

NOTICE

Government of Maharashtra,
Urban Development Department,
Mantralaya, Mumbai-400 032.

Dated : 28 /02 /2017

Maharashtra
Regional &
Town
Planning Act,
1966

No. TPS-1215/3116/CR-41/16/CIDCR/UD-12:- Whereas, the Government has sanctioned various Development Plans (hereinafter referred to as 'the said Development Plans') along with their Building Bye-laws and Development Control Rules with or without modifications (*hereinafter referred to as 'the said Development Control Regulations'*) for Municipal Corporations (*hereinafter referred to as 'the said Planning Authorities'*) in the Mumbai Metropolitan Region under the provisions of the **Maharashtra Regional & Town Planning Act, 1966** (*hereinafter referred to as 'the said Act'*), as mentioned in **Schedule-A** appended hereto;

And whereas, the said Development Control Rules of the said Planning Authorities needed modification considering the changing requirements of cities and for uniform pattern of development within Corporations in Mumbai Metropolitan Region which support developments like Transit Oriented Development, creation of more housing stock, Planned development of clusters, eco-friendly buildings, regulation of height of buildings commensurate with fire-fighting facilities etc. and therefore such new provisions were required to be included in the said Development Control Regulations;

And whereas in view of the above, the Government in Urban Development Department, vide its resolution no TPS-1212/CR-162/12/UD-12 dated the 20/11/2012 has appointed a **Committee** (*hereinafter referred to as 'the said Committee'*) under the Convener, Principal Secretary, Urban Development Department, Maharashtra State for drafting the Comprehensive and Integrated Development Control Regulations for Municipal Corporations in Mumbai Metropolitan Region as mentioned in Schedule-A appended hereto..

And whereas, the *said Committee* after deliberating meeting among themselves prepared the Draft development Control Regulations named as '**Comprehensive and Integrated Development Control Regulations for Municipal Corporations in Mumbai Metropolitan Region except MCGM**' and submitted the same to the Government vide letter No.MMRDA/PD/DCRs/454A/2015, dated the 30/10/2015;

And whereas, the Government felt it necessary to replace the existing said Development Control Regulations by the new set of '**Draft Comprehensive and Integrated Development Control Regulations** prepared by the said *Committee for Municipal Corporations in Mumbai Metropolitan Region except MCGM*' (*hereinafter referred to as 'the said proposed regulations'*);

And whereas, the Government, found it expedient in the public interest to take recourse of the provision contained in Section 37(1AA) (a) of the said Act;

Now therefore, in exercise of the powers conferred by Clause (a) of sub-section (1AA) of Section 37 of the Maharashtra Regional and Town Planning Act, 1966 (Mah. XXXVII of 1966) and all other powers enabling in that behalf, the Govt. of Maharashtra hereby, in supersession of all the earlier existing /proposed Development control regulations of the said Planning authorities (as mentioned in Schedule-A), has declared its intention to replace the said DCR and newly insert



the said proposed modification named as '**Draft Comprehensive and Integrated Development Control Regulations for Municipal Corporations in Mumbai Metropolitan Region**' appended herewith to this notice and for that purpose publishes a notice for inviting suggestions/objections from general public with respect to the said proposed regulations within a period of one month from the date of publication of this notice in the Maharashtra Government Gazette.

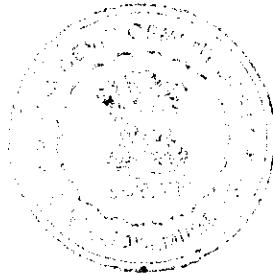
Any objections and suggestions to the said proposed regulations be forwarded before the expiry of one month from the date of publication of this notice in Maharashtra Government Gazette to the **Joint Director of Town Planning, Konkan Division** who is hereby authorized as an **officer** under section 162 of the said act on behalf of Government. The objections or suggestions, which may be received by the concerned Officer appointed, shall be considered and opportunity of being heard shall be given to the concerned persons by the Officer appointed under section 162 of the said act, and to submit his report to the Government. The Government will take final decision in accordance with the provisions of the section (1AA) of Section 37 of the said act.

The copy of Draft Comprehensive and Integrated Development Control Regulation shall be kept open for inspection to the general public in the following offices for the period of one month on all working days.

- (i) Office of the Director of Town Planning, Central Building, Pune;
- (ii) Office of the Joint Director of Town Planning, Konkan Division, Konkan Bhavan, Navi Mumbai;

This notice shall also be made available on the Government website www.maharashtra.gov.in

By order and in the name of Governor of Maharashtra,



Ashok K. Khandekar
(Ashok K. Khandekar)
Section Officer to Government

SCHEDULE A

(Accompanied with Government notice no TPS-1215/3116/CR-41/16/CIDCR/UD-12
Dated 28 /02 /2017)

Sr. No.	Name of Municipal Corporations
1	Thane
2	Mira Bhayandar
3	Bhiwandi Nizampur City
4	Vasai-Virar City
5	Kalyan Dombivali
6	Ulhasnagar
7	Panvel (Excluding CIDCO area)

By order and in the name of Governor of Maharashtra,



Ashok K. Khandekar

(Ashok K. Khandekar)

Section Officer to Government

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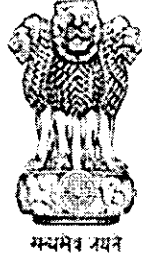
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Draft Comprehensive and Integrated
Development Control Regulations for
Municipal Corporations in
Mumbai Metropolitan Region

(Notice Published under Section 37(1AA) of the Maharashtra Regional & Town Planning Act, 1966
vide TPS-1215/3116/CR-41/16/CIDCR /UD-12/Dated 28th Feb 2017)

URBAN DEVELOPMNET DEPARTMENT, GOVERNMENT OF MAHARASHTRA

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1. ADMINISTRATION

1.1. Title, Extent & Commencement

These regulations shall be called as "Draft comprehensive and Integrated Development Control Regulations for the Municipal Corporations in the Mumbai Metropolitan Region"(hereafter called "The Regulations")

1.1.1. Extent and Jurisdiction

i) These regulations shall apply to the building activity and development work on lands within the jurisdiction of Municipal Corporations in Mumbai Metropolitan Region *except* Municipal Corporation of Greater Mumbai, Navi Mumbai and erstwhile areas of CIDCO included in Panvel Municipal Corporation (hereafter called "The Corporation").

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

1.1.2. Date of Coming into Force

These regulations shall come into force from the date of publication of notification in official Gazette, being the date on which they are sanctioned by the State Government under the relevant provisions of the Act and till the time the State Government finally sanctions these regulations, the regulations currently in force, if any, shall be applicable.

1.1.3. Purpose and Intent

The purpose of these regulations is to implement the development plan and to promote health, safety and general welfare of the present and future inhabitants living within the jurisdiction of the Corporation.

1.2. Applicability

1.2.1. Development of sites or/and subdivision or amalgamation of land:

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

1.2.2. Development and Construction

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

1.2.3. Part Construction

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

1.2.4. Change of Occupancy / User

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

1.2.5. Reconstruction

The reconstruction in whole or part of a building which has ceased to exist due to an accidental fire, natural collapse or demolition, having been declared unsafe, or which is likely to be demolished by or under an order of the Corporation and for which the necessary certificate has been given by the said Corporation shall be allowed subject to the provisions in these regulations.

1.2.6. Partially Completed Works

For partially completed works, commenced with due permission before coming into force of these regulations , the Commissioner may not, for reasons to be recorded in writing, necessarily insist on compliance with the provisions of these Regulations for the revised development permission

1.2.7. Revised permission

Any development permission granted earlier may be revised provided that, third party interest established in pursuance of such permissions, if any, are not adversely affected. In such case, consent of the adversely affected persons shall be necessary. While granting the revised permission, the approved plans and commencement certificate of the earlier permission with the owner and office, shall be stamped as 'CANCELLED' by the Authority.

1.2.8. Exclusions

Nothing in these regulations shall require the removal, alteration or abandonment or prevent the continuance of the lawfully established use or occupancy of an existing building or its use, unless in the opinion of the Commissioner, such a building is unsafe or constitutes a hazard to the safety of adjaent property

1.2.9. Savings

i) Notwithstanding anything contained in these regulations, any development permission granted or any development proposal for which any action is taken under the erstwhile Regulations shall be valid and continue to be so valid, unless otherwise specified in these Regulations.

Provided that, it shall be permissible for the owner to –

- a) either continue to develop the project as approved under the erstwhile regulations in toto; or
- b) apply for grant of revised permission under the new regulations, if the project is on-going and the occupation certificate, has not been granted fully.

ii) Notwithstanding anything contained herein, special regulation, if any, considering the character of the town as approved by the Government which is not covered in these regulations may also be applicable and continue to be so valid, unless otherwise specified.

iii) Validity of Development Permission: If any development permission has been issued before the date of coming into force of these Regulations and if work not commenced within validity period and such permission is not renewed then the said development permission shall be deemed to have been lapsed.

Provided that, permission granted earlier shall be eligible for renewal as per provisions of the Act. Provided further that, the words 'action taken' in this regulation shall also include the issuance of Demand note for granting the development permission.

1.3. Delegation of Powers and Discretionary Powers

1.3.1. Delegation of Powers

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

1.3.2. Discretionary Powers

In conformity with the intent and spirit of these Regulations, the *Commissioner* may by order in writing-

- i) Decide on matters where it is alleged that there is an error in any order, requirement decision, and determination of interpretation made by him or by an Officer authorized by him in the application of these Regulations.

- ii) Decide the extent of the proposal of Development Plan with respect to S.No., where boundaries of the S.No. shown on Development Plan varies with the boundaries as per revenue record / measurement plan / City Survey sheets.
- iii) Determine and establish the location of zonal boundaries in exceptional cases, or in cases of doubt or controversy;
- iv) Decide the alignment of Development Plan road, where the street layout actually on the ground varies from the street layout as shown on the Development Plan;
- v) Decide the alignment of Blue and Red flood line on Development Plan where it varies with the said lines given by the Irrigation Department or any other Govt. institutions dealing with the subject, from time to time;
- vi) Modify the limit of a zone where the boundary line of the zone divides a plot. In such cases, the zone over the larger portion of the plot having area more than 50% shall be considered;
- vii) Authorize the erection of a building or use of premises for a public service undertaking for public utility propose only, where he finds such an authorization to be reasonably necessary for the public convenience and welfare even if it is not permitted in any Land Use Classification.
- viii) Interpret the provisions of these Regulations where there is clerical, grammatical mistake, if any.

1.3.3. Relaxations in Specific Cases:

In specific cases where clearly demonstrable hardship is caused, the Commissioner may by special written permission

- i) Permit any of the dimensions/provisions prescribed by these regulations to be modified provided the relaxation sought does not violate the health, safety, fire safety, structural safety, and public safety of the inhabitants of the buildings and the neighbourhood. Non – consumability of FSI beyond base FSI as per Regulation no. 5.2 shall not be considered as hardship.
- ii) However, no relaxation in the setback required from the road boundary or FSI or parking requirements shall be granted under any circumstances, unless otherwise specified in these Regulations.
- iii) While granting permission under these regulations, conditions/restrictions/limitations may be imposed on size, cost or duration of the structure, abrogation of claim of compensation, payment of deposit and its forfeiture for non-compliance and payment of premium, as may be prescribed by the Planning Authority.

1.3.4. **Power to Prescribe the Proformas-** The Municipal Commissioner shall have the powers to prescribe proformas /appendices and / or make amendments in the contents of such proformas/appendices A to K attached with this regulations and in the general procedure for grant of development permission

1.4. Meanings as in Acts, Rules Interpretations

- i) Terms and expressions not defined in these Regulations shall have the same meaning or sense as in the Maharashtra Regional and Town Planning Act, 1966 (Maharashtra Act No. XXXVII of 1966) or the Maharashtra Municipal Corporations Act, 1949 or National Building Code-2005 as amended from time to time and the rules or bye-laws framed there under, as the case may be, unless the context otherwise requires.
- ii) In the regulations, the use of present tense includes the future tense, the masculine gender includes the feminine and the neutral, the singular number includes the plural and the plural includes the singular. The word person includes a corporation/company, writing includes printing and typing and 'signature' includes thumb impression made by a person who cannot write if his name is written near to such thumb impression.
- iii) Whenever sizes and dimensions of rooms and spaces within buildings are specified, they shall mean clear dimensions unless otherwise specified in these regulations

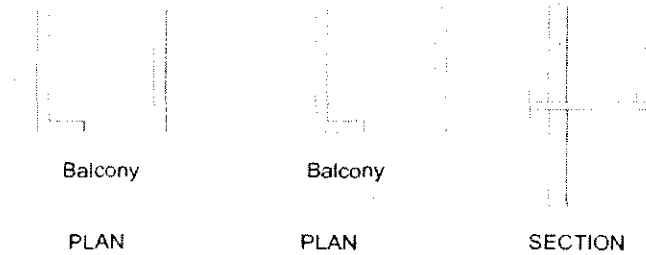
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1.5. Definitions

1. **Act**-The Maharashtra Municipal Corporations Act, 1949 (Bombay Act no. LXI LIX of 1949) and the Maharashtra Regional and Town Planning Act, 1966 (Mah. Act No. XXXVII of 1966).
2. **Authority**-The Authority which has been created by a statute and which for the purpose of administering the regulations may authorize a Technical Committee or an official having a professional skill to act on its behalf; hereinafter called the Authority.
3. **Addition and / or Alteration**-Any change in existing authorized building or change from one occupancy to another, or a structural change, such as an addition to the area or height, or the removal of part of a building, or any change to the structure, such as the construction of, cutting into or removal of any wall, partition, column, beam, joist, floor, roof or other support or a change to or closing of any required means of ingress or egress or a change to the fixtures of equipment as provided under these regulations. However modification in regards to gardening, white washing, painting, plastering, pointing, paving and retiling shall not be deemed to be alteration.
4. **Advertising Sign**-Any surface of structure with characters, letters or illustrations applied thereto and displayed in any manner whatsoever out of door for purposes of advertising or to give information regarding or to attract the public to any place, person, public performance, article or merchandise whatsoever, and which surface or structure is attached to, or forms a part of building, or is connected with any building or is fixed to a tree or to the ground or to any pole, screen, fence or hoarding or displayed in space.
5. **Air-conditioning**-The process of treating air so as to control simultaneously its temperature, humidity, cleanliness and distribution to meet the requirement of conditioned space.
6. **Accessory Building** -A building separate from the main building on a plot and containing one or more rooms for accessory use such as servant quarters, garage, store rooms etc.
7. **Accessory / Ancillary Use** -Any use of the premises subordinate to the principal use and incidental to the principal use.
8. **Amenity Space** -For the purpose of these regulations, amenity space means a statutory space kept in any layout to be used for any of the amenity such as open spaces, parks recreational grounds, playgrounds, sports complex, gardens, convenience shopping, parking lots, primary and secondary schools, nursery, health club, sub post-office, police station, electric substation, ATM of banks, electronic cyber library, open market, garbage bin, water supply, electricity supply and includes other utilities, services and conveniences.
9. **Access** -Clear approach to a plot or a building.
10. **Architect** -An Architect who is an associate or corporate member of the Indian Institute of Architects or who holds a degree or diploma which makes him eligible for such membership for such qualification listed in Schedule XIV of the Architects Act, 1972, and being duly registered with the Council of Architecture under the Act.
11. **Assembly Buildings** -These shall include any building or part of building where groups of people congregate or gather for amusement, recreation, social, religious, patriotic, civil, travel and similar purposes, e.g. theatres, motion picture house, drive-in-theatres, multiplexes, assembly halls, city halls, town halls, auditoria, exhibition halls, museums, mangal karyalaya, cultural centre, skating rinks, places of worship, dance theatres, club & gymkhana, passenger stations and terminals of air, surface and other public transportation services, recreation piers and stadia.
12. **Applicant**-Any person who is an owner or a person claiming to be an owner though an irrevocable registered Power of Attorney and any other document as acceptable to the Municipal Corporation.

13. **Balcony** -A Horizontal projection shown in the figure below, including parapet and handrail balustrade to serve as a passage or sitting out place at least one side fully open, except provided with railing or parapet wall for safety.

Balcony to The Exterior of The Wall



14. **Base FSI**-Floor Space Index permissible without levy of premium or TDR on any parcel of land as per the provisions of these regulations.
15. **Basement or Cellar** -The lower storey of a building below or partly below the ground level.
16. **Building**-Any structure for whatsoever purpose and of whatsoever materials constructed and every part thereof whether used as human habitation or not and includes foundation, plinth, walls, floors, roofs, chimneys, wells, door steps, fencing, plumbing and building services, fixed -platforms, verandahs, balcony; cornice or projection, part of a building or anything affixed thereto or any wall fence enclosing or intended to enclose any land or space and signs and outdoor display structures. However, tents, shamianas and the tarpaulin shelters erected for temporary and ceremonial occasions with the permission of the Authority shall not be considered as building.
17. **Built up Area** -The area covered by a building on all floors including cantilevered portion, mezzanine floors, if any, but excepting the areas excluded specifically under these Regulations.
18. **Building Line**-The line up to which the plinth of a building adjoining a street or an extension of a street or on a future street may lawfully extend.
19. **Building Height** -The vertical distance measured in the case of flat roofs, from the average level of the ground around and contiguous to the building or as decided by the Authority to the terrace of last livable floor of the building adjacent to the external walls; to the highest point of the building and in the case of pitched roofs, up to the point where the external surface of the outer wall intersects the finished surface of the sloping roof; and in the case of gable facing road, the mid-point between the eaves level and the ridge. Architectural features serving no other function except that of decoration shall be excluded for the purpose of measuring heights.
20. **Builder**-Builder means the person who is legally empowered to construct or to execute work on a building unit, building or structure, or where no person is empowered, the owner of the building unit, building or structure.
21. **Business Buildings** -These shall include any building or part of building, which is used for transaction of business for the keeping of accounts and records for similar purposes; offices, banks, professional establishments, I.T. establishments, call centre, offices for private entrepreneurs, court houses, libraries shall be classified in this group in so far as principal function of these is transaction of public business and the keeping of books and records.
22. **Cabin** -A non - residential enclosure constructed of non - load bearing, non-masonry partitions having area not exceeding 3.00 sqm
23. **Carpet Area** -The net usable floor area within a building excluding that covered by the walls or any other areas specifically exempted from floor space index computation in these regulations.

24. **Chajja**-A sloping or horizontal structural overhang usually provided over openings on external walls to provide protection from sun and rain and for purpose of architectural appearance.
25. **Chimney**-An upright shaft containing one or more flues provided for the conveyance to the outer air of any product of combustion resulting from the operation of heat producing appliance or equipment employing solid, liquid or gaseous fuel.
26. **Combustible Material**-A material, if it burns or adds heat to a fire when tested for combustibility in accordance with IS - 3808 - 1966 Method of Test for combustibility of building materials, National Building Code.
27. **Commissioner**-The Municipal Commissioner for the City appointed under section 36 and includes an acting Commissioner appointed under section 39 of Maharashtra Municipal Corporations Act, 1949
28. **Control Line** -A line on either side of a highway or part of highway beyond the building line fixed in respect of such highway by the Highway Authority.
29. **Courtyard or Chowk**-A space permanently open to sky enclosed on sides fully or partially by buildings and may be at ground level or any other level within or adjacent to a building.
30. **Canopy**-A projection over any entrance.
31. **Convenience Shopping**- Convenience Shopping means shops, each with a carpet area not exceeding 20 sqm except where otherwise indicated and comprising those dealing with day to day requirements and as distinguished from wholesale trade or shopping. It includes- Food grain or ration shops, Pan shops, Tobacconists, laundry, Tailor or damer shops, Groceries, confectioneries, general provision shops, Hair dressing saloons and beauty parlours, Bicycle hire and repair shops, vegetable, fruit, flower, frozen fish, frozen meat or frozen food shops, Milk and milk products shops, Medical and Dental practitioners, Dispensaries or clinics, Pathological or Diagnostic clinics and Pharmacies, Florists, Shops dealing in ladies ornaments such as bangles etc., Bakeries and shops selling bakery products, Newspaper, magazine stalls and circulating libraries, stationery shops or stores, , Plumber, electricians, radio, television and video equipment repair shops and video shops and libraries and repairs shops connected therewith, ice cream, milk bars, , watch and clock repairs, mobile repairs, optician shops and picture framing, radio, television and household appliance repairs, umbrella shops and their repairs, , Bakeries with no floor above, Confectioneries and establishments for the preparation and sale of eatables not occupying for production, sugarcane and fruit crushers, each not employing more than 6 persons with motive power not exceeding 1.12 KW to an area not more than 20 sq.m, Photographic studios with laboratories, Xeroxing, photocopying, video and videotaping establishments etc. and their laboratories, Travel agencies, ticket booking and selling for air, surface or water travel or transport or their mode of travel or transport, tea/coffee stalls, flour mills, bank ATMs, etc. The Commissioner may from time to time add to, alter or amend the above list.
32. **Corridor**-Corridor means a common passage or circulation space including a common entrance hall.
33. **Detached Building**-A building whose walls and roofs are independent of any other building with open space on all sides as specified.
34. **Development**-Development with its grammatical variations means the carrying out of buildings, engineering, mining or other operations in, or over, or under, land or the making of any material change, in any building or land or in the use of any building or land or any material or structural change in any Heritage building or its precinct and includes demolition of any existing building, structure or erection of part of such building, structure or erection and reclamation, redevelopment and layout or sub-division of any land and to develop shall be construed accordingly.
35. **Development Rights**-Development Rights means right to carryout development or to develop the land or building or both and shall include the transferable development right in the form of right to utilized



the floor space index of land utilizable either on the remainder of the land partially reserved for public purpose or elsewhere as the final development control regulations in this behalf provided.

36. **Development Plan**-A plan for the development or re-development of the area within the jurisdiction of a Planning Authority and includes revision of a Development Plan and proposals of a Special Planning Authority for development of land within its jurisdiction.
37. **Drain**-Drain means a system or a line of pipes, with their fittings and accessories, such as manholes, inspection chambers, traps, gullies, floor traps used for the drainage of building, or number of building or yards appurtenant to the buildings within the same cartilage. A drain shall also include open channel for conveying surface water or a system for the removal of any liquid.
38. **Dwelling Unit / Tenement** -An independent housing unit with separate facilities for living, cooking and sanitary requirements.
39. **Density** -The residential density expressed in terms of the number of dwelling units per hectare.
40. **Enclosed Stair- case**-A stair case separated by fire resistant walls and door (s) from the rest of the building.
41. **Existing Building or use**-A building, structure or its use existing authorisedly.
42. **Exit**-A passage, channel or means of egress from any building, storeys or floor area to a street or other open space of safety.
43. **External Wall** -An outer wall of a building not being a party wall even though adjoining to a wall of another building and also means a wall abutting on an interior open space of any building.
44. **Escalator**-A power driven, inclined, continuous stairway used for raising or lowering passengers.
45. **Escape Route**-Any well-ventilated corridor, staircase or other circulation space, or any combination of the same, by means of which a safe place in the open air at ground level can be reached.
46. **Educational Buildings** -A building exclusively used for a school or college recognized by the appropriate Board or University, or any other competent authority involving assembly for instruction, education or recreation incidental to educational use, and including a building for such other users incidental thereto such as library, coaching class or a research institution. It shall also include quarters for essential staff required to reside in the premises and a building used as a hostel attached to an educational institution whether situated in its campus or not and, also includes day-care purposes more than 8 hours per week.
47. **Fire Lift**-A special lift designed for a use of a fire service personnel in the event of fire or other emergency.
48. **Fire Pump**-A machine driven by external power of transmitting energy to fluids by coupling the pump to a suitable engine or motor, which may have varying outputs/capacity but shall be capable of having a pressure of 3.2 kg/cm² at the topmost level of a multi-storied or high rise building.
49. **Floor** -The lower surface in a story on which one normally walks in a building. The general term floor unless otherwise specifically mentioned shall not refer to a mezzanine floor.
50. **Floor Numbering** - The sequential numbering of floor shall be determined by its relation to the determining entrance level. For floor at or wholly above ground level the lowest floor in the building with direct entrance from/to road or street shall be termed as ground floor. The other floors above ground floor shall be numbered in sequence as Floor 1, Floor 2, etc., with number increasing upwards.
51. **Floor space index (F. S. I)** -The quotient obtained by dividing the total floor area on all floors, excluding exempted areas as given in Regulation No.5.6 by the area of the plot.

F.S.I. = Total covered areas on all floors / Plot area

52. **Footing**-A foundation unit constructed in brick work, masonry or concrete under the base of a wall or column for the purpose of distributing the load over a large area.
53. **Foundation** -That part of the structure which is in direct contact with a transmitting loads to the ground.
54. **Front** -The space between the boundary line of plot abutting the means of access / road / street and the building line. In case of plots facing two or more means of accesses / roads / streets, the plot shall be deemed to front on all such means of access / road / streets.
55. **Gallery** -An intermediate floor or platform projecting from a wall of an auditorium of a hall providing extra floor area, additional seating accommodation etc. These shall also include the structures provided for seating in stadia.
56. **Garage, Private**-A building or portion thereof designed and used for parking of private owned motor driven or other vehicles.
57. **Garage, Public**-A building or portion thereof designed as other than a private garage, operated for gain, designed or used for repairing, servicing, hiring, selling or storing or parking motor driven or other vehicles.
58. **Gross Plot Area**-Area of the plot after deduction of amenity space required under regulation no. 4.5, Development Plan roads and reservations but is inclusive of mandatory recreational open space and internal roads as specified in these regulations.
59. **Group Housing Scheme** -Group housing scheme means a building or a group of buildings constructed or to be constructed with one or more floors, consisting of more than one dwelling units and having common service facilities. Common service facilities means facilities like stair case, balcony, corridor and varandah, lift, etc.
60. **Ground Level**-The average level of the ground in a plot.
61. **Habitable Room** -Habitable room or living room means, a room constructed or intended for human habitation.
62. **Hazardous Building**-A building or part thereof used for:-
- i) Storage, handling, manufacture or processing of radioactive substance or of highly combustible or explosive materials or products which are liable to burn with extreme rapidity and/ or producing poisonous fumes or explosive emanations.
 - ii) Storage, handling, manufacture or processing of which involves highly corrosive toxic or noxious alkalis, acids or other liquids, gases or chemicals producing flame, fumes and explosive mixtures or which result in division of matter into fine particles capable of spontaneous ignition.
63. **Home Occupation** -Customary home occupation other than the conduct of an eating or a drinking place offering services to the general public, customarily carried out by a member of the family residing on the premises without employing hired labour, and for which there is no display to indicate from the exterior of the building that it is being utilized in whole or in part for any purpose other than a residential or dwelling use, and in connection with which no article or service is sold or exhibited for sale except that which is produced therein, which shall be non-hazardous and not affecting the safety of the inhabitants of the building and the neighbourhood and provided that no mechanical equipment is used except that as is customarily used for purely domestic or household purposes and / or employing licensable goods. If motive power is used, the total electricity load should not exceed 0.75 KW. Home Occupation may also include such similar occupations as may be specified by the Commissioner with the approval with the approval of Director of Town Planning and subject to such terms and conditions as may be prescribed.
64. **Horizontal Exit**-A horizontal exit is protected opening through or around a firewall or a bridge connecting two buildings.



65. **Industrial building**-A building or part thereof wherein products or material are fabricated, assembled or processed, such as assembly plants, laboratories, power plants, refineries, gas plant, mills dairies and factories.
66. **Information Technology Establishment (ITE)**-Information Technology Establishment (ITE) means an establishment which is in the business of developing either software or hardware relating to computers or computer technology as approved by Director of Industries.
67. **Institutional building**-A building constructed by Government, Semi-Government organizations or registered Trusts and used for medical or other treatment, a hostel for working women or for an auditorium or complex for cultural and allied activities or for an hospice, care of persons suffering from physical or mental illness, handicap, disease or infirmity, care of orphans, abandoned women, children and infants, convalescents, destitute or aged persons and for penal or correctional detention with restricted liberty of the inmates ordinarily providing sleeping accommodation, and includes Dharmashala, hospitals, sanatoria, custodial and penal institutions such as jails, prisons, mental hospitals, houses of correction, detention and reformatories;
68. **Layout Open Space / Recreational Open Space**-Layout Open Space / Recreational Open Space shall mean a statutory common open space kept in any layout exclusive of margins and approaches, at a height not more than ground level of the building unit.
69. **Ledge or Tand**-A shelf like projection, supported in any manner whatsoever, except by vertical supports within a room itself but not having projection wider than half meter.
70. **Licensed Engineer / Structural Engineer / Supervisor**-A qualified Engineer / Structural Engineer / Supervisor licensed by the Municipal Commissioner / appropriate authority.
71. **Lift** -An appliance designed to transport persons or materials between two or more levels in vertical or substantially vertical directions. by means of a guided car platform.
72. **Lift Machine**-Part of the lift equipment comprising the motor(s) and the control gear there with, reduction gear (if any), brakes and winding drum or sheave, by which the lift car is raised or lowered.
73. **Lift Well**-Unobstructed space within an enclosure provided for the vertical movement of the lift car(s) and any counter weights, including the lift pit and the space for top clearance.
74. **Loft**-Loft shall mean, an intermediate floor between two floors which is constructed for storage purpose and as defined in regulation no 8.5.1.
75. **Local Body / Authority**-Any Municipal Corporation constituted under the Maharashtra Municipal Corporation Act, 1949, a Council or Nagar Panchayat constituted under the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Township Act, 1965, a Zilla Parishad constituted under the Maharashtra Zilla Parishads and Panchayat Samitis Act, 1961.
76. **Laying out of New Street**-Includes provision of road for levelling, formation, metalling or paving of a road and footpaths, etc. including layout of the services such as water supply, drainage, etc.
77. **Mall**-A large enclosed shopping area.
78. **Marginal Open Space / Set back** -Minimum distance required to be left open to sky between boundary of the building plot and the building excluding court yard/chowk, which is an integral part of the plot.
79. **Masonry** -An assemblage of masonry units properly bound together with mortar.
80. **Mezzanine floor** -An intermediate floor between two floors of any story, forming an integral part of floor below, overhanging or overlooking a floor beneath, not being a loft between the floor and ceiling of any storey.
81. **Means of Access** -These shall include the road/ street/ vehicular access way, pathway upto the plot and to the building within a plot as defined in Regulation No.3.2.

82. **Mercantile Buildings** -These shall include any building or part of a building, which is used as shops, stores, market, malls for display and sale of merchandise either wholesale or retail, office, storage and service facilities incidental to the sale of merchandise and located in the same building shall be included under this group.
83. **Multi-storied Building**-A building having a height more than 24 m above finished ground level, excluding the structures not relevant to height prescribed in these regulations.
84. **Non -Combustible Material**-A material which does not burn nor add heat to a fire when tested for combustibility in accordance with IS: 3808 - 1966 'Method of Test for Combustibility of Building Materials'.
85. **Non-conforming User**-Any lawful use / building existed on the site but which does not conform to the zoning shown on the Development Plan.
86. **Non-ambulatory Disabilities**-Non-ambulatory Disabilities: Impairments that, regardless of cause or manifestation, for all practical purposes, confine individuals to wheelchairs.
87. **Occupancy or Use Group** -The principal occupancy or use for which a building or a part of a building is used, or intended to be used, for the purposes of classification of a building according to the occupancy, an occupancy shall be deemed to include subsidiary occupancies which are contingent upon it. Buildings with mixed occupancies are those buildings in which more than one occupancy are present in different portions of the building. The occupancy classification shall have the meaning given from 1.5.127 to 1.5.140 unless otherwise spelt out in Development Plan.
88. **Office Building / Premises**-The premises whose sole or principal use is to be used as an office or for office purpose; "office purposes" shall include the purpose of administration, clerical work, handling money, telephone/ telegraph/ computer operations and "clerical work" shall include writing, book-keeping, sorting papers, typing, filing, duplicating, drawing of matter for publication and the editorial preparation of matter for publication.
89. **Owner**-Any person for the time being receiving or entitled to receive, whether on his own account or as agent, trustee, guardian, manager or receiver for another person or for any religious or charitable purpose, the rents or profits of the property in connection with which it is used;
90. **Occupancy or Use** - The principal occupancy or use for which a building or a part of it is used or intended to be used, including contingent subsidiary occupancies; mixed occupancy buildings being those in which more than one occupancy are present in-different portions of the buildings.
91. **Outside Exit** -An outside exit is an exit from the building to public way, to an open area leading to public way, to an enclosed fire resistive passage to a public way.
92. **Parapet**-A low wall or railing built along the edge of a roof, terraces, balcony, verandah etc.
93. **Parking Space** -An enclosed or unenclosed, covered or open area sufficient in size to park vehicles. Parking space shall be served by a driveway connecting them with a street or alley and permitting ingress or egress of vehicles.
94. **Permit / Permission** -A permission or authorization in writing by the Authority to carry out the work regulated by these regulations.
95. **Planning Authority**-A local authority; and shall include.- (a) a Special Planning Authority constituted or appointed or deemed to have been appointed under section 40 and (b) a Slum Rehabilitation Authority appointed under section 3A of the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971.
96. **Plinth**-The portion of a structure between the surface of the surrounding ground and surface of the floor immediately above the ground.

97. **Plot / Site**-A parcel or piece of land enclosed by definite boundaries and approved by an authority as a building site, under these regulations.
98. **Pandals / Shamiyanas**-Pandals /Shamianas means a temporary structure with roof or walls made of canvas, cloth other like material which is not adopted for permanent or continuous occupancy.
99. **Porch**-A covered surface supported on pillars or otherwise for the purpose of pedestrian or vehicular approach to a building.
100. **Podium**-A continuous projecting base or pedestal under a building/beyond building line, the space which is used exclusively for the purpose of parking,
101. **Reconstruction**-A reconstruction in whole or part of a building which has ceased to exist due to an accidental fire, natural collapse or demolition after having been declared unsafe by the Authority, or which is likely to be demolished by or under the order of the Municipal Commissioner/ Other Competent Municipal Officer
102. **Refuge Area**-An unenclosed space in a multi-storied building specifically provided to serve as fire-proof space to gather easily for evacuation of the occupants.
103. **Road / Street** -Any highway, street, lane, pathway, alley, stairway, passageway, carriageway, footway, square place or bridge, whether a thoroughfare or not, over which the public have a right of passage or access or have passed and had access uninterruptedly for a specified period, whether existing or proposed in any scheme, and includes all bunds, channels, ditches, storm-water drains, culverts, sidewalks, traffic islands, roadside trees and hedges, retaining walls, fences, barriers and railings within the street lines.
104. **Road / Street Line**-The line defining the side limit of a road / street.
105. **Room Height**-The vertical distance measured from the finished floor surface to the finished ceiling/ slab surface. In case of pitched roofs, the room height shall be the average height between bottom of the eaves and bottom of ridge.
106. **Row Housing**-A row of houses with only front, rear and interior open spaces.
107. **Residential Buildings**-These shall include any building in which sleeping accommodation is provided for normal residential purposes with or without cooking or dining or both facilities. It includes one or two or multi-family dwellings, lodging or rooming houses, residential hotels, hostels, dormitories, dharmashalas, apartment houses, flats, service apartments, studio apartments and private garages incidental thereto.
108. **Semi Detached Building**-A building detached on three sides with open spaces as specified.
109. **Site corner**-The side at the junctions of and fronting on two or more intersecting streets.
110. **Site, Depth of Site** -The mean horizontal distance between the front and rear side boundaries.
111. **Double Frontage**-A site, having a frontage on two streets other than a corner plot.
112. **Site, Interior or Tandem**-A site, access to which is by a passage from a street whether such passage forms part of the site or not.
113. **Smoke Stop Door**-A door for preventing or checking the spread of smoke from one area to another.
114. **Stair Cover** -A structure with a covering roof over a stair case and its landing built to enclose only the stair for the purpose of providing protection from weather and not used for human habitation.
115. **Stall**-Stall means a small shop, floor area of which does not exceed 5.0 sqm.
116. **Storage** -A place where goods are stored.
117. **Store Room**-A room used as storage space.



118. **Storey**-The portion of a building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between any floor and the ceiling next above it.
119. **Service Floor**-Means a floor generally provided in multi-storied buildings and especially in starred hotels where from services like water supply, sewerage disposal system, electricity etc. are co-ordinated / maintained. Height of such floor shall not be more than 1.8 m. from floor level to soffit of outer beam and shall not be counted in FSI.
120. **Stilt**-A portion of a building at ground level or on podium open from at least two sides and used for parking of vehicles or as open common areas(in addition to mandatory recreational open space.)
121. **Storage Buildings** -These shall include any building or part of a building used primarily for the storage or sheltering of goods, wares or merchandise, like ware houses, cold storage, freight depots, transit sheds, godowns, store houses, public garages, hangars, truck terminals, grain elevators, barns and stables.
122. **Tenement** -An independent dwelling unit with a kitchen or cooking alcove.
123. **Terrace**-A flat open to sky roof of a building or a part of a building having parapet, not being a cantilever structure.
124. **Theatre**-A place of public entertainment for the purposes of exhibition of motion picture and/or dramas and other social or cultural programs
125. **To Erect** -To erect a building means to erect a new building on any site whether previously built upon or not; to re-erect any building of which portions above the plinth level have been pulled down, burnt or destroyed; and Conversion from one occupancy to another.
126. **Travel Distance** -The distance from the remotest point on a floor of a building to a place of safety, be it a vertical exit, horizontal exit or an outside exit measured along the line of travel.
127. **Tower like structure** -A structure in which the height of the tower like portion is at least twice the width of the broader base.
128. **Unsafe Building**-Unsafe buildings are those which are structurally unsafe, unsanitary or not provided with adequate means of ingress or egress which constitute a fire hazard or are otherwise dangerous to human life or which in relation to existing use constitute a hazard to safety or health or public welfare, by reason of inadequate maintenance, dilapidation or abandonment.
129. **Verandah** -A covered area with at least one side open to the outside with the exception of 1 m. high parapet on the upper floors to be provided on the open side.
130. **Vertical Exit**-A vertical exit is a means of exit used for ascension or descension between two or more levels including stairways, smoke proof towers, ramps, escalators and fire escapes.
131. **Water Closet (WC)** -A privy with arrangement for flushing the pan with water. It does not include a bathroom.
132. **Water Course**-A natural channel or an artificial one formed by draining or diversion of a natural channel meant for carrying storm and waste water.
133. **Water Course, Major** -Major means a water course which carries storm water discharging from a contributing area of not less than 160 Ha
(Note- The decision of Commissioner on the extent of the contributing area shall be final)
134. **Water Course, Minor**-Water Course, Minor means a minor water course is one which is not a major one.

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135. **Width of Road** -The whole extent of space within the boundaries of road when applied to a new road, as laid down in the city surveys map or development plan or prescribed road lines by any Act or Law and measured at right angles to the course or intended course of direction of such road whichever is more.
136. **Window** -An opening to the outside other than the door which provides all or part of the required natural light, ventilation or both, to the interior space.
137. **Wholesale Establishments**-These shall include establishments wholly or partly engaged in wholesale trade, manufactures, wholesale outlets including related storage facilities, A.P.M.C. establishments, warehouses and establishments engaged in truck transport including truck transport booking agencies.



2. PROCEDURES FOR SECURING DEVELOPMENT PERMISSION

2.1. Development and Commencement Permissions

2.1.1. Permission from the Planning Authority is Mandatory

- i) No person shall carry out any development work in contravention of the development plan proposals.
- ii) No person shall carry out any development work including development of land by laying out into suitable plots and amalgamation of plots or development of any land as group housing scheme or to erect, re-erect or make alterations or demolish any building or cause the same to be done without first obtaining a separate building permit / commencement certificate for each such development work / building from the Planning Authority.
- iii) No temporary construction shall be carried out without obtaining prior approval of the Planning Authority, which may be granted subject to such conditions as may be deemed necessary by the Planning Authority.

2.1.2. Unauthorized Development /Liability for Offences and Penalties

- i) Any person who contravenes any of the provisions of these regulations / any requirements or obligations imposed on him by virtue of these regulations including the maintenance of fire protection services and appliances, parking and lifts in working order or who interferes with or obstructs any person in the discharge of his duties shall be liable to be prosecuted for an offence under Section 52, 53, 54 and 55 of The Maharashtra Regional and Town Planning Act, 1966;
- ii) In case of Licensed Engineer / Structural Engineer / Supervisor / Developer, the Commissioner may take suitable action against him which may include cancellation of license and debarring him from further practice / business for a period as decided by the Commissioner;
- iii) In case of registered architects, the Commissioner may report to the Council of Architectures to take suitable action against the Registered Architect as per the provisions of The Architects Act, 1972.

2.2. Procedure for Obtaining Building Permission and Commencement Certificate

2.2.1. Notice of Intention

Every person who intends to carry out development or redevelopment, erect, re-erect or make alterations at any place in a building or demolish any building, shall give a notice in writing through registered Architect/ Structural Engineer/ Supervisor (registered/ licensed) to the Planning Authority of his said intention in the prescribed form (See Appendix A-1) and such notice shall be accompanied by the following requirements and plans wherever necessary.

Minimum four copies of plans and statements shall be made available along with the notice. In case of building schemes, where clearance is required from other agencies like Fire Services and other, number of copies of plans required shall be as decided by the Commissioner. For the sake of scrutiny the plans may be submitted in the form of soft copy as specified by the Planning Authority from time to time.

2.2.2. Qualification and Competence of the Architect / Structural Engineer/ Site Supervisor:

Architect/Structural Engineer/ Site Supervisor shall be registered / licensed by the Commissioner / Appropriate authority as competent to plan and carry out various works as given in Part 9 and 10.

2.2.3. Documents required to be accompanied with the Application

Documents required to be accompanied with the Application are as below:

2.2.3.1. Ownership title and area

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

- i) Attested copy of original registered sale deed / lease deed / power of attorney / enabling ownership document wherever applicable.
- ii) 7/12 extracts or property register card of a date not earlier than six months prior to the date of submission of development proposal.
- iii) Certified measurement plan/gut book sketch/city survey sheet of the land or lands under development proposal obtained from the Revenue Authorities.
- iv) Statement of area of the holding by triangulation method from the qualified licensed technical personnel or architect with an affidavit from the owner in regard to the area in the form prescribed by the Commissioner.
- v) Any other document prescribed by the Commissioner.
- vi) Wherever third party interest is created by way of agreement to sale or mortgage etc. the registered consent of such interested party/persons shall be submitted with the application.
- vii) A certified copy of approved sub-division / amalgamation / layout of land from the concerned authority.
- viii) In the case of land leased by the Government or local authorities, no objection certificate of Government or such authorities shall be obtained if there is deviation from lease conditions and shall be attached to the application for development permission in respect of such land.

2.2.3.2. List of plans to be submitted along with application

a) Key Plan or location plan

The key plan drawn to a scale of not less than 1:4000 shall be submitted along with the application for a building permit and Commencement Certificate showing the boundary locations of the site with respect to neighbourhood landmarks or features within the radius of 200 meters from the site whichever is more.

b) Site Plan

The site plan shall be submitted with an application for building permission drawn to a scale of 1:500 or more as may be decided by the Commissioner. This plan shall be based on the measurement plan duly authenticated by the appropriate officer of the Department of Land Records. This plan shall have the following details:

- i) Boundaries of the site and of any contiguous land belonging to the neighbouring owners;
- ii) Position of the site in relation to neighbouring streets ;
- iii) Name of the street, if any, from which the building is proposed to derive access;
- iv) All existing buildings contained in the site with their names (where the buildings are given names) and their property numbers;
- v) Position of the building and of other buildings, if any, which the applicant intends to erect, upon his contiguous land referred to in (i) above in relation to;
- vi) Boundaries of the site and, in a case where the site has been partitioned, boundaries of the portions owned by others;
- vii) All adjacent streets, buildings (with number of storey and height) and premises within a distance of 12 m. of the work site and of the contiguous land (if any) referred to in (i);
- viii) Means of access from the street to the building and to all other buildings (if any) which the applicant intends to erect upon;
- ix) Space to be left around the building to secure free circulation of air, admission of light and access;

- x) The width of the street (if any) in front and the street (if any) at the side or near the building, including proposed roads;
- xi) The direction of north line relative to the plan of the building;
- xii) Any existing physical features, such as wells, tanks, drains, pipe lines, high tension line, railway line, trees, etc.;
- xiii) Ground area of the whole property and the break-up of the covered area on each floor;
- xiv) A plan indicating parking spaces as required and provided under these regulations;
- xv) Overhead electric supply lines, if any, including space for electrical transformer / substation according to the requirements of the electric distribution company;
- xvi) Any water course existing on site;
- xvii) Existing alignments of water supply and drainage lines; and
- xviii) Such other particulars as may be prescribed by the Commissioner.

c) Sub-division /layout plan

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

- i) Scale used and north point;
- ii) The location of all proposed and existing roads with their existing / proposed widths within the land;
- iii) Dimension of plots;
- iv) The location of drains, sewers, public facilities and services, electrical lines,
- v) Natural water courses, water bodies and streams etc.
- vi) Table indicating size, area and use of all plots in the sub-division / layout plan;
- vii) The statement indicating the total area of the site, area utilized under roads, recreational open spaces, playground, recreation spaces and development plan reservation / roads, schools, shopping and other public places along with their percentage with reference to the total area of the site proposed to be sub-divided / laid out;
- viii) In case of plots which are sub-divided in built-up areas in addition to the above, the means of access to the sub-division from existing streets
- ix) Contour plan of site, wherever necessary.

d) Amalgamation Plan

In case of the properties comprising of two or different holdings belonging to the same or different owners, provided the developer is same then the plans for amalgamation of the holdings shall be submitted and got approved from the Planning Authority.

e) Service plan

Plans, elevations and sections of water / grey-water supply, sewage disposal system and details of building services, where required by the Authority, shall be made available on a scale not less than 1:100 and for layouts 1:1000.

f) Building plan

The plans of the buildings and elevation and section to be sent with the application accompanying the notice shall be drawn to a scale of 1: 100. The building plan shall:

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

- ii) Show the use or occupancy of all parts of the buildings;
- iii) Show exact location of essential services, such as water closet (W.C.), bath, sink and the like;
- iv) Include sectional drawings showing clearly the size of the footings, thickness of basement wall, wall construction size and spacing of framing members, floors, slabs, roof slabs with the materials. The section shall indicate the height of the building, rooms and parapet, drainage and slope of the roof. At least one section should be taken through the staircase provided further that the structure plan giving details of all structural elements and materials used along with structural calculations shall be submitted separately but in any circumstances before the issue of the building permit or commencement certificate;
- v) Show relative levels of street.
- vi) Show all street elevations.
- vii) Indicate details of hasket privy (served privy), if any.
- viii) Give dimensions of the projected portion beyond the permissible building line
- ix) Include terrace plan indicating the drainage and the slope of the roof.
- x) Give indication of the north line relative to the plan.
- xi) Details of parking spaces provided.
- xii) Give dimensions and details of doors, windows and ventilators.
- xiii) Carpet area of each room including baths and water closets.
- xiv) Give the area statement with detailed calculation chart of each floor of the building.
- xv) Contour plan of site, wherever necessary.
- xvi) Give such other particulars as may be required to explain the proposal clearly as prescribed by the Commissioner.

g) Building plans for Special Buildings

- i) Multi-storied buildings having height more than 24m;
- ii) Special buildings like educational, assembly, mercantile, institutional, industrial, storage and hazardous having floor area more than 500 sqm
- iii) Mixed occupancies with any of the aforesaid occupancies having area more than 500 sq. m.

The following additional information shall be furnished / indicated in the Building Plans in addition to the items (i) to (xvi) of Regulation No.2.2.3.2 (f)

- a) Access to fire appliances/vehicles with details of vehicular turning circle and clear motorable access way around the building;
- b) Size(width) of main and alternate staircases along with balcony approach, corridor, ventilated lobby approach;
- c) Location and details of lift enclosures;
- d) Location and size of fire lift;
- e) Smoke stop lobby/door, where provided;
- f) Refuse chutes, refuse chamber, service duct, etc.;
- g) Vehicular parking spaces;
- h) Refuse area, if any;
- i) Details of Building Services :-Air-conditioning system with position of fire dampers, mechanical ventilation system, electrical services, boilers, gas pipes etc.,
- j) Details of exits including provision of ramps, etc. for hospitals and buildings requiring special fire protection measures,
- k) Location of generator, transformer and switch gear room;
- a) smoke exhauster system, if any;
- b) details of fire alarm system network;
- c) Location of centralized control, connecting all fire alarm systems, built in fire protection arrangements and public address system etc.

- d) Location and dimensions of static water storage tank and pump room along with fire service inlets for mobile pump and water storage tank;
- e) Location and details of fixed fire protection installations such as sprinklers, wet risers, hose reels, drenchers, CO2 installation etc.;
- f) Location and details of first aid, fire fighting equipment's /installations.

2.2.4. Fees and charges

a) Building Permit Fee

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

b) Security Deposit Fee

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

c) Development Charges

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

d) Premium Charges

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

e) Tax Receipt for tax clearance

The notice shall also be accompanied by the attested copy of a tax receipt from the Assessment Department of the Municipal Corporation for payment of Tax up to date.

2.2.5. Size of Drawing Sheets

The size of drawing sheets shall be any of those specified in Table 2.2.5-A

2.2.5-A -Drawing Sheet Sizes

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

Note:

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

All dimensions shall be indicated only in metric units.

2.2.6. Colouring Notations for Plans

The plan shall be coloured as specified in Table No.2.2.6-A given below and prints of plan shall be on one side of the paper only.

2.2.6-A - Colouring Notations for Plans

S. No.	Item	Site Plan			Building Plan		
		White Plan	Blue Print	Ammonia Print	White Plan	Blue Print	Ammonia Print
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1	Plot lines	Thick Black	Thick Black	Thick Black	Thick Black	Thick Black	Thick Black
2	Existing street	Green	Green	Green	.....	.....	.....
3	Future street, if any	Green dotted	Green dotted	Green dotted	.....	.....	.....
4	Permissible building lines	Thick dotted black	Thick dotted black	Thick dotted black	.....	.....	.....
5	Marginal Open space	..... No colour					
6	Existing work	Black (Outline)	White	Blue	Black	White	Blue
7	Work proposed to be demolished	Yellow Hatched	Yellow Hatched	Yellow Hatched	Yellow Hatched	Yellow Hatched	Yellow Hatched
8	Proposed work	Red filled in	Red	Red	Red	Red	Red
9	Drainage & Sewerage work	Red dotted	Red dotted	Red dotted	Red dotted	Red dotted	Red dotted
10	Water supply work	Black dotted thin	Black dotted thin	Black dotted thin	Black dotted thin	Black dotted thin	Black dotted thin
11	Deviations	Red hatched	Red hatched	Red hatched	Red hatched	Red hatched	Red hatched
12	Recreation ground	Green wash	Green wash	Green wash	Green wash	Green wash	Green wash

Note: For land development/Sub-Division/layout/building plan, suitable colouring notations shall be used which shall be indexed.

2.2.7. Signing of the Plan

All the plans shall be duly signed by the owner, co-owner, if any, and the Architect or Licensed Engineer / Structural Engineer / Supervisor and shall indicate his name, address and license number (allotted by the Commissioner/ Competent Authority).

2.2.8. Certificates Required From Other Departments

a) NOCs from the other departments

- i) In case of development / construction of buildings requiring clearance from the authorities like Civil Aviation Authority, Railways, Directorate of Industries, Maharashtra Pollution Control Board, District Magistrate, Inspectorate of Boilers and Smoke Nuisance, Defence Department, Maharashtra Coastal Zone Management Authority, Archaeological Department etc. the relevant no objection certificates from these authorities, applicable to the occupancy, shall also accompany the application.
- ii) In case of building identified in Regulation No 2.2.3.2 (g), the building scheme shall also be cleared by the Fire Officer of the local authority or in absence of such officer from the Directorate of Maharashtra Fire Services.

b) Structural Stability Certificate

The application made under Regulation 2.2.1 shall be accompanied by structural sufficiency certificate signed by the licensed Architect and /or Engineer / Structural Engineer and owner jointly to the effect that the building is safe against various loads, forces and effects including due to natural disasters, such as, earthquake, landslides, cyclones, floods, etc. as per Part 10 'Structural Design' and other relevant Codes. The Engineer / Structural Engineer shall also have the details to substantiate his design.

2.2.8.1. Specifications and supervision

a) Specifications

General specification of the proposed constructions, giving type and grade of materials to be used, to be sent along with the application under Regulation No 2.2.1, duly signed by licensed Architect, as the case may be, shall accompany the notice.

b) Supervision

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

2.3. Grant of Permission or Refusal

2.3.1. General

- i) After receipt of the notice/application as mentioned in regulation no. 2.2.1 above, the Planning Authority may either sanction or refuse the plans or may sanction them with such modifications or directions as it may deem necessary after having recovered the necessary charges/fees and there upon shall communicate its decision to the person giving the notice in the prescribed form given in Appendix C and D as wherever required within the time limit prescribed in the relevant Act.
- ii) After the plan has been scrutinized and objections have been pointed out. the owner giving notice shall modify the plan, comply with the objections raised and resubmit it. The prints of plans submitted for final approval, shall not contain superimposed corrections. The authority shall grant or refuse the commencement certificate/ building permit within 60 days from the date of resubmission. No new objections may generally be raised when they are resubmitted after compliance of earlier objections, except in circumstances to be quoted for additional compliances.

2.3.2. Deemed Permission

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

Provided further that, the development proposal, for which the permission was applied, is strictly in conformity with the requirements of all the relevant land development regulations framed under the act or byelaws or regulations framed in this behalf under any law for the time being in force and the same in no way violates either provisions of any draft or final Development Plan or proposals published by means of notice, submitted for sanction under the Act. Provided further that any development carried out in pursuance of such deemed permission which is in contravention of the above provisions, shall be deemed to be an unauthorized development for purposes of Section 52 to 57 of the Maharashtra Regional and Town Planning Act, 1966 and other relevant acts.

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

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

2.3.3. Duration of Permission

The sanction once accorded through Commencement Certificate/Building Permit shall remain valid for 1 year from the date of issue of Commencement Certificate/Building Permit as mentioned in Section 48 of M.R. & T.P Act, 1966.

2.3.4. Extension of Period of Permission

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

2.3.5. Revocation of Permission

- i) Without prejudice to the powers of revocation conferred by Section 51 of the Maharashtra Regional and Town Planning Act, 1966, the Commissioner may, after giving the opportunity of being heard, revoke any development permission issued under these regulations where it is noticed by him that there had been any false statement or any misrepresentation of material fact in the application on the basis of which the development permission was issued and thereupon the whole work carried out in pursuance of such permission shall be treated as unauthorized.
- ii) In the case of revocation of the permission under sub-regulation i) above, no compensation shall be payable.

2.3.6. Exemptions

2.3.6.1. Development undertaken on behalf of Government

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

- i) An official letter by the authorized officer of Government Department addressed to the Authority, giving full particulars of the development work or any operational construction.
- ii) Ownership document and measurement plan issued by the Competent Authority of Land Records Department.
- iii) Development / building plans conforming to the provisions of Development Plan and these Regulations for the proposed development work to the scale specified in these Regulations.
- iv) The proposals of the Development Plan or Town Planning Scheme affecting the land.
- v) A Site Plan (of required copies) of the area proposed to be developed to the scale.
- vi) Detailed plan (of required copies) showing the plan, sections and elevations of the proposed development work to the scale, including existing building specifying either to be retained or to be demolished.

2.3.6.2. Items of operational construction by some authorities

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

- a) Railways;
- b) National Highway;
- c) National Waterway;
- d) Airway and Aerodromes and Major Ports
- e) Posts and Telegraphs, Telephones, Wireless, Broadcasting and other like forms of Communication;
- f) Regional grid for electricity;
- g) Defence Authorities
- h) Any other services which the State Government may, if it is of opinion that the operation, maintenance, development for execution of such service is essential to the life of the community, by notification in the Official Gazette, declare to be a service for the purpose of this regulation.
- i) Metrorail Administration (MRA)/Project Implementing Agency designated by the Government for the Metro Rail and Monorail/Light Rail Transit (LRT) Projects.

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

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

- a) New residential building (other than gate lodges, quarters for limited essential operational staff and the like), roads and drains in railway colonies, hospitals, clubs, institutes and schools in case of railways;
- b) A new building, new construction or new installation or any extension thereof, in case of any other services.

However, no permission shall be necessary for the following works

- i) The works carried out by the Central or State Government or any local authority required for
 - a. the maintenance or improvement of highway, road or public street, being works carried out on land within the boundaries of such highway, road or public street;
 - b. the purpose of inspecting, repairing or renewing any drains, sewers mains, pipes, cable, telephone or cables, or other apparatus including the breaking open of any street, or other land for the purpose.

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

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

2.4. Commencement of Work

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

For a building work including additions and alterations	Upto plinth level
For bridges and overhead tanks construction	Foundation and work up to the base floor/ underground floor

For underground works/	Foundation and work upto floor of underground floor.
For layout, sub-division and amalgamation	Final demarcation and provision of water bound macadam roads complete.

2.5. Procedure during Construction

2.5.1. Owner's / Developer's Responsibilities

- i) Neither granting of the development permission nor the approval of the drawings and specifications, nor the inspections, made by the Commissioner during erection of the building shall, in any way relieve the Owner / Architect / Developer / Engineer / Structural Engineer / Supervisor or any licensed technical person, of such building from full responsibility for carrying out the work in accordance with the requirements of these regulations.
- ii) Every owner shall:
 - a. Permit the Planning Authority to enter the building or premises for which the permission has been granted at any reasonable time for the purpose of enforcing these Regulations.
 - b. Submit the certificate for execution of work as per structural safety requirements and give written notice to the Planning Authority regarding completion of work .
 - c. Give written notice to the Planning Authority in case of termination of services of a Technical professional engaged by him.

2.5.2. Documents at Site

2.5.2.1. Results of test

For Multi-Storied & Special Buildings, where tests of any materials are made to ensure conformity with the requirements of these regulations, records of the test data shall be kept available for inspection during the construction of the building and for such period thereafter as may be required by the Commissioner.

2.5.2.2. Development permission

The Person to whom development permission is issued shall, during construction, keep posted in a conspicuous place, on the site in respect of which the permission is issued.

- a) A copy of the Development permissions and
- b) A copy of the approved drawings and specifications referred to in Regulation 2.3 on the site in respect of which the development permission was issued.

2.5.2.3. Display Board

Display board mentioning name of the owner, name of architects, and name of structural engineer, except for small individual plot holders.

2.5.3. Checking of Plinths, Columns upto Plinth Level

Plinth Checking- The owner shall give notice in prescribed form given in Appendix-F to the Authority after the completion of work upto plinth level with a view to enable the Authority to ensure that the work is carried out in accordance with the sanctioned plans. The Authority shall carry out inspection jointly with Architect / liasoning technical person within 7 days from the receipt of such notice and decide the application. If it is sanctioned then, the Authority shall grant such certificate as prescribed in Appendix-G.

Provided that, if the Authority has not taken decision on such application within a period as stipulated above, the permission shall be deemed to have been granted. In such circumstances, the applicant shall get the plinth checked from the registered Technical Personnel along with correctness certificate and submit it to the Authority for record. Thereafter no separate permission shall be required from the Authority for continuing of work. Such certificate shall clearly indicate the correctness of execution of plinth on site in consonance with the sanctioned plan.

2.5.4. Deviation during Construction

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

2.6. Completion Certificate

The owner through his licensed surveyor / engineer / structural engineer / supervisor or his architect, as the case may be, who has supervised the construction, shall furnish a building completion certificate to the Commissioner in the form in Appendix E. This certificate shall be accompanied by three sets of plans of the completed development, the certificate about the operation of the lift from consultant and certificate of structural stability / compliance issued by R.C.C. consultant, wherever necessary.

In case of special buildings, the Completion Certificate shall also be accompanied with the NOC along with completion plans from Chief Fire Officer of respective Municipal Corporation.

2.7. Occupancy Certificate

The Commissioner after inspection of the work and after satisfying himself that there is no deviation from the sanctioned plans, issue an occupancy certificate in the form in Appendix F. or refuse to sanction the occupancy certificate in Appendix G within 21 days from the date of receipt of the said completion certificate, failing which the work shall be deemed to have been approved for occupation, provided the construction conforms to the sanctioned plans. One set of plans, certified by the Commissioner, shall be returned to the owner along with the occupancy certificate. Where the occupancy certificate is refused or rejected, the reasons for refusal or rejection shall be given in intimation of the rejection or the refusal. The applicant may request for Deemed Occupancy Certificate, if eligible, as above. The Municipal Commissioner shall issue the Deemed Occupancy Certificate within 15 (fifteen) days of the application.

2.8. Part Occupancy Certificate

When requested by the holder of the development permission, the Commissioner may issue a part occupancy certificate for a building or part thereof, before completion of the entire work, as per development permission, provided sufficient precautionary measures are taken by the holder to ensure public safety and health. The occupancy certificate shall be subject to the owners indemnifying the Commissioner in the form in Appendix H.

2.9. Inspection

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

2.10. Unsafe Buildings

All unsafe buildings shall be considered to constitute danger to public safety and hygiene and sanitation and shall be restored by repairs or demolished or dealt with as otherwise directed by the Authority. The relevant provisions of the regulations shall apply for procedure of actions to be taken by the Commissioner for unsafe buildings.

2.11. Temporary Construction

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

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

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

2.12. OFFENCES AND PENALTIES

Offences and penalties:- Any person who contravenes any of the provisions of these regulations / any requirements or obligations imposed on him by virtue of these regulations including the maintenance of fire protection services and appliances and lifts in working order or who interferes with or obstructs any person in the discharge of his duties shall:

- (a) be guilty of an offence and upon conviction shall be punished with a fine as fixed by the Municipal Commissioner and as stipulated in Section 52 of The Maharashtra Regional and Town Planning Act, 1966;
- (b) be subject to further suitable actions including demolition of unauthorised works, as stipulated under Section 53 of The Maharashtra Regional and Town Planning Act, 1966;
- (c) in case of Licensed Engineer / Structural Engineer / Supervisor, subject to suitable action against him which may include cancellation of license and debarring him from further practice/ business for a period as decided by the Authority;
- (d) in case of registered architects, subject to action of the Council of Architecture as per the provisions of Architects Act, 1972 on the report of the Municipal Commissioner.

2.13. Revocation of Permission

- 1) Without prejudice to the powers of revocation conferred by Section 51 of the Act the Authority may, after giving the opportunity of being heard, revoke any development permission issued under these regulations where it is noticed by it that there had been any false statement or any misrepresentation of material fact in the application on the basis of which the development permission was issued and thereupon the whole work carried out in pursuance of such permission shall be treated as unauthorised.
- 2) In the ease of revocation of the permission under sub- regulation (1), no compensation shall be paid.
- 3) Further the concerned person/applicant is subject to proceedings under the Indian Penal Code for making false statement before the public Authority. However, the decision to file a case shall be done under the express permission of the Municipal Commissioner.

2.14. CLARIFICATION

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

2.15. PROVISION WITH RESPECT TO NBC

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



3.LAND USE CLASSIFICATION AND PERMISSIBLE USES

3.1. Development to Be in Conformity with the Land Use Zones

In the development plan, the areas within the Planning Authority's jurisdiction are categorized into various land use zones as mentioned in regulation no 3.2. These zones are depicted distinctly by different colours and notations on the Development Plan.

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

No building or premises shall be changed or converted to a use which is not in conformity with the provisions of these Regulations.

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

3.1.1. Non-Conforming Uses

Any lawful non-conforming use may be allowed to be continued as per the provisions of these regulations applicable to such use except *in* Hill Top-Hill Slope Zone of Development Plan, if any.

3.1.2. Development of Lands Reserved/Designated/Allotted For Public Purposes

Where land is specially reserved, designated or allocated for a public purpose in the development plan or is set aside as public amenity site or recreational open space as per these Regulations, it shall be used for the said purpose subject to the provisions of manner of development.

3.1.3. Width of Roads in the Development Plan

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

3.2. Land Use Classification

3.2.1. Land Use Classification

There shall be five land use zones as mentioned below:

SN	Zone	Representation	Broad Description
1	Development Zone	D	The Development Zone is where uses such as residential, commercial, institutional, etc. are permissible independently or in combination as specified in regulation no. 3.2.2.
2	Industrial Zone	I	Industrial zone is a zone where manufacturing, warehousing and logistics are permissible. Conversion of land use can be permitted as specified in Regulation no. 3.3.
3	Development Restricted Zone	DR	The Development Restricted Zone is a zone reserved for future urbanisable use where presently development of low intensity is permissible.

4	Development Prohibited Zone	DP	Development Prohibited zone is an environmentally sensitive and / or unsafe area not suitable for buildable development
5	Special Use Zone	SU	Special Use zone is zone which may be designated by the Planning Authority based on characteristics and requirements of the city. The Development Control Regulations in this zone shall be specified by the concerned corporation in conformity and spirit of these regulations.

The broad activities permitted in land uses 1 to 3 as specified in 3.2.1 shall be,

Residential, Commercial, Offices, Industrial, Educational, Medical and Health care, Recreational, Public/Semi Public, Agriculture and allied and Miscellaneous.

A matrix indicating uses permitted in each zone (1 to 5) is detailed in table no. 3.2.3-A - Land use classification, permissible uses.

3.2.2. Revised Land Use Classification

The above land use classification shall apply to the Development Plans prepared after coming in to force of these regulations. For the Development Plans sanctioned or published under relevant provisions of the Act prior to these Regulations having different Land use classification, the Land Uses shall be treated equivalent to those specified in Regulation no. 3.2.2as given in following table.

3.2.2-A - Revised Land Use Classification

S.N	Existing Land use zone	Use zone prevalent in Municipal Corporations							Revised Land use zone
		TMC	KDMC	BNCMC	MBMC	VVCMC	PMC	UMC	
1	Purely Residential zone (R-1)	✓	✓	✓	✓				
2	General Residential zone					✓			
3	Residential Zone								
4	Urbanisable Zone						✓		
5	Predominantly Residential								
6	Residential zone with shop line (R-2)	✓	✓	✓	✓		✓	✓	Development Zone (DZ)
7	Local Commercial (C-1)		✓	✓	✓				
8	Commercial Zone (C-1)	✓							
9	Commercial Zone						✓	✓	
10	District Commercial (C-2)		✓	✓	✓			✓	
11	Commercial Zone(C-2)	✓							
12	Public/Semi Public Zone					✓	✓		
13	Service Industries (I-1)	✓	✓	✓	✓	✓		✓	Industrial Zone (I)
14	General Industries (I-2)		✓	✓	✓	✓			
15	Industrial Zone						✓	✓	
16	Agriculture produce marketing zone						✓		
17	Loom Industry cum Residential			✓					
18	Tourism Development Zone					✓			Special Use Zone (SUZ)
19	Low Density Residential Zone					✓			
20	Special Residential zone					✓			

S.N	Existing Land use zone	Use zone prevalent in Municipal Corporations							Revised Land use zone
		TMC	KDMC	BNCMC	MBMC	VVCMC	PMC	UMC	
21	No Development Zone		√	√	√			√	
22	Green Zone					√		√	
23	Green zone -1	√							Development Restricted Zone (DRZ)
24	Green zone -2	√							
25	Plantation Zone					√			
26	Cattle shed zone					√			
27	No Development Zone					√			
28	Green Zone - 3	√							Development Prohibited Zone (DPZ)
29	Coastal Regulation Zone					√			
30	Forest Zone								

Provided that in case of land use zone of a corporation is not listed in table above, it shall be treated as development restricted zone until reclassified as per these regulations and approved by the Director, Town Planning, M.S., Pune

3.2.3. Land Use Classification, Permissible Uses

3.2.3-A - Land use classification, permissible uses

Sr. No.	Uses	Abutting road width in meters							DRZ	IZ	SUZ	Subject to condition
		DZ										
		Road below 9	9 < 12	12 < 18	18 - < 24	24 & above	NA	NA				
Residential uses												
1	Single family houses, bungalows, row houses and other such residential buildings without shops	✓	✓	✓	✓	✓	✓	✓				
2	Holiday home, farm houses, weekend houses	✓	✓	✓	✓	✓	✓	✓	✓			Holiday homes, hostels for institutions, farm houses, week-end houses all on minimum 2000 sqm plots, film shooting sites for films and television on minimum 5 ha. Sites.
3	Transit Camp tenements		✓	✓	✓	✓	✓	✓				
4	Residential buildings including apartment complexes without shops	✓	✓	✓	✓	✓	✓	✓				
5(a)	Residential buildings including apartment complexes with convenience shop line on GF and residences on upper floors		✓	✓	✓	✓	✓	✓				Convenience shops with carpet area upto 10 sqm are permissible on roads below 12m
5(b)	Residential buildings including apartment complexes with shop line having carpet area more than 20 sqm on GF and residences on upper floor			✓	✓	✓	✓	✓				
6	Service Apartments, Residential Hotels			✓	✓	✓	✓	✓				



Sr. No.	Uses	Abutting road width in meters							DRZ	IZ	SUZ	Subject to condition
		Road below 9	9 < 12	12 < 18	18 - < 24	24 & above	NA	NA				
7	Hostels		✓	✓	✓	✓	✓					
7	Government project affected Rehabilitation sites.		✓	✓	✓	✓	✓	✓				
8	All other mixed-use buildings with at least 50% residential use			✓	✓	✓	✓					In mixed use buildings, residential units shall be provided starting from the topmost floor, residential and non-residential parts shall have separate entries, and residential use shall not be mixed with other uses on any given floor.
Commercial uses												
1	Customary Home occupation	✓	✓	✓	✓	✓	✓	✓	✓	✓		Occupations customarily carried out by the members of household without employing hired labour and shall include stitching embroidery, button making etc. with or without motive power. If motive power is used, the total electricity load should not exceed 1 HP.
2	Convenience shops		✓	✓	✓	✓	✓	✓	✓	✓		Convenience Shops such as medical shop, grocery or general stores, hair cutting saloon, beauty parlours, milk or tea shops, vegetable or fruit stalls, laundry, shoe repair, bank ATMs etc. of carpet area not more than 20 sqm can be provided for day to day convenience of people, provided that front margin in such cases shall not be less than 6 m. inclusive of a lay-by of 3-m. width. Lay-bye shall be provided in the front open space and maintained for the purpose of public parking of vehicles. Such road lay-bye must have an unrestricted entry from the road and should not be enclosed. The level of the lay-bye shall be flush with the road.

Sr. No.	Uses	Abutting road width in meters							DRZ	IZ	SLZ	Subject to condition
		Road below 9	9 < 12	12 < 18	18 < 24	24 & above	DZ	DZ				
3	Vegetables, fruits, flour, fish and meat market		✓	✓	✓	✓	✓	✓	NA	NA	NA	
4	APMC				✓	✓	✓	✓	✓			
5	Parking of vehicles used as business		✓	✓	✓	✓	✓	✓	✓			
6	Lodging and Boarding houses, sanatoria, old age homes		✓	✓	✓	✓	✓					
7	Star category hotels											* Provided that residential hotels of 4 & 5 star categories may be allowed only in an independent plot and on roads of 18 m. width or more. A hotel of lower star category being also allowed with minimum separate access of 12 meter and more. Provided further that development of residential hotels of the star categories shall be permitted by the Commissioner, only after due approval from the Tourism Development Authority.
8	Mangal Karyalaya			✓	✓	✓	✓	✓	✓			Min plot size as per Regulation no. 4.7.1
9	Store or shops of retail business such as departmental stores.		✓	✓	✓	✓	✓	✓				No storage or sale of combustible materials shall be permitted except with the special permission of the Commissioner.
10	Art galleries and display shops		✓	✓	✓	✓	✓					
11	Frozen food lockers, fast food and vending stalls		✓	✓	✓	✓	✓		✓			
12	Auto part stores, showrooms for motor vehicles and machinery				✓	✓	✓	✓	✓			

Sr. No.	Uses	Abutting road width in meters							DRZ	IZ	SUZ	Subject to condition
		Road below 9	9 < 12	12 < 18	18 < 24	24 & above	NA	NA				
13	Sale of used or second hand goods or merchandise (not junk, cotton waste, rags or other materials of offensive nature).		✓	✓	✓	✓	✓	NA	NA	NA		
14	Commercial halls and Exhibition halls			✓	✓	✓	✓					
15	Restaurants, eating houses, cafeteria, ice cream and milk bars		✓	✓	✓	✓	✓				Restaurants eating houses cafeteria, ice-cream and milk bars under one establishment with total area not exceeding 200 sqm shall be permitted on the ground and/or floor 1 of a building with the special permission of the Commissioner.	
16	Petrol, Diesel, CNG, LPG filling stations		✓	✓	✓	✓	✓	✓	✓		1) Subject to following conditions: Petrol filling and service stations not employing more than 9 persons on sites not more than 100 sqm with the special written permission of the Commissioner and with minimum clearance of 6m from all boundaries excepting road side for structure above and below ground and subject to all other regulations applicable to petrol filling stations. Plot shall not be within 90m from junction of roads having minimum width of 12m each. Also, plot shall not be within 90m from nearest premises of school, hospital, theatre, stadium and other places of assembly. 2) Subject to following conditions: Minimum plot size as per regulation no. 4.7.1 Plot shall be located on classified roads such as national highway, state highway etc. or other road with minimum width of 12m or more.	

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Sr. No.	Uses	Abutting road width in meters							DRZ	IZ	SZ	Subject to condition
		DZ										
		Road below 9	9 < 12	12 < 18	18 < 24	24 & above	NA	NA				
17	Distribution and sale of LPG, coal and firewood shops		✓	✓	✓	✓	✓	✓			Independent plot Plot shall not be within 90m from junction of roads having minimum width of 12m each. Also, plot shall not be within 90m from nearest premises of school, hospital, theatre, stadium and other places of assembly.	
18	Storage of sale of kerosene not exceeding 1000 litres in groceries and approved ration shops on retail basis		✓	✓	✓	✓	✓	✓				
19	Bulk storage and sale of kerosene not exceeding 13000 liters				✓	✓	✓	✓			In separate godowns conforming to the existing regulations of Chief Controller of Explosives, Government of India provided further that the applicant shall make adequate fire fighting arrangements at his cost in his plot to the satisfaction of the Commissioner	
20	Retailing of building materials				✓	✓	✓	✓			With not more than 500 sqm area per establishment in DZ	
21	Drive - in theatre, theatres, Cinema houses, multiplexes, assembly and concert halls, dance and music studios				✓	✓	✓	✓			Minimum plot size as per Regulation no. 4.7.1	
22	Wholesale establishments				✓	✓	✓	✓			For commodities other than those prohibited by any statute or rules.	
23	Storage of furniture and household goods				✓	✓	✓	✓				

Sr. No.	Uses	Abutting road width in meters							Subject to condition		
		Road below 9	9 <= 12	12 < 18	18 < 24	24 & above	DRZ	IZ		SUZ	
24	Shopping mall or commercial complex with mix of various commercial activities			✓	✓	✓	✓	NA	NA	NA	
25	All other mix use building with at least 50% commercial use				✓	✓					
Office uses											
1	Professional offices and studios of a resident of the premises	✓	✓	✓	✓	✓					Professional offices and studios of a resident of the premises and incidental to such residential use, or medical and dental practitioner's dispensaries or clinics of a resident of the building with only outpatient treatment facilities without any indoor work, each not occupying a floor area exceeding 30 sqm
2	Professional offices	✗	✓	✓	✓	✓					Professional offices each not exceeding 100 sqm in area
3	Business/corporate office, trade exchange		✓	✓	✓	✓					Business offices subject to the fulfilment of parking and other requirement
4	Govt. Offices/Municipal offices	✗	✓	✓	✓	✓	✓	✓	✓	✓	

Sr. No.	Uses	Abutting road width in meters							Subject to condition					
		DZ												
		Road below 9	9 < 12	12 < 18	18 - < 24	24 & above	DRZ	IZ		SUZ				
5	Local sub-offices of Planning/Local Authority	✓	✓	✓	✓	✓	✓	NA	NA	NA				
6	Information Establishments/ITES Technology	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
7	All other mix use building with at least 50% office use	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
Industrial uses														
1	Service industries	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	Service Industries shall be permitted as per Table no.

3.2.3-B - Schedule of Permissible Service Industrial Uses In Development & Industrial Zones

S.F.No.	Category of Industry	Maximum Permissible Power Requirement	Maximum Permissible Employment	Maximum Permissible Floor Area	Special Conditions If Any
1	2	3	4	5	6
1) Food Products					
1	Manufacture of milk and dairy products such as butter and ghee	10HP	9 persons	50 sqm	--
2	Rice huller	10 HP	9 persons	50 sqm	--
a					
b	Grain mill for production of flour	10 HP	9 persons	50 sqm	--
c	Manufacture of supari and masala grinding (in separate building)	10 HP	9 persons	50 sqm	--

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d)	Groundnut decorticator	10 HP	9 persons	50 sqm	--
e)	Baby oil expellers	10 HP	9 persons	50 sqm	--
3)	Manufacture of Bakery products with no floor above	10 HP	9 persons	57 sqm	i) Shall not be permitted under or above dwelling unit ii) Operation shall be permitted only between 8 hrs., and 20 hrs. iii) Fuel used shall be electricity or gas or smokeless coal
4)	Coffee roasting and grinding	2 HP	9 persons	50 sqm	--
5)	Manufacture of Ice	45 HP	20 persons	250 sqm	--

6	a	Sugar cane and fruit juice crushers	2 HP	9 persons	25 sqm	--
	b	Preparation and sale of eatables	2 HP	9 persons	75sqm	
II) Beverages & Tobacco						
7		Manufacture of Bidi	No Power to be used	No Limit	250 sqm	
III) Textile and Textile Products						
8		Handloom/ Power loom subject to a maximum of 4 looms	5 HP	9 persons	50 sqm	On independent plot
9	a	Tailoring and button-hole making	3HP	9 persons	50 sqm	
	b	Embroidery & Marking crape laces and fringes	5 HP	9 persons	50 sqm	--
10		Manufacture of all type of textile, garments including wearing apparel	3 HP	9 persons	50 sqm	--

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1	Manufacture of made up textile goods such as curtains mosquito nets, mattresses bedding, materials, pillow cases, textile bags etc.,	3 HP	9 persons	50 sqm	--
IV) Wood Products & Furniture					
1	Manufacture of wooden furniture and fixtures	7 HP	9 persons	50 sqm	i) Shall not be permitted under or adjoining a dwelling unit.
2					ii) Operation shall be permitted only between 8 hrs. to 20 hrs.
1	Manufactures of bamboo and cane furniture and fixtures	7 HP	9 persons	50 sqm	--
V) Paper Products & Printing					
1	Manufacture of containers and boxes from paper pulp	5 HP	9 persons	50 sqm	Manufacture with paper pulp not permitted
4					



1 5)	Printing and Publishing periodicals books, journals, atlases, maps envelop printing, picture post-cards embossing.	10 HP	9 person s	120 sqm	<p>i) Shall not be permitted under or adjoining a dwelling unit</p> <p>ii) Operation shall be permitted between 8 hrs to 20 hrs</p> <p>iii) No restriction on power no. of employees area of hours of operation shall apply if located in building in separate plot not less than 500 sqm and if special permission of the Planning Authority is obtained.</p>
1 6)	Engraving etching block marking etc.,	10 HP	9 person s	120 sqm	Operation shall be permitted only between

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						8 hrs to 20 hrs.
17)	Book Binding	10 HP			9 persons	120 sqm
VI) Leather Products						
18)	Manufacture of leather footwear	5 HP		9 persons	50 sqm	--
19)	Manufacture of wearing apparel like coats gloves etc.,	5 HP		9 persons	50 sqm	--
20)	Manufacture of leather consumer goods such as upholstery suitcases pocket book cigarette and key cases purses etc.	5 HP		9 persons	50 sqm	--
21)	Repair of footwear and other leather goods	5 HP		9 persons	50 sqm	--
VII) Rubber and Plastic Products						
22)	Retreading and Vulcanizing works	2 HP		9 persons	50 sqm	----



2	Manufacture of rubber balloons	2 HP	9 persons	50 sqm	---
3)				
VIII) Metal Products					
2	Tool sharpening and razor sharpening works	1 HP	9 persons	25 sqm	Operation shall be permitted only between 8 hrs. to 20 hrs.,
4)				
IX) Electrical Goods					
2	Repair of household electrical appliances such as radio set, television set, tape recorders, refrigerators, heaters, irons, shavers, vacuum cleaners, air conditioners, washing machine, electric cooking ranges, motor rewinding works etc.,	3 HP	9 persons	50 sqm	Operation shall be permitted only between 8 hrs to 20 hrs.
5)				

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Transport Equipment					
X)					
2 6) a)	Service of motor and motor cycles with no floor above	5 HP	9 persons	50 sqm	Operation shall be permitted only between 8 hrs to 20 hrs
b)	Repair of motor and motor cycles with no floor above	5 HP	9 persons	50 sqm	No spray painting permitted
c)	Battery charging and repair	5 HP	6 persons	25 sqm	--
2 7)	Repair of bicycles and cycle rickshaws	5 HP	6 persons	50 sqm	No spray painting permitted
X1) Other manufacturing and Repair Services					
2 8)	Shop for goldsmith, locksmiths, upholstery and diamond cutting and polishing, Manufacture of jewellery and related articles	3 HP	9 persons	50 sqm	Operation shall be permitted only between 8 hrs to 20 hrs.
2 9)	Repair of watch and clock jewellery	3 HP	9 persons	50 sqm	Operation shall be permitted

						only between 8 hrs to 20 hrs
30)	Manufacture of musical instrument and its repair	No power to be used	6 persons	50 sqm		Operation shall be permitted only between 8 hrs to 20 hrs
31)	Repairs of locks, shoes, umbrellas, sewing machines, gas burners, buckets and other sundry household equipment's optical glass grinding and repairs.	3 HP	9 persons	50 sqm		Operation shall be permitted only between 8 hrs to 20 hrs
32)	Petrol filling stations	10 HP	9 persons	i) 30.5 x 16.75 m ii) 33.5 x 30.5 m		Plot size to be in line with IRC recommendations depending on with or without service bay.
33)	Laundress laundry service and cleaning	4 KW	9 persons	50 sqm		i) Cleaning and dyeing fluid shall not have

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	dyeing bleaching and dry cleaning					flash point lower than 138 F.
						ii) Operation shall be permitted between 8 hrs to 20 hrs
						iii) Machinery having dry load capacity of 20KG and above
3 4)	Photo processing laboratories, Xeroxing photo copy videotaping and their repairing	5 HP	9 persons	50 sqm	Operation shall be permitted between 8 hrs to 20 hrs	
3 5)	Ready Mix Concrete Plant	3.75 HP	9 persons	50 sqm	--	
3 6)	Non-polluting, High Tech, High Value added Electronic Industries	---	9 persons	50 sqm	--	
3 7	Establishments using power for	3 HP	9 persons	50sqm		

	sealing tin, packages etc.	10 HP	15 persons	---	
	Repair, cleaning and shops analytical, experimental or testing laboratories in the industrial activity but not including cleaning and dyeing establishments using cleaning or dyeing fluid having a flash point lower than 60 degree C and machines with dry load capacity of 30 kg for any establishment carrying on activities that are noxious or vibration or other requirement of such establishment				

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Sr. No.	Uses	Abutting road width in meters							Subject to condition				
		Road below 9	9 < 12	12 < 18	18 - < 24	24 & above	DRZ	IZ		SUZ			
2	General Industries												Industries shall include any building or part of a building or structure, in which products or materials of all kinds and properties are fabricated, assembled or processed, for example, assembly plants, laboratories, dry



Sr. No.	Uses	Abutting road width in meters						DRZ	IZ	SUZ	Subject to condition
		Road below 9	9-12	12-18	18-24	24 & above	NA				
	Non-hazardous, Non-polluting industries						√	√		cleaning plants, power plants, pumping station; smoke houses laundries, gas plants, refineries, dairies and saw - mills. With previous approval of Directorate of industries and NOC from Pollution Control Board.	
Educational uses											
1	All schools upto primary school	√	√	√	√	√	√			In independent buildings Provided that the Planning Authority may, by order, permit Montessori schools, Kindergartens or Balwadis in a part of a residential building on the ground floor or on the floor above the stilts if the area thereof is not less than 40sqm and no nuisance is likely to be caused to the residents of the building	
2	All schools upto higher secondary		√	√	√	√	√			In independent buildings	
3	Motor driving school		√	√	√	√				With permission of Commissioner	
4	Trade or other similar schools and colleges		√	√	√	√				Trade and other similar schools, not involving any danger of fire or explosion, or offensive noise, vibration, smoke, dust, odours, glare, heat or other objectionable features.	
5	Universities, large scale educational institutions			√	√	√	√			Large institutions on minimum 2.5 Ha plot	
6	Student hostels	√	√	√	√	√				In independent buildings	
7	Religious buildings	√	√	√	√	√	√			In independent buildings	

Sr. No.	Uses	Abutting road width in meters							DRZ	IZ	SUZ	Subject to condition
		DZ										
		Road below 9	9 < 12	12 < 18	18 < 24	24 & above	NA	NA				
8	Public libraries	✓	✓	✓	✓	✓	✓	✓	✓	✓	Public libraries on the ground floor and floor 1 or on two consecutive floors immediately above the stilts in a building constructed on stilts.	
9	Research, experimental and testing laboratories		✓	✓	✓	✓	✓	✓	✓	✓	Research, experimental and testing laboratories not involving any danger of fire or explosion or of any obnoxious nature and located on a plot not less than 2 ha. in area, provided that the laboratory is at least 30 m. from any of the boundaries of the site and the accessory residential building located 30 m. from the laboratory.	
10	Biotechnology unit/park		✓	✓	✓	✓	✓	✓	✓	✓	As per Regulation no. 6.4	
11	All other educational buildings, research and development institutions and biotech units				✓	✓	✓	✓	✓	✓	1) Subject to following conditions: Minimum area of plot shall be 0.4 Ha Tree plantation shall be done at rate 500 trees/Ha on the remaining land excluding the built-up area and the surrounding open space/utility space. Maximum height of the building shall not exceed 15m Essential residential development for staff/officer's accommodation shall be permitted to the extent of 33% of the permissible built-up area. These uses shall be permissible within 3 km from adjoining development zone. Research and development of hazardous chemicals and explosives shall not be permissible.	
Medical and health care uses												
1	Medical and dental practitioners' dispensaries or clinics	✓	✓	✓	✓	✓	✓	✓	✓	✓	Medical and dental practitioners' dispensaries or clinics, including pathological or diagnostic clinics with a restriction of one dispensary or	

Sr. No.	Uses	Abutting road width in meters							DRZ	IZ	SUZ	Subject to condition
		Road below 9	9 < 12	12 < 18	18 - < 24	24 & above	NA	NA				
2	Nursing homes, polyclinics, maternity homes and medical practitioners in different disciplines of medical sciences		√	√	√	√					clinic per building to be permitted on the ground floor, on the floor just above the stilts or on the first floor.	
3	Medical laboratories such as pathology, on independent plots		√	√	√	√					Nursing homes, polyclinics, maternity homes and medical practitioners in different disciplines of medical sciences in independent buildings or independent parts of buildings on the ground floor, floor 1 and floor 2 with separate means of access/ staircase from within the building or outside, but not within the prescribed marginal open spaces in any case, and with special permission of the MC.	
4	Correctional and institutions for mental health, children, the aged, widows, sanatoria and hospitals		√	√	√	√		√			Correctional and institutions for mental health, children, the aged, widows, sanatoria and hospitals (except veterinary hospitals) with special permission of the Commissioner, provided that those principally for contagious diseases shall be located not less than 36 m. from any boundary	
5	Veterinary hospital and kennels		√	√	√	√		√				
6	General hospitals, specialty or super specialty hospitals			√	√	√		√				
7	Medical institution attached with a hospital and or research centre			√	√	√		√				

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Sr. No.	Uses	Abutting road width in meters							DRZ	IZ	SUZ	Subject to condition
		DZ										
		Road below 9	9 < 12	12 < 18	18 < 24	24 & above	NA	NA				
Recreational uses												
1	Public or private parks, gardens, playgrounds		✓	✓	✓	✓	✓	✓	✓	✓	On independent plots, but not amusement parks.	
2	Club houses, gymkhana, swimming pool,			✓	✓	✓	✓	✓	✓	✓	On independent plots which may have an extension counter or only branch of a bank, in such club-houses or gymkhanas.	
3	Art Galleries, Aquariums & Museums			✓	✓	✓	✓	✓	✓	✓		
4	Community Halls, Welfare centres, gymnasias		✓	✓	✓	✓	✓	✓	✓	✓		
5	Golf Clubs and links, gliding facilities, temporary camps for recreation of all types			✓	✓	✓	✓	✓	✓	✓		
6	Stadia			✓	✓	✓	✓	✓	✓	✓		
7	Race tracks, shooting range			✓	✓	✓	✓	✓	✓	✓		
8	Amusement park			✓	✓	✓	✓	✓	✓	✓	Amusement park, in a plot of not less than 5 ha. in area, with recreational and amusement devices like a giant wheel, roller coaster, merry-go-round or similar rides both indoor and outdoor, ocean -park, swimming pool, magic mountain and lake, ethnic village, shops for souvenirs, toys, goods, refreshments and beverages on the following <i>conditions</i> with the special permission of the Planning Authority subject to the following :-	

Sr. No.	Uses	Abutting road width in meters							Subject to condition
		Road below 9	9 < 12	12 < 18	18 < 24	24 & above	DRZ	IZ		SUZ
									<p>A. The entire land for the amusement park shall vest in a single ownership and the land shall not be sub-divided at any time.</p> <p>B. Structure for the amusement park shall not be sold at any time to any other person.</p> <p>C. The required infrastructure, like proper and adequate access to the park, water supply, sanitation, conservancy services, sewage disposal and adequate off-street parking will have to be provided and maintained by the promoters of the project at their cost and to the satisfaction of the Planning Authority</p> <p>D. The promoters of the project shall provide adequate facilities for collection and disposal of garbage at their cost, and to the satisfaction of the Planning Authority and will keep, at all times, the entire environment clean, neat and hygienic.</p> <p>E. Structures for indoor rides and ancillary activities, such as administrative offices, exhibition hall or auditorium, restaurant, open air theatre, essential staff quarters, store buildings, fast food shops, museum, souvenir and small shops, ancillary structures to swimming pool, may be permitted subject to a maximum floor space index not exceeding 0.04; i.e. FSI of 0.025 for principal activity and 0.015 for ancillary activities.</p> <p>F. Structures permitted in the amusement park (except those intended for park apparatus, entertainment such as magic mountain etc. and other equipment) should be ground floor structures, with the construction blending with the surrounding environment and landscape.</p>

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Sr. No.	Uses	Abutting road width in meters						Subject to condition								
		DZ	9 < 12	12 < 18	18 < 24	24 & above	DRZ		IZ	SUZ						
		Road below 9	9 < 12	12 < 18	18 < 24	24 & above	NA	NA	NA	NA	NA	NA	NA	NA	NA	<p>G. Except for minor dressing, hills and natural features, if any, shall be maintained in their natural condition and beautified with planting of trees etc.</p> <p>H. All trees already growing on the land shall be preserved to the extent possible, except that if it becomes necessary to cut any tree, the required permission of the Planning Authority should be obtained under the law. At least 5 trees per 100 sq. M. Shall be planted and grown within the area of the park.</p> <p>I. Sufficient parking facilities and ancillary facilities for cars, buses, transport vehicles etc. shall be provided on site as prescribed by and to the satisfaction of the Planning Authority.</p> <p>J. The promoters of the project will prepare a suitable layout with appropriate landscaping of the recreational and other facilities and obtain approval of the Planning Authority.</p> <p>K. No objection certificate of the Tourism Department shall be obtained</p> <p>L. The development shall be regulated according to other requirements of these and all other applicable rules and Regulations and subject to all other clearances as may be required</p> <p>M. Proper arrangements for safety, regulations of traffic approaches to the park etc. shall be made to the satisfaction of the Planning Authority and Police from the law and order and traffic aspects</p>
Public/Semi-public uses																



Sr. No.	Uses	Abutting road width in meters							DRZ	IZ	SUZ	Subject to condition
		DZ										
		Road below 9	9-12	12-18	18-24	24 & above	NA	NA				
1	Bus shelters, Auto Rickshaw and taxi stands	✓	✓	✓	✓	✓	✓	✓	✓	NA	Subject to condition	
2	Bus stations, bus depots, railway stations, taxi depots, heliparts		✓	✓	✓	✓	✓	✓	✓	NA	On independent plot	
3	Telephone exchanges, Govt. Sub office, municipal sub-offices, sub-offices the concerned electric company consulate offices, post and telegraph offices branches		✓	✓	✓	✓	✓	✓	✓		On independent plot	
4	Police station, Fire station, civil defence warden post, first-aid post, home guards and civil defence centres		✓	✓	✓	✓	✓	✓	✓			
5	Pumping stations, sewage disposal works, electrical sub-station, receiving station and water supply installations and ancillary structures		✓	✓	✓	✓	✓	✓	✓			
6	Bank branches including safe deposit vaults		✓	✓	✓	✓	✓	✓	✓			
7	Animal pounds							✓				
8	Slaughter houses or facilities for processing and disposal of dead animals							✓			Subject to conditions prescribed by the Corporation	

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Sr. No.	Uses	Abutting road width in meters							Subject to condition			
		DZ										
		Road below 9	9 < 12	12 < 18	18 < 24	24 & above	DRZ	IZ		SUZ		
9	Burial grounds, cremation grounds, places of disposal of human bodies along with undertakers' premises	✓	✓	✓	✓	✓	✓	NA	✓	✓	NA	Burial grounds, cremation grounds and essential public utilities on a road having width 9 m. and above subject to the Corporation's approval.
10	Landfill sites, solid waste management, bio-gas plants, power generation from waste								✓	✓		
11	Roads, Bridge, culverts and construction for any mode of transportation.	✓	✓	✓	✓	✓	✓		✓	✓		
12	Institutional buildings such as spiritual, religious, social welfare or research institutions		✓	✓	✓	✓	✓		✓	✓		In independent buildings Provided that institutional buildings with congregation areas shall not be permissible on roads below 12m
Agricultural allied uses												
1	Agriculture, horticulture and allied activities		✓	✓	✓	✓	✓		✓	✓		
2	Poultry farming		✓	✓	✓	✓	✓	2)	✓	✓	1)	1) Poultry farming being permitted at the rate of 0.25 sqm built-up area per bird on an independent plot measuring not less than 1 ha provided that no offensive odours, dirt and/or dust are created and there is no sale of products not produced on the premises, and the accessory buildings are not located within of 9m from the boundaries or 6m. from the main buildings on the plot provided further that the above restriction on space shall not apply to any poultry kept for domestic consumption only,

Sr. No.	Uses	Abutting road width in meters						DRZ	IZ	SUZ	Subject to condition
		Road below 9	9 < 12	12 < 18	18 - < 24	24 & above	NA				
3	Fish farming, fish drying, storage of boats, servicing and repair of boats and allied activities				✓			NA	NA	2) With a limitation of keeping 20 birds per plot at the rate of 0.25sqm per bird.	
4	Animal husbandry, dairy				✓			NA	NA	Animal husbandry (except for keeping animals on a commercial scale), subject to a limit of 10 cattle per acre and providing necessary buildings, garages, pig sties, stables and storage buildings;	
	cattle shed				✓					Cattle sheds each keeping more than 10 animals shall be permissible only on a plot of at least 2000 sqm in area. 50% of the plot area shall be reserved for cattle grazing and provision of utilities etc. In the rest of the area cattle sheds and essential staff quarters shall be permitted	
5	Forestry						✓				
6	Salt manufacture from sea water						✓				
	Storage and drying of fertilizers						✓				
7	Small Agro based industries		✓	✓	✓	✓	✓	✓	✓	Processing agricultural products like rice mills, poha factories and other rural based service industries.	
Miscellaneous uses											

Sr. No.	Uses	Abutting road width in meters							DRZ	IZ	SUZ	Subject to condition
		Road below 9	9 < 12	12 < 18	18 - < 24	24 & above	NA	NA				
1	Radio broadcasting and television or film studios, sound recording and dubbing studios		✓	✓	✓	✓	✓	NA	NA	NA	Radio broadcasting, television studios, sound recording and dubbing studios in independent buildings or part of building or in independent plots, with the permission of planning authority	
2	Development of Cinema and TV film production, shooting, editing and recording studios with its ancillary and supporting users, including construction of staff quarters, rest rooms, canteens etc.		✓	1)	1)	✓	✓	✓	2)		1) Provided on Independent plot 2) Provided Minimum area of plot shall be 2 Ha Ancillary uses shall be permissible to the extent of 33% of the permissible built-up area The construction shall be confined to 10% of the plot and the remaining plot (excluding areas required for parking roads etc.) shall be planted with trees at the rate 500 trees per hectare.	
3	All public utilities establishments, roads, gardens, parks and playgrounds		✓	✓	✓	✓	✓	✓	✓	✓		
4	Power generation from non-conventional sources of energy								✓			
5	Storage of liquefied petroleum gas cylinders (bottled gas)		✓	✓	✓	✓	✓		✓		Storage of liquefied petroleum gas cylinders (bottled gas) for domestic consumption not exceeding 300 kg. in a residential building and not exceeding 8000 kg. in an independent ground floor structure (except a garage) at any one time, with the special permission of the MC and subject to compliance with statutory safety requirements	

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Sr. No.	Uses	Abutting road width in meters							DRZ	IZ	SUZ	Subject to condition
		Road below 9	9 < 12	12 < 18	18 - < 24	24 & above	NA	NA				
6	LPG godowns							NA	NA	NA	L.P. Gas Godowns would be permissible in Development Restricted Zone (DR) within municipal limits subject to the following conditions: Area of plot shall not be less than 2000 Sq.mr. The maximum permissible FSI shall be 0.20 Only ground floor structure shall be permissible It is necessary to obtain "No Objection Certificate" from Controller of Explosives and competent fire authority Condition imposed by planning authority should also be followed	
7	Quarrying of stone, murum or earth including mechanized stone crushing or stone dressing							NA			Subject to Planning Authority's approval	
8	Storage of obnoxious or hazardous material							NA	NA		Subject to Planning Authority's approval	
9	Highway amenity users such as Transport Mall, Truck Terminus, Motels, Restaurants, service shops, transfer godowns etc.							NA			Upto G+1 structures on a plot not less than 0.4 Ha in area	
10	Town Planning/ Land readjustment scheme							NA			As per the provisions of Regulation no. 6.7	

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Note : 1) Accessory uses customarily incidental to any permitted principal use including storage space, upto 33% of the total floor area used for the principal use shall be permissible with approval of the Planning Authority.2) Any other use allowed in consultation with the Director, Town Planning, Maharashtra state in accordance with intent and spirit of these regulations.



3.2.3-B - Schedule of Permissible Service Industrial Uses In Development & Industrial Zones

Sr. No.	Category of Industry	Maximum Permissible Power Requirement	Maximum Permissible Employment	Maximum Permissible Floor Area	Special Conditions If Any
1	2	3	4	5	6
I) Food Products					
1)	Manufacture of milk and dairy products such as butter and ghee	10HP	9 persons	50 sqm	--
2) a)	Rice huller	10 HP	9 persons	50 sqm	--
b)	Grain mill for production of flour	10 HP	9 persons	50 sqm	--
c)	Manufacture of supari and masala grinding (in separate building)	10 HP	9 persons	50 sqm	--
d)	Groundnut decorticator	10 HP	9 persons	50 sqm	--
e)	Baby oil expellers	10 HP	9 persons	50 sqm	--
3)	Manufacture of Bakery products with no floor above	10 HP	9 persons	57 sqm	i) Shall not be permitted under or above dwelling unit ii) Operation shall be permitted only between 8 hrs., and 20 hrs. iii) Fuel used shall be electricity gas or smokeless coal
4)	Coffee curing roasting and grinding	2 HP	9 persons	50 sqm	--
5)	Manufacture of Ice	45 HP	20 persons	250 sqm	--
6) a)	Sugar cane and fruit juice crushers	2 HP	9 persons	25 sqm	--
b)	Preparation and sale of eatables	2 HP	9 persons	75sqm	
II) Beverages & Tobacco					
7)	Manufacture of Bidi	No Power to be used	No Limit	250 sqm	

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III) Textile and Textile Products					
8)	Handloom/ Power loom subject to a maximum of 4 looms	5 HP	9 persons	50 sqm	On independent plot
9a)	Tailoring and button-hole making	3HP	9 persons	50 sqm	
b)	Embroidery & Marking crape laces and fringes	5 HP	9 persons	50 sqm	--
10)	Manufacture of all type of textile, garments including wearing apparel	3 HP	9 persons	50 sqm	--
11)	Manufacture of made up textile goods such as curtains mosquito nets, mattresses bedding, materials, pillow cases, textile bags etc.,	3 HP	9 persons	50 sqm	--
IV) Wood Products & Furniture					
12)	Manufacture of wooden furniture and fixtures	7 HP	9 persons	50 sqm	i) Shall not be permitted under or adjoining a dwelling unit. ii) Operation shall be permitted only between 8 hrs. to 20 hrs.
13)	Manufactures of bamboo and cane furniture and fixtures	7 HP	9 persons	50 sqm	--
V) Paper Products & Printing					
14)	Manufacture of containers and boxes from paper pulp	5 HP	9 persons	50 sqm	Manufacture with paper pulp not permitted
15)	Printing and Publishing periodicals books, journals, atlases, maps envelop printing, picture post-cards embossing.	10 HP	9 persons	120 sqm	i) Shall not be permitted under or adjoining a dwelling unit ii) Operation shall be permitted between 8 hrs to 20 hrs iii) No restriction on power no. of employees area of hours of operation shall apply if located in building in separate plot not less than 500 sqm and if special

					permission of the Planning Authority is obtained.
16)	Engraving etching block marking etc.,	10 HP	9 persons	120 sq.m	Operation shall be permitted only between 8 hrs to 20 hrs.
17)	Book Binding	10 HP	9 persons	120 sqm	
VI) Leather Products					
18)	Manufacture of leather footwear	5 HP	9 persons	50 sqm	--
19)	Manufacture of wearing apparel like coats gloves etc.,	5 HP	9 persons	50 sqm	--
20)	Manufacture of leather consumer goods such as upholstery suitcases pocket book cigarette and key cases purees etc.	5 HP	9 persons	50 sqm	--
21)	Repair of footwear and other leather goods	5 HP	9 persons	50 sqm	--
VII) Rubber and Plastic Products					
22)	Retreading and Vulcanizing works	2 HP	9 persons	50 sqm	----
23)	Manufacture of rubber balloons	2 HP	9 persons	50 sqm	----
VIII) Metal Products					
24	Tool sharpening and razor sharpening works	1 HP	9 persons	25 sqm	Operation shall be permitted only between 8 hrs. to 20 hrs.,
IX) Electrical Goods					
25)	Repair of household electrical appliances such as radio set, television set, tape recorders, refrigerators, heaters, irons, shavers, vacuum cleaners, air conditioners, washing machine, electric cooking ranges, motor rewinding works etc.,	3 HP	9 persons	50 sqm	Operation shall be permitted only between 8 hrs to 20 hrs.

X)	Transport Equipment				
26)	Service of motor vehicles and motor cycles with no floor above	5 HP	9 persons	50 sqm	Operation shall be permitted only between 8 hrs to 20 hrs
a)					
b)		Repair of motor vehicles and motor cycles with no floor above	5 HP	9 persons	50 sqm	No spray painting permitted
c)	Battery charging and repair	5 HP	6 persons	25 sqm	--
27)	Repair of bicycles and cycle rickshaws	5 HP	6 persons	50 sqm	No spray painting permitted
XI) Other manufacturing and Repair Services					
28)	Shop for goldsmith, locksmiths, upholstery and diamond cutting and polishing, Manufacture of jewellery and related articles	3 HP	9 persons	50 sqm	Operation shall be permitted only between 8 hrs to 20 hrs.
29)	Repair of watch clock and jewellery	3 HP	9 persons	50 sqm	Operation shall be permitted only between 8 hrs to 20 hrs
30)	Manufacture of musical instrument and its repair	No power to be used	6 persons	50 sqm	Operation shall be permitted only between 8 hrs to 20 hrs
31)	Repairs of locks, shoes, umbrellas, sewing machines, gas burners, buckets and other sundry household equipment's optical glass grinding and repairs.	3 HP	9 persons	50 sqm	Operation shall be permitted only between 8 hrs to 20 hrs
32)	Petrol filling stations	10 HP	9 persons	i) 30.5 x 16.75 m ii) 33.5 x 30.5 m	Plot size to be in line with IRC recommendations depending on with or without service bay.
33)	Laundress laundry service and cleaning dyeing bleaching and dry cleaning	4 KW	9 persons	50 sqm	i) Cleaning and dyeing fluid shall not have flash point lower than 138 F. ii) Operation shall be permitted between 8 hrs to 20 hrs iii) Machinery having dry load capacity of 20KG and above

34)	Photo processing laboratories, Xeroxing photo copy videotaping and their repairing	5 HP	9 persons	50 sqm	Operation shall be permitted between 8 hrs to 20 hrs
35)	Ready Mix Concrete Plant	3.75 HP	9 persons	50 sqm	--
36)	Non-polluting, High Tech, High Value added Electronic Industries	---	9 persons	50 sqm	--
37	Establishments using power for sealing tin, packages etc.	3 HP	9 persons	50sqm	
	Repair, cleaning shops and analytical, experimental or testing laboratories in the industrial activity but not including cleaning and dyeing establishments using cleaning or dyeing fluid having a flash point lower than 60 degree C and machines with dry load capacity of 30 kg for any establishment carrying on activities that are noxious or vibration or other requirement of such establishment	10 HP	15 persons	---	

3.3. Uses Permissible In Proposed Reservations-

The uses permissible in reserved sites shall be conforming to the use for which it is reserved unless otherwise specified. Such uses may also be permitted in existing sites. The required parking, public toilets and separate place for garbage bins shall also be provided in the reserved site itself. Combination of uses as mentioned below may be permissible even if the reservation is for a specific purpose.

a) Playground In playground reservation, minimum 90% area shall be kept open for open play activities. In remaining 10% of area, covered swimming pool & allied construction, gymnasium, covered badminton court, pavilion, (with or without shops, offices beneath), watchman quarter, small restaurant or food stalls to the extent of 20 sq.m. (for every 4000 sq.m. reservation area) may be permitted. The maximum FSI permissible shall be 0.15.

b) Stadium - In addition to the uses permissible in playground mentioned above, shops below the spectators' tiered gallery.

Note: The FSI permissible for (a) & (b) above shall be 0.15 and 0.25 respectively.

c) Garden - In addition to the main use of garden, open swimming pool & allied construction, aquarium, water tank, booking counter, rain water harvesting system, gardener / watchman quarter, small restaurant or food stalls to the extent of 20 sqm Total FSI used for such constructions shall not exceed 10% of the garden area.

d) Weekly Market - Weekly vegetable market with open ottas, cattle market and ancillary petty convenience shops.

e) Vegetable Market - Open or covered ottas along with petty convenient shops, fruit stalls.

f) Shopping Centre / Market - Shopping, Vegetable market, departmental stores, offices, banks / community hall on upper floors.

g) Town-hall - Town hall, exhibition hall, art gallery, meeting / conference hall, library, small restaurant to the extent of 20 sqm

h) Drama Theatre / Natyagriha - Drama theatre / natyagriha, art gallery, exhibition hall, library, small restaurant to the extent of 20 sqm, allied users such as guest rooms for the artists.

i) Cultural Hall - Cultural hall, marriage hall, socio-cultural activities, art gallery, exhibition hall, performing arts activities, small restaurant to the extent of 20 sqm, allied users such as guest rooms, yoga centre.

j) Primary School - Primary & pre-primary schools and allied activities.

k) Secondary / High School - Junior college, secondary / high school and primary- pre-primary school & allied activities.

l) Library - In addition to library reading room, AV room

m) Health Centre / Hospital / Maternity Home / Dispensary – Any sort of medical facilities along with ancillary construction such as staff quarters, chemist shop, etc. and restaurant, ATM, PCO, cyber café of not more than 20 sqm. each. Staff quarters and sleeping accommodation for guests not more than 15% of total built-up area in case of bigger hospitals of built up area not less than 2000 sqm may be permissible.

n) Truck Terminus - In addition to minimum 60% area for parking of trucks other ancillary uses such as restaurant, hotel, motel, lodging facility for drivers, auto repair centre, auto service centre, shops for auto spare parts, shops for daily needs, ATM, PCO, primary health centre / first aid centre, provision for loading-unloading shall be allowed on remaining area.

O) S.T. Stand and commercial uses – Additional FSI of 0.50 over and above the basic permissible FSI shall be permissible. Out of total FSI, maximum 1.00 FSI shall be allowed to be developed for commercial use and remaining FSI shall be for the self-principal use. Appropriate land shall be kept open for parking of buses, movement of buses and passengers.

Note:-

- 1) The basic FSI for above uses shall be 1.10 on the gross area of reservation, if not specified.
- 2) Other reservations - The reservations which have not appeared in the above list, may be allowed to be permitted to be developed for the compatible uses with the approval of the Director of Town Planning, Maharashtra State, Pune, provided that such other use shall not exceed 40% of the reserved area.

3.4. Regulations for Permitting Uses as Per Development Zone in Industrial Zone (I To D Policy)

- a) With previous approval of Municipal Commissioner in consultation with the Divisional Head of concerned division of the Town Planning Directorate and on such conditions as deemed appropriate by him, the existing or newly built-up area of Industrial unit, in the Industrial zone may be permitted to be utilised for residential or commercial purposes, subject to other stipulations of these Regulations.
- b) With the previous approval of the Municipal Commissioner, in consultation with the Divisional Head of Town Planning Directorate, the lands in the Industrial zone including lands in industrial zone in Town Planning Scheme area, may be permitted to be utilised for any of the permissible users in the Development zone, subject to the following conditions :
 - i) Out of the total area proposed to be utilised for residential development, 20% of the basic FSI shall be built for residential tenements having built up area 30 sq.m and upto 50 sqm or in the plotted development, 20 % area shall be of plots upto 150 sqm.
 - i) While allowing such conversion minimum 25 % built up area shall be used for offices and commercial purpose.
 - ii) The provision of inclusive housing as mentioned in these regulations shall not be applicable while allowing such conversion.
 - iii) Such user shall be allowed only on payments of Premium at the rate 20 % of the land value of developed lands arrived as per Annual Statement of Rates (without considering the guidelines therein) of the respective year.
 - iv) In respect of industries which are not in operation, the Residential/ Commercial user shall not be permitted unless NOC from Labour Commissioner, Maharashtra State, Mumbai stating that all legal dues have been paid to the workers or satisfactory arrangement between management and workers have been made, is obtained. However, in respect of any open land in the



Industrial Zone where industry never existed, NOC from Labour Commissioner shall not be required.

- v) In the layout or sub-division of such land measuring upto 2 Ha., 10% land for public utilities and amenities, like electric sub-station, bus-station, sub-post office, police out-post and such other amenities/utilities as may be considered necessary shall be provided.
- vi) In such layout or sub division each more than 5Ha. in area, 25% land for public utilities and amenities like electric, sub-station, bus-station, sub-post office, police out post, garden, playground, school dispensary and such other amenities shall be provided.
- vii) With the special written permission of the Municipal Commissioner, the land having area up to 0.20 hectare in size which is allocated for industrial use may be permitted to be used for Residential purpose or any other permissible users in Development Zone, provided that, in such case the owner / developer shall require to provide either 10% amenity space in the form of open land or 5% built up space in the proposed construction at appropriate location, preferably on ground floor. TDR as per regulation containing provisions of TDR, shall be permissible, for such amenity.
- viii) The land under public utility / amenity shall be handed over to the Planning Authority in lieu of FSI / TDR with proper access and basic land development. These areas shall be in addition to the recreational space as required to be provided under these regulations.
Provided that, at least 50% of total land provided for public amenity/ utility space shall be earmarked for unbuildable purposes such as garden, recreational ground, etc.
Provided also that irrespective of land use zone, where the provisions of Development Control Regulations provide for amenity space in development zone then Amenity Space which is more shall only be provided.
- ix) In industrial zone on which Residential/ Commercial permission is granted is deemed to be converted into Residential/ Commercial zone to the extent of that area, after issuance of full and final occupation certificate to the project.
- c) The required segregating distance between Industrial Zone and the area over which Residential use is permitted under this regulation, shall be provided within such land intended to be used for residential or commercial purpose.
- d) Such residential or commercial development shall be allowed within the permissible FSI of the Development Zone.
- e) Provision for Amenity Spaces shall be considered to be reservations in the Development Plan, excluding Development Plan roads/ road widening and Transferable Development Rights against such amenity as per Part 12 may be given or FSI of the same equivalent to the TDR quantum shall be available for utilisation on the remaining land. Moreover, the owner shall be entitled to develop remaining land with permissible TDR potential including the land under amenity space subject to maximum permissible limit of FSI (Maximum Building Potential) as mentioned in Regulation No.5.2.

Provided that.

- i) Residential/Commercial user may be allowed on the part area of the land holding subject to the condition that total area of the entire land holding shall be considered for deciding the percentage of the land to be reserved for public amenity/ utility spaces, as per these regulations.
- ii) If Development Plan Reservations (excluding DP Road/Road widening) are in the land under I to D conversions, then such reservation may be adjusted in amenity space as mention in following manner.
 - a) If the area under development plan reservation is less than the required area of public amenity space as per the said regulation, then only the difference between the areas shall be provided for public amenity spaces.

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

4. GENERAL LAND SUBDIVISION REQUIREMENTS

4.1. Requirements of Site

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

- i) If the Authority considers that the site is insanitary or that it is dangerous to construct a building on it;
- ii) If the site is within a distance of **6 m.** from the edge of water mark of a minor water course (like nallah) and 15 m. from the edge of water mark of a major water course (like river, water body) shown on Development Plan or village/city survey map or otherwise.

Provided that where a minor water course passes through a low lying land without any well-defined banks, the owner of the property may be permitted by the Commissioner to restrict and or to re-align within the same land along with cross section as determined by the Commissioner without changing the position of the inlet and outlet of the water course. In such case marginal open space shall be atleast 4.50 m from the edge of the trained nallah.

- iii) If the site is hilly and having gradient more than 1:5.
- iv) if the site is not drained properly or is incapable of being well drained;
- v) If the owner of the building has not proposed appropriate measures required to safeguard the construction from constantly getting damp to the satisfaction of the Planning Authority.
- vi) If the building is for assembly uses, for cinemas and theatres as well as for public worship which has not been previously approved by the Commissioner ;
- vii) In case the building is proposed on any area filled up with carcasses, excreta, filth and offensive matter, then certificate from the Commissioner to the effect that it is safe from the health and sanitary point of view, to be built upon is required.
- viii) If the use of the site is for the purpose, which in the opinion of the Authority will be a source of annoyance to the health and comfort of the inhabitants of the neighbourhood:
- ix) If the plot has not been approved as a building site by the Commissioner.
- x) if the proposed occupancy of the building on the site does not conform to the land use proposals in the development plans or Zoning Regulations,
- xi) If the level of the site is less than prescribed datum level depending on topography and drainage aspects.
- xii) If it doesn't derive access from an authorized street/means of access of adequate width as described in these Regulations,
- xiii) If it is within the river/lake boundary and blue flood line of the river (prohibitive zone).
- xiv) If the site is within the boundary of Coastal Regulation Zone, provisions of CRZ Notification Dt. 06/01/2011 as amended time to time shall apply.
- xv) If the site is not developable by virtue of restrictions imposed under any law or guidelines of any Government Department.

4.1.1. Distance of Site from Electric Lines

No structure including verandah or balcony shall be allowed to be erected or re-erected or any additions or alterations made to a building on a site within the distance quoted in Table No. 4.1.1(A) above in accordance with the prevailing Indian Electricity Rules and its amendments from time to time between the building and any overhead electric supply line.

4.1.1-A - Distance of site from Electric Lines

Voltage Lines	Vertical (Meters)	Horizontal (Meters)
Low and medium voltage Lines	2.50	1.20
High voltage lines up to and including 33,	3.70	2.00
Extra High voltage lines beyond 33,000 V	3.70 (Plus 0.3 m. for every additional 33,000 V or part thereof)	2.00
Note- The minimum clearance specified above shall be measured from maximum sag for vertical clearance and from maximum deflection due to wind pressure for horizontal clearance.		

4.1.2. Construction within Blue and Red Flood Line –

- i) Area between the river bank and blue flood line (Flood line towards the river bank) shall be prohibited zone for any construction except parking, open vegetable market with otta type Construction, garden, open space, cremation and burial ground, public toilet or like uses, provided the land is feasible for utilization.
- ii) Redevelopment of the existing authorised properties within river bank and blue flood line may be permitted at a height of 0.45 m. above red flood line level.
- iii) Area between blue flood line and red flood line shall be restrictive zone for the purposes of construction. The construction within this area may be permitted at a height of 0.45 m. above the red flood line level.

If the area between the river bank and blue flood line forms the part of the entire plot in Development Zone, then, FSI of such part of land may be allowed to be utilised on the remaining land.

4.1.3. Development within 30 M. From Railway Boundary

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

4.1.4. Environmental Clearance

Environmental clearance certificate shall be submitted for the project as may be prescribed by the Ministry of Environment from time to time.

4.1.5. Development along Highways / Classified Roads

The development along the highways shall be subject to the provisions of State Highways Act, 1965 and National Highway Act, 1956 and orders issued by Public Works Department in this regards, from time to time. A service road of 12 m. wide shall be provided along State and National Highways on both sides.

4.1.6. Development in the vicinity of Jail Premises.

The developments within 150 mtr from the Jail premises may be permitted with prior consent of the Standing Advisory Committee constituted in this regard vide government order no.UOR-81-2013-UD-11. Dated 4 December, 2013 and as per the provisions of jail manual amended from time to time.

4.1.7. Distances from land fill sites.

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

4.2. Means of Access

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

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

4.2.1. Width of Means of Access

- A. **For Residential Development** -The plots shall abut on a public means of access like street / road. Minimum width of access / layout road / internal road in any development proposal / subdivision / group housing shall be as given in Table No.4.2.1 (A)

4.2.1-A- Means of Access for Residential Development

Sr. no.	Length of Mean of Access in meters	Minimum Width of Means of Access in meters
i	Upto 150	9.00
ii	Above 150 and upto300	12.00
iii	Above 300	15.00

- B. **For Other than Residential Development** -The minimum width of access / layout road / internal road in any development proposal other than residential (for commercial/industrial use) shall be as given in Table No.4.2.1 (B)

4.2.1-B - Means of Access for non-residential Development

Sr. no.	Length of Mean of Access in m.	Width of Means of Access in m.
i	Upto 75	12
ii	75 to 150	15
iii	Above 150	18 or more

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

- C. **Group Housing Scheme** :In case of group housing schemes minimum width of internal means of access shall be as under

4.2.1-C - Means of Access for Group Housing Scheme

Sr.no.	Length of Mean of Access in m.	Width of Means of Access in m.
i	Upto 150	7.50
ii	Above 150 and upto300	9.00
iii	Above 300and upto 600	12.00
iv	Above 600	15.00

D. Pathways:

A pedestrian approach to the buildings from road / street / internal means of access wherever necessary, shall be through paved pathway of width not less than 2.0 m., 3.0 & 4.5m. provided its length measured from exit way of the building is not more than 20 m. 40 m and 60m respectively from the means of access. If the length is more than 60m., then width of the road as provided under regulation no.4.1.9 shall be necessary. This provision shall also apply to group housing scheme or layout of building for other uses.

4.2.2. Other Specification Related To Means of Access

- The length of means of access shall be determined by the distance from the farthest plot (building) to the public street. The length of the subsidiary access way shall be measured from the point of its origin to the next wider road on which it meets.
- In the interest of general development of an area, the Commissioner may require the means of access to be of larger width than that required under Regulation No. 4.2

- iii) In case where a private passage is unrestrictedly used by public for more than 10 years as a means of access of width not less than 9 m. to a numbers of plots, the Commissioner may take steps including improvement under, the provision of relevant Act to declare it as a public street.
- iv) In case of plots facing street / means of access less than 9 m. in width, the plot boundary shall be shifted to be away by 4.5 m. from the centre line of the street/ means of access to give rise to a new street / means of access of width of 9 m. clear from the structural projections.
- v) Means of access shall be levelled, metalled, flagged, paved, sewered, drained, channelled, lighted, laid with water supply line and provided with trees for shade (wherever necessary) to the satisfaction of the Planning Authority, free of encroachment and shall be maintained in a condition to the satisfaction of the Commissioner.
- vi) If any private street or any other means of access to a building is not constructed & maintained as specified above, the Planning Authority may by written notice require the owner or owners of the several premises fronting or adjoining the said street or other means of access or abutting thereon or to which access is obtained through such street or other means of access or which shall benefit by works executed to carry out any or more of the aforesaid requirements in such manner and within such time as the Planning Authority shall direct. If the owner or owners fail to comply with this direction, the Planning Authority may arrange for its execution and recover the expenses incurred from the owner/ owners.
- vii) Access from the Highways/ classified roads: Generally the plot / building along Highway and classified roads shall derive access from service road. However, highway amenities like petrol pump; hotel etc. may have an access direct from Highways and such other roads having a width of 30 m. or more subject to the provisions of State Highways Act, 1965 and National Highway Act 1956. Provided that in suitable cases, the Planning Authority may suspend the operation of this rule till service roads are provided.

4.2.3. Additional Provisions of Means of Access to High Rise/Special Buildings-

- i) The width of the main street on which the plot abuts shall not be less than 12 m. and one end of this street shall join another street of width not less than 12 m. in width .
- ii) The open spaces on its all sides of buildings shall be 6 m. width or as per Regulation No.5.1.2 whichever is more and the layout for the same shall be approved in consultation with the Fire Officer, Fire Brigade Authority and the same shall be of hard surface capable of taking the weight of fire engine. The said open space shall be kept free of obstructions and shall be motorable.
- iii) Main entrances to the plot shall be of adequate width to allow easy access to the fire engine and in no case it shall measure less than 4.5 m. The entrance gate shall fold back against the compound wall of the premises, thus leaving the exterior access way within the plot free for movement of fire service vehicles. If main entrance at boundary wall is built over, the minimum clearance shall be 4.5 m.

4.2.4. Land Locked Plot

In case of a plot surrounded on all sides by other plots i.e. a land locked plot which has no access to any street or road, the commissioner may require access through an adjoining plot or plots which shall, as far as possible be nearest to the street or road, to the land locked plot. at the cost of owner of the land-locked plot and such other conditions as the Commissioner may specify.

4.3. Regulations for Land Sub-division and Layout

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

- i) When more than one building except for accessory buildings in case of residential building is proposed on any land, the owner of the land shall submit proposal for proper layout of building or sub-division of his entire contiguous holding.

- ii) When development and/or redevelopment of any tract of land which includes division and sub-division or amalgamation of plots for various land uses within a colony
- iii) When group housing scheme or campus /cluster planning of any use is proposed.

In case of land subdivision or layout, tentative layout shall be recommended for demarcation at first instance. After having demarcated the layout by the Land Records Department, the owner shall submit the demarcated layout for final approval to the Authority and the Authority shall examine the provision laid down in these regulation and grant final approval, if it is in accordance with the layout recommended for demarcation.

4.3.1. Roads / Streets in Land Sub-Division or Layout.

- i) The width of roads/ streets/ public and internal access including pathway shall conform to provisions of Regulation No. 4.2
- ii) In addition to the provisions of Regulation No 4.2 Cul-de-sacs giving access to plots extending upto 150 m. normally and 275 m. maximum with an additional turning space at 150 m. may be allowed only in residential area, provided that Cul-de-sacs would be permissible only on straight roads and further provided that cul-de-sacs end shall be higher in level than the level of starting point. The turning space, in any case shall be not less than 81 sq. m. in area with no dimension being less than 9 m.

4.3.2. Intersection of Roads:

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

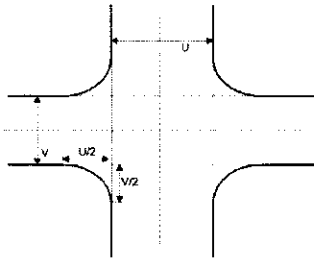


Fig. 1- Rounding off intersections at junctions

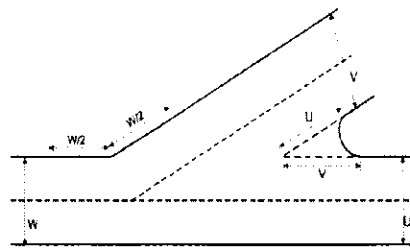


Fig.2. - Rounding off intersection at junctions.

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

Bh

- iii) While granting the development permission for land sub-division or group housing/campus planning, it shall be necessary to coordinate the roads in the adjoining lands.
- iv) Whenever called upon by the Commissioner to do so, areas under roads shall be handed over to the Planning Authority by way of deed after development of the same for which nominal amount of Re 1/- shall be paid by the Planning Authority.

4.4. Recreational Open Spaces

4.4.1. Area Requirement

In any layout or subdivision or any development of land, after deducting D.P. road and reservation area, amenity space required if any, a land shall be earmarked for recreational open space as per the table no. 4.4.1(A). As far as possible the recreational open space shall be provided in one place. In case of land admeasuring more than 5000 sqm., recreational open space may be allowed to be left at different locations in the same layout.

4.4.1-A - Area under Recreational Open Space

Area of plot in sqm	% Recreational space
Less than 1000	0
1000 to less than 4000	10%
4000 to less than 10000	15%
More than 10000	20%

Provided that,

- i) No such open space shall be necessary in case of (layout or subdivision) the plot is from already sanctioned layout by the Planning Authority where the requisite recreational open space has already been provided in the sanctioned layout.
- ii) In case of development of land for educational purpose, 40% of the gross area (or as decided by the Government from time to time) shall be earmarked for playground which shall be inclusive of 10% recreational open space. Notwithstanding anything contained in this rule, the shape and location of such open space shall be such that it can be properly utilized as playground.
- iii) Provided further that no such open space shall be necessary for development of the reservations proposed in the development plans for the purpose other than residential.
- iv) The owner shall have to give an undertaking that the recreational open space shall be for the common use of all the residents or occupants of the layout / building unit.
- v) On sanction of the development permission, the recreational open space shall vest with the planning authority. The planning authority may hand over such recreational open space to the owner/society/developer for the maintenance and development with the conditions as the Commissioner may deem fit. The recreational open space shall not be sold to any other person and it shall not be put to any other user except for the common use of residents / occupants. In case of group housing scheme, if the developer/owner intend to develop such recreational open space for bonafide use of resident, then the Commissioner may allow the same while granting the development permission. If the authority is convinced that there is misuse of open spaces, in such case the authority shall take over the land of recreational open space.
- vi) No permission shall be granted to delete / reduce area of recreational open spaces of the existing sanctioned layout / subdivision. However, while revising the layout, such recreational open space may be rearranged without reduction in area subject to minimum prescribed area under these Regulations with the consent of plot / tenement holders / co-owners; but such revision of recreational open space area shall ordinarily not be allowed after a period of 4 years from the first sanction.
- vii) The recreational open spaces shall be exclusive of roads, streets, means of accesses, internal roads, designations, roads and areas for road widening or reservations in development plan

viii) No such recreational open spaces shall admeasure less than 100 sq. m.

4.4.2. Minimum Dimensions

- i) The minimum dimensions of such recreational open space shall be not less than 10m. and if the average width of such recreational open space is less than 20m., the length thereof shall not exceed 2 ½ times the average width.
- ii) Such recreational open space shall also be necessary for group housing scheme or campus/ cluster planning for any use / zone.
- iii) The maximum permissible built up area shall be 15 % of recreational open space, out of which 10% built up area shall be allowed on ground floor and remaining 5% can be permitted on 1st floor.
- iv) The built-up area permissible under sub-regulation no. iii) shall be counted in computation of FSI.
- v) The structures used for the purpose of pavilion, gymnasium, fitness centre, club house, vipashyana and yoga centre, crèche, kindergarten, library, water tank (underground or elevated), electric sub-station, generator set, pump houses, garbage treatment, public health outpost, centre or other structures for the purpose of sports and recreational activities (indoor or outdoor stadiums, etc. as per availability of area), swimming pool may be permitted.
- vi) The proposal for the construction of permissible structures as above shall come as a proposal from the owner/s, owners' society / societies or federation of owners' societies and shall be meant for the beneficial use of the owners / members of such society / societies / federation of societies. The owners' society / societies, the federation of the owners' societies shall submit to the Commissioner, a registered undertaking agreeing to these conditions while obtaining permission for the above said construction
- vii) The area of the recreational open space shall be kept open to sky and properly accessible to all members as a place of recreation, garden or a playground.
- viii) Every plot meant for a recreational open space shall have an independent means of access, unless it is approachable directly from every building in the layout.

4.5. Amenity Space

4.5.1. Amenity Space in Development Zone

- i) In layout or subdivision or any development of land admeasuring 4000 sqm. and more, after deducting D.P. road and reservation area if any, 15% of the area of land under subdivision shall be earmarked as Amenity Space which shall as far as possible be provided in one place.
- ii) Provided that in case of permitting residential / commercial use in Industrial Zone (I to D) under Regulation No.3.4, the required amenity space as stipulated in Regulation No.3.4 (b)(ix) shall be provided.

4.5.2. Amenity Space in Industrial Zone

In layout or subdivision or any development of land for industrial purpose, admeasuring 8000 sqm. and more, after deducting D.P. road and reservation area, if any, 5% of the area of land under subdivision shall be earmarked as Amenity Space which shall as far as possible be provided in one place.

Provided that, such amenity space shall not be required in case of conversion from Industrial to Residential under Regulation No.3.4 and amenity space as required under Regulation No.3.4 only will have to be provided.

4.5.3. Development of Amenity Space

Development of amenity space may be carried out by the Authority, or the owner may be allowed to develop the same, if permitted by the Municipal Commissioner, for the amenities as per the priorities, as may be decided by him for the particular amenity, subject to following-

- i) If the Municipal Commissioner **is of the opinion** that the amenity space is required for Playground, Garden, Park, **Municipal** Primary School, **Municipal** High School, **Municipal** Hospital, **Municipal** Dispensary, Fire Brigade Station, Police Station, Electric Sub-station and like other services, then,

such amenity space shall be handed over to the Municipal Corporation & Municipal Corporation shall develop the same.

- ii) If the Municipal Commissioner **is sure** that the amenity space is not required for above mentioned purposes then on satisfying with the proposal in public interest, he may allow the owner to develop the same for the amenities mentioned in this regulation. However, building plan for development of such amenity shall be got approved along with the regular proposal of development on the land and the development of such amenity shall be carried out ahead of development on owner's land. At any point of time, if it is observed that there is breach of condition, the development permission of the entire land shall be revoked by the Municipal Commissioner. The agreement to that effect shall be executed and also condition to that effect shall be incorporated in commencement letter.
- iii) After construction of the amenity, it shall be the responsibility of the owner to maintain the amenity and make it available for the use by the public, on reasonable charges, wherever necessary, to be decided by the Municipal Commissioner. This shall be the part of agreement to be executed between the Municipal Commissioner and the owner.
- iv) Wherever, after construction of amenity, it is to be handed over to the Municipal Corporation as per agreement, then the owner shall be entitled for the further TDR as mentioned in Regulation No.12.2. However, if such amenity constructed by the land owner is maintained by him, without handing it over to the Corporation, in that case no further FSI / TDR for such amenity space shall be entitled.
- v) Any other use not mentioned in these regulations may be allowed to be developed by the Municipal Commissioner, in consultation with the Joint Director, Town Planning, Konkan Division.

4.5.4. Construction in Amenity Space

The construction of buildable uses in above amenity space at 4.5.2 and at 4.5.2 shall be allowed with base FSI as mentioned in regulation no. 5.2 with maximum building height of 24 meter. The side margins, parking and other stipulations shall be as per the regulations mentioned in this DCR.

4.5.5. FSI/TDR for Amenity Space

- i) This amenity space shall be deemed to be a reservation in development plan and Floor Space Index (FSI) in lieu thereof may be made available in-situ (on remaining land). The calculation of this in-situ FSI shall be shown on the layout / building plan. If the owner desires to have TDR against it, instead of in-situ FSI, then he may be awarded TDR.
- ii) The generation of TDR or in-situ FSI shall be equivalent to the quantum mentioned in TDR Regulation No.12.2. For the purpose of utilisation of FSI against such amenity in-situ, the limits mentioned in Regulation No. 5.2 shall not apply.
- iii) If there is any development plan reservation except D. P. road or road widening, then area of such reservations shall be adjusted against this amenity space and the owner of the said land shall not be required to part with the area for the amenity space to that extent. However, such area under reservation shall be handed over to the Planning Authority at the time of final approval of the development proposal.
- iv) The Commissioner shall ensure that amenity space shall be earmarked in the layout in such a way that after amalgamating the amenity spaces in the adjacent layouts, it becomes larger in area, and is approachable by minimum 12 m. wide road.
- v) If the amenity space is less than 200 sq.m. in area and not suitable for creation of amenity, then, Municipal Commissioner may instead of open land insist for amenity space in the form of built up area equal to 50% of amenity space as mentioned in Regulation No. 4.5.1, this built up amenity space shall preferable be on ground floor.
- vi) This regulation shall not be applicable where entire development permission is for amenities specified in definition of amenity space.
- vii) This regulation shall not be applicable for revision of earlier sanctioned development permissions granted under the regulation in force prior to these regulations, where no such amenity space is provided in earlier sanctioned development permission.



4.6. Provision for Electric Sub-station-

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

- i) **Plot above 2000 sqm**- One single transformer sub-station of the size of 5m.x5m. and height of not more than 5m.
- ii) **Layout or sub-division of a plot measuring 2 .0 ha. or more** - A suitable site for an electric sub-station (11kv/33kv/110kv.) as decided by the Commissioner.

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

4.7. Minimum Plot Area for Various Uses

4.7.1. Minimum plot areas for various uses

Minimum plot area for various uses shall be as given in Table No.4.7.1-A below

4.7.1-A - Minimum Plot area, Plot Width for various uses

Sr. No. (1)	Uses (2)	Plot area (in sqm) (3)	Min. Plot Width (in m) (4)	Type of Development (5)
1	Residential and Commercial (except those in 2,3 & 4 below)	i) 30 to 125	As per Table No. 5.1.3-A	Row
		ii) Above 125 but less than <u>250</u>		Row/Semi-detached
		iii) <u>250</u> & above		Detached
2	Plots in EWS Housing / High Density Housing / Sites and Services / Slum Up gradation / Reconstruction Scheme by Public Authority.	upto 30		Row
3	Petrol Filling station-			
	(a) Without service bay	545	16.75 m	Detached
	(b) With service bay	1100	30.5 m	Detached.
4.	Industrial	300	10 m	Detached.
5	Cinema Theatre/Assembly Halls	The minimum size of plots for cinema theatre/assembly building shall be on the basis of seating capacity of the building at the rate 3 sqm per seat, subject to minimum 1000 sqm		
6	Public Entertainment Hall/ Mangal Karyalaya	The minimum size of plots shall be 1000 sqm		
7	Other Buildings	The minimum size of plots for buildings like business, educational, mercantile and other uses which are not		

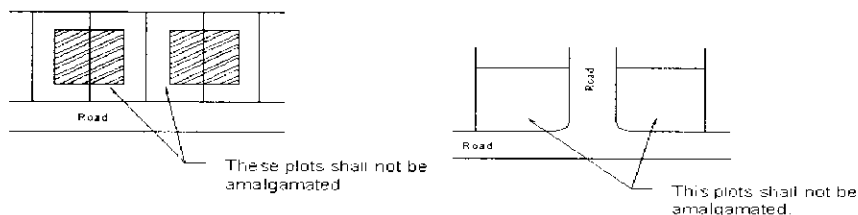
	specified in this regulation, as may be decided by the Commissioner.
Note-	
i) The plot width to depth ratio shall be 1 : 1.5 to 1 : 2.5; as far as possible.	
ii) In Public Housing Schemes for E.W.S. undertaken by Government or Semi- Government organisations, marginal spaces will be as per the respective schemes rules & regulations.	

4.8. INCLUSIVE HOUSING

The provision regarding inclusive housing in development proposal shall be made applicable as per the notification dated 8th November, 2013 and subsequently amended on 3rd September, 2015 and more specifically mentioned ~~herein below~~ at regulation no. 6.5.

4.9. Amalgamation of Plots

- i) Amalgamation of plots shall be permissible if they form a sizable plot from planning point of view and are contiguous
- ii) Amalgamation of plot having different tenure/ zone in development plan shall not be allowed.
- iii) The amalgamation of plot which is not desirable from planning point of view (eg. as shown in below) shall not be permitted.



4.10. Relocation of DP Sites/DP Proposals While Approving the Subdivision of Land

If the land proposed to be laid out for any development is affected by any reservations of public purposes, the Commissioner may allow to adjust the location of such reservation to suit development without altering the area of such reservation. Provided that no such shifting of the reservations shall not be permitted:

- a) If the reservation is proposed to be relocated in parts;
- b) If the reservation is proposed to be relocated beyond 300 m. from the original location in the Development Plan;
- c) If the reservation is proposed to be relocated beyond the holding of the same owner in which such reservation is located;
- d) Unless the alternative location and size is at least similar to the location and size of the Development Plan as regards access, levels, etc.;
- e) If the reservation is already relocated;
- f) If the land is reserved considering of its geographical location like Bio-Diversity Proposal, Nallah training reservation etc.

All such relocation of the reservations shall be carried out in consultation with the Divisional Head of concerned division of the Town Planning Department and shall be reported by the Municipal Commissioner to the Government at the time of sanctioning the development permission. The Development Plan is deemed to be modified to that extent.

Relocation of the reservation from a land may also be permitted on any land within 300 meters belonging to other owner's land if the said other owner consents to such relocation of reservation on his land and consents to hand over his land to the Planning Authority where reservation is proposed to be relocated in lieu of TDR and also subject to restrictions mentioned in sub regulation no (d), (f) and (g) above.

However, in case of shifting of alignment of the proposed Development Plan roads, the same may be allowed, in consultation with the Divisional Head of concerned division of the Town Planning Department and shall be reported by the Municipal Commissioner to the Government at the time of sanctioning the development permission. The Development Plan is deemed to be modified to that extent;

Provided that such shifting of road alignment is proposed within the land/s owned by the same owner/s and without change in the inlet & outlet points and also, without affecting smooth flow of traffic.

4.11. Road Widening and Construction of New Roads:-

The Municipal Commissioner may permit on the same plot, additional FSI of the area required for road widening or for construction of a new road proposed under the Development Plan, if the owner (including the lessee) of such land surrenders such land for road widening or construction of new road without claiming any monetary compensation in lieu thereof and hand over the same free of encumbrances to the satisfaction of the Municipal Commissioner. FSI generated against the surrender of land, shall be as per the provisions of TDR as mentioned in Regulation No.12.12 of Part XII and may be utilised on the remaining land. If desired by the owner, TDR may be granted against such surrendered land instead of utilizing FSI on remaining land. Such TDR shall be allowed to be utilised as a Development Rights in accordance with the rules regulating Transfer of Development Rights (TDR). Thereafter, the road shall be transferred in the city survey records/revenue records in the name of the Municipal Corporation and shall vest in it becoming part of a public street.

5. GENERAL BUILDING REQUIREMENTS

5.1. Marginal Open Spaces

5.1.1. Front open space requirements from street line/plot boundary

The provision for minimum front open space required from street line/plot boundary shall be as per table 5.1.1-A

5.1.1-A - Front open space requirements from street line/plot boundary

Abutting Road width (in m)	Minimum front open space(in m)
Upto 12	3
12 to 24	4.5
More than 24	6
Provided that for building height more than 36 mtr, the front margin shall be as mention below Height above 36mt and upto 50 mt...9.00 mtr Height above 50 mt and upto 70 mt...12.00 mtr Height above 70 mt and upto 100 mt...14.00 mtr Height above 100 mt.....16.00 mtr	

Note:

- a. **Buildings abutting Two or More Streets:** When a Building abuts two or more streets, the setbacks from the streets shall be such as if the building is fronting each such street.
- b. **Manner of computing front open space/setback where the street is to be widened-**If the building plot abuts any road which is proposed to be widened under the Development Plan, the front open space /road-side set back shall be measured from the resulting road widening line.
- c. The front open space shall be measured perpendicular to the road line. The open spaces for light and ventilation shall be measured perpendicular to the building line. The open spaces for dead wall shall be measured perpendicular to compound wall.
- d. In case of group housing scheme where building abuts on internal road, the minimum 3.0 m. set back from internal road or distance between two buildings whichever is more shall be provided. For Development plan road or classified road or through road, passing through Group Housing Scheme, the setback as prescribed in the regulations shall be provided.

5.1.2. Side and Rear open space requirements for general development in development zone.

The provision for minimum open space required on all sides except front shall be as per table no. 5.1.2-A below:

5.1.2-A - Side and Rear open space requirements for general development

Building Height (in m)	Minimum Side & Rear open space(in m)
Upto 10	3
Above 10-upto 30	$3 + [(H-10)/3]$
Above 30- upto 50	$10 + [(H-30)/4]$
Above 50	$15 + [(H-50)/5]$ subject to maximum 16

Where,

H = height of building above average surrounding ground level

Note-

If the length or depth of a building exceeds 40 m., add 10 percent of length or depth of building minus 4.0 m. to the above margin, Provided that maximum open space requirement shall not be more than 20m



a. Distance between the two buildings -

The open space for separation between any two buildings shall be half the height of the taller building subject to 4.5 m minimum and 16.0 m maximum. If walls of any building are dead walls, then such distance shall be one third the height of the building admitting light and ventilation subject to 3.0 m. as minimum for building height upto 24 m and 6.0 m minimum for building height above 24 m. subject to the requirements of the Fire Officer. If the walls of both the buildings are dead then distance between multi-storied/ high rise buildings above 24m. building height shall be one fifth of the height of the taller building subject to minimum 6.0m. and for buildings below 24m. the distance shall be one-fifth the height of the taller building subject to minimum 3.0m. Such distance between main building and a single storied accessory building shall be minimum 1.5 m.

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

5.1.3. Marginal open space requirements for smaller plots

Notwithstanding anything mentioned in Regulation no. 5.1.1 and 5.1.2. The requirements for marginal open spaces shall be relaxed to the values quoted in 5.1.3-A for smaller plots located on roads upto 12 m wide and building height restricted upto 10m.

5.1.3-A - Marginal open space requirements for smaller plots

SN	Plot Areas (sqm)	Type of Development	Min. width of plot (in m)	Minimum open space (in m)		
				Front	Rear	Side
1	Upto 30	Row Housing for EWS/LIG/Slum Up gradation etc. by public authority.	3	0.9	1.5	-
2	above 30 to upto 125	Row	3.5	1.5	2.25	(In case of corner plot, 1.5 or building line of adjoining road whichever is more)
3	above 125-upto 250	Row/Semi-Detached	7	1.5	3	1.5*
4	above 250-upto 450	detached	10	2.25	3	3

*Such side open space shall not be required for row housing but shall be required for semi-detached building on one side.

Note-

- i) Row-housing plots at the junction of two roads shall be larger to maintain the setback from both roads. Not more than 8 and not less than 4 plots shall be allowed in each block of row housing. Each block shall be separated from the other by 6 m. road or 6 m. side margin distance of the plot.
- ii) No garage shall be permitted in a building having stilt or basement provided for parking.
- iii) Construction of ottas, railings, barricades or supporting columns for canopy or porch shall not be allowed in front marginal open space. However, steps may be permitted within 1.2 m. from the building line.
- iv) In no case ribbon development rules shall be relaxed without consent of the Highway Authority.

5.2. Permissible FSI

5.2.1. Maximum Permissible basic FSI and Additional FSI

Maximum permissible basic FSI and additional FSI on payment of premium, permissible TDR loading on a plot in various zones shall be as per the following Table No. 5.2.1.

5.2.1 - Maximum Permissible FSI

Sr. no.	Land Use Zone	Road width in meter	Base FSI	Additional FSI on payment of premium	Admissible TDR	Maximum Permissible FSI
(a)		(b)	(c)	(d)	(e)	(f) = (c+d+e)
1	Development Zone	Less than 9	1.10	--	--	1.10
2		9- < 12	1.10	0.30	0.40	1.80
3		12 - <18	1.10	0.50	0.65	2.25
4		18 - <24	1.10	0.50	0.90	2.50
5		24 - <30	1.10	0.50	1.15	2.75
6		30 & above	1.10	0.50	1.40	3.00
7	Industrial Zone	All	1.10	0.50	--	1.60
8	Special Use Zone	As prescribed by the Planning Authority separately subject to a maximum permissible FSI being in accordance with the provisions for Development Zone.				
9	Development Restricted Zone	All	0.3	--		0.3
10	Development Prohibited Zone	0				

Note-

- i) For the other **Non-Residential Buildings** (except, Residential and Residential with mix uses), the basic FSI for such type of buildings shall be 1.25 and accordingly the maximum permissible FSI will increase by 0.15 in each category of Development zone based on road width as mentioned above.
- ii) Gross plot area as defined in 1.5 (58) shall be considered for computation of FSI.
- iii) Additional FSI upto 0.20 on payment of premium shall be allowed for the redevelopment of Authorised Residential buildings on roads having width below 9 mt., subject to condition that the construction/redevelopment shall be allowed only if the building is more than 30 years old.
- iv) Maximum permissible building potential on plot mentioned at column no.f shall be exclusive of FSI allowed for Inclusive Housing as per Regulation No.4.8. there is no priority fix to utilise additional FSI or TDR. Other conditions of TDR utilisation shall be applicable as per TDR regulation.

v) The restrictions of road width mentioned above shall not be applicable in cases where, the permissible FSI is more than the basic FSI in various schemes such as, slum rehabilitation scheme, redevelopment of dangerous buildings, cluster development for core area, redevelopment of MHADA buildings, MRTs and BRTs routes, etc.

vi) The maximum limits of FSI prescribed above shall be applicable to fresh permission and also to an existing building which has not been granted full occupation certificate but subject to production of stability certificate from structural engineer in respect of such existing building. However, in no case the rights of the flat owner / unit holders shall be adversely affected.

vii) **Premium** - Rate of premium for the additional FSI as mentioned in column no 4 above shall be decided by Government from time to time. The premium collected shall be shared 50:50 between State Government & Corporation respectively. The premium of the Government shall be deposited by the planning authority in a Government head account.

5.2.2. Additional FSI for certain categories

a) Educational, Medical Institutions, Institutional Buildings, Banks And Starred Category Hotels:

The Municipal Commissioner may, on such terms and conditions as he may specify grant additional 100 percent FSI on base FSI, in respect of educational, medical and institutional buildings, Nationalised / District Central Co-operative banks, hotels with minimum two star category approved by the Department of Tourism, GOI, subject to payment of premium as may be decided by Government from time to time to the Municipal Corporation and out of the total amount of premium received, 50% premium shall be paid to Government. After utilisation of such additional FSI, if the plot is further entitled to receive premium FSI or TDR as per table under regulation no.5.2.1, the same may be permitted as per regulation no. 5.2.1.

b) Buildings of Government and Semi-Government Offices and Public Sector Undertakings:

The Municipal Commissioner may grant additional FSI upto maximum building potential limit as per road width as mentioned in column (f) of table under Regulation No. 5.2.1 minus basic FSI free of premium.

5.3. Industrial Buildings

5.3.1. Maximum Ground Coverage, marginal open space

Maximum Ground Coverage and marginal open space shall be as per the Table-5.3.1 given below.

5.3.1-A - Marginal Open Spaces for Industrial Buildings

Sr. No.	Plot Size in sqm	Max. Ground Coverage (%)	Min. Front Margins	Min. Side & Rear Margins
1	Upto 1000	50	4.5	3.00
2	1001 to 5000	50	9.0	6.00
3	5001 and above	50	12.00	9.00

Note -

- In case of plots fronting on National Highway, State Highway and Major District Roads, the building line / control line shall be as per Ribbon Development Rules or as given in Table above, whichever is more.
- Minimum and maximum height of room shall be 3.60 m. & 4.2 m. respectively in industrial buildings. The greater height maybe permitted by the Planning Authority as per the requirement.
- In addition to these regulations, regulations prescribed under Factory Act shall be applicable.
- In the case of Industrial Buildings with different operations/processes, the different (gaseous, solid, liquid) effluents shall be so treated, subject to the approval of Maharashtra Prevention of Water Pollution Control Board and Chief Inspector of Steam Boilers and Smoke Nuisance, before letting it out in to the air, ground or water course.

- v) **Buffer zone**-For construction of industrial building, buffer zone of 23 m. wide shall be left from residential or incompatible zone, wherever necessary. Such buffer zone may be part of sizable required recreational open space. Whenever a buffer zone is required to be left in between industrial zone and any incompatible zones, as mentioned in these Regulations, it shall not be a bar for availing FSI of that area;
- vi) Exit requirements, requirements of water supply, drainage and sanitation, parking spaces requirements, fire provision requirements shall conform to the provisions as mentioned in these Regulations.

5.4. Height of Building

1. Height of building is allowed to the extent that is required to consume the maximum building potential on plot as given in the table under these Regulations, subject to other restrictions as per these Regulations, and prior approval of Chief Fire Officer of respective Municipal Corporation, if required under this regulation. Provided that the building height for the purposes of this regulation and for calculating the marginal distances shall be exclusive of height of parking floors upto 6.0 m.

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

2. For building in the vicinity of aerodromes, the maximum height of such buildings shall be subject to values framed by the Civil Aviation Authorities or the development permission shall be considered only after applicant produces NOC from Civil Aviation Authority.
3. Industrial Chimneys coming in the vicinity of aerodromes, it shall be of such height and character as prescribed by Civil Aviation Authorities and all Industrial Chimneys shall be of such character as prescribed by the Chief Inspector of Steam Boilers and Smoke Nuisance, and
4. Buildings intended for hazardous godowns, storage of inflammable materials and storage of explosives shall be single storied structures only.

5.4.1. High Rise Committee

a) It is mandatory for the Municipal Corporation that, for the buildings having height **50 m.** and more, the building approval proposal shall be cleared from the High Rise Committee. Provided that this height restriction shall not be applicable for the Corporations where more than this height is already mentioned in prevailing DCR. The High Rise Committee shall be constituted by the Commissioner. The structure of the Committee is as under. The decision of the high rise committee shall be binding on every owner/developer.

5.4.1-A - Composition of High Rise Committee

Sr. No.	Members	Position
1	Additional /Deputy Commissioner of the concerned Municipal Corporation	Chairman
2	Joint Director of Town Planning of the concerned division	Member
3	Superintendent Engineer, Public Works Department, Govt. of Maharashtra	Member
4	Head of Department. Soil Mechanics, Govt. College of Engineering	Member
5	Head of Department Structural Engineering, Govt. College of Engineering in the vicinity	Member
6	Chief Fire Officer of the concerned Municipal Corporation	Member

7	Deputy/Assistant Director of Town Planning of the concern Municipal Corporation.	Member Secretary
8	Structural Engineer of the concerned project	Invitee

5.4.2. Building Proposals to Be Referred To the Committee

a) Terms of Reference

- 1) The committee shall be of advisory nature and it will advise the Municipal Commissioner regarding the feasibility of development proposals that might be referred to it by the Commissioner.
- 2) In specific case, if the chairman desires, any expert from any fields may be invited for the meeting of the committee.
- 3) The Committee shall ensure that all such high rise building shall be planned, design and constructed as mentioned in the National Building Code of India, amended from time to time. Further such buildings shall also be planned, designed and constructed to ensure fire safety, structural safety, wind resistance and this shall be done in accordance with the provisions of the Maharashtra Fire Prevention and Life Safety Measures Act, 2006 as amended from time to time and requirements given in Part IV of National Building Code, 2005.
- 4) In addition to the above, the Committee may insist to provide suitable protection measures.

b) Building proposals to be referred to the Committee-

- 1) All new building proposals where the height of the proposed buildings from ground level exceed 70 meters shall be referred to the committee.
- 2) Apart from (1) above, any new building proposal, in the opinion of the Commissioner, which inter-alia involves major disturbance of and/or intervention to the existing natural land Formation and profile as also substantial reclamation may also be referred to the Committee.
- 3) The building proposals for which slenderness ratio (Ratio of minimum width of building to the height of the building) is more than 1:9 shall be in variably submitted to the committee.

d) Other Conditions

- 1) The Corporation shall render necessary help for functioning of the Committee i.e. regarding provision of place for meetings, secretarial assistance, etc.
- 2) The Official members of the Committee (excluding officers of Corporations) shall be paid honorarium for their tenure as decided by the Municipal Commissioner.
- 3) The Commissioner shall levy additional scrutiny fee for such building proposal as decided by him.
- 4) The Committee shall offer their remarks on such building proposals referred to it within a period 45 days from the date of receipt of the proposals.
- 5) It is mandatory for all the high rise buildings to comply with the Structural Design and Stability and Fire Safety norms.

5.4.3. Height Exemptions

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

5.4.4. Interior & Exterior Chowk

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- i) **Interior chowk** : Wherever habitable rooms or kitchen derives ventilation from inner chowk or interior open space, the size of such interior open space shall not be less than 3 m. x 3 m. upto height of 15 m. and for height more than 15 m., the interior open space shall not be less than $H/5$ m. x $H/5$ m. where H = height of highest wall of the chowk.
- ii) **Exterior chowk** : The minimum width of the exterior chowk for the purpose of light and ventilation, shall not be less than 2.4 m. and depth shall not exceed 1.5 times the width for buildings upto 15 m. height and for height more than 15 m., the exterior open space shall not be less than $H/6$ m. x $H/6$ m. where H = height of highest wall of the chowk. If the width of the exterior chowk is less than 2.4 m. it shall be treated as a notch.

Provided that, Where only water closet, bathroom, combined bathroom and water closet abutting on the interior open space, the size of the interior open space shall be in line with the provision for ventilation shaft as given in Regulation 7.20.

5.5. Permissible Structures / Projections in Marginal Open Spaces.

The following projections shall be permissible in marginal open spaces:

- a) **Projections into marginal open spaces**: Every open space provided either interior or exterior shall be kept free from any erection thereon and shall be open to the sky and no cornice, chajja, roof or weather shade more than 0.75 m. wide shall overhang or project over the said marginal distances so as to reduce the width to less than the minimum required. However, sloping/horizontal chajja provided over balcony/ gallery etc. may be permitted upto balcony projections at horizontal level.
- b) **Balconies** :Balcony or balconies of a minimum width 1.00 m. and maximum of 2.00 m may be permitted at any floor except ground floor, not more than 15 % of the built up area of the same floor and such balcony projection shall be subject to the following conditions:
 - i) No balcony shall reduce the marginal open space to less than 3 m. for building having height upto 24 m. and 6 m. for building having height 24 m. & more.
 - ii) No balcony shall be allowed on ground floor which shall reduce minimum required front setback or marginal distance.
 - iii) The width of the balcony shall be measured perpendicular to the building upto the outermost edge of balcony.
 - iv) The balcony shall not be enclosed and declaration regarding this shall be submitted by the owner/developer/Architect at the time of approval of building permission and the same shall be mention in the agreement or sale deed.
 - v) Nothing shall be allowed beyond the outer edge of balcony.
- c) A **canopy** not exceeding 5m in length and 2.5 m. in width in the form of cantilever and unenclosed over the main entrance providing a minimum clear height of 2.40 m. below the beam bottom of canopy. The canopy shall not have access from upper floors (above floors), for using as sitting out place. There shall be a minimum clearance of 1.5 m. between the plot boundaries and canopy. Provided that, more than one canopy may be allowed in case of special buildings, as per requirement.
- d) A **projection** of maximum 30 cm. on roof top terrace level may be allowed throughout the periphery of the building. In case of pitched roof projection of maximum 45 cm. at rooftop terrace level throughout periphery of the building shall be allowed.
- e) **Accessory buildings**:- The following accessory buildings may be permitted in the marginal open spaces :-
 - i) In an existing building where toilet is not provided, a single storeyed toilet subject to a maximum area of 4.0 sq. m. in the rear or side open space and at a distance of 7.5 m. from the road line or the front boundary and 1.5 m. from other boundaries may be permissible. The Commissioner may reduce 1.5 m. margin in exceptional cases to avoid hardship.
 - ii) Parking lock up garage not exceeding 2.4 m. in height shall be permissible in the rear corner of the plot with independent bungalow. Parking lock up garage when attached to main building shall be 7.5 m. away from the road line and shall be of such constructions giving fire resistance of 2 hours. The area of sanitary blocks and parking lock up garage shall be taken into account for the calculation of FSI.

- iii) Suction tanks, soak pits, pump room, meter room, garbage shaft, space required for fire hydrants, electrical and water-fittings, water tanks, dustbins etc.
- iv) One watchman's cabin / booth not more than 3 sq. m. in built up area having min. 1.20 m. width or diameter of cabin /booth.

Note: -

- i) When a building abuts on three or more roads then above mentioned user, except iv) shall be permissible in front setback facing the smaller road of less important from traffic point of view.
- ii) The accessory buildings shall be provided after clear margin of 6 m. from the main building.
- f) **"Ramp"** for basement shall be allowed subject to 6.0 m. clear marginal distance for movement of fire fighting vehicle.
- g) **Fire escape staircase** of single flight not less than 1.2 m width.
- h) **Staircase mid-landing** of 1.2 m. width with clear minimum headway of 2.1 m. below the mid-landing. However, clear distance from edge of landing to the plot boundary shall not be less than 18m

5.6. Exclusion of Structures / Projections for FSI Calculation

- i) Structures/Projections/features/ornamental projections permitted in marginal open spaces as mentioned in Regulation no. 5.5a), (b), (c), (d), (e)(iii), (f), (g), (h).
- ii) Stilt/multi-storied floors/podium/basement used as parking including passage therein;
- iii) Areas covered by porches, entrance lobby/foyer, canopies, air-conditioning plant rooms, lift well, machine room and service floor of height not exceeding 1.8 m. for hospitals, shopping malls, plazas & star category hotels (rating with 3 stars & above) on payment of premium as may be decided by the Commissioner;
- iv) Area of structure for an effluent treatment plant as required as per the requirements of the Maharashtra Pollution Control Board or other relevant authorities;
- v) Rockery, well and well structures, plant, nursery, water pool, platform around a tree, fountain bench, chabutara with open top and unenclosed sides, ramps, compound wall, gate slide/swing, steps outside the buildings, domestic working place (open to sky), overhead water tanks on top of the building, staircase, refuge area for high rise buildings, as specified in these Regulations;
- vi) Telecommunication tower, antenna & allied activities;
- vii) Atrium in shopping malls, public buildings, on payment of premium as may be decided by the Commissioner;
- viii) Open to sky swimming pool on the top terrace and topmost podium;
- ix) Supported double height terraces as per Regulation no. 7.16
- x) Staircase, common passages in front of lift and staircase to the extent of 1.5 times the width of such staircase or lift.
- xi) Lofts subject to regulation no. 7.5
- xii) Voids/ducts

5.7. Parking Spaces

Wherever a property is to be developed or redeveloped, parking spaces at the scale laid down in these Regulations shall be provided. When additions are made to an existing building, the new parking requirements will be reckoned with reference to the additional space only and not to the whole of building but this concession shall not apply where the use is changed. The provisions for parking for number of vehicles for different occupancies shall be as given in Table No.5.8.1-A

5.7.1. Location of Parking Spaces

The parking spaces includes parking spaces in basements or on a floor supported by stilts, or on upper floors, covered or uncovered spaces in the plot and / or lock up garages. The height of the stilt shall generally be allowed upto 3 m.

5.7.2. Size of Parking Space

The minimum sizes of parking spaces to be provided shall be as shown below in Table No.5.7.2-A

5.7.2-A - Parking Space Requirement

Sr.No.	Type of Vehicle	Minimum size/ area of parking space
1	Motor vehicle	2.5 m X 5 m
2	Scooter, Motor Cycle.	3.0 sq. m. (1.5 m. x 2.0 m.)
3	Bicycle	1.4 sq. m. (1.0 m. x 1.4 m.)
4	Transport vehicle	3.75 m. X 7.5 m.

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

5.7.3. Marking Of Parking Spaces

Parking space shall be paved and clearly marked for different types of vehicles.

5.7.4. Manoeuvring and Other Ancillary Spaces

Off street parking space must have adequate vehicular access to a street and the area shall be exclusive of drives, aisles and such other provisions required for adequate manoeuvring of vehicles.

5.7.5. Ramps for Basement Parking:

Ramps for parking in basement should conform to the requirement of Regulation No 7.13

5.7.6. Other Parking Requirements

- i) Off street parking space shall be provided with adequate vehicular access to a street, and the area of drives, aisles and such other provisions required for adequate manoeuvring of vehicle shall be exclusive of the parking space stipulated in these regulations.
- ii) To meet the parking requirements as per these regulations, common parking area for group of buildings, open or multi-storeyed, may be allowed in the same premises
- iii) In addition to the parking spaces provided for building of Mercantile (Commercial) like office, market, departmental store, shopping mall and building of industrial and storage, loading and unloading spaces shall be provided at the rate of one space for each 1000 sq. m. of floor area or fraction thereof exceeding the first 200 sq. m. of floor area, shall be provided. The space shall not be less than 3.75 m. x 7.5 m.
- iv) Parking lock up garages shall be included in the calculation for floor space for F.S.I. calculations.
- v) The space to be left out for parking as given in this regulation shall be in addition to the marginal open spaces left out for lighting and ventilation purposes as given in these regulations. Those spaces

- may be used for parking provided minimum distance of 3 m. around the buildings is kept free of any parking or loading and unloading spaces
- vi) In case of parking spaces provided in basements, at least two separate ramps of adequate width and slope for entry and exit at opposite ends or one ramp with 4.50 meter width shall be provided (as per Regulation No 7.13)
- vii) In addition to the regular parking area as per these regulations, a space of 3.0 m. wide strip along the road on front shall be provided as visitors parking for the buildings with commercial or any use mixed with commercial. In such case, minimum front margin shall be 6.0 m. inclusive of 3.0 m. wide strip as above irrespective of the lesser front margin requirement in the applicable regulations

5.8. Off Street Parking Requirement

5.8.1. Off street parking requirement

Off street parking requirement shall be as per table no. 5.8.1-A below-

5.8.1-A - Off Street Parking Requirements

SN	Occupancy	Parking Space Requirement (in nos.)			
		Car	Scooter	Cycle	
1	Residential				
i	Plots more than 250 sqm	For Single Dwelling unit	2	2	2
ii	plots upto 250 sqm but more than 100 sqm	For Single Dwelling unit	1	2	2
iii	Plots less than or equal to 100 sqm	For Single Dwelling unit	0	2	2
iv	Multi-Family	For Every Tenement having carpet area above 80sqm	2	2	2
		For Every Tenement having carpet area equal to or above 40 sqm hut less than 80 sqm.	1	2	2
		For every two tenements having carpet area upto 40 sqm.	1	2	2
v	Lodging Establishments, tourist homes, hotels with lodging accommodation	For every five guest rooms	3	4	4
vi	Star Category Hotels	For every five guest rooms	4	4	4
2	Health				
	Health(Hospital, Medical Institution)	For every 10 beds	3	12	12
3	Assembly				
i	Theatres, Single screen cinema halls and concert halls	For every 40 seats	4	12	8
ii	Multiplex	For every 40 seats	6	16	4

SN	Occupancy	Parking Space Requirement (in nos.)			
			Car	Scooter	Cycle
iii	Mangal Karyalaya and Community Hall	For every 100 sqm carpet area	5	20	8
iv	Community Hall and Club House in Layout open space	For every 100 sqm carpet area	1	4	2
4	Educational				
i	Schools and administrative as well as public service areas therein	For every 100 sqm of carpet area of administrative as well as public service area of the school	2	4	4
		For every classroom	2(LCV)	20	10
ii	College and administrative as well as public service areas therein	For every 100 sqm of carpet area of administrative as well as public service area of the school	2	20	10
		For every classroom	2	90	30
iii	Coaching class/Hobby class	For every 20 students	1	5	10
5	Govt. or Semi-Public Offices	For every 100 sqm carpet area	3	15	4
6	Mercantile				
i	Restaurants	For every 50sqm carpet area	2	8	4
ii	Shopping and Shopping malls	For every 100 sqm carpet area or fraction thereof	3	9	3
iii	Wholesale	For every 50 sqm carpet area	2	8	4
iv	Hazardous building	For every 100 sqm carpet area or fraction thereof	1	4	4
v	Office/IT building	For every 200 sqm carpet area or fraction thereof	5	12	4
7	Industrial use	For every 300 sqm carpet area or fraction thereof	4	12	4
8	Storage type	For every 300 sqm carpet area or fraction thereof	1	4	4

Note

- i) Fraction of parking unit need not be provided. However, in case where proportional number of vehicles is less than 1 (i.e. fraction) it will be rounded to the next full number.
- ii) In case of independent single family residential bungalows having plot area upto 300 sq. m., parking space need not be insisted separately. Further a garage shall be allowed in rear or side marginal distance at one corner having minimum dimensions of 2.5 m. x 5.0 m. and maximum dimensions 3 m. x 6 m. i.e. minimum 12.5 sqm and maximum 18.0 sqm built up area.

- iii) In case parking as per above norms is not feasible due to site conditions, mechanical /hydraulic parking shall be permissible at different level subject to satisfaction of all technical norms as per site conditions.
- iv) For plots upto 100 sq. m. as in the case of shops, row houses parking space need not be insisted.
- v) Independent building proposed only for parking may be permitted within the same premises but only after leaving the required marginal distance.
- vi) Mechanical/Hydraulic parking may be allowed over and above required parking.

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6.SPECIAL SCHEMES, POLICIES AND THEIR REGULATIONS

6.1. Integrated Township Project ITP:-

Special Township Project in Municipal Corporation area shall be allowed to be developed as per the following regulations .

6.1.1. Applicability

These Regulations shall be applicable to the areas of Sanctioned Development plan of the corporation.

6.1.2. Requirements of Site

The area proposed for Integrated Township shall fulfill the following requirements:-

- i) Any suitable area having area of 40 hect. (100 Acres) or more at one place.
- ii) The area shall be one, contiguous, unbroken and uninterrupted. Provided that, such area if divided by one or more water courses (such as nalas, canals, etc.), existing or proposed roads of any width or by railways etc., shall be treated as one, contiguous, unbroken and uninterrupted, subject to condition that the Project Proponent/s shall construct necessary connecting roads or bridges as per site requirements at his own cost with due permission from concerned authorities. The Township Area may include Land, within the flood line, Hill Top & Hill Slope Zone as shown on Development Plan subject to condition as mentioned in clause 7.1.3. However total of these areas shall be restricted to Maximum 40% of the total area under ITP.
- iii) The area shall have an access by means of an existing, or proposed road having minimum right of way of 18 m. In case of proposed road, such area shall have an access by existing road having width 12 m. or more only for the purpose of locational clearance of such project to be "Integrated Township Project"(ITP)
- iv) Such area shall not include the area under:-
 - a) Notified forest
 - b) Water bodies like river, creek, canal, reservoir, etc. Mangroves, Tidal Zone, Mud Flats
 - c) Lands belonging to Tribal
 - d) Notified National Parks
 - e) Defense Estates
 - f) Cantonment Boards
 - g) Eco-sensitive Zone/Area Notified under Environmental (Protection) Act,1986
 - h) Development Prohibited zone of sanctioned Development Plan or Special Use zone where development is prohibited.
 - i) Quarry Zone, notified SEZ, designated port/ harbour areas, wildlife Corridor and biospheres reserves, Gaothan/Congested Area
 - j) The historical and archaeological places notified under the relevant act.
 - k) Any other area that may be declared by the Governmeent from time to time.

6.1.3. Ownership of Lands

The project proponent/s shall have the ownership of all the land parcels under project. (Explanation – for this clause, ownership includes rights accrued vide one or more registered Development Agreement/s or Power of Attorney (PoA) for such development and disposal, on behalf of landowner/owners).

6.1.4. Permission and Declaration of Project by State Government.

1. The Project Proponent/s shall apply to the State Government for obtaining permission and declaration of such project to be a "Integrated Township Project". Such application shall be accompanied by the following attested documents in two sets.
 - a) Details of ownership of land viz. extracts of V.F.No. 7/12 or Property Register Cards, in original having date not more than six months prior to the date of submission. In case of rights accrued through registered Development Agreement or PoA, attested copies of such documents.
 - b) Self-attested list of S.No./G.No./CTS showing name of owner as per record of rights, total area of such land parcel, area owned by the applicant in such land parcel, the name of person/ company owning the Development Rights, area proposed to be included in project from such land parcel.
 - c) Part plan of sanctioned Development Plan, showing all the lands falling in the project.
 - d) No Objection Certificate from Water Resources Department in respect of lands falling in "Command Area" of any Irrigation Project.
 - e) Certificate from concerned Forest Officer not below the rank of Dy. Conservator of Forests, showing that the lands under project do not form part of and not included in reserved forest or protected forest or non-classified forest or not acquired under the provisions of the Maharashtra Private Forest (Acquisition) Act, 1975 and also, confirming that such lands do not form part of the Notified National Parks, prohibited area of Notified Wildlife Sanctuaries and Notified Bird Sanctuaries.
 - f) Certificate from the concerned revenue officer not below the rank of Tahsildar, showing the lands under project do not include lands belonging to tribal.
 - g) Certificate from the Director of Archaeological Department, Maharashtra State, showing that the lands under project do not include monuments notified by the Archaeological Department, Heritage buildings and Precincts. Such certificate should also mention the distance to be kept around such places, if any.
 - h) Receipt of processing fee (non-refundable) paid, at the concerned branch office of the Town Planning Department, at the rate of Rs.5000/- per ha. for the current year with the yearly rise of Rs.500/- per ha. starting from the month of January every year.
2. On receipt of an application under Clause 6.1.4.1 above, the Government may, after consulting the Director of Town Planning, Maharashtra State, by notification in the *Official Gazette*, grant the locational permission and declare such project to be a "Integrated Township Project", subject to such general and/or special conditions or, reject the application, under the provisions of Section 44(2) of the said Act, within a period of 90 days from the date of receipt of application or reply from the Project Proponent/s in respect of any requisition made by the Government, whichever is later.
3. Every such permission and declaration shall remain in force for a period of two years, if not applied for Letter of Intent under Clause 6.1.5, from the date of issue of Locational Clearance Notification and thereafter it shall lapse.

Provided that, the Director of Town Planning, Maharashtra State, Pune may, on application made by Project Proponent/s before expiry of the above period extend such period by two years in aggregate. Provided also that, it is not mandatory on Project Proponent/s to submit all the papers afresh as prescribed under Clause 1, however the affidavit regarding the ownership of land about any dispute shall be mandatory.
4. Such lapse shall not bar any subsequent application for fresh proposal.
5. The Director of Town Planning, Maharashtra State, on the request of Project Proponent/s, by notification in the *Official Gazette*, may grant to add or delete any area, not exceeding 25% of the total area under Locational Clearance, subject to condition that the remaining area shall not be less than 40 Hect. The permissible FSI and other parameters shall increase or decrease accordingly.

6.1.5. Letter of Intent (LOI) by the Collector

1. The Project Proponent/s shall apply to the Collector for obtaining the Letter of Intent for such project. Such application shall be accompanied by the documents as prescribed in Clause 6.1.4.1(a) & 6.1.4.1(b) and also the documents as may be directed by the Collector in respect of ownership only.
2. The Collector shall verify and satisfy himself that Ownership and Development Rights of all the lands under project are with the Project Proponent/s before issuing the Letter of Intent.
3. On receipt of an application under Clause 6.1.5.1 the Collector shall grant the Letter of Intent for the whole area or separately for any part thereof, which shall not be less than 40 Ha. at the first instance, subject to conditions as may be deem fit, or reject the application, within a period of 45 days from the date of receipt of application or reply from the Project Proponent/s in respect of any requisition made by the Collector, whichever is later.
Provided that, in case of rejection, the Collector shall state the grounds for such refusal.
4. Every such Letter of Intent shall remain in force for a period of two year, if not applied for Development Permission under Clause 6.1.6, from the date of issue of Letter of Intent, unless renewed. Provided that, the Collector may, on application made by Project Proponent/s before expiry of the above period extend such period by two years in aggregate. Provided also that letter of intent granted by collector under carlier regulations may also be extended subject to other conditions of these regulations.

6.1.6. Master Layout Plan Approval by the Planning Authority

1. The project proponent/s shall apply to the Planning Authority for obtaining the approval to the Master Layout Plan of the entire area as per Letter of Intent. Such application shall be accompanied by the documents in two sets as prescribed below:-
 - a) Attested copy of Gazette Notification issued by the Government under Clause 6.1.4.2.
 - b) Attested copy of Letter of Intent issued by Collector under Clause 6.1.5.
 - c) Attested copy of the Environment Clearance for the project from the Ministry of Environment & Forest or the authority empowered by the Ministry of Environment & Forest, if any.
 - d) Part plan of sanctioned Development Plan, showing the lands under the Master Layout Plan.
 - e) In case, project has no access from existing road having right of way of 18 m. then documents showing the ownership of Project Proponent/s in lands proposed for 18 m. wide access road.
 - f) Bank Guarantee of requisite amount as prescribed in Clause 6.1.12.4
 - g) Undertaking and Affidavit as may be prescribed by the Planning Authority.
 - h) Copies of Master Layout Plan with or without Building Plans in three sets with sign of owner/developer and architect.
 - i) Contour map showing contour levels of lands under Master Layout Plan. Trueness of the contour shall be certified and attested by the surveying agency and the Project Proponent/s under their signature and seal.
 - j) Coloured satellite image showing lands under Master Layout Plan.
 - k) Phased Programme for development of infrastructure with amenities under project.
2. If the application is not accompanied by the documents mentioned in Clause 6.1.6.1, Planning Authority shall return the same to the Project Proponent/s immediately within 10 working days.
3. On receipt of application, complete in all respects, as prescribed under Clause 6.1.6.1, Planning Authority shall forward the same to the concerned Divisional Joint Director of Town Planning for technical consultation within 10 working days.
4. The office of the Divisional Joint Director of Town Planning shall send its remarks to Planning Authority within two months from the receipt of proposal or receipt of reply from the Project Proponent/s in respect of any requisition made by him, whichever is later. In case, it is

recommended for sanction then, such letter along with complete set of drawings shall be endorsed to Planning Authority, for the inspection purpose at the time of Occupancy Certificate.

5. **Approval to the Master Plan:-** Planning Authority shall grant approval to the master layout or reject the application, under Section 45 of the said Act, within one month from the receipt .
6. **Approval to the building plan:-**Detailed building permission under the master layout plan sanctioned as per clause 6.1.6.5 shall be granted by the Planning Authority within 30 days from the receipt of the proposal from the project proponent as mentioned in (1)&(2) below.
 - (1) The Project Proponent/s shall apply to the concerned Planning Authority, for grant of building permission, along with all relevant documents and attested copy of Environmental Clearance for the project from MoEF or the Authority empowered by the MoEF. .
 - (2) The Project Proponent/s shall submit the certificate of Architect regarding completion of plinth stating that the construction of plinth is as per the approved building Plans to Planning Authority along with approved Plan. After verifying the same, if it is found that the construction of plinth is not as per the building permission sanctioned, the said office shall reject such plinth checking certificate. In such circumstances, the Project Proponent/s shall demolish the said plinth and also the action against the Project Proponent/s and the concerned architect shall be initiated by the Commissioner/Appropriate Authority. If it is found that the construction of plinth is as per the building permission sanctioned, then grant the plinth checking certificate is not necessary.

6.1.7. Planning Considerations

6.1.7.1. Permissibility in respect of Zoning

1. Notwithstanding anything contained in any regulation for the time being in force, the project to be notified under this regulation may be permissible in any land-use zone/s of sanctioned Development Plan, excepting areas mentioned in Clause 6.1.2(iv).
2. For the areas falling in zones, other than residential, commercial and U1 & U2 zone as per the sanctioned Regional Plan, the Project Proponent/s shall have to pay a premium for permitting project in such zones at the rates prescribed below:-

Sr.No.	Type of Zone	Premium Charges
a	Special use Zone	20%
b	Industrial Zone	10%
c	Development Restricted Zone	15%

(Explanation: Premium charges shall be calculated on the value of lands under such zones, determined by considering the agricultural land rates of the said land as prescribed in Annual Statement of Rates (ASR) without applying the guidelines. Out of total premium 20% paid at the time of Locational Clearance, 20% paid at the time of letter of Intent , 20 % at the time of master layout and remaining 40 % shall be in four equal instalments per year.

2. No construction shall be permitted on the lands within the HFL Also, on land in Hill Top & Hill Slope Zone and lands having slope equal to or more than 1:5 in the said Project, whether specifically marked as such on the Development Plan or not. No development of any sort and activity involving cutting / levelling / filling shall be permissible on such lands. Provided that, it shall be permissible to use such lands for Plantation, Park, Garden purposes, access road to township development with minimum cutting and other users as otherwise permissible in Sanctioned Development Plan and the FSI of such lands shall be permissible to the extent as prescribed in Clause 6.1.7.2.

6.1.7.2 Permissible Floor Space Index (FSI)

1. Notwithstanding anything contained in any regulation for the time being in force, the basic permissible FSI for such project shall be 1.1, to be calculated on Gross Plot Area under Master Layout Plan without deducting any areas under the slopes, etc.
2. Further, additional built up area as mentioned below shall be permissible on payment of premium at the rate of 20 % of the weighted average land rate of the said land as prescribed in Annual Statement of Rates for the relevant year, without applying the guidelines therein. Such premium shall be paid at the time of Building permission.

Area under Township	Additional built-up area on payment of premium
40 hect and upto 200 hect	Upto 70 % of basic permissible FSI
Above 200 hect and upto 500 hect	Upto 80 % of basic permissible FSI
Above 500 hect	Upto 100 % of basic permissible FSI

3. Over and above the FSI as prescribed above, an additional FSI in lieu of construction of tenements for social housing shall be permissible as prescribed in Clause 6.1.9, without charging premium.
4. It shall be permissible to utilise the maximum permissible built-up area as prescribed above, anywhere in the area under sanctioned Master Layout Plan.

6.1.7.3 Mandatory Town-Level Amenities -

Master Layout Plan shall provide for town-level area, to be kept at one or more places, as follows:-

a) Spaces for Recreation:-

Sr.No.	Particulars	Minimum Area Required	Conditions
i	Garden/s and Park/s	5% of Master Layout Area.(out of this 50% area may be allowed on Hill Top Hill Slop Zone)	Out of this at least 1000 sq mt area shall be kept open for Town Plaza/Town Square. Such area shall be kept open and may be allowed to be proposed at suitable places. Major public amenities/activities shall be cluster around this area.
ii	Play Ground/s	7.5% of Master Layout Area	Maximum 10% of area under Play Ground which may accommodate indoor games, stadiums and allied users only.

(Note – These spaces shall be exclusive of open spaces to be required at sector-level layouts)

b) Spaces for combined School/s (Primary School/s + High School/s) -

Sr. No.	Particulars	Minimum Area Required	Minimum Built-up Area required
i	for Master Layout area of 40 Ha.	5,000 sq.m.	5,000 sq.m.
ii	for Master Layout area more than 40 Ha.	To be increased proportionately with increase in Master Layout area and be proposed at one or more locations, as per requirements.	

Note-

- a) The requirements prescribed above are by considering- School to be run in double shift,

b) Requirement of plot area and built up area shall be exclusive of Play Ground spaces. Hence it is mandatory to show separate Play Ground adjoining to school building at the rate of 7 sq. m. / student.

c) Community Health Care Facilities:-

Primary and Secondary Health Care Facilities like Dispensary, Maternity Home, Hospital etc.

Sr. No.	Particulars	Minimum Area Required	Minimum Built-up Area required
i	for Master Layout area of 40 Ha.	1,000 sq. m.	1500 sq. m.
ii	for Master Layout area more than 40 Ha.	To be increased proportionately with increase in Master Layout area and be proposed at one or more locations, as per requirements.	

d) Community Market:-

Sr. No.	Particulars	Minimum Area Required	Minimum Built-up Area required
i	Mutton Market		
	for Master Layout area up to & inclusive of 200 Ha.	1000 sq. m.	As per requirement
	for Master Layout area more than 200 Ha.	To be increased proportionately with increase in Master Layout area and be proposed at one or more locations, as per requirements.	
ii	Fish Market & Vegetable Market		
	for Master Layout area up to & inclusive of 200 Ha.	1000 sq. m.	As per requirement
	for Master Layout area more than 200 Ha.	To be increased proportionately with increase in Master Layout area and be proposed at one or more locations, as per requirements.	

Note-

Users mentioned in (i) & (ii) above may be clubbed together for convenience purpose, without altering the requirements in plot area and built-up area.

e) Public Assembly Facilities:- Town Hall and/or Auditorium including Library

Sr. No.	Particulars	Minimum Area Required	Minimum Built-up Area required
i	for Master Layout area up to & inclusive of 100 Ha.	5000 Sq.mt	5000 Sq.mt
ii	for Master Layout area more than 100 hect & inclusive of 200 Ha.	10000 Sq.mt	10000 Sq.mt
iii	for Master Layout area more than 200 hac.	15000 sq. mt.	15000 sq. mt.

f) Economic Activities:- Economic activities including users such as Market, Multiplex, Mall, Information Technology & Information Technology enabled Services (IT & ITES) including SEZs, Essential Shopping, Recreational Centers, Trade & Commerce, Higher Education, Specialty Hospitals, Non-polluting Industries, Service Industries, Entertainment, Tourism, Star Category Hotels, Convention

Centers, Gymnasium, Socio-economic activities, such as workshop, hostel for Autistic persons and Mentally Retarded persons except independent residential tenements, etc. as per requirements.

Sr. No.	Particulars	Minimum Area Required	Minimum Built-up Area required
i	for Master Layout area of 40 Ha.	40,000 sq.m.	80,000 sq.m
ii	for Master Layout area more than 40 Ha.	To be increased proportionately with increase in Master Layout area and be proposed at one or more locations, as per requirements.	

Note-

Users as mentioned in b,c, d, e & f may be clubbed together, in Economic Activities Component, subject to condition that, total built-up area should not be less than the summation of minimum required for all such users, irrespective of their individual plot area requirements. The required parking spaces for all such amenities as per norms shall be provided in same plot.

g) Public Utilities:-

For Master Layout area up to & inclusive of 200 Ha.

Sr. No.	Particulars	Minimum Area Required	Permissible Built-up Area
i	Fire Brigade Station-	3000 sq.m. or as prescribed by the Director of Fire Services, Maharashtra State/ Chef fire Officer of the concern Authority.	As per recommendations of the Director of Fire Services, Maharashtra State/ Chef fire Officer of the concern Authority.
ii	Sewage Waste Management Project (SWMP)	4000 sq.m.	As per requirements
iii	Cremation Ground	2000 sq.m.	As per requirements
iv	Burial Ground	2000 sq.m.	As per requirements
v	Bus Station / Transport Hub	3000 sq.m.	
vi	Police Station	1000 sq.m.	
vii	Electric Sub-station	As per requirement	
viii	Other Public Utilities	As per requirement	
ix	Public Parking Facilities	As per prevailing DCR	
x	Solid waste management	As per requirement	

Note: If the facility of Cremation Ground/ Burial Ground is available in the area where the Township is located in such case these requirements need not be insisted subject to NOCs of respective Authority .

h) Transport & Communication:-

- i) The entire area of the project shall be well-knitted with proper road pattern, taking into consideration the linkages with existing roads within the project and outside area as well. All such roads shall be developed by the Project Proponent/s as per standard prescribed by the Indian Road Congress.
- ii) The width of the-
 - a) Classified Road should not be less than as may be prescribed by concerned public authority;

- b) Main / Arterial / Ring Road should be minimum right of way of 18mt.
- c) Other Sub-Arterial roads, Collector streets, local streets, etc., shall be proposed as per the requirements to cater to the need of occupancies on such roads including for pedestrians.
- iii) Network of cycle track in entire Township area of minimum width of 3 meter shall be provided without clashing the vehicular traffic. It may be permissible for Project Proponent/s, to realign the Development Plan Roads, and earlier existing roads passing through the project area, without changing the entry and exit points of such roads.
- iii) All the Development Plan Roads and all the Main / Arterial / Ring Roads, shall always be open for general public, irrespective of the fact that, they resides in the project or not.

General Note for Amenities (a) to (h):

- i) The requirements prescribed above for items (a) to (f) are by considering FSI proposed for the project is only 1.1. If the FSI proposed is increased or decreased then the only built up area requirement shall be increased or decreased proportionately.
- ii) The requirements prescribed above for items (g) are for Master Layout area up to & inclusive of 200 Ha. It shall be increased or decreased proportionately and may be proposed at one or more locations, as per requirements.

6.1.7.4 Residential Activities.

Sr. No.	Particulars	Area	Built-up Area
i	Residential Activities (including lands required for social housing, infrastructure such as water storage, drainage and garbage disposal, etc.)	The land excluding the land required for purposes as shown 6.1.7.3 (a) to (h).	Remaining built-up area subject to minimum 60% of the total proposed built-up area.

6.1.8. Development Control Regulations.

For those aspects which are not covered under this regulation, the prevailing provisions as prescribed in the Sanctioned Development Control Regulations for the said Corporation, shall apply *mutatis-mutandis*. The provisions of M&EF's and CRZ notifications amended from time to time shall also be applicable.

6.1.9. Social Housing.

1. The Master Layout Plan shall provide sufficient space for construction of small tenements for persons from EWS and LIG categories (hereinafter referred to as the "Social Housing Component"), as a social responsibility with FSI as mention in 6.1.9.3. Out of this 25 % FSI shall be utilised exclusively for construction of EWS tenements and remaining 75 % FSI shall be used for LIG tenements. Out of total tenements constructed as Social Housing Components, one third tenements shall be kept for Rental housing tenements which shall be disposed on Rent only.
2. Social Housing tenements shall be constructed with carpet area as specified by the MHADA for EWS and LIG respectively.
3. The minimum Social Housing component shall be constructed at 15 % of the Residential basic permissible FSI as prescribed in Clause 6.1.7.2.1 (hereinafter referred to as the "Social Housing component").
4. Social Housing tenements shall be constructed as per the general and special specifications prescribed by concerned unit of MHADA for their projects.
5. The Project Proponent/s, after getting commencement certificate of Social Housing component as mentioned above shall immediately intimate to MHADA regarding the number of Social Housing Units to be disposed by them to the allottee. Upon such intimation, MHADA within a period of six months, from the date of receipt of such intimation shall duly after following

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procedure of lottery system prepare the list of the allottee and forward it to the Project Proponent/s. The project proponent shall dispose of such EWS housing tenements to the allottees at the rate fixed by the MHADA from time to time.

Provided that if the MHADA is unable to provide the list of the allottee as mentioned above then the project proponent shall dispose of such social housing tenements in the market at the rate fixed by the MHADA from time to time.

6. Every Occupation Certificate for the regular tenements shall be granted only alongwith the Occupation Certificate in proportionate with Social Housing component.
7. Amalgamation of such Social Housing tenements shall not be permitted in any case.
8. The purchaser of tenement under social housing shall deposit an amount equivalent to 10% of the construction cost of tenement, as prescribed in Annual Statement of Rates prevailing at the time of occupation, with the Project Proponent/s as one-time maintenance deposit for onsite infrastructure maintenance.
9. The Project Proponent/s shall maintain the premises and common spaces in and outside the building/s of social housing including concerned all basic infrastructure and amenities, in good condition in the same manner with the maintenance of remaining area of the project.
10. The purchaser of tenement under social housing shall have to pay all the government taxes, duties like stamp duty, VAT, service tax, etc. at actual, to the Project Proponent/s, as per the requirement, from time to time.

6.1.10. Liability of Project Proponent/s

1. The entire project shall be an integrated one with all facilities within the boundaries of such project. All the on-site infrastructure i.e. internal roads, approach road, street lights, water supply and drainage system shall be mandatory and constructed / maintained in future by the Project Proponent/s. Proposed internal roads and Open Spaces in the layouts shall be used only for ITP.
2. The Development Plan Roads & Reservations which are included in ITP shall be Developed by project proponent and after development made available to the general public. Such reservations may be allowed to shift within 500 mtrs (within Township Area Only) in consultation with Director of Town Planning M. S. Pune.
3. It shall be the responsibility of the Project Proponent/s to maintain all the infrastructure in good condition at his own cost and management, during and after completion of the project.

Provided that, the Project Proponent/s may handover the infrastructure, for maintenance purpose, only after the completion of the project, to the Urban Local Body, when constituted in the area comprised by the project.

4. **Project Proponent/s shall mandatorily provide facilities for making the project SMART-**
 - i) The people residing in the project area, an efficient and timely public transportation system up to the nearest public transportation station/hub/depot/stand shall develop or tie with Government / Semi Government or private transport agency for such efficient public transportation. The number of buses and trips will be decided by MSRTC / Local Transport Authority.
 - ii) Continuous unobstructed footpath of minimum 2 m. width on either sides of all street / roads width ROW 12 m. or more.
 - iii) Dedicated and physically segregated bicycle track with a width of 3 mt. or more ,should be provided for entire Township Area.
 - iv) Pedestrian friendly pathways, encouragement to non-motorized transport, intelligent traffic management, non-vehicle street / zones, smart parking, energy efficient street lighting visible improvement in the area i.e. replacing overhead electric wiring with underground wiring, encroachment free public areas,
 - v) Generation of power through non-conventional energy sources like solar, wind and other shall be mandatorily provided with at least 10% of total requirement;

- vi) energy management by adopting advanced technology like installing Solar Water Heating System, Solar Lamps/Lights in common areas, LED Lamps, auto-operated street lights, solar pumps, etc. all external lighting shall be of LED, Solar Water Heating System, Solar Lamp shall be compulsorily provided;
- vii) Effective water management by adopting water harvesting techniques like rain water harvesting, recycling of used water, metered water supply to the users under project, double plumbing pipeline .The recycled water shall be used for flush system, gardening, carwash and industrial use;
- viii) Effective safety & security measures like CCTV surveillance at strategic locations, centralized control room, etc.;
- ix) Smart and fast internet/broad band connectivity to all residence, e-governance online system for grievance redressed;
- x) Citizens participations in decision making about public community issues.
- xi) Real time environmental monitoring i.e. air pollution, noise pollution etc. shall be observed
- xii) e-DCR for building plans with BIM, 3-D maps on GIS of the utility services network and properties in the city, central command, control and emergency response centre for all infrastructure facilities. Project Proponent/s shall also provide urban design concept plans along with Master Plan.
- xiii) It shall be obligatory on the part of Project Proponent/s to provide and be provided for, the infrastructure and green building norms that are necessary as per the guidelines as may be laid down by the Government, under the policy of development of „Smart City“ from time to time

5. Project Proponent/s shall also mandatorily provide for

- a) **Water Supply** - Safe and potable drinking water at the rate of 135 litres per capita per day, exclusive of requirement of water for fire fighting and gardening purposes. The storage capacity of the same shall be at least 1.5 times of the actual required quantity as determined by expected population (Resident and Floating) and other uses. The Project Proponent/s would be required to develop proper internal distribution with double pipe plumbing and maintenance system along with smart metering and shall specially undertake rain water harvesting, groundwater recharging and waste water recycling within the project.

Provided that, the Project Proponent/s should not use groundwater as a source of water, to meet the above requirement.

- h) **Drainage and Garbage Disposal:-** The Project Proponent/s shall make suitable and environment friendly arrangements for the disposal and treatment of sewage and solid waste generated in the project at source , as per the norms of the Maharashtra Pollution Control Board. The Project Proponent shall provide zero discharged in ITP for solid as well as liquid based.

The Project Proponent/s should provide facilities for water conservation by different means such as Rain Water Harvesting, Recycling of Waste Water, etc. and also set-up, in the project area itself, the Solid Waste Management Project (SWMP) with a sufficient capacity for processing of 100% garbage and solid waste so that it should be zero liquid discharge to city from the area.

- c) **Power:-**The Project Proponent/s shall ensure continuous and quality power supply for the project area. The Project Proponent/s may draw the power from any existing supply system or may go in for arrangement of captive power generation with the approval from the concerned authority. If power is drawn from any existing supply system, the Project Proponent/s shall, before commencement of development, procure a firm commitment of power for the entire Township from the power supply company.

6.1.11. Occupancy Certificate .

- 1. Application for obtaining the Occupancy Certificate for project, in full or part shall be submitted by Project Proponent/s to the Planning Authority. Such application shall be accompanied by-
 - a) All the relevant documents along with coloured satellite image showing the area under Master Layout Plan;

- b) Documents showing compliance of the conditions prescribed while according sanctions from time to time;
 - c) Appropriate declaration/s and undertaking/s made by the Project Proponent/s and his technical personnel;
 - d) Any other requirement as may be prescribed by the Planning Authority.
2. On receipt of application as prescribed under Clause 11.1, the Planning Authority shall issue Occupation Certificate as per the provisions of sanctioned DCR for the said corporation.

6.1.12. General Stipulations

- 1 Development of basic infrastructure and amenities shall be completed by the Project Proponent/s to the satisfaction of the Planning Authority either for whole or as per phases, of the project.
- 2 The Project Proponent/s shall plant indigenous trees at the rate of at least 150 trees per ha and maintain it properly. The certificate to that effect issued by the Deputy Conservator of Forest or an Officer nominated by him for this purpose shall be produced by Project Proponent/s at the time of application for Final Occupation Certificate under Clause 6.1.11.
- 3 All the amounts of scrutiny fees, charges, premium etc. payable to the Government shall be deposited with the Planning Authority.
- 4 The Project Proponent/s shall submit a bank guarantee of an amount equal to the 15% of estimated development cost required for development of the basic infrastructure such as roads, water supply, drainage & garbage disposal, installations for power supply, fire brigade station & fire engines. Such development cost be worked out as per respective phases taking into consideration the phased programme for development of infrastructure with amenities under project as submitted and as required under clause 6.1.7.3. Certificate regarding estimated development cost shall be produced by the respective Architect of the project.
- 5 The Project Proponent/s shall construct and maintain the Fire Station at their cost. The project proponent post a well-trained staff at fire station as per the recommendations of the Director of Fire Services, Maharashtra State/ chief fire officer of the Planning Authority. The amount of all expenditure on such staff shall be the responsibility of the Project Proponent/s. After completion of fire station and as per requirement such fire brigade/station shall be handed over to the Planning Authority on the terms and condition decided by the said authority.
- 6 Developer shall complete the Integrated Township Project within 10 years from the approval to the master plan. However this period of completion may be extended by the Government subject to terms and conditions as may be decided by the Government considering the development of Township. Developer shall develop and maintain the infrastructure up to the completion of the ITP project. Within such period property tax shall be levied by the concerned Planning Authority at 50 % of normal rate. Provided that the utilities like fire brigade, police station/chaunki etc. shall be handed over to the Planning authority on the terms and condition as may be decided by the said authority.
7. Licensing to the Project Proponent/s - The respective Authority shall provide licenses to the Project Proponent/s for telephone Connection, Power and other utilities in the Town ship area. After granting the license from the respective Authority, the project proponent/s shall provide utilities in the Town ship area as per the conditions laid down by the respective authority.

It shall be mandatory for the Project Proponent/s to provide atleast 9 mt. wide road to the land not owned by the project proponent which is surrounded by the Township Area.

6.1.13. Special Concessions.

1. **Deemed conversion for Non-Agricultural (N.A.) Use:-** The lands under approved Master Layout Plan shall be considered as deemed N.A. No separate permission shall be required under the provisions of Maharashtra Land Revenue Code, 1966.
2. **Grant of Government land:** - The Government land/s, if surrounded or adjacent by the lands owned by the Project Proponent/s, may preferably be granted to the Project Proponent/s, as per the rules and regulations to that effect, by the Revenue and Forest Department of the State

Government. Maximum 10% of the total area under township shall be allowed to be included in such township.

3. **Concession in Stamp Duty:-** For the first transaction, from Project Proponent/s to Purchaser, of any unit under any user, from approved Master Layout Plan or subsequent building plan under this Regulation, a concession to the extent of 50% of stamp duty as otherwise required under the Mumbai Stamp Act, shall be granted.
4. **Exemption in payment of Development Charges:-** The amount of Development Charges under sub-section (3) of Section 124F of the said Act shall be exempted to the extent of 50% for, institution of use or, change of use of any land or building or, development of any land or building, proposed for project undertaken by a Project Proponent/s under this Regulation.
5. **Relaxation from Mumbai Tenancy and Agriculture Land Act:-**

The condition that, only the agriculturist will be eligible to buy the agriculture land shall not be applicable to the Project Proponent/s for purchasing agriculture land for Integrated Township under this Regulation.
6. **Exemption from Ceiling for holding agriculture land:-**

The limit for holding agriculture land, stipulated in the Maharashtra Agricultural Lands (Ceiling and Holdings) Act, 1961 shall not be applicable to the Project Proponent/s for development of Integrated Township Project under this Regulation.

6.1.14. Transition Policy.

1. It shall be permissible for the Project Proponent/s, to whom Special Township Project has already been notified, to-
 - a) continue such Integrated Township Project under the erstwhile regulations and for that limited purpose erstwhile regulations for Integrated Township Project shall remain in force; or
 - b) Apply for grant of Letter of Intent or Master Layout Plan as the case may be, under this regulation subject to payment of premium as prescribed in Clause 6.1.7.1 and 6.1.7.2, wherever applicable.
2. If in case as described in Clause 14.1(b), the construction of the project is on-going, it shall be permissible for the Project Proponent/s to opt for, this regulation subject to payment of premium as prescribed in Clause 6.1.7.1 and 6.1.7.2. Premium applicable as mention in clause 6.1.7.2 Social Housing Component as mention in clause 6.1.9 and economic activity as mentioned in 6.1.7.3(f) shall be calculated on the difference of FSI permissible under clause 6.1.7.2 and FSI already sanctioned under erstwhile regulations.

6.1.15. Appeal

Anyone aggrieved by an order passed under prevailing byelaws may within forty days of the date of communication of the order prefer an appeal to the Director of Town Planning, Maharashtra State, Pune. The appeal shall be cleared within 60days.

6.1.16. Control by the State Government

Director of Town Planning M.S Pune shall be authorised on behalf of Government to monitor the Township Project and submit his report once in six months to Government.

6.2. Development/Redevelopment of Housing Schemes Of Maharashtra Housing and Area Development Authority (MHADA):-

Development / re-development of housing schemes of Maharashtra Housing and Area Development Authority shall be subject to the following provision.

- 1) The FSI for a new scheme of Low Cost Housing, implemented by MHADA departmentally on vacant lands for Economically Weaker Sections (EWS), Low Income Group (LIG) and Middle Income Group (MIG) categories shall be 2.50 on the gross plot area and at least 60% built-up area in such scheme shall

be in the form of tenements under the EWS, LIG and MIG categories, as defined by the Government in Housing Department from time to time.

- 2) For redevelopment of existing housing schemes of MHADA, containing (i) EWS/LIG and/or (ii) MIG and/or (iii) HIG houses with carpet area less than the maximum carpet area prescribed for MIG, the total permissible FSI shall be 2.50 on the gross plot area (exclusive of the Fungible FSI).

2.1) Where redevelopment of buildings in existing housing schemes of MHADA is undertaken by the housing co-operative societies or the occupiers of such buildings or by the lessees of MHADA, the Rehabilitation Area Entitlement, Incentive FSI and sharing of balance FSI shall be as follows:-

A) Rehabilitation Area Entitlement-Under redevelopment of building in existing Housing scheme of MHADAs, the entitlement of rehabilitation area for an existing residential tenements shall be equal to sum total of-

- a) a basic entitlement equivalent to the carpet area of the existing tenement plus 35% thereof, subject to a minimum carpet area of 300 sq ft and
b) an additional entitlement governed by the size of the plot under redevelopment, in accordance with the Table below:-

Table	
Area of the Plot under Redevelopment	Additional Entitlement (As % of the Carpet Area of the Existing Tenement)
Upto 4000 sq.m.	Nil
Above 4000 sq.m. to 2 hect.	15%
Above 2 hect to 5 hect.	25%
Above 5 hect to 10 hect.	35%
Above 10 hect.	45%

Provided that the maximum entitlement of rehabilitation area shall in no case exceed the maximum limit of carpet area prescribed limit for MIG category by the Govt. as applicable on the date of approval of the redevelopment project. Provided further that the entitlement of rehabilitation area as admissible under this regulation shall be exclusive of the area of balcony.

ii) Under redevelopment of buildings in existing Housing Schemes of MHADA, the entitlement of rehabilitation area of any existing commercial/amenity unit in the Residential Housing Scheme shall be equal to the carpet area of the existing unit plus 20% thereof.

B) Incentive FSI- Incentive FSI admissible against the FSI required for rehabilitation, as calculated in (a) above, shall be based on the ratio (hereinafter referred to as Basic Ratio) of Land Rate (LR) in Rs./Sq.m. of the plot under redevelopment as per the Annual Statements of Rates (ASR) and Rate of Construction (RC)* in Rs./Sq.m. applicable to the area as per the ASR and shall be as given in the Table below:-

Table	
Basic Ratio (LR/RC)	Incentive (As % of Admissible Rehabilitation Area)
Above 6.00	40%
Above 4.00 and upto 6.00	50%
Above 2.00 and upto 4.00	60%
Upto 2.00	70%

Explanation:-

* RC is the rate of construction in respect of R.C.C. Construction, as published by the Chief Controlling Revenue Authority & Inspector General of Registration, Maharashtra State in the Annual Statements of Rates.

Provided that the above incentive shall be subject to the availability of the FSI on the Plot under redevelopment and its distribution by MHADA.

Provided further that in case there are more than one land rate applicable to different parts of the plot under redevelopment, a weighted average of all applicable rates shall be taken for calculating the Average Land Rate and the Basic Ratio.

Provided further that the Land Rate (LR) and the Rate of Construction (RC) for calculation of the Basic Ratio shall be taken for the year in which the redevelopment project is approved by the authority competent to approve it.

C) Sharing of the Balance FSI:-

The FSI remaining in balance after providing for the rehabilitation and the incentive components, calculated as per (a) and (b) above respectively, shall be shared between the Co-operative Housing Society and MHADA in the form of built-up area, as given in Table below and the share of MHADA shall be handed over to MHADA free of cost.

Table		
Basic Ratio (LR/CR)	Sharing of balance FSI	
	Share of Co-operative Society	Share of MHADA
Above 6.00	30%	70%
Above 4.00 and upto 6.00	35%	65%
Above 2.00 and upto 4.00	40%	60%
Upto 2.00	45%	55%

2.2) Where redevelopment of buildings in the existing Housing Schemes of MHADA is undertaken by MHADA or jointly by the MHADA alongwith the housing societies or the occupiers of such building or by the lessees of MHADA, the Rehabilitation Area Entitlement, incentive FSI and sharing of balance FSI shall be as follows:

A) Rehabilitation Area Entitlement: The Rehabilitation Area Entitlement shall be increased by 10% of the existing carpet area, over and above the Rehabilitation Area Entitlement calculated in (A) of 2.1 above, subject to the maximum of the size of MIG prescribed by the Government in the Housing Department.

B) Incentive FSI: Incentive FSI shall be the same as in (B) of 2.1 above.

C) Sharing of the balance FSI: Sharing of the balance FSI shall be the same as in FAÇADE of 2.1.

3) For the purpose of calculating the FSI, the entire area of the layout including Development Plan roads and internal roads but excluding the land under the reservation of public amenities shall be considered. Sub-division of plots shall be permissible on the basis of the compulsory open spaces as in these Regulations. For low cost housing schemes of MHADA for EWS/LIG categories, the prevailing Regulations of the DCR shall apply.

Provided that there shall be no restriction on the utilization of the FSI permissible under this Regulation except for the restrictions under any law, rule or regulation.

4) For the purpose of this Regulation the carpet areas for EWS, LIG or MIG tenements shall be as determined by the Government from time to time.

- 5) a) For providing the requisite infrastructure for the increased population, an infrastructure charge at the rate of 7% of the Land Rate as per the ASR of the year of approval of the redevelopment project shall be chargeable for the extra FSI (excluding the fungible FSI) granted over and above the normal FSI admissible for the redevelopment schemes. 50% of the Infrastructure Charge levied and collected by MHADA shall be transferred to the Municipal Corporation for developing necessary off site infrastructure.
- b) No premium shall be charged for the FSI admissible as per the prevailing regulations
- (i) Construction of EWS/LIG and MIG tenements by MHADA on a vacant plot, or(ii) in a redevelopment project for the construction of EWS/LIG and MIG tenements towards the share of MHADA, or (iii) for rehabilitation component of a redevelopment project.
- 6) Notwithstanding anything contained in these Regulations, the relaxation incorporated in the prevailing Regulation shall apply to the Housing Schemes under this Regulation for tenements under EWS/LIG and MIG categories. However, the front open space shall not be less than 3.6m.
- 7) a) In any Redevelopment Scheme where the Co-operative Housing Society Developer appointed by the Co-operative Housing Society has obtained No Objection Certificate from the MHADA, thereby sanctioning additional balance FSI with the consent of 70% of its members and where such NOC holder has made provision for alternative accommodation in the proposed building (including transit accommodation), then it shall be obligatory for all the occupiers / members to participate in the Redevelopment Scheme and vacate the existing tenements for the purpose of redevelopment. In case of failure to vacate the existing tenements, the provisions of section 9A of the MHAD Act mutatis mutandis shall apply for the purpose of getting the tenements vacated from the not co-operative members.
- b) For redevelopment of buildings in any existing Housing Scheme of MHADA under clause 2.2 hereinabove, by MHADA, the consent of the Co-operative Housing Society in the form of a valid Resolution as per the Co-operative Societies Act, 1960 will be sufficient. In respect of members not co-operating as per approval of the redevelopment project, action under section 95(A) of the Maharashtra Housing and Area Development Act, 1976 may be taken by MHADA.
- 8) A corpus fund, as may be decided by MHADA, shall be created by the Developer which shall remain with the Co-operative Housing Societies for the maintenance of the new buildings under the Rehabilitation Component.

6.3. Regulations For Development of Information Technology Establishment

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

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



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

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

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

- 2) No premium shall be chargeable in Municipal Corporation areas, if they are covered under No Industry Districts and Naxalism affected areas of the State (as defined in the " Package Scheme of Incentives-2013" of the Industries, Energy & Labour Department of the State).
- 3) The total maximum permissible F.S.I. shall not exceed limit of 3.00.
- 4) Maximum 20% of total proposed Built-up area (excluding parking area) inclusive of such additional F.S.I. may be permitted for support services in IT Parks remaining built-up area shall be utilized for IT/ITES.
- 5) New said unit shall allocate at least 2% of the total proposed built-up area, for providing incubation facilities for new units. This area would be treated as a part of the Park to be used for IT activities and eligible for additional FSI benefits accordingly.
- 6) Premium to be received by the Planning Authority as per provisions in this regulation shall be deposited in a separate fund viz. "Critical Infrastructure Fund for IT/ITES Industries" and this fund shall be utilized only for creation of Critical Infrastructure for IT/ITES Industries;

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

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

- 7) Permission for erecting towers and antenna upto height permitted by the Civil Aviation Department shall be granted by the Commissioner as per the procedure followed for development permission or otherwise as may be decided by the Government.
- 8) While developing site for IT/ITES with additional FSI, support services as defined in the IT Policy 2015, shall be allowed.
- 9) The sanctioned existing regulations in respect of I.T. Establishments, are proposed to be replaced suitably and for the Planning Authorities, which have no provisions in respect of I.T. Establishments, these regulations shall be proposed to be inserted as new regulations.
- 10) Notwithstanding anything contained in the Development Control Regulations of Planning Authorities, no amenity space is required to be left for development of plot/land upto 2.00 Hect. for IT/ITES.
- 11) Notwithstanding anything mentioned in these Regulations, special provisions mentioned in the existing Regulations of respective Planning Authority, which areas are not covered under these regulations shall continue to prevail unless otherwise specified.

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

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

- a) The misuse shall be ascertained by physical site verification of the said private IT park by a team of officers from the Directorate of industries and the Planning Authority which has approved the building plans of the said private IT park.
- b) A per day penalty equal to 0.3% of the prevailing ready reckoner value of the built-up area that has been found to be used for non- IT/ITES activities.
- c) The penalty will be recovered from the date of commencement of unauthorized use till the day non IT use continues.

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

6.4. Biotechnology Parks

A. Definition-

The Biotechnology Units/ Parks shall mean Biotechnology units/ parks which are certified by the Development Commissioner (Industries) or any officer authorised by him in his behalf. The Biotechnology Park and unit/units outside park shall have minimum land area of 2 acres or 20000 sq.ft. built up area. The said requirement of 20000 sq.ft. shall be as per normal permissible FSI and without considering permissible additional FSI/ TDR/ Free of FSI area.

B. Biotechnology Units/ Parks To Be Allowed In Industrial Zone-

Biotechnology Units/Parks shall be permitted in Industrial Zone on all plots fronting on roads having width more than 12 meter.

C. Biotechnology Units/Park To Be Allowed In Development Restricted Zone Earmarked In The Development Plan.

Biotechnology Units/Parks shall be permitted in No Development Restricted Zone subject to following conditions.-

- i) Maximum FSI limit shall be as per the provisions of Regulation no. 5.2 and as far as possible the development shall be at one place of the total land.
- ii) The ground coverage shall not exceed 10% of the area of the plot.
- iii) Tree plantation shall be done at the rate of 500 Trees/Ha on the remaining land excluding the built up area and the surrounding open space/utility space.
- iv) The maximum height of buildings shall not exceed 24 m
- v) Essential residential development for the staff/ officer's accommodation shall be permitted upto the extent of 33% of the permissible built up area.
- vi) These users shall be permitted in Development Restricted Zone, within a distance of 3 km. from the adjoining developable zone.
- vii) Development in plots affected by CRZ area, shall be permissible subject to the notification issued by MOEF regarding CRZ.



D. Additional FSI To Biotechnology Units/Park

Subject to approval by Director of Industries, the Commissioner/ Competent Planning Authority or as the case may permit Floor Space Index to be exceeded to the extent of 100% for Biotechnology units/Parks located in Development Restricted Zone subject to following conditions.:

- i) Out of total built up area minimum 90% shall be used for Biotechnology purpose and maximum 10% (by deducting parking space) shall be used for ancillary users such as specified in the Govt. Resolution of Industry, Energy and Labour Dept. No. BTP 2008/CR-1608/Ind-2, dated 10/2/09.
- ii) Additional FSI to Biotechnology units would be available to Biotechnology Parks duly approved by the Directorate of Industries and after observance of all the regulation of environment.
- iii) Parking spaces, as per the provision of Development Control Regulation shall be provided subject to minimum requirement of one parking space per 100 sqm built up area.
- iv) The additional FSI shall be granted upon payment of premium which shall be paid in the manner as may be determined by the Government. Such premium shall be recovered at the rate of 25% of the present day market value of the land under reference as indicated in the Ready Reckoner.
- v) 25% of the total premium shall be paid to the Govt. and remaining 75% amount shall be paid to the said Authority.
- vi) The premium so collected by the Planning Authorities shall be primarily used for development of offsite infrastructure required for the Biotechnology Parks.
- vii) In the event, the developer comes forward for provision of such off site infrastructure at his own cost, then the said Planning Authority shall determine the estimated cost of the works and shall also prescribe the standards for the work. After completion of the works the said Planning Authority shall verify as to whether the same is as per prescribed standards and thereafter, by deducting the cost of works, the balance amount of premium shall be recovered by the said Planning Authority.
- viii) No condonation in the required open spaces, parking and other requirement prescribed in the regulations shall be allowed in case of additional FSI.
- ix) Development of biotechnology park shall be done as per the guidelines issued by Industries Department vide the said resolution

6.5. Inclusive Housing: -

The following provisions regarding Inclusive Housing are incorporated in the Development Control Regulations of Municipal Corporations.

- 1) For the sub-division or layout of the land admeasuring 4000 sqm or more for residential purpose minimum 20% of the net plot area shall have to be provided---
- i) Either in the form of developed plots of 30 to 50 sqm size for Economically Weaker Sections, Low Income Groups (EWS/LIG), (hereinafter referred to as "affordable plots") in which plots of 30 sq.mr. size shall be kept for EWS.
Or
- ii) In the form of equivalent 20% net plot area for, constructing EWS/LIG tenements, which shall be handed over to MHADA at the land rate prescribed in the Annual Statement of Rates prepared by the Inspector General of Registration, Maharashtra State, Pune (hereinafter referred to as ASR) of the year in which final approval is accorded to such sub-division or layout.
- a) The Landowner/ Developer shall sell the affordable plots to MHADA at one place in lieu of equivalent FSI to be utilized in the remaining plots. If MHADA declines to purchase the same

within a reasonable time of six months, he can sell the affordable plots in the open market, in such case additional FSI of affordable plots shall not be admissible.'

- b) "Provided that in case the Land Owner / Developer desires not to utilize such additional FSI in the same land, fully or partly, then he shall be awarded TDR in lieu of such unutilized additional FSI. The utilization of this TDR shall be subject to the prevailing provisions of DCR and as per the following formula.

Formula: $X = \{Rg/Rr\} \times Y$

Where, X = Utilization of Development Right (DR) on the receiving plot.

Rg = Land Rate in Rs. per Sqmas per the Annual Schedule of Rates (hereinafter referred to as 'ASR') of generating plot in the year when project is sanctioned.

Rr = Rate in Rs. Per Sqm as per ASR of the receiving plot of the same year of the generating plot.

Y = Unutilized additional FSI.

- 2) For a plot of land, admeasuring 4000 sqm or more to be developed for a Housing Scheme consisting of one or more buildings (hereinafter referred to as 'the said Scheme'), EWS/LIG Housing in the form of tenements of size ranging between 30 to 50 . Sq.m, (hereinafter referred to as 'affordable housing tenements') shall be constructed at least to the extent of 20% of the Base FSI as per Regulation no. 5.2subject to the following conditions:-
- i) The built up area of the EWS/LIG tenements constructed under the Scheme shall not be counted towards F.S.I.
 - ii) The Landowner / Developer shall construct the stock of the affordable housing tenements in the same' plot and the Planning Authority shall ensure that the Occupation Certificate for the rest of the development 'under the said Scheme is not, issued till the Occupation Certificate is issued for the Affordable Housing tenements under the said Scheme.
 - iii) "Provided further that the equivalent Affordable Housing tenements can also be provided at some other location (s) within the same Administrative Ward of the Municipal Corporation and such construction shall be free of FSI upto the limit of 50% of the admissible FSI of such alternative plot."
 - iv) The completion of the Affordable Housing tenements under the said Scheme, along with necessary particulars, including a copy of the Occupation Certificate granted by the Planning Authority in respect thereof shall be immediately intimated by the Landowner/ Developer to MHADA. Upon such intimation, MHADA , within a period of six months from the date of receipt of such intimation, shall either purchase such affordable housing tenements or allot such tenements to the allottees selected by MHADA through a system of lottery, drawn after such Affordable Housing tenements have been granted Occupation Certificate and thereafter, the Land Owner/ Developer, shall dispose of such tenements to MHADA or such allottees, as the case may be, at rates equal to 125% of the construction rates in ASR applicable to the land under the Scheme, on the date of grant of Occupation Certificate to such Affordable Housing tenements.
 - v) "Provided that there shall be no obligation to construct affordable Housing tenements in the redevelopment project of any co- operative Housing Society in which the carpet area of all existing individual residential tenements does not exceed 80 sqm.
 - vi) Provided further that in case of Individual bungalow housing scheme, these provisions shall not apply in case of redevelopment of Individual bungalow. However if redevelopment of total plot under layout is proposed, this provisions shall be applicable.
 - vii) The Landowner / Developer may also be permitted to utilize 1/4th of the total 20%F.S.I. earmarked for Affordable Housing towards construction of Affordable Housing Tenements in the form of service quarters on the same plot but in a separate block which shall have to be sold as service quarters only to the purchasers of free sale flats under the said Scheme.
 - viii) There shall be no obligation to construct affordable housing tenements in accordance with these provisions in any Housing Scheme or residential development project wherein, owing

to the relevant provisions of the Development Control Regulations, 20% or more of the basic Zonal FSI is required to be utilized towards construction of residential tenements for the EWS/LIG and also for the development / redevelopment of any land, owned by the Government or any Semi-Government organization. Provided such development / redevelopment is undertaken by the Government or such Semi- Government Organization by itself or through any other agency under BOT or PPP model.

- ix) Provided that in case of Development of reservations of Public Housing, Housing for Dis-housed, Public Housing / High Density Housing and the EWS/LIG tenements constructed under the provisions of any other Act, these provisions shall not be applicable.
- 3) Amalgamation of affordable plots / affordable tenements shall not be allowed.
- 4) These provisions shall be applicable prospectively and shall not be applicable to any Housing Scheme or residential development project wherein Commencement Certificate had been issued prior to the date of coming into force of these provisions and was valid on such date.

6.6. Transit Oriented Development Policy

Special Regulations for Development / Redevelopment of building falling within TOD zone.

6.6.1. Definitions

i) **TOD zone** - It is the area along/around the proposed MRTS/Metro corridor as will be delineated by the Municipal Corporation with approval of the State Government.

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

iii) **Gross plot area** - Gross Plot Area means total area of land after deducting area under reservation or deemed reservation like amenity space if any, area under D.P. Road and Road widening.

iv) **Principal DCR** - Principal DCR means these DC Regulations excluding the provisions regarding TOD zone

6.6.2. Commencement

The date of coming into force of these regulations shall be the date on which construction work of Metro Rail /MRTS actually commences.

6.6.3. Maximum Permissible FSI

The maximum permissible total FSI in TOD zone shall be 4.00 including the base permissible FSI, subject to condition that, the additional FSI over and above the base permissible FSI shall be allowed within the overall limit of maximum permissible FSI, as given in the Table below-

Sr. No.	Road width in m.	Min .Plot Area in sqm	Maximum Permissible FSI
1	2	3	4
1	9 m. and up to 12 m.	Below 1000	2.00
2	12 m. and up to 18 m.	1000 or above	2.50
3	18 m. and up to 24 m.	2000 or above	3.00
4	24 m. and up to 30 m.	3000 or above	3.50
5	30 m. and above	4000 or above	4.00

Explanation:-

- 1) The maximum permissible FSI as per the above Table shall be determined by satisfaction of both the criteria viz. Minimum Road width as well as plot area, simultaneously. However in case, both

these criteria's are not satisfied simultaneously, the maximum permissible FSI shall be the minimum of that permissible against each of these two criteria, as illustrated below ;

2) Land owner / Developer shall not have option to use TDR in TOD zone.

Illustrations: -

Utilization of FSI

Plot Area in sqm	Road width					
	Less than 9mt.	9 m. and up to 12 m	12 m. and up to 18 m	18 m. and up to 24 m.	24 m. and up to 30 m.	30 m. and above
Below 1000	Principal DCR	2.0	2.00	2.0	2.0	2.0
1000 to below 2000	Principal DCR	2.0	2.50	2.50	2.50	2.50
2000 to below 3000	Principal DCR	2.0	2.50	3.00	3.00	3.00
3000 to below 4000	Principal DCR	2.0	2.50	3.00	3.50	3.50
4000 or above	Principal DCR	2.0	2.50	3.00	3.50	4.00

6.6.4. Premium to be Paid

Additional FSI over and above base permissible FSI of respective land use zones as per principal DCR, may be permitted on the payment of premium equivalent to **0.40 times the ASR rates for the sqm of land area.**

6.6.5. Integrated Mobility Plan

- i) There shall be an Integrated Mobility Plan envisaging inter-linkages between different modes of mass transport, parking management, traffic management and pedestrianisation.
- ii) The maximum permissible FSI as given in Table under regulation 6.6.3 shall be calculated on the gross plot area.
- iii) In case of plot / plots falling partly within the TOD zone, the FSI permissible shall be as follows, provided that the total area of the plot (plot falling within TOD zone plus plot falling outside TOD zone) shall be as prescribed in the table in regulation no. 6.6.3 :-
 - a) Where 50% or more area of such plot / plots falls within TOD zone, these regulations including FSI shall apply to the total area of such plot / plots.
 - b) Where less than 50% area of such plot / plots falls within TOD zone, these regulations including FSI shall be applicable to the part of plot / plots falling within TOD zone, whereas for the part of plot / plots falling outside TOD zone, these regulations except provisions regarding FSI shall be applicable. The FSI permissible for the part falling outside TOD zone shall be as per Principal Development Control Regulations.
 - c) Notwithstanding anything contained in **any other provision of this DCR the Parking, Double height terraces up to 20% and 15% balconies not enclosed, Stair cases, Lift wells with machine rooms, Refuge areas, Voids, Service Floor & Entrance lobbies** of the building in TOD zone shall be free of FSI.
 - d) Notwithstanding anything contained in any other provisions of these regulations, TDR as per Regulation no. 12.2 shall not be allowed to be received on the plots within TOD zone.

6.6.6. Tenement Size

For any development or redevelopment within TOD zone, size of tenement shall be minimum 25 sqm and maximum 120 sqm of built-up area and out of total proposed tenements, the tenements equivalent to at least 50% of total FSI shall be of a size equal to or less than 60 sqm. These tenements shall not be allowed to be clubbed/ amalgamated in any case.

6.6.7. Permissible mixed use in TOD zone:

Mixed use in the form of residential and commercial may be permissible on the residential plot in TOD zone fronting on the road width of 12 mt. and above.

Other provisions regarding marginal open spaces shall be governed by the proposed height of structure, as given in the provisions 6.6.8 below and should conform to the Maharashtra Fire Prevention and Life Safety Measures Act, 2006 (Maharashtra Act no. III of 2007) as amended from time to time. No building permission shall be issued without NOC of the Fire Officer. Other regulations regarding room sizes, apertures for light and ventilation shall be as per the principal DCR in force.

6.6.8. Marginal Spaces

Sr. No.	Building Height	Side and Rear Margins	Remark
a	15.0 mt and below	H/2-4	Minimum 3.0 mt. for Residential minimum 4.5 mt. for Commercial and Minimum 6.0 m. for Special Buildings.
b	Above 15.0 mt. and upto 18.0 mt.	H/4	Minimum 6.0 mt. for all Buildings.
c	18.0 mt and above	H/5 subject to Maximum 12.0 mt.	Minimum 6.0 mt.

Note- However if Developer / Owner provides more than 12.00 mt. side and rear margins, it shall be permissible.

- i) No projections shall be allowed in marginal spaces so that minimum 6 mt. marginal spaces remain free from all encumbrances for the movement of fire tenders. In case if ramp is necessary from accessibility, such ramp may be allowed after living 6 mt. clear margin.
- ii) For calculation of marginal distances the height of the parking floors (Maximum two floors above the Ground Level) shall not be taken into account, However height of such parking floors will be counted towards the total height of the building for deciding the building as high rise building and for civil Aviation purpose.
- iii) Car lift / mechanical parking shall be permissible, as per Principal DCR as amended from time to time.

6.6.9. Parking

Parking in the TOD zone shall be provided as per the table given below.

Sr. No.	Occupancy	One parking space for every	Transit Oriented Development Influence Zone		
			Car	Scooter / Motorcycle	Cycle
1	Residential	For 4 units having carpet area From 25 and upto 40 sq.mt.	0	1	2
		For 2 units above 40 and upto 60 sq.mt.	1	1	2
		For every unit above 60 and upto 80 sq.mt.	1	2	2
		For every unit above 80 sq.mt	1	1	1
2	Govt. & Semi Govt., Private business buildings	100 sq.mt carpet area or fraction thereof	1	2	2

Note:

- i) Parking spaces for differently abled persons shall be provided as per Indian Road Congress Code No. IRC 103:2012 in each new construction / development / re- development in the TOD zone.
- ii) No on street parking shall be permissible, unless specifically allowed in the integrated mobility plan report.
- i) Incentive for providing Public Parking in the area falling within the radius of 200 mt. from the Metro/MRTS Station
- a) If the owner / developer of the plot falling within the radius of 200 mt. from the Metro Station/MRTS, is willing to provide Public Parking space over and above the parking spaces required as per the table given in regulation No.1.6 of these regulations, the same shall be allowed and in that case the premium to be paid by such developer / owner as per regulation No.1.2.2 shall be reduced by the amount equal to the premium worked out for 25% of the area earmarked for such additional Public Parking space, subject to following conditions:-
- b) Such parking area shall be in the built-up form and shall be handed over to Planning Authority free of cost before granting the Occupation Certificate to the project. The Planning Authority should enter into an agreement with owner / developer for such parking space at the time of granting Commencement Certificate to the project. Such Public Parking area shall be clearly shown on the proposed building plan / layout and a condition to above effect shall be incorporated in the Commencement Certificate.
- c) The parking area shall have independent access from major road adjacent to the plot and with proper entry and exits.
- d) The parking area to be made available at individual site shall be at minimum 100 sq.mt. at one place either at Ground floor / Stilt floor or first floor.
- e) The maximum parking area that can be provided shall be decided by the Commissioner, Concerned Municipal Corporation , as the case may be, on considering the location of such site and the parking requirement.
- f) A board showing the location of such public parking space should be displayed at suitable places by the Planning Authority.
- g) Area covered under such parking shall not be counted towards FSI consumption.
- h) Concerned land owner / developer / society / public company shall not be allowed to operate the public parking.
- i) The proposed development shall be further subject to such conditions as may be decided by the Municipal Commissioner.

6.6.10 Other Stipulations

- i) In case of metro rail, development or redevelopment, proposed by the Authority / individual applicant / any other Planning Authority, from the edge of the Metro Rail, within 20 mt. distance from the Metro Rail, on its either side, the concerned Planning Authority i.e. Nashik Municipal Corporation before granting such permission for development / redevelopment shall seek prior NOC from the concerned Metro Railway Authority as required under the Metro Railways (Construction of Works) Act, 1978 from the point of view of safety of the Metro Railway and such other related matters.
- ii) In case of any conflict between these Regulations and any other Regulation/s of the DCR, these Regulations shall prevail for the TOD zone.
- iii) No Compound wall / fencing shall be permissible on the boundary of plot fronting on road and 50% front marginal distance (subject to minimum of 3.0 mt.) shall be kept accessible and to be used as foot paths, for pedestrians. However, it shall be permissible for the applicant to construct / erect fencing, on the boundary, after leaving the space for pedestrians as specified above. However for the plots situated on 9mt. and 12mt. wide Roads having 100% residential use therefore above rule shall not be made applicable.

- iv) Large wholesale stores, car dealer showrooms, warehouses/storages, auto service centres, Garages etc. shall not be permissible in TOD zone.
- v) Provision of Inclusive housing shall not be applicable in TOD zone.
- vi) For Gunthewari development regularized under the provisions of Maharashtra Gunthewari Development Act, 2001 and falling in TOD zone, seeking provisions for redevelopment, these regulations shall apply.
- vii) The width of passage shall be minimum 1.5 m.

6.7. Town Planning/Land Re-adjustment Scheme

Land Pooling Scheme shall be permissible in Development Restricted Zone. Town planning scheme for minimum 20 hector area, with proper road network subject to condition that entire cost of scheme shall be borne by the owners. After sanction of preliminary scheme under section 86 of the act, all uses as that of residential zone, shall be permitted.

However, if the owners come together for development on aforesaid concept of town planning scheme instead of undertaking town planning scheme under the Act, the Municipal Commissioner may allow such development subject to availability of existing approach road of minimum 15.0 m. width and earmarking 40% of the land for roads, park, playground, garden, social infrastructure. sale by the Corporation, which shall be handed over to the Corporation. in lieu of FSI equivalent to such area handed over to the Corporation and the plot within such scheme shall be allowed to be developed in accordance with the development potential of developable zone . However, development permission for uses permissible in residential zone shall be granted phase wise after completion of physical infrastructure works including off site infrastructure and handing over of land to the Corporation.

6.8. Affordable Housing Scheme

Implementation of Affordable Housing Scheme shall be permissible as per the provisions contained in the Regulations specifically described in the Schedule

Schedule

1. In order to promote construction of affordable housing stock on private lands, the Planning Authority may permit implementation of Affordable Housing Scheme in accordance with the provisions of these Regulations. Affordable Housing Scheme (hereinafter referred to as 'the Scheme') shall be permissible only on the lands situated within the limits of the Municipal Corporation.
2. (i) Affordable Housing Scheme shall be permissible in Residential Zone only and on plots having access from an existing or proposed Development Plan Road having width equal to or in excess of 18 mt. or an existing road in respect of which Regular Line of Street has been declared under the relevant provisions of Maharashtra Municipal Corporation Act, for a width of 18 mt. or more, provided permissible FSI on such plots is 1.00 or more and TDR more than 0.6 is allowable. However in case of a proposed road, the land under the said proposed road shall be acquired before the approval of building plans for the Affordable Housing Scheme. Affordable Housing Scheme shall not be allowed in areas where FSI is less than 1 or where use of TDR is not permissible.
- ii) Minimum plot area for the Affordable Housing Scheme shall be 4000 sq. mt., excluding area under D.P. Roads and D.P. Reservations, if any.
- iii) The plot under the Scheme shall be independent, unencumbered and contiguous.
- iv) The Scheme shall not be permissible in congested areas, demarcated as such on the Development Plan.

3. The concerned Urban Local Body (ULB), being a Planning Authority, shall be competent to grant both location clearance and layout approval/building permission for an Affordable Housing Scheme .
4. i) Maximum permissible FSI (including the base FSI of 1.00) under the Scheme shall be 3.00 on the gross plot area, including mandatory layout recreational open space and Amenity Space. The FSI to be utilized shall be in the proportion of 1:3 for the Affordable Housing Component and the Free Sale Housing Component on $\frac{1}{4}$ th and $\frac{3}{4}$ th part of the land respectively. Thus Affordable Housing and Free Sale Housing shall be proposed on the same plot of land but on two separate independently buildable pockets.
ii) Under Affordable Housing Scheme, upto 15% of the total built-up area of the Affordable Housing Component may be used for construction of shops/commercial use as per the direction of Urban Local Body and such commercial built-up area shall be handed over to the concerned ULB free of cost.
5. i) An Affordable Housing Unit shall be a self-contained dwelling unit of 25 sq.mt. carpet area. However the carpet area of a Housing Unit shall be 160 sq.ft., where the construction under the Rental Housing Scheme has already commenced.
ii) The amenity space for Affordable Housing shall be 10% of the gross plot area under the Scheme and it shall be proportionately provided in the area earmarked for the Affordable Housing Component and the area kept for Free Sale Housing component.

Provided that where the Scheme is to be implemented on a plot in Industrial Zone where the Planning Authority has duly permitted Residential user under the relevant provisions of the Development Control Regulations :—

- (a) no further area shall be required to be kept as amenity space under Regulation 5(ii) for the Scheme if the area prescribed to be kept as amenity space while permitting residential user in Industrial Zone is equal to or more than 10% of the gross plot area.
- (b) only the balance area shall be required to be kept as amenity space under Regulation 5(ii) for the Scheme if the area of amenity space prescribed by the Planning Authority, while permitting residential user in Industrial zone, falls short of 10%.
- iii) Notwithstanding anything contained in the relevant provisions of the Development Control Regulations for the respective Municipal Corporation regarding the provision of Amenity Space in general, and also regarding permitting Residential User in Industrial Zone, it shall be obligatory on the Developer / Owner to develop the amenity space for users (hereinafter referred to as prescribed amenity users) such as School, Play Ground, Garden, Health Care Facilities, Multipurpose Hall, Auditorium, etc. with the approval of Municipal Commissioner of the Municipal Corporation, as per the specifications prescribed by the said Authority, subject to the condition that atleast 50% of such amenity space shall be kept for open users, before seeking Occupancy Certificate for the Free Sale Housing Component of the Scheme, failing which the land under such amenity space shall be handed over free of cost to the Planning Authority and such land shall be developed by the Municipal Commissioner of the Municipal Corporation for the aforesaid prescribed amenity users only.

No compensation in the form of TDR shall be admissible to the Owner / Developer for development of such prescribed amenities under this Regulation.

- iv) Irrespective of whether the Owner / Developer develops the prescribed amenity users as per the provisions of Clause (iii) above or fails to do so, the process of handing over the land under such amenity space, along with the developed prescribed amenities, where such prescribed amenities have been developed, shall be completed within one month from the date of application by the Developer / Owner for seeking Occupancy Certificate for the free sale Housing Component of the Scheme and if such handing over process is not completed within the said period, the Occupancy Certificate for the free sale Housing Component of the Scheme shall be withheld by the Municipal Commissioner of the Municipal Corporation, till

such amenity space, along with developed prescribed amenities, where such prescribed amenities have been developed, is handed over to the Planning Authority.

- (v) Under the Affordable Housing Scheme, there shall be a welfare hall and a Balwadi at the rate of 30 sq.mt. for every multiple or part of 200 residential units and an office for Managers/Co-operative Housing Society at the rate of 30 sq.mt. per every multiple or part of 500 residential units which shall be treated as a part of Affordable Housing Component and shall not be counted towards the FSI while computing 3.00 FSI on the site and shall be given along with layout/DP roads and shops, free of cost to the concerned ULB. These facilities shall be constructed at locations as suggested by the concerned ULB and shall be transferred free of cost to it.
6. Under the Affordable Housing Scheme, Off-Site Infrastructure Charges at the rate of 5% of the land rate as given in the Annual Statement of Rates (ASR) prepared by the Inspector General of Registration, Maharashtra State, for the year in which Commencement Certificate is issued, subject to a minimum of Rs. 2000 per sq.mt., shall be paid by the Developer for the built up area, over and above the normal permissible FSI. This amount shall be paid to the concerned ULB.
7. **Release of FSI under the Scheme shall be as follows:—**

FSI for Affordable Housing Component and the Free Sale Housing Component under the Scheme shall be released in accordance with the following Table

Sr. No.	Stages of Release of FSI	Affordable Housing Component*	Free Sale Component*
1.	On Grant of Building Permission/ Commencement Certificate up to plinth by ULB/Planning Authority to the Affordable Housing Project	3.00	1.00
2.	On Completion of 50% BUA of Affordable Component	--	0.75
3.	On Completion of 100% BUA of Affordable	--	0.75
4.	On handing over of 25% land and completed Affordable	--	0.50
	Total	3.00*	3.00*

* Explanation.—The FSI of 3.00 is to be calculated separately on the one-fourth of plot area for Affordable Housing Component as well as three-fourth of plot area for Free-Sale Housing component.

8. The Affordable Housing Component under the Scheme shall be handed over along with the ¼th part of the total plot of land, free of cost to the concerned ULB.
- 9.i The affordable Housing stock created under the Scheme shall be allotted by the concerned ULB as follows :-

Percentage	Allotment to	Category of stock	Rate of allotment
25	Respective ULBs for use as PAP Ownership Free of Cost tenements or Staff Quarters or Transit Accommodation.	Ownership	Free of cost
25	Outright sale to Government of Maharashtra and its statutory bodies/Govt undertaking for use as PAP tenements or staff quarters or transit Accommodation	Ownership	As per construction of ASR

25	Outright sale as affordable housing by MHADA subject to the general or specific direction of the Government	Ownership	Free of cost to MHADA which shall dispose of the same as per its policy and drawal of lots
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- 9.ii The Affordable Housing stock shall be disposed of as per the prevailing policy of MHADA regarding pricing and disposal of its housing Stock meant for affordable housing. Each Project approved under the Scheme shall be brought to the notice of the Government of Maharashtra and its statutory bodies/Government undertakings by means of Press Advertisement and if the Government of Maharashtra or any of its statutory bodies/ Government Undertakings doesn't place firm requirement for the housing stock earmarked for them in the Scheme before the Completion Certificate / Occupation Certificate for the said Scheme is issued, the same shall come to the share of MHADA for outright sale as per the Prevailing Policy of the MHADA.
10. i) The other aspects of the Development of Affordable Housing Scheme, not specifically dealt with hereinabove, shall be as per the relevant provisions of the Development Control Regulations of the respective Planning Authority.
- ii) It shall also be permissible for the Developer / Owner to utilise the FSI available for Free Sale Housing Component, fully / partly for any other user otherwise permissible as per Development Plan and Development Control Regulations.
- iii) In case owing to genuine hardship and site conditions, relaxation in marginal open spaces is sought by the Developer / Owner, the Municipal Commissioner of the Municipal Corporation may consider such request, using his discretionary powers under the Development Control Regulations, subject to the condition that in no case shall the clear marginal open space be reduced below 6.m. No premium shall be charged for granting such relaxation in marginal open spaces in respect of Affordable Housing Component of the Scheme.
11. No project under the Rental Housing Scheme envisaged under the said directives issued by the Government vide orders dated 6th August 2008, 25th August 2009, 4th November 2008 and 21st August 2008 shall be permitted after the date on which the Notice No. TPS-1212/79/C.R. 60/12/ UD-12, dated 30th November 2013 regarding this Regulation under section 37(IAA) of the Maharashtra Regional and Town Planning Act, 1966 was published in the Official Gazette (herein after referred to as 'the cut of date').

Provided that the Rental Housing Projects in respect of which Location Clearance had been granted by MMRDA, but Commencement Certificate has not been issued by the concerned Planning Authority, shall be allowed to continue, as such, in case such project proposals are resubmitted to MMRDA within a period of 30 days from the date of this Notification in the Official Gazette. All such project proposals received by MMRDA within the prescribed time limit shall be scrutinised by MMRDA on merit and submitted for the prior approval of the State Government for their continuance under the Rental Housing Scheme.

Provided further that the Rental Housing Projects already approved may be allowed to be converted into Affordable Housing Projects under the provisions of this Regulation, with prior approval of the State Government.

6.9. Quarrying Operations-

With the prior approval of the Commissioner, Mining or Quarrying operations may be permitted on following conditions:

1. (A) No quarrying operations shall be carried out without obtaining Development Permission of the Planning Authority under the provisions of the Maharashtra Regional and Town Planning Act, 1966.
- (B) The quarrying and mining operations shall be permitted outside CRZ and notified eco-sensitive zone and heritage precinct but only at specific locations decided by the competent

- authority. The development permission shall be granted subject to production of order to carry out these activities from the revenue authority concerned under the minor minerals act and NOC of the MPCB.
2. The application for Development Permission of quarrying shall include:
 - a) A location plan at 1:5000 scale of the quarry site and an area upto 500 meters around the quarry site showing important natural and manmade features and contours;
 - b) A site plan at 1 : 500 scale showing site boundaries, contours, all existing natural and man-made features such as hills, water courses, trees and other important landscape features, access roads, building and other structures;
 - c) Proposed excavation plan and cross sections at 1 : 500 or larger scale showing proposed phasing; terracing; stepping; benching slopes; locations of process equipment; diversion of water courses; impounding lake; storage areas for top soil, waste material, quarried material; workers housing; landscaping including screen planting, mounding and measures against visual intrusion etc.
 - d) A restoration plan including landscaping proposals, phasing and proposal for reuse of the area after quarrying;
 - e) A report supplementing the excavation and restoration plans, costs and implementation programme;
 - f) Scrutiny fee shall be paid by the owner;
 - g) Development Charge for the land under Quarrying shall be paid by the owner, as per the provisions of section 124B of the MR & TP Act 1966, at 0.50% of the rates of developed land mentioned in the A.S.R. of the Registration Dept. of the year in which permission is granted.
 3. No quarrying shall commence until the excavation plan is approved also by the Director of Geology and Mining, Government of Maharashtra, Nagpur.
 4. The Restoration Plan approved by the Planning Authority shall be carried out in consultation with concerned Conservator of Forest or District Forests Officer, and the Revenue Authority.
 5. Natural gradient of slope should be maintained during quarrying operations slope of the foot-wall side (Slope in the direction in which mining does not exist) should be properly organized by planting adequate trees of suitable species so as to have soil binding vegetation.
 6. In the case of murum quarrying entire weathered soil or murum shall not be excavated exposing hard rock ; instead, a capping of at least half a meter be left so that it can support vegetation and plantation that be done later on. Similarly, these operations shall not cause depression below the average ground level.
 7. Water course, if any from a higher slope, should be properly diverted out of quarry area so that minimum water flows into the quarry and is safely channelled out of any nearby human settlement.
 8. During quarrying operations, the water should be sprayed at least once in a day over the roads at quarry sites and nearby area.
 9. Kachha road leading to quarry site shall be invariably sprayed by water during the period when trucks use carrying murum. In addition, in order to minimize dust pollution, measures such as adoption of hoods at transfer points, vulcanizing of conveyer belt joints, under belt cleaning devices, apart from installation of dust extrication system for conveyance shall be adopted. The kachha road leading to the quarry shall have roadside plantation in order to arrest the dust pollution.
 10. No Quarrying and crushing shall be permitted if a highway or public road having width of 30m. or more, railway line or any human settlement is located within 200m. from the quarrying site. However, for quarrying with blasting operations, the distance shall be at least 500 m.
 11. Residences for labourers and related temporary structures should be constructed at least 500 meters away from the place of blasting as well as from the place of quarrying. Heavy blasting by use of heavy machinery shall be prohibited

12. The development permission for quarrying shall be granted for period of 1 year and may be revalidated every year for a maximum period of 3 years. After this fresh permission for further quarrying will be necessary. In granting such fresh permission, the Planning Authority shall have regard to the applicant's performance in observing the approved excavation and restoration plans, and in carrying out the quarrying operations in accordance with these guidelines.

6.10. Provisions of Facilities for Physically Challenged Persons

a) Definitions-

- i) Non-ambulatory Disabilities: – Impairments that, regardless of cause or manifestation, for all practical purposes, confine individuals to wheelchairs.
- ii) Semi - ambulatory Disabilities: - Impairments that cause individuals to walk with difficulty or insecurity, individuals using braces or crutches, amputees, arthritics, spastics, and those with pulmonary and cardiac ills may be semi-ambulatory.
- iii) Hearing Disabilities:- Deafness or hearing handicaps that might make an individual insecure in public areas because he is unable to communicate or hear warning signals.
- iv) Sight Disabilities: - Total blindness or impairments, which affect sight to the extent that the individual, functioning in public areas, is insecure or exposed to danger.
- v) Wheel Chair: - Chair used by disabled people for mobility. The standard size of wheel chair shall be taken as 1050 mm x 750 mm.

b) Scope-

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

c) Site development

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

1. Access Path / Walk Way:- Access path from plot entry and surface parking to building entrance shall be minimum of 1800 mm wide having even surface without any steps. Slope, if any, shall not have gradient greater than 5%. Selection of floor material shall be made suitably to attract or to guide visually impaired persons (limited to coloured floor material whose colour and brightness is conspicuously different from that of the surrounding floor material or the material that emits different sound to guide visually impaired persons: hereinafter referred to as "guiding floor material" (Annexure-I). Finishes shall have a non-slip surface with a texture traversable by a wheel chair. Curbs wherever provided should blend to a common level.
2. Parking:- For parking of vehicles of handicapped people, the following provisions shall be made-
 - a) Surface parking for two car spaces shall be provided near entrance for the physically handicapped persons with maximum travel distance of 30.0 m. from building entrance.
 - b) The width of parking bay shall be minimum 3.6 meter.
 - c) The information stating that the space is reserved for wheel chair users shall be conspicuously displayed.
 - d) Guiding floor materials shall be provided or a device, which guides visually impaired persons with audible signals, or other devices, which serves the same purpose, shall be provided.

d) Building requirements

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

- i) **Approach to plinth level** - Every building should have at least one entrance accessible to the handicapped and shall be indicated by proper signage. This entrance shall be approached through a ramp together with the stepped entry.
- ii) **Ramped Approach** ~ Ramp shall be finished with non-slip material to enter the building. Minimum width of ramp shall be 1800mm with maximum gradient 1:12. Length of ramp shall

- not exceed 9.0 meter having 800mm high hand rail on both sides extending 300mm beyond top and bottom of the ramp. Minimum gap from the adjacent wall to the hand rail shall be 50mm.
- iii) **Stepped Approach:-** For stepped approach size of tread shall not be less than 300mm and maximum riser shall be 150mm. Provision of 800mm high hand rail on both sides of the stepped approach similar to the ramped approach.
- iv) **Exit/Entrance Door:-** Minimum & clear opening of the entrance door shall be 900mm and it shall not be provided with a step that obstructs the passage of a wheel chair user. Threshold shall not be raised more than 12mm.
- v) **Entrance Landing:-** Entrance landing shall be provided adjacent to ramp with the minimum dimension 1800mm x 2000mm. The entrance landing that adjoins the top end of a slope shall be provided with floor materials to attract the attention of visually impaired person's (limited to coloured floor material whose colour and brightness is conspicuously different from that of the surrounding floor material or the material that emits different sound to guide visually impaired persons hereinafter referred to as "guiding floor material" (Annexure-I). Finishes shall have a non-slip surface with a texture traversable by a wheel chair. Curbs wherever provided should blend to a common level.
- vi) **Corridor connecting the entrance / exit for the handicapped:** The corridor connecting the entrance / exit for handicapped leading directly outdoors to a place where information concerning the overall use of the specified building can be provided to visually impaired persons either by a person or by signs, shall be provided as follows:
- Guiding floor materials* shall be provided or device that emits sound to guide visually impaired persons.
 - The minimum width shall be 1500mm.
 - In case there is a difference of level, slope ways shall be provided with a slope of 1:12.
 - Hand rails shall be provided for ramps/slope ways.
- vii) **Stair-ways** - One of the stair-ways - near the entrance / exit for the handicapped shall have the following provisions:
- The minimum width shall be 1350 mm
 - Height of the riser shall not be more than 150 mm and width of the tread 300mm. The steps shall not have abrupt (square) nosing
 - Maximum number of risers on a flight shall be limited to 12.
 - Hand rails shall be provided on both sides and shall extend 300 mm on the top and bottom of each flight of steps.
- viii) **Lifts** -Wherever lift is required as per bye-laws, provision of at least one lift shall be made for the wheel chair user with the following cage dimensions of lift recommended for passenger lift of 13 persons capacity of Bureau of Indian Standards.
- | | |
|----------------------|---------|
| Clear internal width | 1100 mm |
| Clear internal width | 2000 mm |
| Entrance door width | 900 mm |
- A hand rail not less than 600mm long at 1000mm above floor level shall be fixed adjacent to the control panel.
 - The lift lobby shall be of an inside measurement of 1800 mm x 1800 mm or more.
 - The time of an automatically closing door should be minimum 5 seconds and the closing speed should not exceed 0.25 m/sec.
 - The interior of the cage shall be provided with a device that audibly indicates the floor, the cage has reached indicates that the door of the cage of entrance/exit is either open or closed.
- ix) **Toilets** -One special W.C. in a set of toilets shall be provided for the use of handicapped with essential provision of washbasin near the entrance for the handicapped.
- The minimum size shall be 1500 mm x 1750 mm.
 - Minimum clear opening of the door shall be 900mm and the door shall swing out.
 - Suitable arrangement of vertical/horizontal handrails with 50 mm clearance from wall shall be made in the toilet.

- d) The W.C. seat shall be 500mm from the floor.
- x) **Drinking Water:-**Suitable provision of drinking water shall be made for the handicapped near the special toilet provided for them.
- xi) **Designing for Children:-** In the buildings meant for the pre-dominant use of the children, it will be necessary to suitably alter the height of the handrail and other fittings & fixtures, etc.

e) Explanatory notes:-

1) Guiding / Warning Floor Material:

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

- a) The access path to the building and to the parking area.
- b) The landing lobby towards the information board, reception, lifts, staircases and toilets.
- c) Immediately at the beginning/end of walkway where there is a vehicular traffic.
- d) At the location abruptly changing in level or beginning/end of a ramp.
- e) Immediately in front of an entrance/exit and the landing.

2) Proper signage:-

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

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

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

6.11. Conservation of Heritage Buildings / Precincts / Natural Features

This Regulation shall be known as Regulation for Conservation of buildings, artifacts, structures, areas and precincts of historic and /or aesthetic and / or cultural significance or sites of scenic beauty including points of walks, rides and bride path (heritage buildings and heritage precincts) and /or natural features of environmental significance.

6.11.1. Applicability:-

This regulation will apply to those buildings, artifacts, structures, areas and precincts of historical and / or aesthetical and/or architectural and / or cultural significance (hereinafter referred as Listed Buildings / Heritage Buildings and listed Precincts / Heritage precincts) and those natural features of environmental significance and or of Scenic Beauty including sacred groves, hills, hillocks, water bodies (the land areas adjoining the same), open areas, wooden areas, sthalariksha points, walks, rides, bride paths etc. (hereinafter referred to as "Listed natural features") which are listed in notification to be issued by the Central, State Government or Municipal Corporation. The list issued in the notification shall be hereinafter referred to as the said list.

6.11.2. Restriction on Development, Redevelopment / Repairs, etc.:-

- i) No development or redevelopment or engineering operations or additions, alterations, repairs, renovation including painting of building, replacement of special features or plastering or demolition of any part thereof of the said listed buildings or listed precincts or listed heritage streets or listed natural features shall be allowed except with prior written permission of the Municipal Commissioner. Before granting any such permission, the Municipal Commissioner shall consult the Heritage Conservation Committee to be appointed by the State Government (hereinafter referred to as the said Heritage Conservation Committee) and shall act on the advice of the Heritage Conservation Committee.
- ii) In relations to religious buildings in the said list, the changes, repairs, additions, alterations an renovations required on religious grounds mentioned in sacred texts, or as a part of holy practices laid down in the religious codes may be treated as permissible, subject to their being in accordance and in consonance with the original structure and architecture, designs, aesthetics and other special features thereof. Provided that while considering applications for such changes, repairs, additions, alterations and renovations, the Municipal Commissioner shall act on the advice of the Heritage Conservation Committee.
- iii) Provided that before granting any permission for demolition or major alterations / additions to listed buildings (or buildings within listed precincts) streets or construction of any listed natural features or alterations of boundaries of any listed features objections and suggestions from public shall be invited and duly considered by the Heritage Conservation Committee
- iv) Provided that in exceptional cases, for reasons to be recorded in writing, the Municipal Commissioner may overrule the advice of the Heritage Conservation Committee. Provided further that power to overrule the advice of the Heritage Conservation Committee shall not be delegated by Municipal Commissioner to any other officer, provided further the Municipal Commissioner shall take the prior approval of Government before overriding the advice of Heritage Conservation Committee.

6.11.3. Preparation of List of Heritage Building, Heritage Precincts, Listed Natural Features;

- i) The Government/Commissioner in consultation with the Heritage Conservation Committee shall prepare list of new buildings, artifacts, areas and precincts of historic and/or cultural significance and the list of those natural features of environmental significance including sacred groves, hills, hillocks, water bodies (and areas adjoining the same), open areas, wooden areas, sthalarikshaws, viewpoints, walks, rides, bridle path and/or area of scenic beauty etc. The list so amend or newly prepared to which this regulation apply shall not form the part for the purpose of Section 37 of Maharashtra Regional and Town Planning Act of 1966but procedure as mentioned below shall be followed before finalizing such list .
- ii) The Municipal Commissioner shall issue public notice in the local newspaper declaring his intention to include the buildings, artifacts, areas and precincts of historic and / or cultural significance and the list of natural features of environmental significance, including sacred groves, hills, hillocks, water bodies, land and areas etc. and invite objections and suggestions from any persons in respect of the proposed inclusion within a period of thirty days from the date of such notice.
- iii) The Municipal Commissioner shall issue notice to the owners of the buildings, artifacts, areas and precincts of historic and / or cultural significance etc., and invite objection or suggestions from such person in respect of proposed inclusion within 60 days from the date of such notice.
- iv) The Municipal Commissioner on receipt of any objection or suggestion shall decide the same after giving hearing to the Objector and finalised it after taking approval from the Government. For finalizing such list the procedure under Section 37 need not be necessary. After approval from the Government such list shall be the final heritage list.

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6.11.4. Amendments in Heritage list:

Provided that the Municipal Commissioner may supplement or amend the list from time to time either suo motto or on the advice of the Heritage Conservation Committee after following the procedure mentioned in this regulation.

- i) The Municipal Commissioner shall frame special Regulation for the Heritage precincts or listed buildings. The special separate regulations for precincts, the draft of the same shall be published in the official gazette and in leading newspapers for the purpose of inviting suggestions from the public. All suggestions and objections received within a period of 60 days from the date of publication in the official gazette and or newspapers shall be considered by the Municipal Commissioner.
- ii) After consideration of the above suggestions and objections, the Municipal Commissioner shall modify the aforesaid draft regulations for precincts, and forward the same to the Government for sanction.
- iii) Provided that pending consideration of suggestion and objections and pending final sanction from the Government to the above draft special regulations for precincts, the Municipal Commissioner shall have due regards to the above draft special regulations while considering applications for development / redevelopment etc. of heritage buildings / heritage precincts.
- iv) The Municipal Commissioner while framing the Development Control Rules or the Bye-laws shall prescribe the Road widening line so as to protect and not to detract from the said Heritage Precincts or listed natural features.
- v) If there are any new roads or road widening lines proposed in the Draft or Sanctioned Regional Plan / Revised Draft / Sanctioned Development Plan of City, the Municipal Commissioner shall consider the heritage provisions and environmental aspects while considering applications for development permissions in these precincts.
- vi) If there are any Development Plan / Regional Plan reservations shown on heritage buildings, or on listed natural features the same shall not be implemented. If required, the Municipal Commissioner on the advice of the Heritage Conservation Committee shall move Government to get these reservations deleted / modifying the said reservation, the Municipal Commissioner shall cause notice to be published in local newspaper inviting objections for such deletion or modification.
- vii) The Municipal Commissioner, on the advice of the Heritage Committee may amend or modify the Special Regulation, after notice to the public and with the sanction of the State Government.

6.11.5. Power to alter, modify or relax Regulations:

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

6.11.6. Restriction on development of Heritage Precincts or Listed Buildings:

- i) No permission for Development, alteration, modification etc., shall be granted to any person in respect of any Heritage precincts or Listed Building, except with the advice of the Heritage Conservation Committee.
- ii) The Municipal Commissioner may grant permission for development, alteration, modification etc. subject to provisions made under special Regulations framed for Heritage Precincts of the listed buildings.
- iii) If application for development, alteration, modification of the Heritage precincts or listed buildings is rejected under this regulation or under the Special Regulation or while granting such permission, any conditions are imposed on the owner which deprives him to use the FSI, the said owner shall be compensated by grant of Development Right Certificate.

- iv) The owner of the Heritage / Listed Buildings shall be entitled to use the said Development Right anywhere in the city subject to conditions in the Development Right Certificate and the regulations as may be prescribed by the Government from time to time.

6.11.7. Grant of Transferable Development Rights in cases of loss of Development Rights:

- i) After the commencement of this Regulation, the Heritage Precincts or Listed Buildings shall not be permitted to be used for any commercial or office purpose except with the permission of the Heritage Conservation Committee. However, in cases of buildings included in the Heritage Conservation List, if the owner / owners agree to maintain the listed Heritage building as it is in the existing stage and to preserve its heritage with due repairs, the owner / owners may be allowed, with the approval of the Heritage Conservation Committee to convert part or the whole of the non-commercial to commercial / office use. Provided that if the heritage building is not maintained suitably or if the heritage value of the building is allowed to be spoiled in any manner, the Municipal Commissioner shall withdraw the permission forthwith.
- ii) Regulation for grant of Transferable Development Rights to owners / lessees of heritage buildings / heritage precincts and conditions for grant of such T.D.R. shall be as stipulated under these regulations.

6.11.8. Maintaining Skyline:

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

6.11.9. Restrictive Covenants:

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

6.11.10. Repair Fund:

With a view to give monetary help for repairs of heritage buildings, separate fund may be created which would be kept at disposal of the Municipal Commissioner, who will make disbursement from the funds on the advice of the Heritage Conservation Committee. Provisions for such fund may be made through District Planning and Development Council's Budget

6.11.11. Grading of Listed Buildings / Listed Precincts

The Municipal Commissioner shall classify the Heritage Precincts, Heritage Buildings in "Grades" such as I,II,III. The meaning of these grades and basic guidelines for development permissions are as follows:-

Listing does not prevent change of ownership or usage. However, such usage should be in harmony with the said list precinct buildings. Care will be taken to ensure that the development permission relating to these buildings is given without delay.

GRADE I	GRADE II	GRADE III
A) Definition		
Heritage Grade I – comprises buildings and precincts of national / historic importance, embodying excellence in architectural style, design	Heritage Grade II- (A&B) – comprises buildings & precincts of local importance possessing special architectural or aesthetic merits or cultural or historical	Heritage Grade III- comprises building and precincts of importance for townscape; they evoke architectural aesthetic or sociological interest though not as

technology and material usage; they may be associated with a great historical event, personality movement or institution. They have been, and are the prime landmarks of the region. All natural features shall fall within Grade I.	value, though of lower order than that of Heritage Grade-I. They are local landmarks contributing to the image and identity of the region. They may be the work of master craftsman or may be models of proportion and ornamentation or design to suit particular climate.	much as in Heritage Grade-II. These contribute to determine the character of the locality and can be representative of lifestyle of a particular community or region and may also be distinguished by setting on a street line or special character of the facade and uniformity of height, width and scale.
B) OBJECTIVE		
Heritage Grade-I richly deserves careful preservation.	Heritage Grade-II deserves intelligent conservation.	Heritage Grade-III deserves intelligent conservation (though on lesser scale than Grade-II) protection of unique features and attributes.
C) SCOPE FOR CHANGES		
No interventions would be permitted either on the exterior or interior unless it is necessary in the interest of strengthening and prolonging the life of the buildings or precincts or any part or features thereof. For this purpose, absolutely essential and minimum changes would be allowed and the must be in accordance with the original.	GRADE-II(A):Internal changes and adaptive reuse and external changes may by and large be allowed but subject to strict scrutiny. Care would be taken to ensure the conservation of all special aspects for which it is included in Heritage Grade-II.	External and internal changes and adaptive reuse would by and large be allowed. Changes can include extensions and additional buildings in the same plot or compound. However, any changes should be such that they are in harmony with and should be such that they do not detract from the existing heritage building precinct.
	GRADE-II(B)	
	In addition to the above, extension or additional building(s) in the same plot or compound may, in certain circumstances, be allowed; provided that, such extension /additional building is in harmony with (shall not detract) the existing heritage building(s) or precincts, especially in terms of height and/or facade.	
D) PROCEDURE		
Development Permission for changes would be given by the Commissioner on the advice of the Heritage Conservation Committee to be appointment by the State Government.	Development Permission for changes would be given by the Commissioner on the advice of the Heritage Conservation Committee to be appointed by the State Government.	Development Permission for changes would be given by the Commissioner on the advice of the Heritage Conservation Committee to be appointed by the State Government.

E) VISTA / SURROUNDING DEVELOPMENT		
All developments in areas surrounding Heritage Grade-I shall be regulated and controlled, ensuring that it does not mar the grandeur of or view from, Heritage Grade-I	All developments in areas surrounding Heritage Grade-II shall be regulated and controlled, ensuring that it does not mar the grandeur of or view from, Heritage Grade-II	All developments in areas surrounding Heritage Grade-III shall be regulated and controlled, ensuring that it does not mar the grandeur of or view from, Heritage Grade-III

6.11.12. Signage and Outdoor Display Structures including Street Furniture :-

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

Provided however that for good sufficient reasons to be recorded in writing the Commissioner in consultation with the Heritage Conservation Committee may give directions in specific cases in regard to grant of permission, conditional grant of permission or refusal of permission. These directions shall be binding.

- ii) Additional conditions:-

In addition to above, the following non/flashing neon signs with illumination not exceeding 40 watt light may be permitted as advertising signs.

- One name plate with an area not exceeding 0.1 sqm. for each dwelling unit.
- For other uses permissible in the zone, one identification sign or bulletin board with an area not exceeding 10 sqm. provided the freight does not exceed 1.5 sqm.
- For sale' or 'for rent' signs for real estate, not exceeding 2 sqm. in area.
- Non-flashing business signs placed parallel to the wall and not exceeding 1 m. in height for the establishment.
- Flashing or non-flashing business signs parallel to the wall not exceeding 1 m. in height provided such signs do not face residential building.

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

Notwithstanding the provisions of sub-clause 15.1 and 15.2 no advertising sign or display structures shall be permitted on buildings of architectural, aesthetic, historical or heritage importance, or in heritage precincts as may be decided by the Commissioner, on Government buildings, so that, in the case of Government buildings, only advertising signs or outdoor display structures relate to the activities for the said building's own purposes or related programs.

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

6.11.13. Composition of Heritage Conservation Committee:-

There shall be Heritage Conservation Committee for each corporation. The Committee shall be nominated by the State Government. The Committee shall comprise of members with following qualification:-

6.11.13-A - Composition of Heritage Conservation Committee

1	Expert member with relevant experience, being a retired Secretary to the State Government, or retired Municipal Commissioner or retired Divisional Commissioner or a Heritage Conservation expert, having 15 years' experience.	Chairman
2	Eminent Structural Engineer having experience of ten years in the field of conservation and having membership of the Institute of Engineers.	2 members
3	Eminent Architect / Urban Designer / Heritage Conservation Architect having 10 years' experience in conservation architecture and membership	2 members

	of the Council of Architecture / a representative of Institution having expertise in Heritage conservation	
4	Environmentalist having in-depth knowledge and experience of 10 years in the subject matter.	1 member
5	Expert in the field on History, having 10 years' experience in the Field.	1 member
6	Representative of NGO with proven Experience in heritage conservation.	1 member
7	Representative of the Department of Archaeology, Government of Maharashtra.	1 Member
8	Representative of Archaeological Survey of India.	1 Member
9	Joint Director of Town Planning of the Concerned Division	Member
10	Commissioner/Additional Commissioner of concerned Municipal Corporation	Member Secretary.

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

The terms of reference of the Committee shall be, inter alia,

- i) To advise the Municipal Commissioner whether Development permission should be granted under this Regulation and the conditions of such permission.
- ii) To prepare supplementary list of buildings, artifacts structures, areas precincts of historic aesthetic, architectural or cultural significance and a supplementary list of natural features of environmental significance including sacred groves, hills, hillocks, water bodies (and the areas adjoining the same), open areas, wooded areas, sthalariksha etc. to which this Regulation would apply.
- iii) To advise whether any relaxation modification, alteration or variance of any of the Development Control Regulations / Building Bye-laws, is called for.
- iv) To suggest amendments, changes or special regulations or modifications to special regulations and to advise the Municipal Commissioner regarding the same.
- v) To advise on the extent of Development Rights Certificates to be granted to the owners of listed Buildings or Heritage Precincts.
- vi) To advise whether Development Rights Certificates may be allowed to be consumed in a heritage precinct.
- vii) To advise whether to allow commercial / office user of any listed building of Heritage Precincts, and when to terminate the same to advise the Commissioner to regulate erection of outside advertisement / bill boards.
- viii) To recommend to the Commissioner guidelines to be adopted by those private parties who sponsor beautification schemes at Public intersections and elsewhere.

- ix) To advise the Municipal Commissioner to evaluate the cost of repairs to be given to the owners to bring the existing buildings back to the original condition. For this purpose the Committee may also try to help the Municipal Commissioner to raise funds through private resources.
- x) To prepare special designs and guidelines for listed buildings and control of height and essential facade characteristics such as maintenance of the buildings and to suggest suitable design adopting new materials for replacement keeping the old form intact to the extent possible.
- xi) To prepare guidelines relating to design elements and conservation principles to be adhered to and to prepare other guidelines for the purpose of this regulation.
- xii) To advise the Municipal Commissioner on any other issue as may be required from time to time during course of scrutiny of development permissions and in overall interest of heritage / environmental conservation.
- xiii) To prepare special regulations for heritage precincts / and to advise the Municipal Commissioner regarding the same.

6.11.14. Appeal:

Any person aggrieved by any decision of Municipal Commissioner or Heritage Conservation Committee may prefer an appeal to the State Government within the time limit as stipulated in section 47 of MR& TP Act, 1966.

6.12. Redevelopment of Existing buildings belonging to EWS / LIG groups

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

- i) FSI to be allowed for such redevelopment proposal shall be base FSI permissible under these regulations or the FSI consumed by the existing authorized building whichever is more. In addition to this minimum **15 sq.m.** built up area per Residential flat shall be allowed as incentive to the owner excluding bungalow.
- ii) All the occupants of the old building shall be re-accommodated in the redeveloped building.
- iii) In case of fire gutted buildings the conditions of more than 30 years age of buildings shall not be made applicable, provided the structural stability certificate from nearest Govt. Engineering College shall be necessary.
- iv) The Committee comprises of Commissioner, Superintending Engineer, Public Works Department, State of Maharashtra, Joint Director, Town Planning, Chief Fire Officer, and the Head of department structural Engineering of Government Engineering College shall be set-up to decide whether the building is dangerous or dilapidated or Unsafe.
- v) Reconstruction of the building on the plot shall conform to the provisions of the sanctioned Development Plan and sanctioned Development Control Regulations.

6.13. Redevelopment of old dilapidated/dangerous buildings

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

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

However as per the road width if the potential of the Plot is more than what is mention above, then the balance potential available on plot after deducting rehab and incentive FSI may be allowed to be utilized to that extent by the way of TDR or Additional FSI in 50- 50 proportion subject to limitation of additional FSI as mentioned in Table No. 5 or 8, if any.

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

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

- (c) In case of fire gutted buildings the conditions of more than 30 years age of buildings shall not be made applicable, provided the structural stability certificate from nearest Govt. Engineering College shall be necessary.
- (d) The Committee comprises of Commissioner, Superintending Engineer, Public Works Department, State of Maharashtra, Joint Director, Town Planning, Chief Fire Officer, and the Head of department structural Engineering of Government Engineering College shall be set-up to decide whether the building is "dangerous or dilapidated or unsafe".

Note:-

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

6.14. Slum Rehabilitation Scheme

6.14.1. Short Title & Extent

These Regulations shall be applicable to the rehabilitation of hutment dwellers in the slums located in the area of the SRA Authority constituted under Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971

Definitions

- 1) "Slum" shall mean a slum, censused or declared and notified, in the past or hereafter under the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971 (hereafter termed as "the slum act or the said act"). Slum shall also mean an area or stretches of pavement hereafter notified or deemed to be notified and treated as slum rehabilitation area.
- 2) "Slum Rehabilitation Area" shall mean any area that fulfils the conditions laid down in section 4 of the slum act to qualify as slum area and has been censused or declared and notified as such, it shall be deemed to be and treated as Slum Rehabilitation Area.
- 3) Slum Rehabilitation Area shall also mean any area declared as such by the Chief Executive Officer of Slum Rehabilitation Authority appointed under the said act which preferably fulfils the conditions laid down in section 4 of the said act, to qualify as slum area and/or is required for implementation of any Slum Rehabilitation Scheme. Any area where a Slum Rehabilitation Scheme has been approved by the Chief Executive Officer of the Slum Rehabilitation Authority appointed by the Government (hereafter referred to as CEO, SRA) under Slum Act shall be deemed Slum Rehabilitation Area.
- 4) Any area required or proposed for the purpose of construction of temporary or permanent transit camps required for execution of SRS approved by the CEO, SRA shall also deemed to be treated as Slum Rehabilitation Area.
- 5) A "Pavement" shall mean any Municipal/Government/Semi-Government pavement, and shall include any viable stretch of pavement as may be considered viable for the purpose of Slum Rehabilitation Scheme.
- 6) A "Structure" shall mean all the dwelling areas of a protected occupier, as defined in Chapter I-B of Slum act and the orders issued there under.
- 7) A "Composite building" shall mean a building comprising both, rehabilitation and free-sale component and part thereof in the same building.
- 8) The "Chief Executive Officer" shall mean the officer appointed under section 3A of the Slum Act and empowered under Maharashtra Regional and Town Planning Act, 1966 as Planning Authority.
- 9) "Slum Rehabilitation Scheme(SRS)" shall mean a scheme for rehabilitation of hutment dwellers of one or more slum areas in accordance with the provisions of these regulations and shall include transit camps, infrastructure, amenities, rehabilitation component and free sale component of the development, as permitted on the area of SRS by the CEO, SRA.
- 10) "The Competent Authority" referred to hereinafter in this regulation shall mean the officer appointed under section 3 of the slum act.
- 11) "Gross plot area" shall mean total plot area.
- 12) "Net plot area" for the purpose of this regulation shall mean balance area derived after deducting from gross plot area, the area earmarked for road setback area, proposed road and any reservations under the Development plan of the corporation.
- 13) Net Plot Area" for the purpose of this Appendix shall mean balance area derived after deduction from the gross plot area, the area earmarked for road set-back area, proposed road and any reservations under Development Plan of the corporation.
- 14) Carpet area shall mean the net usable floor area, excluding the area that is covered by the walls including partition walls, if any, in the tenement.

- 15) Floor Space Index (FSI) or Floor Area Ratio (FAR) shall mean the quotient of the ratio of the combined built up area on all floors, excepting the areas specifically exempted from computation of F.S.I. under , to the *gross plot* area.
- 16) Recreation Ground (RG) shall mean any common open space required to be kept compulsorily in any layout and left permanently open to the sky, having access from any public pathway or public road.
- 17) Hazardous building shall mean any building or part thereof which is used for the storage, handling, manufacture, or processing of any Hazardous Material as defined in definition of the D.C. Regulation.
- 18) "Rehabilitation Component" shall mean area of all residential tenements as well as non-residential built-up premises to be given to the eligible hutment dwellers in accordance with the provisions of these Regulations and shall be inclusive of common areas, lobbies, staircase/(s) , lift/(s) & machine room/(s), passage/(s), welfare centre/(s), balwadi/(s), women's welfare centre/(s), society office/(s), incentive commercial area/(s) (if any), eligible amenity structure/s (if any) and permitted religious structure/(s) more particularly described in these Regulations.
- 19) "Free Sale Component" of SRS is the built up area that can be constructed against the incentive FSI in accordance with these Regulations, available in the form of FSI or TDR out of the total permissible FSI of the SRS (rehabilitation component plus incentive sale component in the ratio as prescribed in this Schedule) after deducting FSI required for rehabilitation.
- 20) "Beneficiary" shall mean a hutment dweller found eligible as protected occupier as defined in the Slum Act and orders issued there under.
- 21) "Annual Statement of Rates (ASR)" is the Annual statement of rates prepared by the Inspector General of Registration and Controller of Stamps, Maharashtra State, Pune
- 22) Terms and expressions other than those specifically defined herein shall have the same meaning as in the:
 - i) Maharashtra Regional and Town Planning Act, 1966.
 - ii) Comprehensive and Integrated Development Control Regulations for MMR and the Rules framed there under.
 - iii) Maharashtra Municipal Corporation Act 1949 and rules framed there under.
 - iv) National Building Code (2005) as amended from time to time.

6.14.2.3. Eligibility for Redevelopment Scheme

- i) For this purpose, a person eligible for redevelopment scheme shall mean a protected occupier as defined in Chapter IB of Maharashtra Slums Areas (Improvement, Clearance and Redevelopment) Act, 1971 and orders issued thereunder.
- ii) Subject to the foregoing provisions, only the actual occupants of the hutment shall be held eligible, and the so called structure-owner other than the actual occupant if any, even if his name is shown in the electoral roll for the structure, shall have no right whatsoever to the reconstructed tenement against that structure.
- iii) The eligibility of a person including a transferee, under a scheme of Slum redevelopment shall be established in accordance with Chapter IB of Maharashtra Slums Areas (Improvement, Clearance and Redevelopment) Act, 1971 and orders issued thereunder.
- iv) The names of the eligible hutment dwellers on private, Municipal and Government lands shall be duly certified by the Dy. Municipal Commissioner of the concerned corporation. The list of the names of eligible hutment dwellers on lands in possession of the Konkan Housing and Area Development Board or any other public/ semi-public authorities shall be duly certified by the respective land owning authorities.
- v) All eligible hutment dwellers residing on the area of the SRS shall have to be accommodated on the same plot as far as possible

6.14.3.4. Permissible FSI for SRS and Maximum FSI permissible for Consumption on the Plot under SRS:

- i) FSI for rehabilitation of eligible slum/pavement-dwellers includes the FSI for the rehab component and for the free sale component. The ratio between the two components shall be as laid down herein below as per regulation no. 6.14.11 (4)
- ii) Built-up area for rehabilitation component shall mean total construction area of rehabilitation component, excluding what is set down in 5.6 of D. C. Regulations, but including areas under passages, balwadis, welfare centres, society office, religious structures, other social infrastructure like School, Dispensary, Gymnasium run by Public authority or Charitable trust, 5 present incentive commercial areas for the Co-operative society, and the further 5 present incentive commercial area for the NGO, GOVT. / Public Authority / Govt. Company wherever eligible.
- iii) The ratio between the two components shall be as laid down herein below as per regulation no. 6.14.11 (4)
- iv) The Computation of FSI shall be done for both rehabilitation component and free sale component in the normal manner, by giving the benefits of what is set out in DC Regulations No. 5.6. While the area referred to in sub-regulation No.6.14.4 of this regulation shall not be included for computation of FSI. The said areas shall be included for computation of the rehabilitation component as per regulation no. 6.14.11 (4).
- v) FSI to be sanctioned on a Slum Rehabilitation Project on a site may exceed 3.00
- vi) Maximum FSI Permissible for Consumption on the Plot : Even though the sanctioned FSI may be more than 3.00 FSI, the maximum FSI that can be utilised on any slum-site for the project shall not 3.00 and the difference between sanctioned higher FSI and 3.00 if any, will be made available in the form of Transferable Development Right (TDR) in accordance with the provisions of Appendix W of D.C. Regulations. The computation of FSI shall be done for both rehab and free-sale components in the normal manner that is giving the benefit of what is set down in DC Regulations No. 5.6 While the areas referred in sub-regulations No. 6.14.4 of this Appendix shall not be included for computation of FSI the said areas shall be included for computation of the rehab component of 10 sqm as per regulation no. 6.14.11 (4).
Provided that if the existing tenement density is more than 650 per hectare, Govt. in Urban Development Department may allow FSI consumption in situ to be exceeded upto the sanctioned FSI but not exceeding 4.00 FSI. In such cases the difference between sanctioned higher FSI and 4.00 if any, will be made available in the form of Transferable Development Rights (TDR) in accordance with the provisions of Part 12 of the DCR.
- vii) Notwithstanding the provisions in 6.14.3 above, on account of constraints such as height restrictions, uneconomical site conditions, etc.; if the full 3.00 FSI cannot be used on the same site, TDR may be allowed as may be necessary even without consuming FSI upto 3.00 on the same site. However, TDR may be allowed only when the frame work for one complete building in rehab component is constructed or when 10% of the rehab component has been constructed on site and the said TDR will not exceed 50 percent of the construction of rehab component at any point of time till the total rehab component has been completed. On completion of the total rehab component balance TDR will be allowed.
- viii) The rehabilitation component shall mean all residential tenements as well as non-residential built-up premises given free of cost in accordance with the provisions of the Slum Rehabilitation scheme outlined in this regulation excluding what is set down in D.C. Regulation 5.6 and excluding built-up area given for buildable Development Plan reservations.
- ix) If rehabilitation project of a slum located on land belonging to public authority and needed for a vital public purpose, is taken up on an unencumbered plot in addition to the rehabilitation and free sale components as laid down hereinabove, TDR for the area of the land spared for this purpose shall also be sanctioned for the owner of the said unencumbered plot. Provided that the State Govt. or Public authority or a Govt. Company as defined in Sec. 617 of the Companies Act

1956 and owned and controlled by the State Govt. (herein after referred as the Agency) may undertake Slum Rehabilitation Project on its own land and be eligible for the benefits under this Regulation subject to following conditions :

- a) The Rehabilitation Project is approved by the Authority.
- b) The tenements so constructed in execution of the Project are offered to slum dwellers located on land belonging to Govt. or Public Authority and needed for vital public purpose and within 270 days from the date of issue of LOI the Agency shall identify the slum dwellers.
- c) If the Agency fails to identify the slum dwellers needed to be shifted for a vital public purpose, as above, then the tenements so constructed shall be offered.
 - i) To the slum dwellers located on land belonging to Government or Public Authority within a distance of 2 km. from the land on which the Project is undertaken, or
 - ii) To the slum dwellers located anywhere in the Corporation limit, on lands belonging to Govt. or Public Authority, or
 - iii) To the slum dwellers located on private lands if the land owner pays the entire cost of tenements as determined by the Agency.
- d) Provided further that in all the three categories of (i), (ii) & (iii) referred above, slum TDR of land component shall not be given and the construction TDR shall be released only after identification of eligible slum dwellers.
- e) Further provided that in all above cases the relocation of slum dwellers in any case will be undertaken not with reference to individuals but reference to assembly of slum dwellers for the purpose of releasing the plot of land wholly from slums and not only the patches of land.
- f) Development of slums on privately owned lands shall be regulated in accordance with this regulation.
- g) In case of developments undertaken by the Konkan Housing and Area Development Board/Collector, surplus tenements which come into their possession shall be used for accommodating project affected persons and footpath dwellers in consultation with the Municipal Commissioner.

6.14.4.4. Provisions for Amenities: Welfare Hall, Balwadi, Society Office, Religious Structures/ Incentive Commercial areas:

- i) Religious structures existing prior to rehabilitation, if allowed as part of rehabilitation in accordance with the guidelines issued by the Government from time to time, which shall not exceed the area that existed prior to rehabilitation. However FSI required for the same shall not be counted in the in-situ permissible FSI of Slum Rehabilitation Scheme(SRS).
- ii) There shall be a Welfare Centre and Balwadi admeasuring 25 sq.m each for every multiple or part of 100 hutment dwellers families in every SRS as part of the Rehabilitation Component. It shall be located so as to serve all the floors and buildings equitably. Further, two or more such welfare centres and Balwadi may be permitted to be clubbed together suitably for their better utility. In case of misuse of the Welfare Centre and or Balwadi by the members of the society, it shall be taken over by Municipal Commissioner and which shall be entitled to be allotted to run by any suitable organization/ institution for public use.
- iii) For all sites admeasuring more than 4000 sq.m. area 5% of the rehab component, shall be constructed for the Rehab society in the form of Convenience Shopping. Such shops shall not be more than 10 sq.m. in carpet area with a single floor height.
- iv) Convenient users like Vegetable market, Meat market, Fish market, Barber shop, Grocery shop, Milk Booth, Telephone Booth, Newspaper & Book stall, Stationary shop, Utility shop, Tailor shop, Canteen, Tea Stall etc. shall be permitted in these shops.
- v) The Rehab society shall own these Convenient Shops and shall generate Operation & Maintenance costs for rehab component through these by way of a transparent allotment and operation, accounting system to be prescribed by the Municipal Commissioner.

- vi) One society office of 12 sq. m. (free of FSI) per rehabilitation building for hutment dwellers shall be provided free of cost in every Slum Rehabilitation Schemes proposal. An attached toilet of 4 sq. m. area (free of FSI) may be permitted.
- vii) All the areas underlying welfare halls, society office, balwadi/s religious structure/s, the commercial areas given by way of incentives to the co-operative society shall be free of cost and shall form part of rehabilitation component and it shall be considered for incentive FSI computation for the free sale component as per this Regulation.
- viii) Welfare halls, society office, balwadi/s religious structure/s, the commercial areas given by way of incentives to the co-operative society provided in the rehabilitation component shall not be counted towards the FSI even while computing in situ permissible FSI of 3.00 on site as per this Regulation.
- ix) Other social infrastructure like School, Dispensary, Gymnasium run by any public authority or charitable trust that existed prior to the redevelopment shall be constructed under the Redevelopment Project in such a way that area of each reconstructed amenity is equal to the area of such amenity prior to the Redevelopment or the minimum area if any, prescribed for such amenity under the prevailing D.C. Regulations whichever is more.

6.14.5.5. Entitled area for eligible hutment dwellers:

- 1) Hutment-dwellers of residential users, in the slum or on the pavement, eligible in accordance with the provisions of this Appendix shall, in lieu of his structure, be given free of cost a residential tenement, having a carpet area of 25 sq. m (269 sq. ft.), which shall include living room, bedroom, kitchen/ alcove, bath and water closet, but shall exclude common areas.
- 2) **Commercial / office / shop / economic activity free of cost:**
 - i) The eligible existing area under commercial/office/economic activity shall be computed on actual measurement/inspection, and/or on the basis of official documents such as License under the Shops and Establishment Act, Electricity bills, Photopass etc.
 - ii) In the rehabilitation component, the built-up area for commercial /office/ shop/ economic activity that existed prior to 1st January, 2000, subject to the provisions in the sub-regulation below, shall be given. Where a person has both residential and commercial premises without common wall between residential and commercial premises, for commercial/office/shop/ economic activity in the slum/ pavement, he shall be held eligible for a residential unit and also for built-up area for commercial/office/shop/economic activity, both free of cost.
 - iii) Built up area for commercial/office/shop/economic activity upto 20.90 sq. m. (225 sq. ft.) carpet area or actual area whichever is less, shall be provided to the eligible person free of cost as part of the rehabilitation project. Any area in excess of 20.90 sq.mt. to the extent of existing area may, if required, be sold on preferential basis at the rate for commercial area in the free-sale component.
 - iv) Such area may be allowed on any side of the plot abutting 3.0 m wide pathway and deriving access from 3.0 m wide pathway/open space. Back-to-back shopping on ground floor shall also be allowed for the purpose of rehabilitation. After exhausting these provisions it may be allowed on the first floor to the extent necessary.
 - v) **Non-Conforming Activities:** All activities which previously existed shall be allowed to be relocated regardless of the non-conforming nature of the activities, except those which are hazardous and highly polluting, and except in cases where the alternative accommodation has already been allotted elsewhere by the Municipal Corporation.

6.14.6.6. Minimum Density On The Plot Including Non-Residential Units:

- i) **Minimum Density On The Plot Including Non-Residential Units:** The minimum density of rehabilitation component on plot shall be 500 tenements per net hectare, that is, after deducting all reservations actually implemented on site including the land appurtenant thereto, but not deducting the recreational/amenity open space on the remaining area. If the number of tenements to be provided to the hutment dwellers is less than the minimum, the balance shall be handed

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over free of cost to the. The Corporation shall use them for the purpose of transit or Project-affected persons or pavement-dwellers or slum dwellers from other slums.

- ii) Provided if slum rehabilitation scheme is undertaken by a Federation, Co- Op. Housing society consisting of members who are serving or retired State Govt. Employees/Employees of the State Govt. Undertakings/Employees of local bodies of State Government for providing housing to its members , such tenements which are generated over and above the tenements to be provided to the existing eligible hutment dwellers, shall be handed over back to the said Federation/Co-operative Housing Society for providing housing to its above mentioned members and subject to further additional terms and conditions as would be imposed by the Authority to ensure adequate membership of class III and class IV employees.
- iii) All non-residential built-up area shall be included in the computation of minimum density but on the scale total area of 25.00 Sqm per tenement or the area as notified by the Government from time to time.

6.14.7.7. Convenience shopping in SRS

Convenience shopping as defined in item 31 of Regulation 1.5 of DCR shall be permitted along the layout roads within the SRS having width of 9.00 mtrs and above, if a setback of 3m.is provided. This shopping provision would be in addition to the provision for shop area allowed according to the Regulation 6.14.4 (iii)

6.14.8.8. Notified slums on private lands

In case of notified slums on private lands, the Commissioner with the consent of the owners may invite quotations for redevelopment in terms of surplus tenements as provided in these Regulations from developers/ owners. In such cases, the owner would except a return based on the existing balance land potential. This potential would be the permitted FSI in that scheme minus the actual FSI consumed in the slum. In the quotations given by the owner, developer, it would be presumed that he would have taken into account this aspect, Therefore, while evaluating and comparing the quotations from the owner and other developers, necessary loading should be done for proper evaluation of the bids. In case, however, the consent of the owner is not forthcoming within the stipulated time in accordance with the above conditions, such land can be developed according to the scheme after following acquisition proceedings under the respective Act.

6.14.9.Approval to the scheme

Approval to the schemes in this Regulation shall be given by a Authority established in accordance with the provisions of Maharashtra Slum Areas (Improvement, clearance and Redevelopment) Act. 1971 and orders issued there under.

Note: Notwithstanding anything contained in this appendix, till the formation of Slum Redevelopment Authority for MMR region (Excluding Brihan Mumbai Municipal Corporation Area); the approval to SRS within the corporation limits shall be approved by Chief Executive Officer, Slum rehabilitation Authority, Mumbai.

6.14.10.Relaxation in Building and other requirements:

- i) Habitable Rooms - Size & Width – The minimum size and width for any habitable room shall be as per the following provisions:
 - a) Living room shall not be less than 7.5 sq.m with minimum width of 2.4m
 - b) Bed room shall not be less than 6.5 sq.m with minimum width of 2.4m
 - c) Multipurpose room if any shall not be less than 12.5 sq.m with minimum width of 2.4 m
- ii) Provision of a separate kitchen shall not be necessary where an alcove (cooking space with direct access from the main room without a communicating door) is provided of size not less than 2.4 sq. m with a minimum width of 1.2 m. If a separate kitchen is provided, it shall not be lesser than 3.30 sq. m. in area having a minimum width of 1.8 m.
- iii) Floor Height - The minimum clear floor height of habitable (room) shall be 2.75m (finished floor to finished ceiling) and toilet shall have a clear minimum floor height of 2.40m.

- iv) Plinth - The minimum plinth height shall be 45cm and in flood prone areas, the plinth shall be at least 30 cm higher than the Highest Flood Level.
- v) The marginal distances from the front, side and rear boundaries of the land shall be maintained as follows.
- If the slum rehabilitation site fronts upon one or more roads, every side abutting on such road shall be treated as the front side, and the marginal distances prescribed below for such front side shall apply. The front side marginal distances shall be measured from the proposed road widening line in the plot, if any.
 - In congested areas, the front side marginal distance shall be minimum 1.50 mt. for purely residential buildings and 2.25 mt. for mixed use buildings.
 - In non-congested areas, the front side marginal distance shall be minimum 4.50 mt. for purely residential buildings and 6.00 mt. for mixed use buildings.
 - Side and rear marginal distances from the side and rear boundaries of the plot shall be minimum 4.5 mt. with height upto 24 m for the building. It shall be increased proportionately with increase in height above 24 mt, but shall not exceed with 7.50m for with 40m height buildings. For building height more than 40 m to the extent of 25% relaxation in all marginal distances may be given. The marginal distances may be further relaxed by the Municipal Commissioner on the merits of each case.
 - Front marginal open spaces, for building having height upto 24.0 mt. in the rehab component or composite building shall be 4.5 mt and 6.00mts for buildings having height more than 24.0 mt.
 - The provisions in DCR relating to balcony will apply to the scheme with the following modifications. There shall be no restriction on zone and balcony shall not reduce marginal open space to less than 1.5 meters. For calculating the area of 25.00 sq. meters, the area of the balcony shall be included. Premium for such balconies shall be charged at 10% of the normal premium.
 - Lifts:
Provisions of Lifts for people as well as for accommodating stretcher, in any building under the Rehabilitation Component, shall be as per the following table:

Sr.No	Height of Building	Minimum No. of lifts	
		General Lift	Stretcher Lift
1	Up to G + 4	-	-
2	Up to G + 9	1	-
3	Up to G + 16	1	1
4	Above G + 16	2	1

- There shall be no size restriction for bath or water closet unit.
- Moreover for bathroom, water closet for kitchen there shall be no stipulation of one wall abutting open space, etc. as long as artificial light and ventilation through any means are provided.
- Common Passage: The minimum width of Common Passage in the Rehabilitation Component shall be 1.5 m Subject to the provisions of this Regulation. The area of common passage not exceeding 2.0 m in width provided in Rehabilitation Component shall not be counted towards the computation of permissible in situ FSI.
- For the plot abutting a road having width of 18 mt. or above, the front marginal open space shall be at least 6m provided that the road is not a Classified Road
- Where the plot abuts a nalla, the minimum marginal distance along the Nalla shall be 3 m from the edge of the trained Nalla and 4.00 Mt in case of untrained nalla
- Minimum distance between two Rehabilitation buildings shall be as follows:

- i) up to G+9 storeys ----- Min. 6.00m
- ii) above G+9 storeys ----- Min. 12.00m
- iii) & upto G+16 storeys
- iv) above G+16 storeys----- Min. 18.00m
- n) A composite building shall contain at least 50 % of the built-up area as rehabilitation components.
- o) In case where the dimensions prescribed are for the pathway and the marginal distances, the larger of the two shall prevail. The pathway shall serve as access wherever necessary. The construction of buildings may be permitted to touch the abutting pathways.
- p) Only because of use of stilt in the rehabilitation building if the height increase beyond 24 m, it shall not be considered high-rise building for the purpose of Fire Prevention Regulation.
- q) Premium shall not be charged for exclusion of staircase and lift-well etc. as covered under the provisions of D.C. Regulation for Rehab. Component.
- r) All relaxations outlined hereinabove shall be given to the rehabilitation component, and also to the composite building in the project
- s) In specific cases where genuine hardship is clearly demonstrated, Commissioner may grant relaxations wherever necessary for reasons to be recorded in writing in order to make the SRS viable.
- t) The ratio between the length of the pathway and the width thereof shall be as follows:

Length	Width
Up to 30 m	6.0 m
Above 30 m and Up to 50 m	7.5 m

- u) In water closet, flushing cisterns may not be necessary and toilets without this provision may be permitted. Water closet seat shall be of a minimum length of 0.46m (18 inches)
- v) Any parameters which are not dealt with separately shall be governed by the normal provisions of the D.C. regulations.

6.14.11.Guidelines for Scheme

In addition to above, following guidelines shall be applicable subject to the amendments as may be made by the Government from time to time

- 1) In case the Rehabilitation Schemes are to be implemented by the Corporation, Maharashtra Housing Area Development Authority (MHADA) or by other Public authorities like State/ Central Government Agencies, it would not be necessary to invite bids. In case such authorities decide to execute the project themselves, on their own lands or lands owned by other public bodies it will not be necessary to take Consent of Society of hutment dwellers.
- 2) **Ownership, Premium of ownership and Terms of Lease :-**
 - i) The part of Government/Corporation/MHADA land on which the rehabilitation component of the slum rehabilitation scheme will be constructed shall be leased to the co-operative Housing Society of the hutment dwellers on 30 years lease at the lease rent of Rs. 1001 for 4000 sq. m. of land or part thereof and renewable for a further period 30 years.
 - ii) The same conditions shall prevail for the land under the free sale component and the land shall be leased directly to the Society/Associations of the purchasers in the free sale component and not through the Society of hutment dwellers, and pending the formation of the society/association of the purchasers in the free sale component, it shall be leased to the developer. The said lease deed shall be executed within 60 days from the date of building permission being issued.
 - iii) In addition to above, the Developer/Co-operative Housing Society shall pay premium at the rate of Twenty Five percent in terms of Annual Statements of Rates in respect of Slum Rehabilitation Scheme proposed to be undertaken on lands owned by Govt., Semi-Govt., Undertakings and Local Bodies

3) Where land is leased or intended to be leased to a Co-operative Housing Society of hutment dwellers, by a public authority, bids may not be invited and the Co-operative Housing Society of the occupant hutment dwellers may submit a scheme for rehabilitation of huts as per the rules

4) F.S.I. & its permissible ratio

a) FSI for rehabilitation of eligible slum/ pavement dwellers includes the FSI for the rehab component and for the free sale component. The ratio between the two components shall be as laid down herein below:-

b) Built-up area for Rehabilitation component shall mean a sum of total built up area required for the Rehabilitation of eligible Slum-dwellers and P.A.P. Tenements, including areas of common passages (up to 2 Mt. in Width) ,Welfare centre/s, Balwadi/s, Society Office/s, incentive commercial area /(if any) and eligible amenity structure/s (if any) applicable as per policy from time to time.

c) Permissible sale component vis-a vis rehad component shall be 1.25:1 subject to maximum in-situ FSI of 3.

d) If the existing tenement density is more than 500 per hectare: Govt. in Urban Development Department may allow FSI consumption in Situ to be exceeded up to the sanctioned FSI but not exceeding 3.50 FSI . In such cases the difference between sanctioned higher FSI and 3.50 if any , will be made available in the form of Transferable Development Rights (TDR) in accordance with the provisions of Part 12 of D.C.R.

5) Initiation of the scheme:

The following procedure shall be adopted while examining and sanctioning any SRS in accordance with the provisions of this Regulation:

a) A certified extract of the relevant Electoral Roll shall be considered as evidence for establishing the eligibility of a person for rehabilitation provided he is found to be occupying any slum structure. In case of, doubt or dispute, the decision of Municipal commissioner shall be final and binding on all the parties concerned. The eligibility of a person including transferees under the SRS shall be established in accordance with Chapter I-B of the Maharashtra Slum Area (Improvement and Clearance and redevelopment) Act, 1971 and orders issues there under.

b) Where 70 present or more of the eligible hutment-dwellers in a slum or pavement in a viable stretch at one place agree to join a SRS, it may be considered for approval. Provided that nothing contained herein shall apply to Slum Rehabilitation Projects undertaken by the State Government or Public authority or as the case may be a Govt. Company as defined in Sec. 617 of the Companies Act 1956 and being owned & controlled by the State Government.

c) A physically handicapped person or widow household shall be given first preference in allotment of tenements to the hutment dwellers. Thereafter lots shall be drawn for allotment of tenements from the remaining tenements to the rest of the eligible hutment dwellers, before grant of OCC to the Rehabilitation Building.

d) Recovery of pending dues such as assessment, occupational charges, non-agricultural tax/ dues etc. Pending with State Government, concerned Corporation, shall not be linked to grant of approval or building permission to the SRS

e) Action under the provisions of the Slum Act, 1971, including Section 33/ 33A and 38 of the said Act shall be taken against any hutment dweller who is not willing to join the SRS within 15 days after approval on site has been granted for the SRS. The hutment of such a hutment dweller shall be removed and it shall be ensured that no obstruction is caused to the scheme.

In respect of those (eligible) hutment-dwellers on site, who do not join the project willingly, the following steps shall be taken:-

i) Provision for all of them shall be made in the rehabilitation component of the scheme.

ii) The details of the actual tenements that would be given to them by way of draw of lots for them on the same basis as for those who have joined the project, will be communicated to them in writing by the Managing Committee of the Co-operative Housing society if it is

registered or by the developer, and in case of dispute, decision of the Commissioner in this regards shall be final and binding on all the parties concerned..

- iii) The transit tenements that would be allotted to such unwilling hutment dweller would also be indicated along with the details of transit accommodation allotted to those who have joined the project.
 - iv) If such unwilling hutment dweller do not join the scheme within 15 days after the approval has been given to the Slum Rehabilitation Project on that site, then action under the relevant provision including sections 33/33A and 38 of the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act 1971 as amended from time to time, shall be taken and their hutments will be removed, and it shall be ensured that no obstruction is caused to the scheme of the majority of persons who have joined the scheme willingly.
 - v) After this action under the foregoing clause is initiated, such unwilling hutment dweller should not be eligible for allotment of transit tenement and they will not be eligible for the allotment of reconstructed tenement by draw of lots, but would only be entitled to what is available after others have exercised the choice which may be or may not be on the same site.
 - vi) If such unwilling hutment dwellers do not join till the building permission to the project is given, they will completely lose the right to any built-up tenement, and their tenement shall be taken over by the TMC and used for the purpose of accommodating pavement-dwellers and other hutment dwellers that cannot be accommodated in-situ etc. At this stage, the non-participating slum dweller shall lose their right to rehabilitation.
 - vii) Within 30 days from the allotment, if the permanent tenement is not occupied and transit camp is not vacated then the eligible dweller will lose his right to rehabilitate permanently.
- 6) Formation of Co-operative Society :**
- a) The eligible hutment dwellers including the PAPs nominated by the Commissioner will have to form a co-operative housing society after all members have fully paid their dues to the Corporation, MHADA etc. All the cost involved in connection with registration of the society will be borne by the eligible hutment dwellers.
 - b) The Managing Committee of the registered Co-operative Housing Society of hutment slum dwellers shall have at least one third women members out of total strength of actual members on the committee at any time.
 - c) The rehabilitation tenement shall be jointly owned by the Pramukh hutment dweller and the spouse, if applicable. The details of ownership including Share Certificate and other relevant documents, shall be so entered and shall be deemed to be so entered in the records of the Co-operative Housing Society (CHS),
 - d) The membership of the co-operative Housing Society should be finalized based on eligibility criteria in clause 6.14.2 of this Regulation as per Appendix 'J' certified by Competent Authority.
- 7) Responsibility of the Co-Operative Society :**
- a) The Co-operative Society shall be responsible for maintenance of facilities provided within the area leased to the society. The maintenance shall involve sweeping and cleaning of pathways, collection of household garbage and carrying it to the nearest municipal dustbin, maintenance and replacement of common conveniences, etc. The co-operative society will be entitled to levy a suitable charge on its members for this purpose.
 - b) Internal roads, pathways, common amenities etc. as shown in the layout of the colony will be provided as part of the original project. However the society will be responsible for maintaining the same.
 - c) The society shall be responsible for payment of municipal taxes and service charges such as those for water supply etc. and for any dues of any other competent authority from time to time.
- 8) Inalienability :**

The Corporation shall issue Identity Cards to each rehabilitated family in the name of the head of the family, jointly with his/ her spouse, if applicable. Selling/ Transfer/ Rent/ Lease of the rehabilitation

tenement shall not be allowed for a period of 10 years (except to their heirs) from the date of possession of the tenement. In case of breach, the corporation shall cancel the allotment of the dweller and take over the tenement. These conditions shall appear on the identity card as well.

9) Leasing of land:

- a) The land will be leased to the Society initially for a period of 30 years from the date of handing over the possession and same will be renewable thereafter at the discretion of the land owning authority. The lease will be on usual terms and conditions as applicable. The lease conditions shall be binding on all the members of the society.
- b) The annual lease rent shall be Rs. 1001/- per annum per 4000 Sq. Mt. or part thereof.

10) Possession of the tenements/shop :

Possession of the tenement/shop will be handed over to the hutment dwellers after.

- i) The society is registered.
And
- ii) Agreement to lease the land is executed by land owning authority with the society after completing necessary formalities.
And
- iii) After he/she has surrendered transit accommodation given to him/her, if any and has cleared all dues to the Corporation/MHADA/Govt. of Maharashtra.

11) Transit accommodation :

- a) Temporary Transit Tenement" shall mean habitable residential accommodation constructed from structures or such other material, in such a manner that it ensures safety of the inhabitants. Design criteria for structural elements of transit accommodation shall be similar to those of the rehabilitation tenements, with a minimum carpet area of 16.72 sq. mt. (180 sq. ft.) for each transit tenement.
- b) The Temporary Transit Tenements for rehabilitation of hutment dwellers may be allowed to be constructed on Rehabilitation site itself, or on any other land located within Corporation area
- c) The temporary transit camp may be provided anywhere in the Corporation area & if need be on the area of statutory open space to be left in accordance with D.C. Regulation No.4.4 on the plot or otherwise minimum monthly rent, Fixed by Commissioner shall be given by developer to eligible hutment dweller till allotment of permanent rehabilitation tenement.
- d) On the site itself approved for rehabilitation, multi storied temporary transit tenements may be allowed to be constructed
- e) The area of temporary transit tenements shall be excluded from the computation of FSI, but the safety of the structure shall be ensured.
- f) Such building permission shall be given within 30 days from the date of application and after approval to the project by Commissioner, failing which it shall be deemed to be given
- g) If a site reserved in Development Plan for any buildable public purpose is vacant or partly encumbered or it happens to be the unused portion of cemetery or other such public purpose for which it is reserved, or is occupied by a public building such as market or library etc. at ground level, temporary construction of transit tenements in such sites and on top of such existing public buildings may be allowed wherever possible.
- h) On any nearby vacant site without any reservation in the Development Plan construction of temporary transit tenements made of light material with the consent of the land owners shall be allowed upto FSI of 3.00. Temporary shall mean made of detachable material such as tubular / prefabricated light structures.
- i) In all such cases where the temporary transit camp is erected, the conditions shall be that structures shall be demolished by the Developer / Society/ NGO within 30 days of granting Occupation Certificate to the Rehab Buildings and the site should be brought back to the Original State.

12) Special guidelines for slums on private lands :

In addition to the general guidelines above which are applicable to the development undertaken by the Corporation, MHADA, other public authority on Government lands and private lands, following additional guidelines will have to be fulfilled in case of slums on private land and further subject to the provisions of clause 10 of this Appendix.

- a) Eligibility Criteria: The slum should be a slum area notified by the Dy. Municipal Commissioner.
- b) The owner/developer shall submit a list of eligible hutment dwellers who are proposed to be accommodated in the tenements to be constructed, to the Dy. Municipal Commissioner for his verification and certification. Form of certificate is attached at the end (Appendix 'J'-).
- c) The owner/developer will have to organise all the eligible hutment dwellers into co-operative housing society/ societies.
- d) In case of private lands partially occupied by slums, the owner will be allowed permissible F.S.I. as per these regulation on the proportionate areas of the plot occupied by the eligible hutment dwellers and he will be allowed to develop this land occupied by slums on the basis of area as certified by Dy. Municipal Commissioner and as per the guidelines prescribed for slum rehabilitation scheme as per this Appendix and the remaining vacant land will have to be developed as per the Development Control Regulations in force with permissible F.S.I.
- e) The rehabilitation of hutment dwellers will be carried out first before undertaking the development on the vacant land or taking benefit of vacant land.
- f) The accommodation for re-housing of eligible hutment dwellers will have to be constructed and allotted and possession be given to hutment dwellers before occupation of the accommodation for commercial sale is allowed.

13) Technical guidelines

Slums situated in lands falling under various reservations / zones in the Development Plan shall be developed in accordance with the provisions of regulation no. 12.1 of the D. C. Regulations except otherwise specifically prescribed under this Regulation.

Slums in any zone shall be allowed to be redeveloped in-situ without going through the process of change of zone. In the free-sale component in any zone, in addition to residential user, all the users permitted for original zone shall be permitted. For industrial user, the segregating distance shall be maintained from the existing industrial unit.

- a) Any plot under non-buildable reservations admeasuring only upto 500 sq.mtr. may be cleared by shifting the hutment dwellers from that site.
- b) Any plot under non buildable reservation admeasuring up to 2000 Sq. Mt. may be allowed to be developed for slum rehabilitation in accordance with this regulation subject to the condition that the land so used shall not be more than 75 percent of the reservation, and leaving the remaining 25 percent rendered clear thereafter for the designation or reservation as sanctioned in the Development Plan.
- c) Where the area of plot under non buildable reservation. either independently located or in a cluster with designated/reserved sites, is more than 2000 Sq. Mt upto 67percent of such lands may be allowed to be developed according to this regulation, but the remaining 33 percent, duly cleared off the Slums, shall be retained for the designation or reservation as indicated in the Development Plan.
- d) For other buildable reservations on lands under slum, built-up area equal to not more than 15% area of the entire plot under slum or 25% of the area under that reservation in that plot, whichever is less, shall be handed over free of cost to the Municipal Commissioner for the Concerned Municipal Corporation or for any other Appropriate Authority.
- e) Where DP road passes through slum rehabilitation area, the entire 100% FSI of the road may be given in the same site, on the remainder of the plot.
- f) Development of slum & contiguous non-slum area under any other provisions may be allowed together in order to promote flexibility of design as well as to raise more resources, provided the

FSI on non-slum quantum of area shall be restricted to that permissible in the surrounding zone. Such a project shall be deemed to be a Slum Rehabilitation Project. The power under DCR for shifting and/or interchanging the purpose of designations / reservations shall be exercised by the Municipal Commissioner in respect of slum rehabilitation areas/ projects.

- g) In case of two or more number of slums taken up for development by same owner/developer / NGO/ Co-operative Society of the hutment dwellers, both Rehab & free Sale Component of the said slums can be combined & located in any proportion in those plots provided in any plot, the permissible in-situ FSI does not exceed as prescribed in these regulations and further subject to the condition that the said slums have the same ratio of Rehab component to free sale component as laid down in this Appendix.
- h) In case of a slum rehabilitation project adjoining railway track, a boundary wall of minimum 2.4 mtr. in height shall be constructed.
- 14) **Building for Free-sale Component:** No restriction except that all the normal D.C. Regulations for such construction shall be applicable.
- 15) **Open spaces :**
The open space around the building should be paved upto 1mtr. width.
- 16) **Amenities :**
For plots exceeding 2 Ha area, provision of clause 6.14.4 read with Regulation 4.5 of DC Regulations shall apply.
- 17) **General guidelines for slum rehabilitation scheme to be developed by inviting bids from builders / developers by Public Bodies such as TMC, MHADA etc. :**
- i) The bidder will have to prepare and submit a layout for the entire land occupied by hutment dwellers distinctly showing on the plan, accommodation / buildings for rehousing hutment dwellers, project affected persons nominated by the Municipal Commissioner as per this regulation and additional guidelines and the accommodation / buildings for commercial sale.
- ii) The bidder will quote the maximum number of residential tenements of 25.00 Sq. Mt. in carpet area to be made available to the Corporation including supporting infrastructure as per specifications.
- iii) The land owning authority will form the co-operative societies of existing eligible hutment dwellers.
- iv) The selection of bidders will be on the basis of their capacity to provide transit accommodation, their experience of undertaking large scale building works and other resources at their disposal.
- 18) Notwithstanding anything contained in Regulation No. 4.4, only 10% recreational open spaces shall be required to be provided.
- 19) **Conversion of existing SRD Scheme to new modified S.R. Scheme :-**
- i) Conversion of old SRD scheme to new S.R. Scheme is permissible provided full occupation certificate has not been given in the SRD Scheme and in which the residential slum tenements proposed/constructed are of 269.00 sq.ft. carpet area. Also these Regulations shall be applicable to all the schemes where actual work is not commenced on site at the time of these regulations coming into force.
- ii) In Case of any Slum Redevelopment Scheme in progress and any Slum redevelopment scheme where LOI has been issued, envisaging construction of rehabilitation tenements having individual carpet area of 20.90 sq.mtrs., if full occupation permission has not been granted and if it is structurally feasible to provide rehabilitation tenements having individual carpet area of 25 sq. Mtrs. Without having to completely pull down and reconstruct the on-going rehabilitation building(s), the owner/developer/Co-op. Housing society of Hutment or pavement dwellers/Non-govt. Organisation/Public Authority executing such scheme in accordance with the provisions of this appendix only with regards to the size of tenement and loading of FSI in-situ.
- 20) **Amalgamation / subdivision of plots:-**
Any land declared as slum rehabilitation area or on which slum rehabilitation project has been sanctioned, if spread on part or parts of C.S. Nos. or CTS Nos. or S. No., shall be treated

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as natural amalgamation / subdivision /s of that C.S. or S. No. or F. P. No. for which no separate approval for amalgamation / subdivision of land would be necessary.

21) Boundaries of plot

- i) Boundaries and the measurement of plot areas of the Slum Rehabilitation Area shall be declared by the Competent Authority after actual measurement of plot area on site and the same shall be adopted for planning purpose for calculation of density and Floor Space Index.
- ii) The Municipal Commissioner of the concerned Municipal Corporation may if required, adjust the boundary, of the plot declared as slum rehabilitation area so as to suit the building design and provide proper access to the Project.
- iii) After approval is given to the Slum Rehabilitation Project, the area may be further subdivided, if necessary, to earmark separate plots for the rehab component and the free sale Component. The plot area and the built-up area in terms of square mtrs. on the said plot shall be separately mentioned in the lease agreements and Records of Rights.

22) Slum-rehabilitation permissible on town planning scheme plots

- i) Slum rehabilitation project can be taken up on the final plots of the Town Planning Scheme, as per following conditions.
- ii) If owner of Final Plot wishes to implement S.R. Scheme on partly or fully encroached area of final plot for which possession is not given to him by Corporation, he will be entitled to receive in-situ F.S.I. 3.00 on the plot under encroachment as per these regulation. For permissible F.S.I. computation, actual area covered by hutments will be considered.

6.15. Regulation for Urban Renewal Scheme(s)

6.15.1. "Urban Renewal Scheme" (URS)

Urban Renewal Scheme means any scheme for redevelopment of a cluster or clusters of buildings and structures in the Corporations of MMR Region, over a minimum area of 10,000 Sq. meters, bounded by existing distinguishing physical boundaries such as roads, nallas, railway lines etc. accessible by an existing or proposed D P road which is at least 18 m wide and identified for urban renewal:-

However, in specific cases, in which URS is not bounded by roads, nallas and railway lines, then the boundary of the cluster can be decided / finalized by Municipal Commissioner, in consultation with H.P.C.

In case of natural sub division by roads, nallas, river, railway lines, the area of the cluster can be allowed up to an area of 8000 sq. mtrs. Which shall be allowed by Municipal Commissioner in consultation with H.P.C.

- a) Under the Development Plan (DP), where the DP contains such well-defined Clusters; or
- b) Under the Urban Renewal Plan (URP) for the concerned area, prepared and notified by the Commissioner of concerned Corporation, who may revise the same, as and when required; or
- c) By the Promoter of the Urban Renewal Scheme over a cluster or clusters of buildings, where such clusters are not shown on the DP and the URP is yet to be prepared. If such plans are submitted and approved, these shall mean to be URP within the meaning of this Regulation.

6.15.2. Urban Renewal Cluster (URC)

Urban Renewal Cluster may consist of a mix of structures of different characteristics such as –

- i) Unauthorized buildings which are at least 30 years of age;
- ii) Authorized dilapidated buildings,
- iii) Authorized buildings which are at least 30 years of age;
- iv) Buildings belonging to the Central Government, the State Government, Semi-Government Organizations and Concerned Municipal Corporation, as well as institutional buildings, office buildings, tenanted municipal buildings, staff quarter buildings of the concerned Corporation, that are at least 30 years of age;

- v) Any land belonging to the State Government, any semi-Government Organization, concerned Corporation and MHADA (either vacant or built upon) which falls within the area of the proposed Urban Renewal Scheme including that which has been given on lease or granted on the tenure of Occupant Class II, provided that if built upon, these building shall be at least 30 years of age;
- vi) Any other buildings which may be less than 30 years of age but which by reasons of dis-repair or because of structural / sanitary defects, are declared unfit for human habitation or by reasons of their bad or sub-optimal configuration or the narrowness of streets are dangerous or injurious to the health or safety of the inhabitants of the area,
- vii) Slum areas declared as slums under section 4 of the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971 or slums on Public lands prior to 1.1.1995 or such other reference date notified by the Government;
- viii) In any proposed URC, any open plot is included and if the concerned owner is willing to participate in URS, the compensation payable shall be as per Land Acquisition, Rehabilitation and Resettlement Act, 2013.

Explanation - 1: Age of a building shall be as on the 1st of January of the year in which URS involving such building, complete in all respect is submitted to the Commissioner *of the concerned Corporation* or prepared and notified by the Commissioner *of the concerned Corporation* and shall be calculated from the date of occupation certificate or, where such occupation certificate is not available, from the date of assessment as per the property tax record in respect of such building, available with the *Corporation*.

Explanation- 2: If some authorized buildings which are less than 30 years of age or buildings which are developed or in the process of development, under the different provisions of the DCR, are required to be included in the URC for the purpose of wholesome planning, they may be so included, provided the area under such buildings does not exceed 40% of the total area of URC.

Provided further that if consent of at least 70% of all title holders of any such authorized developed building or building under-development is obtained, area of such building shall not be counted towards the aforesaid limit of 40%. If any such building is included in the URC without the requisite consent of 70% of all title holders of such building, the Commissioner *of the concerned Corporation* shall retain such building while designing/ sanctioning URS and area of such building shall be excluded from calculation of FSI under this Regulation.

Explanation-3: When any private land Owner / Developer submits URS, such scheme will be given priority while implementation.

6.15.3. Eligibility for Urban Renewal Scheme (URS) –

A. For Buildings outside Slums --

- (i) Every occupant of every building falling under a URS shall be eligible for rehabilitation and relocation under the Scheme to the extent of carpet area occupied on the date of publication of this Regulation in the Official Gazette (herein after referred to as the cut-off date), in accordance with the provisions of Sub-Regulations 6.15.5 and 6.15.6, subject to the ineligibility criteria mentioned herein below.
- (ii) No new Tenancy, occupancy or any other right created after the cut-off date shall be taken into account in any illegal or unauthorized construction. No unauthorized construction made after the cut-off date in any existing building or in the form of new building shall be considered while doing computation of existing FSI or liability of rehabilitation on the URS.
- (iii) Any occupant, who has been allotted any subsidized housing in the Mumbai Metropolitan Region by any public or semi-public authority in the past, shall not be eligible for subsidized rehabilitation under a URS as mentioned in Sub-Regulation 6.15.6 herein below. For this, a self-declaration in the form of Registered Affidavit shall be considered sufficient which, if ever found to be untrue, shall render the concerned allottee liable for eviction and prosecution.

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- (iv) Subject to the forgoing provisions, only the actual occupants fulfilling the eligibility criteria mentioned under this Regulation shall be held eligible for rehabilitation, and any person, other than the actual occupant, claiming rights as owner/ promoter/ developer/lessee over any land/ building/ structure included in the URS, shall have no right whatsoever to rehabilitation under the URS in the reconstructed tenements against such land/building/structure. In case of an unoccupied building or a building occupied illegally, no one shall have right whatsoever to rehabilitation under the URS, against such building/structure.
- (v) In case of buildings or lands belonging to the Central Govt., the State Government, Semi-Government Organizations and or MHADA or any Local Government or any Corporation or Company owned by the Central/State Government or any Local Government (hereinafter collectively referred to as Public Authority), prior consent of such Public Authority shall have to be obtained for their inclusion in the URS. For such lands or buildings, the Commissioner of the concerned Corporation may either offer Market Price, to be decided by mutual consent, subject to ratification by the Municipal Corporation, or may offer constructed area, in-situ or ex-situ, in a composite or independent building or may, alternatively, offer equivalent TDR as per DCR or may offer an exchange of suitable land as per mutual consent, subject to ratification by the concerned Corporation and thereafter such land(s) / building(s) shall vest with the concerned Corporation and shall form the part of URS.
- (vi) The lands belonging to MIDC can be included in the URS after obtaining necessary clearance from Industries Department.

B. For Slums --

Whenever a Slum area or part thereof is included in a URC, eligibility of the hutment dwellers of such slum area for rehabilitation under the URS, shall be in accordance with the provision of Regulation no. 6.14 and hutment dwellers, not eligible under the said provision, shall be considered for rehabilitation as per Clause A(i) of this sub regulation, i.e. as per the eligibility criteria under the URS for the occupants of other non-slum buildings. Eligibility of any hutment dweller of a Slum area included in the URS shall be certified by the Competent Authorities as notified under the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971.

6.15.4. Determination of eligibility and requirement of Rehabilitation and Relocation areas under URS:

- (i) Municipal Commissioner of the concerned Corporation shall initiate the process for determination of eligibility and requirement of alternative area of Rehabilitation and relocation of each occupant under any URS, along with determination of rights over lands falling under the Urban Renewal Cluster(s) and the consideration thereof.
- (ii) Municipal Commissioner of the concerned Corporation shall designate officer(s), not below the rank of class-II, who shall be called Authorized Officer(s) and shall cause to be done the survey required for the purpose mentioned in Clause (i) above and declare and publish the list of buildings/structures and their owners/lessees, occupants/ tenants etc., for inviting suggestions and objections along with relevant records, within one month of such publication for determination of entitled area and the consideration to be offered to the owners/ lessees and other right-holders as well as eligibility and admissible area for the occupants, in accordance with the provisions in this Regulation. Authorized Officer(s) shall, after due enquiry and hearing, finalize the said list(s) and cause the same to be published. Appeal against any decision leading to finalization of the said list shall lie with the Municipal Commissioner of the concerned Corporation.

6.15.5. Entitlement of Rehabilitation:

- (i) All the eligible occupants of the building(s)/slums undergoing redevelopment under a URS shall be rehabilitated in the redeveloped building(s) on the URC over which the URS is to be implemented.

Provided that the Municipal Commissioner of the concerned Corporation may also rehabilitate, in the rehabilitation buildings of the URS, one or more persons declared eligible for allotment of tenement under any other Scheme or Project of the Government or Corporation, outside the area of URS.

- (ii) Each eligible residential occupant, other than occupants of Slums included in URC, shall be rehabilitated on a carpet area equivalent to the area occupied by such occupant in the old building. However in case of residential occupants, such carpet area shall not be less than 30.00 Sqm.
- a. Any occupant of a slum structure included in URC, either residential or commercial, whether eligible under Regulation no 6.14 or ineligible therein but eligible under this Regulation, shall be entitled for a carpet area as prescribed in Regulation no 6.14 for occupants eligible under the said Regulation.
- b. All the eligible occupants shall be rehabilitated in the redeveloped buildings of URS as far as possible. However at the request of or with the consent of an occupant, he may be allotted alternative rehabilitation in a location outside URS, up to the extent of his eligibility, at the discretion of the Municipal Commissioner of the concerned Corporation. Request or consent under this provision shall however be irrevocable.

Explanation: Though Commissioner of the concerned Corporation shall endeavour to make provision for rehabilitation areas as per the entitlement of each and every eligible occupant, whenever such area, whether for residential user or non-residential user, within a range of 10% of the individual entitlement of any occupant, is not available in the URS, he shall be entitled for rehabilitation in an available tenement of immediately next higher area, subject to the allottee paying for the differential area as follows -

- (i) for residential areas up to 30.00 Sqm the cost of construction as prescribed in Annual Statement of Rates (ASR) and for residential area more than 30.00 Sqm at market value as per Annual Statement of Rates(ASR) and;
- (ii) for non-residential areas, at market value as per the Annual Statement of Rates(ASR) for the difference of area being allotted and that entitled.

If the beneficiary refuses to pay the specified amount towards such differential area, he will be entitled for an available rehabilitation tenement of immediately lower area, without any consideration towards such reduction in area.

6.15.6. Terms of Allotment of Rehabilitation Tenements -

- (i) Allotment of rehabilitation tenements for occupants shall be free of cost and without any consideration. For the original area and up to 25% of area shall be allowed for the occupants of the buildings, however, the cost of which will have to be paid by the occupant as per rate of construction mentioned in the corresponding Annual Statements of Rates.

If any commercial unit holder demands Residential Unit against his previous holding, such request may be considered by Commissioner in consultation with HPC. However, to consider such request shall not be obligatory on part of Municipal Corporation.

- ii) Any existing amenity in the URC on the date of coming into force of this Regulation which is under control of a private person/ organization and Charitable Trust/ religious organization shall be entitled for an area equal to the existing area of such amenity, subject to the following:
 - 1. for an amenity being used for commercial activities and under the control of private person(s)/ organization(s), allotment of equivalent area under URS shall be at 50% of ASR Rate for commercial area up to 40 Sqm and at 100% of ASR Rate for commercial area above 40 Sqm;
 - 2. for an amenity being used for commercial activities and in control of any Charitable Trust or religious organization for purpose of raising fund for public welfare activities, such allotment shall be free for area up to 40 Sqm and at 50% of ASR Rate for construction above 40 Sqm.

3. For an amenity having non-commercial nature (e.g. Educational / Health-care facility etc.) and under control of private person(s)/ organization(s) such allotment shall be at 25 % of ASR Rate for constructed area up to 40 Sqm and at 50% of ASR Rate for constructed area above 40 Sqm.
4. For an amenity having non-commercial nature, under the control of any Charitable Trust or religious organization, such allotment shall be free..

iii) **Process of Allotment to Beneficiaries and Conditions thereof:**

- 1) Process of allotment of tenements to beneficiaries, lease conditions including those pertaining to transfer, formation of co-operative housing societies and policy of maintenance of common amenities of buildings and layout as well as and policy regarding any other relevant matter shall be as determined by the concerned Corporation from time to time.
- 2) Allotment of rehabilitation tenements for owners and beneficiaries and allotment of non-rehabilitation component shall be on lease for a period of 30 years, which shall be renewable for further periods of 30 years at a time. This provision shall not apply for the authorised buildings constructed on private land.
- 3) Rehabilitation tenements allotted to beneficiaries shall not be transferable for first fifteen years, except with prior permission of Commissioner, who may grant such permission in case of hardship, on payment of premium as below:
 - a. for the transfer of Rehabilitation tenements allotted to Occupants belonging to the authorised buildings, no premium shall be charged;
 - b. for the transfer of Residential Rehabilitation tenements other than those covered under (a) above, and of carpet area less than 30.00SqM, premium shall be 10% of the differential amount calculated as per clause (d) below;
 - c. for the transfer of Residential and non-residential Rehabilitation tenements other than those covered under (a) and (b) above, premium shall be 25% of differential amount calculated as per explanation below.
 - d. Differential amount for the purpose of clause (b) and (c) shall be equal to difference in the Annual Statement of Rates (ASR) valuation in the year of transfer and the original consideration paid for the allotment of a Tenement brought forward to the year of transfer through capital inflation index.
- 4) In case of unauthorized transfer of any Rehabilitation tenement, the Commissioner may regularize the transfer by charging double the premium as mentioned above, with 12% interest from the date of transfer.
- 5) If the transferee refuses to pay the premium demanded within 3 months of demand, the Commissioner shall initiate process of vacating the premises, though in cases of willingness but hardship, Commissioner may grant instalments with 12% interest rate.

6.15.7. The permissible FSI for URS:

a) **Global FSI**

- 1) Total Permissible Global FSI over the area of a URS shall be double the value required for the rehabilitation of occupants as per their eligibility under this Regulation, or 4.00 whichever is higher. FSI shall be calculated over the gross area of the URC. Net area of URC shall be calculated after deducting area falling in CRZ and Forest areas if any. However, if the area in CRZ-II is 25% of the URC, the FSI shall be allowed to be used in non CRZ area. The area from CRZ-I shall be required to be deleted while calculating net plot area. In situ FSI on such net plot shall be maximum 4.00. Out of the construction area allowed as per Global FSI, FSI that cannot be actually utilized in URC, due to constraints imposed by different provisions of DCR, or otherwise, shall be converted into Urban Renewal TDR (URT) which shall be utilisable on a receiving plots per the provisions of Transferable Development Rights as mentioned in Regulation no

- 2) URT may be utilized in any Sector, except on the following areas:-
 - i) Areas falling under Development Prohibited Zone and projects under the Schemes of CORPORATION /MMRDA/ MHADA, where extra FSI, over and above Zonal permissible FSI is available.
 - ii) On plots meant for housing schemes of slum dwellers, for which additional FSI is permissible under these Regulation.
 - iii) Areas where Zonal permissible FSI is less than 1.0.
 - iv) On plots meant for redevelopment proposal undertaken for the Old, dilapidated buildings under these Regulation.
- 3) While permitting utilization of URT on any receiving plot, no extra relaxation over and above that is allowed under DCR for utilisation of TDR, shall be given in marginal open spaces, tenement density, height, parking spaces and other relevant provisions, as applicable under the sanctioned Development Control Regulations.
- b) The FSI for an Urban Renewal Scheme in CRZ area shall be governed by the MOEF Notifications issued from time to time, and the same shall be taken into account while computing permissible FSI or net plot area as per Clause 6.15.7(a). Net Plot area, considered after deducting the area of URC falling in CRZ and area under unbuildable reservations, etc. shall be primarily used for rehabilitation of existing occupants and development of buildable reservations and public amenities with required FSI. After the said development, if there are any eligible occupants left who could not be rehabilitated due to inability to construct the requisite area for rehabilitation and relocation, owing to constraints imposed by DCR, shall be rehabilitated in any nearby URS or in the PAP tenements available with the Corporation; as per the policy guidelines decided by the Corporation.
- c) If after construction of rehabilitation tenements and other areas of entitlement as per the provisions of this Regulation, there is still some building potential left as per the ceiling of 4.0 FSI over Net plot, construction can be done for free sale, either in independent buildings, or on sub-plots or in composite buildings or in undivided plots along with rehabilitation component.
- d) The URT may be released by the Commissioner in stages to be decided by him but URT released at any point of time shall never exceed construction done in URC with respect to buildings where Occupation Certificates have been granted and 50% of construction done in URC with respect to buildings where Occupation certificates are not granted.
- e) When the FSI available in URS is more than double the FSI required for Rehabilitation, ~~50%~~ **80%** of the difference in FSI shall be constructed in the form of EWS/LIG tenements and shall be handed over to the Commissioner. Commissioner may transfer these tenements, (hereinafter referred to as Affordable housing tenements or AHT), free of cost to MHADA. MHADA, after realization of proceeds from disposal of these tenements, shall deposit 50% of such proceeds in Shelter Fund setup under this Regulation. However, if the Commissioner needs such AHTs for transit accommodation, PAP tenements or staff quarters, he may use them for such purpose, with prior permission of the State Government.

6.15.8. Development of Reservations

Development of Reservations contemplated in Development Plan falling in the area of URS shall be as mentioned below:

- (a) All the reservations in the Development plan falling in the area of URC may be rearranged/ relocated, and provided under URS as follows:
 - (i) Redevelopment / reconstruction in any zone shall be allowed to be undertaken without going through the process of change of zone. However, for the industrial user, the existing segregating distance shall be maintained from the existing industrial unit.
 - (ii) Any land under non-buildable reservations, admeasuring only upto 500 sqm may be cleared by shifting the existing tenants from that site.
 - (iii) If the area under a non-buildable reservation is more than 500 sqm, minimum 50% of the area under reservation shall be developed for the same purpose and handed over to *the* concerned

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Corporation, subject to minimum of 500 sqm and remaining land shall be allowed for development. **The said provision is subject to Hon'ble High Court's Order in Writ Petition No. 1152/2002 (City Space V/s. Govt. of Maharashtra)**

- (iv) All the reservations in the Development Plan shall be rearranged if necessary with same area and same width of access road or as required under DCR, whichever is more.
- (v) For the reservation of parking lot on a land included in URC, built up area equivalent to zonal permissible FSI for the area under reservation in that plot shall be made available free of cost to the Corporation or to any other Appropriate Authority. Such built up area to be handed over shall be free of FSI.
- (vi) For other buildable reservations on land, built up area equal to 60% of the zonal permissible FSI under such reservations or existing built up area of the amenity whichever is more, on that plot shall be made available free of FSI and free of cost to the Municipal Corporation or to the Appropriate Authority. The reservations of compatible nature can be preferably constructed in one or more separate blocks, depending on the area and nature of such reservations and Municipal Commissioner may permit composite development of reservations in case of such reservations. However, if the HPC/Planning Authority requires built-up area under any designation /reservation in excess of the zonal permissible FSI, then such excess area shall be considered as rehabilitation F.S.I. and incentive FSI as admissible under this Regulation shall be permissible.

Provided that in case of development of reservations of PH/HIDH & IID under the Urban Renewal Scheme, built-up area equal to 30% of the zonal permissible FSI shall be handed over to the Municipal Corporation free of FSI and free of cost, in addition to the rehabilitation of the existing tenements or users if any.

- (vii) Where a proposed Development Plan Road or Regular line of street passes through the Urban Renewal Scheme area, the entire FSI admissible under this Regulation for the area of the road may be given in the same Scheme.
- (viii) Built up area required for development of public amenities/ reservations shall not be counted while computing permissible FSI under URS. If URS includes areas falling under CRZ and Forest, these areas may be considered against the compulsory open space to be kept as per DCR.
- (b) If the area under non-buildable reservation except Play Ground in the URS area is more than 2000 Sqm minimum 50% of the area of such reservation or 2000 Sqm whichever is more shall be reserved.
- (c) For the industrial user, the segregating distance of such reservation shall be maintained from the existing industrial unit.

6.15.9. Preparation and Approval of URS:--

- (1) Subject to the provisions of Development Plan and the URP prepared and notified by the Commissioner, the Commissioner may prepare detailed plan, for one or more URCs contained therein, showing proposals for development/ reconstruction of cluster of buildings and/or structures, which in the opinion of the Commissioner should be developed or redeveloped under a URS. Such plan shall include -
 - (a) Plan for overall development / Redevelopment of specific areas for urban renewal;
 - (b) Strategies and plan for dealing satisfactorily with areas of bad layout, obsolete development and slum areas and relocation and rehabilitation of population;
 - (c) Open spaces, gardens, playgrounds and recreation areas;
 - (d) Area or areas required for making the implementation of such plan for Urban Renewal viable.
- (2) After preparation of detailed plans of URC(s) over which URS is to be implemented, the Commissioner shall place the same for approval of a High Power Committee (HPC) constituted under this Regulation as follows:

Municipal Commissioner, Concerned Corporation	- Chairman
Collector, Concerned District	- Member
DCP (Traffic), Concerned Corporation	- Member
Joint Director Town Planning, Konkan Division	- Member
Chief Officer, Konkan H & AD Board	- Member
Assistant Director Town Planning of the Concerned Municipal Corporation	- Member Secretary.

After approval of detailed plans of URC(s) as aforesaid, the Commissioner shall proceed to select an Implementation Agency for executing URS in the manner described herein. Proposal to finalise Implementation Agency shall be put to HPC which will forward the same with the recommendations to the State Government for final approval.

- (3) Entitlement for consideration under URS: Anyone having any legal rights over any parcel of land falling under URS shall, after establishment of his rights, be offered consideration for such land as per the following provisions which, if declined by any rights holder (s), shall give liberty to the Commissioner to initiate process of acquisition of such rights under appropriate law. Implementation of URS shall be regarded as a public purpose.

6.15.10. Consideration for Land falling under URS.

- (1) Person(s) having legal rights in any land required for URS under this Regulation shall be offered monetary compensation for constructed area or TDR for the entitled area as provided here in after.
- (2) Basis for determination of entitled area towards consideration under URS Scheme shall be as follows:-
 - 2.1 Person(s) in legal possession and ownership of unencumbered land: - Entitled area collectively against this parcel of land shall be equivalent to the area of the land.
 - 2.2 Person(s) in legal possession and ownership of encumbered land where authorized buildings have consumed FSI less than the permissible FSI :- If liability of rehabilitation of the occupants of the building (s) / Structure (s) on the land in question is being taken on URS, entitled area collectively against such parcel of land shall be 25% of the area of encumbered land plus difference of FSI available on such parcel of land and the encumbrance: if the occupants of the building(s) are being independently rehabilitated/ compensated by the person(s)/ rights holders in legal possession and ownership of the land, and not being rehabilitated in URS, entitled area collectively against such parcel of land towards consideration shall be equal to FSI available on the vacated land area.

Provided, where the area of rehab is less than component for free sale, the component for free sale could be enhanced up to 30% by the Municipal Commissioner in consultation with HPC.
 - 2.3 Person(s) in possession and ownership of authorized encumbered land where buildings have consumed FSI more than permissible FSI:- If liability of rehabilitation of the occupants of the building(s)/Structure (s) in question is on the land being taken on URS, entitled area collectively against such parcel of land shall be 25% of land area, if the occupants of the building(s) / Structure (s) are being independently rehabilitated/ compensated by the person(s)/ rights holder (s); in possession and ownership of the land, and not being rehabilitated in URS, entitled area collectively against such parcel of land towards consideration shall be equal to FSI available on the vacated land area.
 - 2.4 Person(s) having right over unauthorizedly encumbered land: - Entitled area collectively against this parcel of land shall be calculated at 50% of entitled area calculated as per clause 2.2 and 2.3 above, except when occupant(s) of building(s) are being rehabilitated/ compensated by such Person(s) and are not being rehabilitated in URS, entitled area towards consideration shall be equal to FSI/ TDR available on the vacated land area.

(3) Consideration for Acquisition of land under URP

- 3.1 Consideration for any land required to be procured for URP shall be either in terms of payment due for entitled area collectively against that parcel of land, as calculated in subsection 8(4) (2) above as per ASR, along with 100% solatium, as applicable for the year of possession, along with 12 % annual compounded interest from date of possession to date of payment, or in terms of TDR equivalent to the entitled area or in terms of equivalent area constructed in URS. Concerned person(s) shall have option to choose from amongst these three modes of consideration. The option once chosen shall be registered and shall be irrevocable.
- 3.2 Once consideration as above, has been accepted by a person having any interest in the land on which any unauthorised construction exists or existed, the Commissioner may consider such person eligible for Compounding of any offence under relevant provisions of MRTP Act with respect to the concerned land/ plot.
- 3.3 Wherever any person having demonstrable legal rights over any area falling under URP rejects the consideration being offered, the Commissioner shall forward the proposal for Land Acquisition under "Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013". In such an eventuality, the Commissioner may move the competent authority for advance possession of the land(s) so as to ensure smooth implementation of URS and shall pay requisite advance, rent etc. under the "Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013". as determined by the Competent Authority. If, however there is any dispute only about apportionment of consideration among person(s) having demonstrable legal rights over any land falling under URS, the Commissioner shall ask the disputing parties to approach Competent Civil Court to get their disputes resolved and to settle apportionment of consideration as offered under this Regulation. Till the final decision in this regard is received, in order to ensure that URS does not get delayed and adversely affect other parties to the URS; the Commissioner shall cause an area, equivalent to the entitled area corresponding to such land, to be constructed as part of URS and in case the claimant(s) of ownership finally declared eligible by the Competent Court decide upon an option other than constructed area and exercise such other option, as mentioned in sub-section 8(4)(2), the Commissioner shall pay consideration as per such option exercised and such reserved constructed area in URS shall vest with the Corporation.

6.15.11. Planning for Rehabilitation and Free Sale Plots in URS:-

- (i) Net area of URC shall be calculated after deducting the area under CRZ and Forest, if any. Out of total net area of the URC, maximum of 25% area in terms of one or more plots, to be called Free Sale Plots, shall be carved out for raising resources to cover the cost of construction of rehabilitation component and development of all the reservations and amenities. While carving out Free Sale Plots, due weight-age shall be given to the fact that the higher is the percentage of these plots in terms of area, the more dense is the Rehabilitation Area, and in exceptional cases, Commissioner may reduce these Free Sale Plots to zero. Constructed area available on this Free Sale Plot collectively shall be equal to that available over the whole URC minus that required for rehabilitation and relocation. If Free Sale Plots, are more than one, the Commissioner may distribute the available free sale construction area under URS over such plots, as he may deem fit. Such Free Sale Plots shall be deemed to belong to C1/C2 Zone for the purposes of permissible users thereon.
- (ii) Area of URC remaining after deducting the free sale plots shall be used for rehabilitation of existing occupants and development of reservations and public amenities with required FSI. After the development of reservations, any occupants who could not be settled due to non-buildability of required construction area for rehabilitation and relocation, owing to constraints



impose by DCR, shall be rehabilitated in the nearby URS or PAP tenements available with the Corporation; as per policy guidelines decided by the Corporation.

6.15.12. Selection of Implementation Agency:

If an owner or group of owners, either directly or through a Power of Attorney Holder, collectively owning more than 70% of the area of URC or a part thereof, come forward for implementation of URS as per the Detailed Plan prepared by the Commissioner for such URC, within 3 months of declaration of the detailed plans of URC, or within such extended period as may be granted by the Commissioner, they may be selected as Implementation Agency for implementation of URS on such URC. In such a case, premium to be received by the Corporation shall be Base Premium as calculated under this Regulation. In case owners, owning more than 70% of whole or part area of URS as mentioned above fail to come together, selection of an implementation agency for the URS shall be done through a transparent bid process in which estimated premium for bidding shall be Base Premium as calculated as per this Regulation. Implementing Agency shall be selected by bid procedure with upset premium as Base Premium, calculated as follows:

Base Premium: Base Premium (BP) expected from a URS shall be calculated thus:

$$BP = 0.50 \times (\text{Total Revenue Associated with the Scheme} - \text{Total Cost Associated with the Scheme.})$$

where -

Total Revenue Associated with the URS = ASR Value for Constructed Area per Sq. meter X Total Constructed Area available for Free Sale under URS (whether it is finally utilized on URS or taken as TDR in lieu thereof) + All the consideration received from allottees of rehabilitation area.

Total Cost Associated with the URS = [Cost of construction of Rehabilitation Area as per ASR + Cost of construction of all amenities as per ASR or as per the Estimate of City Engineer where ASR does not mention cost a particular kind of development + Cost of development of any infrastructure + Cost of construction of Free Sale area as per ASR] X 1.15 + Deposit to the Building Maintenance Fund & URC Maintenance Fund + Development Charge and Premium etc. paid to Corporation or State Government towards any concession required or towards any other aspects of DCR + Other incidental Charges as approved by the High Power Committee .

Explanation: Total Cost of the URS excluding the deposit in the equation above has been multiplied by a factor of 1.15 to compensate for the cost of provision of transit arrangements and escalation.

6.15.13. URS by Private Promoters/ MHADA/ Cooperative Housing Societies:

- (i) Whenever there is no URP made by Commissioner or wherever there is no URS floated by the Commissioner over one or more URCs falling under URP made by Commissioner, any Private Promoter, MHADA, Cooperative Housing Society etc. may approach Commissioner with consent of owners of 70% of any area requiring Urban Renewal, for implementation of URS thereon and Commissioner may, after satisfying himself that conditions mentioned herein, which make an area fit for redevelopment under URS are met, decide to implement URS thereon and, subject to other conditions and processes mentioned in this Regulation, appoint such applicant as implementation agency at the Base Premium.
- (ii) In case where there are some owners (pertaining to less than 30% area) who have not given their consent to the Private Promoter, MHADA, Cooperative Housing Societies etc. for URS, who are appointed as per Clause (i) above by Commissioner as Implementing Agency, the Commissioner shall offer remaining owners and right holders consideration for their rights as mentioned in the provisions for URS being designed and implemented by Commissioner, and if these considerations are rejected by these dissenting owners or right holders the Commissioner shall forward proposals for Land Acquisition to competent authority. In such cases, if final compensation is in terms of money, the same shall be recovered from the Implementation Agency and if final compensation is in terms of TDR, market value of such plots as per ASR rates shall be recovered from the Implementation Agency, in addition to the Base Premium.

- (iii) A Surcharge on Development undertaken by the promoter/Developer at the rate of 100% of Development charge shall be leviable, before commencement of work. This surcharge shall not be applicable to the built up area to be handed over to *Corporation* or any Public Authority in lieu of any reservation and also to the amenity areas to be handed over to the *Corporation* as per the requirement indicated by the *Corporation* or the High Power Committee.

Explanation 1: In case of inclusion of a Slum in URS, any person/ agency having consent of more than 70% eligible Slum dwellers shall be construed to be appropriate person/ agency to deal with the issues regarding the whole area of Slum for the purposes of this sub-section only. i.e. for the purposes of decision about Implementation Agency.

Explanation 2: Base Premium shall be same as that calculated for URS being implemented by the Commissioner.

6.15.14. Transit Camps -

For smooth implementation of the URS, construction of temporary transit camps may be permitted on the same land or a land situated elsewhere as given here-under:

- a. Irrespective of its land-use classification under Development Plan, construction of temporary transit tenements made of light detachable material such as tubular/ prefabricated light structures shall be allowed up to an FSI of 4.0 on any nearby vacant site without any reservation in the Development Plan, with the consent of the land-owner.
- b. The temporary transit camp shall be provided on or close to the site of URS itself. However in exceptional circumstances to be recorded in writing, construction of Temporary Transit Camps may be permitted on the area of open space required to be kept in accordance with D.C Regulation No. 74, 75 on the plot.
- c. Multi-storeyed temporary transit tenements may be allowed to be constructed with 4.00 FSI on the site of URS.
- d. The area of temporary transit tenements shall be excluded from the computation of FSI, but structural safety of such tenements shall be ensured.
- e. Building permission for Temporary Transit Tenements shall be given within 45 days from the date of application but only after approval to the URS, failing which such permission shall be deemed to have been granted.
- f. If a site reserved in Development Plan for any public purpose is vacant or partly encumbered, or it happens to be the unused portion of such public purpose for which such site is reserved, and there is no other option for locating temporary transit tenements, then such site or unused portion may be utilized for building temporary transit tenements, with the permission of Commissioner, on payment of such rent and subject to such conditions/ as the Commissioner may prescribe.
- g. Temporary transit camp erected, under this Regulation shall have to be demolished by the Developer within 30 days of grant of Occupation Certificate to the Rehabilitation buildings and the land there under shall be brought back to the original state.

6.15.15. Non-conforming activities -

All activities which are existing shall be allowed to be re-accommodated regardless of the non-conforming nature of such activities, excepting those which are hazardous and highly polluting and those where alternative accommodation has already been provided elsewhere by the Promoter / Developer / Municipal Corporation.

6.15.16. Relaxation in Building and other requirements:-

- a) The calculation of FSI for all purposes shall be on gross area i.e. without deducting any percentage for recreational open space. This shall not affect the requirement of physical open space in terms of keeping aside the said recreational open space on site as per the prevailing D.C. Regulations.
- c) Areas of common passages not exceeding 2.00 m in width provided in the rehabilitation component to give access shall not be counted towards FSI.



- d) **Front and marginal open spaces:** For a building in the Rehabilitation Component or composite building having height upto 25.0 m, front and marginal open space shall be 4.5 m and for buildings having height more than 25.0 m., the same shall be 6.00m.
- e) Notwithstanding the provisions in these DC Regulation, where the plot abuts a DP Road having width of 18.0m and above, the front marginal open space shall not be insisted upon beyond 4.5 m, provided such road is not a Highway.
- f) Where the plot abuts a trained nalla, the marginal open space along the nallah shall not be insisted upon beyond 4.5 m from the edge of the trained nallah or as per requirement of SWD Department of the **Corporation**, whichever is greater.
- g) The distance between any two rehabilitation buildings shall not be less than 6.00 m.
- h) If the height of a building in URS is more than 25 m, 6 m wide marginal open space or marginal open space as per the requirement of CFO, Corporation, whichever is greater, shall be considered.
- i) A Composite building shall contain at least 50 percent of the built up area as Rehabilitation Component.
- j) The means of access shall be normally governed by the provisions of DC Regulation no.4.2. However, in the URS, wherever the design of the buildings up to 25 m Height in the same land requires some relaxation, the same may be given. Buildings having height exceeding 25 m shall be permissible only on access having width of 9 m or more.
- k) Even if the recreational open space is reduced to make the URS viable, a minimum of at least 10 percent of the area of URC shall be provided as recreational open space. In addition to this, 10 percent of URC area shall be earmarked for amenity space which can be adjusted against the DP reservation, if any provided the area of such reservation exceeds 25% of the area of the URP.
- l) Amenities not available in the periphery of 400m from boundaries of URC shall be developed on Amenity Plot as per these C Regulations, subject to the minimum area specified for such amenities under this Regulation and handed over free of cost to the Corporation without any consideration.
- m) Area to be excluded from computation of FSI shall be as per D C Regulation no. 5.6. Notwithstanding anything contained in D C Regulations, Premium shall not be charged for exclusion of staircase and lift well etc.
- n) In order to make the URS viable, the Municipal Commissioner shall be competent to sanction any relaxation in the parking requirements and marginal open spaces, except for front marginal open spaces, wherever required on account of bonafide hardship and for reasons to be recorded in writing, which shall not affect general safety and fire safety requirements.
- o) All relaxations outlined hereinabove shall be admissible only to buildings in the Rehabilitation Component of URS and also to the composite buildings therein. Premium shall not be charged for all or any of the relaxations given hereinabove or for any other mentioned in DC Regulation no.5.6
- p) The parking in the URS shall be provided as per the provisions of DC Regulation no 5.8.
- q) Any aspect of development under URS, which is not specified under this Regulation shall be governed by the relevant provisions of the D C Regulations.
- r) In order to facilitate redevelopment and to decongest the redeveloped area in the URC, the Commissioner may insist on additional road width, over and above that prescribed in the sanctioned D.P. or the width of the existing roads.
- s) Provisions of Public amenities and roads under the URS shall be considered at par with reservations and the roads in the Development Plan.
- t) Portion of URC falling under Development R, CRZ- I & III and Private Forest shall form a part of the required Recreational Area in the URS.



- i) The approving /sanctioning authority for the building plans under the URS shall be the Municipal Commissioner as per the MRTTP Act, 1966, even if the URS partly consists of declared slums or slums on Municipal / Govt. lands, existing prior to 1.1.1995 or such other reference date as may be notified by the Government.
- ii) Religious structures existing on the site of URS prior to redevelopment, if allowed to be redeveloped in accordance with the guidelines issued by the Government from time to time following such redevelopment, shall not have area exceeding their area prior to redevelopment.
- iii) Heritage buildings of Grade-I and II as well as authorized and structurally sound retainable buildings may be included in the Urban Renewal Cluster, but have to be kept as they are, along with land appurtenant, and this area shall be counted towards the Incentive FSI, but shall not be considered for FSI under this Regulation. As regards such Heritage Structures, the Promoter / Developer shall have to contribute Heritage Cess at 5% of ASR Rates on the basis of built-up area of the Heritage structure. Existing provisions under these Development Control Regulations shall apply to Heritage Buildings of Grade-III. However, before granting the approval for such buildings, the HPC shall consult the Heritage Committee appointed for that purpose.
- iv) If HPC approves areas for amenities such as Fire Stations/ Hospitals/ Police Stations/ Schools, etc. other than reservations/ designations as per Development Plan, such amenities shall be handed over to the concerned Authority, free of cost and the built up area of such amenity shall be considered as rehabilitation F.S.I. and incentive FSI as admissible under this Regulation shall be permissible. The decision of HPC shall be appealable, as if, it is an appeal under section 47 of the MRTTP Act, 1966.

6.15.17. Formation of Cooperative Housing Societies, and their Federations for buildings:

Commissioner shall cause formation of Cooperative Housing Society for each and every building, either separately or collectively as he may deem fit and shall cause to be deposited 25% of the amount of consideration received from the allottees of such building, in a "Building Maintenance Fund" to be utilised by the Co-operative Housing Society of the allottees of such Building, as per the guidelines framed by the Corporation. In addition, the Commissioner shall cause to be deposited 25% of the amount of consideration received from the allottees of each and every rehabilitation and relocation in URC building, in another Maintenance Fund called "URC Maintenance Fund" to be set up, by the Commissioner, for the dedicated use of maintenance of common facilities/ amenities in the URC by the Corporation. The utilisation of the URC maintenance Fund shall be in accordance with the guidelines framed by the Corporation.

6.15.18. Formation of Shelter Fund:

Commissioner shall deposit the amount of premium recovered under this Regulation in a separate fund to be named as "Shelter Fund", which may be used as per the policy to be formulated by the Corporation for payment of consideration for acquisition of land falling under URC, providing financial assistance to beneficiaries under URC, procurement of land for creation of affordable Housing, and promoting affordable housing in the city limits of Corporation.

6.16. Erection of Mobile Towers (Mobile Tower Policy):-

6.16.1. Applicability:-

This Regulation shall apply to all existing and / or proposed Telecommunication Cell Sites/Base Stations installed or to be installed in any area in the State of Maharashtra to which the provisions of the Maharashtra Regional and Town Planning Act, 1966, apply and shall be implemented by the concerned Competent Authority within whose area, the land is situate.

6.16.2. Definitions:-

- a) "Competent Authority" means the Planning Authority as defined in the Maharashtra Regional and Town Planning Act, 1966, over its area of jurisdiction and elsewhere, the Collector of the concerned District.

- b) "Telecommunication Cell Site/Base Station" (TCS/BS) for any Telecom Operator shall mean and include tower of requisite height and dimensions, delta, single pole antennae, microwave antenna, cabin of requisite dimensions for housing equipment, telecom transceiver machinery, related civil work, requisite wires and cables, power supply equipment, Diesel Generator (DG) Set/ Alternate power supply mechanism, cabin /cupboard for housing any or all of the aforesaid items as necessary.

6.16.3. Control Over Development:-

No Telecommunication Cell Site / Base Station shall be setup or installed without the previous permission in writing of the Competent Authority. The permission shall be granted in the same manner as prescribed under Sections 44 to 47 of the Maharashtra Regional and Town Planning Act, 1966, in case of areas for which draft Development Plan has been prepared or final Development Plan has been sanctioned and under Section 18 of the said Act in respect of areas for which draft Regional Plan has been prepared or final Regional Plan has been sanctioned.

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

6.16.4. Procedure for Obtaining Development Permission:-

- a) All the applications for setting up or installation of any Telecommunication Cell Site/ Base Station (TCS/BS) or erection of a part thereof, shall be made to the Competent Authority by the concerned Telecom Service Provider (TSP) or the concerned Infrastructure Provider (IP), in such form and containing such particulars as may be prescribed by the Competent Authority or the Government.
- b) The application to the Competent Authority for obtaining the aforesaid development permission shall be accompanied by the following documents-
- i) All the documents as otherwise required to be attached for any development permission under the sanctioned Development Control Regulations for the area in which the site under application is located.
 - ii) Plans showing Location Map, Key Plan, Site Plan, Block Plan and Plans of the proposed work. In case of roof-top tower, the copy of Occupation Certificate or copy of sanctioned building plans or copy of Commencement Certificate issued by the Competent Authority or any other valid proof, in respect of the building on which the erection of roof-top tower is proposed, showing that such building is authorised.
 - iii) Notarised consent of the Owner of premises, which shall mean and include consent of the owner of property or no-objection certificate of the concerned registered Co-op Housing Society or notarised consent of 70% of the total number legal occupants in case of Apartments or Condominium or no- objection certificate of the lessor in case of a lease - hold property.
 - iv) Copy of agreement between the TSP/IP and the Owner of premises.
 - v) Copy of Access Service License / Infrastructure Provider (IP) Registration Certificate, granted to the TSP/IP by the Department of Telecommunications (DoT), Government of India(Gol).
 - vi) "Copy of clearance from the Standing Advisory Committee for Frequency Allocations (SACFA) or copy of application made to SACFA for the said location submitted to Wireless Planning Commission (WPC) wing of the Department of Telecommunications (DoT), with registration number as WPC Acknowledgement, along with an undertaking that in case of any objection / rejection, TSPs / IPs will take corrective actions or remove the TCS /BS."
 - vii) "Acknowledgement receipt issued by Telecom Enforcement Resource and Monitoring (TERM) Cells in respect of the self-certificate submitted by TSP / IP regarding mobile towers

viii) / Base Transceiver Station (BTS) [Ground-based or Roof-Top or Pole / wall-mounted] in the format as prescribed by Telecom Engineering Centre (TEC), DoT, establishing / certifying that all General Public areas around the TCS / BS will be within safe Electro-Magnetic Radiation (EMR) exposure limit as per peak traffic measurement after the antennae starts radiating."

ix) "Copy of Structural Stability Certificate for any ground-based Base Transceiver Station(BTS).

OR

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

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

xi) Copy of the type test certificate issued by Automotive Research Association of India (ARAI) to the manufacturers of the Diesel Generator (DG)Sets.

xii) Notarised undertaking from the Applicant / owner of premises:-

xiii) That the cabin will not be utilized for any purpose other than the Telecommunication Cell Site/Base Station.

xiv) That if the said activity is discontinued by the Applicant, the said cabin will be demolished forthwith by the Applicant/Owner of premises.

xv) No-objection certificate from the Authority concerned under the Civil Aviation Ministry (hereinafter referred to as the said Authority) in case of any building falling in any area where such no-objection certificate of the said Authority is required under the relevant rules or law.

xvi) No objection certificate of the Maharashtra Pollution Control Board regarding compliance with the norms prescribed for noise levels and smoke levels for the power generating sets having capacity above 100 kW, to be provided for Base Transceiver Stations.

xvii) No objection certificate of the Chief Fire Officer of the concerned Urban Local Body, and elsewhere, of the Director of Fire Services, only in case of High Rise buildings having height of 15 m or more measured from ground level.

xviii) Copy of clearance from the State Environment Department as well as the Forest Department, in case of forest, protected areas, if applicable.

xix) Data Sheet containing the information regarding--

Name of Telecom Service Provider/ Infrastructure Provider:-

Location:-

Tower Reference--

Height & Weight of Tower---

Ground Based Tower / Roof Top Tower---

Number of Antennae planned on Tower---

Permissible maximum EMF Radiation Level---

Proposed maximum EMF Radiation Level---

Requisite fees, charges, as applicable.

c) In case of area under Coastal Regulation Zone and / or in case of a listed Heritage building/Heritage precinct and / or in case of cessed buildings and / or in case of area under Environmentally Sensitive Zone (ESZ), notified by the Ministry of Environment and Forest (MoEF) Government of India (GoI), all the applications for installation of any TCS/BS or erection of a part thereof, shall be made to the concerned Competent Authority, which will forward it to the Maharashtra Coastal Zone Management Authority (MCZMA) or National Coastal Zone Management Authority (NCZMA), as the case may be, and / or Heritage

Conservation Committee concerned and / or MHADA and / or High Level Monitoring Committee (HLMC) appointed / constituted by MoEF, respectively.

- d) The erection of the Base Station including tower, shall be commenced within ninety days from the date of receipt of permission from the Competent Authority and report of erection shall be made to the Competent Authority.

6.16.5. Leviable charges:-

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

- a) Development Charge:-

Development charge shall be levied and collected by the Competent Authority as per the provisions under Section 124-B of the Maharashtra Regional and Town Planning Act, 1966. For the purpose of assessing the development charge, the setting up of Base Station on land and on roof-tops shall be classified under commercial category. In an area where the Collector is the Competent Authority, the Development Charge shall be collected by the concerned Branch Office of the Town Planning Department on behalf of the Collector, at the rate of 1% of the rate of developed land mentioned in the Annual Statement of Rates for the relevant year, prepared by the Inspector General of Registration, Government of Maharashtra, calculated over the foot print area occupied by the Telecommunication Cell Site / Base Station.

- b) Administrative Fee:-

Over and above the development charge as stipulated in Clause 5 (a) above, TSP/IP shall pay to the Competent Authority, a onetime non-refundable Administrative fee, in accordance with the location of the installation as shown in the Table herein below:-

Table

Sr.No.	Competent Authority	Administrative Fee (Rs.)
1	Municipal Corporation (Except MCGM)	30,000
2	Class A Municipal Council	25,000
	Class B Municipal Council	20,000
	Class C Municipal Council and Nagar Panchayats	15,000
3	Special Planning Authority	30,000
4	Competent Authority in Other Areas	10,000

Provided that the State Government may revise these rates from time to time by publishing a Notification to that effect in the Official Gazette.

Provided further that in an area where the Collector is the Competent Authority, the Administrative fee shall be collected by the concerned Branch Office of the Town Planning Department.

6.16.6. Planning Norms For Erection of TCS/BS :-

- a) Notwithstanding the land use provisions under the relevant Development Control Regulations (DCR) pertaining to any Development Plan (DP) or Regional Plan (RP), subject to the compliance of other provisions of these Regulations, it shall be permissible to install TCS/BS, on:-
- all land uses as earmarked in any DP or RP,
 - all lands which are designated for non-buildable reservations in any DP or RP, subject to the condition that the maximum permissible area for installation of such TCS/BS shall not be more
 - than 5% of the area of the reserved site or 100 sqm, whichever is less, and shall be located in one corner of the reserved site.
 - all lands which are designated as open spaces / recreational open spaces / recreational grounds in a sanctioned layout, where such installation shall be permissible only with the no-objection

- certificate of the concerned registered co-operative housing society or consent of 70% of the total number of legal occupants
- v) plot holders of such layout, subject to the condition that the maximum permissible area for installation of such TCS/BS shall not be more than 5% of such area or 100 sqm, whichever is less, and the same shall be located in one corner of such area.
 - vi) all buildable reservations in any DP or RP, except for buildings of uses mentioned in Clause No. 6(f), where such installation shall be permissible on the roof top, but only after development of the said reservation.
 - vii) all open lands in slum areas belonging to the Government / Public Authority / Planning Authority, where only ground-based TCS / BS shall be permissible and no Roof-Top Tower shall be permissible, save as provided in Clause 6(a) (vi) herein below.
 - viii) public buildings in slum areas, like public toilets, community centres etc., constructed by any Public Authority or to be constructed by the TSP / IP, where construction of Roof Top Towers shall be permissible, subject to maintenance and compliance of other terms and conditions specified by the concerned Authority.
- b) No permission for installation of TCS/BS shall be granted in wildlife areas and / or ecologically important areas, without ecological impact assessment and review of installation site. The Forest Department should be consulted before installation of TCS/BS in and around protected areas (PAs) and Zoos.
 - c) The TCS/BS must have clear access by means of an existing road having minimum width of 6 m. for locations falling in congested area as earmarked on any DP or RP and 9 m., for locations falling outside such congested area. However in exceptional circumstances, the Competent Authority may relax such road width suitably, but in no case, shall it be less than 5m.
 - d) In case of both ground-based towers and roof-top towers, there shall be no nearby buildings right in front of the antenna(e) of equivalent height, taking into account the tilt of the lowest antenna on tower, as per the details in the Table below:-

6.16.6-A - Safe Distance from antenna

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

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

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

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

- e) In case of Wall Mounted /Pole Mounted Antenna(e):-
 - i) Wherever the antennae are mounted on the wall of a building or pole or along the road, their height should be atleast 5 m. above ground level / road level.
 - ii) Provided that such installations shall have to comply with the prescribed radiation limits.
 - iii) As far as safe distance of buildings from antenna(e) is concerned, guidelines as in Clause 6 (d) above shall apply.
- f) Installation of Base Station antenna(e) shall not be permissible within the premises of schools, colleges, and hospitals as well as on the adjoining land /building within 3 mtr. from the boundary

- of premises of schools, colleges and hospitals. Also antenna(e) shall not be directed / positioned towards any school / college/ hospital building.
- g) The existing Base Station antenna(e) approved earlier on any school/ college/ hospital building shall not be renewed further after the expiry of period of approval and the same shall be removed immediately thereafter, subject to the provisions of Clause 8(d).
 - h) Access to Base Station Antenna site shall be prohibited for the general public, by putting in place suitable measures such as wire-fencing, locking of the door to the roof etc.
 - i) The roof-top TCS/BS towers shall be put only on buildings which are declared structurally strong enough to bear the load of such installation. The base connection to the building should be got designed from a qualified structural engineer. Structural safety certificate of the composite structure [Building + Tower(s)] shall have to be obtained from any of the recognized Government Institutes.
 - j) While according permission for installation of TCS/BS, permissible for erection of a cabin at ground level may be granted. However, the same shall not be allowed in the prescribed marginal open spaces. The area of such cabin shall not be more than 20 sq.m. for each TSP
 - k) / IP, subject to the certificate of structural safety. Built-up area of such cabin(s) shall not be counted towards built-up area or FSI.
 - l) No permission for installation of TCS/BS shall be granted on buildings which are unauthorized and structurally unsafe. If permission for installation of such structures is granted on a building, which is declared as unauthorized at a later point of time, the Competent Authority shall first take recourse to the provisions of sections 52, 53, 54 and 55 of the Maharashtra Regional and Town Planning Act, 1966 or other relevant laws, as the case may be, against such unauthorised building and in case the Competent Authority, after completing the due process of law, decides to undertake any action of demolition against such unauthorised building then such decision shall also be conveyed to the concerned TSP/IP with a direction to relocate the TCS/BS within a period of 90 days, after which the Competent Authority shall not be under any obligation to send any further intimation to the TSP/IP concerned before demolishing such unauthorised building, and it shall not be liable to pay compensation for the loss of the Base Station as a consequence of the demolition of the unauthorized building. The TSP/IP shall indemnify the Competent Authority to this effect, while seeking permission for installation of TCS/BS,
 - m) Permission for installation of TCS/BS, once granted shall remain valid for next 5 years. The TSP/IP shall apply for renewal of permission to the Competent Authority. The Competent Authority, while considering renewal, shall insist upon submission of fresh structural stability certificate for buildings more than 30 years of age. Administrative fee shall be levied and collected as prescribed in Clause 5 (b) hereinabove, for every such renewal. If TSP/IP fails to apply for renewal along with all necessary documents before the expiry of earlier permission, then such TSP / IP shall be liable for action under the provisions of the Maharashtra Regional and Town Planning Act, 1966.
 - n) In case of any existing TCS / BS on a slum structure, every effort shall be made to relocate such TCS / BS on a nearby suitable public building or any other authorised structure or open land in the slum. If such relocation is not possible, then such TCS / BS may be allowed to be continued on such slum structure subject to its structural suitability, till the TCS / BS is shifted to any other authorised structure or till the redevelopment of the slum, whichever is earlier.
 - o) While granting permission for TCS / BS, the Competent Authority shall stipulate that TSP / IP shall conduct regular audit in accordance with the directions / guidelines issued by TERM Cell or DoT from time to time.

6.16.7. Electro-Magnetic Field (EMF) Radiation Norms:-

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

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

6.16.8. Miscellaneous Provisions:-

- a) Any complaint concerning illegal installation of TCS / BS on any building or any query of any nature regarding the installation of telecommunication equipment, shall be addressed to the Competent Authority which shall intimate the concerned TSP/IP about the same with a direction to resolve the issue under intimation to the Competent Authority, within such period as may be prescribed by the Competent Authority.
- b) The TSP/IP, who has erected TCS / BS without due permission, shall apply to the concerned Competent Authority for regularization within 180 days from the date of coming into force of this Regulation. In case such application is made within the prescribed period, then the offence, if any, registered against the TSP/IP may be compounded by the Competent Authority under Section 143 of the Maharashtra Regional & Town Planning Act, 1966, subject to the provisions of these regulations.
- c) The TSPs/IPs who have earlier erected TCS/BS with due permission, shall apply afresh, for validation of the previous permission, to the Competent Authority within a period of 90 days from the date of commencement of this Regulation, in order to ensure due compliance of this Regulation. However Administrative fee in such cases shall not be leviable if appropriate fee/ Development charge, not less than the amount prescribed under Clause 5 (b) above, has already been paid. In case the amount paid is less than what is prescribed hereinabove, the difference in amount shall be recovered from the TSP/IP.
- d) Any existing TCS/BS not conforming to any of the above provisions shall have to be removed within one year from the date of commencement of this Regulation, unless the same is specifically regularized by the Competent Authority following due compliance by TSP/IP. However, operation of such non- conforming Telecommunication Cell Site/Base station shall be discontinued within a period of 30 days from the date of receipt of notice from the Competent Authority to that effect, which shall however be issued only after obtaining the consent of the TERM Cell of DoT.
- e) The Licensees shall try to share the tower for fixing their respective antennae provided the prescribed conditions are duly fulfilled, so as to ensure curtailing of multiple towers and optimizing the use of the existing ones.
- f) Sign boards and Warning signs ("Danger", "RF Radiation", "Restricted Area", "Don't Enter" etc.) shall be provided at TCS/BS antenna sites which are clearly visible and identifiable.

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

Name of TSP/IP:-

Location:-

Tower Reference:-

Height, b) Weight c) Number of antennae planned on tower

Permissible EMF radiation level

Proposed EMF radiation level

Due date for next renewal.

Contact Person's name, address and Telephone Number

Address of Complaint Redressing Authority with Telephone Numbers

Police Control Room-100

Fire Control Room -101

Ambulance -102

Other important information, if any.

- h) Provided that in case of Telecommunication Cell Site/Base station on roof-top, the aforesaid information shall be displayed on the ground floor of the building.
- i) The Competent Authority shall display the list of authorized TCS/BS on their official web-site, along with the date of permission and due date for renewal of permission.
- j) TCS/BS Tower shall be inspected for distortion of members, torques of nuts and bolts at least once in five years. However, in case of areas affected by any natural calamity, such as cyclone, earthquake, flood, etc., such inspection shall be carried out immediately after such incident suo-moto or on being directed by the Competent Authority. Such inspection shall be carried out only by a qualified structural engineer and a certificate to that effect shall be submitted to the Competent Authority.
- k) TCS/BS Towers located in highly corrosive environment shall be painted every year. Other towers shall be painted at least once in five years to give additional protection.
- l) The Competent Authority shall make efforts to provide Single Window clearance to TSP / IP for disposal of their applications in a time bound manner.
- m) In order to effectively address Public Grievances relating to installation of TCS / BS and issues related to telecom infrastructure, the State Government may set up-
- n) State Level Telecom Committee (STC) consisting of officers from TERM Cells, State Administration, representative(s) of concerned TSP(s) and eminent public persons, etc.
- o) District Level Telecom Committee (DTC) consisting of officers from District Administration, representative(s) of concerned TSP(s) and eminent public persons, etc.
- p) Notwithstanding anything contained hereinabove, all the Regulations / Bye-Laws / Memorandum / Directions / Guidelines in this regard, issued or to be issued from time to time, by the Department of Telecommunications, Government of India, shall prevail and be binding on TSP/IP and also on all the Competent Authorities concerned, in which case, this Regulation shall stand modified to that extent.

6.16.9. Powers of Interpretation and Removal of Doubt:-

If there is any overlapping provision or any conflict between the existing Development Control Regulations and the provisions of this Regulation and if any interpretation is required regarding the clauses of this Regulation, then the matter shall be referred to the Urban Development Department, Government of Maharashtra, whose decision shall be final.

6.17. Rain Water Harvesting:-

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

- a) All the layout open spaces/amenity spaces of housing societies and new constructions/ reconstruction/ additions on plots having area not less than 500 sqm shall have one or more Rain Water Harvesting structures having a minimum total capacity as detailed in Schedule.
- b) Provided that the Commissioner may approve the Rain Water Harvesting structures of specifications different from those in Schedule, subject to the minimum capacity of Rain Water Harvesting being ensured in each case.
- c) The owner/society of every building mentioned in the (a) above shall ensure that the Rain Water Harvesting System is maintained in good condition for storage of water for non-potable purposes or recharge of groundwater at all times.
- d) The Authority may impose a levy of not exceeding Rs.1000/- per annum for every 100 sqm of built-up area for the failure of the owner of any building mentioned in the (a) above to provide or to maintain Rain Water Harvesting structures as required under these regulations. Failure to provide Rain Water Harvesting System shall deemed to be breach of the conditions on which the development permission has been granted.

Schedule

Rain Water Harvesting in a building site includes storage or recharging the ground water by rainwater falling on the terrace or any paved or unpaved surface within the building site. The following systems may be adopted for harvesting the rainwater drawn from terrace and the paved surface.

- i) Open well of a minimum 1.00 m. diameter and 6m in depth into which rain water may be channelled and allowed to filter for removing silt and floating material. The well shall be provided with ventilating covers. The water from the open well may be used for non-potable domestic purposes such as washing, flushing and for watering the garden etc.
- ii) Rain Water Harvesting for recharge of groundwater may be done through a bore-well around which a pit of 1m width may be excavated upto a depth of at least 3m and refilled with stone aggregate and sand. The filtered rain water may be channelled to the refilled pit for recharging the bore-well.
- iii) An impressive surface/underground storage tank of required capacity may be constructed in the setback or other open spaces and the rain water may be channelled to the storage tank. The storage tank shall always be provided with ventilating covers and shall have draw-off taps suitably placed so that rain water may be drawn off for domestic, washing, gardening and such other purposes. The storage tank shall be provided with an overflow.
- iv) The surplus rain water after storage may be recharged in to ground through percolation pits or trenches or combination of pits and trenches. Depending on the geomorphological and topographical conditions, the pits may be of the size of 1.20 m width X 1.20 m length X 2 m to 2.50 m depth. The trenches can be of 0.60 m width X 2 to 6 m length X 1.50 to 2 m depth. Terrace water shall be channelled to pits or trenches. Such pits or trenches shall be back filled with filter media comprising the following materials :
 - a) 40 mm stone aggregate as bottom layer upto 50% of the depth.
 - b) 20 mm stone aggregate as lower middle layer upto 20% of the depth.
 - c) Coarse sand as upper middle layer upto 20% of the depth.
 - d) A thin layer of fine sand as top layer.
 - e) Top 10% of the pits/trenches will be empty and a splash is to be provided in this portion in such a way that roof top water falls on the splash pad.
 - f) Brick masonry wall is to be constructed on the exposed surface of pits/trenches and the cement mortar plastered. The depth of wall below ground shall be such that the wall prevents lose soil entering into pits/ trenches. The projection of the wall above ground shall at least be 15 cm.
 - g) Perforated concrete slabs shall be provided on the pits/trenches.

- h) If the open space surrounding the building is not paved, the top layer up to a sufficient depth shall be removed and refilled with coarse sand to allow percolation of rain water into ground.
- v) The terrace shall be connected to the open well/bore-well/storage tank/ recharge pit/trench by means of HDPE / PVC pipes through filter media. A valve system shall be provided to enable the first washing from roof or terrace catchment, as they would contain undesirable dirt. The mouth of all pipes and opening shall be covered with mosquito (insect) proof wire net. For the efficient discharge of rain water, there shall be at least two rain water pipes of 100 mm dia. for a roof area of 100 sqm.
- vi) Rain Water Harvesting structures shall be sited as not to endanger the stability of building or earthwork. The structure shall be designed such that no dampness is caused in any part of the walls or foundation of the building or those of an adjacent building.
- vii) The water so collected/recharged shall as far as possible be used for non-drinking and non-cooking purpose. Provided that when the rain water in exceptional circumstances will be utilised for drinking and/or cooking purpose, it shall be ensured that proper filter arrangement and the separate outlet for bypassing the first rain water has been provided. Provided further that will be ensured that for such use, proper disinfectants and the water purification arrangements have been made.

6.18. Special Provisions for Installation of Solar Water Heating System

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

1. The solar water heating system should be mandatory in the hospitals and hotels, where the hot water requirement is of continuous nature. In these building the system must be provided with auxiliary backup system.
2. The use of solar water heating system is recommended in following type of building in Government/Semi-Government and institutional building where the hot water requirement may not be continuous / permanent.
 - a. Guest Houses.
 - b. Police men/Army barracks.
 - c. Canteens.
 - d. Laboratory and Research Institutions where hot water is needed.
 - e. Hostels, Schools, Colleges and Other Institutes.
3. The installation of the electrical back-up in all such water heating system shall be optional depending on the nature of requirement of the hot water.
4. It is suggested that solar water heating system of the capacity of about 100 liters per day based on thermo syphonic system with necessary electrical back-up be installed at residential building like hostels.
5. In order to facilitate the installation of solar water heating system, the new building shall have the following provisions:-
 - i) All such buildings where solar water heating systems are to be installed will have open sunny roof area available for installation of solar water heating system.
 - ii) The roof loading adopted in the design of such building should be at least 50 kg per sqm for the installation of solar water heating system.
 - iii) A Solar water heating system can also be integrated with the building design. These can either be put on the parapet or could be integrated with the south facing vertical wall of the building. The best inclination of the collector for regular use throughout the year is equal to the local latitude of the place. The collectors should be facing south. However, for only winter use the optimum inclinations of the Collector would be (latitude + 15 degrees of the south). Even if the Collectors are built in the south facing vertical wall of the building the output form such

collectors during winter month is expected to be within 32% output from the optimum inclined collector.

- iv) All the new buildings to be constructed shall have an installed hot water line from the roof top and also insulated distribution pipeline to each of the points where hot water is required in the building.
- v) The capacity of the solar water heating system to be installed on the building shall be described on the basis of the average occupancy of the building. The norms for hospitals, hotels and other functional building are given below.

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

- vi) An open area of 3 sqm would be required for installation of a Collector which supplies about 100 liters of water per day. At least 60% of the roof area may be utilized for installation of the system.
- vii) The specification for the solar water heating system laid down by the Ministry of Non-Conventional Energy Sources can be followed. Flat plate collector conforming to Bureau of Indian Standards-latest Standards should be used in all such solar water heating systems

6.19. Regulation for Waste water Recycling and Reuse

6.19.1. Type of Waste Water

The Waste Water is of following types:-

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

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

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

6.19.2. Applicability

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

6.19.3. Regulations

6.19.3.1.(C-1) For Layout Approval/Building Permission

- i) In case of Residential layouts, area admeasuring 4000 sqm or more, in addition to 10 % open space, prescribed in the bye- laws, a separate space for Waste Water Treatment and Recycling Plant should be proposed in the layout.
- ii) On the layout Plan, all Drainage lines, Chambers, Plumbing lines should be marked in different colour and submit the layout for approval to the Municipal Corporation.
- iii) The Recycled Water shall be used for Gardening, Car Washing, Toilet Flushing, Irrigation, etc. and in no case for drinking, bathing, washing utensils, clothes etc.
- iv) In the Estimate of Waste Water Recycling Plant only provision for basic civil work and required machinery will be proposed by the Municipal Corporation other than these provisions, additional

machinery, plumbing, Water tank pipe, landscape should be provided by Owner or Developer on his Own Cost.

- v) A clause must be included by the Owner/ Developer in the purchase agreement that the purchaser, Owner of the Premises/Organization or Society of the purchasers shall ensure that:
- vi) The Recycled Water is tested every six months either in Municipal Laboratory or in the laboratory approved by Municipal Corporation or by State Government and the result of which shall be made accessible to the Competent Authority/ EHO of the respective Ward Office.
- vii) Any recommendation from testing laboratory for any form of corrective measures that are needed to be adopted shall be compiled. Copy of any such recommendation and necessary action taken shall also be sent by the testing laboratories to the Competent Authority/ EHO of respective Wards.
- viii) Maintenance of Recycling Plant should be done by the Developer or Housing Society or Owner.

6.19.3.2.(C-2) Group Housing/Apartment Building

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

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

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

6.19.3.4.(C-4) Hospitals

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

6.19.3.5.(C-5) Vehiele Servicing Garages

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

6.19.3.6.(C-6) Other Hazardous uses

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

6.19.4. Incentive

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

6.19.5. Penalty Clause

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

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

6.20. Solid Waste Management

It shall be mandatory for:

- i) Housing complexes, Commercial establishments, hostels, hospitals having aggregate built-up area more than 4,000 sq.m. or more.
- ii) All three star or higher category hotels.

to establish a dedicated Solid waste management system to treat 100% wet waste being generated in such buildings.

The treatment of wet waste shall be done through an organic waste composters/ vermiculture pits or other similar technologies of suitable capacity installed through reputed vendors.

The disposal of dry waste, e-waste, hazardous waste shall be carried out through authorised recyclers or any other system as specified by the Municipal Commissioner.

6.21. Incentive for green buildings

The municipal corporation shall strive to promote green building concepts within the municipal area. In order to do so it may empanel agencies of repute as listed/ recognised by the State / Central Government. The following incentives shall be provided for green rated buildings.

- i) Green buildings shall be entitled for incentive FSI as below.

GRIHA Three star / IGBC Silver or equivalent rating – 3% incentive FSI on basic FSI.

GRIHA Four star / IGBC Gold or equivalent rating – 5% incentive FSI on basic FSI.

GRIHA Five star / IGBC Platinum or equivalent rating – 7% incentive FSI on basic FSI.

Provided, achieving minimum GRIHA Three star / IGBC Silver or equivalent rating for construction projects shall be mandatory for all buildings belonging to Government, Semi-Government, local bodies and public sector undertakings.

- ii) Incentive FSI will be awarded after pre-certification from the empanelled agency. This FSI shall be exclusive of the limits specified in this DCPR.
- iii) In case that the developer fails to achieve committed rating as per pre-certification at the time of final occupancy, a penalty shall be imposed at the rate 2 times of the land cost as per ASR for the incentive FSI for the rating not achieved.



7. REQUIREMENTS OF PARTS OF BUILDINGS

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

7.1. Plinth

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

7.2. Habitable Rooms

7.2.1. Size and Dimension of Habitable Rooms

Internal dimensions & size of rooms for various uses and occupancies shall be as in Table No 7.2.1-A below.

7.2.1-A - Size and Dimension of Habitable Rooms

No	Occupancy	Minimum Area in sq. m.	Minimum width in m.
(1)	(2)	(3)	(4)
1	Any Habitable room in residential building / room from any other occupancy like hostels, residential hotel, lodging & boarding/housing etc. except kitchen.	9.5	2.4
2	Room in a single – room tenement in Housing scheme for EWS & LIG.	12.5	3.0
3	Room in two-room tenements-		
	a) one of the rooms	9.5	2.4
	b) other room	7.5	2.4
	Room in a two-room tenement in Housing scheme for EWS & LIG		
	a) one of the room	9.0	2.5
	b) other room	6.5	2.1
4	Single hedded room in a hostel of a recognized educational institutions	7.5	2.4
5	Shop on less than 12m road	6.0	1.8

No	Occupancy	Minimum Area in sq. m.	Minimum width in m.
(1)	(2)	(3)	(4)
	Shop on 12m and above road	10	2.0
6	Class room in an educational building	38	5.5
7	Institutional building		
	a) Special room	9.5	3
	b) General Ward	40	5.5
8	Cinema Hall, auditorium assembly hall etc.	Inconformity with the Maharashtra Cinema Rules	

7.2.2. Height of Habitable Rooms

The minimum and maximum height of a habitable room shall be given in Table 7.2.2-A hereunder:

7.2.2-A - Height of Habitable Room

No.	Occupancy	Minimum Height (m)	Maximum Height (m)
(1)	(2)	(3)	(4)
1	Flat Roof-		
	a) Any habitable room	2.75	4.2
	b) Habitable room in LIG Housing	2.6	4.2
	c) Air-conditioned habitable room	2.4	4.2
	d) Assembly Halls, Residential Hotels of 3 star category and above, Institutional, Educational, Industrial, Hazardous or storage occupancies, Departmental Stores, Malls, IT Buildings, Office Buildings, Entrance Halls and Lobbies to department stores and assembly halls.	3.6	4.2 Subject to written permission of the Municipal Commissioner greater height may be permitted.
	e) shops	3.0	4.2
2	Pitched roof-		
	a) Any habitable room	2.75	4.2
	b) Habitable room in EWS / LIG Housing.	2.6 (average with 2.0 m. at the lowest point)	4.2 (average with 3.2 m. at the lowest point)

Provided that –

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

7.3. Kitchen-

7.3.1. Size of Kitchen:-

- i) The area of the kitchen where separate dining area is provided shall be not less than 5.5sqm with a minimum width of 1.8m, where a kitchen, which is intended for use as a dining area also, shall have a floor area of not less than 7.5 sqm with a minimum width of 2.1m.
- ii) In case of special housing scheme, undertaken by public agencies for low income group and economically weaker section of the society, the size of a cooking alcove serving as cooking space shall not be less than 2.4sqm with a minimum width of 1.2m.. The size of individual kitchen provided in a two-roomed house shall be not less than 3sqm with a minimum width of 1.5 m.

7.3.2. Height of Kitchen:-

The height of a kitchen measured from the surface of the floor, to the lowest point in the ceiling (bottom of slab) shall not be less than 2.75 m. except for the portion to accommodate floor trap of the upper floor subject to provisions of Regulation No.7.2.2

7.3.3. Other requirements of kitchen:-

Every kitchen shall have:

- i) unless separately provided, means for the washing of kitchen utensils which shall lead directly or through a sink to grated and trapped connection to the wastepipe;
- ii) an impermeable floor;
- iii) a flue, if found necessary,
- iv) Window of not less than 1 sqm. in area, opening directly on to an interior or exterior open space, but not into a shaft and
- v) Refuse chutes, in the case of High Rise residential buildings more than 15 m. in height.

7.3.4. Requirements regarding pantry:-

A pantry shall have –

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

7.4. Bath Rooms, Water Closets, Combined Bath Room plus Water Closet

7.4.1. Size of bath room and water closet:

- i) The size of a bathroom shall be not less than 1.8 sqm with a minimum width 1.2 m. The size of a water closet shall be not less than 1.10 sqm with a minimum width of 0.9m. The minimum area of a combined bathroom and water-closet shall be 2.8 sq. m. with a minimum width of 1.2 m.
- ii) In the case of EWS/LIG housing scheme the sizes of bathroom and water-closets shall be as follows
 - a) The size of independent water-closet shall be atleast 0.90 sqm with minimum width of 0.9m.
 - b) The size of independent bathroom shall be atleast 1.20sqm with a minimum width of 1.00m
 - c) The size of combined bathroom & water-closet shall be atleast 1.80sqm with minimum width of 1.0m.

7.4.2. Height of bath room and water closet:

The height of a bathroom or water closet measured from the surface of the floor to the lowest point in the ceiling (bottom of slab) shall be not less than 2.1m.

7.4.3. Other requirement of bath room and water closet:

Every bathroom or water-closet shall –

- i) Be so situated that atleast one of its walls shall open to external air,
- ii) Not be directly over or under any room other than another water-closet, washing place, bath or terrace, unless it has a water-tight floor,
- iii) Have platform or seat made of water-tight non-absorbent material;
- iv) Be enclosed by walls or partitions and the surface of every such wall or partition shall be finished with a smooth impervious material to a height of not less than 1 m. above the floor of such a room
- v) Every water closet and/or a set of urinals shall have a flushing cistern of adequate capacity attached to it. In EWS/LIG housing, however, no such flushing cistern need be provided,
- vi) Be provided with an impervious floor covering sloping towards the drain with a suitable grade and not towards verandah or any other room,
- vii) In High Density housing, pour flush water seal latrines (NEERI type) may be permitted when the sewerage system is not available and the water table in the area is not high.
- viii) All the sewerage outlets shall be connected to the sewerage system. Where no such systems exist a septic tank shall be provided within the plot conforming to the requirements of Regulation No.7.31.3
- ix) Have a window or ventilator, opening to a shaft or open space, of area not less than 0.3sqm with side not less than 0.3m.

7.4.4. Restriction on use of room containing water closet:

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

7.5. Ledge or Tand/Loft

7.5.1. Location and extent

Lofts may be provided over kitchen, habitable rooms, bathrooms, water closets, and corridor within a tenement in residential buildings, over shops and in industrial building, as mentioned in below Table No.7.5.1-A subject to the following restrictions-

- i) The clear head room under the loft shall not be less than ~~2.2m~~ 2.1 m.
- ii) Loft in commercial areas and industrial building shall be located 2 m away from the entrance.
- iii) Loft shall not interfere with the ventilation of the room under any circumstances.
- iv) The minimum headroom of Ledge or Tand / Loft shall be ~~2.2m~~ 2.1 m.
- v) The maximum height of loft shall be 1.5m.

7.5.1-A - Provision of Loft

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

7.6. Mezzanine Floor

7.6.1. Size of Mezzanine Floor-

The minimum size of the mezzanine floor, if it is to be used as living room, shall not be less than 9.5sqm. The aggregate area of such mezzanine floor shall in no case exceed 50% of built-up area of that room, shops, etc.

Note: Mezzanine floor area shall be counted towards FSI.

7.6.2. Height of Mezzanine Floor:

The minimum height of a mezzanine floor shall be 2.1 m. The head room under mezzanine floor shall not be less than 2.1 m

7.6.3. Other requirements of mezzanine floor:

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

- i) It conforms to the standards of living rooms as regards lighting and ventilation in case the size of mezzanine floor is 9.50 sqm or more.
- ii) It is so constructed as not to interfere, under any circumstances, with the ventilation of the space over & under it.
- iii) Such mezzanine floor or any part thereof will not be used as a kitchen.
- iv) It is atleast 1.8 m. away from front wall of such rooms.
- v) Access to the mezzanine floor is from within the respective room only.
- vi) in no case shall a mezzanine floor be closed so as to make it liable to be converted into unventilated compartments

7.7. Store room

7.7.1. Size of Store Room:

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

7.7.2. Height of Store Room:

The height of a store room shall not be less than 2.1 m.

7.8. Garage

7.8.1. Size of private Garage:

The size of a private garage in residential building shall not be less than 2.5 m x 5.5 m and not more than 3.0m x 6.0m. The garage, if located in the side open space, shall not be constructed within 3.0 m. from the main building, but at least 7.5 m. away from the any access road.

7.8.2. Size of public Garage:

The size of a public garage shall be calculated based on the number of vehicles to be parked.

7.8.3. Height of private Garage:

The minimum and maximum height of garage shall be 2.4 m. and 2.75 m. respectively.

7.8.4. Plinth of private Garage:

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

7.8.5. Set Back of private Garage:

The garage shall be set-back behind the building line for a street or road on which the plot abuts and shall not be located affecting the access ways to the building. If the garage is not set-back as aforesaid, the Planning Authority may require the owner or occupier of the garage to discontinue use, of

premises or to take such other measures as the Planning Authority may consider necessary in order to prevent danger or obstruction to traffic along the street.

7.9. Location of Garage in Case of Corner Plot:

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

7.10. Roofs:

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

7.11. Rain Water Pipes:

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

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

7.12. Basements:

One or more basements may be permissible for following uses and shall be constructed after leaving the prescribed set-back/required front open space/required front margin, and prescribed building lines.

- a) storage of household or other goods or ordinarily non-combustible material;
- b) Strong rooms, bank lockers, safe deposit vaults, X-ray room, post mortem room, mortuary, cold storage for hospital building etc.
- c) air-conditioning equipment's and other machines used for services and utilities of the building;
- d) parking spaces;
- e) D.G. set room, meter room and electric substation (which will conform to required safety requirements);
- f) Effluent Treatment Plant, suction tank, pump room;
- g) Users strictly ancillary to the Principal user.

Provided that the users mentioned at (a) & (b) above shall be permitted only in the basement immediately below ground floor/stilt floor/podium by counting in F.S.I., subject to the following conditions:

- i) All requirements regarding access, safety (including fire safety), ventilations, etc. shall be complied with.
- ii) All the planning standards (particularly as regarding parking) should be strictly adhered to.
- iii) The basement shall not be used for residential purpose.
- iv) The users other than (a) & (b) shall not be counted in F.S.I.
- v) The basement shall have the following requirements -
 - a) every basement shall be in every part at least 2.4 m. in height from the floor to the underside of the roof slab or ceiling;

- b) Adequate ventilation shall be provided for the basement. The standard of ventilation shall be the same as required by the particular occupancy according to these regulations. Any deficiency may be met by providing adequate mechanical ventilation in the form of blowers exhaust fans or air-conditioning systems;
- c) the minimum height of the ceiling of any basement shall be 0.9 m. and the maximum shall be 1.2 m. above the average surrounding ground level;
- d) adequate arrangements shall be made so as to ensure that surface drainage does not enter the basement;
- e) the walls and floors of the basements shall be water-tight and be so designed that the effect of the surrounding solid and moisture if any is taken into account in design and adequate damp proofing treatment is given and;
- f) The access to the basement shall be separate from the main and alternate staircase providing access and exit from higher floors. Where the staircase is continuous the same shall be enclosed type serving as a fire separation from the basement floor and higher floors. Open ramps shall be permitted if they are constructed within the building line subject to the provision of clause (d) above.
- g) If the basement is proposed flushing to average surrounding ground level, then such basement can be extended in side and rear margins upto 3 mt. from the plot boundary. If the basement is proposed to be constructed below podium then marginal distances shall be as that of podium.
- h) Multilevel basements may be permitted if the basement is used for parking. The ramps of minimum 3.0 m. width for entry and exit of vehicles separately shall be provided. In case of bonafide hardship, the Municipal Commissioner may allow only one ramp with not less than 6.0 m. in width.

7.13. Ramp-

7.13.1. Non Vehicular Ramp-

All the requirements of stairways in Regulation 7.29.3 shall apply *mutatis mutandis* to non-vehicular ramp. In addition, the following requirement shall be complied with.

- a) Ramps with a slope of not steeper than 1 in 10 may be substituted for and shall comply with all the applicable requirements of required stairways as to enclosure, capacity and limited dimensions. In certain cases steeper slopes may be permitted but in no case greater than 1 in 8. Ramps shall be surfaced with approved non slipping material. Provided that in the case of public offices, hospitals, assembly halls, etc. the slope of the ramp shall not be more than 1: 12.
- b) The minimum width of the ramps in hospitals shall be 2.25 m.
- c) Handrails shall be provided on both sides of the ramp.
- d) Ramps shall lead directly to outside open space at ground level or courtyards or safe place.
- e) For building above 24 m. in height access to ramps from any floor of the building shall be through smoke stop door.
- f) When there is a difference in level between connected areas for horizontal exits, ramps not more than 1 in 10 slope shall be provided; steps shall not be used.
- g) For High Rise building, ramps may be permitted in side marginal open space, provided that 6.0 meter clear marginal open space is available after providing ramp.

7.13.2. Ramp to basements and upper storeys for vehicles-

For parking spaces in a basement and upper floors, atleast two ramps of minimum 3-63.0 m. width or one ramp of 6.0 meter width with slope not more than 1:10 and two car lifts shall be provided preferably at the opposite ends.

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7.14. Podium

Podium for parking of the vehicle may be permitted with following requirements / conditions:

- i) Every podium shall be in every part at least 2.4 m. in height from the floor to the soffit of beam.
- ii) Podium shall not be provided in front setback space.
- iii) Podium shall only be used for parking and it shall be designed to take load of fire engine.
- iv) Podium shall be permissible for plots having 2000 sq.m. and above and recreational open space may be permitted on Podium subject to condition that out of required open/recreational space, at least 50% shall be provided on ground.
- v) Podium shall be permissible joining two or more buildings or wings of buildings, subject to availability of manoeuvring space for fire engine. In such case, the distance between two buildings/wings of the building shall be provided as otherwise required under these Regulations.
- vi) Podium shall be allowed at a distance of 6.0 m. from the plot boundary.
- vii) The consent from the Chief Fire Officer shall be necessary before permitting the podium.

7.15. Balcony-

Provisions for the balconies and its requirement shall be as per regulation no 5.5 (b)

7.16. Supported double height terraces

Supported double height terraces shall be permitted (open terraces with railing and minimum height equal to two floors) within the building line, not exceeding 20% of the built up area of the same floor on payment of premium as decided by the Municipal Commissioner.

7.17. Stilt-

A stilt portion shall be permitted on ground floor only constructed below 1st floor level, the height between ground floor level & ceiling of the stilt portion shall not be more than 2.4 m from the plinth of stilt upto the bottom of beam and atleast three sides of the stilt portion shall be open. The stilt portion shall not be used for any purpose other than for vehicles parking or for play field. Plinth of stilt shall not be more than 15 cm. from surrounding ground level.

7.18. Chimneys-

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

7.19. Letter Box-

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

7.20. Meter Room-

For all buildings above 15 m in height and in special occupancies, like educational, assembly, institutional, industrial, storage, hazardous and mixed occupancies with any of the aforesaid occupancies having area more than 500sqm on each floor, provision shall be made for an independent and ventilated meter (service) room, as per requirements of electric (service) supply undertakings on the ground floor with direct access from outside for the purpose of termination of electric supply from

the licensee's service and alternative supply cables. The door/doors provided for the service room shall have fire resistance of not less than two hours.

7.21. Common Antenna for Television Transmission Reception-

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

7.22. Lighting and Ventilation of Room-

i) Adequacy and manner of provision-

All parts of any room shall be adequately lighted and ventilated. For this purpose every room shall have-

- a. sixth of the floor area of the room, with no part of any habitable room being more than 7.5 m. away from the source of light and ventilation. However, a staircase shall be deemed to be adequately lighted and ventilated, if it has one or more openings then area taken together measuring not less than 1 sqm per landing on the external wall.
- b. An opening with a minimum area of 1 sqm in any habitable room including a kitchen, and 0.30 sqm with one dimension of 0.30 m. for any bathroom, water closet or store.
- c. All the walls, containing the openings for light and ventilation fully exposed to an exterior open space either directly or through a verandah not exceeding 2.4 m. in width provided that a room meant for non-residential user shall be considered as adequately lighted and ventilated if, its depth from the side abutting the required open space does not exceed 12 m.

- ii) **Ventilation Shaft**-For ventilating the spaces for water closets & bathrooms, if not opening on front, side, rear & interior open spaces, these shall open on the ventilation shaft, the size of which shall not be less than the values given below:

7.13.2-A - Ventilation Shaft

Sr. No.	Height of Buildings in m.	Cross-section of Ventilation shaft in sq. m.	Minimum one dimension of the shaft in m.
(1)	(2)	(3)	(4)
1	Upto 10	1.2	0.9
2	Upto 12	2.4	1.2
3	Upto 18	4.0	1.5
4	Upto 24	5.4	1.8
5	Upto 30	8.0	2.4
6	Above 30	9.0	3.0

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

- iii) **Artificial Lightning and Mechanical ventilation** - where lighting and ventilation requirements are not met through day-lighting and natural ventilation, they shall be ensured through artificial lighting and ventilation in accordance with the provisions of Part 8, Building Services- Section 1, Lighting and Ventilation, National Building Code of India, 2005.
- iv) In any residential hotel where toilets are provided with a mechanical ventilation system. The size of the ventilation shaft prescribed in this Regulation may be suitably relaxed by the Planning Authority.
- v) For fully air-conditioned residential buildings for lodging purposes, the ventilation shaft need not be insisted upon, provided the air-conditioning system works in an uninterrupted manner, also, provided there is an alternative source of power supply.

7.23. Overhead Tanks:

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

7.24. Parapet:

Parapet walls and handrails provided on the edges of roof terraces, balcony, and verandah shall not be less than 1.0m and not more than 1.2m in height from the finished floor level.

7.25. Cabin:

The size of cabins shall be 3.0 sqm with a minimum width of 1m. The clear passages within the divided space of any floor shall not be less than 0.9 m. and the distance from the farthest space in a cabin to any exit shall not be more than 18.5 m. In case the sub-divided cabin does not derive direct lighting and ventilation from any open space or mechanical means, the maximum height of the cabin shall be 2.2 m.

7.26. Boundary /Compound Wall:

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

7.27. Provision of Lift:

i) Planning and Design

Atleast one lift shall be provided in every building more than 15m or as amended from time to time in NBC in height. In case of buildings more than 24m high atleast two lifts shall be provided. However, in the case of a proposal to add one additional floor to an existing building having a lift, it will not be necessary to raise the existing lift to the additional floor. Provided that in the case of an existing building with height of 15m or above one additional floor may be permitted without insisting on a lift in the case of chawl like structures. The same concession would be available for buildings with apartment accommodation provided the additional floor space is limited to 120 sqm. The total height shall not exceed 15m or ground and five upper floors.

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

ii) Maintenance-

- a) The lift installation should receive regular cleaning, lubrication adjustment and adequate servicing by authorized competent persons at such intervals as the type of equipment and

- frequency of service demand. In order that the lift installation is maintained at all times in a safe condition, a proper maintenance schedule shall be drawn up in consultation with the lift manufacturer and rigidly followed. A log book to record all items relating to general servicing and inspection shall be maintained. The electrical circuit diagram of the lift with the sequence of operation of different components and parts shall be kept readily available for reference by persons responsible for the maintenance and replacement, where necessary, to the satisfaction of the Competent Authority i.e. Lift inspector of the Government of Maharashtra.
- b) Any accident arising out of operation or maintenance of the lifts shall be duly reported to the Competent Authority, i.e. Lift Inspector of the Government of Maharashtra. A notice may be put in the machine room to this effect.
 - c) All the floors shall be accessible for 24 hours by the lifts. The lifts provided in the buildings shall not be considered as a means of escape in case of emergency. Grounding switch at ground floor level to enable the fire service to ground the lift cars in an emergency shall also be provided.
 - d) The lift machine rooms shall be separate and no other machinery shall be installed therein.
 - e) Particular attention may be directed for thorough periodical examination of wire ropes when in service. Attention should also be directed to the thorough examination of the groove of the drums, sheaves and pulleys when installing a new rope. A groove deepened by rope wear is liable to lead to early failure of a new rope unless the groove is returned.

7.28. Exit Requirements-

7.28.1. General

- a) An exit may be a doorway, corridor, passageway(s) to an internal staircase, or external staircase, or to a *VERANDAH* or terrace(s), which have access to the street, or to the roof of a building or a refuge area. An exit may also include a horizontal exit leading to an adjoining building at the same level.
- b) Lifts and escalators shall not be considered as exits.
- c) Every exit, exit access or exit discharge shall be continuously maintained free of all obstructions or impediments to full use in the case of fire or other emergency.
- d) Every building meant for human occupancy shall be provided with exits sufficient to permit safe escape of occupants, in case of fire or other emergency.
- e) In every building or structure, exits shall comply with the minimum requirements of this part, except those not accessible for general public use.
- f) No building shall be so altered as to reduce the number, width or protection of exits to less than that required.
- g) Exits shall be clearly visible and the route to reach the exits shall be clearly marked and signs posted to guide the occupants of the floor concerned. Signs shall be illuminated and wired to an independent electrical circuit on an alternative source of supply. The sizes and colours of the exit signs shall be in accordance with good as per N.B.C. (4.16, 4.17 Part-IV) practice [4(16)]. The colour of the exit signs shall be green.
- h) The floors of areas covered for the means of exit shall be illuminated to values not less than 1 ft. candle (10 IUX) at floor level. In auditoriums, theatres, concert halls and such other places of assembly, the illumination of floor exit/access may be reduced during period of performances to values not less than 1/5 ft. candle (2 lux).
- i) Fire doors with 2 h fire resistance shall be provided at appropriate places along the escape route and particularly at the entrance to lift lobby and stairwell where a 'funnel or flue effect' may be created, inducing an upward spread of fire to prevent spread of fire and smoke.
- j) All exits shall provide continuous means of egress to the exterior of a building or to an exterior open space leading to a street.
- k) Exits shall be so arranged that they may be reached without passing through another occupied unit.

7.28.2. Type of Exits:

An exit may be a doorway, a corridor, a passage or a way to an internal staircase or external staircase, ramp or to a verandah and/or terraces which have eaves to the street or to roof of a building. An exit may also include a horizontal exit leading to an adjoining building at the same level. Lifts and escalators shall not be considered as exits.

7.28.3. Number and Size of Exits

The requisite number and size of various exits shall be provided, based on number of occupants in each room and floor based on the occupant load, capacity of exits; travel distance and height of building as per provisions of Regulation No.7.28.4, 7.28.5

7.28.4. Arrangement of Exits:

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

7.28.5. Occupant Load:

For determining the exits required, the number of persons within any floor area or the occupant load shall be based on the actual number of occupants, but in no case less than that specified in Table No.7.28.5-Abelow-

7.28.5-A - Occupant load for various uses

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

Note:

- i) Occupant load in dormitory portions of homes for the aged, orphanages, insane, asylums etc. where sleeping accommodation provided, shall be calculated at not less than 7.5 sqm gross floor area per person.
- ii) The gross floor area shall include, in addition to the main assembly rooms or space, any occupied connecting room or space in the same storey or in the storeys above or below where entrance is common to such rooms and spaces and they are available for use by the occupants of the assembly place. No deductions shall be made in the area for corridors, closets or other subdivisions, that area shall include all space serving the particular assembly occupancy.

7.28.6. Capacity of Exits-

- 1) Occupants per unit exit width shall be in accordance with Table-7.28.6-A

7.28.6-A- Occupants per unit exit width

Sr. No.	Group of Occupancy	Number of Occupants		
		Stairways	Ramps	Doors
(1)	(2)	(3)	(4)	(5)
1	Residential	25	50	75
2	Educational	25	50	75
3	Institutional	25	50	75
4	Assembly	60 40	50	90 60
5	Business	50	60	75
6	Mercantile	50	60	75
7	Industrial	50	60	75
8	Storage	50	60	75
9	Hazardous	25	30	10 40

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

7.28.7. Provision for Staircase-

Provided that, in case of multi-storeyed and special buildings, a minimum of two enclosed type staircases shall be provided, at least one of them opening directly to the exterior or to an interior open space or to any open place of safety.

7.28.8. Width of stair case-

Notwithstanding anything contained in regulations 7.28.5, 7.28.6 and 7.28.7 the following minimum width provision shall be made for staircases flight/corridor.

7.28.8-A - Min. width of Staircase

S No	Use of Building	Minimum width of Stair Case (in m)
1	Residential Building	1.20
2	Residential hotel buildings	1.50
3	Assembly Building likes auditorium, theatres and cinemas	2.00
4	Institutional Buildings	2.00
5	All other Buildings	1.50

Note-

- i) For row housing with 2 storeys the minimum shall be 0.75 m.

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

7.28.9. Corridors:

- a) The minimum width of a corridor other than internal passages shall be calculated based on the provisions of a regulation No 7.28.9 as per the corresponding width of staircase;
- b) In case of more than one main staircase of the building interconnected by a corridor or other enclosed space, there shall be at least one smoke stop door across the corridor or enclosed space between the doors in the enclosing walls of any two staircases.
- c) The passages (covered or uncovered) including an arcade, a courtyard, a porch or portico, spaces to be left open to sky in accordance with these Regulations, in any premises shall not be used for any other purpose than the one permissible.

7.28.10. Lifts and Escalators:-

- i) Lifts:-
 - a) All the floors shall be accessible for 24 hours by the lifts. The lifts provided in the buildings shall not be considered as a means of escape in case of emergency.
 - b) Grounding switch at ground floor level to enable the fire service to ground the lift cars in any emergency shall also be provided; the lift machine room shall be separate and no other machinery shall be installed therein.

ii) Escalators :-

Escalators may be permitted in addition to required lifts. Such escalators may be permitted in atrium area in shopping malls / public buildings.

7.28.11. Fire lift –

Where applicable, fire lifts shall be provided with a minimum capacity for 8 passengers and fully automated with emergency switch on ground level. In general, buildings 15 m in height or above shall be provided with fire lifts. In case of fire, only fireman shall operate the fire lift. In normal course, it may be used by other persons. Each fire lift shall be equipped with suitable inter-communication equipment for communicating with the control room on the ground floor of the building. The number and location of fire lifts in a building shall be decided after taking into consideration various factors like building population, floor area, compartmentation, etc.

7.29. Requirements of Individual Exit at Each Floor-

The detailed requirements in respect of exits shall be as provided in regulations 7.29.1 to 7.29.5 given below.

7.29.1. Doorways:

- i) Every exit doorway shall open into an enclosed stairway or a horizontal exit, or a corridor or passageway providing continuous and protected means of egress:
- ii) No exit doorway shall be less than 100 cm. in width except assembly buildings where door width shall be not less than 200 cm. Doorway shall be not less than 200 cm. in height. Doorways for the bathrooms, water-closets or stores shall be not less than 75 cm. wide.
- iii) Exit doorways shall open outwards, that is away from the room but shall not obstruct the travel along any exit. No door, when opened shall reduce the required width of stairways or landing to less than 90 cm. Overheads or sliding doors shall not be installed.
- iv) Exit door shall not open immediately upon a flight of stair. A landing equal to at least the width of the door shall be provided in the stairway at each doorway. Level of landing shall be the same as that of the floor which it serves.
- v) Exit doorway shall be openable from the side which they serve without the use of a key.
- vi) Mirrors shall not be placed in exit ways or exit doors to avoid confusion regarding the direction of exit.

7.29.2. Revolving doors:

- i) Revolving doors shall not be used as required exits except in residential business and mercantile occupancies; they shall not constitute more than half the total required door width.
- ii) When revolving doors are considered as required exit way, the following requirements shall be made .

7.29.3. Stair Ways:

- i) Interior staircase shall be constructed of non-combustible materials throughout
- ii) Interior staircase shall be constructed as a self-contained unit with at least one side adjacent to an external wall and shall be completely enclosed.
- iii) A staircase shall not be arranged around a lift shaft
- iv) Hollow combustible construction shall not be permitted.
- v) The minimum width of tread without nosing shall be 25 cm. for an internal staircase for residential building. In the case of other buildings, the minimum tread shall be 30 cm. The treads shall be constructed and maintained in a manner to prevent slipping.
- vi) The maximum height of riser shall be 19 cm. in the case of residential buildings and 15cm. in the case of other buildings. They shall be limited to 15 per flight.
- vii) Handrails shall be provided with a minimum height of 100 cm. from the centre of the treads to the top of the handrails. Balusters / railing shall be provided such that the width of staircase does not reduce.
- viii) Floor indicator - The number of each floor shall be conspicuously painted in figures at least 15 cm. large on the wall facing the flights of a stairway or at such suitable place as is distinctly visible from the flights.
- ix) The minimum headroom in a passage under the landing of a staircase shall be 2.2 m.
- x) For building more than 15m. in height or more access to main staircase shall be gained through at least half an hour fire resisting automatic closing doors placed in the enclosing wall of the staircase. It shall be a swing type door opening in the direction of the escape.
- xi) No living space, store or other space including fire risk shall open directly into the staircase.
- xii) External exit door of staircase enclosure at ground level shall open directly to the open spaces or should be reached without passing through any door other than a door provided to form a draught lobby.
- xiii) In the case of assembly, institutional or residential occupancies or hotels or industrial and hazardous occupancies, the exit sign with arrow indicating the way to the escapes route shall be provided at a height of 0.5 m. from the floor level on the wall and shall be illuminated by electric light connected to corridor circuits. All exit way marking signs should be flushed with the wall and so designed that no mechanical damage shall occur to them due to moving of furniture or other heavy equipments. Further all landings of floor shall have floor indicating boards prominently indicating the number of floor. The floor indication board shall be placed on the wall immediately facing the flight of stairs and nearest to the landing. It shall be of the size not less than 0.5 x 0.5 m.
- xiv) In case of a single staircase, it shall terminate at the ground floor level and the access to the basement shall be by a separate staircase. Whenever the building is served by more than one staircase one of the staircases may lead to basement level provided the same is separated at ground level by either a ventilated lobby or a cut-off screen wall without opening, having a fire resistance of not less than 2 hours with discharge point at two different ends or through enclosures. It shall also be cut-off from the basement areas at various basement levels by a protected and ventilated lobby or lobbies.

7.29.4. Fire escape or external stairs:

An external staircase is desirable to be provided for high rise buildings. External stairs, when provided shall comply the following:

- i) External stairs shall always be kept in sound operable conditions.
- ii) All external stairs shall be directly connected to the ground.

- iii) Entrance to the external stairs shall be separate and remote from the internal staircase.
- iv) Care shall be taken to ensure that no wall opening or window opens on to or close to an external stairs.
- v) The route to the external stairs shall be free of obstructions at all times.
- vi) The external stairs shall be constructed of non-combustible materials, and any doorway leading it shall have the required fire resistance.
- vii) No external staircase, used as a fire escape, shall be inclined at an angle greater than 45 degree from the horizontal.
- viii) External stairs shall have straight flight not less than 1250 mm wide with 250 mm treads and risers not more than 190 mm. The number of risers shall be limited to 15 per flight.
- ix) Handrails shall be of a height not less than 1000 mm and not exceeding 1200 mm. There shall be provisions of balusters with maximum gap of 150 mm.
- x) The use of spiral staircase shall be limited to low occupant load and to a building not exceeding 9 m in height. A spiral stair case shall be not less than 1500 mm in diameter and shall be designed to give adequate headroom.
- xi) Unprotected steel frame staircase will not be accepted as means of escape. However, steel staircase in an enclosed fire rated compartment of 2 h will be accepted as means of escape.

7.29.5. Corridors and passageways –

- i) The minimum width of a corridor shall not be less than 75cm. in the case of 2 storeys row housing residential buildings and 100cm. in the case of other buildings and actual width shall be calculated based on the provision of regulations 7.28.3 to 7.28.5 (both inclusive)
- ii) Where there is more than one staircase serving a building, there shall be at least one smoke-stop door in the space between the staircases.
- iii) Exit corridors & passageways shall be of width not less than the aggregate required width of exit doorways leading from them in the direction of travel of the exterior/stairways.
- iv) Where stairways discharge through corridors & passageways the height of the corridors & passageways shall not be less than 2.4 m.
- v) All means of exit including staircases, lifts, lobbies & corridors shall be adequately ventilated

7.30. Refuge Area:

For buildings more than 24 m in height, refuge area of 15 sqm. or an area equivalent to 0.3 sqm. per person to accommodate the occupants of two consecutive floors, whichever is higher, shall be provided as under :

The refuge area shall be provided on the periphery of the floor or preferably on a cantilever projection and open to air at least on one side protected with suitable railings.

- a) **For floors above 24 m and Up to 39 m**-One refuge area on the floor immediately above 24 m.
- b) **For floors above 39 m**-One refuge area on the floor immediately above 39 m and so on after every 15 m. Refuge area provided in excess of the requirements shall be counted towards FSI.

7.31. Water Supply and Drainage Arrangement-

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

7.31.1. Drinking water arrangement-

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

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

7.31.2. Wells:

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

1) **Location**-The Well shall be located:-

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

2) **Requirements**-The well other than a bore well or a tube well shall:-

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

7.31.3. Sub soil dispersion system/septic tank-

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

1) **Design of septic tank-**

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

2) **Location of septic tank and subsurface absorption system-**

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

3) **Requirements-**

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

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

7.32. Structural Safety, Water Supply, Drainage and Sanitary Requirement, Outdoor Display and Other Services-

Building shall be planned, designed and constructed to ensure structural safety, water supply, drainage, sanitary requirement, outdoor display and other services etc. shall be as per National Buildings Code of India unless otherwise specified Part-10/11 of these regulations

7.33. Fire Protection Requirement-

All buildings shall be planned, designed and constructed to ensure fire safety and this shall be done in accordance with the regulations mentioned in Part IX of these regulations and Part IV of Fire Protection of National Building Code of India and *Maharashtra Fire Prevention and Life Safety Measures Act, 2006*. unless otherwise specified in Part-8 of these regulations.

7.34. Additional requirements in case of Housing Schemes

Following amenities shall be provided in any housing scheme and shall be counted in FSI

- i) Fitness Centre, Crèche, society office cum letter box room, admeasuring area of about 20 sq.m.in scheme having minimum 100 flats and thereafter additional 20 sq.m. area for every 300flats.
- ii) Sanitary block for servants having maximum area of 3.00 sq.m. in schemes having minimum 100 flats and thereafter additional 3.00 sq.m. area for every 200 flats.
- iii) Drivers room of size 12 sq.m. with attached toilet in schemes having minimum 100 flats and thereafter additional 10 sq.m. area for every 300 flats.

In case of scheme having more than 1000 flats, the above amenities shall be reasonably provided keeping in view the above requirements

8. FIRE PROTECTION REQUIREMENTS

8.1. Fire protection requirements-

All buildings shall be planned, designed and constructed as per these regulations and to ensure fire prevention and fire safety measures required shall be done in accordance with provisions of the Maharashtra Fire Prevention and Life Safety Measures Act, 2006 as amended from time to time, and Part IV of Fire Protection of National Building Code of India (for the provisions which are not covered in these regulations.) In case of special buildings, the building schemes shall also be cleared by the Chief Fire Officer, Fire Brigade Department of the Corporation.

8.2. Construction materials

- i) All materials of constructions in load bearing elements, stairways and corridors and facades shall be non-combustible.
- ii) The interior finish materials shall not have a flame spread ability rating exceeding Class 1 (see 3.4.15.2 of Part 4 of National Building Code)
- iii) The internal walls or staircase shall be of brick or reinforced concrete with a minimum of 2 h. fire rating.
- iv) The staircase shall be ventilated to the atmosphere at each landing and a vent at the top; the vent openings shall be of 0.5sq.m in the external wall and the top. If the staircase cannot be ventilated, because of location or other reasons, a positive pressure 50 Pa shall be maintained inside. The mechanism for pressurizing the staircase shall operate automatically with the fire alarm. The roof of the shaft shall be 1 m. above the surrounding roof. Glazing or glass bricks, if used in staircase, shall have fire resistance rating of minimum 2h.

8.3. Lifts

General requirements of lifts shall be as follows:

- a) Walls of lift enclosures shall have a fire rating of 2 h; lifts shall have a vent at the top of area not less than 0.2sq.m.
- b) Lift motor room shall be located preferably on top of the shaft and separated from the shaft by the floor of the room.
- c) Landing doors in lift enclosures shall have a fire resistance of not less than 1h.
- d) The number of lifts in one row for a lift bank shall not exceed 4 and the total number of lifts in the bank (of two rows) shall not exceed 8. A wall of 2 h. fire rating shall separate individual shafts in a bank.
- e) Lift car door shall have a fire resistance rating of half an hour.
- f) Collapsible gates shall not be permitted for lifts and shall have solid doors with fire resistance of at least 1h.
- g) If the lift shaft and lobby is in the core of the building, a positive pressure between 25 and 30 Pa shall be maintained in the lobby and a positive pressure of 50 Pa shall be maintained in the lift shaft. The mechanism for pressurization shall act automatically with the fire alarm; it shall be possible to operate this mechanically also.
- h) Exit from the lift lobby, if located in the core of the building, shall be through a self-closing smoke stop door of half an hour fire resistance.
- i) Lifts shall not normally communicate with the basement; if, however, lifts are in communication, the lift lobby of the basements shall be pressurized as in (g), with self-closing door as in (h)

- k) Grounding switch (es), at ground floor level, shall be provided on all the lifts to enable the fire service to ground the lifts.
- l) Telephone or other communication facilities shall be provided in lift cars for building of 30 m. in height and above. Communication system for lifts shall be connected to fire control room for the building.
- m) Suitable arrangements such as providing slope in the floor of lift lobby, shall be made to prevent water used during fire-fighting, etc., at any landing from entering the lift shafts.
- n) A sign shall be posted and maintained on every floor at or near the lift indicating that in case of fire, occupants shall use the stairs unless instructed otherwise. The sign shall also contain a plan for each floor showing the locations of the stairways. Alternate source of power supply shall be provided for all the lifts through a manually operated change over switch.

8.4. Fire Lifts –

Following details shall apply for a fire lift:

- i) To enable fire services personnel to reach the upper floors with the minimum delay, one fire lift per 1200 sq.m. of floor area shall be provided and shall be available for the exclusive use of the firemen in an emergency.
- ii) The lift shall have a floor area of not less than 1.4 sq.m. It shall have loading capacity of not less than 545 kg (8 persons lift) with automatic closing doors of minimum 0.8 m. width.
- iii) The electric supply shall be on a separate service from electric supply mains in a building and the cables run in a route safe from fire, that is, within the lift shaft. Lights and fans in the elevators having wooden panelling or sheet steel construction shall be operated on 24 V supply.
- iv) Fire-fighting lift should be provided with a ceiling hatch for use in case of emergency, so that when the car gets stuck up, it shall be easily openable.
- v) In case of failure of normal electric supply, it shall automatically trip over to alternate supply. For apartment houses, this changeover of supply could be done through manually operated changeover switch. Alternatively, the lift shall be so wired that in case of power failure, it comes down at the ground level and comes to stand-still with door open.
- vi) The operation of a fire lift is by a simple toggle or two-button switch situated in a glass-fronted box adjacent to the lift at the entrance level. When the switch is on, landing call-points will become inoperative and the lift will be on car control only or on a priority control device. When the switch is off, the lift will return to normal working. This lift can be used by the occupants in normal times.
- vii) The words 'Fire Lift' shall be conspicuously displayed in fluorescent paint on the lift
- viii) Landing doors at each floor level.
- ix) The speed of the fire lift shall be such that it can reach the top floor from ground level within 1 minute.

8.5. Basements -

- i) Each basement shall be separately ventilated. Vents with cross-sectional area (aggregate) not less than 2.5 percent of the floor area spread evenly round the perimeter of the basement shall be provided in the form of grills or breakable stall board lights or pavement lights or by way of shafts. Alternatively, a system of air inlets shall be provided at basement floor level and smoke outlets at basement ceiling level. Inlets and extracts may be terminated at ground level with stall board or pavement lights as before, but ducts to convey fresh air to the basement floor level have to be laid.
- ii) Stall board and pavement lights should be in positions easily accessible to the fire brigade and clearly marked SMOKE OUTLET or AIR INLET with an indication of area served at or near the opening.

- iii) The staircase of basements shall be of enclosed type having fire resistance of not less than 2 h and shall be situated at the periphery of the basement to be entered at ground level only from the open air and in such positions that smoke from any fire in the basement shall not obstruct any exit serving the ground and upper storeys of the building and shall communicate with basement through a lobby provided with fire resisting self-closing doors of 1 h resistance. For travel distance, if the travel distance exceeds as given therein, additional staircases shall be provided at proper places.
- iv) In multi-storey basements, intake ducts may serve all basement levels, but each basement levels and basement compartment shall have separate smoke outlet duct or ducts. Ducts so provided shall have the same fire resistance rating as the compartment itself. Fire rating may be taken as the required smoke extraction time for smoke extraction ducts.
- v) Mechanical extractors for smoke venting system from lower basement levels shall also be provided. The system shall be of such design as to operate on actuation of heat / smoke sensitive detectors or sprinklers, if installed, and shall have a considerably superior performance compared to the standard units. It shall also have an arrangement to start it manually.
- vi) Mechanical extractors shall have an internal locking arrangement, so that extractors shall continue to operate and supply fans shall stop automatically with the actuation of fire detectors.
- vii) Mechanical extractors shall be designated to permit 30 air changes per hour in case of fire or distress call. However, for normal operation, air changes schedule shall be as given in Part 8, Building Services, Section 3. Air-conditioning, Heating and Mechanical Ventilation of National Building Code.
- viii) Mechanical extractors shall have an alternative source of supply.
- ix) Ventilating ducts shall be integrated with the structure and made out of brick masonry or reinforced cement concrete as far as possible and when this duct crosses the transformer area or electrical switchboard, fire dampers shall be provided.
- x) Use of basements for kitchens working on gas fuel shall not be permitted, unless air conditioned. The basement shall not be permitted below the ward block of a hospital/nursing home unless it is fully sprinkled. Building services such as electrical sub-stations, boiler rooms in basements shall comply with the provisions of the Indian Electricity Act / Rules.
- xi) If cut-outs are provided from basements to the upper floors or to the atmospheres, all sides cut-out openings in the basements shall be protected by sprinkler head at close spacing so as to form a water curtain in the event of a fire.
- xii) Openable windows on external wall shall be fitted with such locks that can be opened by a fireman's axe.
- xiii) All floors shall be compartmented with area not exceeding 750 sq.m. by a separation wall with 2 h fire rating, for floors with sprinklers the area may be increased by 50 percent. In long building, the fire separation walls shall be at distances not exceeding 40 m. For departmental stores, shopping centres and basements, the area may be reduced to 500 sq.m. for compartmentation. Where this is not possible, the spacing of the sprinklers, care should be taken to prevent spray from one sprinkler impeding the performance of an adjacent sprinkler head.
- xiv) It is essential to make provisions for drainage of any such water on all floors to prevent or minimize water damage of the contents. The drain pipes should be provided on the external wall for drainage of water from all floors. On large area floors, several such pipes may be necessary which should be spaced 30 m. apart. Care shall be taken to ensure that the construction of the drain pipe does not allow spread fire / smoke from floor to floor.

8.6. Service Ducts/Shafts

- i) Service ducts and shafts shall be enclosed by walls of 2 h and doors of 1 h. fire rating. All such ducts/shafts shall be properly sealed and fire stopped at all floor levels.
- ii) A vent opening at the top of the service shaft shall be provided having between one-fourth and one-half of the area of the shaft.

8.7. Refuse chutes

shall have opening at least 1 m. above roof level for venting purpose and they shall have an enclosure wall of non-combustible material with fire resistance of not less than 2 h. They shall not be located within the staircase enclosure or service shafts, or air-conditioning shafts inspection panel and doors shall be tight fitting with 1 h fire resistance; the chutes should be as far away as possible from exit.

8.8. Refuge Area

Provisions contained in Regulation no 7.30 shall apply for all buildings except multi-family dwellings.

8.9. Electrical services

Electrical Services shall conform to the following:

- i) The electric distribution cables / wiring shall be laid in a separate duct. The duct shall be sealed at every floor with non-combustible materials having the same fire resistance as that of the duct. Low and medium voltage wiring running in shaft and in false ceiling shall run in separate conduits;
- ii) Water mains, telephone lines, intercom lines, gas pipes or any other service line shall not be laid in the duct for electrical cables; use of bus ducts / solid rising mains instead of cables is preferred;
- iii) Separate circuits for fire-fighting pumps, lifts, staircases and corridor lighting and blowers for pressurizing system shall be provided directly from the main switch gear panel and these circuits shall be laid in separate conduit pipes, so that fire in one circuit will not affect the others. Such circuits shall be protected at origin by an automatic circuit breaker with its no-volt coil removed. Master switches controlling essential service circuits shall be clearly labeled;
- iv) The inspection panel doors and any other opening in the shaft shall be provided with air-tight fire doors having fire resistance of not less than 2 h;
- v) Medium and low voltage wiring running in shafts and within false ceiling shall run in metal conduit. Any 230 V wiring for lighting or other services above false ceiling shall have 660 V grade insulation. The false ceiling including all fixtures used for its suspension, shall be of non-combustible material and shall provide adequate fire resistance to the ceiling in order to prevent spread of fire across ceiling. Reference may be made to good practice;
- vi) An independent and well ventilated service room shall be provided on the ground level or first basement with direct access from outside or from the corridor for the purpose of termination of electric supply from the licensee's service and alternative supply cables. The doors provided for the service room shall have fire resistance of not less than 2h.
Note: If service room is located at the first basement, it should have automatic fire extinguishing system.
- vii) If the licensee agree to provide meters on upper floors, the licensee's cable shall be segregated from consumers' cable by providing a partition in the duct. Meter rooms on upper floors shall not open into staircase enclosures and shall be ventilated directly to open air outside; and
- viii) Suitable circuit breakers shall be provided at the appropriate points.

8.10. Gas supply

Gas supply shall conform to the following:-

- i) Town Gas / L.P. Gas Supply Pipes – Where gas pipes are run in buildings, the same shall be run in separate shafts exclusively for this purpose and these shall be on external walls, away from the staircases. There shall be no interconnection of this shaft with the rest of the floors. LPG distribution pipes shall always be below the false ceiling. The length of these pipes shall be as

short as possible. In the case of kitchen cooking range area, apart from providing hood, covering the entire cooking range, the exhaust system should be designed to take care of 30 cu.m. per minute per sq.m. of hood protected area. It should have grease filters using metallic grill to trap oil vapours escaping into the fume hood.

Note:- For detailed information on gas pipe installations, reference may be made to Para.9, Plumbing Services, Section 3 Gas Supply, of National Building Code of India.

- ii) All wiring in fume hoods shall be of fibreglass insulation. Thermal detectors shall be installed into fume hoods of large kitchens for hotels, hospitals and similar areas located in high rise buildings. Arrangements shall be made for automatic tripping of the exhaust fan in case of fire. If LPG is used, the same shall be shut off. The voltage shall be of 24 V or 100 V dc operated with the external rectifier. The valve shall be of the hand re-set type and shall be located in an area segregated from cooking ranges. Valves shall be easily accessible. The hood shall have manual facility for steam or carbon dioxide gas injection, depending on duty condition; and
- iii) Gas meters shall be housed in a suitably constructed metal cupboard located in a well-ventilated space, keeping in view the fact that LPG is heavier than air and town gas is lighter than air.

8.11. Illumination of Means of Exit

Staircase and corridor lights shall conform to the following:

- i) All wires and other accessories used for emergency light shall have fire retardant property. The staircase and corridor lighting shall be on separate circuits and shall be independently connected so as it could be operated by one switch installation on the ground floor easily accessible to fire-fighting staff at any time irrespective of the position of the individual control of the light points, if any. It should be of miniature circuit breaker type of switch so as to avoid replacement of fuse in case of crisis;
- ii) Staircase and corridor lighting shall also be connected to alternative supply. The alternative source of supply may be provided by battery continuously trickle charged from the electric mains;
- iii) Suitable arrangements shall be made by installing double throw switches to ensure that the lighting installed in the staircase and the corridor does not get connected to two sources of supply simultaneously. Double throw switch shall be installed in the service room for terminating the stand-by supply.
- iv) Emergency lights shall be provided in the staircase and corridor; and

8.12. A stand-by electric generator

- i) A **stand-by electric generator** shall be installed to supply power to staircase and corridor lighting circuits, fire lifts, the stand-by fire pump, pressurization fans and blowers, smoke extraction and damper systems in case of failure of normal electric supply. The generator shall be capable of taking starting current of all the machines and circuits stated above simultaneously. If the stand-by pump is driven by diesel engine, the generator supply need not be connected to the stand-by pump.
- ii) Where parallel HV / LV supply from a separate sub-station is provided with appropriate transformer for emergency, the provision of generator may be waived in consultation with the Authority.

8.13. Transformers

Transformers shall conform to the following:-

- i) A sub-station or a switch-station with oil filled equipment shall not be located in the building. The sub-station structure shall have separate fire resisting walls/surroundings and shall necessarily be located at the periphery of the floor having separate access from fire escape

staircase. The outside walls, ceiling, floor, openings including doors and windows to the sub-station area shall be provided with a fire resisting door of 2 h fire rating. Direct access to the transformer room shall be provided, preferably from outside fire escape staircase.

- ii) The sub-station area needs to be maintained at negative air pressures and area in sub-station shall not be used as storage / dump areas.
- iii) When housed inside the building, the transformer shall be of dry type and shall be cut off from the other portion of premises by walls/ doors / cut-outs having fire resistance rating of 4h.

8.14. Air-conditioning

Air-conditioning shall conform to the following:

- i) Escape routes like staircases, common corridors, lift lobbies, etc. shall not be used as return air passage.
- ii) The ducting shall be constructed of substantial gauge metal in accordance with good practice.
- iii) Wherever the ducts pass through fire walls or floors, the opening around the ducts shall be sealed with materials having fire resistance rating of the compartment.
- iv) Where duct crosses a compartment which is fire rated, the ducts shall be fire rated for same fire rating. Further depending on services passing around the duct work, which may get affected in case of fire temperature rising, the ducts shall be insulated.
- v) As far as possible, metallic ducts shall be used even for the return air instead of space above the false ceiling.
- vi) Where plenum is used for return air passage, ceiling and its fixtures shall be of non-combustible material.
- vii) The materials used for insulating the duct system (inside or outside) shall be of non-combustible material. glass wool shall not be wrapped or secured by any material of combustible nature.
- viii) Area more than 750 sq.m. on individual floor shall be segregated by a fire wall and automatic fire dampers for isolation shall be provided.
- ix) Air ducts serving main floor areas, corridors, etc. shall not pass through the staircase enclosure.
- x) The air-handling units shall be separate for each floor and air ducts for every floor shall be separated and in no way inter-connected with the ducting of any other floor.
- xi) If the air-handling unit serves more than one floor, the recommendations given above shall be complied with in addition to the conditions given below:
- xii) Proper arrangements by way of automatic fire dampers working on smoke detector / or fusible link for isolating all ducting at every floor from the main riser shall be made.
- xiii) When the automatic fire alarm operates, the respective air-handling units of the air-conditioning system shall automatically be switched off.
- xiv) The vertical shaft for treated fresh air shall be of masonry construction.
- xv) The air filters of the air-handling units shall be of non-combustible materials.
- xvi) The air-handling unit room shall not be used for storage of any combustible materials.
- xvii) Inspection panels shall be provided in the main trunking to facilitate the cleaning of ducts of accumulated dust and to obtain access for maintenance of fire dampers.
- xviii) No combustible material shall be fixed nearer than 150 mm to any duct unless such duct is properly enclosed and protected with non-combustible material (glass wool or spyglass with neoprene facing enclosed and wrapped with aluminium sheeting) at least 3.2 mm thick and which would not readily conduct heat.
- xix) **Fire Dampers:-**
 - a. These shall be located in conditioned air ducts and return air ducts/ passages at the following points:
 - i) At the fire separation wall.
 - ii) Where ducts/passages enter the central vertical shaft.
 - iii) Where the ducts pass through floors.

- iv) At the inlet of supply air duct and the return air duct of each compartment on every floor.
- b. The dampers shall operate automatically and shall simultaneously switch off the air-handling fans. Manual operation facilities shall also be provided. (Note- For blowers, where extraction system and duct accumulators are used, dampers shall be provided).
- c. Fire/smoke dampers (for smoke extraction shafts) for buildings more than 24 m in height.
 - i) For apartment houses in non-ventilated lobbies / corridors operated by fusible link / smoke detectors and with manual control.
 - ii) For other buildings on operation of smoke detection system and with manual control.
- d. Automatic fire dampers shall be so arranged as to close by gravity in the direction of air movement and to remain tightly closed on operation of a fusible link / smoke detector.

8.15. Boiler and boiler rooms

Provisions of boiler and boiler rooms shall conform to Indian Boiler Act. Further, the following additional aspects may be taken into account in the location of boiler room:

- a. The boilers shall not be allowed in sub-basement, may be allowed in the basements away from the escape routes.
- b. The boilers shall be installed in a fire resisting room of 4 h fire resistance rating and this room shall be situated on the periphery of the basement. Catch-pits shall be provided at the low level.
- c. Entry to this room shall be provided with a composite door of 2 h fire resistance.
- d. The boiler room shall be provided with fresh air inlets and smoke exhausts directly to the atmosphere.
- e. The furnace oil tank for the boiler, if located in the adjoining room shall be separated by fire resisting wall of 4 h rating. The entrance to this room shall be provided with double composite doors. A curb of suitable height shall be provided at the entrance in order to prevent the flow of oil into the boiler room in case of tank rupture.
- f. Foam inlets shall be provided on the external walls of the building near the ground level to enable the fire services to use foam in case of fire.

8.16. First-aid and fire-fighting appliances.

The first-aid fire-fighting equipment shall be provided on all floors, including basements lift rooms, etc. in accordance with good practice in consultation with the Authority.

8.17. Fire alarm system:

- i) All buildings with heights of 15 m or above shall be equipped with manually operated electrical fire alarm (MOEFA) system automatic fire alarm system in accordance with good practice. However, apartment buildings between 15 m and 30 m in height may be exempted from the installation of automatic fire alarm system provided the local fire brigade is suitably equipped for dealing with fire in a building of 15 m in height or above and in the opinion of the Authority, such building does not constitute a hazard to the safety of the adjacent property or occupants of the building itself.
- ii) Manually operated electrical fire alarm system shall be installed in a building with one or more call boxes located at each floor. The call boxes shall conform of good practice.
- iii) The installation of call boxes in hostels and such other places where these are likely to be misused shall as far as possible be provided. Location of call boxes in dwelling units shall preferably be inside the building.

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8.18. Lightning protection of buildings:-

The lightning protection for buildings shall be provided as given in Para.8 _Building Services, Section 2, and Electrical Installations of National Building Code of India.

8.19. Fire control room:-

For all buildings 15 m in height or above and apartment buildings with a height of 30 m and above, there shall be a control room on the entrance floor of the building with communication system (suitable public address system) to all floors and facilities for receiving the message from different floors. Details of all floor plans along with the details of fire-fighting equipment and installations shall be maintained in the fire control room. The fire control room shall also have facilities to detect the fire on any floor through indicator board connections; fire detection and alarm systems on all floors. The fire staff in-charge of the fire control room shall be responsible for the maintenance of the various services and fire-fighting equipment and installations in co-ordination with security, electrical and civil staff of the building.

8.20. Fire officer for hotels, business and mercantile buildings with height more than 30 m

A qualified Fire Officer with experience of not less than 3 years shall be appointed who will be available on the premises.

The Fire Officer shall:

- i) Maintain the fire-fighting equipment in good working condition at all times,
- ii) Prepare fire orders and fire operational plans and get them promulgated,
- iii) Impart regular training to the occupants of the buildings in the use of fire-fighting equipment's provided on the premises and keep them informed about the fire emergency evacuation plan,
- iv) Keep proper liaison with City Fire Brigade, and
- v) Ensure that all fire precautionary measures are observed at the times.

Note: Competent Authority having jurisdiction may insist on compliance of the above rule in case of buildings having very large areas even if the height is less than 30 m.

8.21. Housekeeping:-

To eliminate fire hazards, good housekeeping, both inside and outside the building, shall be strictly maintained by the occupants and / or the owner of the building.

8.22. Fire drills and fire orders:-

Fire notices/orders shall be prepared to fulfill the requirements of fire-fighting and evacuation from the buildings in the event of fire and other emergency. The occupants shall be made thoroughly conversant with their actions in the event of emergency, by displaying fire notices at vantage points and through regular training. Such notices should be displayed prominently in broad lettering.

For guidelines for fire drills and evacuation procedures for high-rise buildings, Annexure E of National Building Code of India may be referred.


8.23. Compartmentation:-

The building shall be suitably compartmentalized so that fire/smoke remain confined to the area where fire incident has occurred and does not spread to the remaining part of the building.

8.24. Materials for interior decoration / furnishing

The use of materials, which are combustible in nature and may spread toxic fume / gases should not be used for interior decoration / furnishing, etc.

For various types of occupancies, requirements given in NBC, Part IV shall be followed.



9. QUALIFICATION TO THE TECHNICAL PERSONS

9.1. General-

The qualifications of the technical personnel and their competence to carry out different jobs for building permit and supervision for the purpose of licensing by the Authority shall be as given in Regulation No. 9.2 to 9.4.

9.2. Architect

Qualifications- The Architect must have degree in architecture from recognized college/university and minimum of two years of experience in practice of architecture.

Registration: The Architect shall be registered with the Council of Architecture, India issued as per the provisions of Architects Act, 1972.

Duties

To design and carry out work related to development permission as given below and to submit

- a) All plans/documents/information/area certification and other details as specified in DCR connected with development permission.
- b) Work start notice, certificate of plinth completion, certificate of supervision, completion certificate for buildings with plan.

Responsibilities

The Architect/ Licensed Surveyor shall be responsible for designing the building in conformity with these Regulations, for authentication of documents submitted and for ensuring that the development is carried out as per approved plans, else get amended plans approved and intimating the Authority.

9.3. Engineer and Structural Engineer

A) Engineer –

Qualifications-

- i) The qualifications for Licensing Engineer will be the corporate membership (Civil) of the Institution of Engineers or such Degree or Diploma in Civil or Structural Engineering or equivalent;
- ii) Diploma in Civil Engineering or equivalent, having experience of 10 years in the field of land and building planning.

Competence- To carry out work related to development permission as given below and shall be entitled to submit-

- (a) All plans and related information connected with development permission.
- (b) Structural details and calculations for building on plot upto 500 sq.m. and upto 3 storeys or 11 m. height, and
- (c) Certificate of supervision and completion for all building.

B) Structural Engineer -

Qualifications-

- i) The minimum qualification for a structural Engineer shall be Graduate in Civil Engineering of recognized Indian or Foreign University or Associate Membership in Civil Engineering Division of Institution of Engineers (India) and with minimum 3 years' experience in Structural Engineering practice with designing and field work.

- ii) The 3 years of experience shall be relaxed to 2 years in the case of post graduate degree of recognized Indian or Foreign University in the branch of structural Engineering. In case of Doctorate in Structural Engineering, the experience require would be 1 year.

Registration

The Structural Engineer shall have valid license issued as per the procedure adopted by the corporation.

Duties

To carry out work related to development permission as given below and to submit

- a. All structural plans and related information connected with development permission
- b. Structural details and calculation of all parts of buildings
- c. Certificate of plinth completion, Certificate of supervision and completion certificate for building with completion plans.
- d. Structural Inspection audit of existing buildings

Responsibilities

The structural engineer shall be responsible for the structural safety and stability as specified in part 10 of these regulations. He shall ensure that the development is as per the structural requirements given by him. Further, the structural design given shall match with approved plans. If he notices any difference he shall be responsible for intimating the Authority.

9.4. Site Supervisor:

Qualification

The "Site Supervisor" must hold a diploma in Civil/ Construction Engineering or any other qualification in the field of Civil Engineering recognized by the board / universities in Maharashtra. The "Site Supervisor" must have a minimum of two years of experience in Supervision of building works.

Registration

The Site Supervisor shall be registered with the Municipal Corporation with the valid license issued as per the procedure adopted by the corporation.

Duties

To carry out work in accordance with the development permission and approved plans and to submit Certificate of supervision of buildings and to carry out material testing on site and ensuring the quality of work as per the specifications, NBC & relevant Code of Practice.

Responsibilities

The Site Supervisor shall be responsible for the workmanship and material quality and tests of material required in development carried out on site. The failure of test results shall be intimated to the corporation. He shall ensure that the development is as per the structural design and approved plans and If he notices any deviation he shall be responsible for intimating the Authority.

9.5. Duties and Responsibilities of Licensed Technical Personnel:

The duties and responsibilities of licensed technical Personnel shall be as follows:-

- i) It will be incumbent on every licensed Technical personnel, in all matters in which he may be professionally consulted or engaged, to assist and co-operate with the Commissioner of the Municipal Corporation and other Officers in carrying out and enforcing the provisions of Maharashtra Regional & Town Planning Act, 1966 and of any regulations for the time being in force under the same.
- ii) Every licensed Technical Personnel shall in every case in which he may be professionally consulted or engaged, be responsible, so far as his professional connection with such case extends, for due compliance with the provisions of Maharashtra Regional & Town Planning Act,

1966 and the Maharashtra Municipal Corporations Act, 1949 and of any regulations for the time being in force under the said Act, or such of them as may respectively be applicable to the circumstances of the particular case and in particular it will be obligatory on him to satisfy himself that a qualified and competent Mastery or Inspector of Works is constantly employed and present on the work to supervise the execution of all work and to prevent the use of any defective material therein and the improper execution of any such work.

- iii) In every case in which a Licensed Technical Personnel is professionally concerned in connection with any building or work upon any premises designed or intended to be used for any purposes in respect of which the written permission or license of the Commissioner is prescribed by the said Act at a necessary condition to the establishment or use of such premises for such purpose, it shall be incumbent on such Licensed Technical personnel, so far as his professional connection with such case extends, to see that all conditions prescribed by the said Act, or by any rule for the time being in force there under, in respect or premises designed or intended to be applied to such use, are duly fulfilled or provided for.
- iv) When Licensed Technical Personnel ceases to be in the employment for the development work, he shall report the fact forthwith to the Commissioner.



10. STRUCTURAL DESIGN, STABILITY AND STRUCTURAL AUDIT

10.1. General:

The structural design of foundations, elements made of masonry, timber, plain concrete, reinforced concrete, pre-stressed concrete and structural steel shall be carried out in accordance with Part 6. Structural design Section 1-Loads, courses and effects, Section 2- Soils and Foundation, Section 3—Timber and Bamboo, Section 4-Masonry, Section 5-Concrete, Section 6-Steel, Section-7 Prefabrication, systems building and mixed / composite construction of National Building Code of India, amended from time to time. Structural design and stability report shall be compulsory for all new buildings. Also the periodic structural inspection / audit of existing buildings shall be necessary. The licensed structural engineer shall be authorized to do the structural design and audit of the existing buildings. Following are the qualification, competency, scope and responsibility for the licensed structural engineer

	A) Structural Design & Stability for new building	B) Structural audit of existing buildings
1	Structural design and stability report shall be compulsory for all new buildings.	<p>1) The periodic structural inspection audit shall be necessary to all existing buildings <i>except</i>, detached houses, semi-detached houses, apartments which are used solely as places of residence, mix use occupancies less than G+ 1 storey and temporary buildings.</p> <p>2) <i>Periodic Duration for structural Audit</i>- The periodic structural inspection audit shall be carried out on the following frequency:</p> <p>a) After every <i>15 years</i> for buildings of Detached houses, semi-detached houses, apartments which are used solely as places of residence, mix use</p> <p>b) After every <i>10 years</i> for all other buildings like institutional, commercial, hospital, assembly, etc. and buildings excluded as mentioned in (a).</p>
6	<p>The comprehensive scope of work and the services of the structural engineer at various stages are mentioned below. The records for these stages shall be created using standardized formats.</p> <p>i) Planning and structural design -All the structural members shall be design considering the seismic zone factor and based on design that the earthquake is</p>	<p>The <i>Scope of structural investigation /inspection</i> consists of the following. The structural engineer is expected to carry out, with reasonable diligence, a inspection of:</p> <p>a) the condition of the structure of the building in which he has to identify the types of structural defects , to identify any signs of</p>

<p>expected to occur at least once during the design life of structure and it shall be carried out in accordance with the Part 6- Structural Design –Section I –of NBC-2005. To perform well in an earthquake, a building should possess four main attributes, namely, simple and regular configuration and adequate lateral strength, stiffness and ductility. For the purpose of resistant design of building seismic zone and seismic factor shall be taken into consideration.</p> <p>The basic requirements of a good and efficient structural design are that it should be safe, durable, easy to construct, functionally and aesthetically good and reasonable in cost. The structural engineer must acquire and record all necessary information prior to starting the actual design. In case of a subsequent information/addition/ modification, the same should be recorded with the date on which the information was furnished and the stage or status of work on that date.</p> <p>Methodology – The structural designer shall acquire and record the requirements of the project as a whole, prepare the "structural design data" sheet, get the same confirmed in writing and store it as a permanent record. • Visit the construction site, if necessary, to get acquainted with the local conditions and surroundings. • Advise/ initiate at the client's expense soil investigation, if considered necessary to decide upon the type of foundation to be adopted. • Examine applicable codes and standards for fulfilling his scope of work. • Prepare, if necessary, preliminary draft sketches and notes on structural work for the understanding of the requirements by the client/ architect. • Discuss the draft sketches, notes and outline with the client/architect and make modifications, if necessary, within the framework of the codes and good practice, to satisfy the requirements of the work. • Prepare a sketched scheme and estimate the cost, with sufficient details for the purpose of tender and for proceeding to the stage of working drawing. Obtain written approval from clients/architects for the sketch scheme and the estimation of cost.</p> <p>ii) Structural working drawings- Drawings are a means of communication for transforming the design concepts and specifications into actual work. Hence, the</p>	<p>structural distress and deformation , to identify any signs of material deterioration;</p> <p>b) the loading on the structure of the building in which he has to identify any deviation from intended use, misuse and abuse which can result in overloading;</p> <p>c) any addition or alteration works affecting the structure of the building in which he has to identify any addition or alteration works which can result in overloading or adverse effects on the structure.</p> <p>Methodology –</p> <p><i>Audit Report by Licensed Structural Engineer-</i> A report produced by the structural engineer on above <i>scope of work</i> is expected to be professional, clear and conclusive. The report should reflect the fact that the structural engineer had carried out the inspection in a professional manner with reasonable diligence expected of him as a professional engineer. A well-prepared and professional report is demonstrated by the engineering views, assessment, judgment, conclusion and follow-up recommendations put forth based on the observations. Such a report is also useful for the owner as a maintenance record for any follow-up. The following is the content to be consider by the Structural Engineer for their scope of the work and for preparation of the report</p> <p>a) General Information of the Building-</p> <ul style="list-style-type: none"> - Name and address of the building - Number of storeys in each block of building - Description of main usage of the building - Maintenance history of the building, if known <p>b) Structural System of the Building</p> <ul style="list-style-type: none"> - Description of the structural forms, systems and materials used in different parts of the building e.g. reinforced concrete, pre-stressed concrete, steel, etc.
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<p>content, organization and presentation of structural drawings should preferably be on the following lines</p> <p><i>Methodology-</i> The set of structural drawings should consist of general arrangement (GA) drawings and other detailed drawings deriving reference from the GA drawings with key plans. • The drawings should be prepared in a standardized manner and should have distinctly unique numbers for reference. • As far as possible, the drawings should be drawn to scale. • More intricate details should be depicted in bigger scales. • The drawings should have adequate notes, sectional details, brief material specifications (concrete mixes, etc), leg- end, references to other relevant drawings and judicious use of hatching and shading. • Wherever applicable, the drawings may contain bar bending schedules and bill of quantities. • Whenever revisions are incorporated, the drawings should clearly indicate the revision number near the drawing number. The date and nature of revision should be listed in the table for revisions and changes/ alterations should be predominantly marked with the revision number. • Whenever drawings are released for a certain purpose, the date of release and the purpose should be stamped on the prints.</p>	<p>- Description of the soil condition and foundation system, if known</p> <p>- Identification critical structures and structures without redundancies (e.g. transfer girders, slender columns, cantilever structures, long span structures, cable structures, etc.)</p> <p>c) Diary and Scope of the Visual Inspection</p> <p>- Dates of inspection for different parts of the buildings</p> <p>- Description of any areas not covered by the visual inspection, the reasons and an assessment of whether such areas are critical to overall structural integrity of the building.</p> <p>d) Survey of Loading on the Building Structure</p> <p>- Records of and comments on the observations on the loading conditions, indicating the usage at different parts of the building and identifying any misuse, abuse or deviation from intended use. Special attention to be paid to industrial buildings (eg. factories and warehouses).</p> <p>- State whether existing usage and loading condition is compatible with the intended purpose of the structure.</p> <p>- State whether any misuse, abuse or deviation from intended use has given rise to excessive loading which can adversely affect the building structure.</p> <p>- Where there is deviation from its intended use resulting in overloading or supporting higher design imposed load, the need for further design check on structural adequacy and display of allowable imposed loading signage shall be recommended in the inspection report.</p> <p>e) Survey of Addition or Alteration Works to Building Structure</p> <p>- Records of and comments on the findings of any addition and alteration works to the building structure. Such information can be obtained by visual inspection, engineering judgment, interviewing the management corporation, owners and users, and checking the drawings if available to the engineer.</p>
<p>iii) Quality assurance- For quality assurance, the structural engineer may undertake the following</p> <p><i>Methodology-</i> Initially formulate a control and reporting mechanism for the structural part and also specify the types of tests for materials and items (such as concrete cube tests) and stipulate their frequency. Insist on continuous superintendence of work and maintenance of proper records by the contractor. Check the reports periodically.</p> <p>Hold an educative workshop at the site to explain to the contractors and other agencies the salient features of the specifications and execution of work, watch points, the structural drawings, procedures of preparing memos, recording the progress of work, etc.</p>	

<p>Check and approve shop drawings, schemes and formwork submitted by contractors with respect to special watch points, for example, large span beams and camber, floors at heights, etc.</p> <p>Visit the site, as and when necessary, to inspect if the structural work is being executed in general accordance with his drawings and specifications.</p> <p>The important stages for inspection may be:</p> <p>approval of foundation strata and founding level</p> <p>typical footings, foundations, stub columns below ground level plinth beams, lift well and columns in ground/ stilts floor checking of reinforcement for floor slabs/ systems and such important stages inspection of large span/ heavily loaded beams, tall columns, cantilever staircases, etc. checking of reinforcement of water tanks and lift machine room typical members of structural steel structures such as stanchion, truss, gantry girder, etc.</p> <p>Continuous supervision is not a part of the scope undertaken by the structural engineer and his inspection alone cannot guarantee that the work is carried out strictly in accordance with his drawings and specifications.</p>	<p>- State whether any addition and alteration works have given rise to excessive loading or other adverse effects on the building structure.</p> <p>- Recommendations on any remedial actions to be taken by the owners e.g. the need for the removal of the addition and alteration works.</p> <p>f) Survey of Signs of Structural Defects, Damages, Distress, Deformation or Deterioration</p> <p>- Records of observations of any signs of structural defects, damages, distress, deformation or deterioration e.g. cracks, excessive deflection, connection failure, instability, floor settlement, foundation settlement, tilt, spalling concrete, corrosion of steel, termite infestation, dry & wet rot timber, etc. This could entail judicious removal of plaster or architectural finishes to establish the underlying structural condition. The seriousness of any structural defects should be assessed.</p> <p>-Comments on the extent, possible causes and assessment of the seriousness of these identified problems.</p> <p>g) Assess whether the identified problems are:</p> <p>- Defects of no structural significance</p> <p>- Defects requiring remedial action and/or monitoring</p> <p>- Suspected defects of structural significance requiring full structural investigation and immediate action</p> <p>-Recommendations on remedial actions and/or monitoring necessary to ensure the structural stability and integrity of the building.</p> <p>- Where there are signs of termite attack on timber structures the engineer shall recommend the owner to carry out inspection and treatment by an anti-termite specialist and obtain the certificate of termite treatment accordingly.</p> <p>- If there are signs of significant structural problems, the engineer shall make recommendations for a full structural investigation to be carried out without further delay.</p>
<p>iv) Quantity control -Whenever quantity estimation or cost estimation is included in the scope of his work, a structural engineer should keep in mind the following.</p> <p>Methodology-</p> <p>Whenever quantity estimation or cost estimation is included in the scope of his work, a structural engineer should keep in mind the following. • The bill of quantities and cost estimates of structural and other related items (such as excavation, plain concrete bed- ding under the footings, etc.) only shall be included in his scope. • His commitment shall be for the quantities rather than their costs since cost can vary with time. • His quantities will be for the structural design based on the original design parameters and if revisions and deviations are likely to influence the quantities significantly, the structural engineer should bring this fact to the notice of his client. • Certain quantities are subject to marginal change during the execution due to their obvious uncertainty at the stage of design, for example, excavation, pile foundation, etc. • Certain architectural requirements or other stipulations (such as elevational features, restricting beam</p>	

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	<p>widths to match the wall widths and beam depth to match the lintel level, disallowing columns at certain locations, etc.) can have very significant influence on the structural quantities. The structural engineer should bring this fact to the notice of his client. • The requirements of flexibility (for ex- ample, combining two neighbouring apartments, converting toilets, etc.) or future extensions (for example, additional floors) can also have significant influence on the structural quantities. The structural engineer should bring this fact to the notice of his client.</p>	<p>h) Survey of retaining walls and slope protection structures (eg. soil nails, ground anchors, shotcrete slope)</p> <ul style="list-style-type: none">- Evidence of wall movement, inadequate surface drainage, unintended imposed loading behind wall, corrosion of anchor blockhead, spalling of shotcrete protection, tension cracks, presence of big trees nearby etc. <p>i) Survey of safety barriers (eg. parapets and railings)</p> <ul style="list-style-type: none">- Signs of corrosion, excessive deflection, spalling, cracks, etc. observed on safety barriers particularly those in buildings where large crowds are expected (eg. shopping malls, institutional buildings, sport halls, stadiums, theatres, etc.) <p>j) Other Surveys or Checks Carried Out</p> <ul style="list-style-type: none">- Presence of heavy suspended fixtures in crowded locations, such as heavy false ceilings over high human-traffic areas like food courts, lobbies etc.- Records of and comments on any known maintenance problems and previous rectification carried out on the building structure. Useful plans, sketches, photographs and tabulations could also be included to illustrate the findings of the inspection; <p>k) Conclusions</p> <ul style="list-style-type: none">- Conclusions on the structural condition shall include conclusions on loading conditions; addition and alteration works; structural defects, damage, distress, deformation, deterioration; and overall structural integrity and stability. <p>l) Sketches, Plans and Photographs</p> <ul style="list-style-type: none">- All sketches, plans and photographs should have proper titles, explanations and cross-references to the main body of the report.- Although photographs are often used by structural engineers as a record of their inspections, the entire collection of photographs should not be submitted indiscriminately, e.g. photographs of non-structural elements with no defects. <p>m) Structural Engineer's Endorsement and Standard Certification</p>
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		<p>- The report shall be signed and endorsed on the first and last page by the Structural Engineer appointed to carry out the inspection as follows.</p> <p>i) The structural engineer who is appointed by the building owner is expected to carry out a comprehensive visual inspection that relies largely on his professional engineering assessment, judgment and advice. He shall exercise reasonable diligence and take active and personal interest in the planning and carrying out of the inspection of the building.</p> <p>ii) The responsibility of the structural engineer shall be commensurate with the scope of work agreed between him and his client. The structural engineer shall be liable if he fails to exercise all reasonable skill, care and diligence in the discharge of his duties.</p> <p>iii) It will be incumbent on every licensed structural engineer in all matters in which he may be professionally consulted or engaged to assist or co-operate with the Commissioner in carrying out and enforcing the provisions of Maharashtra municipal Corporations Act, 1949 & MRTP Act, 1966 and of any regulations or rules for the time being in force under this Act.</p> <p>iv) The structural engineer shall be responsible for not following codes of practice and stipulations, which are mandatory during the stage of structural design. He will also have the liability towards the safety or stability of the structure for the stipulations which may be mandatory when the structure was designed.</p> <p>v) Every licensed Technical Personnel shall in every case in which he may be professionally consulted or engaged, be responsible, so far as his professional connection with such case extends, for due compliance with the provisions of Maharashtra Regional & Town Planning Act, 1966 and the BPMP Act 1949 and of any regulations for the time being in force under the said Act, or such of them as</p>	<p>i) The structural engineer who is appointed by the building owner is expected to carry out a comprehensive visual inspection that relies largely on his professional engineering assessment, judgment and advice. He shall exercise reasonable diligence and take active and personal interest in the planning and carrying out of the inspection of the building.</p> <p>ii) The responsibility of the structural engineer shall be commensurate with the scope of work agreed between him and his client. The structural engineer shall be liable if he fails to exercise all reasonable skill, care and diligence in the discharge of his duties.</p> <p>iii) It will be incumbent on every licensed structural engineer in all matters in which he may be professionally consulted or engaged to assist or co-operate with the Commissioner in carrying out and enforcing the provisions of Maharashtra municipal Corporations Act, 1949 & MRTP Act, 1966 and of any regulations or rules for the time being in force under this Act.</p> <p>iv) The structural engineer shall be responsible for not following codes of practice and stipulations, which are mandatory during the stage of structural design. He will also have the liability towards the safety or stability of the structure for the stipulations which may be mandatory when the structure was designed.</p> <p>v) Every licensed Technical Personnel shall in every case in which he may be professionally consulted or engaged, be responsible, so far as his professional connection with such case extends, for due compliance with the provisions of Maharashtra Regional & Town Planning Act, 1966 and the BPMP Act 1949 and of any regulations for the time being in force under the said Act, or such of them as may respectively be applicable to the circumstances of the particular case and in particular it will be obligatory on him to satisfy himself that a qualified and competent Master or Inspector of Works is constantly employed and present on</p>
7	Responsibility		

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<p>the work to supervise the execution of all work and to prevent the use of any defective material therein and the improper execution of any such work.</p> <p>v) In every case in which a Licensed Technical Personnel is professionally concerned in connection with any building or work upon any premises designed or intended to be used for any purposes in respect of which the written permission or license of the Commissioner is prescribed by the said Act at a necessary condition to the establishment or use of such premises for such purpose, it shall be incumbent on such Licensed Technical Personnel, so far as his professional connection with such case extends, to see that all conditions prescribed by the said Act, or by any rule for the time being in force there under, in respect of premises designed or intended to be applied to such use, are duly fulfilled or provided for.</p> <p>vi) The liability of the structural engineer shall expire at <i>thirty years</i> from the date of issue of the stability certificate.</p> <p>vii) The structural engineer shall carry out supervision / Checking at every stage of casting of civil work i.e at casting of foundation, plinth, column and beams and at the time of every casting of the slab level. During execution, his commitment shall be for the structural quantities rather than their costs since costs can vary with time. • His liability will be for the design parameters submitted along with the certificate of structural stability. The liability shall expire in the event of changes in the parameters thereafter. •</p> <p>viii) The structural engineer shall be responsible for not following codes of practice and stipulations, which are mandatory during the stage of structural design. He will also have the liability towards the safety or stability of the structure for the stipulations which may be mandatory when the structure was designed. •</p> <p>ix) Unless explicitly laid down in his scope of work, the structural engineer shall not be responsible for the safety or stability of the scaffolding/ staging and any other temporary structures. •</p> <p>x) He shall not guarantee the work of any contractor. •</p>	<p>may respectively be applicable to the circumstances of the particular case and in particular it will be obligatory on him to satisfy himself that a qualified and competent Mastery or Inspector of Works is constantly employed and present on the work to supervise the execution of all work and to prevent the use of any defective material therein and the improper execution of any such work.</p> <p>vi) In every case in which a Licensed Technical Personnel is professionally concerned in connection with any building or work upon any premises designed or intended to be used for any purposes in respect of which the written permission or license of the Commissioner is prescribed by the said Act at a necessary condition to the establishment or use of such premises for such purpose, it shall be incumbent on such Licensed Technical Personnel, so far as his professional connection with such case extends, to see that all conditions prescribed by the said Act, or by any rule for the time being in force there under, in respect of premises designed or intended to be applied to such use, are duly fulfilled or provided for.</p>
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xi) The structural engineer shall have no liability whatsoever for any part of the works not designed or supervised by him or not under his responsibility or which has been constructed without or contrary to his specifications. •

xii) He shall have no liability whatsoever for any damage to life and property whatsoever resulting from any act of client, contractors, suppliers or other agencies during the execution of work. •

xiii) The structural engineer shall have no liability whatsoever for any violation of legal provisions of rights of third parties, governments, etc., unless these provisions or rights have been specifically brought to the notice of the structural engineer well in advance by the client in writing. •

11. WATER SUPPLY, DRAINAGE & SANITARY REQUIREMENTS, OUTDOOR DISPLAY AND OTHER SERVICES

11.1. Quality of Materials and Workmanship

- i) All materials and workmanship shall be of good quality conforming generally to accepted standards of Public Works Department of Maharashtra and Indian Standard Specifications and Codes as included in Part 5 - Building Materials and Part 7 - Construction Practices and Safety of National Building Code of India, amended from time to time.
- ii) All burrow pits dug in the course of construction and repair of buildings, roads, embankments etc. shall be deep and connected with each other in the formation of a drain directed towards the lowest level and properly stopped for discharge into a river stream, channel or drain and no person shall create any isolated burrow pit which is likely to cause accumulation of water which may breed mosquitoes.

11.2. Alternative Materials, Methods of Design & Construction and Tests

- i) The provision of the regulations are not intended to prevent the use of any material or method of design or construction not specifically prescribed by the regulations, provided any such alternative has been approved.
- ii) The provision of these regulations is also not intended to prevent the adoption for architectural planning and layout conceived as an integrated development scheme.
- iii) The authority may approve any such alternative provided it is found that the proposed alternative is satisfactory and confirm to the provisions of relevant parts regarding material, design, and construction and that material, method or work offered is, for the purpose intended, at least equivalent to that prescribed in the rules in quality, strength, compatibility, effectiveness, fire rating and resistance, durability and safety.
- iv) **Tests:** Whenever there is insufficient evidence of compliance with the provisions of the regulations of evidence that any material or method of design or construction does not confirm to the requirements of the rules or in order to substantiate claims for alternative materials, design or methods of construction, the Commissioner may require tests sufficient in advance as proof of compliance. These tests shall be made by an approved agency at the expense of the owner.
- v) Test method shall be as specified by the regulations for the materials or design or construction in question. If there are no appropriate test methods specified in the regulations, the Authority shall determine the test procedure. For methods of tests for building materials; reference may be made to relevant Indian standards as given the National Building Code of India, published by the Bureau of Indian Standards. The latest version of the National building Code of India shall be taken into account at the time of enforcement of these rules.
- vi) Copies of the results of all such tests shall be retained by the authority for a period of not less than two year after the acceptance of the alternative material.

11.3. Building Services

- i) The planning, design and installation of electrical installations, air-conditioning and heating work shall be carried out in accordance with Part 8 - Building Services, Section 2-Electrical and allied Installations, Section 3 Air Conditioning, heating and mechanical ventilation of National building Code of India, amended from time to time.

- ii) The planning design including the number of lifts, type of lifts, capacity of lifts depending on occupancy of building; population on each floor based on occupant load, height of building shall be in accordance with Section - 5 installation of Lifts and Escalators of National Building Code of India, amended from time to time. In existing buildings, in case of proposal for one additional floor, existing lift may not be raised to the additional floor.
- iii) Maintenance of Lift in working order: The lifts shall be maintained in working order in line with provisions of Regulation Part-4 of NBC.

11.3.1. Per Capita Water Requirement of Various Uses / Occupancies

The requirements of water supply for various occupancies shall be as given in Table below or as specified by the Commissioner from time to time.

11.3.1-A - Per Capita Water Requirement of Various Uses / Occupancies

Sr.No.	Types of Occupancy	Consumption per head per day (in litres)
(1)	(2)	(3)
1	RESIDENTIAL	
a)	In living unit located on plots less than 50 sqm	90
b)	In living units	135
c)	Hotels with lodging accommodation (per bed)	180
2.	EDUCATIONAL	
a)	Day schools	45
b)	Boarding schools	135
3.	INSTITUTIONAL (Medical Hospitals)	
a)	Number of beds not exceeding 100	340
b)	Number of beds exceeding 100	450
c)	Medical quarters and hostels	135
4.	Assembly Cinema theatres, auditoria, etc. (per seat of accommodation)	15
5.	Government or and Semi-Public business-uses	45
6.	MERCANTILE (Commercial)	
a)	Restaurants (per seat)	70
b)	Other business buildings	45
7.	INDUSTRIAL	
a)	Factories where bath rooms are to be provided	45
b)	Factories where no bath rooms are required to be provided	30
8.	Storage (Including warehousing)	30
9.	Hazardous	30
10.	Intermediate / Stations (excluding mail & express stops)	45 (25)*
11.	Junction Stations	70 (45)*

12.	Terminal / Stations	45
13.	International and Domestic Airports	70

*The values in parenthesis are for stations where bathing facilities are not provided.

Note :The number of persons for Serial Number (10) to (13) shall be determined by the average number of passengers handled by the station daily ; due consideration may be given to the staff and workers likely to use the facilities.

11.3.1-B - Flushing Storage Capacities

Sr.No	Classification of Buildings	Storage Capacity
1.	For tenements having common convenience.	900 litres net per w.c. seat.
2.	For residential premises other than tenements having common convenience.	270 litres for one w.c. seat & 180 litres for each additional seat in the same flat.
3.	For factories and workshops.	900 litres per w.c. seat and 180 litres per urinal seat.
4.	For cinemas, public assembly halls etc.	900 litres per w.c. seat & 350 litres per urinal seat.

11.3.1-C - Domestic storage capacities

Sr.No	Number of Floors	Storage Capacity	Remarks
(1)	(2)	(3)	(4)
I.	For premises occupied as tenements with common conveniences.		
1.	Floor 1 (Ground).	Nil	Provided, no down-take fittings are installed.
2.	Floors 2, 3, 4, 5 & upper floors.	500* litres per tenement	---
II.	For premises occupied as flats or blocks		
1.	Floor 1.	Nil	Provided no down-take fittings are installed.
2.	Floors 2, 3, 4, 5 & upper floors.	500* litres per tenement	---

* Subject to provisions of water supply and drainage rules.

Note 1 : If the premises are situated at a place higher than the road level, storage at ground level shall be provided in front of the premises on the same lines as on floor 2.

Note 2 : The above storage may be permitted to be installed provided, that the total domestic storage calculated on the above basis is not less than the storage calculation on the number of down-take fittings according to the scales given below.

Down-take taps	70 litres each
Showers	135 litres each

Bathtubs

200 litres each

Note-3: All other provisions which are not covered under these Regulations; the provisions specified in the National Building Code of India, 2005 shall be applicable.

11.4. Drainage and Sanitation Requirements

a) General

- i) There should be at least one water tap and arrangement for drainage in the vicinity of each water-closet or group of water-closets in all the buildings.
- ii) Each family dwelling unit on premises (abutting on a sewer or with a private sewage disposal system) shall have, at least, one water-closet and one kitchen type sink. A bath or shower shall also be installed to meet the basic requirement of sanitation and personal hygiene.
- iii) All other structures for human occupancy or use on premises, abutting on a sewer or with a private sewage disposal system, shall have adequate sanitary facilities, but in no case less than one water-closet and one other fixture for cleaning purposes.

b) For Residences

- i) Dwelling with individual convenience shall have at least the following fitments:
- ii) One bathroom provided with a tap and a floor trap,
- iii) One water-closet with flushing apparatus with an ablution tap; and
- iv) One tap with a floor trap or a sink in kitchen or wash place.
- v) Dwelling without individual conveniences shall have the following fitments:
- vi) One water tap with floor trap in each tenement,
- vii) One water-closet with flushing apparatus and one ablution tap, bath for every two tenements, and
- viii) One bath with water tap and floor trap for every two tenements.

c) For Buildings Other than Residences

The requirements for fitments for drainage and sanitation in the case of buildings other than residences shall be in accordance with Table **Error! Reference source not found.** to **Error! Reference source not found.**. The following shall be, in addition, taken into consideration:

- a) The figures shown are based upon one (1) fixture being the minimum required for the number of persons indicated or part thereof.
- b) Building categories not included in the tables shall be considered separately by the Commissioner.
- c) Drinking fountains shall not be installed in the toilets.
- d) Where there is the danger of exposure to skin contamination with poisonous, infectious or irritating material, washbasin with eye wash jet and an emergency shower located in an area accessible at all times with the passage / right of way suitable for access to a wheel chair, shall be provided.
- e) When applying the provision of these tables for providing the number of fixtures, consideration shall be given to the accessibility of the fixtures. Using purely numerical basis may not result in an installation suited to the need of a specific building. For example, schools should be provided with toilet facilities on each floor. Similarly toilet facilities shall be provided for temporary workmen employed in any establishment according to the needs; and in any case one WC and one washbasin shall be provided.
- f) All buildings used for human habitation for dwelling work, occupation, medical care or any purpose detailed in the various tables, abutting a public sewer or a private sewage disposal system, shall be provided with minimum sanitary facilities as per the schedule in the tables. In case the disposal facilities are not available, they shall be provided as a part of the building design for ensuring high standards of sanitary conditions in accordance with this section.
- g) Workplaces where crèches are provided, they shall be provided with one WC for 10 persons or part thereof, one washbasin for 15 persons or part thereof, one kitchen sink with floor tap for preparing food / milk preparations. The sink provided shall be with a drinking water tap.
- h) In all types of buildings, individual toilets and pantry should be provided for executives and for meeting / seminar / conference rooms, etc. as per the user requirement.

11.5. Sanitation Requirements for Various Uses / Occupancies

11.5.1. Sanitation Requirements for Shops and Commercial Offices

Sr.No.	Fitments	For personnel
(1)	(2)	(3)
1.	Water-closet	One for every 25 persons or part thereof exceeding 15 (including employees and customers). For female personnel, 1 per every 15 persons or part thereof exceeding 10.
2.	Drinking water fountain	One per every 100 persons with a minimum of one on each floor.
3.	Wash basin	One for every 25 persons or part thereof. One of such wash basins on each floor shall be fixed at height of 80 cm. with tap at 100 cm. above finished floor level for the use of handicapped disabled, old and infirm persons.
4.	Urinals	One for 50 persons or part thereof.
5.	Cleaner's sink	One per floor minimum, preferably in or adjacent to sanitary rooms.

Note: Number of customers for the purposes of the above calculations shall be the average number of persons in the premises for a time interval of one hour during the peak period. For male-female calculation a ratio of 1:1 may be assumed.

11.5.2. Sanitation Requirements for Institutional (Medical) Occupancy - (Staff Quarters & Hostels)

Sr.No.	Fitments	Doctor's Dormitories		Nurse's Hostel
		For Male Staff	For Female Staff	
1.	Water-closet	One for 4 persons	One for 4 persons	One for 4 persons or part thereof.
2.	Ablution taps	One in each water closet	One in each water closet	One in each water closet
3.	Wash basin	One for every 8 persons or part thereof. One of such wash basins on each floor shall be fixed at height of 80 cm. with tap at 100 cm. above finished floor level for the use of persons with disabilities, old and infirm persons.	One for every 8 persons or part thereof.	One for every 8 persons or part thereof.
4.	Baths (with shower)	One for 4 persons or part thereof.	One for 4 persons or part thereof.	One for 4-6 persons or part thereof.
5.	Cleaner's sink	One per floor minimum	One per floor minimum.	One per floor minimum.
6.	Drinking water fountains	1 per 100 persons or part thereof with a minimum of 1 on each floor.		

11.5.3.- Sanitation Requirements for Government and Public / Business Occupancies and Offices

Sr.No.	Fitments	For Male Personnel	For Female Personnel
(1)	(2)	(3)	(4)
1.	Water-closet	One for every 25 persons or part thereof.	One for every 15 persons or part thereof.

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2.	Ablution taps	One in each water closet	One in each water closet
3.	Urinals	Nil upto 6 persons. One for 7-20 persons, 2 for 21-45 persons, 3 for 46-70 persons, 4 for 71-100 persons.	
		From 101 to 200 persons add at the rate of 3 percent. For over 200 persons add at the rate of 2.5 percent.	
4.	Wash basin	One for every 25 persons or part thereof. One of such wash basins on each floor shall be fixed at height of 80 cm. with tap at 100 cm. above finished floor level for the use of persons with disabilities, old and infirm persons.	
5.	Drinking water fountains.	One for every 100 persons with a minimum of one for each floor.	
6.	Baths	Preferably one on each floor	
7.	Cleaner's sinks	One per floor minimum preferably in or adjacent to sanitary rooms.	

11.5.4.- Sanitation Requirements for Residence

Sr.No.	Fitments	Dwellings with Individual convenience	Dwellings without Individual convenience
(1)	(2)	(3)	(4)
1.	Bath room	1 provided with water tap.	1 for each two tenements
2.	Water closet	1	1 for each two tenements
3.	Sink (or Nahani) in the floor	1 From 101 to 200 persons add at the rate of 3 percent. For over 200 persons at the rate of 2.5 percent	
4.	Wash tap	1	1 with draining arrangement in each tenement. 1 in common bath room and common water closets.

Note : Where only one water closet is provided in dwelling, the bath and water closet shall be separately accommodated

11.5.5.- Sanitation Requirements for Assembly Occupancy Buildings - (Cinemas, Theatres and Auditoria)

Sr. No.	Fitments	FOR PUBLIC		FOR STAFF	
		For Male	For Female	For Male	For Female
(1)	(2)	(3)	(4)	(5)	(6)
1.	Water-closet	1 per 100 persons upto 400 persons.	3 per 100 persons upto 200 persons	1 for 1-15 persons 2 for 16-35 persons	1 for 1-12 persons 2 for 13-25 persons

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2.	Ablution taps	One in each water closet	One in each water closet	One in each water closet	One in each water closet
3.	Urinals	1 for 25 persons or part thereof.		Nil upto 6 persons 1 for 7-20 persons 2 for 21-45 persons	
4.	Wash basin	1 for every 200 persons or part thereof.	One for every 200 persons or part thereof. One of such wash basins on each floor shall be fixed at height of 80 cm. with tap at 100 cm. above finished floor level for the use of persons with disabilities, old and infirm persons.	1 for 1-15 persons 2 for 16-35 persons	1 for 1-12 persons 2 for 13-25 persons
5.	Drinking water fountains	1 per 100 persons or part thereof.			

Note : It may be assumed that two thirds of the number are males and one third females.

11.5.6.- Sanitation requirements for assembly occupancy buildings - (Art galleries, libraries and museums)

Sr. No.	Fitments	FOR PUBLIC		FOR STAFF	
		For Male	For Female	For Male	For Female
(1)	(2)	(3)	(4)	(5)	(6)
1.	Water-closet	1 per 200 persons upto 400 persons.	1 per 100 persons upto 200 persons	1 for 1-15 persons 2 for 16-35 persons	1 for 1-12 persons 2 for 13-25 persons
2.	Ablution taps	One in each water closet	One in each water closet	One in each water closet	One in each water closet
3.	Urinals	1 for 50 persons		Nil upto 6 persons 1 for 7-20 persons 2 for 21-45 persons	
4.	Wash basin	1 for every 200 persons or part thereof. For over 400 persons, add at the rate of 1 per 250 persons or part thereof.	One for every 200 persons or part thereof. For over 200 persons add at the rate of 1 per 150 persons or part thereof. One of such wash basins on each floor shall be fixed at height of 80 cm.	1 for 1-15 persons 2 for 16-35 persons	1 for 1-12 persons 2 for 13-25 persons

			with tap at 100 cm. above finished floor level for the use of persons with disabilities, old and infirm persons.		
5	Drinking water fountains	1 per floor, minimum			

Note :It may be assumed that two thirds of the number are males and one third females.

11.5.7.- Sanitation Requirements For Restaurants

Sr. No.	Fitments	FOR PUBLIC		FOR STAFF	
		For Male	For Female	For Male	For Female
(1)	(2)	(3)	(4)	(5)	(6)
1.	Water-closet	One for 50 seats upto 200. For over 200, add at the rate of one per 100 or part thereof.	One for 50 seats upto 200. For over 200, add at the rate of one per 100 or part thereof.	1 for 1-15 persons 2 for 16-35 persons 3 for 36-65 persons 4 for 66-100 persons	1 for 1-12 persons 2 for 13-25 persons 3 for 26-40 persons 4 for 41-57 persons 5 for 58-77 persons 6 for 78-100 persons
2.	Ablution taps	One in each water closet	One in each water closet	One in each water closet	One in each water closet
3.	Urinals	1 for 50 persons	---	Nil upto 6 persons 1 for 7-20 persons 2 for 21-45 persons 3 for 46-70 persons 4 for 71-100 persons	---
4.	Wash basin	One for every water closet provided			
5.	Kitchen sinks and dish washers	One in each kitchen.			
6.	Slop or service sink	One in the Restaurant			

Note :It may be assumed that two thirds of the number are males and one third females.

11.5.8.- Sanitation Requirements For Factories

Sr.No.	Fitments	For Male Personnel	For Female Personnel
(1)	(2)	(3)	(4)
1.	Water closet	1 for 1-15 persons. 2 for 16-35 persons. 3 for 36-65 persons. 4 for 66-100 persons.	1 for 1-12 persons. 2 for 13-25 persons. 3 for 26-40 persons. 4 for 41-57 persons. 5 for 58-77 persons. 6 for 78-100 persons

		From 101 to 200 persons, add at the rate 3 percent. From over 200 persons, add at the rate of 2.5 percent.	From 101 to 200 persons, add at the rate 5 percent. From over 200 persons, add at the rate of 4 percent.
2.	Ablution taps	1 in each water closet One water tap with draining arrangement shall be provided for every 50 persons or part thereof in the vicinity of water closets and urinals.	1 in each water closet
3.	Urinals	Nil upto 6 persons. 1 for 7-20 persons. 2 for 21-45 persons. 3 for 46-70 persons. 4 for 71-100 persons.	
4.	Washing taps and draining	1 for every 25 persons or part thereof.	1 for every 25 persons or part thereof.
5.	Drinking water fountain.	1 for every 100 persons with a minimum of one on each floor.	
6.	Baths preferably showers)	As required for particular trades of occupations.	

Note 1 : For many trades of a dirty or dangerous character, more extensive provisions are required.

Note 2 : Creches, where provided shall be fitted with water closets (one for 10 persons or part thereof) and wash basins (one for 15 persons or part thereof) and drinking water tap with draining arrangements (one for every 50 persons or part thereof.)

11.5.9.- Sanitation Requirements For Large Stations And Air-Ports

Sr.No.	Place	WC for Males	WC for Females	Urinals for Males only
(1)	(2)	(3)	(4)	(5)
1.	Junction stations, intermediate stations and bus stations.	3 for first 1000 persons and 1 for every subsequent 1000 persons or part thereof.	4 for first 1000 persons and 1 for every additional 1000 person.	4 for every 1000 persons and 1 for every additional 1000 persons.
2.	Terminal stations and bus terminals	4 for first 1000 persons and 1 for every subsequent 1000 persons or part thereof.	5 for first 1000 persons and 1 for every subsequent 2000 persons or part thereof.	6 for first 1000 persons and 1 for every additional 1000 persons or part thereof.
3.	Domestic airports min.	2*	4*	2*
	for 200 persons	5	8	6
	for 400 persons	9	15	12
	for 600 persons	12	20	16
	for 800 persons	16	26	20
4.	International Airports			
	for 200 persons	6*	10	8
	for 600 persons	12	20	16
	for 1000 persons	18	26	22

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Note 1: Provisions for wash basins, baths including shower stalls, shall be in accordance with Part IX Section 2 Drainage and Sanitation of National Building Code of India.

11.6. Signs and Outdoor Display Structures -

The display of advertising signs on buildings and land shall be in accordance with Part 10, Section 2 "*Signs and outdoor display structures*" of National Building Code of India as amended from time to time. Prohibition of advertising signs and outdoor display structure in certain cases - Notwithstanding the provisions of sub-regulations no advertising sign or outdoor display structures shall be permitted on buildings of architectural, aesthetical, historical or heritage importance as may be decided by the Commissioner or on Government Buildings save that in the case of Government buildings only advertising signs or outdoor display structure may be permitted if they relate to the activities for the said buildings' own purposes or related programmes.

12. TRANSFERABLE DEVELOPMENT RIGHTS AND ACCOMMODATION RESERVATION PRINCIPLE

12.1. ACCOMMODATION RESERVATION

Manner of development of reserved sites in development plan (accommodation reservation principle)

The use of land situated within the Municipal limit which has been reserved for certain purpose in the Development Plan shall be regulated in regard to type and manner of development / redevelopment according to the provisions mentioned in following Table no. 12.1.A

12.1.A - Manner of Development

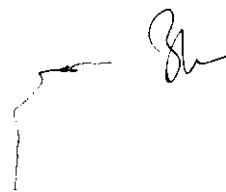
Reservation	Person/Authority who may acquire/ develop	Principle For Development through Accommodation Reservation subject to which development is permissible
1	2	3
1) Recreational - 1.1) Open reservations like Garden, Play Ground, Children PG, Open Space, Recreation Ground Park, Park etc.	Planning Authority/ Appropriate Authority / Owner	<p>Planning Authority may acquire the land and develop the same for the purpose. The ancillary users like indoor games, public toilet, changing Rooms, gymnasium, canteen, sport shop , meditation, yoga hall, may be allowed at one corner/side of the reservation subject to condition that maximum built-up area for such user shall be 15%, out of which maximum 10% shall be allowed on ground floor & remaining on first floor. However, if the Land under reservation is owned by any Government agency / Authority, in such cases the Planning Authority may allow such Government agency / Authority to Develop full reservation for the said purpose subject to condition as may be decided by the Commissioner and such Developed Amenity shall be open to the general Public.</p> <p>OR</p> <p>The Commissioner may allow the owner to develop the reservation on 70 % of the land and after handing over it to the planning authority free of cost then remaining 30 % land may be allowed to be developed as per adjoining use subject to following terms/conditions:-</p> <p>i) The owner shall be entitled to develop remaining 30 % land for the uses permissible in adjoining zone with full permissible FSI of the entire Plot and permissible TDR potential of the entire Plot.</p> <p>ii) The Municipal Commissioner, if required, shall allow the TDR for the unutilized FSI, if any (after deducting in-situ FSI as mentioned in Sr. no (i) above) which shall be utilised as per the TDR utilisation regulations.</p>

		iii) No reservation shall be allowed to be developed partly.
1.2) Stadium, Sport Complex, Recreational Centre etc.	Planning Authority/ Appropriate Authority	Planning Authority/ Appropriate Authority shall acquire the land and develop the same for the purpose.
1.3)Swimming Tank/Swimming Pool	Planning Authority /Appropriate Authority / Owner	The Planning Authority/ Appropriate Authority may acquire and develop the site for the same purpose. OR The Planning Authority/ Appropriate Authority after acquiring the land or after acquiring and developing the same, as the case may be, lease out as per the provisions of the Municipal Corporations Act, to the Registered Public Institution for developing and running or only for running the same. OR The Owner may be allowed to develop according to the designs; specifications and conditions prescribed by the Municipal Commissioner and run the same.
2) Public Utilities- a) Cremation Ground, b) Burial Ground, c) Slaughter House, d) Sewerage Treatment Plant, e) Water Treatment Plant, f) Water Tank	Planning Authority/ Appropriate Authority Authority/	2)The Planning Authority/ Appropriate Authority shall acquire the land and develop the reservation for the same purpose.
3) Commercial Utilities 3.1) Market and Mandies- a) Weekly Market/ b) Vegetable Market c) Open Market. d) Hawkers Market 3.2) Shopping centres - a) Shopping Centre, b) Commercial Complex, c) Municipal Market d) Fish Market etc.	Planning Authority/ Appropriate Authority / Owner	The Planning Authority/ Appropriate Authority shall acquire the land and develop the reservation for the same purpose. OR i) The Commissioner may allow the owner to develop the reservation, subject to handing over to the Planning Authority 40 % independent plot along with 50% constructed amenity of total area free of cost in lieu of construction amenity TDR as per general Regulation no (iii) mention below & as per norms prescribed by Municipal Commissioner. ii) The owner shall be entitled to develop remaining 60 % land for the uses permissible in adjoining zone with full permissible FSI of the entire Plot and permissible TDR potential of the entire Plot. iii) The Municipal Commissioner, if required, shall allow the TDR for the unutilised FSI if any (after deducting in-situ FSI as mentioned in sr. no. (ii) above) which shall be utilised as per the TDR utilization regulations.

		iv) Reservation may be allowed to be developed in parts.
4) Health Facility a) Health Centre b) Dispensary c) Maternity Home d) Veterinary Hospital/ Clinic e) Urban Health Centre f) Rural Hospital and like	Planning Authority/ Appropriate Authority/ Owner	The Planning Authority / Appropriate Authority may acquire and develop the reservation site for the same purpose. OR i) The Commissioner may allow the owner to develop the reservation, subject to handing over to the Planning Authority 40 % independent plot along with 50% constructed amenity of total area free of cost in lieu of construction amenity TDR as per general Regulation no (iii) mention below & as per norms prescribed by Municipal Commissioner. ii) The owner shall be entitled to develop remaining 60 % land for the uses permissible in adjoining zone with full permissible FSI of the entire Plot and permissible TDR potential of the entire Plot. iii) The Municipal Commissioner, if required, shall allow the TDR for the unutilised FSI only (after deducting in-situ FSI as mentioned in sr. no. (ii) above) which shall be utilised as per the TDR utilization regulations. iv) Reservation may be allowed to be developed in parts.
5) Transportation – 5.1) Depots and Stands- a) Bus Stand b) Bus Depot etc. c) Metro Car Shed d) MRTS Station	Planning Authority /Appropriate Authority / Owner	The Planning Authority / Appropriate Authority may acquire and develop the reservation site for the same purpose. OR i) The Commissioner may allow the owner to develop the reservation, subject to handing over to the Planning Authority 50 % independent plot along with 50% constructed amenity of total area free of cost in lieu of construction amenity TDR as per general Regulation no (iii) mention below & as per norms prescribed by Municipal Commissioner. ii) The owner shall be entitled to develop remaining 50 % land for the uses permissible in adjoining zone with full permissible FSI of the entire Plot and permissible TDR potential of the entire Plot. iii) The Municipal Commissioner, if required, shall allow the TDR for the unutilised FSI if any (after deducting in-situ FSI as mentioned in sr. no. (ii) above which shall be utilised as per the TDR utilization regulations. iv) Reservation shall not be allowed to be developed in parts.

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5.2) Roads- Proposed	Planning Authority / Appropriate Authority	The Planning Authority/ Appropriate Authority shall acquire the land and develop the reservation for the same purpose.
5.3) Parking -	Planning Authority /Appropriate Authority / Owner	<p>i) The Planning Authority/ Appropriate Authority may acquire and develop the site for the same purpose.</p> <p>OR</p> <p>ii) The Planning Authority/ Appropriate Authority after acquiring the land or after acquiring and developing the same, as the case may be, lease out as per the provisions of the Municipal Corporations Act, to the Registered Public Institution for developing and running or only for running the same.</p> <p>OR</p> <p>The Owner may be allowed to develop parking space according to the designs, specifications and conditions prescribed by the Municipal Commissioner subject to handing over of constructed parking area equal to double the reservation area, to Planning Authority free of cost subject to condition that,</p> <p>i) The operation and the maintenance of the facility will be decided by Municipal Commissioner.</p> <p>ii) Parking spaces may be in basement or on stilts or on first/second floor with separate entry & exit.</p> <p>After handing over the above said parking area to the Planning Authority, the owner shall be entitled to construct with full permissible FSI of the entire Plot and permissible TDR potential of the entire Plot for other permissible user in that zone.</p> <p>iii) The Municipal Commissioner, if required, shall allow the TDR for the unutilised FSI if any (after deducting in-situ FSI as mentioned in sr. no. (ii) above) which shall be utilised as per the TDR utilization regulations.</p>
6) Educational – (a) Primary School (b) High School (c) College	Planning Authority/ Appropriate Authority/ Registered Educational Institution Trust / Owner	<p>The Planning Authority/ Appropriate Authority may acquire and develop the site for the same purpose. The Planning Authority / Appropriate Authority after acquiring land or after acquiring and constructing the building on it, as the case may be, lease out the same as per the provisions of the Municipal Corporations Act, to the Registered Public Educational Institution trust for developing and running or only for running the same.</p> <p>OR</p> <p>The owner may be allowed to develop the reservation for the same purpose. The Registered Public Educational Institution trust on behalf of owner may</p>



		<p>be allowed to develop subject to terms /conditions as prescribed by the Planning Authority.</p> <p>OR</p> <p>i) The Commissioner may allow the owner to develop the reservation, subject to handing over to the Planning Authority 50 % independent plot along with 50% constructed amenity of total area free of cost in lieu of construction amenity TDR as per general Regulation no. (iii) mention below & as per norms prescribed by Municipal Commissioner.</p> <p>ii) The owner shall be entitled to develop remaining 50 % land for the uses permissible in adjoining zone with full permissible FSI of the entire Plot and permissible TDR potential of the entire Plot.</p> <p>iii) The Municipal Commissioner, if required, shall allow the TDR for the unutilised FSI if any (after deducting in-situ FSI as mentioned in sr. no. (ii) above) which shall be utilised as per the TDR utilization regulations, provided that the area of reservation to be handed over shall not be less than norms decided by the Education Department.</p> <p>iv) Reservation shall not be allowed to be developed in parts.</p>
(d)Educational Complex	<p>Planning Authority/ Appropriate Authority/ Land Owner</p>	<p>The Planning Authority/ Appropriate Authority may acquire and develop the site for the same purpose.</p> <p>OR</p> <p>The Planning Authority/ Appropriate Authority after acquiring land or after acquiring and constructing the building on it, as the case may be, lease out the same as per the provisions of the Municipal Corporations Act, to the Registered Public Educational Institution Trust for developing and running or only for running the same.</p> <p>OR</p> <p>The owner may be allowed to develop the reservation for the same purpose. The Registered Public Educational Institution trust on behalf of owner may be allowed to develop subject to terms /conditions as prescribed by the Planning Authority.</p> <p>OR</p> <p>If the area of the Educational Complex reservation is more than 3.00 Ha, then</p> <p>i) The Commissioner may allow the owner to develop the reservation, subject to handing over to the Planning Authority 50 % independent plot along with 50% constructed amenity of total area free of cost in lieu of construction amenity TDR as per general Regulation no. (iii) mention below & as per norms prescribed by Municipal Commissioner.</p>

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		<p>ii) The Municipal Commissioner, if required, shall allow the TDR for the unutilised FSI if any (after deducting in-situ FSI as mentioned in sr. no. (ii) above) which shall be utilised as per the TDR utilisation regulations.</p> <p>iii) The Planning Authority, if required, shall allow TDR to the owner after deducting in-situ FSI utilized on 50% land mentioned in (ii).</p>
<p>7) Residential(R)-</p> <p>a) Public Housing EWS/LIG Housing.</p> <p>b) High Density Housing.</p> <p>c) Housing for Dis-housed.</p> <p>d) Public Housing / Housing for Dis-housed.</p> <p>e) Reservation similar as above.</p>	<p>Planning Authority/ Appropriate Authority/ Owner</p>	<p>Planning Authority / Appropriate Authority may acquire the reserved land and develop for the same purpose.</p> <p>OR</p> <p>i) The Municipal Commissioner may allow the owner to develop the reservation, subject to handing over of 40% land alongwith 50% built up area of basic FSI constructed tenements of 25 sqm.to 30sq.m carpet area to the Planning Authority free of cost in lieu of construction amenity TDR as per general Regulation no (iii) mention below & as per norms prescribed by Municipal Commissioner.</p> <p>ii) The owner shall be entitled to develop remaining 60% land for the uses permissible in adjoining zone with full permissible FSI of the entire Plot and permissible TDR potential of the entire Plot.</p> <p>iii) The Planning Authority, if required, shall allow TDR to the owner after deducting in-situ FSI utilized on 40% land mentioned in (i).</p> <p>iv) The Planning Authority / Appropriate Authority shall allot such tenement on priority to the persons dispossessed by implementation of Development Plan.</p> <p>OR</p> <p>The Municipal Commissioner may allow the owner to develop the reservation, subject to-</p> <p>a) Handing over of 50 % land to Planning Authority, for laying out plots for EWS/LIG . The owner shall thereafter be entitled to develop remaining plot as per the uses permissible in residential zone with permissible FSI of entire plot on remaining plot without taking into account the area handed over to the Planning Authority.</p> <p>The Planning Authority / Appropriate Authority shall prepare layout for EWS/LIG plots and allot such plots on priority to the persons dispossessed by implementation of Development Plan. The Planning Authority may construct EWS/LIG tenements on such land.</p> <p>Owner can select any one option of the above, once the permission for that option is granted and work</p>

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		commenced then he cannot be permitted to shift for other option.
<p>8) Assembly and Institutional-</p> <p>Town Hall, drama Theatre, Auditorium, Samaj Mandir, Community Hall, Multipurpose Hall etc..</p>	<p>Planning Authority/ Appropriate Authority/ Owner</p>	<p>i) The Planning Authority / Appropriate Authority may acquire and develop the site for the same purpose.</p> <p>ii) The Planning Authority / Appropriate Authority after acquiring the land or after acquiring and developing the same, as the case may be, lease out as per the provisions of the Municipal Corporations Act, to a Registered Public Institution to develop and running or only for running the same.</p> <p>OR</p> <p>i) The Commissioner may allow the owner to develop the reservation, subject to handing over to the Planning Authority 50 % independent plot along with 50% constructed amenity of total area free of cost in lieu of construction amenity TDR as per general Regulation no (iii) mention below & as per norms prescribed by Municipal Commissioner.</p> <p>ii) The owner shall be entitled to develop remaining 50 % land for the uses permissible in adjoining zone with full permissible FSI of the entire Plot and permissible TDR potential of the entire Plot.</p> <p>iii) The Municipal Commissioner, if required, shall allow the TDR for the unutilised FSI if any (after deducting in-situ FSI as mentioned in sr. no. (ii) above) which shall be utilised as per the TDR utilization regulations.</p> <p>iv) Reservation shall not be allowed to be developed in parts.</p>
<p>9) Reservations of composite nature like Vegetable Market & Shopping Centre, Town Hall & Library, etc.</p>	<p>Planning Authority/ Appropriate Authority/ Owner</p>	<p>i) The Planning Authority / Appropriate Authority may acquire and develop the site for the same purpose.</p> <p>Clarification-</p> <p>For the reservation of composite nature, proposed in Development Plan except Town Hall & Library, area of each user shall be considered equal i.e. 50-50% and such area shall be allowed to be developed as per the guidelines applicable for such reservation as mentioned in these regulations.</p> <p>For Town Hall & Library, area of Library shall be 10% of area of Town Hall.</p>
<p>10) Reservations which are not included in these regulations but are compatible to other similar type of reservation.</p>	<p>Planning Authority/ Appropriate Authority/ Owner</p>	<p>Planning Authority/ Appropriate Authority may acquire the reserved land and develop for the same purpose.</p> <p>OR</p> <p>The development permissions for such type of user under this Regulation may be granted by the</p>

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		Municipal Commissioner in consultation with the Divisional Joint Director of Town Planning, subject to verification of compatibility of both the users and allowed to be developed as per the guidelines applicable for such reservation as mentioned in these regulations.
11) For other buildable reservations shown in Development Plan which are not covered above	Planning Authority/ Appropriate Authority Owner.	<p>The Planning Authority / Appropriate Authority may acquire and develop the reservation site for the same purpose.</p> <p>OR</p> <p>i) The Commissioner may allow the owner to develop the reservation, subject to handing over to the Planning Authority 40 % independent plot along with 50% constructed amenity of total area free of cost in lieu of construction amenity TDR as per general Regulation no (iii) mention below & as per norms prescribed by Municipal Commissioner.</p> <p>ii) The owner shall be entitled to develop remaining 60 % land for the uses permissible in adjoining zone with full permissible FSI of the entire Plot and permissible TDR potential of the entire Plot.</p> <p>iii) The Municipal Commissioner, if required, shall allow the TDR for the unutilised FSI if any (after deducting in-situ FSI as mentioned in sr. no. (ii) above) which shall be utilised as per the TDR utilization regulations.</p> <p>iv) Reservation may be allowed to be developed in parts.</p>
12) Reservations for the Appropriate Authority other than Municipal Corporation	Planning Authority/ Appropriate Authority/ Owner	<p>Planning Authority / Appropriate Authority may acquire the reserved land and develop for the same purpose.</p> <p>OR</p> <p>The Municipal Corporation may allow the owner to Develop the reservation subject to condition that;</p> <p>i) Wherever the reservation is to be developed by the Appropriate Authority other than Municipal Corporation, No Objection Certificate from the Appropriate Authority shall be obtained before granting development permission.</p> <p>ii) The concerned Appropriate Authority (other than the State Government Department) shall deposit cost of construction for the built- up area to be handed over to it, as per Annual Statement of Rates with the Planning Authority. However, the Municipal Commissioner shall handover such constructed area to the State Government / concerned State Government Department free of cost.</p>

General conditions to allow development under above regulations:-

- i) If the area of reservation is not adequate to construct independent building as mentioned above OR When it is not possible to handover individual plot along with public amenity, then in such cases Municipal Commissioner may allow composite building on said land subject to condition that the built up area mentioned as above may be allowed to be handed over to the Planning Authority or Appropriate Authority, as the case may be, preferably on ground floor and subject to premium as may be decided by Government from time to time. If ground floor is utilised for parking, then on stilt/first floor with separate entry & exit from Public Street. In such cases, built-up area along with proportionate undivided share of land shall be handed over to the Planning Authority or Appropriate Authority, as the case may be. In such cases no compensation of proportionate undivided land share shall be permissible.
- ii) In cases where not specifically mentioned in this regulation, if the area under the reservation is owned by more than one owner, then the owner/s may come forward jointly or the owners holding atleast 50% or more area shall be allowed to develop the reservation on such land. It is mandatory for other owners to construct amenity contiguous to the earlier development.
- iii) The owner/developer shall be entitled for construction amenity TDR as per the TDR regulations after handing over the constructed amenity free of cost on the land surrendered to the planning Authority under this Regulation. For specific reservation where construction amenity is not required by the Commissioner, in such cases Municipal Commissioner should not insist for such amenity.
- iv) It shall be obligatory on Planning Authority to make registered agreement with the developer /owner at the time of granting the development permission subject to terms and conditions as it deem fit. Occupancy Certificate shall be issued only after compliance of all terms & conditions and getting possession of the constructed amenity.
- v) The above permissions for development of reservations shall be granted by the Municipal Commissioner as per the norms mentioned in these regulations
- vi) The area / built-up area to be handed over to the Planning Authority under these Regulations shall be earmarked on the sanctioned building plan clearly mentioning the same, and registered agreement to that effect shall be executed. After completion of construction, the said amenity shall be handed over by executing the deed of transfer in this respect and expenses thereon shall be borne by the owner. The occupation certificate to the construction belonging to owner shall be granted only after handing over said amenity to the Planning Authority. The constructed amenity shall be made available to the general public by the Municipal Commissioner within 3 month from possession as per the condition as Commissioner deem fit.
- vii) In cases, where permission for development under accommodation reservation principle is already granted as per earlier regulations, the same shall continue to be valid till completion of construction.
- viii) Provisions of Regulations of Inclusive Housing, Amenity Space if any, shall not be applicable for development under this Regulation. Moreover Regulation of required recreational open space shall not be applicable for development of reservation other than Residential purpose as mention at sr. no.7.
- ix) Notwithstanding anything contained in these regulations, there shall be no cap for utilization of available in-situ FSI and TDR potential of the entire plot on the remaining plot provided that no relaxation in side margin shall be permissible.
- x) Once sanction is granted under this regulation, the owner /developer shall have to complete the development and hand over the developed reservation to Planning Authority within the period as specified by Planning Authority. Thereafter Planning Authority may levy penalty for any delay.
- xi) The development permissions granted under the provisions of Accommodation Reservation provisions and full & final occupation certificate is issued, in such cases the portion/location designated for respective reservation is continued to be in said reservation and rest of land on which residential/commercial development permission is granted is deemed to be converted into residential/commercial zone to the extent of that area.

12.2. Regulations For Grant of TRANSFERABLE DEVELOPMENT RIGHTS

12.2.1. Transferable Development Rights -

Transferable Development Rights (TDR) is compensation in the form of Floor Space Index (FSI) or Development Rights which shall entitle the owner for construction of built-up area subject to provisions in this regulation. This FSI credit shall be issued in a certificate which shall be called as *Development Right Certificate (DRC)*.

Development Rights Certificate (DRC) shall be issued by Municipal Commissioner under his signature and endorse thereon in writing in figures and in words, the FSI credit in square meters of the built-up area to which the owner or lessee is entitled, the place from where it is generated and the rate of that plot as prescribed in the Annual Statement of Rates issued by the Registration Department for the concerned year.

12.2.2. Cases eligible for Transferable Development Rights (TDR):-

Compensation in terms of *Transferable Development Rights (TDR)* shall be permissible for-

- i) lands under various reservations for public purposes, new roads, road widening etc. which are subjected to acquisition, proposed in Draft or Final Development Plan, prepared under the provisions of the Maharashtra Regional and Town Planning Act, 1966;
- ii) lands under any deemed reservations according to any regulations prepared as per the provisions of Maharashtra Regional & Town Planning Act, 1966;
- iii) lands under any new road or road widening proposed under the provisions of Maharashtra Municipal Corporation Act;
- iv) development or construction of the amenity on the reserved land;
- v) unutilized FSI of any structure or precinct which is declared as Heritage structure or Precinct under the provisions of Development Control Regulations, due to restrictions imposed in that regulation;
- vi) in lieu of constructing housing for slum-dwellers according to regulations prepared under the Maharashtra Regional & Town Planning Act, 1966;
- vii) The purposes as may be notified by the Government from time to time, by way of, modification to, new addition of, any of the provisions of sanctioned Development Control Regulations.

12.2.3. Cases not eligible for Transferable Development Rights (TDR):-

It shall not be permissible to grant *Transferable Development Rights (TDR)* in the following circumstances:-

- i) For earlier land acquisition or development for which compensation has been already paid partly or fully by any means;
- ii) Where award of land has already been declared and which is valid under the Land Acquisition Act, 1894 or the Right to Fair Compensation & Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 unless lands are withdrawn from the award by the Appropriate Authority according to the provisions of the relevant Acts.
- iii) In cases where layout has already been sanctioned and layout roads are incorporated as Development Plan roads prior to these regulations.
- iv) In case where layout is submitted along with proposed Development Plan Road, in such cases TDR shall not be permissible for the width of road that would be necessary according to the length as per Development Control Regulations;
- v) If the compensation in the form of FSI / or by any means has already been granted to the owner.
- vi) Where lawful possession including by mutual agreement /or contract has been taken.
- vii) For an existing user or retention user or any required compulsory open space or recreational open space or recreational ground, in any layout.
- viii) For any designation, allocation of the use or zone which is not subjected to acquisition.



12.2.4. Generation of the Transferable Development Rights (TDR)–

Transferable Development Rights (TDR) against surrender of land:-

- a. For Surrender of the gross area of the land which is subjected to acquisition, free of cost and free from all encumbrances, the owner shall be entitled for TDR or DR irrespective of the FSI permissible or development potential of the vary said land to be surrender and also that of land surrounding to such land at the rate of 2 times the area of surrendered land.
- b. Provided that above entitlement may also be applicable to the compensation paid in the form of FSI to the owner to be utilised on unaffected part of same land parcel and in such cases the procedure of DRC shall not be insisted.)
- i) *Provided that*, if levelling of land and construction/erection of the compound wall / fencing as per Clause No. 12.2.4 (d) to the land under surrender is not permissible as per the prevailing Development Control Regulations, the quantum of TDR shall be reduced to 1:1.85
- ii) *Provided also that* Additional / incentive *Transferable Development Rights (TDR)* to the extent of 20 %, 15 % , 10 % and 5% of the surrendered land area shall also be allowed to the land owners who submit the proposal for grant of *Transferable Development Rights (TDR)* within 1, 2 ,3 years and 5 years respectively from the TDR notification dated 29th Jan 2016.
- c. Provided that the *quantum of generation of TDR as prescribed above*, shall not be applicable for TDR generated from construction of amenity or construction of reservation/roads, Slum TDR, and Heritage TDR . Also the quantum of *Transferable Development Rights (TDR)* generated for reservation in CRZ/BDP/HTHS/Development Prohibited Zone/ or in areas which have some natural or legal constraint on development etc. shall be as decided by the Government separately. Provided
- d. DRC shall be issued only after the land is surrendered to the Municipal Corporation, free of cost and free from encumbrances and after levelling the land to the surrounding ground level and after constructing / erecting a 1.5 m. high compound wall / fencing i.e. brick/stone wall up to 0.60m above ground level and fencing above that up to remaining height with a gate, at the cost of the owner and to the satisfaction of the Municipal Commissioner. *Provided that*, if on certain lands such construction / erection of compound wall / fencing is prohibited or restricted by any regulation, then quantum of *Transferable Development Rights (TDR)* shall be reduced as prescribed in provision to Clause 11.8.4(b)(i). *Provided further that* such construction/erection of compound wall/fencing shall not be necessary for area under Development Plan roads. In such cases TDR equivalent to entitlement as mentioned in regulation no. 4.1.1 shall be granted without any reduction.
- e. If any contiguous land of the same owner/developer, in addition to the land under surrender for which *Transferable Development Rights (TDR)* is to be granted, remains unbuildable, the Municipal Commissioner may grant *Transferable Development Rights (TDR)* for such remaining unbuildable land also if the owner / developer hands it over free of cost and free from all encumbrance and encroachment. If such land is from the proposed roads then such land shall be utilised for road side parking, garden, open space or road side amenities including bus bays, public toilets or any compatible user as the Commissioner may decide and if the such land is from the proposed reservation then same shall be included in such proposed reservation and shall be developed for the same purpose. The Municipal Commissioner shall quarterly report such cases to Government.
- f. In case of lessee, the award of *Transferable Development Rights (TDR)* shall be subject to lessee paying the lessor or depositing with the Planning Authority for payment to the lessor, an amount equivalent to the value of the lessors' interest to be determined by the Planning Authority on the basis of Land Acquisition Act, 1894 or the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 against the area of land surrendered free of cost and free from all encumbrances.

12.2.5. Transferable Development Rights (TDR) against Construction of Amenity-

When an owner or lessee with prior approval of Municipal Commissioner, may develop or construct the amenity on the surrendered plot or on the land which is already vested in the Planning Authority, at his own cost subject to such stipulations as may be prescribed and to the satisfaction of the Municipal

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Commissioner and hands over the said developed/constructed amenity free of cost to the Municipal Commissioner then he may be granted a *Transferable Development Rights (TDR)* in the form of FSI as per the following formula:-

$$\text{Construction Amenity TDR in sqm} = A/B * 1.25$$

Where,

A= cost of construction of amenity in rupees as per the rates of construction mentioned in Annual Statement of Rates (ASR) prepared by the Inspector General of Registration for the year in which construction of amenity is commenced.

B = land rate per sqm as per the Annual Statement of Rates (ASR) prepared by the Inspector General of Registration for the year in which construction of amenity is commenced.

12.2.6. Utilisation of Transferable Development Rights (TDR)

- i) A holder of DRC who desires to use FSI credit therein on a particular plot of land shall attach valid DRCs to the extent required with his application for development permission. Proposal for *Transferable Development Rights (TDR)* utilisation shall be submitted along with the documents as may be prescribed by the Commissioner or by the Government from time to time.
- ii) With an application for development permission, where an owner seeks utilization of DRC, he shall submit the DRC to the Municipal Commissioner who shall endorse thereon in writing in figures and words, the quantum of the TDR proposed to be utilised, before granting development permission. Before issuance of Occupation Certificate, the Commissioner shall endorse on the DRC, in writing in figures and words, the quantum of TDR/DRs actually used and the balance remaining, if any.
- iii) The *Transferable Development Rights (TDR)* generated from any land use zone shall be utilised on any receiving plot irrespective of the land use zone and anywhere in congested or non- congested area earmarked on Development Plan. The equivalent quantum of *Transferable Development Rights (TDR)* to be permitted on receiving plot shall be governed by the formula given below:-

$$\text{Formula: } X = (Rg / Rr) \times Y$$

Where, X = Permissible Utilisation of TDR/DR in sqm on receiving plot

Rg = Rate for land in Rs. per sqm as per ASR of generating plots in generating year

Rr = Rate for land in Rs. per sqm as per ASR of receiving plot in generating year

Y = TDR debited from DRC in sqm

12.2.7. Utilisation of Transferable Development Rights (TDR) and Road Width Relation:-

Notwithstanding anything contained in any regulation, the total maximum permissible built- up area and utilisation of *Transferable Development Rights (TDR)* on receiving plot shall be, subject to the road width, as shown below:

Sr.No.	Plots Fronting on road width	Maximum Permissible TDR
1	2	3
1	9m and above but less than 12m	0.40
2	12m and above but less than 18m	0.65
3	18m and above but less than 24m	0.90
4	24m and above but less than 30m	1.15
5	30m and above	1.40

- i) Column No.3 shows the maximum permissible TDR that can be utilised on any plot. Provided that specific area based restriction where TDR utilisation is not permissible by earlier Regulations shall remain in force except for gaathan/congested area and except along NH/SH/Ring Road, Arterial Roads. Provided further that the above utilisation of TDR would be available to an existing road width of 9m and above so marked under the relevant Municipal Corporations Act.
- ii) FSI loading limit on such plot (Maximum Building potential) shall be as mention in column no (f) of regulation no 5.2 which includes the basic FSI + TDR +Road widening FSI + Additional FSI or: payment of premium if any. However, the Municipal Commissioner shall not grant any relaxation due to such allowable loading potential unless he himself satisfied that there is constraint on development.
- iii) Maximum permissible TDR loading as mentioned above on any plot shall be exclusive of FSI allowed for inclusive housing if any
- iv) The quantum of maximum permissible TDR loading mentioned above shall include at least 20 % slum TDR (wherever applicable) and DRC generated from the vary said land and/or DRC generated from other location up to the permissible limit mention above.
- v) If a plot is situated on internal road having dead end within 50 m from the main road, then such plot shall be treated as fronting on main road for the purpose of utilisation of TDR.
- vi) Provided that, the restrictions of total maximum permissible built up area in terms of FSI with respect to road width shall not be applicable in cases where, the permissible FSI is more than the basic FSI in various schemes, like Slum Rehabilitation Scheme, Redevelopment of cess buildings, redevelopment of dangerous buildings, Urban Renewal Scheme, Redevelopment of MHADA buildings/Colonies, Metro Influence Zone, BRTs, TODs etc. where specific provisions which are sanctioned by the Government shall apply.
- vii) The utilisation of *Transferable Development Rights (TDR)* shall be permissible by considering Gross Plot Area excluding area affected by reservations or deemed reservation, if any. This principle shall also be applicable to the reservations to be developed under the provisions of Accommodation Reservation, by considering the total area of such reservation before surrender.

12.2.8. Areas Restricted from Utilisation of Transferable Development Rights (TDR):-

Utilisation of Transferable *Development Rights (TDR)* shall not be permitted in following areas:-

- a. Development Restricted / Prohibited zone in the Development Plan.
- b. Area within the flood control line i.e. blue line (prohibitive zone) as specified by Irrigation Department.
- c. Coastal regulation zone.
- d. Where the permissible basic Zonal FSI is less than 0.75.
- e. Area having developmental prohibition or restrictions imposed by any notification issued under the provisions of any Central/State Act (like CRZ regulations, Defence restriction areas, etc.) or under these regulations.

12.2.9. General stipulation:-

- i) Development Rights (DRs) will be granted to an owner or lessee, only for reserved lands which are retainable and not vested or handed over to the Government /Urban Local Bodies and not exempted under section 20 or 21 of the then Urban Land (Ceiling and Regulations) Act, 1976 and undertaking to that effect shall be obtained, before a Development Right is granted. In the case of schemes sanctioned under section 20 or 21 of the said Act, the grant of Development Rights (DRs) shall be to such extent and subject to the conditions mentioned in section-20 scheme and such conditions as the Government may prescribed. In case of non-retainable land, the grant of Development Rights shall be to such extent and subject to such conditions as the Government may specify. The provisions of this Regulation shall be subject to the orders issued by the Government from time to time in this regard.
- ii) Provided that, in case of lands having tenure other than Class-I, like Inam lands, tribal lands etc., N.O.C. from Competent Authority, mentioning i)share of Government and land holder ii)transfer of

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such land in the name of Planning / Appropriate Authority, shall be produced by the land holder at the time of submission of application for grant of TDR.

- iii) DRC shall be issued by the Municipal Commissioner as a certificate printed on bond paper in an appropriate form prescribed by him. Such a certificate shall be a "transferable and negotiable instrument" after the authentication by the Municipal Commissioner. The Municipal Commissioner shall maintain a register in a form considered appropriate by him of all transactions, etc. relating to grant of, or utilisation of DRC.
- iv) The Commissioner shall issue DRC within 180 days from the date of application or reply from the applicant in respect of any requisition made by him, whichever is later.

12.2.10. Transfer of DRC-

The Commissioner shall allow transfer of DRC in the following manner-

- i) In case of death of holder of DRC, the DRC shall be transferred only on production of the documents as may be prescribed by him from time to time, after due verification and satisfaction regarding title and legal successor.
- ii) If a holder of DRC intends to transfer it to any other person, he shall submit the original DRC to the Commissioner with an application along with relevant documents as may be prescribed by the Commissioner and a registered agreement which is duly signed by Transferor and Transferee, for seeking endorsement of the new holders name, i.e., the transferee, on the said certificate. The transfer shall not be valid without endorsement by the Commissioner and in such circumstances the Certificate shall be available for use only to the holder /transferor.

The utilisation of TDR from certificate under transfer procedure shall not be permissible, during transfer procedure.

The Commissioner may refrain the DRC holder from utilizing the DRC in the following circumstances:-

- i) Under direction from a competent Court.
 - ii) Where the Commissioner has reason to believe that the DRC is obtained **a)** by producing fraudulent documents **b)** by misrepresentation,
- a. Any DRC may be utilised on one or more plots or lands whether vacant, or already developed fully or partly by erection of additional storey, or in any other manner consistent with the prevailing Development Control Regulations,
 - b. DRC may be used on plots/land having Development Plan reservations of buildable nature, whether vacant or already developed for the same purpose, or on the lands under deemed reservations, if any, as per prevailing Regulations.
 - c. DRC may be used on plots/land available with the owner after surrendering the required land and construction to the Planning Authority under the provisions of Accommodation Reservation. In such circumstances, for the purpose of deciding *Transferable Development Rights (TDR)* receiving potential, the total area of the reservation before surrender, shall be considered.

12.2.11. Infrastructure Improvement Charges-

The utilizer shall pay to the Planning Authority, an infrastructure improvement charges, for a proposed quantum of TDR to be utilised, at the rate of 5% of construction cost as per the prevailing Annual Statement of Rates.

12.2.12. Vesting of Land:-

The Commissioner, before issuing DRC, shall verify and satisfy himself that the ownership and title of the land proposed for surrender is with the applicant, and get the Record of Right to be corrected in the name of Planning Authority.

In case the Appropriate Authority for reservation is other than Planning Authority, it shall be permissible for the Commissioner on the request of such authority to grant TDR under this regulation and hold such possession as a facilitator. Provided that, the Municipal Commissioner shall handover the possession of such land to concerned Appropriate Authority, after receipt of value of land, from such Appropriate

Authority as per Annual Statement of Rates prevailing at the time of handing over possession of land under reservation.

Provided also that, if such Appropriate Authority is the State Government Department, the Municipal Commissioner shall handover the possession of such land to the concerned Department free of cost.

12.2.13. Effect of this Regulation:-

Provision of Generation of TDR from these regulations shall not be applicable where DRC has been issued prior to date of publication of TDR Regulations under section 37 (1AA) (a) of the MR & TP Act, 1966 i.e. dated 30/04/2015. However DRCs issued under the old Regulations shall be allowed to be utilised as per TDR zones of old Regulations without indexation but subject to all other conditions of these regulations. Such utilisations shall be allowed for one year only from the date 29/01/2016 (i.e. the date of sanctioned of TDR Regulations under section 37 (1AA) (c) of the MR & TP Act, 1966 vide notification dated 29/01/2016).

Provided also that old TDR purchased for utilisation on a specific plot with registered documents of sale and / or specific proposal for utilisation of such TDR pending in the ULBs prior to these regulations shall be allowed completely as per the old regulations.

Appendix

Appendix A-1

FORM FOR CONSTRUCTION OF BUILDING OR LAYOUT OF BUILDING / GROUP HOUSING

Application for permission for development under Section 44 / 58 of The Maharashtra Regional and Town Planning Act, 1966 read with Section 253 of the BPMC Act, 1949.

From _____
(Name of the owner)

To,

The Municipal Commissioner,
Municipal Corporation,

Sir,

I intend to carry out the under mentioned development in the site/plot of land, on Plot No..... Town and Revenue S.No.....City Survey No.....Maujesituated at Road / Street Societyin accordance with Section 44 / 58 of the Maharashtra Regional and Town Planning Act, 1966 read with Section 253 of the BPMC Act, 1949.

I forward herewith the following plans and statements (Item i to ix) wherever applicable, in quadruplicate, signed by me (Name in block letters)and the Architect / Licensed Engineer / Structural Engineer / Supervisor, (License No.....), who has prepared the plans, designs and a copy of other statements /documents as applicable

- i) Key Plan (Location Plan), (to be shown on first copy of the set of plans)
- ii) Site Plan showing the surrounding land and existing access to the land proposed to be developed; (to be shown on first copy of the set of plans)
- iii) A detailed building plan showing the plan, section and elevations of the proposed development work along with existing structure to be retained/ to be demolished, if any;
- iv) Particulars of development in Form enclosed (to be submitted for development other than individual buildings);
- v) Copy of sanctioned layout plan if any;
- vi) An extract of record of rights, property register card (any other document showing ownership of land to be specified) along with consent of co-owners where third party interest is created;
- vii) Attested copy of receipt of payment of scrutiny fees;
- viii) Latest property tax receipt;
- ix) No Objection Certificate(s), wherever required.

I request that the proposed development/ construction may be approved and permission be accorded to me to execute the work.

Signature of the Licensed /
Surveyor/Architect
Name
License No.
Contact No.
Dated

Signature of Owner
Name of Owner
Address of Owner
Contact No.
Dated

FORM GIVING PARTICULARS OF DEVELOPMENT

(Item iv of Appendix A-1)

1.	(a) (i) Full Name of Applicant	
	(ii) Address of applicant	
	(iii) e-mail ID	
	(iv) Contact / Mobile No.	
	(b)(i) Name and address of Architect/ licensed Engineer/ Structural Engineer/ Supervisor employed.	
	(ii) No. and date of issue of License	
2.	(a) Is the plot of, a City Triangulation Survey Number, Revenue Survey Number or Hissa Number of a Survey Number or a Final Plot Number of a Town Planning Scheme or a plot of an approved layout?	
	(b) Please state Sanction Number and Date of Sub- division / Layout	
	(c) Whether the land is situated in Core Area or Outside Core Area?	
3.	(a) What is the total area of the plot according to the ownership document and measurement plan?	
	(b) Does it tally with the Revenue/CTS Record	
	(c) What is the actual area available on site measured by Architect/ licensed Engineer/ Structural Engineer / Supervisor? (The permission shall be based on the area whichever is minimum.)	
	(d) Is there any deduction in the original area of the plot on account of D.P. roads, or reservation(s). If so, are they correctly marked on the site plan? Please state the total area of such deductions?	
	(e) Is there any water stream in the land? State the area of such land.	
	(e) What is the Gross plot area remained for development after above deduction(s)?	
	(f) What is the area proposed for recreational open space? (in case of land having original holding more than 0.4 hector) Please mention the area.	
	(g) Whether amenity space as required under Regulation no.4.5is left? Please mention the area.	
4.	Are all plans as required under Regulation no.2.2.3.2enclosed?	
5.	(a) In what zone does the plot fall?	

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	(b) For what purpose the building is proposed? Is it permissible according to the land use classification?	
6.	(a) Is road available as an approach to the land? What is the average existing width of the road? (If the plot abuts on two or more roads, the above information in respect of all roads should be given)	
	(b) Is the land fronting on D.P. road? If so, width of the D.P. road	
	(c) Is the land fronting on National or State highway? If so, is the Building line / control line maintained? Please state the distance.	
	(c) What is the height of the building above the average ground level of the plot?	
	(d) Is it within permissible limit of height specified in Regulation no.5.4i.e. 1.5 times of the road width plus front margin?	
	(e) Does height exceed the limit specified in (d) above? If so, is height approved by Director of Fire Services, M.S.?	
7.	Is the land subject to restrictions of blue / red flood line, airport, railway, electric line, land fill sites, archaeology, etc.? Please state the details along with 'No objection certificate' if any.	
8.	(a) If there are existing structures on the plot	
	(i) Are they correctly marked and numbered on the site plan?	
	(ii) Are those proposed to be demolished immediately and hatched in yellow colour?	
	(iii) What is the plinth area and total floor area of all existing structures to be retained? (Please give details confirming to the plan submitted)	
10.	Are double height terrace within the limit of 20%? Are they of supported type? State said double height terrace area and area counted in FSI.	
11.	(a) Please state the total built up area, (existing + proposed + extra balconies + extra double height terraces.)	
	(b) What is the basic permissible F.S.I. of the zone according to front road width?	
	(c) What is the premium FSI proposed to be consumed?	
	(d) What is the area of TDR proposed to be consumed?	
	(f) Please state the overall F.S.I. utilised in the proposal?	
	(g) Is built-up area of each flat / unit mentioned on the plan?	

12.	Whether area for inclusive housing is required as per Regulation no.6.5? Please state the details.						
13.	(a) What is the width of the front marginal distance (s)? If the building abuts two or more roads, does the front marginal distance comply with Regulation?						
14.	(a) What is :	Permissible	Proposed				
	(i) the side marginal distance (s)?						
	(ii) the rear marginal distance (s)?						
	(iii) the distance between buildings?						
15.	(a) What are the dimensions of the inner or outer chowk?						
	(b) Is / are room (s) dependent for its light and ventilation on the chowk? If so, are the dimensions of the chowk as required?						
16.	(a) Whether sizes of the rooms comply with the dimensions mentioned in the regulations?						
	(b) Whether use of every room / part mentioned on the plan?						
	(c) Whether every room derives light and ventilation required under the regulations?						
17.	If the height of the building is more than 15 meter above the average ground level, is provision for lifts made?						
	(a) If so, give details of lift.	<table border="1"> <thead> <tr> <th>Passenger Capacity</th> <th>No. of Lifts</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> </tr> </tbody> </table>	Passenger Capacity	No. of Lifts			
	Passenger Capacity	No. of Lifts					
(b) Details of Fire Lift.	<table border="1"> <thead> <tr> <th>Passenger Capacity</th> <th>No. of Lifts</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> </tr> </tbody> </table>	Passenger Capacity	No. of Lifts				
Passenger Capacity	No. of Lifts						
18.	(a) Does the building fall under purview of Regulation no.2.2.3.2(g)?						
	(b) If so, is fire escape staircase provided in addition to regular staircase?						
	(c) Whether the ramps to the basement are provided leaving 6 m marginal distance for movement of fire fighting vehicle?						
	(d) If podiums are proposed, does it allow the movement of fire fighting vehicle properly?						
19.		Required	Proposed				

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	(a) What are the requirements of parking spaces under the Regulation no.5.7? How many are proposed?	Car		
		Scooter		
		Cycle		
	(b) (i) Are loading-unloading spaces necessary?			
	(ii) If so, what is the requirement?			
	(iii) How many are proposed?			
20.	Is the sanitary arrangement provided as per the regulation?			
21.	Details of the source of water to be used in the construction			
22.	Distance from the sewer.			
23.	Please explain in detail in what respect the proposal does not comply with the Development Control and Promotion Regulations and the reasons there for, attaching a separate sheet if necessary.			

I hereby declare that I am the Architect/ licensed Engineer/ Structural Engineer/ Supervisor employed for the proposed work and that the statements made in this form are true and correct to the best of my knowledge.

Date : / /

Signature of the Architect/ licensed Engineer/
Structural Engineer/ Supervisor employed.

FORM OF STATEMENT 1
(to be printed on plan)

Sr. No. 8 (a) (iii)]

Existing Building to be retained

Existing Building No.	Floor No.	Plinth Area	Total Floor Area of Existing Building	Use / Occupancy of Floors.
	(2)	(3)	(4)	(5)

Buildin g No.	Floor No.	Total Built-up Area of floor (including common areas and balconies)	Double height terrace area within 20%	Excess Double height terrace area counted in FSI.	Total FSI (3+5)
(1)	(2)	(3)	(4)	(5)	(6)

Building No.	Floor No.	Flat / unit No.	Built up area of flat / unit along with Share of Common areas like staircase / passages	Area of Double height terraces attached to flat / unit	Total area of flat / unit (4 + 5)
1	2	3	4	5	6

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PROFORMA - I

(At Right Hand top Corner of Plans)

Proposed ----- complex on C.T.S. No./Plot No. / S.No. / F.P.No.-- Drawing Sheet No.
 ----- of village mauje ----- X/Y

Stamps of Approval of Plans:

A	AREA STATEMENTS	
	1. Area of plot (Minimum area of a, b, c to be considered)	
	a) As per ownership document (7/12, CTS extract)	
	b) as per measurement sheet	
	c) as per site	
	2. Deductions for	
	(a) Proposed D.P./ D.P. Road widening Area	
	(b) Any D.P. Reservation area	
	(c) Natural Water course area, if shown in DP	
	(Total a+b+c)	
	3. Net Area of Plot for FSI calculation (1-2)	
	4. Recreational Open space	
	(a) Required	
	(b) Proposed	
	5. Amenity Space -	
	(a) Required -	
	(b) Proposed -	
	6. Service road and Highway widening	
	7. Internal Road area	
	8. Built up area with reference to Basic F.S.I. (sr. no. 3 X 1.20)	
	9. Addition of area for F.S.I.	
	(a) In-situ area against D.P. road, <i>if any</i>	
	(b) In-situ area against Amenity Space, <i>if any</i>	
	(c) Premium FSI area	
	(d) TDR area	
	(Total of a+b+c+d)	
	10. Total area available (9+10)	
	11. Maximum utilization of F.S.I. Permissible as per Road width (<i>as per Regulation no. 5.2</i>)	
	12. Total Built-up Area in proposal. (<i>excluding area at Sr.No.15.b</i>)	
	a) Existing Built-up Area.	
	b) Proposed Built-up Area	

c) Excess Double Height terraces area counted in F.S.I.	
Total (a+b+c)	
13. F.S.I. Consumed (13/3) (should not be more than serial no.12 above.)	
14. Area for Inclusive Housing, if any	
a) Required (20% of sr.no.9)	
b) Proposed	

Certificate of Area:

Certified that the plot under reference was surveyed by me on _____ and the dimensions of sides etc. of plot stated on plan are as measured on site and the area so worked out tallies with the area stated in document of Ownership/ T.P. Scheme Records/ Land Records Department/City Survey records.

Signature
(Name of Architect.)

Owner (s) name and signature

Architect/ Licensed Engineer/ Supervisor name and signature

Job No.	Drawing No.	Scale	Drawn by	Checked by	Registration / License no. of Architect

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12.3. Appendix A-2

FORM FOR SUB-DIVISION OF LAND AS PLOTTED LAYOUT

Application for permission for development under Section 44 / 58 of The Maharashtra Regional and Town Planning Act, 1966 read with Section 253 of the BMC Act, 1949.

From
(Name of the owner)

To,
The Municipal Commissioner,
Municipal Corporation,

Sir,

I intend to carry out the under mentioned development in the site/plot of land, bearing S.No./ Gut No. City Survey No..... Mouje situated at Road/ Street in accordance with Section 44/58 of The Maharashtra Regional and Town Planning Act, 1966 read with Section 253 of the BMC Act, 1949.

I forward herewith the following plans and statements (Item 1 to 6) wherever applicable, in quadruplicate, signed by me (Name in block letters) and the Architect / Licensed Engineer / Structural Engineer / Supervisor (License No.....). who has prepared the plans, designs and a copy of other statements /documents as applicable (Items 7 to 10).

- (1) Key Plan (Location Plan); (to be shown on first copy of the set of plans)
- (2) Site Plan showing the surrounding land and existing access to the land included in the layout; (to be shown on first copy of the set of plans)
- (3) A layout plan showing,
 - (i) sub-divisions of the land or plot with dimensions and area of each of the proposed sub-divisions and its use according to prescribed regulations;
 - (ii) width of the proposed streets; and
 - (iii) Dimensions and area of recreational open spaces provided in the layout.
 - (iv) Dimensions and area of amenity space provided in the layout.
- (4) An extract of record of rights property register card (any other document showing ownership of land to be specified) along with consent of co-owners where third party interest is created.
- (5) Particulars of development in Form enclosed.
- (6) Attested copy of Receipt for payment of scrutiny fees.
- (7) No Objection Certificate, wherever required.

I request that the proposed layout may please be approved and permission accorded to me to execute the work.

Signature of the Licensed /
Surveyor/Architect
Name
License No.
Contact No.
Dated

Signature of Owner
Name of Owner
Address of Owner
Contact No.
Dated

FORM GIVING PARTICULARS OF DEVELOPMENT
(PART OF APPENDIX I.....ITEM 5)

1.	(a) (i) Full Name of Applicant	
	(ii) Address of applicant	
	(iii) e-mail ID	
	(iv) Mobile No.	
	(b) (i) Name and address of Architect/ licensed Engineer employed.	
	(ii) No. and date of issue of License	
2.	Is (a) Is the plot of, a City Triangulation Survey Number, Revenue Survey Number or Hissa Number of a Survey Number or a Final Plot Number of a Town Planning Scheme?	
	(b) Whether the land is situated in Core Area or Outside Core Area?	
3.	(a) What is the total area of the plot according to the ownership document and measurement plan?	
	(b) Does it tally with the Revenue/CTS Record	
	(c) What is the actual area available on site measured by Architect/ licensed Engineer/ Structural Engineer / Supervisor? (The permission shall be based on the area whichever is minimum.)	
	(d) Is there any deduction in the original area of the plot on account of D.P.roads, or reservation(s). If so, are they correctly marked on the site plan? Please state the total area of such deductions?	
	(e) Is there any water stream in the land? State the area of such land and state whether it is excluded?	
	(e) What is the area remained for development after above deduction(s)?	
	(f) What is the area proposed for recreational open space?	
	(g) Whether amenity space as required under Regulation no.4.4is left? Please mention the area.	
	5.	Are all plans as required under Regulation no.2.2.3.2enclosed?
6.	(a) In what zone does the plot fall?	
	(b) For what purpose the layout is proposed? Is it permissible according to the land use classification?	
7.	(a) Is road available as an approach to the land? What is the average existing width of the road? (If the plot abuts on two or more roads, the above information in respect of all roads should be given)	

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	(b) Is the land fronting on D.P. road? If so, width of the D.P. road	
	(c) Is the land fronting on National or State highway? If so, is the Building line / control line maintained? Please state the distance.	
8.	Is the land subject to restrictions of blue / red flood line, airport, railway, electric line, land fill sites, archaeology, etc.? Please state the details along with 'No objection certificate 'if any.	
9.	Whether the internal roads proposed in the layout conform to the Regulation no.4.2	
10.	Whether roads in the layout are co-ordinated with the roads in the surrounding layout?	
11.	Whether the area and dimensions of plots are proposed as per prescribed regulations?	
11.	Whether area for inclusive housing is required as per Regulation no. 6.5? Please state the details.	

I hereby declare that I am the Architect/ licensed Engineer employed for the proposed work and that the statements made in this form are true and correct to the best of my knowledge.

Date : / /

Signature of the Architect/ licensed Engineer/ Structural Engineer/ Supervisor employed.



PROFORMA - I

(At Right Hand top Corner of Plans)

Proposed ----- layout on C.T.S. No./Plot No. / S.No. / F.P.No.----- of village mauje -----		Drawing Sheet No. X/Y
Stamps of Approval of Plans:		
A	AREA STATEMENTS	
	1. Area of land (Minimum area of a, b, c to be considered)	
	a) As per ownership document (7/12, CTS extract)	
	b) as per measurement sheet	
	c) as per site	
	2. Deductions for	
	(a) Proposed D.P./ D.P. Road widening Area	
	(b) Any D.P. Reservation area	
	(c) Natural water course area, if shown in DP	
	(Total a+b+c)	
	3. Net Area of Plot for FSI calculations (1-2)	
	4. Recreational Open space	
	(a) Required -	
	(b) Proposed -	
	5. Amenity Space	
	(a) Required -	
	(b) Proposed -	
	6. Service road and Highway widening	
	7. Internal Road area	
	8. Area under layout plots	
	9. Area for inclusive housing	
	(a) Required -	
	(b) Proposed -	

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<p>Certificate of Area:</p> <p style="text-align: center;">Certified that the plot under reference was surveyed by me on _____ and the dimensions of sides etc. of plot stated on plan are as measured on site and the area so worked out tallies with the area stated in document of Ownership/ T.P. Scheme Records/ Land Records Department/City Survey records.</p> <p style="text-align: center;">Signature (Name of Architect.)</p>					
Owner (s) name and signature					
Architect name and signature					
Job No.	Drawing No.	Scale	Drawn by	Checked by	Registration / Licence no. of Arch.

Statement of distribution of FSI on each plot
(to be printed at suitable place on plan)




12.4. Appendix 'B'

FORM OF SUPERVISION

To,
The Municipal Commissioner,
Municipal Corporation.

Sir,

I hereby certify that the development/erection/re-erection/demolition or material alteration in/ or Building No. _____ on / in Plot No. _____ in Block No. _____ situated at Road / street _____ City Survey No. _____ shall be carried out under my supervision and I certify that all the materials (types and grade) and the workmanship of the work shall be generally in accordance with the general specifications and that the work shall be carried out according to the sanctioned plans. I shall be responsible for the execution of the work in all respects.

Signature and name of the Architect or Licensed _____
Engineer/Structural Engineer/ Supervisor --

License No. _____
--

Date :

12.5. Appendix 'C-1'

**FORM FOR SANCTION OF BUILDING PERMISSION AND
COMMENCEMENT CERTIFICATE**

To,

Sir,

With reference to your application No _____, dated _____ for the grant of sanction of Commencement Certificate under Section 44 of The Maharashtra Regional and Town Planning Act, 1966 read with Section 253 of the Maharashtra municipal Corporations Act, 1949 to carry out development work / Building on Plot No _____ Revenue Survey No _____, City Survey No _____, mauja _____ situated at Road /Street _____, Society _____ the Commencement Certificate/Building Permit is granted under Section 45 of the said Act, subject to the following conditions:

1. The land vacated in consequence of the enforcement of the set-back rule shall form part of the public street.
2. No new building or part thereof shall be occupied or allowed to be occupied or used or permitted to be used by any person until occupancy permission has been granted.
3. You will have to handover the amenity space to the Corporation before approval of final layout as per Regulation no.13.4. (wherever applicable)
4. You will have to submit an undertaking in respect of recreational open spaces as stipulated in Regulation.(wherever applicable)
5. The Commencement Certificate/ Building permit shall remain valid for a period of one year commencing from the date of its issue unless the work is not commenced within the valid period.
6. This permission does not entitle you to develop the land which does not vest in you.
7. -----
8. -----

Office No.

Office Stamp

Date :

Yours faithfully,
Municipal Commissioner.
or an officer appointed by him



12.6. Appendix 'C-2'

FORM FOR TENTATIVE APPROVAL FOR DEMARCATION OF LAND/ SUB-DIVISION LAYOUT

To,

Sir,

With reference to your application No _____, dated _____ for the land sub-division approval, under Section 44 of The Maharashtra Regional and Town Planning Act, 1966 read with Section 253 of the Maharashtra municipal Corporations Act, 1949 to carry out development work in respect of land bearing Revenue Survey No _____, City Survey No _____, mauje _____ situated at Road /Street _____, Society _____, it is to inform you that, land sub-division layout is hereby tentatively approved and recommended for demarcation, subject to the following conditions:

1. You will get the land sub-division layout demarcated on the site by the Land Records Department and submit the certified copy to that effect for final approval.
2. It shall be the responsibility of the owner to carry out all the development work including construction of roads, sewer lines, water supply lines, culverts, bridges, street lighting, etc. and hand it over to the Municipal Corporation after developing them to the satisfaction of the Municipal Commissioner.
3. If you wish that the Municipal Corporation has to carry out these development works, then you will have to deposit the estimated expenses to the Municipal Corporation in advance, as decided by the Municipal Commissioner.
4. You will have to handover the amenity space to the Corporation before approval of final layout as per Regulation no.4.5. (applicable in case where owner is not allowed to develop)
5. You will have to submit an undertaking in respect of recreational open spaces as stipulated in Regulation.
6. This permission does not entitle you to develop the land which does not vest in you.
7. -----

Office No.

Office Stamp

Yours faithfully,

Municipal Commissioner.

or an officer appointed by him

12.7. Appendix 'C-3'

FORM FOR FINAL APPROVAL TO THE LAND SUB-DIVISION / LAYOUT

To, _____

Sir,

1.	It shall be the responsibility of the owner to carry out all the development work including construction of roads, sewer lines, water supply lines, culverts, bridges, street lighting, etc. and hand it over to the Municipal Corporation after developing them to the satisfaction of the Municipal Commissioner.
2.	If you wish that the Municipal Corporation should carry out these development works, then you will have to deposit the estimated expenses to the Municipal Corporation in advance, as decided by the Municipal Commissioner.
3.	As per the undertaking submitted by you in respect of recreational open space as stipulated in Regulation no.4.4, the said open space admeasuring ----- sqm stand vested in the name of plot holders of the layout or society of the plot holders and you have no right of ownership or interest in the said recreational open space.
	Since you have handed over the amenity space to the Corporation, you shall be entitled for FSI equivalent to TDR, on the remaining land. (wherever applicable)
4.	This permission does not entitle you to develop the land which does not vest in you.
5.	-----
6.	-----
7.	-----
8.	-----

With reference to your application No. _____, dated _____ for the land sub-division approval, under Section 44 of The Maharashtra Regional and Town Planning Act, 1966 read with Section 253 of the Maharashtra municipal Corporations Act, 1949 to carry out development work in respect of land bearing Revenue Survey No _____, City Survey No _____, mauje _____ situated at Road /Street _____. Society _____, the land sub-division layout is finally approved as demarcated under Section 45 of the Maharashtra Regional & Town Planning Act, 1966, subject to the following conditions:

Office No. -----Office Stamp
 -----Date : -----



12.8. Appendix 'D-1'

FORM FOR REFUSAL OF BUILDING PERMIT / COMMENCEMENT CERTIFICATE

To,

Sir,

With reference to your application No. _____ dated _____ for the grant of sanction

for the development work / the erection of a building / execution of work on Plot No. _____, Revenue

Survey No. _____, City Survey No. _____, mauje _____, I regret to inform

you that the proposal has been refused under Section 45 of the Maharashtra Regional and Town Planning Act,

1966, on the following grounds.

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

----- Office Stamp

Yours faithfully,

Municipal Commissioner.....

or an officer appointed by him

12.9. Appendix 'D-2'

FORM FOR REFUSAL OF LAND SUB-DIVISION / LAYOUT

To,

Sir,

With reference to your application No. _____ dated _____ for the grant of sanction for the development work bearing Revenue Survey No. _____, City Survey No. _____, mauje _____, I regret to inform you that the proposal has been refused under Section 45 of the Maharashtra Regional and Town Planning Act, 1966, on the following grounds.

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

Office Stamp

Yours faithfully,

Municipal Commissioner.
or an officer appointed by him



12.10. Appendix 'D-3'

FORM FOR INTIMATION OF COMPLETION OF WORK UPTO PLINTH/STILT LEVEL

To,
The Municipal Commissioner,
.....Municipal Corporation

Sir,
The construction upto plinth/column/stilt level has been completed in building No. _____ on/in Plot No./CTS No./S.No. _____ of village/F.P.No. _____ of Town Planning Scheme No. _____ Road/Street No. _____ Ward _____ in accordance with your permission No. _____ dated _____ and as per NA permission under No. _____ dated _____ under my supervision and in accordance with the sanctioned plan.

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

Yours Faithfully,

Signature and name of Architect /Licensed Engineer/
Structural Engineer/Supervisor

Name : _____

In Block Letters)

Address : _____

Date : _____

12.11. Appendix 'D-4'

FORM OF APPROVAL/REFUSAL OF DEVELOPMENT WORK UPTO PLINTH/STILT LEVEL

To

Sir,

Please refer your intimation No. _____ dated _____ regarding the completion of construction work upto plinth/columns/stilt level in Building No. _____ on/in Plot no./S.No./CTS no./ _____ of village/F.P.no. _____ of Town Planning Scheme No. _____ situated at _____ Road/Street, ward _____ You may/may not proceed with the further work as per the sanctioned plans/ as the construction upto plinth level does/does not conform to the sanctioned plans.

Yours Faithfully,

Municipal Commissioner...
or an officer appointed by him

Office No. _____

Office Stamp _____

Date: _____



12.12. Appendix 'E'

FORM FOR COMPLETION CERTIFICATE

To,
The Municipal Commissioner,
.....Municipal Corporation

Sir,

I hereby certify that the erection / re-erection or part/ full development work in / on building / part building No _____ Plot No _____, Revenue Survey No. _____, City Survey No. _____, mauje _____, has been supervised by me and has been completed on _____ according to the plans sanctioned, vide office communication No _____ dated _____. The work has been completed to the best of my satisfaction.

The workmanship and all the materials (type and grade) have been strictly in accordance with general and detailed specifications. No provisions of the Act or the building Regulations, no requisitions made, conditions prescribed or orders issued there under have been transgressed in the course of the work. I am enclosing three copies of the completion plans. The building is fit for occupancy for which it has been erected/ re-erected or altered, constructed and enlarged.

I have to request you to arrange for the inspection & grant permission for the occupation of the building.

Yours faithfully

Signature and name of Architect /Licensed Engineer/
Structural Engineer/Supervisor

Encl : As above.

Date :

(Signature of Owner)

Name of Owner (in Block Letters)

12.13. Appendix 'F'

FORM FOR OCCUPANCY CERTIFICATE

To,

i) Owner:

ii) Architect

Sir,

The part / full development work / erection re-erection / or alteration in of building / part building No _____ Plot No _____, Revenue Survey No. _____, City Survey No. _____, mauje _____, completed under the supervision of _____ Architect, Licensed Engineer/ Structural Engineer /Supervisor, / License No _____ may be occupied on the following conditions-

1. _____
2. _____
3. _____
4. _____

A set of certified completion plans is returned herewith.

Encl : As above.

Yours faithfully,

Municipal Commissioner.....

or an officer appointed by him

12.14. Appendix 'G'

FORM FOR REFUSAL OF OCCUPANCY CERTIFICATE

To,

i) Owner:

ii) Architect

Sir,

The part / full development work / erection re-erection / or alteration in of building / part building
No _____ Plot No _____, Revenue Survey No. _____, City Survey
No. _____, mauje _____, completed under the supervision of
_____ Architect, Licensed Engineer/ Structural Engineer
/

Supervisor, / License No. _____ is not allowed to be occupied because of the following reasons –

1. The construction carried out by you does not conform to the sanctioned plans.

2. _____

3. _____

A set of completion plan is retained with the Municipal Corporation and remaining sets are regretfully
returned herewith.

Encl : As above.

Yours faithfully,

Municipal Commissioner.....,
or an officer appointed by him

12.15. Appendix 'H'

FORM OF INDEMNITY FOR PART OCCUPANCY CERTIFICATE
(On Stamp Paper Of such value as decided by the Municipal Commissioner.)

To,

Municipal Commissioner,
..... Municipal Corporation.

Subject:-

Sir,

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

Yours faithfully,

Signature and name of Owner

Witness:

Address:

Date:



12.16. Appendix I

1.	Name of the Slum/Location/ Municipal Ward/ Assembly Constituency Name of CHS (if any)	
2.	Name of Architect Firm of Architect & Address	
3.	Survey No. / CTS No. /CS. No. / Plot No. Of Village/ Division Name of the Road Pin Code :	
4.	Ownership of land a) Name of the owner b) Address of the owner	
5.	Status of Slum a) Notification No. b) Year of census c) Area under Slum	
6.	Documentary Evidence Regarding ownership Of the land A) Private Lands: a) Conveyance Deed b) Lease Agreement c) Power of Attorney d) Extract from P R Cards signed by SLR e) Court order if any B) For Govt./MHADA/T.M.C. Lands: NOC of concerned Department a) Whether under acquisition if yes stage of acquisition.	
7.	Documentary Evidence regarding area of the holding /Plot a) As per conveyance deed b) As per P R Cards sign by SLR c) As per affidavit of Owner/Society d) As per Architect's Certificate & triangulation calculation/ with plot dimensions. e) As per the Lease Agreement / Power of Attorney f) As per certificate issued by D.M.C. g) Least of (a) to (f)	____ Sq.M. ____ Sq.M. ____ Sq.M. ____ Sq.M. ____ Sq.M. ____ Sq.M. ____ Sq.M.

Sh

8.	<p>Details of existing hutments.</p> <p>(A) Number of eligible hutment dwellers up-to 1-1-2000 Assembly electoral list.</p> <p>a) Residential _____ Nos.</p> <p>b) Residential cum Commercial (RC) _____ Nos.</p> <p>c) Commercial Shop/Work Shop / Factory shop / Economic activities _____ Nos.</p> <p>d) Existing Amenity structure/ Welfare Hall, Balwadi Schools, Gymnasium and Religious structure etc. _____ Nos.</p> <p>(B) Attach statement of giving detail of area etc. of each commercial establishment with documentary evidences for c & d above. (Showing actual & permissible area)</p>	
9.	Zone	
10.	Reservations as per D.P. (Attach D.P. / Survey Remark)	
11.	Is layout/sub-division/amalgamation Necessary (Separate application not necessary)	
12.	<p>Area Statement</p> <p>i) Area of the Plot _____ Sq.Mts.</p> <p>ii) Deduction for _____ Sq.Mts.</p> <p>a) Setback area _____ Sq.Mts.</p> <p>b) Proposed Road _____ Sq.Mts.</p> <p>c) Deductions for physical provision of buildable/ un buildable reservation _____ Sq.Mts.</p> <p>d) Deduction for 5 % Amenity open space _____ Sq.Mts.</p> <p>e)(Total a + b + c + d)</p> <p>iii) Net Plot area (i-ii) _____ Sq.Mts.</p> <p>(For computation of Tenement Density)</p>	
13.	<p>Computation of Tenement density</p> <p>Existing nos. of tenement residential, residential-cum-commercial as per D.C.R. modified appendix X clause no. _____ Nos.</p> <p>b) No. of equivalent tenements for commercial use of hutment dwellers as per this appendix _____ Nos.</p> <p>b1) Area of Balwadi, Passages, Welfare Centre, Society Office as per this Appendix clause 6) _____ Nos.</p> <p>c) Total of a +b+b1</p> <p>d) Existing Tenement Density: _____ Nos.</p> <p>(c) _____ Nos.</p> <p>_____ X 10,000</p> <p>12(iii)</p> <p>e) Tenement required to be provided as per tenement density of 500 T/s net Hect. _____ Nos.</p> <p>f) No. of PAP required to be provided (e-c) _____ Nos.</p> <p>g) Total No. of (rehab + PAP) tenements. _____ Nos.</p>	

	Proposed on Site	_____ Nos.
	Residential	_____ Nos.
	Residential-cum-Commercial	_____ Nos.
	Commercial	_____ Nos.
	PAP	_____ Nos.
	Existing Amenity	
	Total	
14.	Tenements required to be provided at the rate of 500 tenements per net hectare.	
	a) Area of the Plot	_____ Sq.Mtr.
	b) Deduction of D.P. Reservations	
	i) Non Buildable reservations	_____ Sq.Mtr.
	ii) Buildable reservation actually implemented on site, including appurtenant open spaces	_____ Sq.Mtr.
	iii) Set Back area	_____ Sq.Mtr.
	iv) Proposed area	_____ Sq.Mtr.
	c) Total b {i} + b {ii} + b {iii} + b {iv}	_____ Sq.Mtr.
	d) Net area of the plot for computing No. of Tenements (a-c)	_____ Sq.Mtr.
	e) Deductions for 15 % RG (if applicable)	_____ Sq.Mtr.
	f) Balance area of Plot (d-e)	_____ Sq.Mtr.
	g) Addition for FSI purpose	_____ Sq.Mtr.
	h) Total Area	_____ Sq.Mtr.
15.	(A) Built up area of Rehabilitation Component as per clause no. 1) p) & 6) maximum up to 35 %	
	(a) Residential (No of Tenements _____)	
	(b) Residential-cum-Commercial (No. of Tenements _____)	_____ Sq.Mtr.
	(c) Non-residential permissible are of rehab component (No of tenements _____)	_____ Sq.Mtr.
	i) 5 % for slum society if project is implemented by slum society	_____ Sq.Mtr.
	Total (a + b + c) 15(A)	
	(B) Exclusion for FSI computation	_____ Sq.Mtr.
	a) Welfare Center	
	b) Balwadi	_____ Sq.Mtr.
	c) Society Office	_____ Sq.Mtr.
	d) Common passage upto 2.00 in width	
	e) Religious structures	_____ Sq.Mtr.
	Total (a + b + c + d + e) 15(B)	_____ Sq.Mtr.
		_____ Sq.Mtr.
		_____ Sq.Mtr.
16	Built-Up Area for FSI computation proposed for	_____ Sq.Mtr.

	Rehabilitation Bldg. {15 (A)}	
17	Built-up Area for sale	_____ Sq.Mtr.
18	Built-up area for FSI purpose actually proposed to be consumed in sale bldg. on site (for maximum 3.00 on plot)	_____ Sq.Mtr.
19	Total BUA permitted for the project (16 +17) for FSI purpose	_____ Sq.Mtr.
20	Total FSI for the project	_____ Sq.Mtr.
21	Total Built-up Area actually to be consumed for FSI purpose (16) + (18) on plot	_____ Sq.Mtr.
22	Total FSI actually to be consumed on plot for rehabilitation + PAP + Sale Bldg.	
23	Built-up Area available for TDR (19) – (21)	_____ Sq.Mtr.
24	No. of Residential tenements available for sale	Resi Tenement
25	Total No. of tenements constructed on plot	_____ Nos.
26	<p>(A) Amenities available one site</p> <p>a) Water Supply</p> <p>b) Sewerage System</p> <p>c) Public Road/ Paved Road width of road abutting plot</p> <p>East-</p> <p>West-</p> <p>North-</p> <p>South-</p> <p>d) Proposed road/ road widening, if any</p> <p>e) Street Lights</p> <p>f) Electric Supply/Sub-Station</p> <p>g) School</p> <p>h) Welfare Center</p> <p>i) Dispensary</p> <p>(A) Amenities proposed if any</p> <p>a)</p> <p>b)</p> <p>c)</p> <p>d)</p> <p>(C) Description and details of transit camps arrangement proposed (Attach planning)</p> <p>(D) Photographs of existing slum colony from all four sides and access to be</p>	<p>Yes/No.</p> <p>Yes/No.</p> <p>Provided/ Not Provided</p> <p>Available/ Not Available</p> <p>Available/ Not Available</p> <p>Available/ Not Available</p> <p>Available/ Not Available</p> <p>Enclosed herewith.</p>

attached to the proposal.	
27. Cost of the project	Rs.
a) Cost of _____ Sq.mtrs. of reh. Component at Rs. _____ per Sq.mtrs.as per RR	Rs.
b) Cost of _____ Sq.mtrs. Sale Component at Rs. _____ per Sq.mtrs. as per RR (including commercial for sale)	
c) Cost of _____ Sq.mtrs. of Transit Accommodation at Rs. _____ per sq. Mtrs.	Rs.
d) Total (a + b + c)	Rs.
e) Supervision Charges (5 %)	Rs.
f) Interest Burden (15 %) for half the Project period	Rs.
g) Price Variation (10 %) (including cost of transit accommodation)	Rs.
h) Development Charges	Rs.
i) Premium (Stair + Lift + Lobby + Balcony + Open space deficiency)	Rs. Rs.
j) Any other cost	
TOTAL COST OF THE PROJECT	Rs.

32

12.17. Appendix 'J'

SLUM REHABILITATION SCHEME

Certified an area _____ Sq.m. in CTS/ F.P./ S. Nos. _____ of Village _____
Taluka _____

is a censused slum colony of Municipal / Mhada/ Govt. Records or is notified as Slum Area (IC & R)
Act 1971 vide Notification No. _____ dated _____

OR

is a declared slum on private land under section 4 (1) of Maharashtra Slum Area (IC & R) Act vide
Notification No. _____ dated _____.

There are total _____ (Give the number) structures in the said slum colony out of which _____
(No) of structures are protected structures as per Government G.R. No. _____ dated 16th may 1996
and modified appendix "S" of D.C.R. therefore eligible for free alternative accommodation under Slum
Rehabilitation Scheme.

Out of _____ (No) of eligible structures _____ are Residential ----- are Residential cum
Commercial and _____ are commercial.

Out of _____ eligible hutment dwellers _____ hutment dwellers have given consent in writing
to proposed Slum Rehabilitation Scheme.

The list of hutment dwellers alongwith other details such as carpet area for commercial users. etc. is
appended herewith.

The Slum boundaries as submitted are described as below with plan

North

South

East

West

Local Name of the Slum Colony is _____ and the name of the proposed Society of the hutment
dwellers is _____

Dy. Municipal Commissioner
Concerned Municipal Corporation

75

12.18. Appendix 'K'

SLUM REHABILITATION SCHEME

(Annexure to assess the financial capacity of the developer/ Promoter to execute the SRS scheme to be issued by CAFO, concerned Municipal Corporation.)

Name of the slum Co-op Society

Address of the Slum Co-op Society.

Name of the chief Promoter/ President
& Secretary of the Slum Co-op. Society.

Number of Rehabilitation tenements to be
Constructed as per Annexure I.

Name and Address of the Architect /
Licensed Surveyor

Name Address of the Developers

Status of the Developer's Firm
(Proprietary/Partnership/Company)

Whether Memorandum of Association/
Registered Partnership deed attached.

Whether Audited Statements of last three
Consecutive years of Accounts attached
If yes

- (i) Year
- (ii) Year
- (iii) Year

(a) Funds required for construction of _____ rehab. Tenements

Number of Rehab. Tenements X Cost of one tenement.
_____ No. X Rs. _____ per/T + Rs. _____

(b) Whether 20% of the Amount in (a) above as initial
Investment is ready for investment in the scheme Yes/No.

12. Proof of the funds available

- (1) _____
- (2) _____
- (3) _____
- (4) _____

Planning for 80 % of the amounts in 11 (a) above i.e. the amounts
Required for completing the scheme will be made available from the following sources -

- (1) _____
- (2) _____
- (3) _____
- (4) _____

Owner/ Developer

Remarks of the Finance Section.

CAFO

