) other room	6.5	2.1

4	Single bedded room in a hostel of a recognized educational institutions	7.5	2.4
5	Shop in R 1 zone	6.0	1.8
	Shop in other than R 1 zones	10	2.0
6	Class room in an educational building	38	5.5
7	Institutional building (Hospital)		
	a) Special room	9.5	3
	b) General Ward	40	5.5
8	Cinema Hall, auditorium assembly hall etc.	Inconformity with the Maharashtra Cinema Rules	

Note : Where enclosed balcony area is to be counted in minimum dimensions required for a room, then such enclosed width shall not be more than 1/3 of the dimension of that room.

#### 41.2.2 Height of Habitable Rooms

The minimum and maximum height of a habitable room shall be given in Table No. 18 hereunder:

<b>Table No. 18</b>			
<b>Height of Habitable Rooms</b>			
No.	Occupancy	Minimum Height (m)	Maximum Height (m)
(1)	(2)	(3)	(4)
1	Flat Roof -		
	a) Any habitable room	2.75	4.2
	b) Habitable room in 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, Institutional, Educational, Industrial, Hazardous or storage occupancies, Departmental Stores, Malls, IT Buildings, Office Buildings, Entrance Halls and Lobbies to department stores and assembly halls.	3.6	4.2 Subject to written permission of the Metropolitan Commissioner greater height may be permitted.
	e) shops	3.0	4.2
2	Pitched roof-		
	a) Any habitable room	2.75	4.2
	b) Habitable room in 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 additional FSI of 50 percent of the relevant floor area.

### **41.3 Kitchen-**

#### **41.3.1 Size of Kitchen:-**

- i) The area of the kitchen where separate dining area is provided shall be not less than 5.5sq.m. with a minimum width of 1.8m, where a kitchen, which is intended for use as a dining area also, shall have a floor area of not less than 7.5 sq.mt. with a minimum width of 2.1m.
- ii) In case of special housing scheme, undertaken by public agencies for low income group and economically weaker section 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.. The size of individual kitchen provided in a two-roomed house shall be not less than 3sq.m. with a minimum width of 1.5 m.

#### **41.3.2 Height of Kitchen:-**

The height of a kitchen measured from the surface of the floor, to the lowest point in the ceiling (bottom of slab) 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 No.41.2.2.

#### **41.3.3 Other requirements of kitchen:-**

Every kitchen shall have:

- i) unless separately provided, 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,
- iv) window of not less than 1 sq.m. in area, opening directly on to an interior or exterior open space, but not into a shaft and
- v) refuse chutes, in the case of High Rise residential buildings more than 15 m. in height.

#### **41.3.4 Requirements regarding pantry:-**

A pantry shall have –

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

### **41.4 Bath Rooms, Water Closets, combined bath room plus water closet:-**

#### **41.4.1 Size of bath room and water closet:-**

- i) The size of a bathroom shall be not less than 1.8 sq.m. with a minimum width 1.2 m. The size of a water closet shall be not less than 1.10 sq.m with a minimum width of 0.9m. The minimum area of a combined bathroom and water-closet shall be 2.8 sq. m. with a minimum width of 1.2 m.

The minimum size shall be as under-

- (a) Independent Bathroom 1.00 x 1.20 m.



(b) Independent Water closet 0.9 m. x 1 .10 m.

(c) Combined bath room and water closet. 1.80 sq. m. with minimum width of 1.00 m.

ii) In the case of EWS/LIG housing scheme the sizes of bathroom and water-closets shall be as follows:-

a) The size of independent water-closet shall be atleast 0.90sq.m. with minimum width of 0.9m.

b) The size of independent bathroom shall be atleast 1.20sq.m. with a minimum width of 1.00m &

c) The size of combined bathroom & water-closet shall be atleast 1.80sq.m. with minimum width of 1.0m.

#### **41.4.2 Height of bath room and water closet:-**

The height of a bathroom or water closet measured from the surface of the floor to the lowest point in the ceiling (bottom of slab) shall be not less than 2.1m.

#### **41.4.3 Other requirement of bath room and water closet:-**

Every bathroom or water-closet shall -

i. be so situated that atleast one of its walls shall open to external air,

ii. not be directly over or under any room other than another water-closet, washing place, bath or terrace, unless it has a water-tight floor,

iii. have platform or seat made of water-tight non-absorbent material;

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

v. every water closet and/or a set of urinals shall have a flushing cistern of adequate capacity attached to it. In 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 veranda or any other room,

vii. in High Density housing, pour flush water seal latrines (NEERI type) may be permitted when the sewerage system is not available and the water table in the area is not high.

viii. all the sewerage outlets shall be connected to the sewerage system. Where no such systems exist a septic tank shall be provided within the plot conforming to the requirements of Regulation No.41.30.

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.

#### **41.4.4 Restriction 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.

### **41.5 Ledge or Tand / Loft :-**

#### **41.5.1 Ledge or Tand / Loft:-**

Location and extent - Lofts may be provided over kitchen, habitable rooms, bathrooms, water closets, and corridor within a tenement in residential buildings, over shops and in industrial building, as mentioned in below Table No.19 subject to the following restrictions-

i The clear head room under the loft shall not be less than 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 between loft and ceiling shall be 1.5m.

<b>Table No.19</b>		
<b>Provision of Loft</b>		
<b>Sr. No.</b>	<b>Rooms over which Permitted</b>	<b>Maximum Coverage (Percentage to area or room below)</b>
<b>(1)</b>	<b>(2)</b>	<b>(3)</b>
1	Kitchen/Habitable room	25
2	Bathroom, water closet, corridor	100
3	Shops with width up to 3m.	33
4	Shops with width exceeding 3m.	50
5	Industrial	33

#### **41.6 Mezzanine Floor**

**41.6.1 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 shall in no case exceed 50 % of built-up area of that room, shops etc.

Note : Mezzanine floor area shall be counted towards FSI.

#### **41.6.2 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

#### **41.6.3 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 rooms as regards lighting and ventilation in case the size of mezzanine floor is 9.50 sq.m. or more.
- ii) it is so constructed as not to interfere, under any circumstances, with the ventilation of the space over & under it.
- iii) such mezzanine floor or any part thereof will not be used as a kitchen.
- iv) it is atleast 1.8 m. away from front wall of such rooms.
- v) access to the mezzanine floor is from within the respective room only.
- vi) in no case shall a mezzanine floor be closed so as to make it liable to be converted into unventilated compartments

#### **41.7 Store Room:-**

##### **41.7.1 Size of Store Room:-**

The floor area of a store room in a residential building where light ventilation and height are provided at standards lower than as required for living room shall not be more than 3 sq. m. One or more store rooms may be allowed considering size of flat. Prayer/pooja room may be allowed in same manner.

#### **41.7.2 Height of Store Room:-**

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

#### **41.8 Garage:**

##### **41.8.1 Size of private Garage:-**

The size of a private garage in residential building shall not be less than 2.5 m x 5.0m. and not more than 3.0m x 6.0m. The garage, if located in the side open space, shall not be constructed within 3.0 m. from the main building, but at least 7.5 m. away from any access road.

##### **41.8.2 Size of public Garage:-**

The size of a public garage shall be calculated based on the number of vehicles to be parked.

##### **41.8.3 Height of private Garage:-**

The minimum and maximum height of garage shall be 2.4 m. and 2.75 m. respectively.

##### **41.8.4 Plinth of private Garage:-**

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

##### **41.8.5 Set Back of private Garage:-**

The garage shall 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 traffic along the street.

#### **41.9 Location of Garage in case of corner plot:**

When the site fronts on two streets, the location of a garage (in a corner plot) (if provided within the marginal distances) shall be on diagonally opposite the point of intersection.

#### **41.10 Roofs:-**

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

The Metropolitan Commissioner 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, if not used for rain water harvesting.

Rainwater pipes shall be affixed to the outside of the walls of the buildings or in recesses or cut formed in such walls.

#### **41.11 Basements:-**

One or more basements may be permissible for following uses and shall be constructed after leaving the prescribed set-back / required front open space / required front margin, and prescribed building lines

- a) storage of household or other goods or ordinarily non-combustible material;
- b) Strong rooms, bank lockers, safe deposit vaults. etc.
- c) air-conditioning equipments and other machines used for services and utilities of the building;
- d) parking spaces;
- e) D.G. set room, meter room and Electric substation (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:

- i) All requirements regarding access, safety (including fire safety), ventilations, etc. shall be complied with.
- ii) All the planning standards (particularly as regarding parking) should be strictly adhered to. The basement shall not be used for residential purpose.
- iii) Users other than (a) and (b) shall not be counted in FSI.

**Provided that,**

- i) if the basement is proposed flushing to average surrounding ground level, then such basement can be extended in side and rear margins upto 3 m. from the plot boundary.
- ii) multilevel basements may be permitted if the basement is used for parking. The ramps of minimum 3.0 m. width for entry and exit of vehicles separately shall be provided. In case of bonafide hardship, the Metropolitan Commissioner may allow only one ramp with not less than 6.0 m. in width.
- iii) if the basement is proposed to be constructed below podium then marginal distances shall be as that of podium.

**The basement shall have the following requirements:-**

- i) 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 soffit of beam;
- ii) Adequate ventilation shall be provided for the basement with a ventilation area not less than 2.5% of the area of 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, etc.;
- iii) 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. However it does not apply to the mechanically ventilated basements. In such cases, basement may also be allowed flushing to the average ground level.
- iv) Adequate arrangements shall be made so as to ensure that surface drainage does not enter the basement;
- v) The walls and floors of the basements shall be water-tight and be so designed that the effect of the surrounding solid soil and moisture, if any, is taken into account in design and adequate damp proofing treatment is given and;
- vi) 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) (iv) above.

**41.12 Ramp-**

**A) Non Vehicular Ramp-**

All the requirements of stairways in Regulation No.41.28 shall apply mutatis mutandis to non-vehicular ramp. In addition, the following requirement shall be complied with.

- a) Ramps with a slope of not 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-slip slipping material. Provided that in the case of public offices, hospitals, assembly halls, etc. the slope of the ramp shall not be more than 1: 12.

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

**B) Ramp to basements and upper storeys for vehicles-**

For parking spaces in a basement and upper floors, atleast two ramps of minimum **3.00m.** width or one ramp of 6.00meter width and slope not more than 1:10 shall be provided preferably at the opposite ends.

C) In case of special building mentioned in Regulation No.6.2.2.g, ramp may be permitted in the side and rear marginal distances after leaving 6.0 m. distance from the plot boundary for movement of fire-fighting vehicles. Provided that when a building abutting 3 or more roads, then ramps may be allowed in front marginal distances facing the smaller road or less important road from traffic point of view.

**41.13 Podium -**

Podium for parking of the vehicle may be permitted with following requirements / conditions

- i) Every podium shall be in every part at least 2.4 m. in height from the floor to the soffit of beam.
- ii) Podium shall not be provided in front setback space.
- iii) Podium shall only be used for parking and it shall be designed to take load of fire engine.
- iv) Podium shall be permissible for plots having 1500 sq.m. and above and may be in multilevel.
- v) Podium shall be permissible joining two or more buildings or wings of buildings.
- vi) Podium shall be allowed at a distance of 4.50 m. from the plot boundary with minimum 6.00 meter from atleast one side.
- vii) The consent from the Chief Fire Officer shall be necessary before permitting the aforesaid podium.
- viii) No required recreational Open Space is allowed on Podium.

**41.14 Balcony-**

Balcony or balconies of a minimum width 1.00 m. and maximum of 2.00 mt may be permitted at any floor except ground floor, not more than 15 % of the built up area of the same floor and such balcony projection shall be subject to the following conditions:-

- (i) In non-congested area, no balcony shall reduce the marginal open space to less than 3 m. In congested area balcony may be permitted on upper floors projecting in front setbacks except over lanes having width 4.50 m. or less and in marginal distances subject to 1.0m. clear marginal distance from the plot boundary to the external face of the balcony.
- (ii) No balcony shall be allowed on ground floor which shall reduce minimum required front setback or marginal distance.
- (iii) The width of the balcony shall be measured perpendicular to the building upto the outermost edge of balcony.
- (iv) The balcony should not be enclosed and declaration regarding this shall be submitted by the owner/developer/Architect at the time of approval of building permission and the same shall be mention in the agreement or sale deed .
- (v) Nothing shall be allowed beyond the outer edge of balcony.

#### **41.15 Stilt-**

Stilt may be permitted on any floor subject to height of floor upto the soffit of the beam shall not be less than 2.4 m. In case of stilt on ground floor, plinth shall not be more than 15 cm from surrounding ground level.

#### **41.16 Chimneys-**

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

#### **41.17 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.

#### **41.18 Meter Room-**

For all buildings above 15 m 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 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.

#### **41.19 Lighting and ventilation of room-**

##### **i) Adequacy and manner of provision-**

1. The minimum aggregate area of opening of habitable rooms and kitchens excluding doors shall be not less than 1/10th of floor area. In case of Konkan region, it shall not be less than 1/6th of floor area.
2. No portion of a room shall be assumed to be lighted if it is more than 7.5 m. from the opening assumed for lighting / ventilation of the portion, provided additional depth of living room beyond 7.5 m. may be permitted subject to provision of proportionate increase in the opening.
3. Where the lighting and ventilation requirements are not met through day lighting and natural ventilation, the same shall be ensured through artificial lighting and mechanical ventilation as per latest version of Part VIII - Building Services Section, Lighting and Ventilation of National Building Code of India published by the Bureau of Indian Standards. In the case of special types of

buildings requiring artificial lighting and air-conditioning for special types of manufacturing or other process the requirements about natural day lighting and ventilation may be relaxed

ii) **Ventilation Shaft**-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:

<b>Table No. 20</b>			
<b>Sr. No.</b>	<b>Height of Buildings in m.</b>	<b>Cross-section of Ventilation shaft in sq. m.</b>	<b>Minimum one dimension of the shaft in m.</b>
<b>(1)</b>	<b>(2)</b>	<b>(3)</b>	<b>(4)</b>
1	Upto 10	1.2	0.9
2	Upto 12	2.4	1.2
3	Upto 18	4.0	1.5
4	Upto 24	5.4	1.8
5	Upto 30	8.0	2.4
6	Above 30	9.0	3.0

iii) Artificial Lighting and Mechanical ventilation - where lighting and ventilation requirements are not met through day-lighting and natural ventilation, they shall be ensured through artificial lighting and ventilation in accordance with the provisions of Part 8, Building Services- Section 1, Lighting and Ventilation, National Building Code of India, 2005.

iv) In any residential hotel where toilets are provided with a mechanical ventilation system, the size of the ventilation shaft prescribed in this Regulation stand relaxed.

#### **41.20 Overhead Tanks:**

Every overhead water storage tank shall be maintained in a perfectly mosquito-proof condition by providing a properly fitting hinged cover and every tank more than 1.5 m. in height shall be provided with a permanently fixed iron ladder.

#### **41.21 Parapet:**

Parapet walls and handrails provided on the edges of roof terraces, balcony, veranda shall not be less than 1.05m. and not more than 1.2m in height from the finished floor level.

#### **41.22 Cabin:**

Where cabins are provided, a clear passage not less than 0.9 m. wide will be maintained. The size of a cabin shall not be less than 3 sq.m. and the distance from the farthest space of cabin to the nearest exit shall not be more than 18.5m. if the cabin does not derive direct light and ventilation from any open spaces / mechanical means, its maximum height shall be 2.2m.

#### **41.23 Boundary /Compound Wall:**

- i) Unless the special permission of the Metropolitan Commissioners 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 (railings).
- ii) In the case of a corner plot, the height of the boundary wall shall be restricted to 0.75 m. for a length of 10 m. on the front and side of the inter sections and the remaining height of 0.75 m. if required in accordance with sub-regulation (i) may be made up of open type construction (through railings)

- iii) The provision of sub-regulations (i) and (ii) shall not be applicable to boundary walls of jails.
- iv) In the case of industrial buildings, electric sub-stations, transformer stations, institutional buildings like sanatoria, hospital, industrial building like workshops, factories and educational buildings like schools, colleges including the hostels and other user of public utility undertakings the height up to 2.4 m. may be permitted by the Metropolitan Commissioner.

#### **41.24 Society Office:**

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

#### **41.25 Exit requirements-**

##### **41.25.1 General Exit requirements-**

- a) An exit may be a doorway; corridor, passageway(s) to an internal staircase, or external staircase, or to a VERANDA 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.
- h) The floors of areas covered for the means of exit shall be illuminated.
- 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.

##### **41.25.2 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 veranda and/or terraces which have access 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.

##### **41.25.3 Number and Size of Exits**

The requisite number and size of various exits shall be provided, based on number of occupants in each room and floor based on the occupant load, capacity of exits; travel distance and height of building as per provisions of Regulation No.41.25.4. and 41.25.5.

##### **41.25.4 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, storage & hazardous occupancies. Whenever more than one exit is 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.



#### 41.25.5 Occupant Load:

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.21 below-

<b>Table No. 21 Occupant Load</b>		
Sr. No.	Group of Occupancy	Occupant Load 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:**

- i) 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.
- ii) 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 area shall include all space serving the particular assembly occupancy.

#### 41.25.6 Capacity of Exits-

1) Occupants per unit exit width shall be in accordance with **Table No. 22**

<b>Table No. 22 Occupants per unit exit width</b>				
Sr. No.	Group of Occupancy	Number of Occupants		
		Stairways	Ramps	Doors
(1)	(2)	(3)	(4)	(5)
1	Residential	25	50	75
2	Educational	25	50	75
3	Institutional	25	50	75
4	Assembly	40	50	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

2) For the dormitory portions of homes for the aged, orphanages, mental hospitals, etc. these multipliers will be doubled.

3) 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 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.

#### 41.25.7 Provision for Staircase-

All buildings having height more than ground floor shall have provision of staircase. The special buildings specified in Regulation No.6.2.2.g shall have two staircases out of which one shall be fire escape staircase.

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.

Provided that for purely residential building/residential building along with ground floor mix use having height upto 24 meters and built up area on any floor does not exceed 500 sq.mts. an additional staircase shall not be insisted. Provided also that in such cases width of stair case shall be minimum 1.50 mt.

#### 41.25.8 Width of stair case-

Notwithstanding anything contained in regulations 41.25.3, 41.25.4 &41.25.5 the following minimum width provision shall be made for staircases flight/corridor.

<b>Table No. 23</b>			
S.No.	Use of Building	Minimum width Of Stair Case	
		built-up area on floor served by single staircase is upto 500 sq.m.	built-up area on floor served by single staircase is above 500 sq.m.
1	Multi-storeyed Residential Building	1.20 mtr	1.50 m.
2	Residential hotel buildings	1.50 mtr	1.80 m.
3	Assembly Building like auditorium, theatres and cinemas etc., Mangal Karyalaya, Marriage Hall.	1.80 m.	2.00 m.
4	Institutional Buildings like hospitals and educational	2.00 mtr	2.30 m.
5	All other Buildings, including commercial buildings	1.50 mtr	1.80 m.

**Note:-**

- i) for individual house and row housing with 2 storeys, the minimum shall be 0.75 m.
- ii) 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.

**41.25.9 Corridors:**

- (a) The minimum width of a corridor other than internal passages shall be calculated based on the provisions of a Regulation No.41.25.8 as per the corresponding width of staircase;
- (b) In case of more than one main staircase of the building interconnected 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.
- (c) The passages (covered or uncovered) including an arcade, a courtyard, a porch or portico, spaces to be left open to sky in accordance with these Regulations, in any premises shall not be used for any other purpose than the one permissible.

**41.25.10 Lifts and Escalators:-**

**a) Lifts:-**

At least one lift shall be provided in every building more than 15m. 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.

- (a) 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.
- (b) Grounding switch at ground floor level to enable the fire service to ground the lift cars in any emergency shall also be provided;
- (c) The lift machine room shall be separate and no other machinery shall be installed therein.
- (d) The planning and design of lifts including their number, type and capacity depending on the occupancy of the building, the population of each floor based on the occupant load and the building height shall be in accordance with Section 5 - Installation of Lifts and Escalators of Part 8-Building Services, of the National Building Code of India, 2005.

**b) Escalators :-**

Escalators may be permitted in addition to required lifts. Such escalators may be permitted in atrium area in shopping malls / public buildings.

**41.25.11 Fire Lift-**

Where applicable, fire lifts shall be provided with a minimum capacity for 8 passengers and fully automated with emergency switch on ground level. In general, buildings 15 m in height or above shall be provided with fire lifts. In case of fire, only fireman shall operate the fire lift. In normal course, it may be used by other persons. Each fire lift shall be equipped with suitable inter-communication equipment for communicating with the control room on the ground floor of the building. The number and location of fire lifts in a building shall be decided after taking into consideration various factors like building population, floor area, compartmentation, etc.

#### **41.26 Requirements of individual exit at each floor-**

The detailed requirements in respect of exits shall be as provided in regulations 41.26.1 to 41.26.7 (both inclusive) given below.

##### **41.26.1 Doorways-**

- i) Every exit doorway shall open into an enclosed stairway or a horizontal exit, or a corridor or passageway providing continuous and protected means of egress:-
- ii) No exit doorway shall be less than 100 cm. in width except assembly buildings where door width shall be not less than 200 cm. Doorway shall be not less than 200 cm. in height. Doorways for the bathrooms, water-closets or stores shall be not less than 75 cm. wide.
- iii) Exit doorways shall open outwards, that is 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 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 which 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.

##### **41.26.2 Revolving doors-**

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.

##### **41.26.3 Stair Ways:**

- i) Interior staircase shall be constructed of non-combustible materials throughout
- ii) Interior staircase shall be constructed as a self-contained unit with at least one side adjacent to an external wall and shall be completely enclosed.
- iii) A staircase shall not be arranged around a lift shaft
- iv) Hollow combustible construction shall not be permitted.
- v) The minimum width of tread without nosing shall be 25 cm. for an internal staircase for residential building. In the case of other buildings, the minimum tread shall be 30 cm. The treads shall be constructed and maintained in a manner to prevent slipping.
- vi) The maximum height of riser shall be 19 cm. in the case of residential buildings and 15cm. in the case of other buildings. They shall be limited to 15 per flight.
- vii) Handrails shall be provided with a minimum height of 100 cm. from the centre of the treads to the top of the handrails. Balusters / railing shall be provided such that the width of staircase does not reduce.
- viii) 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.
- ix) The minimum headroom in a passage under the landing of a staircase shall be 2.2 m.
- x) For building more than 15m. in height or more access to main staircase shall be gained through at least half an hour fire resisting automatic closing doors placed in the enclosing wall of the staircase. It shall be a swing type door opening in the direction of the escape.
- xi) No living space, store or other space including fire risk shall open directly into the staircase.
- xii) External exit door of staircase enclosure at ground level shall open directly to the open spaces

or should be reached without passing through any door other than a door provided to form a draught lobby.

xiii) In the case of assembly, institutional or residential occupancies or hotels or industrial and hazardous occupancies, the exit sign with arrow indicating the way to the escapes route shall be provided at a height of 0.5 m. from the floor level on the wall and shall be illuminated by electric light connected to corridor circuits. All exit way marking signs should be flushed with the wall and so designed that no mechanical damage shall occur to them due to moving of furniture or other heavy equipments. Further all landings of floor shall have floor 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 be of the size not less than 0.5 x 0.5 m.

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

#### **41.26.4 Fire escape or external stairs:-**

Fire escape staircase, 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 stair case 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 h will be accepted as means of escape.

#### **41.26.5 Corridors and passageways -**

- i) The minimum width of a corridor shall not be less than 75cm. in the case of 2 storeys row housing residential buildings and 100cm. in the case of other buildings and actual width shall be calculated based on the provision of Regulations No.41.25.3 to 41.25.5 (both inclusive)
- ii) 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) Exit corridors & passageways shall be of width not less than the aggregate required width of

exit doorways leading from them in the direction of travel of the exterior/stairways.

iv) Where stairways discharge through corridors & passageways the height of the corridors & passageways shall not be less than 2.4 m.

v) All means of exit including staircases, lifts, lobbies & corridors shall be adequately ventilated.

**41.27 Refuge Area:-**

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 soon, after every 15 m. Refuge area provided in excess of the requirements shall be counted towards FSI. However, area remained in excess because of planning constraints not more than 10% of required refuge area shall not be counted in FSI.

**41.28 Water Supply and Drainage arrangement:-**

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

**41.29 Wells:-**

Wells, intended to supply water for human consumption or domestic purposes, may be permitted at suitable place.

**Requirements:-**

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

a) have a minimum internal diameter of not less than 1 m.

b) be constructed to a height not less than 1 m. above the surrounding ground level, to form a parapet or kerb and to prevent surface water flowing into a well, and shall be surrounded with a paving constructed of impervious material which shall extend for a distance of not less than 1.8 m in every direction from the parapet from the kerb forming the well head and the upper surface of such a paving shall be sloped away from the well.

c) be of sound and permanent construction (PUCCA) throughout. Temporary exposed (KUTCHA) wells shall only be permitted in fields or gardens for purposes of irrigation; and

d) the interior surface of the lining or walls of the well shall be rendered impervious for a depth of not less than 1.8 m measured from the level of the ground immediately adjoining the well head.

**41.30 Sub soil dispersion system/septic tank:-**

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

**1) Design of septic tank:-**

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

## **2) Location of septic tank and subsurface absorption system:-**

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

## **3) Requirements:-**

- a) Septic tanks shall have minimum width of 75 cm. 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, concrete or other suitably material as approved by the 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 degree with the direction of flow in the main pipe;
- e) The gradients of land drains, under-drainage as well as the bottom of dispersion trenches and 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 meters.
- g) When the disposal of septic tank effluent is to seepage pit, the seepage pit may be of any suitable shape with the least 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.

**41.31 Structural safety, water supply, drainage and sanitary requirement, outdoor display and other services-**

Building shall be planned, designed and constructed to ensure structural safety, water supply, drainage, sanitary requirement, outdoor display and other services etc. shall be as per National Buildings Code of India unless otherwise specified Part-XIII of these regulations.

**41.32 Additional requirements in case of Housing Schemes**

Following amenities shall be provided in any housing scheme and shall be counted in FSI

i) Fitness Centre, Creche, society office cum letter box room, admeasuring area of about 20 sq.m.in scheme having minimum 100 flats and there after additional 20 sq.m. area for every 300flats.

ii) Sanitary block for servants having maximum area of 3.00 sq.m. in schemes having minimum100 flats and thereafter additional 3.00 sq.m. area for every 200 flats.

iii) Drivers room of size 12 sq.m. with attached toilet in schemes having minimum 100 flats and thereafter additional 10 sq.m. area for every 300 flats.

In case of scheme having more than 1000 flats, the above amenities shall be reasonably provided keeping in view the above requirements.

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**PART - XI**  
**PARKING, LOADING AND UNLOADING SPACES**

**42.0 PARKING, LOADING AND UNLOADING SPACES**

**42.1 Parking spaces** - Wherever a property is to be developed or redeveloped, parking spaces at the scale laid down in these Regulations shall be provided. When 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. The provisions for parking for number of vehicles for different occupancies shall be as given in **Table No. 25**

**42.2 General space requirement**

a) **Location of parking spaces**-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 / or lock up garages. The height of the stilt shall generally be allowed upto 3 m. and shall not be less than 2.5m from the bottom of the beam. More height may be allowed in case of shopping mall, hotels etc. as per requirements.

b) **Size of parking space:** The minimum sizes of parking spaces to be provided shall be as shown below in **Table No. 24**.

<b>Table No. 24</b>		
Sr.No	Type of Vehicle	Minimum Size/ area of parking space
1	Motor vehicle	2.5 m X 5 m
2	Scooter, Motor Cycle.	1.0 m. x 2.0 m.
3	Bicycle	0.5 m. x 1.0 m.
4	Transport vehicle	3.75 m. X 7.5 m.
<b>Note:</b> In the case of parking spaces for motor vehicle, 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 space shall be paved and clearly marked for different types of vehicles.

d) **Manoeuvring and other ancillary spaces:** 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 manoeuvring of vehicles

e) **Ramps for Basement parking:** - Ramps for parking in basement should conform to the requirement of Regulation No.41.12

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

g) To meet the parking requirements as per these regulations, common parking area for group of buildings, open or multi-storeyed, may be allowed in the same premises

h) In addition to the parking spaces provided for building of Mercantile (Commercial) like office, market, departmental store, shopping mall and building of industrial and storage, loading and unloading spaces shall be provided at the rate of one space for each 1000 sq. m. of floor area or

fraction thereof exceeding the first 200 sq. m. of floor area, shall be provided. The space shall not be less than 3.75 m. x 7.5 m.

i) Parking lock up garages shall be included in the calculation for floor space for F.S.I. calculations.

j) The space to be left out for parking as given in this regulation shall be in addition to the marginal open spaces left out for lighting and ventilation purposes as given in these regulations. Those spaces may be used for parking provided minimum distance of 3 m.(6.0 m. in case of special building mentioned in Regulation No.6.2.2.g) around the buildings is kept free of any parking or loading and unloading spaces excepting the buildings as mentioned in Regulation No.42.2.i

k) In case of parking spaces provided in basements, at least two separate ramps of adequate width and slope for entry and exit at opposite ends or one ramp with 6.0m meter width shall be provided (as per Regulation No. 41.12)where parking of motor vehicles is envisaged.

**Table No.25**  
**Off Street Parking Spaces**

Sr. No.	Occupancy	One parking Space for every	Congested Area			Non Congested Area			Visitors Parking
			Car	Scooter	Cycle	Car	Scooter	Cycle	
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>	<b>10</b>
1.	<u>Residential</u> i) Multifamily residential	(a) 2 Tenements each having <b>carpet</b> area more than <b>80sq.m.</b>	1	2	2	2	2	2	5%
		(b) 3tenements each having <b>carpet</b> area <b>equal to or above 40 sq.m. and upto 80 sq.m.</b>	0	3	4	1	4	4	5%
		I 4 tenements each having <b>carpet</b> area <b>less than 40 sq.m.</b>	0	4	4	1	5	5	5%
	ii) Lodging establishments tourist homes, hotels with lodging accommodation.	(a) For every five guest rooms	1	3	3	2	3	3	-
	iii) Restaurants	(a) For hotel, eating houses <b>40 sq.m.</b> of <b>carpet</b> area of restaurant including kitchen, pantry hall, dining rooms, banquet hall etc.	0	2	2	1	2	2	-
2	Institutional (Hospital, Medical Institutions)	For <b>80 sq.m. carpet</b> area or fraction thereof.	1	1	2	1	3	3	-
3.	Assembly (theatres, cinema houses, Multiplex, concert halls, auditoria, assembly halls including those of college and hostels)	For every 40 Seats.	1	2	5	2	7	7	-
4.	i)Mangal Karyalaya / Marriage Halls, Cultural Halls	For every <b>80 sq.m. carpet</b> area or fraction thereof.	1	4	4	2	8	8	-
	ii)Party /Marriage Lawns	For every <b>80 sq.m. carpet area / covered area / or 100 sq.m.</b> of lawn area or fraction thereof.	0	2	2	1	3	3	-

	iii) Club House/samaj Mandir/Community HALL in Layout Open Spaces	For every 100 Sq Mtr carpet area or fraction thereof	1	4	2	1	4	2	-
5.	Educational – i)Primary and secondary Schools	i) For every <b>80</b> sq.m. <b>carpet</b> area or fraction thereof the administration as well as public service area of the school.	0	2	2	1	2	2	-
		ii) For every 3 class rooms	1 LCV- LCV includes mini bus and tempo	3	15	1 LCV- LCV includes mini bus and tempo	5	20	-
	ii) College	i)For every <b>80</b> sq.m. <b>carpet</b> area or fraction thereof the administration area and public service area of college.	1	10	5	1	10	<b>5</b>	-
		ii) For every 3 class rooms	1	30	10	2	40	10	-
	iii)Coaching Classes/Tuition Classes/Hobby Classes	For every 20 students	0	4	8	0	5	10	-
6.	i)Government or semi-public offices, private business buildings, Corporate Offices, I.T. Buildings	For every <b>80</b> sq.m. <b>carpet</b> area or fraction thereof	1	2	4	2	4	4	10%
7.	Mercantile (markets, departmental stores, shops, shopping malls and other Commercial users) including wholesale markets	For every <b>80</b> sq.m. <b>carpet</b> area or fraction thereof	1	3	3	1	4	4	5%
8.	Industrial	For every <b>250</b> sq.m. <b>carpet</b> area or fraction thereof	1	2	2	1	4	4	-
9.	Storage (any type)	For every <b>240</b> sq.m. <b>carpet</b> area or fraction thereof	0	2	2	1	2	2	-

10.	Plots less than 200 sq.m. (any use)		0	1	1	0	1	1	-
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**Note:-**

- 1) For plots upto 100 sq. m. as in the case of shops, row houses parking space need not be insisted.
- 2) Fraction of parking unit need not be provided. However, in case where proportional number of vehicles is less than 1 (i.e. fraction) it will be rounded to the next full number.
- 3) In case of independent single family residential bungalows having plot area upto 300 sq. m., parking space need not be insisted separately.
- 4) Further a garage shall be allowed in rear or side marginal distance at one corner having minimum dimension of 2.5 m. x 5.0 m. & maximum dimension 3 m. x 6 m. i.e. minimum 12.5 sq.m. and maximum 18.0 sq.m. built up area.
- 5) Mechanical /Hydraulic Parking shall be permissible at different level after required parking subject to satisfaction of all technical norms as per site conditions.

## PART XII

### FIRE PROTECTION REQUIREMENTS

#### 43.0 Fire protection requirements-

All buildings shall be planned, designed and constructed as per these regulations and to ensure fire prevention and fire safety measures required shall be done in accordance with provisions of the Maharashtra Fire Prevention and Life Safety Measures Act, 2006 as amended from time to time, and Part IV of Fire Protection of National Building Code of India (for the provisions which are not covered in these regulations.) In case of building identified in Regulation No.6.2.2.g, the building schemes shall also be cleared by the Fire Officer, Fire Brigade Department of the Corporation,

#### 43.1 Construction materials

All materials of constructions in load bearing elements, stairways and corridors and facades shall be non-combustible.

The interior finish materials shall not have a flame spread ability rating exceeding Class I (see 3.4.15.2 of Part 4 of National Building Code)

The internal walls or staircase shall be of brick or reinforced concrete with a minimum of 2 h. fire rating.

The staircase shall be ventilated to the atmosphere at each landing and a vent at the top; the vent openings shall be of 0.5sq.m in the external wall and the top. If the staircase cannot be ventilated, because of location or other reasons, a positive pressure 50 Pa shall be maintained inside. The mechanism for pressurizing the staircase shall operate automatically with the fire alarm. The roof of the shaft shall be 1 m. above the surrounding roof. Glazing or glass bricks, if used in staircase, shall have fire resistance rating of minimum 2 h.

#### 43.2 Lifts

General requirements of lifts shall be as follows:

- a) Walls of lift enclosures shall have a fire rating of 2 h; lifts shall have a vent at the top of area not less than 0.2 sq.m.
- b) Lift motor room shall be located preferably on top of the shaft and separated from the shaft by the floor of the room.
- c) Landing doors in lift enclosures shall have a fire resistance of not less than 1 h.
- d) The number of lifts in one row for a lift bank shall not exceed 4 and the total number of lifts in the bank (of two rows) shall not exceed 8. A wall of 2 h. fire rating shall separate individual shafts in a bank.
- e) Lift car door shall have a fire resistance rating of half an hour.
- f) Collapsible gates shall not be permitted for lifts and shall have solid doors with fire resistance of at least 1 h.
- g) If the lift shaft and lobby is in the core of the building, a positive pressure between 25 and 30 Pa shall be maintained in the lobby and a positive pressure of 50 Pa shall be maintained in the lift shaft. The mechanism for pressurization shall act automatically with the fire alarm; it shall be possible to operate this mechanically also.
- h) Exit from the lift lobby, if located in the core of the building, shall be through a self-closing smoke stop door of half an hour fire resistance.

- i) Lifts shall not normally communicate with the basement; if, however, lifts are in communication, the lift lobby of the basements shall be pressurized as in (g), with self-closing door as in (h)
- j) Grounding switch (es), at ground floor level, shall be provided on all the lifts to enable the fire service to ground the lifts.
- k) Telephone or other communication facilities shall be provided in lift cars for building of 30 m. in height and above. Communication system for lifts shall be connected to fire control room for the building.
- l) Suitable arrangements such as providing slope in the floor of lift lobby, shall be made to prevent water used during fire-fighting, etc., at any landing from entering the lift shafts.
- m) A sign shall be posted and maintained on every floor at or near the lift indicating that in case of fire, occupants shall use the stairs unless instructed otherwise. The sign shall also contain a plan for each floor showing the locations of the stairways. Alternate source of power supply shall be provided for all the lifts through a manually operated changeover switch.
- n) **Fire Lifts** - Following details shall apply for a fire lift :
  - i) To enable fire services personnel to reach the upper floors with the minimum delay, one fire lift per 1200 sq.m. of floor area shall be provided and shall be available for the exclusive use of the firemen in an emergency.
  - ii) 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 of minimum 0.8 m. width.
  - iii) 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. Lights and fans in the elevators having wooden panelling or sheet steel construction shall be operated on 24 V supply.
  - iv) Fire-fighting lift should be provided with a ceiling hatch for use in case of emergency, so that when the car gets stuck up, it shall be easily openable.
  - v) In case of failure of normal electric supply, it shall automatically trip over to alternate supply. For apartment houses, this changeover of supply could be done through manually operated changeover switch. Alternatively, the lift shall be so wired that in case of power failure, it comes down at the ground level and comes to stand-still with door open.
  - vi) 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.
  - vii) The words 'Fire Lift' shall be conspicuously displayed in fluorescent paint on the lift landing doors at each floor level.
  - viii) The speed of the fire lift shall be such that it can reach the top floor from ground level within 1 minute.

### 43.3 Basements -

- i) Each basement shall be separately ventilated. Vents with cross-sectional area (aggregate) not less than 2.5 percent 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

board or pavement lights as before, but ducts to convey fresh air to the basement floor level have to be laid. Stall board 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.

- ii) The staircase of basements shall be of enclosed type having fire resistance of not less than 2 h and shall be situated at the periphery of the basement to be entered at ground level only from the open air and in such positions that smoke from any fire in the basement shall not obstruct any exit serving the ground and upper storeys of the building and shall communicate with basement through a lobby provided with fire resisting self-closing doors of 1 h resistance. For travel distance, if the travel distance exceeds as given therein, additional staircases shall be provided at proper places.
- iii) In multi-storey basements, intake ducts may serve all basement levels, but each basement levels and basement compartment shall have separate smoke outlet duct or ducts. Ducts so provided shall have the same fire resistance rating as the compartment itself. Fire rating may be taken as the required smoke extraction time for smoke extraction ducts.
- iv) Mechanical extractors for smoke venting system from lower basement levels shall also be provided. The system shall be of such design as to operate on actuation of heat / smoke sensitive detectors or sprinklers, if installed, and shall have a considerably superior performance compared to the standard units. It shall also have an arrangement to start it manually.
- v) Mechanical extractors shall have an internal locking arrangement, so that extractors shall continue to operate and supply fans shall stop automatically with the actuation of fire detectors.
- vi) Mechanical extractors shall be designated to permit 30 air changes per hour in case of fire or distress call. However, for normal operation, air changes schedule shall be as given in Part 8, Building Services, Section 3, Air-conditioning, Heating and Mechanical Ventilation of National Building Code.
- vii) Mechanical extractors shall have an alternative source of supply.
- viii) Ventilating ducts shall be integrated with the structure and made out of brick masonry or reinforced cement concrete as far as possible and when this duct crosses the transformer area or electrical switchboard, fire dampers shall be provided.
- ix) Use of basements for kitchens working on gas fuel shall not be permitted, unless air conditioned. The basement shall not be permitted below the ward block of a hospital/nursing home unless it is fully sprinkled. Building services such as electrical sub-stations, boiler rooms in basements shall comply with the provisions of the Indian Electricity Act / Rules.
- x) If cut-outs are provided from basements to the upper floors or to the atmospheres, all sides cut-out openings in the basements shall be protected by sprinkler head at close spacing so as to form a water curtain in the event of a fire.
- xi) Openable windows on external wall shall be fitted with such locks that can be opened by a fireman's axe.
- xii) All floors shall be compartmented with area not exceeding 750 sq.m. by a separation wall with 2 h fire rating, for floors with sprinklers the area may be increased by 50 percent. In long building, the fire separation walls shall be at distances not exceeding 40 m. For departmental stores, shopping centres and basements, the area may be reduced to 500 sq.m. for compartmentation. Where this is not possible, the spacing of the sprinklers, care should be taken to prevent spray from one sprinkler impeding the performance of an adjacent sprinkler head.



xiii) It is essential to make provisions for drainage of any such water on all floors to prevent or minimize water damage of the contents. The drain pipes should be provided on the external wall for drainage of water from all floors. On large area floors, several such pipes may be necessary which should be spaced 30 m. apart. Care shall be taken to ensure that the construction of the drain pipe does not allow spread fire / smoke from floor to floor.

#### **43.4 Service Ducts/Shafts**

- a) Service ducts and shafts shall be enclosed by walls of 2 h and doors of 1 h. fire rating. All such ducts/shafts shall be properly sealed and fire stopped at all floor levels.
- b) A vent opening at the top of the service shaft shall be provided having between one- fourth and one-half of the area of the shaft.

#### **43.5 Refuse chutes**

shall have opening at least 1 m. above roof level for venting purpose and they shall have an enclosure wall of non-combustible material with fire resistance of not less than 2 h. They shall not be located within the staircase enclosure or service shafts, or air-conditioning shafts inspection panel and doors shall be tight fitting with 1 h fire resistance; the chutes should be as far away as possible from exit.

#### **43.6 Refuge Area**

Provisions contained in 41.27 shall apply for all buildings except multi-family dwellings.

#### **43.7 Electrical services** shall conform to the following :

- (a) The electric distribution cables / wiring shall be laid in a separate duct. The duct shall be sealed at every floor with non-combustible materials having the same fire resistance as that of the duct. Low and medium voltage wiring running in shaft and in false ceiling shall run in separate conduits;
- (b) Water mains, telephone lines, intercom lines, gas pipes or any other service line shall not be laid in the duct for electrical cables; use of bus ducts / solid rising mains instead of cables is preferred;  
Separate circuits for fire-fighting pumps, lifts, staircases 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 conduit pipes, so that fire in one circuit will not affect the others. Such circuits shall be protected at origin by an automatic circuit breaker with its no-volt coil removed. Master switches controlling essential service circuits shall be clearly labelled;
- (d) The inspection panel doors and any other opening in the shaft shall be provided with air-tight fire doors having fire resistance of not less than 2 h;  
Medium and low voltage wiring running in shafts and within false ceiling shall run in metal conduit. Any 230 V wiring for lighting or other services above false ceiling shall have 660 V grade insulation. The false ceiling including all fixtures used for its suspension, shall be of non-combustible material and shall provide adequate fire resistance to the ceiling in order to prevent spread of fire across ceiling. Reference may be made to good practice;
- (e) An independent and well ventilated service room shall be provided on the ground level or first basement with direct access from outside or from the corridor for the purpose of termination of electric supply from the licensees' service and alternative supply cables. The doors provided for the service room shall have fire resistance of not less than 2 h.

**Note** : If service room is located at the first basement, it should have automatic fire extinguishing system.

- (f) If the licensees agree to provide meters on upper floors, the licensees' cable shall be segregated from consumers' cable by providing a partition in the duct. Meter rooms on upper floors shall not open into staircase enclosures and shall be ventilated directly to open air outside; and
- (g) Suitable circuit breakers shall be provided at the appropriate points.

**43.8 Gas supply shall conform to the following:-**

- a) Town Gas / L.P.Gas Supply Pipes – Where gas pipes are run in buildings, 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 interconnection of this shaft with the rest of the floors. LPG distribution pipes shall always be below the false ceiling. The length of these pipes shall be as short as possible. In the case of kitchen cooking range area, apart from providing hood, covering the entire cooking range, the exhaust system should be designed to take care of 30 cu.m. per minute per sq.m. of hood protected area. It should have grease filters using metallic grill to trip oil vapours escaping into the fume hood.

**Note:-** For detailed information on gas pipe installations, reference may be made to Para.9 'Plumbing Services, Section 3 Gas Supply', of National Building Code of India.

- b) All wiring in fume hoods shall be of fibreglass insulation. Thermal detectors shall be installed into fume hoods of large kitchens for hotels, hospitals and similar areas located in high rise buildings. Arrangements shall be made for automatic tripping of the exhaust fan in case of fire. If LPG is used, the same shall be shut off. The voltage shall be of 24 V or 100 V dc operated with the external rectifier. The valve shall be of the hand re-set type and shall be located in an area segregated from cooking ranges. Valves shall be easily accessible. The hood shall have manual facility for steam or carbon dioxide gas injection, depending on duty condition; and
- c) Gas meters shall be housed in a suitably constructed metal cupboard located in a well ventilated space, keeping in view the fact that LPG is heavier than air and town gas is lighter than air.

**43.9 ILLUMINATION OF MEANS OF EXIT**

Staircase and corridor lights shall conform to the following:

- a) The staircase and corridor lighting shall be on separate circuits and shall be independently connected so as it could be operated by one switch installation 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. It should be of miniature circuit breaker type of switch so as to avoid replacement of fuse in case of crisis;
- b) Staircase and corridor lighting shall also be connected to alternative supply. The alternative source of supply may be provided by battery continuously trickle charged from the electric mains;
- c) Suitable arrangements shall be made by installing double throw switches to ensure that the lighting installed in the staircase and the corridor does 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 and corridor; and
- e) All wires and other accessories used for emergency light shall have fire retardant property.

**43.10 A stand-by electric generator** shall be installed to supply power to staircase and corridor lighting circuits, fire lifts, the stand-by fire pump, pressurisation 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 stand-by pump.

Where parallel HV / LV supply from a separate sub-station is provided with appropriate transformer for emergency, the provision of generator may be waived in consultation with the Authority.

**43.11 Transformers shall conform to the following:-**

- a) A sub-station or a switch-station with oil filled equipment shall not be located in the building. The sub-station structure shall have separate fire resisting walls/surroundings and shall necessarily be located at the periphery of the floor having separate access from fire escape staircase. The outside walls, ceiling, floor, openings including doors and windows to the sub-station area shall be provided with a fire resisting door of 2 h fire rating. Direct access to the transformer room shall be provided, preferably from outside fire escape staircase.
- b) The sub-station area needs to be maintained at negative air pressures and area in sub-station shall not be used as storage / dump areas.
- c) When housed inside the building, the transformer shall be of dry type and shall be cut off from the other portion of premises by walls/ doors / cut-outs having fire resistance rating of 4 h.

**43.12 Air-conditioning shall conform to the following:**

- 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 good practice.
- c) Wherever the ducts pass through fire walls or floors, the opening around the ducts shall be sealed with materials having fire resistance rating of the compartment.
- d) Where duct crosses a compartment which is fire rated, the ducts shall be fire rated for same fire rating. Further depending on services passing around the duct work, which may get affected in case of fire temperature rising, the ducts shall be insulated.
- e) As far as possible, metallic ducts shall be used even for the return air instead of space above the false ceiling.
- f) Where plenum is used for return air passage, ceiling and its fixtures shall be of non-combustible material.
- g) The materials used for insulating the duct system (inside or outside) shall be of non-combustible material, glass wool shall not be wrapped or secured by any material of combustible nature.
- h) Area more than 750 sq.m. on individual floor shall be segregated by a fire wall and automatic fire dampers for isolation shall be provided.
- i) Air ducts serving main floor areas, corridors, etc. shall not pass through the staircase enclosure.
- j) The air-handling units shall be separate for each floor and air ducts for every floor shall be separated and in no way inter-connected with the ducting of any other floor.
- k) If the air-handling unit serves more than one floor, the recommendations given above shall be compiled with in addition to the conditions given below:
  - i) Proper arrangements by way of automatic fire dampers working on smoke detector / or fusible link for isolating all ducting at every floor from the main riser shall be made.
  - ii) When the automatic fire alarm operates, the respective air-handling units of the air-conditioning system shall automatically be switched off.
- l) The vertical shaft for treated fresh air shall be of masonry construction.
- m) The air filters of the air-handling units shall be of non-combustible materials.
- n) The air-handling unit room shall not be used for storage of any combustible materials.

- o) Inspection panels shall be provided in the main trunking to facilitate the cleaning of ducts of accumulated dust and to obtain access for maintenance of fire dampers.
- p) No combustible material shall be fixed nearer than 150 mm to any duct unless such duct is properly enclosed and protected with non-combustible material (glass wool or spyglass with neoprene facing enclosed and wrapped with aluminium sheeting) at least 3.2 mm thick and which would not readily conduct heat.

**q) Fire Dampers:-**

- 1) These shall be located in conditioned air ducts and return air ducts/ passages at the following points:
  - i) At the fire separation wall. ii) Where ducts/passages enter the central vertical shaft.
  - iii) Where the ducts pass through floors. iv) At the inlet of supply air duct and the return air duct of each compartment on every floor.
- 2) The dampers shall operate automatically and shall simultaneously switch off the air-handling fans. Manual operation facilities shall also be provided. (**Note-** For blowers, where extraction system and duct accumulators are used, dampers shall be provided).
- 3) Fire/smoke dampers (for smoke extraction shafts) for buildings more than 24 m in height.
  - a) For apartment houses in non-ventilated lobbies / corridors operated by fusible link / smoke detectors and with manual control. b) For other buildings on operation of smoke detection system and with manual control.
- 4) Automatic fire dampers shall be so arranged as to close by gravity in the direction of air movement and to remain tightly closed on operation of a fusible link / smoke detector.

**43.13 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 room:

- a) The boilers shall not be allowed in sub-basement, may be allowed in the basements away from the escape routes.
- b) The boilers shall be installed in a fire resisting room of 4 h 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 h 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 h 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.

**43.14 Provision of first-aid and fire-fighting appliances.**

The first-aid fire-fighting equipment shall be provided on all floors, including basements lift rooms, etc. in accordance with good practice in consultation with the Authority.

**43.15 Fire alarm system :**

- i) All buildings with heights of 15 m or above shall be equipped with manually operated electrical fire alarm (MOEFA) system automatic fire alarm system in accordance with good practice. However, apartment buildings between 15 m and 30 m in height may be exempted from the installation of automatic fire alarm system provided the local fire brigade is suitably equipped

for dealing with fire in a building of 15 m in height or above and in the opinion of the Authority, such building does not constitute a hazard to the safety of the adjacent property or occupants of the building itself.

- ii) Manually operated electrical fire alarm system shall be installed in a building with one or more call boxes located at each floor. The call boxes shall conform of good practice.
- iii) The installation of call boxes in hostels and such other places where these are likely to be misused shall as far as possible be provided. Location of call boxes in dwelling units shall preferably be inside the building.

**43.16 Lightning protection of buildings:-**

The lightning protection for buildings shall be provided as given in Para.8 'Building Services, Section 2, Electrical Installations' of National Building Code of India.

**43.17 Fire control room:-**

For all buildings 15 m in height or above and apartment buildings with a height of 30 m 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 floors. Details of all floor plans alongwith the details of fire-fighting equipment and installations shall be maintained in the fire control room. The fire control room shall also have facilities to detect the fire on any floor through indicator board connections; fire detection and alarm systems on all floors. The fire staff in-charge of the fire control room shall be responsible for the maintenance of the various services and fire-fighting equipment and installations in co-ordination with security, electrical and civil staff of the building.

**43.18 Fire officer for hotels, business and mercantile buildings with height more than 30 m**

A qualified Fire Officer with experience of not less than 3 years shall be appointed who will be available on the premises.

**The Fire Officer shall:**

- a) maintain the fire-fighting equipment in good working condition at all times,
- b) prepare fire orders and fire operational plans and get them promulgated,
- c) impart regular training to the occupants of the buildings in the use of fire-fighting equipments provided on the premises and keep them informed about the fire emergency evacuation plan,
- d) keep proper liaison with City Fire Brigade, and
- e) ensure that all fire precautionary measures are observed at the times.

**Note:** Competent Authority having jurisdiction may insist on compliance of the above rule in case of buildings having very large areas even if the height is less than 30 m.

**43.19 Housekeeping:-**

To eliminate fire hazards, good housekeeping, both inside and outside the building, shall be strictly maintained by the occupants and / or the owner of the building.

**43.20 Fire drills and fire orders:-**

Fire notices/orders shall be prepared to fulfil the requirements of fire-fighting and evacuation from the buildings in the event of fire and other emergency. The occupants shall be made thoroughly conversant with their actions in the event of emergency, by displaying fire notices at vantage points and through regular training. Such notices should be displayed prominently in broad lettering.

For guidelines for fire drills and evacuation procedures for high-rise buildings, Annexure E of National Building Code of India may be referred.

**43.21 Compartmentation:-**

The building shall be suitably compartmentalized so that fire/smoke remain confined to the area where fire incident has occurred and does not spread to the remaining part of the building.

**43.22 Materials for interior decoration / furnishing**

The use of materials, which are combustible in nature and may spread toxic fume / gases should not be used for interior decoration / furnishing, etc.

For various types of occupancies, requirements given in National Building Code, Part IV shall be followed.

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### PART XIII

#### STRUCTURAL SAFETY, STRUCTURAL DESIGN,STABILITY

**44.0** The Buildings shall be planned, designed and constructed to ensure structural safety. 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 6. Structural design Section 1-Loads, courses and effects, Section 2- Soils and Foundation, Section 3—Timber and Bamboo, Section 4-Masonry, Section 5-Concrete, Section 6-Steel, Section-7 Prefabrication, systems building and mixed / composite construction of National Building Code of India, amended from time to time. Proposed construction shall be as per the norms as specified by Indian Standard Institute, for the resistance of earthquake, Fire Safety and natural calamities. Certificate to that effect shall be submitted by the Licensed Structural Engineer of the developer / land owner, along with the proposal for development permission.

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**PART XIV**  
**WATER SUPPLY, DRAINAGE & SANITARY REQUIREMENTS, OUTDOOR  
DISPLAY AND OTHER SERVICES**

**45.1 QUALITY OF MATERIALS AND WORKMANSHIP**

i) All materials and workmanship shall be of good quality conforming generally to accepted standards of Public Works Department of Maharashtra and Indian Standard Specifications and Codes as included in Part 5 - Building Materials and Part 7 - Construction Practices and Safety of National Building Code of India, amended from time to time.

ii) All burrow pits dug in the course of construction and repair of buildings, roads, embankments etc. shall be deep and connected with each other in the formation of a drain directed towards the lowest level and properly stopped for discharge into a river stream, channel or drain and no person shall create any isolated burrow pit which is likely to cause accumulation of water which may breed mosquitoes.

**45.2 ALTERNATIVE MATERIALS, METHODS OF DESIGN & CONSTRUCTION AND TESTS**

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

ii) The provision of these regulations is also not intended to prevent the adoption for architectural planning and layout conceived as an integrated development scheme.

iii) The Metropolitan Commissioner may approve any such alternative provided it is found that the proposed alternative is satisfactory and confirm to the provisions of relevant parts regarding material, design, and construction and that material, method or work offered is, for the purpose intended, at least equivalent to that prescribed in the rules in quality, strength, compatibility, effectiveness, fire rating and resistance, durability and safety.

**iv) Tests:** Whenever there is insufficient evidence of compliance with the provisions of the regulations or evidence that any material or method of design or construction does not confirm to the requirements of the rules or in order to substantiate claims for alternative materials, design or methods of construction, the Metropolitan Commissioner may require tests sufficient in advance as proof of compliance. These tests shall be made by an approved agency at the expense of the owner.

v) Test method shall be as specified by the regulations for the materials or design or construction in question. If there are no appropriate test methods specified in the regulations, the Metropolitan Commissioner 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. The latest version of the National Building Code of India shall be taken into account at the time of enforcement of these rules.

vi) Copies of the results of all such tests shall be retained by the Metropolitan Commissioner for a period of not less than two years after the acceptance of the alternative material.

**45.3 BUILDING SERVICES**

i) The planning, design and installation of electrical installations, air-conditioning and heating work shall be carried out in accordance with Part 8 - Building Services, Section 2-Electrical and

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allied Installations, Section 3 Air Conditioning, heating and mechanical ventilation of National building Code of India, amended from time to time.

ii) 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 building shall be in accordance with Section - 5 installation of Lifts and Escalators of National Building Code of India, amended from time to time. In existing buildings, in case of proposal for one additional floor, existing lift may not be raised to the additional floor.

iii) Maintenance of Lift in working order: The lifts shall be maintained in working order properly.

#### 45.4 WATER SUPPLY, DRAINAGE AND SANITARY REQUIREMENTS.

The planning, design, construction and installation of water supply, drainage and sanitation and gas supply systems shall be in accordance with the provisions of Part 9 – Plumbing Services- Section 1 Water Supply, Drainage and Sanitation, Section 2 – Gas supply of National Building Code of India as amended from time to time.

##### 45.4.1 Requirements of water supply in building.

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

Table No. 26	
Occupancy	Basis
Residential Building	5 persons per tenement
Other Buildings	No. of persons on occupant load and area of floors given in Table No.21.

The requirements of water supply for various occupancies shall be as given in Table No. 26,27,28 or as specified by the Metropolitan Commissioner from time to time.

Table No. 27 PER CAPITA WATER REQUIREMENT OF VARIOUS USES / OCCUPANCIES		
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 and Semi-Public uses	45
	MERCANTILE (Commercial)	
6.	a) Restaurants (per seat)	70
	b) Other business buildings	45
	INDUSTRIAL	
7.	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 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.

<b>Table No. 28</b>		
<b>FLUSHING STORAGE CAPACITIES</b>		
Sr.No	Classification of Buildings	Storage Capacity
1.	For tenements having common convenience.	900 litres net per w.c. seat.
2.	For residential premises other than tenements having common convenience.	270 litres for one w.c. seat & 180 litres for each additional seat in the same flat.
3.	For factories and workshops.	900 litres per w.c. seat and 180 litres per urinal seat.
4.	For cinemas, public assembly halls etc.	900 litres per w.c. seat & 350 litres per urinal seat.

#### **45.4.2 DRAINAGE AND SANITATION REQUIREMENTS**

##### **a) General**

i) There should be at least one water tap and arrangement for drainage in the vicinity of each water-closet or group of water-closets in all the buildings.

ii) Each family dwelling unit on premises (abutting on a sewer or with a private sewage disposal system) shall have, at least, one water-closet and one kitchen type sink. A bath or shower shall also be installed to meet the basic requirement of sanitation and personal hygiene.

iii) All other structures for human occupancy or use on premises, abutting on a sewer or with a private sewage disposal system, shall have adequate sanitary facilities, but in no case less than one water-closet and one other fixture for cleaning purposes.

**b) For Residences**

i) Dwelling with individual convenience shall have at least the following fitments:

- a) One bathroom provided with a tap and a floor trap,
- b) One water-closet with flushing apparatus with an ablution tap; and
- c) One tap with a floor trap or a sink in kitchen or wash place.

ii) Dwelling without individual conveniences shall have the following fitments:

- a) One water tap with floor trap in each tenement,
- b) One water-closet with flushing apparatus and one ablution tap, bath for every two tenements, and
- c) One bath with water tap and floor trap for every two tenements.

**c) For Buildings Other than Residences**

The requirements for fitments for drainage and sanitation in the case of buildings other than residences shall be in accordance with **Table No. 29 to Table No. 37**. The following shall be, in addition, taken into consideration:

- a) The figures shown are based upon one (1) fixture being the minimum required for the number of persons indicated or part thereof.
- b) Building categories not included in the tables shall be considered separately by the Commissioner.
- c) Drinking fountains shall not be installed in the toilets.
- d) Where there is the danger of exposure to skin contamination with poisonous, infectious or irritating material, washbasin with eye wash jet and an emergency shower located in an area accessible at all times with the passage / right of way suitable for access to a wheel chair, shall be provided.
- e) When applying the provision of these tables for providing the number of fixtures, consideration shall be given to the accessibility of the fixtures. Using purely numerical basis may not result in an installation suited to the need of a specific building. For example, schools should be provided with toilet facilities on each floor. Similarly toilet facilities shall be provided for temporary workmen employed in any establishment according to the needs; and in any case one WC and one washbasin shall be provided.
- f) All buildings used for human habitation for dwelling work, occupation, medical care or any purpose detailed in the various tables, abutting a public sewer or a private sewage disposal system, shall be provided with minimum sanitary facilities as per the schedule in the tables. In case the disposal facilities are not available, they shall be provided as a part of the building design for ensuring high standards of sanitary conditions in accordance with this section.
- g) Workplaces where crèches are provided, they shall be provided with one WC for 10 persons or part thereof, one washbasin for 15 persons or part thereof, one kitchen sink with floor tap for preparing food / milk preparations. The sink provided shall be with a drinking water tap.
- h) In all types of buildings, individual toilets and pantry should be provided for executives and for meeting / seminar / conference rooms, etc. as per the user requirement.

#### 45.4.3 SANITATION REQUIREMENTS FOR VARIOUS USES / OCCUPANCIES

<b>Table No. 29</b>		
<b>Sanitation requirement for shops and commercial offices</b>		
Sr.No.	Fitments	For personnel
(1)	(2)	(3)
1.	Water-closet	One for every 25 persons or part thereof exceeding 15 (including employees and customers). For female personnel, 1 per every 15 persons or part thereof exceeding 10.
2.	Drinking water fountain	One per every 100 persons with a minimum of one on each floor.
3.	Wash basin	One for every 25 persons or part thereof. One of such wash basins on each floor shall be fixed at height of 80 cm. with tap at 100 cm. above finished floor level for the use of handicapped disabled, old and infirm persons.
4.	Urinals	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 ratio of 1:1 may be assumed

<b>Table No. 30</b>				
<b>Sanitation Requirements for Institutional (Medical) Occupancy - (Staff Quarters &amp; Hostels)</b>				
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 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.		

<b>Table No.31</b>			
<b>Sanitation Requirements For Government And Public / Business Occupancies And Offices</b>			
<b>Sr. No.</b>	<b>Fitments</b>	<b>For Male Personnel</b>	<b>For Female Personnel</b>
(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 persons with disabilities, 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.	

<b>Table No.32</b>			
<b>Sanitation Requirements For Residence</b>			
<b>Sr.No.</b>	<b>Fitments</b>	<b>Dwellings with Individual convenience</b>	<b>Dwellings without Individual convenience</b>
(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.

<b>Table No.33</b>					
<b>Sanitation Requirements For Assembly Occupancy Buildings</b>					
<b>(Cinemas, Theatres And Auditoria)</b>					
<b>Sr.No.</b>	<b>Fitments</b>	<b>FOR PUBLIC</b>		<b>FOR STAFF</b>	
No.		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	1 for 1-15 persons 2 for 16-35 persons	1 for 1-12 persons 2 for 13-

			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 persons with disabilities, old and infirm persons.	25 persons
5.	Drinking water fountains	1 per 100 persons or part thereof.		
<b>Note :</b> It may be assumed that two thirds of the number are males and one third females.				

<b>TABLE NO.34</b>					
<b>SANITATION REQUIREMENTS FOR ASSEMBLY OCCUPANCY BUILDINGS - (ART GALLERIES, LIBRARIES AND MUSEUMS)</b>					
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 persons with disabilities, 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.



<b>TABLE NO.35</b>					
<b>SANITATION REQUIREMENTS FOR RESTAURANTS</b>					
<b>Sr. No.</b>	<b>Fitments</b>	<b>FOR PUBLIC</b>		<b>FOR STAFF</b>	
		For Male	For Female	For Male	For Female
(1)	(2)	(3)	(4)	(5)	(6)
1.	Water-closet	One for 50 seats upto 200. For over 200, add at the rate of one per 100 or part thereof.	One for 50 seats upto 200. For over 200, add at the rate of one per 100 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			
<b>Note:</b> It may be assumed that two thirds of the number are males and one third females.					

**TABLE NO.36**  
**SANITATION REQUIREMENTS FOR FACTORIES**

Sr. No.	Fitments	For Male Personnel	For Female Personnel
(1)	(2)	(3)	(4)
1.	Water closet	1 for 1-15 persons. 2 for 16-35 persons. 3 for 36-65 persons. 4 for 66-100 persons.  From 101 to 200 persons, add at the rate 3 percent. From over 200 persons, add at the rate of 2.5 percent.	1 for 1-12 persons. 2 for 13-25 persons. 3 for 26-40 persons. 4 for 41-57 persons. 5 for 58-77 persons. 6 for 78-100 persons  From 101 to 200 persons, add at the rate 5 percent. From over 200 persons, add at the rate of 4 percent.
2.	Ablution taps	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.	1 in each water closet
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.	
<p><b>Note 1:</b> For many trades of a dirty or dangerous character, more extensive provisions are required.</p> <p><b>Note 2 :</b> Creches, where provided shall be fitted with water closets (one for 10 persons or part thereof) and wash basins (one for 15 persons or part thereof) and drinking water tap with draining arrangements (one for every 50 persons or part thereof.)</p>			

<b>TABLE NO.37</b>				
<b>SANITATION REQUIREMENTS FOR LARGE STATIONS AND AIR-PORTS</b>				
<b>Sr. No.</b>	<b>Place</b>	<b>WC for Males</b>	<b>WC for Females</b>	<b>Urinals for Males only</b>
(1)	(2)	(3)	(4)	(5)
1.	Junction stations, intermediate stations and bus stations.	3 for first 1000 persons and 1 for every subsequent 1000 persons or part thereof.	4 for first 1000 persons and 1 for every additional 1000 person.	4 for every 1000 persons and 1 for every additional 1000 persons.
2.	Terminal stations and bus terminals	4 for first 1000 persons and 1 for every subsequent 1000 persons or part thereof.	5 for first 1000 persons and 1 for every subsequent 2000 persons or part thereof.	6 for first 1000 persons and 1 for every additional 1000 persons or part thereof.
3.	Domestic airports min.	2*	4*	2*
	for 200 persons	5	8	6
	for 400 persons	9	15	12
	for 600 persons	12	20	16
	for 800 persons	16	26	20
	for 1000 persons	16	29	22
4.	International Airports			
	for 200 persons	6*	10	8
	for 600 persons	12	20	16
	for 1000 persons	18	26	22
<b>Note 1:</b> 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.				

#### 45.5 Signs and Outdoor Display Structures -

\* The display of advertising signs on buildings and land shall be in accordance with Part 10, Section-2 "**Signs and outdoor display structures**" of National Building Code of India as amended from time to time.

\* Prohibition of advertising signs and outdoor display structure in certain cases - Notwithstanding the provisions of sub-regulations no advertising sign or outdoor display structures shall be permitted on buildings of architectural, aesthetical, historical or heritage importance as may be decided by the Commissioner or on Government Buildings save that in the case of Government buildings only advertising signs or outdoor display structure may be permitted if they relate to the activities for the said buildings' own purposes or related programmers.

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# APPENDICES



**APPENDIX A-1**

**FORM FOR CONSTRUCTION OF BUILDING OR LAYOUT OF BUILDING / GROUP HOUSING**

**Application for permission for development under Section 44 / 58 of The Maharashtra Regional and Town Planning Act, 1966.**

From \_\_\_\_\_

(Name of the owner)

To,

The Metropolitan Commissioner,

NMRDA

Sir,

I intend to carry out the under mentioned development in the site/plot of land, on Plot No..... Town and Revenue S.No.....City Survey No.....Mauje .....situated at Road / Street ..... Society .....in accordance with Section 44 / 58 of the Maharashtra Regional and Town Planning Act, 1966 read with Section 253 of the BPMC Act, 1949.

I forward herewith the following plans and statements (Item i to ix) wherever applicable, in quadruplicate, signed by me (Name in block letters) .....and the Architect / Licensed Engineer / Structural Engineer / Supervisor, (License No.....), who has prepared the plans, designs and a copy of other statements /documents as applicable

- i)** Key Plan (Location Plan), (to be shown on first copy of the set of plans)
- ii)** Site Plan showing the surrounding land and existing access to the land proposed to be developed; (to be shown on first copy of the set of plans)
- iii)** A detailed building plan showing the plan, section and elevations of the proposed development work along with existing structure to be retained/ to be demolished, if any;
- iv)** Particulars of development in Form enclosed (to be submitted for development other than individual buildings);
- v)** Copy of sanctioned layout plan if any;
- vi)** An extract of record of rights, property register card (any other document showing ownership of land to be specified) alongwith consent of co-owners where third party interest is created;
- vii)** Attested copy of receipt of payment of scrutiny fees;
- viii)** Latest property tax receipt;
- ix)** No Objection Certificate(s), wherever required.

I request that the proposed development/ construction may be approved and permission be accorded to me to execute the work.

Signature of the Licensed /  
Surveyor/Architect  
Name  
License No.

Signature of Owner  
Name of Owner  
Address of Owner  
Contact No.

**FORM GIVING PARTICULARS OF DEVELOPMENT**

**(Item iv of Appendix A-1)**

<b>1.</b>	(a) (i) Full Name of Applicant	
	(ii) Address of applicant	
	(iii) e-mail ID	
	(iv) Contact / Mobile No.	
	(b) (i) Name and address of Architect/ licensed Engineer/ Structural Engineer/ Supervisor employed.	
	(ii) No. and date of issue of License	
<b>2.</b>	(a) Is the plot of, a City Triangulation Survey Number, Revenue Survey Number or Hissa Number of a Survey Number or a Final Plot Number of a Town Planning Scheme or a plot of an approved layout?	
	(b) Please state Sanction Number and Date of Sub-division / Layout	
	(c) Whether the land is situated in Core Area or Outside Core Area?	
<b>3.</b>	(a) What is the total area of the plot according to the ownership document and measurement plan?	
	(b) Does it tally with the Revenue/CTS Record	
	(c) What is the actual area available on site measured by Architect/ licensed Engineer/ Structural Engineer / Supervisor?  (The permission shall be based on the area whichever is minimum.)	
	(d) Is there any deduction in the original area of the plot on account of D.P. roads, or reservation(s). If so, are they correctly marked on the site plan? Please state the total area of such deductions?	
	(e) Is there any water stream in the land? State the area of such land.	
	(e) What is the area remained for development after above deduction(s)?	

	(f) What is the area proposed for recreational open space? (in case of land having original holding more than 0.4 hector) Please mention the area.	
	(g) Whether amenity space as required under Regulation no.24.4 is left? Please mention the area.	
	(f) What is the net plot area as per Regulation no.13.8? (excluding (g) above)	
<b>4.</b>	Are all plans as required under Regulation no.6.2 enclosed?	
<b>5.</b>	(a) In what zone does the plot fall?	
	(b) For what purpose the building is proposed? Is it permissible according to the land use classification?	
<b>6.</b>	(a) Is road available as an approach to the land? What is the average existing width of the road? (If the plot abuts on two or more roads, the above information in respect of all roads should be given)	
	(b) Is the land fronting on D.P. road? If so, width of the D.P. road	
	(c) Is the land fronting on National or State highway? If so, is the Building line / control line maintained? Please state the distance.	
	(c) What is the height of the building above the average ground level of the plot?	
	(d) Is it within permissible limit of height specified in Regulation no. 15.9 i.e. 1.5 times of the road width plus front margin?	
	(e) Does height exceed the limit specified in (d) above? If so, is height approved by Director of Fire Services, M.S.?	
<b>7.</b>	Is the land subject to restrictions of blue / red flood line, airport, railway, electric line, land fill sites, archeology, etc.? Please state the details along with 'No objection certificate' if any.	
<b>8.</b>	(a) If there are existing structures on the plot	
	(i) Are they correctly marked and numbered on the site plan?	

	(ii) Are those proposed to be demolished immediately and hatched in yellow colour?	
	(iii) What is the plinth area and total floor area of all existing structures to be retained?  (Please give details confirming to the plan submitted)	
<b>9.</b>	Is balcony area within the permissible limit of 15 % ? State said balcony area and area counted in FSI.	
<b>10.</b>	Are double height terrace within the limit of 20%? Are they of supported type? State said double height terrace area and area counted in FSI.	
<b>11.</b>	(a) Please state the total built up area, (existing + proposed + extra balconies + extra double height terraces.)	
	(b) What is the basic permissible F.S.I. of the zone according to front road width?	
	(c) What is the premium FSI proposed to be consumed?	
	(d) What is the fungible FSI proposed to be consumed?	
	(e) What is the area of TDR proposed to be consumed?	
	(f) What is the additional FSI proposed to be consumed?	
	(g) Please state the overall F.S.I. utilised in the proposal?	
	(h) Is built-up area of each flat / unit mentioned on the plan?	
<b>12.</b>	Whether area for inclusive housing is required as per Regulation no.13.7? Please state the details.	
<b>13.</b>	(a) What is the width of the front marginal distance (s)? If the building abuts two or more roads, does the front marginal distance comply with Regulation?	
<b>14.</b>	(a) What is :	Permissible
		Proposed
	(i) The side marginal distance (s)?	



	(ii) The rear marginal distance (s)?						
	(iii) The distance between buildings?						
15.	(a) What are the dimensions of the inner or outer chowk?						
	(b) Is / are room (s) dependent for its light and ventilation on the chowk? If so, are the dimensions of the chowk as required?						
16.	(a) Whether sizes of the rooms comply with the dimensions mentioned in the regulations?						
	(b) Whether use of every room / part mentioned on the plan?						
	(c) Whether every room derives light and ventilation required under the regulations?						
17.	If the height of the building is more than 15 meter above the average ground level, is provision for lifts made?						
	(a) If so, give details of lift.	<table border="1"> <thead> <tr> <th>Passenger Capacity</th> <th>No. of Lifts</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> </tr> </tbody> </table>	Passenger Capacity	No. of Lifts			
	Passenger Capacity	No. of Lifts					
(b) Details of Fire Lift.	<table border="1"> <thead> <tr> <th>Passenger Capacity</th> <th>No. of Lifts</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> </tr> </tbody> </table>	Passenger Capacity	No. of Lifts				
Passenger Capacity	No. of Lifts						
18.	(a) Does the building fall under purview of Regulation no.6.2.6.1?						
	(b) If so, is fire escape staircase provided in addition to regular staircase?						
	(c) Whether the ramps to the basement are provided leaving 6 m marginal distance for movement of fire fighting vehicle?						
	(d) If podiums are proposed, does it allow the movement of fire fighting vehicle properly?						
19.	(a) What are the requirements of parking spaces under the Regulation no.20? How many are proposed?		Required	Proposed			
		Car					
		Scooter					
		Cycle					
	(b) (i) Are loading-unloading spaces necessary?						

	(ii) If so, what is the requirement?	
	(iii) How many are proposed?	
20.	Is the sanitary arrangement provided as per the regulation?	
21.	Details of the source of water to be used in the construction	
22.	Distance from the sewer.	
23.	Please explain in detail in what respect the proposal does not comply with the Development Control and Promotion Regulations and the reasons there for, attaching a separate sheet if necessary.	

I hereby declare that I am the Architect/ licensed Engineer/ Structural Engineer/ Supervisor employed for the proposed work and that the statements made in this form are true and correct to the best of my knowledge.

Date :    /    /

Signature of the Architect/ licensed Engineer/  
Structural Engineer/ Supervisor employed.

\*\*\*\*\*

<b>FORM OF STATEMENT 1</b> (to be printed on plan)				
[Sr. No. 8 (a) (iii)]				
Existing Building to be retained				
<b>Existing Building No.</b>	<b>Floor No.</b>	<b>Plinth Area</b>	<b>Total Floor Area of Existing Building</b>	<b>Use / Occupancy of Floors.</b>
(1)	(2)	(3)	(4)	(5)

<b>FORM OF STATEMENT 2</b> (to be printed on plan) [Sr. No. 11 (h) ]						
Area details of Flat / unit						
<b>Building No.</b>	<b>Floor No.</b>	<b>Flat / unit No.</b>	<b>Built up area of flat / unit along with Share of Common areas like staircase / passages</b>	<b>Area of Balcony attached to flat / unit</b>	<b>Area of Double height terraces attached to flat / unit</b>	<b>Total area of flat / unit (4 + 5 + 6)</b>
1	2	3	4	5	6	7

**Note :**

- 1) Built up area of all flats / units on the respective floor shall tally with the total built up of that floor.
- 2) Above statements may vary, wherever required.

**PROFORMA - I**

(At Right Hand top Corner of Plans)

**PROPOSED ----- COMPLEX ON C.T.S. NO./PLOT Drawing Sheet No.  
NO. / S.NO. / F.P.NO.----- OF VILLAGE MAUJE -----**

**Stamps of Approval of Plans:**

<b>A</b>	<b>AREA STATEMENTS</b>	
	<b>1. Area of plot</b> <i>(Minimum area of a, b, c to be considered)</i>	
	a) As per ownership document (7/12, CTS extract)	
	b) as per measurement sheet	
	c) as per site	
	<b>2. Deductions for</b>	
	(a) Proposed D.P./ D.P. Road widening Area	
	(b) Any D.P.Reservation area	
	(a) Natural Water course area	
	<i>(Total a+b+c)</i>	
	<b>3. Gross Area of Plot (1-2)</b>	
	<b>4. Recreational Open space</b>	
	(a) Required	
	(b) Proposed	
	<b>5. Amenity Space -</b>	
	(a) Required -	
	(b) Proposed -	
	<b>6. Service road and Highway widening</b>	
	<b>7. Internal Road area</b>	
	<b>8. Net Area of Plot = [3 – 5(b)]</b> <i>[For Basic F.S.I. = 1.00]</i>	
<b>9. Built up area with reference to Basic F.S.I. as per front road width</b> <i>(sr. no. 8 X 1.30)</i>		
<b>10. Addition of area for F.S.I.</b>		
(a) In-situ area against D.P. road <i>[1.85x sr. no. 2 (a)], if any</i>		
(b) In-situ area against Amenity Space <i>[2.00 or 1.85 x sr. no. 5 (b)],</i>		
(c) Premium FSI area <i>(subject to maximum of 0.3 of sr. no. 8 )</i>		
(d) TDR area		
(e) Additional FSI area under chapter VIII		
<i>(Total of a+b+c+d+e)</i>		
<b>11. Total area available (9+10)</b>		

12. Maximum utilization of F.S.I. Permissible as per Road width ( <i>as per Regulation no. 15.4</i> )	
13. Total Built-up Area in proposal. ( <i>excluding area at Sr.No.15.b</i> )	
a) Existing Built-up Area.	
b) Proposed Built-up Area	
c) Excess Balcony area counted in F.S.I.	
d) Excess Double Height terraces area counted in F.S.I.	
Total (a+b+c+d)	
14. F.S.I. Consumed (13/8) ( <i>should not be more than serial no.12 above.</i> )	
15. Area for Inclusive Housing, if any	
a) Required ( <i>20% of sr.no.9</i> )	
b) Proposed	

**Certificate of Area:**

Certified that the plot under reference was surveyed by me on\_\_\_\_\_ and the dimensions of sides etc. of plot stated on plan are as measured on site and the area so worked out tallies with the area stated in document of Ownership/ T.P. Scheme Records/ Land Records Department/City Survey records.

**Signature**

(Name of Architect/ Licensed Engineer/  
Supervisor.)

**Owner's declaration –**

I/We undersigned hereby confirm that I/We would abide by plans sanctioned by NMRDA. I/We would execute the structure as per sanctioned plans. Also I/We would execute the work under supervision of proper technical person so as to ensure the quality and safety at the work site.

**Owner (s) name and signature**

**Architect/ Licensed Engineer/ Supervisor name and signature**

<b>Job No.</b>	<b>Drawing No.</b>	<b>Scale</b>	<b>Drawn by</b>	<b>Checked by</b>	<b>Registration/ License no. of Arch./ Lic. Eng./ Supervisor</b>
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<b>APPENDIX A-2</b>	
<b>FORM FOR SUB-DIVISION OF LAND AS PLOTTED LAYOUT</b>	
<b>Application for permission for development under Section 44 / 58 of The Maharashtra Regional and Town Planning Act, 1966</b>	
From .....	(Name of the owner)
To,	
The Metropolitan Commissioner,	
NMRDA	
<p>I intend to carry out the under mentioned development in the site/plot of land, bearing S.No./ Gut No. .... City Survey No....., Mouje ....., situated at Road/ Street ..... in accordance with Section 44/58 of The Maharashtra Regional and Town Planning Act, 1966 .</p> <p>I forward herewith the following plans and statements (Item 1 to 6) wherever applicable, in quadruplicate, signed by me (Name in block letters) ..... and the Architect / Licensed Engineer / Structural Engineer / Supervisor (License No.....), who has prepared the plans, designs and a copy of other statements /documents as applicable (Items 7 to 10).</p> <ol style="list-style-type: none"> <li>(1) Key Plan (Location Plan); (to be shown on first copy of the set of plans)</li> <li>(2) Site Plan showing the surrounding land and existing access to the land included in the layout; (to be shown on first copy of the set of plans)</li> <li>(3) A layout plan showing, <ol style="list-style-type: none"> <li>(i) sub-divisions of the land or plot with dimensions and area of each of the proposed sub-divisions and its use according to prescribed regulations;</li> <li>(ii) width of the proposed streets; and</li> <li>(iii) dimensions and area of recreational open spaces provided in the layout.</li> <li>(iv) dimensions and area of amenity space provided in the layout.</li> </ol> </li> <li>(4) An extract of record of rights property register card (any other document showing ownership of land to be specified) alongwith consent of co-owners where third party interest is created.</li> <li>(5) Particulars of development in Form enclosed.</li> <li>(6) Attested copy of Receipt for payment of scrutiny fees.</li> <li>(7) No Objection Certificate, wherever required.</li> </ol> <p>I request that the proposed layout may please be approved and permission accorded to me to execute the work.</p>	
Signature of the Licensed / Surveyor/Architect Name License No. Contact N	Signature of Owner Name of Owner Address of Owner

**FORM GIVING PARTICULARS OF DEVELOPMENT**

**(PART OF APPENDIX 1.....ITEM 5)**

1.	(a) (i) Full Name of Applicant	
	(ii) Address of applicant	
	(iii) e-mail ID	
	(iv) Mobile No.	
	(b) (i) Name and address of Architect/ licensed Engineer employed.	
	(ii) No. and date of issue of License	
2.	(a) Is the plot of, a City Triangulation Survey Number, Revenue Survey Number or Hissa Number of a Survey Number or a Final Plot Number of a Town Planning Scheme?	
	(b) Whether the land is situated in Congested Area or Outside Congested Area?	
3.	(a) What is the total area of the plot according to the ownership document and measurement plan?	
	(b) Does it tally with the Revenue/CTS Record	
	(c) What is the actual area available on site measured by Architect/ licensed Engineer/ Structural Engineer / Supervisor? (The permission shall be based on the area whichever is minimum.)	
	(d) Is there any deduction in the original area of the plot on account of D.P. Roads, or reservation(s). If so, are they correctly marked on the site plan? Please state the total area of such deductions?	
	(e) Is there any water stream in the land? State the area of such land and state whether it is excluded?	
	(e) What is the area remained for development after above deduction(s)?	
	(f) What is the area proposed for recreational open space? (in case of land having original holding more than 0.4 hector) Please mention the area.	
	(g) Whether amenity space as required under Regulation no.13.4 is left? Please mention the area.	
	(f) What is the net plot area as per Regulation no.13.9? (excluding (g) above)	
	4.	Are all plans as required under Regulation no.6.2 enclosed?
5.	(a) In what zone does the plot fall?	

	(b) For what purpose the layout is proposed? Is it permissible according to the land use classification?	
6.	(a) Is road available as an approach to the land? What is the average existing width of the road? (If the plot abuts on two or more roads, the above information in respect of all roads should be given)	
	(b) Is the land fronting on D.P. road? If so, width of the D.P. road	
	(c) Is the land fronting on National or State highway? If so, is the Building line / control line maintained? Please state the distance.	
7.	Is the land subject to restrictions of blue / red flood line, airport, railway, electric line, land fill sites, archaeology, etc? Please state the details along with 'No objection certificate' if any.	
8.	Whether the internal roads proposed in the layout conform to the Regulation no.12.	
9.	Whether roads in the layout are co-ordinated with the roads in the surrounding layout?	
10.	Whether the area and dimensions of plots are proposed as per prescribed regulations?	
11.	Whether area for inclusive housing is required as per Regulation no. 13.7? Please state the details.	

I hereby declare that I am the Architect/ licensed Engineer employed for the proposed work and that the statements made in this form are true and correct to the best of my knowledge.

Date : / /

Signature of the Architect/ licensed Engineer/ Structural Engineer/ Supervisor employed.

\*\*\*\*\*



**PROFORMA - I**

(At Right Hand top Corner of Plans)

**PROPOSED ----- LAYOUT ON C.T.S. NO./PLOT NO. /  
S.NO. / F.P.NO.----- OF VILLAGE MAUJE -----**

**Drawing  
Sheet  
No.  
X/Y**

**Stamps of Approval of Plans:**

<b>A</b>	<b>AREA STATEMENTS</b>	
	<b>1. Area of land</b> <i>(Minimum area of a, b, c to be considered)</i>	
	a) As per ownership document (7/12, CTS extract)	
	b) as per measurement sheet	
	c) as per site	
	<b>2. Deductions for</b>	
	(a) Proposed D.P./ D.P. Road widening Area	
	(b) Any D.P. Reservation area	
	(c) Natural water course area	
	(Total a+b)	
	<b>3. Gross Area of Plot (1-2)</b>	
	<b>4. Recreational Open space</b>	
	(a) Required -	
	(b) Proposed -	
	<b>5. Amenity Space</b>	
	(a) Required -	
	(b) Proposed -	
	<b>6. Service road and Highway widening</b>	
	<b>7. Internal Road area</b>	
	<b>8. Area under layout plots</b>	
	<b>9. Net area of plots for FSI Calculations = (3-5b)</b>	
	<b>10. Permissible FSI factor for layout plots = (9/8)</b>	
	<b>11. Area for inclusive housing</b>	
	(a) Required -	
	(b) Proposed -	

**Certificate of Area:**

Certified that the plot under reference was surveyed by me on\_\_\_\_\_ and the dimensions of sides etc. of plot stated on plan are as measured on site and the area so worked out tallies with the area stated in document of Ownership/ T.P. Scheme Records/ Land Records Department/City Survey records.

**Signature**

(Name of Architect/Licensed Engineer/Supervisor.)

**Owner (s) name and signature****Architect/ Licensed Engineer/ Supervisor name and signature**

<b>Job No.</b>	<b>Drawing No.</b>	<b>Scale</b>	<b>Drawn by</b>	<b>Checked by</b>	<b>Registration / Licence no. of Arch./ Lic. Eng./ Supervisor</b>

**Statement of distribution of FSI on each plot**

(to be printed at suitable place on plan)

<b>Plot no.</b>	<b>Plot area (sq.m.)</b>	<b>Roundin g area of Road (if any) (sq.m.)</b>	<b>Remaini ng Plot area (b-c) (sq.m.)</b>	<b>Built up area on pro-rata basis i.e. (d x Pro-rata FSI factor)</b>	<b>Front Road width (m.)</b>	<b>basic FSI</b>	<b>Permissible Built-up area on Basic FSI (e x g) (sq.m.)</b>
<b>(a)</b>	<b>(b)</b>	<b>(c)</b>	<b>(d)</b>	<b>(e)</b>	<b>(f)</b>	<b>(g)</b>	<b>(h)</b>

**APPENDIX 'B'**

**FORM OF SUPERVISION**

To,  
The Metropolitan Commissioner,  
NMRDA.

Sir,

I hereby certify that the development/erection/re-erection/demolition or material alteration in/ or Building No \_\_\_\_\_ on / in Plot No. \_\_\_\_\_ in Block No. \_\_\_\_\_ situated at Road / street \_\_\_\_\_ City Survey No. \_\_\_\_\_ shall be carried out under my supervision and I certify that all the materials (types and grade) and the workmanship of the work shall be generally in accordance with the general specifications and that the work shall be carried out according to the sanctioned plans. I shall be responsible for the execution of the work in all respects.

Signature and name of the Architect or Licensed \_\_\_\_\_  
Engineer/Structural Engineer/ Supervisor \_\_\_\_\_

License No. \_\_\_\_\_  
\_\_\_\_\_

Date :

## APPENDIX 'C'

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

#### C-1 General

**C-1.1** The qualifications of the technical personnel and their competence to carry out different jobs for building permit and supervision for the purpose of licensing by the Authority shall be as given in Regulation No.C-2 to C-5. The procedure for licensing the technical personnel is given in Regulation No.C-6.

#### C-2 ARCHITECT

**C-2.1 Qualifications-**The minimum qualifications for an architect shall be the qualifications as provided for in the Architects Act, 1972 for registration with the Council of Architecture. Such registered Architects shall not be required to again register their names with the Corporation. However, he shall submit the registration certificate to the Corporation.

**C-2.2 Competence of Architect:** To carry out work related to development permission as given below and shall be entitled to submit -

- (a) All plans and information connected with development permission.
- (b) Structural details and calculations for building on plot upto 500 sq. m. and upto 3 storeys or 11 m. height and
- (c) Certificate of supervision and completion for all buildings.

#### C-3 ENGINEER

##### C-3.1 Qualifications-

- 1)The qualifications for Licensing Engineer will be the corporate membership (Civil) of the Institution of Engineers or such Degree in Civil or Structural Engineering or equivalent;
- 2) Diploma in Civil Engineering or equivalent, having experience of 10 years in the field of land and building planning.

**C-3.2 Competence-** To carry out 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 for buildings on plot upto 500 sq.m. and upto 5 storeys or upto 16 mt. height, and
- (c) Certificate of supervision and completion for all buildings.

#### C-4 STRUCTURAL ENGINEER

##### C-4.1 Qualifications

###### i) for Structural Engineer-1 (SE-1)

- a) A degree in Civil Engineering of a recognised Indian or foreign university or associate membership in the Civil Engineering division of the Institution of Engineers (India) or equivalent overseas institution;
- b) Associate membership in Civil Engineering division of Institution of Engineers (India) or equivalent overseas institution possessing exceptional merit;

**Experience-**Minimum 3 years' experience in Structural Design

**ii) for Structural Engineer-2 (SE-2)**

a) Post-graduation in Structural Engineering from the recognized university

**Experience-** 3 years' experience in Structural Design for the buildings having height upto 50 mt.

**iii) for Structural Engineer-3 (SE-3)**

a) Post-graduation in Structural Engineering from the recognized university or foreign university or

b) The recognized registered national/international firm engaged in all types of structural designs..

**Experience-**

a) 5 years' experience in Structural Design for the buildings having height more than 50 mt.

b) National or international registered firm who has designed and executed the structure above 50 mt height in India or abroad.

**C-4.2 Competence**

**Structural Engineer-1 (SE-1)**

(a) Structural details and calculations for building heights upto 16 mt. and

(b) Structural Stability Certificate along with Indemnity Bond for such buildings.

**Structural Engineer-2 (SE-2)**

(a) Structural details and calculations for building heights above 16 mt and upto 50 m. and

(b) Structural Stability Certificate along with Indemnity Bond for such buildings.

**Structural Engineer-3 (SE-3)**

(a) Structural details and calculations for building heights above 50 m. and

(b) Structural Stability Certificate along with Indemnity Bond for such buildings.

**C-5 SUPERVISOR:**

**C-5.1 Qualification**

**(a) For Supervisor 1 :-**

(i) Three years architectural assistantship or intermediate in architecture with two years' experience, or

(ii) Diploma in Civil engineering or equivalent qualifications with two years' experience.

(iii) Draftsman in Civil Engineering from ITI or equivalent qualifications with Ten years' experience out of which five year shall be under Architect/Engineer.

**(b) For Supervisor - 2:-**

(i) Draftsman in Civil Engineering from ITI or equivalent qualifications with five years' experience under Architect / Engineer.

**C-5.2 Competence**

(a) For Supervisor-1: he shall be entitled to submit -

(i) All plans and related information connected with development permission on plot upto 500sq. m. and upto 2 storeys; and

(ii) Certificate of supervision of buildings on plot upto 500 sq. m. and upto 2 storeys and completion thereof.

(b) For Supervisor-2 : he shall be entitled to submit -

(i) All Plans and related information upto 200 sq. m. built up area and upto 2 storeys, and

(ii) Certificate of supervision for limits at (i) above and completion thereof.

## **C-6 LICENSING-**

### **C-6.1 Technical Personnel to be licensed:-**

The Qualified technical personnel or group as given in regulations; No. C-3, C-4, C-5 shall be licensed with the authority and the license shall be valid for three calendar years ending 31<sup>ST</sup>December after which it shall be renewed annually or every three years.

### **C-6.2 Fees for Licensing-** The annual licensing fees shall be as follows:-

For Engineer and structural Engineer 1000 p.a.

For supervisor (1) 1000 p. a.

For supervisor (2) 500 p. a

The Metropolitan Commissioner may revise above fees from time to time, if necessary.

### **C-6.3 Duties and Responsibilities of Architects / Licensed Technical Personnel:**

The duties and responsibilities of architects / licensed technical personnel shall be as follows:-

(1) It will be incumbent on every architect / licensed technical personnel, in all matters in which he may be professionally consulted or engaged, to assist and co-operate with the Metropolitan Commissioner and other Officers in carrying out and enforcing the provisions of Maharashtra Regional & Town Planning Act, 1966 and of any regulations for the time being in force under the same.

(2) Every architect / licensed technical personnel shall be responsible, for due compliance with the provisions of Maharashtra Regional & Town Planning Act, 1966 and of any regulations for the time being in force under the said Act, It shall be obligatory on him to satisfy himself that a qualified and competent Maistry or Inspector of Works is constantly employed and present on the work to supervise the execution of all work and to prevent the use of any defective material therein and the improper execution of any such work.

(3) Every architect / licensed technical personnel shall be responsible for carrying out work according to sanctioned plan.

(4) Every architect / licensed technical personnel shall be responsible for correctness of the calculations and dimensions mentioned on the plan and shall be liable for consequences arising thereof.

(5) Architect / licensed technical personnel shall not involve himself in any unauthorised development. He shall also make aware the client about legal provisions in respect of proposed development and consequences thereof.

(6) When an architect / licensed technical personnel cease to be in the employment for the development work, he shall report the fact forthwith to the Metropolitan Commissioner.

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**APPENDIX 'D-1'**

**FORM FOR SANCTION OF BUILDING PERMISSION AND  
COMMENCEMENT CERTIFICATE**

To,

-----  
-----

Sir,

With reference to your application No \_\_\_\_\_, dated \_\_\_\_\_ for the grant of sanction of Commencement Certificate under Section 44 of The Maharashtra Regional and Town Planning Act, 1966 to carry out development work / Building on Plot No \_\_\_\_\_ Revenue Survey No \_\_\_\_\_, City Survey No \_\_\_\_\_, mauja \_\_\_\_\_ situated at Road /Street \_\_\_\_\_, Society \_\_\_\_\_ the Commencement Certificate/Building Permit is granted under Section 45 of the said Act, subject to the following conditions:

1. The land vacated in consequence of the enforcement of the set-back rule shall form part of the public street.
2. No new building or part thereof shall be occupied or allowed to be occupied or used or permitted to be used by any person until occupancy permission has been granted.
3. You will have to handover the amenity space to the Authority before approval of final layout as per Regulation no.24.4. (wherever applicable)
4. You will have to submit an undertaking in respect of recreational open spaces as stipulated in Regulation. (wherever applicable)
5. The Commencement Certificate/ Building permit shall remain valid for a period of one year commencing from the date of its issue unless the work is not commenced within the valid period.
6. This permission does not entitle you to develop the land which does not vest in you.
7. -----
8. -----

Office No.

Office Stamp

Date :

Yours faithfully,

Metropolitan Commissioner, .....  
or an officer appointed by him

APPENDIX 'D-2'

FORM FOR TENTATIVE APPROVAL FOR DEMARCATION OF LAND / SUB-DIVISION LAYOUT

To,

-----

Sir,

With reference to your application No \_\_\_\_\_, dated \_\_\_\_\_ for the land sub-division approval, under Section 44 of The Maharashtra Regional and Town Planning Act, 1966 to carry out development work in respect of land bearing Revenue Survey No \_\_\_\_\_, City Survey No \_\_\_\_\_, mauje \_\_\_\_\_ situated at Road /Street \_\_\_\_\_, Society \_\_\_\_\_, it is to inform you that, land sub-division layout is hereby tentatively approved and recommended for demarcation, subject to the following conditions:

1. You will get the land sub-division layout demarcated on the site by the Land Records Department and submit the certified copy to that effect for final approval.
2. It shall be the responsibility of the owner to carry out all the development work including construction of roads, sewer lines, water supply lines, culverts, bridges, street lighting, etc. and hand it over to the Authority after developing them to the satisfaction of the Metropolitan Commissioner.
3. If you wish that the Authority has to carry out these development works, then you will have to deposit the estimated expenses to the Authority in advance, as decided by the Metropolitan Commissioner.
4. You will have to handover the amenity space to the Authority before approval of final layout as per Regulation no.24.4. (applicable in case where owner is not allowed to develop)
5. You will have to submit an undertaking in respect of recreational open spaces as stipulated in Regulation.
6. This permission does not entitle you to develop the land which does not vest in you.
7. -----

Office No.

Office Stamp

Yours faithfully,

Metropolitan Commissioner, .....  
or an officer appointed by him



**APPENDIX 'D-3'**

**FORM FOR FINAL APPROVAL TO THE LAND SUB-DIVISION / LAYOUT**

To,

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Sir,

With reference to your application No. \_\_\_\_\_, dated \_\_\_\_\_ for the land sub-division approval, under Section 44 of The Maharashtra Regional and Town Planning Act, 1966 to carry out development work in respect of land bearing Revenue Survey No \_\_\_\_\_, City Survey No \_\_\_\_\_, mauje \_\_\_\_\_ situated at Road /Street \_\_\_\_\_, Society \_\_\_\_\_, the land sub-division layout is finally approved as demarcated under Section 45 of the Maharashtra Regional & Town Planning Act, 1966, subject to the following conditions:

1.	It shall be the responsibility of the owner to carry out all the development work including construction of roads, sewer lines, water supply lines, culverts, bridges, street lighting, etc. and hand it over to the Authority after developing them to the satisfaction of the Metropolitan Commissioner.
2.	If you wish that the Authority should carry out these development works, then you will have to deposit the estimated expenses to the Authority in advance, as decided by the Metropolitan Commissioner.
3.	As per the undertaking submitted by you in respect of recreational open space as stipulated in Regulation no.24.3, the said open space admeasuring ----- sq.m. stand vested in the name of plot holders of the layout or society of the plot holders and you have no right of ownership or interest in the said recreational open space.
4.	Since you have handed over the amenity space to the Aothority, you shall be entitled for FSI equivalent to TDR, on the remaining land. (wherever applicable)
5.	This permission does not entitle you to develop the land which does not vest in you.
6.	-----
7.	-----
8.	-----
9.	-----

Office No. -----Office Stamp

-----Date : -----

Yours faithfully,

Metropolitan Commissioner, .....  
or an officer appointed by him

APPENDIX 'E-1'

FORM FOR REFUSAL OF BUILDING PERMIT / COMMENCEMENT CERTIFICATE

To,

-----  
-----  
-----

Sir,

With reference to your application No. \_\_\_\_\_ dated \_\_\_\_\_ for the grant of sanction

for the development work / the erection of a building / execution of work on Plot No. \_\_\_\_\_, Revenue

Survey No.\_\_\_\_\_, City Survey No.\_\_\_\_\_, mauje\_\_\_\_\_, I regret to inform

you that the proposal has been refused under Section 45 of the Maharashtra Regional and Town Planning Act,

1966, on the following grounds.

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

Office Stamp

Yours faithfully,

Metropolitan Commissioner,.....  
or an officer appointed by him

**APPENDIX 'E-2'**

**FORM FOR REFUSAL OF LAND SUB-DIVISION / LAYOUT**

To,

-----  
-----  
-----

Sir,

With reference to your application No. \_\_\_\_\_ dated \_\_\_\_\_ for the grant of sanction for the development work bearing Revenue Survey No.\_\_\_\_\_, City Survey No.\_\_\_\_\_, mauje\_\_\_\_\_, I regret to inform you that the proposal has been refused under Section 45 of the Maharashtra Regional and Town Planning Act, 1966, on the following grounds.

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

Office Stamp

Yours faithfully,

Metropolitan Commissioner, .....  
or an officer appointed by him

**APPENDIX 'F'**

**FORM FOR INTIMATION OF COMPLETION OF WORK UPTO PLINTH LEVEL**

To,

The Metropolitan Commissioner,  
NMRDA

Sir,

The construction up to plinth / column up to plinth level has been completed in Building No \_\_\_\_\_ Plot No \_\_\_\_\_, Revenue Survey No. \_\_\_\_\_, City Survey No. \_\_\_\_\_, Village \_\_\_\_\_ Sector No. \_\_\_\_\_ Ward No. \_\_\_\_\_, situated at Road/Street \_\_\_\_\_, Society \_\_\_\_\_ in accordance with your permission No \_\_\_\_\_ dated \_\_\_\_\_ under my supervision and in accordance with the sanctioned plan.

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

Yours faithfully

Signature of Architect /Licensed Engineer/

Structural Engineer/Supervisor

Name : \_\_\_\_\_

(In Block Letters) \_\_\_\_\_

Address : \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

E-mail ID : \_\_\_\_\_

Mobile No.: \_\_\_\_\_

Date: \_\_\_\_\_

**APPENDIX 'G'**

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

To,

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Sir,

Please refer to your intimation No \_\_\_\_\_ dated \_\_\_\_\_ regarding the completion of construction work upto plinth / column upto plinth level in Building No \_\_\_\_\_ Plot No \_\_\_\_\_, Revenue Survey No. \_\_\_\_\_, City \_\_\_\_\_ Survey No. \_\_\_\_\_, Village \_\_\_\_\_, Sector No. \_\_\_\_\_, Ward No. \_\_\_\_\_, situated at Road/Street \_\_\_\_\_, Society \_\_\_\_\_ You may proceed / are not allowed to proceed with the further work as per sanctioned plans / as the construction upto plinth level does / does not confirm to the sanctioned plans.

Yours faithfully,

Metropolitan Commissioner,  
or an officer appointed by him

Office No \_\_\_\_\_

Office Stamp \_\_\_\_\_

Date : \_\_\_\_\_

**APPENDIX 'H'**

**FORM FOR COMPLETION CERTIFICATE**

To,  
The Metropolitan Commissioner,  
NMRDA

Sir,

I hereby certify that the erection / re-erection or part/ full development work in / on building / part building No \_\_\_\_\_ Plot No \_\_\_\_\_, Revenue Survey No. \_\_\_\_\_, City Survey No. \_\_\_\_\_, mauje \_\_\_\_\_, has been supervised by me and has been completed on \_\_\_\_\_ according to the plans sanctioned, vide office communication No \_\_\_\_\_ dated \_\_\_\_\_. The work has been completed to the best of my satisfaction. The workmanship and all the materials (type and grade) have been strictly in accordance with general and detailed specifications. No provisions of the Act or the building Regulations, no requisitions made, conditions prescribed or orders issued there under have been transgressed in the course of the work. I am enclosing three copies of the completion plans. The building is fit for occupancy for which it has been erected/ re-erected or altered, constructed and enlarged.

I have to request you to arrange for the inspection & grant permission for the occupation of the building.

Yours faithfully,

Signature and name of Architect /Licensed Engineer/  
Structural Engineer/Supervisor

**Encl :** As above.

Date :

(Signature of Owner)

**APPENDIX 'I'**

**FORM FOR OCCUPANCY CERTIFICATE**

To,

i) Owner:

ii) Architect, Licensed Engineer Structural Engineer / Supervisor

Sir,

The part / full development work / erection re-erection / or alteration in of building / part building  
No \_\_\_\_\_ Plot No \_\_\_\_\_, Revenue Survey No. \_\_\_\_\_, City Survey  
No. \_\_\_\_\_, mauje \_\_\_\_\_, completed under the supervision of

\_\_\_\_\_ Architect, Licensed Engineer/ Structural  
Engineer /

Supervisor, / License No \_\_\_\_\_ may be occupied on the following  
conditions-

1. -----
2. -----
3. -----
4. -----

A set of certified completion plans is returned herewith.

**Encl :** As above.

Yours faithfully,

Metropolitan Commissioner.....,  
or an officer appointed by him ....

**APPENDIX 'J'**

**FORM FOR REFUSAL OF OCCUPANCY CERTIFICATE**

To,

i) Owner:

ii) Architect, Licensed Engineer Structural Engineer / Supervisor

Sir,

The part / full development work / erection re-erection / or alteration in of building / part building No \_\_\_\_\_ Plot No \_\_\_\_\_, Revenue Survey No. \_\_\_\_\_, City Survey No. \_\_\_\_\_, mauje \_\_\_\_\_, completed under the supervision of \_\_\_\_\_ Architect, Licensed Engineer/ Structural Engineer /

Supervisor, / License No \_\_\_\_\_ is not allowed to be occupied because of the following reasons –

1. The construction carried out by you does not conform to the sanctioned plans.

2. -----

3. -----

A set of completion plan is retained with the Municipal Council and remaining sets are regretfully returned herewith.

Encl : As above.

Yours faithfully,

Metropolitan Commissioner.....,  
or an officer appointed by him



**APPENDIX 'K'**

**FORM OF INDEMNITY FOR PART OCCUPANCY CERTIFICATE**

(On Stamp Paper Of such value as decided by the Metropolitan Commissioner.)

To,

Metropolitan Commissioner,  
NMRDA

**Subject:-**

**Sir,**

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

**Yours faithfully,**

Signature and name of Owner

Witness:

Address:

Date:

## Appendix-L

(Regulation No.25.6 (xxxxiii))

The peripheral residential area shown along the Gaothan village is deleted and land thereunder included in Agriculture Zone. The development along the periphery of the Gaothan shall be allowed subject to following:-

a) In the villages in **Rural area / Rural Centre** excluding the area of under **nine urban centres**, Residential Development or development allowed in Residential Zone, may be permitted within the periphery of Gaothan boundary as per the criteria given below. The regulations in respect of residential zone specified in these DCPR shall be applicable.-

Sr No	Category of Village (Populations as per latest census)	Development allowed from gaothan boundary
1	Up to 5000	750 M
2	Above 5000	1000 M

Such development may be permitted on payment of premium of the total area of land. Such premium shall be calculated considering **15 % rate** of the said land as prescribed in the Annual Statement of Rates of the year granting such developments. Such premium shall be deposited in the concerned Authority.

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

Provided further that, the premium charges shall be recovered at the time of tentative approval of the Development permission. Where tentative development permission is already granted before publication of this Development Plan and final approval is yet to be granted, then in such cases premium charges shall not be recovered at the time of final approval.

Provided further that, such payment of premium shall not be applicable in cases where development permission is already granted or layout is already approved by the authority **before publication of publication of Development Plan**. Such premium shall also be not applicable for revision of such already approved permissions.

However such development should not be permitted on lands which deserve preservation or protection from Environmental considerations viz. Hills and Hill tops and within the required Buffer Zone / prohibited Zone from river, lakes and reservoirs of minor and major project of water resource department.

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**Appendix-M**  
**(Regulation No.26.10 )**

**Special Regulations for The Improvement Schemes**

The improvement schemes by Public participation which are sanctioned by Government under the provisions of the Nagpur Improvement Act 1936 and which comes under the jurisdiction of the NMA area shall be valid and continue to be valid for the said purpose under the said Act. The Special Development Control Regulations for these schemes shall be as mention below

Any changes/ Modifications /Amendments in the details layout or in the master plan shall be carried out by the Metropolitan Commissioner at their own level. However the Public Amenity/Public Utility Areas and their percentage as per original sanction shall not be changed while making Modifications /Amendments in the Schemes.

**M 1.1 Improvement Scheme** - The scheme is prepared under the NIT Act 1936 for the notified area and is duly approved by the State Government and which is now included in NMRDA area.

**M 1.2 Original Plot** - A plot consisting of nearby khasras calculated as a single record in a village which is under same ownership and has the same tenure status as defined in the respective 7 / 12 documents of the khasras.

**M 1.3 Final Plot** - The plot which is reconstituted or reshaped from the Original Plot within a draft / sanctioned Improvement Scheme in a manner appropriate for development and given access from the public right of way. The Final Plots is reconstituted as per the relevant regulations/Act as Final plots for Authorities share and owners share.

**M 1.4 Owner** - An owner is a person who has legal title for land or building. The definition also includes:-

- a) An agent or trustee who receives the rent on behalf of the owner;
- b) An agent or trustee who receives the rent of a or is entrusted with or is concerned with any building devoted to religious or charitable purposes;
- c) A receiver, executor or administrator or a manager appointed by any court of competent jurisdiction to have the charge of, or to exercise the rights of the owner; and
- d) A mortgage in possession.

**M 1.5 Permissible FSI For Final Plot –**

i) The Metropolitan Commissioner may allow the owner to develop the final plot in possession of the owner subject to handing over to the Planning Authorities share as independent plot free of cost as per norms prescribed by Metropolitan Commissioner.

ii) The owner shall thereafter be entitled to develop his final plot for the uses permissible in adjoining zone as per the principle DCPR with full permissible FSI of the entire Plot alongwith Additional FSI/TDR potential permissible for his Final plot share as per the Regulation No 26.3 of principal DCPR .

iii) The Metropolitan Commissioner shall develop the Final Plot in his possession(Authorities Share ) for the purpose for which the scheme is sanctioned. This plot shall be entitled to be developed as per potential permissible for Authorities Final plot share as per the Regulation No 26.3 of principal DCPR .

**M 1.6 Net Plot area for Computation of FSI** - For the purpose of computing FSI/Built - up area, the net area of the plot shall be as define in Regulation No 24.9 of the DCPR.

**M 1.7 Special Regulations For Inclusive Housing** - The provision regarding inclusive housing in development proposal shall be not made applicable in Improvement scheme if the Final Plot in the possession of Authority is to be design and develop for the purpose of any affordable housing scheme.

**M 1.8 Height of Building** - The maximum height of building for all users shall be as per the principle DCPR No 26.5.

**M 1.9 Amenities Space** – If the Amenity spaces has already provided in the scheme at the time of approval of scheme / layout, in such cases the amenity space as required under the principle DCPR shall not be insisted.

**M 1.10 Land Use Permissible**-All land uses mention in the Principle DCPR shall be permissible in the Improvement Schemes.

**M 1.11 Development Charges**--The Development charges shall be recovered as mention in regulation No 6.2.3(c) .

**M 1.12 Power to Authority**- For the smooth implementation of the schemes, the Metropolitan Commissioner with the Approval of the Authority, make/amends the rule in consistent to the relevant Act and Regulations assign to it with prior approval of Government.

**M 1.13 Principle DCPR**- The DCPR sanction for NMRDA area is the principle DCPR wherever mention in the above regulation. All regulations of Principle DCPR shall apply except above special regulations.

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**Appendix-N**  
**(Regulation No.7.1 )**

**Approval of building permission on Risk Based Classification**

Notwithstanding Anything Contains in this DCPR, the Regulations Regarding Approval Of Building Permission by the **Architect /L.S./Engineer** at the Stage of Commencement , Plinth Checking and Completion cum Occupancy shall be as per **Risk Based Classification** of Building given in Table below:-

Sr. No.	Parameters to be consider for Risk Base.	Risk Category	
		Low Risk Category	Moderate Risk Category
1	<b>Plot Area considered for Risk Based Assessment.</b>	Buildings on a Plot Area upto <b>150 sq.mt.</b>	Buildings on a Plot Area between 151 Sq mtr and upto <b>200 sq.mt.</b>
2	<b>Permissibility In Development Plan Zone</b>	Residential Zone, Commercial zone and Public-Semi-public Zone	Residential Zone, Commercial zone and Public-Semi-public Zone
3	<b>Plot status</b>	The plot should be vacant . The Plot Status ,Plot criteria and permissibility in above land use zone shall be as per respective DCR/DCPR.	The plot should be vacant . The Plot Status ,Plot criteria and permissibility in above land use zone shall be as per respective DCR/DCPR.
4	<b>Type of building</b>	Residential and other buildings as per DCR/DCPR	Residential and other buildings as per DCR/DCPR
5	<b>Proposed Structure of Building/Storey</b>	<b>G.F. / P+1</b> RCC./Load Bearing	<b>G.F.+1 / P+2</b> RCC./Load Bearing
6	<b>Front and side open spaces, Provision of Basement, Parking requirement and other requirements.</b>	As per the provisions of Development Control Regulations.	As per the provisions of Development Control Regulations.
7	<b>Tree cutting/ Tree replantation.</b>	Not permitted.	Not permitted
8	<b>Experience Criteria for Architect /L.S./Engineer for self-certification and all approval mentioned in this regulation.</b>	As per Appendix-C of the respective DCR / DCPR regarding licensing and qualifications of the technical person.	As per Appendix-C of the respective DCR / DCPR regarding licensing and qualifications of the technical person.
9	<b>NOCs and Documents</b>	Wherever required as per the respective DCR / DCPR	Wherever required as per the respective DCR / DCPR

10	<b>Site inspection and Computer based allocation of inspector for site inspection.</b>	No site inspection is necessary by the Planning Authority at any stage. Approval Procedure is to be followed as mentioned in Point No.11 <b>excluding</b> point no 11 (c).	Site inspection at Plinth level is necessary by the Planning Authority. Approval Procedure is to be followed as mentioned in Point No.11 <b>including</b> point no 11 (c).
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## 11 Procedure for Building Permission

Architect/ Licence Surveyor (L.S.)/Engineer (Architect registered with Council of Architecture & License Surveyor & Engineer registered with Planning Authority ) are empowered to grant provisional approval **with self-certification** to the building proposal plans categorised as **Low Risk & Moderate Risk** in Table given above, subject to the following:-

### **Building Permission/Commencement Certificate:-**

a) **Submission of Proposal:-**The proposal shall comprise of application u/s 44/69 of MR&TP Act, 1966, in format prescribed by Metropolitan Commissioner along with documents and undertakings required for the proposal as per regulation & required by the Metropolitan Commissioner from time to time. All the required documents shall be **certified and signed** by the Architect /L.S./Engineer confirming with the original documents. The documents required shall be as per the DCPR of the said Authority.

b) **Commencement Certificate (CC) :-** After receipt of the application, the Demand Note regarding payment of Scrutiny Fee, Development Charges and other Charges based on the proposed Plans / Drawing submitted shall be given by the concern Engineer of the authority within 10 days. The owner / Architect /L.S./Engineer shall deposit the Charges as demanded. Upon deposit of such Charges with the Planning Authority, the concerned Architect/ Licence Surveyor (L.S.)/Engineer are empowered to grant provisional approval in the form of **self-certification** certifying that the plan / entire building proposal is strictly in conformity with the DCR / DCPR. This **self-certification** shall be treated as **Commencement for the** construction work.

The owner/concern Architect/ Licence Surveyor (L.S.)/Engineer shall submit the said **self-certified plan** to the Authority **within 10 days**. Upon such submission, The Junior most Officer / Junior Engineer at ward level, authorized by Metropolitan Commissioner shall **countersign the plans without any scrutiny** and issue Commencement Certificate Under Section-45 of Maharashtra Regional and Town Planning Act, 1966 **within 10 days** from the receipt of such plan. The Scrutiny at Authority level need not be necessary. Concern Architect /L.S./Engineer is **empowered/Authorised** to issue the copies of such *approved* plans & Certificates with his signature.

c) **Plinth Checking For Moderate Risk building proposal:-**The concern Architect /L.S./Engineer shall apply for certificate of plinth checking in prescribed application for Moderate Risk building proposal only. The inspection shall be done by the concern Junior Engineers. The inspection report shall be prepared and uploaded within 48 hours. The Plinth checking certificate shall be grant within the period of 7 days from the receipt of the application, if found as per the sanctioned plan.

**d) Building completion certificate :-** On completion of work, the concern Architect/L.S./Engineer shall issue the Building completion certificate and Occupation certificate, as required as per the provision of DCR / DCPR to the completed building/structure and submit two set of completion plan along with the required certificate and all site inspection report to the authority. The concerned Junior Engineer / Ward Officer authorised by Metropolitan Commissioner shall countersign the said Completion Plan along with Occupancy Certificate within 10 days **without any scrutiny and site inspection**.

## **12 Responsibility of the Architect/L.S./Engineer**

**a)** The work shall be supervised by the concerned Architect/L.S./Engineer who will ensure that the same is carried out strictly as per the approval. Confirmation of ownership of land / plot area and land boundaries in the name of applicant shall be jointly responsibility of concerned Architect/L.S./Engineer and the owner.

**b)** It will be the responsibility of the concern Architect /L.S./Engineer, Site Supervisor & Structural Engineer appointed for the proposed development, jointly or severally to ensure that all plans shall be in consonance with provisions of Development Control Regulations. All the requirements of the DCR / DCPR shall have to be complied with due care and the work is carried out as per the approval only. Any deviation required during the construction shall be approved by Architect/L.S./Engineer before execution. The concerned Architect /L.S./Engineer shall be empowered for any amendments in the plan in process of construction within the purview of DCR.

**c) Frequency of Inspection By the Architect/L.S./Engineer:-** The Architect/L.S./Engineer shall inspect and submit the site inspection report along with photographs/video clips, at stages while submitting the building proposal, after completion of plinth work, and finally at the time of Building completion certificate to the authority. Such inspection reports shall be submitted and uploaded within 48 hours from the date of inspection.

**d)** After submitting the application or during the construction of building if the Architect/L.S./Engineer are changed, he shall intimate the competent authority immediately that he is no longer responsible for the project from the date of intimation. The construction work shall have to be suspended until the new Architect/L.S./Engineer as the case may be appointed by the owner. Owner's intimation regarding change of licensee shall be considered to be final. After intimation of the new appointed licensee shall then undertakes and start the project.

## **13 Authorisation to Authority :-**

**a)** In case of any deviations/irregularities noticed in the process or after completion, the Planning Authority may immediately issue notice to the owner and or to the concerned licensee to suspend the further work and rectify the deviations/irregularities. Only after satisfaction of rectification made by the owner or concerned licensee, the Planning Authority issue intimation to start the work. In major violations, the Planning Authority shall authorise to take appropriate action against Architect/L.S./Engineer as the case may be, as per the DCR or as per respective Acts and Laws.

**b)** Metropolitan Commissioner of the respective Authority are authorised to prepare common application forms, proformas, affidavit etc. wherever required for the smooth implementation of this regulation.

c) The above procedure shall be integrated with the Online Building Permission Management System (BPMS) by the concerned Authority.

- 14 **Exceptions from this Procedure:-**The above Procedure for Building Permission shall not bar the owner/ Architect/L.S./Engineer to obtain development permission as per Regular provisions of the DCR/DCPR. Also this Directives shall not be applicable to the proposals who desired to obtain Development Permission as per **Type Design Pattern** which was issued by Government vide TPS-1813/3200/CR 520/13/UD 13, Dated 03/01/2015.

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