

DEVELOPMENT CONTROL RULES FOR GREATER BOMBAY.

The development control rules with certain modifications were sectioned but the State Government and published in the Ex-traordinary Government Gazette on 7th January 1967. These rules have come into force with effect from 9th February 1967 for the purpose of all parts of the development Plan of greater Bombay (as amended up-to-date).

Part I

PERMISSIONS AND ZONES.

(1) *Written permission for Development Work:* - No person shall carry out any development work as defined in Section 12 of the Bombay Town Planning Act, 1954, within the meaning extended by section 14 of the Act, without the written permission of the Commissioner.

(2) *Manner of obtaining Permission :-* (a) For the purpose of obtaining permission, the applicant shall submit the following plans in duplicate:-

(i) A block plan of such building site which shall be drawn to the scale of the largest revenue survey map at the time in existence for the locality and shall show the position and appurtenances of the properties, if any, immediately adjoining streets, if any and the means of access to the building;

(ii) A ground plan on 8 ft. scale showing the appurtenant open space with projection in dotted lines, distance from any building existing on the plot in figured dimensions;

(iii) The details floor plans for each floor on 8 ft. scale with projection if any, showing the use of every room or portion of the building;

(iv) A plan on 16 ft. scale indicating the parking and loading, unloading spaces;

(v) At least one section through the building, showing the height of the plinth above the center of street and the surrounding ground level, and of each floor and of the roof over the stair-case and lift bays;

(b) He shall also submit the form prescribed by the Corporation in this behalf duly filled in, giving particulars of the development work and such other information required therein along with two copies of the plans mentioned above; and if the development work fall within the purview of either Section 337 or 342 of the Bombay Municipal Corporation Act, a notice under that section shall accompany the form and plans.

(c) If development work is on an Ex-Trust Estate two more copies of the plans shall be submitted.

* (d) If the development work relates to an industrial or factory building it shall be accompanied by a "No Objection Certificate" of the Industries Department of Government of Maharashtra.

(e) If the plans and the information given under rule 2(a) and 2(b) do not give all the particulars necessary to deal satisfactorily with the case, the Commissioner may within 30 days from the date of receipt of the plans and other particulars, require the production of such further particulars and details as he deems necessary.

(f) The written permission shall be issued by the Commissioner or any other designated by him in his behalf.

(g) No written permission shall be issued for the construction of any structure or building or any part thereof unless such construction is set back as required under this rules from the lines of the street whether in existence, prescribed under Bombay Municipal Corporation Act or indicated on Development Plan.

(h) If the Commissioner does not communicate his decision to the applicant within sixty days from the date of receipt of applicant for permission or of the date of receipt of further particulars and details call under sun rule 2(e) above as the case may be, the applicant may at a time, within one year from respective date proceed with the development work in accordance with his intension as described in the application or in any documents aforesaid, but not so as to contravene at of provisions of the Bombay Town Planning,1954 or of any of the rules.

(3) *Development work to be in conformity with these rules:-*

(a)

(i) All Development work shall conform to the respective provision made under these rules. If there is a conflict between the requirement of these rules and the requirements of by-laws in force the requirements of these rules shall prevail;

Provided however that in respect of areas included in a finally sanctioned Town Planning Scheme, the scheme regulations shall prevail I there is a conflict between the requirements of the scheme regulations.

(ii) The Development work when completed shall not be used for any purpose except for the sanctioned use as can be permitted under these rules.

(b)Change of uses. - No building or premises shall be changed or converted to a use not in conformity with the provisions of these rules.

(4) *Use as specifically designated on Development Plan:-* (a) When the use of a site is specifically designated on the Development Plan is to be used only for the purpose so designated.

(i) Where a site is designated for one special public purpose on the Development Plan, the Commissioner with the approval of the corporation may use the structure existing or to be built thereon or permit the use the structure in combination with other purposes provided the same is in conformity with these rules and the zones in which the site falls

(ii) In case of specific designation in the Development at the school and their play-grounds or markets and service industries the commissioner may inter-change their uses provided the designations are on adjoining or nearby building or premises;

(iii) Where the used of premises is especially designated for open markets, the commissioner may with the approval of the corporation in particular case, permit development work on upper floors which shall be in conformity with zone in which the premises falls and these rule:

(iv) Construction of multistoried garages only may be permitted on parking lots.

(b) *Use to be conformity with Zone:* - Where the use of buildings or premises is not specifically designated on the Development Plan it shall be in conformity with the zone in which they fall.

Provided that an subject to the provisions of the Bombay Town Planning Act and the Bombay Municipal Corporation Act, any lawful use of premises, existing prior to the date of the publication of the intention to prepare the Development Plan i.e.,18th September 1958,shall continue;

Provided further that a non-conforming use shall not be extended or enlarged except as provided in rule 43, 43A and 43B that when a building containing nonconforming use is pulled down or has fallen down the user of the new building shall be in conformity with these rule.

(c) Widths of Roads in the Development Plan.- Notwithstanding anything contained in the Development Plan or in these rules the Commissioner may from time to time prescribe under Section 297 of the Bombay Municipal Corporation Act regular lines of streets of widths different from those shown in the Development Plan.

(5) Zone or Districts – For the purpose of the development plan and these rules Greater Bombay has divided in to the following classes or zones:-

(1) (a) Residential (b) Residential with shop lines along streets

(2) Commercial;

(3) Industrial; (a) Genera; (b) special and

(4) Green or No development zones.

(6) Boundaries of zones: - The zones located and boundaries as shown on the Development Plans. In the Development Plan for the Suburban and Extended suburban area, the commercial industrial and the Green Zones are clearly bounded and marked and the remaining areas shall be deemed to be in the Residential Zones.

Part II

RESIDENTIAL ZONES

Use provision in Residential Zones: - In residential zones building or premises shall be used only for the following purposes and their accessory uses:- .

(i) Any residences:

(ii) Customary home occupation:

(iii) Medical and dental practitioners, clinics and dispensaries and group medical Centers

(iv) Professional offices and studies of a resident of the premises and incidental to such residential use, not occupying a floor area exceeding 200 sq ft.

(v) Residential hotels or lodging houses in independent buildings or part of building, or on separate floor thereof with the special written permission of the Commissioner, who will take in to consideration suitability of the site, size and shapes of the plot, means of access ; water and sanitary arrangements etc; before granting the permission.

(vi) Education Building including hostels, religious Buildings community halls and welfare centers and gymnasiums, except trade schools

Provided that the Municipal Commissioner may in congested localities where it is not possible to provide a separate building for a school, after taking in to consideration the location, size of room, means of access, water and sanitary arrangements and other ancillary factors by order in writing direct that, primary school in part or on a separate floor of any residential building may be conducted subject to the following conditions, namely :-

(a) Each student shall be provided with 0.817 square meters (8.8 sq ft) space, that is to say the area of each room shall not be less than 6.92 meter x 5.48 meters (22 feet x 18 feet) so as to accommodate 43 pupils.

(b) A water room with drinking fountains shall be provided for every 300 children or less on each floor.

(c) Urinals and water closets shall be provided on every floor on the basis of 4 urinals and 3 water closets for every 300 boys and 4 cubical and 3 water closets for every 300 girls. Separate sanitary block shall be provided for male and lady teachers.

(d) A Tiffin room of about 18.58 sq. meters (200 sq feet) in area shall be provided on the one for every 800 children, and when the number of pupils exceeds 1000 a separate tiffin room shall be provided for the teacher.

(e) Staircase portion shall be such as to be easily accessible from the entrance and shall serve various classes expeditiously

(vii) (a) Public Libraries, Museums and Aquariums

***** (b) art galleries with the special written permission of the commissioner who will take into consideration, the suitability of site , size and shapes of the plot means of access, etc and may impose such conditions as he deems fit**

(viii) Club houses not conducted primarily as a business;

(ix) Correctional or mental institutions, institutions for the children, the aged , or widows, sanatoria and hospitals (except veterinary hospitals) with the special written permission of the commissioner provided that those principally for the contagious disease, the insane or for correctional purpose shall be located not less than 150 ft. from any adjoining premises:

(x) Research experimental and testing laborites not involving any danger of fire or explosion nor any obnoxious nature and located on a sire not less than 10 acres in area and when the laboratory is kept at least 100 building 100 ft from the laboratory

(xi) Public park or private parks which are not utilized for the business purpose.

(xii) Bus, trolley bus railway station, taxi- stands and heliports

(xiii) Radio broadcasting station race tracks park stadia and playfields for business purpose with the special written permission of the Commissioner:

(xiv) Places for disposal of human bodies subject to the approval of the corporation

(xv) Police station Telephone Exchange Government & Municipal Sub-Offices Postal & Telegraphs Offices, Fire station branch offices of banks, Electric sub offices Pumping station s & Sewage disposal Works, & Water supply installation including its ancillary structures.

(xvi) Petrol filling and service station not employing more than 9 persons and sites not less than 1200 sq. ft yds in area on roads 60ft and above with the special written permission of the Commissioner:

Air conditioned cinema theatre with separate entrance and exit to car parks with the special written permission of the Commissioner and subject to all other regulation applicable to cinema theatres. The cinema theatres itself shall not be within 40 ft, of any boundary of the plot except the roads side boundary. Normally no permission for a few Cinema Theatre shall be granted within a distance of the one furlong from the existing cinema theatre

(xvi-A) Storage of Liquefied Petroleum Gas cylinder (bottle gas for domestic consumption not exceeding 300 kg in residential bldg and not exceeding 8000 kg in an independent ground floor structure (except garages) at any one time with special written permission of commissioner and subject to subject to compliance with safety rules which may , from time to time be determined in this behalf.

(xvii) The following non-flashing and non-neon sighs with illumination not exceeding 10 ft candles:-

- (a) One name plate with an area not exceeding one sq ft for each dwelling unit.**
- (b) For other user permissible in the Zone, one identification signs or bulletin board with an area not exceeding 16 sq ft**
- (c) For sales or for rent signs for real estate not exceeding 20 sq ft in area provided they are located on the premises offered for sale or rent**

(xviii) General Agriculture and Horticulture (including poultry farming in the area comprised in the extended suburbs of Greater Bombay at the rate 0.232 sq mt (2.5 sq ft) per bird in independent plot of land admeasuring not less than 0.8094 hectars (2 acres) only but excluding dairy farming provided that no effective odors and dust are created and that there is no sale of products not produced on the accessory building are not located within 9.144 meters (30ft)from any of the boundaries and 6.096 mts (200 from the main building on the plot

Provided that the above restriction on space shall not apply to any paltry which is kept or maintained anywhere in Greater Bombay for the purpose of domestic consumption only?

Use provision in Residential zones with shop lines along streets. – A building or premises with shop line along a street in residential zones may be used only for the following purpose subject to the conditions that:-

- (a) The additional uses permissible hereunder shall be restricted to a depth of 40 ft. and only on the ground floor of the building in the front portion abutting the street in on which the shop line is marked except where the whole building is in occupation of one establishment only.**
- (b) where the building or premises abuts on two or more streets, not direct opening of such shop shall permissible on the streets on which no shopping lines is marked.**
- (c) The Commissioner may permits shopping user in the entire ground floor of the building in which does not take access from front open space shall take access from side open space which shall in no cases be less than 30 ft in width. The depth of the shop shall in no case exceed 40 ft.**
- (d) No back to back shops would be permitted unless they are separated by a corridor at least 6 ft in width which shall be properly lighted and ventilated.**
- (e) Use provision – All goods offered for the sale shall be displayed within the building:-**
 - (i) Any use permitted in residential zones:**
 - (ii) Stores or shop for the conduct of retail business including department stores:**
 - (iii) Personal service establishment**
 - (iv) Banks and self deposits value**
 - (v) Hair-dressing saloon and beauty parlors**
 - (vi) Frozen food lockers:**

- (vii) Hat repair and shoes shining & repairs shops**
- (viii) Local offices of any public authority created by law in India**
- (ix) Professional offices:**
- (x) Tailors shop not employing more than 9 persons**
- (xi) Shops for the collection and distribution of the cloths and other materials for clearing and dyeing establishment.**
- *(xii) Clearing an pressing establishment for cloths not occupying a floor area more than 2000sq ft and not employing solvents with a flash point lower than 138 degree Fahrenheit machines with dry load capacity exceeding 60 pound and more than 9 pound.**
- *(xiii) Shops for gold smiths, lock smiths watch and clock repairs, bicycle rental and repairs optical glass grinding and repairs musical instruments repairs picture framing radio and household appliances repairs umbrella repairs and up-whosters not employing more than 9 persons**
- (xiv) Coffee grinding with electric motive power not exceeding 1.5 horse powers**
- (xv) Restaurant eating houses, cafeterias, ice-creams and milk bars boarding house**
- *(xvi) bakeries confectioneries and establishments for preparation and sale of eatables not occupying for production an area in exceeding of 750 sq ft per establishment and not employing more than 9 persons**
- (xvii) Printing presses with aggregate motive power not exceeding 5.0 horse power not employing more than 6 persons in the industrial activity and individual electric motors H.P more than 2**
- (xviii) Theatres cinema house clubs house assembly or concert halls dance and music studio and such other place entertainment with the special written permission of the commissioner**
- (xix) Trade and similar schools not involving any danger of fire or explosion nor of offensive noise , vibration, smoke, dust odour glare, heat or other objectionable influence:**
- (xx) Petrol filling and service station not employing more than 9 persons and ice-factories and cold storage in independent building with the special written permission of the commissioner**
- (xxi) Bulk storage of kerosene and bottled gas for domestic H.P motive power in the industrial activity with the special written permission of the commissioner.**
- (xxii) Repairing garages not employing more than 9 persons and 2 H. P motive power in the industrial activities with the special written permission of the commissioner.**
- (xxiii) Perking of automobiles and other light vehicles on open plots even as a business**
- (xxiv) Undertakers**

(xxv) Flour mills not using more than 10 H.P motive power with the special written permission of the commissioner

(xxvi) Vegetables, fruits, flower, fish or meat markets places with the approval of the corporation

(xxvii) Non- flashing business signs placed flat against the wall and not exceeding 20 sq ft in area per establishment;

(xxviii) Accessory building and use customarily incidental to any permitted principal use including storage up to 50 percent of the total floor area for the principal use.

(xxix) Embroidery shop and button hole marketing shops not employing more than 9 persons with individual motors not exceeding H.P and total H.P not exceeding 3:

(xxx) Diamond cutting and polishing, not employing more than 6 persons with individual motors not exceeding 1 H.P and total H.P not exceeding 3:

(xxxi) Sugar cane and fruit juice crushers, not employing more than 6 persons with 1.5 H.P

(xxxii) Battery charging and repairing not employing more than 6 persons:

With the approval of the Corporation the Commissioner may from time to time add to, or amend the above list

Note

8(A) the shops may be permitted on the roads having a width of not less than 12.2 mts (40) and than 18.29 mts (60) within the Greater Bombay Municipal Limits.

8(B) Convenience shopping, dealing with day to day requirement as distinguished from wholesaler trade and shopping dealing with other articles occasionally needed by the community, may permitted in Gaothan and koliwada area of Greater Bombay having a road width of not less than 9.14 mts (30 sighth of feet) The area of each such individual establishment in to case shall exceed 20 sq mts. However if the width of the roads within the Gotham and Koliwada area exceeds 18.29 mts (60), no such shopping shall be permitted along such roads.

Explanation :- Convenience shopping means ant one of the following users (1) Food grain shop (Ration shop) (2) Pan shop (3) Tobacconist (4)shops for the collection and distribution of clothes and other material for cleaning and dyeing establishment, (5) Darner (6) Tailor (7) Groceries confectionery and other General provisions , (8) Hair dressing saloon and Beauty parlor (9) Bicycle (hire & repair) (10) Vegetable & fruit stalls (11) milk shop (12) Dispensaries (13) Floweriest (14) Bangles and others artifices needed by women (15) small bakeries (16) News papers stall (17) small wood coal and fuel merchant (18) Books and stationery etc (19) Medicine and chemist shop

With the approval of the Corporation the Municipal Commissioner may from time to time add to the alter or amend the above list.

9. Height of provision in Residential Zones:- (1) Except with the written permission of commissioner, no building shall be erected or raised to a height greater than one and half times the sum of the width of the streets on which abuts and the width of the open space between street and building as measured from level of the centre of the street in front.

Provided that if the width of the face of the building abutting the street is restricted to one – fourth the width of the site of the building abutting the street, the height of the building may be permitted to two and half time the sum of the width of the street and the width of the open space between the street and the building.

(ii) Where the building abuts upon more than street, its height shall be regulated by the width of such street and also to a distance of 80 feet along the building at right angle to such width street so far as it abuts upon the narrower of such streets.

(iii) Architectural features, chimneys, elevated tanks and the roofs over stair case and lift bays may be permitted exceeding the height permissible under sub-rule (i) provided the roof over the stair case bay does not cover an area exceeding the staircase bay and a landing not more than 4 feet in width.

(iv) For the purpose of sub-rule (i) the width of the street may be the prescribed width of the street, provided the height does not exceed twice the sum of the width of the existing street and the width of the open space between the existing street and the building.

(v) The width of the open space between the street and the building shall be calculated by dividing the area of land between the street and the building by the length of the face of the building.

10. Floor space indices in Residential and Commercial Zones – The Floor Space Indices and the tenements per net acre permissible in the various residential and commercial zones shall not exceed the respective figures shown in the below table:-

| F.S.I Zone | Boundaries of the Zone | Floor Space Indices | Tenement per net Acre. |
|-------------------|---|----------------------------|-------------------------------|
| R1 | ...North - Tardeo Road Junction with Bhulabhai Desai Road. | 1.33 | 80 |
| | East tardeo road from its eastern with bhulabhai Desai Road the eastern edge of Cumbala Hill Raghaji Road, Gowalia Tank Roads Gibbs Siri Roads up to disjunction with Foreshore from siri road up to Government House | | |
| F.S.I ZONE | Boundaries of the Zone | Floor Space Indice | Tenement per net Acre |
| | South –sea West-Foreshore from Government House up to junction of | | |

| | | | |
|------------|---|-------------|------------|
| | Bhulabhai Desai road and Trdeo Road but exclusive the Western Foreshore along Nepean sea Road bhulabhai Desai Road under the Government layout define under R4 Zone below | | |
| R2 | ...North –Proposed 140 western Foreshore Road north of Mahim from its junction with Foreshore proposed 200 road north of Mori Road hatbour Branch Railway Track including the Railway lands Sion bridge Bombay Agra Road the northern limit of the Bombay Island up to its crossing with Horbour BRANCH Railway lines. | 1.33 | 100 |
| | East harbor branch railway lines from its crossing with the northern limits of the Bombay Island excluding the railway – land Naigaum Cross road and its eastward extension Western Railway Track excluding the Railway lands –Elphinstone Road – Drainage Channel Dr. Annie Besant Road Dr E. Moses Road (Haines Road) up to junction with Clerk Road. | | |
| | South Clerk Road from its junction with Dr E mosses Road up to Hajji Ali junction | | |
| | West—Foreshore from Haji ali junction up to Worli village proposed 120 road south of Worli village sea up to proposed 140 Road north of Mahim | | |
| R 3 | (i) Worli village area bounded by North –Foreshore. | 1.33 | 125 |
| | East- Foreshore | | |
| | West –Foreshore | | |
| | (ii) North –Drainage channel from its junction with Dr. Annie Besant road –Elphisten Road, Western Railway Track including Railway lands Naigum Cross Road and its eastward extension Central Railway (Horbour Branch) Track including Railway road proposed 70 and 100 Road north of Wadala Station up to its junction with the proposed traffic island. | | |
| | East – Proposed 100 road from the traffic island up to sea near sewri Fort-along sea up to eastern and Heybunder Road | | |
| | South – Heybunder Road across the ‘S’ Bridge –Connaught Road –Clerk Road across Mahalaxmi Bridge up to its junction with Dr E. Moses Road (Haines Road) | | |
| | West – Dr E.Moses Road (Haines Road) from its junction with Clerk Road Dr Besant Road up to junction with Drainage channel. | | |
| R4 | ...Western Foreshore area under the Government layout along Napean sea Road Bhulabhai Road | 1.66 | 100 |
| R5 | ...North – clerk Road from its junction with Trrdeo Road up to Jacob Circle across Mahalaxmi Bridge. | 1.66 | 125 |
| | East – ripon road from circle Moreland Road Bellasis Road Western Railway track including Railway island Falkland Road , Kiaa street Klbadevi Road Abdul Rehman Street Lokmanya Tilak Marg (Carnac Road) and its extension up to Foreshore then along foreshore up to Mole. | | |
| | South – Ballard Road from its junction with Mole Pherozen Shah Mehta Road Napier Road – Mahatma Gandhi Road 1st Marine Street Western Railway Track including | | |

| | | | |
|-----------|--|-------------|------------|
| | Railway lands- Extension of Princess Street to the North of Block I of Back bay Reclamation of Scheme up to foreshore. | | |
| | West – Foreshore from its junction with extension street up to its junction with Siri Road at Chawpati –Siri Road up to its junction with Clerk Road. | | |
| R6 | ...North –Clerk Road from Jacob Circle across “S” Bridge – Can ought Road Heybunder Road up to the Sea. | 1.66 | 150 |
| | East- Sea from eastern end of Heybunder Road to the eastern end of the extension of Lokmanya Tilak Marg (Carnac Road) | | |
| | South Lokmanya Tilak marg (carnac Road) and its extension from sea up to its junction with Abdul Rehman Streets. | | |
| | West – Abdul Rehman street from its junction with Lokmanya Tilak Marg (carnac Road), Kalbadevi Road – kika Street – Falkland Road –Western Railway Track excluding Railway Lands, Bellasis Road – Moreland Road Rippon Road up to Jacob Circle. | | |
| R7 | ... North – Northern limits of the Bombay Island from Mahim Causeway to Bombay Agra Road. | 1.66 | 175 |
| | East – Bombay Agra road from its crossing with the northern limits of the Bombay Island Sion Bridge –Central railway (Main Lines) Track excluding the Railway lands up to its junction with Harbor Branch Railway Track. | | |
| | South – Harbor Branch Railway track excluding the Railway lands from its junction with the Railway (Main Lines) Track – Proposed 200 Roads north of Mori Roads up to its junction with Mahim Causeway . | | |
| | West – Mahim Causeway. | | |
| | (ii) North and East –North limits of Bombay Island and Creek. | | |
| | South –Sea | | |
| | West –Proposed 100 roads from Sewri Fort up to proposed traffic Island 100 and 70 proposed road Central Railway (Horbour Branch) Track including Railway lands up to its junction with the northern limits of Bombay Island. | | |
| R8 | (i) Back bay Reclamation Scheme Blocks I and II. | 2.45 | 140 |
| | (ii) North – First Marine , Street from its junction with Western Railway Truck Mahatma Gandhi Roads –Napier Road- Pherozshah Mehta Road –Ballar Estate Road up to Mole. | | |
| | East –Sea from the Mole up to Colaba point including Eastern Foreshore Land under Government layout. | | |
| | South – Colaba point and Sea. | | |
| | West sea from Colaba point up to Block VII of Bach bay Reclamation Scheme- southern Boundary of Block IV of Back bay Reclamation Scheme –Cuffed Parade, Wodehouse Road – Maharishi Karve Road, (Queen’s Road) up to Church gate Railway Station –Western Railway Track including Railway lands up to its junction with 1st Marine Street. | | |
| R9 | (i) Back bay Reclamation Scheme Blocks III to IV. | 3:5 | 175 |
| | (II) Area known as Queen’s Barracks area bounded by: | | |
| | North – Plot Nos. 137 and 138 of Back Bay reclamation Scheme Block II | | |

| | | | |
|------|---|------|----|
| | East –Maharishi Karve Road, (queen’s Road) | | |
| | South – Wodehouses Road. | | |
| | West –Cuffed Parade Extended Suburbs. | | |
| R 10 | Suburbs and Extended Suburbs. | 1.00 | 80 |
| | | 100* | |
| | *Organised housing by co-operative Housing Societies for middle income group. | 125* | |
| | *Organised housing by co-operative Societies Housing Board, Corporation Government or other Authority for the housing of low income groups and the Industrial Labour, The carpetarea of each tenement not to exceed 300 sq. ft. | | |

Provided that :-

(i) The Floor Space Index would be 2.0 and Tenement per net acre would be 200 in respect of reclamation area of the Maharashtra Housing Board in Mahim Creek at Bandra West and similar reduction area of the Central Commercial Zone at Bandra East.

(ii) The Floor Space Index would be 0.75 in respect of:-

(a) Area comprised in ‘M’ and ‘N’ Wards bounded by the Eastern Express Highway on the West, creek on the North proposed 100 Wadala Ghatkoper Road on the East and the proposed 200’ road on the South.

(b) The triangular are in ‘M’ Ward bounded by Eastern Express on the West and North, the Ghatkoper –Mahul road on the East and the Sion Trombay Road on the South.

(c) The triangular area in ‘M’ Ward bounded by the Refinery Siding on the West, Sion –Trombay Road on the North and 44 Roads east of the Little Malabar Hill on the east .

(iii) The Floor Space Index would be 0.5 in respect of the rest of the area included in residential and commercial zones in ‘M’ Ward:

Provided however that if any building in a commercial zone is intended for a purely commercial user non-residential in the character the Floor space index of 1.00 would be permissible.

(iv) The Floor Space Index would be 0.5 in the areas of villages Erangal Also and Marve in ‘P’ Ward excepting the gaothans proper and the areas immediately surrounding.

(v)The Floor Space Index would be 0.75 in respect of the areas of villages Borivali, Kandivali and Ghatkoper to the West of proposed 100 North-South Road in R ward excepting Gaothan areas.

Note: - The number of tenement per net acre shall be increased or decreased in proportion to the Floor Space Index.

10. (2) With the previous approval of Government the Floor Space indices specified above, may be permitted to be exceeded in respect of building of Educational and Medical Relief Institutions and Government and semi- Government Offices and luxury Hotels and in respect of any building on the

top of which any revolving structure is to be constructed at a place of Public entertainment or amusement.

“The Municipal Commissioner shall permitted additional floor – space index on 100% of the area required for roads-widening or for constructing new roads proposed under the Development Plan, or those proposed under any provision of the Bombay Municipal Corporation Act, if the owner (including a lessee) of such land is prepared to release such for road without calming any compensation there of. Such 100% of the area going under such road-widening or road construction shall be limited to 40% of the area of the plot remaining after release of the required for such road widening or road construction.

This concession would also be available in Industrial Zones”

11. Open space provision in residential zone : (i) Front Open space – (a) There shall be minimum open of the 10 feet in width between the street and the building in the residential zone of the city :-

Now withstanding a front open space of not less than 15 feet shall be provided along the following roads in the city:-

Poddar road, bhulabhai desai road Carmichal road Altamount Road, Gamadia Road, Walkeshwar Road, Ridge Road, Nepean sea Road, Hughes Road, Chowpatty Sea Face road, Hornby Vellard, Dr. Annie Besant Road Maulana Abdul Road from Byculla Bridge to Sion Causeway Rafi Ahmed Kidwai Road

With approval of the Corporation the commissioner may from time to time add to alter or amend the above list of roads.

(b) There shall be minimum open space of 15 feet in width between the street and the building in the residential zones of the suburbs and the extended suburbs:

Provided that for plot less than 500 sq. yards in Gaothan in the suburbs and extended suburbs this open space may be reduced to 5 feet in width.

(c) When a building is away from a street, the front open space shall be of the width in accordance with sub-clause (b) of clause (IV) of Rules 11 subject to a minimum of 15 feet.

(ii) Distance from Central Lines of streets: - No construction work of a building shall be undertaken within-

(a) 17 feet from the central line of Minor streets in the city;

(b) 30 feet from the central line minor streets in the suburbs and extended suburbs:

(d) 35 feet from the central line of the other street in the city suburbs and extended suburbs.

The central line of street shall be as determined by the commissioner. For the purpose of this “Minor street” is that which is not more than ½ miles in length or in not connected at both ends to public street which is at least 40 feet in width.

(iii) (iii) Setback from certain roads. No construction work of a building shall be undertaken:

(a) Within 25 ft from the edge of the eastern and western express highways and other roads 175 ft or more in prescribed width.

(b) Within 20 ft from roads 70 ft or more prescribed with in the suburbs and extended suburbs. Building or plots abutting the express highways and others roads 175 ft or more in width shall present a neat and seemly elevation on the express way side even though such plot derive no direct access from these roads.

(iv) Two sides open spaces and rear open space for the light and ventilation of rooms including kitchens, store rooms and stair cases:-

(a)The open spaces for above purposes would be deemed to the sufficient if their widths are not less than $\frac{1}{4}$ of each dimension of the site of the building and the percentage of building area does not exceed 25% of area of site where the least dimension of site is not less than that specified in the table below for different floor spaces indices :

| Floor space index | Least dimension of site |
|--------------------------|--------------------------------|
| | Feet |
| 1.00 | 60 |
| 1.33 | 80 |
| 1.66 | 90 |
| 2.45 | 120 |
| 3.90 | 140 |

(b) The open spaces for the above purposes shall alternatively be as follows:-

For heights of buildings up to 30ft the minimum width of open space shall be 12ft or 10% of the long dimensions of the building whichever are higher.

For highest of buildings above 30ft up to 80 ft in addition to the minimum open space required for heights of 30ft there shall be a minimum open space at the rate of 1 foot for every 3 ft or fraction thereof for heights above 30ft

For heights of building about 80ft up to 100ft there shall be a minimum open space of 30 ft

For heights of buildings above 100ft in addition to the minimum open space required for heights of 100ft there shall be minimum open spaces at the rate of 1 foot for every 5 ft or fraction thereof for heights above 100ft subject to a maximum of 50 ft.

TABLE LXVII

Required Open Spaces for the Different Heights of Building.

| Heights of building above Ground level I | Required open spaces II |
|--|----------------------------|
| Feet | Feet |
| 30 | 12 |
| 39 | 15 |
| 45 | 17 |
| 51 | 19 |
| 54 | 20 |
| 60 | 22 |
| 69 | 25 |
| 78 | 28 |
| 80 | 30 |
| 90 | 30 |
| 100 | 30 |
| 110 | 32 |
| 110 | 32 |
| 120 | 34 |
| 130 | 36 |
| 140 | 38 |
| 150 | 40 |
| 160 | 42 |
| 170 | 44 |
| 180 | 46 |
| 190 | 48 |
| 200 | 50 |

N.B

If the length or depth of the building exceeds 120ft add to column II (10% of length or depth of building minus 12ft.)

(e) A room shall be considered as adequately lighted and ventilated if its depth from the side abutting the required open space for light and ventilation does not exceed 25ft.

(v) Height above average ground level for open space –For the purpose of rules (II) (12),22(i) and 23, the height of the building shall be measured above the average level of the site determined by the commissioner.

(vi) *Open spaces separate for each building or wing-* The open spaces required under these rules shall be separated or distinct for each building and where a building has two or more wings, each wing shall have separate open spaces according to these rules for the purpose of light and ventilation of the wings:

Provided that the open space between two wings may be allowed to be reduced to the open space required according to the height of the higher wing on condition that the other wing does not rely

on common space for light and ventilation and that the length of the same is restricted to the width of the common open space.

12. Narrow Plots -For the purpose of this rule, narrow plots are those that are less than 50ft in width or depth.

(i) The sub-rules (i) (ii) and (iii) of rule 11 shall apply

(ii) No dimensions of a building shall exceed 100ft.

(iii)(a) Where the depth is less than 50ft but not less than 38ft the rear open shall not be less than 10ft provided that the building does not take its light and ventilation from this side.

(a I) Where the width of the plot is less than 50ft but not less than 38ft the side open spaces may be allowed to be reduced to 10ft on condition that the building does not derive its light and ventilation from side open spaces.

Store-rooms and stair cases shall be deemed to be adequately lighted and ventilated from a minimum open space of 10ft.

(iv) Where either the depth or width is less than 38ft.

(a) For plots less than 38ft. in depth notwithstanding the provisions of Rule 11(i) the from setbacks may be reduced to 10ft. in the suburbs and extended suburbs and rear open spaces up to 6ft. provided that the depth of the building does not exceed 18ft and the height shall not exceed 3 stores or 32ft.

(b)F or plots less than 38ft in width there shall be a minimum side open space of 10ft on one side open space on the other side may be reduced up to 6ft so as to have maximum building 18th in width the height shall be restricted to store or 32 ft.

Semi-detached structures on two adjoining plots may be permitted provided that minimum open spaces as required under the rules is maintained in each plot and the height is restricted to stores or 32ft

(v) In areas where the majority of plots are less than 38ft in width or depth, the commissioner may prescribe building lines within which row houses would be permissible.

(vi) In plots where the depth or width is less than 30ft notwithstanding provision of Rule 11(i) a ground floor structure with 5ft.open space all round may be permitted.

Part III

COMMERCIAL ZONES

13. Use provision in commercial Zones- In commercial zones building or premises shall be used only for the following purposes provided that all goods offered for sale shall be displayed within the building and subject to the condition that;

(a) When the commercial zone boundary falls short of a street then frontage along such street shall not be permitted to be developed for users which would not be permitted along such streets;

(b) When use other than these permissible, in a residential zone (without a shop line) have access from the side or rear open spaces the width of such open spaces shall not be less than 22ft.

(i) Use provisions: Any use permitted in residential zones with shop lines;

(ii) Business offices and exchange

(iii) Whole-sale Establishment;

(iv) Bakeries confectioneries and establishments for the preparation and sale of eatables not occupying for producing an area in excess of 2000 sq.ft per establishment and not employing more than 25 persons;

(v) Auto supply stores and show rooms for meter vehicles and machinery;

(vi) Repairing garages with the special written permission of the commissioner;

(vii) Paint stores;

(viii) Pawn shops;

(ix) Photographic studios and laboratories and radio broadcasting studios;

(x) Sale of used or second hand goods or merchandise (not junk, cotton waste, rages or other materials of offensive nature);

(xi) Club houses or other recreational activities conducted as business;

(xii) Storage of furniture and household goods;

(xiii) Retailing of building materials (lumber heating and roofing etc) open or enclosed with not more than 5000 sq.ft of area per establishment;

(xiv) Pasturing and milk processing plant not employing more than 9 persons and 25 H.P. motive power in this industrial activities;

(xv) Printing book-binding engraving and block making with an area and motive power not exceeding 5000 sq.ft. And 25 H.P. respectively per establishment;

Provided that the commissioner may, however permit the above activities on a unrestricted scale if the same are in an independent building on such condition as he may prescribe in the interest of the adjoining development;

(xvi) Veterinary dispensaries and hospitals and kennels;

(xvii) Prisons and animals pounds;

(xviii) Repairs, cleaning, painting or light manufacturing shops and analytical experimental or testing laboratories not employing more than 15 persons in the industrial activities, but not including cleaning and dyeing establishment using a cleaning or dyeing fluid having a flash point lower than 138 degrees Fahrenheit and machines with a dry load activities that are noxious or offensive because of emission of odour dust, smoke gas, noise or vibration or otherwise dangerous to the public health and safety;

(xix) Accessory building or user customarily incidental to any permitted principle use including storage space up to 50% of total floor area used for the principal use;

(xx)

Flashing or non flashing business signs, placed flat against the wall, not exceeding 50sq ft in area and covering not more than 15 % of the area of such wall including doors and windows and overhanging signs which project not more than 3ft from the wall provided that such over-hanging signs shall be in conformity with the following:-

(a) Not more than one overhanging sign may be permitted for each 15ft of plot frontage and

(b) The area of such overhanging signs shall not be more than 10sq ft except that for each 3 ft of plot frontage above the first 15 and increase in area of 2 sq.ft shall be permitted.

(xxi) Paper box, manufacturing including paper cutting not employing more than 9 persons, with motive power not exceeding 5H.P.

(xxii) Mattress making and cotton cleaning not employing more than 6 persons with motive power not exceeding 3.H.P.;

(xxiii) Establishments requiring power for sealing tins packages etc not employing more than 9 persons, with motive power not exceeding 3.H.P.

NOTE

14. *Heights provisions in Commercial Zones-* The heights provisions in commercial zones shall be same as rule 9 for residential zones

15. *Floor space indices in Commercial Zones-* The permissible floor space indices for the various commercial zones shall be the same as for the residential zones in the particular F.S.I zone according to Table LXVI at rule 10 above.

16. *Open spaces provisions in Commercial Zones*-The open space provisions in commercial zones shall be the same as in Rule 11 for residential zones.

17. *Narrow Plots*- The provisions for narrow plots in commercial zones shall be the same as in rule 12 for Residential Zones.

PART IV

General industrial (I1) and Special Industrial (I2), Zones

18. *Use Provision In General Industrial Zone: (II)* Subject to the provision of Rule no. 26 in general industrial zones building or premises may be used for any purpose except the followings:

(i) Any dwelling other than dwelling quarters of watchman, caretaker or other essential staff required to be maintained on the premises as may be allowed by the commissioner.

(ii) Astoria manufacture

(iii) Acetylene gas manufacture or storage in cylinders of total capacity in excess of 100 Sq.ft

(iv) Acid manufacture

(v) Air-crafts (including parts) manufacture

(vi) Alcohol manufacture

(vii) Ammonia manufacture

(viii) Aniline dyes manufacture

(ix) Arsenal

(x) Asphalt manufacture or refining

(xi) Auto mobile trucks and trailers (including parts) manufacture and engine-rebuilding except motor body building not employing pneumatic rewetting

(xii) Blast furnace

(xiii) Bleaching powder manufacture

(xiv) Boiler works manufacture or repairs excepting repairs to boilers with heating surface not exceeding 50 sq.ft.

(xv) Brick, tile or terra cotta manufacture

- (xvi) Building materials such as pre fabricated houses, composition wall boards, partitions and panels manufacture**
- (xvii) Carbide manufacture**
- (xviii) Caustic soda and compound manufacture**
- (xix) Celluloid or cellulose manufacture or articles and articles manufacture;**
- (xx) Cement manufacture**
- (xxi) Manufacture of charcoal**
- (xxii) Coke manufacturing ovens**
- (xxiii) Chlorine manufacture**
- (xxiv) Concrete products manufacture including concrete central mixing and proportioning plants**
- (xxv) Cotton ginning, cleaning, refining or manufacturing of cotton wadding except cotton cleaning for the purpose of preparing matters**
- (xxvi) Creosote manufacture**
- (xxvii) Disinfectants manufacture except mixing of prepared dry ingredients**
- (xxx) Exterminator or pest poison manufacturing except mixing of ingredients**
- (xxxi) Emery cloth and sand paper manufacture**
- (xxxii) Explosive or fireworks manufacture except storage in connection with retail sale**
- (xxxiii) For rendering**
- (xxxiv) Fertilizer manufacture**
- (xxxv) Film photographing manufacture**
- (xxxvi) Flour mill with motive power exceeding 25H.P. grain crushing or processing mill with motive power exceeding 50.H.P. masala grinding mill with motive exceeding 15.H.P. or combination of any above mill using motive power in excess of the above limits**
- (xxxvii) forges hydraulic and mechanically operated**
- (xxxviii) Garbage offal or dead animals reduction dumping or incineration**
- (xxxix) Gas manufacturing or storage in cylinders of total capacity in excess of 100 cubic ft except manufacturing of gas as a necessary to a permissible industry**
- (xi) Glass manufacturing except manufacturing of glass products from manufactured glass**

- (xii) Glue, size or gelatin e manufacture**
- (xiii) Gypsum or plaster of Paris manufacture**
- (xIiv) Hair, fur and feather bulk processing washing curing and dyeing**
- (xIvi) Hydrogen and oxygen manufacture**
- (xIvii) Industrial alcohol manufacture**
- (xIviii) Printing ink manufacture**
- (xLix) Institute for the insane and for correctional purpose except as provided in clause (ix) of Rule 7**
- (I) Junk (iron, aluminum, magnesium or zinc) cotton waste or rags storage and baling**
- (Ii) Jate, hemp sisal and kokum products manufacture**
- (Iii) Lamp black carbon, black or bone-black manufacturing.**
- (Iiii)Lime manufacture**
- (Iv) Metal foundries with an aggregate capacity exceeding 10 tons a day**
- (Ivi) Metal processing (including fabrication and machinery manufacturing) factories employing such machines tools or processes as power hammer, forging machinery, pneumatic drilling or riveting sheet working with heavy sledge hammers etc, or process expressly prohibited herein.**
- (Iviii) Paint, oil, shellac, turpentine or varnish manufactures except manufacture of edible oils and paint making**
- (Iix) Oil cloth or linoleum manufacture, excepting water of cloth**
- (Ix)Paper cardboard or pulp manufacture**
- (IxI) Petroleum or its product refining or whole storage**
- (Ixii) Plastic materials and synthetic reins manufacture**
- (Ixiii) Pottery or ceramics manufacture other than the manufacture of handicraft products only**
- (Ixiv) Potash works**
- (Ixv) Pyroxillin manufacture or products**
- (Ixvi) Rolling mills**
- (Ixvii)Rubber or gutta percha manufacture except manufacture of latex goods and small rubber products and synthetic treated fabrics such as washers, gloves, footwear , bathing caps atomizer**

hoses, tubing, wire insulation toys and balls, but including manufacture of tyres and tubes and tyre-recapping

(I xviii) Salt works except manufacture of common salt from sea water

(I xix) Sand, clay or gravel quarrying except under government or municipal agencies or control

(I xx) Smelting, reduction, refining and alloying of metal and metal ores except of rare and precious metals

(I xxi) Soap manufacture other than cold mix

(I xxii) Soda and compound manufacture

(I xxiii) Starch, glucose or dextrin manufacture

(I xxiv) Stock-yard or slaughter processing or quarrying except the slaughter of fowls, incidental to a retail business

(I xxv) Stone crushing processing or quarrying except under Government or municipal agencies or control and stone products manufacture, except manufacture of household ware and stone tablets and grinding of minerals for pharmaceutical or cosmetic purpose.

(I xxvi) Stove polishes manufacture

(I xxvii) Sugar manufacture or refining

(I xxviii) Tallow, grease or lard manufacture

(I xxix) Tanning, curing or storage of hides or skins

(I xxx) Tar distillation or manufacture

(I xxxi) Tar products manufacture

(I xxxii) Textile manufacture excepting manufacturing or rope cordage manufacture of hosiery, net and embroidery

(I xxxiii) Vegetable oils manufacturing and processing plants

(I xxxiv) Wood and timber, bulk processing and wood working including sawmills and planing mills excelsior, plywood and veneer and wood preserving treatment except the manufacture of wooden articles with saws or preserving machine

(I xxxv) Wax products manufacture from paraffin

(I xxxvi) Wool pulling or scoring

(I xxxvii) Yeast plant

(Ixxxviii) In general those uses may be obnoxious or Offensive by reasons of omission of odour, liquid effluvia dust smoke gas, noise, vibration of fire hazards

(Ixxxix)

With the approval of the corporation, the commissioner may from time to time add to alter or amend the above list

19. Use provision in Special Industrial Zones- In special industrial zones, building or premises may be used for industrial and ware housing purpose only except that dwelling quarter for watchmen or caretakers or other essential staff required to be maintained on the premises and canteen and other amenities of labor, if any may be permitted to be constructed. Special written permission of the commissioner shall be required for the following users provided that the commissioner may prescribe minimum size of plot the open spaces to be maintained around and such other conditions with a view to minimize the nuisance likely to be created to the surrounding area.

(i) Fertilizer manufacture from organic materials provided however that these provisions shall not apply to the manufacture of fertilizers from previously processed materials which have no noxious or fumes and which do not produce noxious odour or fumes in the compounding or manufacturing thereof.

(ii) Sulphurous, sulphuric, citric, nitric hydrochloric or other corrosive acid manufacture or their use or storage except as accessory to a permitted industry.

(iii) Blast furnace

(iv) Ammonia manufacture

(v) Incineration, reduction or dumping of offal, dead animals garbage or refuse on commercial basis of the establishment of loading and transfer platforms except where restricted, regulated or controlled by duly constituted government of municipal authorities having the power to restrict, regulate or control the same

(vi) Tar distillation or manufacture

(vii) Lime manufacture

(viii) Manufacture of explosive or inflammable products of cellulose

(ix) Celluloid manufacture or treatment

(x) Manufacture of photographic films

(xi) Cement manufacture

(xii) Chlorine manufacture

(xiii) Bleaching powder manufacture

- (xiv) Gelatin or glue manufacture or processes involving recovery from fish or animal offal
- (xv) Aluminum, magnesium, tin, copper, zinc or iron smelting
- (xvi) Manufacture or storage of explosive or fireworks
- (xvii) Match manufacture
- (xviii) Fat rendering
- (xix) Candle or paraffin, wax products manufacturing
- (xx) Fat, tallow, grease or lard refining or manufacturing
- (xxi) Manufacture of explosive or inflammable product of pyroxylin
- (xxii) Pyroxylin manufacture
- (xxiii) Dyestuff manufacture
- (xxiv) Turpentine, varnish or size manufacture or refining
- (xxv) Gypsum plaster or plaster of Paris manufacture
- (xxvi) 'Drive-in-Theatres' Cinema or theatres subject to the provision of separate entries and exists for the cars, required sanitary and water supply, arrangements car parking arrangements as per rules in force.
- (xxvii)-

With the approval of the corporation, the commissioner may from time to time add to alter or amend the above list

20. Height provision in general and Special Industrial Zones- The height provisions in general and special industrial zones shall be the same as those in Rule 9 for residential zones.

21. Floor space indices for general and Special Industrial Zones- The permissible floor space indices for industrial special zones shall not exceed the indices given in table below:-

Table XIX

Floor Space Indices in Industrial Zones

| Industrial zones | Description of the locality where in the Zone situated | Index |
|--|---|--------------|
| I-1 General Industrial Zone | City | 2.0 |
| | Suburbs & Extended Suburbs | 1.0 |
| I-2 Special Industrial Zone | City | 2.0 |
| | Suburbs & Extended Suburbs | 1.0 |

“Provided that in case of building with commercial user mixed user (having commercial) and (factory users) in General Industrial Zones (I-1) in the city area the floor space index shall be permitted as specified in the rule 0 for commercial user.”

22. Open spaces provisions in General and Special Industrial Zones-

(i) (a) For heights of building 4 storey or 52 ft. and less the minimum open spaces around each building shall not be less than 15ft in the city and 20ft in the suburbs and extended suburbs. The open spaces between the two wings shall be as per the Rule 11(vi)

(b) For heights of building more than 4 storey or 52ft the open spaces in clause shall be increased by at least one foot for every 4ft height or fraction thereof above 4 storey or 52ft provided that when the building abuts a street, the open space along that the street need not be so increased.

(ii) Distance from Centre Lines of Street- no construction of a building shall be undertaken within-

(a) 35ft. from the centre line of a street in the city

(b) 40ft from the centre line of a street in the suburbs and extended suburbs.

(iii) Setbacks from certain roads- No construction of a building shall Be undertaken within 75 ft. from the edge of Eastern and Western Express highways and other roads 175ft or more in prescribed width.

(iv) The open space for the light and ventilation of rooms except storerooms and staircases in each building or each wing of a building shall be as per clause (a) or (b) of sub-rule (i) above as the case may be and the open spaces for the light and ventilation of the store-rooms and staircase in each building or each wings of a building shall be as per clause (a) of sub- clause (i) above whatever be the height of the building.

23. Narrow plots in General and special industrial zones (i) Narrow plots less than 50 ft in width in the city –

(a) If the width of the plot is less than 50 ft but is 35 ft or more then the side open space on one side may be correspondingly reduced but not so as to have a building more than 20 ft . in width and two storey's or 27 ft in height.

(b) If the width of the plot is less than 35 ft but not less than 30 ft then there shall be one side open space of not less than 10 ft but not so as to have a building more than 20 ft in width and two storey's or 27 ft in height.

(c) If plot is less than 30 ft in width then one storey building not more than 155 ft in height with dead wall on both sides may be permitted.

(ii) Narrow plots less than 60 ft in the width suburbs:

(a) If the width plot is less than 60 ft but 40 ft or more then the side open space on one side may be correspondingly reduced but not so as to have a building more than 20 ft in width and two storey's or 27 ft . In height.

(b) If the width of the plot is less than 40 ft but not less than 35 ft. then there shall be a side open space on one side of not less than 15 ft and the building shall be not more than 20 ft in width and two storey or 27 ft . in height.

(c) If the plot is less than 30ft in width then one storey building not more than 15ft . In height with dead walls on both sides may be permitted

(ii) Narrow plots less than 50ft in depth in the city-

If the depth of the plots is less than 50ft then the rear open spaces may be corresponding reduced but not so as to have a building more than 20ft in depth and two storey's or 20ft in height and if the rear open space is reduced to less than 10ft then the height of building shall be restricted to one storey of 15ft. only.

(iii) Narrow plots less than 60ft in width in the suburbs:-

(a) If the width of plot is less than 60ft but 40 ft or more than the side open space on one side May ne correspondingly reduced but not so as to have a building more than 20ft in width and two storey's or 27ft in height.

(b) If the width of the plot is less than 40 ft but not less than 35ft then there shall be an open space on one side of not less than 15ft and the building shall not be not more 20ft in width two storey's or 27ft in height.

(c) If the width of the plot is less than 35ft then one storey building not more than 15ft in height with dead walls on both sides may be permitted.

(iv)Narrow plots less than 60 ft. in depth in suburbs and extended suburbs-

If the depth of the plots is less than 60ft then the rear open space may be corresponding reduced so as to permit a building of 20ft depth and 2 storey's or 27ft in height but the rear open space is reduced to less than 10ft then the heights of the building shall be restricted to one storey or 15ft only.

(v) In case of narrow plots the reduced open spaces shall be not less than 6ft and when the reduced open space is less than 10ft then the wall abutting such open space shall be at least 18'' thick and shall have not openings therein.

24. Setbacks in general and special industrial zones-(a) In industrial zones of suburbs and extended suburbs and new reclamation areas at wadala salt pans actual factory or work shop building and storage go down shall be constructed within distance of 75ft in general industrial zones and 175ft in special industrial zones from any other user except large open space provided that such distance e shall be measured from the opposite edge of the road where the zones abuts on an such as office premises , essential staff quarters, canteen, garbage, electric, sub-stations, water-tank, etc. may be permitted in such open spaces but subject to all other rules applicable. Provided further that such minimum distance shall be 35ft and 75ft if the zone boundary is co-terminus with the boundary of an open space or a playground.

(b) If some plots in industrial zones become unbuildable for factory purposes because of a above restriction the following users may be provided on such plots

(i) Petrol pumps and service station

(ii) Parking lots

(iii) Electric sub-station

(iv) Building of public utility concern except residence

(v) The branches of scheduled banks

25. *Setbacks from Boundaries General and Special Industrial Zones*-No building in general or special industrial zones shall erected raised or extended within 30ft from the zone boundary provided the when the zonal boundary is along a street 30ft or more in width this provision shall not apply

26. *Special Industrial in General Industrial Zones*- User permissible only special industrial zones (12) those listed under rule (19) for which special written permission of the commissioner is necessary for their location in special industrial zones may be permitted with the approval of the corporation in general industrial zones (II) provided they located in a building which is at least 175ft from the boundaries of the general industrial zones and 50ft from the boundaries (other than that facing street) of the premises.

PART V

Service Industrial Plots

27. *Use provision on Service Industrial Plots*-The following service industries will be permissible on plots ear marked for service industries in the development plan.

Service Industries:

(i) Floor mills with motive power not exceeding 10 .H.P.

(ii) Bakeries, confectioneries, ice-candy factories with motive power exceeding 10 .H.P. and employing not more 9 persons.

(iii) Auto mobile service and repairs stations with motive power exceeding 15 .H.P. provided the necessary parking spaces are available

(iv) Power laundries with motive power exceeding 15 .H.P. and employing not more 9 persons.

(v) Pasteurization of milk cream and butter with motive power not exceeding 10.H.P.

(vi) Supari and masala grinding with motive power not exceeding 10.H.P.

(vii) Photo process works employing not more than 9 persons

(viii) Leather products not employing more than 9 persons

(ix) Soda fountain and aerated water with motive power not exceeding 10.H.P. and not more than 9 persons

(x) Printing book-binding engraving and block making with motive power not exceeding 10.H.P.

(xi) Gold smith, lock smith, watch and clock repairs, bicycle repairs musical instruments repairs, picture framing radio repairs, optical glass grinding and repairs with motive power not exceeding 10.H.P. and not employing more than 9 persons

(xii) Furniture works with motive power not exceeding 5.H.P. circular saw with more than ½ .H.P. motive power not permissible number of workmen not to exceed 9.

(xiii) Umbrella assembly works employing more than 9 persons

(xiv) Tools and razor sharpening works employing more than 9 persons

(xv) Paper box manufacture including paper cutting and other stationary articles with motive power not exceeding 10.H.P. no. of workmen not to exceed 9

(xvi) Tailoring and embroidery establishment with motive power not exceeding 10.H.P. no. of workmen not to exceed 9

(xvii) Engraving, printing of all types on cloth and fine art work employing not more than 9 persons.

(xviii) Automatic typewriting employing not more than 9 persons.

(xix) Flashing and non-flashing signs as per commercial zones

(xx) Mechanical workshop with lathes drills grinders welding set as distinct from the regular manufacturing units with motive power not exceeding 15.H.P. and no. of workmen not to exceed 9

(xxi) Such other allied repairs or cleaning shops of consumer goods not employing more than 9 persons and 10.H.P motive power that are not noxious or offensive because of omissions of odours, dust, smoke, gas, gas noise vibration or otherwise dangerous to the public health and safety as the commissioner may deem fit to permit

(xxii) Coffee grinding and roasting employing more than 9 persons with motive power not exceeding 10.H.P.

(xxiii) Matters making and cotton cleaning more than 9 persons with motive power not exceeding 5.H.P.

(xxiv)

N.B where the motive power is not specifically stated in the above items it shall be restricted to 10.H.P.

28. Floor area for each Establishment- The floor area occupied by each establishment in a service industries building shall not exceed 1200sq.ft of which the area for storage incidental use shall not exceed 20 %.The commissioner at his discretion may allow to increase in the floor area per establishment by 10%

29. Height and floor spaces index provisions for Service Industrial Plots-The height and the floor space index provisions for the service industrial building shall be the same as those in the zone in which the plot is situated

30. (a) Open Spaces Provisions-The open space provisions for the service industrial building shall be those in rule 22 for building in Industrial Zones

(b) Parking provisions-The parking provisions for the service industrial building shall be the same as those for building

PART VI

No Development Zones or Green Zones

31. Use provision in green zones- In the green zones the premises shall be used for the following purpose only:-

(i) All agricultural users, except stabling of buffaloes on a commercial scale provided the accessory buildings pens, garbage, pigsties, stables or storage building or temporary building

(ii) Gardens and poultry farms

(iii) Forestry

(iv) Golf links or club houses provided the building are temporary

(v) Public parks, private parks play fields, summer camps or recreation of all types.

(vi) Airports, radio stations, race tracks

(vii) Film studios of temporary nature

(viii) Cemeteries or crematorium

(ix) Brick, tile or pottery manufacture in temporary building only

(x) Fish curing

(xi) Stone crusher or quarrying

(xii) Salt manufacture from sea

(xiv) Storage and drying fertilizer

(xv) In general those use which do not require the erection of building except temporary building for accessory uses and when they are obnoxious or offensive, by reasons of omissions of odour, dust smoke, gas noise or vibration they shall be located at least 1000 from any plot line.

PART VII

General Provisions

32. *Building abutting two or more streets-* When a building abuts 2 or more streets, the setbacks from the street shall be such as if the building was fronting each such street.

33. (a) *Open spaces to be provided for the full consumption of floor Space Index-* Normally the open space to be left at the side and the rear shall conform to the height necessary to consume the full F.S.I. permissible in the zone, provided that smaller open spaces than are required under these rules would be permissible if the height of the building is restricted permanently to any smaller height.

In respect of building existing on 1st January 1964, upper floors may be permitted with setbacks at upper level to make up for the deficiency in the open spaces as required under the rules provided that the commissioner may permit smaller setbacks and to permit additional floor area to the limit of 100 sq.ft over the permissible F.S.I. to avoid structural difficulties or great hardships but so as not to affect adversely the light and ventilation of adjoining building or part thereof.

Notwithstanding the above tower like structure may be permitted only with 20sq.ft open spaces at the ground level and one setback at the upper levels provided that the total height does not exceed 80 ft. If it exceeds 80 ft. but does not exceed 125 ft. the minimum open spaces at the ground level shall be 30 ft. Beyond 125 ft height the minimum open spaces at the ground level shall be 40 ft with two setbacks at upper levels, the terraces created by the setbacks shall not be accessible through individual flats or rooms, the deficiency in open spaces shall be made good at the setbacks at higher level. Structure shall be deemed to be tower like structure when height of the tower like portion at least twice that of the broader base.

(b) *Special type of building-* Subjects to the requirements of the setbacks from roads and side and rear marginal open spaces under the respective rules, no building used for theaters, cinema halls, concert or assembly halls, stadium buildings intended for religious worship, hospital buildings, school buildings or other educational institution, market exhibition halls or museum and such other building shall not be less than 15ft in the city area and 25ft in the areas of suburbs and extended suburbs from any boundary of the plot on which such buildings are constructed.

34. *Inner and outer chowks-*(a) (i) No. dimension of an inner chowks on which doors or windows abut shall be less than 10ft

(ii) Inner chowks on which doors or windows abut shall have an area at all levels of the chowk of not less than the square of 1/5 the height of the highest wall abutting the chowk.

Provided that when only water closets and baths about the chowk then one of its dimensions may be 8ft and its area need not exceed 200 sq. ft for any height :-

Provided further that when any room (excluding a star –case bay) is dependent for its light and ventilation on an inner chowk the dimension of the chowk shall be such as is required for each wing of the building.

(b) No length (as distinguished from its depth) of an outer chowk shall be less than 8 feet

35. (a) Provision of lifts in buildings :- No building shall be erected or raised to a height greater than 52 ft above the average surrounding ground level without the provision of a lift in addition to the required staircase :

Provided that in case of existing building with height 52 ft or above one additional floor may be permitted without insisting on lift in case of chawl like structure. Same concession would be available for the building with accommodation provided the additional floor space is limited to 1200 sq ft The total height shall not exceed 52 ft or ground and upper five floors.

(b) Special requirement for high building: - When a building is erected or raised to a height greater than 70 ft the following requirement shall complied with.

(i) At least two lifts shall be available for every dwelling except those situated on ground and first floor without having to climb or go down more than one floor.

“ Provided that in case of building with a ground floor on stilts for parking facilities and having seven upper floors not exceeding 75 -0 in height (measured from ground floor up – to the top slab) the provision of a second lifts may not be insisted upon “

(ii) The requirements for the fire prevention and fighting shall be carried out.

(iii) Water storage tanks and pumps of approved size shall be provided and maintained in working order.

(c) :-

(d) :-

36. (a) parking loading and unloading spaces :- The requirement for parking and loading unloading spaces shall be as follows:-

(a) Parking space of 8x 18 shall be provided at the rate of :-

(i) One for every tenement with carpet area up to 500 sq ft;

(ii) One for every two tenement having a carpet area of 500 sq. ft or ft but not exceeding 1000 sq ft.

(iii) Two for every tenement with carpet area exceeding 1000 sq. ft in Malabar Hill Reclamation, Fort and Colaba area and Reclamation area Back bay, Sasson Dock and nepean sea road.

(b) In the rest of city suburbs an extended suburbs:

(i) One for every tenement having a carpet area of 750 sq ft or above;

(ii) One for every two tenement having a carpet area of 400 sq ft or above;

(iii) One for every four tenement having a carpet area of 400 sq ft or above;

(c) One for every six guest rooms in hotels of Class I as may be classified by the commissioner with the approval of the Improvement Committee;

(c i) One of the every 250 sq ft of permit rooms dining rooms, and cafeteria hall in such hotels;

(d) One for every 20 beds in hospitals;

(e) One for every 1000 sq ft of office space up to 500 sq ft and every 2000 sq ft of additional office space or fraction there of thereafter;

(f) one for every 25 seats or persons in theatres, cinema-house, concert hall, assembly halls (including those in collages, hotels etc.) Stadia and clubs plus additional space for Public Vehicles provided that provision parking space may be made wither wholly in the basement below the building or partly in the basement and partly in the basement and partly ground within the compound depending upon the size of the plot and the building.

(g) One for every 1090 sq ft of markets, departmental stores, restaurants shops and other commercial users, including their storage spaces up to 5000 sq ft and every 2000 sq ft of space or fraction there of thereafter;

(h) For industrial building:-

(i) Two space for an area less than 5000 sq ft and one additional space for every 5000 sq ft or fraction thereof;

(ii) In addition to the parking spaces loading and unloading spaces each of 12 x 25 shall be provided on the following standard for office markets, departmental stores shops and restaurants hotels factories and godowns or warehouse one loading and unloading space for each 2500 sq yds of floor area of fraction there of exceeding the first 500 sq .yds. Subject to a maximum of 6 such spaces;

(iii) Parking lock up garages be included in the calculation for floor space index, unless they are provided in the basement of a building or under a building constructed on stilts with no external walls. The minimum height for garages in the basement or under a building on stilts shall be 7 feet ;

Provided that in residential zones the area of one lock up garage plus one garage for every 400 sq yds. Of the plots area may be permitted in excess of the permissible F.S.I No such garage shall have a floor area in excess of 9 x 20

(iv) The parking spaces and loading unloading spaces shall be clearly indicated on a plan on 16 feet to an inch scale showing sufficient maneuvering space and 10 ft wide access to each space :

(v) 50 percent of the open space required under these rules around building except in front and the recreational or amenity open space required under rules 39 may be allowed to be utilized for parking or loading un-loading spaces:-

Provided that a minimum distance of 12 feet around the building shall be kept free any loading unloading spaces;

(vi) On a partially developed land no proposals which will reduce to parking, loading and unloading space for the existing development below the minimum required under these rules would be permissible.

37. (a) Galleries balconies weather frames etc

(i) In case of residential flats either in purely residential zone or in the residential zone with shop-line, the galleries balconies may be permitted to the extent of 10 per centum of the floor area of each floor except ground floor in addition to the permissible F.S.I of the zone subject to following restrictions :-

(a) That the length of the balconies shall be restricted to half the length of the room from which such balcony projects:

(b) That when the balconies are enclosed 1/3rd of the area of their faces shall have louvers or grills on the top and the rest of the area except parapet shall have glazed shutters:

(c) that at no time dividing wall between the balcony and room shall be removed;

(d) that the maximum projection of the balcony shall not exceed 4-0 subject to the restriction vide 37 (a)(ii) of Development Control Rules except that when it faces a street a maximum projection of 4'-6" may be allowed and

(e) That such balconies in excess of permissible F.S.I shall be permitted only to the residential flats constructed in purely residential zones and in residential zones and in residential zones with shop lines.

(ii) No gallery , balcony, weather frame sun-breaker ; cornice cave or other ornamental projection shall project more than 2'-6" over the open spaces required under these rules, except when they face a street when their width shall not exceed 4'-6" but not so as to extent on the side open spaces Provided that where the required open space for a building is 15ft. or more the gallery or balcony projection may project over such open space to an extent of four feet.

(iii) No gallery or balconies shall be permissible which will reduce the required open spaces except that facing a street, to less than 10 ft

(iv) No weather frame, sun-breaker cornice cave or other ornamental projection shall be permissible which will reduce the required open space facing a street to less than 7'-6"

(v) No gallery or balcony projection on required open spaces shall serve as a passage to any part of the building.

(vi) Weather frame over and cornice for the permissible gallery or balcony projection may extend 6 inches more than the width of such gallery or balcony projection.

(vii) A fire balcony or fire escape may projection on the required open space to the extent of 4 ft.

(b) Revas Projection :- (i) Revas projection 4 ft in width may be permitted in front open space when it face a street 40 ft or more in width. To facilitate the construction of a staircase such revas projection would be permitted in the side or rear open space provided that such open is at least 15 ft and the revas projection is limited to width of 2 ½ ft and the length of the staircase landing . No revas projection shall be at height less than 7 ft above the ground level.

Revas projection shall not be permissible in the side or rear open spaces of a tower like structure.

(ii) The area of all ravas projection shall be taken in to account for the computation of floor space index.

(c) Porches :- Unenclosed porch open on three sides and 13 ft in length parallel to the main building and 12 ft in width may be permissible for parking purpose only, in the required open spaces except the rear open spaces provided it s at least 5 ft from the boundary lines and parapet wall only 9 ‘ in height is provided on its roof. Its area shall not be taken in to account for the computation of floor space index.

(d) Otlas etc.- Open otlas or any encroachment will not be permitted in the required open spaces so as to reduce the clear open space to less than 10 ft . However such open otlas shall in no case exceed 4 ft width and shall be 6 inches below the plinth level.

38. Means of access: - Street from which access can be given :

The commissioner shall permit access from streets having width of not less than 20 ft (being streets fallings in residential and commercial zones only) over which the public have a right of access or passed and repasseed uninterruptedly for a period of 20 yrs ;

Provided that the Commissioner may permit access from a street with less than 20 ft. width (including streets in a Gaothan which give access to other properties outside the Gaothan) talking in to consideration road widening proposal in future either accordance with the Development Plan or under provision of the Bombay Municipal Corporation Act , if the existing width of such street is not less than 12 ft.

Provided further that, the Commissioner may permit temporary access from street less than 20 ft in width where permanent access is proposed to be derived from projected roads as proposed in Development Plan, if the width of such street is not less than 12 feet “

(a) In residential and commercial zones:-

(i) If the means of access serves all areas less than 1500 sq yds. Or its length from a street is 100 ft. or less than its width shall not be less than 18 ft.

(ii) If the means of access serves an area 1500 sq yds. Or more but less than 500 sq yds or its length from a street is 200 ft. or less, then its width shall not be less than 22ft.

(iii) If the means of access serves an area 5000 sq yds. Or more or its length from a street is more than 200ft its width, shall not be less than 30 ft

(iv) In the interest of the general development of an area the Commissioner in specific cases, may the approval of the Standing Committee require the means of access to be of larger width than that required under these rules.

(v) In case where a private passage is unrestrictedly used by the public from more, than 10 yrs as a means of access to a number of plots, the Commissioner may with the sanction of the Corporation, improve the passage at the municipal cost and thereafter take steps under the provision of the Bombay Municipal Corporation Act to declare it as a public street.

(vi) Notwithstanding the above in the city and Suburban area in partially built up plots, If the area still to be built upon does not exceed 5000 sq yds an access of 12 ft width and even if it is arched at a height of not less than 14ft may be considered as adequate means of access . If such access is at least 10 ft in width, it shall be considered a adequate means of access for an area to be built upon not exceeding 5000 sq yds provided that such area is used for low-income group housing and the F.S.I permissible would be 75 percent of the F.S.I permissible in that zone.

(vii) In the areas of Suburbs and Extended Suburbs the width of such means of access required under clause (i) (ii) and (iii) may be permitted to be reduced to 15'18' and 22' respectively, Provided all the building which the means of the access serves are on one side only and have in no case a height more than 80 ft.

Building shall be set back at least 10 ft. from any such means of access in a layout.

Notwithstanding the above in respect of Narrow Plots in the Suburbs and Extended suburbs where the area of such Plots does not exceed 1500 sq yds the width of such access may be permitted to be reduced up to 12 ft and the set back there from up to 5 ft so as to permitted building at least 22 ft in width

(b) In general & special industrial zones and for service industrial building, theatres, cinema houses, concert or assembly halls, stadia, buildings for religious worship, educational markets and other building attracting large crowds :

(i) If the length of the means of access from a street is 100 ft or less. It shall not be less than 20 feet.

(ii) If the length of the means of access from a street is 100 ft but does not exceed 300 ft its width shall not be less than 24 ft.

(iii) If the length of the means of access from the streets exceeds 300ft but does not exceed 600ft its width shall not be less than 33 ft.

(iv) If the length of the means of access from the street exceeds 600 ft width shall be as prescribed taking in to consideration the general development of the area but in no cases would it be less than 44 ft

(c) Means of access to be paved and drained and free of encroachment :

(i) The means of access shall be paved and drain to the satisfaction of the commissioner and shall not be encroached by any structure of fixture as to reduce width below the minimum required under these rules and shall be maintained in a condition satisfactory to the commissioner ;

(ii) If any structure or fixture is set up on a means of access so as to reduce its width below the minimum required under these rules or the width existing on the data of publication of the declaration of intention to prepare the Development Plans viz. 18th September 1958 the Commissioner may remove the same forthwith and recover the expense so incurred from the owner ;

(d) No direct access from Express Highways and other roads.

No premises shall have an access direct from the Eastern and Western Express Highways and such other roads not less than 175 ft in width which the commissioner shall specify time to time . The Commissioner shall maintain a register of such other roads which shall be open to public inspection at all times during office hours.

39. Layouts or Sub-division – (a) Layouts or sub –division in residential and commercial zone :

(1) When the land under development ad measures 3000 sq yd or more the owner of the land shall submit a proper layout or sub – division of his entire independent holding.

(ii) In any such layout or sub- division 15 percent of the entire holding area shall be reversed for a recreational space which shall be as far as practicable in one place.

(iii) No such recreational space shall admeasure less than 450 sq yd .

(iv) The minimum dimension of such recreational space shall in no case be less than 25ft and if the average width of such recreational space is less than 80 ft and if the length there of shall not exceed 2 ½ times the average width

(v) No independent Plot in a sub-division shall have and area less than 400 sq yd and width less than 50 ft.

(vi) Every such plot the recreation space shall an independent means of access.

(vii) For the purpose of F.S.I the net area of the plot shall only be consideration. In case of layout proposal such net area shall be calculated after deducted from the gross are of plot, the area covered by means of access and recreation space.

In case of plots the area of which varies from 2550 sq yd to 2999 sq yd the floor space index shall be allowed only over an area 2550 sq yds

(viii) Any such layout or sub division shall take in to account the provision of the development plan and if lands is effected by any reservation for public purpose the Commissioner may agree to adjust the location of such reservation to suit the development without altering the area of such reservation.

(ix) In case layouts the parking and loading, unloading spaces as required under the rules shall be clearly shown on the plans.

(x) In the case of layouts or sub-division of the areas in excess of 5 acres a separate Plot for shopping center shall be provided which may have an area up to 2 percent of the area of the plot.

(xi) In a layout or sub-division of plot 5 acres or more suitable site for an electric sub-station shall be provided.

(N.B – Independent holding means continuous piece of land in one ownership)

(b) Layouts or sub-division in General and special Industrial Zones :-

Sub – Division

(i) In sub –division in general or special industrial zones the minimum size if the plot shall be 1000 and 3000 sq yd respectively. Width of such plots shall not be less than 75 ft Provided that in Sub-division of small scale industrial estate the size of the plot may be reduced to a limited of 600 sq yd.

(ii) Every plots shall have a means of access as required under Rules 38 (b).

(iii) In the case of sub-division of land 2 acres or more in area 5 percent of the total area shall be reserved as an amenity open space which shall serve as a general parking space, when such amenity open space excess area could be utilized for the construction of building for banks, officers, canteens, welfare centers and such other common purpose considered necessary for the industrial user.

Layout

(i) In the layout of all industrial plots admeasuring 1000 sq yd or more in area 10 percent of the total area shall be provided as an amenity open space subject to a maximum of 2500 sq yd.

(ii) Such an amenity open space shall have a proper means of access and shall be so located that it could be conveniently utilized as such by the persons working in industry.

(iii) The parking and loading and unloading spaces as required under these rules shall be so located that it could be conveniently utilized as such by the persons working in the industry.

In the case of layout or sub-division of a land, 2acres or more in area a suitable site for an electric sub-station shall be provided.

The Layout or sub-division proposals shall take in to account the provision of the Development Plans and if the land is affected by any reservation for public purpose, the Commissioner may agree to adjust its exact location to suit the development.

40. Accessory building – (a) Sanitary block one storeyed in height, in the rear and side open space at distance of 25 ft. from any street-line or the front boundary of the plot and 5 ft. from the other boundaries may be permitted by the Commissioner

Provided that the Commissioner may reduced this 5 ft margins in rare case to avoid hardship

(b) Parking lock-up garage 9 feet in height in the side or rear open spaces at a distance of 25feet from any street line or the front boundary of the plot may be permitted by the Commissioner. If the height of the parking garage exceeds 9 ft they shall be at a minimum distance of 5 feet from the rear or side boundary

Parking lock-up garage when located within the main building shall be 25 ft away from any street line and shall be of fire proof construction.

(c) The area of sanitary block and parking lock-up garage shall be taken in to account for the calculation of floor space index :

Provided that in residential zones the area of one lock-up garage plus one of every 400 sq yd of the plots areas may be permitted in excess of the permissible F.S.I No garage shall have a floor area in excess of 9 x 20

41.Height of Compound walls :- (a) No compound wall or fence shall exceed 5ft in height above the kerb or average ground level, except in case of industrial plots where the commissioner may permit a height up to 8 feet.

The compound wall or fence may be raised further to a height of 3 ft with open type construction of design to be approved by the Commissioner.

(b) When a compound wall or fence is located at the junction of streets its height shall not exceed 3 ft 6 inches to a length of 30 ft. on either side of the junction and any further height if required in accordance with clause (a) shall be of open type construction of a design to be approved by the Commissioner.

Not with the above 8 ft compound wall without insisting upon open type construction above 5 ft may be permitted in plots used for electric sub-station, transformer station or such other users of public utility undertaking.

42. In purely residential area where the Commercial zones boundary or a street with shopping frontage is at least 2 furlongs away, shop like general provision stores or food gains shop at the rate of 1 from 40 tenement may be permitted on the ground floor or in a semi-detached ground floor building with no other uses over it. Provided that the remaining user will not be permissible in more than two adjoining Plots in any locality. Such shop user shall not cover more than 2 percent plot area.

43 . Non- conforming Industries – Where non-conforming industry has been granted a written permission under section 390 of the Bombay Municipal Corporation Act without a condition for its shifting to a conforming zone at the end of a specified period , addition there to for the manufacture

of new articles or for starting new processes may be permitted by the Commissioner with the approval of the Corporation when :-

(i) Such schemes from an integral part of and are directly connected with the process carried on in the existing unit;

(ii) Such scheme of additions do not envisage appreciable increase in the employment and UN due increase in traffic loads;

(iii) Such additions is for preventing un due loss or for improving the working efficiency or the conditions of the existing unit or for balancing the existing production units for the industry

(iv) Open space of 20 ft in the City and 30 ft in the Suburbs and Extended Suburbs are maintained from the Boundaries of the plots

(v) Open space of 30 ft in the City and 40 ft in the Suburbs and Extended Suburbs between two building are maintained.

(vi) Satisfactory means of access as required under these rules for industrial zones is provided and maintained.

(vii) Parking and loading unloading spaces are provided according to these rules.

Before permitting nay such addition, the Commissioner shall first satisfy himself that the degree of nuisance from the existing unit will in no way be increased by such addition

43 A. Non conforming users (other than industries) – Where a non conforming user, existing prior to the 18th September 1958, is allowed to be continued in the Development Plan, any additions to such non conforming user (other than those provided in rules 43) not exceeding the permissible floor space index for the zone or the normal floor space index for the non conforming user, whichever is less may be permitted subject to the following terms and conditions namely:-

1. The whole building is owned and occupied by one establishment only.

2. The proposed additions are for preventing un due loss or for improving working efficiency or conditions of existing user.

3. The additions and alterations are meant for the existing user and not proposed to be let out.

4. Open spaces and parking spaces required under the Development control Rules shall be provided.

5. The change in ownership of the establishment shall be permissible provided there is no change of user.

43 – B Prohibition of factories in residential Building in conforming Zones: - Not with standing anything contain in these rules, no permission shall be granter for erecting any factory, workshop or work place 9for the establishment of which previous permission is required under Section 390 of

the Bombay Municipal Corporation Act) wholly or partly on lands used for residential purposes even if such use in conformity with these rules and the aforesaid Act :

Provided that the following use of residential building which are in conformity with the residential user for the following purpose may be permitted, namely :-

1. Shoe and hat repairs shops, tailor shops, buttonhole making shops, shops for gold-smithy, diamond cutting, watch and clock repairs, bicycle and motor cycle repairs, musical instrument repairs, picture farming, radio and house hold appliances repairs, umbrella repair and upholsters shops, with individual motors not exceeding H.P and total H.P not exceeding 3.00;
2. Ice- cream. Cold drinks and milk bars cafeterias, hotels, for consumption of production on the premises with refrigeration units, with individual motor not exceeding 1 H.P and total H.P not exceeding 3.00 ;
3. Coffee grinding up to 1.5 H.P motors;
4. Printing presses with individual motor not exceeding 2.00 H.P and total H.P not exceeding 5 and not employing more than 6 persons there in ;
5. Equipment using power only for heating, refrigeration, or air conditioning purposes;
6. shops of commercial establishment wherein power is required for ancillary use with individual motors not exceeding 1 H.P and total H.P not exceeding 3, subject to the following conditions namely :-
 - i. That the power shall not be used for any other purpose which involved any manufacturing process or activity;
 - ii. That the power shall not be sublet under any circumstances, and
 - iii. That the power shall be discontinued, if any complaints of bonafide nuisance are received.

With the previous approval of Government, the Commissioner may from time to time add to alter or amend the provision of the provision of these rules.

44. The Rules regarding open spaces around building Heights and floor space index shall not apply strictly to the operational buildings of the Bombay Port Trust and the Railway Authorities in their respective areas, though all the regulation would apply in respect of buildings used for purely residential purposes in such area.

45. Air Port Zones:- (a) the height of building or other fixtures in the Air Port Zones shall not exceed the limits prescribed by the Air Port Authorities from time to time.

(b) The smoke from industrial chimney in the Air Port Zones shall be of such character as prescribed by the Air port Authorities from time to time.

46. Preservation of view from phirozeshah Mehta garden - To preserve the western view from Phirozeshah Mehta Garden on Malabar Hill two funnels of vision inner and outer have been marked on the development plan.

Notwithstanding anything contained in these rules no development work will be permitted in the inner funnel of vision and building within the outer funnel of vision shall not be erected or raised above Reduced Level 247.45 with reference to Town Hall Datum.

47. Setback from water courses: - No development whatsoever whether by filling or otherwise shall be carried out within 50 ft and 25 ft on either side of the bank of a major or a minor water course respectively. Provided that where a water course passes through a low-lying land without any well defined banks the owner of the property may be permitted by the Municipal Commissioner to restrict, or divert water course to an alignment and cross section as deter Fined by the Commissioner.

48. Discretionary powers :- (a) In conformity with the intent and spirit of these rules Commissioner (i) Decide on matters where it is alleged that there is an error in any order, requirement decision, determination or interpretation made by him in the application of these rules

(ii) Determine and establish the location of zonal boundaries in exceptional cases of doubt or controversy

(iii) Interpret the provision of these rules where the streets layout actually on the ground varies from the street layout as shown on development plan

(iv) Authorize the erection of a building or use premises for a public service undertaking for public utility purpose only where he finds such an authorization to be reasonably necessary for the public convenience and welfare.

(v) Modify the limit of a zone where the boundary line of the zone divides a plot as existing on the date of publication of the declaration of intention to prepare the Development plan viz. 18th September 1958

(b) In specific cases where a clearly demonstrable hardships is caused the commissioner may be special written permission-

(i) Grant temporary permissions for a period not exceeding one year at a time for temporary building

(ii) Permit any of dimension for a period prescribe by these rules to be modified

While granting permission under (i) and (ii) conditions on size, cost of duration of the structure, abrogation of claim of compensation, payment of deposit and its forfeiture for non-compliance may be imposed.

49. Delegation of power- Any power duties or functions conferred or imposed upon or vested in the commissioner by any of the gorging rules may be exercised, performed or discharged under the commissioner's control and subject to his revision and to such conditions and limitations, if any as

he shall think fit to prescribe by any municipal officer whom the commissioner generally or specially empowers in writing in this behalf and in each of the said rules the works “COMMISSIONER” shall, to the extent to which any municipal officer is so empowered, be deemed to include such officer.

50. Deleted

51. Definition: - in the construction of the foregoing rules, the following words and expressions shall have the meaning hereafter respectively assigned to them, unless such meaning be repugnant to or inconsistent with the context or subject-matter in which words or expression occur:-

(i) “Accessory Building” means a building separated from the main building on a plot and containing one or more accessory uses.

(ii) “Accessory uses” means any use of the premises sub-ordinate to the principle use and customarily incidental to the principle use.

(iii) “Boarding Houses” means building or part of building in which carried on wholly or principally the business of the supply meals to the public or a class of the public for consumption on the premises.

(iv) “Business sign” means a sign which invites public attention to a business, community service or entertainment conducted on the premises.

(v) “Development Plan” means the plan for development or redevelopment or improvement of the entire area within jurisdiction of the Bombay Municipal Corporation prepared under Section 3 of the Bombay Town Planning Act, 1954.

(vi) “Floor Space Index” of a plot or premises is the ratio of the combined gross floor area of all storey including the area of all walls as well as mezzanine floor of a building on a plot or premises to the total area of the plot or premises. The gross floor area of building shall be calculated as above, excepting that the following shall not be counted towards computation of floor space index :

-

(a) A basement or cellar and space under a building constructed on slits and used as a parking space, store room and air-conditioning plant room, used as accessory to the principle use.

51 (vi)

(b) Electric cabin or sub-station, watchmen’s booth, pump house, garbage, shafts required for location of fire hydrants, electric fittings and water tanks and such other requirements required for the fitting purposes.

(c) Projections and accessory buildings as specifically exempted under these rules.

(d) Staircase room and lift rooms above the top-most storey, architectural features, chimneys and elevated tanks of dimensions as permissible under these rules.

(e) One unit of sanitary block consisting of a bath room and water closet of standard size as per building bye-laws provided for the use of domestic servants engaged on the premises at each floor level.

(f) One room measuring 12-0 x 10-0 on the ground floor of the cooperative housing societies building and other multi storey building as office-cum-letter box room. However , in case of bigger cooperative housing societies having 12 or more flats area of such office room up to 240 sq.ft.

(g) Means of access to the 15% recreation ground in respect of a single holdings where only one building is to be constructed

With the approval of the corporation, the commissioner may add to alter or amend the above list of exemptions.

(vi-A) “Garage” means a detached ground floor structure in the compulsory open spaces or plot or open space on the ground floor of a building or any part thereof and intended to be used for the parking or sheltering of mechanically propelled vehicles and where repairs such vehicles not being repairs requiring motive power including gas or electric welding operations may be carried out but does not included any such structure which in the opinion of the M.C. Municipal Corporation of Greater Bombay, is used principally for carrying out such repairs.

(vii) “Home Occupation” means occupation other than that of operating an eating or drinking place offering service to the general public carried on by a member of the family residing on the premises and in accordance with which there is no display that will indicate from the exterior that the building is being utilized in whole or in part for any purpose other than that as a dwelling and in connection with which no article or service is sold or held up for sale except that produced by a member of the family residing on the premises and no premises and no mechanical environment is used except as is customary for purely domestic or household purpose.

(viii) “Hotel” means a building or a part of building used a lodging and boarding house.

(ix) “Inner Chowk” means an open space enclosed on all sides by a building.

(x) “Lodging House” means a building or a part of building used for the reception of guests and travelers desirous of staying or sleeping therein.

(xi) “Non-conforming Industry” means industry which does not conform with the provision of these rules applicable to the zone in which it is located

(xii) “Outer Chowk” means an open unoccupied space similar to an inner chowk, but where one of its sides is not enclosed by a building.

(xiii) “Site” of a building includes not only the land actually covered by the building but also the open spaces around the building rounded under these rules

(xiv) Carpet area is the net floor area within an apartment excluding the area of walls, and half the area of balconies.

(xv) Row Houses are houses built in a row without any open spaces in between except at specified intervals.

(xvi) Rivas projections are a part of a room projecting in the open space beyond the building line.

(xvii) Water course means a natural channel or an artificial one formed by training or diversion of a natural channel meant for carrying storm water either from a single property or several properties draining there to in combination.

(xviii) Major water course means a water course which carries storm water discharging from a tributary area of not less than 400 acres. The decision of the Municipal Commissioner as regards the calculation of the contributing area shall be final.

(xix) Minor water course means a water course which is not a major one.

(xx)

(xxi)

APPENDIX-I

No. CE/25327/I of 22-12-1975.

Subject: Amendment to the D.C. Rules 2(d) 8,13 and 27 under The Development Plan for Bombay Directives of the Government under section 154(1) of the M.R.& T.P. Act, 1966 as amended up to date for-

The State Government in U.D.P.H & H. Dept. under their letter No.SF /IV?74 /MRP 1174 – TP-2, dated 6th August 1975 and their subsequent D.O. letter under even number dated 10th October 1975 have given directive under section 154(1) of the M.R.& T.P Act 1966 as a amended up to date to effect minor modification to the development control rules 2(d) 8,13 and 27 under The Development Plan for Bombay as explained in the comparative statement below by taking action as provided under section 37 of the M. R & T.P Act 1966, as amended up to date and to give immediate effect to the instructions of the State Government to amend the said Development Control Rules 2(d) , 8(e), 13(b) and (27) :-

Existing Dev. Control Rule.

2(d) if the development work relates to an industrial or factory building it shall be accompanied by a “No Objection Certification” of the Industries Department of the Government of Maharashtra.

8(e) (xii) cleaning and pressing establishments for clothes, not occupying a floor more than 2000.sq. ft. and not employing solvents with a flash point lower than 138 degrees Fahrenheit, machines with dry load capacity exceeding 60 lbs. and more than 9 persons.

(xiii) Shops for goldsmiths, locksmiths, watch and clock repairs, bicycle rental and repairs optical glass grinding and repairs, musical instrument repairs picture framing radio and household appliances repairs, umbrella repairs and upholsters not employing more than 9 persons.

(xvi) Bakeries ,confectioneries and establishment for preparation and sale of eatables not occupying for production an area in excess of 750 sq. ft. establishment and not employing more than 9 persons.

(xix) Trade or other similar schools not involving any danger of fire or explosion, nor of offensive noise, vibrations, smoke, dust odour, glare, heat or other objectionable influences.

(xx) Petrol filling and service stations not employing more than 9 persons and ice-factories and cold storages in independent buildings with special written permission of the Commissioner.

(xxvii) Non flashing business signs placed flat against the wall and not exceeding 20 sq.ft. in area per establishment.

(xxxii) Battery charging and repairing not employing more than 6 persons.

Provision at the end of the rule after clause (xxxii) "With the approval of the Corporation the Commissioner may from time to time add to, alter or amend the above list.

13(b) (xv) printing, book-binding, engraving block making with an area and motive power not exceeds 5000 sq. ft. and 25 H.P. respecting per establishment.

Provided that the Commissioner may however permit the above activities on a unrestricted scale if the same are in an independent building on such conditions as he may prescribe in the interest of adjoining development.

(xviii) Repairs, cleaning or light manufacturing 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 and dyeing fluid having flash point lower than 138 degrees Fahrenheit and machines with dry load capacity exceeding 60 lbs for any establishment carrying on activities that are noxious or offensive because of omission odour, dust smoke, gas, noise or vibration or otherwise dangerous to the public health and safety.

(xx) Flashing or non-flashing business signs placed flat against the wall not exceeding 50 sq ft in area and covering not more than 15 percent of the area of such wall including doors and windows and over hanging signs which project not more than 3 ft from the wall. Provided that such overhanging signs shall be in conformity with the following:-

(a) Not more than one overhanging sign may be permitted for each 15 feet of plot frontage; and

(b) The area of such overhanging signs shall not be more than 10 sq ft except that for each three feet of plot frontage above the first fifteen an increase in area of 2 sq ft. shall be permitted.

Provision at the end of the rule after clause (xxiii)

With the approval of the corporation the commissioner may from time to time add to alter or amend the above list.

(27) (xx) Mechanical workshop with lathes , drills, grinders, spot welding set as distinct from the regular manufacturing units with motive power not exceeding 15.00 H.P. and the number of workers not exceeding 9.

Proposed Amended Dev. Control Rule.

2(d) if the development work relates to an industrial or factory building it shall be accompanied by a “no objection certificate” of the industries department of the government of Maharashtra. Provided that such a certificate will not be necessary in respect of construction of factory premises for expansion of factory offices dispensaries go downs etc, which are ancillary to the industrial user. Further no such certificate will be necessary if the proposed industrial user falls in service industry category and falls within the preview of the Development Control Rules 8, 13 and 27.

(xii) Cleaning and pressing establishments for clothes not occupying a floor area more than 2000 sq ft and not employing solvent with a flash point lower than 1.38 degrees Fahrenheit machines with a dry load capacity exceeding 60 lbs and more than 9 persons. Provided that the total power requirement does not exceed 4 kW.

(xiii) Shops for gold smiths, locksmiths, watch and clock repairs bicycle rental and repairs , optical glass grinding and repairs musical instrument repairs picture framing , radio and household appliances repairs, umbrella repairs and up jolters not employing more than 9 persons provided that the horse power does not exceed 1 K.W

(xvi) Bakeries, confectioneries and establishment for preparation and sale of eatables not occupying for production an area in excess of 750 sq. ft. establishment and not employing more than 9 persons provided that the power requirement does not exceed 4 K.W

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

(xx) Petrol filling and service stations not employing more than 9 persons and ice-factories and cold storages in independent buildings with special written permission of the Commissioner.

(xxvii) Non flashing business signs placed flat against the wall and not exceeding 20 sq.ft. in area per establishment if houses in premises.

(xxxii) Battery charging and repairing not employing more than 6 persons and not more than two charges.

(xv)) Printing , book-binding, engraving block making with an area and motive power not exceeding 1200 sq. ft. and 10-00 H.P. respecting per establishment.

(xviii) Repairs , cleaning or light manufacturing 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 and dyeing fluid having flash point lower than 138 degrees Fahrenheit and machines with dry load capacity exceeding 60 lbs for any establishment carrying on activities that are noxious or offensive because of omission odour , dust smoke, gas, noise or vibration or otherwise dangerous to the public health and safety provided that the motive power requirement of such establishment does not exceed 10.00 H.P.

(xx) Flashing or non-flashing business signs placed flat against the wall not exceeding 50 sq ft in area and covering not more than 15 percent of the area of such wall including doors and windows and over hanging signs which project not more than 3 ft from the wall. Provided that such overhanging signs shall be in conformity with the following provided that such signs do not face residential building:-

(a) Not more than one overhanging sign may be permitted for each 15 feet of plot frontage; and

(b) The area of such overhanging signs shall not be more than 10 sq ft except that for each three feet of plot frontage above the first fifteen an increase in area of 2 sq ft. shall be permitted.

With the approval of the corporation the commissioner may from time to time add to alter or amend the above list as long as it is not manufacturing activity.

All concerned are requested to note carefully the proposed amendments of the Development Control Rules 2(d), 8 (e), 13 (b) and 27 as above carefully while dealing with the proposals received after issue of this circular.

APPENDIX-II

GOVERNMENT OF MAHARASHTRA

No. TPS. 3679/2277-UD/5,
Urban Development and
Public Health Department,
Mantralaya, Bombay-32.

9th October, 1979

To

The Municipal Commissioner,
Municipal Corporation of Greater Bombay,
Bombay.

Subject: development rules for greater Bombay- amendment to development control rule 7 (iii) "GROUP MEDICAL CENTRES."

Sir:

I am directed to state under development control rules 7 (iii) medical and dental practitioners, clinic and dispensaries and group medical centers are allowed in residential zone. The government has observed that the user of "group medical centers." Permitted in residential zones are being misused and used for other proposals after obtaining permission for "group medical centers". In view of this government has taken decision that permission for group medical centers in residential zones building or premises, hitherto permissible under the above mentioned development control rule, should not here after be granted.

I am therefore, directed to convey the directive of government to the municipal corporation of greater Bombay under provisions of section 154 (1) of the Maharashtra regional & town planning act 1966, not to permit group medical centers in residential zones building or premises and to undertake an amendment to the Development Control Rules For Greater Bombay as follow, namely :-

"In development control rules of greater Bombay in rule 7 (iii) the word etc."and Group Medical Centers" should be deleted"

The Greater Bombay Municipal Corporation should give effect to the above directive immediately. The corporation should also take necessary action under section 37 of the Maharashtra regional and town planning act 1966 for modifying the development control rules accordingly and to submit the necessary modification for the approval of government.

Yours faithfully,

Sd/-

(A.H. BENADIKAR.)

Under secretary to the government.

APPENDIX-III

No. TPS/3679/2277/UD-5

Urban Development and Public

Health department, mantralaya.

Bombay-400 032.

Dated: 6th July,1979.

To

The Municipal Commissioner,

Municipal Corporation of Greater Bombay,

Bombay.

Subject: Development Control Rules for Greater Bombay Amendment to Rule 7(vii) (B) - Art Galleries In Residential Areas-

Sir:

I am directed to state that as per development control rule 7(vii)(b) art galleries are permitted in residential zones, building premises with the special written permission of The Municipal Commissioner. Government has observed that such premises are misused as after obtained permission for art galleries in residential zones, building premises hitherto available under development control rule 7(vii)(b), with the special written permission of the municipal commissioner, should not hereafter be granted.

2 : In the circumstances, I am directed to convey directive of government to The Greater Bombay Municipal Corporation under provisions of section 154(1) of Maharashtra regional and town planning act, 1966, not to permit art galleries in residential zones, building premises and to undertake an amendment to development control rules for grater Bombay as follows :-

“In the Development Control rules for Greater Bombay, Rule 7(vii) (b) should be deleted.”

3 : The Greater Bombay Municipal Corporation should give effect to the above directive immediately. The corporation should also take necessary action under section 37 of the Maharashtra Regional and Town Planning Act, 1966 for modifying the development control rules accordingly and to submit the necessary modification for the approval of Government.

faithfully

Yours

Sd/-

(R.B.DONALD)

DEPUTY SECRETARY TO GOVERNMENT.

APPENDIX-IV

Development Plan for Greater Bombay
Minor Modification to The Development
Control Rules Rule No. 8(e) (viii) (ix);
13(b) (ii),(iii),(xvi)& (xvii) and 51.

GOVERNMENT OF MAHARASHTRA

Urban Development and Public Health Department

Resolution No.DCR/1078/1785-UD-5

Mantralaya, Bombay-400 032

Dated 19th March 1979

READ: (1) The Deputy Municipal Commissioner (engineering) Bombay Municipal Corporation's letter No. CE/960 DP-C dated 1st June 1978.

(2) The Director of Town Planning, Maharashtra state pune's letter No. DP/Bombay/92-78/TPV-III dated 19th September 1978.

RESOLUTION: *The accompanying government notification should be published in the Maharashtra Government Gazette*

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

Sd/-

(A.H. BENADIKAR)

Under Secretary to Government.

NOTIFICATION

Maharashtra

Regional & Town

Planning Act-1966.

Urban Development & Public Health Department Mantralaya, Bombay 32, dated 19th March 1979.

No. DCR 1078/1785-UD-5: Whereas in accordance with provisions of sub-section 37 of the Maharashtra regional town & planning act, 1966(Maharashtra XXXVII of 1966) (herein after referred to as the "Said Act"). The Municipal Corporation Of Greater Bombay, after following the procedure prescribed by that act, submitted to the government of Maharashtra sanction in 1st June , 1978 a proposal of minor modification to the Development Control Rules, which were incorporated in all parts of the development plan of greater Bombay (hereafter referred to as "said rules") so as to modify the rule nos. 8 (e) (ix),13(b) (iii) 13(b) (xvi)(xvii) and to add clauses (xx) and (xxi) in rule no.51 defining the terms office premises and wholesale establishment", of the rules (hereafter referred to as the "said proposal of modification")

And whereas the government is satisfied that the said proposals of modification are necessary and should be sanction.

Now, therefore in existence in the power conferred by sub-section (2) of section 37 and all other powers enabling it in this on behalf of Government of Maharashtra hereby sanction the proposals of modification and for that purpose amends the government notification Urban Development, Public Health And Housing Department No TPB 4366/10740-W of the 7th January 1967 as follows, namely;

In the said notification the following new entry shall be added.

"1 The existing rules nos. 8(e) (viii), 8(3) (ix); 13(d) (ii), 13(b) (xvi) 13(b) (xvii) should be substituted by the following rules :-

"8 (e) (viii) - Local sub-offices of any public authority created by law in India just sufficient to cater to the needs of surrounding area."

"8 (e) (ix) - Professional offices not exceeding 40.00 sq mts. (forty .sq.mts) in area."

13 (b) (ii)- Business offices and exchanges only in subs and extended suburbs and such establishments shall not be allowed in the island city of Bombay comprising of 'A' to 'F'/North and 'G'/north wards"

13 (b) (iii)- "Wholesale establishments only in suburbs and extended suburbs and such establishments shall not be allowed in the island city of Bombay comprising of 'A' to 'F'/North and 'G'/north wards"

13 (b) (xvi)-“Veterinary hospital and kennels in suburbs and extended suburbs and not such establishments will be allowed in the island city of Bombay comprising of ‘A’ to ‘F’/North and ‘G’/north wards”

13 (b) (xvii)-“Prisons and animals pounds only in sub suburbs and extended suburbs and not such establishments will be allowed in the island city of Bombay comprising of ‘A’ to ‘F’/North and ‘G’/north wards”

2. Following note should be added at the end of rule no. 8(e).

Note:- Where ever the area of the user is not satisfied the same shall not exceed 100 sq.mts (one hundred sq.mts only) in case of city wards comprising of ‘A’ to F/North and G/northwards

3. “Following note should be added at the end of rule no 13(b)

Note: - Where ever the area of the user is not satisfied the same shall not exceed 100 sq.mts (one hundred sq.mts only) in case of city wards comprising of ‘A’ to F/North and G/northwards excepting for item no. 13(b) (xvii).

“4. Following new clauses (xx) and (xxi) should be added in rule 51.

“(xx) The term “Office Premises” means premises whole sole or principal use is as an office or for office propose, “Office premises” includes the purpose of administration, clerical work, handling money , telephone and telegraphs operating and operating computers and “ clerical work” including writing book-keeping, sorting papers , typing, filing ,duplicating , punching cards or tapes , machines calculating drawing of matter for publication and the editorial preparation of matters for publication.

(xxi) The term “Wholesale Establishment” includes establishments wholly or partly engaged in whole trade, manufactures wholesale out-lets including related storage facilities warehouse and establishments engaged in truck transport including truck transport, booking agencies.”

By order and in the name of Government Maharashtra.

(A.H. BENADIKAR)

Under Secretary to Government.

APPENDIX-V

Development Plan for Greater Bombay
Minor Modification to The Development
Control Rules –Rules 18 and 21.

GOVERNMENT OF MAHARASHTRA

Urban Development and Public Health Department

Resolution No.DCR/1078/1785-UD-5

Mantralaya, Bombay-400 032

Dated 2nd January 1979

Resolution: The Accompanying Government Notification should be published in Maharashtra Government Gazette. By order and in the name of Governor of Maharashtra.

Sd/-

(A.H.BENADIKAR)

Under Secretary to Government.

NOTIFICATION

Urban Development and Public Health Department

Mantralaya, Bombay-32, Dated 2nd January 1979

Maharashtra

Regional & Town

Planning Act, 1966.

No. DCR.1078/3943/UD.5: Whereas, in accordance with the provisions of sub-section (1) of section 37 Maharashtra Regional & Town Planning Act (herein after referred to as “the said Act”) (Maharashtra XXXVII of 1966) the Municipal Corporation Of Greater Bombay (herein after referred to as “ The Municipal Corporation “) after following the procedure prescribed by that act submitted on 9th November ,1978, to the government of Maharashtra a proposal of modification to the referred to as “the said Development Control Rule”) with a view to modifying the rules 18 and 21 of the said Development Control Rule (herein after referred to as the “said proposal of modification”)

And, whereas the government of Maharashtra after making necessary enquiries and examining the said proposal of modification, is satisfied that the said proposal of modification is necessary and should be sanctioned;

Now, therefore in exercise of powers conferred by sub-section (2) of section 37 of the said act, and all other powers enabling it in that behalf, the government of Maharashtra hereby sanctions the said proposal of modification and for that purpose amends the government notification, urban development public health and housing department, no, TPB 4366/10740-W, dated the 7th January 1967, as follows namely;

In the said notification in the schedule of modification to the said Development Control Rules for following entry shall be made after last entry.”Rules 18 and 21 of the Development Control Rules shall be as follows:-

(1) Rule – 18 Use provisions in general industrial zone (1-1) subject to provisions of rule 26 in general industrial zone (1-1); building or premises may be used for industrial purpose except the following”..

(2) Consequent upon the above modified rule 18 the provision to rule 21 shall be deleted.”

By order and in the name of Governor of Maharashtra.

Sd/-

(A.H Benadikar)

Under Secretary to Government

APPENDIX-VI

Development Plan For Greater Bombay

Minor Modification to the Development

Control Rules-Rule No. 37(d)

GOVERNMENT OF MAHARASHTRA

Urban Development and Public Health Department

Resolution No.TPB 4378/4260 -UD-5

Mantralaya, Bombay-400 032

Dated 19TH March 1979

READ: The deputy municipal commissioner (engineering) Bombay Municipal Corporation's letter no. CE/4876/DP-C dated December 1978.

RESOLUTION: The accompanying Government Notification should be published in the Maharashtra Government Gazette.

Sd/-

(A.H.BENADIKAR.)

Under Secretary to the Government.

Date of publication in

Government Gazette- 29-3-1979(Page-683)

NOTIFICATION

Urban Development and Public Health Department

Mantralaya, Bombay-400 032, Dated 19TH March 1979.

Maharashtra

Regional & Town

Planning Act, 1966.

No. TPB 4378/4260-UD-5: Whereas in accordance with the provisions of sub-section 37 of the Maharashtra regional and town planning act, 1966 (Maharashtra XXXVII of 1966) (Herein after referred to as the "said act") the municipal corporation of greater Bombay after following the procedure prescribed by that act submitted to the government of Maharashtra for sanction on 5th December 1978 a proposal of minor modification to the development control rules which were incorporated in all parts of the development plan of greater Bombay (herein after referred to as "the said Rules") so as to modify the rule No. 37(d) of the said Rules (herein after referred to as the "said proposal of modification")

And where the government is satisfied that the said proposal of modification is necessary subject to further modification and should be sanctioned in the modified forms;

Now, therefore in exercise of the powers conferred by sub-section (2) of the section 37 and all other powers enabling it in this behalf; the government of Maharashtra hereby sanctions the said proposal of modification and for what purpose amends the government notification urban development, public health and housing department no.TPB 4366/10740-W dated the 7th January 1967 as follows, namely;

"In the said modification the following new entry shall be added." The existing Rule 37(d) shall be substituted by following new rule-

Provided however , that the municipal commissioner may with the previous approval of government permit such open in case of government or semi government buildings, or those owned by public charitable trusts only , subject to such terms and conditions as may be imposed.

By order and in the name of governor of Maharashtra.

Sd/-

(A.H BENADIKAR)

Under Secretary to the Government.

APPENDIX-VII

Development Plan for Greater Bombay

Minor Modification to the Development

Control Rules-

Rule No

GOVERNMENT OF MAHARASHTRA

Urban Development and Public Health Department

Resolution No.DCR/1079/1661-UD-5

Mantralaya, Bombay-400 032, Dated 4th September 1979.

READ: The Municipal Commissioner, Bombay Municipal Corporation Bombay's letter no. MDG/9247 dated 26th April 1979.

RESOLUTION: The accompanying Government Notification should be published in the Maharashtra Government Gazette.

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

Sd/-

(A.H.BENADIKAR.)

Under Secretary to the Government.

Date of publication in

Government Gazette- 20-9-1979, (Page-1714)

NOTIFICATION

Urban Development and Public Health Department

Mantralaya, Bombay-400 032, Dated 4th September 1979.

Maharashtra

Regional & Town

Planning Act, 1966

No. DCR /1079/1661-UD-5: Whereas in accordance with the provisions of sub-section (1) of Sec .37 the Maharashtra regional and town planning act,1966 (Maharashtra XXXVII of 1966) (Herein after referred to as the "said act") The Municipal Corporation of Greater Bombay after following the procedure prescribed by that Act submitted to the Government of Maharashtra for sanction on 26th April 1979 a proposal of minor modification to the Development Control Rules which were incorporated in all parts of the Development Plan of Greater Bombay (herein after referred to as "the said Rules") so as to modify the rule No. 35 of the said Rules (herein after referred to as the "7th said proposal of Modification")

And where the Government is satisfied that the said proposal of modification is necessary subject to further modification and should be sanctioned in the modified forms;

Now, therefore in exercise of the powers conferred by sub-section (2) of the section 37 and all other powers enabling it in this behalf; the Government of Maharashtra hereby sanctions the said proposal of Modification and for what purpose amends the Government Notification Urban Development, Public Health And Housing Department No.TPB 4366/10740-W dated the 7th January 1967 as follows, namely;

"In the said notification the following new entry shall be added "In Rule 35, following clauses shall be added after sub clause (iii) of clause (b);

(c) The lift/lifts so provided in accordance with the above provision under clauses (a) and (b) shall permanently made in good working order.

(d) The number of respective floors in the building shall be engraved of adequate size and painted in the plaster of the wall facing stair cases and lift/lifts opening on the floor so as to be distinctly visible the lift cage.

By order and in the name of Governor of Maharashtra.

Sd/-

(A.H BENADIKAR)

Under Secretary to the Government.

APPENDIX-VIII

Development Plan for Greater Bombay
Minor Modification to the Development
Control Rules

36-h(V)

GOVERNMENT OF MAHARASHTRA

Urban Development and Public Health Department

Resolution No.DCR/1079/1954-UD-5

Mantralaya, Bombay-400 032, Dated 12th July 1979.

READ: The Municipal Commissioner (Engineering) Bombay Municipal Corporation's letter no. CE/1880/DPC dated 18th May 1979.

RESOLUTION: The accompanying Government Notification should be published in the Maharashtra Government Gazette.

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

Sd/-

(A.H.BENADIKAR.)

Under Secretary to the Government.

Published in Government
Gazette

Dated: 2nd August 1979

Page No. 1427

NOTIFICATION

Urban Development and Public Health Department

Mantralaya, Bombay-400 032, Dated 12th July 1979

Maharashtra

Regional & Town

Planning Act, 1966

No. DCR /1079/1661-UD-5: Whereas in accordance with the provisions of sub-section (1) of Sec .37 the Maharashtra regional and town planning act,1966 (Maharashtra XXXVII of 1966) (Herein after referred to as the "said act") The Municipal Corporation of Greater Bombay after following the procedure prescribed by that Act submitted to the Government of Maharashtra for sanction on 18th May 1979 a proposal of minor modification to the Development Control Rules which were incorporated in all parts of the Development Plan of Greater Bombay (herein after referred to as "the said Rules") so as to modify the rule No. 36-h (v) (herein after referred to as the "said proposal of Modification")

And where the Government is satisfied that the said proposal of modification is necessary and should be sanctioned;

Now, therefore in exercise of the powers conferred by sub-section (2) of the section 37 and all other powers enabling it in this behalf; the Government of Maharashtra hereby sanctions the said proposal of Modification and for what purpose amends the Government Notification Urban Development, Public Health And Housing Department No.TPB 4366/10740-W dated the 7th January 1967 as follows, namely;

In the said modification the following entry shall be added at the end.

"In the existing development control rule no. 36 H (v) following provision is added as second provision after the first provision."

"Provided further that in case of high rise building, having heights exceeding 21 mts. The height being measured excluding the terrace parapet wall, elevated water storage tanks, stair-case rooms, lifts machines rooms, etc, the parking spaces or loading/unloading spaces required to be provided as per the above requirement shall be accommodated in the basement floor underneath the building stilted ground floor and if required on first and second floor etc, as the case may be. The open spaces as also recreational or amenity open spaces required to be provided under D.C. Rule No.39 shall not be allowed to be utilized for the purpose of provided parking or loading/un loading spaces"

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

Sd/-

(A.H BENADIKAR)

Under Secretary to the Government.

APPENDIX-IX

Development Plan of Greater Bombay

Modification to Development Control

Rule No. 8(e) and 27

GOVERNMENT OF MAHARASHTRA

Urban Development and Public Health Department,

Resolution No. DCR 1080/218-UD-5

. Mantralaya, Bombay -32, dated: 14th February 1980

READ: The Municipal Commissioner, Bombay Municipal Corporation, Bombay's letter No. CE/200 dated 16th January, 1980.

RESOLUTION: The accompanying Government Notification should be published in the Maharashtra Government Gazette.

By order and in the name of the Governor of Maharashtra

Sd/-

(G.S PANTBALEKUN)

Under Secretary to Government

Published in Government

Dated 28-2-1980

Page No. 306

NOTIFICATION

Urban Development and Public Health Department,

Mantralaya, Bombay -32, dated: 14th February 1980.

Maharashtra

Regional & Town

Planning Act, 1966

No.DCR 1080/218-UD-5: Whereas in accordance with the provisions of sub-section (1) Of Section 37 of the Maharashtra Regional and Town Planning Act, 1966 (Maharashtra XXXVII of 1966) (here in after referred to as the said Act), the Municipal Corporation of Greater Bombay after following the procedure by that Act, submitted to the Government Of Maharashtra for sanction on 6th January, 1980 a proposal of minor modification to the Development Control Rules, (which were incorporated in all parts of the Development Plan of Greater Bombay) (here in after referred to as “the said Rules”) so as to modify the Rule No.8 (e) And 27 of the said Rule (here in after referred to as the “said proposal of modification”)

And whereas the Government is satisfied that the said proposal of modification is necessary Subject to further modification and should be sanction in the modified from;
Now, therefore, in exercise of the powers conferred by sub-section (2) of section 37 and all Powers enabling it in this behalf, the Government of Maharashtra hereby sanctions the Said proposal of modification and for that purpose amends the Government Notification Urban Development, Public Health and Housing Department No. TPB 4366/10740-W dated the 7th January, 1967 as follows, namely;

In the said Notification, the following new entry shall be read instead of Rules 8(e) (xxx) And after clause 27(xxx) shall be added.

8(e): (xxx) - Diamond cutting and polishing not exceeding employing more than 6 persons
And motive power not exceeding H.P.

27: (xxiv): Diamond cutting and polishing not employing 9 persons and Total H.P. not Exceeding 1.00 H.P. By order and in the name of Governor of Maharashtra.

Sd/-

(G.S PANTBALEKUNDRI)

Under Secretary to Government

APPENDIX-X

MUNICIPAL CORPORATION OF GREATER BOMBAY

No. DMC /E/10143

Dated: 27th November, 1979.

Subject: Permitting branches of Banks and various amenities in General and Special Industrial Zones.

The Corporation in their meeting held on 30th July, 1979 have accorded their approval *vide* their Resolution No. 506 to modify the Development Control Rule Nos. 18 and 19 by incorporating additional Clauses i.e., Development Control Rule No. 18 (LXXXIX) and development Control Rule No. 19 (XXVII) - as under:-

“18(LXXXIX): However, with the special written permission of Municipal Commissioner, the General Industrial zone may be used for Branches of Banks, Telephone Exchanges, Municipal & Government Sub-Offices, Convenience Shops dealing with Tobacco provisions, etc. Tea Stalls, Small Hotels, Police Stations, Post and Telegraph Offices, Fire Stations, etc.”

“19 (xxvii) : Branches Of Banks, Telephone Exchanges, Municipal And Government Sub-Offices, Convenience Shops Dealing With Tobacco Provisions Etc Tea Stalls And Small Hotels Police Stations, Post And Telegraph Offices , Fire Stations , etc.”

“The Building Proposal staff should consider the plans considering the above modification for all the proposals submitted hereafter.”

The Ward Officers would note that no permissions are granted for convenient shops in Industrial Zones unless specific approval for such changes of existing premises etc. is obtained by the concerned parties from the Building Proposal Section of this Corporation.”

Sd/-

Dy. C.E. (D.P)

Sd/-

C.E.

Sd/-

D.M.C. (Engg).

C I R C U L A R

No CE/40730/I of 23-3-1973

Subject: Desirability of stair-cases, lift wells- from ground floor onwards from computation of Floor Space Index.

The Municipal Corporation of Greater Bombay under their Resolution no. 2035 dated 11th January 1973 have ; accorded sanction to exempt all stalls cases and lift wells from ground floor onwards from the computation of floor spaces index calculations in respect of all building in Greater Bombay.

Thus the municipal corporation under their above resolution has accorded sanction to amend the final development control rules 51 (vi) b under:

“51 (VI) (b)

Electric cabin or sub-station, watchmen’s booth, pump-house, garbage shafts, space required for location of fire hydrants, electric fittings and water tanks and such other requirements required for the fittings purposes.”

Staircase rooms and/or lift rooms, architectural features, chimneys, elevated tanks of dimensions as permissible under rules and niches for storage below window sills.

For the purpose of computation of the areas of stair case walls, lift rooms and other uses mentioned above, the following method of calculations be adopted.

- (i) Internal dimensions of the lift wells, stair case rooms etc. will be taken in all cases.
- (ii) For stair case landings which are wider than the width of the existing flight of steps the strip of landings equivalent to the width of the light of steps taken into calculations for the purpose of this exemption
- (iii) For the purpose of ascertaining the F.S.I. of the plot, the existing – F.S.I of plots as on 11-3-73 (date of corporation sanction to the propose the F.S.I of stair case and lifts rooms as per (i) and (ii) above will be calculated and the F.S.I shall have to be within the permissible F.S.I. of the zones in which building is situated.

The exemption from F.S.I. as per this concession will be applicable to the following:-

- (1) In all new buildings and buildings under constructions as on 11-1-1973 and where B.C.C. is not accepted or occupation certificate is not granted the advantage of the concession in F.S.I. will be granted without giving any concession in any of the provisions under the D.C. Rules.
- (2) In respect of all existing buildings advantage of the concession will be allowed to be taken provided the F.S.I. as per (iii) above is within permissible limit, but without giving any concession in respect of other provisions under the D.C. Rules, except regarding set back on upper floors parking requirements for the additional area and open spaces as D.C. Rule No.48 (b).

(3) In no case where the existing building has already exceeded the permissible F.S.I. as per (iii) above this concession will be allotted to be advantage of.

The staff concerned are directed to note in D.C. Rule No (51) (VI) and to consider building proposals for grant of additional F.S.I. strictly accordance with the above policy. However all such proposals must be sanctioned by .M.C. whom all cases should be put up?

NOTE:

The State Government in Urban Development Public Health Department *vides* their letter under No. TPB/4373/38736-WI of 22nd October issued directive under section 154 of the Maharashtra regional and town planning act 1966 as under.

“In exercise of the powers vested in the State government by section 154 of the Maharashtra regional and town planning act , 1966, government that concession of excluding stair case and lift wells from the computation of floor space index should be allowed in respect of residential buildings and extended suburbs of Greater Bombay. This concession should not be granted for building in the city proper i.e. Wards A to directive have already become operative since then.