

**Government of Maharashtra,
Urban Development Department,
Mantralaya, Mumbai-400 032.
Dated : 19/11/2015**

NOTICE

**Maharashtra
Regional &
Town
Planning
Act, 1966**

No. TPS-1812/CR-112/12/DCR D Class /UD-13:- Whereas, the Government has sanctioned various Development Plans (hereinafter referred to as 'the said Development Plans') along with their Building Bye-laws and Development Control Rules with or without modifications (*hereinafter referred to as 'the said Development Control Regulations'*) for D Class Municipal Corporations (*hereinafter referred to as 'the said Planning Authorities'*) in the Maharashtra State under the provisions of the **Maharashtra Regional & Town Planning Act, 1966** (*hereinafter referred to as 'the said Act'*), as mentioned in **Schedule-A** appended hereto;

And whereas, the said Development Control Regulations of the said Planning Authorities needed overall changes because of rapid urbanization, introduction of concepts like FSI, TDR, various land uses and need for regulations which support developments like generation of parking areas, creation of more built-up area for Hospitals, Educational Institutions, Star Category Hotels, Institutional Buildings, development of more housing stock through MHADA, eco-friendly buildings, regulation of height of buildings commensurate with firefighting facilities etc. and therefore such new provisions are required to be included in the said Development Control Regulations;

And whereas in view of the above, the Government in Urban Development Department, vide its resolution no TPS-1812/CR-112/12/DCR D Class /UD-13 dated the 20/11/2013 has appointed a **Committee** (*hereinafter referred to as 'the said Committee'*) under Director of Town Planning, Maharashtra State as a Coordinator for drafting the uniform new Development Control Regulations for D class Municipal Corporations in the State;

And whereas, the *said Committee* after deliberating meeting among themselves prepared the Draft development and Control Regulations named as '**Draft Development Control and Promotion Regulations for D Class Municipal Corporations in Maharashtra**' and submitted the same to the Government vide letter No.2686, dated the 23/4/15;

And whereas, the Government felt it necessary to replace the existing said Development Control Regulations by the new set of **Draft Standardised Development Control and Promotion Regulations for D class Municipal Corporations in Maharashtra** prepared by the said *Committee* (*hereinafter referred to as 'the said proposed modification'*);

And whereas Aurangabad Municipal Corporation now being C Class Municipal Corporation has requested Government to made applicable the said proposed **Draft Standardised Development Control and Promotion Regulations prepared for the D Class Municipal Corporations** for their Corporation;

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

Now therefore, in exercise of the powers conferred by Clause (a) of sub-section (1AA) of Section 37 of the Maharashtra Regional and Town Planning Act, 1966 (Mah. XXXVII of 1966) and all other powers enabling in that behalf, the Govt. of Maharashtra hereby, in supersession of all the earlier existing / proposed Development control regulations of the said Planning authorities (as mentioned in Annexure-A), declares its intention to replace them and newly insert the said proposed modification in respect of **Draft Standardised Development Control and Promotion Regulations for D class Municipal Corporations** in Maharashtra

appended herewith to this notice and for that purpose publishes a notice for inviting suggestions/objections from any person with respect to the said proposed regulations within a period of one month from the date of publication of this notice in the Maharashtra Government Gazette.

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

This notice shall be kept open for inspection to the general public in the following offices for the above period on all working days.

- (i) Office of the Director of Town Planning, Central Building, Pune;
- (ii) Office of the Joint Director of Town Planning, Pune, Nashik, Nagpur, Aurangabad, Amravati Division;

This Notice shall also be published on the Government website www.maharashtra.gov.in (कायदे / नियम).

By order and in the name of Governor of Maharashtra,

(Sanjay Saoji)
Under Secretary to Government

SCHEDULE A

(Accompanied with Government notice no TPS-1812/CR-112/12/DCR D Class /UD-13,
Dated 19/11/52015)

Name of the Division	Name of the Municipal Corporation	Officer appointed under section 162 of the said act
Nagpur	Chandrapur	Joint Director of Town Planning, Nagpur Division, Nagpur, Old Secretariat, Room No.108/109, First Floor, Civil Lines, Nagpur-440 001.
Amaravati	Amaravati Akola	Joint Director of Town Planning, Amravati Division, Amravati, "Nilgiri", Dr.Agarwal Building, Vijay Colony, Congress nagar Road, Amravati-444 606.
Aurangabad	Nanded-Waghala Aurangabad Parabhani Latur	Joint Director of Town Planning, Aurangabad Division, Aurangabad, MHADA Building, Second Floor, Opp. Hotel Printravel, Station Road, Aurangabad-431 001.
Pune	Kolhapur Solapur Sangali Miraj Kupawad	Joint Director of Town Planning, Pune Division, Pune, S.No.74/2, Sahakarnagar, Sarang Society, above Bank of Maharashtra, Pune-411 009.
Nashik	Jalgaon Ahamadnagar Dhule Malegaon	Joint Director of Town Planning, Nashik Division, Nashik, New Central Administrative Building, First Floor, Divisional Commissionerate, Nashik Road-422 001.

By order and in the name of Governor of Maharashtra,

(Sanjay Saoji)
Under Secretary to Government



Draft Development Control and Promotion Regulations for D Class Municipal Corporations in Maharashtra

URBAN DEVELOPMNET DEPARTMENT, GOVERNMENT OF MAHARASHTRA

**(Notice Published under Section 37(1AA) of the Maharashtra Regional &
Town Planning Act, 1966 vide TPS-1812/CR-112/12/DCR D Class /UD-13 Dated 19/11/2015)**

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**DRAFT DEVELOPMENT CONTROL AND PROMOTION
REGULATIONS FOR "D" CLASS MUNICIPAL CORPORATIONS IN MAHARASHTRA**

**PART I
ADMINISTRATION**

1.1 Short Title, Extent and Jurisdiction, Applicability of Regulations -

i) **Title**-These regulations shall be called as "Development Control and Promotion Regulations for D Class Municipal Corporations in Maharashtra as specified in notification"(Hereinafter called as 'these regulations')

ii) **Extent and Jurisdiction:** These shall apply to all building activities and development works in the areas within the jurisdiction of the D class Municipal Corporations excluding the Municipal Corporations in MMR Region.

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

iv) **Date of coming into force:** These regulations shall come into force from the date of publication of notification in Official Gazette, being the date on which they are finally sanctioned by the State Government under the relevant provisions of the Act. Till the time the State Government finally sanctions these Regulations, the Regulations currently in force, if any, shall only be applicable.

v) **Applicability of Regulations:** These Development Control Regulations shall apply to all the development activity as under.

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

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

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

d) 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.

e) 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.

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

g) Revised permission - Any development permission granted earlier may be revised provided that, third party interest established in pursuance of such permission, if any, is 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.

h) Exclusions-Nothing in these regulations shall require the removal, alteration or abandonment or prevent the continuance of the lawfully established use or occupancy of an existing building or its use, unless in the opinion of the Planning Authority, such a building is unsafe or constitutes a hazard to the safety of adjacent property.

1.2 Meaning as in the Acts, Rules, Interpretations-

i) Terms and expressions not defined in these Regulations shall have the same meaning or sense as in the Maharashtra Regional and Town Planning Act, 1966 (Maharashtra Act No. XXXVII of 1966) or the Maharashtra Provincial Municipal Corporation Act, 1949 or NBC-2005 as amended from time to time and the rules or bye-laws framed there under, as the case may be, unless the context otherwise requires.

ii) In the regulations, the use of present tense includes the future tense, the masculine gender includes the feminine and the neutral, the singular number includes the plural and the plural includes the singular. The word person includes a corporation/company writing includes printing and typing and "signature" includes thumb impression made by a person who cannot write if his name is written near to such thumb impression.

iii) Whenever sizes and dimensions of rooms and spaces within buildings are specified, they shall mean clear dimensions unless otherwise specified in these regulations

1.3 Saving:

i) Notwithstanding anything contained herein, any permission granted or any action taken under the Regulations in force prior to **coming into** of these regulations shall be valid and continue to be so valid, unless otherwise specified.

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

iii) Validity of Development Permission: If any development permission has been issued before the date of commencement of these Regulations, and if such permission is not renewed as mention in regulation no 1.9 then the said development permission shall be deemed to have been lapsed.

1.4 Delegation and Discretionary Powers -

1.4.1- Delegation of Powers- Except where the Planning Authority's special permission is expressly stipulated, the powers or functions vested in it by these Regulations may be delegated to

any official under its control, subject to its revision if necessary and to such conditions and limitations, if any as it may prescribe. In each of the said Regulations, the word “Planning Authority” shall to the extent to which any official is so empowered be deemed to include such official.

1.4.2- Discretionary Powers- In conformity with the intent and spirit of this Byelaws the *Commissioner* may:

- i) Decide on matters where it is alleged that there is an error in any order, requirement decision, and determination on interpretation made by him in the application of these Byelaws.
- ii) Determine and establish the location of zonal boundaries exceptional cases, or in cases of doubt or controversy;
- iii) Interpret the provisions of these Byelaws where the street layout actually on the ground varies from the street layout as shown on the Development Plan;
- iv) Modify the limit of a zone where the boundary line of the zone divided a plot; and
- v) Authorize the erection of a building or use of premises for a public service undertaking for public utility purpose only, where he finds such an authorization to be reasonably necessary for the public convenience and welfare even if it is not permitted in any Land Use Classification.
- vi) Interpret the provisions of these Byelaws where there is an ambiguity, clerical, grammatical mistakes if any.

1.4.3 - Relaxation In specific cases - In specific cases where a clearly demonstrable hardship is caused the *Commissioner* may by special written permission;

- 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 neighbourhood. *However*, no relaxation from the setback required from the road boundary or FS.I. or parking requirements shall be granted under any circumstances.
- ii) Grant temporary permission for certain types of structures and subject to the conditions as specified in regulation no 1.19.

While granting permission under these regulations may be imposed on size, cost or duration of the structure, abrogation of claim of compensation, payment of deposit and its forfeiture for noncompliance and payment of premium as may be prescribed by the Planning Authority.

1.4.4 **Power to prescribe the proformas-** The Authority shall have the powers to prescribe proformas and / or make amendments in the contents of such proformas and in the general procedure for grant of development permission

1.5 DEFINITIONS-

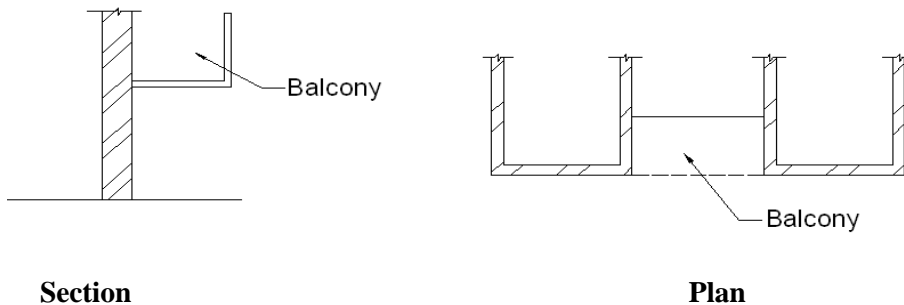
1.5.1 General

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

- 1.5.2 **Act - shall mean -**
i)The Maharashtra Regional and Town Planning Act, 1966; and
ii)The Maharashtra Provincial Municipal Corporation Act,1949.
- 1.5.3 **Authority** - The Authority which has been created by a statute and which for the purpose of administering the regulations may authorize a Technical Committee or an official having a professional skill to act on its behalf;
- 1.5.4 **Alteration :-** Any change in existing authorized building or change from one occupancy to another, or a structural change, such as an addition to the area or height, or the removal of part of a building, or any change to the structure, such as the construction of, cutting into or removal of any wall, partition, column, beam, joist, floor, roof or other support or a change to or closing of any required means of ingress or egress or a change to the fixtures of equipment as provided under these regulations. However modification in regards to gardening, white washing, painting, plastering, pointing, paving and retiling shall not be deemed to be alteration.
- 1.5.5 **Advertising Sign :-** Any surface of structure with characters, letters or illustrations applied thereto and displayed in any manner whatsoever out of door for purposes of advertising or to give information regarding or to attract the public to any place, person, public performance, article or merchandise whatsoever, and which surface or structure is attached to, or forms a part of building, or is connected with any building or is fixed to a tree or to the ground or to any pole, screen, fence or hoarding or displayed in space.
- 1.5.6 **Air-conditioning:-**The process of treating air so as to control simultaneously its temperature, humidity, cleanliness and distribution to meet the requirement of conditioned space.
- 1.5.7 **Accessory Building:-** A building separate from the main building on a plot and containing one or more rooms for accessory use such as servants quarters, garage, store rooms or such areas as may be classified by the Director of Town planning.
- 1.5.8 **Accessory / Ancillary Use:-** Any use of the premises subordinate to the principal use and incidental to the principal use.
- 1.5.9 **Amenity Space :-** For the purpose of these regulations, amenity space means a statutory space kept in any layout to be used for any of the amenity such as open spaces, parks recreational grounds, playgrounds, sports complex, gardens, convenience shopping, parking lots, primary and secondary schools, nursery, health club, sub post-office, police station, electric substation, ATM of banks, electronic cyber library, open market, garbage bin, water supply, electricity supply and includes other utilities, services and conveniences. With the special approval of the Director of Town Planning, the Commissioner may from time to time add to, alter or amend the above uses permissible in such Amenity Space.
- 1.5.10 **Access:-**Clear approach to a plot or a building.
- 1.5.11 **Architect :-** An Architect who is an associate or corporate member of the Indian Institute of Architects or who holds a degree or diploma which makes him eligible for such membership for such qualification listed in Schedule XIV of the Architects Act, 1972, and being duly registered with the Council of Architecture under the Act.

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

Balcony



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

- 1.5.21 **Chajja:** - A sloping or horizontal structural overhang usually provided over openings on external walls to provide protection from sun and rain and for purpose of architectural appearance.
- 1.5.22 **Chimney:** -An upright shaft containing one or more flues provided for the conveyance to the outer air of any product of combustion resulting from the operation of heat producing appliance or equipment employing solid, liquid or gaseous fuel.
- 1.5.23 **Combustible Material:-** A material, if it burns or adds heat to a fire when tested for combustibility in accordance with IS - 3808 - 1966 Method of Test for combustibility of building materials, National Building Code.
- 1.5.24 **Control Line:-** A line on either side of a highway or part of highway beyond the building line fixed in respect of such highway by the Highway Authority.
- 1.5.25 **Courtyard or Chowk:-** A space permanently open to sky enclosed on sides fully or partially by buildings and may be at ground level or any other level within or adjacent to a building.
- 1.5.26 **Canopy:-** *A projection over any entrance.*
- 1.5.27 **Congested area:-** means the congested area as shown on the Development Plan.
- 1.5.28 **Convenience Shopping :-***Means shops for domestic needs each with a carpet area not exceeding 10 sqm.*
- 1.5.29 **Corridor:-** means a common passage or circulation space including a common entrance hall.
- 1.5.30 **Detached Building:-** A building whose walls and roofs are independent of any other building with open space on all sides as specified.
- 1.5.31 **Development :-** Development with its grammatical variations means the carrying out of buildings, engineering, mining or other operations in, or over, or under, land or the making of any material change, in any building or land or in the use of any building or land or any material or structural change in any Heritage building or its precinct and includes demolition of any existing building, structure or erection of part of such building, structure of erection and reclamation, redevelopment and layout or sub-division of any land and to develop shall be construed accordingly.
Development Plan:- “Development Plan” means a plan for the development of the area within the jurisdiction of a Planning Authority and includes revision of a development plan and proposals of a special planning Authority for development of land within its jurisdictions.
- 1.5.32 **Drain:-** means a system or a line of pipes, with their fittings and accessories, such as manholes, inspection chambers, traps, gullies, floor traps used for the drainage of building, or number of building or yards appurtenant to the buildings within the same cartilage. A drain shall also include open channel for conveying surface water or a system for the removal of any liquid.
- 1.5.33 **Dwelling Unit /Tenement:-** An independent housing unit with separate facilities for living, cooking and sanitary requirements.

- 1.5.34 **Density:-** The residential density expressed in terms of the number of dwelling units per hectare.
- 1.5.35 **Enclosed Stair- case:-** A stair case separated by fire resistant walls and door (s) from the rest of the building.
- 1.5.36 **Existing Building or use:-** A building, structure or its use existing authorisedly.
- 1.5.37 **Exit :-** A passage, channel or means of egress from any building, storeys or floor area to a street or other open space of safety.
- 1.5.38 **Vertical Exit:-**A vertical exit is a means of exit used for ascension or dissension between two or more levels including stairways, smoke proof towers, ramps, escalators and fire escapes.
- 1.5.39 **Horizontal Exit:-** A horizontal exit is protected opening through or around a firewall or a bridge connecting two buildings.
- 1.5.40 **Outside Exit:-** An outside exit is an exit from the building to public way, to an open area leading to public way, to an enclosed fire resistive passage to a public way.
- 1.5.41 **External Wall:-**An outer wall of a building not being a party wall even though adjoining to a wall of another building and also means a wall abutting on an interior open space of any building.
- 1.5.42 **Escalator:-** A power driven, inclined, continuous stairway used for raising or lowering passengers.
- 1.5.43 **Floor:-** The lower surface in a story on which one normally walks in a building. The general term floor unless otherwise specifically mentioned shall not refer to a mezzanine floor.
- Note:-** The sequential numbering of floor shall be determined by its relation to the determining entrance level. For floor at or wholly above ground level the lowest floor in the building with direct entrance from / to road or street shall be termed as ground floor. The other floors above ground floor shall be numbered in sequence as Floor 1, Floor 2, etc., with number increasing upwards.
- 1.5.44 **Floor space index (F. S. I) :-** The quotient obtained by dividing the total covered area (plinth area) on all floors, excluding exempted areas as given in Regulation No.4.9 by the area of the plot.
- $$\text{F.S.I.} = \frac{\text{Total covered areas on all floors}}{\text{Plot area}}$$
- 1.5.45 **Footing:-**A foundation unit constructed in brick work, masonry or concrete under the base of a wall or column for the purpose of distributing the load over a large area.
- 1.5.46 **Foundation:-**That part of the structure which is in direct contact with an transmitting loads to the ground.
- 1.5.47 **Front:-** The space between the boundary line of plot abutting the means of access / road / street and the building line. In case of plots facing two or more means of accesses / roads / streets, the plot shall be deemed to front on all such means of access / road / streets.
- 1.5.48 **Gallery:-** An intermediate floor or platform projecting from a wall of an auditorium of a hall providing extra floor area, additional seating accommodation etc. These shall also include the structures provided for seating in stadia.

- 1.5.49 **Garage-Private:-** A building or portion thereof designed and used for parking of private owned motor driven or other vehicles.
- 1.5.50 **Garage-Public :-**A building or portion thereof designed as other than a private garage, operated for gain, designed or used for repairing, servicing, hiring, selling or storing or parking motor driven *or* other vehicles
- 1.5.51 **Group Housing Scheme:-** Group housing scheme means a building or a group of buildings constructed or to be constructed with one or more floors, consisting of more than one dwelling units and having common service facilities. Common service facilities means facilities like stair case, balcony, corridor, and verandah, lift, etc.
- 1.5.52 **Ground Level -** The average level of the ground in a plot.
- 1.5.53 **Habitable Room:-** Habitable room or living room means, a room constructed or intended for human habitation
- 1.5.54 **Home Occupation:-** Customary home occupation other than the conduct of an eating or a drinking place offering services to the general public, customarily carried out by a member of the family residing on the premises without employing hired labour, and for which there is no display to indicate from the exterior of the building that it is being utilized in whole or in part for any purpose other than a residential or dwelling use, and in connection with which no article or service is sold or exhibited for sale except that which is produced therein, which shall be non-hazardous and not affecting the safety of the inhabitants of the building and the neighborhood and provided that no mechanical equipment is used except that as is customarily used for purely domestic or household purposes and / or employing licensable goods. If motive power is used, the total electricity load should not exceed 0.75 KW. `Home Occupation may also include such similar occupations as may be specified by the Commissioner with the approval with the approval of Director of Town Planning and subject to such terms and conditions as may be prescribed.
- 1.5.55 **High Rise Building:-** The Buildings 16 m. or above in height excluding chimneys, cooling towers, boiler, rooms / lift machine rooms, cold storage and other non-working areas in case of industrial buildings and water tanks, and architectural features in respect of other buildings shall be considered as high rise building.
- 1.5.56 **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.
- 1.5.57 **Layout Open Space / Recreational Open Space:-** Shall mean a statutory common open space kept in any layout exclusive of margins and approaches, at a height not more than ground level of the building unit.
- 1.5.58 **Ledge or Tand:-** A shelf like projection, supported in any manner whatsoever, except by vertical supports within a room itself but not having projection wider than half meter.
- 1.5.59 **Licensed Engineer / Structural Engineer / Supervisor:-** A qualified Engineer/Structural Engineer / Supervisor licensed by the Municipal Commissioner/appropriate authority.

- 1.5.60 **Licensed Technical Persons:-** means a qualified Engineer, Structural Engineer, and Supervisor etc. licensed by the Commissioner / appropriate authority.
- 1.5.61 **Lift:-** An appliance designed to transport persons or materials between two or more levels in a vertical or substantially vertical directions, by means of a guided car platform.
- 1.5.62 **Lift Machine:-** Part of the lift equipment comprising the motor(s) and the control gear there with, reduction gear (if any), brakes and winding drum or sheave, by which the lift car is raised or lowered.
- 1.5.63 **Lift Well:-** Unobstructed space within an enclosure provided for the vertical movement of the lift car(s) and any counter weights, including the lift pit and the space for top clearance.
- 1.5.64 **Loft:-** Shall mean, an intermediate floor between two floors which is constructed for storage purpose and as defined in regulation no 8.5.1.
- 1.5.65 **Laying out of New Street:-** Includes provision of road for leveling, formation, metalling or paving a road and footpaths, etc. including layout of the services such as water supply, drainage, etc.
- 1.5.66 **Mall:-** A large enclosed shopping area.
- 1.5.67 **Marginal Open Space / Set back:-** Minimum distance required to be left open to sky between boundary of the building plot and the building excluding court yard/chowk, which is an integral part of the plot.
- 1.5.68 **Masonry:-** An assemblage of masonry units properly bound together with mortar.
- 1.5.69 **Mezzanine floor:-** An intermediate floor between two floors of any story, forming an integral part of floor below, overhanging or overlooking a floor beneath, not being a loft between the floor and ceiling of any storey.
- 1.5.70 **Means of Access:-** These shall include the road/ street/ vehicular access way, pathway upto the plot and to the building within a plot as defined in Regulation No.3.2.
- 1.5.71 **Net plot area:** The net plot area shall be as define in Regulation No.3.10.
- 1.5.72 **Non -Combustible Material:-** A material which does not burn nor add heat to a fire when tested for combustibility in accordance with IS: 3808 - 1966 'Method of Test for Combustibility of Building Materials'.
- 1.5.73 **Non-conforming User:** -Any lawful use / building existed on the site but which does not conform to the zoning shown on the Development Plan.
- 1.5.74 **Occupancy or Use Group :-**The principal occupancy or use for which a building or a part of a building is used, or intended to be used, for the purposes of classification of a building according to the occupancy, an occupancy shall be deemed to include subsidiary occupancies which are contingent upon it. Buildings with mixed occupancies are those buildings in which more than one occupancy are present in different portions of the building. The occupancy classification shall have the meaning given from 1.5.75 to 1.5.85 unless otherwise spelt out in Development Plan.

- 1.5.75 **Assembly Buildings:-** These shall include any building or part of building where groups of people congregate or gather for amusement, recreation, social, religious, patriotic, civil, travel and similar purposes, e.g. theatres, motion picture house, drive-in-theatres, multiplexes, assembly halls, city halls, town halls, auditoria, exhibition halls, museums, mangal karyalaya, cultural centre, skating rinks, places of worship, dance theatres, club & gymkhana, passenger stations and terminals of air, surface and other public transportation services, recreation piers and stadia.
- 1.5.76 **Business Buildings:-** These shall include any building or part of building, which is used for transaction of business for the keeping of accounts and records for similar purposes; offices, banks, professional establishments, I.T. establishments, call centre, offices for private entrepreneurs, court houses, libraries shall be classified in this group in so far as principal function of these is transaction of public business and the keeping of books and records.
- 1.5.77 **Educational Buildings :-** A building exclusively used for a school or college recognized by the appropriate Board or University, or any other competent authority involving assembly for instruction, education or recreation incidental to educational use, and including a building for such other users incidental thereto such as library, coaching class or a research institution. It shall also include quarters for essential staff required to reside in the premises and a building used as a hostel attached to an educational institution situated in its campus and, also includes daycare purposes more than 8 hours per week.
- 1.5.78 **Hazardous Buildings :-** These shall include any building or part of a building which is used for the storage, handling, manufacture or processing of highly combustible or explosive materials or products which are liable to burn with extreme rapidity and / or which may produce poisonous gases or explosions during storage, handling, manufacturing or processing, which involve highly corrosive, toxic or noxious alkalis, acids or other liquids or chemicals producing flames, fumes and explosive, mixtures of dust or which result in the division of matter into fine particles subject to spontaneous ignition.
- 1.5.79 **Industrial Buildings:-**These shall include any building or part of a building or structure, in which products or materials of all kinds and properties are fabricated assembled or processed like assembling plants, laboratories, power plants, smoke houses, refineries, gas plants, mills, dairies, factories etc.
- 1.5.80 **Institutional Buildings:-** A building constructed or used by Government, Semi - Government organization or registered trusts or persons and used for medical or other treatment, a hostel for working women 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.
- 1.5.81 **Mercantile Buildings:-** These shall include any building or part of a building, which is **predominantly** used as shops, stores, market, malls for display and sale of merchandise either wholesale or retail, office, storage and service facilities incidental to the sale of merchandise and located in the same building shall be included under this group.

- 1.5.82 **Office Building / Premises:-** The premises whose sole or principal use is to be used as an office or for office purpose; "office purposes" shall include the purpose of administration, clerical work, handling money, telephone/ telegraph/ computer operations and "clerical work" shall include writing, book-keeping, sorting papers, typing, filing, duplicating, drawing of matter for publication and the editorial preparation of matter for publication.
- 1.5.83 **Residential Buildings:-** These shall include any building in which sleeping accommodation is provided for normal residential purposes with or without cooking or dining or both facilities. It includes one or two or multi-family dwellings, lodging or rooming houses, residential hotels, hostels, dormitories, dharmshalas, apartment houses, flats, service apartment, studio apartment and private garages incidental thereto.
- 1.5.84 **Storage Buildings :-** These shall include any building or part of a building used primarily for the storage or sheltering of goods, wares or merchandise, like ware houses, cold storage, freight depots, transit sheds, godowns, store houses, public garages, hangars, truck terminals, grain elevators, barns and stables.
- 1.5.85 **Wholesale Establishments:-** These shall include establishments wholly or partly engaged in wholesale trade, manufactures, wholesale outlets including related storage facilities, A.P.M.C. establishments, warehouses and establishments engaged in truck transport including truck transport booking agencies.
- 1.5.86 **Owner:-** The person who has legal title for land or building.
- 1.5.87 **Parapet: -** A low wall or railing built along the edge of a roof, terraces, balcony, verandah etc.
- 1.5.88 **Parking Space:-** An enclosed or unenclosed, covered or open area sufficient in size to park vehicles. Parking space shall be served by a driveway connecting them with a street or alley and permitting ingress or egress of vehicles.
- 1.5.89 **Permit / Permission: -** A permission or authorization in writing by the Authority to carry out the work regulated by these regulations.
- 1.5.90 **Plinth: -**The portion of a structure between the surface of the surrounding ground and surface of the floor immediately above the ground.
- 1.5.91 **Plot / Site:-** A parcel or piece of land enclosed by definite boundaries and approved by an authority as a building site, under these regulations.
- 1.5.92 **Pandals/Shamiyanas:-** means a temporary structure with roof or walls made of canvas, cloth other like material which is not adopted for permanent or continuous occupancy.
- 1.5.93 **Podium :-**A continuous projecting base or pedestal under or around the building ,generally used for parking and movement of vehicle within the permissible area as specified in Regulation .
- 1.5.94 **Porch: -**A covered surface supported on pillars or otherwise for the purpose of pedestrian or vehicular approach to a building.

- 1.5.95 **Road / Street:-** Any highway, street, lane, pathway, alley, stairway, passageway, carriageway, footway, square place or bridge, whether a thoroughfare or not, over which the public have a right of passage or access or have passed and had access uninterruptedly for a specified period, whether existing or proposed in any scheme, and includes all bunds, channels, ditches, storm-water drains, culverts, sidewalks, traffic islands, roadside trees and hedges, retaining walls, fences, barriers and railings within the street lines.
- 1.5.96 **Road / Street Line:-** The line defining the side limit of a road / street.
- 1.5.97 **Room Height:-** The vertical distance measured from the finished floor surface to the finished ceiling/ slab surface. In case of pitched roofs, the room height shall be the average height between bottom of the eaves and bottom of ridge.
- 1.5.98 **Row Housing:-** A row of houses with only front, rear open spaces.
- 1.5.99 **Semi Detached Building:-** A building detached on three sides with open spaces as specified.
- 1.5.100 **Site corner:-** The side at the junctions of and fronting on two or more intersecting streets.
- 1.5.101 **Site, Depth of:-** The mean horizontal distance between the front and rear side boundaries.
- 1.5.102 **Site, Double Frontage:-** A site, having a frontage on two streets other than a corner plot.
- 1.5.103 **Site, Interior or Tandem:-** A site, access to which is by a passage from a street whether such passage forms part of the site or not.
- 1.5.104 **Smoke Stop Door:-** A door for preventing or checking the spread of smoke from one area to another.
- 1.5.105 **Stair Cover:-** A structure with a covering roof over a stair case and its landing built to enclose only the stair for the purpose of providing protection from weather and not used for human habitation.
- 1.5.106 **Stilts or Stilt Floor:-** Stilts or stilt floor means portion of a building above ground level consisting of structural column supporting the super structure with at least two sides open for the purpose of parking vehicles, scooters, cycles, etc.
- 1.5.107 **Storage:-** A place where goods are stored.
- 1.5.108 **Store Room:-** A room used as storage space.
- 1.5.109 **Storey:-** The portion of a building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between any floor and the ceiling next above it.
- 1.5.110 **Service Floor:-** Means a floor generally provided in multi-storied buildings and especially in starred hotels where from services like water supply, sewerage disposal system, electricity etc. are co-ordinated/maintained. Height of such floor shall not be more than 1.8m. from floor level to soffit of outer beam and shall not be counted in FSI.

- 1.5.111 **Stall:-** means a small shop, floor area of which does not exceed 5.0sqm.
- 1.5.112 **Tenement:-** An independent dwelling unit with a kitchen or cooking alcove.
- 1.5.113 **Terrace:-** A flat open to sky roof of a building or a part of a building having parapet, not being a cantilever structure.
- 1.5.114 **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
- 1.5.115 **Travel Distance:-** The distance from the remotest point on a floor of a building to a place of safety, be it a vertical exit, horizontal exit or an outside exit measured along the line of travel.
- 1.5.116 **Tower like structure:-** A structure in which the height of the tower like portion is at least twice the width of the broader base.
- 1.5.117 **Unsafe Building:-** Unsafe buildings are those which are structurally unsafe, unsanitary or not provided with adequate means of ingress or egress which constitute a fire hazard or are otherwise dangerous to human life or which in relation to existing use constitute a hazard to safety or health or public welfare, by reason of inadequate maintenance, dilapidation or abandonment.
- 1.5.118 **Verandah :-** A covered area with at least one side open to the outside with the exception of 1 m. high parapet on the upper floors to be provided on the open side.
- 1.5.119 **Water Closet (WC):-** A privy with arrangement for flushing the pan with water. It does not include a bathroom.
- 1.5.120 **Water Course:-** A natural channel or an artificial one formed by draining or diversion of a natural channel meant for carrying storm and waste water.
- 1.5.121 **Width of Road:-** The whole extent of space within the boundaries of road when applied to a new road, as laid down in the city surveys map or development plan or prescribed road lines by any Act or Law and measured at right angles to the course or intended course of direction of such road whichever is more.
- 1.5.122 **Window:-** An opening to the outside other than the door which provides all or part of the required natural light, ventilation or both, to the interior space.
- 1.5.123 **Stilts or Stilt Floor:-** Stilts or stilt floor means portion of a building above ground level consisting of structural column supporting the super structure with at least two sides open for the purpose of parking vehicles, scooters, cycles, etc.
- 1.6. **Development and commencement Permission :-**
- a) No person shall carry out any development work in contravention of the development plan proposals.

b) No person shall carry out any development work including development of land by laying out into suitable plots and amalgamation of plots or development of any land as group housing scheme or to erect, re-erect or make alterations or demolish any building or cause the same to be done without first obtaining a separate building permit / commencement certificate for each such development work / building from the authority.

c) No temporary construction shall be carried out without obtaining prior approval of the Planning Authority, which may be granted subject to such conditions as may be deemed necessary by the Planning Authority.

1.7 **Procedure for obtaining Building permission and commencement certificate:**

a) **Application :** 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 through registered Architect/ Engineer/Structural Engineer/ Supervisor shall be registered / licensed to the Authority of his said intention in the prescribed form (See Appendix A1 or A 2) and such notice shall be accompanied by the following requirements and plans wherever necessary.

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

b) **Qualification and Competence of the Architect / Licensed Engineer / Structural Engineer/ Supervisor:** Architect/ Engineer/Structural Engineer/ Supervisor shall be registered / licensed by the Commissioner / Appropriate authority as competent to plan and carry out various works as given in Part X and XI. The qualification and procedure for registration and licensing of the Engineer / Structural Engineer / Supervisor / Developer shall be as given in Part X and XI.

1.7.1 **Requirements accompanied with the plan**

a) Ownership title and area: -

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

i) Attested copy of original registered sale / lease - deed / power of attorney / enabling ownership documents wherever applicable.

ii) 7/12 extracts or property register card of a date not **later** than six months of the date of submission and a certified copy of the Measurement Plan of the property under development proposal.

iii) Statement of area of the holding by triangulation method from the qualified licensed technical personnel or architect with an affidavit from the owner in regard to the area in the form prescribed by the Commissioner.

iv) Any other document prescribed by the Commissioner.

v) Wherever third party interest is created by way of agreement to sale or mortgage etc. the registered consent of such interested persons shall be submitted with the application.

vi) A certified copy of approved sub-division / amalgamation / layout of land from the concerned authority.

vii) In case of land leased by the Government or local authorities, no objection certificate of Government or such authorities shall be obtained if there is deviation from lease conditions and shall be attached to the application for development permission in respect of such land.

1.7.2 Different Plans to be submitted along with application form

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

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

i) The boundaries of the site and of any contiguous land belonging to the neighbouring owners;

ii) The position of the site in relation to neighbouring streets ;

iii) The name of the street, if any, from which the building is proposed to derive access;

iv) All existing buildings contained in the site with their names (where the buildings are given names) and their property numbers;

v) The position of the building and of other buildings, if any, which the applicant intends to erect, upon his contiguous land referred to in (i) above in relation to;

vi) The boundaries of the site and, in a case where the site has been partitioned, the boundaries of the portions owned by others;

vii) All adjacent streets, buildings (with number of storeys and height) and premises within a distance of 12 m. of the work site and of the contiguous land (if any) referred to in (i),

viii) The means of access from the street to the building and to all other buildings (if any) which the applicant intends to erect upon.

ix) The space to be left around the building to secure free circulation of air, admission of light and access.

x) The width of the street (if any) in front and the street (if any) at the side or near the building, including proposed roads;

xi) The direction of the north line relative to the plan of the building;

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

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

Contents- Scale used and north point. The location of all proposed and existing roads with their existing / proposed widths within the land; Dimension of plots; the location of drains, sewers, public facilities and services, electrical lines, natural water courses, water bodies and streams etc. Table indicating size, area and use of all plots in the sub-division / layout plan. The statement indicating the total area of the site, area utilized under roads, recreational open spaces, play ground, recreation spaces and development plan reservation / roads, schools, shopping and other public places along with their percentage with reference to the total area of the site proposed to be sub-divided / laid out. 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 the existing streets. Contour plan of site, wherever necessary.

d) Amalgamation Plan:- In case of the properties comprising of two or different holdings belonging to the same or different owners, provided the developer is same then the plans for amalgamation of the holdings shall be submitted and got approved from the Corporation.

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

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

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

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

g) Building Plans for Special Buildings:-

- (i) Multistoried buildings which are more than 16m. height;
- (ii) Special buildings like educational, assembly, mercantile, institutional, industrial, storage and hazardous having area more than 500 sq. m. on each floor.
- (iii) Mixed occupancies with any of the aforesaid occupancies having area more than 500 sq. m. on each floor.

Provided that for purely residential building/residential building alongwith ground floor mix use having height less than 24 meters and built up area on any floor does not exceed 500 sq mts, an additional staircase shall not be insisted. Provided further that in such cases width of stair case shall be minimum 1.50 mt.

The following additional information shall be furnished / indicated for the above Building Plans in addition to the items (i) to (xiv) of above regulation No. 1.7.2 (f)

- (a) access to fire appliances/vehicles with details of vehicular turning circle and clear motorable access way around the building;
- (b) size (width) of main and alternate staircases along with balcony approach, corridor, ventilated lobby approach;
- (c) location and details of lift enclosures;.
- (d) location and size of fire lift;
- (e) smoke stop lobby/door, where provided;
- (f) refuse chutes, refuse chamber, service duct, etc.;
- (g) vehicular parking spaces;
- (h) refuse area, if any;
- (i) details of Building Services :-Air-conditioning system with position of fire dampers, mechanical ventilation system, electrical services, boilers, gas pipes etc.,
- (j) details of exits including provision of ramps, etc. for hospitals and buildings requiring special fire protection measures,
- (k) location of generator, transformer and switch gear room;
- (l) smoke exhauster system, if any;
- (m) details of fire alarm system network;
- (n) location of centralized control, connecting all fire alarm systems, built in fire protection arrangements and public address system etc.
- (o) location and dimensions of static water storage tank and pump room alongwith fire service inlets for mobile pump and water storage tank;
- (p) location and details of fixed fire protection installations such as sprinklers, wet risers, hose reels, drenchers, CO2 installation etc.;
- (q) location and details of first aid, firefighting equipments /installations.

1.7.3 Fees and Charges:

a) Building Permit Fee:- The notice shall be accompanied by an attested copy of receipt of payment of Building Permit Application Fee. The building permit fee and layout /subdivision of Land fees shall be as decided by the Commissioner from time to time subject to Government orders, if any.

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

c) Development Charges:-Development charges as required under Section 124A of the Maharashtra Regional and Town Planning Act, 1966 shall be deposited with the Authority before issue of development permission/commencement certificate. In case of revised permission, amount of difference of development charges in respect of land and building in pursuance to the earlier permission, shall be levied and recovered.

Provided that, for special housing schemes for economically weaker sections, low income group and slum clearance redevelopment schemes undertaken by public agencies or subsidized by State Government or as prescribed by the Government from time to time, no fees as mentioned above as a) Building Permit Fee , b) Security Deposit Fee shall be chargeable.

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

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

1.7.4 Required Certificate from Other Departments:-

a) NOC's from the other Department :- In case of development / construction of buildings requiring clearance from the authorities like Civil Aviation Authority, Railways, Directorate of Industries, Maharashtra Pollution Control Board, District Magistrate, Inspectorate of Boilers and Smoke Nuisance, Defense Department, Maharashtra Coastal Zone Management Authority, Archeological Department etc. The relevant no objection certificates from these authorities, applicable to the occupancy, shall also accompany the application.

In case of building identified in Regulation No 1.7.2 (g) the building scheme shall also be cleared by the Fire Officer of the local authority or in absence of such officer from the Directorate of Maharashtra Fire Services.

b) Structural Stability Certificate:-The application made under Regulation no 1.7.1 shall be accompanied by structural sufficiency certificate signed by the Architect and /or Engineer / Structural Engineer licensed by the Corporation and the owner jointly to the effect that the building is safe against various loads, forces and effects including due to natural disasters, such as, earthquake, landslides, cyclones, floods, etc. as per Part 6 'Structural Design' and other relevant Codes.

1.7.5 Specifications and Supervision

a) Specifications – General specifications of the proposed constructions, giving type and grade of materials to be used in the form as given in Appendix B duly signed by licensed Architect, as the case may be, shall accompany the notice.

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

1.7.6 a)Size of drawing sheets and colouring of plans.

The size of drawing sheets shall be any of those specified in **Table 1.**

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

- i) If necessary, submission of plans on sheets bigger than A0 size is also permissible.
- ii) All dimensions on plans shall be indicated only in metric units.

b) Colouring Notations for Plans :

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

TABLE NO. 2

COLOURING OF PLANS

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

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

1.8 **Grant of Permit or Refusal:**

i) After receipt of the notice/application as mentioned in regulation no 1.7 above, the Authority may either sanction or refuse the plans or may sanction them with such modifications or directions as it may deem necessary after having recovered the necessary charges and there upon shall communicate its decision to the person giving the notice in the prescribed form given in Appendix C1 and D1 as wherever required within the time limit prescribed in the relevant act.

ii) After the plan has been scrutinized and objections have been pointed out, the owner giving notice shall modify the plan, comply with the objections raised and resubmit it. The prints of plans submitted for final approval, shall not contain superimposed corrections. The authority shall grant or refuse the commencement certificate / building permit within 60 days from the date of resubmission. No new objections may generally be raised when they are resubmitted after compliance of earlier objections, except in circumstances to be quoted for additional compliances

1.9 **Commencement of work & Extension of period of permission-**

i) The sanction once accorded through Commencement Certificate/Building Permit shall remain **valid for 1 years** from the date of issue of Commencement Certificate/Building Permit as mentioned in section 48 of the M.R.&T.P Act1966

ii) 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 Commissioner may condone the delay for submission of application for renewal by charging necessary fees; but in any case, commencement certificate shall not be renewed **beyond 4** years from the date of commencement certificate/ development permission. Provided that no such renewal shall be necessary if the work is commenced within the period of valid permission.

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

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

1.10 **Procedure During Construction:-**

a) **Owner's/Developer's liability :-**

Neither granting of the development permission nor the approval of the drawings and specifications, nor the inspections, made by the Commissioner during erection of the building

shall, in any way relieve the Owner / Architect / Developer / Engineer / Structural Engineer / Supervisor or any licensed technical person, of such building from full responsibility for carrying out the work in accordance with the requirements of these regulations. **Every owner shall,**

a) Permit the Authority to enter the building or premises for which the permission has been granted at any reasonable time for the purpose of enforcing these Regulations.

b) Submit the certificate for execution of work as per structural safety requirements and give written notice to the Authority regarding completion of work .

b) Documents at Site:

i) **Results of tests:-** Where tests of any materials are made to ensure conformity with the requirements of these regulations, records of the test data shall be kept available for inspection during the construction of the building and for such period thereafter as may be required by the Commissioner,

ii) **Development Permission:-**The Person to whom development permission is issued shall, during construction, keep;

a) Posted in a conspicuous place, on the site in respect of which the permission is issued, a copy of the Development permissions and

b) A copy of the approved drawings and specifications referred to in Regulation 1.8 on the site in respect of which the development permission was issued.

iii) Display board mentioning name of the owner, name of architects, name of structural engineer, details as per approved plan, except for small individual plot holders

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

d) Deviation during constructions:-If during construction of a building any deviation of a substantial nature from the sanctioned plans is intended by way of internal or external additions, sanction of the Commissioner shall be necessary. A revised plan showing the such deviation shall be submitted and the procedure laid down for the original plans shall apply to all such amended plans. Any work done in contravention of the sanctioned plans, without prior approval of the Commissioner shall be deemed as unauthorized.

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

- 1.12 **Occupancy certificate:-** The Commissioner after inspection of the work and after satisfying himself that there is no deviation from the sanctioned plans, issue an occupancy certificate in the form in **Appendix-H** or refuse to sanction the occupancy certificate in **Appendix -I** within 21 days from the date of receipt of the said completion certificate, failing which the work shall be deemed to have been approved for occupation, provided the construction conforms to the sanctioned plans. One set of plans, certified by the Commissioner, shall be returned to the owner alongwith the occupancy certificate. Where the occupancy certificate is refused or rejected, the reasons for refusal or rejection shall be given in intimation of the rejection or the refusal.
- 1.13 **Part occupancy certificate:-** When requested by the holder of the development permission, the Commissioner may issue a part occupancy certificate for a building or part thereof, before completion of the entire work, as per development permission, provided sufficient precautionary measures are taken by the holder to ensure public safety and health. The occupancy certificate shall be subject to the owners indemnifying the Commissioner in the form in **Appendix-J**
- 1.14 **Inspection:-**The Commissioner shall have the power to carry out inspection of the work under the provisions of the Act, at various stages to ascertain whether the work is proceeding as per the provisions of regulations and sanctioned plan.
- 1.15 **Unsafe Buildings:-**All unsafe buildings shall be considered to constitute danger to public safety and hygiene and sanitation and shall be restored by repairs or demolished or dealt with as otherwise directed by the Authority. The relevant provisions of the regulation shall apply for procedure of actions to be taken by the Commissioner for unsafe buildings.
- 1.16 **Revocation of Permission:-**
- a) Without prejudice to the powers of revocation conferred by Section 51 of the Maharashtra Regional and Town Planning Act, 1966, the Commissioner may, after giving the opportunity of being heard, revoke any development permission issued under these regulations where it is noticed by him that there had been any false statement or any misrepresentation of material fact in the application on the basis of which the development permission was issued and thereupon the whole work carried out in pursuance of such permission shall be treated as unauthorized.
- b) In the case of revocation of the permission under sub-regulation 1.16 (a), no compensation shall be payable.
- 1.17 **Development undertaken on behalf of Government :-**
- As per the provisions of Section 58 of The Maharashtra Regional and Town Planning Act, 1966 the office in-charge of the Government Department shall inform in writing to the Authority of the intention to carry out its purpose along with details of such development or construction as specified below :-
- a) An official letter by the authorized officer of Government Department addressed to the Authority, giving full particulars of the development work or any operational construction.
- b) Ownership document and measurement plan issued by the Competent Authority of Land Records Department.

- c) Development / building plans conforming to the provisions of Development Plan and these Regulations for the proposed development work to the scale specified in these Regulations.
- d) The proposals of the Development Plan or Town Planning Scheme affecting the land.
- e) A Site Plan (in required no of copies) of the area proposed to be developed to the scale.
- f) Detailed plan (of required copies) showing the plan, sections and elevations of the proposed development work to the scale ,including existing building specifying either to be retained or to be demolished.

1.18 Items of operational construction by some authorities to be excluded:

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

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

All such constructions shall, however, conform to the prescribed requirements for the provision of essential services, water supply connections, drains, etc. to the satisfaction of the Commissioner. *However*, the following constructions of the Government Departments do not come under the purview of operational construction for the purpose of exemption.

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

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

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

a) required for the maintenance or improvement of highway, road or public street, works being carried out on land within the boundaries of such highway, road or public street;

b) required the purpose of inspecting, repairing or renewing any drains, sewers mains, pipes, cable, telephone or cables, or any other apparatus including the breaking open of any street, or other land for the purpose.

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

iv) For the excavation (including wells) made in the ordinary course of agricultural operation.

v) For the construction of a road intended to give access to land solely for agricultural purpose.

vi) For normal use of land which has been used temporarily for other purposes like marriage pandals or for festive occasions; and

vii) In case of land, normally used for one purpose and occasionally used for any other purpose, for the use of land for that other purpose on occasions.

1.19 **Temporary Construction:**

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

a) Structures for protection from the rain or covering of the terraces during the monsoon only.

b) Pandals/Shamiyanas for fairs, ceremonies, and religious function etc.:

c) Structures for godowns / storage of construction materials within the site.

d) Temporary site offices and watchmen chowkies within the site only during the phase of construction of the main building.

e) Structure for exhibitions / circuses etc.

f) Structures for storage of machinery, before installation, for factories in industrial lands within the site.

g) Structures for ancillary works for quarrying operation in conforming zones.

h) MAFFCO stalls, milk booths and telephone booths.

i) Transit accommodation for persons to be rehabilitated in a new construction.

j) Structures for educational and medical facilities within the site of the proposed building during the phase of planning and constructing the said permanent buildings.

Provided that temporary constructions for structures etc. mentioned at (c), (d), (f), (i) and (j) may be permitted to be continued temporarily by the Commissioner but in any case not beyond completion of construction of the main structure or building, and that structure in (g) may be

continued on annual renewable basis by the Commissioner beyond a period of **one** year. Provided further that approval of Fire Officer of the authority shall be obtained wherever necessary.

1.20 Deemed Permission:

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

Provided further that, the development proposal, for which the permission was applied for, is strictly in conformity with the requirements of all the relevant Development Control Regulations framed under the Act or byelaws or regulations framed in this behalf under any law for the time being in force and the same in no way violates either provisions of any draft or final 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 of the above provision, 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 Planning Authority shall within fifteen days from the date of receipt of such claim, communicate its remarks, if any, regarding deemed permission to the applicant, failing which, the proposal shall be approved and commencement certificate and one set of duly approved plans for proposed development shall be issued to the applicant within fifteen days thereafter.

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

1.21 Unauthorized development /liability for offences and penalties:

Any person who contravene any of the provisions of these regulations / any requirements or obligations imposed on him by virtue of these regulations including the maintenance of fire protection services and appliances and lifts in working order or who interferes with or obstructs any person in the discharge of his duties shall be guilty of an offence and upon conviction shall:

a) be punished with a fine as fixed by the Commissioner and as stipulated in Section 52 of The Maharashtra Regional and Town Planning Act, 1966;

b) further the Authority may take suitable actions including demolition of unauthorised works as decided by the Authority as stipulated under Section 53 of the Maharashtra Regional and Town Planning Act, 1966;

c) in case of Licensed Engineer / Structural Engineer / Supervisor /Builder/developer, the Commissioner may take suitable action against him which may include cancellation of license and debarring him from further practice / business for a period as decided by the Commissioner within their jurisdiction;

d) in case of registered architects, the Commissioner may report to the Council of Architectures to take suitable action against the Registered Architect as per the provisions of Architect Act, 1972.

PART II
LAND USE CLASSIFICATION AND PERMISSIBLE USES.

2.1 a) Development to be in conformity of the land use zones-

In the development plan the areas within the Planning Authority's jurisdiction are categorized into various land use zones as mentioned in regulation no2.1. These zones are depicted distinctly by different colors and notations on the Development Plan.

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

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

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

b) Non-Conforming Uses:-

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

c) Development of lands reserved/designated/allotted for public purposes-

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

d) Width of roads in the development plan-

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

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

- 1) Residential Zone (R)-
 - a) Purely Residential Zone (R-1)
 - b) Residential Zone (R-2)
- 2) Commercial Zone (C)
- 3) Industrial Zone (I)
- 4) Public & Semi Public Zone(PSP)
- 5) Agriculture/Green Zone –is segregated in two parts
 - a) Restricted Development Zone
 - b) Prohibitive development zone

2.2.1 Residential Zone (R)-

Residential Zone is further classified into two categories viz. R1, R2. The parameters applied for the sub-classification are as under:-

A) R-1-Purely Residential Zone -

Residential Zone (R1) consists of all plots situated **along** roads having existing or **proposed** width of less than 12 m in non -congested area and 9 m. in congested area. The following uses and ancillary uses to the principal use shall be permitted in buildings or premises in purely Residential Zone:

i) Customary Home occupation, i.e. occupations customarily carried out by the members of household without employing hired labour and shall include stitching embroidery, button making, etc., with or without motive power. If motive power is used, the total electricity load should not exceed 1 H. P.

ii) Medical and Dental Practitioner's Dispensaries including pathological laboratory, diagnostic clinics, polyclinics, to be permitted on any floor. However, maternity homes, clinics, nursing home with indoor patients on ground or stilt floor or on first floor with separate means of access of staircase from within the building or outside, but not within the prescribed marginal open spaces. Maternity Homes in independent buildings, Hospitals of maximum 10 beds.

iii) Professional offices and studies of a resident of the premises and incidental to such residential use or medical and dental practitioners dispensaries or clinics of a resident of the building with only outpatient treatment facilities without any indoor work, each not occupying a floor area exceeding 30 sq.m.

iv) Primary and secondary school buildings, excluding building of trade schools but including students' hostels in independent buildings on roads 9.00 meter or above width and nursery schools on road having width 6.00 meter or above,

a) *Provided that* the Planning Authority may, by order, permit Montessori schools, kindergarten or Balwadies in a part of a residential building on the ground floor or on the floor above the stilts if the area thereof is not less than 40 sq.m. and no nuisance is likely to be caused to the residents of the building :

b) Provided further that in congested localities where it is not possible to provide a separate building for a school, the Planning Authority may allow a primary school in any part of or on any separate floor of a residential building. In doing so, he shall take into account the location, room sizes, means of access, water and sanitary arrangements and other relevant factors. He shall also ensure that a staircase is easily accessible from the entrance and serves the classrooms.

v) Public or private parks, gardens, Club house and playfield not utilised for business purposes, but not amusement parks.

vi) Religious buildings.

vii) Public Libraries and Museums in independent structures. Public libraries and museum on the ground floor and floor 1 or on two consecutive floors immediately above the stilts in a building constructed on stilts may be permitted.

viii) Community hall, welfare center, gymkhanas not conducted as a business, which may have an extensions counter of only branch of a bank, in such club-houses or gymkhanas.

ix) Bus shelters, bus stations, bus depots, railway stations, taxi-stands and heliports, on independent plots.

x) Roads, Bridge, culverts and construction for any mode of transportation.

xi) Radio broadcasting and television studios and sound recording and dubbing studios in independent buildings or part of building or in independent plots, with the permission of the Planning Authority

xii) Convenience shops not more than 10 sq. m. at ground floor such as ration shops, pan shops, Dhobi/ Dry cleaning Shops, Darners, Tailors, Groceries, Confectionary and other general stores. Hair Dressing Saloon and Beauty Parlour, Bicycle Hire and Repair; Shoe Repair, umbrella repair, Vegetable & Fruit Stalls, Milk Shops. Dispensaries, Floweriest, Bangles and other articles needed by women, Small Bakeries, Newspaper Stalls, Tea Shops, ATM, etc.

xiii) Police stations, telephone exchanges, Government sub-office, Municipal sub-office, sub-offices of Electric supply and Transport undertaking or the concerned electric company consulate offices, post and telegraph offices branches of banks including safe deposit vaults, electrical sub-stations, receiving stations, fire stations, civil defense warden posts and first aid posts home guards and civil defense centers, pumping stations ,sewage disposal works and water supply installations and ancillary structures thereof required to cater to the local area .

xiv) Information Technology Establishment (ITEs) (pertaining to software only) on plots/premises fronting on roads having width more than 9.00 meter and above.

xiv)Flour mill and wet / dry masala grinding subject to following conditions:

- (a) It is located on ground floor.
- (b) Adequate care has been taken in structural design.
- (c) It does not cause any nuisance to the neighbour and residents of upper floor.
- (d) Power requirement does not exceed 7.5 K.W. each.

xv) Burial grounds, cremation grounds and essential public utilities on a road having width of 9 m. and above subject to the Authority's approval.

xvi) Agricultural, Horticultural and allied uses (except agro-based industries) are permitted. General agriculture, horticulture and poultry farming (but not dairy farming) in the areas other than congested area, poultry farming being permitted at the rate of 0.25 sq.m. built-up area per bird in an independent plot measuring not less than 1 ha provided that no offensive odours, dirt and/or dust are created and there is no sale of products not produced on the premises, and the accessory buildings are not located within of 9m the boundaries or 6m. from the main buildings on the plot provided further that the above restriction on space shall not apply to any poultry kept for domestic consumption only, Raisin production.

xvii) Research, experimental and testing laboratories not involving any danger of fire or explosion or of any obnoxious nature and located on a plot not less than 4 ha. in area, provided that the laboratory is at least 30m. from any of the boundaries of the existing residential building.

xviii) Public conveniences subject to the Authority's approval.

xix) Lodging and Boarding, sanatorium, old age home on road having width 9.00 meter and above.

xx) Any residential activity/use.

xxi) Any other use allowed in consultation with the Director of Town Planning, Maharashtra State in accordance with the intend and spirit of these Regulations.

B) R-2- Residential Zone-

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

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

II) Other Uses permissible in R-2 zone:-

The following non-residential mix uses are permitted subject to condition that,

a) 50 % **mix use** may be permitted irrespective of floor restriction. Such additional user shall in no case consume FSI of more than 0.5 in both congested and non-congested areas except in buildings on independent plots. Also these uses are independently be allowed on independent plot.

b) Where the building or premises abut on two or more streets, no direct opening of such shop shall be permissible on the street, which is less than 9 m. in congested and 12 m. in non - congested area.

c) All goods offered for sale and brought for repair shall be displayed and kept within the building and shall not be kept in the passages or footpaths or roads.

d) No trade and business involving any danger of fire, explosion, offensive noise, vibrations, smoke, dust glare heat or other objectionable influence may be allowed.

e) Area of each shop will not exceed 100 sq.m. unless otherwise specified.

f) Motive power, unless otherwise specifically indicated, shall not exceed 2.25KW per shop with no individual motor exceeding 0.75KW no power being allowed to be sub-let.

g) Power may be discontinued if the Planning Authority is satisfied that the particular use is a nuisance to the residents.

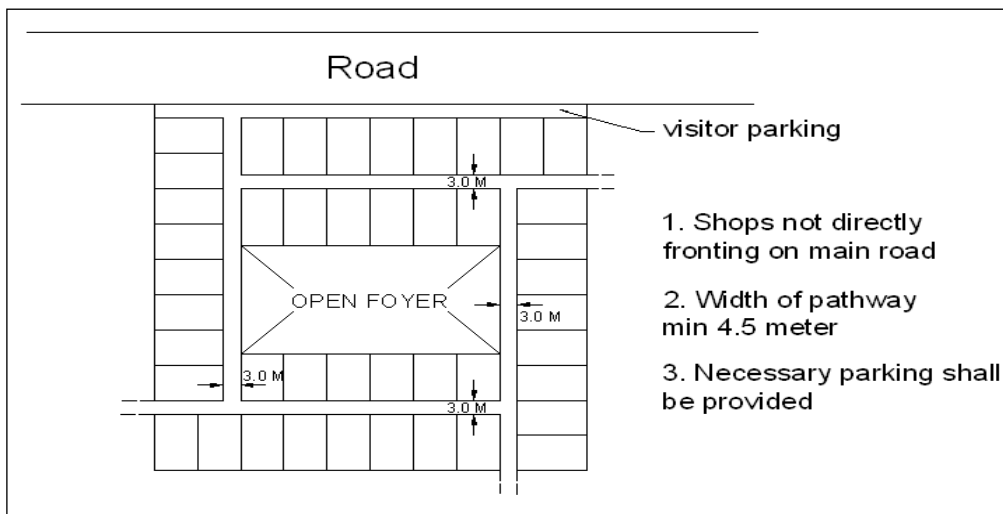
Non-résidential mix uses to be allowed in R-2 Zone.

- i) Stores or shops for the conduct of retail business including departmental stores. Storage and sale of combustible materials shall not normally be permitted except with the special permission of the concerned authority.
- ii) Personal and or professional service establishments, professional offices.
- iii) Radio broadcasting stations and studio, telephone exchanges.
- iv) Frozen food lockers, fast food and vending stalls.
- v) Tailor shops not employing more than 9 persons and embroidery shops and button - hole making shops not employing more than 9 persons with individual motors not exceeding 1 H. P. and total H. P. not exceeding 3.
- vi) Shops for goldsmiths, locksmiths, watch and clock repairs, optical glass grinding and repairs, musical instrument repairs, picture framing, radio and household appliances repairs, upholstery and diamond cutting and polishing not employing, more than 9 persons with individual motors not exceeding 1 H. P. and total H. P. not exceeding 3 H. P.
- vii) Coffee grinding with electric motive power not exceeding 1 H.P.
- viii) Auto part stores and show rooms for motor vehicles and machinery.
- ix) Sale of used or second hand goods or merchandise (not junk, cotton waste, rage or other materials of offensive nature).
- x) Club houses or other recreational activities, conducted as business.
- xi) Storage of furniture and household goods.
- xii) Repairs to all household articles (excluding auto vehicle).
- xiii) Veterinary dispensaries and hospitals.
- xiv) Animal pounds.
- xv) Repair, cleaning shops and analytical, experimental or testing laboratories not employing more than 15 persons in the industrial activity but not including cleaning and dyeing establishment using a cleaning or dyeing fluid having a flash point lower than 60 degree C. and machines with dry load capacity of 30 kg. for any establishment carrying on activities that are noxious or offensive because of emission of odour, dust, smoke, gas, noise or vibration or other-wise dangerous to public health and safety, provided that the motive power requirement of such establishment does not exceed 10 H. P.
- xvi) Accessory uses customarily incidental to any permitted principal use including storage space, upto 50 percent of the total floor area used for the principal use.

- xvii) Paper box manufacturing including paper cutting, not employing more than 9 persons, with motive power not exceeding 5 H. P. and area not more than 50 sq. m.
- xviii) Mattress making and cotton cleaning, not employing more than 9 persons with motive power not exceeding 3 H.P. and area not more than 50 sq. m.
- xix) Establishment requiring power for sealing tin, packages, etc. not employing more than 9 persons, with motive power not exceeding 3 H.P.
- xx) Commercial halls, exhibition halls, community halls, welfare centre, gymnasias, etc.
- xxi) Art galleries, aquariums;
- xxii) Research, experimental and testing laboratories not involving any danger of fire or explosion nor of any noxious nature and located on a site not less than 2 Ha. in area
- xxiii) Restaurants, eating houses, cafeteria, ice - cream parlours and milk bars.
- xxiv) Establishment for preparation and sale of eatables not occupying for production an area in excess of 75 sq. m. per establishment and not employing more than 9 persons. Sugarcane and fruit juice crushers not employing more than 6 persons with 1.5 H.P. with area not more than 25 sq.m. shall also come under that sub - rule.
- xxv) Trade or other similar schools not involving any danger of fire or explosion nor of offensive noise, vibration, smoke, dust, odour, glare, heat or other objectionable influences;
- xxvi) Repairing garages not employing more than 9 persons and 2 H.P. motive power in the industrial activity with no floor above.
- xxvii) Battery charging and repairing not employs more than 6 persons with an area not more than 25 sq.m. and not more than 2 chargers with power not exceeding 5 KW.
- xxviii) Photographic studios and laboratories with not more than 50 sq. m. area, not employing more than 9 persons and not using power more than 3 H. P.
- xxix) Showroom for Distribution and sale of LPG.
- xxx) Coal and Firewood Shops.
- xxxi) Polyclinics on separate floors, preferably ground floor, pathology laboratories.
- xxxii) Residential Hotels, Boarding and Lodging shall be permitted in independent building or parts of building, but on separate floors.
- xxxiii) Book Depot, Medicine and chemist shops.
- xxxiv) Business/ corporate office on any floor.

Note- The Municipal Commissioner may from time to time add or amend the above list with the approval of Director of Town Planning, Maharashtra State, Pune.

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



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

Notwithstanding anything contained above in regulation no 2.1.2(b) ,the following uses shall be permitted in independent premises / building

- i) Drive - in - theatres, theatres, cinema houses multiplex, club houses, assembly or concert halls, dance and music studios and such other places of entertainment.
- ii) Petrol filling and CNG service stations.
- iii) Colleges, Secondary Schools, Trade or other similar schools.
- iv) Storage and sale of kerosene not exceeding 1000 liters in groceries and approved ration shops on retail basis.
- v) Bulk storage and sale of kerosene not exceeding 13000 liters in separate godowns conforming to the existing regulations of Chief Controller of Explosives, Government of India provided further that the applicant shall make adequate firefighting arrangements at his cost in his plot to the entire satisfaction of the Municipal Commissioner.
- vi) Storage and sale of LPG in cylinders not exceeding 100 kg. in showrooms / distribution center.
- vii) Storage and sale of LPG in cylinders not exceeding 6300 kg in a separate godown conforming to the existing regulations of Chief Controller of Explosives, Government of India provided further that the applicant shall make adequate firefighting arrangements at his cost in his plot to the entire satisfaction of the Municipal Commissioner.

viii) Parking of automobiles and other light vehicles on open plots even as a business.

ix) Vegetable, fruit, flour, fish or meat market place.

x) General Agriculture and Horticulture (including domestic poultry) upto the tune of 20 birds per plot and with a space requirement of 0.25 sq. m. per bird.

xi) Correctional and mental institutions, institutions for the children, the aged or widows, sanatoria and hospitals in independent building facing on roads of width not less than 12 m. (except veterinary hospitals) provided that those principally for contagious diseases, the insane or for correctional purposes shall be located not less than 45 m. from any residential premises.

xii) Repairing garages not employing nor more than 9 persons or 1.5 KW motive power with no floor above, with the permission of the Planning Authority.

xiii) Business offices on roads of 18m. width and more subject to the fulfillment of parking and other requirements; except that balconies if any of such building shall not be free of F.S.I. computation.

xiv) Residential hotels of lodging houses in independent buildings or parts of buildings or on upper floors thereof with special written permission of the Planning Authority, who will take into account the suitability of the size and shape of the plot, means of access, water and sanitary arrangements etc. before granting the permission. The Commissioner shall not permit such use unless he is satisfied about the provision of these arrangements.

Provided that residential hotels of 4 & 5 star categories may be allowed only in an independent plot of size not less than 2,000 sq.m. and on roads of 15 m. width or more. A hotel of lower star category being also allowed with minimum separate access of 12 meter and more.

Provided further that development of residential hotels of the star categories shall be permitted by the Commissioner, only after due approval from the Tourism Development Authority.

xv) Service Industries - The Service Industries may be permitted in independent building (independent designated plot) in R2 and Commercial zones along with the limitation of area, maximum number of persons to be employed, maximum permissible power requirement and the special conditions if any as given in Table No. 3 for service industries.

xvi) Any other use allowed in consultation with the Director of Town Planning, Maharashtra State in accordance with the intent and spirit of these Regulations.

Note: - Drive-in theatres, theatres, cinemas, club-houses, assembly or concert halls and such other places of entertainment shall be allowed on roads having width exceeding 15m and more. These uses may be permitted in combination with permissible non-residential uses except that of petrol pump, with the special permission of the Planning Authority, however, in the case of a cinema/theatre the front open space shall be minimum 12m. and the side and rear open spaces shall not be less than 6m.

Provided further that in the case of development and/or re-development of a cinema/theatre the user for a cinema/theatre may be permitted in combination with the permissible users in a residential R-2 zone. However, residential user in combination with that of a cinema/theatre may not be allowed in the same building.

Provided further that on plot/lands where there is an existing cinema Theatres, redevelopment of the plots shall be allowed subject to the condition that at least 1/3rd of the existing seats shall be retained, which shall not be below 150 seats and may be developed in combination with R2 zone uses.

2.2.2 Commercial Zone -

In commercial zones, buildings or premises shall be used only for the uses and purposes given below subject to the following conditions:

- (a) all goods offered for sale shall be displayed within the building, excluding passages;
- (b) when the commercial zone boundary falls short of a street, the frontage along such street shall not be permitted to be developed for uses which would not be permissible along such streets and;
- (c) when user other than those permissible in a residential zone without a shop line (R1) have an access from the side or rear open spaces, the width of the such open spaces shall not be less than 7m.

Uses permissible in Commercial Zone :

- i) Any use permitted in residential zone without area and floor restrictions.
- ii) Club, business houses, veterinary- dispensaries, testing labs, paper and plastic packing bags and boxes manufacturing, mattress making.
- iii) Business Offices and exchanges.
- iv) Whole -sale establishments with storage area not exceeding 200 sq. m., subject to fire protection requirements.
- v) Public utility buildings.
- vi) Headquarters organizations.

2.2.3 Industrial Zone-

The following users shall be permissible in Industrial Zone.

a) Service Industries: The service industries may be permitted as given in **Table A**.

b) Other Industries :

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

2.2.3.1 **Conditions for allowing Uses in Industrial Zone -**

i) Any industry / industries may be permitted only with the special permission of the Municipal Commissioner who may grant it after such scrutiny as may be necessary to ensure that the location is appropriate and is not likely to cause nuisance and hazard to adjoining owners. Before granting any such permission, the Municipal Commissioner may prescribe special condition about minimum size of plot and minimum buffer open spaces from the industrial building/ industrial use to residential or habitable zone / use, which shall not however be less than 23 m.

ii) Building or premises in industrial zone may be used for any industrial and also accessory uses like banks, canteens, welfare centre and such other common purposes considered necessary for the industrial workers, except for any dwelling purpose other than quarters of watchmen, caretakers or other essential staff required for maintenance of the premises. Such Residential/Commercial/Other use may be permitted up to 25% of the permissible FSI.

iii) Means of access, Minimum plot size, Permissible FSI, Additional FSI, Marginal distances etc. shall be as mentioned in this Development control regulation.

2.2.3.2 **Regulations for permitting Residential use in industrial zone (I to R Policy).**

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

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

i) Such conversion shall be allowed only on payments of premium at the rate 20 % of the land value as mention in Annual Statement of rates of the respective year.

ii) The conversion of Industrial Zone to Residential/ Commercial zone in respect of industries which are not in operation shall not be permitted unless NOC from Labour Commissioner, Maharashtra State, Mumbai stating that all legal dues have been paid to the workers or satisfactory arrangement between management and workers have been made, is obtained.

However, in respect of any open land in the Industrial Zone where industry never existed, NOC from Labour Commissioner is not required.

iii) In the layout or sub-division of such land admeasuring upto 2 Ha., 10% land for public utilities and amenities, like electric sub-station, bus-station, sub-post office, police out-post and such other amenities/utilities, as may be considered necessary shall be provided.

iv) In such layouts of sub-division having area more than 2 Ha. but less than 5Ha., 20% land shall be provided for public utilities and amenities like electric sub-station, bus-station, sub- post office, police out-post, garden, playground, school, dispensary and such other amenities/utilities as may be considered necessary.

v) In such layout or sub division each more than 5Ha. in area, 25% land for public utilities and amenities like electric, sub-station, bus-station, sub-post office, police out post, garden, playground, school dispensary and such other amenities shall be provided.

vi) The land under public utility / amenity shall be handed over to the Planning Authority in lieu of FSI / TDR or may be develop by the Owner / Developer with proper access and basic land development. These areas will be in addition to the recreational space as required to be provided under these regulations provided that at least 50% of land out of the total provided public amenity/ utility space shall be reserved for unbuildable purposes such as garden, recreational ground, etc.

c) The required segregating distance between Industrial Zone and Residential use as prescribed under these regulations shall be provided within such land intended to be used for residential or commercial purpose.

d) Such residential or local commercial development shall be allowed within the permissible FSI of the nearby Residential or Commercial Zone.

e) Provision for public utilities and amenities shall be considered to be reserved in the Development Plan and Transferable Development Rights against this as per Regulation No 7.0/Part VII may be given or FSI of the same shall be available for utilisation on the remaining land subject to maximum permissible limit of FSI as mentioned in regulation no 4.3.

provided that,

i) Conversion from Industrial Zone to Residential/Commercial Zone shall be applicable to the part area of the land holding subject to the condition that total area of the entire land holding shall be considered for deciding the percentage of the land to be reserved for public amenity/ utility spaces, as per these regulations.

ii) The area under reservation if any, in the said land, shall be adjusted in the area of required amenity / utility space as per these regulations and TDR/in-situ FSI for this area shall be allowed.

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

iv) With the previous approval of the Planning Authority, and subject to such terms as may be stipulated by him, open land in existing industrially zoned land or space , excluding land or space of cotton textile mills, which is unoccupied or is surplus to requirement of the industry's use may be permitted to be utilised for office or commercial purposes.

v) With the special written permission of the Municipal Commissioner, land having area up to 0.20 hectare in size which are allocated for industrial use may be permitted to be used for Residential purpose or any other permissible users in Residential zone. Provided that, in

such case the owner / developer shall require to provide either 10% amenity space in the form of open land or 5% built up space in the proposed construction at appropriate location preferably on ground floor.

vi) While allowing such conversion minimum 25 % built up area shall be used for offices and commercial purpose.

2.2.4 Public Semi-Public Zone-

The following uses shall be permissible in Public Semi-Public Zone-

i) Pre-primary, Primary Schools, High Schools, Technical / Trade Schools, Colleges, Educational Complex, Hostel for students and essential staff quarters.

ii) Hospital, Sanatoria, Dispensary, Maternity Homes, Health Centre, Dharmashala for the visitors of the patients, pilgrims and like essential staff quarters, veterinary hospital, auditorium exhibition hall and gallery.

iii) Training institutions, Home for aged, essential quarters.

iv) Government/ Semi -Government/ Local self-Government offices, Court buildings, essential staff quarters.

v) Post Office, Telegraph office, Telephone Exchange, Radio Station, Staff quarters and similar Govt. / Semi-Govt. offices and quarters.

vi) Library, Mangal Karyalaya, Gymnasium, Gymkhana, Water tanks, Stadium, Community hall, Religious Structures, etc

vii) Besides above, the retail **commercial user** shall be permissible as given below and subject to following conditions:

Area of Plot	Percentage of Permissible retail Commercial Use
Upto 1000 Sq.mt.	7.50%
More than 1000 to 2500 Sq.mt.	10%
More than 2500 to 4000 Sq.mt.	12%
Above 4000 Sq.mt.	15%

Conditions-

a) Convenience shopping, branch of bank, small restaurants etc. shall be permitted. However, hotels/shops for liquor, pan, cigarette, tobacco, lottery tickets and such other uses which do not serve public purpose, similarly domestic gas, kerosene shops/ godowns which are dangerous to public health shall not be permitted.

b) For parking, sufficient area shall be kept in the plot.

c) Additional F. S. I. shall be allowed only on the plot area remained after deducting the plot area utilised for commercial user.

d) The Municipal Commissioner shall not allow sub - division of S. No. / Gat No. / Plot No. on which such a Development which may cause/ has taken place/ would take place.

e) The retail commercial user is permitted upto a depth of 12 m.

f) The plots in which there is an existing development; such commercial use shall be restricted to maximum 15% of the existing and proposed development taken together.

g) The landowner / developer / institution shall give guarantee in writing to the Municipal Commissioner for following all the stipulated conditions scrupulously.

viii) Petrol/LPG/CNG Pumps shall be allowed subject to conditions mention in regulation No 2.1.5 (xxii).

Note: i) With prior approval of the Director of Town Planning, Maharashtra State, Pune; the Municipal Commissioner may include other items of public interest in the list which are not covered in the above list.

ii) For the construction of above uses/buildings, regulation as mentioned in PART V shall apply.

iii) If the rented use is shifted or drafting error observed on development plan regarding such existing use, then it shall be corrected with the previous approval of Joint Director of Town planning.

2.2.5 Agriculture /Green Zone - The Agriculture / Green Zone is segregated in two zones as a restrictive and prohibitive Agriculture / Green Zone.

a) Restrictive Zone - Following uses are allowed in such zone:-

i) Agriculture, horticulture and animal husbandry (except for keeping animals on a commercial scale), subject to a limit of 10 head of cattle per acre and providing necessary buildings, garages, pig sites stables and storage buildings;

ii) Gardens and poultry farms;

iii) Forestry;

iv) Golf clubs and links;

v) Public parks, private parks, play fields, stadia, gymkhanas, swimming pools, gliding facilities, temporary camps for recreation of all types.

vi) **Amusement park**, in a plot of not less than 5 ha. in area, with recreational and amusement devices like a giant wheel, roller coaster, merry-go-round or similar rides both indoor and outdoor, oceanic -park, swimming pool, magic mountain and lake, ethnic village, shops for souvenirs/citations, toys, goods, refreshments and beverages on the following **conditions** with the special permission of the Planning Authority.

a. The required infrastructure, like proper and adequate access to the park, water supply, sanitation, conservancy services, sewage disposal and adequate off-street parking will have

to be provided and maintained by the promoters of the project at their cost and to the satisfaction of the Planning Authority.

b. The promoters of the project shall provide adequate facilities for collection and disposal of garbage at their cost, and to the satisfaction of the Planning Authority and will keep, at all times, the entire environment clean, neat and hygienic.

c. Structures for indoor rides and ancillary activities, such as administrative offices, exhibition hall or auditorium, restaurant, open air theatre, essential staff quarters, store buildings, fast food shops, museum, souvenir and small shops, ancillary structures to swimming pool, may be permitted subject to a maximum floor space index not exceeding 0.04; i.e. FSI of 0.025 for principal activity and 0.015 for ancillary activities.

d. Structures permitted in the amusement park (except those intended for park apparatus, entertainment such as magic mountain etc. and other equipment) should be ground floor structures, with the construction blending with the surrounding environment and landscape.

e. Except for minor dressing, hills and natural features, if any, shall be maintained in their natural condition and beautified with planting of trees etc.

f. All trees already growing on the land shall be preserved to the extent possible, except that if it becomes necessary to cut any tree, the required permission of the Planning Authority should be obtained under the law. At least 5 trees per 100 sq. m. shall be planted and grown within the area of the park.

g. Sufficient parking facilities and ancillary facilities for cars, buses, transport vehicles etc. shall be provided on site as prescribed by and to the satisfaction of the Planning Authority.

h. The promoters of the project will prepare a suitable layout with appropriate landscaping of the recreational and other facilities and obtain approval of the Planning Authority.

i. No objection certificate of the Tourism Department shall be obtained.

j. The development shall be regulated according to other requirements of these and all applicable rules and Regulations and subject to all other clearances as may be required.

k. Proper arrangements for safety, Regulations of traffic approaches to the park etc. shall be made to the satisfaction of the Planning Authority and Police from the law and order and traffic aspects.

vii) Race tracks and shooting ranges.

viii) Fish curing on open land/fish farming.

ix) Salt manufacture from sea water.

x) Public utility establishments such as electric sub-stations, receiving stations, switch yards, over-head line corridors, radio and television stations, receiving stations, main stations for public gas distribution, sewage treatment and disposal works, water works along with

residential quarters for essential staff for such works, with the special permission of the Planning Authority.

xi) Cemeteries and crematoria and structure incidental thereto.

xii) Structure for watchmen's quarters each not exceeding 20 sq. m.

xiii) IT/ITES Parks/Units set up by public or private sector; shall be allowed in No Development zone, subject to regulation no 6.4 of Part VI.

xiv) Development of Cinema and TV Film production, shooting, editing and recording studios with its ancillary and supporting users, including construction of staff quarters, rest rooms, canteens etc. shall be allowed subject to the following conditions:

a. The minimum plot area (necessarily under one ownership) shall not be less than 2 hectares.

b. The total permissible FSI shall not exceed 0.2.

c. Out of the permissible built up area equivalent to 0.2 FSI, built up areas for ancillary and supporting users shall not exceed 1/3rd of permissible FSI

d. The construction shall be confined to 10% of the plot and the remaining plot (excluding areas required for parking, roads etc.) shall be planted with trees at the rate of 500 trees per hectare.

xv) Users of such as Educational Institutions, Medical Institutions, Research and Development Institutions and Biotech units shall be permitted in No Development Zone subject to the following conditions:-

a. Minimum area of plot shall be 0.40 hect.

b. Maximum FSI shall be 0.30 and as far as possible the development shall be at one place of the total land.

c. Tree plantation shall be done at the rate of 500 Trees/Ha. on the remaining land excluding the built-up area and the surrounding open space/utility space.

d. The maximum height of the building shall not exceed 15 mt.

e. Essential residential development for the staff/officer's accommodation shall be permitted upto the extent of 33% of the permissible built-up area.

f. These uses shall be permitted in No Development Zone, within a distance of 3 km. from the adjoining developable zone.

g. Development in plots affected by CRZ area shall be permissible, subject to the MoEF notification issued from time to time.

h. Research and Development of hazardous chemical and explosives shall not be permissible.

xvi) Fish farms, fish drying, storage of boats, servicing and repairs of boats.

xvii) Storage and drying of fertilizers.

- xviii) Religious buildings, cemeteries and crematoria and structures incidental thereto;
- xix) Small agro based industries processing agricultural products like rice mills, poha factories and other rural based service industries;
- xx) Quarrying of stone, murum or earth including mechanized stone crushing or stone dressing subject to conditions mentioned by the district collector.
- xxi) Petrol Pump/LPG Pump/CNG Pump : Petrol Pump, LPG Pump, CNG Pump is permissible in No Development Zone subject to following conditions:-
- a) The minimum size of plot shall be,
- i) 30.50 m x 16.75 m. in the case of Petrol/LPG/CNG Filling Station with kiosk without service bay;
- ii) 36.50 m x 30.50 m. in the case of Petrol/LPG/CNG Filling Station with service bay.
- b) Plot shall be located /fronting on National Highway, State Highway, Major District Road, Other District Road or Village Road or other road with a minimum width of 12.00 m. or more.
- c) Permission from Government of India, Petroleum Ministry and Chief Controller of Explosives shall be necessary.
- d) NOC from public works department and other related departments shall be obtained as per the prevailing rules. Also regarding service road / building line / control line, Government Resolution, Public Works Department, No. RBD-1081/ 871/Raste-7, dated 09 March 2001 and circulars issued in this regard from time to time shall be observed. Instructions contained in Government of India, Ministry of Road Transport and Highways letter dated 25/09/2003 and 17/10/2003 and its enclosures shall be observed.
- e) The plot on which a petrol filling station with or without service bays is proposed shall be on an independent plot on which no other structure shall be constructed.
- f) Petrol/LPG/CNG station shall not be permitted within a distance of 90 meter from junction of roads having minimum width of 12 m. each. Also Petrol station shall not be sited within a distance of 90 m. from the nearest premises of school, hospital and theatre, place of assembly or stadium.
- g) In the case of kiosks and other buildings for sales office, snack bars etc. within the plot for Petrol/LPG/CNG filling stations, the setbacks from the boundaries shall be 4.50 m. Further the other clearances for the installations shall be as per the Petroleum Rules of 1937.
- xxii) Construction of new communication routes including roads, highways, railways, airports, jetties, etc.
- xxiii) Slaughter house or facilities for processing and disposal of dead animals subject to conditions of Planning Authority.
- xxiv) L.P. Gas Godowns subject to following conditions:

- i) Area of plot shall not be less than 1000 Sq.m.
- ii) The maximum permissible FAR shall be 0.20 on this plot.
- iii) Only ground floor structure would be permissible.
- iv) It is necessary to obtain “No Objection Certificate” from Controller of Explosives and competent fire authority.
- v) Condition imposed by planning authority should also be followed.
- xxv) Highway amenity users such as Transport Mall, Truck Terminus, Motels, Restaurants, service shops, transfer godowns etc. upto G+1 structures in a plot not less than 0.4 Ha in area with 0.1 FSI.
- (xxvi) Solid waste management, land fill sites, bio-gas plants, power generation from waste.
- (xxvii) Power generation from non-conventional sources of energy.
- (xxviii) Nonpolluting, nonhazardous industries with the approval of industries department and NOC from pollution department with FSI of 0.20 on gross plot area.
- (xxix) Government project affected Rehabilitation sites.
- (xxx) Town planning scheme for minimum 20 hector area, subject to condition that road network in scheme area shall be provided and minimum width of the road shall not be less than 24m wide and entire cost of scheme shall be borne by the owners/developers. After sanction of preliminary scheme under section 86 of the act, all uses as that of residential zone, shall be permitted. FSI and other regulation shall applicable as per residential zone.

Note:-

- i) The permissible FSI for uses in No Development Zone will be **0.20** on gross area, if not specified.
- ii) Any other use not specified above would be permissible with prior approval of the Director of Town Planning, Maharashtra State.

b) Prohibitive Zone - Following areas are prohibited from any development.

- i) Area within the blue flood line from the river
- ii) Hill top hill slope zone
- iii) Mangroves / marshy land
- iv) Area within the CRZ
- v) Buffer zone where any kind of development is not allowed
- vi) **Green Belt** : Following uses shall be permissible in the Green Belt.

Agriculture, Tree Plantation, Gardens, River front development, Land scaping, Recreational open space etc., Development of pedestrian pathways, Jogging track, Cycle track, Boat club etc.

2.2.6 Commercial use of lands owned by Zilla Parishad, Panchayat Samiti :

Notwithstanding anything contained in these Regulations or the Development Plan, the land owned by Zilla Parishad, Panchayat Samiti (excepting the lands reserved for the appropriate authority other than Zilla Parishad, Panchayat Samiti) shall be allowed to be developed for commercial use up to the maximum extent of 33% of the Floor Space Index available & subject to the general restrictions applicable otherwise to such development & also in accordance with Rural Development and Water Conservation Departments Resolution No. Sankul 2004/Pra.Kra.54/Para – 8, dated 30-04-2004 & as may be modified from time to time subject to the following conditions. -

- i) The lands must be owned by Zilla Parishad / Panchayat Samiti, as the case may be.
- ii) These lands are not reserved for any other appropriate authority in Development Plan/Town Planning Schemes.
- iii) Independent access of appropriate width shall be separately provided for each commercial user and original user.
- iv) Parking requirement as prescribed for each type of user shall have to be provided

2.2.7 Uses Permissible In Proposed Reservations-

i) The uses permissible in reserved sites shall be conforming to the use for which it is reserved. The required parking, public toilets and separate place for garbage bins shall also be provided in the reserved site itself.

ii) 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 addition, covered swimming pool & allied construction, gymnasium, covered badminton court, pavilion, watchman quarter, small restaurant to the extent of 20 sq.m; not exceeding 10% of the playground area.

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

Note: The FSI permissible for (a) & (b) above shall be 0.1 and 0.25 respectively.

c) Garden – In addition to the main use of garden, open swimming pool & allied construction, water tank, rain water harvesting system, gardener / watchman quarter, small restaurant or food stalls to the extent of 20 sq.m. Total FSI used for such constructions shall not exceed 4% of the garden area.

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

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

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

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

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

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

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

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

l) Library – In addition to library, nursery school, balwadi.

m) Health Centre / Hospital / Maternity Home / Dispensary – Any sort of medical facilities alongwith ancillary construction such as staff quarters, chemist shop, restaurant, ATM, PCO, cyber café of not more than 20 sq.m., etc. Sleeping accommodation for guests in case of bigger hospitals of built up area not less than 6000 sq.m. may be permissible.

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

O) S.T. Stand and commercial uses - Out of total FSI, maximum 1.00 FSI shall be allowed to be developed for commercial use and remaining FSI shall be for the self-use of the said Corporation permissible as per the Development Plan.

Note:-

1) The basic permissible FSI for above uses shall be 1.30 and 2.00 on the gross area of reservation, in non-congested and congested area respectively, if not specified.

2) Other reservations - The reservations which have not appeared in the above list, may be allowed to be permitted to be developed for the compatible uses with the approval of the Director of Town Planning, Maharashtra State, Pune.

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

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

16)	Engraving etching block marking etc.,	10 HP	9 persons	120 sq.m	Operation shall be permitted only between 8 hrs to 20 hrs.
17)	Book Binding	10 HP		9 persons	120 sq.m.
VI) Leather Products					
18)	Manufacture of leather footwear	5 HP	9 persons	50 sq.m.	--
19)	Manufacture of wearing apparel like coats gloves etc.,	5 HP	9 persons	50 sq.m.	--
20)	Manufacture of leather consumer goods such as upholstery suitcases pocket book cigarette and key cases purees etc.	5 HP	9 persons	50 sq.m.	--
21)	Repair of footwear and other leather goods	5 HP	9 persons	50 sq.m.	--
VII) Rubber and Plastic Products					
22)	Retreading and Vulcanizing works	2 HP	9 persons	50 sq.m.	----
23)	Manufacture of rubber balloons	2 HP	9 persons	50 sq.m.	----
VIII) Metal Products					
24	Tool sharpening and razor sharpening works	1 HP	9 persons	25 sq.m.	Operation shall be permitted only between 8 hrs. to 20 hrs.,
IX) Electrical Goods					
25)	Repair of household electrical appliances such as radio set, television set, tape recorders, refrigerators, heaters, irons, shavers, vacuum cleaners, air conditioners, washing machine, electric cooking ranges, motor rewinding works etc.,	3 HP	9 persons	50 sq.m.	Operation shall be permitted only between 8 hrs to 20 hrs.
X) Transport Equipment					
26) a)	Service of motor vehicles and motor cycles with no floor above	5 HP	9 persons	50 sq.m.	Operation shall be permitted only between 8 hrs to 20 hrs

b)	Repair of motor vehicles and motor cycles with no floor above	5 HP	9 persons	50 sq.m.	No spray painting permitted
c)	Battery charging and repair	5 HP	6 persons	25 sq.m.	--
27)	Repair of bicycles and cycle rickshaws	5 HP	6 persons	50 sq.m.	No spray painting permitted
XI) Other manufacturing and Repair Services					
28)	Manufacture of jewellery and related articles	3 HP	9 persons	50 sq.m.	Operation shall be permitted only between 8 hrs to 20 hrs.
29)	Repair of watch clock and jewellery	3 HP	9 persons	50 sq.m.	Operation shall be permitted only between 8 hrs to 20 hrs
30)	Manufacture of musical instrument and its repair	No power to be used	6 persons	50 sq.m.	Operation shall be permitted only between 8 hrs to 20 hrs
31)	Repairs of looks slovee umbrellas sewing machines gas burners, buckets and other sundry household equipments optical glass grinding and repairs.	3 HP	9 persons	50 sq.m.	Operation shall be permitted only between 8 hrs to 20 hrs
32)	Petrol filling stations	10 HP	9 persons	i) 30.5 x 16.75 m ii) 33.5 x 30.5 m	Plot size to be in line with IRC recommendations depending on service bay or not
33)	Laundress laundry service and cleaning dyeing bleaching and dry cleaning	4 KW	9 persons	50 sq.m.	i) Cleaning and dyeing fluid shall not have flash point lower than 138 F.
					ii) Operation shall be permitted between 8 hrs to 20 hrs
					iii) Machinery having dry load capacity of 20KG and above
34)	Photo processing laboratories, Xeroxing photo copy videotaping and their repairing	5 HP	9 persons	50 sq.m.	Operation shall be permitted between 8 hrs to 20 hrs
35)	Ready Mix Concrete Plant	3.75 HP	9 persons	50 sq.m.	--
36)	Non polluting, High Tech, High Value added Electronic Industries	---	9 persons	50 sq.m.	--

PART III
GENERAL LAND SUBDIVISION REQUIREMENTS

3.1 Requirements Of Sites-

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 or that it is dangerous to construct a building on it;
- b) if the site is within a distance of 9 m. from the edge of water mark of a minor water course (like nallah) and 15 m. from the edge of water mark of a major water course (like river, water body) shown on Development Plan or village/city survey map or otherwise. Provided that where a minor water course passes through a low lying land without any well defined banks, the owner of the property may be permitted by the Commissioner to restrict and/or to re-align within the same land along with cross section as determined by the Commissioner without changing the position of the inlet and outlet of the water course .In such case marginal open space shall be atleast 4.50 mt from the edge of the trained nala.
- c) if the site is not drained properly or is incapable of being well drained;
- d) if the owner of the building has not proposed appropriate measures required to safeguard the construction from constantly getting damp to the satisfaction of the Authority.
- e) if the building is for assembly uses, for cinemas and theatres as well as for public worship which has not been previously approved by the Commissioner ;
- f)if the building is proposed on any area filled up with carcasses, excreta, filth and offensive matter till the production of certificate from the Commissioner to the effect that it is safe from the health and sanitary point of view, to be built upon;
- g) if the use of the site is for the purpose, which in the opinion of the Authority will be a source of annoyance to the health and comfort of the inhabitants of the neighbourhood;
- h) if the plot has not been approved as a building site by the Commissioner.
- i) if the proposed occupancy of the building on the site does not conform to the land use proposals in the development plans or Zoning Regulations,
- j) if the level of the site is less than prescribed datum level depending on topography and drainage aspects.
- k) if it doesn't derive access from an authorised street/means of access described in these Regulations,
- l) if it is within the river/lake boundary and blue flood line of the river (prohibitive zone).

m) if the site is within the boundary of Coastal Regulation Zone, provisions of CRZ Notification Dt 06/01/2011 as amended time to time shall apply

n) if the site is not developable by virtue of restrictions imposed under any law or guidelines of any government department.

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

3.1.1 Distance of site from Electric Lines:

No structure including verandah or balcony shall be allowed to be erected or re-erected or any additions or alterations made to a building on a site within the distance quoted in Table No. 4 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. 4

Voltage Lines	Vertically(Meters)	Horizontally(Meters)
Low and medium voltage Lines and	2.50	1.20
High voltage lines up to and including 33,000 V	3.70	2.00
Extra High voltage lines beyond 33,000 V	3.70	2.00
	(Plus 0.3 m. for every additional 33,000 V or part thereof)	
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.		

3.1.2 Construction within blue and red flood line –

i) Only open users shall be allowed in blue flood line and user permissible by the irrigation department.

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

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

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

iv) 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, future urbanisable zone, then, FSI of this part of land may be allowed to be utilised on remaining land.

3.1.3 Development within 30 m. from Railway boundary

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

3.1.4 Environmental Clearance

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

3.1.5 Development Along Highways / Classified Roads

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

3.1.6 Development within 500 M. From the Jail Premises.

The developments around the jail premises shall be governed by Maharashtra Prison Manual (Prison Building and Health Management) Rule, 2015 prepared under the provisions of the Maharashtra Prison Act, 1984 and as amended by the Government from time to time.

3.1.7 Distances from land fill sites.

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

3.2 Means Of Access

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

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

3.2.1 Width of Means of Access:-

A) For Residential Development -

The plots shall abut on a public means of access like street / road. Minimum width of access / layout road / internal road in any development proposal / subdivision / group housing shall be as given in Table No.5.

Sr. no.	Length of Mean of Access in m.	Width of Means of Access in m.
i	<i>Upto 150</i>	<i>9.00</i>
ii	<i>Above 150 and upto300</i>	<i>12.00</i>
iii	<i>Above 300</i>	<i>15.00</i>

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.5 (a).

Means of Access For Other than Residential Development

<i>Table 5 (a)</i> <i>MEANS OF ACCESS</i>		
<i>Sr. no.</i>	<i>Length of Mean of Access in m.</i>	<i>Width of Means of Access in m.</i>
<i>i</i>	<i>Upto 75</i>	<i>12</i>
<i>ii</i>	<i>75 to 150</i>	<i>15</i>
<i>iii</i>	<i>Above 150</i>	<i>18 or more</i>

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

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

<i>Table 5(b)</i> <i>MEANS OF ACCESS</i>		
<i>Sr. no.</i>	<i>Length of Mean of Access in m.</i>	<i>Width of Means of Access in m.</i>
<i>i</i>	<i>Upto 150</i>	<i>7.50</i>
<i>ii</i>	<i>Above 150 and upto300</i>	<i>9.00</i>
<i>iii</i>	<i>Above 300and upto 600</i>	<i>12.00</i>
<i>iv</i>	<i>Above 600</i>	<i>15.00</i>

Note- in case group housing scheme , building is proposed as mentioned in regulation no 6.2.6.1 then such scheme shall abut on minimum road width of 12 mt

D) Pathways: A pedestrian approach to the buildings from road / street / internal means of access wherever necessary, shall be through paved pathway of width not less than 2.0 m., 3.0, 4.5m.and 6.00 m provided its length measured from exit way of the building is not more than 20 m. 40 m, 60m and 75 m. respectively from the means of access. If the length is more than 60m., then width of the road as provided under regulation no.3.2.1shall be necessary. This provision shall also apply to group housing scheme or layout of building for other uses

3.2.2 The length of means of access shall be determined by the distance from the farthest plot (building) to the public street. The length of the subsidiary access way shall be measured from the point of its origin to the next wider road on which it meets.

3.2.3 In the interest of general development of an area, the Commissioner may require the mean of access to be of larger width than that required under regulation No. 3.2.1

- 3.2.4 In case where a private passage is unrestrictedly used by public for more than 10 years as a means of access of width not less than 9 m. to a numbers of plots, the Commissioner may take steps including improvement under, the provision of relevant Act to declare it as a public street.
- 3.2.5 In congested areas in the case of plots facing street / means of access less than 4.5 m. in width the plot boundary shall be shifted to be away by 2.25 m. from the centre line of the street/ means of access to give rise to a new street / means of access of width of 4.5 m. clear from the structural projections.
- 3.2.6 Means of access shall be levelled, metalled, flagged, paved, sewered, drained, channelled, lighted, laid with water supply line and provided with trees for shade (wherever necessary) to the satisfaction of the Authority, free of encroachment and shall be maintained in a condition to the satisfaction of the Commissioner.

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.

3.2.7 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 and such other roads having a width of 30 m. or more subject to the provisions of State Highways Act, 1965 and National Highway Act 1956. ***Provided that*** in suitable cases, the planning authority may suspend the operation of this rule till service roads are provided.

3.2.8 Additional provisions of means of access to High rise/Special Buildings-

- a) The width of the main street on which the building abuts shall not be less than 12 m. and one end of this street shall join another street of width not less than 12 m. in width .
- b) The open spaces on its all sides of buildings shall be 6 m. width or as per Regulation No.4.2.2 whichever is more and the layout for the same shall be approved in consultation with the Fire Officer, Fire Brigade Authority and the same shall be of hard surface capable of taking the weight of fire engine. The said open space shall be kept free of obstructions and shall be motorable.
- c) Main entrances to the plot shall be of adequate width to allow easy access to the fire engine and in no case it shall measure less than 4.5 m. The entrance gate shall fold back against the compound wall of the premises, thus leaving the exterior access way within the plot free for movement of fire service vehicles. If main entrance at boundary wall is built over, the minimum clearance shall be 4.5 m.

3.2.9 Land Locked Plot :-

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

3.3 Regulations for land subdivision and layout-

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

i) When more than one building except for 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 or sub-division of his entire contiguous holding.

ii) When development and redevelopment of any tract of land which includes division and sub-division or amalgamation of plots for various land uses within a colony.

iii) When group housing scheme or campus /cluster planning of any use is proposed.

iv) In case of land subdivision or layout, tentative layout shall be recommended for demarcation at first instance. After having demarcated the layout by the Land Records Department, the owner shall submit the demarcated layout for final approval to the Authority and the Authority shall examine the provision laid down in these regulation and grant final approval, if it is in accordance with the layout recommended for demarcation and confirming to the regulations. However, no such tentative and final demarcated layout shall not be insisted in case of group housing scheme, public education or specular plans.

3.3.2 Roads / streets in Land Sub-division or Layout.

a) The width of roads/ streets/ public and internal access including pathway shall conform to provisions of Regulation No. 3.2.

b) In addition to the provisions of Regulation No 3.2 Cul-de-sacs giving access to plots and extending upto 150 m. normally and 275 m. maximum with an additional turning space at 150 m. will be allowed only in residential area, provided that Cul-de-sacs would be permissible only on straight roads and further provided that cul-de-sacs ends shall be higher in level than the level of starting point. The turning space, in any case shall be not less than 81 sq. m. in area with no dimension being less than 9 m.

3.3.3 Intersection of Roads:-

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

Fig. 1- Rounding off intersections at junctions

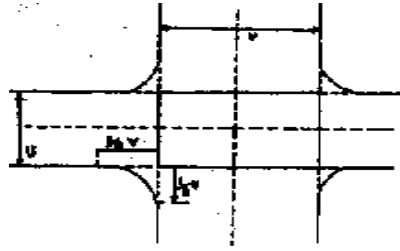
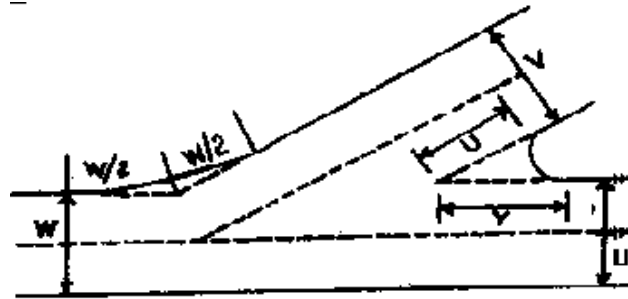


Fig.2. - Rounding off intersection at junctions.



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

b) 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.

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

3.4 Recreational open spaces:

In any layout or subdivision or any development of land, after deducting D.P. road and reservation area, amenity space required as per regulation no 3.5 if any, 10% of the area of land under subdivision shall be earmarked 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.

3.4.1 Provided that,

i) If the area under subdivision/layout is less than 0.20 hect, the recreational open space may not be insisted, however 10% area of the land under layout shall not be considered for computation of FSI. The basic FSI of such subdivided plot shall be restricted to 90%.

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

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

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

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

a) 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. On sanction of the development permission, the recreational open space shall deem to have vested in the society/association of the residents/occupants. In case such society or association is to be formed, the possession/custody of recreational open space shall remain with the commissioner until such association/society is formed. In case of group housing scheme, if the developer/owner intend to develop such open space for bonafide use of resident, then the Commissioner may allow the same while granting the development permission.

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

3.4.3 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.

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

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

3.4.6 Minimum dimensions -

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

3.4.7 Such recreational open space shall also be necessary for group housing scheme or campus/ cluster planning for any use / zone.

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

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

ii) The structures used for the purpose of pavilion or gymnasium or club house or vipashyana and yoga center or crèche or kindergarten or library or water tank, health out post if required by the Planning Authority or other structures for the purpose of sports and recreation activity may be permitted. Convenience Shopping below pavilion facing on road on payment of premium at the rate of 10 % of the land rate in ASR with requisite side margin required for stadium may be allowed.

iii) A swimming pool may also be permitted in such a recreational open space.

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

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

3.4.9 Every plot meant for a recreational open space shall have an independent means of access, unless it is approachable directly from every building in the layout.

3.5 Amenity Space

a) Amenities for layouts of larger areas in Residential /Commercial Zone:

In layout or subdivision or any development of land admeasuring 1.00 hect. and more, after deducting D.P. road and reservation area, if any, 5 % of the area of land under subdivision shall be earmarked as *Amenity space* which shall as far as possible be provided in one place.

Provided that in case of conversion from Industrial to Residential under Regulation No. 2.2.3.2, above amenity space need not be required .

Provided further that in the Regional Plan or Zone Plan or any other plan has a provision of amenity space more than what is stipulated in this regulation, then amenity space as required under such plan shall prevail.

Uses in Amenity Space provided under regulation no 3.5(a) -

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

b)Amenity Space in an industrial zone-

In layout or subdivision or any development of land admeasuring 1.0 hect. and more, after deducting D.P.road and reservation area, if any,5 % of the area of land under subdivision shall be earmarked as *Amenity space* which shall as far as possible be provided in one place.

Provided that, such amenity space shall not be required in case of conversion from Industrial to Residential under Regulation No. 2.1.4.1

Uses in Amenity Space provided under regulation no 3.5(b) -

The area earmarked for amenity space shall be developed for uses such as convenience shopping, parking lots, , sub post-office, police station, electric substation, ATM of banks, electronic cyber library, open market, garbage bin, water supply, electricity supply and includes other utilities, services and conveniences, buildings for banks, canteens, welfare centres, health centres, health club, offices, crèches and other common purposes considered necessary for industrial users as approved by the Commissioner.

3.5.1) Construction in Amenity Space-

i) The construction of buildable uses in above amenity space at (a) and at (b) shall be allowed for 1.30 FSI .Additional FSI shall be allowed for building constructed in amenity space as mentioned in Table 17/Part V Maximum height shall be 24 meter. The side margins, parking and other stipulations shall be as per the regulations of this DCR.

3.5.2)FSI/TDR for Amenity Space-

i) The area designated/reserved for amenity space, as mentioned above shall be deemed to be designations or reservations in the Development Plan. TDR of such amenity shall be available after handing over this amenity space free of cost to the Planning Authority

ii) If owner desires then the amenity space can be handed over to the planning authority in lieu of FSI .The FSI shall be equal to the surrendered area of the amenity space and shall be allowed to be utilized on the remaining plot. In case of plotted layout, the FSI of the amenity space surrendered shall be distributed on prorata basis on the plots within the layout, subject to maximum limit specified in these regulations.

iii) If there is any development plan reservation (excluding DP roads) in land development proposal, then area of such reservations shall be adjusted against this amenity space and the owner of the said land shall not be required to part with the area for the amenity space to that extent. However, such area under reservation shall be handed over to the planning authority at the time of final approval of the development proposal.

iv) The Commissioner instead of taking over the amenity space, may allow the owner to develop the amenity space for specific uses on terms and condition as may be decided by him. In such cases, no in-situ FSI or TDR shall be allowed.

3.6 Provision for electric sub- station-

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

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

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

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

3.7 a) Minimum Plot area for various uses :

Minimum plot areas for various uses shall be as given in Table No.6 below -

Table No 6				
MINIMUM PLOT AREA, PLOT WIDTH FOR VARIOUS USES				
Sr. No (1)	Uses (2)	Plot area (in sq.m.) (3)	Min. Plot Width (4)	Type of Development (5)
1	Residential and Commercial (except those in 2,3 & 4 below)	30 and above but upto 125	As per Table No.9	Row
		Above 125 but less than 250		Semi-detached / Detached
		250 & above		Detached
2	Plots in EWS Housing / High Density Housing / Sites and Services / Slum Upgradation / Reconstruction Scheme by public authority.	25 and above but upto 125	As per Table No.9	Row
3	Petrol Filling station-			
	(a) Without service bay	545	16.75 m	Detached\
	(b) With service bay	1100	30.5 m	Detached.
4.	Industrial	<u>300</u>	10 m	Detached.
5.	Cinema Theater/Assembly Halls	The minimum size of plots for cinema theater/assembly building shall be on the basis of seating capacity of the building at the rate 3.0sq.m per seat, subject to minimum 1000 sq.m.		
6.	Public Entertainment Hall/Mangal Karyalaya	The minimum size of plots shall be 1000 sq.m		
7.	Other Buildings	The minimum size of plots for buildings like business, educational, mercantile and other uses which are not specified in this regulation, shall be decided by the Commissioner		

Note-

- i) The plot width to depth ratio shall be 1 : 1.5 to 1 : 2.5; as far as possible.
- ii) In Public Housing Schemes for E.W.S. undertaken by government or semi- government organizations, marginal spaces will be as per their respective schemes and rules.
- iii)The front setback for already existing layouts / roads shall be as per existing schemes

3.8 Provision of plots / tenements for EWS/LIG:

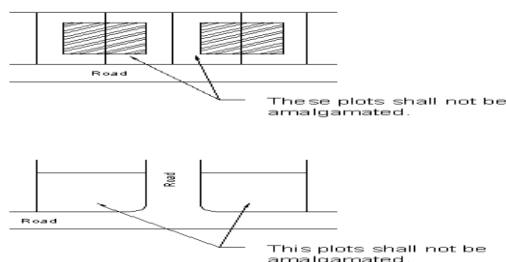
The provision regarding inclusive housing in development proposal shall be made applicable per the final sanction notification of the Government dated 8th November, 2013 and subsequently amended on 3rd September, 2015 and more specifically mention at regulation no 6.14.

3.9 Amalgamation of Plots:

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

a) amalgamation of plot having different tenure

b) The amalgamation of plot which is not desirable from planning point of view(eg. as shown in below) shall not be permitted.



3.10 Net Plot area for Computation of FSI:-

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

i) In case of a layout/sub-division /development such net area shall be calculated at 90 % of the gross plot area, after deducting from the gross area of plot, the area covered by amenity space under this regulations and Development Plan proposals, if any.

ii) In case of group housing scheme on land having original holding more than 0.20 Hect. net plot area shall be 90 %.excluding area covered by amenity space under this regulations and Development Plan proposals, if any.

iii) In case of plots from the approved layouts, the same plot shall be treated as net plot area and shall be eligible for full permissible FSI under these Regulations.

iv) In case of amalgamated plots, the net plot area is equal to gross plot area after amalgamation for computation of FSI provided original land holding of each plot does not exceed 0.20 Hect.

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

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

(a) if the reservation proposed to be relocated is in parts;

(b) beyond 200 mts. of the location in the Development Plan;

(c) beyond the same holding of the in which such reservation is located;

(d) unless the alternative location and size is at least similar to the location and size of the Development plan as regards access, levels, etc.;

(e) unless the relocation is within area covered by the layout or development permission under sanction; and

(f) *if the reservation is already shifted under these regulations.*

(g) if the land is reserved in view of its geographical location like Bio-Diversity Proposal, Nala training reservation etc.

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

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

3.12 Adjustment of the boundaries of the reservation-

The Commissioner with the consent of the owner, may adjust the boundaries of the reservation in the same land and location provided that the area of such reservation is not reduced.

3.13 Combination of Public Purposes / uses in reserved sites:-

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 in consultation with the Divisional Head of Town Planning Department. Provided that such partial use shall not exceed 40% of the reserved area and such combination shall not be of incompatible uses.

3.14 Road Widening and Construction of New Roads:-

The Municipal Commissioner may permit on the same plot, additional FSI of the area required for road widening or for construction of a new road proposed under the Development Plan, if the owner (including the lessee) of such land surrenders such land for road widening or construction of new road without claiming any monetary compensation in lieu thereof and hand over the same free of encumbrances to the satisfaction of the Municipal Commissioner. FSI generated against the surrender of land, shall be in proportion to the provisions of TDR as mentioned in Regulation no.7.00 of Part VII and may be utilised on the remaining land. If desired by the owner, TDR may be granted against such surrendered land instead of utilizing FSI on remaining land. Such TDR shall be allowed to be utilised as a Development Rights in accordance with the rules regulating Transfer of Development Rights (TDR). Thereafter, the road shall be transferred in the city survey records/revenue records in the name of the Municipal Corporation and shall vest in it becoming part of a public street.

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 provisions of TDR as mentioned in Regulation no.7.00 of Part VII

Note 1 : This regulation shall also be applicable to core 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, neither TDR or the FSI shall be permissible.

PART IV

GENERAL BUILDING REQUIREMENTS (MARGINAL SPACES, SET BACKS, HEIGHT, PERMISSIBLE FSI)

4.1 MARGINAL OPEN SPACES, AND PERMISSIBLE FSI FOR BUILDINGS SITUATED WITHIN CONGESTED AREA-

Following regulations for congested area shall be applicable for the lands included in congested area as shown on the development plan. For the areas outside congested area in the development plan, regulation for outside-congested area shall apply. However, in congested area, if the original land holding is more than 0.40 Hect., then all the regulations of non-congested area shall apply.

4.1.1 Residential and mix user buildings -

a) Floor Space Index-

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

b) Marginal Open Spaces/Setback -

The minimum front setback from the existing or proposed road shall be as under:-

Table No. 7

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

No such setback shall be necessary for pathways provided as per Regulation No. 3.2.1(D)

c) Side & rear open spaces shall be as below :-

Table No.8

Residential Plot Area	Side	Rear
Upto 250 sq. m	0.00	1.00
Above 250 & upto 500 sq. m	1.00	1.00
Above 500 sq. m. & upto 1000 sq.m	2.00	2.00
Above 1000 sq.m.	As per Regulation No. 4.2	

NOTE :- For common wall construction, length of common wall shall not be more than 8 m.

d) For streets less than 7.5 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 balconies, cornices, weather sheds, roof projections etc. shall be allowed in the setback distance prescribed above as per Regulation No. 4.8.

f) **Height-** The height of the building shall be governed by Regulation No. 4.5

4.1.2 Educational, Medical, Institutional, Commercial, Mercantile and Other Buildings:

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

b) **Open Space** - For these buildings open spaces shall be 3 m. on all sides.

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

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

4.1.3 Pathway for access to the internal building or interior part of the building, the pathway shall not be less than as mentioned in Regulation No. 3.2.1(D).

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

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

4.2 MARGINAL OPEN SPACES, AREA AND HEIGHT LIMITATIONS AND PERMISSIBLE FSI FOR BUILDINGS SITUATED OUTSIDE CONGESTED AREA.

4.2.1 MARGINAL OPEN SPACES FOR RESIDENTIAL BUILDINGS HEIGHT 16 M AND BELOW.

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

Table No.9					
Sr No	Description of the road	Min Plot Size in Sq mt	Min width of plot in meter	Min set back from road side in meter	Min side& rear open space in meter
1	NH/SH	450	15	4.5 mt or as specified by Highway rule whichever is more	3.0
2	MDR/ODR	450	15	4.5 mt or as specified by Highway rule whichever is more	3.0
3	Roads 24 meters and above	300	12	4.5	3.00
4	Roads 24 mt below and upto 15 mt.	250	10	3.00	3.00
5	Roads below 15 mt and above 9 mt.	150	10	3.00	1.50 (in case of semi-detached building, only one side open space shall be permissible)
6	Road upto 9 mt.	100	7	3.00	1.50
7	Row Housing on roads of 12 mt. and below	50 to 125	3.50	2.25	a) Side open space- 0.00 (In case of corner plot, 1.50 or building line of adjoining road whichever is more) b)Rear open space- 1.50
8	Row Housing for EWS/LIG/Slum Upgradation etc. by public authority.	20 to 50	3.00	0.90 mt from pathway or 2.25 mt from road boundary	a) As per Sr.No.7 above b)Rear open space 0.90

Note-

i) Row-housing plots at the junction of two roads shall be larger to maintain the setback from both roads. Not more than 8 and not less than 4 plots shall be allowed in each block of row housing. Each block shall be separated from the other by 6 m. road or 6 m. side margin distance of the plot.

ii) No garage shall be permitted in a building having stilt or basement provided for parking.

iii) Construction of ottas, railings, barricades or supporting columns for canopy or porch shall not be allowed in front marginal open space. However, steps may be permitted within 1.2 m. from the building line.

iv) For clinics having in area of less than 100 sqm, above regulation shall apply.

v) In no case ribbon development rules shall be relaxed without consent of the Highway Authority.

4.2.2 MARGINAL OPEN SPACES FOR RESIDENTIAL BUILDINGS HAVING HEIGHT ABOVE 16 Mt HEIGHT-

The Requirement for front, rear and side marginal spaces are as mentioned below shall apply for the residential buildings, residential with shop line on ground floor permissible in non-congested areas and ancillary residential buildings permissible in industrial zones 16 mt & above height.

a)Front Margin Requirements – Subject to provision in Regulation No.4.5(a), minimum front margin required under this regulation shall be as given below.

- i) Height above 16 m. & upto 24 m. -- 6.00 m.
- ii) Height above 24 m. & upto 37.5 m. -- 9.00 m.
- iii) Height above 37.5 m. -- 12.00 m.

b) Side or rear open space Requirements -

Table No 10		
Side or rear open space requirements for residential buildings 16 mt. & above		
Sr. No.	Height of Building	Side / rear space requirement
1	Up to 16.0m	As per Table no.9
2	16.0m and above, upto 24.0 m	H/2- 4 minimum 4.50 m
3	24.0 and above	H/4 subject to minimum 8.0m & maximum 16.0m

Where,
H = height of building above average surrounding ground level

c) The Distance between the two building –

If any interior or exterior open space is intended to be used for the purpose of light and ventilation by more than one building, then the width of such open space shall be the H/5 of the tallest building subject to minimum.

Table No 11

Height of Buildings	Min Distance Between Two Buildings
For building height up to 10 meter...	3.00
For building height up to 16 meter	4.50
For building more than 16 meter	6.00 or H/5 whichever is more

4.3 **PERMISSIBLE FSI-** Permissible basic FSI, additional FSI on payment of premium, Permissible TDR Loading on a plot in non-congested area for **Residential, Commercial uses** shall be as per the following Table No. 12

Table-12

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

Sr.No	Road width in meter	Basic FSI	FSI On Premium	Maximum Permissible TDR Loading			Maximum Building potential on plot
				Plot area in Sq meter			
				Up to 1000 Sq Mt	1000 to 4000 Sq Mt	4000 & above	
1	2	3	4	5	6	7	8
1	Below 9.00	1.30	--	--	--	--	The maximum building potential on plot as per road width is equal to 3+4+TDR loading
2	9.00 and upto 12.00	1.30	0.30	0.20	0.40	0.40	
3	12.00 and upto 18.00	1.30	0.30	0.30	0.50	0.65	
4	18.00 and upto 24.00	1.30	0.30	0.30	0.60	0.90	
5	24.00 and upto 30.00	1.30	0.30	0.30	0.80	1.15	
6	30 mt & above	1.30	0.30	0.30	1.00	1.40	

Note-

- i) Basic FSI as mention in column 3 shall inclusive of all areas excluding the areas as mention in regulation no 4.9 (a).
- ii) The column no 5 to 7 includes all types of TDR subject to slum TDR up to maximum 0.20.
- iii) Maximum permissible building potential on plot mentioned at column no.8 shall be exclusive of FSI allowed for Inclusive Housing as per Regulation No.6.14.
- iv) Additional permissible FSI shall be on payment of *premium* as mentioned below. Premium shall be decided by the Government time to time.
 - a) Purely Residential *Use* Building- -60% of the land rate of the ASR
 - b) Purely *Non-residential Use* - 75% of the land rate of the ASR
 - c) Residential cum Mix Use -*Proportionately*
 - d) The premium collected shall be shared 50:50 between State Government & Corporation respectively. The premium of the Government shall be deposited by the planning authority in a Government head account.

4.4-Industrial buildings-Minimum plot area, marginal space, Permissible FSI, Additional FSI with payment of premium for industrial building shall be as per the Table-13 given below:-

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

Table No. 13

Sr. No.	Plot Size in sq.m.	Basic Permissible FSI	Additional FSI on payment of premium	Min. Front Margins	Min. Side & Rear Margins
1	Upto 1000	1.30	0.30	4.5	3.00
2	1001 to 5000	1.30	0.30	9.0	6.00
3	5000 and above	1.30	0.30	12.00	9.00

Note- i) In case of plots fronting on National Highway, State Highway and Major District Roads, the building line / control line shall be as per Ribbon Development Rules as given in Table above, whichever is more.

ii) Front, side and rear marginal open spaces shall be as per above Table .

iii) Minimum and maximum height shall be 3.60 m. & 4.2 m. respectively for industrial buildings. The greater height maybe permitted by the Authority as per the requirement.

iv) In addition of provisions of these regulations, regulations prescribed under Factory Act shall be applicable.

v) In the case of Industrial Buildings with different operations/processes, the different (gaseous, solid, liquid) effluents shall be so treated, subject to the approval of Maharashtra Prevention of Water Pollution Control Board and Chief Inspector of Steam Boilers and Smoke Nuisance, before letting it out in to the air, ground or water course.

vi) **Buffer zone**-For construction of industrial building, buffer zone of 23 m. wide shall be left from residential or incompatible zone, wherever necessary. Such buffer zone may be part of sizable required recreational open space. In such case, FSI of the area under the open space shall not be permissible. Whenever a buffer zone is required to be left in between industrial zone and any incompatible zones, as mentioned in this Regulation, it shall not be a bar for availing FSI of that area; unless it is a part of required recreational open space or road.

vii) Exit requirements, requirements of water supply, drainage and sanitation, parking spaces requirements, fire provision requirements shall conform the provisions as mentioned in these regulations.

viii) **Premium** - Additional FSI shall be permitted on payment of premium at the 75 % of the land rate mentioned in ASR for respective land. . Premium shall be decided by the Government time to time.

4.5 a) Height of Building-

(i) The maximum height of building for all users shall not exceed 1.5 times total of the width of road abutting plus front open space subject to other restrictions, if any and subject to NOC from Fire Officer of the local fire services or in absence of local fire services, from the Director of Fire Services, Government of Maharashtra for building above 16 m. height. In any case maximum height of building shall not exceed 50 mtr.

(ii) If a building abuts on two or more streets of different widths, the height of building shall be regulated by the street of greater width.

(iii) For building in the vicinity of aerodromes, the maximum height of such buildings shall be subject to values framed by the Civil Aviation Authorities or the development permission shall be considered only after applicant produces NOC from Air Port Authority.

(iv) In addition to (iii) for Industrial Chimneys coming in the vicinity of aerodromes, it shall be of such height and character as prescribed by Civil Aviation Authorities and all Industrial Chimneys shall be of such character as prescribed by the Chief Inspector of Steam Boilers and Smoke Nuisance, and

(v) Buildings intended for hazardous godowns storage of inflammable materials and storage of explosives shall be single storied structures only.

b) Height Exemptions-

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

c) Buildings abutting Two or More Streets: When a Building abuts two or more streets, the setbacks from the streets shall be such as if the building is fronting each such street.

4.6) High Rise Committee-

It is mandatory for the Municipal Corporation that, for the buildings height 36 mt. and more but maximum up to 50 mtrs, the building approval proposal shall be cleared from the High Rise Committee. The High Rise Committee shall be constituted by the Commissioner. The structure of the Committee is as under. The decision of the high rise committee shall be binding on every owner/developer.

a) Constitution of the Committee -

Table No -14

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

b) Building proposals to be referred to the Committee-

i) All new building proposals where the height of the proposed buildings, exceeds 70 mt. shall be referred to the committee. Apart this, any new building proposal, in the opinion of the Commissioner, which inter alia involves major disturbance of and/or integrated to the existing natural land formation and profile as also substantial reclamation may also be referred to the Committee.

ii) It is mandatory for all the high rise buildings to comply with the structural design and stability as mentioned in Part -XI.

iii) The Committee shall be of advisory nature and it will advise the Municipal Commissioner regarding the feasibility of development proposals considering the opinion of the expert members of the committee.

iv) In specific case, if the Chairman desires, any expert from other fields may be invited for the meeting of the Committee.

v) The Corporation shall render necessary help for functioning of the Committee, provision of place for meetings, secretarial assistance, etc.

vi) The non-official members of the Committee shall be paid honorarium as may decided by the Commissioner.

vii) The Commissioner may levy additional scrutiny fee for such building proposals.

viii) The Committee shall offer its remarks on the building proposal within a period 45 days from the date of receipt of the proposals.

4.7 Interior & Exterior chowk-

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

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

Provided that, Where only water closet, bathroom, combined bathroom and water closet abutting on the interior open space, the size of the interior open space shall be in line with the provision for ventilation shaft as given in Regulation No. 8.20 / table 21.

4.8 Permissible Structures / Projections in marginal open spaces.

The following projections shall be permissible in marginal open spaces:

(a) Projections into open spaces:- Every open space provided either interior or exterior shall be kept free from any erection thereon and shall be open to the sky and no cornice, chajja, roof or weather shade more than 0.75 m. wide shall overhang or project over the said open space so as to reduce the width to less than the minimum required. However, sloping chajja provided over balcony / gallery etc. may be permitted to project 0.3 m. beyond balcony projections at an angle of 30 degree from horizontal level. Cupboards as specified in Regulation No. 8.5.2.

(b) A canopy not exceeding 5m. in length and 2.5 m. in width in the form of cantilever and unenclosed over the main entrance providing a minimum clear height of 2.40 m. below the 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.

(c) Balconies :- Balcony or balconies of a minimum width 1.00 m. and maximum of 2.00 mt may be permitted at any floor, not more than **15 %** of the built up area of the same floor and such balcony projection shall be subject to the following conditions

(i) In non-congested area, no balcony shall reduce the marginal open space to less than 2 m. In congested area balcony may be permitted on upper floors projecting in front setbacks except over lanes having width 4.50 m. or less.

(ii) No balcony shall be allowed on ground floor which shall reduce minimum required front setback or marginal open space.

(iii) The width of the balcony will be measured perpendicular to the building upto the outermost edge of balcony.

(iv) Balconies may be allowed to be enclosed on payment of premium at the rate of **25%** of market value for land as per *ASR*. The area taken for computing premium shall be equal to the built up area of enclosed balcony.

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

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

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

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

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

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

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

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

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

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

i) Podium - Podium parking may be allowed for plots having area more than 4000 sq.m. as per following requirements:-

i) No podium shall be allowed in the front set back.

ii) Podium shall be allowed at a distance of 4.50 m. from the plot boundary with minimum 6.00 meter from atleast one side.

iii) The structural design of Podium slab and ramp should be of adequate strength so as to bear the load of fire engines and vehicles.

iv) The consent from the Chief Fire Officer shall be necessary before permitting the aforesaid podium.

v) No required recreational Open Space is allowed on Podium.

j) Supported double height terraces-

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

4.9 a) Exclusion of structures / projections for FSI calculation

i) Structures/ Projections /features / ornamental projection of glass façade permitted in marginal open spaces as mentioned in Regulation No.4.8

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

- iii) Electrical cabin or sub-station, watchman booth of size of 3.00 sq. m. with a minimum width or diameter of 1.2 m., pump house, garbage shaft/chute, space for of fire hydrants, fire chutes, electric fitting and water tanks.
- iv) A basement/s under a building used for storage of household noncombustible material and parking spaces including passage there in.
- v) Areas covered by Lofts, Meter rooms, Porches, Entrance lobbies/ foyer, canopies, chajjas, cornice, weather shade, sun breaker Air conditioning plant rooms, electric sub-stations, covered garden, flower bed, lift well and service floor of height not exceeding 1.8 m. for hotels rating with three stars and above, hospitals, shopping malls, plazas.
- vi) Area of structure for an effluent treatment plant as required as per the requirements of the Maharashtra Pollution Control Board or other relevant authorities.
- vii) Rockery, well and well structures, plant, nursery, water pool platform around a tree, fountain bench, chabutara with open top and unenclosed sides, ramps, compound wall, gate slide / swing, steps outside the buildings, domestic working place (open to sky), overhead water tank on top of the building, fire escape stair case and refuge area for high rise buildings.
- viii) Telecommunication tower, antenna and construction of a room having upto 20 sq.m. area for allied activities
- ix) Atrium in shopping malls, public buildings.
- x) Open to sky swimming pool of the top terrace and top most podium.

4.10 Parking spaces - Wherever a property is to be developed or redeveloped, parking spaces at the scale laid down in these Regulations shall be provided. When additions are made to an existing building, the new parking requirements will be reckoned with reference to the additional space only and not to the whole of building but this concession shall not apply where the use is changed. The provisions for parking for number of vehicles for different occupancies shall be as given in Table No.16

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

b) **Size of parking space:** The minimum sizes of parking spaces to be provided shall be as shown below in Table No.15.

Table No.15

S.No	Type of Vehicle	Minimum Size/ area of parking space
1	Motor vehicle	2.5 m X 5 m
2	Scooter, Motor Cycle.	3.0 sq. m. (1.5 m. x 2.0 m.)
3	Bicycle	1.4 sq. m. (1.0 m. x 1.4 m.)
4	Transport vehicle	3.75 m. X 7.5 m.
Note : In the case of parking spaces for motor vehicle, upto 50 percent of the prescribed space may be of the size of 2.3 m. X 4.5 m.		

c) **Marking of parking spaces:** Parking space shall be paved and clearly marked for different types of vehicles.

d) **Maneuvering 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 maneuvering of vehicles

e) **Ramps for Basement parking:** - Ramps for parking in basement should conform to the requirement of Regulation No.8.13.

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

g) To meet the parking requirements as per these regulations, common parking area for group of buildings, open or multi-storeyed, may be allowed in the same premises

h) In addition to the parking spaces provided for building of Mercantile (Commercial) like office, market, departmental store, shopping mall and building of industrial and storage, loading and unloading spaces shall be provided at the rate of one space for each 1000 sq. m. of floor area or fraction thereof exceeding the first 200 sq. m. of floor area, shall be provided. The space shall not be less than 3.75 m. x 7.5 m.

i) Parking lock up garages shall be included in the calculation for floor space for F.S.I. calculations.

j) The space to be left out for parking as given in this regulation shall be in addition to the marginal open spaces left out for lighting and ventilation purposes as given in these regulation . Those spaces may be used for parking provided minimum distance of 3 m. around the buildings is kept free of any parking or loading and unloading spaces.

k) In case of parking spaces provided in basements, at least two separate ramps of adequate width and slope for entry and exit at opposite ends or **one ramp with 4.50 meter width shall be provided** (as per Regulation No. 8.13)

l) In addition to the regular parking area as per these regulations, a space of 3.0 m. wide strip along the road on front shall be provided as visitors parking for the buildings with commercial or any use mixed with commercial. In such case, minimum front margin shall be 6.0 m. inclusive of 3.0 m. wide strip as above irrespective of the lesser front margin requirement in the applicable regulations.

Table No 16
Off Street Parking Spaces

Sr. No.	Occupancy	One parking Space for every	Congested Area			Non Congested Area			Visitors Parking	
			Car	Scooter	Cycle	Car	Scooter	Cycle		
1	2	3	4	5	6	7	8	9	10	
1	Residential i) Multi family residential	(a) 2 Tenements each having built-up area more than 100 sq.m.	1	2	2	2	2	2	2	5%
		(b) 3 tenements each having built-up area between 50 to 100 sq.m.	0	3	4	1	4	4	4	5%
		(c) 4 tenements each having built-up area upto 50 sq.m.	0	4	4	1	5	5	5	5%
	ii) Lodging establishments tourist homes, hotels with lodging accommodation.	(a) For every five guest rooms	1	3	3	2	3	3	3	-
	iii) Restaurants	(a) For hotel, eating houses 25 50sq.m. of built up area of restaurant including kitchen, pantry hall, dining rooms, banquete hall etc.	0	2	2	1	2	2	2	-
2	Institutional (Hospital, Medical Institutions)	For 100 sq.m. carpet built up area or fraction thereof.	1	1	2	1	3	3	3	-
3.	Assembly (theatres, cinema houses, Multiplex, concert halls, auditoria, assembly halls including those of college and hostels)	For every 40 Seats.	1	2	5	2	7	7	7	-
4.	i) Mangal Karyalaya / Marriage Halls, Cultural Halls	For every 100 sq.m. built up area or fraction thereof.	1	4	4	2	8	8	8	-

	ii)Party /Marriage Lawns	For every 100 sq.m. of plot area or fraction thereof.	0	2	2	1	3	3	-
5.	Educational – i)Primary and secondary Schools	i) For every 100 sq.m.built up area or fraction thereof the administration as well as public service area of the school.	0	2	2	1	2	2	-
		ii) For every 3 class rooms	1 LCV-LCV includes mini bus and tempo	3	15	1 LCV-LCV includes mini bus and tempo	5	20	-
	ii) College	i)For every 100 sq.m. built up area or fraction thereof the administration area and public service area of college.	1	10	5	1	10	5	-
		ii) For every 3 class rooms	1	30	10	2	40	10	-
	iii)Coaching Classes/Tuition Classes/Hobby Classes	For every 20 students	0	4	8	0	5	10	-
6.	i)Government or semipublic offices, private business buildings,Corporate Offices, I.T.Buildings	For every 100 sq. m. built up area or fraction thereof	1	2	4	2	4	4	10%
7.	Mercantile (markets, departmental stores, shops,shopping malls and other Commercial users) including wholesale markets	For every 100 sq. m. built up area or fraction thereof	1	3	3	1	4	4	5%
8.	Industrial	For every 300 sq. m.built up area or fraction thereof	1	2	2	1	4	4	-
9.	Storage (any type)	For every 300 sq. m.built up area or fraction thereof	0	2	2	1	2	2	-
10.	Plots less than 200 sq.m. (any use)		0	1	1	0	1	1	-

Note:-

- 1) For plots upto 100 sq. m. as in the case of shops, row houses parking space need not be insisted.
- 2) Fraction of parking unit need not be provided. However, in case where proportional number of vehicles is less than 1 (i.e. fraction) it will be rounded to the next full number.
- 3) In case of independent single family residential bungalows having plot area upto 300 sq. m., parking space need not be insisted separately.
- 4) Further a garage shall be allowed in rear or side marginal distance at one corner having minimum dimension of 2.5 m. x 5.0 m. & maximum dimension 3 m. x 6 m. i.e. minimum 12.5 sq.m. and maximum 18.0 sq.m. built up area.
- 5) In case parking as per above norms is not feasible due to site conditions, Mechanical /Hydraulic Parking shall be permissible at different level subject to satisfaction of all technical norms as per site conditions..

PART V
ADDITIONAL FSI FOR BUILDINGS OTHER THAN RESIDENTIAL

- 5.1** Permissible Marginal spaces, permissible basic FSI, Additional **FSI for buildings other than Residential which are permissible in different zone, in non-congested area** shall be as per the following *conditions* and as per the Table No.17
- 1** The proposal shall be consistent with the Development Plan land use Zone in which the uses as mention in table are permissible. The basic FSI for uses in **residential/Commercial/ Public-Semi Public Zone shall be 1.30**. Permissible **additional FSI** for the buildings as mention in table shall be the maximum permissible building potential according to road width as mention in table no.12.
 - 2** The building for which additional FSI required shall be constructed on independent plot.
 - 3** The minimum size of plots /road width for the respective category of the building shall be considered as follows unless otherwise mentioned in these regulations. The plot sizes for following buildings shall be decided by the commissioner as per the norms provided for them. For availing additional FSI over and above the basic FSI, the minimum size of plot shall be 1000 sq mt.
 - 4** The additional built up area over and above the permissible FSI shall be utilised for bonafide purposes only. Maximum 15 % built up area may allow for commercial purpose or ancillary use on ground floor only.
 - 5** Certificate from the concern department/No objection certificate from the concerned department shall be necessary wherever required.
 - 6** **Premium** - Premium for additional F.S.I. shall be per column 4 of the table. Rate of the premium is based on the land rate mentioned in ASR for respective S.No./CTS No. The premium collected shall be shared 50:50 between State Government & Corporation respectively. Premium of Government shall be deposited in the concerned Account of Major Head of Urban Development Department at Government Treasury by the Planning Authority. . Premium shall be decided by the Government time to time.
 - 7** The additional FSI shall also be permissible to existing authorised users subject to structural stability.
 - 8** Exit Requirements, Requirements of Water Supply, Drainage and Sanitation Parking spaces requirements, Fire provision requirements shall conform the provisions as mentioned in these regulations.
 - 9** Net plot **Area**-For the purpose of computation of FSI, the net plot area as defined in regulation no.3.10 shall be considered.
 - 10** If the owner / developer desire to avail such additional FSI in future for new buildings , then while seeking building permission at first instance, the building plan shall be submitted considering the Marginal distances as required for the height of buildings for such additional FSI. No condonation in the required open spaces, parking and other requirements in these regulations shall be allowed. However for the existing building proposals, such condition need not be insisted. But proposal shall be cleared only after strictly confirming structural and fire safety norms.

Table No- 17

5.2 Permissible Marginal spaces, permissible basic FSI, Additional FSI for buildings other than Residential, in non-congested area

Categories of the other buildings	Min. road width required	Min Marginal Open spaces	Rate of the Premium	Conditions if any,
1	2	3	5	6
A) Educational i) Pre-primary School and Special Educational Institute for Physically handicapped/Mentally ill.	<u>9m.</u> & not more than 18 m.	4.5m on all sides	10 %	i) The Educational Institute shall be of Government/Semi Government public authorities, Charitable Institutions or Private Institutions ii) Educational buildings shall not be permissible within 60 m. from the existing assembly building and 90 m. from the existing petrol pump. iii) Educational building shall only be permitted if 40% area is available for playground. However, this provision shall not be applicable to already approved existing building wherein construction of additional floor is proposed. iv) No classroom shall admeasure less than 38 sq. m. with a minimum dimension of 5.50 m. The height of any classroom shall not be less than 3.60 m. v) While granting Additional FSI to Educational Institutions <i>offering primary and secondary education 5 % seats</i> shall be reserved for admission for Government nominees. Deputy Director, Education Department shall be competent to decide such nominations. However, this condition shall not be applicable for Higher Education, Technical Education and Medical Education. vi) As and when required, some rooms of Educational Buildings shall be made available to the Government by the concerned institutions. vii) The Educational Institution shall maintain records regarding free / concessional education rendered to the needy persons, which shall be made available to the Director of School Education, Higher and Technical Education on demand.
ii) Primary School	<u>9m.</u> & not more than 18 m.	6 m. on all sides	15 %	
iii) Other Educational Buildings	12m.	6 m. on all sides	25 %	

				<p>viii) The Director of School Education, Government of Maharashtra shall be the competent authority to monitor as to whether the Educational Institution is observing the terms and conditions referred to at (i) ,(ii)and (iii) above and, in case of any breach thereof or in case the Education being rendered by the Educational Institution are not to the satisfaction of the said Department, the Director of School Education shall have the right to suitably penalise the Education Institution</p> <p>ix) The Educational Institution shall file an undertaking that it shall abide by the above enumerated terms and conditions.</p> <p>vi) Adequate Parking facilities as required per prevailing Development Control Regulation shall be provided.</p>
B)Medical Institutions- Hospital, Maternity Homes Health Club, buildings	12 m	6 m. on all sides	<p>i) No premium for Government, Semi Government, public authorities hospitals.</p> <p>ii) 25% for Charitable Institutions</p> <p>iii) 35% for private hospitals</p>	<p>i) The Medical Institutions of Government, Semi Government, public authorities, Charitable Institutions or private owner.</p> <p>ii) Free medical treatment to the extent of atleast 20% of the total number of beds shall be given to persons from Economically Weaker Sections of society or to persons below the poverty line. In addition, 10% of the total number of patients in OPD shall be provided treatment at concessional rates, viz. rates that are being charged in government hospitals. The Medical Institution shall furnish the requisite periodical statements to the Director of Health Services in this regard.</p> <p>iii) The Medical Institution shall maintain records regarding free/concessional medical treatment rendered to the needy persons, which shall be made available to the Director of Health Services on demand.</p> <p>vi) Any Special ward in the hospital building shall not admeasure less than 9.0. sq.m. in area with no side less than 3 m.</p> <p>v) Area of the general wards shall not admeasure less than 40 sq. m. with no side less than 5.5. m.</p> <p>vi) Every building shall have a refuge collection area of minimum 7.50 sq. m. size with cover on top and unclosed on at least three sides. The same shall not be allowed in marginal open spaces. Modern method of incineration of the refuge may be adopted.</p>

				<p>vii) Minimum and maximum height shall be 3.00 m. & 4.2 m. respectively. The greater height may be permitted by the Authority as per the requirement.</p> <p>viii) The Director of Health Services, Government of Maharashtra shall be the Competent Authority to monitor as to whether the Medical Institution is observing the terms and conditions referred above and in case of any breach thereof or in case the medical services being rendered by the Medical Institution are not to the satisfaction of the Director of Health Services, the Director of Health Services shall have the right to suitably penalise the Medical Institution.</p>
C)Institutional buildings	12 m	6 m. on all sides	No premium	<p>i) The institutional Buildings shall be of Semi Government, public authorities or Charitable Institutions.</p> <p>ii) Minimum and maximum height shall be 3.60 m. & 4.2 m. respectively. The greater height may be permitted by the Authority as per the requirement.</p>
D)Starred category hotels (Three star and above)	12 m	6 m. on all sides	30 % (up to five star) 45 % (five star and above)	<p>i) The star category hotels shall be constructed on independent plot.</p> <p>ii) Certificate from the Tourism Department, GOI shall be necessary.</p> <p>iii) Minimum and maximum height shall be 3.60 m. & 4.2 m. respectively. The greater height may be permitted by the Authority as per the requirement.</p> <p>iv) While granting Additional FSI to starred category Residential Hotels 5% of rooms shall be reserved for Government nominees free of cost .Provided that such rooms be reserved for a period of not exceeding thirty days in a calendar year in a particular hotel. The head of respective authorities shall be competent to decide and monitor whether the institution is observing the terms and conditions as mentioned.</p>
E)Buildings of Government and Semi-Government Offices and Public Sector Undertakings:	12 m.	6 mt. on all sides	No Premium	<p>i) The Municipal Commissioner in consultation with the approval of State Govt. may exceed the additional FSI.</p> <p>ii) Minimum and maximum height shall be 3.60 m. & 4.2 m. respectively. The greater height may be permitted by the Authority as per the requirement.</p>

F)Buildings of Department of Police, Police Housing Corporation, Jail and Home Guard of Government of Maharashtra for use as their Staff Quarters,	12 m	6 m. on all sides	No premium	<p>In case of buildings of Department of Police, Police Housing Corporation, Jail and Home Guard of Government of Maharashtra for use as their Staff Quarters, the Municipal Commissioner, in consultation with Divisional Head of Town Planning, may permit the Floor Space Index to be exceeded up to 3.00 subject to following conditions:</p> <p>(i) It shall be permissible to submit a composite scheme for the development / redevelopment of land of Department of Police, Police Housing Corporation, Jail and Home Guard. For the utilisation of permissible commercial user under D.C. Regulations; commercial potential of one plot can be shifted to other plot, provided the aggregate FSI on any plot shall not exceed 3.00.</p> <p>(ii) For reconstruction / redevelopment of the buildings of Department of Police, Police Housing Corporation, Jail and Home Guard of Government of Maharashtra, constructed prior to 1940; the FSI shall be 3.00 or consumed Floor Space Index of existing old building plus 50% incentive FSI, whichever is more.</p> <p>(iii) In the cases of development or redevelopment of land of Department of Police, Police Housing Corporation and Home Guard, commercial user may be permitted up to 25% of the total permissible built-up area.</p> <p>(iv) Such 3.00 FSI shall be used for development and construction of buildings for police department only.</p>
G)Religious Building:	9 m	4.5m. on all sides	15%	<p>i) No Objection Certificate shall be obtained from concerned Police Authority and Collector before applying for permission.</p> <p>ii) The additional FSI shall also be permissible to existing authorised religious users subject to structural stability.</p> <p>iii) The proposal shall be consistent with the Development Plan proposals.</p> <p>iv) Minimum and maximum height shall be 3.20 m. & 4.2 m. respectively. The greater height may be permitted by the Authority as per the requirement</p>
H)Yatri Niwas, Youth Hostel:-	9 m	4.5m. on all sides	15%	<p>i) The building shall be on independent plot having minimum plot area of 1000 sq.mt.</p> <p>ii) Minimum and maximum height shall be 3.00 m. & 4.2 m. respectively. The greater height may be permitted by the Authority as per the requirement.</p>

I)The Land in possession of Maharashtra State Road Transport Corporation	12m	--	No premium	Out of total FSI, maximum 1.00 FSI shall be allowed to be developed for commercial use and remaining FSI shall be for the self-use of the said Corporation permissible as per the Development Plan.
J)Basic shelter for urban poor	--	--	No premium	Any housing scheme undertaken by planning authority, government / semi government organisation, under the basic shelter for urban poor or similar programme / scheme of the Central / State Government, may be allowed FSI upto 2.5, subject to following condition. i)The said scheme shall be for EWS/LIG housing ii) Development Control Regulation shall be as per prescribed DCR of Slum Rehabilitation Authority.
K)Cinema Theatre/ Drama Theatre/ Assembly Hall/ Multiplex / Shopping Malls	15 m.	Front 12m & all sides 6m	50 %	i)The minimum distance between boundary of site for Cinema Theatre / <u>Drama Theatre/ Multiplex</u> /Assembly Hall & boundary of educational & hospital buildings shall not be less than 60 m. ii) <u>Plot for</u> Cinema theatres shall not be located within a distance of 60 m. from <u>the plot boundary of</u> existing <u>or proposed educational or medical or institutional</u> iii)They shall conform to the provisions of Maharashtra Cinema (Regulations) Rules, 1966, as amended from time to time. iv) Minimum and maximum height shall be 3.60 m. & 4.2 m. respectively. The greater height may be permitted by the Authority as per the requirement.
L)Mangal Karyalaya like buildings	15 m.	Front 12m & all sides 6m	50 %	i)The building shall be on independent plot having minimum plot area of 1000 sq.mt. ii) Minimum and maximum height shall be 3.60 m. & 4.2 m. respectively. The greater height may be permitted by the Authority as per the requirement.
M)Petrol/Fuel Filling Stations with or without service bays	12 m.	Minimum 6m. or as per building line.	--	i) Petrol Pump Should not be located within the distance of 90 m. from any junction of roads having min. width 12 m. <u>each</u> from nearest gate of a school, hospital, theatre, place of assembly or stadium. ii) Restrictions imposed by Ribbon Development Rules, IRC, MORTH shall apply.

				<p>iii) Petrol filling station shall not be sited on the convex side of a road curve. In case the curve is not very sharp and cars moving out of the station are completely visible to the traffic from a distance of at least 90 m. and vice versa, a petrol station may be permitted on such a convex curve.</p> <p>iv) Maximum 10 % built up area may be utilized for non-residential R2 zone users.</p>
N) Mercantile / Business / Commercial buildings	12 m	Front 4.5m & all sides 3m	50 %	<p>i) Minimum area of shop shall be 6 Sq. m. in R-1 zones with a minimum width of 2.0 m. and 15 Sq. m. in R-2 and other zones with a minimum width of 3 m.</p> <p>ii) Minimum and maximum height shall be 3.00 m. & 4.2 m. respectively. The greater height may be permitted by the Authority as per the requirement.</p>
O) Stadium / Pavilion	12 m	12 m	--	Covered portion shall not exceed 20% of plot area. The spectators' gallery of the stadium shall not be counted towards FSI. Shops below spectator's gallery may be permissible.
P) Building of IT establishment	12 m	Front 12m & all sides 6m	--	Premium and other conditions shall be as per the IT/ITes policy-2015 and direction issued by Government in this behalf.
Q) Bio-Technology Park	12 m	Front 12m & all sides 6m	25%	Minimum and maximum height shall be 3.60 m. & 4.2 m. respectively. The greater height may be permitted by the Authority as per the requirement.

PART VI
SPECIAL SCHEMES, POLICIES AND THEIR REGULATIONS

6.1 SPECIAL TOWNSHIP POLICY:-

Special Townships Policy in Municipal Corporation area, shall be allowed to be developed as per Government directives issued under Section 154 of the MR & TP Act, 1966 vide Government Resolution No.TPS-1806/2348/CR-476/06/UD-13, dated 3rd July, 2007 and amended from time to time.

6.2 ERRECTION OF MOBILE TOWERS (MOBILE TOWER POLICY):-

Policy for setting of Base station/s / Cellular Sites and installation of the equipments for telecommunication network in State of Maharashtra (Mobile Tower Policy) shall be as per the modifications sanctioned by the Government under section 37(1)(aa)© of the MR & TP At1966 vide notification Dtd 4/3/2014.

6.3 Development/Redevelopment of Housing Schemes of Maharashtra Housing & Area Development Authority (MHADA):-

1) The FSI for a new scheme of Low Cost Housing, implemented by MHADA departmentally on vacant lands for Economically Weaker Sections (EWS), Low Income Group (LIG) and Middle Income Group(MIG) categories shall be 2.50 on the gross plot area (exclusive of the Fungible FSI) and atleast 60% built-up area in such scheme shall be in the form of tenements under the EWS, LIG and MIG categories, as defined by the Government in Housing Department from time to time.

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

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

A) Rehabilitation Area Entitlement:

i) Under redevelopment of buildings in existing Housing Schemes of MHADA, the entitlement of rehabilitation area for an existing residential tenement shall be equal to sum total of -

a) a basic entitlement equivalent to the carpet area of the existing tenement plus 35% thereof, subject to a minimum carpet area of 300 sq.ft. and

b) an additional entitlement governed by the size of the plot under redevelopment, in accordance with the Table- A below:-

Table-A

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

Provided that the maximum entitlement of rehabilitation area shall in no case exceed the maximum limit of carpet area prescribed limit for MIG category by the Govt. as applicable on the date of approval of the redevelopment project.

Provided further that the entitlement of rehabilitation area as admissible under this regulation shall be exclusive of the area of balcony.

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

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

Table B

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

Explanation:-

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

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

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

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

C) Sharing of the Balance FSI:-

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

Table C

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

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

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

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

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

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

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

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

5) a) For providing the requisite infrastructure for the increased population, an infrastructure charge at the rate of 7% of the Land Rate as per the ASR of the year of approval of the redevelopment project shall be chargeable for the extra FSI (excluding the fungible FSI) granted over and above the normal FSI admissible for the redevelopment schemes. 50% of the Infrastructure Charge levied and collected by MHADA shall be transferred to the Municipal Corporation for developing necessary off site infrastructure.

b) No premium shall be charged for the FSI admissible as per the prevailing regulations

(i) construction of EWS/LIG and MIG tenements by MHADA on a vacant plot, or (ii) in a redevelopment project for the construction of EWS/LIG and MIG tenements towards the share of MHADA, or (iii) for rehabilitation component of a redevelopment project.

6) Notwithstanding anything contained in these Regulations, the relaxation incorporated in the prevailing Regulation of ~~these Regulations~~ shall apply to the Housing Schemes under this Regulation for tenements under EWS/LIG and MIG categories. However, the front open space shall not be less than 3.6m.

7) a) In any Redevelopment Scheme where the Co-operative Housing Society Developer appointed by the Co-operative Housing Society has obtained No Objection Certificate from the MHADA, thereby sanctioning additional balance FSI with the consent of 70% of its members and where such NOC holder has made provision for alternative accommodation in the proposed building (including transit accommodation), then it shall be obligatory for all the occupiers / members to participate in the Redevelopment Scheme and vacate the existing tenements for the purpose of redevelopment. In case of failure to vacate the existing tenements, the provisions of section 9A of the MHAD Act mutatis mutandis shall apply for the purpose of getting the tenements vacated from the not co-operative members.

b) For redevelopment of buildings in any existing Housing Scheme of MHADA under clause 2.2 hereinabove, by MHADA, the consent of the Co-operative Housing Society in the form of a valid Resolution as per the Co-operative Societies Act, 1960 will be sufficient. In respect of members not co-operating as per approval of the redevelopment project, action under section 95(A) of the Maharashtra Housing and Area Development Act, 1976 may be taken by MHADA.

8) A corpus fund, as may be decided by MHADA, shall be created by the Developer which shall remain with the Co-operative Housing Societies for the maintenance of the new buildings under the Rehabilitation Component.

6.4 **REGULATIONS FOR DEVELOPMENT OF INFORMATION TECHNOLOGY ESTABLISHMENT**

Development of Information Technology Establishments shall be regulated as per the Information Technology & Information Technology Enabled Services (IT/ITES) Policy 2015 as declared by Industries Department Government Resolution No. ITP 2013/CR-265/IND-2 dated 25/08/2015, along with the directives issued by the Government and the following regulation. Notwithstanding anything contains in the following regulations, the directives issued by the Government of Maharashtra shall prevail.

A. DEFINITION OF INFORMATION TECHNOLOGY ESTABLISHMENT:-

“Information Technology Establishment” means an establishment which is in the business of development of IT software, IT hardware, IT services, and IT enabled services as defined below:

- a. **IT Software** : IT Software is defined as any representation of instruction, data, sound or image, including source code and object code, recorded in a machine readable form and capable of being manipulated or providing interactivity to a user, with the means of a computer.
- b. **IT Hardware** : IT Hardware shall covers such industrial units as may be decided by the Director of Industries.
- c. **IT Services and IT Enabled Services:** These include various IT Services and are defined by the IT Task Force of the Government of India as follows.
- d. **“IT Service** including IT Enabled Service is defined as any unit that provides services, that result from the use of any IT Software over a Computer System for realizing any value addition”.
- e. The Directorate of Industries has prepared and published an illustrative list of such IT Enabled Services which is to be updated from time to time.

B .BUILDING OF INFORMATION TECHNOLOGY ESTABLISHMENT:

The Commissioner may permit the floor space indices to be exceeded by 100%, subject to following conditions, in respect of –

- a. All IT and ITES units in Public IT Parks.
- b. All registered IT and ITES Units located in Private IT Parks, approved by Director of Industries in the State.

Subject	Provision
Height of the room for ITE	Any telemetric equipment storage or erection facility can have a height as required for effective functioning of that system.
Covered antenna to be free of FSI	Any covered antenna/dish antenna / communication tower will be allowed to be erected free of FSI if used for Telecom (basic cellular or satellite Telephone) or ITE purposes, which shall include equipment relating to earth station, V-Sat, Routes, Transponders and similar IT related structures or equipment.
In Residential Zone	Information Technology Establishment (pertaining to software only) be allowed on the plots/premises fronting on roads having width 12 meter and more.
In industries Zone, Service Industries Zone & in Transformation Zone	Information Technology Establishment shall be permitted in Industries Zone, Service Industries Zone and in Transformation Zone on all plots fronting on roads having width 12 meter and more.
Users to be free of FSI	Any covered antenna/dish antenna / communication tower will be allowed to erect

	free of FSI if used for Telecom (basic cellular or satellite telephone) or ITE purposes, which shall include equipment relating to earth station V-Sat, Routes, Transponders and similar IT related structures or equipment.
In No Development Zone	Development of Information Technology Establishment (pertaining to software only) with ancillary residential development shall be allowed in No development Zone subject to the following:
	i) The total FSI shall not exceed 0.2.
	ii) Residential development shall not exceed one third of the total built up area.
	iii) Construction of buildings for IT/ITES shall be permitted to the extent of 20% on 10% of the total plot area and shall be located such that, as much of remaining 90% of plot area is available in a contiguous manner and trees shall be planted at the rate as may be prescribed by the Planning Authority or the concerned officer on this remaining land.
	iv) Sub - division of land shall be permitted with area of the plot so sub-divided being not less than 4000 sq.m.
Additional FSI to ITE	Buildings of Information Technology Establishment (pertaining to software only): The Metropolitan Commissioner may permit normal floor spaces index one to be exceeded in respect of buildings in independent plots of Information Technology Establishment set up by Public Bodies like MHADA, SEEPZ, MIDC, SICOM, STP, or their joint venture companies having more than 51% stake of these bodies by 100% or lessees of these public Bodies having plots exclusively used for ITE subject to terms and conditions as he may specify. Subject to approval by Director of Industries, the Commissioner / Commissioner or as the case may permit the floor spaces indices specified in these regulations to be exceeded to the extent of 100% over and above the permissible FSI as under including for IT / ITEs units located in NDZ proposed in the Development Plan. i) 100% additional FSI shall be made available to all IT / ITES units in public IT Park.

	<p>ii) 100% additional FSI shall also be made available to all registered IT / ITES units located in Private IT Parks approved by the Directorate of Industries.</p> <p>iii) Permission for erecting towers and antenna upto the height permitted by the Civil Aviation Department shall be granted by the concerned municipal bodies at the time and as a part of approval of building plan itself.</p>
	<p>Provided in case of additional Floor Space Index allowed in respect of Information Technology Establishment, as aforesaid premium as may be determined by Government shall be paid to the Government out of which 50% shall be payable to the authority</p>

C.CONDITIONS FOR ADDITIONAL FSI:

- 1) Additional FSI to IT/ITES units would be available only upon full utilization of basic admissible FSI.
- 2) Additional FSI to IT/ITES units would be available to IT/ITES Parks duly approved by the Directorate of Industries.
- 3) The additional FSI shall be granted upon payment of premium which shall be paid in the manner as may be determined by the Government. Such premium shall be recovered at the rate of 25% of the market value of the land under reference as indicated in the Annual statement of Rates for the year in which permission is granted.
- 4) 25% of the total premium shall be paid to the Govt. and remaining 75% amount shall be paid to the said Planning Authority.
- 5) The premium so collected by the Planning Authorities shall be primarily used for development/up gradation of offsite infrastructure required for the IT/ITES park and the utilization of this premium shall be monitored by the empowered committee.
- 6) In the event, the developer comes forward for provision of such off site infrastructure at his own cost, then the said Planning Authority shall determine the estimated cost of the works and shall also prescribe the standards for the work. After completion of the works the said Planning Authority shall verify as to whether the same is as per prescribed standards and thereafter, by deducting the cost of works, the balance amount of premium shall be recovered by the said Planning Authority.
- 7) Users/Services ancillary to the IT/ITES : While developing site for IT/ITES with additional FSI, user's ancillary to the principal user, as may be approved by the Directorate of Industries shall also be allowed.
- 8) No condonation in the required open spaces, parking and other requirements prescribed in these regulations shall be allowed in case of such additional FSI.

6.5 REGULATION FOR DEVELOPMENT OF BIOTECHNOLOGY PARKS

A. DEFINITION-

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

B. BIOTECHNOLOGY UNITS/ PARKS TO BE ALLOWED IN INDUSTRIAL ZONE-

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

C. BIOTECHNOLOGY UNITS/PARK TO BE ALLOWED IN NO DEVELOPMENT ZONE EARMARKED IN THE DEVELOPMENT PLAN.

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

i) Maximum FSI limit shall be 0.20 and as far as possible the development shall be at one place of the total land.

ii) The ground coverage shall not exceed 10% of the area of the plot.

iii) Tree plantation shall be done at the rate of 500 Trees/Ha on the remaining land excluding the built up area and the surrounding open space/utility space.

iv) The maximum height of buildings shall not exceed 24 mt.

v) Essential residential development for the staff/ officer's accommodation shall be permitted upto the extent of 33% of the permissible built up area.

vi) These users shall be permitted in No Development Zone, within a distance of 3 km. from the adjoining developable zone.

vii) Development in plots affected by CRZ area, shall be permissible subject to the notification issued by MOEF regarding CRZ.

D.ADDITIONAL FSI TO BIOTECHNOLOGY UNITS/PARK

Subject to approval by Director of Industries, the Commissioner/ Commissioner/ Competent Planning Authority or as the case may permit the floor space indices specified in these regulations to be exceeded to the extent of 100% over and above

the permissible FSI (including for Biotechnology Units/Park located in No Development Zone proposed in the Development Plan) for biotechnology units/parks subject to following conditions:-

i) Out of total built up area minimum 90% shall be used for Biotechnology purpose and maximum 10% (by deducting parking space) shall be used for ancillary users such as specified in the Govt. Resolution of Industry, Energy and Labour Deptt. No. BTP 2008/CR-1608/Ind-2, dated 10/2/09.

ii) Additional FSI to Biotechnology units would be available to Biotechnology Parks duly approved by the Directorate of Industries and after observance of all the regulation of environment.

iii) Parking spaces, as per the provision of Development Control Regulation shall be provided subject to minimum requirement of one parking space per 100 sq.mt. built up area.

iv) The additional FSI shall be granted upon payment of premium which shall be paid in the manner as may be determined by the Government. Such premium shall be recovered at the rate of 25% of the present day market value of the land under reference as indicated in the Ready Reckoner.

v) 25% of the total premium shall be paid to the Govt. and remaining 75% amount shall be paid to the said Authority.

vi) The premium so collected by the Planning Authorities shall be primarily used for development of offsite infrastructure required for the Biotechnology Parks.

vii) In the event, the developer comes forward for provision of such off site infrastructure at his own cost, then the said Planning Authority shall determine the estimated cost of the works and shall also prescribe the standards for the work. After completion of the works the said Planning Authority shall verify as to whether the same is as per prescribed standards and thereafter, by deducting the cost of works, the balance amount of premium shall be recovered by the said Planning Authority.

viii) No condonation in the required open spaces, parking and other requirement prescribed in the regulations shall be allowed in case of additional FSI.

ix) Development of biotechnology park shall be done as per the guidelines issued by Industries Department vide the said resolution

6.6 QUARRYING OPERATIONS-

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

1. a) No quarrying operations shall be carried out without obtaining Development Permission of the Planning Authority under the provisions of the Maharashtra Regional and Town Planning Act, 1966.

(b) The quarrying and mining operations shall be permitted outside CRZ and notified eco-sensitive zone and Heritage precinct but only at specific locations decided by the Competent Authority. The development permission shall be granted subject to production of order to carry out these activities from the Revenue Authority concerned under the Minor Minerals Act and NOC of the MPCB.

2. The application for Development Permission of quarrying shall include:

a) A location plan at 1:5000 scale of the quarry site and an area upto 500 meters around the quarry site showing important natural and manmade features and contours;

b) A site plan at 1 : 500 scale showing site boundaries, contours, all existing natural and man-made features such as hills, water courses, trees and other important landscape features, access roads, building and other structures;

c) Proposed excavation plan and cross sections at 1 : 500 or larger scale showing proposed phasing ; terracing ; stepping ; benching slopes; locations of process equipment ; diversion of water courses; impounding lake ; storage areas for top soil, waste material, quarried material ; workers housing ; landscaping including screen planting, mounding and measures against visual intrusion etc.

d) A restoration plan including landscaping proposals, phasing and proposal for reuse of the area after quarrying;

e) A report supplementing the excavation and restoration plans, costs and implementation programme;

f) Scrutiny fee shall be paid by the owner;

g) Development Charge for the land under Quarrying shall be paid by the owner, as per the provisions of section 124B of the MR & TP Act 1966, at 0.50% of the rates of developed land mentioned in the A.S.R. of the Registration Dept. of the year in which permission is granted.

3. No quarrying shall commence until the excavation plan is approved also by the Director of Geology and Mining, Government of Maharashtra, Nagpur.

4. The Restoration Plan approved by the Planning Authority shall be carried out in consultation with concerned Conservator of Forest or District Forests Officer, and the Revenue Authority.

5. Natural gradient of slope should be maintained during quarrying operations slope of the foot-wall side (Slope in the direction in which mining does not exist) should be properly by planting adequate trees of suitable species so as to have soil binding vegetation.

6. In the case of murum quarrying entire weathered soil or murum shall not be excavated exposing hard rock ; instead, a capping of at least half a meter be left so that it can support vegetation and plantation that be done later on. Similarly, these operations shall not cause depression below the average ground level.

7. Water course, if any from a higher slope, should be properly diverted out of quarry area so that minimum water flows into the quarry and is safely channeled out of any nearby human settlement.

8. During quarrying operations, the water should be sprayed at least once in a day over the roads at quarry sites and nearby area.

9. Kachha road leading to quarry site shall be invariably sprayed by water during the period when trucks use carrying murum. In addition, in order to minimize dust pollution, measures such as adoption of hoods at transfer points, vulcanizing of conveyer belt joints, under belt cleaning devices, apart from installation of dust extrication system for conveyance shall be adopted. The kachha road leading to the quarry shall have roadside plantation in order to arrest the dust pollution.

10. No Quarrying and crushing shall be permitted if a highway or public road having width of 30m. or more, railway line or any human settlement is located within 200m. from the quarrying site. However, for quarrying with blasting operations, the distance shall be at least 500 m.

11. Residences for labourers and related temporary structures should be constructed at least 500 meters away from the place of blasting as well as from the place of quarrying. Heavy blasting by use of heavy machinery shall be prohibited

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

6.7 PROVISIONS FOR FACILITIES FOR PHYSICALLY CHALLENGED PERSONS.

A Definitions-

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

ii) Semi - ambulatory Disabilities: - Impairments that cause individuals to walk with difficulty or insecurity, individuals using braces or crutches, amputees, arthritics, spastics, and those with pulmonary and cardiac ills may be semi-ambulatory.

iii) Hearing Disabilities:- Deafness or hearing handicaps that might make an individual insecure in public areas because he is unable to communicate or hear warning signals.

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

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

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

C Site development

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

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

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

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

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

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

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

D Building requirements

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

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

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

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

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

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

ii) Corridor connecting the entrance / exit for the handicapped: The corridor connecting the entrance / exit for handicapped leading directly outdoors to a place where information concerning the overall use of the specified building can be provided to visually impaired persons either by a person or by signs, shall be provided as follows:

a) Guiding floor materials' shall be provided or device that emits sound to guide visually impaired persons.

b) The minimum width shall be 1500mm.

c) In case there is a difference of level, slope ways shall be provided with a slope of 1:12.

d) Hand rails shall be provided for ramps/slope ways.

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

a) The minimum width shall be 1350 mm

b) Height of the riser shall not be more than 150 mm and width of the tread 300mm. The steps shall not have abrupt (square) nosing

c) Maximum number of risers on a flight shall be limited to 12.

d) Hand rails shall be provided on both sides and shall extend 300 mm on the top and bottom of each flight of steps.

iv) Lifts -Wherever lift is required as per bye-laws, provision of at least one lift shall be made for the wheel chair user with the following cage dimensions of lift recommended for passenger lift of 13 persons capacity of Bureau of Indian Standards.

Clear internal width	1100 mm
Clear internal width	2000 mm
Entrance door width	900 mm

- a) A hand rail not less than 600mm long at 1000mm above floor level shall be fixed adjacent to the control panel.
- b) The lift lobby shall be of an inside measurement of 1800 mm x 1800 mm or more.
- c) The time of an automatically closing door should be minimum 5 seconds and the closing speed should not exceed 0.25 m/sec.
- d) The interior of the cage shall be provided with a device that audibly indicates the floor, the cage has reached indicates that the door of the cage of entrance/exit is either open or closed.
- v) Toilets** -One special W.C. in a set of toilets shall be provided for the use of handicapped with essential provision of washbasin near the entrance for the handicapped.
 - i) The minimum size shall be 1500 mm x 1750 mm.
 - ii) Minimum clear opening of the door shall be 900mm and the door shall swing out.
 - iii) Suitable arrangement of vertical/horizontal handrails with 50 mm clearance from wall shall be made in the toilet.
 - iv) The W.C. seat shall be 500mm from the floor.
- vi) Drinking Water:-** Suitable provision of drinking water shall be made for the handicapped near the special toilet provided for them.
- vii) Designing for Children:-** In the buildings meant for the pre-dominant use of the children, it will be necessary to suitably alter the height of the handrail and other fittings & fixtures, etc.

E Explanatory notes:-

1) Guiding / Warning Floor Material:

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

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

2) Proper signage:-

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

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

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

6.8 RAIN WATER HARVESTING:-

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

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

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

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

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

SCHEDULE

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

i) Open well of a minimum 1.00 mt dia and 6mt in depth into which rain water may be channeled and allowed to filter for removing silt and floating material. The well shall be provided with ventilating covers. The water from the open well may be used for non-potable domestic purposes such as washing, flushing and for watering the garden etc.

ii) Rain Water Harvesting for recharge of groundwater may be done through a bore-well around which a pit of 1m width may be excavated upto a depth of at least 3m and refilled with stone aggregate and sand. The filtered rain water may be channeled to the refilled pit for recharging the bore-well.

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

iv) The surplus rain water after storage may be recharged in to ground through percolation pits or trenches or combination of pits and trenches. Depending on the geomorphological and topographical conditions, the pits may be of the size of 1.20 m width X 1.20 m length X 2 m to 2.50 m depth. The trenches can be of 0.60 m width X 2 to 6 m length X 1.50 to 2 m depth. Terrace water shall be channeled to pits or trenches. Such pits or trenches shall be back filled with filter media comprising the following materials :

a) 40 mm stone aggregate as bottom layer upto 50% of the depth.

b) 20 mm stone aggregate as lower middle layer upto 20% of the depth.

c) Coarse sand as upper middle layer upto 20% of the depth.

d) A thin layer of fine sand as top layer.

e) Top 10% of the pits/trenches will be empty and a splash is to be provided in this portion in such a way that roof top water falls on the splash pad.

f) Brick masonry wall is to be constructed on the exposed surface of pits/trenches and the cement mortar plastered. The depth of wall below ground shall be such that the wall prevents lose soil entering into pits/ trenches. The projection of the wall above ground shall at least be 15 cm.

g) Perforated concrete slabs shall be provided on the pits/trenches.

h) If the open space surrounding the building is not paved, the top layer up to a sufficient depth shall be removed and refilled with coarse sand to allow percolation of rain water into ground.

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

vi) Rain Water Harvesting structures shall be sited as not to endanger the stability of building or earthwork. The structure shall be designed such that no dampness is caused in any part of the walls or foundation of the building or those of an adjacent building.

vii) The water so collected/recharged shall as far as possible be used for non-drinking and non-cooking purpose. Provided that when the rain water in exceptional circumstances will be utilised for drinking and/or cooking purpose, it shall be ensured that proper filter arrangement and the separate outlet for bypassing the first rain water has been provided. Provided further that, it will be ensured that for such use, proper disinfectants and the water purification arrangements have been made.

6.9 SPECIAL PROVISIONS FOR INSTALLATION OF SOLAR WATER HEATING SYSTEM

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

1) The solar water heating system should be mandatory in the hospitals and hotels, where the hot water requirement is of continuous nature. In these building the system must be provided with auxiliary backup system.

2) The use of solar water heating system is recommended in following type of building in Government/Semi-Government and institutional building where the hot water requirement may not be continuous / permanent.

- i. Guest Houses.
- ii. Police men/Army barracks.
- iii. Canteens.
- iv. Laboratory and Research Institutions where hot water is needed.
- v. Hostels, Schools, Colleges and Other Institutes.

3) The installation of the electrical back-up in all such water heating system shall be optional depending on the nature of requirement of the hot water.

4) It is suggested that solar water heating system of the capacity of about 100 liters per day based on thermo syphonic system with necessary electrical back-up be installed at residential building like hostels.

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

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

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

iii) A Solar water heating system can also be integrated with the building design. These can either be put on the parapet or could be integrated with the south facing vertical wall of the building. The best inclination of the collector for regular use

throughout the year is equal to the local latitude of the place. The collectors should be facing south. However, for only winter use the optimum inclinations of the Collector would be (latitude + 15 degrees of the south). Even if the Collectors are built in the south facing vertical wall of the building the output from such collectors during winter month is expected to be within 32% output from the optimum inclined collector.

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

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

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

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

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

6.10 TOURISM DEVELOPMENT ACTIVITIES:

The Planning Authority shall allow the development of tourism activities as per following terms & conditions-

General Conditions

1) These guidelines shall be applicable for Tourism Development Zone in No Development Zone & other Zones, too as setout herein below

2) Tourism Development Zone can be developed by individual or company or partnership firm or Government / Semi-government Organisations / Corporations

3) **Tourism Development Zone Committee** - Proposals for lands to be specified as Tourism Development Zone shall be recommended for consideration of Government in Urban Development Department by a committee consisting of -

SR.NO.	NAME	POSITION
(i)	Secretary, Tourism Development Department, Mantralaya	Chairman
(ii)	Divisional Commissioner	Member
(iii)	Municipal Commissioner	Member
(iv)	Deputy Director of Town Planning / Divisional Head of the Town Planning Department	Member
(v)	Representative of Hotel Industries	Member
(vi)	Environmentalist	Member
(vii)	Architect, having 20 years' experience in Architectural practices	Member

This Committee may be called “Tourism Development Zone Committee” (TDZC). The Persons at Sr. No. (v), (vi) & (vii) of the Committee may be nominated by Secretary, Tourism Development Department and the tenure of these members shall change after every 3 years, provided however that the same person shall be eligible for reappointment as a member.

4) Size of plot & FSI – Minimum requirements regarding the size of the plot for Tourism Development Zone other features shall be as follows:-

i) Tourism Development Zone as identified in Developable Zone shall be granted FSI as permissible for that zone in the sanctioned DCR.

ii) TDZ area identified in No Development Zone shall be granted FSI as per the Table given below:-

No Development Zone		
Total NDZ holding	Max. TDZ (area permissible fixed)	Max. built up area permissible (FSI)
Area in hectare	Area in hectare	Area in sq. m.
2.00	1.00	5000 square meter
2.00-3.00	1.10	5500 square meter
3.00-4.00	1.20	6000 square meter
4.00-5.00	1.40	7000 square meter
5.00-6.00	1.60	8000 square meter
6.00-7.00	1.70	8500 square meter
7.00-8.00	1.80	9000 square meter
8.00-9.00	1.90	9500 square meter
9.00-10.00	2.00	10000 square meter
Above 10.00	1/5 th of the holding	Half of the area of TDZ (0.5 FSI of TDZ area.)

Note:

i) After deducting the area of Tourism Development Zone, remaining land in No Development Zone shall be entitled for FSI as permissible in No Development Zone.

ii) For plots each more than 2 hectare in area in No development Zone, no sub-division of plots shall be permitted.

5) Smaller Plots: - For existing landholders having smaller plots in No Development Zone, the provisions of promotion of tourism through bed & breakfast type of the arrangement for tourism shall be permissible as recommended by Tourism Development Zone Committee & approved by Government in Urban Development Department. There shall be the same FSI as in No Development Zone for plots, according to Development Control Regulations.

6) Prohibition for inclusion in TDZ- Lands falling in categories specified below shall not be included in Tourism Development Zone and hence shall not be considered for the purpose -

a) Lands affected beyond permissible levels by pollution in land, water or air, as may be decided and certified by the Maharashtra Pollution Control Board.

b) Lands covered by mangroves.

c) Areas from No Development Zone directly abutting the Residential Zone without being separated by road having width not less than 18 m.

7) Infrastructural Facilities- All the infrastructural facilities required in site as specified by Municipal Council and also as suggested by Tourism Development Zone Committee shall be provided by the developer at his own cost on the site. Proper arrangement for treatment and disposal of sewage and sullage and solid waste shall be made to the satisfaction of Municipal Council & Maharashtra Pollution Control Board. No untreated effluent shall be allowed to pass into the sea or any water body.

8) Revised sites for TDZ - Where the lands are located in unique/unusual area, particularly suitable for development of tourism in view of existing water body, scenic beauty, tree plantation or geological formation etc. but are designated/ reserved in the Development Plan for the purpose of park or gardens or recreation ground or private garden or private recreational ground, it can be specified as Tourism Development Zone. The minimum area of such site, however, shall not be less than 1.00 Ha. The floor space index available for development in such a site shall be 0.20. This FSI is to be consumed on only 15% of the area of the lands declared as Tourism Development Zone; out of the site designated for open user such as Recreation Ground, Parks etc.

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

6.11 REGULATIONS FOR CONSERVATION OF HERITAGE BUILDINGS / PRECINCTS / NATURAL FEATURES.

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

A) APPLICABILITY:-

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

B) RESTRICTION ON DEVELOPMENT, REDEVELOPMENT / REPAIRS, ETC.:-

i) No development or redevelopment or engineering operations or additions, alterations, repairs, renovation including painting of building, replacement of special features or plastering or demolition of any part thereof of the said listed buildings or listed precincts or listed heritage streets or listed natural features shall be allowed except with prior written permission of the Municipal Commissioner. Before granting any such permission, the Municipal Commissioner shall consult the Heritage Conservation Committee to be appointed by the State Government (hereinafter referred to as the said Heritage Conservation Committee) and shall act on the advice of the Heritage Conservation Committee.

ii) In relations to religious buildings in the said list, the changes, repairs, additions, alterations and renovations required on religious grounds mentioned in sacred texts, or as a part of holy practices laid down in the religious codes may be treated as permissible, subject to their being in accordance and in consonance with the original structure and architecture, designs, aesthetics and other special features thereof. Provided that while considering applications for such changes, repairs, additions, alterations and renovations, the Municipal Commissioner shall act on the advice of the Heritage Conservation Committee.

Provided that before granting any permission for demolition or major alterations / additions to listed buildings (or buildings within listed precincts) streets or construction of any listed natural features or alterations of boundaries of any listed features objections and suggestions from public shall be invited and duly considered by the Heritage Conservation Committee

Provided that in exceptional cases, for reasons to be recorded in writing, the Municipal Commissioner may overrule the advice of the Heritage Conservation Committee. Provided further that power to overrule the advice of the Heritage Conservation Committee shall not be delegated by Municipal Commissioner to any other officer,

provided further the Municipal Commissioner shall take the prior approval of Government before overriding the advice of Heritage Conservation Committee.

C) Preparation of List of Heritage Building, Heritage Precincts, Listed Natural Features;

i) The Government/Commissioner in consultation with the Heritage Conservation Committee shall prepare list of new buildings, artifacts, areas and precincts of historic and/or cultural significance and the list of those natural features of environmental significance including sacred groves, hills, hillocks, water bodies (and areas adjoining the same), open areas, wooden areas, sthalarikshaws, viewpoints, walks, rides, bridle path and/or area of scenic beauty etc. The list so amend or newly prepared to which this regulation apply shall not form the part for the purpose of Section 37 of Maharashtra Regional and Town Planning Act of 1966 *but procedure as mentioned below shall be followed before finalizing such list* .

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

iii) The Municipal Commissioner shall issue notice to the owners of the buildings, artifacts, areas and precincts of historic and / or cultural significance etc., and invite objection or suggestions from such person in respect of proposed inclusion within 60 days from the date of such notice.

iv) The Municipal Commissioner on receipt of any objection or suggestion shall decide the same after giving hearing to the Objector and finalised it after taking approval from the Government. For finalizing such list the procedure under Section 37 need not be necessary. After approval from the Government such list shall be the final heritage list.

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

i) The Municipal Commissioner shall frame special Regulation for the Heritage precincts or listed buildings. The special separate regulations for precincts, the draft of the same shall be published in the official gazette and in leading newspapers for the purpose of inviting suggestions from the public. All suggestions and objections received within a period of 60 days from the date of publication in the official gazette and or newspapers shall be considered by the Municipal Commissioner.

After consideration of the above suggestions and objections, the Municipal Commissioner shall modify the aforesaid draft regulations for precincts, and forward the same to the Government for sanction.

Provided that pending consideration of suggestion and objections and pending final sanction from the Government to the above draft special regulations for precincts, the Municipal Commissioner shall have due regards to the above draft special regulations while considering applications for development / redevelopment etc. of heritage buildings / heritage precincts.

ii) The Municipal Commissioner while framing the Development Control Rules or the Bye-laws shall prescribe the Road widening line so as to protect and not to detract from the said Heritage Precincts or listed natural features.

iii) If there are any new roads or road widening lines proposed in the Draft or Sanctioned Regional Plan / Revised Draft / Sanctioned Development Plan of City, the Municipal Commissioner shall consider the heritage provisions and environmental aspects while considering applications for development permissions in these precincts.

iv) If there are any Development Plan / Regional Plan reservations shown on heritage buildings, or on listed natural features the same shall not be implemented. If required, the Municipal Commissioner on the advice of the Heritage Conservation Committee shall move Government to get these reservations deleted / modifying the said reservation, the Municipal Commissioner shall cause notice to be published in local newspaper inviting objections for such deletion or modification.

v) The Municipal Commissioner, on the advice of the Heritage Committee may amend or modify the Special Regulation, after notice to the public and with the sanction of the State Government.

E) POWER TO ALTER, MODIFY OR RELAX REGULATIONS:

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

F) RESTRICTION ON DEVELOPMENT OF HERITAGE PRECINCTS OR LISTED BUILDINGS:

i) No permission for Development, alteration, modification etc., shall be granted to any person in respect of any Heritage precincts or Listed Building, except with the advice of the Heritage Conservation Committee.

ii) The Municipal Commissioner may grant permission for development, alteration, modification etc. subject to provisions made under special Regulations framed for Heritage Precincts of the listed buildings.

iii) If application for development, alteration, modification of the Heritage precincts or listed buildings is rejected under this regulation or under the Special Regulation or while granting such permission, any conditions are imposed on the owner which

deprives him to use the FSI, the said owner shall be compensated by grant of Development Right Certificate.

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

G) GRANT OF TRANSFERABLE DEVELOPMENT RIGHTS IN CASES OF LOSS OF DEVELOPMENT RIGHTS:

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

ii) Regulation for grant of Transferable Development Rights to owners / lessees of heritage buildings / heritage precincts and conditions for grant of such T.D.R. shall be as stipulated under these regulations.

H) MARINATING SKYLINE:

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

I) RESTRICTIVE COVENANTS:

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

J) REPAIR FUND:

No cessed building included in the said list shall be repaired by the owners of the said buildings themselves or if they are cessed buildings, those can be repaired by the Housing Repair Board or by the owner or by the Co-operative society of the owner and occupiers of the old building. With a view to give monetary help for such repairs separate fund may be created which would be kept at disposal of the Municipal Commissioner, who will make disbursement from the funds on the advice of the

Heritage Conservation Committee. Provisions for such fund may be made through District Planning and Development Council's Budget

K) GRADING OF LISTED BUILDINGS / LISTED PRECINCTS

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

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

GRADE I	GRADE II	GRADE III
A)DEFINATION		
Heritage Grade I - comprises buildings and precincts of national / historic importance, embodying excellence in architectural style, design technology and material usage; they may be associated with a great historical event, personality movement or institution. They have been, and are the prime landmarks of the region. All natural features shall fall within Grade I.	Heritage Grade II- (A&B) – comprises buildings & precincts of local importance possessing special architectural or aesthetic merits or cultural or historical value, though of lower order than that of Heritage Grade-I. They are local landmarks contributing to the image and identity of the region. They may be the work of master craftsman or may be models of proportion and ornamentation or design to suit particular climate.	Heritage Grade III- comprises building and precincts of importance for townscape; they evoke architectural aesthetic or sociological interest though not as much as in Heritage Grade-II. These contribute to determine the character of the locality and can be representative of lifestyle of a particular community or region and may also be distinguished by setting on a street line or special character of the facade and uniformity of height, width and scale.
B) OBJECTIVE		
Heritage Grade-I richly deserves careful preservation.	Heritage Grade-II deserves intelligent conservation.	Heritage Grade-III deserves intelligent conservation (though on lesser scale than Grade-II) protection of unique features and attributes.
C) SCOPE FOR CHANGES		
No interventions would be permitted either on the exterior or interior unless it is necessary in the interest of strengthening and	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	External and internal changes and adaptive reuse would by and large be allowed. Changes can include extensions and additional buildings in

prolonging the life of the buildings or precincts or any part or features thereof. For this purpose, absolutely essential and minimum changes would be allowed and the must be in accordance with the original.	ensure the conservation of all special aspects for which it is included in Heritage Grade-II.	the same plot or compound. However, any changes should be such that they are in harmony with and should be such that they do not detract from the existing heritage building precinct.
	GRADE-II(B)	
	In addition to the above, extension or additional building(s) in the same plot or compound may, in certain circumstances, be allowed; provided that, such extension /additional building is in harmony with (shall not detract) the existing heritage building(s) or precincts, especially in terms of height and/or facade.	
D) PROCEDURE		
Development Permission for changes would be given by the Commissioner on the advice of the Heritage Conservation Committee to be appointment by the State Government.	Development Permission for changes would be given by the Commissioner on the advice of the Heritage Conservation Committee to be appointed by the State Government.	Development Permission for changes would be given by the Commissioner on the advice of the Heritage Conservation Committee to be appointed by the State Government.
E) VISTA / SURROUNDING DEVELOPMENT		
All developments in areas surrounding Heritage Grade-I shall be regulated and controlled, ensuring that it does not mar the grandeur of or view from, Heritage Grade-I	All developments in areas surrounding Heritage Grade-I shall be regulated and controlled, ensuring that it does not mar the grandeur of or view from, Heritage Grade-II	All developments in areas surrounding Heritage Grade-I shall be regulated and controlled, ensuring that it does not mar the grandeur of or view from, Heritage Grade-III

L) Signage and Outdoor Display Structures including Street Furniture:-

L.1) No display or advertising signs and outdoor display structures on listed buildings and or the heritage precincts shall be permitted except in accordance with Part X- (Signs and outdoor display structures) National Building Code of India, with prior approval of Heritage Conservation Committee.

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

L.2) Additional conditions:-

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

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

L.3) Prohibition of advertising signs and outdoor display structures in certain cases:-

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

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

Provided that if the Heritage Conservation Committee, so advises, The Chief Officer, shall add, alter or amend the provisions of sub-clause 15.1, 15.2 and 15.3 above.

M) Composition of Heritage Conservation Committee:-

M.1) There shall be a Heritage Conservation Committee for Mahabaleshwar Council. The Committee shall be nominated by the State Government. The Committee shall comprise of members with following qualification:-

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

3	Eminent Architect / Urban Designer / Heritage Conservation Architect having 10 years' experience in conservation architecture and membership of the Council of Architecture.	2 members
4	Environmentalist having in-depth knowledge and experience of 10 years in the subject matter.	1 member
5	Expert in the field on History, having 10 years' experience in the Field.	1 member
6	Representative of NGO with proven Experience in heritage conservation.	1 member
7	Representative of the Department of Archaeology, Government of Maharashtra.	1 Member
8	Representative of Archaeological Survey of India.	1 Member
9	Joint Director of Town Planning, Pune Division, Pune.	Member
10	Assistant Director of Town Planning, Satara Branch.	Member Secretary.

i) The Committee shall have the powers to co-opt up to three additional members who may have lesser experience, but who have special knowledge of the subject. Provided that additional members may be co-opted for special purpose or on sub-committees of the Heritage Conservation Committee.

ii) The tenure of the Members of Category (i), (iii), (iv), (vi), (vii) above shall change after three years, provided however that the same person shall be eligible for reappointment as Member.

iii) The Heritage Committee shall come into existence with effect from the date of its publication in the Official Gazette.

iv) No act of the committee done in good faith shall be deemed to be invalid by reason only of some defect subsequently discovered in the 113 Organization of the Committee or in the Constitution of the Committee or in appointment of the Member or on the ground that such member was disqualified for being appointed.

v) The Chairman and in his absence the Vice-Chairman of the Committee shall preside over the meetings of the Committee

M.3)The terms of reference of the Committee shall be, inter alia,

i) to advise the Municipal Commissioner whether Development permission should be granted under this Regulation and the conditions of such permission.

ii) to prepare supplementary list of buildings, artefacts structures, areas precincts of historic aesthetic, architectural or cultural significance and a supplementary list of natural features of environmental significance including sacred groves, hills, hillocks, water bodies (and the areas adjoining the same), open areas, wooded areas, sthalariksha etc. to which this Regulation would apply.

iii) to advise whether any relaxation modification, alteration or variance of any of the Development Control Regulations / Building Bye-laws, is called for.

iv) to suggest amendments, changes or special regulations or modifications to special regulations and to advise the Municipal Commissioner regarding the same.

v) to advise on the extent of Development Rights Certificates to be granted to the owners of listed Buildings or Heritage Precincts.

vi) to advise whether Development Rights Certificates may be allowed to be consumed in a heritage precinct.

vii) to advise whether to allow commercial / office user of any listed building of Heritage Precincts, and when to terminate the same to advise the Commissioner to regulate erection of outside advertisement / bill boards.

viii) to recommend to the Commissioner guidelines to be adopted by those private parties who sponsor beautification schemes at Public intersections and elsewhere.

ix) to advise the Municipal Commissioner to evaluate the cost of repairs to be given to the owners to bring the existing buildings back to the original condition. For this purpose the Committee may also try to help the Municipal Commissioner to raise funds through private resources.

x) to prepare special designs and guidelines for listed buildings and control of height and essential facade characteristics such as maintenance of the buildings and to suggest suitable design adopting new materials for replacement keeping the old form intact to the extent possible.

xi) to prepare guidelines relating to design elements and conservation principles to be adhered to and to prepare other guidelines for the purpose of this regulation.

xii) to advise the Municipal Commissioner on any other issue as may be required from time to time during course of scrutiny of development permissions and in overall interest of heritage / environmental conservation.

xiii) to prepare special regulations for heritage precincts / and to advise the Municipal Commissioner regarding the same.

N) APPEAL:

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

6.12 REDEVELOPMENT OF EXISTING BUILDINGS BELONGING TO EWS / LIG GROUPS.

1) For redevelopment of existing buildings of EWS / LIG undertaken by landlord and / or co-operative housing societies and / or occupiers having carpet area of all tenements less than 40 sq.mt. or as per the norms prescribed by MHADA, the total FSI shall be the FSI equivalent to the FSI allowed on the plot as per road width under this regulation. However, the permissible additional FSI in the form of additional FSI and/or TDR as per road width over and above the basic FSI can be allowed as an additional FSI on payment of 50% premium chargeable in normal cases.

Provided that the reconstruction / redevelopment shall be allowed only if the building life is more than 30 years. Before allowing such re-development, the Municipal Commissioner shall take certificate from nearest Government Engineering College to this effect.

6.13 REDEVELOPMENT OF DANGEROUS BUILDINGS:-

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

1) Redevelopment of tenanted building undertaken by landlord and / or co-operative housing societies of landlord and / or occupiers, the total FSI shall be the FSI equivalent to the permissible base FSI allowed on the plot under this regulation or the FSI required for rehabilitation of existing occupiers plus 50% of the permissible FSI whichever is more.

2) Each occupant shall be rehabilitated and given the carpet area occupied by him for residential purpose in the old building subject to minimum fixed carpet area of 27.88 sq.mt. (300 sq.ft.) and / or maximum carpet area upto 70 sq.mt. (753 sq.ft.) as provided in the MHADA Act, 1976. In case of non-residential occupier the area to be given in the reconstructed building will be equivalent to the area occupied in the old building. Provided that if the carpet area for residential purpose exceeds 70 sq.mt., the cost of construction shall be paid by tenant / occupant to the developer. The cost of construction shall be as per the ready reckoner rate of that year. However, the carpet area exceeding 70 sq.mt. shall be considered for rehab FSI but shall not be consider for incentive FSI.

3) Maximum permissible FSI on the plot shall be as per road width. Out of the balance FSI available on plot after deducting rehab and incentive FSI as calculated above 0.30 FSI on payment of premium shall be allowed and remaining shall be as TDR.

4) Reconstruction / redevelopment shall be allowed only if the building life is more than 30 years. Before allowing such re-development, the Municipal Commissioner shall take certificate from nearest Government Engineering College regarding the buildings are dangerous and dilapidated.

6.14 REGULATION FOR INCLUSIVE HOUSING:-

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

1) (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---

i) either in the form of developed plots Of 30 to' 50 sq.mt. size for Economically Weaker Sections I Low Income Groups (EWS/LIG), (hereinafter referred to as "affordable plots")in which plots of 30 sq.mtr. size. shall be kept for EWS.

Or

ii) in the form of equivalent 20% net plot area for, constructing EW8/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.

(b) The Landowner! Developer shall sell the affordable plots to MHADA at one place in lieu of equivalent FSI to be utilized in the remaining plots. If MHADA declines to purchase the same within a reasonable time of six months, he can sell the affordable plots in the open market, in such case additional FSI of affordable plots shall not be admissible.'

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

Formula : $X = \{R_g/R_r\} \times Y$

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

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

R_r = Rate in Rs. Per Sq.m.as per ASR of the receiving plot of the same year of the generating plot.

Y = Unutilized additional FSI.

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

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

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

“Provided further that the equivalent Affordable Housing tenements can also be provided at some other location (s) within the same Administrative Ward of the Municipal Corporation and such construction shall be free of FSI upto the limit of 50% of the admissible FSI of such alternative plot.”

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

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

Provided further that in case of Individual bungalow housing scheme, these provisions shall not apply in case of redevelopment of Individual bungalow. However if redevelopment of total plot under layout is proposed, this provisions shall be applicable.

d) The Landowner / Developer may also be permitted to utilize 1/4th of the total 20% F.S.I. earmarked for Affordable Housing towards construction of Affordable Housing Tenements in the form of service quarters on the same plot but in a separate block which shall have to be sold as service quarters only to the purchasers of free sale flats under the said Scheme.

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 construction of residential tenements for the EWS/LIG and also for the development / redevelopment of any land, owned by the Government or any Semi-Government organization. Provided such development / redevelopment is undertaken by the Government or such Semi- Government Organization by itself or through any other agency under BOT or PPP model.

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

3) Amalgamation of affordable plots / affordable tenements shall not be allowed

4) These provisions shall be applicable prospectively and shall not be applicable to any Housing Scheme or residential development project wherein Commencement Certificate had been issued prior to the date of coming into force of these provisions and was valid on such date.

6.15 Regulations for Waste Water Recycling for the Area of Municipal Corporation are as follows:-

(A) Type of Waste Water:-

The Waste Water is of following types:--

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

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

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

(B) APPLICABILITY

These Regulations shall be applicable to all Developments/ Redevelopments, part Developments on plots having an area of 4,000 sq.m. or more as well those mentioned under (C-2) to (C-6) shall have the provision for treatment, recycling and reuse of Waste Water. The applicant shall along with his application for obtaining necessary layout approval/ building permission shall submit a plan showing the location of Waste Water Treatment Plant, furnishing details of calculations, references, implementation, etc. This Plan shall accompany with the applicant's commitment to monitor the system periodically from the date of occupation of the respective building.

(C) REGULATIONS

(C-1) For Layout Approval/Building Permission

(i) In case of Residential layouts, area admeasuring 4000 sq.m. (1 acre) or more, in addition to 10 per cent open space, prescribed in the bye- laws, a separate space for Waste Water Treatment and Recycling Plant should be proposed in the layout.

(ii) On the layout Plan, all Drainage lines, Chambers, Plumbing lines should be marked in different colour and submit it to Kolhapur Municipal Corporation.

(iii) The Recycled Water shall be used for Gardening, Car Washing, Toilet Flushing, Irrigation, etc. and in no case for drinking, bathing, washing utensils, clothes, etc

(iv) In the Estimate of Waste Water Recycling Plant only provision for basic civil work and required machinery will be proposed by the Kolhapur Municipal Corporation other than these provisions, additional machinery, plumbing, Water tank pipe, landscape should be provided by Owner or Developer on his Own Cost.

(v) A clause must be included by the Owner/ Developer in the purchase agreement that the purchaser, Owner of the Premises/Organization or Society of the purchasers shall ensure that:

a. The Recycled Water is tested every six months either in Municipal Laboratory or in the laboratory approved by Municipal Corporation or by State Government and the result of which shall be made accessible to the Competent Authority/ EHO of the respective Ward Office.

b. Any recommendation from testing laboratory for any form of corrective measures that are needed to be adopted shall be compiled. Copy of any such recommendation and necessary action taken shall also be sent by the testing laboratories to the Competent Authority/ EHO of respective Wards.

c. Maintenance of Recycling Plant should be done by the Developer or Housing Society or Owner.

(C-2) Group Housing/Apartment Building

i. In case of Group Housing if the area admeasuring 2000 sq.mtrs. and above or if consumption of Water is 20,000 litres per day or if a multistoried building where there are 20 or more tenements then Waste Water Recycling Plant as mentioned in (C-1) above should be constructed.

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

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

(C-4) Hospitals

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

(C-5) Vehicle Servicing Garages

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

(C-6) Other Hazardous uses

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

(D) INCENTIVE

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

(E) Penalty Clause

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

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

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

Transit oriented development aims at a development focused around a mass rapid transit corridor (hence forth called as TOD corridor) which facilitates ease of access to the transit facility, thereby encouraging people to walk and use public transportation over personal modes of transportation. Development along mass rapid transit corridor shall be governed by special regulations sanctioned by the Government from time to time and only after such transit corridor are identified and mass rapid transit system work is started.

PART VII

TRANSFERABLE DEVELOPMENT RIGHTS AND ACCOMODATION RESERVATION PRINCIPLE:

7. Transferable Development Rights and Accommodation Reservation Principle-

- 7.1 In exercise of the powers conferred by Clause (a) of sub-section (1AA) of Section 37 of the Maharashtra Regional and Town Planning Act, 1966 (Mah. XXXVII of 1966) (hereinafter referred to as the said act) and all other powers enabling in that behalf, the Govt. of Maharashtra, in **supersession of all the earlier existing / proposed regulations and directives issued** in respects of **Transferable Development Rights and Accommodation Principle of the said Planning authorities**, has declared its intention to replace them and newly insert by the proposed regulations of **Transferable Development Rights and Accommodation Principle** specified in the **Appendix-B & AR** appended to Government Notice issued vide No.TPS-1812/3067/CR-42/UD-13, dated 30th April, 2015. This shall be applicable as finalised by the Government.

PART-VIII

REQUIREMENTS OF PARTS OF BUILDINGS

This part sets out the standard space requirements of various parts of building, light and ventilation, the building services, fire safety, etc. The following parts of a building, wherever present, shall conform to the requirements given herein:

8.1. Plinth:-

i) The plinth of building shall be so located with respect to the surrounding ground level that adequate drainage of the site is assured. The height of the plinth shall not be less than 45 cm above the surrounding ground level. In areas subjected to flooding, the height of the plinth shall be at least 60 cm. above the high flood level or greater than 60 cm. as may be decided by the Planning Authority in deserving cases.

ii) Interior Courtyards, Covered parking spaces and garages shall be raised at least 15 cm. above the surrounding ground level and shall be satisfactory drained.

iii) In the case of special housing schemes undertaken by public agencies for low income group and economically weaker section of society, the minimum height of plinth shall be not less than 30 cm. The minimum height of plinth shall be regulated on the basis of environmental & topographical condition & higher plinth height may be required in areas prone to flooding.

8.2 Habitable Room:-

8.2.1. Size and Dimension of Habitable Rooms

Internal dimensions & size of rooms for various uses and occupancies shall be as in Table No.18 below:-

Table-18

No	Occupancy	Minimum Area in sq. m.	Minimum width in m.
(1)	(2)	(3)	(4)
1	Any Habitable room in residential building / room from any other occupancy like hostels, residential hotel, lodging & boarding/housing etc except kitchen.	9.5	2.4
2	Room in a single – room tenement in Housing scheme for EWS & LIG.	12.5	3.0
3	Room in two-room tenements-		
	a) one of the rooms	9.5	2.4
	b) other room	7.5	2.4
	Room in a two-room tenement in Housing scheme for EWS & LIG		
	a) one of the room	9.0	2.5
	b) other room	6.5	2.1
4	Single bedded room in a hostel of a recognized educational institutions	7.5	2.4

5	Shop in R 1 zone	6.0	1.8
	Shop in other than R 1 zones	10	2.0
6	Class room in an educational building	38	5.5
7	Institutional building		
	a) Special room	9.5	3
	b) General Ward	40	5.5
8	Cinema Hall, auditorium assembly hall etc.	Inconformity with the Maharashtra Cinema Rules	

8.2.2. Height of Habitable Rooms

The minimum and maximum height of a habitable room shall be given in Table 16 hereunder:

Table19
Height of Habitable Rooms

No.	Occupancy	Minimum Height (m)	Maximum Height (m)
(1)	(2)	(3)	(4)
1	Flat Roof -		
	a) Any habitable room	2.75	4.2
	b) Habitable room in LIG Housing	2.6	4.2
	c) Air-conditioned habitable room	2.4	4.2
	d) Education building. c) Industrial building. e) Storage building.		
2	Pitched roof-		
	a) Any habitable room	2.75	4.2
	b) Habitable room in EWS / LIG Housing.	2.6(average with 2.0 m. at the lowest point)	4.2(average with 3.2 m. at the lowest point)

Provided that -

- i) the minimum head-way under any beam shall be 2.4 m.
- ii) in all occupancies, except those included in serial no. 1 (d) in the Table above, any height in excess of 4.2 m. shall be deemed to have consumed additional FSI of 50 percent of the relevant floor area.

8.3 Kitchen-

8.3.1. Size of Kitchen:-

- i) The area of the kitchen where separate dining area is provided shall be not less than 5.5 sq.m. with a minimum width of 1.8m, where a kitchen, which is intended for use as a dining area also, shall have a floor area of not less than 7.5 sq.m. with a minimum width of 2.1m.

ii) In case of special housing scheme, undertaken by public agencies for low income group and economically weaker section of the society, the size of a cooking alcove serving as cooking space shall not be less than 2.4sq.m. with a minimum width of 1.2m.. The size of individual kitchen provided in a two-roomed house shall be not less than 3sq.m. with a minimum width of 1.5 m.

8.3.2. Height of Kitchen:-

The height of a kitchen measured from the surface of the floor, to the lowest point in the ceiling (bottom of slab) shall not be less than 2.75 m. except for the portion to accommodate floor trap of the upper floor subject to provisions of Regulation No.8.2.2

8.3.3. Other requirements of kitchen:-

Every room to be as a kitchen shall have:

i) unless separately provided in pantry, means for the washing of kitchen utensils which shall lead directly or through a sink to grated and trapped connection to the waste pipe;

ii) an impermeable floor;

iii) a flue, if found necessary,

iv) window of not less than 1 sq.m. in area, opening directly on to an interior or exterior open space, but not into a shaft and

v) refuse chutes, in the case of High Rise residential buildings more than 15 m. in height.

8.3.4. Requirements regarding pantry:-

A pantry shall have -

i) A floor area of not less than 3 sq.m. with the smaller side not less than 1.4 m.

ii) A sink for the cleaning of kitchen's utensils which shall drain through a grated and trapped connection to the waste water pipe where water borne sewerage system is not available and the grated connection shall be made to the pucca surface drain leading to soak pit. or other approved system of disposal; and

iii) An impermeable floor and an impermeable ddo 0.9 m. high.

8.4 Bath Rooms, Water Closets, combined bath room plus water closet:-

8.4.1. Size of bath room and water closet:-

i) The size of a bathroom shall be not less than 1.8 sq.m. with a minimum width 1.2 m. The size of a water closet shall be not less than 1.10 sq.m with a minimum width of 0.9m. The minimum area of a combined bathroom and water-closet shall be 2.8 sq. m. with a minimum width of 1.2 m.

ii) In the case of EWS/LIG housing scheme the sizes of bathroom and water-closets shall be as follows:-

a) The size of independent water-closet shall be atleast 0.90sq.m. with minimum width of 0.9m.

b) The size of independent bathroom shall be atleast 1.20sq.m. with a minimum width of 1.00m &

c) The size of combined bathroom & water-closet shall be atleast 1.80sq.m. with minimum width of 1.0m.

8.4.2. Height of bath room and water closet:-

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

8.4.3. Other requirement of bath room and water closet:-

Every bathroom or water-closet shall -

- i. Be so situated that atleast one of its walls shall open to external air,
- ii. Not be directly over or under any room other than another water-closet, washing place, bath or terrace, unless it has a water-tight floor,
- iii. Have platform or seat made of water-tight non-absorbent material;
- iv. Be enclosed by walls or partitions and the surface of every such wall or partition shall be finished with a smooth impervious material to a height of not less than 1 m. above the floor of such a room.
- v. Every water closet and/or a set of urinals shall have a flushing cistern of adequate capacity attached to it. In EWS/LIG housing, however, no such flushing cistern need be provided,
- vi. Be provided with an impervious floor covering sloping towards the drain with a suitable grade and not towards verandah or any other room,
- vii. In High Density housing, pour flush water seal latrines (NEERI type) may be permitted when the sewerage system is not available and the water table in the area is not high.
- viii. All the sewerage outlets shall be connected to the sewerage system. Where no such systems exist a septic tank shall be provided within the plot conforming to the requirements of Regulation No.....
- ix. Have a window or ventilator, opening to a shaft or open space, of area not less than 0.3sq.m. with side not less than 0.3m.

8.4.4. Restriction on use of room containing water closet:-

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

8.5. Ledge or Tand / Loft and cupboards:-

8.5.1 Ledge or Tand / Loft:-

Location and extent - Lofts may be provided over kitchen, habitable rooms, bathrooms, water closets, and corridor within a tenement in residential buildings, over shops and in industrial building, as mentioned in below Table No.17subject to the following restrictions-

- i The clear head room under the loft shall not be less than 2.2m.
- ii Loft in commercial areas and industrial building shall be located 2 m. away from the entrance.
- iii Loft shall not interfere with the ventilation of the room under any circumstances.
- iv The minimum headroom of Ledge or Tand / Loft shall be 2.2m.
- v The maximum height of loft shall be 1.5m.

Table 20
Provision of Loft

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

8.5.2 Cup-Boards and shelves:-

Cupboards and shelves may project upto 60 cm. in the set-backs for residential buildings provided the width of such cupboards or shelves does not exceed 2.4 m. and there is not more than one such cupboards or shelves in each room. However, cupboards on ground floor may be permitted within the building line. Continuous cupboard or shelves with 60 cm. projection may be permitted provided the same is constructed underneath the sill portion of the window (not exceeding 90 cm. from the floor) and over the lintel of windows (at heights above 2.00 m. above floor level).

8.6 Mezzanine Floor

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

8.6.2. Height of Mezzanine Floor:

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

8.6.3. Other requirements of Mezanine Floor:

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

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

8.7. Store Room:-

8.7.1. Size of Store Room:-

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

8.7.2. Height of Store Room:-

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

8.8. Garage:

8.8.1. Size of private Garage:-

The size of a private garage in residential building shall not be less than 2.5 m x 5.5 m and not more than 3.0m x 6.0m. The garage, if located in the side open space, shall not be constructed within 3.0 m. from the main building, but at least 7.5 m. away from the any access road.

8.8.2. Size of public Garage:-

The size of a public garage shall be calculated based on the number of vehicles to be parked.

8.8.3. Height of private Garage:-

The minimum and maximum height of garage shall be 2.4 m. and 2.75 m. respectively.

8.8.4. Plinth of private Garage:-

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

8.8.5. Set Back of private Garage:-

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

8.9 Location of Garage in case of corner plot:

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

8.10 Roofs:-

The roof of a building shall be so constructed or framed as to permit effectual drainage of the rainwater therefrom by means of sufficient rainwater pipes of adequate size, wherever required, so arranged, jointed and fixed as to ensure that the rain-water is carried away from the building without causing dampness in any part of the walls or foundations of the building or those of an adjacent buildings.

8.11. Rain water pipes:-

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

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

8.12. Basements:-

i) One or more basements may be permissible for following uses and shall be constructed within the prescribed set-back, and prescribed building lines and subject to maximum coverage on floor 1 (entrance floor) and subject to payment of premium for the uses other than (c) and (d) below.

a) storage of household or other goods or ordinarily non-combustible material;

b) strong rooms, bank lockers, safe deposit vaults. etc.

c) air-conditioning equipments and other machines used for services and utilities of the building;

d) parking spaces;

- e) D.G. set room, meter room and Electric substation (which will conform to required safety requirements);
- f) Effluent Treatment Plant, suction tank, pump room;
- g) users strictly ancillary to the Principal user.

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

- i) All requirements regarding access, safety (including fire safety), ventilations, etc. shall be complied with.
- ii) All the planning standards (particularly as regarding parking) should be strictly adhered to the basement shall not be used for residential purpose.

The basement shall have the following requirements:-

- i) every basement shall be in every part at least 2.4 m. in height from the floor to the underside of the roof slab or ceiling;
- ii) adequate ventilation shall be provided for the basement. The standard of ventilation shall be the same as required by the particular occupancy according to these regulations. Any deficiency may be met by providing adequate mechanical ventilation in the form of blowers exhaust fans or air-conditioning systems;
- iii) the minimum height of the ceiling of any basement shall be 0.9 m. and the maximum shall be 1.2 m. above the average surrounding ground level;
- iv) adequate arrangements shall be made so as to ensure that surface drainage does not enter the basement;
- v) the walls and floors of the basements shall be water-tight and be so designed that the effect of the surrounding solid and moisture if any is taken into account in design and adequate damp proofing treatment is given and;
- vi) the access to the basement shall be separate from the main and alternate staircase providing access and exit from higher floors. Where the staircase is continuous the same shall be enclosed type serving as a fire separation from the basement floor and higher floors. Open ramps shall be permitted if they are constructed within the building line subject to the provision of clause (d) above.

8.13. Ramp-

A) Non Vehicular Ramp-

All the requirements of stairways in Regulation 8.28 shall apply *mutatis mutandis* to non-vehicular ramp. In addition, the following requirement shall be complied with.

- a) Ramps with a slope of not steeper than 1 in 10 may be substituted for and shall comply with all the applicable requirements of required stairways as to enclosure, capacity and

limited dimensions. In certain cases steeper slopes may be permitted but in no case greater than 1 in 8. Ramps shall be surfaced with approved non slipping material. Provided that in the case of public offices, hospitals, assembly halls, etc. the slope of the ramp shall not be more than 1: 12.

b) The minimum width of the ramps in hospitals shall be 2.25 m.

c) Handrails shall be provided on both sides of the ramp.

d) Ramps shall lead directly to outside open space at ground level or courtyards or safe place.

e) For building above 24 m. in height access to ramps from any floor of the building shall be through smoke stop door.

f) When there is a difference in level between connected areas for horizontal exits, ramps not more than 1 in 10 slope shall be provided; steps shall not be used.

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

B) Ramp to basements and upper storeys for vehicles-

For parking spaces in a basement and upper floors, atleast two ramps of minimum 3.6 m. width **or one ramp of 4.50 meter width** and slope not more than 1:10 shall be provided preferably at the opposite ends.

8.14. Balcony-

Provisions for the balconies and its requirement shall be as per Regulation no.....

8.15. Stilt-

A stilt portion shall be permitted on ground floor only constructed below 1st floor level, the height between ground floor level & ceiling of the stilt portion shall not be more than 2.4 m from the plinth of stilt upto the bottom of beam and atleast three sides of the stilt portion shall be open. The stilt portion shall not be used for any purpose other than for vehicles parking or for play field. Plinth of stilt shall not be more than 15 cm. from surrounding ground level.

8.16. Chimneys-

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

8.17. Letter box-

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

8.18. Meter Room-

For all buildings above 15 m in height and in special occupancies, like educational, assembly, institutional, industrial, storage, hazardous and mixed occupancies with any of the aforesaid occupancies having area more than 500sq.m. on each floor, provision shall be made for an

independent and ventilated meter (service) room, as per requirements of electric (service) supply undertakings on the ground floor with direct access from outside for the purpose of termination of electric supply from the licensee's service and alternative supply cables. The door/doors provided for the service room shall have fire resistance of not less than two hours.

8.19. Common antenna for television transmission reception-

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

8.20. Lighting and ventilation of room-

i) **Adequacy and manner of provision-**All parts of any room shall be adequately lighted and ventilated. For this purpose every room shall have-

a. sixth of the floor area of the room, with no part of any habitable room being more than 7.5 m. away from the source of light and ventilation. However, a staircase shall be deemed to be adequately lighted and ventilated, if it has one or more openings then area taken together measuring not less than 1 sq.m. per landing on the external wall.

b. An opening with a minimum area of 1 sq.m. in any habitable room including a kitchen, and 0.30 sq.m. with one dimension of 0.30 m. for any bathroom, water closet or store.

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

ii) **Ventilation Shaft-**For ventilating the spaces for water closets & bathrooms, if not opening on front, side, rear & interior open spaces, these shall open on the ventilation shaft, the size of which shall not be less than the values given below:

Table No 21

Sr. No.	Height of Buildings in m.	Cross-section of Ventilation shaft in sq. m.	Minimum one dimension of the shaft in m.
(1)	(2)	(3)	(4)
1	Upto10	1.2	0.9
2	Upto12	2.4	1.2
3	Upto 18	4.0	1.5
4	Upto 24	5.4	1.8
5	Upto30	8.0	2.4
6	Above 30	9.0	3.0

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

iii) Artificial Lightning and Mechanical ventilation - where lighting and ventilation requirements are not met through day-lighting and natural ventilation, they shall be ensured through artificial lighting and ventilation in accordance with the provisions of Part 8, Building Services- Section 1, Lighting and Ventilation, National Building Code of India, 2005.

iv) In any residential hotel where toilets are provided with a mechanical ventilation system. The size of the ventilation shaft prescribed in this Regulation may be suitably relaxed by the Planning Authority.

v) For fully air-conditioned residential buildings for lodging purposes, the ventilation shaft need not be insisted upon, provided the air-conditioning system works in an uninterrupted manner, also, provided there is an alternative source of power supply.

8.21. Overhead Tanks:

Every overhead water storage tank shall be maintained in a perfectly mosquito-proof condition by providing a properly fitting hinged cover and every tank more than 1.5 m. in height shall be provided with a permanently fixed iron ladder to enable inspection by anti-malaria staff.

8.22. Parapet:

Parapet walls and handrails provided on the edges of roof terraces, balcony, varandah shall not be less than 1.0m. and not more than 1.2m in height from the finished floor level.

8.23. Cabin:

The size of cabins shall be 3.0 sq.m. with a minimum width of 1m. The clear passages within the divided space of any floor shall not be less than 0.9 m. and the distance from the farthest space in a cabin to any exit shall not be more than 18.5 m. In case the sub-divided cabin does not derive direct lighting and ventilation from any open space or mechanical means, the maximum height of the cabin shall be 2.2 m.

8.24. Boundary /Compound Wall:

i) Unless the special permission of the Planning Authority is obtained, the maximum height of the front compound wall shall be 1.5 m. above the central line of the front street. Compound wall up to 2.4 m. height may be permitted if the top 0.9 m. is of open type construction.

ii) In the case of a corner plot, the height of the boundary wall shall be restricted to 0.75 m. for a length of 10 m. on the front and side of the inter sections and the remaining height of 0.75 m. if required in accordance with sub-regulation (i) may be made up of open type construction (through railings)

iii) The provision of sub-regulations (i) and (ii) shall not be applicable to boundary walls of jails.

iv) In the case of industrial buildings, electric sub-stations, transformer stations, institutional buildings like sanatoria, hospital, industrial building like workshops, factories and educational buildings like schools, colleges including the hostels and other user of public utility undertakings the height up to 2.4 m. may be permitted by the Planning Authority.

8.25. Society Office:

In the case of multi-storied multi-family dwelling apartments constructed for co-operative housing societies or apartment owner's co-operative societies, a Society Office upto 12 sq.m. shall be provided on the ground floor or uppermost floor. If the number of flats are more than 20 the maximum size of the Society Office shall be of dimension of 20 sq.m.

8.26. Provision of Lift:

i) Planning and Design-Atleast one lift shall be provided in every building more than 15m or as amended from time to time in NBC in height. In case of buildings more than 24m high atleast two lifts shall be provided. However, in the case of a proposal to add one additional floor to an existing building having a lift, it will not be necessary to raise the existing lift to the additional floor. Provided that in the case of an existing building with height of 15m or above one additional floor may be permitted without insisting on a lift in the case of chawl like structures. The same concession would be available for buildings with apartment accommodation provided the additional floor space is limited to 120 sq.m. The total height shall not exceed 15m or ground and five upper floors.

The planning and design of lifts including their number, type and capacity depending on the occupancy of the building, the population of each floor based on the occupant load and the building height shall be in accordance with Section 5 - Installation of Lifts and Escalators of Part 8- Building Services, of the National Building Code of India, 2005.

ii) Maintenance-

a) The lift installation should receive regular cleaning, lubrication adjustment and adequate servicing by authorized competent persons at such intervals as the type of equipment and frequency of service demand. In order that the lift installation is maintained at all times in a safe condition, a proper maintenance schedule shall be drawn up in consultation with the lift manufacturer and rigidly followed. A log book to record all items relating to general servicing and inspection shall be maintained. The electrical circuit diagram of the lift with the sequence of operation of different components and parts shall be kept readily available for reference by persons responsible for the maintenance and replacement, where necessary, to the satisfaction of the Competent Authority i.e. Lift inspector of the Government of Maharashtra.

b) Any accident arising out of operation of maintenance of the lifts shall be duly reported to the Competent Authority, i.e. Lift Inspector of the Government of Maharashtra. A notice may be put in the machine room to this effect.

c) All the floors shall be accessible for 24 hours by the lifts. The lifts provided in the buildings shall not be considered as a means of escape in case of emergency.

d) Grounding switch at ground floor level to enable the fire service to ground the lift cars in an emergency shall also be provided.

e) The lift machine rooms shall be separate and no other machinery shall be installed therein.

f) Particular attention may be directed for thorough periodical examination of wire ropes when in service. Attention should also be directed to the thorough examination of the groove of the drums, sheaves and pulleys when installing a new rope. A groove deepened by rope wear is liable to lead to early failure of a new rope unless the groove is returned.

8.27 Exit requirements-

8.27.1 General Exit requirements-

a) An exit may be a doorway; corridor, passageway(s) to an internal staircase, or external staircase, or to a *VERANDA*H or terrace(s), which have access to the street, or to the roof of a

building or a refuge area. An exit may also include a horizontal exit leading to an adjoining building at the same level.

- b) Lifts and escalators shall not be considered as exits.
- c) Every exit, exit access or exit discharge shall be continuously maintained free of all obstructions or impediments to full use in the case of fire or other emergency.
- d) Every building meant for human occupancy shall be provided with exits sufficient to permit safe escape of occupants, in case of fire or other emergency.
- e) In every building or structure, exits shall comply with the minimum requirements of this part, except those not accessible for general public use.
- f) No building shall be so altered as to reduce the number, width or protection of exits to less than that required.
- g) Exits shall be clearly visible and the route to reach the exits shall be clearly marked and signs posted to guide the occupants of the floor concerned. Signs shall be illuminated and wired to an independent electrical circuit on an alternative source of supply. The sizes and colours of the exit signs shall be in accordance with good as per N.B.C. (4.16, 4.17 Part-IV) practice [4(16)]. The colour of the exit signs shall be green.
- h) The floors of areas covered for the means of exit shall be illuminated to values not less than 1 ft candle(10 IUX)at floor level. In auditoriums, theatres, concert halls and such other places of assembly, the illumination of floor exit/access maybe reduced during period of performances to values not less than 1/5 ft.candle (2 lux).
- i) Fire doors with 2 h fire resistance shall be provided at appropriate places along the escape route and particularly at the entrance to lift lobby and stairwell where a ‘funnel or flue effect’ may be created, inducing an upward spread of fire to prevent spread of fire and smoke.
- j) All exits shall provide continuous means of egress to the exterior of a building or to an exterior open space leading to a street.
- k) Exits shall be so arranged that they may be reached without passing through another occupied unit.

8.27.2 Type of Exits:

An exit may be a doorway, a corridor, a passage or a way to an internal staircase or external staircase, ramp or to a verandah and/or terraces which have eaves to the street or to roof of a building. An exit may also include a horizontal exit leading to an adjoining building at the same level. Lifts and escalators shall not be considered as exits.

8.27.3. Arrangement of Exits:

Exits shall be so located that the travel distance on the floor shall not exceed 22.5 m. for residential, education, institutional and hazardous occupancies and 30 m. for assembly business, mercantile, industrial, storage & hazardous occupancies. Whenever more than one exit is required for a floor of a building, exits shall be placed at remote from each other as

possible. All the exits shall be accessible from the entire floor area at all floor levels.

8.27.4. 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.22 below-

Table No 22
Occupant Load

Sr. No.	Group of Occupancy	Occupant Load Floor Area in sq.m. per person
(1)	(2)	(3)
1	Residential	12.5
2	Educational	4
3	Institutional	15 (See Note 1)
4	Assembly	
	a) With fixed or loose seat and dance floors	0.6 (See Note 2)
	b) Without seating facilities including dining rooms	1.5(See Note 2)
5)	Mercantile	
	a) Street floor & Sales basement	3
	b) Upper sale floors	6
6)	Business and industrial	10
7)	Storage	30
8)	Hazardous	10

Note:

i) Occupant load in dormitory portions of homes for the aged, orphanages, insane, asylums etc. where sleeping accommodation provided, shall be calculated at not less than 7.5 sq.m. gross floor area per person.

ii) The gross floor area shall include, in addition to the main assembly rooms or space, any occupied connecting room or space in the same storey or in the storeys above or below where entrance is common to such rooms and spaces and they are available for use by the occupants of the assembly place. No deductions shall be made in the area for corridors, closets or other subdivisions, that area shall include all space serving the particular assembly occupancy.

8.27.5. Capacity of Exits-

1) Occupants per unit exit width shall be in accordance with Table-23

Table 23
Occupants per unit exit width

Sr. No.	Group of Occupancy	Number of Occupants		
		Stairways	Ramps	Doors
(1)	(2)	(3)	(4)	(5)
1	Residential	25	50	75
2	Educational	25	50	75
3	Institutional	25	50	75
4	Assembly	40	50	60

5	Business	50	60	75
6	Mercantile	50	60	75
7	Industrial	50	60	75
8	Storage	50	60	75
9	Hazardous	25	30	40

2) For the dormitory portions of homes for the aged, orphanages, mental hospitals, etc. these multipliers will be doubled.

3) The gross floor area shall include, in addition to the main assembly rooms or space, any occupied connecting room or space in the same storey or in the storey above or below where entrance is common to such rooms and space and they are available for use by the occupants of the assembly place.

4) No deductions shall be made in the gross area of the corridors, closets or other sub-divisions; the area shall include all space serving the particular assembly occupancy shall be reckoned.

8.27.6. Provision for Staircase-

All buildings, which are 15 m in height or above, and all buildings, used as educational, assembly, institutional, industrial, storage and hazardous occupancies and mixed occupancies with any of the aforesaid occupancies, having area more than 500sq.m. of each floor shall have a minimum of two staircases. They shall be of enclosed type; at least one of them shall be on external walls of buildings and shall open directly to the exterior, interior open space or to an open place of safety. Further, the provision or otherwise of alternative staircases shall be subject to the requirements of travel distance being complied with.

Provided that for purely residential building/residential building along with ground floor mix use having height less than 24 meters and built up area on any floor does not exceed 500 sq.mts. an additional staircase shall not be insisted. Provided also that in such cases width of stair case shall be minimum 1.50 mt.

8.27.7. Width of stair case-

Notwithstanding anything contained in regulations 8.27.3, 8.27.4 & 8.27.5 the following minimum width provision shall be made for staircases flight/corridor.

Table No 24

S No	Use of Building	Minimum width Of Stair Case
1	Residential Building	1.20 mtr
2	Residential hotel buildings	1.50 mtr
3	Assembly Building likes auditorium, theatres and cinemas	2.00 mtr
4	Institutional Buildings	2.00 mtr
5	All other Buildings	1.50 mtr

Note:-

i) for row housing with 2 storeys the minimum shall be 0.75 m.

ii) The width of the mid-landing/quarter landing should not be more than 1.5 times and the floor landing should not be more than two times of the width of the stair flight.

8.27.8 Corridors:

(a) The minimum width of a corridor other than internal passages shall be calculated based on the provisions of a regulation No.8.27.7 as per the corresponding width of staircase;

(b) In case of more than one main staircase of the building interconnected by a corridor or other enclosed space, there shall be at least one smoke stop door across the corridor or enclosed space between the doors in the enclosing walls of any two staircases.

(c) The passages (covered or uncovered) including an arcade, a courtyard, a porch or portico, spaces to be left open to sky in accordance with these Regulations, in any premises shall not be used for any other purpose than the one permissible.

8.27.9 Lifts and Escalators:-

a) 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.

b) Escalators :-

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

8.27.10 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.

8.28 Requirements of individual exit at each floor-

The detailed requirements in respect of exits shall be as provided in regulations 8.28.1 to 8.28.7 (both inclusive) given below.

8.28.1. Doorways-

i) Every exit doorway shall open into an enclosed stairway or a horizontal exit, or a corridor or passageway providing continuous and protected means of egress:-

ii) No exit doorway shall be less than 100 cm. in width except assembly buildings where door width shall be not less than 200 cm. Doorway shall be not less than 200 cm. in height. Doorways for the bathrooms, water-closets or stores shall be not less than 75 cm. wide.

iii) Exit doorways shall open outwards, that is away from the room but shall not obstruct the travel along any exit. No door, when opened shall reduce the required width of stairways or landing to less than 90 cm. Overheads or sliding doors shall not be installed.

iv) Exit door shall not open immediately upon a flight of stair. A landing equal to at least the width of the door shall be provided in the stairway at each doorway. Level of landing shall be the same as that of the floor which it serves.

v) Exit doorway shall be openable from the side which they serve without the use of a key.

vi) Mirrors shall not be placed in exit ways or exit doors to avoid confusion regarding the direction of exit.

8.28.2. Revolving doors-

i) Revolving doors shall not be used as required exits except in residential business and mercantile occupancies; they shall not constitute more than half the total required door width.

ii) When revolving doors are considered as required exit way, the following requirements shall be made.

8.28.3. Stair Ways :

i) Interior staircase shall be constructed of non-combustible materials throughout

ii) Interior staircase shall be constructed as a self-contained unit with at least one side adjacent to an external wall and shall be completely enclosed.

iii) A staircase shall not be arranged around a lift shaft

iv) Hollow combustible construction shall not be permitted.

v) The minimum width of tread without nosing shall be 25 cm. for an internal staircase for residential building. In the case of other buildings, the minimum tread shall be 30 cm. The treads shall be constructed and maintained in a manner to prevent slipping.

vi) The maximum height of riser shall be 19 cm. in the case of residential buildings and 15cm. in the case of other buildings. They shall be limited to 15 per flight.

vii) Handrails shall be provided with a minimum height of 100 cm. from the centre of the treads to the top of the handrails. Balusters / railing shall be provided such that the width of staircase does not reduce.

viii) Floor indicator - The number of each floor shall be conspicuously painted in figures at least 15 cm. large on the wall facing the flights of a stairway or at such suitable place as is distinctly visible from the flights.

ix) The minimum headroom in a passage under the landing of a staircase shall be 2.2 m.

x) For building more than 15m. in height or more access to main staircase shall be gained through at least half an hour fire resisting automatic closing doors placed in the enclosing wall of the staircase. It shall be a swing type door opening in the direction of the escape.

xi) No living space, store or other space including fire risk shall open directly into the staircase.

xii) External exit door of staircase enclosure at ground level shall open directly to the open spaces or should be reached without passing through any door other than a door provided to form a draught lobby.

xiii) In the case of assembly, institutional or residential occupancies or hotels or industrial and hazardous occupancies, the exit sign with arrow indicating the way to the escapes route shall be provided at a height of 0.5 m. from the floor level on the wall and shall be illuminated by electric light connected to corridor circuits. All exit way marking signs should be flushed with the wall and so designed that no mechanical damage shall occur to them due to moving of furniture or other heavy equipments. Further all landings of floor shall have floor indicating boards prominently indicating the number of floor. The floor indication board shall be placed on the wall immediately facing the flight of stairs and nearest to the landing. It shall be of the size not less than 0.5 x 0.5 m.

xiv) In case of a single staircase, it shall terminate at the ground floor level and the access to the basement shall be by a separate staircase. Whenever the building is served by more than one staircase one of the staircases may lead to basement level provided the same is separated at ground level by either a ventilated lobby or a cut-off screen wall without opening, having a fire resistance of not less than 2 hours with discharge point at two different ends or through enclosures. It shall also be cut-off from the basement areas at various basement levels by a protected and ventilated lobby or lobbies.

8.28.4. Fire escape or external stairs:-

An external staircase is desirable to be provided for high rise buildings. External stairs, when provided shall comply the following:

- i) External stairs shall always be kept in sound operable conditions.
- ii) All external stairs shall be directly connected to the ground.
- iii) Entrance to the external stairs shall be separate and remote from the internal staircase.
- iv) Care shall be taken to ensure that no wall opening or window opens on to or close to an external stairs.
- v) The route to the external stairs shall be free of obstructions at all times.
- vi) The external stairs shall be constructed of non-combustible materials, and any doorway leading it shall have the required fire resistance.
- vii) No external staircase, used as a fire escape, shall be inclined at an angle greater than 45 degree from the horizontal.
- viii) External stairs shall have straight flight not less than 1250 mm wide with 250 mm treads and risers not more than 190 mm. The number of risers shall be limited to 15 per flight.
- ix) Handrails shall be of a height not less than 1000 mm and not exceeding 1200 mm. There shall be provisions of balusters with maximum gap of 150 mm.

x) The use of spiral staircase shall be limited to low occupant load and to a building not exceeding 9 m in height. A spiral stair case shall be not less than 1500 mm in diameter and shall be designed to give adequate headroom.

xi) Unprotected steel frame staircase will not be accepted as means of escape. However, steel staircase in an enclosed fire rated compartment of 2 h will be accepted as means of escape.

8.28.5. Corridors and passageways -

i) The minimum width of a corridor shall not be less than 75cm. in the case of 2 storeys row housing residential buildings and 100cm. in the case of other buildings and actual width shall be calculated based on the provision of regulations 8.27.3 to 8.27.5 (both inclusive)

ii) Where there is more than one staircase serving a building, there shall be at least one smoke-stop door in the space between the staircases.

iii) Exit corridors & passageways shall be of width not less than the aggregate required width of exit doorways leading from them in the direction of travel of the exterior/stairways.

iv) Where stairways discharge through corridors & passageways the height of the corridors & passageways shall not be less than 2.4 m.

v) All means of exit including staircases, lifts, lobbies & corridors shall be adequately ventilated.

8.29 Refuge Area:-

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

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

a) For floors above 24 m and Up to 39 m-One refuge area on the floor immediately above 24 m.

b) For floors above 39 m-One refuge area on the floor immediately above 39 m and so on after every 15 m. Refuge area provided in excess of the requirements shall be counted towards FAR.

8.30 Water Supply and Drainage arrangement:-

Every plot individually for a building or group of buildings shall provide for drinking water storage facilities and sub-soil dispersion system within its boundaries as follows.

8.30.1 Drinking water arrangement:-

The drinking water arrangement could be through the pipe water supply available from Municipal Authorities or private source or internal wells. If the water supply is through internal sources like a private source or wells a certificate as regards to the availability of adequate quantity of water supply round the year & especially during the months of March to June shall be obtained from the Ground Water Survey and Development Agency.

Water brought from offsite sources shall be stored in underground tanks of adequate size & supply to the tenements, user buildings through a network of overhead water storage tank, hydro-pneumatic system so as to ensure adequate pressure. The tanks shall be maintain in a perfectly mosquito-proof condition by providing a properly fitting hinged cover & every tank more than 1.5 m in height shall be provided with a permanently fixed iron ladder to enable inspection by anti-malaria staff.

8.30.2 Wells:-

Wells, intended to supply water for human consumption or domestic purposes, where provided shall comply with the requirements of Regulations.

1) Location-

The Well shall be located:-

- a) Not less than 15 m. from any ash pit, refuse pit, earth closet or privy and shall be located on a site upwards from the earth closet or privy;
- b) not less than 18 m. from any cess pit, soak way or borehole latrine and shall be located on a site upwards from the earth closet or privy;
- c) that contamination by the movement of sub-soil or other water is unlikely; and
- d) not under a tree unless it has a canopy over it so that leaves and twigs do not fall into the well and rot.

2) Requirements:-

The well other than a bore well or a tube well shall:-

- a) have a minimum internal diameter of not less than 1 m.
- b) be constructed to a height not less than 1 m. above the surrounding ground level, to form a parapet or kerb and to prevent surface water flowing into a well, and shall be surrounded with a paving constructed of impervious material which shall extend for a distance of not less than 1.8 m in every direction from the parapet from the kerb forming the well head and the upper surface of such a paving shall be sloped away from the well.
- c) be of sound and permanent construction (PUCCA) throughout. Temporary exposed (KUTCHA) wells shall only be permitted in fields or gardens for purposes of irrigation; and
- d) the interior surface of the lining or walls of the well shall be rendered impervious for a depth of not less than 1.8 m measured from the level of the ground immediately adjoining the well head.

8.30.3 Sub soil dispersion system/septic tank:-

Every building, group of buildings together shall be either connected to the Municipal Drainage system or provided with sub-soil dispersion system in the form of septic tank which shall be governed by the following or any other alternative design and specifications as approved by State Government.

1) Design of septic tank:-

Where a septic tank is used for sewage, disposal the location, design and construction of the septic tank shall conform to requirements of the following Regulations.

2) Location of septic tank and subsurface absorption system:-

A subsoil dispersion system shall not be closer than 18 m. from any source of drinking water such as well to mitigate the possibility of bacterial pollution of water supply. It shall also be as far removed from the nearest habitable building as economically feasible but not closer than 6 m. to avoid damage to the structures.

3) Requirements:-

a) Septic tanks shall have minimum width of 75 cm. a minimum depth of one meter below the water level and a minimum liquid capacity of one cubic meter. Length of tanks shall be 2 to 4 times the width.

b) Septic tanks may be constructed of brickwork, Stone Masonry, concrete or other suitably material as approved by the Authority.

c) Under no circumstances should effluent from a septic tank be allowed into an open channel drain or body of water without adequate treatment.

d) Minimum nominal diameter of pipe shall be 100 mm. Further, at junctions of pipes in manholes, direction of flow from a branch connection should not make an angle exceeding 45 degree with the direction of flow in the main pipe;

e) The gradients of land drains, under-drainage as well as the bottom of dispersion trenches and soak ways should be between 1:300 and 1:400.

f) Every septic tank shall be provided with ventilating pipe of at least 50 mm diameter. The top of the pipe shall be provided with a suitable cage of mosquito proof wire mesh. The ventilating pipe shall extend to a height which would cause no smell nuisance to any building in the area. Generally, the ventilating pipe may extend to a height of about 2 m. when the septic tank is at least 15 m. away from the nearest building and to a height of 2 m. above the top of the building when it is located closer than 15 meters.

g) When the disposal of septic tank effluent is to seepage pit, the seepage pit may be of any suitable shape with the least cross sectional dimension of 90 cm. and not less than 100 cm in depth below the invert level of the inlet pipe. The pit may be lined with stone, brick or concrete blocks with dry open joints which should be backed with at least 7.5 cm. of clean coarse aggregate. The lining above the inlet level should be finished with mortar. In the case of pits of large dimensions, the top portion may be narrowed to reduce the size of the RCC cover slabs. Where no lining is used, specially near trees, the entire pit should be filled with loose stones. A masonry ring may be constructed at the top of the pit to prevent damage by flooding of the pit by surface run off. The inlet pipe may be taken down a depth of 90 cm from the top as an anti-mosquito measure; and

h) When the disposal of septic tank effluent is to a dispersion trench, the dispersion trench shall be 50 to 100 cm deep and 30 to 100 cm wide excavated to a slight gradient and shall be provided with 15 to 25 cm of washed gravel or crushed stones. Open jointed pipes placed inside the trench shall be made of unglazed earthenware clay or concrete and shall have minimum internal diameter of 75 to 100 mm. No dispersion trench shall be longer than 30 m and trenches shall not be placed closer than 1.8 m.

8.31 Structural safety, water supply, drainage and sanitary requirement, outdoor display and other services-

Building shall be planned, designed and constructed to ensure structural safety, water supply, drainage, sanitary requirement, outdoor display and other services etc. shall be as per National Buildings Code of India unless otherwise specified Part-X / XI of these regulations.

8.32 Fire protection requirement-

All buildings shall be planned, designed and constructed to ensure fire safety and this shall be done in accordance with the regulations mentioned in Part IX of these regulations and Part IV of Fire Protection of National Building Code of India *and Maharashtra Fire Prevention and Life Safety Measures Act, 2006*, unless otherwise specified in Part-IX of these regulations.

PART IX

FIRE PROTECTION REQUIREMENTS

9.0 General

In addition to the general provisions given in these regulations, the Authority may insist on suitable protection measures given in this chapter for buildings covered by Regulation No.1.7.2(g).

Further such buildings shall be planned, designed and constructed to ensure fire safety and this shall be done in accordance with the provisions of the Maharashtra Fire Prevention and Life Safety Measures Act, 2006 as amended from time to time and requirements given in Part IV of National Building Code, 2005.

9.1 Construction materials

All materials of constructions in load bearing elements, stairways and corridors and facades shall be non-combustible.

The interior finish materials shall not have a flame spread ability rating exceeding Class I (see 3.4.15.2 of Part 4 of National Building Code)

The internal walls or staircase shall be of brick or reinforced concrete with a minimum of 2 h. fire rating.

The staircase shall be ventilated to the atmosphere at each landing and a vent at the top; the vent openings shall be of 0.5sq.m in the external wall and the top. If the staircase cannot be ventilated, because of location or other reasons, a positive pressure 50 Pa shall be maintained inside. The mechanism for pressurizing the staircase shall operate automatically with the fire alarm. The roof of the shaft shall be 1 m. above the surrounding roof. Glazing or glass bricks, if used in staircase, shall have fire resistance rating of minimum 2 h.

9.2 Lifts

General requirements of lifts shall be as follows:

- a) Walls of lift enclosures shall have a fire rating of 2 h; lifts shall have a vent at the top of area not less than 0.2 sq.m.
- b) Lift motor room shall be located preferably on top of the shaft and separated from the shaft by the floor of the room.
- c) Landing doors in lift enclosures shall have a fire resistance of not less than 1 h.
- d) The number of lifts in one row for a lift bank shall not exceed 4 and the total number of lifts in the bank (of two rows) shall not exceed 8. A wall of 2 h. fire rating shall separate individual shafts in a bank.
- e) Lift car door shall have a fire resistance rating of half an hour.
- f) Collapsible gates shall not be permitted for lifts and shall have solid doors with fire resistance of at least 1 h.

- g) If the lift shaft and lobby is in the core of the building, a positive pressure between 25 and 30 Pa shall be maintained in the lobby and a positive pressure of 50 Pa shall be maintained in the lift shaft. The mechanism for pressurization shall act automatically with the fire alarm; it shall be possible to operate this mechanically also.
- h) Exit from the lift lobby, if located in the core of the building, shall be through a self closing smoke stop door of half an hour fire resistance.
- i) Lifts shall not normally communicate with the basement; if, however, lifts are in communication, the lift lobby of the basements shall be pressurized as in (g), with self-closing door as in (h).
- j) Grounding switch(es), at ground floor level, shall be provided on all the lifts to enable the fire service to ground the lifts.
- k) Telephone or other communication facilities shall be provided in lift cars for building of 30 m. in height and above. Communication system for lifts shall be connected to fire control room for the building.
- l) Suitable arrangements such as providing slope in the floor of lift lobby, shall be made to prevent water used during fire-fighting, etc., at any landing from entering the lift shafts.
- m) A sign shall be posted and maintained on every floor at or near the lift indicating that in case of fire, occupants shall use the stairs unless instructed otherwise. The sign shall also contain a plan for each floor showing the locations of the stairways. Alternate source of power supply shall be provided for all the lifts through a manually operated changeover switch.
- n) **Fire Lifts** - Following details shall apply for a fire lift :
 - i) To enable fire services personnel to reach the upper floors with the minimum delay, one fire lift per 1200 sq.m. of floor area shall be provided and shall be available for the exclusive use of the firemen in an emergency.
 - ii) The lift shall have a floor area of not less than 1.4 sq.m. It shall have loading capacity of not less than 545 kg (8 persons lift) with automatic closing doors of minimum 0.8 m. width.
 - iii) The electric supply shall be on a separate service from electric supply mains in a building and the cables run in a route safe from fire, that is, within the lift shaft. Lights and fans in the elevators having wooden paneling or sheet steel construction shall be operated on 24 V supply.
 - iv) Firefighting lift should be provided with a ceiling hatch for use in case of emergency, so that when the car gets stuck up, it shall be easily openable.
 - v) In case of failure of normal electric supply, it shall automatically trip over to alternate supply. For apartment houses, this changeover of supply could be done through manually operated changeover switch. Alternatively, the lift shall be so wired that in case of power failure, it comes down at the ground level and comes to stand-still with door open.

vi) The operation of a fire lift is by a simple toggle or two-button switch situated in a glass-fronted box adjacent to the lift at the entrance level. When the switch is on, landing call-points will become inoperative and the lift will be on car control only or on a priority control device. When the switch is off, the lift will return to normal working. This lift can be used by the occupants in normal times.

vii) The words 'Fire Lift' shall be conspicuously displayed in fluorescent paint on the lift landing doors at each floor level.

viii) The speed of the fire lift shall be such that it can reach the top floor from ground level within 1 minute.

9.3 Basements -

i) Each basement shall be separately ventilated. Vents with cross-sectional area (aggregate) not less than 2.5 percent of the floor area spread evenly round the perimeter of the basement shall be provided in the form of grills or breakable stall board lights or pavement lights or by way of shafts. Alternatively, a system of air inlets shall be provided at basement floor level and smoke outlets at basement ceiling level. Inlets and extracts may be terminated at ground level with stall board or pavement lights as before, but ducts to convey fresh air to the basement floor level have to be laid. Stall board and pavement lights should be in positions easily accessible to the fire brigade and clearly marked 'SMOKE OUTLET' or 'AIR INLET' with an indication of area served at or near the opening.

ii) The staircase of basements shall be of enclosed type having fire resistance of not less than 2 h and shall be situated at the periphery of the basement to be entered at ground level only from the open air and in such positions that smoke from any fire in the basement shall not obstruct any exit serving the ground and upper storeys of the building and shall communicate with basement through a lobby provided with fire resisting self-closing doors of 1 h resistance. For travel distance, if the travel distance exceeds as given therein, additional staircases shall be provided at proper places.

iii) In multi-storey basements, intake ducts may serve all basement levels, but each basement levels and basement compartment shall have separate smoke outlet duct or ducts. Ducts so provided shall have the same fire resistance rating as the compartment itself. Fire rating may be taken as the required smoke extraction time for smoke extraction ducts.

iv) Mechanical extractors for smoke venting system from lower basement levels shall also be provided. The system shall be of such design as to operate on actuation of heat / smoke sensitive detectors or sprinklers, if installed, and shall have a considerably superior performance compared to the standard units. It shall also have an arrangement to start it manually.

v) Mechanical extractors shall have an internal locking arrangement, so that extractors shall continue to operate and supply fans shall stop automatically with the actuation of fire detectors.

vi) Mechanical extractors shall be designated to permit 30 air changes per hour in case of fire or distress call. However, for normal operation, air changes schedule shall be as given in Part 8, Building Services, Section 3, Air-conditioning, Heating and Mechanical Ventilation of National Building Code.

- vii) Mechanical extractors shall have an alternative source of supply.
- viii) Ventilating ducts shall be integrated with the structure and made out of brick masonry or reinforced cement concrete as far as possible and when this duct crosses the transformer area or electrical switchboard, fire dampers shall be provided.
- ix) Use of basements for kitchens working on gas fuel shall not be permitted, unless air conditioned. The basement shall not be permitted below the ward block of a hospital/nursing home unless it is fully sprinkled. Building services such as electrical sub-stations, boiler rooms in basements shall comply with the provisions of the Indian Electricity Act / Rules.
- x) If cutouts are provided from basements to the upper floors or to the atmospheres, all sides cutout openings in the basements shall be protected by sprinkler head at close spacing so as to form a water curtain in the event of a fire.
- xi) Openable windows on external wall shall be fitted with such locks that can be opened by a fireman's axe.
- xii) All floors shall be compartmented with area not exceeding 750 sq.m by a separation wall with 2 h fire rating, for floors with sprinklers the area may be increased by 50 percent. In long building, the fire separation walls shall be at distances not exceeding 40 m. For departmental stores, shopping centers and basements, the area may be reduced to 500 sq.m for compartmentation. Where this is not possible, the spacing of the sprinklers, care should be taken to prevent spray from one sprinkler impeding the performance of an adjacent sprinkler head.
- xiii) It is essential to make provisions for drainage of any such water on all floors to prevent or minimize water damage of the contents. The drain pipes should be provided on the external wall for drainage of water from all floors. On large area floors, several such pipes may be necessary which should be spaced 30 m. apart. Care shall be taken to ensure that the construction of the drain pipe does not allow spread fire / smoke from floor to floor.

9.4 **Service Ducts/Shafts**

- a) Service ducts and shafts shall be enclosed by walls of 2 h and doors of 1 h. fire rating. All such ducts/shafts shall be properly sealed and fire stopped at all floor levels.
- b) A vent opening at the top of the service shaft shall be provided having between one-fourth and one-half of the area of the shaft.

9.5 **Refuse chutes**

shall have opening at least 1 m. above roof level for venting purpose and they shall have an enclosure wall of non-combustible material with fire resistance of not less than 2 h. They shall not be located within the staircase enclosure or service shafts, or air-conditioning shafts inspection panel and doors shall be tight fitting with 1 h fire resistance; the chutes should be as far away as possible from exit.

9.6 **Refuge Area**

Provisions contained in 8.29 shall apply for all buildings except multi-family dwellings. Refuge area of not less than 15 sq.m shall be provided on the external walls.

9.7 **Electrical services** shall conform to the following :

- (a) The electric distribution cables / wiring shall be laid in a separate duct. The duct shall be sealed at every floor with non-combustible materials having the same fire resistance as that of the duct. Low and medium voltage wiring running in shaft and in false ceiling shall run in separate conduits;
 - (b) Water mains, telephone lines, intercom lines, gas pipes or any other service line shall not be laid in the duct for electrical cables; use of bus ducts / solid rising mains instead of cables is preferred;
 - (c) Separate circuits for fire-fighting pumps, lifts, staircases and corridor lighting and blowers for pressurizing system shall be provided directly from the main switch gear panel and these circuits shall be laid in separate conduit pipes, so that fire in one circuit will not affect the others. Such circuits shall be protected at origin by an automatic circuit breaker with its no-volt coil removed. Master switches controlling essential service circuits shall be clearly labeled;
 - (d) The inspection panel doors and any other opening in the shaft shall be provided with air-tight fire doors having fire resistance of not less than 2 h;
 - (e) Medium and low voltage wiring running in shafts and within false ceiling shall run in metal conduit. Any 230 V wiring for lighting or other services above false ceiling shall have 660 V grade insulation. The false ceiling including all fixtures used for its suspension, shall be of non-combustible material and shall provide adequate fire resistance to the ceiling in order to prevent spread of fire across ceiling. Reference may be made to good practice;
 - (f) An independent and well ventilated service room shall be provided on the ground level or first basement with direct access from outside or from the corridor for the purpose of termination of electric supply from the licensees' service and alternative supply cables. The doors provided for the service room shall have fire resistance of not less than 2 h.
- Note** : If service room is located at the first basement, it should have automatic fire extinguishing system.
- (g) If the licensees agree to provide meters on upper floors, the licensees' cable shall be segregated from consumers' cable by providing a partition in the duct. Meter rooms on upper floors shall not open into staircase enclosures and shall be ventilated directly to open air outside; and
 - (h) Suitable circuit breakers shall be provided at the appropriate points.

9.8 **Gas supply shall conform to the following:-**

- a) Town Gas / L.P. Gas Supply Pipes – Where gas pipes are run in buildings, the same shall be run in separate shafts exclusively for this purpose and these shall be on external walls, away from the staircases. There shall be no interconnection of this shaft with the rest of the floors. LPG distribution pipes shall always be below the false ceiling. The length of these pipes shall be as short as possible. In the case of kitchen cooking range area, apart from providing hood, covering the entire cooking range, the exhaust system should be designed to take care of 30 cu.m. per minute per sq.m. of hood protected area. It should have grease filters using metallic grill to trip oil vapours escaping into the fume hood.

Note:- For detailed information on gas pipe installations, reference may be made to Para.9 'Plumbing Services, Section 3 Gas Supply', of National Building Code of India.

b) All wiring in fume hoods shall be of fiberglass insulation. Thermal detectors shall be installed into fume hoods of large kitchens for hotels, hospitals and similar areas located in high rise buildings. Arrangements shall be made for automatic tripping of the exhaust fan in case of fire. If LPG is used, the same shall be shut off. The voltage shall be of 24 V or 100 V dc operated with the external rectifier. The valve shall be of the hand re-set type and shall be located in an area segregated from cooking ranges. Valves shall be easily accessible. The hood shall have manual facility for steam or carbon dioxide gas injection, depending on duty condition; and

c) Gas meters shall be housed in a suitably constructed metal cupboard located in a well ventilated space, keeping in view the fact that LPG is heavier than air and town gas is lighter than air.

9.9 ILLUMINATION OF MEANS OF EXIT

Staircase and corridor lights shall conform to the following:

- a) The staircase and corridor lighting shall be on separate circuits and shall be independently connected so as it could be operated by one switch installation on the ground floor easily accessible to firefighting staff at any time irrespective of the position of the individual control of the light points, if any. It should be of miniature circuit breaker type of switch so as to avoid replacement of fuse in case of crisis;
- b) Staircase and corridor lighting shall also be connected to alternative supply. The alternative source of supply may be provided by battery continuously trickle charged from the electric mains;
- c) Suitable arrangements shall be made by installing double throw switches to ensure that the lighting installed in the staircase and the corridor does not get connected to two sources of supply simultaneously. Double throw switch shall be installed in the service room for terminating the stand-by supply.
- d) Emergency lights shall be provided in the staircase and corridor; and
- e) All wires and other accessories used for emergency light shall have fire retardant property.

9.10 **A stand-by electric generator** shall be installed to supply power to staircase and corridor lighting circuits, fire lifts, the stand-by fire pump, pressurisation fans and blowers, smoke extraction and damper systems in case of failure of normal electric supply. The generator shall be capable of taking starting current of all the machines and circuits stated above simultaneously. If the stand-by pump is driven by diesel engine, the generator supply need not be connected to the stand-by pump. Where parallel HV / LV supply from a separate sub-station is provided with appropriate transformer for emergency, the provision of generator may be waived in consultation with the Authority.

9.11 Transformers shall conform to the following:-

- a) A sub-station or a switch-station with oil filled equipment shall not be located in the building. The sub-station structure shall have separate fire resisting walls/surroundings and

shall necessarily be located at the periphery of the floor having separate access from fire escape staircase. The outside walls, ceiling, floor, openings including doors and windows to the sub-station area shall be provided with a fire resisting door of 2 h fire rating. Direct access to the transformer room shall be provided, preferably from outside fire escape staircase.

- b) The sub-station area needs to be maintained at negative air pressures and area in sub-station shall not be used as storage / dump areas.
- c) When housed inside the building, the transformer shall be of dry type and shall be cut off from the other portion of premises by walls/ doors / cutouts having fire resistance rating of 4 h.

9.12 **Air-conditioning** shall conform to the following:

- a) Escape routes like staircases, common corridors, lift lobbies, etc. shall not be used as return air passage.
- b) The ducting shall be constructed of substantial gauge metal in accordance with good practice.
- c) Wherever the ducts pass through fire walls or floors, the opening around the ducts shall be sealed with materials having fire resistance rating of the compartment.
- d) Where duct crosses a compartment which is fire rated, the ducts shall be fire rated for same fire rating. Further depending on services passing around the duct work, which may get affected in case of fire temperature rising, the ducts shall be insulated.
- e) As far as possible, metallic ducts shall be used even for the return air instead of space above the false ceiling.
- f) Where plenum is used for return air passage, ceiling and its fixtures shall be of non-combustible material.
- g) The materials used for insulating the duct system (inside or outside) shall be of non-combustible material, glass wool shall not be wrapped or secured by any material of combustible nature.
- h) Area more than 750 sq.m. on individual floor shall be segregated by a fire wall and automatic fire dampers for isolation shall be provided.
- i) Air ducts serving main floor areas, corridors, etc. shall not pass through the staircase enclosure.
- j) The air-handling units shall be separate for each floor and air ducts for every floor shall be separated and in no way inter-connected with the ducting of any other floor.
- k) If the air-handling unit serves more than one floor, the recommendations given above shall be compiled with in addition to the conditions given below:
 - i) Proper arrangements by way of automatic fire dampers working on smoke detector / or fusible link for isolating all ducting at every floor from the main riser shall be made.

ii) When the automatic fire alarm operates, the respective air-handling units of the air-conditioning system shall automatically be switched off.

- l) The vertical shaft for treated fresh air shall be of masonry construction.
- m) The air filters of the air-handling units shall be of non-combustible materials.
- n) The air-handling unit room shall not be used for storage of any combustible materials.
- o) Inspection panels shall be provided in the main trunking to facilitate the cleaning of ducts of accumulated dust and to obtain access for maintenance of fire dampers.
- p) No combustible material shall be fixed nearer than 150 mm to any duct unless such duct is properly enclosed and protected with non-combustible material (glass wool or spyglass with neoprene facing enclosed and wrapped with aluminum sheeting) at least 3.2 mm thick and which would not readily conduct heat.

q) Fire Dampers:-

- 1) These shall be located in conditioned air ducts and return air ducts / passages at the following points:
 - i. At the fire separation wall.
 - ii. Where ducts/passages enter the central vertical shaft.
 - iii. Where the ducts pass through floors.
 - iv. At the inlet of supply air duct and the return air duct of each compartment on every floor.
- 2) The dampers shall operate automatically and shall simultaneously switch off the air-handling fans. Manual operation facilities shall also be provided. (**Note-** For blowers, where extraction system and duct accumulators are used, dampers shall be provided).
- 3) Fire/smoke dampers (for smoke extraction shafts) for buildings more than 24 m in height.
 - a) For apartment houses in non-ventilated lobbies / corridors operated by fusible link / smoke detectors and with manual control.
 - b) For other buildings on operation of smoke detection system and with manual control.
- 4) Automatic fire dampers shall be so arranged as to close by gravity in the direction of air movement and to remain tightly closed on operation of a fusible link / smoke detector.

9.13 **Provisions of boiler and boiler rooms** shall conform to Indian Boiler Act. Further, the following additional aspects may be taken into account in the location of boiler room:

- a) The boilers shall not be allowed in sub-basement, may be allowed in the basements away from the escape routes.
- b) The boilers shall be installed in a fire resisting room of 4 h fire resistance rating and this room shall be situated on the periphery of the basement. Catch-pits shall be provided at the low level.
- c) Entry to this room shall be provided with a composite door of 2 h fire resistance.

d) The boiler room shall be provided with fresh air inlets and smoke exhausts directly to the atmosphere.

e) The furnace oil tank for the boiler, if located in the adjoining room shall be separated by fire resisting wall of 4 h rating. The entrance to this room shall be provided with double composite doors. A curb of suitable height shall be provided at the entrance in order to prevent the flow of oil into the boiler room in case of tank rupture.

f) Foam inlets shall be provided on the external walls of the building near the ground level to enable the fire services to use foam in case of fire.

9.14 Provision of first-aid and firefighting appliances.

The first-aid firefighting equipment shall be provided on all floors, including basements, lift rooms, etc. in accordance with good practice in consultation with the Authority.

9.15 Fire alarm system :

i) All buildings with heights of 15 m or above shall be equipped with manually operated electrical fire alarm (MOEFA) system automatic fire alarm system in accordance with good practice. However, apartment buildings between 15 m and 30 m in height may be exempted from the installation of automatic fire alarm system provided the local fire brigade is suitably equipped for dealing with fire in a building of 15 m in height or above and in the opinion of the Authority, such building does not constitute a hazard to the safety of the adjacent property or occupants of the building itself.

ii) Manually operated electrical fire alarm system shall be installed in a building with one or more call boxes located at each floor. The call boxes shall conform of good practice.

iii) The installation of call boxes in hostels and such other places where these are likely to be misused shall as far as possible be provided. Location of call boxes in dwelling units shall preferably be inside the building.

9.16 Lightening protection of buildings:-

The lightning protection for buildings shall be provided as given in Para.8 'Building Services, Section 2, Electrical Installations' of National Building Code of India.

9.17 Fire control room:-

For all buildings 15 m in height or above and apartment buildings with a height of 30 m and above, there shall be a control room on the entrance floor of the building with communication system (suitable public address system) to all floors and facilities for receiving the message from different floors. Details of all floor plans alongwith the details of firefighting equipment and installations shall be maintained in the fire control room. The fire control room shall also have facilities to detect the fire on any floor through indicator board connections; fire detection and alarm systems on all floors. The fire staff in-charge of the fire control room shall be responsible for the maintenance of the various services and firefighting equipment and installations in co-ordination with security, electrical and civil staff of the building.

9.18 Fire officer for hotels, business and mercantile buildings with height more than 30 m

A qualified Fire Officer with experience of not less than 3 years shall be appointed who will be available on the premises.

The Fire Officer shall:

- a) maintain the firefighting equipment in good working condition at all times,
- b) prepare fire orders and fire operational plans and get them promulgated,
- c) impart regular training to the occupants of the buildings in the use of firefighting equipments provided on the premises and keep them informed about the fire emergency evacuation plan,
- d) keep proper liaison with City Fire Brigade, and
- e) ensure that all fire precautionary measures are observed at the times.

Note: Competent Authority having jurisdiction may insist on compliance of the above rule in case of buildings having very large areas even if the height is less than 30 m.

9.19 Housekeeping:-

To eliminate fire hazards, good housekeeping, both inside and outside the building, shall be strictly maintained by the occupants and / or the owner of the building.

9.20 Fire drills and fire orders:-

Fire notices/orders shall be prepared to fulfill the requirements of firefighting and evacuation from the buildings in the event of fire and other emergency. The occupants shall be made thoroughly conversant with their actions in the event of emergency, by displaying fire notices at vantage points and through regular training. Such notices should be displayed prominently in broad lettering.

For guidelines for fire drills and evacuation procedures for high-rise buildings, Annexure E of National Building Code of India may be referred.

9.21 Compartmentation:-

The building shall be suitably compartmentalized so that fire/smoke remain confined to the area where fire incident has occurred and does not spread to the remaining part of the building.

9.22 Helipad:-

For high-rise buildings above 60 m in height, provision for helipad should be made.

9.23 Materials for interior decoration / furnishing

The use of materials, which are combustible in nature and may spread toxic fume / gases should not be used for interior decoration / furnishing, etc.

For various types of occupancies, requirements given in National Building Code, Part IV shall be followed.

PART X

LICENSING AND QUALIFICATION TO THE TECHNICAL PERSON

C-1 General-The qualifications of the technical personnel and their competence to carry out different jobs for building permit and supervision for the purpose of licensing by the Authority shall be as given in Regulation No. C-2 to C-6. The procedures for licensing the technical personnel is given in regulation No.C-8

C-2 ARCHITECT

Qualifications- The Qualifications for licensing of Architect will be the Associate Membership of the Indian Institute of Architects or such Degree or Diploma which makes him eligible for such membership or such qualifications listed in Schedule XIV of Architects Act, 1972 and shall be registered under the Council of Architecture as per Architects Act, 1972

Competence of Architect: To carry out work related to development permission as given below and to submit -

- (a) All plans and information connected with development permission.
- (b) Structural details and calculations for building on plot upto 500 sq.m. and upto 3 storeys or 11 m. height and
- (c) Certificate of supervision and completion for all building

C-3 ENGINEER

Qualifications-

1) The qualifications for Licensing Engineer will be the corporate membership (Civil) of the Institution of Engineers or such Degree or Diploma in Civil or Structural Engineering;

2) Diploma In Civil Engineering or Equivalent, having experience of 10 years in the field of land and building planning.

Competence- To carry out work related to development permission as given below and to submit-

- (a) All plans and related information connected with development permission.
- (b) Structural details and calculations for building on plot upto 500 sq. m. and upto 5 storeys or 16 m. height, and
- (c) Certificate of supervision and completion for all building

C-4 SUPERVISOR:

Qualification

(a)For Supervisor 1:-

(i) Three years architectural assistantship or intermediate in architecture with two years' experience, or

(ii) Diploma in Civil engineering with two years' experience.

(b) For Supervisor - 2:-

(i) Draftsman in Civil Engineering from ITI with five years' experience under Architect / Engineer.

Competence

(a) For Supervisor-1: To submit -

(i) All plans and related information connected with development permission on plot upto 200 sq. m. and upto 2 storeys; and

(ii) Certificate as supervision of buildings on plot upto 200 sq. m. and upto 2 storeys and completion thereof.

(b) For Supervisor-2 : To submit -

(i) All Plans and related information upto 50 sq. m. built up area and upto 2 storeys, and

(ii) Certificate of supervision for limits at (i) above and completion thereof.

C-5 Builders/ Developers:-

(a) No developer / builder / real estate firm or company shall be allowed to undertake development / do business / practice in a municipal corporation area unless they are licensed with the sanctioning authority of the respective area.

(b) It shall be mandatory for a developer / builder to register him as a developer / builder with the Authority to undertake the development of the apartment buildings, Group Housing Schemes, all High-Rise Buildings and all commercial complexes.

(c) Developments undertaken for construction of individual residential houses, normal educational / institutional / industrial buildings and developments undertaken by public agencies are exempted from the above condition.

(d) Any developer / builder undertaking development or any firm doing development of a property mentioned in Para. (b) above or soliciting property sale / transactions or advertising as such in case of above, shall necessarily mention the details of license number of the licensed developer to whom the approval is given by the said Municipal Corporation together with the permit number and its validity for information and verification of public / prospective buyers.

(e) Absence of the above or suppressing of the above facts would invite penal action including debarring of the real estate firm / development firm / company from practicing / conducting business in the local authority area for 5 years or more, besides prosecution under the relevant laws / code of conduct by the sanctioning authority.

(f) Any licensed developer / builder who undertake construction in violation of the sanctioned plans shall be black listed and this would entail cancellation of his license besides being prosecuted under the relevant laws / code of conduct.

C-6 Structural Engineer-

The qualifications of the technical personnel and their competence to carry out different jobs for building structural design, stability and audit of the existing building shall be as given in Part XI of this Development Control Regulations.

C-7 Duties and Responsibilities of Licensed Technical Personnel:-

The duties and responsibilities of licensed technical Personnel shall be as follows:-

(1) It will be incumbent on every licensed Technical personnel, in all matters in which he may be professionally consulted or engaged, to assist and co-operate with the Commissioner of the Municipal Corporation and other Officers in carrying out and enforcing the provisions of Maharashtra Regional & Town Planning Act, 1966 and of any regulations for the time being in force under the same.

(2) Every licensed Technical Personnel shall in every case in which he may be professionally consulted or engaged, be responsible, so far as his professional connection with such case extends, for due compliance with the provisions of Maharashtra Regional & Town Planning Act, 1966 and the BMC Act 1949 and of any regulations for the time being in force under the said Act, or such of them as may respectively be applicable to the circumstances of the particular case and in particular it will be obligatory on him to satisfy himself that a qualified and competent Master or Inspector of Works is constantly employed and present on the work to supervise the execution of all work and to prevent the use of any defective material therein and the improper execution of any such work.

(3) In every case in which a Licensed Technical Personnel is professionally concerned in connection with any building or work upon any premises designed or intended to be used for any purposes in respect of which the written permission or license of the Commissioner is prescribed by the said Act at a necessary condition to the establishment or use of such premises for such purpose, it shall be incumbent on such Licensed Technical personnel, so far as his professional connection with such case extends, to see that all conditions prescribed by the said Act, or by any rule for the time being in force there under, in respect of premises designed or intended to be applied to such use, are duly fulfilled or provided for.

(4) When Licensed Technical Personnel ceases to be in the employment for the development work, he shall report the fact forthwith to the Commissioner

C-8 LICENSING-

Technical Personnel to be licensed:-

The Qualified technical personnel or group as given in regulations shall be licensed with the authority and the license shall be valid for three calendar years ending 31st December after which it shall be renewed annually or every three years.

Fees for Licensing- The annual licensing fees shall be as follows:-

For Engineer, Builder and structural Engineer - Rs.2000 p. a.

For supervisor (1) - Rs.1000 p. a.

For supervisor (2) - Rs.500 p. a.

PART XI
STRUCTURAL SAFETY
STRUCTURAL DESIGN, STABILITY AND STRUCTURAL AUDIT

11.1 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, Section 5-Concrete, Section 6-Steel, Section-7 Prefabrication, systems building and mixed / composite construction of National Building Code of India, amended from time to time. Structural design and stability report shall be compulsory for all new buildings. Also the periodic structural inspection / audit of existing buildings shall be necessary. The licensed structural engineer shall be authorised to do the structural design and audit of the existing buildings. Following are the qualification, competency, scope and responsibility for the licensed structural engineer

		<u>A) Structural Design & Stability for new building</u>	<u>B) Structural audit of existing buildings</u>
1	Applicability	Structural design and stability report shall be compulsory for all new buildings.	<p>1) The periodic structural inspection audit shall be necessary to all existing buildings <i>except</i>, detached houses, semi-detached houses, apartments which are used solely as places of residence, mix use occupancies less than G+ 1 storey and temporary buildings.</p> <p>2) Periodic Duration for structural Audit- The periodic structural inspection audit shall be carried out on the following frequency:</p> <p>a) After every 15 years for buildings of Detached houses, semi-detached houses, apartments which are used solely as places of residence, mix use</p> <p>b) After every 10 years for all other buildings like institutional, commercial, hospital, assembly, etc. and buildings excluded as mentioned in (a).</p>
2	Qualifications for the Licensed Structural Engineers:		
	i) Structural Engineer-1 (SE-1)	a) A degree in Civil Engineering of a recognised Indian or foreign university or associate membership in the Civil Engineering division of the Institution of Engineers (India) or equivalent overseas institution;	a) A degree in Civil Engineering of a recognised Indian or foreign university or associate membership in the Civil Engineering division of the Institution of Engineers (India) or equivalent overseas institution;

		<p>b) Associate membership in Civil Engineering division of Institution of Engineers (India) or equivalent overseas institution possessing exceptional merit;</p> <p>Experience-Minimum 3 years' experience in Structural Design</p>	<p>b) Associate membership in Civil Engineering division of Institution of Engineers (India) or equivalent overseas institution possessing exceptional merit;</p> <p>Experience-Minimum 3 years' experience in Structural Design</p>
	ii)Structural Engineer-2 (SE-2)	<p>a) Post-graduation in Structural Engineering from the recognized university</p> <p>Experience- 3 years' experience in Structural Design for the buildings having height upto 45 mt.</p>	<p>a) Post-graduation in Structural Engineering from the recognized university</p> <p>Experience- 3 years' experience in Structural Design for the buildings having height more than 45 mt.</p>
	iii)Structural Engineer-3 (SE-3)	<p>a) Post-graduation in Structural Engineering from the recognized university or foreign university or</p> <p>b) The recognized registered national/international firm engaged in all types of structural designs..</p> <p>Experience-</p> <p>a) 5 years' experience in Structural Design for the buildings having height more than 45 mt.</p> <p>b) National or international registered firm who has designed and executed the structure above 45 mt height in India or abroad.</p>	<p>a) Post-graduation in Structural Engineering from the recognized university or foreign university.</p> <p>b) He should be from the recognized registered national/international firm.</p> <p>Experience-</p> <p>a) 5 years' experience in Structural Design for the buildings height more than 70 mt.</p> <p>b) National or international registered designer who has designed and executed the structure above 70 mt. height in India or abroad.</p>
3	Licensing to the Structural Engineer-1,2,3	<p>The qualified technical person for Structural Engineer-1 & 2 shall be licensed by the Director of Town Planning, Maharashtra State, Pune subject to payment of fees as prescribed by the Director of Town Planning, Maharashtra State, Pune from time to time.</p>	<p>The qualified technical person for Structural Engineer-1 & 2 shall be licensed by the Director of Town Planning, Maharashtra State, Pune subject to payment of fees as prescribed by the Director of Town Planning, Maharashtra State, Pune from time to time.</p>

4	Eligibility of Licensed Structural Engineer-	Sr. No.	Licensed Structural Engineer	Building Type	Structural Design Stability Certificate/Report to be produced	Sr.No.	Licensed Structural Engineer	Building Type	Structural Audit Report to be produced
		1	Structural Engineer-1	Building height upto 15 mt.	Only Structural Engineer's certificate alongwith Indemnity Bond shall be produced with the application.	1	Structural Engineer-1	Building height up to 15 mt.	Only Structural Engineer's certificate shall be produced
		2	Structural Engineer-2	Building height above 15 & upto 45 mt.	Structural design report with certificate alongwith Indemnity Bond shall be produced.	2	Structural Engineer-2	Building height above 15 & up to 45 mt.	Structural Audit report shall be produced.
		3	Structural Engineer-3	Building height above 45 mt	Structural design report to be approved from structural auditor alongwith Indemnity Bond shall be produced.	3	Structural Engineer-3	Building height above 45 mt	Structural Audit report shall be produced.
5	Audit	Structural design for the proposed new buildings having height more than 45 mt. prepared by the above licensed structural engineer shall be checked by the structural institutions like Indian Institute of Technology, Government College of Engineering having specialized course in structural engineering in the State			Structural design inspection report of existing buildings having height more than 45 mt. prepared by the above structural engineer shall be checked by the structural institutions like Indian Institute of Technology, Government College of Engineering having specialized course in structural engineering in the State				

6	Responsibility	<p>i) The structural engineer who is appointed by the building owner is expected to carry out a comprehensive visual inspection that relies largely on his professional engineering assessment, judgment and advice. He shall exercise reasonable diligence and take active and personal interest in the planning and carrying out of the inspection of the building.</p> <p>ii) The responsibility of the structural engineer shall be commensurate with the scope of work agreed between him and his client. The structural engineer shall be liable if he fails to exercise all reasonable skill, care and diligence in the discharge of his duties.</p> <p>iii) It will be incumbent on every licensed structural engineer in all matters in which he may be professionally consulted or engaged to assist or co-operate with the Commissioner in carrying out and enforcing the provisions of BPMC Act, 1949 & MRTP Act, 1966 and of any regulations or rules for the time being in force under this Act.</p> <p>iii) The structural engineer shall be responsible for not following codes of practice and stipulations, which are not mandatory during the stage of structural design. He will also have the liability towards the safety or stability of the structure for the stipulations which may be mandatory when the structure was designed.</p> <p>iv) Every licensed Technical Personnel shall in every case in which he may be professionally consulted or engaged, be responsible, so far as his professional connection with such case extends, for due compliance with the provisions of Maharashtra Regional & Town Planning Act, 1966 and the</p>	<p>i) The structural engineer who is appointed by the building owner is expected to carry out a comprehensive visual inspection that relies largely on his professional engineering assessment, judgment and advice. He shall exercise reasonable diligence and take active and personal interest in the planning and carrying out of the inspection of the building.</p> <p>ii) The responsibility of the structural engineer shall be commensurate with the scope of work agreed between him and his client. The structural engineer shall be liable if he fails to exercise all reasonable skill, care and diligence in the discharge of his duties.</p> <p>iii) It will be incumbent on every licensed structural engineer in all matters in which he may be professionally consulted or engaged to assist or co-operate with the Commissioner in carrying out and enforcing the provisions of BPMC Act, 1949 & MRTP Act, 1966 and of any regulations or rules for the time being in force under this Act.</p> <p>iv) The structural engineer shall be responsible for not following codes of practice and stipulations, which are not mandatory during the stage of structural design. He will also have the liability towards the safety or stability of the structure for the stipulations which may be mandatory when the structure was designed.</p> <p>v) Every licensed Technical Personnel shall in every case in which he may be professionally consulted or engaged, be responsible, so far as his professional connection with such case extends, for due compliance with the provisions of</p>
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	<p>BPMC Act 1949 and of any regulations for the time being in force under the said Act, or such of them as may respectively be applicable to the circumstances of the particular case and in particular it will be obligatory on him to satisfy himself that a qualified and competent Mastery or Inspector of Works is constantly employed and present on the work to supervise the execution of all work and to prevent the use of any defective material therein and the improper execution of any such work.</p> <p>v) In every case in which a Licensed Technical Personnel is professionally concerned in connection with any building or work upon any premises designed or intended to be used for any purposes in respect of which the written permission or license of the Commissioner is prescribed by the said Act at a necessary condition to the establishment or use of such premises for such purpose, it shall be incumbent on such Licensed Technical personnel, so far as his professional connection with such case extends, to see that all conditions prescribed by the said Act, or by any rule for the time being in force there under, in respect or premises designed or intended to be applied to such use, are duly fulfilled or provided for.</p> <p>vi) The liability of the structural engineer shall expire at thirty years from the date of issue of the stability certificate.</p> <p>vii) The structural engineer shall carry out supervision / Checking at every stage of casting of civil work i.e at casting of foundation, plinth, column and beams an at the time of every casting of the slab level. During execution, his commitment shall be for the structural quantities rather than their costs since costs can vary with time. His liability will</p>	<p>Maharashtra Regional & Town Planning Act, 1966 and the BPMC Act 1949 and of any regulations for the time being in force under the said Act, or such of them as may respectively be applicable to the circumstances of the particular case and in particular it will be obligatory on him to satisfy himself that a qualified and competent Mastery or Inspector of Works is constantly employed and present on the work to supervise the execution of all work and to prevent the use of any defective material therein and the improper execution of any such work.</p> <p>vi) In every case in which a Licensed Technical Personnel is professionally concerned in connection with any building or work upon any premises designed or intended to be used for any purposes in respect of which the written permission or license of the Commissioner is prescribed by the said Act at a necessary condition to the establishment or use of such premises for such purpose, it shall be incumbent on such Licensed Technical personnel, so far as his professional connection with such case extends, to see that all conditions prescribed by the said Act, or by any rule for the time being in force there under, in respect or premises designed or intended to be applied to such use, are duly fulfilled or provided for.</p>
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	<p>be for the design parameters submitted along with the certificate of structural stability. The liability shall expire in the event of changes in the parameters thereafter.</p> <p>viii) The structural engineer shall be responsible for not following codes of practice and stipulations, which are not mandatory during the stage of structural design. He will also have the liability towards the safety or stability of the structure for the stipulations which may be mandatory when the structure was designed.</p> <p>ix) Unless explicitly laid down in his scope of work, the structural engineer shall not be responsible for the safety or stability of the scaffolding/ staging and any other temporary structures.</p> <p>x) He shall not guarantee the work of any contractor.</p> <p>xi) The structural engineer shall have no liability whatsoever for any part of the works not designed or supervised by him or not under his responsibility or which has been constructed without or contrary to his specifications.</p> <p>xii) He shall have no liability whatsoever for any damage to life and property whatsoever resulting from any act of client, contractors, suppliers or other agencies during the execution of work.</p> <p>xii) The structural engineer shall have no liability whatsoever for any violation of legal provisions of rights of third parties, governments, etc, unless these provisions or rights have been specifically brought to the notice of the structural engineer well in advance by the client in writing.</p>	
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PART XII
WATER SUPPLY, DRAINAGE & SANITARY REQUIREMENTS, OUTDOOR DISPLAY
AND OTHER SERVICES

12.1 QUALITY OF MATERIALS AND WORKMANSHIP

i) All materials and workmanship shall be of good quality conforming generally to accepted standards of Public Works Department of Maharashtra and Indian Standard Specifications and Codes as included in Part 5 - Building Materials and Part 7 - Construction Practices and Safety of National Building Code of India, amended from time to time.

ii) All burrow pits dug in the course of construction and repair of buildings, roads, embankments etc. shall be deep and connected with each other in the formation of a drain directed towards the lowest level and properly stopped for discharge into a river stream, channel or drain and no person shall create any isolated burrow pit which is likely to cause accumulation of water which may breed mosquitoes.

12.2 ALTERNATIVE MATERIALS, METHODS OF DESIGN & CONSTRUCTION AND TESTS

i) The provision of the regulations are not intended to prevent the use of any material or method of design or construction not specifically prescribed by the regulations, provided any such alternative has been approved.

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

iii) The authority may approve any such alternative provided it is found that the proposed alternative is satisfactory and confirm to the provisions of relevant parts regarding material, design, and construction and that material, method or work offered is, for the purpose intended, at least equivalent to that prescribed in the rules in quality, strength, compatibility, effectiveness, fire rating and resistance, durability and safety.

iv) Tests: Whenever there is insufficient evidence of compliance with the provisions of the regulations of evidence that any material or method of design or construction does not confirm to the requirements of the rules or in order to substantiate claims for alternative materials, design or methods of construction, the Commissioner may require tests sufficient in advance as proof of compliance. These tests shall be made by an approved agency at the expense of the owner.

v) Test method shall be as specified by the regulations for the materials or design or construction in question. If there are no appropriate test methods specified in the regulations, the Authority shall determine the test procedure. For methods of tests for building materials; reference may be made to relevant Indian standards as given the National Building Code of India, published by the Bureau of Indian Standards. The latest version of the National building Code of India shall be taken into account at the time of enforcement of these rules.

vi) Copies of the results of all such tests shall be retained by the authority for a period of not less than two year after the acceptance of the alternative material.

12.3 BUILDING SERVICES

i) The planning, design and installation of electrical installations, air-conditioning and heating work shall be carried out in accordance with Part 8 - Building Services, Section 2-Electrical and allied Installations, Section 3 Air Conditioning, heating and mechanical ventilation of National building Code of India, amended from time to time.

ii)The planning design including the number of lifts, type of lifts, capacity of lifts depending on occupancy of building; population on each floor based on occupant load, height of building shall be in accordance with Section - 5 installation of Lifts and Escalators of National Building Code of India, amended from time to time. In existing buildings, in case of proposal for one additional floor, existing lift may not be raised to the additional floor.

iii) Maintenance of Lift in working order: The lifts shall be maintained in working order in line with provisions of Regulation P-4.

12.4 WATER SUPPLY, DRAINAGE AND SANITARY REQUIREMENTS.

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

Requirements of water supply in building.

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

Table No25

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

The requirements of water supply for various occupancies shall be as given in Table 23,24,25 or as specified by the Commissioner from time to time.

Table No 26

PER CAPITA WATER REQUIREMENT OF VARIOUS USES / OCCUPANCIES

Sr.No.	Types of Occupancy	Consumption per head per day (in litres)
(1)	(2)	(3)
1	RESIDENTIAL	
a)	In living unit located on plots less than 50 sq.m.	90
b)	In living units	135
c)	Hotels with lodging accommodation (per bed)	180

2.	EDUCATIONAL	
a)	Day schools	45
b)	Boarding schools	135
3.	INSTITUTIONAL (Medical Hospitals)	
a)	Number of beds not exceeding 100	340
b)	Number of beds exceeding 100	450
c)	Medical quarters and hostels	135
4.	Assembly Cinema theatres, auditoria, etc. (per seat of accommodation)	15
5.	Government or and Semi-Public business-uses	45
6.	MERCANTILE (Commercial)	
a)	Restaurants (per seat)	70
b)	Other business buildings	45
7.	INDUSTRIAL	
a)	Factories where bath rooms are to be provided	45
b)	Factories where no bath rooms are required to be provided	30
8.	Storage (Including warehousing)	30
9.	Hazardous	30
10.	Intermediate / Stations (excluding mail & express stops)	45 (25)*
11.	Junction Stations	70 (45)*
12.	Terminal / Stations	45
13.	International and Domestic Airports	70

*The values in parenthesis are for stations where bathing facilities are not provided.

Note : The number of persons for Serial Number (10) to (13) shall be determined by the average number of passengers handled by the station daily ; due consideration may be given to the staff and workers likely to use the facilities.

Table No 27
FLUSHING STORAGE CAPACITIES

sr.No	Classification of Buildings	Storage Capacity
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 for one w.c. seat & 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 litres per w.c. seat & 350 liters per urinal seat.

Table No 28
DOMESTIC STORAGE CAPACITIES

Sr.No	Number of Floors	Storage Capacity	Remarks
(1)	(2)	(3)	(4)
I.	For premises occupied as tenements with common conveniences.		
1.	Floor 1 (Ground).	Nil	Provided, no down-take fittings are installed.
2.	Floors 2, 3, 4, 5 & upper floors.	500* liters per tenement	---
II.	For premises occupied as flats or blocks		
1.	Floor 1.	Nil	Provided no down-take fittings are installed.
2.	Floors 2, 3, 4, 5 & upper floors.	500* liters per tenement	---

* Subject to provisions of water supply and drainage rules.

Note 1 : If the premises are situated at a place higher than the road level, , storage at ground level shall be provided in front of the premises on the same lines as on floor 2.

Note 2 : The above storage may be permitted to be installed provided, that the total domestic storage calculated on the above basis is not less than the storage ~~calculated~~ calculation on the number of down-take fittings according to the scales given below.

Down-take taps	70 liters each
Showers	135 liters each
Bathtubs	200 liters each

Note-3: All other provisions which are not covered under these Regulations; the provisions specified in the National Building Code of India, 2005 shall be applicable.

12.5 DRAINAGE AND SANITATION REQUIREMENTS

a) General

i) There should be at least one water tap and arrangement for drainage in the vicinity of each water-closet or group of water-closets in all the buildings.

ii) Each family dwelling unit on premises (abutting on a sewer or with a private sewage disposal system) shall have, at least, one water-closet and one kitchen type sink. A bath or shower shall also be installed to meet the basic requirement of sanitation and personal hygiene.

iii) All other structures for human occupancy or use on premises, abutting on a sewer or with a private sewage disposal system, shall have adequate sanitary facilities, but in no case less than one water-closet and one other fixture for cleaning purposes.

b) For Residences

i) Dwelling with individual convenience shall have at least the following fitments:

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

ii) Dwelling without individual conveniences shall have the following fitments:

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

c) For Buildings Other than Residences

The requirements for fitments for drainage and sanitation in the case of buildings other than residences shall be in accordance with Table 29 to Table 37. The following shall be, in addition, taken into consideration:

- a) The figures shown are based upon one (1) fixture being the minimum required for the number of persons indicated or part thereof.
- b) Building categories not included in the tables shall be considered separately by the Commissioner.
- c) Drinking fountains shall not be installed in the toilets.
- d) Where there is the danger of exposure to skin contamination with poisonous, infectious or irritating material, washbasin with eye wash jet and an emergency shower located in an area accessible at all times with the passage / right of way suitable for access to a wheel chair, shall be provided.
- e) When applying the provision of these tables for providing the number of fixtures, consideration shall be given to the accessibility of the fixtures. Using purely numerical basis may not result in an installation suited to the need of a specific building. For example, schools should be provided with toilet facilities on each floor. Similarly toilet facilities shall be provided for temporary workmen employed in any establishment according to the needs; and in any case one WC and one washbasin shall be provided.
- f) All buildings used for human habitation for dwelling work, occupation, medical care or any purpose detailed in the various tables, abutting a public sewer or a private sewage disposal system, shall be provided with minimum sanitary facilities as per the schedule in the tables. In case the disposal facilities are not available, they shall be provided as a part of the building design for ensuring high standards of sanitary conditions in accordance with this section.

g) Workplaces where crèches are provided, they shall be provided with one WC for 10 persons or part thereof, one washbasin for 15 persons or part thereof, one kitchen sink with floor tap for preparing food / milk preparations. The sink provided shall be with a drinking water tap.

h) In all types of buildings, individual toilets and pantry should be provided for executives and for meeting / seminar / conference rooms, etc. as per the user requirement.

12.6 **SANITATION REQUIREMENTS FOR VARIOUS USES / OCCUPANCIES**

Table No 29

Sanitation requirement for shops and commercial offices		
Sr.No.	Fitments	For personnel
(1)	(2)	(3)
1.	Water-closet	One for every 25 persons or part thereof exceeding 15 (including employees and customers). For female personnel, 1 per every 15 persons or part thereof exceeding 10.
2.	Drinking water fountain	One per every 100 persons with a minimum of one on each floor.
3.	Wash basin	One for every 25 persons or part thereof. One of such wash basins on each floor shall be fixed at height of 80 cm. with tap at 100 cm. above finished floor level for the use of handicapped disabled, old and infirm persons.
4.	Urinals	- One for 50 persons or part thereof.
5.	Cleaner's sink	One per floor minimum, preferably in or adjacent to sanitary rooms.

Note: Number of customers for the purposes of the above calculations shall be the average number of persons in the premises for a time interval of one hour during the peak period. For male-female calculation a ratio of 1:1 may be assumed.

TABLE NO 30
SANITATION REQUIREMENTS FOR INSTITUTIONAL (MEDICAL) OCCUPANCY -
(STAFF QUARTERS & HOSTELS)

Sr. No.	Fitments	Doctor's Dormitories		Nurse's Hostel
		For Male Staff	For Female Staff	
(1)	(2)	(3)	(4)	(5)
1.	Water-closet	One for 4 persons	One for 4 persons	One for 4 persons or part thereof.
2.	Ablution taps	One in each water closet	One in each water closet	One in each water closet
3.	Wash basin	One for every 8 persons or part thereof. One of such wash basins on each floor shall be fixed at height of 80 cm. with tap at 100 cm. above finished floor level for the use of persons with disabilities, old and infirm persons.	One for every 8 persons or part thereof.	One for every 8 persons or part thereof.
4.	Baths (with shower)	One for 4 persons or part thereof.	One for 4 persons or part thereof.	One for 4-6 persons or part thereof.
5.	Cleaner's sink	One per floor minimum	One per floor minimum.	One per floor minimum.
6.	Drinking water fountains	1 per 100 persons or part thereof with a minimum of 1 on each floor.		

TABLE NO.31
SANITATION REQUIREMENTS FOR GOVERNMENT AND PUBLIC / BUSINESS
OCCUPANCIES AND OFFICES

Sr. No.	Fitments	For Male Personnel	For Female Personnel
(1)	(2)	(3)	(4)
1.	Water-closet	One for every 25 persons or part thereof.	One for every 15 persons or part thereof.
2.	Ablution taps	One in each water closet	One in each water closet
3.	Urinals	Nil upto 6 persons. One for 7-20 persons, 2 for 21-45 persons, 3 for 46-70 persons, 4 for 71-100 persons. From 101 to 200 persons add at the rate of 3 percent. For over 200 persons add at the rate of 2.5 percent.	
4.	Wash basin	One for every 25 persons or part thereof. One of such wash basins on each floor shall be fixed at height of 80 cm. with tap at 100 cm. above finished floor level for the use of persons with disabilities, old and infirm persons.	
5.	Drinking water fountains.	One for every 100 persons with a minimum of one for each floor.	
6.	Baths	Preferably one on each floor	
7.	Cleaner's sinks	One per floor minimum preferably in or adjacent to sanitary rooms.	

TABLE NO.32
SANITATION REQUIREMENTS FOR RESIDENCE

Sr.No.	Fitments	Dwellings with Individual convenience	Dwellings without Individual convenience
(1)	(2)	(3)	(4)
1.	Bath room	1 provided with water tap.	1 for each two tenements
2.	Water closet	1	1 for each two tenements
3.	Sink (or Nahani) in the floor	1 From 101 to 200 persons add at the rate of 3 percent. For over 200 persons at the rate of 2.5 percent.	
4.	Wash tap	1	1 with draining arrangement in each tenement. 1 in common bath room and common water closets.

TABLE NO.33
SANITATION REQUIREMENTS FOR ASSEMBLY OCCUPANCY BUILDINGS -
(CINEMAS, THEATRES AND AUDITORIA)

Sr.No.	Fitments	FOR PUBLIC		FOR STAFF	
		For Male	For Female	For Male	For Female
(1)	(2)	(3)	(4)	(5)	(6)
1.	Water-closet	1 per 100 persons upto 400 persons.	3 per 100 persons upto 200 persons	1 for 1-15 persons 2 for 16-35 persons	1 for 1-12 persons 2 for 13-25 persons
2.	Ablution taps	One in each water closet	One in each water closet	One in each water closet	One in each water closet
3.	Urinals	1 for 25 persons or part thereof.		Nil upto 6 persons 1 for 7-20 persons 2 for 21-45 persons	
4.	Wash basin	1 for every 200 persons or part thereof.	One for every 200 persons or part thereof. One of such wash basins on each floor shall be fixed at height of 80 cm. with tap at 100 cm. above finished floor level for the use of persons with disabilities, old and infirm persons.	1 for 1-15 persons 2 for 16-35 persons	1 for 1-12 persons 2 for 13-25 persons
5	Drinking water fountains	1 per 100 persons or part thereof.			

Note : It may be assumed that two thirds of the number are males and one third females.

TABLE NO.34
SANITATION REQUIREMENTS FOR ASSEMBLY OCCUPANCY BUILDINGS - (ART GALLERIES, LIBRARIES AND MUSEUMS)

Sr. No.	Fitments	FOR PUBLIC		FOR STAFF	
No.		For Male	For Female	For Male	For Female
(1)	(2)	(3)	(4)	(5)	(6)
1.	Water-closet	1 per 200 persons upto 400 persons.	1 per 100 persons upto 200 persons	1 for 1-15 persons 2 for 16-35 persons	1 for 1-12 persons 2 for 13-25 persons
2.	Ablution taps	One in each water closet	One in each water closet	One in each water closet	One in each water closet
3.	Urinals	1 for 50 persons		Nil upto 6 persons 1 for 7-20 persons 2 for 21-45 persons	
4.	Wash basin	1 for every 200 persons or part thereof. For over 400 persons, add at the rate of 1 per 250 persons or part thereof.	One for every 200 persons or part thereof. For over 200 persons add at the rate of 1 per 150 persons or part thereof. One of such wash basins on each floor shall be fixed at height of 80 cm. with tap at 100 cm. above finished floor level for the use of persons with disabilities, old and infirm persons.	1 for 1-15 persons 2 for 16-35 persons	1 for 1-12 persons 2 for 13-25 persons
5	Drinking water fountains	1 per floor, minimum			

Note : It may be assumed that two thirds of the number are males and one third females.

**TABLE NO.35
SANITATION REQUIREMENTS FOR RESTAURANTS**

Sr. No.	Fitments	FOR PUBLIC		FOR STAFF	
		For Male	For Female	For Male	For Female
(1)	(2)	(3)	(4)	(5)	(6)
1.	Water-closet	One for 50 seats upto 200. For over 200, add at the rate of one per 100 or part thereof.	One for 50 seats upto 200. For over 200, add at the rate of one per 100 or part thereof.	1 for 1-15 persons 2 for 16-35 persons 3 for 36-65 persons 4 for 66-100 persons	1 for 1-12 persons 2 for 13-25 persons 3 for 26-40 persons 4 for 41-57 persons 5 for 58-77 persons 6 for 78-100 persons
2.	Ablution taps	One in each water closet	One in each water closet	One in each water closet	One in each water closet
3.	Urinals	1 for 50 persons	---	Nil upto 6 persons 1 for 7-20 persons 2 for 21-45 persons 3 for 46-70 persons 4 for 71-100 persons	---
4.	Wash basin	One for every water closet provided			
5.	Kitchen sinks and dish washers	One in each kitchen.			
6.	Slop or service sink	One in the Restaurant			

Note : It may be assumed that two thirds of the number are males and one third females.

TABLE NO.36**SANITATION REQUIREMENTS FOR FACTORIES**

Note 1 : For many trades of a dirty or dangerous character, more extensive provisions are required.

Sr. No.	Fitments	For Male Personnel	For Female Personnel
(1)	(2)	(3)	(4)
1.	Water closet	1 for 1-15 persons. 2 for 16-35 persons. 3 for 36-65 persons. 4 for 66-100 persons. From 101 to 200 persons, add at the rate 3 percent. From over 200 persons, add at the rate of 2.5 percent.	1 for 1-12 persons. 2 for 13-25 persons. 3 for 26-40 persons. 4 for 41-57 persons. 5 for 58-77 persons. 6 for 78-100 persons From 101 to 200 persons, add at the rate 5 percent. From over 200 persons, add at the rate of 4 percent.
2.	Ablution taps	1 in each water closet One water tap with draining arrangement shall be provided for every 50 persons or part thereof in the vicinity of water closets and urinals.	1 in each water closet
3.	Urinals	Nil upto 6 persons. 1 for 7-20 persons. 2 for 21-45 persons. 3 for 46-70 persons. 4 for 71-100 persons.	
4.	Washing taps and draining	1 for every 25 persons or part thereof.	1 for every 25 persons or part thereof.
5.	Drinking water fountain.	1 for every 100 persons with a minimum of one on each floor.	
6.	Baths preferably showers)	As required for particular trades of occupations.	

Note 2 : Creches, where provided shall be fitted with water closets (one for 10 persons or part thereof) and wash basins (one for 15 persons or part thereof) and drinking water tap with draining arrangements (one for every 50 persons or part thereof.)

TABLE NO.37
SANITATION REQUIREMENTS FOR LARGE STATIONS AND AIR-PORTS

Sr.No.	Place	WC for Males	WC for Females	Urinals for Males only
(1)	(2)	(3)	(4)	(5)
1.	Junction stations, intermediate stations and bus stations.	3 for first 1000 persons and 1 for every subsequent 1000 persons or part thereof.	4 for first 1000 persons and 1 for every additional 1000 person.	4 for every 1000 persons and 1 for every additional 1000 persons.
2.	Terminal stations and bus terminals	4 for first 1000 persons and 1 for every subsequent 1000 persons or part thereof.	5 for first 1000 persons and 1 for every subsequent 2000 persons or part thereof.	6 for first 1000 persons and 1 for every additional 1000 persons or part thereof.
3.	Domestic airports min.	2*	4*	2*
	for 200 persons	5	8	6
	for 400 persons	9	15	12
	for 600 persons	12	20	16
	for 800 persons	16	26	20
	for 1000 persons	16	29	22
4.	International Airports			
	for 200 persons	6*	10	8
	for 600 persons	12	20	16
	for 1000 persons	18	26	22

Note 1: Provisions for wash basins, baths including shower stalls, shall be in accordance with Part IX Section 2 Drainage and Sanitation of National Building Code of India.

12.7 Signs and Outdoor Display Structures -

The display of advertising signs on buildings and land shall be in accordance with Part 10, Section 2 "*Signs and outdoor display structures*" of National Building Code of India as amended from time to time. Prohibition of advertising signs and outdoor display structure in certain cases - Notwithstanding the provisions of sub-regulations no advertising sign or outdoor display structures shall be permitted on buildings of architectural, aesthetical, historical or heritage importance as may be decided by the Commissioner or on Government Buildings save that in the case of Government buildings only advertising signs or outdoor display structure may be permitted if they relate to the activities for the said buildings' own purposes or related programmers.

APPENDIX A-1
FORM FOR CONSTRUCTION OF BUILDING OR LAYOUT OF BUILDING /
GROUP HOUSING

Application for permission for development under Section 44 / 58 of The Maharashtra Regional and Town Planning Act, 1966 read with Section 253 of the BPMC Act, 1949.

From _____
(Name of the owner)

To,
The Municipal Commissioner,
Municipal Corporation,
Sir,

I intend to carry out the under mentioned development in the site/plot of land, on Plot No..... Town and Revenue S.No.....City Survey No.....Maujesituated at Road / Street Societyin accordance with Section 44 / 58 of the Maharashtra Regional and Town Planning Act, 1966 read with Section 253 of the BPMC Act, 1949.

I forward herewith the following plans and statements (Item i to ix) wherever applicable, in quadruplicate, signed by me (Name in block letters)and the Architect / Licensed Engineer / Structural Engineer / Supervisor, (License No.....), who has prepared the plans, designs and a copy of other statements /documents as applicable

- i)** Key Plan (Location Plan), (to be shown on first copy of the set of plans)
- ii)** Site Plan showing the surrounding land and existing access to the land proposed to be developed; (to be shown on first copy of the set of plans)
- iii)** A detailed building plan showing the plan, section and elevations of the proposed development work along with existing structure to be retained/ to be demolished, if any;
- iv)** Particulars of development in Form enclosed (to be submitted for development other than individual buildings);
- v)** Copy of sanctioned layout plan if any;
- vi)** An extract of record of rights, property register card (any other document showing ownership of land to be specified) alongwith consent of co-owners where third party interest is created;
- vii)** Attested copy of receipt of payment of scrutiny fees;
- viii)** Latest property tax receipt;
- ix)** No Objection Certificate(s), wherever required.

I request that the proposed development/ construction may be approved and permission be accorded to me to execute the work.

Signature of the Licensed /
Surveyor/Architect
Name
License No.
Contact No.
Dated

Signature of Owner
Name of Owner
Address of Owner
Contact No.
Dated

FORM GIVING PARTICULARS OF DEVELOPMENT

(Item iv of Appendix A-1)

1.	(a) (i) Full Name of Applicant	
	(ii) Address of applicant	
	(iii) e-mail ID	
	(iv) Contact / Mobile No.	
	(b) (i) Name and address of Architect/ licensed Engineer/ Structural Engineer/ Supervisor employed.	
	(ii) No. and date of issue of License	
2.	(a) Is the plot of, a City Triangulation Survey Number, Revenue Survey Number or Hissa Number of a Survey Number or a Final Plot Number of a Town Planning Scheme or a plot of an approved layout?	
	(b) Please state Sanction Number and Date of Sub-division / Layout	
	(c) Whether the land is situated in Core Area or Outside Core Area?	
3.	(a) What is the total area of the plot according to the ownership document and measurement plan?	
	(b) Does it tally with the Revenue/CTS Record	
	(c) What is the actual area available on site measured by Architect/ licensed Engineer/ Structural Engineer / Supervisor? (The permission shall be based on the area whichever is minimum.)	
	(d) Is there any deduction in the original area of the plot on account of D.P. roads, or reservation(s). If so, are they correctly marked on the site plan? Please state the total area of such deductions?	
	(e) Is there any water stream in the land? State the area of such land.	
	(e) What is the area remained for development after above deduction(s)?	
	(f) What is the area proposed for recreational open space? (in case of land having original holding more than 0.4 hector) Please mention the area.	

	(g) Whether amenity space as required under Regulation no.13.4 is left? Please mention the area.	
	(f) What is the net plot area as per Regulation no.13.8? (excluding (g) above)	
4.	Are all plans as required under Regulation no.6.2 enclosed?	
5.	(a) In what zone does the plot fall?	
	(b) For what purpose the building is proposed? Is it permissible according to the land use classification?	
6.	(a) Is road available as an approach to the land? What is the average existing width of the road? (If the plot abuts on two or more roads, the above information in respect of all roads should be given)	
	(b) Is the land fronting on D.P. road? If so, width of the D.P. road	
	(c) Is the land fronting on National or State highway? If so, is the Building line / control line maintained? Please state the distance.	
	(c) What is the height of the building above the average ground level of the plot?	
	(d) Is it within permissible limit of height specified in Regulation no. 15.9 i.e. 1.5 times of the road width plus front margin?	
	(e) Does height exceed the limit specified in (d) above? If so, is height approved by Director of Fire Services, M.S.?	
7.	Is the land subject to restrictions of blue / red flood line, airport, railway, electric line, land fill sites, archeology, etc.? Please state the details along with 'No objection certificate' if any.	
8.	(a) If there are existing structures on the plot	
	(i) Are they correctly marked and numbered on the site plan?	
	(ii) Are those proposed to be demolished immediately and hatched in yellow colour?	
	(iii) What is the plinth area and total floor area of all existing structures to be retained? (Please give details confirming to the plan submitted)	

9.	Is balcony area within the permissible limit of 15 % ? State said balcony area and area counted in FSI.		
10.	Are double height terrace within the limit of 20%? Are they of supported type? State said double height terrace area and area counted in FSI.		
11.	(a) Please state the total built up area, (existing + proposed + extra balconies + extra double height terraces.)		
	(b) What is the basic permissible F.S.I. of the zone according to front road width?		
	(c) What is the premium FSI proposed to be consumed?		
	(d) What is the fungible FSI proposed to be consumed?		
	(e) What is the area of TDR proposed to be consumed?		
	(f) What is the additional FSI proposed to be consumed?		
	(g) Please state the overall F.S.I. utilised in the proposal?		
	(h) Is built-up area of each flat / unit mentioned on the plan?		
12.	Whether area for inclusive housing is required as per Regulation no.13.7? Please state the details.		
13.	(a) What is the width of the front marginal distance (s)? If the building abuts two or more roads, does the front marginal distance comply with Regulation?		
14.		Permissible	Proposed
	(a) What is :		
	(i) the side marginal distance (s)?		
	(ii) the rear marginal distance (s)?		
	(iii) the distance between buildings?		
15.	(a) What are the dimensions of the inner or outer chowk?		
	(b) Is / are room (s) dependent for its light and ventilation on the chowk? If so, are the dimensions of the chowk as required?		
16.	(a) Whether sizes of the rooms comply with the dimensions mentioned in the regulations?		
	(b) Whether use of every room / part mentioned on the plan?		

	(c) Whether every room derives light and ventilation required under the regulations?						
17.	If the height of the building is more than 15 meter above the average ground level, is provision for lifts made?						
	(a) If so, give details of lift.	<table border="1"> <thead> <tr> <th>Passenger Capacity</th> <th>No. of Lifts</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> </tr> </tbody> </table>	Passenger Capacity	No. of Lifts			
	Passenger Capacity	No. of Lifts					
(b) Details of Fire Lift.	<table border="1"> <thead> <tr> <th>Passenger Capacity</th> <th>No. of Lifts</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> </tr> </tbody> </table>	Passenger Capacity	No. of Lifts				
Passenger Capacity	No. of Lifts						
18.	(a) Does the building fall under purview of Regulation no.6.2.6.1?						
	(b) If so, is fire escape staircase provided in addition to regular staircase?						
	(c) Whether the ramps to the basement are provided leaving 6 m marginal distance for movement of fire fighting vehicle?						
	(d) If podiums are proposed, does it allow the movement of fire fighting vehicle properly?						
19.	(a) What are the requirements of parking spaces under the Regulation no.20? How many are proposed?		Required	Proposed			
		Car					
		Scooter					
	(b) (i) Are loading-unloading spaces necessary?						
		(ii) If so, what is the requirement?					
		(iii) How many are proposed?					
20.	Is the sanitary arrangement provided as per the regulation?						
21.	Details of the source of water to be used in the construction						
22.	Distance from the sewer.						
23.	Please explain in detail in what respect the proposal does not comply with the Development Control and Promotion Regulations and the reasons there for, attaching a separate sheet if necessary.						

I hereby declare that I am the Architect/ licensed Engineer/ Structural Engineer/ Supervisor employed for the proposed work and that the statements made in this form are true and correct to the best of my knowledge.

Date : / /

Signature of the Architect/ licensed Engineer/
Structural Engineer/ Supervisor employed.

FORM OF STATEMENT 1 (to be printed on plan)				
[Sr. No. 8 (a) (iii)]				
Existing Building to be retained				
Existing Building No.	Floor No.	Plinth Area	Total Floor Area of Existing Building	Use / Occupancy of Floors.
(1)	(2)	(3)	(4)	(5)

FORM OF STATEMENT 2 (to be printed on plan)							
[Sr. No. 11 (a)]							
Proposed Building							
Building No.	Floor No.	Total Built-up Area of floor.	Balcony area within 15%	Excess balcony area counted in FSI.	Double height terrace area within 20%	Excess Double height terrace area counted in FSI.	Total FSI (3+5+7)
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

FORM OF STATEMENT 2 (to be printed on plan)						
[Sr. No. 11 (h)]						
Area details of Flat / unit						
Building No.	Floor No.	Flat / unit No.	Built up area of flat / unit along with Share of Common areas like staircase / passages	Area of Balcony attached to flat / unit	Area of Double height terraces attached to flat / unit	Total area of flat / unit (4 + 5 + 6)
1	2	3	4	5	6	7

Note :

- 1) Built up area of all flats / units on the respective floor shall tally with the total built up of that floor.
- 2) Above statements may vary, wherever required.

PROFORMA - I

(At Right Hand top Corner of Plans)

PROPOSED ----- COMPLEX ON C.T.S. NO./PLOT Drawing Sheet No.
NO. / S.NO. / F.P.NO.----- OF VILLAGE MAUJE -----

Stamps of Approval of Plans:

A	AREA STATEMENTS	
	1. Area of plot <i>(Minimum area of a, b, c to be considered)</i>	
	a) As per ownership document (7/12, CTS extract)	
	b) as per measurement sheet	
	c) as per site	
	2. Deductions for	
	(a) Proposed D.P./ D.P. Road widening Area	
	(b) Any D.P.Reservation area	
	(a) Natural Water course area	
	(Total a+b+c)	
	3. Gross Area of Plot (1-2)	
	4. Recreational Open space	
	(a) Required	
	(b) Proposed	
	5. Amenity Space -	
	(a) Required -	
	(b) Proposed -	
	6. Service road and Highway widening	
	7. Internal Road area	
	8. Net Area of Plot = [3 – 5(b)] <i>[For Basic F.S.I. = 1.00]</i>	
	9. Built up area with reference to Basic F.S.I. as per front road width <i>(sr. no. 8 X 1.30)</i>	
	10. Addition of area for F.S.I.	
	(a) In-situ area against D.P. road <i>[1.85x sr. no. 2 (a)], if any</i>	
	(b) In-situ area against Amenity Space <i>[2.00 or 1.85 x sr. no. 5 (b)],</i>	
	(c) Premium FSI area <i>(subject to maximum of 0.3 of sr. no. 8)</i>	
(d) TDR area		
(e) Additional FSI area under chapter VIII		
(Total of a+b+c+d+e)		
11. Total area available <i>(9+10)</i>		
12. Maximum utilization of F.S.I. Permissible as per Road width <i>(as per Regulation no. 15.4)</i>		
13. Total Built-up Area in proposal. <i>(excluding area at Sr.No.15.b)</i>		
a) Existing Built-up Area.		
b) Proposed Built-up Area		
c) Excess Balcony area counted in F.S.I.		
d) Excess Double Height terraces area counted in F.S.I.		
Total (a+b+c+d)		
14. F.S.I. Consumed (13/8) <i>(should not be more than serial no.12 above.)</i>		
15. Area for Inclusive Housing, if any		
a) Required <i>(20% of sr.no.9)</i>		
b) Proposed		

Certificate of Area:

Certified that the plot under reference was surveyed by me on_____ and the dimensions of sides etc. of plot stated on plan are as measured on site and the area so worked out tallies with the area stated in document of Ownership/ T.P. Scheme Records/ Land Records Department/City Survey records.

Signature

(Name of Architect/ Licensed Engineer/
Supervisor.)

Owner (s) name and signature

Architect/ Licensed Engineer/ Supervisor name and signature

Job No.	Drawing No.	Scale	Drawn by	Checked by	Registration / License no. of Arch./ Lic. Eng./ Supervisor
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APPENDIX A-2

FORM FOR SUB-DIVISION OF LAND AS PLOTTED LAYOUT

Application for permission for development under Section 44 / 58 of The Maharashtra Regional and Town Planning Act, 1966 read with Section 253 of the BPMC Act, 1949.

From

(Name of the owner)

To,

The Municipal Commissioner,
Municipal Corporation,

Sir,

I intend to carry out the under mentioned development in the site/plot of land, bearing S.No./ Gut No. City Survey No....., Mouje, situated at Road/ Street in accordance with Section 44/58 of The Maharashtra Regional and Town Planning Act, 1966 read with Section 253 of the BPMC Act, 1949.

I forward herewith the following plans and statements (Item 1 to 6) wherever applicable, in quadruplicate, signed by me (Name in block letters) and the Architect / Licensed Engineer / Structural Engineer / Supervisor (License No.....), who has prepared the plans, designs and a copy of other statements /documents as applicable (Items 7 to 10).

- (1) Key Plan (Location Plan); (to be shown on first copy of the set of plans)
- (2) Site Plan showing the surrounding land and existing access to the land included in the layout; (to be shown on first copy of the set of plans)
- (3) A layout plan showing,
 - (i) sub-divisions of the land or plot with dimensions and area of each of the proposed sub-divisions and its use according to prescribed regulations;
 - (ii) width of the proposed streets; and
 - (iii) dimensions and area of recreational open spaces provided in the layout.
 - (iv) dimensions and area of amenityspace provided in the layout.
- (4) An extract of record of rights property register card (any other document showing ownership of land to be specified) alongwith consent of co-owners where third party interest is created.
- (5) Particulars of development in Form enclosed.
- (6) Attested copy of Receipt for payment of scrutiny fees.
- (7) No Objection Certificate, wherever required.

I request that the proposed layout may please be approved and permission accorded to me to execute the work.

Signature of the Licensed /
Surveyor/Architect

Name

License No.

Contact No.

Dated

Signature of Owner

Name of Owner

Address of Owner

Contact No.

Dated

**FORM GIVING PARTICULARS OF DEVELOPMENT
(PART OF APPENDIX 1.....ITEM 5)**

1.	(a) (i) Full Name of Applicant	
	(ii) Address of applicant	
	(iii) e-mail ID	
	(iv) Mobile No.	
	(b) (i) Name and address of Architect/ licensed Engineer employed.	
	(ii) No. and date of issue of License	
2.	(a) Is the plot of, a City Triangulation Survey Number, Revenue Survey Number or Hissa Number of a Survey Number or a Final Plot Number of a Town Planning Scheme?	
	(b) Whether the land is situated in Core Area or Outside Core Area?	
3.	(a) What is the total area of the plot according to the ownership document and measurement plan?	
	(b) Does it tally with the Revenue/CTS Record	
	(c) What is the actual area available on site measured by Architect/ licensed Engineer/ Structural Engineer / Supervisor? (The permission shall be based on the area whichever is minimum.)	
	(d) Is there any deduction in the original area of the plot on account of D.P.roads, or reservation(s). If so, are they correctly marked on the site plan? Please state the total area of such deductions?	
	(e) Is there any water stream in the land? State the area of such land and state whether it is excluded?	
	(e) What is the area remained for development after above deduction(s)?	
	(f) What is the area proposed for recreational open space? (in case of land having original holding more than 0.4 hecter) Please mention the area.	
	(g) Whether amenity space as required under Regulation no.13.4 is left? Please mention the area.	
	(f) What is the net plot area as per Regulation no.13.9? (excluding (g) above)	
	4.	Are all plans as required under Regulation no.6.2 enclosed?
5.	(a) In what zone does the plot fall?	
	(b) For what purpose the layout is proposed? Is it permissible according to the land use classification?	
6.	(a) Is road available as an approach to the land? What is the average existing width of the road? (If the plot abuts on two or more roads, the above information in respect of all roads should be given)	

	(b) Is the land fronting on D.P. road? If so, width of the D.P. road	
	(c) Is the land fronting on National or State highway? If so, is the Building line / control line maintained? Please state the distance.	
7.	Is the land subject to restrictions of blue / red flood line, airport, railway, electric line, land fill sites, archiology, etc? Please state the details along with 'No objection certificate' if any.	
8.	Whether the internal roads proposed in the layout conform to the Regulation no.12.	
9.	Whether roads in the layout are co-ordinated with the roads in the surrounding layout?	
10.	Whether the area and dimentions of plots are proposed as per prescribed regulations?	
11.	Whether area for inclusive housing is required as per Regulation no. 13.7? Please state the details.	

I hereby declare that I am the Architect/ licensed Engineer employed for the proposed work and that the statements made in this form are true and correct to the best of my knowledge.

Date : / /

Signature of the Architect/ licensed Engineer/ Structural Engineer/ Supervisor employed.

PROFORMA - I					
(At Right Hand top Corner of Plans)					
PROPOSED ----- LAYOUT ON C.T.S. NO./PLOT NO. / S.NO. / F.P.NO.----- OF VILLAGE MAUJE ----					Drawin g Sheet No. X/Y
Stamps of Approval of Plans:					
A	AREA STATEMENTS				
	1. Area of land (Minimum area of a, b, c to be considered)				
	a) As per ownership document (7/12, CTS extract)				
	b) as per measurement sheet				
	c) as per site				
	2. Deductions for				
	(a) Proposed D.P./ D.P. Road widening Area				
	(b) Any D.P. Reservation area				
	(c) Natural water course area				
	(Total a+b)				
	3. Gross Area of Plot (1-2)				
	4. Recreational Open space				
	(a) Required -				
	(b) Proposed -				
	5. Amenity Space				
	(a) Required -				
	(b) Proposed -				
	6. Service road and Highway widening				
	7. Internal Road area				
	8. Area under layout plots				
	9. Net area of plots for FSI Calculations = (3-5b)				
	10. Permissible FSI factor for layout plots = (9/8)				
	11. Area for inclusive housing				
	(a) Required -				
	(b) Proposed -				
Certificate of Area:					
Certified that the plot under reference was surveyed by me on_____ and the dimensions of sides etc. of plot stated on plan are as measured on site and the area so worked out tallies with the area stated in document of Ownership/ T.P. Scheme Records/ Land Records Department/City Survey records.					
Signature (Name of Architect/Licensed Engineer/Supervisor.)					
Owner (s) name and signature					
Architect/ Licensed Engineer/ Supervisor name and signature					
Job No.	Drawing No.	Scale	Drawn by	Checked by	Registration / Licence no. of Arch./ Lic.Eng./ Supervisor

Statement of distribution of FSI on each plot

(to be printed at suitable place on plan)

Plot no.	Plot area (sq.m.)	Roundin g area of Road (if any) (sq.m.)	Remaini ng Plot area (b-c) (sq.m.)	Built up area on pro-rata basis i.e. (d x Pro-rata FSI factor)	Front Road width (m.)	basic FSI	Permissible Built-up area on Basic FSI (e x g) (sq.m.)
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)

APPENDIX 'B'

FORM OF SUPERVISION

To,
The Municipal Commissioner,
Municipal Corporation,

Sir,

I hereby certify that the development/erection/re-erection/demolition or material alteration in/ or Building No _____ on / in Plot No. _____ in Block No. _____ situated at Road / street _____ City Survey No. _____ shall be carried out under my supervision and I certify that all the materials (types and grade) and the workmanship of the work shall be generally in accordance with the general specifications and that the work shall be carried out according to the sanctioned plans. I shall be responsible for the execution of the work in all respects.

Signature and name of the Architect or Licensed
Engineer/Structural Engineer/ Supervisor

License No.

Date :

APPENDIX 'C-1'

**FORM FOR SANCTION OF BUILDING PERMISSION AND
COMMENCEMENT CERTIFICATE**

To,

Sir,

With reference to your application No _____, dated _____ for the grant of sanction of Commencement Certificate under Section 44 of The Maharashtra Regional and Town Planning Act, 1966 read with Section 253 of the BMC Act, 1949 to carry out development work / Building on Plot No _____ Revenue Survey No _____, City Survey No _____, mauja _____ situated at Road /Street _____, Society _____ the Commencement Certificate/Building Permit is granted under Section 45 of the said Act, subject to the following conditions:

1. The land vacated in consequence of the enforcement of the set-back rule shall form part of the public street.
2. No new building or part thereof shall be occupied or allowed to be occupied or used or permitted to be used by any person until occupancy permission has been granted.
3. You will have to handover the amenity space to the Corporation before approval of final layout as per Regulation no.13.4. (wherever applicable)
4. You will have to submit an undertaking in respect of recreational open spaces as stipulated in Regulation. (wherever applicable)
5. The Commencement Certificate/ Building permit shall remain valid for a period of one year commencing from the date of its issue unless the work is not commenced within the valid period.
6. This permission does not entitle you to develop the land which does not vest in you.
7. -----
8. -----

Office No.

Office Stamp

Date :

Yours faithfully,
Municipal Commissioner,
or an officer appointed by him

APPENDIX 'C-2'

FORM FOR TENTATIVE APPROVAL FOR DEMARICATION OF LAND / SUB-DIVISION LAYOUT

To,

Sir,

With reference to your application No _____, dated _____ for the land sub-division approval, under Section 44 of The Maharashtra Regional and Town Planning Act, 1966 read with Section 253 of the BMC Act, 1949 to carry out development work in respect of land bearing Revenue Survey No _____, City Survey No _____, mauje _____ situated at Road /Street _____, Society _____, it is to inform you that, land sub-division layout is hereby tentatively approved and recommended for demarcation, subject to the following conditions:

1. You will get the land sub-division layout demarcated on the site by the Land Records Department and submit the certified copy to that effect for final approval.
2. It shall be the responsibility of the owner to carry out all the development work including construction of roads, sewer lines, water supply lines, culverts, bridges, street lighting, etc. and hand it over to the Municipal Corporation after developing them to the satisfaction of the Municipal Commissioner.
3. If you wish that the Municipal Corporation has to carry out these development works, then you will have to deposit the estimated expenses to the Municipal Corporation in advance, as decided by the Municipal Commissioner.
4. You will have to handover the amenity space to the Corporation before approval of final layout as per Regulation no.13.4. (applicable in case where owner is not allowed to develop)
5. You will have to submit an undertaking in respect of recreational open spaces as stipulated in Regulation.
6. This permission does not entitle you to develop the land which does not vest in you.
7. -----

Office No.

Office Stamp

Yours faithfully,

Municipal Commissioner,
or an officer appointed by him

APPENDIX 'C-3'

FORM FOR FINAL APPROVAL TO THE LAND SUB-DIVISION / LAYOUT

To,

Sir,

With reference to your application No. _____, dated _____ for the land sub-division approval, under Section 44 of The Maharashtra Regional and Town Planning Act, 1966 read with Section 253 of the BMC Act, 1949 to carry out development work in respect of land bearing Revenue Survey No _____, City Survey No _____, mauje _____ situated at Road /Street _____, Society _____, the land sub-division layout is finally approved as demarcated under Section 45 of the Maharashtra Regional & Town Planning Act, 1966, subject to the following conditions:

1.	It shall be the responsibility of the owner to carry out all the development work including construction of roads, sewer lines, water supply lines, culverts, bridges, street lighting, etc. and hand it over to the Municipal Council after developing them to the satisfaction of the Municipal Commissioner.
2.	If you wish that the Municipal Council should carry out these development works, then you will have to deposit the estimated expenses to the Municipal Council in advance, as decided by the Municipal Commissioner.
3.	As per the undertaking submitted by you in respect of recreational open space as stipulated in Regulation no.13.3, the said open space admeasuring ----- sq.m. stand vested in the name of plot holders of the layout or society of the plot holders and you have no right of ownership or interest in the said recreational open space.
	Since you have handed over the amenity space to the Corporation, you shall be entitled for FSI equivalent to TDR, on the remaining land. (wherever applicable)
4.	This permission does not entitle you to develop the land which does not vest in you.
5.	-----
6.	-----
7.	-----
8.	-----

Office No. -----Office Stamp

-----Date : -----

Yours faithfully,

Municipal Commissioner,

or an officer appointed by him

APPENDIX 'D-1'

FORM FOR REFUSAL OF BUILDING PERMIT / COMMENCEMENT CERTIFICATE

To,

Sir,

With reference to your application No. _____ dated _____ for the grant of sanction for the development work / the erection of a building / execution of work on Plot No. _____, Revenue Survey No. _____, City Survey No. _____, mauje _____, I regret to inform you that the proposal has been refused under Section 45 of the Maharashtra Regional and Town Planning Act, 1966, on the following grounds.

1. -----
2. -----
3. -----
4. -----
5. -----
6. -----

Office Stamp

Yours faithfully,

Municipal Commissioner,.....
or an officer appointed by him

APPENDIX 'D-2'

FORM FOR REFUSAL OF LAND SUB-DIVISION / LAYOUT

To,

Sir,

With reference to your application No. _____ dated _____ for the grant of sanction for the development work bearing Revenue Survey No._____, City Survey No._____, mauje_____, I regret to inform you that the proposal has been refused under Section 45 of the Maharashtra Regional and Town Planning Act, 1966, on the following grounds.

1. -----
2. -----
3. -----
4. -----
5. -----
6. -----

Office Stamp

Yours faithfully,

Municipal Commissioner,
or an officer appointed by him

APPENDIX 'E'

FORM FOR INTIMATION OF COMPLETION OF WORK UPTO PLINTH LEVEL

To,

The Municipal Commissioner,
_____ Municipal Corporation

Sir,

The construction up to plinth / column up to plinth level has been completed in Building No _____ Plot No _____, Revenue Survey No. _____, City Survey No. _____, Village _____ Sector No. _____ Ward No. _____, situated at Road/Street _____, Society _____ in accordance with your permission No _____ dated _____ under my supervision and in accordance with the sanctioned plan.

Please check the completed work and permit me to proceed with the rest of the work.

Yours faithfully

Signature of Architect /Licensed Engineer/
Structural Engineer/Supervisor

Name : _____

(In Block Letters) _____

Address : _____

E-mail ID : _____

Mobile No.: _____

Date: _____

APPENDIX ' F

**FORM OF APPROVAL / DISAPPROVAL OF DEVELOPMENT WORK UPTO
PLINTH LEVEL**

To,

Sir,

Please refer to your intimation No _____ dated _____ regarding the completion of construction work upto plinth / column upto plinth level in Building No _____ Plot No _____, Revenue Survey No. _____, City _____ Survey No. _____, Village _____ SectorNo. _____ WardNo. _____, situated at Road/Street _____, Society _____ You may proceed / are not allowed to proceed with the further work as per sanctioned plans / as the construction upto plinth level does / does not confirm to the sanctioned plans.

Yours faithfully,

Municipal Commissioner,
_____Municipal Corporation

Office No _____

Office Stamp _____

Date : _____

APPENDIX 'G'

FORM FOR COMPLETION CERTIFICATE

To,
The Municipal Commissioner,
.....Municipal Corporation

Sir,

I hereby certify that the erection / re-erection or part/ full development work in / on building / part building No _____ Plot No _____, Revenue Survey No. _____, City Survey No. _____, mauje _____, has been supervised by me and has been completed on _____ according to the plans sanctioned, vide office communication No _____ dated _____. The work has been completed to the best of my satisfaction. The workmanship and all the materials (type and grade) have been strictly in accordance with general and detailed specifications. No provisions of the Act or the building Regulations, no requisitions made, conditions prescribed or orders issued there under have been transgressed in the course of the work. I am enclosing three copies of the completion plans. The building is fit for occupancy for which it has been erected/ re-erected or altered, constructed and enlarged.

I have to request you to arrange for the inspection & grant permission for the occupation of the building.

Yours faithfully,

Signature and name of Architect /Licensed Engineer/
Structural Engineer/Supervisor

Encl : As above.

Date :

(Signature of Owner)

Name of Owner (in Block Letters)

APPENDIX 'H'

FORM FOR OCCUPANCY CERTIFICATE

To,

i) Owner:

ii) Architect, Licensed Engineer Structural Engineer / Supervisor

Sir,

The part / full development work / erection re-erection / or alteration in of building / part building No _____ Plot No _____, Revenue Survey No. _____, City Survey No. _____, mauje _____, completed under the supervision of _____ Architect, Licensed Engineer/ Structural Engineer / Supervisor, / License No _____ may be occupied on the following conditions-

- 1. -----
- 2. -----
- 3. -----
- 4. -----

A set of certified completion plans is returned herewith.

Encl : As above.

Yours faithfully,

Municipal Commissioner,....
or an officer appointed by him

APPENDIX 'I'

FORM FOR REFUSAL OF OCCUPANCY CERTIFICATE

To,

i) Owner:

ii) Architect, Licensed Engineer Structural Engineer / Supervisor

Sir,

The part / full development work / erection re-erection / or alteration in of building / part building No _____ Plot No _____, Revenue Survey No. _____, City Survey No. _____, mauje _____, completed under the supervision of _____ Architect, Licensed Engineer/ Structural Engineer / Supervisor, / License No _____ is not allowed to be occupied because of the following reasons –

1. The construction carried out by you does not conform to the sanctioned plans.

2. -----

3. -----

A set of completion plan is retained with the Municipal Council and remaining sets are regretfully returned herewith.

Encl : As above.

Yours faithfully,

Municipal Commissioner.....,
or an officer appointed by him

APPENDIX 'J'

FORM OF INDEMNITY FOR PART OCCUPANCY CERTIFICATE
(On Stamp Paper Of such value as decided by the Municipal Commissioner.)

To,

Municipal Commissioner,
..... Municipal Corporation.

Subject:-

Sir,

While thanking you for letting me occupy a portion of the above building before acceptance of the Completion Certificate of the whole building for the plans approved in communication No....., dated_____ I hereby indemnify the Municipal Corporation against any risk, damage and danger which may occur to occupants and users of the said portion of the building and also undertake to take necessary security measures for their safety. This undertaking will be binding on me /us, our heirs, administrators and our assignees.

Yours faithfully,

Signature and name of Owner

Witness:

Address:

Date: