

**DRAFT DEVELOPMENT CONTROL AND PROMOTION REGULATIONS -2015  
FOR PUNE MUNICIPAL CORPORATION**

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**DRAFT DEVELOPMENT CONTROL AND PROMOTION REGULATIONS - 2015  
FOR PUNE MUNICIPAL CORPORATION,**

**PART – I ADMINISTRATION**

**1.0 SHORT TITLE, EXTENT AND COMMENCEMENT**

- 1.1** These Regulations shall be called as “Development Control and Promotion Regulations Pune- 2015”
- 1.2** These Regulations shall apply to the building activities and development works on lands within the jurisdiction of Pune Municipal Corporation.
- 1.3 Repeal:** These Regulations shall come into force only when these are sanctioned by the Government under section 31 of the Act by publishing a notice to that effect in the Government Gazette and these shall replace all existing building bye-laws and Development Control Rules in entire Municipal Corporation area.
- 1.4 Savings:** Notwithstanding anything contained herein, any permission granted or any action taken under the Regulations in force prior to these Regulations shall be valid and continue to be so valid, unless otherwise specified.

**2.0 DEFINITIONS**

**2.1 General**

- 2.1.1** In these Regulations, unless the context otherwise requires, the definitions given hereunder shall have meaning indicated against each of them.
- 2.1.2** Words and expressions which are not defined in these Regulations shall have the same meaning or sense as in the -
- i) Maharashtra Municipal Corporation Act, 1949,
  - ii) The Maharashtra Regional and Town Planning Act, 1966 and
  - iii) National Building Code, 2005
- 2.2** “Act” means the Maharashtra Regional and Town Planning Act, 1966;
- 2.3** “Annual Statements of Rates” means rates including guidelines there in published by Inspector General of Registration, Maharashtra State, Pune;
- 2.4** “Authority” means Municipal Commissioner of Pune Municipal Corporation or an officer authorised by him;
- 2.5** “Alteration” means 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, column, beam, joist, floor, roof or other support or a change to or closing of any required means of ingress (entry) or egress (exit) as provided under these regulations. However, modification in respect of gardening, white washing, painting, plastering, pointing, paving and retailing shall not be deemed to be alteration;
- 2.6** “Advertising Sign” means any surface or structure with characters, letters or illustrations applied thereto and displayed in any manner whatsoever outdoor for purposes of advertising or to give information regarding or to attract the public to any place for public performance, article or

merchandise whatsoever, or is attached to, or forms a part of building, or is connected with any building or is fixed to a tree or to the ground or to any pole, screen, fence or hoarding or displayed in space;

- 2.7 “Accessory Building”** means a building separate from the main building on a plot and containing one or more rooms for accessory use such as servant quarters, garage, store rooms etc;
- 2.8 “Accessory / Ancillary Use”** means any use of the premises subordinate to the principal use and incidental to the principal use;
- 2.9 “Amenity Space”** means a statutory space kept in any layout to be used for any of the amenities including all utilities, services, conveniences, markets and offices of Government and Corporation;
- 2.10 “Access”** means a clear approach to a plot or a building;
- 2.11 “Architect”** means a person registered with Council of Architecture as per Architects Act, 1972 as an Architect;
- 2.12 “Atrium”** means a sky lighted naturally/mechanically ventilated area in buildings, with no intermediate floors, used as circulation space or entrance foye;
- 2.13 “Balcony”** means a horizontal cantilever projection, including parapet and handrail balustrade to serve as a passage or sitting out place with at least one side fully open, except being provided with railing or parapet wall for safety;
- 2.14 “Basement”** means the lower storey of a building below or partly below the ground level;
- 2.15 “Building”** means any structure for whatsoever purpose and of whatsoever materials constructed and every part thereof whether used as human habitation or not and includes foundation, plinth, walls, floors, roofs, chimneys, wells, door steps, fencing, plumbing and building services, fixed platforms, verandas, balcony; cornice or projection, part of a building or anything affixed thereto or any wall fence enclosing or intended to enclose any land or space and signs and outdoor display structures. However, tents, shamianas and the tarpaulin shelters erected for temporary and ceremonial occasions with the permission of the Municipal Commissioner shall not be considered as building;
- 2.16 “Built up Area”** means the area covered by a building on all floors including cantilevered portion, mezzanine floors if any but excepting the areas excluded specifically from FSI under these Regulations;
- 2.17 “Building Line”** means the line upto which the plinth of a building adjoining a street or an extension of a street or on a future street may lawfully extend. It includes the lines prescribed, if any, in any scheme and / or development plan, or under any other law in force;
- 2.18 “Building Height”** means the vertical distance measured in the case of flat roofs, from the average level of the ground around and contiguous to the building to the terrace of last floor of the building adjacent to the external walls; to the highest point of the building and in the case of pitched roofs, up to the point where the external surface of the outer wall intersects the finished surface of the sloping roof; and in the case of gable facing road, the mid-point between the eaves level and the ridge. Architectural features serving no other function except that of decoration shall be excluded for the purpose of measuring heights;
- 2.19 “Bio-Technology Unit”** means an Unit or a Park which is certified as such by the Development Commissioner (Industries);
- 2.20 “Carpet Area”** means 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;

- 2.21 “Chajja”** means a sloping or horizontal structural overhang usually provided over openings on external walls to provide protection from sun and rain and for purpose of architectural appearance;
- 2.22 “Chimney”** means an upright shaft containing one or more flues provided for the conveyance to the outer air of any product of combustion resulting from the operation of heat producing appliance or equipment employing solid, liquid or gaseous fuel;
- 2.23 “Cluster”** means any defined area with proper access;
- 2.24 “Control Line”** means 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 from time to time;
- 2.25 “Courtyard or Chowk”** means a space permanently open to sky enclosed on sides fully or partially by buildings and may be at ground level or any other level within or adjacent to a building;
- 2.26 “Canopy”** means a projection over any entrance;
- 2.27 “Congested Area”** means the area shown as congested in the Development Plan;
- 2.28 “Convenience Shopping”** means shops for domestic needs having area upto 10 sq.m;
- 2.29 “Corridor”** means a common passage or circulation space including a common entrance hall;
- 2.30 “Detached Building”** means a building whose walls and roofs are independent of any other building with marginal distances on all sides as specified;
- 2.31 “Development”** with its grammatical variations means the carrying out of buildings, engineering, mining or other operations in, or over, or under land or the making of any material change, in any building or land or in the use of any building or land or any material or structural change in any Heritage building or its precinct and includes demolition of any existing building, structure or erection of part of such building, structure of erection and reclamation, redevelopment and layout or sub-division of any land and to develop shall be construed accordingly;
- 2.32 “Development Plan”** means the plan for the development of the area within the jurisdiction of Pune Municipal Corporation and includes the revised development plan;
- 2.33 “Dwelling Unit /Tenement”** means an independent housing unit with separate facilities for living, cooking and sanitary requirements;
- 2.34 “Enclosed Stair- case”** means a staircase separated by fire resistant walls and door (s) from the rest of the building;
- 2.35 “Existing Building or Use”** means a building, structure or its use existing authorizedly;
- 2.36 “Exit”** means a passage, channel or means of egress from any building, storey or floor area to a street or other open space of safety;
- 2.36.1 “Vertical Exit”** means exit used for ascension or descension between two or more levels including stairways, smoke proof towers, ramps, escalators and fire escapes;
- 2.36.2 “Horizontal Exit”** means a protected opening through or around a firewall or a bridge connecting two buildings;
- 2.36.3 “Outside Exit”** means an exit from the building to a public way, to an open area leading to a public way, to an enclosed fire resistive passage to a public way;

- 2.37 “External Wall”** means an outer wall of a building, not being a party wall even though adjoining to a wall of another building and also means a wall abutting on an interior open space of any building;
- 2.38 “Escalator”** means a power driven, inclined, continuous stairway used for raising or lowering passengers;
- 2.39 “Fire and/ or Emergency Alarm System”** means an arrangement of call points or detectors, sounders and other equipments for the transmission and indication of alarm signals, for testing of circuits and, whenever required, for the operation of auxiliary services. This device may be workable automatically or manually to alert the occupants in the event of fire or other emergency;
- 2.40 “Fire lift”** means a lift specially designed for use by fire service personnel in the event of fire;
- 2.41 “Fire Proof Door”** means a door or shutter fitted to a wall opening, and constructed and erected with the requirement to check the transmission of heat and fire for a specified period;
- 2.42 “Fire Resisting Material”** means a material which has certain degree of fire resistance;
- 2.43 “Fire Resistance”** means the time during which a material fulfils its function of contributing to the fire safety of a building when subjected to prescribed conditions of heat and load or restraint. The fire resistance test of structures shall be done in accordance with "IS -3809 - 1966 Fire Resistance Test of Structures";
- 2.44 “Fire Separation”** means the distance in meters measured from any other building on the site, or from other site, or from the opposite side of a street or other public space to the building;
- 2.45 “Fire Service Inlets”** means a connection provided at the base of a building for pumping up water through in-built fire-fighting arrangements by fire service pumps in accordance with the recommendations of the Fire Services Authority;
- 2.46 “Fire Tower”** means an enclosed staircase which can only be approached from the various floors through landings or lobbies separated from both, the floor areas and the staircase by fire resisting doors and open to the outer air;
- 2.47 “Floor”** means the lower surface in a storey on which one normally walks in a building. The general term floor unless otherwise specifically mentioned shall not refer to a mezzanine floor;
- Note** - The sequential numbering of floor shall be determined by its relation to the determining entrance level. For floor at or above ground level, 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 the number increasing upwards. The stilt shall be termed as stilt floor or Stilt floor 1, Stilt floor 2 etc. and floors above shall be numbered as Floor 1, Floor 2, etc.,
- 2.48 “Floor space index (F. S. I)”** means the quotient obtained by dividing the total built-up area on all floors, excluding exempted areas as given in Regulation no.16.8.2 by the area of the plot;

$$\text{F.S.I.} = \frac{\text{Total built-up area on all floors}}{\text{Plot area}}$$

- 2.49 “Premium FSI”** means FSI obtained as a percentage of basic FSI as well as TDR from the Municipal Commissioner on payment of prescribed charges;
- 2.50 “Fungible FSI”** means fixed FSI obtained from the Municipal Commissioner on payment of prescribed charges;



- 2.51 “Footing”** means a foundation unit constructed in brick work, masonry or concrete under the base of a wall or column for the purpose of distributing the load over a large area;
- 2.52 “Foundation”** means that part of the structure which is in direct contact with and transmitting loads to the ground;
- 2.53 “Front Margin”** means the distance between the boundary line of plot abutting the means of access/ road/ street and the building. In case of plots facing two or more means of accesses / roads / streets, the plot shall be deemed to front on all such means of access / road / streets;
- 2.54 “Garage Private”** means a building or portion thereof, designed and used for parking of privately owned motor driven or other vehicles;
- 2.55 “Group Housing Scheme”** means a building or a group of buildings constructed or to be constructed with one or more floors, consisting of more than one dwelling units and having common service facilities. Common service facilities means facilities like stair case, balcony, corridor, and veranda, lift, etc;
- 2.56 “Ground Level”** means the average level of ground in a plot (site);
- 2.57 “Habitable Room”** means, a room constructed or intended for human habitation;
- 2.58 “Home Occupation”** means occupation, other than 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 for what is customarily used for purely domestic or household purposes and / or employing licensable goods;
- 2.59 “Information Technology Establishment (ITE)”** means an establishment which is in the business of developing either software or hardware relating to computers or computer technology as approved by Director of Industries;
- 2.60 “Ledge or Tand”** means a shelf like projection, supported in any manner whatsoever, except by vertical supports within a room itself but not having projection wider than 0.60 meter;
- 2.61 “Licensed Engineer / Structural Engineer / Supervisor”** means a qualified Engineer/ Structural Engineer / Supervisor licensed by the Municipal Commissioner;
- 2.62 “Lift”** means an appliance designed to transport persons or materials between two or more levels in a vertical or substantially, vertical direction, by means of a guided car platform;
- 2.62.1 “Lift Well”** means an unobstructed space within an enclosure provided for the vertical movement of the lift car(s) and any counter weights, including the lift pit and the space for top clearance;
- 2.63 “Loft”** means, an intermediate floor between two floors, with a maximum height of 1.5 m., which is constructed and used for storage purpose, fully defined in regulation no.17.5;
- 2.64 “Mall”** means a large enclosed shopping area;
- 2.65 “Marginal distance / Set back”** means a minimum distance required to be left open to sky between the boundary of the building plot and the building excluding court yard/chowk, which is an integral

part of the plot;

- 2.66 “Mezzanine floor”** means 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 the ceiling of any storey;
- 2.67 “Means of Access”** shall include the road/street/vehicular access way, pathway upto the plot and to the building within a plot;
- 2.68 “Net plot area”** means the area as per Regulation no. 14.8;
- 2.69 “Non-Combustible Material”** means a material which does not burn nor add heat to a fire when tested for combustibility in accordance with IS: 3808 - 1966 'Method of Test for Combustibility of Building Materials';
- 2.70 “Non-conforming User”** means any lawful use / building existed on the site but which does not conform to the zoning shown on the Development Plan;
- 2.71 “Occupancy or Use Group”** means 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. Occupancy shall be deemed to include subsidiary occupancies which are contingent upon it. Buildings with mixed occupancies are those buildings in which more than one occupancy are present in different portions of the building. The occupancy classification shall have the meaning given from **2.76.1 to 2.76.12**;
- 2.71.1 “Residential Buildings”** means any building in which sleeping accommodation is provided for normal residential purposes with or without cooking or dining or both facilities. It includes one or two or multi-family dwellings, lodging or rooming houses, residential hotels, hostels, dormitories, dharmshalas, apartment houses, flats, service apartment, studio apartment and private garages incidental thereto;
- 2.71.2 “Educational Buildings”** means a building exclusively used for a school or college recognized by the appropriate Board or University, or any other competent authority involving assembly for instruction, education or recreation incidental to educational use, and including a building for such other users incidental thereto such as 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 buildings used for day-care purposes more than 8 hours per week;
- 2.71.3 “Institutional Buildings”** means a building constructed or used by Government, Semi-Government organization or registered trusts or persons and used for medical or other treatment, or an auditorium or complex for cultural and allied activities or for an Hospice care of persons suffering from physical or mental illness, handicap, disease or infirmity, care of orphans, abandoned women, children and infants, convalescents, destitute or aged persons and for penal or correctional detention with restricted liberty of the inmates ordinarily providing sleeping accommodation, and includes hospitals, sanatoria, custodial and penal institutions such as jails, prisons, mental hospitals, houses of correctional detention and reformatories;
- 2.71.4 “Assembly Buildings”** means any building or part of building where groups of people congregate or gather for amusement, recreation or 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 having built up area more than 1000 sq.m.;

- 2.71.5 “Business Buildings”** means any building or part of building, which is used for transaction of business for the keeping of accounts and records for similar purposes; offices, banks, professional establishments, I.T. establishments, call centre, offices for private entrepreneurs, court houses, libraries shall be classified in this group in so far as principal function of these is transaction of public business and the keeping of books and records;
- 2.71.6 “Office Building / Premises”** means the premises whose sole or principal use is to be used as an office or for office purpose; "office purposes" shall include the purpose of administration, clerical work, handling money, telephone/ telegraph/ computer operations and "clerical work" shall include writing, book-keeping, sorting papers, typing, filing, duplicating, drawing of matter for publication and the editorial preparation of matter for publication;
- 2.71.7 “Mercantile (Commercial) Buildings”** means 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;
- 2.71.8 “Public-Semi-public Building”** means a building constructed or used by Government, Semi Government Organization, Government Undertaking, Local Authorities, for conducting public semi-public use like municipal office, post office, telephone office, etc;
- 2.71.9 “Wholesale Establishments”** means an 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;
- 2.71.10 “Industrial Buildings”** means any building or part of a building or structure, in which products or materials of all kinds and properties are fabricated, assembled or processed like assembling plants, laboratories, power plants, smoke houses, refineries, gas plants, mills, dairies, factories etc;
- 2.71.11 “Storage Buildings”** means any building or part of a building used primarily for the storage or sheltering of goods, wares or merchandise, like ware houses, cold storage, freight depots, transit sheds, godowns, store houses, public garages, hangars, truck terminals, grain elevators, barns and stables;
- 2.71.12 “Hazardous Buildings”** means any building or: part of a building which is used for the storage, handling, manufacture or processing of highly combustible or explosive materials or products which are liable to burn with extreme rapidity and / or which may produce poisonous gases or explosions during storage, handling, manufacturing or processing, which involve highly corrosive, toxic or noxious alkalis, acids or other liquids or chemicals producing flames, fumes and explosive, mixtures of dust or which result in the division of matter into fine particles subject to spontaneous ignition;
- 2.71.13 “Special Buildings”** means a building as specified in regulation no 6.2.6.1;
- 2.72 “Owner”** means a person who has legal title for land or building;
- 2.73 “Parapet”** means a low wall or railing built along the edge of a roof, terraces, balcony, veranda etc;
- 2.74 “Parking Space”** means an enclosed or unenclosed, covered or open area sufficient in size to park vehicles. Parking space shall be served by a driveway connecting them with a street or alley and permitting ingress or egress of vehicles;

- 2.75 **“Permit / Permission”** means a permission or authorisation in writing by the Authority to carry out the work regulated by these Regulations;
- 2.76 **“Plinth”** means a portion of a structure between the surface of the surrounding ground and surface of the floor immediately above the ground;
- 2.77 **“Plot / Site”** means a parcel or piece of land enclosed by definite boundaries;
- 2.78 **“Porch”** means a covered surface supported on pillars or otherwise for the purpose of pedestrian or vehicular approach to a building;
- 2.79 **“Podium”** means a continuous projecting base or pedestal under or around a building, generally used for parking and movement of vehicles, within the permissible area as specified in these regulations;
- 2.80 **“Recreational Open Space / Layout open space”** means a statutory common open space kept in any layout or group housing scheme or campus planning, exclusive of margins and approaches, on ground only;
- 2.81 **“Road / Street”** means any highway, street, lane, pathway, alley, stairway, passageway, carriageway, footway, square place or bridge, whether a thoroughfare or not, over which the public have a right of passage or access or have passed and had access uninterruptedly for a specified period, whether existing or proposed in any scheme, and includes all bunds, channels, ditches, storm-water drains, culverts, sidewalks, traffic islands, roadside trees and hedges, retaining walls, fences, barriers and railings within the street lines;
- 2.82 **“Road / Street Line”** means the line defining the side limit of a road / street;
- 2.83 **“Room Height”** means the vertical distance measured from the finished floor surface to the finished ceiling/ slab surface. In case of pitched roofs, the room height shall be the average height between bottom of the eaves and bottom of ridge;
- 2.84 **“Row Housing”** means a row of houses with front and rear marginal distances;
- 2.85 **“Semi Detached Building”** means a building detached on three sides with marginal distances as specified;
- 2.86 **“Site, corner”** means a site at the junction of and fronting on two or more intersecting streets;
- 2.87 **“Site, Depth of”** means the mean horizontal distance between the front and rear side boundaries;
- 2.88 **“Site, Double Frontage”** means a site, having a frontage on two streets other than a corner plot;
- 2.89 **“Site, Interior or Tandem”** means a site, access to which is by a passage from a street whether such passage forms part of the site or not;
- 2.90 **“Smoke Stop Door”** means a door for preventing or checking the spread of smoke from one area to another;
- 2.91 **“Stair Cover”** means a structure with a covering roof over a stair case and its landing built to enclose only the stair for the purpose of providing protection from weather and not used for human habitation;
- 2.92 **“Stilts or Stilt Floors”** means the portion of a building above ground level consisting of structural column supporting the super structure with at least two sides open for the purpose of parking vehicles, scooters, cycles, etc.;
- 2.93 **“Store Room”** means a room used as storage space;

- 2.94 “Storey”** means the portion of a building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between any floor and the ceiling next above it;
- 2.95 “Telecommunication Cell Site/Base Station (TCS/BS)”** means 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;
- 2.96 “Tenement”** means an independent dwelling unit with a kitchen or cooking alcove;
- 2.97 “Terrace”** means a flat, open to sky roof of a building or a part of a building having parapet;
- 2.98 “To Erect”** - To erect a building means
- (a) to erect a new building on any site whether previously built upon or not;
  - (b) to re-erect any building of which portions above the plinth level have been pulled down, burnt or destroyed; and
  - (c) conversion from one occupancy to another;
- 2.99 “Travel Distance”** means the distance from the remotest point on a floor of a building to a place of safety, be it a vertical exit, horizontal exit or an outside exit measured along the line of travel;
- 2.100 “Tower like structure”** means a structure in which the height of the tower like portion is at least twice the width of the broader base;
- 2.101 “Unsafe Building”** means those buildings which are structurally unsafe, unsanitary or not provided with adequate means of ingress or egress which constitute a fire hazard or are otherwise dangerous to human life or which in relation to existing use constitute a hazard to safety or health or public welfare, by reason of inadequate maintenance, dilapidation or abandonment;
- 2.102 “Veranda”** means a covered area with at least one side open to the outside with the exception of 1 m. high parapet on the ground floor to be provided on the open side;
- 2.103 “Water Closet (WC)”** means a privy with arrangement for flushing the pan with water. It does not include a bathroom;
- 2.104 “Water Course”** means a natural channel or an artificial one formed by draining or diversion of a natural channel meant for carrying storm water and waste water;
- “**Major Water Course**” means a water course which carried strong water discharging from a contributing area of not less than 160 Ha.;
- “**Minor Water Course**” means a water course which is not major;
- 2.105 “Width of Road”** means the whole extent of space within the boundaries of road when applied to a new road, as laid down in the city surveys map or development plan or prescribed road lines by any Act or Law and measured at right angles to the course or intended course of direction of such road whichever is more;
- 2.106 “Window”** means an opening to the outside other than the door which provides all or part of the required natural light, ventilation or both, to the interior space;

### 3.0 APPLICABILITY OF REGULATIONS

- 3.1** These regulations shall apply to all development, redevelopment, erection and/or re-erection of a building, change of user etc. as well as to the design, construction or reconstruction of, and additions and alteration to a building. These regulations shall also apply to any revision of the development permissions/building permissions granted earlier under any Development Control Regulations. Further, these Regulations shall apply to development work defined in Regulation No.3.2 to 3.5. However, features approved by earlier permission shall remain intact unless it contradicts the provisions of FSI under these regulations.
- 3.2 Construction/ Part Construction** - Where the whole or part of a building is demolished or altered or reconstructed, removed, except where otherwise specifically stipulated, these Regulations apply only to the extent of the work involved.
- 3.3 Change of Occupancy / User:** -Where the occupancy or the user of a building is changed, except where otherwise specifically stipulated, these Regulations shall apply to all parts of the building affected by the change.
- 3.4 Reconstruction** - The reconstruction, in whole or part of a building which has ceased to exist due to an accidental fire, natural collapse or demolition, having been declared unsafe, or which is likely to be demolished by or under an order of the Municipal Corporation and for which the necessary certificate has been given by the said Municipal Corporation, shall be allowed subject to the provisions in these Regulations.
- 3.5 Revised permission** – Any development permission granted earlier may be revised provided that, third party interests established in pursuance of such permission, 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.

### 4.0 INTERPRETATION

Section of general clauses Act, 1897 shall be applicable in case of standard terms and phrases as defined and interpreted therein.

### 5.0 DEVELOPMENT PERMISSION AND COMMENCEMENT CERTIFICATE

- 5.1** No person shall carry out any development, in contravention of the Development Plan proposals.
- 5.2** No person shall carry out any development work including development of land by laying out into suitable plots or 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 Municipal Commissioner.
- 5.3** No temporary construction shall be carried out without obtaining prior approval of the Municipal Commissioner, which may be granted subject to such conditions as may be deemed necessary by him. However, temporary site office/ watchman cabin/ labour- material shed/ toilet may be constructed without permission after the development permission is granted. These temporary constructions shall be removed after the completion of construction under development permission.
- 5.4 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 Municipal



Commissioner of the intention to carry out its purpose along with details of such development or construction as specified below :-

- i) An official letter by the authorised officer of Government Department addressed to the Municipal Commissioner, giving full particulars of the development work or any operational construction.
- ii) Ownership documents 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 the area proposed to be developed to the scale.
- vi) Detailed plan showing the plan, sections and elevations of the proposed development work to the scale, including existing building specified either to be retained or to be demolished.

**5.4.1** The operational construction of the Government or Government undertaking, whether temporary or permanent which is necessary for the operation, maintenance, development or execution of any of the following services shall be exempted from the provisions of these Regulations:-

- i) Railways;
- ii) National Highways;
- iii) National Waterways;
- iv) Airways and Aerodromes;
- v) Posts and Telegraphs, telephones, wireless, broadcasting and other like forms of communication, excluding mobile towers;
- vi) Regional grid for electricity;
- vii) Defence Authorities;
- viii) Any other essential public service as may be notified by the State Government.

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

**5.4.2** However, no permission shall be necessary for the following types of works:-

- i) The carrying out of any works by the Central or State Government or any public sector undertaking or any local authority-
  - (a) required for 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; or
  - (b) required for the purpose of inspecting, repairing or renewing any drains, sewers mains, pipes including gas pipes, telephone and electric 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 at the earliest and pay the necessary restoration charges to the Corporation within a month. The restoration charges shall not be more than the expenditure incurred by the Corporation to restore the road etc and supervision charges, if any.

- ii) The carrying out of works in compliance with any order or direction made by any authority under any law for the time being in force.
- iii) The carrying out of work by any Authority in exercise of its powers under any law for the time

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

## 6.0 PROCEDURE FOR OBTAINING DEVELOPMENT PERMISSION /BUILDING PERMISSION (COMMENCEMENT CERTIFICATE)

**6.1 Notice** - Every person who intends to carry out development and erect, re-erect or make alterations in any place in a building or demolish any building, shall give notice in writing to the Authority of his said intention in the prescribed form (See Appendix A1 or A2 ) and such notice shall be accompanied by the payment receipt of required scrutiny fee and any other fee/ charges prescribed by the Municipal Commissioner from time to time and the plans and statements in sufficient copies (See Regulation no. 6.1.1), as required under Regulation no.6.2 and 6.3. One set of plans shall be retained in the office of the Municipal Commissioner for record after the issue of permission or refusal. The plans may be submitted in electronic form as may be specified by the Municipal Commissioner from time to time.

**6.1.1 Copies of Plans and Statements** - Four copies of plans and statements shall be made available along with the notice. Where clearance is required from other agencies, number of copies of plans required shall be as decided by the Municipal Commissioner.

**6.2 Information Accompanying Notice** - The notice shall be accompanied by the key (location plan), site plan, sub-division layout plan/ building plan, services plans, specifications and certificate of supervision and ownership title as prescribed in Regulation no.6.2.1 to 6.2.13.

**6.2.1 Size of drawing sheets and colouring of plans.**

**6.2.1.1** The size of drawing sheets shall be of A0 to A4. If necessary, submission of plans on sheets bigger than A0 size shall also be permissible. Prints of plans shall be on one side of paper only. All dimensions shall be indicated in metric units.

**6.2.1.2 Colouring Notations for Plans:** - The Plans shall be coloured as specified in following **Table.**

**Table No.1**  
**COLOURING OF PLANS**

Sr. No.	Item	Site Plan		Building Plan	
		White Plan	Ammonia Print	White Plan	Ammonia Print
(1)	(2)	(3)	(4)	(5)	(6)
1.	Plot lines	Thick Black	Thick Black	Thick Black	Thick Black
2.	Existing Street	Black	Blue	..	..
3.	Future street if any	Black dotted	Blue dotted	..	..



4.	Permissible Building lines	Thick dotted black	Thick dotted blue	..	..
5.	Existing work	Black (outline)	Blue	Black	Blue
6.	Work proposed to be demolished	Yellow hatched	Yellow hatched	Yellow hatched	Yellow hatched
7.	Proposed work	Red filled in	Red	Red	Red
8.	Drainage & sewerage work	Red dotted	Red dotted	Red dotted	Red dotted
9.	Water supply work	Black dotted thin	Black dotted thin	Black dotted thin	Black dotted thin
10.	Deviations from the sanctioned plan	Red hatched	Red hatched	Red hatched	Red hatched
<b>Note:-</b>	For land development/sub-division/layout/building plan, suitable colouring notations shall be used which shall be indexed.				

**6.2.2 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:-

- a) Latest Property card(s) or 7/12 extract(s) of a date not more than one month prior to the date of submission, power of attorney, wherever applicable.
- b) Measurement Plan of the property issued by Land Record Department.
- c) Statement of area of the holding by triangulation method /CAD (computer added designs and drafting based software) from the qualified licensed technical personnel or architect with an affidavit from the owner with regard to the area in the form prescribed by the Municipal Commissioner.
- d) Any other document prescribed by the Municipal Commissioner.
- e) Wherever third party interest is created by way of agreement to sale or mortgage etc. the registered consent of such interested persons shall be submitted with the application.
- f) A certified copy of approved sub-division / amalgamation / layout of land from the concerned authority.
- g) 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.

**6.2.3 Key Plan or Location Plan** - A key plan drawn to a scale of not less than 1:10,000 shall be submitted as a part of building plan / development proposal along with the application for a building permit and commencement certificate; showing the boundary and location of the site with respect to neighbourhood landmarks or with respect to the area within the radius of 200 m. from the site, whichever is more.

**6.2.4 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 Authority. 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:-

- a) The boundaries of the site and of any contiguous land belonging to the neighbouring owners;
- b) The position of the site in relation to neighbouring streets ;
- c) The name of the street, if any, from which the building is proposed to derive access;
- d) All existing buildings contained in the site with their names (where the buildings are given names) and their property numbers;
- e) The position of the building and of other buildings, if any, which the applicant intends to erect, upon his contiguous land referred to in (a) above in relation to;
  - (i) The boundaries of the site and, in a case where the site has been partitioned, the boundaries of the portions owned by others;
  - (ii) All adjacent streets, buildings (with number of storeys and height) and premises within a distance of 12 m. of the work site and of the contiguous land (if any) referred to in (a), and
- f) The means of access from the street to the building and to all other buildings (if any) which the applicant intends to erect upon.
- g) The space to be left around the building to secure free circulation of air, admission of light and access;
- h) The width of the street (if any) in front and the street (if any) at the side of or near the building, including the proposed roads;
- i) The direction of the north line relative to the plan of the building;
- j) Any existing physical features, such as wells, tanks, drains, pipe lines, high tension line, railway line, trees, etc.;
- k) The ground area of the whole property and the break-up of the built-up area on each floor;
- l) A plan indicating parking spaces as required and provided under these regulations;
- m) Overhead electric supply lines, if any, including space for electrical transformer / sub-station according to these regulations or as per the requirements of the electric distribution company.
- n) Any water course existing on site;
- o) Existing alignments of water supply and drainage line;
- p) Such other particulars as may be prescribed by the Municipal Commissioner.

**6.2.5 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 of 4.0 ha. and above, the plan shall be drawn to a scale of not less than 1:1000, containing the following:

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

- (g) In case of plots which are sub-divided in built-up areas, in addition to the above, the means of access to the sub-division from existing streets;
- (h) Contour plan of site, wherever necessary.

**6.2.6 Building Plan** - The plans of the buildings with elevations and sections accompanying the notice shall be drawn to a scale of 1:100 or to a scale as may be directed by the Municipal Commissioner and shall

- a) include floor plans of all floors together with the built-up area, clearly indicating the sizes of rooms and the position and width of staircases, ramps and other exit ways, lift-wells, lift machine rooms and lift pit details. It shall also include ground floor plan as well as basement plans and shall indicate the details of parking spaces, loading and unloading spaces provided around and within 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;
- b) show the statement of built-up area of every flat or shop or any unit along with proportionate common built-up area attached to it and area of balcony and double height terraces, if any attached to the said unit;
- c) show the use or occupancy of all parts of the building;
- d) show exact location of essential services e.g. wc, sink, bath and the like;
- e) include sectional drawings of the building showing all sectional details;
- f) show all street elevations;
- g) give dimensions of the projected portions beyond the permissible building line;
- h) include terrace plan indicating the drainage and the slopes of the roof;
- i) give indications of the north point relative to the plans; and
- j) give dimensions and details of doors, windows and ventilators.

**6.2.6.1 Building Plans for Special Buildings :-** For

- (i) multi-storied buildings which are more than 15m. height; **or**
- (ii) special buildings like educational, assembly, mercantile, institutional, public and semi-public, industrial, storage and hazardous buildings having built-up area more than 500 sq. m on each floor; **or**
- (iii) mixed occupancies with any of the aforesaid occupancies mentioned in (ii) above, having built-up area more than 500 sq. m on each floor;

the following additional information shall be furnished/ indicated in the Building Plans, in addition to the items (a) to (j) of Regulation no. 6.2.6.:-

- (a) access to fire appliances/vehicles with details of vehicular turning circle and clear motorable access way around the building of minimum 6 mt. width;
- (b) size (width) of main and alternate staircases, wherever necessary, along with balcony approach, corridor, ventilated lobby approach;
- (c) location and details of lift enclosures;
- (d) location and size of fire lift;
- (e) smoke stop lobby/door, where provided;
- (f) refuse chutes, refuse chamber, service duct, etc.;
- (g) vehicular parking spaces;

- (h) refuge area, if any;
- (i) details of Building Services :-Air-conditioning system with position of fire dampers, mechanical ventilation system, electrical services, boilers, gas pipes etc.,
- (j) details of exits including provision of ramps, etc. for hospitals and buildings requiring special fire protection measures,
- (k) location of generator, transformer and switch gear room;
- (l) smoke exhauster system, if any;
- (m) details of fire alarm system network;
- (n) location of centralized control, connecting all fire alarm systems, built in fire protection arrangements and public address system etc.
- (o) location and dimensions of static water storage tank and pump room along with fire service inlets for mobile pump and water storage tank;
- (p) location and details of fixed fire protection installations such as sprinklers, wet risers, hose reels, drenchers, CO<sub>2</sub> installation etc.;
- (q) location and details of first aid, fire fighting equipment's / installations.

Provided further that, the provision of fire escape stair case shall be made as per Regulation No.18.4.4

Provided further that, certificate of structural engineer about earthquake safety shall also be necessary.

**6.2.7 Service Plan** - Plans, elevations and sections of private water supply, 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 in general and 1:1000 for layouts.

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

**6.2.9 Building/ Layout Permission Fee-** The notice shall be accompanied by payment of Building/ Layout Permission Fee. The building permission fee or layout /subdivision of land fees shall be as decided by the Municipal Commissioner from time to time.

**6.2.10 Development Charges-** Development charges as required under Section 124A of the Act 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.

**6.2.11 Premium charges and charges for Fungible FSI-** Premium charges and charges for Fungible FSI 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 development fund called as 'Pune Infrastructure fund' and shall be utilized for the purpose of developing new/ up-gradation of infrastructure as well as implementation of Development Plan proposals and creation of civic amenities.

**6.2.12 Tax clearance** - The Municipal Corporation shall verify whether payment of Tax is up to date.

### **6.3 Signing 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 Authority.

### **6.4 Qualification and Competence of the Architect / Licensed Engineer / Structural Engineer/ Supervisor and Registration of Developer -**

Architect/ Engineer/Structural Engineer/ Supervisor referred to in Clause 6.3 shall be registered / licensed by the Authority as competent to plan and carry out various works as given in Appendix "C". The qualification and procedure for registration and licensing of the Engineer / Structural Engineer / Supervisor / Developer shall be as given in Appendix- "C". Architects registered with council of Architecture shall not be required to register with the Authority.

### **6.5 Discretionary Powers:-**

#### **6.5.1 Interpretation.**

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

- (i) decide on matters where there is doubt / error in interpretation of these Regulations.
- (ii) decide the extent of the proposal of development plan with respect to survey number, where boundaries of the survey number 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 Government institutions dealing with the subject, from time to time;
- (vi) authorise erection of a building or use of premises for a public service undertaking for public utility purposes only, where he finds such authorisation to be reasonably necessary for the public convenience and welfare, even if it is not permitted in any Land Use Classification,
- (vii) decide the alignment of development plan road if it differs from alignment in earlier sanctioned development plan or alignment actually carried out on site.

#### **6.5.2 Relaxation.**

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

- (i) permit any of the dimensions / provision prescribed by these regulations to be modified provided the relaxation sought does not violate the health safety, fire safety, structural safety and public safety of the inhabitants of the buildings and the neighborhood. However, no relaxation for the setback required from the road boundary or F.S.I. or parking requirements shall be granted under any circumstances, unless otherwise specified in these regulations.

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

**6.5.3 Temporary Constructions** -The Municipal Commissioner may grant permission for temporary construction for a period not exceeding six months at a time and in the aggregate not exceeding for a period of one year, such a permission may be given by him for the construction of the following, viz.:-

- (i) Structures for protection from the rain or covering of the terraces during the monsoon only.
- (ii) Pandals for fairs, ceremonies, religious function, etc.
- (iii) Structures for godowns/storage of construction materials within the site.
- (iv) Temporary site offices and watchman chowkies within the site only during the phase of construction of the main building.
- (v) Structures of exhibitions/ circuses etc.
- (vi) Structures for storage of machinery, before installation for factories in industrial lands within the site.
- (vii) Structures for ancillary works for quarrying operations in conforming zones.
- (viii) Government milk booths and telephone booths.
- (ix) Transit accommodation for persons to be rehabilitated in a new construction.
- (x) Structures for educational and medical facilities within the site of the proposed building during the phase of planning and constructing the said permanent buildings.
- (xi) Ready mix concrete plant.

Provided that, temporary constructions for structures etc. mentioned at (iii), (iv), (vi), (ix) and (x) may be permitted to be continued temporarily by the Municipal Commissioner, but in any case not beyond completion of construction of the main structure or building and that structure in (vii) may be continued on annual renewal basis by the Municipal Commissioner beyond a period of one year.

## **6.6 Grant or Refusal of permission**

**6.6.1** The Authority may either sanction or refuse the plans or may sanction them with such modifications or directions as it may deem necessary after having recovered the necessary charges and there upon shall communicate its decision to the person giving the notice in the prescribed form given in Appendix D1/D2/D3 and E1/E2 as the case may be. Such approval shall also be deemed to have been granted under relevant provisions of the Maharashtra Municipal Corporation Act, 1949.

- 6.6.2** (i) The building plans for buildings identified in Regulation no. 6.2.6.1 shall also be subject to the norms of Maharashtra Fire Prevention and Life safety Act, 2006 and NBC, 2005.
- (ii) In case of land subdivision or plotted 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 Regulation no.6.8 and grant final approval if it is in accordance with the layout recommended for demarcation and confirming to the regulations. This shall also be mandatory to Group Housing Scheme where roads in the adjoining layouts/ Development Plan roads are to be coordinated and/or amenity space is to be earmarked.

**6.6.3** If within sixty (60) days of receipt of the notice, the Authority fails to intimate in writing to the person who has given the notice, of its refusal or sanction or sanction with such modifications or directions, the notice with its plans and statements shall be deemed to have been sanctioned.

Provided nothing shall be construed to authorise any person to do anything on the site of the



work in contravention or against the terms of lease or titles of the land.

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

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

Provided further that upon receipt of intimation of any claim for deemed permission, the 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 Authority for not processing and disposing of the proposal within 60 days.

- 6.6.4** After the plan has been scrutinised 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 shall be raised when they are resubmitted after compliance of earlier objections, except in circumstances to be quoted for additional compliances.

## 6.7 Commencement of work

The commencement certificate/development permission shall remain valid for 4 years in the aggregate but shall have to be renewed every year from the date of its issue. The application for renewal shall be made before expiry of one year if the work is not already commenced. Such renewal can be done for three consecutive terms of one year after which proposals shall have to be submitted to obtain development permission afresh. If application for renewal is made after expiry of the stipulated period during which commencement certificate is valid, then the Authority may condone the delay for submission of application for renewal by charging necessary fees; but in any case, commencement certificate shall not be renewed beyond 4 years from the date of commencement certificate/ development permission.

Provided that, no such renewal shall be necessary if the work is commenced within the period of valid permission and such permission shall remain valid till the work is completed.

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

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

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

After handing over roads and infrastructure to the corporation after completion of scheme, the responsibility of maintenance shall lie with the corporation.

## 7.0 PROCEDURE DURING CONSTRUCTION

- 7.1 Owner / Architect / Developer / Engineer / Structural Engineer / Supervisor or any licensed Technical persons' liability:** - Neither the grant of permission nor approval of the drawing nor inspection by the Authority during erection of the building, shall in any way relieve the Owner / Architect / Developer / Engineer / Structural Engineer / Supervisor or any licensed Technical persons of such building / development, from full responsibility for carrying out the work in accordance with these Regulations and safety norms as prescribed by the Bureau of Indian Standards.

### 7.2 Documents at site –

- (i) **Development Permission:** The person to whom a development permission is issued shall during construction, keep -
- posted at a conspicuous place on the site for which permission has been issued, a copy of a development permission; and
  - a copy of the approved drawings referred to in Regulation no.6.6 on the site for which the permission was granted.
- (ii) **Display board:** Display board mentioning name of the owner, name of architect, name of structural engineer, except for small individual plot holders.

- 7.3 Deviation during constructions-**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 Authority shall be deemed as un-authorised.

- 7.4 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 Authority in the form in **Appendix 'F'**. 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.



**7.5 Occupancy certificate** - The Authority 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- G** or refuse to sanction the occupancy certificate in **Appendix –H** 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 Authority, 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. Municipal Commissioner shall issue the deemed occupancy certificate within 15 days of the application.

**7.6 Part occupancy certificate:-** When requested by the holder of the development permission, the Authority 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 Authority in the form in **Appendix `I`**.

## 8.0 INSPECTION

The Authority 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.

## 9.0 UNSAFE BUILDINGS

All unsafe buildings shall be considered to constitute danger to public safety and hygiene and sanitation and shall be restored by repairs or demolished or dealt with as otherwise directed by the Authority. The redevelopment of such buildings shall be as per the provisions of the Regulation no. 25.8

## 10.0 OFFENCES AND PENALTIES

**10.1 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.

### 10.2. 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 case 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.

#### **11.0 AMENDMENT TO APPENDICES**

The Municipal Commissioner may amend the **Appendices A to I** in these regulations, as and when necessary.

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## PART II

### GENERAL LAND DEVELOPMENT REQUIREMENTS

#### 12.0 REQUIREMENTS OF SITE

##### 12.1 SITES NOT ELIGIBLE FOR CONSTRUCTION OF BUILDING

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

- (a) If the Authority considers that the site is insanitary, incapable of being well drained or it is dangerous to construct a building on it;
- (b) If the entire site is within a distance of 6 m. from the edge of water mark of a minor water course and 15 m. from the edge of water mark of a major water course 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 Authority to restrict and or to realign the same within the same land according to cross section available with the Corporation, modified from time to time.
- (c) If the owner of the plot has not shown to the satisfaction of the Authority all the measures required to safeguard the construction from constantly getting damped;
- (d) If the use of the site is for the purpose, which will be a source of annoyance to the health and comfort of the inhabitants of the neighbourhood;
- (e) If the proposed use of land or occupancy of the building on the site does not conform to the land use proposals in the development plans or Zoning Regulations,
- (f) If the level of the site is less than prescribed datum level depending on topography and drainage aspects;
- (g) If it doesn't derive access from an authorised street/means of access described in these Regulations;
- (h) If the land is within a prohibited distance (currently of seventy five meters) from the crest of the outer parapet of the Armament Research and Development Establishment (ARDE), Range Pashan, Pune;
- (i) If the land is within a prohibited distance of approximately 457.2 m (500 yards) from the crest of the outer parapet of the High Energy Materials Research Laboratory (HEMRL), Sutarwadi, Pune as shown on Development Plan;
- (j) If the site is hilly and having gradient more than 1:5;
- (k) If the site is not developable by virtue of restrictions imposed under any law or guidelines of any Government department.

##### 12.2 DISTANCE OF SITE FROM ELECTRIC LINES

No structure including veranda or balcony shall be allowed to be erected or re-erected or any additions or alterations made to a building on a site within the distance quoted in **Table No.2** below in accordance with the prevailing Indian Electricity Rules and its amendments from time to time between the building and any overhead electric supply line.

**Table No.2**

Electric Lines	Vertically (m.)	Horizontally (m.)
(1)	(2)	(3)
(a) Low and medium voltage Lines and Service Lines.	2.5	1.2
(b) High voltage lines upto 11,000 V.	3.7	1.2
(c) High voltage lines above 11,000 V and upto 33,000 V.	3.7	2.0
(d) Extra High voltage line beyond 33,000 V.	3.7 (Plus 0.3 m. for every additional 33,000 V. or part thereof)	2.0 (Plus 0.3 m. for every additional 33,000 V. or part thereof)
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.		

**12.3 CONSTRUCTION WITHIN FLOOD LINE**

Construction within flood line of river

- 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, garden, lawns, open space, cremation and burial ground, or like uses, provided the land is feasible for utilization.
- ii) The construction in the area between blue flood line and red flood line may be permitted above the red flood line level.
- iii) If the area between the river bank and blue flood line or red flood line forms the part of the entire plot in developable zone i.e. residential, commercial, public-semi-public, industrial, then, FSI of this part of land may be allowed to be utilised on remaining land.
- iv) The blue and red flood line shall be as marked by the Irrigation Department or any other Government institutions dealing with the subject.

**12.4 DEVELOPMENT WITHIN 30 M. FROM RAILWAY BOUNDARY**

Any construction within 30 m. from railway boundary shall be subject to restrictions as may be specified by the Railway Authority from time to time

**12.5 ENVIRONMENTAL CLEARANCE**

Environmental clearance certificate shall be obtained for the project which needs clearance from the said Authority, as may be prescribed by the Ministry of Environment from time to time.

**12.6 RESTRICTIONS IN THE VICINITY OF AIRPORT**

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

**12.7 RESTRICTIONS IN THE VICINITY OF ANCIENT MONUMENTS**

- 1) Monuments protected under Ancient Monuments and Archaeological Sites and Remains Act, 1960.

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

- i) No construction activity is permissible within 100 meters distance.
- ii) Beyond 100 m. and 300 m. construction is permissible upto a height 9.0m. or as specified by Archaeological Survey of India from time to time.

Following are the declared monuments as of now.

- a) Cave temple of Bhambhurda
  - b) Old citadel known as Shaniwarwada
  - c) Aga Khan Palace Building.
- 2) Monuments protected under Maharashtra Ancient Monuments and Archaeological Sites and Remains Act, 1960.

The restrictions for Development in the vicinity of following ancient monuments as prescribed under Ancient Monuments and Archaeological Sites and Remains Act, 1960 shall be observed.

- a) Nageshwar Temple
- b) Vishrambaug Wada
- c) Mahatma Phule Wada
- d) Saint Krispin Church

The following shall be the restricted area for Mahatma Phule Wada.

Sr. No	Side	Distance measured from Compound wall of Mahatma Phule Wada	Boundary CTS no./ landmark
1	East	50m	429, 430, 431, 432C, 432B, 432A, 467, 468, 487A, 487B, 489
2	North	50m	CTS no.551, 533, 508, 578, 580
3	West	40m	Chambhar ali
4	South	58m	Lohiya Nagar road

The restriction in above area around Mahatma Phule Wada shall be as given below

- a) Prohibition on any new construction & other construction on open land
- b) Prohibition on any addition/alteration, repair and renovation, which will change facade of existing building.
- c) Prohibition on tree cutting.
- d) Prohibition on the use of land.

## 12.8 DEVELOPMENT ALONG HIGHWAYS / CLASSIFIED ROADS

The development along the highways shall be subject to the provisions of National Highways Act, 1956 and State Highways Act, 1955 and orders issued by Ministry of Surface Transport, GoI and Public Works Department in this regards, from time to time.

A service road of 12 m. wide shall be provided along National and State Highways on both sides.

**12.9 DEVELOPMENT WITHIN 500 M. FROM THE PRISON PREMISES**

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

**12.10 AUTHORITIES TO SUPPLY COMPLETE INFORMATION TO CORPORATION**

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

**13.0 MEANS OF ACCESS**

- 13.1** Every plot / building whether existing or proposed, shall have means of access as required in these Regulations.
- 13.2** Every person who erects a building shall not at any time erect or cause or permit to erect or re-erect any building which in any way encroaches upon or diminishes the area set apart as means of access.

**14.0 REGULATIONS FOR LAND SUB -DIVISION AND LAYOUT****14.1 OBLIGATION TO PREPARE LAYOUT**

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

- (i) When more than one building, excepting accessory buildings in the case of residential building, is proposed on any land, the owner of the land shall submit proposal for proper layout of building.
- (ii) When development and redevelopment of any land which includes division and sub-division or amalgamation of plots for various land uses is proposed.

**14.2 ROADS / STREETS IN LAND SUB-DIVISION OR LAYOUT**

- A) For Residential Development -The plots shall abut on a public means of access like street / road. Minimum width of access / layout road / internal road in any development proposal / subdivision / group housing shall be as given in **Table No.3(a)**.

<b>Table No.3(a)</b>		
<b>Sr. No.</b>	<b>Length of Means of access in m.</b>	<b>Width of Means of access in m.</b>
i	upto150	9.00
ii	above 150 and to upto300	12.00
iii	more than 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.3(b)**.

<b>Table No.3(b)</b>		
Sr.no.	Length of Mean of access in m.	Width of Means of access in m.
i	Upto 75	12
ii	Above 75 to 150	15
iii	Above 150	18 or more

**NOTE – 1** The means of access shall be clear of required marginal distances from the existing building line. The developments on plots shall be permitted if it is accessible by the authorized public street existing or road from the sanctioned layout.

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

- C) In case of group housing scheme minimum width of internal means of access shall be as under

<b>Table No.3(c)</b>		
Sr. no.	Length of Mean of access in m.	Width of Means of access in m.
i	Upto 150	7.50
ii	Above 150 to 300	9.00
iii	Above 300 to 600	12.00
iv	Above 600	15.00

**NOTE –** It shall be necessary to provide through roads, in group housing scheme of area more than 2 Hectare, so as to coordinate the adjoining major road link (15 m and above) or give way to new road link for adjoining area. The road width required for such road link shall be as per **Table no.3(a)**. This shall not bar coordination of smaller width roads approaching from adjoining area, if owner so desires. Further the authority may insist on coordination of smaller width road from adjoining area, if required from planning point of view.

**14.2.1 Pathways** -In case of group housing scheme / campus planning, a pedestrian approach to the buildings from road / street / internal means of access, wherever necessary, shall be through paved pathway of width not less than 3.0 & 4.5m., provided its length measured from farthest building is not more than 60 m. and 100 m respectively from the main / internal means of access. If the length is more than 100m., then regular street as provided in **Table No.3(c)** shall be necessary. The marginal distances shall not be required from such pathways. However, distance between two buildings shall be maintained. This provision of pathway shall not apply to development under Regulation no.25.4

**14.2.2** The length of means of access shall be determined by the distance from the farthest plot (or 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.

- 14.2.3** While granting the development permission for land sub-division or group housing/campus planning, it shall be necessary to coordinate the roads in the adjoining lands subject to provisions mentioned in Regulation no.14.2.C – NOTE.
- 14.2.4** In congested areas, plots facing street / means of access less than 4.5 m. in width, the plot boundary shall be shifted to be away by 2.25 m. from the central line of the street/ means of access way to give rise to a new street / means of access way of width of 4.5 m. clear from the structural projections. In this case, no separate setback from revised plot boundary is required.
- 14.2.5** 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), free of encroachment and shall be maintained in proper condition.
- 14.2.6** If any private street or any other means of access to a building is not constructed & maintained as specified above, the authority may by written notice require the owner or owners of the several premises fronting or adjoining the said street or other means of access or abutting thereon or to which access is obtained through such street or other means of access or which shall benefit by works executed to carry out any or more of the aforesaid requirements in such manner and within such time as the authority shall direct. If the owner or owners fail to comply with this direction, the authority may arrange for its execution and recover the expenses incurred from the owner/ owners.
- 14.2.7 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. The above shall be subject to the provisions of National Highway Act, 1956 and State Highways Act, 1955.
- 14.2.8** For building identified in Regulation no. 6.2.6.1, the following additional provisions of means of access shall be ensured;
- (a) The width of the main street on which the building abuts shall be as specified in these regulations.
  - (b) The marginal distances on its all sides (see Regulation no. 16.6) shall be minimum 6 m. and the layout for the same shall be approved taking into consideration the requirements of fire services, and the margins shall be of hard surface capable of taking the weight of fire engine, weighing up to 45 tonnes. The said marginal distances shall be kept free of obstructions and shall be motorable.
  - (c) Main entrances to the plot shall be of adequate width to allow easy access to the fire engine and in no case it shall measure less than 4.5 m. The entrance gate shall fold back against the compound wall of the premises, thus leaving the exterior access way within the plot free for movement of fire engine / fire service vehicles. If main entrance at boundary wall is built over, the minimum clearance shall be 4.5 m. and turning radius of 9.0m shall be provided for fire fighting vehicle movement.
- 14.2.9** In addition to the provisions of Regulation no.14.2, Cul-de-sacs giving access to plots and extending upto 150 m. normally and 275 m. maximum with an additional turning space at 150m. 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 ends shall be higher in level than the level of starting point. The turning space, in any case shall be not less than 81 sq. m. in area with no dimension being less than 9 m.
- 14.2.10** Areas under roads shall be handed over to the Planning Authority by way of deed after



development of the same, within such period as may be specified in commencement letter / development permission, for which nominal amount of Re 1/- may be paid by the Planning Authority.

- 14.2.11 Intersection of Roads** - At junctions of roads meeting at right angles, the rounding off at the intersection shall be done, 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 below. The building shall also set back at required marginal distance from this rounding off.

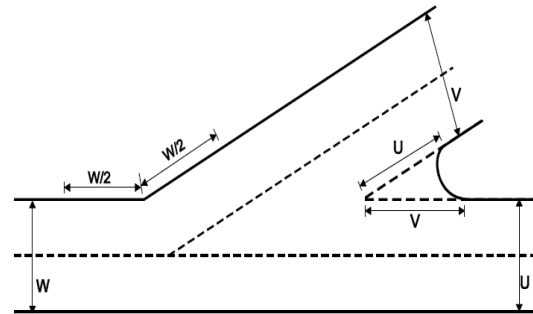
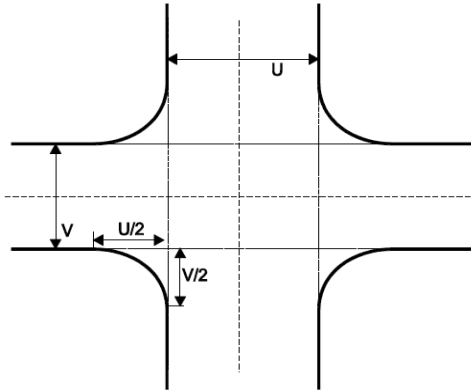


Fig. 1- Rounding off intersections at junctions      Fig.2. - Rounding off intersection at junctions.

- 14.2.12** For junctions of roads meeting 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.

### 14.3 RECREATIONAL OPEN SPACES

- 14.3.1** In any layout or subdivision or any development of land for any use/zone admeasuring 0.20 Ha. or more after deducting D.P. road and reservation area, if any, 10% of the entire holding area shall be reserved as recreational open space which shall as far as possible be provided in one place. In case of land admeasuring more than 0.8 Ha., recreational open space may be allowed to be left at different locations in the same layout, provided that the size and other dimensions conform to the provisions herein below.

Provided that, the above-mentioned area of 0.2 Ha. shall be measured with reference to original holding as on 11<sup>th</sup> January 1967 and not with reference to sub-divided holding in revenue / city survey record thereafter without the permission under the Maharashtra Regional & Town Planning Act, 1966. If such sub-divided holding in revenue/city survey record admeasures less than 0.20, then 10% open space shall be left which shall not be in any case less than 200 sq.mt., in such cases.

Provided further that, in case of lands declared surplus or retainable under Urban Land (C & R) Act, 1976, if the entire retainable holding or entire surplus holding independently admeasures 0.2 Ha., or more, then 10 percent recreational open space shall be necessary in respective holding.

Provided further that such recreational open space shall also be necessary for group housing scheme or campus/ cluster planning for any use / zone.

Provided further that, no such open space shall be necessary in case of layout or

subdivision of plots from already sanctioned layout by the Authority where the requisite recreational open space has already been left in the sanctioned layout.

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

In case of development of land for educational purpose, in lieu of 10% recreational open space, 40% of the gross area (or as decided by the Government from time to time) shall be earmarked for playground. Notwithstanding anything contained in this rule, the shape and location of such open space shall be such that it can be properly used as playground.

- 14.3.2** The owner shall give an undertaking that the recreational open space shall be for the common use of all the residents or occupants of the layout / building unit.
- a) On sanction of the development permission, the recreational open space shall be deemed to have vested in the society / association of the residents / occupants except otherwise specified. In case such society or association is yet to be formed, the owner shall give undertaking to the Municipal Commissioner that he will transfer the recreational open space to the society/ association whenever it is formed. 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 as mentioned in Regulation no.14.3.7.
  - b) If the authority is convinced that there is misuse of open spaces, it shall take over the land of recreational open space.
- 14.3.3** No permission shall be granted to delete / reduce open spaces of the existing sanctioned layout / subdivision. However, while revising the layout, such recreational open space may be rearranged without decrease in area subject to minimum prescribed area under these Regulations with the consent of plot / tenement holders / co-owners; but such revision of recreational open space area shall ordinarily not be allowed after a period of 4 years from the first sanction.
- 14.3.4** The open spaces shall be exclusive of means of accesses / internal roads / designations or reservations in development plan roads and areas for road widening.
- 14.3.5** Such recreational open space may be allowed to be left in green belt area shown on the development plan excluding 15 m belt along river and 9.0m along nala, provided, such recreational space is sizable. However, constructions in this recreational open space area shall be as allowed in regulation no.15.8.
- 14.3.6 Minimum dimensions** -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.
- 14.3.7** If required, structure and uses which can be permitted free of FSI in the recreational open spaces shall be as under:
- 1) There may be maximum two storeyed structure with maximum 15% built up area of recreational open space, out of which 10% built up area shall be allowed on ground floor and remaining 5% can be permitted on 1<sup>st</sup> floor.
  - 2) The structures used for the purpose of pavilion, gymnasium, fitness centre, club house, vipashyana and yoga centre, crèche, kindergarten, library, water tank, electric substation, generator set, pump houses, garbage treatment, public health out post/ centre or other structures for the purpose of sports and recreation activity may be permitted.
  - 3) No detached toilet block shall be permitted.

- 4) A swimming pool may also be permitted in such a recreational open space. The ownership of such structures and other appurtenant users shall vest in all the owners on account of whose cumulative holdings, the recreational open space is required to be kept in the land.
- 5) The proposal for the construction of such structure should 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.
- 6) The remaining area of the recreational open space shall be kept open to sky and properly accessible to all members as a place of recreation, garden or a playground.
- 7) The owners' society / societies, the federation of the owners' societies shall submit to the Authority, a registered undertaking agreeing to the conditions in (5) & (6) above while obtaining permission for the above said construction.

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

#### **14.4 PROVISION FOR AMENITY SPACE**

In any layout or development proposal, amenity space of 15% on gross area excluding reservation in development plan shall be provided while granting permission to the layout / development proposal. This amenity space shall be handed over to the authority before making a claim of Amenity TDR/FSI or Occupancy Certificate.

If the owner on the requirement of Municipal Commissioner, surrenders the land along roads, not less than 18.0 m wide road, for specific purposes, such as city bus pick-up shed on specified road, public convenience, hawkers zone or like purposes, then aforesaid quantum of Amenity Space may be reduced by 40% (For example: city bus pick-up area with about 6.0m depth and 70.0m length along road, similar width for hawkers, no dimensional restriction for public convenience.)

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.

Provided that, if there is any development plan reservation, 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 approval of the development proposal. If the owner possesses land at different locations then he may be allowed to earmark the amenity space at one of such locations, provided such location is not inferior as compared to the all locations considered together.

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

Provided further that, the Municipal Commissioner, instead of taking over the amenity space, may allow the owner to develop the amenity space for following specific uses required in the area, on terms and condition (including accessibility of the schools and hospitals to the common public) as may be decided by him. These amenities shall be open for general public. In such cases, no in-situ FSI or TDR shall be allowed.

i) Primary and Secondary School, ii) Dispensaries, Hospitals, iii) Night Shelter, iv) Gardens.

The generation of TDR or in-situ FSI shall be equivalent to the quantum mentioned in Regulation no.23.0 which deals with TDR.

Provided further that, if the amenity space is less than 400 sq.mt. in area, then it may be exempted from the provision of this regulation subject to payment of premium to the Corporation equivalent to 35% of the value of the land as per Annual Statement of Rate of respective year, if desired by the owner.

Provided further that, this regulation shall not be applicable to Regulation no.15.6(v), wherein separate provision for land for public amenities / utilities is made.

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

Provided further that, this regulation shall not be applicable to the congested area shown on development plan.

Provided further that, this regulation shall not be applicable for revision of earlier sanctioned development permissions where no space is available for earmarking amenity space. However, this exemption shall be subject to payment of premium to the Corporation equivalent to 35% of the value of the land as per Annual Statement of Rate of respective year.

#### 14.5 PROVISION FOR ELECTRIC SUB-STATION

In case of development/re-development of any land, building or premises mentioned below, provision for electric sub-stations may be made as under.

Sr. No.	Plot Area	Maximum requirements
1	Plot above 2000 sq.m.	One single transformer sub-station of the size of 5m.x5m. and height of not more than 5m.
2	Layout or sub-division of a plot measuring 2 .0 ha. or more.	A suitable site for an electric sub-station.

#### 14.6 PROVISION FOR INCLUSIVE HOUSING

**14.6.1** All the provisions regarding inclusive housing issued by the Government shall be applicable. The current provisions are here under.

(a) For the sub-division or layout of the land admeasuring 4000 sq. mt. or more for residential purpose, minimum 20% of the net plot area shall have to be provided either-

(i) in the form of developed plots of 30 to 50 sq. mt. size for Economically Weaker Sections/ Low Income Groups (EWS/LIG), (hereinafter referred to as “affordable plots”)

**Or**

(ii) in the form of plot / plots equivalent to 20% net plot area for constructing EWS/LIG tenements, which area 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.

Provided that the equivalent affordable Housing Plots or 20% plot area can also be provided at some other location(s) within the same Administrative Ward of the Municipal Corporation.

- (b) The Landowner/Developer shall sell the affordable plots to MHADA at one place in lieu of equivalent FSI to be utilised 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.

Provided that in case the Landowner / 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.

$$\text{Formula: } X = \left[ \frac{R_g}{R_r} \right] \times Y$$

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

R<sub>g</sub> = Land Rate in Rs. Per Sq. m. as per the Annual Statement of Rates (hereinafter referred to as 'ASR') of generating plot in the year when project is sanctioned.

R<sub>r</sub> = Land Rate in Rs. Per Sq. m. as per ASR of the receiving plot of the same year of generating plot.

Y = Unutilized additional FSI.

**14.6.2** For a plot of land, admeasuring 4000 sq.mt. or more to be developed for a Housing Scheme consisting of one or more buildings (hereinafter referred to as 'the said Scheme'), EWS/LIG Housing in the form of tenements of size ranging between 30 to 50 Sq.mt. (hereinafter referred to as 'affordable housing tenements') shall be constructed at least to the extent of 20% of the basic FSI subject to the following conditions:-

- a) The built up area of the EWS/LIG tenements constructed under the Scheme shall not be counted towards FSI.
- b) The Landowner/Developer shall construct the stock of the affordable housing tenements in the same plot and the Planning Authority shall ensure that the Occupation Certificate for the rest of the development under the said Scheme is not issued till the Occupation Certificate is issued for the Affordable Housing tenements under the said Scheme.

Provided further that the 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 up to the limit of 50% of the admissible FSI of such alternative plot

- c) 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 the rates equal to 125% of the construction rates in the ASR applicable to the land under the Scheme, on the date of grant of Occupation Certificate to such Affordable Housing tenements.

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 Sq. mtr.

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 for total plot under layout is proposed, these provisions shall be applicable.

- d) The Landowner/ Developer may also be permitted to utilise 1/4<sup>th</sup> of the total 20% FSI 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.
- e) 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 constructions of residential tenements for the EWS/ LIG and also for the development / redevelopment of any land owned by the Government, or any Semi-Government Organization. Provided such development / redevelopment is undertaken by the Government or such Semi - Government Organization by itself or through any other agency under BOT or PPP model.

Provided that in case of development of reservation for Public Housing, Housing the 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.

**14.6.3** Amalgamation of affordable plots/affordable tenements shall not be allowed.

**14.6.4** 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.

#### **14.7 PLOT AREA, PLOT WIDTH FOR VARIOUS USES:**

Minimum plot areas and widths for various uses shall be as given below in the **Table No.4**

<b>Table No.4</b>				
<b>MINIMUM PLOT AREA, MINIMUM WIDTH, FOR VARIOUS USES</b>				
Sr. No.	Uses	Plot area (in sq.m.)	Min. Plot Width	Type of Development
(1)	(2)	(3)	(4)	(5)
1	Residential and Commercial (except those in 2,3 & 4 below)	i) 30 and above but upto 125	As per Table No. 5	Row
		ii) Above 100 but less than 250		Semi-detached/ Detached
		iii) 250 & above		Detached
2	Plots in EWS Housing / High Density Housing / Sites and Services / Slum Up-gradation / Reconstruction Scheme by public authority.	25 and above but upto 125	As per Table No.5	Row

3	Auto Fuel Filling station -			
	(a) Without service bay	510	16.75 m	Detached
	(b) With service bay	1100	30.5 m	Detached.
4.	Industrial	300	10 m	Detached.
Note : in case of sr.no.1, pattern of development permissible within a plot shall be shown in dotted line while approving the layout. However change in pattern may be permitted in future, if it fits in to above pattern of development and does not disturb the overall pattern of development already approved.				

#### 14.8 NET PLOT AREA AND COMPUTATION OF FSI

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

- i) In case of a plotted layout/sub-division /group housing scheme / any development, net area shall be the gross plot area, after deducting the area covered by amenity space under Regulation no 14.4 and Development Plan proposals, if any.
- ii) Such net plot area shall correspond to FSI 1.00 mentioned as a basic permissible FSI in these regulations.
- iii) In case of plotted layout, FSI of such net area shall be distributed on all plots on pro-rata basis.
- iv) In case of plots from already approved layouts, the plot area shall be treated as net plot area.
- v) The above regulations in respect of net plot area and computation of FSI shall apply to proposals in all land use zones.

Illustration showing calculations as per above provisions for layouts in Residential Zone.

##### a) Area Statement-

A	AREA STATEMENT	AREA
	1. Area of land (Minimum area of <b>a, b, c</b> to be considered)	<b>30,000</b>
	a) As per ownership document (7/12, CTS extract)	<b>30,000</b>
	b) as per measurement sheet	<b>30,050</b>
	c) as per site	<b>30,010</b>
	2. Deductions for	
	(a) Proposed D.P. road / D.P. road widening area	<b>4,000</b>
	(b) Any D.P. Reservation area	<b>5,000</b>
	(Total a+b)	<b>9,000</b>
	3. Gross Area of Plot (1-2)	<b>21,000</b>
	4. Recreational Open space	
	(a) Required	<b>2,100</b>
	(b) Proposed	<b>2,105</b>
	5. Amenity Space -	
	(a) Required – ( 15%)	<b>3,150</b>
	(b) Proposed -	<b>3,150</b>
	6. Service road and Highway widening	--



7.	Internal Road area	<b>3400</b>
8.	Area under layout plots	<b>12,345</b>
9.	Net area of plots for FSI Calculations = (3-5b) i.e.(21000-3150)	<b>17,850</b>
10.	Pro-rata FSI factor for layout plots = (9/8)	<b>1.445</b>

#### b) Distribution of FSI on each plot

Plot no.	Plot area (sq.m.)	Rounding area of Road (if any) (sq.m.)	Remaining Plot area (b-c) (sq.m.)	Built up area on pro-rata basis i.e. (d x Pro-rata FSI factor) i.e. d x 1.445	Front Road width (m.)	Permissible basic FSI	Permissible Built-up area on basic FSI (e x g) (sq.m.)
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)
1.	10 x 15	--	150	216.75	9.0	1.0	216.75
2.	15 x 17	--	255	368.475	18.0	1.1	405.32

Note 1 : If FSI of development plan proposal/ amenity space is proposed to be utilised in the same land, then while calculating the pro-rata factor, area of such development plan proposal/FSI of amenity space shall be added to serial no.9. This area to be added shall be equivalent to the entitlement for TDR.

Note 2 : The area worked above on the basis of pro-rata calculations shall correspond to basic FSI of 1.00 for all other purposes like, limit of premium/ fungible FSI, TDR, etc.

Note 2: The FSI against the plot(s) to be handed over against the inclusive housing required under Regulation No.14.6 shall be utilised as desired by the owner on plots in the same layout, subject to other stipulations mentioned in this DCPR.

#### 14.9 TRANSFER OF DP SITES (OTHER THAN DP ROAD) IN LIEU OF FSI

If in any development proposal, owner desires to hand over the reserved site to the Planning Authority, then FSI of such reserved site equivalent to the TDR may be allowed to be utilized on the remaining land. The utilisation of this in-situ FSI only, may exceed the maximum limit specified in Regulation no.16.4. Transfer deed to that effect shall be executed and FSI calculation shall be mentioned on the plans of development proposal. In case of plotted layout, distribution of FSI of plots in pursuance of such transfer shall be as desired by the owner and may differ from plot to plot. If some FSI remains unutilized, the owner shall be entitled for TDR against the remaining FSI.

#### 14.10 RELOCATION OF DP SITES/DP PROPOSALS

If the land proposed to be laid out for any development is affected by any reservations for public purposes, the authority may agree to adjust the location of such reservation to suit development without altering the area of such reservation. Land offered in alternate should be suitable for the purpose for which the original reservation was proposed. Provided that no such shifting of the reservations shall be permitted.

- If the reservation proposed to be relocated is in parts;
- Beyond 500 mts. of the original location in the Development Plan;



- (c) Beyond the same holding of the owner in which such reservation is located;
- (d) Unless the alternative location and size is at least similar to the location and size of the Development Plan as regards access, levels, etc.;
- (e) Unless the relocation is within area covered by the layout or development permission under sanction; and
- (f) If the land is reserved in view of its geographical location like ESR, STP, Nalla training, etc.

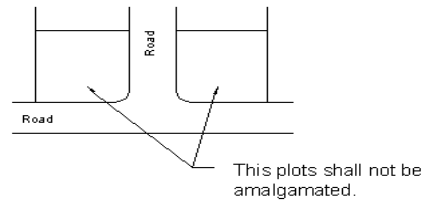
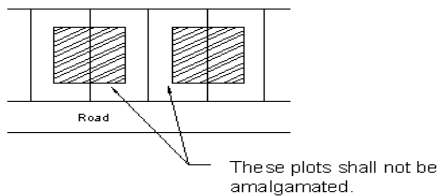
Provided that relocation of the reservation from a land may also be permitted on any land within 500 meters belonging to other owner's land if the other owner consents to such relocation of reservation on his land and consents to hand over his land to the Planning Authority in lieu of TDR subject to conditions mentioned in sub Regulation no (a), (d) and (f) above.

All such relocation of the reservations / alignment of roads shall be reported by the Municipal Commissioner to the Director of Town planning, at the time of sanctioning the development permission. The Development Plan shall be deemed to be modified to that extent.

#### 14.11 AMALGAMATION OF PLOTS

**Amalgamation of plots shall be permissible subject to following**

- a) Amalgamation of plot having incompatible zoning in development plan shall not be allowed.
- b) Amalgamation of plot which is not desirable from planning point of view (eg. as shown in below) shall not be permitted.



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

**15.0 GENERAL**

- (1) In case of Development / re-development of any land, building or premises, the intended use shall conform to the use of zones, purpose of designation, allocation or reservation, as the case may be, unless specified otherwise.
- (2) **Lawful existing non-conforming uses** - Any lawful non-conforming use of premises existing prior to the date of enforcement of these regulations, shall continue and may be allowed to be expanded within the holding at the time of original sanction and that when a building, containing non-conforming use is pulled down or has fallen down, the use of the new building shall be in conformity with these Regulations.
- (3) **Existing features shown on development plan** – The existing features shown on development plan are indicative and stand modified on development plan as per actual position. Mention of particular use on development plan, shall not bar the owner from permission allowed in the zone shown for such land. Also, boundaries of s. no., alignment of existing road / nalla and other physical features of land shall be as per measurement plan of Land Records Department.
- (4) **Development of Parking** – The Municipal Commissioner may develop any area for public parking underground or above ground irrespective of its existing use or proposed use in development plan.

**The different land use classification & different uses permissible in that land use are given below.**

**15.1 RESIDENTIAL ZONE - R 1**

Residential Zone R1 includes Residential plots abutting on roads below 9 m. in congested area and below 12 m. width in outside congested area.

**15.1.1** The following uses and accessory uses to the principal use shall be permitted in buildings or premises in Zone R1, subject to other regulations:

- (i) Any residences.
- (ii) Home occupation.
- (iii) Medical and Dental Practitioner's Dispensaries including pathological laboratory, maternity homes, nursing homes, diagnostic clinics, polyclinics, to be permitted on any floor. However, in case of mixed use, maternity homes, clinics, nursing home with indoor patients with separate means of access of staircase from within the building or outside, may be permitted. The built up area for such use shall not exceed 500 sq.m.
- (iv) Professional Offices in residential tenement for own purpose not exceeding carpet area of 50 sq. m. each.
- (v) Community halls, welfare centre, gymnasias (each not exceeding 100 sq.m.)
- (vi) Primary and nursery schools including students' hostels except trade schools.
- (vii) Religious buildings.
- (viii) Public Libraries and Museums in independent structures.

- (ix) Club Houses in residential complexes,
- (x) Parks and Playgrounds not being used for business purpose.
- (xi) Bus shelters, Taxi-Rickshaw stands.
- (xii) Convenience shops not more than 10 sq. m., up to 10% of permissible built up area.
- (xiii) Public utility and Public service structures, installations and ancillary structures thereof.
- (xiv) Information technology establishment (ITE) (pertaining to software only) on the plots/ premises fronting on roads having width 9.00 m. and above.
- (xv) Flour mill and wet / dry masala grinding / book binding subject to following conditions:
  - (a) It is located on ground floor.
  - (b) Adequate care has been taken in structural design.
  - (c) It does not cause any nuisance to the neighbour and residents of upper floor.
  - (d) Power requirement does not exceed 10 hp.
- (xvi) Agricultural, horticultural and allied uses (except agro-based industries).

## 15.2 RESIDENTIAL ZONE R-2

Residential Zone R2 includes Residential plots abutting on road having width 9 m. and above in congested area and 12 m. and above in outside congested area

**15.2.1** In this zone the following uses, mix uses may be permitted:

- i) All Uses permitted in R1 zone shall be permitted in R 2 zone.
- ii) All uses or mix uses may be permitted irrespective of restriction on floor or area except uses at sr.no.15.6(ii), 15.7 (vii), 15.7 (xv) & 15.7 (xvi)
- iii) The following uses shall be permitted only if it is conducted in independent premises / building:
  - a) Storage and sale of kerosene / LPG in separate godowns confirming 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.
  - b) **Service Industries** - The Service Industries may be permitted in one or more independent plot in R2 and Commercial zones along with the limitation of area, maximum number of persons to be employed, maximum permissible power requirement and the special conditions if any as given in **Appendix – J** for service industries.

## 15.3 SLUM IMPROVEMENT ZONE

This zone shall be treated at par with residential zone.

## 15.4 COMMERCIAL ZONE (C-1), SPECIAL COMMERCIAL ZONE, BUSINESS HUB

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

- i) Any use permitted in residential zone without area and floor restrictions.
- ii) Uses permissible in Public Semi-public Zone.
- iii) Public utility buildings.
- iv) Whole-sale establishments with storage area, subject to fire protection requirements and any commercial use.

## 15.5 CENTRAL BUSINESS DISTRICT ZONE,

In this zone, the development shall be permissible subject to following;

- i) at least 25% of the built up area shall be used for offices and,
- ii) at least 25% of the built up area shall be used for public amenities like education, medical facilities, entertainment, hotel, mall, exhibition hall, etc.; and,
- iii) remaining area shall be utilised for residential development which shall not be less 25%

## 15.6 INDUSTRIAL ZONE

Industries shall include any building or part of a building or structure, in which products or materials of all kinds and properties are fabricated, assembled or processed, for example assembly plants, laboratories, dry cleaning plants, power plants, pumping station; smoke houses, laundries, gas plants, refineries, dairies and saw - mills.

The following users shall be permissible in Industrial Zone.

- i) The service industries as given in **Appendix - J**
- ii) Any industry / industries may be permitted only if the location is appropriate and is not likely to cause nuisance or hazard to adjoining owners. Minimum buffer distance from the industrial building/ industrial use to residential or habitable zone/ use, shall not be less than 23 m.
- iii) Building or premises in industrial zone may be used for any industrial as well as accessory uses like banks, canteens, welfare centre and such other common purposes considered necessary for the industrial workers, quarters of watchmen, caretakers or other essential staff required to be maintained on the premises. Such residential/commercial/other uses may be permitted up to 25% of the permissible FSI.
- iv) Following uses may also be permitted:
  - (a) Parking lots.
  - (b) Building of public utility concerns.
  - (c) The branches of Scheduled Banks.
  - (d) Residential Hotels, Restaurants.
  - (f) Storage Buildings.
  - (g) Drive-in - Theatres, cinema or theatres, subject to provision of provision of the Bombay Cinemas (Regulation) Act, 1953.
  - (h) Highway amenities as permitted in Agriculture zone with full FSI.

### v) **Allowing Residential / Commercial User In Industrial Zone:- (Conversion of Industrial Zone to Residential Zone):**

- (a) The existing or newly built-up area of a unit in the Industrial zone may be permitted to be utilised for residential or commercial purposes, on such conditions as deemed appropriate by the Municipal Commissioner. However, if premises of such built-up area is having vacant land, then in addition to this regulation, regulation (b) shall also be applicable.
- (b) 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 Residential or Commercial Zone subject to the following conditions :
  - (i) Residential / Commercial user in respect of industries which are not in operation shall not be permitted unless NOC from Labour Commissioner, Maharashtra State, Mumbai, stating that all legal dues have been paid to the workers or satisfactory arrangements 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.

- (ii) In such layouts or sub-division, amenity rules as provided in Regulation no.14.4 shall apply *mutatis mutandis*, except that
  - 1) 20% land should be surrendered as amenity space.
  - 2) At least 50% of the total land surrendered as public amenity / utility space shall be kept as open ground and can be used for purposes such as garden, recreational ground, etc.
  - 3) The owner shall be entitled for FSI of the land handed over for public utilities and amenities under this Regulation on the remaining land or TDR on the lines of Regulation no.23.0 which deals with TDR.
- (c) The required buffer zone of 23 mtr. between the 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 Residential Zone.
- (e) The area under reservation if any, in the said land may be adjusted in the area of the required amenity space as per this regulation, if desired by the owner.

## 15.7 AGRICULTURAL ZONE / NO DEVELOPMENT ZONE

The following uses shall be permissible:-

- (i) All agricultural uses.
- (ii) Public/semi public sector utility establishments / institutions of research, education and health with full permissible FSI as that of Residential zone.
- (iii) Garden, forestry, nursery, public parks, private parks; play fields, summer camps for recreation of all types.
- (iv) Golf Course and Links, Race tracks, and shooting ranges with necessary safety measures.
- (v) L.P.G. Godown, Petrol Pump/LPG Pump/CNG Pump subject to condition prescribed by appropriate authority.
- (vi) Pottery manufacture.
- (vii) Storage and drying of fertilizer.
- (viii) Farm houses in accordance with the provisions of Maharashtra Land Revenue Code, 1966.
- (ix) Swimming pools / sports and games, health clubs, cafeteria, canteen, tennis courts, etc.
- (x) Amusement park with minimum plot area of 1.00 hect. with ancillary constructions. Maximum permissible FSI shall be 0.20.
- (xi) Mobile Phone Towers with ancillary equipments as specified in Regulation no.41.0
- (xii) The following users shall be permitted as per the policies decided by the Government from time to time:
  - a) ITE with ancillary uses
  - b) Research and Development Centres
  - c) Ancillary service industries for agriculture produce marketing and management,
  - d) Bio-technology unit
  - e) Integrated highways amenities
  - f) Educational and health institutional use
  - g) Any industry

- xiii) Solid waste management, land fill sites, bio-gas plants, power generation from waste.
- (xiv) Power generation from non-conventional sources of energy. Area covered under solar panels shall not be counted in FSI.
- (xv) Brick, tile manufacture.
- (xvi) Fish Farming.

### **15.8 GREEN BELT**

Following uses shall be permissible

- i) Agriculture,
- ii) Tree Plantation, Gardens, Landscaping, Recreational open space etc.
- iii) River front development by Municipal Corporation,
- iii) Development of pedestrian pathways, Jogging track, Cycle track, Boat club etc.
- iv) Swimming pool, club house, recreational facilities excluding 15 m. belt along river bank and 9.0 m along nalas, subject to other provisions in these regulations.
- v) Power generation from non-conventional sources of energy.

### **15.9 HILL TOP - HILL SLOPE ZONE (HTHS)**

Following uses shall be permissible

- i) Agricultural including horticultural uses;
- ii) Forestry and Nursery
- iii) Park;
- iv) Public/semi public sector utility establishments / institutions of research, education and health subject to maximum floor space area not exceeding 4% of the total plot with ground floor structure;
- v) Public streets having width not exceeding 9.0 m.
- vi) Farm house as per Maharashtra Land Revenue Code 1966.
- vii) Power generation from non-conventional sources of energy.

### **15.10 PUBLIC /SEMI PUBLIC ZONE.**

The following uses shall be permissible:

- (i) Schools, Colleges, Educational Complex, Training institutions, Hostels for students and essential staff quarters.
- (ii) Home for the aged, Hospitals and related health facilities with ancillary structures like quarters, Dharmashala etc,
- (iii) Public housing by Government /Government bodies.
- (iv) Government/ Semi -Government/ Local Self-Government offices and essential staff quarters
- (v) Public/semi public sector utility and transport establishments / institutions of research, education and health
- (vi) Library, Mangal Karyalaya, Gymnasium, Gymkhana, Stadium, Community hall, Civic and Cultural Centres, Religious Structures, etc.
- (vii) Commercial use upto 15% of net area.
- (viii) Petrol/LPG/CNG Pumps as per Regulation no.16.2.2.

**15.11 ADDITIONAL USES:**

The lists of uses mentioned under the various land use zoning herein above may be amended by the Municipal Commissioner from time to time with the consent of Director of Town Planning, Maharashtra State, Pune.

**15.12 USES PERMISSIBLE IN PROPOSED RESERVATIONS-**

- 1) The uses permissible in a reserved site shall be conforming to the use for which it is reserved unless and otherwise specified. The required parking, public toilets and separate place for garbage bins shall also be provided in the reserved site itself.
- 2) Where the Authority or the Appropriate Authority proposes to use land / building / premises reserved for one specific public purpose / purposes, partly for different public purpose / purposes, it may do so, provided that such partial use shall not exceed 40% of the reserved area and such combination shall not be of incompatible uses. However, public necessities like police stations/chowkies, water supply establishments, arogya kothies etc., and public utility services can be established in the said area.
- 3) Any site reserved for specific purpose in the development plan may be allowed to be developed for any other public purpose with the permission of the Government.
- 4) Authority may acquire and develop any of the reservation proposed in the development plan, partly or fully, for multi-storey public parking, irrespective of its designation, if amenity of parking is direly needed in the area. However, Municipal commissioner should be satisfied that there is pressing need for parking in that area and priority for parking is more important than purpose for which the reservation is made.
- 5) Combination of uses as mentioned below may be permissible even if the reservation is for a specific purpose.
  - a) **Playground** – In playground reservation, minimum 90% area shall be kept open for open play activities. In remaining 10% of area, covered swimming pool & allied construction, gymnasium, covered badminton court, pavilion, watchman quarter, small restaurant or food stalls to the extent of 20 sq.m. (for every 4000 sq.m. reservation area) may be permitted. The FSI permissible shall be 0.15. If required, the sites of play-ground may be developed for park or garden, however, such change shall not exceed more than 10% of the reservations in the sector.
  - b) **Stadium / sports complex** - In addition to the uses permissible in playground mentioned above, shops/offices below the spectators' tiered gallery may be permitted. The FSI permissible shall be 0.25.
  - c) **Garden / park** – In addition to the main use of garden, open swimming pool & allied construction, aquarium, water tank, booking counter, toilets, rain water harvesting system, gardener / watchman quarter, small restaurant or food stalls to the extent of 20 sq.m. (for every 4000 sq.m. reservation area) may be permitted. Total FSI used for such constructions shall not exceed 0.15. If required, the sites of park or garden may be developed for play-ground, however, such change shall not exceed more than 10% of the reservations in the sector.
  - d) **Civic Centre / CCC** – Community Hall, welfare centre, gymnasium, badminton hall, art gallery, museum, club house, public conveniences, cafeteria, gardens, exhibition centre, and like combination of uses.
  - e) **Vegetable Market** – Open or covered ottas for sale of vegetables, alongwith petty convenient shops and fruit stalls may be permitted.
  - f) **Municipal Market** – Shopping, vegetable market, hawkers place, etc and departmental stores, offices, banks / community hall on upper floors.
  - g) **Auditorium/Drama Theatre** - In addition to Auditorium, Drama theatre / natyagriha, art



gallery, exhibition hall, library, small restaurant to the extent of 20 sq.m. (for every 4000 sq.m. reservation area) and allied users such as guest rooms for the artists may be permitted.

- h) **Primary School /High School** –respective uses along with canteen and ancillary uses including staff quarters, hostels.
- i) **Hospital / Maternity Home, etc.** – Any sort of medical facilities alongwith ancillary construction such as staff quarters, chemist shop, restaurant, ATM, PCO, cyber café of not more than 20 sq.m., etc. and sleeping accommodation for guests in case of bigger hospitals of built up area not less than 2000 sq.m. may be permitted.
- j) **Slum Improvement** – It shall be developed for slum rehabilitation scheme as per regulations of Slum Rehabilitation Authority.
- k) **Truck Terminus** – In addition to minimum 60% area for parking of trucks, ancillary office restaurant, hotel, motel, lodging facility for drivers, petrol pump, auto repair centre, auto service centre, shops for auto spare parts, shops for daily needs, ATM, PCO, primary health centre / first aid centre and provision for loading-unloading may be permitted. Moreover, these reservations may also be developed for bus stand, bus-MRT interchange with mall.
- l) **Bus Stand/Metro station/PMPML/Transport Hub**-In addition to respective purpose, bus-metro interchange with necessary commercial use along with other ancillary uses.
- m) **Fire Brigade Station** – fire brigade station along with allied activities.
- n) **S.T.P., Municipal Solid Waste Facility, Water Works**– respective use with allied activities and interchangeability among one another.
- o) **Parking** – parking, public convenience, bus-MRT interchange with necessary commercial use and allied activities.
- p) **Public Amenity** – any amenity, along with ancillary use on the lines mentioned above.
- q) **Municipal Purpose** - any purpose concerned with Municipal Corporation.
- r) **Cremation Ground / Burial Ground** - respective use with allied activities and interchangeability among one another.
- s) **Other reservations** – other reservations may be developed for the respective purposes along with ancillary use on the line mentioned above.

**Note:-**

- 1) The permissible FSI for above uses shall be as that of residential zone, including premium fungible and loading of TDR, if not specified otherwise.

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**PART IV**  
**GENERAL BUILDING REQUIREMENTS –**  
**SETBACK, MARGINAL DISTANCE, HEIGHT AND FSI**

**16.1 REGULATIONS FOR CONGESTED AREA**

**16.1.1 Residential Buildings**

**(a) Floor Space Index.**

Maximum permissible basic FSI shall be 2.00 for purely residential, commercial or mixed use buildings. In addition to this premium FSI of 60% on basic FSI shall be permissible. Also fungible FSI or TDR to the extent of 0.3 FSI shall be permissible.

(b) Setback (Road side margin/s) - The minimum front setback from the existing or proposed road/roads shall be 2.25 m.

(c) Side & rear marginal distances - Side & rear marginal distances for construction in a plot shall be as below

Height	Side	Rear
Upto 15 m	0.00	0.00
Above 15 m and upto 24 m,	1.00 m. for every 3.0 m. height	1.00 m. for every 3.0 m. height
Above 24 m,	As per Regulation no.16.6	
NOTE :- For light and ventilation, provisions in Regulation no.16.11 shall apply.		

d) For streets less than 4.5 m. in width, no setback shall be prescribed subject to condition that no lane shall be less than 4.5 m. in width clear of structural projection. For lanes less than 4.5 m. in width, a setback of 2.25 m. shall be prescribed from the centre line of such lane. Streets less than 4.5 m. shall be treated as lanes only when they serve as access to the properties fronting on them.

e) Structural projections such as cornices, weather sheds, roof projections etc. shall be allowed in the setback distance prescribed above as per Regulation no.16.8.

f) Height of the building shall be governed by Regulation no.16.9.

g) Steps may be allowed within marginal distance up to 1.2 mtr.

h) Parking shall be provided as per the provisions in Regulation no.21.0.

**16.1.2 Public semi-public, Educational, Medical, Institutional, Mercantile, and Other Buildings**

(a) Floor Space Index – Basic FSI permissible shall be 2.5. In addition to this premium FSI of 60% shall be permissible.

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

For buildings having height more than 15 m. regulations of outside congested area shall apply for front, side and rear marginal distances.

Provided that for buildings like cinema theatre, multiplex, assembly buildings, shopping malls, regulation of outside congested area, except FSI, shall apply.

- 16.1.3** Pathway for access to the internal building or interior part of the building shall not be less than 3.6m. (12 ft) in width.
- 16.1.4** If the width of property is less than 3.6 m. (12 ft), the entire ground floor shall be on stilts for parking.

## **16.2 REGULATIONS FOR OUTSIDE CONGESTED AREA.**

### **16.2.1 Residential Buildings**

The provisions as given in **Table No.5** shall apply for the residential buildings, mix use building permissible in areas outside congested areas and residential buildings permissible in industrial areas.

Table No.5

## PLOT SIZE/WIDTH OF PLOT/MARGINS/HEIGHTS AND FSI FOR BUILDINGS IN RESIDENTIAL ZONE IN NON-CONGESTED AERA

S No	Description of Road / housing pattern	Minimum Required					Basic FSI	Premium FSI (as % of basic FSI and TDR)	Fun-gible FSI	Remarks
		Plot Size (sq.mtr)	Width Of Plot (mtr)	Set Back from road front (mtr)	Side marginal distance (mtr)	Rear marginal distance (mtr)				
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(9)	(10)
1.	National/ State Highway	450	15	6.0 m. from road line or as specified by Highway rules, whichever is more.	3.00	3.00	1.20	60%	0.30	
3.	Other roads 24 m. wide and above	300	12	6.0 m.	3.00	3.00	1.20	60%	0.30	
4.	Roads of width below 24m. wide and up to 18m.	250	12	4.5m.	3.00	3.00	1.10	60%	0.30	
5.	Roads of width below 18m. wide and up to 15m.	250	10	4.5m.	2.25	2.25	1.00	60%	0.30	Margins only for G + 2 or stilt + 2 structure
6.	Road of width below 15 m. and above 9 m.	150	8	3.0 m	2.25	2.25	1.00	60%	0.30	Margins only for G + 2 or stilt + 2 structure
7.	Road of width upto 9 m.	100	7	3.0 m.	1.50	1.50	1.00	60%	0.3 for 6 m. and	Margins only for G + 1 or stilt + 1 structure

									above road	
8.	Row housing on roads of width 12m. and below	30 to 125	3.50	2.25 m.	0.00 (in case of corner plot, 1.5 or building line of the adjoining road whichever is more)	1.50	1.00	60%	-do-	Margins only for G+1 or Stilt+1 structure
9.	Row housing for L.I.G. EWS/High Density Housing, Slum Up-gradation etc. by public authority	20 to 50	3.00	0.90 m. from pathway 2.25 m. from road boundary	-do-	0.90	1.00	30%	--	Only G+1 or Stilt+1 structure.

**Notes :**

- (1) Marginal distances mentioned in above table shall be subject to distances mentioned in Regulation no. 16.6. In case of sr.no. 5 to 9, structures having higher height may be permitted subject to marginal distance mentioned in Regulation no. 16.6.
- (2) The minimum area of plots fronting on service roads along highways, shall be with reference to the width of service road.
- (3) For semidetached buildings, side margin shall be on one side only. Plots for semidetached buildings shall be in pairs.
- (4) Row-housing plots at the junction of two roads shall be larger to maintain the setback from both roads. Not more than 12 and **not** less than 3 plots shall be allowed in each block of row housing. Each block shall be separated from the other by 6 m. road or 6 m. side marginal distance of the plot or space including side marginal distance of the plot.
- (5) No garage shall be permitted in a building having stilt or basement provided for parking.
- (6) Subsidiary structure such as garage (limited to one), outhouse, independent sanitary block may be permitted only in plots having area more than 250 sq.m. or more.
- (7) Construction of ottas, railings, barricades or supporting columns for canopy or porch shall not be allowed in front marginal distances. However, steps may be

- permitted within 1.2 m. from the building line. Also supporting columns for canopy or porch may be allowed within building line.
- (8) Basic FSI of 1.1 or 1.2 mentioned in above table shall be eligible for a land which is abutting or substantial portion of such land is abutting on road 18 m. and above in width or 24 m. and above in width respectively. The lands having point access by such roads shall not be entitled for such basic FSI of 1.1 or 1.2
  - (9) Basic FSI shall be permissible with reference to width of road, existing or proposed in development plan.
  - (10) If the width of road is varying, then width of road for maximum length of road shall be considered for deciding entitlement of basic FSI. However plot fronting on road with width less than this, shall be entitled for higher basic FSI only after agreeing to widening of road width, equivalent to the width of road existing for maximum length.
  - (11) In case of special building as specified in Regulation no 6.2.6.1, marginal distances shall be as per said regulations.
  - (12) The plot width to depth ratio shall be 1 : 1.5 to 1 : 2.5; as far as possible in case of plotted layout development permission.
  - (13) In Public Housing Schemes for E.W.S. undertaken by Government or Semi-Government organisations, marginal distances shall be as per their respective schemes and rules.
  - (14) The front setback set-out in already approved and partially developed layouts / schemes, may be retained as per said approval, so as to maintain the building line.
  - (15) The pattern of development like semi-detached, row housing, etc. in already approved layout shall be as per said approved layout.
  - (16) Where commencement certificate is granted prior to publication of draft development plan and the said plot is affected by new road proposed in the development plan, then front margin stand relaxed to that extent.
  - (17) Rear or side marginal distances for development along nalla or water courses shall be subject to Regulation No.12.1(b) and 12.3

**16.2.2 Other Buildings :** The Provision as given in **Table No.6** below shall apply for different categories of other buildings.

**Table No.6**

Sr. No.	Type of Building	Min. road width required	Minimum marginal distances	Basic Permissible FSI on the net plot area			Premium and fungible FSI	Other Stipulations
				Front road less than 18 m.	Front road 18 m. and less than 24	Front road 24 m. and more.		
(1)	(2)	(3)	(4)		(5)		(7)	(8)
1	i) Hospital, Maternity Homes, Health Club, Public-Semi-public buildings	12 m.	Front margin as per <b>Table No.5</b> remaining sides 4.5 m.	1.00	1.10	1.20	As per <b>Table No.5</b>	For special buildings (as mentioned in regulation no.6.2.6.1), the respective margins would apply.
	ii) Clinics on plot upto area 300 sq.m.	9 m.	Front margin as per <b>Table No.5</b> other all sides 3.0 m.	1.00	1.10	1.20	As per <b>Table No.5</b>	-
2.	Educational buildings	6m	As per <b>Table No.5</b>	1.00	1.10	1.20	As per <b>Table No.5</b>	-
	i) Pre-primary School							
	ii) Primary School	9m.	6 m. on all sides	1.00	1.10	1.20	As per <b>Table No.5</b>	-
	iii) Other Educational Buildings	15 m.	--do--	1.00	1.10	1.20	As per <b>Table No.5</b>	-
3.	Cinema Theatre/ Drama Theatre/ Assembly Hall/ Multiplex / Shopping	15 m.	Front – 12 m. (only on one major road) Remaining front	1.00	1.10	1.20	As per <b>Table No.5</b>	-

	Malls / Mangal Karyalaya like buildings		and/or all sides – 6 m.					
5.	Petrol/Fuel Filling Stations with or without service bays	12 m.	4.5 m. on all sides	0.20	--	--	--	<p>i) Plot should not be located within the distance of 90 m. from any junction of roads having min. width 12 m. each. In case of 'T' junction, this restriction of 90 m. shall apply on a side where perpendicular road meets the junction.</p> <p>ii) Restrictions imposed by Ribbon Development Rules, IRC, MoRTH shall apply.</p> <p>iii) Petrol filling station shall not be sited on the convex side of a road curve.</p>
6.	Mercantile/ Business/ hotel/ Commercial/ mix use with residential buildings.	12	Front 4.5 m. Side & rear 3.0 m.	1.00	1.10	1.20	As per <b>Table No.5</b>	Shops may also be allowed fronting side and rear margins.
7.	Stadium / Pavilion	12	6 m. on all sides	0.25	--	--	--	Covered play area and spectators' gallery of the stadium shall not be counted towards FSI. Shops below spectator's gallery may be permissible.

**NOTE:**

- i) In case of plots fronting on National Highway and State Highway, the building line shall be as per Ribbon Development Rules as given in Table above, whichever is more.
- ii) Side and rear marginal distances mentioned in above Table shall be subject to Regulation no.16.6 and 16.7, whichever is more.
- iii) Rear or side marginal distances for development along nalla or water courses shall be subject to Regulation No. 12.1(b) and 12.3
- iv) In case of special building as specified in Regulation no. 6.2.6.1, marginal distances shall be as per said regulations.
- v) Clarification regarding entitlement of basic FSI of 1.1 or 1.2, given in table no.5, shall apply to the above buildings also.



<b>16.2.3</b>	<b>Industrial buildings:</b> Minimum plot area, ground coverage, marginal distances, height, FSI for industrial building shall be as per the <b>Table No.7</b> given below.
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**Table No.7**

Sr. No.	Plot Size in sq. m.	Max. Ground Coverage (%)	Min. Front Margins	Min. Side & Rear Margins	Basic Permissible FSI			Height	Premium and Fungible FSI
					Front road less than 18 m.	Front road 18 m. and less than 24 (only for ITES)	Front road 24 m. and more. (only for ITES)		
1	300 to 1000	50	4.5	3.0	1.00	1.1	1.2	As per requirement.	As per <b>Table No.5</b>
2	1001 to 5000	50	6.0	4.5	1.00	1.1	1.2	As per requirement.	As per <b>Table No.5</b>
3	5001 & above	50	9.0	6.0	1.00	1.1	1.2	As per requirement.	As per <b>Table No.5</b>

**NOTE :**

- i) In case of plots fronting on National Highway and State Highway, the building line / control line shall be as per Ribbon Development Rules as given in Table above, whichever is more.
- ii) Side and rear marginal distances mentioned in above Table shall be subject to Regulation no.16.6 and 16.7, whichever is more.
- iii) Rear or side marginal distances for development along nalla or water courses shall be subject to Regulation No. 12.1(b) and 12.3
- iv) Clarification regarding entitlement of basic FSI of 1.1 or 1.2, given in table no.5, shall apply to the above buildings also.
- v) In case of special building as specified in Regulation no. 6.2.6.1, marginal distances shall be as per said regulations.

### 16.3 CHARGES FOR PREMIUM AND FUNGIBLE FSI

The premium FSI and fungible FSI mentioned in above regulations shall be available on payment of charges to the Corporation as mentioned below at the rate of land mentioned in ASR for the respective year.

Charges for Premium FSI	30% of land rate for all uses.
Charges for Fungible FSI	50% of land rate for all uses.

The Municipal Commissioner shall deposit the amount collected through the charges for premium and fungible FSI in a separate development fund called as 'Pune Infrastructure fund' and shall utilize the same only for the purpose of developing new/ up-gradation of infrastructure as well as implementation of Development Plan proposals and creation of civic amenities.

### 16.4 MAXIMUM PERMISSIBLE FSI / TDR ON A PLOT

In case of plots located outside congested area, the maximum permissible FSI including basic FSI, in-situ FSI, Premium FSI, Fungible FSI, TDR admissible under these regulations taken together shall not exceed the limit given below

Front road width	FSI (basic)	Allowable limit of additional Premium FSI/ Fungible FSI/ TDR (together)	Max. permissible FSI.
(1)	(2)	(3)	(4)
6 m. to less than 18 m.	1.00	1.50	2.50
18 m. to less than 24 m.	1.10	1.60	2.70
24 m. to less than 30 m	1.20	1.80	3.00
30 m. and above	1.20	2.30	3.50

The above FSI limits may be allowed to be exceeded when in-situ FSI is proposed to be utilised in the land against the development plan proposal as specified in other provisions of these regulations.

Provided further that, 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. These additional benefits if available shall accrue to all the co-owners of the property including people who have entered into an agreement to purchase/ sell with the land owners/ developers not withstanding anything to the contrary in the agreement between owners/ developer and the purchaser. In no case the rights of the flat owner / unit holders shall be adversely affected. However, the buildings which are completed and occupation certificate is granted prior to sanction of these regulations shall not be entitled for additional floors above by availing permissible FSI under these regulations.

Provided further that, the built area of the EWS/ LIG tenements constructed under the inclusive housing scheme shall not be counted towards FSI.

Provided further that 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 as detailed in Part VIII.

## 16.5 FSI OF GREEN BELT

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

## 16.6 REQUIREMENTS OF MARGINAL DISTANCES

- (a) Front, side or rear marginal distance in relation to the height of the building for light and ventilation shall be as below

Height of building (H)	Road	Front	Side and rear
Upto 15 m.	As per <b>Table No.5*</b>		
Above 15 m. and below 21 m.	6.00m.	As per <b>Table No.5*</b>	h/4*
Above 21 m. and below 24 m.	9.00m.	6.00m.	7.50m.
Above 24 m. and below 30 m.	9.00m.	7.50m.	7.50m.
Above 30 m. and below 36 m.	9.00m.	7.50m.	7.50m.
Above 36 m. and below 50 m.	12.00m.	9.00m.	9.00m.
Above 50 m. and below 70 m.	18.00m.	12.00m.	10.00m.
Above 70 m. and below 100 m.	20.00m.	12.00m.	12.00m.
Above 100 m.	24.00m.	15.00m.	16.00m.
* subject to minimum marginal distance required for special building mentioned in regulation no.6.2.6.1.			

Above side and rear marginal distances over and above 6.0 m. (on ground) may be allowed to be left on upper floor/s to achieve required marginal distance (stepped marginal distances).

If certain floors of the building are specifically earmarked for parking, then height of such floors, not exceeding 6 mtr. clear height, shall be deducted from computation of the height of the building.

- (c) 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.
- (d) Distance between two buildings- The distance between two buildings shall be the side marginal distance required for the higher building between two adjoining buildings.

## 16.7 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 on each such street.

## 16.8 PERMISSIBLE STRUCTURES / PROJECTIONS IN MARGINAL DISTANCES

**16.8.1** The following projections shall be permissible in marginal distances:

- (a) Projections into marginal distances:- Every marginal distances 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.
- (b) A canopy not exceeding 5m. in length and 2.5 m. in width in the form of cantilever and unenclosed over the main entrance providing a minimum clear height of 2.40 m. below the beam bottom of canopy. The canopy shall not have access from upper floors (above floors), for using as sitting out place. There shall be a minimum clearance of 1.5 m. between the plot boundaries and canopy.
- Provided that more than one canopy may be allowed in case of special buildings, as per requirement.
- (c) A projection of maximum 30 cm. on roof top terrace level may be allowed throughout the periphery of the building. In case of pitched roof projection of maximum 45 cm. at roof top terrace level throughout periphery of the building shall be allowed.
- (d) Accessory buildings:- The following accessory buildings may be permitted in the marginal distances -
- (i) 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 parking lock up garage shall be taken into account for the calculation of FSI.
- (ii) Suction tanks, soak pits, pump room, electric cabin of substation or gen-set area, electric meter room as per requirement, garbage shaft for wet and dry garbage separately with collection chamber, space required for fire hydrants, electrical and water-fittings, water tanks, dustbins, etc.
- (iii) One watchman's cabin / booth not more than 5 sq. m. in built up area having min. 1.80 m. width or diameter of cabin / booth for each entrance to the campus.
- Note :- 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 or less important from traffic point of view.
- (e) "Ramp" for basement, in side and rear marginal distances. In case of special buildings, ramps may be allowed, subject to 6.0 m. clear marginal distance for movement of fire fighting vehicle
- (f) Staircase mid-landing of 1.2 m. width with clear minimum headway of 2.1 m. below the mid-landing. However, clear distance from edge of landing to the plot boundary shall not be less than 1.8 m. In case of special buildings, this shall be subject to 6.0 m. clear marginal distance.
- (g) Architectural projections upto 1.00 m. which will not reduce the marginal space more than 2.00 m.
- (h) Sky signs and Hoardings as per the policy approved by the Municipal Commissioner.

### 16.8.2 Exclusion of structures / projections for FSI calculation

All structures, excluding following, shall be counted in FSI.

- (a) Structures/ Projections mentioned in Regulation 16.8.1 (a), (b), (c), (d)(ii), (e), (f), (g), (h)
- (b) Stilt / Multi-storeyed floor space used as parking.
- (c) A basement/s under a building and used for meter room, air-conditioning plant, electric sub-

- station and parking spaces (use accessory to the principal use).
- (d) Areas covered by (i) Lofts (ii) Service floor of height not exceeding 1.8 m. for hotels rating with three stars and above and hospitals .
  - (e) Area of structure for an effluent treatment plant as required as per the requirements of the Maharashtra Pollution Control Board or other relevant authorities.
  - (f) Areas covered by service ducts, stilt. Area of lifts on all floors.
  - (g) Rockery, well and well structures, plant, nursery, water pool, swimming pool (if uncovered), platform around a tree, fountain bench, chabutara with top and unenclosed sides, ramps, compound wall, gate slide / swing, steps outside the buildings, domestic working place (open to sky), overhead water tank on top of the building and refuge area for high rise buildings.
  - (h) Area covered by new lift and passage thereto in an existing building with height upto 15m., in congested area.
  - (i) Telecommunication tower, antenna and construction of a room having upto 20 sq.m. area for allied activities.
  - (j) Structure permissible in recreational open space in layout or group housing scheme.
  - (k) Atrium in any building. Atrium may be allowed to be covered on top with transparent sheets.
  - (l) Escalators as provided in Regulation no.18.4.9.2.

## 16.9 HEIGHT OF BUILDING

- 16.9.1** (a) Building of any height may be allowed subject to provisions in Regulation no.16.6 and subject to adherence of special norms related to high rise building as prescribed by Government from time to time. Further, Fire protection measures in respect of special building should be adhered to.
- (b) Buildings intended for hazardous godowns storage of inflammable materials and storage of explosives shall be single storied structures only.
- (c) The height restriction in Koregaon Park Area shall be as per special regulations applicable in Koregaon Park Area annexed in **Appendix- K**

## 16.10 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 m. in height and stilt parking floors not exceeding 6.0 m in height, shall not be included in computation of height of building for the purposes of marginal distances.

## 16.11 INTERIOR & EXTERIOR CHOWK

- 16.11.1** (a) **Interior chowk:** Wherever habitable rooms or kitchen derives ventilation from inner chowk or interior open space, the size of such interior open space shall not be less than 3m. x 3m. upto height of 18m. and for height more than 18m., the interior open space shall not be less than  $H/6$  m. x  $H/6$  m. where H = height of highest wall of the chowk.

(b) **Exterior chowk:** The minimum width of the exterior chowk for the purpose of light and ventilation, shall not be less than 2.4 m. and depth shall not exceed 2 times the width, for buildings upto 17m. height and for height more than 17m., the exterior open space shall not be less than  $H/7$  m. x  $H/7$  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 and shall not be considered for deriving ventilation.

However, for (a) and (b) above maximum distance shall be subject to the maximum limit prescribed for distance between two buildings.

**16.11.2** Where only water closet, bathroom, combined bathroom and water closet are abutting on the interior open space, the size of the interior open space shall be in line with the provision for ventilation shaft as given in Regulation no.17.14.4.

**16.12 SPECIAL REGULATIONS FOR KOREGAON PARK AREA**

Development in Koregaon Park area shall be subject to special regulation mentioned in **Appendix-K**

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## PART V

### REQUIREMENTS OF PARTS OF BUILDINGS

**17.0** Requirements for the various parts of the building shall be as given below

#### 17.1 Plinth

**17.1.1 Main Building:** The plinth or any part of a building or out house shall be so located with respect to surrounding ground level that adequate drainage of the site is assured but height shall not be less than 0.45 m. above the surrounding ground level. In areas subject to flooding, the height of the plinth shall be at least 0.45 m. above the high flood level. In case of special housing scheme undertaken by public agencies for LIG /EWS, the minimum height shall not be less than 0.30 m.

**17.1.2 Interior Courtyards:** Every interior Courtyard shall be raised at least 0.15 m. above the surrounding ground level and shall be satisfactorily drained.

#### 17.2 Habitable Rooms

**17.2.1 Size** - A habitable room shall have a carpet area of minimum, 9.50 sq.m. except those in the hostels attached to recognised educational institutions, the minimum size of a habitable room for the residence of a single person shall be 7.50 sq.m; the minimum width of a habitable room shall be 2.4 m. One full side of a habitable room shall abut on the open space. Where there is more than one room, one shall be not less than 9.50 sq.m., and other 7.50 sq.m.

**17.2.1.1** The size of the room in a single room tenement shall not be less than 10.5 sq. m. with a minimum width of 2.4 m.

**17.2.2 Height:-**The height of all rooms for human habitation shall not be less than 2.75 m. measured from the surface of the floor to the lowest point of the ceiling (bottom of slab). The minimum clear head room under beam shall be 2.4 m. In case of centrally air conditioned building, height of the habitable room shall not be less than 2.4 m, measured from the surface of the floor to the underside of the slab or to the underside of the false ceiling.

**17.2.2.1** In the case of pitched roof, the average height shall not be less than 2.75 m. and the minimum height at eaves level shall not be less than 2.1 m.

**17.2.2.2** However, the maximum room height shall be 4.75m. in case of all buildings excepting Residential Hotels of the category of 3 starred and above, Assembly, Institutional, Educational, Industrial, Hazardous and Storage occupancies, and in case of portions common to two floors of duplex flats. For such buildings height of room shall be as per requirement. Duplex flats shall mean a residential flat divided on two floors with an internal staircase connecting the two floors.

**17.2.2.3** Height of room for Information Technology Establishment (I. T. E.) for any telematics equipment storage erection facility can have a height as required for effective functioning of that system.

#### 17.3 Kitchen

**17.3.1 Kitchen size** - The area of the kitchen shall not be less than 5.50 sq. m. with a minimum width of 1.5 m.

**17.3.1.1** In the case of single room tenement as given in Regulation no. 17.2.1.1, no provision for kitchen is necessary. Where alcoves (a cooking space having direct access from the main room without any inter communicating door) are provided, the size shall not be less than 2.4 sq.m. with a minimum



width of 1.2 m.

**17.3.2 Height:** The room 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., subject to provisions of Regulation no.17.2.2.1.

**17.3.3 Other Requirement:** Every room to be used as kitchen shall have-

- (a) Means for the washing of kitchen utensils which shall lead directly or through a sink to grated and trapped connection to the waste pipe;
- (b) Impermeable floor.
- (c) Window of not less than 1.0 sq. m. area, opening directly on to an interior or exterior open space, but not into a ventilation shaft.

#### **17.4 Bath Rooms, Water Closets, Combined bath room and water closet**

**17.4.1 Size** - The minimum size shall be as under-

- (a) Independent Bathroom 1.00 x 1.20 m.
- (b) Independent Water closet 0.9 m. x 1 .10 m.
- (c) Combined bath room and water closet. 1.80 sq. m. with minimum width of 1.00 m.

**17.4.2 Height:-** The Height of a bathroom or water closet measured from the surface of the floor to the lowest point in the ceiling (bottom of slab) shall be not less than 2.1 m.

**17.4.3 Other Requirements** - Every bathroom or water closet shall -

- (a) be so situated that at least one of its wall shall open to external air with the size of opening (windows, ventilators, louvers) not less than 0.3 sq. m. in area and side not less than 0.3 m. (See Regulation no. 17.14.3)
- (b) have the platform or seat made of water tight non-absorbent material,
- (c) be enclosed by walls or partitions and the surface of every such wall or partitions shall be finished with a smooth impervious material to a height of not less than 1 m. above the floor of such a room; and
- (d) be provided with an impervious floor covering, sloping towards the drain with a suitable grade and not towards veranda or any other room.

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

#### **17.5 Loft**

The maximum depth of a loft shall be 1.5 m. and the loft may be provided, over residential kitchens, habitable rooms, bath rooms, corridors and over shop floor, built up to an area 25 per cent over kitchens and full space of bath rooms, water closets and corridors. In the shops loft over an area upto 33% of the carpet area may be provided. However, loft will not be allowed where mezzanine floor is provided.

**17.5.1** The clear head room under loft shall not be less than 2.1 m.

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

## 17.6 Cupboards & Shelves

The projections (cantilever) of cupboards and shelves in residential building may be permitted and shall be counted in FSI calculations. Such projections may project upto 0.23 m, in the setbacks, provided the width of such cupboard/shelves does not exceed 2.4 m. and each room shall not have more than one such cupboard/ shelf. Moreover such projection shall not be allowed in a marginal distance less than 2.25 m.

## 17.7 Mezzanine floor

**17.7.1 Size:** The aggregate area of the mezzanine floor shall not exceed 50 % of the built up area of that floor. The minimum size of a mezzanine floor if it is used as a habitable room shall not be less than 9.00 sq.m.

**Note :-** Mezzanine floor area shall be counted towards FSI

**17.7.2 Height -**The minimum height of a mezzanine floor shall be 2.2 m. The headroom under mezzanine room shall not be less than 2.10 m.

**17.7.3 Other Requirements:** A mezzanine floor may be permitted in a room, provided that it confirms to the standards of habitable rooms as regards lighting and ventilation.

## 17.8 Store Room :-

**17.8.1 Size :-** The floor area of a store room in a residential building where light ventilation and height are provided at standards lower than as required for living room shall not be more than 3 sq. m. One or more store rooms may be allowed considering size of flat.

Prayer/pooja room may be allowed in same manner.

**17.8.2 Height-** The height of a store room shall not be less than 2.10 m.

## 17.9 Cabin

The size of a cabin shall not be less than 3.0 sq.m The clear passages within the divided space of any floor shall not be less than 0.75m 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/mechanical means, the maximum height of the cabin shall be 2.2m.

## 17.10 Garage

**17.10.1 Size:-** The size of a garage in individual residential building shall be not less than 2.5 m. X 5 m. and not more than 3 m. X 6 m. The area of parking lock up garage shall be included in FSI calculations.

**17.10.2 Height:-**The maximum head room in a garage shall be 2.4 m.

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

**17.10.4** The garage shall be setback behind the building line for the street / road on to which the plot abut, and shall not be located affecting the access ways to the building.

**17.10.5 Corner Site:** When the site fronts on two streets, the location of a garage (in a corner plot) (if provided within the marginal distances) shall be on diagonally opposite the point of intersections.

## 17.11 Roofs

- 17.11.1** The roof of a building shall be so constructed or framed as to permit effective drainage of the rain water there from by means of sufficient rain water 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 building.
- 17.11.2** The Municipal Commissioner may require rain water pipes to be connected to a storm water drain through a covered channel formed beneath the public footpath or in any other approved manner, if not used for rain water harvesting
- 17.11.3** Rainwater pipes shall be affixed to the outside of the walls of the building or in such other manner as may be approved by the Municipal Commissioner.
- 17.11.4** Top Terrace of a building shall not be sub-divided and it shall have only common access. However, intermediate terraces may be allowed to be attached with flat to the extent of permissible open balcony. Remaining part of intermediate terrace shall remain open to sky.

## 17.12 Basement

- 17.12.1** Basement shall generally be constructed within the prescribed setbacks and prescribed building line in one or two level and may be put to only following uses:
- Following user shall be permissible free of FSI.
- (i) Air conditioning equipment and other machines used for services and utilities of the building;
  - (ii) Parking spaces and
  - (iii) Strong room, bank cellars, radio/laser therapy unit etc.
- Following user shall be permissible and counted in FSI.
- (i) Storage incidental to principle use
  - (ii) Commercial uses.
- 17.12.2** The basement shall not be used for any other user than mentioned above, except for star category hotels, hospitals where the basement may be used for habitable purposes provided that required parking, artificial light & mechanical ventilation is provided to the satisfaction of the Municipal Commissioner.
- 17.12.3** 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 vehicle separately shall be provided. In case of bona-fide hardship, the Municipal Commissioner may allow only one ramp with not less than 6.0 m. in width.
- 17.12.4** If the basement is constructed below ground level and only for parking, then such basement can be extended in side and rear margins upto 3 m. form the plot boundary.
- 17.12.5** 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 soffit of beam.
  - (b) Adequate ventilation shall be provided for the basement with a ventilation area not less than 2.5% of the area of the basement. Any deficiency may be met by providing additional adequate mechanical ventilation in the form of blowers, exhaust fans, air conditioning systems

etc.

- (c) The minimum height of the ceiling of any basement shall ordinarily be 0.9 m. and maximum of 1.2 m. above the average surrounding ground level. However it does not apply to the mechanically ventilated basements. In such cases, basement may also be allowed flushing to the average ground level.
- (d) Adequate arrangement shall be made such that surface drainage does not enter the basement.
- (e) The walls and floor of the basement shall be water-tight and be so designed that the effect of the surrounding soil and moisture, if any, are taken into account in design and adequate damp proofing treatment is given; and
- (f) The access to the basement shall be separate from the main and alternate staircase providing access and exit from higher floors. Where the staircase is continuous in case of building served by more than one staircase, the same shall be of enclosed type serving as a fire separation from the basement floor and higher floors [see Regulation no. 18.4.3 (m)] Open ramps shall be permitted if they are constructed within the building line subject to the provision of (d).

### 17.13 Podium

Podium for parking of the vehicle may be permitted with following requirements / conditions

- i) Every podium shall be in every part at least 2.4 m. in height from the floor to the soffit of beam.
- ii) Podium shall not be provided in front setback space.
- iii) Minimum 3.0 m. distance shall be observed between plot boundary and podium subject to requirements of Fire Brigade Authority. Required marginal distances shall be left over podium.
- iv) Podium shall only be used for parking and it shall be designed to take load of fire engine.
- v) Podium shall be permissible for plots having 1000 sq.m. and above and may be in multilevel. However in congested area the same shall be minimum 500 sq.m.
- vi) Podium shall be permissible joining two or more buildings or wings of buildings.

### 17.14 Lighting and Ventilation of Rooms

- 17.14.1** The minimum aggregate area of opening of habitable rooms and kitchens excluding doors shall be not less than  $1/10^{\text{th}}$  of floor area.
- 17.14.2** No portion of a room shall be assumed to be lighted if it is more than 7.5 m. from the opening assumed for lighting / ventilation of the portion, provided additional depth of any room beyond 7.5 m. may be permitted subject to provision of proportionate increase in the opening.
- 17.14.3** Where the lighting and ventilation requirements are not met through day lighting and natural ventilation, the same shall be ensured through artificial lighting and mechanical ventilation as per latest version of Part VIII - Building Services Section, Lighting and Ventilation of National Building Code of India published by the Bureau of Indian Standards. In the case of special types of buildings requiring artificial lighting and air-conditioning for special types of manufacturing or other process the requirements about natural day lighting and ventilation may be relaxed.
- 17.14.4. Ventilation Shaft:-**

For ventilating the space for water closets and bath room of staircase, if not opening on the exterior side of a building, open on the ventilation shaft, the size of which shall not be less than the values given below in **Table No.8:**

Table No.8		
Height of building in m.	Size of ventilation in sq. m	Minimum width of shaft in m.
Up to 10	1.2	0.90
Up to 12	3.0	1.50
Up to 18	4.5	1.80
Up to 24	5.4	1.80
Up to 30	8.0	2.40
Up to 50	16.0	4.00
Above 50	25.0	5.00

**17.14.5** In residential lodging hotels and other establishments where attached toilets are provided with mechanical ventilation system installed as per Regulation no. 17.14.3., the size of ventilation shaft stand relaxed.

### 17.15 Parapet

Parapet walls and handrails provided on the edges of roof terraces, balcony etc. shall not be less than 1.05 m. and not more than 1.50 m. in height. For elevational treatment, height may be allowed upto 2.4m.

### 17.16 Wells

Wells intended for supply of water for human consumption or domestic purposes may be permitted at suitable place. Existing wells and natural water resources are to be retained and protected as it is.

**17.16.1 Requirements:** The well shall:

- have minimum internal diameter of not less than 1 m.;
- be constructed to a height not less than 1 m. above the surrounding ground level to form a parapet or curb and to prevent surface water from following 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 or the curb forming the well head and the upper surface for such paving shall be sloped away from a well;
- be a sound and permanent construction (PUCCA) throughout;
- the interior surface of the lining or walls of the well shall be rendered impervious for depth of not less than 1.8 m. measured from the level of the ground immediately adjoining the well-head.

### 17.17 Septic Tanks

Where a septic tank is used for sewage disposal, the location, design and construction of the septic tank shall conform to requirements of Regulation no.17.17.1 and 17.17.2.

**17.17.1 Location of Septic Tanks and Subsurface Absorption System:-** A subsoil dispersion system shall not be closer than 12.00 m. of any source of drinking water, so as to avoid the possibility of bacterial pollution of water supply.

**17.17.2 Requirements:**

- Dimensions of Septic Tanks:** Septic tanks shall have minimum width of 75 cm., minimum

- depth of 1 m. below the water level and a minimum liquid capacity of 1 cu.m. Length of tanks shall be 2 to 4 times the width.
- (b) Septic tanks may be constructed of brick work, stone masonry, concrete or other suitable materials.
  - (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 way 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 m.

- (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 pit to prevent damage by flooding of the pit by surface run off. The inlet pipe may be taken down to a depth of 90 cm. from the top as an anti-mosquito measure.
- (h) When the disposal of septic tank effluent is to a dispersion trench, the dispersion trench shall be 50 to 100 cm. deep and 30 to 100 cm. wide excavated to a slight gradient and shall be provided with 15 to 25 cm. of washed gravel of 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. Each dispersion trench should not be longer than 30 m. and trenches should not be placed closer than 1.8 m.

**17.17.3 Septic Tank Requirements:-** Requirements specified by State and Central Government, Public Health Institutes such as NEERI, for modern methods of disposal, may also be permissible.

### 17.18 Boundary Wall

The requirements of the boundary wall are given below:

- (a) Except with the special permission of the Municipal Commissioner the maximum height of the compound wall shall be 1.5 m. above the centre line of the front street. Compound wall upto 2:4 m. height may be permitted if the top 0.9m. is of open type construction (railings).
- (b) In case of corner plot the height of boundary wall shall be restricted to 0.75 m. for a length equal to fanning of the road on the front and side of the intersections and balance height of 0.75 m. if required in accordance with (a) may be made of open construction (railings),
- (c) However, the provisions of (a) and (b) are not applicable to boundary wall of jails. In

industrial buildings, electric sub stations, transformer stations institutional buildings like sanatoria, hospitals, industrial buildings like workshops, factories and educational buildings like schools, colleges, including the hostels, and other uses of public utility undertakings. Height upto 2.4 m. to boundary walls of these types of building may be permitted by the Municipal Commissioner.

- (d) The compound gate should open entirely inside the property and shall not open on any access/pathway/ road/street.

### **17.19 Office-cum-Letter Box Room**

In the case of multi-storeyed multi-family dwelling apartments constructed by existing or proposed Cooperative Housing Societies or Apartment Owners Associations, Limited Companies and proposed societies, an office-cum-letter box room of appropriate size as per requirement shall be provided on the ground floor.

### **17.20 Space for CNG Regulator setup**

Space for provision of CNG Regulator shall be provided as per the requirements.

### **17.21 Meter Rooms**

Meter room size shall be as per requirement of M.S.E.D.C.L. or as per number of tenements/units.

- 17.21.1** The spaces for provision of transformers shall be provided as given in Regulation no.14.5 or as per the requirements of M.S.E.D.C.L.

### **17.22 Chimneys**

- 17.22.1** Chimneys, where provided shall conform the requirements of IS 145-1960 of latest version.
- 17.22.2** Notwithstanding the provisions of Regulation no. 17.22.1, the Chimneys shall be built at least 0.9 m. above parapet wall. In the case of sloping roofs, the chimney top shall not be less than, 0:6 m. above the ridge of the roof in which the chimney penetrates.

## **18.0 EXIT REQUIREMENTS**

**18.1** General-The following general requirements shall apply to exits.

- (a) 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;
- (b) In every building, exits shall comply with the minimum requirements of this part, except those not accessible for general public use;
- (c) All exits shall be free of obstructions;
- (d) No building shall be altered to reduce the number, width or protection of exits to less than that required;
- (e) Exits shall be clearly visible and the routes to reach the exits shall be clearly marked and sign posted to guide the occupants to the floor concerned;
- (f) All exit ways shall be properly illuminated;
- (g) Fire-fighting equipment where provided along exits shall be suitably located and clearly marked but must not obstruct the exit way and yet there should be clear indication about its location from either side of the exit way;
- (h) Alarm devices shall be installed for buildings above 15m. in height, to ensure prompt evacuation of the occupants concerned through the exits;



- (i) All exits shall provide continuous means of egress to the exterior of a building or to an exterior open space leading to a street and;
- (j) Exits shall be so arranged that they shall be reached without passing through another occupied unit.

### 18.2 Types of exits -

Exits shall be either of horizontal or vertical type. An exit may be doorway, corridor, and passageways to an internal staircase or external staircase, ramps or to a veranda and/or terraces which have access to the street or to roof of a building. An exit may also include a horizontal exit leading to an adjoining building at the same level. Lifts and escalators shall not be considered as exits.

### 18.3 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. 18.3.1. to 18.3.5.

**18.3.1** The buildings specified in Regulation no.18.4.4 shall have two staircases out of which one shall be fire escape staircase. This shall be subject to the provisions mentioned in the said regulations.

#### 18.3.2 Arrangement of Exits

Exits shall be so located so that the travel distance on the floor shall not exceed as given below:

Type of Building	Travel Distance
1) Residential, Educational, Institutional and Hazardous occupancies	22.5 m
2) Assembly, Business, Mercantile, Industrial and Storage occupancies	30.0 m

Wherever more than one exit is required for a floor of a building, they shall be placed as remote from each other as possible. All the exits shall be accessible from the entire floor area at all floor levels

#### 18.3.3 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.9** below.

Table No.9 Occupant Load		
Sr. No.	Group of Occupancy	Occupant Load Gross Area*in sq.mt. per person
(1)	(2)	(3)
1	Residential	12.5
2	Educational	4.00
3	Institutional	15 (see Note-1)

4	Assembly	
	(a) with fixed or loose seats 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 and sales basement	3
	(b) Upper sale floors	6
6	Business and industrial	10
7	Storage	30
8	Hazardous	10

\* The gross area shall mean plinth area or covered area

Note 1 - Occupant load in dormitory portions of homes for the aged, orphanages, asylums, etc. where sleeping accommodation is provided shall be calculated @ not less than 7.5 sq.m. gross area/ person.

Note 2 - The gross area shall include, in addition to the main assembly room 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 space. No deductions shall be made in the gross area for corridors, closets or other sub-divisions. The area shall include all space serving the particular assembly occupancy.

#### 18.3.4 Capacity of Exits -

The capacity of exits (doors and stairways) indicating the number of persons that could be safely evacuated through a unit exit width of 50 cm. shall be as given in **Table No.10**.

<b>Table No.10</b>				
<b>Occupants per Unit Exit Width</b>				
Sr.No.	Group or Occupancy	Number of Occupants		
		Stairways	Ramps	Doors
1	Residential	25	50	75
2	Educational	25	50	75
3	Institutional	25	50	75
4	Assembly	40	50	60
5	Business	50	60	75
6	Mercantile	50	60	75
7	Industrial	50	60	75
8	Storage	50	60	75
9	Hazardous	25	30	40

#### 18.3.5 Width of Stairways-

The following minimum width provisions shall be made for stairways;

- i) For Individual House & Row housing with G+2 storeys – minimum 0.75m.

ii) For Housing scheme in Regulation no.25.10– minimum 1.00m.

iii) Other types –for building mentioned below, minimum width shall be as follows

Type of Building	Built-up area on floor served by single staircase	
	upto 500 sq.m.	More than 500 sq.m.
Multistoried Residential Buildings	1.20 m.	1.50 m
Residential Hotel Buildings	1.50 m.	1.80 m
Assembly buildings like auditoria, theatres, Cinemas etc., mangal karyalaya, marriage halls.	1.80 m.	2.00 m.
Institutional Buildings like hospitals & Educational	2.00 m.	2.30 m.
All other public buildings including commercial buildings.	1.50 m.	1.80 m.

**18.4 Other Requirements of Individual Exits-** The detailed requirements of individual exits are given in Regulation no. 18.4.1 to 18.4.6.

#### 18.4.1 Doorways:

- Every exit doorway shall open into an enclosed stairway, a horizontal exit or a corridor or passage way providing continuous and protected means of egress
- No exit doorway shall be less than 90 cm in width in case of residential and 100 cm. in width in case of other buildings. Doorways shall be not less than 200 cm. in height. Doorways for bathrooms, water closet, stores etc. shall be not less than 75 cm. wide.
- Exit doorways shall open outwards, that is away from the room but shall not obstruct the travel along any exit. No door, when open, shall reduce the required width of stairway or landing to less than 90 cm.
- Exit door shall not open immediately upon a flight of stairs, 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.

#### 18.4.2 Revolving Doors :

- Revolving doors shall not be used as required exits except in residential, business and mercantile occupancies, but shall not constitute more than half the total required door width;

#### 18.4.3 Stairways:

- Interior stair shall be constructed of non-combustible materials throughout;
- 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;
- A staircase shall not be arranged around a lift shaft unless the latter is entirely enclosed by a material of required fire- resistance rating. For buildings more than 15m. in height, the staircase location shall be to the satisfaction of Fire Officer, Fire Brigade Authority, wherever necessary.

- d) Hollow combustible construction shall not be permitted.
- e) The minimum width of an internal staircase shall be as per the provisions of Regulation no. 18.3.5.
- f) The minimum width of treads without nosing shall be 25 cm. for an internal staircase for residential buildings. In the case of other buildings, the minimum treads shall be 30 cm. The treads shall be constructed and maintained in a manner to prevent slipping.
- g) The maximum height of riser shall be 20 cm. in the case of residential buildings and 15 cm. in the case of other buildings. They shall be limited to 12 per flight. For low income housing scheme in narrow plots, the riser may be provided in one flight.
- h) Handrails shall be provided with a minimum height of 90 cm. from the tread,
- i) The minimum unobstructed headroom in a passage under the landing of a staircase and under the staircase shall be 2.2 m.
- j) No living space, store or other fire risk spaces shall open directly into the external staircase or staircases.
- k) External exit door of staircase enclosure at ground level shall open directly to the open spaces or can be reached without passing through a large lobby.
- l) In the case of assembly, institutional, residential hotels, industrial and hazardous occupancies, the exit sign with arrow indicating the way to the escape route shall be provided on the wall / floor and shall be illuminated by electric light connected to corridor circuits. All exit way marking signs should be flush 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 indication boards indicating the floor number. 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 appropriate size.
- m) In case of single staircase it shall terminate at the ground floor level and the access to the basement shall be by a separate staircase. Wherever the building is served by more than one staircase, one of the staircases may lead to basement levels, provided the same is separated at ground level by either a ventilated lobby or 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 / lobbies. The staircase shall be lighted and ventilated and the minimum size of openings on walls abutting to open spaces shall be 0.3 sq. m. per landing.

#### **18.4.4 Fire escape or external stairs –**

Fire escape staircase shall be provided in case of following buildings.

- 1) Residential buildings having height of more than 15 m. and having a built up area more than 500 sq.m on any floor.  
Provided that, parking floors upto the height 6.00 m. shall be excluded from the computation of height under this regulation.
- 2) Building having height 70m. or more shall be provided with additional fire escape staircase, having width not less than 2.00 m. irrespective of the built up area on the floor.
- 3) Other buildings specified in Regulation no. 6.2.6.1  
This shall be subject to following -
  - (a) Fire escape shall not be taken into account in calculating the evacuation time of building;

- (b) All fire escapes shall be directly connected to the ground;
- (c) Entrance to fire escape shall be separate and remote from the internal staircase;
- (d) The route to fire escape shall be free of obstructions at all times, except a doorway leading to the fire escape; which shall have the required fire resistance;
- (e) Fire escape shall be constructed of non-combustible materials;
- (f) Fire escape stairs shall have straight flights not less than 75 cm. wide with 25 cm. treads and risers not more than 20 cm. The number of risers shall be limited to 16 per flight.
- (g) Handrail shall be of height not less than 90 cm.
- (h) Fire escape staircase shall be connected to other staircases through common passage at every floor.

#### **18.4.5 Spiral stairs (fire escape) -**

The use of spiral staircase shall be limited to low occupant load and to a building of height 9 m. unless they are connected to platforms, such as balconies and terraces to allow escapee to pause.

A spiral fire escape shall not be less than 150 cm. in diameter and shall be designed to give adequate headroom.

#### **18.4.6 Ramps:**

- (1) Ramps for pedestrians.-
  - (a) Ramps with a slope of not more than 1 in 10 may be substituted for and shall comply with all the applicable requirements of required stairways as to enclosure capacity and limiting dimensions. Ramps shall be surfaced with approved non--slipping material;
  - (b) The minimum width of the ramps in hospitals on a plot area upto 2000 sq. m. shall be 1.50m.and on a plot above 2000 sq. m. shall be 2.25 m.
  - (c) Handrails shall be provided on both sides of the ramp.
- (2) Ramps for basement or storeyed parking - For parking spaces in a basement and upper floors, at least two ramps of minimum 3 m. width with proper space for manoeuvring corner and slope of not steeper than 1:8, shall be provided preferably to the opposite ends. Due to space restriction, one ramp may be allowed which shall not less than 6.0 m. in width. Such ramps may be permitted in the side and rear marginal distances. However, in case of special building mentioned in Regulation no.6.2.6.1, ramp may be permitted in the side and rear marginal distances after leaving 6.0 m. distance around building for movement of fire-fighting vehicles. Provided that when a building abutting 3 or more roads, then ramps shall be allowed in front marginal distances facing the smaller road or less important road from traffic point of view.

#### **18.4.7 Corridors:**

- (a) The minimum width of a corridor other than internal passages shall be calculated based on the provisions of a Regulation no.18.3.3 to 18.3.5 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 permissible.

**18.4.8 Refuge Area**

For buildings more than 24 m in height, refuge area of 15 sq.m. or an area equivalent to 0.3 sq.m. per person to accommodate the occupants of two consecutive floors whichever is higher shall be provided as under:

The refuge area shall be provided on the periphery of the floor or preferably on a cantilever projection and open to air at least on one side protected with suitable railings.

- a) For floors above 24 m and upto 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. However, area remained in excess because of planning constraints shall not be counted in FSI.

**Note:** Residential flats on multi-storeyed buildings with balcony/terraces, need not be provided with refuge area. However, flats without balcony or with enclosed balconies shall be provided with refuge area as given above. All refuge areas shall be accessible from common passages/staircases.

**18.4.9 Lifts and Escalators:-**

Provision of lift shall be made for all buildings more than 16m. in height. However lift shall be provided in Public Hospital building exceeding 8.0m in height. In case the height of the building is more than 24.0m., at least two lifts shall be provided. In case the height of building is more than 36 m., one of the dimension of the lift shall be at least 2.5m. to accommodate the stretcher in case of emergency.

**18.4.9.1 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;
- (c) The lift machine room shall be separate and no other machinery shall be installed therein.
- (d) The number, type and capacity of lifts shall satisfy the requirements of Part VIII, Section 5(14) of installation of lift and escalators, NBC of India.

**18.4.9.2 Escalators :**

Escalators may be permitted in addition to required lifts. Such escalators may be permitted in atrium area in shopping malls / public buildings.

**18.4.10 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.

**18.4.11 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, laundry room, admeasuring area of

- about 20 sq.m. in scheme having minimum 100 flats and thereafter additional 20 sq.m. area for every 300 flats.
- 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.

## 19.0 FIRE PROTECTION REQUIREMENTS

All buildings shall be planned, designed and constructed to ensure fire safety and this shall be done in accordance with Part IV of Fire Protection of National Building Code of India and Maharashtra Fire Prevention and Life Safety Measures Act, 2006.

## 20.0 SPECIAL REQUIREMENTS OF OTHER BUILDINGS:-

### 20.1 Educational buildings.

20.1.1 Educational building shall only be permitted :

- a) if the total area of the plot is not less than 0.4 hect. except lands reserved in development plan, and,
- b) area as mentioned below is available for playground.

Sr.No.	Area of land	Area of Play Ground
(i)	Upto 5 Hect.	40%
(ii)	Above 5 Hect.	For first 5 hect. 40% and for remaining 20%

However, this provision shall not be applicable to already approved existing buildings wherein construction of additional floor is proposed.

- 20.1.2 No classroom shall admeasure less than 38 sq. m. with a min dimension of 6.00 m. however the sizes may be reduced as per education imparted.
- 20.1.3 The height of any classroom shall not be less than 3.60 m.

### 20.2 Institutional Buildings

(Hospital, Maternity Homes and Health Centre, Sanatoria).

- 20.2.1 Hospitals and Sanatoria (special buildings), preferably, shall be constructed on independent plot.
- 20.2.2 Every building shall have a refuge collection area of minimum 7.50 sq. m. size. The same shall not be allowed in marginal distances. Modern method of incineration of the refuge may be adopted.

### 20.3 Cinema Theatre/Multiplex

- 20.3.1 Construction of Cinema Theatre / Multiplex shall confirm to the provisions of Maharashtra Cinema (Regulations) Rules, 1966, as amended from time to time.

### 20.4 Mercantile Buildings.

- 20.4.1 Minimum area of shop shall be 6 Sq. m. with a minimum width of 2.0 m.

### 20.5 Industrial Building

- 20.5.1 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 Pollution Control Board and Chief Inspector of Steam Boilers and Smoke Nuisance, before letting it out in to the air, ground or water course.

- 20.5.2** 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. Roads and marginal distance may also be treated as part of buffer zone. However, area of such buffer zone shall be counted in gross area for computation of FSI. Where green belt is shown in development plan between residential and industrial zone, area of such green belt shall be counted in gross area for calculation of FSI.

The floor height for industrial building shall be as per requirement.

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**PART VI**  
**PARKING, LOADING AND UNLOADING SPACES**

**21.0 PARKING, LOADING AND UNLOADING SPACES: -**

**21.1 Parking spaces –**

Wherever a property is to be developed or redeveloped, parking spaces at the scale laid down in these Regulations shall be provided. When additions are made to an existing building, the new parking requirements shall 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 of vehicles shall be as given in **Table No. 12**.

**21.1.1 General space requirements**

- (i) **Types:** The parking spaces mentioned below include parking spaces in basements or on a floor supported by stilts, podium or on upper floors, covered or uncovered spaces in the plot and / or lock up garages. The height of the stilt shall not be less than 2.4 m. from bottom of beam.
- (ii) **Size of parking space -** The minimum sizes of parking spaces to be provided shall be as shown below in **Table No.11**

<b>Table No.11</b>		
Sr. No.	Type of Vehicle	Minimum Size/ area of parking space
(1)	(2)	(3)
(a)	Motor vehicle	2.5 m X 5 m
(b)	Scooter, Motor Cycle.	1.0 m. x 2.0 m.
(c)	Bicycle	0.50 m x 1.4 m.
(d)	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.	

- (iii) **Marking of parking spaces:** Parking space shall be paved and clearly marked for different types of vehicles.
- (iv) **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.
- (v) **Ramps for Basement parking:** Ramps for parking in basement should conform to the requirement of Regulation no.18.4.6.
- (vi) **Bus bay for schools / multiplex / assembly buildings/group housing:** While granting development permission, a bus bay of required size shall be provided along main road on which plot abuts. This shall be applicable for housing scheme having more than 500 flats.

**Table No.12**  
**Off Street Parking Spaces**

Sr. No.	Occupancy	One parking Space for every	Non Congested area			Congested area			remarks
			Car	Scooter	Cycle	Car	Scooter	Cycle	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
1.	<b>Residential</b> <b>i) Multi-family residential</b>	(a) for every tenement having built-up area more than <b>200 sq.m.</b>	3	2	2	3	2	2	In addition 5% visitor parking
		(b) For every tenement having built-up area between <b>100 to 200 sq.m.</b>	2	2	2	2	2	2	In addition 5% visitor parking
		(c) For every two tenements with each tenement having built-up area above <b>50 sq.m.</b> but less than <b>100 sq.m.</b>	2	4	2	2	4	2	In addition 5% visitor parking
		(d) For every two tenements with each tenement having built-up area less than <b>50 sq.m.</b>	1	4	4	1	4	4	In addition 5% visitor parking
	<b>ii) Lodging establishments tourist homes, hotels with lodging accommodation.</b>	For every five guest rooms	3	4	4	3	4	4	
	<b>iii) Restaurants</b>	For every <b>50 sq.m.</b> of area of restaurant including kitchen, pantry hall, dining rooms etc.	2	8	4	0	8	8	
	<b>iv) Three and above star hotels</b>	For every five guest rooms	3	6	4	3	6	4	
2.	<b>Institutional (Hospital, Medical Institutions)</b>	For 100 sq.m. built-up area or fraction thereof.	1	2	3	2	4	4	In addition 5% visitor parking

3.	a) Assembly (theatres, cinema houses, concert halls, auditoria, assembly halls including those of college and hostels)	For every 40 Seats.	4	12	8	4	12	8	
	b) multiplex	For every 40 seats	6	16	4	6	16	4	
4.	Mangal Karyalaya / Marriage Halls, Cultural Halls	For every 100 sq.m. built up area / covered area/ lawn area or fraction thereof.	5	20	8	5	20	8	
5.	Educational – i) Schools	125 sq.m. built up area or fraction thereof administrative and public service area.	2	4	4	2	4	4	
		For every 3 class rooms	2 (mini bus)	10	60	2 (mini bus)	10	60	
	ii) College / Coaching / tuition/ hobby class	125 sq.m. built up area or fraction thereof administrative and public service area.	2	20	10	2	20	10	
		For every 3 class rooms	2	90	30	2	90	30	
6.	Government or semi public or private business buildings.	125 sq. m. built up area or fraction thereof	3	15	4	2	12	4	In addition 20% visitor parking
7.	a) Mercantile (markets, department al stores, shops and other Commercials users) including wholesale markets	125 sq. m. built up area or fraction thereof	3	9	3	3	6	6	
	b) Whole sale shop	125 sq. m. built up area or fraction thereof	2	4	2	2	2	4	
	c) office and I.T. Building	250 sq. m. built up area or fraction thereof	5	12	4	5	12	4	--
8.	Industrial	400 sq. m. built-up area or	4	12	4	4	12	4	--

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		fraction thereof							
9.	<b>Storage (any type)</b>	400 sq. m. built-up area or fraction thereof	1	4	8	1	2	4	
10.	<b>Plots less than 200 sq.m. (any use)</b>		1	1	1	0	2	2	

- 21.2** 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.
- 21.3** 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.
- 21.4** 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.
- 21.5** The space to be left out for parking as given in Regulation no.21.1 to 21.4 shall be in addition to the marginal distances left out for lighting and ventilation purposes as given in Regulation no.16.6. However, those spaces may be used for parking provided minimum distance of 3 m. (6.0 m. in case of special building mentioned in Regulation no.6.2.6.1) around the buildings is kept free of any parking or loading and unloading spaces. Such parking area may be allowed to cover on top by sheet roofing so as not to infringe the marginal distances to be kept open.
- 21.6** Mechanical/ hydraulic parking may be allowed over and above the required parking.

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**PART VII**  
**ACQUISITION / DEVELOPMENT OF RESERVED SITES IN DEVELOPMENT PLAN**

**22.0 ACCOMMODATION RESERVATION PRINCIPLE**

The use of land situated within the Municipal Corporation limit which has been reserved for certain public purpose in the development plan may be allowed to be developed / redeveloped according to provisions mentioned in **Table No.13**.

When owner is allowed to develop the reservation, he should have exclusive ownership/ title of the land without any restriction under ULC or any other Act or regulation in force.

**Table No.13**

**THE MANNER OF DEVELOPMENT OF RESERVED SITES**

Sr. No.	Reservation	Person / Authority who may develop	Conditions subject to which development is permissible
(1)	(2)	(3)	(4)
<b>1.</b>	<b>Residential (R)</b>		
	(a) Public Housing / EWS Housing / Housing the Dis-housed and similar reservations	Planning Authority/ Owner/ Appropriate Authority	<p>Planning Authority /Appropriate Authority may acquire the reserved land and develop <b>OR</b> the owner may develop the entire land for construction of tenements of upto 30 sq.m. built-up area each <b>OR</b> the owner may develop the land under reservation, subject to</p> <p>a) handing over of 40% land to Planning Authority, for laying out plots of 30 sq. m. each by Planning Authority, in lieu of FSI on remaining land or TDR on principles mentioned in TDR regulations, <b>OR</b></p> <p>b) handing over 40% land along with constructed tenements of 30 sq.m. built up area each, equivalent to basic FSI, to the Planning Authority.</p> <p>The owner shall be entitled to in-situ FSI or TDR of surrendered land and built up area on principles mentioned in TDR regulations, <b>OR</b></p> <p>c) handing over 40% of built up area of basic FSI in the form of constructed tenements of 30 sq.m. each in a composite or a separate building along with proportionate undivided share of land to the Planning Authority. In such cases, in-situ FSI or TDR against the share of land shall be reckoned on the undivided proportionate share of land surrendered. In addition to this, the owner shall be entitled to in-situ FSI or TDR against constructions, as mentioned in (b) above.</p> <p>In above circumstances, the owner shall be entitled to develop remaining land as per the uses permissible in</p>

			residential zone. The above mentioned tenement size of 30 sq. m. built up area shall be inclusive of common staircases, passages etc. The Planning Authority shall allot such tenements on priority to the persons dispossessed by implementation of development plan.
<b>2.</b>	<b>Commercial</b>		
	(a) Municipal Market/ commercial center (c-2)/ Market/ shopping centre/ Fish market, and similar reservations	Planning Authority/Owner	Planning Authority may acquire the reserved land and develop <b>OR</b> the owner may develop the land under reservation, subject to handing over of 40% of built-up area of basic FSI, along with 40% of land or land share to the Planning Authority in the form of shops /stores / offices etc., as per designs approved by him in lieu of FSI on remaining land or TDR, against land / land share and construction on principles mentioned in TDR regulations. The owner shall be entitled to develop remaining land for the uses permissible in residential /commercial zone.
	(b) Vegetable Market/ otta market/	Planning Authority/ Owner	Planning Authority may acquire the reserved land and develop <b>OR</b> the owner may develop the land under reservation, subject to handing over of 50% land to Planning Authority in lieu of FSI on remaining land or TDR. If the owner agrees to handover land along with built up area to the Planning Authority, then he shall be further entitled to additional FSI against built-up area on remaining land or TDR on principles mentioned in TDR regulations. The owner shall be entitled to develop remaining land for the uses permissible in residential /commercial zone.
<b>3.</b>	<b>Transportation</b>		
	(a) Bus Stand/ PMPML/ Transport Hub/	M.S.R.T.C./PMPML/ Planning Authority/ Private Bus Operators' Association/ Owner.	Planning Authority <b>OR</b> M.S.R.T.C <b>OR</b> PMPML <b>OR</b> Private Bus Operators' Association may acquire the reserved land and develop <b>OR</b> the owner may develop the land under reservation, subject to handing over of 40% of built-up area along with 40% of land or land share to the Planning Authority in the form of developed bus terminus as per designs approved by him in lieu of FSI on remaining land or TDR, against land / land share and construction on principles mentioned in TDR regulations. The owner shall be entitled to develop remaining land or composite building for the uses permissible in residential /commercial zone.
	(b) Truck Terminus	Planning Authority/Owner	Planning Authority may acquire the reserved land and develop <b>OR</b> the owner may develop the land under reservation, subject to handing over of 40% land to Planning Authority in lieu of FSI on remaining land or TDR. If the owner agrees to handover land along with built up area to the Planning Authority, then he shall be further entitled to additional FSI against built-up area on remaining land or TDR on principles mentioned in TDR regulations. The owner shall be entitled to develop remaining land for

			the uses permissible in residential /commercial zone.
	(c) Parking	Planning Authority/ Owner	<p>Planning Authority may acquire the reserved land and develop <b>OR</b> the owner may develop the land under reservation, subject to handing over of parking area equivalent to reserved site or equivalent car parking spaces in case of mechanical parking, to Planning Authority in lieu of entitlement to the owner, to develop the said land for the uses permissible in residential /commercial zone with full permissible FSI under these regulations.</p> <p>He shall also be entitled to additional FSI against the handed over constructed parking area on said land or TDR on principles mentioned in TDR regulations.</p> <p>Where the owner handover separate piece of land along with construction for parking, then he shall be entitled for in-situ FSI or TDR of the surrendered land and construction on the principles mentioned in TDR regulations.</p> <p>The operation and the maintenance of the facility shall be decided by the Municipal Commissioner. Parking spaces to be handed over, may be in basement or under the stilts or on upper floors with separate entry &amp; exit.</p>
<b>4.</b>	<b>Public - Semi-public</b>		
	(a) Dispensary / Hospital or other medical amenities	Planning Authority / Owner	<p>Planning Authority may acquire the reserved land and develop <b>OR</b> the owner may develop the land under reservation, subject to handing over of 40% of built-up area along with 40% of land or land share to the Planning Authority according to the norms prescribed by the Municipal Commissioner, in lieu of FSI on remaining land or TDR, against land / land share and construction on principles mentioned in TDR regulations. The owner shall be entitled to develop remaining land for the uses permissible in residential /commercial zone.</p> <p>Provided that entire reservation for hospital or any medical amenity shall be allowed to be developed by the owner for the said purpose.</p>
	(b) Govt. Offices		
	(c) Fire Brigade Station		
	(d) Reservation similar to above		
<b>5.</b>	<b>Educational</b>		
	(a) Primary School/ High School etc.	Planning Authority / Owner/ Public Authority	<p>The Planning Authority may acquire the reserved land and develop <b>OR</b> Public Authority may be allowed to acquire and develop the reservation <b>OR</b> The owner may be allowed to develop the reservation <b>OR</b> the owner may develop the land under reservation, subject to handing over of minimum 4000 sq.m. or 40% of land, whichever is maximum, along with minimum 40% of built up area of the surrendered land</p>



			to the Planning Authority according to the norms prescribed by the Municipal Commissioner, in lieu of FSI on remaining land or TDR against the land and construction surrendered, on principles mentioned in TDR regulations. The owner shall be entitled to develop remaining land for the uses permissible in residential /commercial zone.
<b>6.</b>	<b>Assembly and recreation</b>		
	(a) Auditorium/ Drama Theatre / Civic & Cultural Center	Planning Authority / owner	Planning Authority may acquire the reserved land and develop <b>OR</b> the owner may develop the land under reservation, subject to handing over of 40% of built-up area along with 40% of land or land share to the Planning Authority according to the norms prescribed by the Municipal Commissioner, in lieu of FSI on remaining land or TDR, against land / land share and construction on principles mentioned in TDR regulations. The owner shall be entitled to develop remaining land for the uses permissible in residential /commercial zone.
	(b) Stadium (c) Play Ground (d) Recreational Centre (e) Garden (f) Park	Planning Authority / owner	<p>Planning Authority may acquire the reserved land and develop <b>OR</b> the owner may develop the land under reservation, subject to handing over of 75% land to Planning Authority in lieu of following.</p> <p>i) The owner shall be entitled to develop remaining 25% land for the uses permissible in residential /commercial zone, with no limit for consumption of FSI generated therein, on said 25% land irrespective of anything contained in these regulations.</p> <p>ii) The owner shall be entitled for TDR of the above 75% land on the principles mentioned in the TDR regulations deducting the quantum of TDR utilised on 25% land.</p> <p>iii) If the owner agrees to develop the amenity in the form of garden or play ground or sports complex or stadium, as the case may be, on the 75% land and hands over to Planning Authority, then he shall be further entitled to additional TDR against such development on principles mentioned in TDR regulations.</p>
<b>7.</b>	<b>Public Utilities</b>		
	(a) Water .Works (b) Cremation Ground (c) Burial Ground (d) Solid Waste	Planning Authority/ Appropriate Authority	--

	Facility		
	(e) Sewage Treatment Plant		
	(f) Slaughter House		
	(g) Electric Sub Station		
<b>8.</b>	<b>Public Amenity</b>		
	Public Amenity	Planning Authority/ Owner	Planning Authority may acquire the reserved land and develop <b>OR</b> the owner may develop the reservation for any of the purposes with corresponding conditions of development, mentioned above, taking into consideration need in the area.
<b>9.</b>	<b>Other reservations</b>		
	Other reservations	Planning Authority/ Owner	Planning Authority may acquire the reserved land and develop <b>OR</b> the owner may offer to develop the reservation for the said purpose with corresponding conditions of development, mentioned above

**NOTE:**

- i) When the owner offers to develop on his own as per above regulation the Municipal Commissioner would normally approve the proposal, However, Commissioner has the right to reject the proposal if he is of the opinion that the total reserved land is needed for the public purpose and the Corporation proceeds for acquisition of the land.
- ii) In case of composite reservations, the percentage of the use shall be generally equal or as decided by the Municipal Commissioner taking into consideration use and requirements.
- iii) Where development of reservation is in a single building, then built-up area proportionate with land share may be allowed to be handed over to the Planning Authority or Appropriate Authority, as the case may be.
- iv) A parking area required under these regulations for the area to be handed over, shall be provided, earmarked and handed over to the planning authority along with built up area to be handed over under these regulations.
- v) If the area under the reservation is owned by more than one owners, then, at least 50% area shall be necessary for partial development of reservation.
- vi) When land or structure surrendered under the above provision is for the purpose of an appropriate authority other than planning authority, then the planning authority would hand over the said land or structure:
  - a) if the appropriate authority is the State Government/ departments, free of cost.
  - b) if the appropriate authority is other than the above, as per the ASR rate.
- vii) The area / built-up area to be handed over to the planning authority under these regulations, shall be earmarked on the sanctioned building plan clearly mentioning the same, and registered agreement to that effect shall be executed. After completion of construction, the said amenity shall be handed over by

executing the deed of transfer in this respect and expenses thereon shall be borne by the owner. The occupation certificate to the construction belonging to owner shall be granted 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.

- viii) In cases, where permission for development under accommodation reservation principle is already granted as per earlier regulations, the same shall continue to be valid till completion of construction or till revision of permission.
- ix) Development charges under section 124A of the act and other charges/fees shall not be required to be paid for the construction of to be handed over to the Planning Authority/Appropriate Authority.
- x) Provision of regulations of inclusive housing, amenity space, 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.
- xi) The owner shall be entitled for TDR/in-situ FSI on the principles mentioned in TDR regulations as per the land area or quantum of undivided share in the land surrendered to the Planning Authority.
- xii) Notwithstanding anything contained in these regulations, there shall be no cap for utilization of available in-situ FSI and generated TDR on the remaining plot.
- xiii) Notwithstanding anything contained in these regulations, the Planning Authority shall be further entitled to make construction of the amenity on surrendered portion equivalent to basic FSI of entire reservation, where ever applicable.

### **23.0 TRANSFERABLE DEVELOPMENT RIGHTS:**

For acquisition of land under the development plan proposals, or for the public purposes mentioned herein or roads to be acquired under the provision of Maharashtra Municipal Corporations Act., 2012, the owner of the land may be granted Transferable Development Rights (TDR) against the surrender of land reserved in the development plan to the Appropriate Authority. These rights may be made available subject to the Regulations mentioned below.

#### **23.1. APPLICABILITY**

The owner or lessee of a plot of land which is reserved for a public purpose or new road or widening of road, in the Draft Published or Sanctioned Development plan and for additional amenities deemed to be reservations provided in accordance with these regulations, shall be eligible for the award of Transferable Development Rights (TDR) in the form of Floor Space Index (FSI) to the extent and on the conditions set-out below against the surrender of land free of cost and free from all encumbrances.

Such award will entitle the owner of the land to FSI in the form of Development Rights Certificate (DRC) which he may use himself or transfer to any other person.

##### **23.1.1 The Cases for eligibility of TDR shall be as mentioned below**

###### **23.1.1.1 Cases eligible for TDR**

- a) TDR may be allowed as per these regulations for prospective acquisition and development of land under any development plan proposals or roads to be acquired under the provision of Maharashtra Municipal Corporations Act., 2012 and also for handing over of amenity space which is treated as deemed reservation.
- b) Where possession of reserved land is taken over by the Authority and there is commitment by

the Authority to grant TDR.

- c) If the development plan road is part and parcel of the layout/ group housing scheme and not considered for net plot area.
- d) Cluster TDR as per Regulation no.25.8
- e) Heritage TDR as per Regulation no.40.5
- f) Surrender of land needed for execution of any project approved by either State or Central Government, even if not reserved in development plan.

#### **23.1.1.2 Cases not eligible for TDR**

- a) Where layout is already sanctioned and possession of the development plan road is taken over by the Municipal Corporation, prior to sanction of these regulations, except 23.1.1.1 (b) above
- b) Where award has been declared under the any Act dealing with acquisition of land and part or full compensation is paid to the owner or deposited in Treasury / Court.
- c) Where possession of the land is taken over under provisions of DCR.
- d) For any designation / allocation / zoning which is not subject to acquisition.
- e) For any existing user or any required compulsory or recreational open space.

**23.1.2** In addition to the provision mentioned in Regulation no. 23.1 above, the owner shall be eligible for Development Rights (DRs) to the extent stipulated in these Regulations, if he hands over the constructed amenity on the reserved land in lieu of TDR to the Planning Authority, and if Municipal Commissioner and the owner agrees to do so.

**23.1.3** Notwithstanding anything contained herein, the owner shall also be eligible for Development Rights (DRs) to the extent stipulated in these regulations, if existing authorised construction of a owner is required to be demolished or acquired for new road, or widening of road proposed in the sanctioned development plan.

**23.1.4** The owner shall also be entitled for award of TDR in lieu of land surrendered to Planning Authority while developing the reservation under accommodation reservation principle provided, if FSI of such surrendered land is not utilised on the remaining plot.

**23.1.5** Development Rights (DRs) shall be granted to an owner or lessee only for reserved lands which are not vested and handed over to the Government and not exempted under section 20 or 21 of the then Urban Land (Ceiling and Regulations) Act, 1976 and on production of a certificate to this affect from the Competent Authority under that Act 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 such conditions as the Government may specify. The provisions of these regulations shall be subject to the orders issued by the Government from time to time in this regard.

## **23.2 GENERATION OF TDR**

**23.2.1** DRs shall be granted and DRC shall be issued only after the reserved land is surrendered to the Municipal Corporation, free of encumbrances and after levelling the land to the surrounding ground level and in case of reserved land other than development plan road, after constructing a 1.5 m. high compound wall for reservation boundary and 1.5 m. high barbed wire fencing for internal subdivision boundary with a gate, at the cost of the owner and to the satisfaction of the Municipal Commissioner. The cost of any transaction involved shall be borne by the owner or lessee.

**23.2.2** The TDR shall be in the form of FSI which shall entitle the owner for construction of built-up area subject to provisions in these regulations. This FSI credit shall be issued in a certificate which shall be called as Development Right Certificate (DRC). For Surrender of the gross area of the reserved plot, the owner shall be entitled for TDR in the proportion of 1:2.5 in outside congested area and 1:3 in congested area irrespective of zone from where it is originated / generated.

For example,

If 100 sq.m. area is surrendered in outside congested area, then owner shall be entitled to TDR of 250 sq.m.

The utilisation of this TDR shall be subject to the provisions in these regulations.

**23.2.3** Development Rights Certificate (DRC) shall be issued by the Municipal Commissioner. It will state, in figures and in words, the FSI credit in square meters of the built-up area to which the owner of the said reserved plot is entitled, the place from where it is generated and the rate of that plot given in the ASR for the concerned year. The DRC shall be issued only after satisfactory compliance of the condition prescribed in these regulations.

**23.2.4** DRC shall be a certificate in a format prescribed by the Municipal Commissioner. Such a certificate shall be a transferable instrument after authentication by the Municipal Commissioner. He shall maintain a record in a form considered appropriate by him of all transactions relating to grant of or utilisation of DRs

**23.2.5** If any contiguous land in addition to the land under reservation for which TDR is given remains unbuildable, the Municipal Commissioner may grant TDR for such land also. The Municipal Commissioner shall take care that such land is utilised for road side parking, road side garden, open space, road side amenities, public toilet etc., or may include such land in reservation itself.

**23.2.6** When an owner or lessee or any person with prior approval of Municipal Commissioner, also develops or constructs the amenity on the surrendered plot at his cost subject to such stipulations as may be prescribed by the Municipal Commissioner or the appropriate authority, as the case may be, and to the satisfaction of the Municipal Commissioner and hands over the said developed/constructed amenity to the Municipal Commissioner free of cost, he may be granted by the Municipal Commissioner a further DR in the form of FSI equivalent to the 1.25 times amount worked out by dividing cost of construction of the amenity by land rate per sq.m. as per annual statement of rates.

Cost of construction of amenity in rupees

TDR in sq.m. =  $\frac{\text{as per block rates in DSR for the respective type of work}}{\text{Land rate per sq.m. as per annual statement of rates of the respective year}} \times 1.25$

Land rate per sq.m. as per annual statement of rates  
of the respective year

Provided that, development charges under sec 124 A of the Act and other charges / fees shall not be required to be paid for the construction to be handed over to the Planning Authority / Appropriate Authority.

**23.2.7** While surrendering the land for new road, or road widening proposed in the sanctioned development plan, the Municipal Commissioner desires to acquire the existing authorised structure affected by such proposal, then owner may be granted a further DR in the form of FSI equivalent to the amount worked out by dividing depreciated cost of existing authorised construction by land rate per sq.m. as per annual statement of rates.

$$\text{TDR in sq.m.} = \frac{\text{Depreciated cost of existing construction in rupees}}{\text{as per annual statement of rates}} \div \frac{\text{Land rate per sq.m. as per annual statement of rates}}{\text{of the respective year}}$$

- 23.2.8** In cases where plots which are already developed with full FSI potential and vacant area of such plot is subjected to acquisition for road widening, TDR may be permitted equivalent to the area surrendered.

### 23.3 UTILISATION OF TDR

- 23.3.1** Where an owner seeks utilisation of DRs, he shall, with application for development permission, submit the DRC to the Municipal Commissioner, who shall endorse thereon in writing in figures and words, the quantum of the DRC proposed to be utilised, before granting development permission. Such quantum of DRC proposed to be utilised shall be treated as consumed.

- 23.3.2** The TDR generated from any land use zone shall be utilised on any receiving plots irrespective of the land use zone and shall be as per formula given below:

**Formula:  $X = (R_g / R_r) \times Y$**

Where, X = Utilisation of DR in sq.m on receiving plot

R<sub>g</sub> = Rate in Rs. per sq.m. as per ASR of generating plots in generating year

R<sub>r</sub> = Rate in Rs. per sq.m. as per ASR of receiving plot in generating year

Y = TDR debited from DRC in sq.m.

- 23.3.3** DRs may be used on one or more plots of land including development plan reservations of buildable nature whether vacant or already developed; by erection of additional storeys or in any other manner consistent with these regulations, but so as not to exceed in any plot, total maximum permissible FSI limit mentioned in Regulation no. 16.1.1 and 16.4
- 23.3.4** Provided that utilisation of TDR shall also be permissible on a plot remained with the owner after handing over the area to the Planning Authority under accommodation reservation principle.
- 23.3.5** Provided further that the additional FSI permissible in certain categories of buildings such as educational building, registered charitable/ institutional / medical/hospital building, star category hotel, religious building etc., can be availed either by full or part utilisation of TDR or full or part utilisation of additional FSI at the option of owner.
- 23.3.6** If a holder of DRC intends to transfer it to any other person, he will submit the DRC to the Municipal Commissioner with an appropriate application for an endorsement of the new holder's name, i.e., transferee, on the said Certificate. Without such an endorsement by the Municipal Commissioner, which would be done after submission of registered transfer deed, the transfer shall not be valid.

### 23.4. VESTING OF LAND

The surrendered reserved land for which a DRC is to be issued shall vest in the Municipal Corporation or the State Government / Appropriate Authority, if the appropriate authority is other than the Municipal Corporation and such land shall be transferred in the City Survey Records / Revenue Records in the name of the Municipal Corporation or the State Government / Appropriate Authority as the case may be, and shall vest absolutely in the said Authority. Where the appropriate

authority is other than planning authority then, the cost of land shall be paid to the planning authority in the manner specified in the Regulation no.22.

### **23.5 UTILISATION OF DR GRANTED EARLIER**

The Utilisation of DR's granted prior to coming into the force of these regulations, shall be utilised in accordance with the following provision.

**23.5.1** Utilisation of DR shall be as per the quantum mentioned in the DRC and may be utilized in the allowable zone mentioned herein.

**23.5.2** The city is divided into three zones, A, B, C& D as marked on the plan in sanction rules. The following rules shall apply for the use of DRC's granted under earlier sanctioned regulations:-

- a) DRC's shall not be used in Zone 'A' and congested area in other sectors of the city.
- b) DRC's shall not be used on plot for housing scheme of slum dwellers for which additional FSI is permissible and the areas where the permissible FSI is less than 1.0
- c) Zone Restriction for utilization shall as below
  - i. DCR's originating from Zone A may be used in Zone B, C or D.
  - ii. DCR's originating from Zone B may be used in Zone B, C or D.
  - iii. DCR's originating from Zone C may be used in Zone C& D.
  - iv. DCR's originating from Zone D may be used in Zone D only.

Note : The map showing these sectors shall be as per sanctioned development control rules and shall be used for utilization of DR's issued prior to coming into force of this regulation.

### **24.0 RESERVATION CREDIT BOND (RCB)**

The reservation credit bond is a bond specifying the amount of compensation in lieu of handing over of reserved land to the Corporation and shall be issued by the Municipal Commissioner. The amount mentioned in this credit bond may be used for payment of any charges to the Corporation from time to time in future till exhausting the amount mentioned therein. Reservation Credit Bond shall be issued subject to the following conditions.

- i) Such bond shall not bear any interest on the amount mentioned there in. However, the owner shall be entitled for 12% discount in charges like scrutiny fee, development charges etc. to be paid to the Corporation.
- ii) The amount of compensation to be paid to the owner shall be as per the provisions of the relevant Acts dealing with land acquisition as amended from time to time.
- iii) The land to be handed over to the Corporation shall be free from all encumbrances and procedure laid down in TDR regulations shall be followed.
- iv) The Municipal Commissioner shall endorse the entries of payment on such bond from time to time. He shall maintain a record in a form considered appropriate by him of all transactions relating to grant of or utilisation of reservation credit bonds.

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**PART VIII**  
**HIGHER FSI IN CERTAIN CATEGORIES**  
**IN NON-CONGESTED AREAS**

**25.0 GENERAL**

Entitlement of higher FSI in certain categories shall be as mentioned below. This may exceed the total limits specified in regulation no.16.4

**25.1 HIGHER FSI FOR VARIOUS BUILDINGS**

Sr. No.	Category of Building	Basic FSI	Fungible / TDR permissible	Remarks
1.	Educational, medical institutions, institutional buildings, three starred and above category hotels, Bio-Technology Park, Information Technology Establishment.	As per regulation no.16.2	2.80 (Inclusive of 60% premium FSI on basic F.S.I & T.D.R.)	Recognition or certificate from respective authority is essential
2.	Buildings of State / Central Government, Semi-Government and Public Sector Undertaking for their own and public purposes including Staff Quarters.	No limit	--	For Central Government Departments, surrender of land reserved for any purpose in the Development Plan is necessary for getting the benefit of higher FSI. Further, MOU regarding surrendering land in future as per D.P. is also essential. However, for the part of the project/ land which would accrue to private partner in a PPP project, FSI as mentioned in Regulation no. 16.2 shall be applicable.
3.	Lands owned by/ or reserved for PMPML, Pune Metro, MSRTC.	1.00	--	The construction related to transport/ passengers facilities shall not be counted in FSI of 1.00
4.	Basic Shelter For Urban Poor or similar programme / scheme of Central / State Government	4.00	--	Tenement size shall be of 30 to 50 Sq.mt. built-up area each
5.	Housing on lands owned by	4.00	--	MHADA shall pay



	MHADA			infrastructure charges to PMC at 10% of rate in ASR for the FSI which is over and above basic permissible FSI.
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## 25.2 ENTITLEMENT OF FSI FOR ROAD WIDENING OR CONSTRUCTION OF NEW ROADS / SURRENDER OF RESERVED LAND

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 in proportion to the provisions mentioned in Regulation no.23.2.2 of TDR 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 provisions of 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.

Provided further that, this concession shall not be granted in respect of

- a) Roads in the areas of Town Planning Scheme which are the proposals of the scheme.
- b) Cases mentioned in Regulation no.23.1.1.2 of TDR.

Note 1 : This regulation shall also be applicable to congested area.

Note 2 :Area for road widening /service road proposed to NH/ SH/ MDR/ ODR, may also be included in gross plot area for computation of FSI. However, in such cases, TDR nor the FSI on the lines of TDR shall be allowed.

Provided that above provision shall also be applicable for surrender of reserved land in Development Plan.

## 25.3 DEVELOPMENT / REDEVELOPMENT FOR CONSTRUCTION OF STAFF QUARTERS OF THE STATE GOVERNMENT OR ITS STATUTORY BODIES OR MUNICIPAL CORPORATION ON PRIVATE LANDS.

The regulation as may be approved by the Government in this regard, shall be applicable

## 25.4 DEVELOPMENT / REDEVELOPMENT OF HOUSING SCHEMES OF MAHARASHTRA HOUSING AND AREA DEVELOPMENT AUTHORITY

Development / re-development of housing schemes of Maharashtra Housing and Area Development Authority shall be subject to provision in **Appendix - L**

## 25.5 FSI IN TOWN PLANNING SCHEME AREA

Notwithstanding anything contained in these regulations, the areas covered under town planning scheme of minimum 20 hectare, sanctioned after approval of this Revised Development Plan shall be entitled for additional basic FSI of 0.3 subject to condition that entire cost of scheme shall be borne by the owners.

However, if the owners come together for development on aforesaid concept of town planning scheme instead of under taking town planning scheme under the Act, the Municipal Commissioner may allow such development subject to condition that all the provisions anticipated in

town planning scheme shall be made and all physical infrastructure works including off site infrastructure shall be completed by the owner and land is handed over to the Planning Authority as anticipated in Town Planning scheme free of cost.

## 25.6 TRANSIT ORIENTED DEVELOPMENT (TOD)

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

These regulations shall come into force only after transit corridors are identified and mass rapid transport system work is started.

### 25.6.1 Provisions in TOD corridor:-

TOD corridor shall mean area covered within a distance of 500 meter on either sides of the mass rapid transit system like metro.

1. The maximum permissible FSI in TOD corridor shall be as given below-

Front road width	Basic FSI	TDR	Premium FSI	Fungible FSI	Max. permissible FSI.
(1)	(2)	(3)	(4)	(5)	(6)
less than 18 m.	1.00	1.00	60% of (2 & 3)	(6) – (2 + 3 +4)	3.70
18 m. to less than 24 m.	1.10	1.00	As above	As above	3.80
24 m. to less than 30 m	1.20	1.00	As above	As above	3.90
30 m. and above	1.20	1.00	As above	As above	4.00

2. The amount collected for premium and fungible FSI shall also form part of the Pune Infrastructural Development Fund mentioned in regulation no.16.3
3. Mixed use development shall be permissible over and above the existing land use as per development plan.
4. While granting the permission within 50 m. distance from mass transport line, conditions as stipulated by Metro Rail SPV / MRC / any agency shall be adhered to ensure structure stability of mass transport line.
5. Parking requirement in TOD corridor shall be as per the Regulation No. 21.0.
6. Municipal Commissioner may relax any provisions of DCPR to avail the full permissible FSI as permitted above including front margin.

## 25.7 REDEVELOPMENT OF EXISTING BUILDINGS

While reconstructing any existing building in whole or in part, the entitlement of FSI without any charges shall be equal to the authorisedly utilized FSI, including TDR / additional FSI/ premium FSI, if any. In addition to this, said development shall also be entitled for FSI, additional FSI, premium FSI, if any, permissible under these regulations.

## 25.8 CLUSTER DEVELOPMENT FOR CONGESTED AND NON-CONGESTED AREA

This regulation is meant to enable the redevelopment of old properties in Congested areas, so as to achieve planned development and enhance living environment of such area.

**25.8.1 Applicability**

This regulation shall be applicable to the congested area shown on the development plan. The owner or developer authorized by the owner shall be eligible to undertake the redevelopment scheme.

**25.8.2 Requirements**

Properties in residential / commercial / public semi-public etc., (excluding prohibited zone), of which 70% buildings are at least 30 years old, shall be entitled for development under this regulation.

**25.8.3 Permissible FSI**

Maximum Permissible FSI shall be upto 4.00 on gross plot area.

**25.8.4 Incentive FSI**

In case of redevelopment undertaken by the different owner and / or Co-operative Housing Societies of flat owners and / or occupiers or developer jointly of 2 or more plots having amalgamated area between 0.2 to 0.4 Ha, above 0.4 to 1 Ha. and above 1 Ha, incentive FSI to the extent of 5%, 10% and 15% respectively, of the rehabilitation FSI may be granted.

**25.8.5 Criteria for rehabilitation****25.8.6 Entitlement of tenants / tenement owners**

Entitlement of built-up area for rehabilitation of existing tenants / owners shall be as follows.

- i The size of residential tenements for rehabilitation shall be minimum built up area of 25 sq.m. or 'equal to the area of the existing tenement plus 10 sq.m.' whichever is more.
- ii for rehabilitation of area under commercial use, size of commercial unit shall be equal to area of existing use or 10 sq.m., whichever is more.
- iii the area which is proposed to be given over and above the existing area occupied by tenant or owner shall be without any premium.

However, for the tenants to get the above benefit, tenancy should be subsisting since 1<sup>st</sup> Jan 2000.

**25.8.7 Proof of tenancy**

Proof of tenancy of the tenant shall be verified from the voters list or property tax receipt or shop act license or similar documents.

**25.9 DEVELOPMENT OF PUBLIC PARKING**

The owner may be allowed to develop his land other than reserved in the development plan for single or multi-storeyed public parking on specified roads, in lieu of additional FSI, subject to handing over the same to the Municipal Corporation subject to following conditions.

- i) The minimum area of plot shall be 500 sq.mt. in congested area and 1000 sq.mt. in non-congested area. The owner may develop the public parking on entire plot or part of it. The construction of public parking shall be RCC construction of stilt type or podium or enclosed type in the basement. The minimum car parking spaces shall not be less than 40 and parking plan along with manoeuvring spaces. The location of parking spaces can be in basement, ground floor or upto upper 4 floors, with access through ramps/lift or combination of both subject to clearance from Chief Fire Officer.
- ii) On receipt of the proposal from the owner, the commissioner shall forward it to the Committee under the Chairmanship of Municipal Commissioner, which may approve the plots for public

parking, on the basis of suitability and need in the area. The Committee shall comprise of (i) Joint Director of Town planning or his representative (ii) Deputy Commissioner of Police (Traffic) or his representative (iii) Deputy/ Assistant Director of Town Planning, Municipal Corporation (iv) City engineer, Municipal Corporation.

- iii) The FSI given on this count will be over and above the FSI permissible under any other provisions of DCPR. This compensatory FSI shall be allowed to be used on the same plot without any cap or limit. However, construction should be in conformity with other regulations of DCPR.
- iv) Concerned land owner/developer/society/company shall not be allowed to operate the public parking.
- v) Area covered under parking shall not be counted towards FSI consumption.
- vi) The compensatory or additional FSI to be granted against the construction of public parking shall be as follows.

1	<p>Location - Within the area of 500 mt. from precincts of Railway Stations, S.T. Bus Depots existing Govt./semi Govt. &amp; Corporation Offices, Tourist Places identified by Tourism Department, Important Religious places of Worship (Registered under Charity Act) etc. having inadequate public parking facilities.</p> <p>Permissible additional FSI = <math>\frac{\text{(Finished construction rate as per ASR x area of parking)}}{\text{ASR rate of the land.}}</math></p>
2.	<p>In other areas</p> <p>Permissible additional FSI = <math>0.9 \times \frac{\text{(Finished construction rate as per ASR x area of parking)}}{\text{ASR rate of the land.}}</math></p>

- vii) If the owner wishes to avail TDR without consuming FSI in-situ, he may be granted the same and utilisation of the such TDR shall be according to TDR Regulation no.23.

## 25.10 DEVELOPMENT OF HOUSING FOR EWS/LIG

If the owner constructs the housing for EWS / LIG section of the society in the form of tenements of size upto 50 sq.mt on his plot, then he shall be entitled for basic FSI of 2.50 subject to following conditions.

- i) Out of the total tenements, at least 40% tenements shall be of area not more than 30 sq.mt.
- ii) Only one tenement should be sold to a family. Adjoining tenement should not be sold to a close relative of such tenement owner. Affidavit to that effect shall be obtained from the land owner / developer and purchaser.
- iii) The size of tenement of 30 or 50 sq.m. shall be inclusive of common areas like staircases, passages etc. but exclusive of balcony, double height terraces.
- iv) For allotment of these tenements, online lottery system shall be adopted under the supervision of Municipal Commissioner or by such other manner as may feel appropriate to him.

Provided that aforesaid basic FSI of 2.50 shall also be applicable for construction of hostel building by educational institutions and registered charitable trusts.

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**PART IX**  
**STRUCTURAL SAFETY, WATER SUPPLY, DRAINAGE & SANITARY**  
**REQUIREMENTS, OUTDOOR DISPLAY AND OTHER SERVICES**

**26.0 STRUCTURAL DESIGN**

**26.1** 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, Section5-Concrete, Section 6-Steel, Section-7-Prefabrication, systems building and mixed / composite construction of National Building Code of India, amended from time to time.

**27.0 QUALITY OF MATERIALS AND WORKMANSHIP**

**27.1** 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

**27.2** All borrow 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 borrow pit which is likely to cause accumulation of water which may breed mosquitoes.

**28.0 ALTERNATIVE MATERIALS, METHODS OF DESIGN & CONSTRUCTION AND TESTS**

**28.1** 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.

**28.1.1** The provision of these regulations is also not intended to prevent the adoption for architectural planning and layout conceived as an integrated development scheme.

**28.2** The authority may approve any such alternative provided it is found that the proposed alternative is satisfactory and conform 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.

**28.3 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 conform to the requirements of the rules or in order to substantiate claims for alternative materials, design or methods of construction, the Municipal 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.

**28.3.1** 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.

- 28.3.2** 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.

## 29.0 BUILDING SERVICES

**29.1** 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.

**29.2** 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.

- 29.2.1** The lifts shall be maintained in working order properly.

## 30.0 WATER SUPPLY, DRAINAGE AND SANITARY REQUIREMENTS.

**30.1** The planning, design, construction and installation of water supply, drainage and sanitation and gas supply systems shall be in accordance with the provisions of Part 9 - Plumbing Services- Section 1 Water Supply, Drainage and Sanitation, Section 2 - Gas supply of National Building Code of India as amended from time to time.

**30.2** Requirements of water supply in building.

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

Occupancy	Basis
Residential Building	5 persons per tenement
Other Buildings	No. of persons on occupant load and area of floors given in <b>Table No.10.</b>

- 30.2.1** The requirements of water supply for various occupancies shall be as given in **Table No.14** and **Table No.15** or as specified by the Municipal Commissioner from time to time.

<b>Table No.14</b>		
<b>PER CAPITA WATER REQUIREMENTS FOR VARIOUS OCCUPANCIES/USES</b>		
Sr. No	Type of Occupancy	Consumption per head per day (in liters)
1	Residential	
	(a) in living units	135
	(b) Hotels with lodging accommodation (per bed)	180
2	Educational:	
	(a) Day Schools	45

	(b) Boarding Schools	135
3	Institutional (Medical Hospitals):	
	(a) No. of beds not exceeding 100	340
	(b) No. of beds exceeding 100	450
	(c) Medical quarters and hostels	135
4	Assembly-Cinema theatres, auditorium etc. (per seat of accommodation).	15
5	Government and Semi-public business.	45
6	Mercantile (Commercial)	
	(a) Restaurants (per seat)	70
	(b) Other business buildings.	45
7	Industrial	
	(a) Factories where bathrooms 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 and express stops).	45 (25)*
11	Junction Stations	70 (45)*
12	Terminal / Stations.	45
13	International and domestic Airports.	70

The value in parenthesis is for stations where bathing facilities are not provided.

NOTE: The number of persons for Sr. No. (10) to (13) shall be determined by the average number of passengers, handled by the station daily; due consideration may be given to the staff and workers likely to use the facilities.

<b>Table No.15</b>		
<b>FLUSHING STORAGE CAPACITIES</b>		
Sr.No.	Classification of building	Storage capacity.
(1)	(2)	(3)
1	For tenements having common convenience	900 liters net per w. c. seat.
2	For residential premises other than tenements having common convenience	270 liters net for one w. c. seat and 180 liters for each additional seat in the same flat.
3	For Factories and Workshops	900 liters per w. c. seat and 180 liters per urinal seat.



4	For cinemas, public assembly halls, etc.	900 liters per w. c. seat and 350 liters per urinal seat.
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### 31.0 DRAINAGE AND SANITATION REQUIREMENTS

#### 31.1 General

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.

**31.1.1** 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.

**31.1.2** 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.

#### 31.1.2 For Residences

**31.2.1** Dwelling with individual convenience shall have at least the following fitments:

- a) One bathroom provided with a tap and a floor trap,
- b) One water-closet with flushing apparatus with an ablution tap; and
- c) One tap with a floor trap or a sink in kitchen or wash place.

**31.2.2** Dwelling without individual conveniences shall have the following fitments:

- a) One water tap with floor trap in each tenement,
- b) One water-closet with flushing apparatus and one ablution tap, bath for every two tenements, and
- c) One bath with water tap and floor trap for every two tenements.

#### 31.3 For Buildings Other than Residences

**31.3.1** The requirements for fitments for drainage and sanitation in the case of buildings other than residences shall be in accordance with Tables given in **Appendix-M (1 to 14)**. 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 Municipal 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.
- i) Where food is consumed indoors, water stations may be provided in place of drinking water fountains.

## **32.0 SIGNS AND OUTDOOR DISPLAY STRUCTURES**

**32.1** The display of advertising signs on buildings and land, shall be in accordance with the rules/by-laws framed by the corporation in this regards from time to time.

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**PART X**  
**SPECIAL PROVISIONS IN CERTAIN BUILDINGS**

**33.0 PROVISIONS FOR BARRIER FREE ACCESS**

Provisions for Barrier Free access in buildings for differently abled persons shall be as given in **Appendix-N**

**34.0 INSTALLATION OF SOLAR ASSISTED WATER HEATING (SWH) SYSTEM/ ROOF TOP PHOTOVOLTAIC (RTPV) SYSTEM**

SWH or RTPV systems shall be mandatory in all types of buildings to be constructed on plot area of more than 4000 sq m

In order to facilitate the installation of SWH/RTPV System, the new buildings shall have the following provisions:

- i) All such buildings where SWH/RTPV are to be installed will have open sunny roof area available for the installation of SWH/RTPV.
- ii) The roof loading adopted in the design of such building should be atleast 50 kg per sq.m. for the installation of SWH/RTPV.
- iii) At least 25% of the roof area shall be utilized for installation of the SWH/RTPV system.
- iv) Precaution should be taken that architectural elevation treatment should not cast shadow on terrace space. As far as possible, parapet of south, east and west sides of the terrace shall be of railing type (above 1 feet) such that it will not cast shadow on the solar collectors and maximum terrace space can be utilized.
- v) All such new buildings installed with SWH shall have an installed hot water line from the rooftop and insulated distribution pipelines to each of the points where hot water is required in the building.

**35.0 RAIN WATER HARVESTING**

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

- a) All buildings on plots having area, not less than 500 sq.mt., shall have one or more Rain Water Harvesting structures having a minimum total capacity as detailed below.

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

- b) The owner/society of every building mentioned in the (a) above shall ensure that the Rain Water Harvesting structure is maintained in good condition for storage of water for non-potable purposes or recharge of groundwater at all times.
- c) 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.
- d) The following systems may be adopted for harvesting the rainwater drawn from terrace and the paved surface.
  - i) 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 channeled to the refilled pit for recharging the bore-well.

- ii) The terrace shall be connected to the open well/bore-well/storage tank/ recharge pit/trench by means of HDPE / PVC pipes through filter media. A valve system shall be provided to enable the first washing from roof or terrace catchment, as they would contain undesirable dirt. The mouth of all pipes and opening shall be covered with mosquito (insect) proof wire net. For the efficient discharge of rain water, there shall be at least two rain water pipes of 100 mm dia. for a roof area of 100 sq.m.
- e) 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.

### **36.0 GREY WATER REUSE**

The grey water (bathroom and kitchen water) reuse or recycling regulations are meant to reduce the requirement of potable treated water taking into consideration the increase in demand of water day by day and also to help sustainable development.

#### **36.1 Application**

These regulations shall be applicable to all new development of housing, commercial and industrial premises, which fall in the one of the following category.

- i) Housing complexes, Commercial establishments, hostels, hospitals, having aggregate built-up area more than 10,000 sq.m. or more.
- ii) All three star or higher category hotels.

Provided that these provision shall not be applicable to those constructions for which commencement certificate have been already been granted prior to sanction of these regulations.

#### **36.2 Separation of grey water**

The grey water shall be separated from wastes from toilets, by means of separate down take discharge system. The grey water shall be recycled by providing recycling plant and shall be reused for non-potable purposes after storing the same in the distinctly separate tank by means of down take pipes marked by purple colour. The water quality shall conform to standards of non-potable water. The recycle water shall be tested once in a six months and the result shall be made available to Municipal Commissioner or his authorised officer, whenever demanded.

#### **36.3 Separate plumbing for grey water and provision of recycling**

Every developer shall provide in new construction, separate down take plumbing for grey water, water plant for recycling, storage and reuse fitting before the selling of tenement / building.

#### **36.4 Reuse of grey water strictly for non-potable, non-contact use**

The reuse of grey water shall be strictly for non-potable use by means of providing a distinctly separate reuse system coloured in purple. The non-contact uses shall be restricted to toilet flushing, drip irrigation of trees/shrubs, sub-surface irrigation of lawns and recharge of ground water.

#### **36.5 No cross connection of potable and non-potable water**

There shall not be cross connection of fittings of potable and non-potable water at any point. The recycle water system shall be maintained at a lower operating pressure than that of lower potable water system. Precautions should be taken at the makeup connection to prevent contamination.

#### **36.6 Recycled water measurement**

The recycled water shall be measured by means of flow meter / water meter before storing the same in separate water tank. The flow meter / water meter shall be read monthly by the occupier and shall make available the results whenever demanded.

### **37.0 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.

### **38.0 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.

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**PART XI**  
**SPECIAL SCHEMES/ ACTIVITIES**

**39.0 SPECIAL TOWNSHIP PROJECTS**

The Regulations for Special Township Projects in Municipal Corporation area shall be as sanctioned by Government vide notification no.TPS-1806/ 135/CR-31/ 06/ 6031/UD-13, dated 3<sup>rd</sup> June, 2006 and shall be subject to Government Order from time to time.

**40.0 CONSERVATION OF HERITAGE BUILDINGS / PRECINCTS / NATURAL FEATURES**

**40.1 Applicability:**

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

**40.2 List of Heritage Buildings, Heritage Precincts and Natural Features.**

The list of buildings, artifacts, areas and precincts of historic and /or cultural significance and the list of those natural features of environmental significance including sacred graves, hills, hillocks, water bodies (and areas adjoining the same) etc. to which this regulation applies is given below.

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

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

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

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

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

**40.3 Restriction on development, Redevelopment/repairs etc.**

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

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

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

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

#### **40.4 Incentive uses for Heritage Buildings.**

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

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

If the owner is deprived of using FSI on the said plot or development permission is granted to him with conditions which deprives him of use of FSI, then he shall be entitled for TDR as decided by the Commissioner in consultation of Heritage Conservation Committee. The utilization of this TDR shall be as per TDR Regulation no.23

#### **40.6 Maintaining Skyline**

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

#### **40.7 Restrictive Covenants**

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

#### **40.8 Grading of the 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:

<b>Grade-I</b>	<b>Grade-II</b>	<b>Grade-III</b>
<b>(A) Definitions</b>		
Heritage Grade-I comprises Buildings and precincts of National or Historic importance, excellence in architectural style, design technology and material usage and/or aesthetics; associated with a great historic event, personality, movement or institution. They have been and are the prime landmarks of the city and of National importance.	Heritage Grade –II (A and B) comprises buildings and precincts of Regional importance, possessing special architectural or aesthetic merit, or cultural or historical significance though of a lower scale than Heritage Grade-I. They are local landmarks, which contribute to the image and identity of the region. They may be the work of master craftsmen or may be models of proportion and ornamentation or designed to suit a particular climate.	Heritage Grade –III comprises buildings and precincts of local importance for townscape, they evoke architectural, aesthetic, or sociological interest though not as in Heritage Grade –II. These contribute to determine the character of the locality and can be representative of life-style of a particular community or region and, may also be distinguished by setting on a street line or special character of the façade and uniformity of height width and scale.
<b>(B) Objective</b>		
Heritage Grade-I richly deserves careful preservation.	Heritage Grade-II deserves intelligent conservation.	Heritage Grade-III deserves intelligent conservation (though on a lesser scale than Grade-II and special protection to unique features and attributes.)
<b>I Scope for Change</b>		
No interventions be permitted either on exterior or interior unless it is necessary in the interest of strengthening and prolonging the life of the buildings or precincts or any part of features thereof. For this purpose absolutely essential and minimum changes would be allowed and they must be in accordance with the original.	<p>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</p> <p>Grade-II (B) In addition to the above, extension of Additional building in the same plot or compound, in certain circumstances be allowed, provided that, the extension/additional building is in harmony with (and does not detract from) the existing heritage buildings or precincts especially in terms of height, and facade.</p>	External, internal changes and adaptive reuse would by and large be allowed. Changes can include extensions, and additional buildings in the same plot or compound. However any changes should be such that they do not detract from the existing heritage building/ precinct.



<b>(D) Procedure</b>		
Development permission for the changes would be given by the Commissioner on the advice of the Heritage Conservation Committee.	Development permission for the changes / additional construction would be given by the Commissioner on the advice of Heritage Conservation Committee.	Development permission for the changes / additional construction would be given by the Commissioner on the advice of the Heritage Conservation Committee.
<b>I Vistas/ Surrounding Development</b>		
All developments in areas surrounding Heritage Grade-I shall be regulated and controlled by ensuring that it does not mark the grandeur of or view from Heritage Grade-I		

#### 40.9 Signs and outdoor display structures

No display or advertising signs and outdoor display structures on listed building and / or the Heritage Precincts shall be permitted except accordance with part X (sign and outdoor display structure) National Building Code of India.

Prohibition of advertising signs and outdoor display structure in certain cases :

Notwithstanding the provisions mentioned above no advertising sign or outdoor display structures shall be permitted on buildings of architectural aesthetic historic or heritage importance as may be decided by the Municipal Commissioner, Committee or on Government buildings, save that in the case of Government buildings only advertising signs or outdoor display structures may be permitted if they relate to the activities for the said buildings' own purposes or related programs.

Provided that, if the Heritage Conservation Committee so advises, the Municipal Commissioner shall refuse permission for any sign or outdoor display structure.

#### 40.10 Composition of Heritage Conservation Committee.

There shall be Heritage Conservation Committee for the City. This Committee shall be constituted by the Municipal Commissioner. The committee shall comprise of the following members:

i)	Municipal Commissioner	Chairman
ii)	Divisional/ District officer of ASI	Member
iii)	Divisional/ District officer of Archaeological Survey of Maharashtra	Member
iv)	Heritage Conservation Architect having 10 years of experience and membership of the Council of Architecture	Member
v)	Historian having experience of 10 years in the field of History.	Member
vi)	Structural Engineer having experience of 10 years and member of Institute of Engineers.	Member
vii)	Executive Engineer, Heritage cell,	Member secretary



The tenure of the Members of categories (iv) to (vi) above shall change after every three years provided however that, the same person shall be eligible for reappointment as Member.

The Heritage Conservation Committee shall come into existence with effect from the date of its publication in the official Gazette.

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 the appointment of the Member or on the ground that such member was disqualified for being appointed.

The Chairman and in his absence the chosen Member of the Committee shall preside over the meeting of the Committee.

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

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

#### **40.11** List of Heritage Buildings / precincts

List of heritage buildings / precincts is given in **Appendix-O**

#### **40.12** Heritage Conservation Fund

1. Heritage buildings included in the said list shall be maintained by the owners of the said

- buildings themselves, with a view to give monetary help for such maintenance/repairs a separate fund may be created which would be kept at the disposal of the Municipal Commissioner, Pune Municipal Corporation, who will utilise these funds on the advice of the Heritage conservation Committee. The commissioner may, in such cases disburse appropriate amount to the owner or may get maintenance/ repair work done through Municipal Corporation.
2. 2% of total development charges collected shall be transferred to the Heritage conservation fund.
  3. The Municipal commissioner shall have right to remove any unauthorized construction in the property enlisted as heritage property as an encroachment for the Municipal land as defined and as per procedure laid down U/S 231 of the B.P.M.C. Act, 1941 and recover the expenses of such removal/ demolition work form the owner as arrears of land revenue.
  4. The Municipal Commissioner shall have right to enter into any such heritage property to repair such property to avoid any damage or injury, and the amount shall be spent form Heritage conservation fund and shall be recovered from the owner as arrears of property tax.
  5. If Heritage structure listed in Grade I needs conservation, preservation and immediate repairs and if the structure is affected due to vandalism by occupier/ owner ,then the Municipal commissioner shall have right to acquire such heritage property and conserve its heritage value.

#### **41.0 ERECTION OF MOBILE TOWERS:**

Regulation for setting up of Telecommunication Cell Site(s)/Base Station(s) and installation of the equipments for Telecommunication Network in Municipal Corporation area shall be as per **Appendix-P**

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