UNIFIED DEVELOPMENT CONTROL AND PROMOTION REGULATIONS FOR MAHARASHTRA STATE.

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Applicable to all Planning Authorities and Regional Plan areas except Municipal Corporation of Greater Mumbai, Other Planning Authorities / Special Planning Authorities / Development Authorities within the limit of Municipal Corporation of Greater Mumbai, MIDC, NAINA, Jawaharlal Nehru Port Trust, Hill Station Municipal Councils, Eco-sensitive / Eco-fragile region notified by MoEF & CC and Lonavala Municipal Council, in Maharashtra.

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GOVERNMENT OF MAHARASHTRA

URBAN DEVELOPMENT DEPARTMENT

1. **These Unified Development control and Promotion Regulations are sanctioned by the State Government under Section 37(1AA)(c) and Section 20(4) of the Maharashtra Regional &Town Planning Act, 1966 vide Notification No.TPS-1818/CR-236/18/DP&RP/Sec.37(1AA)(c) & Sec.20(4)/UD-13, Dated 02 December, 2020.**

2. **These Unified Development control and Promotion Regulations are published by the State Government under Section 20(3) of the Maharashtra Regional &Town Planning Act, 1966 vide Notice No.TPS-1818/CR-236/18/Sec.20(3)/UD-13, Dated 02 December, 2020.**

3. **Directives under Section 154 of the Maharashtra Regional &Town Planning Act, 1966 issued by the State Government vide Resolution No.TPS-1818/CR-236/18/Sec.20(3)/UD-13, Dated 02 December, 2020.**

4. **These Unified Development control and Promotion Regulations are published by the State Government under Section 37(1AA)(c) of the Maharashtra Regional &Town Planning Act, 1966 vide Notification No.TPS-1818/CR-236/18/Sec.37(1AA)/UD-13, Dated 02 December, 2020.**

5. **Directives under Section 154 of the Maharashtra Regional &Town Planning Act, 1966 issued by the State Government vide Resolution No.TPS-1818/CR-236/18/Sec.37(1AA)/UD-13, Dated 02 December, 2020.**

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CHAPTER – 1
ADMINISTRATION

1.0 SHORT TITLE, EXTENT & COMMENCEMENT

These regulations shall be called as "Unified Development Control and Promotion Regulations for Maharashtra" (hereinafter called "These Regulations" or "Unified Development Control and Promotion Regulations" - UDCPR)

1.1 Extent and Jurisdiction

i) These regulations shall apply to the building activities and development works on lands within the jurisdiction of all Planning Authorities and Regional Plan areas except Municipal Corporation of Greater Mumbai, other Planning Authorities / Special Planning Authorities / Development Authorities within the limit of Municipal Corporation of Greater Mumbai, MIDC, NAINA, Jawaharlal Nehru Port Trust, Hill Station Municipal Councils, Eco-sensitive / Eco-fragile region notified by MoEF & CC, and Lonavala Municipal Council in Maharashtra.

ii) These Regulations shall also be applicable to the Town Planning Scheme area. However this will not bar the Development Permission to be granted as per the Regulations of the Town Planning Scheme in toto.

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1.2 Commencement of Regulations

These regulations shall come into force with effect from the date of publication of notification in the official Gazette. All the Development Control Regulations / special Regulations which are in operation shall cease to operate.

1.3 DEFINITIONS

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

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

i) Maharashtra Regional and Town Planning Act, 1966;

ii) Maharashtra Municipal Corporations Act, 1949;

iii) Nagpur Improvement Trust Act, 1936;

iv) Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships Act, 1965;

v) Maharashtra Metropolitan Region Development Authority Act, 2016;

vi) Maharashtra Land Revenue Code, 1966;

vii) Real Estate (Regulation and Development) Act, 2016;

viii) National Building Code of India, 2016;

ix) Maharashtra Housing and Area Development Act, 1976;

x) Maharashtra Slum Areas (Improvement, Clearance And Redevelopment) Act, 1971.

1. **Act** – means the Maharashtra Regional & Town Planning Act, 1966 as may be amended from time to time.

2. **Addition / Alteration–** means any change in existing authorized building or change from one occupancy to another, or a structural change, such as an addition to the area or height, or the removal of part of a building, or any change to the structure, such as the construction of, cutting into or removal of any wall, 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.

3. **Advertising Sign**– means any surface or structure with characters, letters or illustrations applied thereto and displayed outdoor in any manner whatsoever for purposes of advertising or to give information regarding or to attract the public to any place for public performance, article or merchandise whatsoever, or is attached to, or forms a part of building, or is connected with any building or is fixed to a tree or to the ground or to any pole, screen, fence or hoarding or displayed in space, or in or over any water body.

4. **Air-conditioning –** means the process of treating air so as to control simultaneously its temperature, humidity, cleanliness and distribution to meet the requirement of conditioned space.

5. **Accessory Building –** means a building separate from the main building on a plot and containing one or more rooms for accessory use such as servant quarters, garage, store rooms etc.

6. **Accessory / Ancillary Use –** means any use of the premises subordinate to the principal use and incidental to the principal use.

7. **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, Dispensary, Nursing Home, Hospital, sub post-office, police station, electric substation, ATM of banks, electronic cyber library, open market, garbage bin, assisted living and hospice together, senior citizen housing and orphanage together, project affected persons' housing, auditorium, conventional centre, water supply, electricity supply and includes other utilities, services and conveniences.

8. **Annual Statements of Rates** – means the Annual Statements of Rates (ASR) published by the Inspector General of Registration, Maharashtra State, Pune.

9. **Architectural projection** –means a chajja, cornice etc. which is a protrusion from the building facade or line of the building only for aesthetic purpose and not used for any habitable purpose.

10. **Access –** means a clear approach to a plot or a building.

11. **Architect -** An Architect who is a member of the Indian Institute of Architects and duly registered with the Council of Architecture under the Architects Act, 1972.

12. **Apartment -** means whether called block, chamber, dwelling unit, flat, office, showroom, shop, godown, premises, suit, tenement, unit or by any other name, means a separate and self-contained part of any immovable property, including one or more rooms or enclosed spaces, located on one or more floors or any part thereof, in a building or on a plot of land, used or intended to be used for any residential or commercial use such as residence, office, shop, showroom or godown or for carrying on any business, occupation, profession or trade, or for any other type of use ancillary to the purpose specified.

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13. **Applicant**–means any person who is an owner or a person having an irrevocable registered Power of Attorney of an owner and any other document as acceptable to the Authority.

14. **Authority – means :**

i) in the case of a Municipal Corporation, the Municipal Commissioner or such other officer as he may appoint in this behalf;

ii) in the case of a Zilla Parishad, the Chief Executive Officer or such other officers as he may appoint in this behalf;

iii) in the case of a Municipal Council, the Chief Officer of the Council; and

iv) in the case of any other local authority, Special Planning Authority, New Town Development Authority or Area Development Authority, the Chief Executive Officer or person exercising such powers under Acts applicable to such authorities;

v) in the area of a Regional Plan, the Collector of the District;

vi) in case of Development Authorities established under the Metropolitan Region Development Authorities Act, Metropolitan Commissioner or such other officer as he may appoint in this behalf;

vii) in case the land is situated in the gaothan, within the meaning of clause (10) of section 2 of the Maharashtra Land Revenue Code, 1966, the village Panchayat concerned.

15. **Atrium –** means a sky lighted and naturally/mechanically ventilated area in a building, with no intermediate floors and used as circulation space or entrance foyer.

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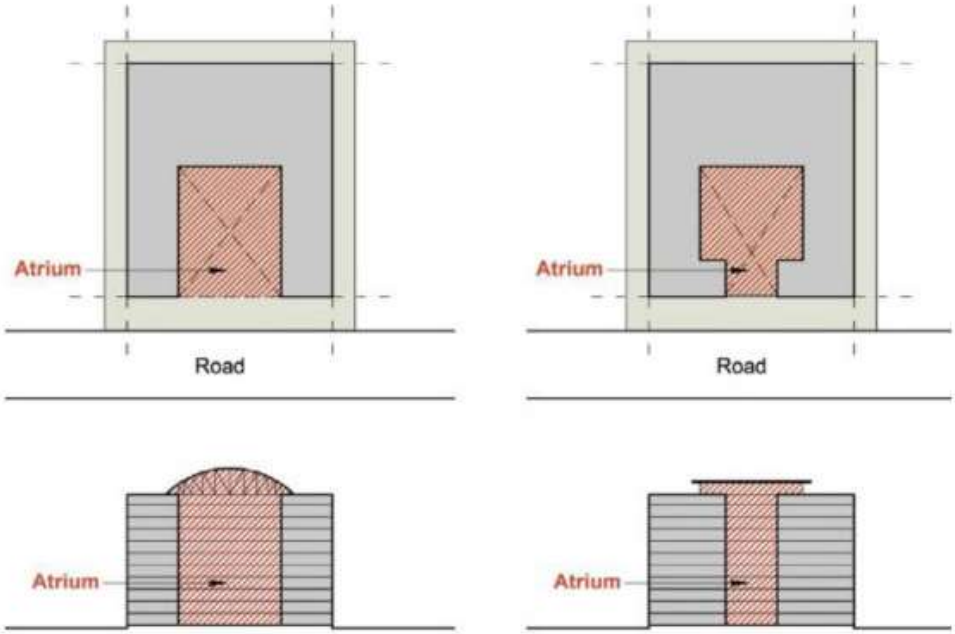
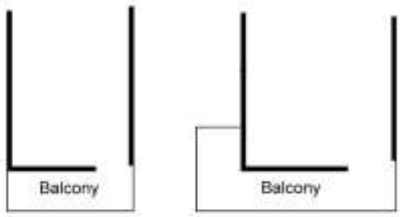


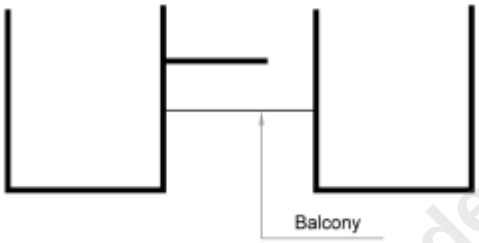
16. **Balcony** – means a horizontal cantilever projection, including parapet, handrail or balustrade to serve as a passage or sitting out place with at least one side open, except for the railing or parapet wall for safety.

Balcony to The Exterior of The Wall



Also, non-cantilever balcony shown in the illustration below shall be treated as balcony.

Open Balcony Permissible



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17. **Basic FSI –** means floor Space Index permissible without levy of premium or loading of TDR on any parcel of land as per the provisions of these regulations.

18. **Basement/Cellar –** means the lower storey of a building below or partly below the ground level with one or more than one levels.

19. **Biotechnology Unit / Park –** means a Unit or a Park which is certified as such by the Development Commissioner (Industries).

20. **Building –** means any structure for whatsoever purpose and of whatsoever materials constructed and every part thereof whether used as human habitation or not and includes foundation, plinth, walls, floors, roofs, chimneys, wells, door steps, fencing, plumbing and building services, fixed - platforms, varandahs, 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, shamiyanas and the tarpaulin shelters erected for temporary and ceremonial occasions with the permission of the Authority shall not be considered as building.

21. **Built up Area –** means the area covered by a building on all floors including cantilevered portion, mezzanine floors, if any, but excluding the areas specifically exempted from computation of Floor Space Index (F.S.I.) under these Regulations.

22. **Building Line –** means the line up to which the plinth of a building adjoining a street or an extension of a street or on a future street may lawfully extend. It includes the lines prescribed, if any, in any scheme and / or development plan / Regional Plan, or under any other law in force.

23. **Building Height –** means the vertical distance measured in the case of flat roofs, from the average level of the ground around and contiguous to the building or as decided by the Authority to the terrace of last floor of the building adjacent to the external walls; to the highest point of the building and in the case of pitched roofs, up to the point where the external surface of the outer wall intersects the finished surface of the sloping roof; and in the case of gable facing road, the mid-point between the eaves level and the ridge. Architectural features serving no other function except that of decoration, terrace water tank, staircase roof and parapet wall shall be excluded for

the purpose of measuring heights.

24. **Cabin –** means a non-residential enclosure constructed of non-load bearing, non-masonry partitions.

25. **Carpet area –** means the net usable floor area of an apartment, excluding the area covered by the external walls, areas under services shafts, exclusive balcony or veranda area and exclusive open terrace area, but includes the area covered by the internal partition walls of the apartment.

Explanation (1) -The expression "exclusive balcony or veranda area" means the area of the balcony or veranda, as the case may be, which is appurtenant to the net usable floor area of an apartment, meant for the exclusive use of the allottee; and "exclusive open terrace area" means the area of open terrace which is appurtenant to the net usable floor area of an apartment, meant for the exclusive use of the allottee.

Explanation (2) - If in any regulation of these regulations, carpet area is defined different than what is mentioned here, then carpet area as mentioned in that regulation, shall be applicable

26. **Chajja –** means a sloping or horizontal structural overhang usually provided over openings on external walls to provide protection from sun and rain and for purpose of architectural appearance.

27. **Chief Fire Officer –** means a Chief Fire Officer as specified in the Maharashtra Fire Prevention and Life Safety Measures Act, 2006 and Rules there under as amended from time to time.

28. **Chimney –** means an upright shaft containing one or more flues provided for the conveyance to the outer air of any product of combustion resulting from the operation of heat producing appliance or equipment employing solid, liquid or gaseous fuel.

29. **Cluster –** means any area of land so defined, under these regulations.

30. **Combustible Material –** means a material which when burnt adds heat to a fire when tested for combustibility in accordance with IS 3808-1979: Method of test for non-combustibility of building materials (first revision) given in the National Building Code.

31. **Congested Area** – In case of Regional Plan area, a land included within the gaothan as determined under Maharashtra Land Revenue Code, 1966, and in case of other areas as specifically earmarked in the Development Plan/ Planning Proposal. (In case of Nashik Municipal Corporation, congested area is referred to as Core area).

32. **Control Line –** means a line on either side of a highway or part of highway beyond the building line fixed in respect of such highway by the Highway Authority from time to time.

33. **Courtyard or Chowk –** means a space permanently open to sky enclosed on sides fully or partially by buildings and may be at ground level or any other level within or adjacent to a building.

34. **Canopy –** means a cantilevered projection over any entrance to a building**.**

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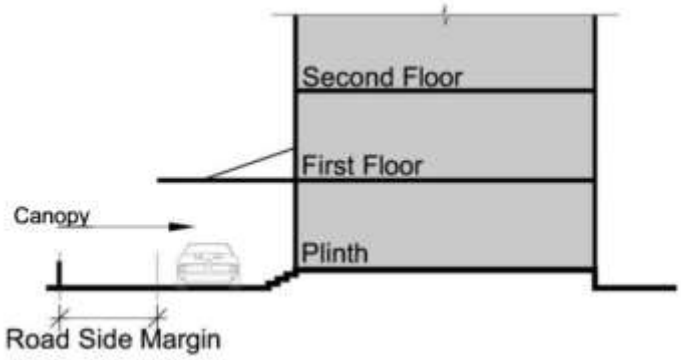
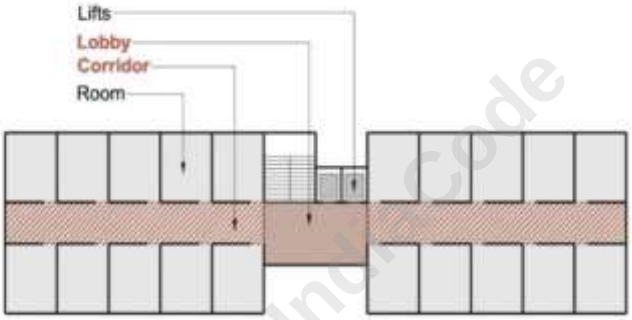


35. **Convenience Shops –** means shops for day-to-day domestic needs, as distinguished from wholesale trade or departmental store.

36. **Corridor –** means a common passage or circulation space including a common entrance space.



37. **Curb Cut –** means a small solid (usually concrete) ramp that slopes down from the top surface of a sidewalk or footpath to the surface of an adjoining street. It is designated for ease of access for pedestrians, bicyclists and differently abled people.

38. **Detached Building –** means a building whose walls and roofs are independent of any other building with marginal distances on all sides as may be specified.

39. **Development –** Development with its grammatical variations means the carrying out of buildings, engineering, mining or other operations in or over, or under land or the making of any material change, in any building or land or in the use of any building or land or any material or structural change in any Heritage building or its precinct and includes demolition of any existing building, structure or erection of part of such building, structure or erection and reclamation, redevelopment and layout or sub-division of any land and to develop shall be construed accordingly.

40. **Development Rights –** means right to carryout development or to develop the land or building or both and shall include the transferable development right in the form of right to utilize the floor space index of land utilizable either on the reminder of the land partially reserved for public purpose or elsewhere as the development control& promotion regulations in this behalf provide.

41. **Dharmashala –** means a building used as a place of religious assembly, rest house, a place in which charity is exercised with religious or social motives, or a place where in a certain section of people have a right of residence or are granted residence without payment or on nominal payment.

42. **Development Plan –** means a plan for the development or re-development of the area within the jurisdiction of a Planning Authority and includes revision of a Development Plan and Planning Proposals of a Special Planning Authority for development of land within its jurisdiction.

43. **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 land 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.

44. **Dwelling Unit / Tenement –** means an independent housing unit with separate facilities for living, cooking and sanitary requirements.

45. **Eating House –** means any premises where any kind of food is prepared or supplied for consumption by public for a profit or gain of any person owning or having an interest in or managing such premises.

46. **Enclosed Stair case –** means a stair case separated by fire resistant walls and door(s) from the rest of the building.

47. **Energy Efficient Building –** means a building compliant with the provisions of Energy Conservation Building Code (ECBC).

48. **Existing Building or use –** means a building, structure or premises or its use existing on ground.

49. **Exit –** means a passage, channel or means of egress from any building, storeys or floor area to a street or other open space of safety.

i) "Horizontal Exit" means a protected opening through or around a firewall or a bridge connecting two or more buildings;

ii) "Outside Exit" means an exit from a building to a public way, or to an open area leading to a public way, or to an enclosed fire resistant passage leading to a public way;

iii) "Vertical Exit" means an exit used for ascension or dissension between two or more levels including stairways, smoke-proof towers, ramps, escalators and fire escapes;

50. **External Wall –** means an outer wall of a building not being a party wall even though adjoining to a wall of another building and also means a wall abutting on an interior open space of any building.

51. **Escalator –** means a power-driven, inclined, continuous stairway used for ascending or descending between floors or bridge over a road/ railway line.

52. **Escape Route –** means any well-ventilated corridor, staircase or other circulation space, or any combination of the same, by means of which a safe place in the open air at ground level can be reached.

53. **Fire and/ or Emergency Alarm System –** means an arrangement of call points or detectors, sounders and other equipment's for the transmission and indication of alarm signals, for testing of circuits and, whenever required, for the operation of auxiliary services. This device may be workable automatically or manually to alert the occupants in the event of fire or other emergency.

54. **Fire Lift –** means a special lift designed for a use of fire service personnel in the event of fire or other emergency.

55. **Fire Proof Door –** means a door or shutter fitted to a wall opening made of fire resistant material to prevent the transmission and spread of heat, smoke and fire for a specified period.

56. **Fire Pump –** means a machine driven by external power of transmitting energy to fluids by coupling the pump to a suitable engine or motor, which may have varying outputs/capacity but shall be capable of having a pressure of 3.2 kg/cm^2 at the topmost level of a multi-storied or high

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rise building.

57. **Fire Resistance –** means the time during which a material fulfils its function of contributing to the fire safety of a building when subjected to prescribed conditions of heat and load or restraint. The fire resistance test of structures shall be done in accordance with "IS 3809 (1979): Fire resistance test for structures"

58. **Fire Resisting Material –** means a material which has certain degree of fire resistance.

59. **Fire Separation –** means the distance in meters measured from any other building on the site, or from other site, or from the opposite side of a street or other public space to the building.

60. **Fire Service Inlet –** means a connection provided at the base of a building for pumping up water through in-built fire-fighting arrangements by fire service pumps in accordance with the recommendations of the Chief Fire Officer.

61. **Fire Tower –** means an enclosed staircase which can only be approached from the various floors through landings or lobbies separated from both, the floor areas and the staircase by fire resisting doors and open to the outer air.

62. **Floor –** means the lower surface in a storey on which one normally walks in a building. The general term floor, unless otherwise specifically mentioned, shall not refer to a mezzanine floor.

Note - The sequential numbering of floors shall be determined by its relation to the determining entrance level. For floor at or above ground level, with direct entrance from / to road or street shall be termed as ground floor. The other floors above ground floor shall be numbered in sequence as Floor 1, Floor 2, etc., with the number increasing upwards. The stilt shall be termed as stilt floor or Stilt floor 1, Stilt floor 2 etc. and floors above shall be numbered as Floor 1, Floor 2, etc.

63. **Floor space index (F. S. I) –** means the quotient obtained by dividing the area covered by P line as mentioned in Regulation No. 6.6 by the net area of the plot.

F.S.I. = Area covered by P line as mentioned in Regulation No. 6.6on all floors /Net Plot area

"Premium FSI" means the FSI that may be available on payment of premium as may be prescribed under these regulations.

64. **Footing –** means a foundation unit constructed in brick work, masonry or concrete, steel or any other material permissible as per IS Code under the base of a wall or column for the purpose of distributing the load over a large area.

66. **Foundation –** means that part of the structure which is in direct contact with transmitting loads to the ground.

66. **Front Open Space/Margin** / **Setback –** means the distance 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 accesses / roads / streets.

67. **Gallery –** means 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.

68. **Garage -A) Private Garage –** means a building or portion thereof having a roof and walls on three sides, designed and used for parking of privately owned motor driven or other vehicles

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within a project. A private garage is not operated for gain and not designed or used for repairing, servicing, hiring, selling etc. of such vehicles. It does not include an unenclosed or uncovered parking space such as open parking areas.

B) Public Garage – means a building or portion thereof designed as a garage operated for gain, and used for repairing, servicing, hiring, selling or storing or parking of motor driven or other vehicles.

69. **Grey Water –** means waste water from kitchen sink, bathrooms, tubs, showers, wash basins, washing machines and dish washers excluding the waste water from water closets (W.C.).

70. **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 varandahs, lift, etc.

71. **Ground Level –**means the average level of the ground in a plot.

72. **Habitable Room –** means a room constructed or intended for human habitation and uses incidental thereto, including kitchen if used as a living room but excluding a bathroom, water closet compartment, laundry, serving and storing pantry, corridor, cellar, attic and spaces not frequently used.

73. **Hazardous Material** means -

i) Radioactive substances;

ii) Material which is highly combustible or explosive and/or which may produce poisonous fumes or explosive emanations or storage, handling, processing or manufacturing of which may involve highly corrosive, toxic or noxious alkalis or acids or other liquids;

iii) Other liquids or chemicals producing flame, explosives, poisonous irritant or corrosive gases or which may produce explosive mixtures of dust or fine particles capable of spontaneous ignition.

74. **High-rise Building –** means a building having a height of 24 m. or more above the average surrounding ground level. 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.

75. **Home Occupation –** means 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 utilised in whole or in part for any purpose other than a residential or dwelling use, and in connection with which no article or service is sold or exhibited for sale except that which is produced therein, which shall be non-hazardous and not affecting the safety of the inhabitants of the building and the neighbourhood, and provided that no mechanical equipment is used except that as is customarily used for purely domestic or household purposes and/or employing licensable goods. Home Occupation may also include such similar occupations as may be specified by the Authority.

76. **Layout Open Space / Recreational Open Space –** means a statutory common open space kept in any layout, sub-division or group housing scheme or campus planning exclusive of margins and approaches.

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77. **Ledge or Tand –** means a shelf like projection, supported in any manner whatsoever, except by vertical supports within a room.

78. **Licensed Engineer / Structural Engineer / Supervisor –** means a qualified Engineer / Structural Engineer / Town Planner / Supervisor licensed by the Authority.

79. **Lift –** means an appliance designed to transport persons or materials between two or more levels in vertical or substantially vertical directions, by means of a guided car platform.

80. **Lift Lobby –** means a space from which people directly enter lift car(s) and in to which people directly enter upon exiting lift car(s).

81. **Lift Machine –** means 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.

82. **Lift Well –** means 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.

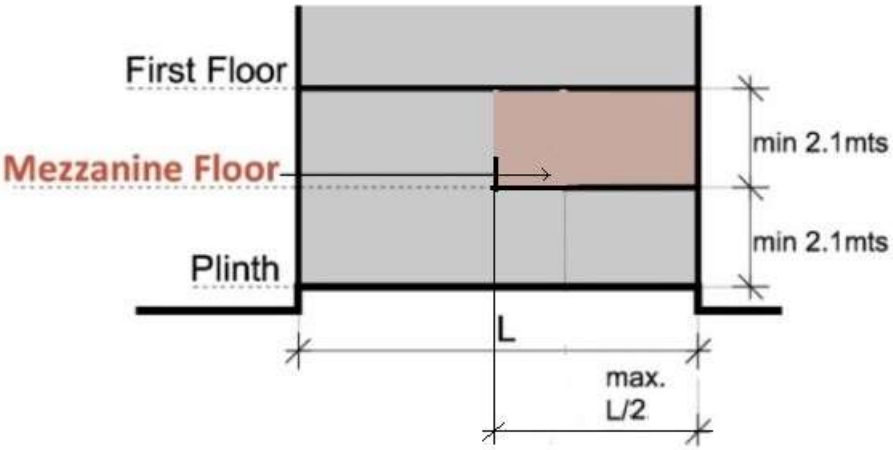
83. **Loft –** means an intermediate floor between two floors which is constructed for storage purpose and as defined in these regulations.

84. **Mall –** means a large enclosed area comprising of shopping, entertainment and eating facilities and facilities incidental thereto.

85. **Side and Rear Marginal Open Space / Marginal Distance –** means a minimum distance required to be left open to sky between the boundary of the building plot and the building line on respective sides.

86. **Masonry –** means an assemblage of masonry units properly bound together with mortar.

87. **Mezzanine floor –** means an intermediate floor between two floors of any story, forming an integral part of floor below, overhanging or overlooking a floor beneath, not being a loft between the floor and ceiling of any storey.



88. **Means of Access –** means the road/ street/ vehicular access way, pathway upto the plot and to the building within a plot.

89. **Multiplex/Multiplex Theatre Complex (MTC) –** means a place of public entertainment for the purpose of exhibition of motion pictures with multiple screens and/or dramas and other social or cultural programmes as described in Maharashtra Entertainment Duty Act, 1923.

90. **Net Plot Area –** means area of the plot as defined in these regulations.

91. **Non-conforming User –** means any lawful use/building existed on the site but which does not conform to the zoning shown on the Development Plan/Planning Proposal/Regional Plan in force.

92. **Noise Barrier –** means an exterior structure/part of structure designed to protect inhabitants of sensitive land use areas from noise pollution.

93. **Occupancy or Use Group –** means the principal occupancy or use for which a building or a part of a building is used, or intended to be used. Occupancy shall be deemed to include subsidiary occupancies which are contingent upon principal occupancy or use. Buildings with mixed occupancies are those in which, more than one, occupancy is present in different portions of the building. The occupancy classification shall have the meaning given in this regulation, unless otherwise spelt out in any plan under the Act**.**

i) Residential Building means any building in which sleeping accommodation is provided for normal residential purposes with or without cooking or dining or both facilities. It includes one or two or multi-family dwellings, lodging or rooming houses, residential hotels, hostels, dormitories, Dharmashala, apartment houses, flats, service apartments, studio apartments and private garages incidental thereto;

ii) Educational Building means a building exclusively used for a school or college recognized by the appropriate Board or University, or any other competent authority involving assembly for instruction, education or recreation incidental to educational use, and including a building for such other uses incidental thereto such as library, multi-purpose hall, auditorium or a research institution. It shall also include quarters for essential staff required to reside on the premises and a building used as a hostel attached or independent to an educational institution whether situated on or off its campus and also includes buildings used for day-care purposes for more than 8 hours per week;

iii) Institutional Building means a building constructed or used for research in education, health and other activities, for medical or other treatment, hostel for working women/ persons/ students but not for lodging, 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 for correctional detention and reformatories;

iv) Assembly Building means any building or part of a building where groups of people congregate or gather for amusement, recreation or social, religious, patriotic, civil, travel and similar purposes, e.g. theatres, motion picture houses, drive-in-theatres, multiplexes, assembly halls, city halls, town halls, auditoria, exhibition halls, museums, mangal-karyalayas, cultural centres, skating rinks, places of worship, dance theatres, clubs & gymkhanas, malls, passenger stations and terminals of air, surface and other public transportation services, recreation piers and stadia;

v) Business Building means any building or part thereof 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 centres, offices for private entrepreneurs etc. 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;

vi) Office Building / Premises means the premises whose sole or principal use is to be used as an office or for office purpose; "office purposes" shall include the purpose of administration, clerical work, handling money, telephone/telegraph/ computer operations; and 'clerical work' shall include writing, book-keeping, sorting papers, typing, filing, duplicating, drawing of matter for publication and the editorial preparation of matter for publication and such other activities;

vii) Mercantile (Commercial) Building means any building or part of a building which is used as shops, stores, market, malls for display and sale of merchandise, either wholesale or retail, including office, storage and service facilities incidental to the sale of merchandise and located in the same building;

viii) Public/ Semi-public Building means a building used or intended to be used, either ordinarily or occasionally by the public such as (a) offices of State or Central Government, any public sector undertaking or statutory or local Authority or Semi Government Organization (b) a place for public worship, etc.;

ix) Wholesale Establishment means an establishment, wholly or partly engaged in wholesale trade, manufacturers' wholesale outlets including related storage facilities, A.P.M.C. establishments, warehouses and establishments engaged in truck transport including truck transport booking agencies;

x) Industrial Buildings means any building or part of a building or structure, in which products or materials of all kinds and properties are fabricated, assembled or processed like assembling plants, laboratories, power plants, smoke houses, refineries, gas plants, mills, dairies, factories etc.;

xi) Storage Buildings means any building or part of a building used primarily for the storage or sheltering of goods, wares or merchandise, like warehouses, cold storages, freight depots, transit sheds, godowns, store houses, public garages, hangars, truck terminals, grain elevators, barns and stables;

xii) Hazardous Building means any building or part of a building which is used for the storage, handling, manufacture or processing of radioactive, highly combustible or explosive materials or products which are liable to burn with extreme rapidity and / or which may produce poisonous fumes or explosive emanations 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 capable of spontaneous ignition;

xiii) Information Technology Building / 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.

xiv) Special Building means- i)any multi-storeyed building which is more than 24 m. in height measured from ground level, or

ii) buildings for educational, assembly, mercantile, institutional, industrial, storage and hazardous occupancies having built-up area 500 sq.m. or more on any floor irrespective of height of such building , or

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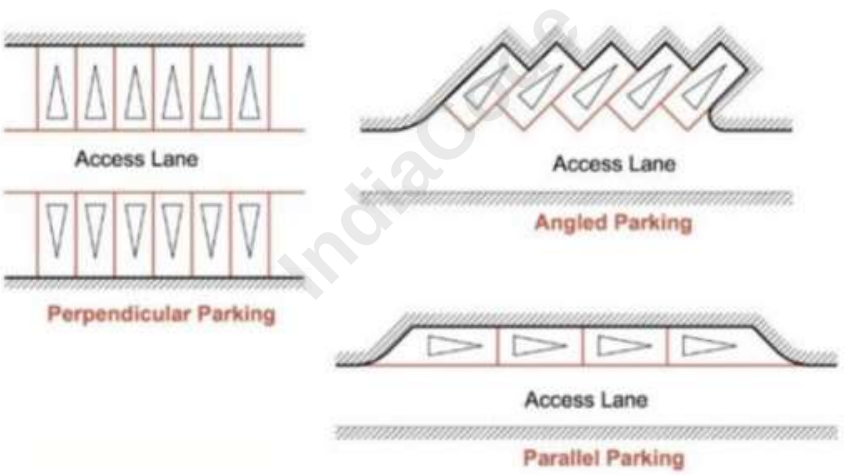
iii) any building with mixed occupancies with any of the aforesaid occupancies in (ii) above with built-up area 500sq.m.or more on any floor irrespective of height of such building.

xv) Yatri Niwas means a building used for accommodation of tourist, traveller etc.

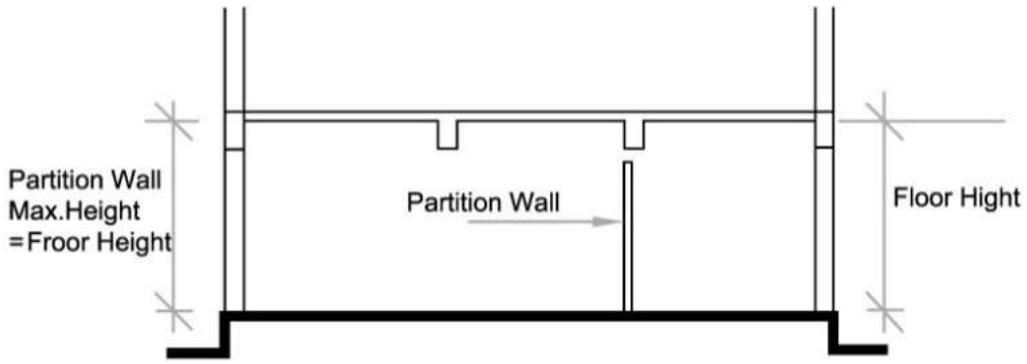
94. **Owner –** means a person who has legal title to land or building and includes any person for the time being receiving or entitled to receive, whether on his own account or as agent, trustee, guardian, manager or receiver for another person or for any religious or charitable purposes the rents or profits of the property in connection with which it is used;

95. **Parapet –** means low wall or railing built along the edge of a roof, terraces, balcony, varandah etc.

96. **Parking Space –** means an enclosed or unenclosed, covered or open area or area provided by mechanical means sufficient in size to park vehicle. Parking spaces shall be served by a driveway connecting them with a street or alley and permitting ingress or egress of vehicles.



97. **Partition–**means an interior non-load-bearing barrier, one storey or part-storey in height.



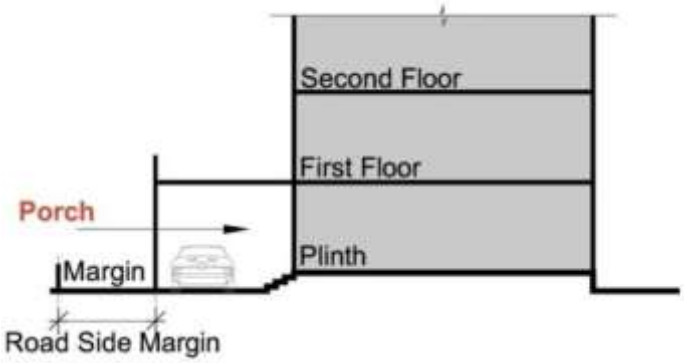
98. **Permit / Permission –** means permission or authorization in writing by the Authority to carry out the work regulated by these regulations.

99. **Plinth –** means the portion of a structure between the surface of the surrounding ground and surface of the floor immediately above the ground.

100. **Plot / Site –** means a parcel or piece of land enclosed by definite boundaries.

101. **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.

102. **Porch –** means a covered surface supported on pillars or otherwise, for the purpose of pedestrian or vehicular approach to an entrance in a building.



103. **Podium –** means a floor of a building extending beyond building line/s and used for parking, recreational open space, recreation, fire and building services/ utilities and incidental purposes, as specified in these regulations.

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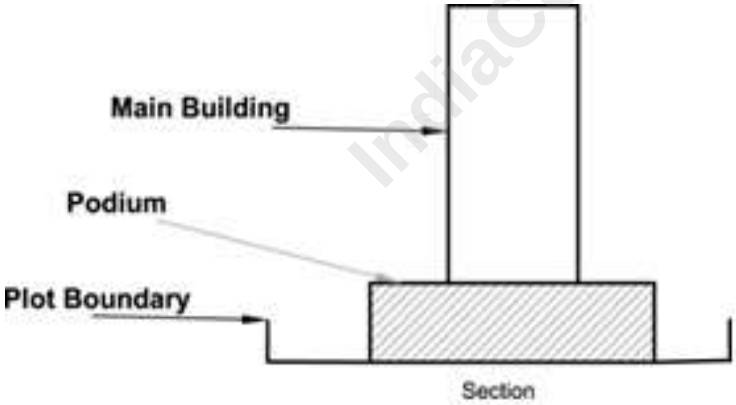
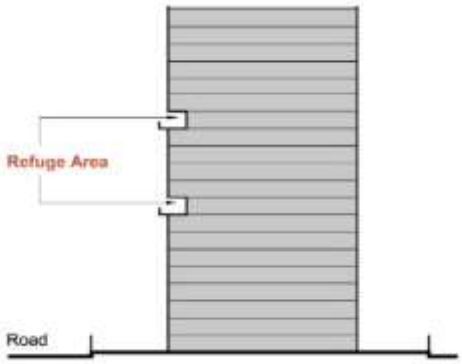


104. **Reconstruction –** means a reconstruction in whole or part of a building which has ceased to exist due to an accidental fire, natural collapse or demolition after having been declared unsafe by the Authority, or which is likely to be demolished by or under the order of the Authority/ Other Competent Municipal Officer.

105. **Refuge Area –** means an unenclosed space in a multi-storied building specifically provided to serve as fire-proof space to gather easily for evacuation of the occupants.



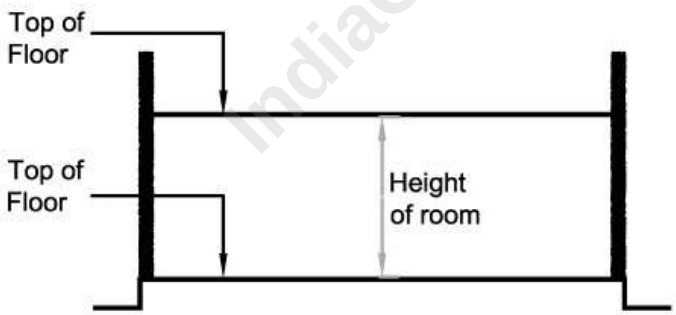
106. **Refuse Chute –** means a vertical pipe system passing from floor to floor provided with ventilation and inlet openings for receiving refuge from successive flats and ending at ground floor on top of the collecting chamber.

107. **Road / Street –** means any highway, street, lane, pathway, alley, stairway, passageway, carriageway, footway, square place or bridge, tunnel, underpass, elevated road, 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, hedges, retaining walls, fences, barriers and railings within the street lines.

108. **Road / Street Line –** means the line defining the side limit of a road / street.

109. **Road width or Width of road/street –** means the whole extent of space within the boundaries of a road when applied to a new road/street, as laid down in the city survey or development plan or prescribed road lines by any act or law and measured at right angles to the course or intended course or direction of such road.

110. **Room Height –** means the vertical distance measured from the finished floor surface to the finished slab surface of a room. In case of pitched roofs, the room height shall be the average height between bottom of the eaves and bottom of the ridge from the finished floor surface.



111. **Roof Top Photovoltaic (RTPV) System –** means any of the two Photovoltaic Systems installed on the roof of any building, i.e. (i) RTPV System with storage facility using battery, and (ii) Grid Connected RTPV System.

112. **Row Housing –** means a row of houses with only front and rear open spaces except end houses which shall be with side open spaces.

113. **Semi Detached Building –** means a building detached on three sides with marginal distances as specified and on the fourth side attached to a building in an adjoining plot.

114. **Service Apartment –** means premises other than a lodge or hotel, in which furnished rooms or a suite of rooms are let out on short/long term basis.

115. **Service Floor –** means a non-habitable floor with a height not more than 1.8m. from floor level to soffit of beam, generally provided in special buildings, wherever required, wherefrom services like water supply, sewage disposal system, electricity etc. are co-coordinated/ maintained.

116. **Service Road –** means a local road on a continuous alignment that normally runs adjacent and parallel to main roads like National or State Highways and provides access to properties bordering it.

117. **Site corner –** means the side at the junctions of and fronting on two or more intersecting streets.

118. **Site, Depth of Site –** means the mean horizontal distance between the front and rear side boundaries.

119. **Solar Assisted Water Heating (SWH) System –** means a device to heat water using solar energy as heat source.

120. **Double Frontage –** means a site, having a frontage on two streets other than a corner plot.

121. **Site, Interior or Tandem –** means a site, access to which is by a passage from a street whether such passage forms part of the site or not.

122. **Smoke Stop Door –** means a door for preventing or checking the spread of smoke from one area to another.

123. **Stair Cover/Staircase Room –** means a structure with a covering roof over a staircase and its landing built to enclose only the stair and its landings for the purpose of providing protection from weather which should not be used for human habitation.

124. **Stall –** means a small shop, floor area of which does not exceed 5.0 sq.m.

125. **Storage –** means a place where goods are stored.

126. **Store Room –** means a room used as storage space.

127. **Storey –** means the portion of a building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between any floor and the ceiling next above it.

128. **Stilts or Stilt Floor –** means the portion of a building above ground level consisting of structural columns supporting the super-structure with at least two sides open and without any enclosures and used for the purpose of parking vehicles like cars, scooters, cycles, etc. and other services as may be permitted under these Regulations.

129. **Sub-station (Electric) –** means a station for transforming or converting electricity for the transmission or distribution thereof and includes transformers, converters, switchgears, capacitors, synchronous condensers, structures, cables and other appurtenant equipment and any buildings used for that purpose and the site thereof.

130. **Supported Double Height Terraces –** means open terraces, unenclosed on at-least one side with railing and lying wholly within building line with supports underneath and having minimum height of two floors.

131. **Tenement –** means an independent dwelling unit with a kitchen or cooking alcove.

132. **Terrace –** means an open-to-sky flat roof of a building or part of a building, provided with a parapet for safety and with or without any cantilevered portion.

133. **Theatre –** means a place of public entertainment for the purposes of exhibition of motion picture and/or dramas and other social or cultural programs

134. **Travel Distance –** means the distance from the remotest point on a floor of a building to a place of safety, be it a vertical exit, horizontal exit or an outside exit measured along the line of travel.

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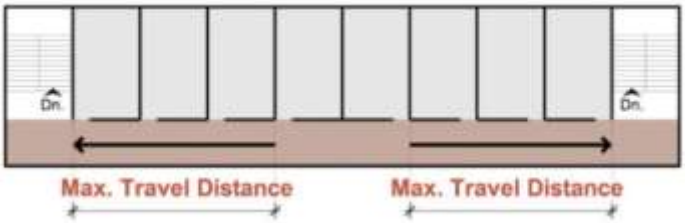

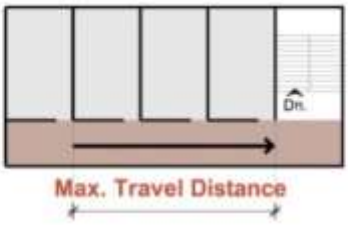

135. **Tower like structure –** means a structure in which the height of the tower like portion is at least twice the width of the broader base.

136. **Unsafe Building –** means buildings which are structurally unsafe, unsanitary or not provided with adequate means of ingress or egress which constitute a fire hazard or are otherwise dangerous to human life or which in relation to existing use constitute a hazard to safety or health or public welfare, by reason of inadequate maintenance, dilapidation or abandonment.

137. **Varandah –** means 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.

138. **Water Closet (WC) – means** a privy with arrangement for flushing the pan with water. It does not include a bathroom.

139. **Water Course –** means a natural channel meant for carrying storm water and includes an artificial one formed by training or diversion of a natural channel;

i) "Major Water Course" means a river.

ii) "Minor Water Course" means a nallah.

140. **Window –** means an opening to the outside other than the door which provides all or part of the required natural light, ventilation or both, to the interior space.

141. **Wing of a Building –** means a part of a building with independent access, staircase and lift connected to other parts with common basement/ stilt/ podium/ terrace/ common wall and connecting passages.

1.4 APPLICABILITY OF REGULATIONS

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

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

iii) **Change of Occupancy/ Use**: 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.

iv) **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 Authority and for which the necessary certificate has been given by the Authority shall be allowed subject to the provisions in these regulations.

v) **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.

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

vii) **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 Authority, such a building is unsafe or constitutes a hazard to the safety of adjacent property.

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1.5 SAVINGS

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

Provided that, the words 'action taken' in this regulation shall also include the issuance of letter for payment of Development and other Charges issued after approval of the proposal in principle.

Provided further that if any development permission has been issued before the date of coming into force of these regulations and if work is not commenced within validity period and such permission is not renewed, then the said development permission shall be deemed to have been lapsed.

Provided further that, it shall be permissible for the owner to -

a) Either continue to develop the project as approved under the erstwhile regulations in toto; and for that limited purpose erstwhile regulation shall remain in force, or

b) Apply for grant of revised permission under the new regulations, if the project is on-going and the occupation certificate has not been granted fully. In such cases, charges/ premium etc. paid earlier shall be adjusted against the revised charges/ premium under these regulations.

c) In case the development is started with due permission before these regulations have come into force, and if the owner/developer, at his option, thereafter seeks further development of plot/layout/buildings as per these regulations, then the provision of these regulations shall apply to the balance development. The development potential of such entire plot shall be computed as per these regulations from which the sanctioned FSI of buildings/part of buildings which are proposed to be retained as per approved plan shall be deducted to arrive

at the balance development potential of such plot.

d) The existing marginal distances including front margin may be allowed for higher floor / floors subject to step margin as per these regulations.

e) For the on-going buildings for which passages, stairs, lifts, lift rooms etc. are allowed as free of FSI by charging premium, in such cases these free of FSI items are allowed to that extent only and for the remaining balance potential, provisions for free of FSI items of these regulations shall be applicable.

f) For the on-going buildings for which balconies are allowed to be enclosed as free of FSI by charging premium, these free of FSI items are allowed to that extent only and for the remaining balance potential balcony shall only be allowed as mentioned in these regulations.

g) For the cases where occupation certificate is fully granted, revised permission as per these regulations, may be granted subject to provisions of Real Estate (Regulations and Development) Act, 2016, as may be applicable.

h) If the project proponent applies for occupation with minor amendment in plans approved prior to this UDCPR, then amendment to the extent of 5% built-up area / dimensions per floor within the permissible FSI as per then regulations may be considered.

The State Government will issue guidelines for implementation about a) to h) above separately.

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1.5 (i) Megacity Project approved under regulation no.15.4.3 of Mumbai Metropolitan Regional Plan shall remain valid till completion of the said project as per said regulation.

1.6 APPLICABILITY OF OTHER REGULATIONS

i) **CRZ Regulations -** Any development within CRZ areas shall be governed by the Coastal Regulation Zone Notification No. S.O.19(E) dt. 6th January, 2011and No. G.S.R. 37(E), dated 18th January, 2019 as amended or replaced from time to time, wherever applicable.

ii) **Restriction in Western Ghat Eco Sensitive Area -** The restrictions in the Western Ghat Eco Sensitive Area imposed by the notification issued from time to time by Ministry of Environment, Forest and Climate Change, Government of India, shall be followed.

ii) **Other Regulations -** Any other Restrictions imposed under the relevant regulations/ Rules / Acts shall also be applicable, wherever applicable.

1.7 POWER TO PRESCRIBE THE PROFORMAS

The Authority, with the approval of Government, shall have the powers to prescribe proformas/ appendices and/ or make amendments in the contents of such proformas/appendices A to M attached with these regulations.

1.8 POWER TO DECIDE CHARGES

The charges mentioned in these regulations for additional FSI, premium FSI, rate of interest or for any other matter shall be subject to amendment by the Government from time to time. Wherever the rate of premium is to be decided based on rates mentioned in ASR, rate in the ASR shall be of the year of granting the permission.

1.9 MEANINGS AS IN ACTS, RULES & INTERPRETATIONS

i) Terms and expressions not defined in these regulations shall have the same meaning or sense as in the Maharashtra Regional and Town Planning Act, 1966 (Maharashtra Act No.

XXXVII of 1966) or the Maharashtra Municipal Corporations Act, 1949 or National Building Code2005 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) The Maharashtra General Clauses Act, as amended from time to time shall be applicable in case of standard terms and phrases as defined and interpreted therein,

iii) In these regulations, the use of the present tense includes the future tense, the masculine gender includes the feminine and neutral genders, the singular includes the plural and plural includes singular. The word "person" includes a corporation as well as an individual; "writing" includes printing, typing, e-communication and "signature" includes e-signature, digital signature and thumb impression of a person unable to sign, provided that his name is written below such impression.

iv) Whenever sizes and dimensions of rooms and spaces within buildings are specified, they shall mean clear dimensions unless otherwise specified in these regulations. However, sizes and dimensions may not be disputed with reference to finished/unfinished surfaces unless they affect overall dimensions of the building.

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

vi) In the case of provisions of other Acts/ Rules/ Regulations which are incorporated in these regulations, the amendments made subsequently in parent Acts/Rules/Regulations, will automatically be applicable, wherever applicable, to these regulations.

vii) If a Marathi version of these Regulations exists and if there is a conflict in interpretation of any clause between English & Marathi versions of these Regulations, then the interpretation of English version shall prevail.

1.10 REMOVAL OF DIFFICULTIES.

If any difficulty arises in giving effect to the provisions of this Unified Development Control and Promotion Regulations, the State Government may, by order published in the official Gazette, give such directions, as may appear to it to be necessary or expedient for the purpose of removing the difficulty.

Provided that, no such order shall be made after the expiry of a period of 1 years from the date of coming in to force of this Unified Development Control and Promotion Regulations.

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CHAPTER – 2

DEVELOPMENT PERMISSIONAND COMMENCEMENT CERTIFICATE

2.1 PERMISSION FROM THE PLANNING AUTHORITY IS MANDATORY

2.1.1 **Necessity of Obtaining Permission**: No person shall carry out any development work including development of land by laying out into suitable plots or amalgamation of plots or development of any land as group housing scheme or to erect, re-erect or make alterations or demolish any building or cause the same to be done without first obtaining a separate building permit / development permission/ commencement certificate for each such development work/ building from the Authority. As stipulated in section 18/46 of the Maharashtra Regional and Town Planning Act, 1966, no such permission shall be in contravention of the Regional Plan, Development Plan proposals as the case may be.

2.1.2 **Permission Not Necessary -**No such permission shall be necessary for:-

i) 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) carrying out of works by any Authority in exercise of its powers under any law for the time being in force.

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

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

v) normal use of land which has been used temporarily for other purposes like marriage pandals or for festive occasions etc. on private land;

vi) provision of safety grills to window/ventilator,

vii) distribution/receiving substation of the electric supply company.

viii) installation of solar panels having base of solar panel at height upto 1.8m. from terrace, ensuring structural stability from the Licensed Structural Engineer.

ix) providing internal lightweight partitions/cabins in the commercial building/ establishment with certificate of structural stability from the Licensed Structural Engineer.

x) temporary structures for godowns/storage of construction materials within the site.

xi) temporary site offices, sample flats and watchman chowkys within the site only during the phase of construction of the main building.

xii) temporary structures for storage of machinery before installation for factories in industrial lands within the site.

xiii) labour camps for construction sites, provided adequate water supply and sanitation facilities are provided and safety is ensured;

xiv) construction of temporary sets for film / TV serial / advertisement shooting and like activities for a period not more than one year, subject to intimation to the authority.

xv) building on plot area upto 150 sq.mt. (low risk category) and on plot area more than 150sq.mts. upto 300 sq.mt.(moderate risk category) subject to compliance as per APPENDIX K.

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2.1.3 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 and as certified by the Government Architect/Architect/Technical personnel:-

i) An official letter by the authorized officer of Government Department addressed to the Authority, giving full particulars of the development work or any operational construction.

ii) Ownership document and measurement plan issued by the Competent Authority of Land Records Department.

iii) Development / building plans conforming to the provisions of Development Plan / Regional Plan and these Regulations for the proposed development work to the scale specified in these Regulations.

iv) The proposals of the Development Plan or Town Planning Scheme or Regional Plan affecting the land.

v) A Site Plan (of required copies) of the area proposed to be developed to the scale.

vi) Detailed plan (of required copies) showing the plan, sections and elevations of the proposed development work to the scale, including existing building specifying either to be retained or to be demolished.

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2.1.4 Operational Constructions

No permission shall be necessary for operational construction of the Government or Government undertaking, whether of temporary or permanent nature, which is necessary for the operation, maintenance, development or execution of any of the following services :

a) Railways;

b) National Highway;

c) National Waterway;

d) Airway and Aerodromes and Major Ports;

e) Posts and Telegraphs, Telephones, Wireless, Broadcasting and other like forms of Communication excluding Mobile Towers;

f) Regional grids, towers, gantries, switchyards, control room, relay room for transmission, distribution, etc. of electricity;

g) Defence Authorities;

h) Any other essential public service as may be notified by the State/ Central Government;

i) The following constructions for operational purposes of new railway lines or tracks by the Metro Rail Administration (MRA) / Project Implementing Agency designated by the Government for the Metro rail and Mono rail / light Rail Transit (LRT) Project.

"Operation Control Centre, Playback Training Room. Administration Building, Stabling Yards, Maintenance Workshop and Training Centre, Auto Car Wash Plant and Auto Wash Plant, Auxiliary Rail Vehicle Building, Under Floor Wheel Lathe and Blow Down Plant, Cooling Tower, Generator Area, Auxiliary Sub-station, Traction Sub-station, Transformer Area, Water Treatment Plant, Waste Water Treatment Plant, Deport Control Centre, sump Area, Parking, Check Post, Loading and unloading areas, Fouling Points, DG set Rooms,

Metro and Mono stations (underground and elevated), Viaduct and tunnel, Ventilation Shaft, Entry/ Exit Blocks, Passages, Underground passage to Station box, Lifts, Staircases, Escalators, Transit accommodation / Guest rooms, Metro Stations/ Depots on property owned by it in all Use Zones, Air Handling Unit, Fire staircase, Fire lift and fire passages, Refuge area, thereto."

j) Facilities & services such as Roads, Water Supply, Sewerage, Storm Water Disposal and any other essential public services carried out by State/ Central Government or its undertakings / Bodies or the Local Bodies including: -

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

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

Provided that the concerned authority shall inform the Planning Authority in writing at the earliest and pay the necessary restoration charges to the Planning Authority within a month. The restoration charges shall not be more than the expenditure to be incurred by the Authority to restore the road etc. along with supervision charges, if any.

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 Authority.

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2.1.5 Constructions Not Covered under the Operational Constructions

The following constructions of the Government Departments do not come under the purview of operational construction for the purpose of exemption. In such cases intimation to the authority as mentioned in above regulation shall be necessary.

a) New residential building (other than gate lodges, quarters for limited essential operational staff and the like), roads and drains in railway colonies, hospitals, clubs, institutes and schools in case of railways;

b) A new building, new construction or new installation or any extension thereof, in case of any other services other than those mentioned in these regulations.

2.1.6 Temporary Constructions

Permission shall be necessary for carrying out temporary construction. The Authority may grant permission for temporary construction for a period not exceeding six months at a time and in the aggregate not exceeding a period of one year. Such permission may be given by him for the construction of the following, viz.:-

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

(ii) Pandals for fairs, ceremonies, religious functions, etc. on public land.

(iii) Structures of exhibitions/ circuses etc.

(iv) Structures for ancillary works for quarrying operations in conforming zones.

(v) Government milk booths, telephone booths, MAFFCO stall and ATM Centres.

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

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

(viii) Ready mix concrete plant.

Provided that, necessary documents along with necessary scrutiny fees shall be submitted by the applicant along with the application for temporary construction.

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

Provided further that approval of the Chief Fire Officer of the authority shall be obtained, wherever necessary.

2.1.7 Repairs to Building

The permission shall not be required for the following types of repairs to existing authorised building, which do not amount to additions or alternations. Only intimation to the Authority by the owner alongwith the certificate of licensed personnel shall be given.

i) Changing of doors and windows in the same position.
ii) Strengthening of existing walls, existing roof in the same position.
iii) Any other items similar to above.

2.2 PROCEDURE FOR OBTAINING DEVELOPMENT PERMISSION/BUILDING PERMISSION/COMMENCEMENT CERTIFICATE

IndiaCode

2.2.1 Notice/ Application

Every person who intends to carry out development or redevelopment, erect or re-erect or make alterations in any place in a building or demolish any building, shall give notice/ application in writing, through registered Architect, Town Planner or Licensed Engineer / Supervisor, to the Authority of his said intention in the prescribed form (See Appendix A1 or A2). It will be mandatory to submit complete information in the form accompanied with Appendix A-1 and A-2. Such notice shall be accompanied by the payment receipt of required scrutiny fee and any other fee/ charges prescribed by the Authority from time to time and the plans and statements in sufficient copies (See Regulation No. 2.2.2), and as per the requirements under Regulation No.2.2.2 to 2.2.One set of plans shall be retained in the office of the Authority for record after the issue of permission or refusal. The plans may be submitted in electronic form as may be specified by the Authority from time to time. The Authority may set a date after which all submissions, approvals and communication in regard to development permission shall be online.

2.2.2 Information Accompanying Notice/ Application

The Notice/Application shall be accompanied with the ownership title, key (location) plan, site plan, sub-division layout plan/ building plan, plans for services, specifications and certificate of supervision etc., as prescribed in these regulations. Ordinarily four copies of plans and statements shall be made available along with the notice; however, the number of such copies required shall be as decided by the Authority.

2.2.3 Ownership title and area

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

i) Latest7/12 extracts or property register card of a date not earlier than six months prior to the date of submission of development proposal, power of attorney, wherever applicable or attested copy of lease deed of the concerned lessor authority, enabling ownership of the document. In case of Ulhasnagar, conveyance deed and/ or sanad issued by the Revenue

Authority may also be considered.

ii) Original measurement plan/city survey sheet of the land or lands under development proposal issued by Land Record Department.

iii) Statement of area of the holding by triangulation method/ CADD (Computer Aided Design and Drafting Software) 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 Authority.

iv) Any other document prescribed by the Authority.

v) In case of revised permission, wherever third party interest is created by way of registered agreement to sale or lease etc. of the apartment, consent of such interested party/persons as specified under RERA Act shall be submitted.

vi) A self-attested copy of sub-division/ amalgamation/ layout of land approved by the concerned authority, if any.

vii) In the case of land leased by the Government or local authorities, no objection certificate of Government or such authorities shall be obtained if there is deviation from lease conditions and shall be attached to the application for development permission in respect of such land. Such no objection certificate shall also be necessary, where, development proposal proposes to utilise FSI more than mentioned in the lease deed.

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2.2.4 Key Plan or location plan

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

2.2.5 (a) Sub-division /layout plan

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

i) Scale including a graphical scale used and north point;

ii) The location within the land of all proposed and existing roads with their existing/ proposed widths and all the proposals of the Development Plan/ Town Planning Scheme, if any;

iii) Dimension of plots;

iv) The location of drains, sewers, public facilities and services, electrical lines, Natural water courses, water bodies and streams etc.;

v) Table indicating size, area and use of all plots in the sub-division / layout plan;

vi) The statement indicating the total area of the site, area utilized under roads, recreational open spaces, playground, amenity space, 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;

vii) In case of plots which are sub-divided in built-up areas in addition to the above, the means of access to each sub divided plot from existing streets.

viii) Contour plan of site, wherever necessary.

(b) Amalgamation Plan

Where two or more plots/ holdings of same or different owners are to be amalgamated, an amalgamation plan showing such amalgamation drawn to a scale of not less than 1:500 shall accompany the application. Instead of submitting a separate plan, such amalgamation may be allowed to be shown on building / layout-plan itself.

2.2.6 Site Plan

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

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

ii) Position of the site in relation to neighbouring streets;

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

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

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

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

vii) All adjacent streets, buildings (with number of storey and height) and premises within a distance of 12 m. of the work site and of the contiguous land (if any) referred to in (i). If there is no street within a distance of 12 m. of the site, the nearest existing street with its name;

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

ix) Space to be left around the building to secure free circulation of air, admission of light and access;

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

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

xii) Any existing physical features, such as wells, tanks, drains, pipe lines, high tension line, railway line, trees, etc.;

xiii) Overhead electric supply lines, if any, including space for electrical transformer / substation according to these Regulations or as per the requirements of the electric distribution company;

xiv) Any water course existing on site or adjacent to site;

xv) Existing alignments of water supply and drainage lines;

xvi) Such other particulars as may be prescribed by the Authority.

2.2.7 Building plan

The plans of the buildings and elevation and section to be sent with the application

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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 built up 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. These plans will also contain the details of FSI calculations;

ii) Show the statement of carpet area of every apartment or any unit along with areas of balconies and double height terraces, if any, attached to the said unit;

iii) Show the use or occupancy of all parts of the buildings;

iv) Show exact location of essential services, such as water closet (W.C.), bath, sink and the like;

v) Include sectional drawings showing clearly the 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.

vi) Show relative levels of street.

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) Give the area statement with detailed calculation chart of each floor of the building or area as per periphery line of construction (P-line) excluding ducts and voids.

xiii) Show the pump rooms, rain water harvesting system, sewage treatment plant, if any;

xiv) Certificate of Structural Engineer about structural and earthquake safety in case of building above G+2 or stilt +2structure.

xv) Give such other particulars as may be required to explain the proposal clearly as prescribed by the Authority.

2.2.8 Building plans for Special Buildings

The following additional information shall be furnished / indicated in the Building Plans in addition to the items (i) to (xv) of Regulation No. 2.2.7;

a) Access to fire appliances/vehicles with details of vehicular turning circle and clear motorable access way around the building of minimum 6 m. width;

b) Size(width) of main and alternate staircases, wherever necessary, along with balcony approach, corridor, ventilated lobby approach;

c) Location and details of lift enclosures;

d) Location and size of fire lift;

e) Smoke stop lobby/door, where provided;

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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 along with fire service inlets for mobile pump and water storage tank;

p) Location and details of fixed fire protection installations such as sprinklers, wet risers, hose reels, drenchers, C02 installation etc.;

q) Location and details of first aid, fire-fighting equipment's /installations;

r) Certificate of structural engineer about structural and earthquake safety;

s) Clearance certificate from the Chief Fire Officer of the Authority or Director of Fire services, as the case may be.

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

2.2.10 Supervision

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

2.2.11 Clearance from other Departments

In case of development / construction of buildings requiring clearance from the authorities like Civil Aviation Authority, Railways, Directorate of Industries, Maharashtra Pollution Control Board, District Magistrate, Inspectorate of Boilers and Smoke Nuisance, Defence Department, Maharashtra Coastal Zone Management Authority, Archaeological Department etc., the relevant no objection certificates from these authorities, whichever applicable, shall also accompany the application, where such information is not received by the authority as mentioned in Regulation No. 3.1.13.

In case of building identified in Regulation No.1.3 (93) (xiv), the building scheme shall also be cleared by the Fire Officer of the authority or in absence of such officer, by Director of Maharashtra Fire Services or an officer authorised by him.

2.2.12 Building / Layout Permission Scrutiny Fee

The notice shall be accompanied by a self-attested copy of receipt of payment of building/ layout permission Scrutiny Fee. These fees shall be as mentioned below and shall be subject to Government orders, if any. Provided that, such fees shall not be applicable for the development proposals implemented by Government / Government Departments or Public Authorities of State or Central Government.

Sr. No.	Type of Authority	Scrutiny fee for plotted Layout	Scrutiny fee for Building Constructions.
1	For Pune, Pimpri-Chinchwad, Nagpur, Nashik, Municipal Corporations in MMR and Metropolitan Authorities area.	Rs. 2,000/- per 0.4 hector or part thereof .	Rs. 5/- Per sq.m. of built-up area.
2	Remaining all Municipal Corporations area, A Class Municipal Councils and Mumbai Metropolitan Regional Plan area.	Rs. 1,500/- per 0.4 hector or part thereof.	Rs. 4/- Per sq.m. of built-up area.
3	B and C Class Municipal Councils, Nagar Panchayats, Non Municipal Council D.P. and Regional Plan areas.	Rs. 500/- per 0.4 hector or part thereof.	Rs. 2/- Per sq.m. of built-up area.

Note -

i) No scrutiny fee shall be levied if the proposal is received after compliance of the objections raised by the authority.
ii) In case of revised permission, the scrutiny fee shall be applicable.
iii) In case of revised permission, where additional development work is proposed without disturbing the already approved development work, then the scrutiny fee shall be levied for additional development work.
iv) The charges mentioned above may be revised by the Authority with prior approval of the Government.
v) The charges mentioned above shall also be subject to Government orders from time to time.

2.2.13 Development Charges

Development charges as required under Section 124 A of the Maharashtra Regional and Town Planning Act, 1966 shall be deposited with the Authority before issue of development permission/commencement certificate. Such charges shall be calculated for area of each land parcel included in the development permission considering the rates in ASR and provisions mentioned in the said Act.

Provided that,

i) in case of revised permission, where no development is carried out in pursuance of the earlier permission and permission is lapsed, amount of difference of development charges, if any, shall be levied and recovered.
ii) in case of revised permission, where development is commenced in pursuance of earlier permission, development charges shall be levied on the land and built-up area, over and above the area covered in the earlier permission.

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iii) no such charges shall be levied for renewal of permission.

iv) in case where minor amendment to the plotted layout approved prior to 10/8/1992 are proposed or where development charge for land development has already been collected in past, no development charge should be levied for such amendment of plotted layout provided no construction was proposed in the said layout i.e. only plotted layout was approved.

v) construction of compound wall is meant for protection of property and as such no development charge shall be levied for construction of compound wall or for repairs of compound wall.

vi) no development charge shall be recovered in respect of maintenance work, internal repairs of buildings, or for strengthening the existing building provided such works do not involve consumption of additional floor space.

vii) for any reconstruction work, development charge shall be levied in full which involves demolition of existing building and reconstruction of new building.

viii) in case a cooperative housing society is authorised by Maharashtra Housing and Area Development Authority or Bombay Housing and Area Development Board to undertake reconstruction of old/ dilapidated building (which work would otherwise, have been undertaken by MHADA), no development charge shall be recovered from that co-operative housing society, provided the FSI does not exceed the existing or permissible FSI whichever is lower. Provided further that it accommodates existing tenants only. Further in reconstruction involving consumption of additional FSI and accommodation of additional members other than existing tenants, proportionate development charges shall be recovered.

ix) In case no development work is carried out in pursuance of permission and permission is lapsed or permission is cancelled on the request of the owner, the development charges paid, shall be adjusted in permission that may be granted in future.

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2.2.14 Premium Charges and Fire Infrastructure Charges.

i) **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 50% Premium share of the Government shall be deposited by the Authority in a specified head of account of the Government. The amount of premium collected by the Authority shall be kept in a separate account and it shall be utilized for development of civic amenities and infrastructure.

In case of Regional Plan area, 100% premium charges shall be paid to Government through the District offices of Town Planning and Valuation Department.

The aforesaid premium charges except the premium leviable under Chapter 5 of these regulations shall be allowed to be paid in the instalments with interest @ 8.5% per annum in the following manner and subject to following conditions.

A) Option - 1

a) Building below 70 m. height.

Initial Payment	**At the end of Month with interest**			
	12th	**24th**	**36th**	**48th**
1st Instalment	2nd Instalment	3rd Instalment	4th Instalment	5th Instalment
10%	22.5%	22.5%	22.5%	22.5%

b) Building having height of 70m. and above.

Initial Payment	At the end of Month with interest				
	12th	**24th**	**36th**	**48th**	**60th**
1st Instalment	2nd Instalment	3rd Instalment	4th Instalment	5th Instalment	6th Instalment
10%	18%	18%	18%	18%	18%

B) Option - 2

The instalment of 20% shall be paid at the time of granting development permission / commencement certificate and remaining 80% amount at the time of occupation certificate. The remaining amount shall be liable for interest @ 8.5% per annum.

Notes :

i) The instalment shall be granted with the interest at the rate of 8.5% p.a. on reducing outstanding balance premium.

ii) The owner / developer shall deposit post-dated cheques for instalment amount with an interest due drawn on scheduled bank, as per the scheduled date of payment.

iii) Occupation Certificate shall be granted in proportion to the payments made.

iv) The first instalment shall not be less than 50 lakhs in case of A, B C, Class Municipal Corporations and 25 lakhs in case of other areas. In such case, the remaining amount shall be apportioned in remaining instalments.

v) The aforesaid option 1 & option 2 shall be applicable for the period of 2 years.

ii) **Fire Infrastructure Charges -** These charges shall be decided by the Government from time to time.

2.2.15 Structural Stability Certificate

In case of special buildings, the application shall be accompanied by structural stability certificate signed by the licensed Structural Engineer 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 11 'Structural Design' and other relevant Codes.

2.2.16 Signing the Plan

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

2.2.17 Size of Drawing sheets

The size of drawing sheets shall be any of those specified in Table 2A.

Table 2A - Drawing Sheet Sizes		
Sr. No.	**Designation**	**Trimmed Size, mm**
1.	A0	841 X 1189
2.	A1	594 X 841
3.	A2	420 X 594

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4.	A3	297 X 420
5.	A4	210 X 297

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

2.2.18 Colouring Notations for Plans

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

Table No.2B - Colouring Notations for Plans

Sr. No.	Item	Site Plan			Building Plan		
		White Plan	Blue Print	Ammonia Print	White Plan	Blue Print	Ammonia Print
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	.....	.....	.....
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

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

2.2.19 Qualification and Competence of the Architect/Licensed Engineer/Structural Engineer/Town Planner/Supervisor

Architect/Engineer/ Town Planner/Supervisor referred to in Regulation No. 2.2.16 shall be registered/licensed by the Authority as competent to plan and carry out various works as given in Appendix “C”. The qualification and procedure for registration and licensing of the Engineer /

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Structural Engineer/Town Planner/Supervisor shall be as given in Appendix- "C". An Architect registered with the Council of Architecture shall not be required to register with the Authority.

2.3 DISCRETIONARY POWERS - INTERPRETATION

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

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

ii) Decide the extent of the proposal of Development Plan / Regional plan with respect to S.No. / Gut No. / CTS No. / Block No. /Barrack No. / Unit No., where boundaries shown on Development Plan / Regional plan varies with the boundaries as per revenue record / measurement plan / City Survey sheets etc.

iii) Determine and establish the location of zonal boundaries in cases of doubt or controversy;

iv) Decide the alignment of Development Plan road / Regional plan road where the street layout actually on the ground varies from the street layout as shown on the Development Plan / Regional plan;

v) Correct the alignment of Blue and Red flood line on Development Plan / Regional plan where it varies with the said lines given by the Irrigation Department or any other Govt. institutions dealing with the subject, from time to time;

vi) Modify the limit of a zone where the boundary line of the zone divides a plot. In such cases, the zone covering area more than 50% shall be considered;

vii) Authorize the erection of a building or use of premises for a public service undertaking for public utility propose only, where he finds such an authorization to be reasonably necessary for the public convenience and welfare even if it is not permitted in any Land Use Classification.

viii) Interpret the provisions of these Regulations where there is clerical, grammatical mistake, if any.

2.4 DISCRETIONARY POWERS - RELAXATIONS IN SPECIFIC CASES:

In specific cases where clearly demonstrable hardship is caused, the Authority may permit any of the dimensions/provisions prescribed by these regulations to be modified provided the relaxation sought does not violate the health safety, fire safety, structural safety, and public safety of the inhabitants of the buildings and the neighbourhood. No relaxation in the setback required from the road boundary or FSI or parking requirements shall be granted under any circumstances, unless otherwise specified in these Regulations.

While granting permission under these regulations, conditions/restrictions/ limitations may be imposed on size, cost or duration of the structure, abrogation of claim of compensation, payment of deposit and its forfeiture for non-compliance and payment of premium, as may be prescribed by the Authority, if required.

In areas of Municipal Councils and Regional plan, such relaxation shall be granted in consultation with concerned Divisional Joint Director of Town Planning.

Notwithstanding anything contained in any Government Order, Government Resolution, Government Notification, etc. issued from time to time regarding powers of relaxation in

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Development Control and Promotional regulations, the above provision shall prevail.

2.5 DRAFTING ERROR

Drafting errors in Development/Regional Plan which are required to be corrected as per actual situation on site or as per the city survey record or sanctioned layout etc. may be corrected by the Authority, after due verification, in case of Municipal Councils Regional Plan areas, this shall be done after consultation with the Divisional Joint Director of Town Planning.

2.6 GRANT OR REFUSAL OF PERMISSION

2.6.1 General

i) After receipt of the notice/application as mentioned in Regulation No.2.2.1 above, the Authority may either sanction or refuse the plans or may sanction them with such modifications or directions as it may deem necessary after having recovered the necessary charges/fees and there upon shall communicate its decision to the person giving the notice in the prescribed form given in Appendix D1/D2/D3 and E1/E2, as the case may be.

ii) In the case of special buildings, the building scheme shall also be subject to the scrutiny of the Chief Fire Officer of the Local/ Planning Authority or Director of Fire Services, as the case may be, and the sanction development permission shall be issued by the Authority after the clearance from him.

iii) In the case of land subdivision or plotted layout, tentative layout shall be recommended for demarcation at first instance. After having demarcated the layout, the owner shall submit the layout as measured by the Land Records Department for final approval to the Authority. The Authority shall examine and grant final approval to the measured layout if it conforms to the regulations and is broadly in accordance with the tentative layout without any departures of substantial nature. This shall also be mandatory for Group Housing Schemes where roads in the adjoining layouts/ Development Plan roads / Regional Plan roads are to be coordinated and/or amenity space/s are to be earmarked.

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

v) After the development permission is granted by the Authority, it shall be displayed alongwith the plans on the website of the Authority, wherever such website is available.

2.6.2 Deemed Permission

If within sixty (60) days of receipt of the notice, along with necessary permission fees 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 plan and statements shall be deemed to have been sanctioned, provided nothing shall be construed to authorize any person to do anything on the site of the work in contravention or against the terms of lease or titles of the land.

Provided that, the development proposal, for which the permission was applied, is strictly in conformity with the requirements of these regulations or regulations framed in this behalf under any law for the time being in force and the same in no way violates either provisions of any draft

or final Development/ Regional Plan / Planning Proposal or proposals published by means of notice, submitted for sanction under the Act. Provided further that any development carried out in pursuance of such deemed permission which is in contravention of the above provisions, shall be deemed to be an unauthorized development for purposes of Section 52 to 57 of the Maharashtra Regional and Town Planning Act, 1966 and other relevant Acts.

Provided further that, upon receipt of intimation of any claim for deemed permission the 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 along with 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 officers of the Planning Authority for not processing and disposing of the proposal within 60 days and necessary action as per relevant provisions of Act / Rules shall be initiated against the defaulter officer.

2.6.3 Approval of Building Permission on Risk Based Classification

Notwithstanding Anything contained in this UDCPR, the approval to the Low or Moderate Risk category of constructions shall be governed as per the procedure given in Appendix-K.

2.6.4 Display of Sanctioned Permissions on Authority's Web-Site.

After sanction of development permission, the authority shall make available all plans relating to such permission on its web-site, if available. Such documents shall be kept on web-site till one month from the date of issuance of last occupation certificate.

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2.7 COMMENCEMENT OF WORK

2.7.1 Commencement

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

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

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

For a building work including additions and alterations	Upto plinth level or where there is no plinth upto upper level of lower basement or stilt as the case may be.
For bridges and overhead tanks construction	Foundation and work up to the base floor/ underground floor
For underground works/	Foundation and work upto floor of underground floor.
For layout, sub-division and amalgamation	Final demarcation and provision of water bound macadam roads complete.

2.7.2 Development of Land Subdivision/ Group Housing Schemes

In case of land subdivision / group housing schemes, it shall be the responsibility of the owner / developer to construct all infrastructure including roads with storm water drains, sewer lines, water supply lines, development of recreational open spaces etc.

In case of land subdivision, these works shall generally be completed within two years and phase wise building permission shall be granted depending upon the percentage of infrastructure work completed. The layout plots should be released for construction in stages according to infrastructure work completed. The condition to that effect shall be incorporated in the development permission / commencement certificate.

In case of group housing scheme, these works shall be completed before completion of the project and occupancy certificate shall be granted phase wise as per completion of infrastructure work.

After handing over roads and infrastructure to the Authority on completion of scheme, the responsibility of maintenance of such roads and infrastructure shall lie with the Authority. However, internal roads and infrastructure in the group housing scheme shall be maintained by the owner / society.

2.8 PROCEDURE DURING CONSTRUCTION

2.8.1 Owner / Developer / Architect / Town Planner / Engineer / Structural Engineer / Supervisor or any licensed technical person's Responsibilities in their respective domain.

i) Neither granting of the development permission nor the approval of the drawings and specifications, nor the inspections, made by the Authority during erection of the building shall, in any way relieve the Owner / Developer /Architect / Town Planner / Engineer / Structural Engineer / Supervisor or any licensed technical person, of such building/ development from full responsibility for carrying out the work in accordance with the requirements of these regulations and safety norms as prescribed by the bureau of Indian Standards.

ii) Every owner / developer shall:

a) permit the Authority or his representative 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.

c) give written notice to the Authority in case of termination of services of a Technical professional engaged by him.

2.8.2 Results of Test

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 Authority.

2.8.3 Display Board

As soon as the development / building permission is obtained, the owner / developer shall install "Display Board" on conspicuous place on site indicating following details:-

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i) Name and address of owner, developer, all concerned licensed persons.

ii) Survey number / city survey number of land under reference.

iii) Order number and date of grant of development / building permission / redevelopment permission issued by the Authority.

iv) Built up area permitted.

v) RERA registration no.

Such Display Board shall not be required for individual plot holder's individual building.

2.8.4 Plinth Checking

The owner shall give intimation in the prescribed form in Appendix- F to the Authority after the completion of work upto plinth level. This shall be certified by Architect / licensed Engineer / Supervisor with a view to ensure that the work is being carried out in accordance with the sanctioned plans. After such intimation, the construction work shall be carried out further. The officers of the Authority, who are empowered to grant development permission and subordinate officers to him, shall each, inspect about 10% of such plinth certified cases.

2.8.5 Deviation During Construction

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 Authority shall be necessary. A revised plan showing the deviation shall be submitted and the procedure laid down for the original plans shall apply to all such amended plans. Any work done in contravention of the sanctioned plans, without prior approval of the Authority, shall be deemed as un-authorised. However, any changes made within the internal layout of a residential or commercial unit, which do not violate FSI or other regulations, shall not be treated as unauthorised. Such changes shall be incorporated in plan along with completion certificate.

Provided that revised permission may also be granted after completion of work before obtaining full occupancy certificate.

2.9 COMPLETION CERTIFICATE

The owner through his Architect / licensed engineer / town planner / supervisor, as the case may be, who has supervised the construction, shall furnish a building completion certificate to the Authority in the form in Appendix-G. This certificate shall be accompanied by three sets of plans of the completed development, the certificate about the operation of the lift from consultant and certificate of structural stability, wherever necessary.

In case of special buildings, the Completion Certificate shall also be accompanied with the NOC from Chief Fire Officer of respective Authority or Director of Fire services, as the case may be.

2.10 OCCUPANCY CERTIFICATE

The Authority after inspection of the work and after satisfying himself that there is no deviation from the sanctioned plans as mentioned in Regulation No. 2.8.5, 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 Authority, shall be returned to the owner along with the occupancy certificate. Where the occupancy certificate is refused or rejected, the reasons for refusal or rejection shall be given in intimation of the rejection or the refusal The

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applicant may request for Deemed Occupancy Certificate, if eligible, as above. The Authority shall issue the Deemed Occupancy Certificate within 15 (fifteen) days of the application.

In case of Special buildings, the occupancy certificate shall be issued by the Authority only after the clearance from the Chief Fire Officer regarding the completion of work from fire protection point of view.

2.11 PART OCCUPANCY CERTIFICATE

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

2.12 INSPECTION

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

2.13 UNSAFE BUILDINGS

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

2.14 OFFENCES AND PENALTIES

i) Any person who contravenes any of the provisions of these regulations, any requirements or obligations imposed on him by virtue of the Act or these regulations, shall: -

   (a) be guilty of an offence and upon conviction, shall be punished as stipulated in Section 52 of the Act;

   (b) be subject to further suitable actions including demolition of unauthorised works, as stipulated under Section 53and 54of the Act;

   (c) where such person is a Licensed Engineer / Structural Engineer / Town Planner / Supervisor, be subject to suitable action against him which may include cancellation of license and debarring him from further practice/ business for a period as may be decided by the Authority;

   (d) where such person is a registered Architect, be subject to action of the Council of Architecture as per the provisions of the Architects Act, 1972 based on the report of the Authority and debarring him from further practice/ business for a period as may be decided by the Authority.

ii) Any person who neglects any requirements or obligations imposed on him including the maintenance of fire protection services, 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 as specified in Section 36 of the Maharashtra Fire Prevention and Life Safety Measures Act, 2006 and, upon conviction, shall be subject to penalties and other consequences spelt out in said Act.

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2.15 REVOCATION OF PERMISSION

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

ii) In the case of revocation of the permission under sub-regulation (i), no compensation shall be paid.

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CHAPTER-3

GENERAL LAND DEVELOPMENT REQUIREMENTS.

3.1 REQUIREMENTS OF SITE

3.1.1 Site not Eligible for Construction of Building

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

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

ii) If the entire site is within a distance of 6 m. from the edge of water mark of a minor water course (like nallah, canal) and 15 m. from the edge of water mark of a major water course (like river) shown on Development Plan/Regional Plan or village/city survey map or otherwise.

Provided that where a minor water course passes through a low lying land without any well-defined banks, the owner of the property may be permitted by the Authority to canalise water course within the same land without changing the overall alignment and the position of the inlet and outlet of the water course according to cross section as determined by the Authority. In such case, marginal open space shall be as stipulated under these regulation and shall be measured from edge of the trained nallah.

iii) If the site is hilly and having gradient more than 1:5;

iv) If the site is not drained properly or is incapable of being well drained;

v) If the owner of the building has not proposed appropriate measures required to safeguard the construction from constantly getting damp to the satisfaction of the Authority;

vi) In case the building is proposed on any area filled up with carcasses, excreta, filth and offensive matter, then certificate from the Authority to the effect that it is safe from the health and sanitary point of view, to be built upon, is required;

vii) 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;

viii) If the proposed occupancy of the building on the site does not conform to the land use proposals in the development plans/ Regional Plan or Zoning Regulations;

ix) If the level of the site is less than prescribed datum level depending on topography and drainage aspects;

x) If it doesn't derive access from an authorized street/means of access of adequate width as described in these Regulations;

xi) If it is within the river and blue flood line of the river (prohibitive zone), unless otherwise specified in these regulations;

xii) If the site is within the boundary of Coastal Regulation Zone where CRZ Regulation does not allow development;

xiii) If the site is not developable by virtue of restrictions imposed under any law or guidelines of any Government Department;

xiv) If the entire site is within a distance of 50 m. from the mean high flood level of a wetland. The mean shall be calculated as per the provisions of Wetlands (Conservation and Management) Rules, 2017.

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3.1.2 Distance of Site from Electric Lines

No structure including varandah 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. 3A 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.3A - Distance of site from Electric Lines		
Electric Lines	**Vertical (Meters)**	**Horizontal (Meters)**
Low and medium voltage Lines	2.50	1.20
High voltage lines up to and including 33000 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.		

3.1.3 Construction within Blue and Red Flood Line

i) Where Blue and Red flood line are marked on the Development Plan / Regional Plan or received from the Irrigation Department.

a) The Red Flood Line and Blue Flood Line shall be considered as per the plan prepared by the Irrigation Department. The area between the river bank and blue flood line (Flood line near the river bank) shall be prohibited zone for any construction except parking, open vegetable market, garden, lawns, open space, cremation and burial ground, sewage treatment plant, water / gas / drainage pipe lines, public toilet or like uses, provided the land is feasible for such utilization.

Provided that, redevelopment of the existing authorised properties, within river bank and blue flood line, may be permitted at a plinth height of 0.45 m. above red flood line level.

b) 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.

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

d) The red and blue flood line, if shown on the Development/Regional Plan / Planning Proposal shall stand modified as and when it is modified by the Irrigation Department.

ii) Where Blue and Red flood line is not marked on the Development Plan / Regional Plan or not received from the Irrigation Department.

Where Blue and Red flood line is not marked on the Development Plan / Regional Plan or not received from the Irrigation Department, the tentative Blue line shall be earmarked taking into consideration maximum observed flood level records available locally and also

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interacting with the residence in the area. The plan showing such tentative Blue line shall be got approved from Chief Engineer, Irrigation Department. The distance of 50 m. on landward side from this tentative Blue line shall be treated as No Construction Zone.

In such cases, provisions of Regulation No. 3.1.3 (i) (a,b,c,d) shall be applicable to that extent.

Till such tentative Blue line is prepared and marked on the plan, the development permission shall be governed by the provisions of Regulation No. 3.1.1 (ii).

3.1.4 Development within 30 M. Distance from Railway Boundary

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

3.1.5 Environmental Clearance

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

3.1.6 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, directives issued by Urban Development Department vide Resolution No.TPS-1819/UOR-36/19/UD-13, dated5.8.2019in this regard, from time to time. The highways passing through the cities shall be treated as city roads.

A service road as specified in Regulation No. 3.3.8 shall be provided along State and National Highways on both sides. Where service road of 12m width is already provided in adjoining land, such service road of the same width may be continued in the development permission. Such service roads may not be insisted if it has no continuity from junction to junction due to existing authorised development / construction.

3.1.7 Development within certain distance from the Prison Premises

The development within 150 m., 100 m., 50 m., from the perimeter wall of Central Prison, District Prison and any Sub Prison respectively shall be regulated and may be permitted with prior consent of the committee constituted in this regard by the Home Department. This provision shall be subject to the orders issued by the Government from time to time.

3.1.8 Distances from land fill sites

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

3.1.9 Restrictions in the vicinity of Airport

For structure, installations or buildings including installations in the vicinity of aerodromes,

i) The height shall be restricted to permissible top elevation as mentioned on Colour Coded Zoning Maps(CCZM) prepared by the Airport Authority of India (AAI) published on its web site.

ii) For any additional height beyond that mentioned in i) above, prior NOC from AAI shall be submitted.

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iii) For the areas depicted in red colour on CCZM, prior NOC from AAI shall be submitted.

Note-

a) The height permitted by CCZM is indicated Above Mean Sea Level i.e. AMSL.

b) Building height permitted i.e. Above Ground level (AGL) shall be calculated as CCZM height minus the site elevation of the plot.

Height of building (AGL)=CCZM height – site elevation.

c) In absence of aforesaid map, no objection certificate of Airport Authority of India, shall be required.

Explanation

i) Irrespective of their distance from the aerodrome, even beyond the 20km. limit from the aerodrome reference point, no building, radio masts or similar installation exceeding 150 m. in height shall be erected without prior permission of the Civil Aviation Authorities.

ii) The location of a slaughter house/abattoir/butcher house or other areas for activities like depositing of garbage which may encourage the collection of high flying birds, like eagles and hawks, shall not be permitted within 10 km. from the aerodrome reference point.

3.1.10 Restrictions in the Vicinity of Ancient Monuments

1) The Restrictions for Development in the vicinity of the protected monuments of national importance as prescribed under the Ancient Monuments and Archaeological Sites and Remains Act, 1958 shall be observed.

2) The Restrictions for Development in the vicinity of the protected monuments of state importance as prescribed under Ancient Monuments and Archaeological Sites and Remains Act, 1960 shall be observed.

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3.1.11 Restriction under the Works of Defence Act, 1903

The restrictions imposed under the Work of Defense Act, 1903 shall be applicable and no development in contravention with the notification shall be permissible.

Whether the area affected by the notification under Works of Defense Act- 1903, is earmarked in Development Plan / Regional Plan or not, it shall be permissible to treat the area under such restrictive zone as marginal distance at the time of construction of any building proposed on contiguous unaffected area.

Provided that, it shall be permissible to utilise the FSI and also the receiving potential of the land under this zone, as otherwise permissible, on the remaining contiguous unaffected land of the same land owner.

3.1.12 Distance from Natural Lake and Dam.

In Regional Plan area, no construction shall be allowed within 100 m. from the high flood line of natural lake.

In Development Plan area, development around natural lake shall be governed by the provisions made in such plan. In absence of the provisions in such plan the distance as may be specified by Irrigation Department shall be followed.

The regulation regarding clear distances from the High flood line while carrying out any development of any land around dam and foothill areas as notified and the norms regarding distance as prescribed in Government of Maharashtra, Water Resources Department Marathi

Circular No.संकिर्ण-2012/(प्र.क्र.20/2012) सिं.व्य.(महसूल),dt.08/03/2018 and amendments therein, from time to time, will be applicable henceforth, subject to following condition.

Condition: - The concerned land owners/users are prohibited to discharge any Garbage/Water Sewage/ Wastage in the reservoir, generating from its premises. It will be compulsory and binding on the land owner/user to make necessary arrangements within the premises for Water and sewage disposal management and to maintain the Zero Discharge condition at his own cost.

3.1.13 Authorities to Supply Complete Information about Restrictions to the Authority

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

Such information shall be published by the Authority on its notice board/ website and also update it as and when it is updated by the concerned department.

3.2 MEANS OF ACCESS

3.2.1 Every plot / land shall have means of access like street / road irrespective of its width.

3.2.2 In case of plot not abutting on a public means of access like street/roads etc., the plot shall have access from spaces directly connected from the street by a hard surface approach as given below:-

(a) The width of such access ways in non-congested areas shall be as follows: -

Min width of access ways	Max. Length of such access ways
6m.	75m.
9m.	150m.

(b) In congested areas, the width of such access ways shall not be less than 4.5m.

3.2.3 Every person who intends to 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.

3.3 REGULATIONS FOR LAND SUB-DIVISION AND LAYOUT

3.3.1 Obligation to Prepare Layout

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

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

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

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

iv) A two-stage approval process as specified in Regulation No. 2.6.1 will be followed for such proposals, wherever necessary.

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3.3.2 Roads / streets in Land Sub-division or Layout

A) For Residential Development- The minimum width of internal road in any layout or subdivision of land shall be as given in Table No.3A.

Table No.3A - Internal Roads for Residential Development		
Sr. No.	**Length of Internal Road in Layout / Sub division (m)**	**Width of Internal Road in Layout / Sub Division (m)**
i	Upto 150	9.00
ii	Above 150 and upto300	12.00
iii	Above 300	15.00

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

B) For Other than Residential Development : The minimum width of internal road in any layout or subdivision of land shall be as given in Table No. 3B

Table No.3B - Internal Roads for non-residential Development		
Sr. No.	**Length of Internal Road in Layout / Sub division (m)**	**Width of Internal Road in Layout / Sub Division (m)**
i	Upto 150	12
ii	Above 150 and upto300	15
iii	Above 300	18 or more

C) Group Housing Scheme : In case of group housing schemes, minimum width of internal roads shall be as given in Table No. 3C

Table No. 3C - Internal Roads for Group Housing Scheme		
Sr. No.	**Length of Internal Road (m)**	**Width of Internal Road (m)**
i	Upto 150	7.50
ii	Above 150 and upto300	9.00
iii	Above 300and upto 600	12.00
iv	Above 600	15.00

Note : It shall be necessary to provide through roads in group housing scheme of area more than 2 Hectares, so as to coordinate the adjoining major road links (15 m. and above) or give way to new road link for adjoining area. The width required for such road link shall be as per Table No. 3A. This shall not bar coordination of smaller width roads approaching from adjoining area, if owners so desire. Further the Authority may insist on coordination of smaller width roads from adjoining area, if required from planning point of view.

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D) Pathways

In case of Group Housing Scheme / Campus planning / Layout of Buildings, a pedestrian approach to the buildings from road / street / internal means of access, wherever necessary, shall be through paved pathway of width not less than 2.0 m., 3.0 & 4.5m. provided its length measured from exit way of the building is not more than 40 m., 60 m. and 100 m. respectively from the main / internal means of access. If the length is more than 100m., then width of the road as provided in Table No.3C shall be necessary. The marginal distances shall not be required from such pathways. However, distance between two buildings shall be maintained which will include width of such pathway.

3.3.3 Length of Internal Roads, How to be Measured

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

Provided that in the interest of general development of an area, the Authority may insist the means of access to be of larger width than that required under Regulation No. 3.3.2**.**

3.3.4 Co-ordination of Roads in adjoining lands

While granting the development permission for land sub-division or group housing/ campus planning, it shall be necessary to co-ordinate the roads in the adjoining lands subject to provisions mentioned in Regulation No.3.3.2.C – Note. Also, proper hierarchy of roads shall be maintained while deciding width of road.

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3.3.5 Narrow Roads in Congested Areas(Core area in case of Nashik Municipal Corporation) :

In congested areas, plots facing street/ means of access less than 4.5m. in width, the plot boundary shall be shifted to be away by 2.25 m. from the central line of the street/ means of access way to give rise to a new street / means of access way of width of 4.5 m. clear from the structural projections. However, this will not be applicable for lane of any length serving single plot / property. In these cases, no separate setback from revised plot boundary shall be required.

3.3.6 Development of Street

Means of access / internal road shall be levelled, metalled, flagged, paved, sewered, drained, channelled, lighted, laid with water supply line and provided with trees for shade (wherever necessary), free of encroachment and shall be maintained in proper condition.

3.3.7 Development of Private Street, if neglected

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.

3.3.8 Access from the Highways/ Classified Roads

(a) Generally, plots/ buildings along Highways and classified roads shall derive access from

service roads. However, highway amenities like petrol pump, fuel station, hotel, etc. may have a direct access from Highways and this shall be subject to the provisions of National Highway Act, 1956 and State Highways Act, 1955.

(b) Width of roads to be considered while granting development permissions, unless indicated otherwise in Development Plan/ Regional Plan/ Planning Proposal / T.P. Scheme shall be as mentioned in table below:-

Sr. No.	Category of Road	Width of Right of Way of Road (m)	Remarks
1	National Highway	60	Width inclusive of 12m. service roads on both sides
2	State Highway	45	Width inclusive of 9m. service roads on both sides
4	Major Dist. Road	24	No Service road required.
5	Other Dist. Road	18	No Service road required.
6	Village Road	15	No Service road required.

Notes :

1) If the width of any existing road is more than what is specified in above table then the greater width shall prevail.

2) If the service roads are provided beyond the right of way in permission granted earlier then such service roads may be continued further in adjoining land.

3) The above widths of roads may vary according to guidelines or circulars issued by the respective department.

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3.3.9 Access Provisions for Special buildings in Regulation No.1.3 (93)(xiv)

For special buildings as mentioned in 93 (xiv) under Regulation No. 1.3, the following additional provisions of means of access shall be ensured;

(a) The width of the main street on which the plot abuts shall not be less than 12m. in non-congested area and shall not be less than 9m. in congested area, and one end of this street shall join another street of width not less than at least 9 m.

(b) The marginal distances on all its sides shall be minimum 6m. and the layout for the same shall be approved taking into consideration the requirements of fire services, and the margins shall be of hard surface capable of taking the weight of fire engine, weighing up to 45 tonnes. The said marginal distances shall be kept free of obstructions and shall be motorable.

(c) Main entrances to the plot shall be of adequate width to allow easy access to the fire engine and in no case it shall measure less than 6 m. The entrance gate shall fold back against the compound wall of the premises, thus leaving the exterior access way within the plot free for movement of fire engine / fire service vehicles. If main entrance at boundary wall is built over, the minimum clearance (headroom) shall be 4.5 m.

3.3.10 Cul-de-sacs

In addition to the provisions of Regulation No.3.3.2, Cul-de-sacs giving access to plots and extending up to 150m. normally and 275m. maximum with an additional turning space at 150m.

may be allowed only in residential area, provided that Cul-de-sacs would be permissible only on straight roads and provided further that cul-de-sac ends shall be higher in level than the level of starting point. The turning space, in any case shall be not less than 81sq.m.in area with no dimension being less than 9m.

3.3.11 Handing Over of Layout Roads

Whenever called upon by the Authority to do so, areas under internal layout roads shall be handed over to the Planning Authority by way of deed after development of the same, within such period as may be specified in commencement letter / development permission, for which no compensation shall be paid by the Planning Authority.

3.3.12 Intersection of Roads

At junctions of roads meeting at right angles, the rounding off at the intersection shall be done with the tangent length from the point of intersection to the curve being half the road width across the direction of tangent as shown in Fig. 3A. The building shall also set back at required marginal distance from this rounding off.

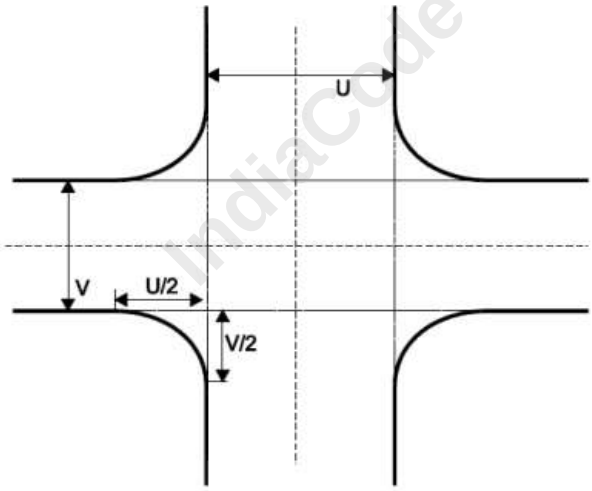

Fig. 3A - Rounding off at junctions of right angled intersections

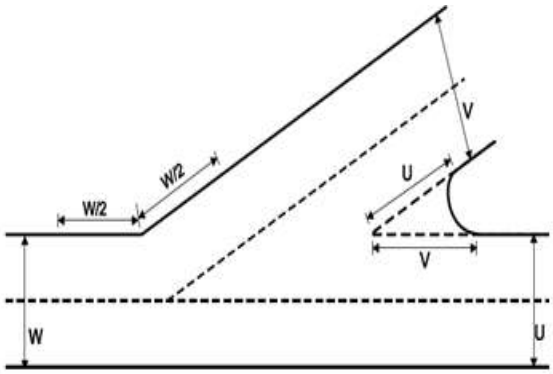

Fig. 3B - Rounding off at junctions at acute/ obtuse intersections.

3.3.13 Acute Angled Junctions

For junctions of roads meeting at less than 60 degree, the rounding off or cut-off or similar treatment shall have tangent length of U and V from the intersection point as shown in Fig.3B.

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. 3B. Provided, however, that the radius for the junction rounding shall not be less than 6m. for both types.

3.3.14 Land-locked Plot

In case of a plot surrounded on all sides by other plots or reservation, if any, i.e. a land locked plot which has no access to any street or road, the Authority may require access through an adjoining plot or plots and 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 & such other conditions as the Authority may specify. If the Plot is land locked by any reservation, then access may be made available by adjusting reservation within owners land without reduction in area. Such land locked plot, upto 100 mt. shall be considered as fronting on the main road from which the access of minimum 9 mt. width is made available.

3.3.15 Approach by underpass or Over Bridge for adjoining properties.

In case adjoining properties of an owner or different owner are separated by road, river, nallah etc. then the Authority may allow the owner to construct underpass or over bridge or foot over bridge of required size at his cost so as to ease the movement of people/vehicle across the properties.

3.4 RECREATIONAL OPEN SPACES

3.4.1 Recreational Open Space

In any layout or subdivision or any development of land for any land use/ zone admeasuring 0.4ha. or more (after deducting area under D.P/ R.P. road, D.P. Reservation including deemed reservation under these regulations, if any, from the total area under development), 10%of the area under layout 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 0.8ha, such recreational open space may be allowed to be earmarked at different locations in the same layout, provided that the size and other dimensions conform to the provisions herein below. However, the owner shall be at liberty to provide recreational open space more than 10%.

i) The above-mentioned area of 0.4ha., shall be measured with reference to original holding as on 11thJanuary; 1967 and not with reference to sub-divided holding in revenue/ city survey record thereafter without the permission under the Maharashtra Regional & Town Planning Act, 1966. However, this provision shall not be applicable to plots compulsorily got subdivided below 0.4ha, due to the DP/ RP Roads/ Road widening/ reservations/ deemed reservations or any other proposal of the Authority.

   For the lands which are sub-divided after 11th January, 1967 without taking prior permission from the Authority and having plot area below 0.4ha., the applicant may opt for any of the options from: -

   a) providing 10% open space subject to a minimum of 200sq.m., or

   b) availing the reduced FSI of 75% of the basic FSI as otherwise permissible on such land. In such cases, loading of TDR shall be permissible to the extent of 50% mentioned in Chapter -6.

   c) avail full basic FSI and other permissible FSI / TDR by paying 10% value of the land under proposal as per Annual Statement of Rates for that year, without considering guidelines therein.

(ii) For the plots having area upto 0.4 ha. regularised under the Maharashtra Gunthewari Development (Regularisation, Upgradation and Control) Act, 2001, no such open space shall be required for the development permission.

(iii) Not more than 50% of such recreational open space may be provided on the terrace of a podium in congested/non congested area subject to Regulation No.9.13.

Notwithstanding anything contained in the definition of "Recreational Open Space" in these regulations, such recreational open space to the extent of 100% may be allowed to be provided on the terrace of a podium if owner/developer provides 1.5 m. strip of land along plot boundary, exclusive of marginal distances, for plantation of trees.

(iv) In case of lands declared surplus or retainable under Urban Land (C & R) Act, 1976, if the entire retainable holding or entire surplus holding independently admeasures 0.4 ha or more, then 10% recreational open space shall be necessary in respective holding.

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

(vi) Such open space shall not be necessary :-

a) in cases of layout or subdivision of plots from a layout already sanctioned by the Authority irrespective of percentage of open space left therein.

b) for development of the reservations in the Development Plans designated for the purpose other than residential.

c) for the uses other than Residential, Industrial and Educational permissible in Agricultural zone.

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(vii) In the case of development of land for educational purpose, in lieu of 10% recreational open space, following percentage of the gross area (or as decided by the Government from time to time), excluding the area under Development/ Regional Plan road and Development Plan reservations, shall be earmarked for playground. Notwithstanding anything contained in this regulation, the shape and location of such open space shall be such that it can be properly used as a playground. The area of such playground shall not be deducted for computation of FSI. The independent playground of the institution attached with the school building shall also be entitled for computation of FSI.

Provided that, in case of area more than 1ha. such area to be earmarked for playground shall be as under :-

Sr. No.	Gross Area of Land	Percentage of Playground
1	Upto 1 ha.	40%
2	Above 1 ha. and upto 2 ha.	area as per 1 + 35% of remaining area
3	Above 2 ha. and upto 3 ha.	area as per 2 + 30% of remaining area
4	Above 3 ha. and upto 4 ha.	area as per 3 + 25% of remaining area
5	Above 4 ha.	area as per 4 + 20% of remaining area

Provided further that, in cases where space for such playground is not available because of development permissions already granted by the Authority for education purpose and work is completed, such space for playground may not be insisted.

viii) Such recreational open space shall not be entirely proposed in marginal distances / set back

or major part of it shall not be proposed in marginal distances / set back. However, such recreational open space, bigger than marginal distances and confirming to the Regulation No.3.4.6, may include part of marginal distances/ set back area, if such recreational open space is proposed adjoining to plot boundary.

3.4.2 Recreational Open Space – Owner's Undertaking

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

i) On sanction of the development permission, the recreational open space shall be deemed to have been vested in the society / association of the residents / occupants of the layout/ building unit except as specified otherwise. In case such society or association is yet to be formed, the owner shall give undertaking to the Authority at the time of occupation certificate in case of Group Housing Scheme and at the time of final approval in case of plotted layout, that he will transfer the recreational open space at a nominal cost of Re.1/- to the society/ association whenever it is formed. The recreational open space shall not be sold/ leased out / allotted/ transferred for any purpose, to any other person and it shall not be put to any other use except for the common use of society / association of the residents/ occupants as mentioned in Regulation No.3.4.7.

ii) If the Authority is convinced that, either the owner has failed to abide by the undertaking or such open space is being used in violation of the provisions as prescribed in these regulations, then the Authority shall take over possession of such land of recreational open space for maintaining it for the uses permissible in these regulations, subject to condition that it shall not be further handed over or allotted to any person/ institute/ authority other than the society/ association of the residents/ occupants.

Provided that, it shall not bar the return of the possession of such open space to the original society/ association of plot owners, after taking due undertaking to that effect.

Provided further that the cost incurred by the Planning Authority on maintenance of such Recreational Open Space shall be recovered as arrears of dues to the Authority from the owner/ society / association of the residents / occupants till reversion of the possession.

3.4.3 Recreational Open Space – Rearrangement

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 shall ordinarily not be allowed after a period of 4 years from 1st final sanction. However, such revision of open spaces may be allowed after 4 year also, where plots in the layout are not sold or transferred.

3.4.4 Recreational Open Space – Exclusive

The open spaces shall be exclusive of means of accesses / internal roads / designations or reservations, roads and areas for road widening in development plan / Regional Plan.

3.4.5 Recreational Open Space in Green Belt

Such recreational open space may be allowed to be earmarked, partly or fully, in green belt area shown on the development plan after leaving distance of 15m. from river and 9m. from nallah, provided, such recreational space is sizable as required under these regulations. Provided that, the

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only use and structures permissible under the Regulation No.4.11 in respect of Green belt, may be permitted in such open space.

3.4.6 Minimum Dimensions

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

3.4.7 Structures permitted in Open Space

If required, structure and uses which can be permitted without counting in FSI in the recreational open spaces shall be as under:-

i) There may be maximum two storeyed structure with maximum 15% built up area of recreational open space, out of which, built up area on ground floor shall not exceed 10%. In case of stilt, additional floor may be allowed.

ii) The structures used for the purpose of pavilion, gymnasia, fitness centre, club house, vipashyana and yoga centre, crèche, kindergarten, library, or other structures for the purpose of sports and recreational activity (indoor or outdoor stadiums, etc. as per availability of area) may be permitted. Utilities such as water tank (underground or elevated), electric substation, generator set, pump houses, garbage treatment, public health out post/ centre may be permitted only with the consent of the society of residents. Religious structure may be allowed with the permission of competent Authority as decided by Government from time to time.

iii) No detached toilet block shall be permitted.

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

v) The proposal for the construction of such structure should come as a proposal from the owner/s, owners' society / societies or federation of owners' societies and shall be meant for the beneficial use of the owners/ members of such society/ societies/ federation of societies.

vi) 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.

vii) The owners' society / societies, the federation of the owners' societies shall submit to the Authority, a registered undertaking agreeing to the conditions in (v) & (vi) above while obtaining permission for the above said construction.

3.4.8 Recreational Open Space and Means of Access

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

3.5 PROVISION FOR AMENITY SPACE

3.5.1 In the areas of Local Authorities, Special Planning Authorities and Metropolitan Region Development Authorities, Amenity Space as mentioned below on gross area after deducting area under reservations/roads in Development Plan including proposals of road widening therein, shall have to be provided in any layout or sub division of land or proposal for development.

Area of Land	Minimum Amenity Space to be provided.
a) upto 4000 sq.m.	Nil.
b) more than 4000 sq.m. and upto 10000 sq.m.	(a) + 5% of remaining area.
c) more than 10000sq.m.	(b) + 10% of remaining area.

These amenity spaces shall be developed by the owner for the uses mentioned in the definition of amenity. However, the Authority may insist for handing over the amenity space to the Authority, if it is required for the following five purposes only. If it is not required for the following purposes and required for other purposes, it may be taken over by the Authority with the consent of the owner.

i) Garden.
ii) Playground.
iii) Municipal School.
iv) Municipal Hospital.
v) Fire Brigade.
vi) Housing for Project affected Persons.

In such circumstances, amenity space shall deem to be reservations/ proposals in Development Plan and Floor Space Index (FSI) in lieu thereof may be made available in-situ on remaining land. The calculation of this in-situ FSI shall be shown on the layout / building plan. If the owner desires to have TDR against it, instead of in-situ FSI, then he may be awarded TDR. The in-situ FSI or TDR shall be granted only after transfer of the amenity space to the Authority. The generation of TDR or in-situ FSI shall be equivalent to the quantum mentioned in Regulation No.11.2of Transferable Development Rights.

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Provided that: -

i) this regulation shall not be applicable where separate amenity space is mandated by the Government, while sanctioning modification proposal under section 37 or 20 of the Act. In such cases, development of the amenity shall be governed by the conditions mentioned in the said notification.

ii) amenity space shall be approachable by minimum 12m. wide road except the cases where 12m. approach road to the site is not available. If in case of B & C Class Municipal Councils, Nagarpanchayats and R.P. areas, such amenity space may be located on 9 m. road, however, in such case, special building on amenity plot shall not be allowed.

iii) this regulation shall not be applicable to Regulation No.4.8.1, (i.e., Regulation for allowing Residential /Commercial user in Industrial Zone),wherein separate provision of land for public amenities/ utilities is made.

iv) this regulation shall not be applicable where entire development permission is for amenities specified in definition of amenity space in these Regulations and also for uses other than residential permissible in agricultural zone. This regulation shall also not be applicable, if construction on entire plot is for hotel building or IT establishment / building.

v) this regulation shall not be applicable to the Town Planning Scheme area under MRTP Act, 1966 or similar scheme permitted in agricultural zone.

vi) this regulation shall not be applicable for revision of earlier sanctioned development permissions granted under the regulations in force prior to these regulations and work is commenced, where no such amenity space has been provided in development permission

sanctioned earlier.

viii) if some amenity space is provided in the earlier permission, then the quantum of such amenity space in the revised permission :-

a) shall be limited to the area provided in earlier permission.

b) shall not be reduced even though area of such amenity space is more than what is specified in this regulation.

ix) if owner agrees to construct the amenity and hands it over to the Authority with consent of the Authority, then he shall be entitled for amenity TDR / in-situ FSI as per Regulation No.11.2.

x) the development in amenity space shall be allowed upto building potential mentioned in Regulation No. 6.1 or 6.3.

xi) any other use, not mentioned in these regulations, may be allowed to be developed by the Authority similar to the uses defined as amenity.

3.5.2 In case of Regional Plan areas, the percentage of amenity space to be provided shall be as mentioned in Regulation No. 5.1.8.

3.5.3 Development of Amenity Spaces in Earlier Sanctioned Layout

Amenity spaces, which are earmarked in the layout sanctioned tentatively or finally earlier and not so far developed, may also be allowed to be developed for any of the uses mentioned in this regulation. Such amenity building may be allowed to be developed on the road on which such amenity space is located in the sanctioned layout. However, special building shall require a front road as specified in Regulation No. 3.3.9.

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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-station shall be made as under, if the requirement for the same is considered necessary by the concerned power supply authority.

Sr. No.	Plot Area	Maximum requirements
1	Plot above 2000 sq.m.	One single transformer sub-station of the size of 5m.x 5m. 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 as required by the Power Supply Company.

Provided that the sub-station is constructed in such a manner that it is away from main building at a distance of at least 3 m. and in general does not affect the required side marginal distances or prescribed width of internal access or recreational open space.

3.7 MINIMUM PLOT AREA FOR VARIOUS USES

Minimum plot area for various uses shall be as given in Table No.3D below :-

Table No.3D				
Sr. No.	**Uses**	**Min. Plot area (in sq.m.)**	**Min. Plot Width (in m.)**	**Type of Development**
1	Residential and Commercial	Min 30	As per Table No. 6 D	Row / Semi-detached / detached development as specified / anticipated in earlier approved layout or layout to be approved in future. In other cases, as per permissibility of the construction area taking into consideration the marginal distances.
2	Plots in EWS Housing / High Density Housing / Sites and Services / Slum Upgradation / Reconstruction Scheme by Public Authority.	Min 20 sq.m. or as specified in the respective scheme.		Row / Semi-detached / detached.
3	Vehicle fuel Filling station including LPG / CNG / Ethanol /Public Charging Stations for Electric Vehicles-			
	(a) Without service bay	As required by the concerned authority.	As required by the concerned authority.	Detached.
	(b) With service bay	--do --	-- do --	Detached.
4.	Industrial (other than service industries)	300	10 m.	Detached.
5	Other uses (other than 1 to 4 above)	Required plot size and development shall be governed by permissibility of construction under these regulations.		

Note-

i) In case of plotted layout, the plot width to depth ratio shall be 1:1.5 to 1:2.5;as far as possible.

ii) In case of Ulhasnagar, plot sizes and development shall be considered as per the lease or sanad or patta granted by Government / Authority.

iii) In case of Sr.No. 1 above, pattern of development permissible within a plot shall be shown in dotted line while approving the layout. However, change in pattern may be permitted in future, if it fits into above pattern of development and does not disturb the overall pattern of development already approved.

3.8 PROVISION FOR INCLUSIVE HOUSING

3.8.1 This regulation shall be applicable only to Municipal Corporations having population 10 lacs or

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more as per the latest Census, as mentioned in Regulation No.3.8.2.

3.8.2 Inclusive Housing –

Provision for inclusive housing shall be applicable in following cases :-

(a) For the sub-division or layout of the land :-

For the sub-division or layout of the land admeasuring 4000 sq.m. or more (after deducting area under D.P. / R.P. Roads, D.P. Reservations including deemed reservations under these regulations, if any) for residential purpose, minimum 20% of the plot area shall have to be provided either :-

i) in the form of developed plots of 30 to 50 sq.m. size for Economically Weaker Sections/Low Income Groups (EWS/LIG), (hereinafter referred to as "affordable plots") for allotment to the allottees as per the list provided by MHADA **OR**

ii) in the form of plot / plots equivalent to 20% plot area for constructing EWS/ LIG tenements to be handed over to MHADA. Within this 20% area, proportionate road and recreational open space area of this 20% space**,** shall be included**, OR**

iii) Land owner/ Developer can exercise an option to construct EWS/ LIG tenements on the said 20% plot area as per provisions specified in subsequent regulation No (b).

Provided that the affordable Housing Plots / tenements as mentioned in (i, ii and iii) above can also be provided at some other location(s) within 1 km. from original location or within same ward, **OR**

iv) The Landowner/Developer may handover the affordable plots to MHADA at one place in lieu of FSI / DR as per TDR regulations to be utilised on the remaining plots.

Provided that in case the Landowner / Developer desires not to utilize such additional FSI / DR 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 provisions of TDR regulations.

(b) For Group Housing Scheme:

For a plot of land, admeasuring 4000 sq.m. or more (after deducting area under D.P. / R.P. Roads, D.P. Reservations including deemed reservations under these regulations, if any) 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 and 50 sq.m. built-up area (hereinafter referred to as 'affordable housing tenements) shall be constructed at least to the extent of 20% of the basic FSI subject to the following conditions:-

i) The built up area of the EWS/ LIG tenements constructed under the Scheme shall not be counted towards FSI and such built-up area of EWS/LIG tenements (20%) shall be over and above the permissible FSI/ TDR as per UDCPR.

ii) The Landowner/ Developer shall construct the stock of the affordable housing tenements in the same plot and the 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 scheme.

Provided further that the Affordable Housing tenements can also be provided at some

other location(s) within 1 km. from the original location or within same ward to the extent of 40% of basic permissible FSI over and above permissible built up area of the receiving\ alternative plot and such area shall be free of FSI on such alternative plot. However, Affordable Housing tenements to be constructed on such alternative plot shall be increased in proportion to the land rate of the respective lands for that year.

iii) The Owner / Developer, after getting commencement certificate of Affordable Housing component as mentioned above shall immediately intimate to MHADA regarding the numbers of tenement to be disposed by them to the allottees. Upon such intimation, MHADA within a period of six months, from the date of receipt of such intimation, after following procedure, shall send the list of allottees and forward it to the Owner / Developer. The Owner / Developer shall allot such tenements to the allottees at the construction cost mentioned in ASR applicable of the year of disposal (date of occupancy certificate) plus 25% additional cost. Out of this 25% additional cost, 1% shall be paid to MHADA towards administration charges by the Owner / Developer.

If the allottees fails to deposit the amount in the phased manner as specified in the agreement within specified time limit, then the allotment shall stand cancelled and in such case the owner / developer shall dispose of such tenements in the market at the construction cost in ASR applicable to the land of the year of disposal plus 25% additional cost. This shall also be applicable for plots mentioned in (a) above.

If MHADA fails to send the list within the period of six months as specified above, any other Authority as decided by the Government shall send the list of allottees within six months. If such Authority also fails to send the list as specified above, the Owner / Developer shall be at liberty to dispose of the tenements in the manner mentioned in the para above.

Provided that these regulations shall not be applicable :-

a) in case of individual bungalow irrespective of plot area, redevelopment of existing buildings of Co-operative societies / development of buildings of Government / Semi-Government / Government controlled bodies including BOT / PPP projects or projects under taken through agency development under Regulation No.7.3, development of MHADA colony under Regulation No.7.4, Development of housing for EWS / LIG under Regulation No.7.7, Development of PMAY under Regulation No.14.4,any development in agriculture (or equivalent) zone.

b) in case of development of reservation for Public Housing, Housing the Dis-housed, Public Housing / High Density Housing and the EWS/ LIG tenements constructed under the provisions of any other Act, land exempted and developed for weaker section housing scheme under section 20 of ULC Act and allowing Residential / Commercial user in Industrial zone.

c) if company/ factory establishment proposes to construct staff quarters for their staff on their own land and such construction which is meant to be used for only staff quarters and not for sale of tenements/ flats.

d) lands reserved in Development Plan which are being developed under Accommodation Reservation policy.

e) For any Housing Scheme or residential development project wherein, owing to the relevant provisions of the Development Control Regulations / Laws, 20% or

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more of the basic FSI is required to be utilized towards construction of residential tenements for the EWS/ LIG.

iv) The Landowner/ Developer may also be permitted to utilise 1/4th of the total 20% FSI earmarked for Affordable Housing towards construction of Affordable Housing Tenements in the form of service quarters in the same or separate building which shall have to be sold as service quarters only to the purchasers of free sale flats under the said scheme.

v) Affordable Housing tenements to be constructed to the extent of 20% of basic FSI only and shall not be required on additional FSI/ TDR wherever permissible as per UDCPR.

vi) Amalgamation of affordable plots/ affordable tenements shall not be allowed.

vii) The Government may nominate any other Authority instead of MAHADA mentioned in the above Regulation, if required in future.

(c) **Prospective Applicability**: These Provisions shall be applicable prospectively and shall not be applicable to revised permission of any Layout, Housing Scheme or residential development project wherein Commencement Certificate has been issued prior to the date of coming into force of these provisions and is valid on such date. However, this provision shall be applicable to revised permission where revised permission is sought including additional area more than 4000. In such case, this provision shall be applicable to additionally included area.

Provided that, earlier permission wherein provision for affordable housing is made in accordance with the then prevailing regulations, shall also be entitled for revision under this regulation.

3.8.3 If owner/developer desires to construct inclusive housing, even though it is not mandatory, inclusive housing may be provided with prior NOC from MHADA with respect to requirement of EWS / LIG housing, then in addition to basic entitlement he shall be entitled for, additional 25% FSI of the land covered under Inclusive Housing on his remaining land.

3.8.4 Provision of Inclusive Housing shall not be applicable, if the plots are auctioned by public authorities without the condition of providing Inclusive Housing before coming into force of these regulations. However, it shall be mandatory on public authorities to stipulate the condition of providing Inclusive Housing as per provision of this regulation, while auctioning the plots hereinafter, wherever applicable.

3.9 NET PLOT AREA AND COMPUTATION OF FSI

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

i) In case of a plotted layout/ sub-division/ group housing scheme/ any development, net area shall be the balance plot area after deducting the area covered by amenity space under Regulation No.3.5 and Development/ Regional Plan proposals including new roads and road widening, if any, from the total area of plot.

ii) For the purpose of computation of FSI/ built-up area, the net area of the plot shall only be considered.

iii) In case of plotted layout, the basic FSI of such net area shall be distributed on all plots on pro-rata basis or on certain plots as land owner desires, subject to maximum receiving potential prescribed in these regulations. However, such entitlement of FSI on certain plots

shall be clearly mentioned on the layout plan.

iv) In case of plots from already approved layouts, the plot area shall be treated as net plot area.

v) The above regulations in respect of net plot area and computation of FSI shall apply to proposals in all land use zones.

3.10 TRANSFER OFLAND UNDER DP SITES (OTHER THAN DP ROAD) IN LIEU OF FSI

If in any development proposal, owner desires to hand over the reserved site / area free of cost to the Authority, then FSI of such reserved site / area equivalent to the TDR may be allowed to be utilized on the remaining land. Transfer deed to that effect shall be executed and FSI calculation shall be mentioned on the plans of development proposal. In case of plotted layout, distribution of FSI on plots in pursuance of such transfer shall be as desired by the owner and upto maximum building potential according to road width as mentioned in regulation no.6.3. It may differ from plot to plot, however the receiving plot shall front on road having minimum 9 m. width. If some FSI remains unutilized, the owner shall be entitled for TDR against the remaining FSI. In such cases where in-situ FSI is proposed to be used, the procedure of DRC shall not be insisted.

3.11 RELOCATION OF DP-RP SITES / ROADS

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If the land proposed to be laid out for any development is affected by any reservations of public purposes, the Authority may allow adjusting the location of such reservation to suit development without altering the area of such reservation. Provided that such shifting of the reservations shall not be permitted:-

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

b) If the reservation proposed to be relocated is beyond 500 m. from the original location in the Development Plan;

c) If the reservation proposed to be relocated is beyond the holding of the same owner;

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

e) If the reservation is already relocated under these regulations;

f) If the land is reserved considering its geographical location like Bio-Diversity Proposal, Nallah training reservation etc. and;

g) Unless the relocation is within area covered by the layout or development permission under sanction.

All such relocation of the reservations shall be carried out by the Authority and shall be reported to the Government and Director of Town Planning, Maharashtra State at the time of sanctioning the development permission. The Development Plan is deemed to be modified to that extent.

Notwithstanding anything contained in this regulation, the relocation of the reservation from a land may also be permitted on any land within 300 meters belonging to other owner's land if the said other owner consents (by way of registered deed) to such relocation of reservation on his land and consents to hand over his land to the Planning Authority where reservation is proposed to be relocated in lieu of TDR and also subject to restrictions mentioned in above sub regulation No. (d), (e), and (f). In such case, the other owner may not be insisted to submit the layout or development proposal for his land.

In case of shifting of road alignment, the same shall be allowed without change in the inlet & outlet points and also, without affecting smooth flow of traffic.

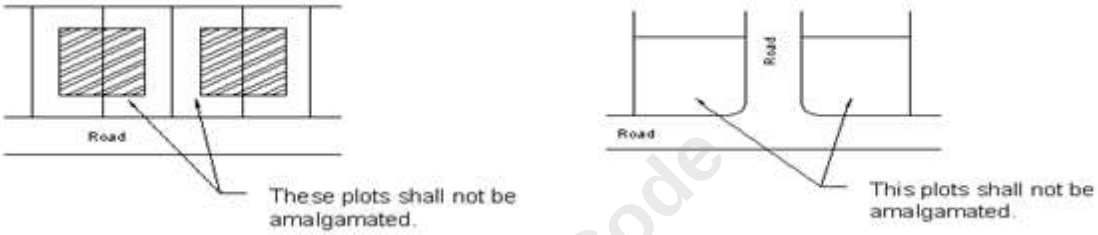
Provided that such shifting shall be carried out by the Authority in consultation with Divisional Joint Director of Town Planning in case of D class Municipal Corporations, Municipal Councils, Nagar Panchyats and Regional Plan areas.

In such case of shifting, the Development Plan / Regional Plan shall be deemed to be modified to that extent.

3.12 AMALGAMATION OF PLOTS

i) Amalgamation of plots / lands shall be permissible if they form a sizable plot from planning point of view and are contiguous. Amenity and layout plot shall also be entitled for amalgamation provided amenity is developed on proportionate area.

ii) The amalgamation of plots from approved layout which is not desirable from planning point of view (e.g. as shown in below) shall not be permitted.



iii) Land separated by minor water course or nallah or road may be entitled for amalgamation provided connecting over bridge or under pass of sufficient width and strength is constructed by the owner with the approval of the Authority.

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3.13 DEVELOPMENT OF CYCLE TRACK ALONG RIVER AND NALLAH

3.13.1

A regulation in respect of development of cycle track along river and nallah for Nashik Municipal Corporation area is given at Regulation No. 10.5.2.

3.13.2

For other Municipal Corporations, following regulations shall be applicable.

A cycle track shall be developed in green belt areas earmarked on Development Plan along the rivers. Also, cycle track be developed along the major nallah.

A distance of 6 m. from the edge of minor water course (nallah) is to be left as marginal distance for construction of any building. A 3 m. strip of land from the edge of such water course out of this 6 m. distance to be left, shall be available for use as cycle track for general public. The compound wall shall be constructed excluding this distance of 3 m. strip for cycle track. The owner shall be entitled for FSI of this strip of land for cycle track, in-situ. This 3m. wide strip shall be handed over to Municipal Corporation for which, owner shall be entitled for TDR or in-situ FSI equivalent to 35% of the area of 3 m. wide strip. This regulation shall be applicable for development of land along nallahs and Green Belt areas as and when it is notified by the Municipal Commissioner after identifying such green belt and nallahs. Where development is already taken place and it is not possible to make provision for such 3 m. wide cycle track, then Municipal Commissioner shall not identify such green belt / nallahs.

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CHAPTER -4

LAND USE CLASSIFICATION AND PERMISSIBLE USES

4.1 GENERAL

i) In case of development / re-development of any land, building or premises, the intended use shall conform to the land use or, as the case may be, purpose of designation, allocation or reservation assigned to it in the Development Plan / Regional Plan/ Planning Proposal, unless specified otherwise.

ii) **Non-Conforming Uses Existing Lawfully -** Any lawful non-conforming use of premises existing prior to the date of coming in to force of the Development Plan / Regional Plan/ Planning Proposal shall continue and may be allowed to be expanded within the holding in the original sanctioned permission and that when a building containing non-conforming use is pulled down or has fallen down, the use of the new building shall be in conformity with these regulations or with lawful existing use.

iii) **Existing features shown on the plan –** The existing features shown on Development/ Regional Plan are indicative and shall stand modified on Development/ Regional Plan/Planning Proposal as per actual situation. Mention of particular use on Development/ Regional Plan shall not bar the owner from permission to develop land as allowed in the zone shown for such land. Also, boundaries of S.No., alignment of existing road/ nallah and other physical features of land shall be as per measurement plan of Land Records Department and the land unaffected by such physical features shall be allowed to be developed for the uses permissible under the adjoining predominant land use zone.

iv) **Development of Parking –** The Authority may develop any land, owned by or in possession of the Authority, for public parking in any of the forms - single or multi-storeyed, underground or above ground, irrespective of its existing use or proposed use in Development / Regional Plan/Planning Proposal.

Provided that the Authority may allow Basement Parking below existing or proposed Play Ground, in the plan at one or two levels below the ground level subject to conditions, as may be prescribed by the Authority.

v) **Discontinuance of Zoning in pursuance of existing use**– If any land is shown in Public Semi–Public zone or Public Utility Zone because of the activity that existed there or otherwise, such lands shall be deemed to have been shown in the adjacent predominant Zone after such activity ceases to exist, unless otherwise prohibited.

4.2 LAND USE CLASSIFICATION AND EQUIVALENCY OF ZONES

The different land use classifications in Development / Regional Plan / Planning Proposal & different uses permissible in that land use zone and equivalency of zone in various Authorities' areas shall be as given below:-

I) Residential Zone -Following other zones shall be treated as equivalent to Residential zone.

i) Residential Zone – (R1)

ii) Residential Zone with Shop line. (R-2)

iii) General Residential Zone.

iv) Residential Zone - R-2, R-3.

v) Residential Zone -R-4 with payment of premium.

vi) Urbanisable Zone.

vii) Special Residential Zone.

viii) Pre-dominantly Residential Zone.

ix) Slum Improvement Zone.

x) Low Density Residential Zone in Development Plan of Jalgaon.

xi) Mix use Zone.

II) Low Density Residential Zone.

III) Future Urbanisable Zone.

IV) Commercial Zone -Following other zones shall be treated as equivalent to Commercial Zone.

i) Local Commercial - (C-1)

ii) Commercial Zone – (C-1)/ Special Commercial Zone/ Business Hub Area/ Central Business District Zone

iii) Commercial Zone - (C-2)

iv) Predominantly Commercial

V) Industrial Zone - Following other zones shall be treated as equivalent to Industrial Zone**.**

i) Service Industries - (I-1)

ii) General Industries - (I-2)

iii) Special Industries (I-3)

iv) Wholesale Market and Warehousing.

v) Transport Hub and Logistic Park.

VI) Loom Industry cum Residential Zone.

VII) Public Semi-public Zone - following zone shall be treated ad equivalent to Public Semi-public Zone.

i) Institutional.

VIII) Agricultural Zone – Following other zones shall be treated as equivalent to Agricultural Zone**.**

i) Horticultural Zone.

ii) Plantation Zone.

iii) No Development Zone.

iv) Green Zone - 1. / Green Zone.

v) Cattle Shed Zone.

IX) Green Belt / Green Belt Zone. (Other than Reservation of Green Belt.) / River Protection Belt. (other than reservation) - Following zone shall be treated as equivalent to Green Belt / Green Belt Zone**.**

i) Recreational land use.

X) Traffic and Transportation Zone - Following zone shall be treated as equivalent to Traffic and

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Transportation Zone

i) Marshalling yard.

XI) Regional Park Zone.

XII) Tourism Development Zone- Following zone shall be treated as equivalent to Tourism Development Zone.

i) Tourist Centre

ii) Hill Station Zone.

XIII) Afforestation Zone.

XIV) Hill Top-Hill Slope Zone (HTHS) (Slope having gradient more than 1:5 irrespective of whether shown on plan or not.) / Hilly area.

XV) Green Zone -2

XVI) Forest Zone.

XVII) Defence Zone.

XVIII) Mines and Quarry Zone - Following zone shall be treated as equivalent to Mining and Quarry Zone.

i) Quarry to Park Zone,

XIX) Public Utility Zone.

XX) Woodland Corridor.

XXI) Special Economic Zone.

XXII) Airport and Allied Activities / Service Zone.

Note : In case, any land use zone is not listed above, the equivalency of such zone shall be decided by the Director of Town Planning, Maharashtra State, Pune.

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4.3 RESIDENTIAL ZONE - R-1

(Residential Zone R1 includes Residential plots abutting on roads below 9m. in width in congested area shown on the Development Plan and on roads below 12m. in width in outside congested area (i.e. in non-congested area)).

(In case of C Class MCs, Nagarpanchayats and R.P. areas, the above road width of 12 m. shall be 9 m. in non-congested area).

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

i) Any residences, Slum Improvement / Rehabilitation.

ii) Hostels for students / working men/ women, lodging with or without boarding facilities.

iii) Old age home, sanatorium, orphanage, night shelter dormitories.

iv) Customary Home occupation i.e. occupations customarily carried out by the members of the household without employing hired labourer and shall include stitching, embroidery, beauty parlour, button making etc. with or without motive power. If motive power is used, the total electricity load should not exceed 1 HP (0.75kw).

v) Medical and Dental Practitioner's Dispensaries including pathological laboratory, diagnostic clinics, polyclinics, counselling centres, clinics, to be permitted on any floor. Maternity homes, clinics, nursing homes with indoor patients with bed not exceeding 20 on

any floor with separate means of access of staircase from within the building or outside may be permitted but not in any case within the prescribed marginal open spaces. Where doctor's residence is located on upper floor, then such separate means of access of staircase may not be necessary.

vi) Professional Offices in residential tenement for own purpose not exceeding carpet area of 50 sq.m. each

vii) Community halls, welfare centre, gymnasia (each not exceeding 100sq.m.)

viii) Primary and nursery schools including students' hostels except trade schools

ix) Crèche, Day-care centre upto 100sq.m.in an independent building or part of building.

x) Private coaching classes, student's mess in an independent building or part of building upto100 sq.m. Subject to separate parking facility in the same premises.

xi) Religious buildings.

xii) Public/ City Libraries and Museums in independent building or on ground or first floor of the composite building.

xiii) Club Houses or gymkhanas in residential complexes.

xiv) Public or Private Park (except an amusement park), garden and play field in independent plot not used for business purpose.

xv) Bus shelters, Taxi-Rickshaw stands, trolley bus shelters, Railway Station, Metro station, BRT stand, cycle stand and like uses.

xvi) Convenience shops only on ground floor.

xvii) Police Station, Police chowky, Government and Municipal sub-offices, Post and Telegraph Offices, Branch offices of Banks with safe Deposit Vaults, Electric substations, Fire Aid posts, Home Guards and Civil Defence Centres, essential Public utilities, Pumping stations, water installations and ancillary structures thereof required to cater to the local area.

xviii) Electronic Industry of the Assembly type (not of the manufacturing type) with the following restrictions :-

a) Motive Power shall not exceed 1 H.P.

xix) Information technology establishment (ITE) (pertaining to software only) on the plots/ premises fronting on roads having width 9m. and above

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

a) Power requirement shall not exceed 10HP.

xxi) Burial grounds, cremation grounds and essential public utilities, on a road having width of 9m. and above

xxii) Agricultural, horticultural and allied uses (except agro-based industries).

xxiii) Raisin production, book binding.

xxiv) Public conveniences.

xxv) Research, experimental and testing laboratories not involving any danger of fire or explosion or of any obnoxious nature

4.4 RESIDENTIAL ZONE R-2

(Residential Zone R2 includes Residential plots abutting on roads having existing or proposed width of 9 m. and above in congested area and 12 m. and above in non-congested area).

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(In case of C Class MCs, Nagarpanchayats and R.P. areas, the above road width of 12 m. shall be 9 m. in non-congested area).

4.4.1 In this zone, the following uses, mixed uses may be permitted

i) All uses permissible in R-1 shall be permitted in R-2 zone, without any restriction of area,

ii) All uses or mix uses may be permitted irrespective of restriction on floor or area, except uses mentioned at Regulation No. 4.8 (ii), 4.11(viii, xviii, xxi, xxii, xxxi, xxxvii), 4.21 and like**.**

iii) All Uses permissible in Public Semi-public Zone.

4.4.2 Uses Permitted in Independent Premises/ Buildings

i) Vehicle Fuel filling Station including LPG / CNG / Ethanol with or without service stations subject to provisions of Regulation No.4.11(vi) (c, d and e) and subject to provisions in Regulation No. 6.2.2. Sr. No. 6 of Table 6E. (This station may include Electric Vehicle Charging Stations)

ii) Trade or other similar schools.

iii) LPG godown, Bulk storage and sale of kerosene subject to NOC of Chief Controller of Explosives, Government of India.

iv) **Service Industries:-** The Service Industries may be permitted in independent building / Plot as given below :-

a) Following Industries may be permitted with power requirement not more than 10 h.p., employment not more than 9 persons and floor area not exceeding 100 sq.m.

(I) FOOD PRODUCT

i) Manufacture of milk and dairy products such as butter, ghee, etc.

ii) (a) Rice huller

(b) Groundnut decorticators

(c) Grain Mill for production of flour

(d) Manufacture of supari and Masala grindings.

(e) Baby oil expellers

iii) Manufacture of bakery products with no Floor above.

iv) Coffee, curing roasting and grinding

v) Manufacture of Ice

vi) Sugarcane crushing & Fruit Juice

(II) BEVERAGES & TOBACCO

i)Manufacture of bidi (May be permitted in R-1 Zone also)

(III) TEXTILE & TEXTILEPRODUCTS

i) Handloom / power-loom of yarn for a maximum of 4 looms.

ii) Embroidery & making of crape laces & fringes

iii) Manufacture of all types of textile garments including wearing apparel.

iv) Manufacture of made up textiles goods such as curtains, mosquito net, mattresses, bedding material pillow cases, textile bags. etc.

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(IV) WOOD PRODUCTS AND FURNITURE

Manufacture of wooden furniture and fixtures.

(V) PAPER PRODUCTS AND PRINTING PUBLISHING

i) Manufacture of cartons and boxes from papers and paper board, paper pulp,

ii) Printing & Publishing newspaper.

iii) Engraving etching block making etc.

iv) Book binding(May be permitted in R-1 Zone also)

(VI) LEATHER PRODUCTS

Repair of footwear and other leather.

(VII) RUBBER AND PLASTIC

i) Re-treading and vulcanizing works

ii) Manufacture of rubber balloons, hand gloves and allied products

(VIII) METAL PRODUCTS

i) Manufacture of metal building components such as grills, gates. Doors and window frames, water tanks, wire nets, etc.

ii) Tool sharpening and razor sharpening works

(IX) ELECTRICAL GOODS

Repairs of household electrical appliances such as radio set. Television set, tape recorders, heaters, irons, shavers, vacuum cleaners, refrigerators, air-conditioners, washing machines, electric cooking ranges, motor rewinding works etc.

(X) TRANSPORT EQUIPMENT

i) Manufacturing of push cart, hand cart, etc.

ii) (a) Servicing and repairing of bicycle, rickshaws, motor cycle and motor Vehicles

(b) Battery charging and repairs.

(XI) OTHER MANUFACATURING AND REPAIR INDUSTRIES AND SERVICES

i) Manufacture of jewellery and related articles

ii) Repair of watch, clock and jewellery

iii) Manufacture of Musical instruments and its repair.

iv) (a) Repairs of locks, stoves, umbrellas, sewing machines, gas burners, buckets & other sundry household equipment.

(b) Optical glass grinding and repairs

v) Petrol/CNG/Ethanol/All fuel filling/Electric Vehicle Charging Stations) subject to provisions in Regulation No. 6.2.2. Sr. No. 6 of Table 6E.

vi) Laundries, Laundry service and cleaning, dyeing, bleaching and dry cleaning

vii) Photo processing laboratories.

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viii) Electronic Industry of assembly type (and not of manufacturing type including heating load) ;

b) Following service industries may be permitted without restrictions mentioned in (a) above.

(I) FOOD PRODUCT

Canning & preservation of Fruits & Vegetables, Meat and Fish including production of Jam, Jelly, Sauce, etc.

(II) PAPER PRODUCTS AND PRINTING PUBLISHING

Printing & Publishing periodicals, books journals, atlases, maps, envelope, printing picture, post-card, embossing

4.5 LOW DENSITY RESIDENTIAL ZONE

In this zone, all uses permissible in Residential Zone shall be permitted subject to FSI restrictions mentioned in these regulations. (Chapter 10)

4.6 FUTURE URBANIZABLE ZONE

In this zone all uses permissible in Residential Zone shall be permitted subject to fulfilment of following requirements.

i) For extending offsite infrastructure like road, water supply, sewage line, electricity, to the land, the expenses shall be borne by the owner and shall be deposited with the Authority as per the expenses communicated by it. However the owner shall have liberty to construct such infrastructure at his own cost, as per the drawing, design and specification approved by the Authority.

ii) If the land is located on Development Plan road of width more than 18 m., then construction of road of width 18 m. to his land, shall be the liability of the owner, else 12 m. wide road with asphalting shall be necessary.

4.7 COMMERCIAL ZONE

In commercial zones, buildings or premises shall be used for the uses and purposes given below :-

i) Any use permitted in residential R2 zone.

ii) Any commercial use, wholesale establishments with or without storage area,

iii) Uses permissible in Public Semi-public Zone.

iv) Public utility buildings.

v) Activities permissible in Service Industries.

4.8 INDUSTRIAL ZONE

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

The following uses shall be permissible in Industrial Zone.

i) The service industries as listed in Regulation No.4.4.2 (iv) without restrictions on power requirement, employment, floor area and other restrictions.

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ii) Any industry / industries may be permitted. Minimum buffer open space / set back (which may include marginal distance and road width if any) from the boundary of industrial Building / use to residential or habitable zone/ use, shall not be less than 23 m. Such buffer open space shall be kept in the land falling in the industrial zone. In cases where construction has already taken place in Industrial Zone, then such Buffer open space may be kept in a Residential Zone.

Provided that, the area under such buffer open space / setback shall not be deducted for computation of FSI.

Provided further that, if the land under industrial zone is utilized entirely for non-polluting industries, IT / ITES or like purposes, then such buffer zone / open space shall not be necessary.

Provided further that, industrial godowns/ godowns shall also be permissible under this regulation.

iii) Building or premises in industrial zone may be used for any industrial as well as accessory uses like banks, canteens, welfare centre and such other common purposes considered necessary for the industrial workers, quarters of watchmen, caretakers or other essential staff required to be maintained on the premises. Such residential/ commercial/ other uses may be permitted up to 25% of the total proposed built-up area of such industrial use.

iv) Following uses may also be permitted

a) Parking lots,

b) Buildings of public utility concerns,

c) Buildings of Banks,

d) Residential Hotels, Restaurants,

e) Storage Buildings,

f) Drive-in-Theatres, cinema or theatres, subject to provisions of the Maharashtra Cinemas (Regulation) Act,

g) Highway amenities as permitted in Agriculture zone with FSI at par with Industrial zone,

h) Industrial training centre/ institute,

i) Information Technology Establishments. (IT/ ITES),

j) Bio-technology units,

k) Public Charging Stations for Electric Vehicle, Petrol pumps and Service Stations / Fuel Filling Stations including LPG / CNG / Ethanol etc. subject to provisions in Regulation No. 6.2.2.Sr. No. 6 of Table 6E.

(l) Hospitals and dispensaries.

v) Transport Hub and Logistic Park including warehousing, cold storage, multimodal transport, container depot, container freight stations etc.

4.8.1 Allowing Residential / Commercial Uses in Industrial Zone –

In consultation with the Divisional Head of concerned division of the Town Planning Directorate in case of areas other than Municipal Corporations and in case of Municipal Corporations without such consultation, and on appropriate conditions,

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a) The existing or newly built-up area of Industrial unit in the Industrial zone (excluding the area of Cotton Textile Mills)may be permitted to be utilized for Residential or Commercial purposes;

b) The lands in the Industrial Zone in Development Plan, Regional Plan excluding the area of Cotton Textile Mills, but including lands in industrial zone in Town Planning Scheme area, may be utilised for any of the permissible uses in the Residential and Commercial Zone subject to the following provisions: -

i) Such use shall be allowed only on payment of Premium at the rate of 5%of the land value arrived at as per the Annual Statement of Rates (without considering the guidelines therein) of the respective year. For calculating land value, industrial holding in the development proposal shall be considered. Out of this, 50% amount shall be paid to the Authority and 50% amount shall be paid to the Government.

ii) The Residential/ Commercial use in respect of industries which are not in operation or which are to be closed, shall not be permitted without an NOC from Labour Commissioner, Maharashtra State, Mumbai stating that all legal dues have been paid to the workers or satisfactory arrangements between management and workers have been made. However, in respect of any open land in the Industrial Zone where industry never existed, NOC from Labour Commissioner shall not be required.

iii) Recreational open space as may be required under regulations for Residential use shall be provided.

iv) The land to be provided as amenity space in the provisions mentioned hereunder shall be handed over to the Authority free of encumbrances.

v) In the layout or sub-division of such land admeasuring up to 2 ha., 10% of 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. In case of land admeasuring more than 2 ha., such amenity space shall be 10% upto 2 ha. area and 15% for the area over and above 2 ha.

vi) The land having area up to 0.20 hectare in size which is allocated for industrial use may be permitted to be used for Residential purpose or any other permissible uses in Residential/ Commercial Zone. The owner / developer shall 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. Amenity TDR, as per regulation containing provisions of TDR, shall be permissible.

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

viii) At least 50% of total land provided for public amenity/ utility space shall be reserved for unbuildable purposes such as garden, recreational ground, etc. by the Authority.

ix) The required segregating distance between Industrial Zone and the area over which Residential use is permitted under this regulation, shall be provided within such land intended to be used for residential or commercial purpose. In case of adjoining area is developed and obnoxious industry is existing on such part, then necessary segregation

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distance shall be provided. However, if non-obnoxious user is existing on such part, no such segregation distance shall be provided.

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

xi) Provision for Amenity Spaces shall be considered to be reservations in the Development Plan and Transferable Development Rights against such amenity as per Regulation No.11.2 may be given or FSI of the same equivalent to the TDR quantum shall be available for utilisation on the remaining land. Moreover, the owner shall be entitled to develop remaining land with permissible TDR potential including the land under amenity space subject to maximum permissible limit of FSI (Maximum Building Potential) as mentioned in Regulation No.6.3.

xii) Residential/ Commercial use may be allowed on the part area of the land holding subject to the condition that total area of the entire industrial land holding shall be considered for deciding the percentage of the land to be earmarked for public amenity/ utility spaces, as per these regulations.

xiii) If Development Plan Reservations (excluding DP Road/ Road widening) falls within or adjacent to the land of the same land owner under I to R provision, then such reservation may be adjusted in amenity space in the following manner :

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

b) If the area under reservation in development plan is more than the area required for public amenity space as per this regulation, then the area for public amenity space shall be provided equal to area required under this regulation.

The word "adjacent" shall also include the land of the same owner separated by nallah, river, canal, road etc., for the purpose of this regulation.

xiv) Provisions of Accommodation Reservation mentioned in Regulation No. 11.1 shall not be applicable for development of amenity space provided in this regulation.

xv) Minimum 10% built up area (basic FSI) for area upto 1 ha. and 5% built up area (basic FSI) for area more than 1 ha., shall be used for offices and commercial purpose, in case of development undertaken under this regulation, by closing down the existing industry. However, this provision shall not be applicable, in case of permission being sought under this regulation, where such plot falls in industrial zone, without existing industry.

xvi) The provision of inclusive housing as mentioned in Regulation No. 3.8 shall not be applicable. However, 20% of the land or FSI proposed to be used for residential purpose shall be utilised for plots below 100sq.m.in case of plotted layout development or below 50 sq.mt built-up area tenement in case of construction of housing scheme.

xvii) The industrial zone on which Residential/ Commercial permission is granted, it shall be deemed to be converted into Residential/ Commercial zone to the extent of that area, after issuance of final occupation certificate to the project.

xviii) If at the request of the Authority, the owner agrees to construct the amenity on the land on such amenity space, then he shall be entitled for construction TDR/FSI as per TDR Regulations.

c) On the date of draft publication of these UDCPR, if the entire holding of a person at a place in industrial zone admeasures less than 500 sq.m., then regulation mentioned in (b) above shall not be applicable and such plot in industrial zone shall be deemed to be included in adjoining zone, if requested by the owner.

d) If the land for industrial unit is acquired under the provisions of relevant Land Acquisition Act, then prior permission of the Government is necessary before permitting residential use on such lands and additional items and conditions mentioned in Land and Revenue Department, G.R. No.Sankirna-01/2017/C.R.11/A-2,dated 11/01/2018, as amended from time to time, shall be applicable.

4.9 Loom Industry cum Residential Zone.

The following uses shall be permissible:-

i) Uses permissible in R-1, R-2 Zone according to road width.

ii) Power loom.

iii) Power looms cum residential to any extent.

User (i) above shall be as per conditions of R-1 and R-2 zone. However, (ii) and (iii) shall be permissible with following conditions.

a) Power loom use shall be restricted up to maximum permissible floor area of 250 sq.m. with maximum 20 h.p and 20 labourers.

b) Total FSI permissible shall be as that of residential zone.

c) Adequate safety measures shall be taken to reduce noise and air pollution etc. by providing vibration absorbing platform and dust settler.

d) Working hours for looms shall be 8 am to 8 pm.

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4.10 PUBLIC/ SEMI PUBLIC ZONE

The following uses shall be permissible:-

(i) Schools, Colleges, Educational Complexes, Training institutions, Hostels for students and essential staff quarters.

(ii) Home for the aged, Hospitals, Sanatoria, Dispensaries, Maternity Homes, Health Centres and related health facilities with ancillary structures like quarters, Dharmshalas, veterinary hospitals etc.

(iii) Offices and essential staff quarters of the Government/ Semi Government and/or their authorities/ Local Self-Government, Courts etc., Public Housing by Government / Government Bodies.

(iv) Public/semi-public sector utility and transport establishments/ institutions of research, education and health.

(v) Libraries, Mangal karyalayas, Gymnasia, Gymkhanas, Stadia, Community halls, Civic and Cultural Centres, Religious Structures, auditoria etc..

(vi) Commercial use upto 15%shall be permissible subject to following conditions: -

a) Shop/ permit rooms for liquor/ wine/ beer, pan, cigarette, tobacco, lottery tickets and such other uses which do not serve public purpose, similarly storage of domestic gas cylinders, kerosene etc., which are dangerous to public health, shall not be permitted.

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

Provided that, in case of lands owned by Zilla Parishad and Panchayat Samiti, which are earmarked as public and semi-public zone, the limit of such commercial use shall be up to 33%.

(vii) Vehicle Fuel Filling Station including LPG/ CNG/ Public Charging Stations for Electric Vehicles as per Regulation No. 6.2.2, Sr. No. 6 of Table 6E.

(viii) Nursery, crèches, Spastic rehabilitation centres, orphanages, hostel for Autistic persons and Mentally Retarded persons.

(ix) Fire stations.

(x) Traffic and Transport related facilities.

4.11 AGRICULTURAL ZONE

i) All agricultural uses including stables of domestic animals, piggeries, poultry farms accessory building, tents etc.;

ii) Golf Course and Links, Race tracks, and shooting ranges with necessary safety measures, Trekking Routes / nature trails / nature walks, etc.;

iii) Garden, forestry, nursery, public parks, private parks; play fields, summer camps for recreation of all types;

iv) Public/ semi-public sector 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 required for such works;

v) L.P.G. Godown, subject to following conditions:-

a) Minimum plot size and area of the plot shall be as decided by concerned Licensing Authority.

b) The maximum permissible FSI shall be 20% on this plot.

c) Only ground floor structure shall be permissible.

d) It is necessary to obtain No Objection Certificate from Controller of Explosives and competent fire authority.

vi) Vehicle Fuel filling Station including LPG/ CNG / Ethanol / Public Charging Stations for Electric Vehicles, subject to following conditions:-

a) Plot shall be located on any road with a minimum width of 12m. or more.

b) FSI for such facilities in this zone shall be up to 20% on gross area, underground structures along with kiosks shall not be counted towards FSI.

c) NOC from Chief Controller of Explosives shall be necessary.

d) In case the plot is located on any Classified road, the distance from the junction of roads as may be specified by Indian Road Congress / Ministry of Road, Transport and Highway, shall be followed. (IRC guideline 2009 and MORTH Letter No.RW / NH - 33023 / 19 / 99 - DO III, Dated: 25.09.2003 as amended from time to time)

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e) In a plot of Fuel Station, other building or composite building for sales office, snack bars, restaurant, public conveniences or like activities , may be permitted

vii) Pottery manufacture.

viii) Storage and drying of fertilizer.

ix) Farm houses shall be permitted subject to following conditions:-

a) Minimum plot area for above use shall be 0.4 Ha.. However, one farmhouse per land holding shall be permitted, irrespective of size of the land holding.

d) The FSI shall not exceed 0.04 subject to a maximum built up area of 400sq.m. in any case. Only ground +1 floor structure with height not exceeding 9m. shall be permissible.

x) Swimming pools / sports and games, canteen, tennis courts, etc.

xi) Amusement park.

a) Amusement park with minimum plot area of 1 ha. 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, as principal uses and ancillary activities such as administrative offices, exhibition hall or auditorium, open air theatre, essential staff quarters, store buildings, fast food shops, museum, small shops, ancillary structures to swimming pool, ancillary constructions along with staff quarters and residential hotels. Maximum permissible FSI shall be 0.70on gross plot area, out of which 0.20 shall be without payment of premium and remaining with payment of premium at the rate of 20%of the rate mentioned in the annul statement of rates of very said land without considering the guidelines therein.

b) 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.

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

d) Area of Rides, whether covered or uncovered, shall not be computed towards FSI.

e) At least 250trees (of indigenous species) per Hector shall be planted and grown within the area of the park.

f) Sufficient parking facilities and ancillary facilities for cars, buses, transport vehicles etc. shall be provided on site.

xii) IT/ITES parks/ units with 0.20 FSI, subject to Regulation No.7.8.

xiii) Any building / use by the Government / Semi-Government or Government Controlled bodies with basic FSI and village resettlement or resettlement of project affected person with full permissible FSI as that of residential zone.

xiv) Biotechnology unit / B.T. Park subject to Regulation No.7.9.

xv) Development of buildings of educational, research and medical institutions, community development, human resources development, rural upliftment, yogashram, mediation centres, vipashyana centres, spiritual Centres, goshalas, panjarpol, old Age homes and

Rehabilitation Centres along with allied activities, Planetarium / Astronomical / Astrophysical facilities / projects with FSI of 1.00 on gross plot area, out of which 0.20 shall be without payment of premium and remaining with payment of premium at the rate of 20% of the rate mentioned in the annul statement of rates of very said land without considering the guidelines therein subject to following conditions :-

Conditions:-

a) The trees at the rate of 250 trees per hectare shall be planted on the plot.

b) The provisions of higher FSI mentioned in Chapter-7 of these Regulations shall apply to the above buildings listed in the said chapter. However, higher FSI in such case shall not exceed 100% of the above.

c) In case of educational use, 15% area may be used for commercial purpose subject to provisions of Regulation No. 4.10 (vi).

xvi) Integrated highway/ Wayside amenities such as motels, way-side restaurants, fuel pumps, service stations, restroom and canteen for employees working on site and truck drivers, service godowns, factory outlets, highway malls, hypermarket along with public conveniences like toilets, trauma centre, medicine shop, bank ATMs and like activities with FSI of 0.2 on gross area without payment of premium and further FSI upto 0.3 with premium at the rate of 20% land rate in Annual Statement of Rates of the said land without considering the guidelines therein, shall be allowed subject to following conditions: -

Integrated Highway/ Wayside Amenities may be permitted to be developed on plots of land having a minimum area of 10,000 sq.m. abutting to National Highways / State Highways or on any road not less than 18 m. width.

Provided that, No subdivision of land shall be allowed and location of fuel pump, if provided, shall be separately earmarked.

xvii) Ancillary Service Industries

Ancillary service industries for agro related products like flowers, fruits, vegetables, poultry products, marine products, related collection centres, auction halls, godowns, grading services and packing units, knowledge parks, cold storages, utility services (like banking, insurance, post office services) etc. on the land owned by individuals / organizations with FSI of 0.20 without payment of premium. Further FSI up to 1.00 may be granted with payment of premium at the rate of 20% of land rate in Annual Statement of Rates of the said land without considering the guidelines therein.

xviii) Any industry / industries with FSI of 0.20 without payment of premium and further FSI up to 1.00 with payment of premium at the rate of 20%of land rate in Annual Statement of Rates of the said land without considering the guidelines therein. Minimum buffer open space / set back (which may include marginal distance and road width if any) from the boundary of industrial Building / use to residential or habitable zone / use, shall not be less than 23 m. Such buffer open space shall be kept in the same land.

Provided that, the area under such buffer open space / setback shall not be deducted for computation of FSI.

Provided further that, if the land under industrial zone is utilized entirely for non-polluting industries, IT / ITES or like purposes, then such buffer zone / open space shall not be necessary.

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Provided further that, Industrial layout / sub-division of land shall also be permissible subject to regulations of Industrial Zone. In such case, the plot shall be entitled for 0.20 FSI and further FSI as mentioned above, shall be subject to payment of premium. The condition to this effect shall be stamped on the layout / sub-division plan and also mentioned in the approval letter.

Provided further that, industrial godowns/ godowns shall also be permissible under this regulation.

xix) Solid waste management, land fill sites, bio-gas plants, power generation from waste.

xx) Power generation from non-conventional sources of energy. Area covered under solar panels shall not be counted in FSI.

xxi) Brick, tile manufacture.

xxii) Fish Farming.

xxiii) Religious buildings subject to conditions as may be prescribed by Authority.

xxiv) Slaughter house or facilities for processing and disposal of dead animals with the special permission of Authority.

xxv) Cemeteries and crematoria and structures incidental thereto.

xxvi)

Scrap Market with FSI of 0.20 without payment premium and further FSI upto 1.00 with the payment of premium at the rate of 20% of land rate in Annual Statement of Rates of the said land without considering the guidelines therein.

xxvii) Mangal karyalayas/ lawns.

a) Minimum area for mangal karyalaya shall be 0.4ha with FSI of 0.20. It may be permitted along with essential guest rooms not exceeding 30% of the area of mangal karyalaya. Area for parking shall be 40% of gross area which shall be properly earmarked and bounded by bifurcating wall. Further FSI up to 1.00 with payment of premium at the rate of 20% of land rate in Annual Statement of Rates of the said land without considering the guidelines therein.

b) Lawns for ceremony shall be 0.8ha with FSI of 0.10. Area for parking shall be 40% of gross area.

c) The plot for mangal karyalaya or lawn shall abut on road width of minimum 9m. in case of Nagar Panchayat, Municipal Council and Regional Plan area and 12 m. in case of other areas.

xxviii) Bus Terminus.

xxix) Construction of any communication route, road, railway, airstrips, ropeways, ports, electric lines, etc.

xxx) Town planning scheme under the provisions contained in chapter-V of Maharashtra Regional & Town Planning Act, 1966 shall be allowed for minimum 20 hectare area, with proper road network subject to condition that entire cost of scheme shall be borne by the owners. After sanction of preliminary scheme under section 86 of the Act, all uses as that of residential zone, shall be permitted. FSI and other regulations shall be applicable as per residential zone. Or

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If the owners come together for development on aforesaid concept of town planning scheme instead of undertaking town planning scheme under the Act, the Authority may allow and approve such development subject to availability of existing approach road of minimum 12 m. width and earmarking 40% of the land for roads, parks, playgrounds, gardens, social infrastructure and sale by the Authority, which shall be handed over to the Authority subject to following.

a) Minimum 10% land shall be earmarked for playgrounds and parks, for which no FSI / compensation shall be allowed.

b) Minimum 15% land shall be earmarked for social infrastructure and that for sale by the authority and shall be handed over to the authority for which compensation in the form of FSI shall be allowed in-situ.

c) Road area only to the extent of 15% shall be calculated in this component for which compensation in the form of FSI shall be allowed in-situ. The road area over and above 15% shall be calculated in the owner's / developer's share.

d) The regulation No. 3.4 and 3.5 shall not be applicable in this case.

Development permission for uses permissible in residential zone shall be granted phase wise after completion of physical infrastructure works including off-site infrastructure and handing over of land to the Authority. The land under such proposals shall be entitled for basic FSI / Premium FSI / TDR / In-situ FSI as that in Residential Zone.

xxxi) Manufacturing of Fireworks / Explosives and Storage of Magazine / Explosives beyond 2 km. of Gaothan Settlement / Gaothan Boundary subject to No Objection Certificate from the Chief Controller of Explosives.

xxxii) Development of Cinema and TV film production, shooting, editing and recording studios with its ancillary and supporting users, including construction of staff quarters, rest rooms, canteens etc. subject to the following condition :-

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

b) The permissible FSI shall be 0.2 on gross plot area without payment of premium and up to 1.00 with payment of premium at the rate of 20% of land rate in Annual Statement of Rates of the said land without considering the guidelines therein.

xxxiii) Tourist homes, Resorts, Hotels, Motels, Health and Wellness spa, Golf courses, Art and Craft villages, Exhibition cum Convention Centre, Camping-Caravanning and tent facilities, Adventure Tourism Project, Eco Tourism Project, Agricultural Tourism Project, Medical Tourism Project, Boutique wineries, Guest houses and Bed and Breakfast scheme approved by MTDC / DoT, etc., with Rooms / Suites, support areas for reception, kitchen, utility services etc., along with ancillary structures like covered parking, watchman's quarter, guard cabin, landscape elements, and if required, one observation tower per tourist resort upto the height of 15m. with platform area up to 10 sq.m. in permanent / semi-permanent structural components. The permissible FSI shall be 0.2 on gross plot area without payment of premium and up to 1.00 with payment of premium at the rate of 20% of land rate in Annual Statement of Rates of the said land without considering the guidelines therein.

xxxiv) Tourist Resort Complexes may be permitted with following conditions :-

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A) General conditions -

The minimum area of such site shall not be less than 1.00 H. and 0.4H.in case of local resident.

B) Condition for Development -

a) Maximum permissible FSI in this zone shall be 0.25of gross plot area without payment of premium and remaining up to 1.00with payment of premium at the rate of 20% of land rate in Annual Statement of Rates of the said land without considering the guidelines therein.

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

c) If the site is located adjacent to forts, archaeological and historical monuments, the development shall be governed by the rules prescribed by the archaeological department.

d) If the site is located near natural lakes, then, development shall be governed by the following :-

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

f) No subdivision of land shall be allowed.

g) The land should have approach of minimum 9 m. wide road.

h) The land having slope steeper than 1:5, shall not be eligible for development.

C) Infrastructural Facilities-All the infrastructural facilities required in site as specified by the Authority, shall be provided by the owner / developer at his own cost on the site. Proper arrangement for treatment and disposal of sewage and solid waste shall be made. No untreated effluent shall be allowed to pass into any watercourse.

xxxv) In the areas of Local Bodies and the area of SPA where Development Plan or planning proposal is sanctioned, "Pradhan Mantri Awas Yojana" shall be permitted subject to the provisions of Regulation No.14.4.1.

xxxvi) Individual house of size upto 150 sq.m. for entire holding mentioned in the single 7/12 extract, as on date of coming in to force of these regulations.

xxxvii) Mining and quarrying subject to provisions of Regulation no. 15.1

xxxviii) In the area of Regional Plans (excluding the area of Local Bodies and SPA where Development Plan or planning proposal is sanctioned) "Pradhan Mantri Awas Yojana" shall be permitted subject to the provisions of Regulation No.14.4.2.

xxxix) Development of Tourism and Hospitality Services under Community Nature Conservancy around wild life sanctuaries and national parks shall be permitted as per Regulation No. 14.9.

xxxx) Integrated Township Projects as per Regulation No. 14.1.1.

xxxxi) Buildings for Three star and above category hotels along National / State Highways, MDR and on other roads not less than 18 m. in width, may be permitted with FSI 0.2 on gross area without payment of premium and remaining up to 1.00with payment of premium at the rate of ***2***0% of land rate in Annual Statement of Rates of the said land without considering the guidelines therein.

xxxxii) Bulk storage and sale of Kerosene subject to NOC of Chief Controller of Explosive, Government of India.

Notes :-

1) The permissible FSI for uses mentioned above shall be 0.20, if not specified.
2) Height of building shall be permissible as per regulation No. 6.10 subject to FSI permissibility under this regulation.
3) For the uses permissible in Agricultural Zone minimum road width shall be 6 m. for non-special building, unless otherwise specified, and for special building shall be as per Regulation No. 3.3.9.
4) The premium for FSI (allowed with payment of premium)shall be levied for FSI actually proposed in the permission.
5) The payment to be recovered in above cases shall be apportioned 50% - 50% between the Authority and the State Government, unless otherwise exempted by the Government by separate order.
6) The payment to be recovered in above cases may be exempted by the Government by separate order in case of deserving charitable institutions.
7) No such premium shall be leviable in case of Government / Semi Government or Government controlled bodies.
8) Trees at the rate of 100/hector shall be planted on the land, unless otherwise specified.

4.12 GREEN BELTZONE / RIVER PROTECTION BELT

4.12.1 Following uses shall be permissible

i) Agriculture,

ii) Tree Plantation, Gardens, Public park, Landscaping, Recreational Open Space, Forestry and Nursery etc.

iii) River front development by Authority or any institution authorised on behalf of Authority.

iv) Development of pedestrian pathways, Jogging tracks, Cycle tracks, Boat clubs etc.

v) Swimming pools, club houses, recreational facilities after leaving 15 m. belt along river bank and 9m. from nallahs, subject to other provisions in these regulations.

vi) Public toilets as per requirement.

vii) Recreational open space of any layout/ sub-division/ development proposals, if submitted along with the developable land adjoining such green belt, after leaving marginal distances of minimum 15m. and 9m. from rivers and nallahs, respectively, or subject to distances

mentioned in Regulation No.3.1.3.

a) The uses and their extent shall be permissible in such Recreational open space, as prescribed in this regulation.

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

c) The side/ rear marginal distances for a proposed building in a land adjoining a river / nallah shall be the maximum of :-

(i) Side/ rear marginal distance, to be measured from river/ nallah, as required according to height of building or

(ii) 4.5 m. from the dividing line between green belt zone and the other developable zone; or

(iii) Mandatory distance of 15m. or 9m to be observed from a river or nallah respectively.

4.13 TRAFFIC AND TRANSPORTATIONZONE

i) All uses / activities related to surface, water and air traffic and transportation including Parking, ancillary uses shall be permissible.

ii) Separable lands of Railways shall be allowed to be developed for uses permissible in Commercial Zone.

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4.14 REGIONAL PARK ZONE

The following uses shall be permissible:-

i) All uses permissible in Green Belt Zone, Hill Top Hill Slope Zone and Afforestation Zone.

ii) Uses at Regulation No. 4.11 (iv, v, vi, viii, ix, x, xiii, xix, xx, xxii, xxv, xxviii, xxix, xxxvi, xxxix, xxxxii) permissible in Agriculture Zone.

iii) Uses at Regulation No. 4.11 (xv, xxxiii, xxxiv) permissible in Agriculture Zone with maximum FSI of 0.20 without premium and additional 0.30 i.e. upto 0.50 with payment of premium @ 20% of land rate in ASR.

iv) Gaothan expansion as specified in Regulation No. 5.1.1 subject to 200 m. from the gaothan limit.

4.15 TOURISM DEVELOPMENT ZONE

The following uses shall be permissible:-

i) All uses permissible in Agricultural Zone (except uses at Sr. No. xviii and xxxi of Regulation No. 4.11).

ii) Gaothan expansion as specified in Regulation 5.1.1.

4.16 AFFORESTATION ZONE

The following uses shall be permissible :-

i) All uses permissible in Hill Top and Hill Slope Zone.

ii) Forest houses, farm houses meant for forest tourist / servants / technicians / owner and for storing of fertilizes etc., may be permitted subject to the following: -

It shall have built-up area not exceeding 150 sq.m., provided that, forest plot area is not less

than 0.4 hectare. Structures to be erected for these purposes should be of ground + 1floor only and should not have height more than 7 m. and should be of such material as would blend with the surroundings. The owner shall plant trees at the rate of 250 trees per hectare and shall maintain it properly.

Provided that, layout of the forest houses / farm houses may be permitted for areas more than 0.4 hectare.

iii) Uses mentioned in Regulation No. 4.11 (iv, v, vi, xiii, xxviii, xxix) permissible in Agriculture Zone.

iv) Uses mentioned in Regulation No. 4.11 (xvi, xxxiii, xxxiv) permissible in Agriculture Zone with FSI of 0.2, 0.1, 0.15 respectively.

v) The above uses shall not be permitted on hill slope steeper than 1:5 and such area shall not be considered for FSI.

4.17 HILL TOP -HILL SLOPE ZONE / HILLY AREA

Kept in abeyance.

4.18 GREEN ZONE–2

The following users shall be permissible in this zone.

i) All uses permissible in Hill Top Hill Slope Zone.
ii) Gaothan expansion as specified in Regulation 5.1.1.
iii) Primary and Nursery Schools including student hostels.
iv) Uses at Regulation No. 4.11 (vi, ix, xiii, xx, xxii, xxv, xxviii) with maximum FSI of 0.20.

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4.19 FOREST ZONE

The developments as may be required by the Ministry of Forest or its Authorities shall only be permissible on the lands owned and possessed by the Ministry/ Department of Forest or its Authorities.

4.20 DEFENCE ZONE

i) The developments as may be required by the Ministry of Defence or its Authorities shall only be permissible on the lands owned and possessed by the Ministry of Defence or its Authorities.

ii) Restrictive Zone –

No development in contravention with the notification shall be permissible in the area affected by the notification under Works of Defence Act- 1903, whether earmarked as such on Development Plan/Regional Plan or not or development shall be permissible with the No Objection Certificate from the concerned Defence Authority.

Provided that, it shall be permissible to treat the area under such restrictive zone as marginal distance at the time of construction of any building proposed on contiguous unaffected area.

Provided further that, it shall be permissible to utilise the FSI and also the receiving potential of the land under this zone, on the remaining contiguous unaffected land of the same land owner.

4.21 MINES AND QUARRY ZONE

In this zone quarry, mining, stone crushing or similar operations shall be permissible subject to provisions of Regulation No. 15.1. In addition to this following uses shall be permissible.

Stone quarrying, soil excavation, stone crushing or other similar activities, mining activity, bricks kilns, caretaker's quarters or residential quarters for essential staff upto maximum built-up area 20 sq.m. ancillary buildings like site offices, cafeteria with maximum built-up area upto 250 sq.m.

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

4.22 PUBLICUTILITY ZONE

The following users shall be permissible in this zone.

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

4.23 WOODLAND CORRIDOR

Following uses shall be permissible in this zone.

i) Garden, Nurseries, Horticulture and Arboriculture.

4.24 SPECIAL ECONOMIC ZONE

Following uses shall be permissible in this zone.

i) Residential, Educational, Institutional, Assembly, Business, Mercantile, Industrial, Storage, information Technology, Recreational.

ii) Any other land use as may be made permissible by the Government of India within SEZ.

4.25 AIRPORT AND ALLIED ACTIVITIES / SERVICE ZONE

The following uses shall be permissible in this zone.

i) Airport and allied activities and services incidental thereto.

4.26 ADDITIONAL USES

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

4.27 USESPERMISSIBLE IN DEVELOPMENT PLAN RESERVATIONS

1) The uses permissible in a reserved site shall conform to the use for which it is reserved unless specified otherwise. The required parking, public toilets and separate place for garbage bins shall also be permissible in the reserved site itself.

2) Where the Authority or the Appropriate Authority proposes to use land / building / premises reserved for one specific public purpose / purposes, partly for different public purpose / purposes, it may do so, provided that such partial use shall not exceed 40% of the reserved area and such combination shall not be of incompatible uses. However, public necessities like Police Stations/ Chowkys, water supply establishments, Arogya Kothies (i.e. Waste Segregation Centre at Ward Level with allied uses), etc. and other public utility services can

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be established in the said area. This provision shall not be applicable for the purposes mentioned below in 4.24(5) (a), (b) and (c).

3) Any site reserved for specific purpose in the development plan may be allowed to be developed for any other public purpose with the permission of the Government. In doing so, buildable reservation may be allowed to be developed for buildable or open / recreational uses and open / recreational reservation may be allowed to be developed for open / recreational uses only.

4) Planning Authority, with the prior approval from Government, may acquire and develop any of the reservations proposed in the Development Plan, partly or fully, for multi-storeyed public parking, irrespective of its designation, if amenity of parking is direly needed in the area. However, Authority should be satisfied that there is pressing need for parking in that area and priority for parking is more important than purpose for which the reservation is made. In case of purposes mentioned at Regulation No. 4.24 (5)(a)(b)(c), parking may be allowed to be developed in basement/s subject to development of main purpose on the ground level with layer of soil of 1 m. depth and arrangement of soil water recharge.

5) Combination of uses as mentioned below may be permissible with the permission of the Authority even if the reservation is for a specific purpose.

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

b) **Stadium / Sports Complex -** In addition to the uses permissible in playground mentioned above, shops/ offices below the spectators' tiered gallery may be permitted. Permissible FSI shall be as mentioned in Regulation No. 6.2.2 Table 6-E Sr. No. 8.

c) **Garden / Park** – In addition to the main use of garden, open swimming pool & allied construction, aquarium, water tank, booking counter, toilets, rain water harvesting system, gardener / watchman's quarter, small restaurant or food stalls to the extent of 20 sq.m. (for every 4000 sq.m. reservation area) may be permitted. Total FSI used for such constructions shall not exceed 0.10 of the garden area. If required, the sites of park or garden may be developed for playground; however, such change shall not exceed more than 10% of the like reservations in the said sector of Development plan.

d) **Civic Centre/ Community and Cultural Centre** – Community Hall, welfare centre, gymnasium, badminton hall, art gallery, museum, club house, public conveniences, cafeteria, gardens, exhibition centre, and like combination of uses.

e) **Vegetable Market** – Open or covered ottas for sale of vegetables and/or mutton and fish, along with petty convenience shops and fruit stalls may be permitted.

f) **Shopping Centre/ Market** – Shopping, vegetable market, hawkers place etc. and departmental stores, offices, banks/ community hall on upper floors.

g) **Auditorium/ Drama Theatre -** In addition to Auditorium, Drama theatre / Natyagriha, Art Gallery, Exhibition Hall, Library, small restaurant to the extent of 20 sq.m. (for every 4000 sq.m. reservation area) and allied uses such as guest rooms for the artists may be permitted.

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h) **Primary School/ High School** – Respective uses with their lower/ ancillary uses along with canteen and ancillary uses including staff quarters, hostels. Fifteen percent of the built-up area may be permitted for commercial use, on basic FSI related to the educational purpose, on ground floor with a separate entry and exit.

i) **Hospital / Maternity Home, etc.** – Respective uses with their lower / ancillary uses and any sort of medical facilities along with ancillary construction such as staff quarters, chemist shop, restaurant, ATM, PCO, cyber café of not more than 20 sq.m., etc. and sleeping accommodation for guests in case of bigger hospitals of built up area not less than 2000sq.m may be permitted.

j) **Slum Improvement Zone** – It shall be developed for slum rehabilitation as per regulations of Slum Rehabilitation Authority.

k) **Truck Terminus** – In addition to minimum 60% area for parking of trucks, ancillary office, restaurant, hotel, motel, lodging facility for drivers, Vehicle fuel Filling station including LPG / CNG / Ethanol /Charging Stations for Electric Vehicles, auto repair centre, auto service centre, shops for auto spare parts, shops for daily needs, ATM, PCO, Primary Health Centre / First Aid Centre and provision for loading-unloading may be permitted. Moreover, these reservations may also be developed for bus stand, bus-MRT interchange with mall.

l) **Bus Stand for Local and Regional Services/ Metro station/ Transport Hub**-In addition to respective purpose, bus-metro reservation may have interchange along with other ancillary uses. Where there is/are any existing building/s accommodating owners/ occupants in such reservation, they may be accommodated by the Planning Authority on upper floors of any proposed building/s on the reservation, subject to their willingness.

m) **Fire Brigade Station** – Fire brigade station along with allied activities.

n) **Sewage Treatment Plant (STP), Solid Waste Facility, Water Works** – respective use with allied activities and interchangeability among one another.

o) **Parking / Parking Lot -**Parking along with ancillary uses such as public convenience, drivers room, motor garage etc. on not more than 10% area.

Provided further that, the Planning Authority may accommodate, on the willingness of the owners/ occupants residing in the existing building/s on reserved area, on the same land, on any floor of the proposed parking building.

p) **Public Amenity**- Any amenity, along with ancillary use.

q) **Municipal Purpose** - Any public purpose related with functioning of Municipal Authority as may be decided by the Authority.

r) **Cremation Ground/ Burial Ground** - Respective use with allied activities and interchangeability among one another.

s) **Weekly Market –**Weekly vegetable market with open ottas, cattle market and ancillary petty convenience shops.

t) **Multipurpose Ground** - Users permissible in sites reserved for Multi-purpose ground:

i) Playground

ii) Exhibition ground

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iii) Festival fairs, ceremonies, religious functions etc.

iv) Circus

v) Social gathering, public speeches

vi) Cultural activities like Kalagram etc.

vii) Music Concerts etc.

viii) Institutional programs

ix) Touring Talkies

x) Govt. or semi-government organisation functions.

xi) Parking.

In addition to above the Authority may add or alter the above list from time to time. No permanent construction or permanent use, except as a playground, shall be permissible in this reservation.

u) **Exhibition Ground / Open Exhibition Ground / Exhibition Centre** - All activities related to various exhibitions and ancillary structures like office, restaurant etc. of built-up area not exceeding 10% of the total area.

v) **Bio Diversity Park** - Uses permissible

i) Agricultural, including horticultural uses.

ii) Forestry and Nursery.

iii) Park.

iv) Historical museum only on the lands owned by the Govt./ Authority subject to maximum floor space area not exceeding 4% of the total plot with ground floor structure without stilts.

v) Bio-Diversity information Centre and Research center subject to maximum floor space area not exceeding 4% of the total plot with ground floor structure without stilts.

vi) Public Streets having width not exceeding 9.0 m. alignment and the cross section of the street shall be finalised by the Authority without cutting the hill area.

w) **Composite development of Bus Terminal/Bus Depot/Truck Terminal for cities having population of 5 lacs and above –**

In case of cities having population 5 lacs and above, the composite development of the reserved lands for Bus Terminal/Bus Depot/Truck Terminal, may be allowed subject to the following :-

i) 40% land shall be kept open for basic use with proper maneuvering buses/vehicle and remaining upto 60% land may be allow to be developed for affordable housing.

ii) Such plot shall be owned by planning authority or development authority.

iii) Such composite use shall be segregated by separate entry/exit.

x) **Other reservations** -Other reservations may be developed for the respective purposes along with compatible, ancillary uses.

Note:-The permissible FSI and the maximum permissible loading limit including TDR and FSI with payment of premium for above uses in reservation, shall be as permissible for residential zone, if not specified otherwise.

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CHAPTER - 5
ADDITIONAL PROVISIONS FOR REGIONAL PLAN AREAS

5.0 GENERAL

In addition to the provisions mentioned in these Regulations, following additional provisions shall be applicable for the areas of the Regional Plans / Authorities mentioned herein under. These provisions shall prevail over the provisions, if any, mentioned in this Development Control and Promotion Regulations to that extent.

5.1 FOR ALL REGIONAL PLAN AREAS

5.1.1 Development Permissible Adjacent to Gaothan.

For the villages in the area of Regional Plans (excluding the area of Local Bodies and SPA where Development Plan or planning proposal is sanctioned) where no specific residential zone is shown, for such villages, development permissible in residential zone, may be permitted :-

i) within a belt of 2.00 km. from the boundaries of Municipal Corporation, 1.00 km. from the boundaries of Municipal Council and 0.50 km. from the boundaries of Nagar Panchayat, where zone plans are not prepared in the Regional Plan for such area;

ii) within a belt of 500 meters from the gaothan limits of settlements having a population of less than or equal to 5000 as per the latest Census and;

iii) within a belt of 1500meters from the gaothan limits of settlements having a population of more than 5000 as per the latest Census;

iv) in the case of settlements of both the categories mentioned above, falling in the planning areas / Zone Plans of Regional Plans, such distance from the gaothan limits shall be 500 meters only;

v) in the case of village settlements in the Western Ghat hilly area (eco sensitive zone) in Regional Plan of Satara and Pune, such distance shall be 200 m. only;

vi) in the case of villages in Regional Plan of Mumbai Metropolitan Region and Raigad, such distance shall be500m. only.

Provided that such development shall be permitted only on payment of premium of the total area of land. Such premium shall be calculated considering 15%rate of the said land as prescribed in the Annual Statement of Rates of the year granting such developments. This rate of premium shall be subject to orders of the Government from time to time;

Provided further that, for the areas which are converted into Municipal Councils / Nagar Panchayats within the Regional Plan (under the provision of Maharashtra Municipal Councils, Nagarpanchayats and Industrial Townships Act, 1965), such premium shall be calculated considering 5% rate of the said land as prescribed in the Annual Statement of Rate for the year while granting such residential development (without considering the guidelines therein). Provided further that, no such premium shall be applicable for development of an individual house of an owner or farm house on owner's land.

Provided further that no such premium shall be applicable for revised permission on the land where development/ Layout permission is granted prior to sanction of the respective Regional Plan, more specifically mentioned in Regulation No. 5.1.3.

Provided further that where more than 50 percent of area of the Survey Number/ Gut Number is covered within the above peripheral distance, the remaining whole of such Survey Number/ Gut Number within same ownership shall be considered for development on payment of premium as above.

Provided further that the criteria of "distance from gaothan" shall also be applicable to the lands from the nearest gaothan of any village.

Provided further that this provision shall not bar development permission for the uses, otherwise permissible, in agricultural zone as per UDCPR within specified distance from gaothan mentioned in this regulation.

Provided also that this regulation shall also be applicable to all declared / Notified Gaothan under MLRC whether shown on Regional Plan or not.

Provided further that in respect of Ratnagiri-Sindhudurg Regional Plan, this provision shall be subject to provisions mentioned in Regulation No. 5.3.

5.1.2 Regulations for Development of Tourist Resorts / Holiday Homes / Township in Hill Stations Type Areas under Hill Station Policy.

The developments under the Hill Station Policy shall be governed by the Special Regulations as sanctioned by Government vide notification No.TPS-1893/1231/C.R.123/96/UD-13, dated 26/11/1996and its amendments by the Government from time to time.

5.1.3 Committed Development

i) Any development permission granted or any development proposal for which tentative or final approval has been recommended by the concerned Town Planning Office and is pending with the concerned Revenue Authority for demarcation or for final N.A. permission before publication of draft RP (date of resolution of the RP Board for publication) shall be continued to be valid for that respective purpose/use irrespective of approved Floor Space Index. Provided that, it shall be permissible for the owner either continue with the permission in toto as per such earlier approval or apply for grant of revised permissions under these regulations. However, in such cases of revision, the premium, if any, shall not be applicable, for approved permissions (including tentative). This provision shall not cover the cases mentioned in 5.1.3 (iii) below.

ii) The layout already approved/ development permission already granted for residential purpose and which are valid as per the provisions of UDCPR shall be entitled for development subject to use of earlier permission. This shall also be applicable to cases where sale permission for N.A. use has been granted prior to the date of sanction of these Regulations, for the same use as the one for which sale permission was granted.

iii) The layout already approved/ development permission already granted for the uses permissible in agricultural or such restrictive zone and which are valid as per the provisions of UDCPR shall be entitled for development subject to use and FSI of respective use granted in earlier permission.

5.1.4 Rectification of draftsman's error.

i) Draftsman's errors, which are required to be corrected as per actual situation on site/ or as per Survey Records, sanctioned layout etc. shall be corrected by the concerned District Collector, after due verification and prior approval of concerned Divisional joint Director of Town Planning.

ii) Drafting errors, if any, regarding Private Lands shown by mistake in the restrictive zone such as defence zone, forest zone, command area etc. shall be corrected after due verifications of records and situation on ground by the concerned Authority with prior approval of Divisional Joint Director of Town Planning. In such case Private Lands will be included in the adjacent zone.

iii) The boundaries of the designated or Notified Eco-Sensitive Zone in respect of Bird Sanctuary, Wildlife Sanctuary and other project shown on Regional Plan shall be as per the final notification issued under Environment (Protection) Act, 1986. All conditions regarding development including Buffer Zone in pursuance of the provisions of the said Act shall be applicable.

5.1.5 Highways notified by State/ Central Government.

If any highway/ ring road/ express way and any other classified road is notified by State/ Central Government Highway Authority under the provisions of relevant act, then the alignment of such notified road shall be deemed to be the part of Regional Plan and for this, procedure under section 20 of MRTP Act, 1966 shall not be necessary.

5.1.6 Station Area Development.

The development around the Sub-urban railway station upto a distance of 500 m. shall be permitted by charging premium at 30% rate of the said land as mentioned in the ASR on total area of land under development, subject to following.

i) Within a 100 m. distance from periphery of the station, the users related to railway station and other users (excluding Residential) shall be permitted.

ii) In remaining distance within 500 m., all users permissible in Residential Zone shall be permitted.

iii) The rate of premium shall be subject to Government's order from time to time.

5.1.7 Modification proposals already sanctioned.

All the modification proposals from Regional Plan already sanctioned by the State Government under section 20(4) of Maharashtra Regional and Town Planning Act, 1966 but not shown in respective zone in Regional Plan shall be treated as included in respective Zone as per the modification sanctioned by the State Government.

5.1.8 Provision of Amenity Space.

i) In any layout or sub-division of land for residential purpose admeasuring more than 0.4 Ha. (excluding the area of R.P. roads, road widening and designations) amenity space shall have to be provided for the areas and specified percentages mentioned in the table below.

Area of Land	Amenity Space to be provided.
upto 4000 sq.m.	Nil.
more than 4000 sq.m.	10%

ii) For calculating the area for Amenity Space, area covered under the development proposal submitted to the Authority shall only be considered.

iii) The owner shall be entitled to develop the Amenity Spaces as per the uses permissible in the Amenity Space.

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iv) If owner agrees to handover and the Authority agrees to take over the amenity space, then such Amenity Space shall be deemed to be reservation in the plan and floor space index (FSI) in lieu thereof may be made available in-situ on remaining land. The calculation of this in-situ FSI shall be shown on the layout/ building plan. In the areas where TDR regulations are applicable and if the owner desires to have TDR against it, instead of in-situ FSI, then he may be awarded TDR. The in-situ FSI or TDR shall be granted only after transfer of the Amenity Space to the Authority. The generation of TDR or in-situ FSI shall be equivalent to the quantum mentioned in Regulation of TDR.

v) Provisions of Regulation No. 3.5.1, except (ii) shall be applicable to this regulation.

5.1.9 Residential Zone with payment of Premium

Wherever such zone is proposed in sanctioned Regional Plan, provisions related to such zone will continue to that extent.

5.2 FOR THANE – RAIGAD-PALGHAR REGIONAL PLAN

5.2.1 Development in Tarapur-Boisar area.

The permissible FSI and Height for development in the Tarapur-Boisar area shall be as per directions issued by the Government from time to time.

5.3 FOR RATNAGIRI-SINDHUDURG REGIONALPLAN.

The Development Control Regulations sanctioned for Ratnagiri-Sindhudurg Regional Plan shall cease to operate and following provisions shall be applicable.

5.3.1 Area within Ratnagiri District -

The zoning of lands within local authorities area/ special planning authorities areas shall be governed by zoning/ proposals shown in the Development Plan/ Planning proposal/ Plan. Remaining area of the district where such plan is not sanctioned shall be treated as Agricultural zone. All the provisions of this UDCPR shall be applicable with following additions.

Residential development or development permissible in Residential zone shall be permitted in Agriculture zone within a distance of 200 m. from pada, with payment of premium as mentioned in Regulation No.5.1.1. However, such premium shall not be applicable for individual housing or bungalow, not exceeding two units.

5.3.2 Area within Sindhudurg District -

The Development Control Regulations sanctioned by the Government in respect of Sindhudurg Tourism Plan vide Notification No. TPS-1997/355/C.R.99/UD-12, dt.15/10/2004 shall cease to operate and following provisions shall be applicable.

Following land use zones are shown on the Regional Plan of Sindhudurg district area.

i) Exclusive Tourism Zone shall include :

a)	Existing Municipal Council, Nagar Panchayat area and area under New Town Development Authority.	T-1
b)	Within Urban Centres, Tourism Growth Centres and area in the Vicinity but outside Municipal Council, Nagar Panchayat area having development potential.	T-2
c)	Along National and State highways.	T-3

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d)	Hill Stations.	T-4
e)	Coastal Area (excluding T1 and T2)	T-5

ii) Other Zone shall include
   a) Industrial Zone.
   b) Forest Zone.
   c) Agricultural and Horticultural Zone.

iii) For T-1 zone in the Regional Plan, all provisions of UDCPR shall be applicable as per zoning in the respective Development Plan or Planning Proposals.

iv) T-2 and T-3 zone in the Regional Plan shall be treated as Residential Zone and all provisions of UDCPR shall be applicable. However, height of building shall not exceed 16 m.

v) For zone plans approved under the MLRC and included in the Regional Plan, all provisions of UDCPR shall be applicable according to zone in the said zone plans.

vi) For T-4 zone, following uses shall be permissible.

Sr. No.	User	Min. Plot Area	Max. FSI	Max Height m.
1	Residential	500	0.30	12.00
2	Commercial	500	0.50	12.00
3	Hotel, Boarding Houses.			
	a) Below 3 Star	1000	0.25	12.00
	b) Above 3 Star	4000	0.25	16.00
4	Public, Semi-public like Education, Hospital etc. and Assembly building including Cinema Theater.	2000	0.20	12.00

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Note -

a) All other uses permissible in Agricultural zone shall be permitted in T-4 zone subject to maximum FSI of 0.50 and height of building up to 12 m.

b) The FSI limit mentioned above in Sr. No. 1, 3 and 4 of the table may be allowed to be exceeded up to 0.50 subject to payment of premium as mentioned in Regulation No. 4.11.

c) Reconstruction/ Redevelopment of existing building are permitted without considering minimum area of plot and FSI shall be as per above table or FSI utilized for the existing authorized structure.

d) Minimum plot size norms shall not be applicable to "Bread and Breakfast Scheme" approved by MTDC.

vii) For T-5 zone, following uses shall be permissible.

Sr. No.	User	Min. Plot Area	Max. FSI	Max Height m.
1	Residential / Commercial	500	0.50	12.00
2	Hotel, Boarding Houses.	1000	0.75	12.00
3	Public, Semi-public like Education, Hospital etc. and Assembly building including Cinema Theater.	2000	0.50	12.00

Note -

a) The FSI mentioned in the above table shall be allowed to be exceeded up to 1.00, with the payment of premium at the rate of 30% of rates mentioned in ASR, without following guidelines therein.

b) The development permissible shall be subject to provisions of Coastal Regulation Zone Notification No. G.S.R. 37(E), dated 18th January, 2019 as amended or replaced from time to time.

c) All other uses permissible in Agricultural zone shall be permitted in T-5 zone subject to maximum FSI of 0.50 or mentioned in the said regulations in agricultural zone, whichever is minimum and height of building up to 12m.

d) Reconstruction / Redevelopment of existing building are permitted without considering minimum area of plot and FSI shall be as per above table or FSI utilized for the existing authorized structure.

e) Minimum plot size norms shall not be applicable to "Bread and Breakfast Scheme" approved by MTDC.

viii) Following villages are identified as Tourism growth centres -
Kunkeshwar-Mithbav, Hindale, Achara, Tondavali, Mahapan, Shiroada-Aravali, Amboli and Phonda.
"Tourism Growth Centres" shown on the Regional Plan are for the purpose of showing places of tourist interest.

ix) The places of "Konkan Tourism Village" and "Day Visit Points" shown on the plan are also places of tourist interest.

x) Development in Industrial Zone, Forest Zone, Agricultural / Horticultural zone and other zone, if any, shall be governed by the provisions mentioned in this UDCPR. However, in such case FSI and height of building shall not exceed 0.50 and 12.00 m. respectively.

xi) Natural expansion of gaothan shall be allowed within 200m. from the gaothan boundary and regulations of Residential Zone shall apply. The villages which are not having notified gaothan the residential and other non-agricultural development shall be permitted only along the existing public roads upto a plot depth of 45 m. from the road boundary and regulations of Residential Zone shall apply. For this development premium shall be applicable as per Regulation No. 5.1.1. However, such premium shall not be applicable for individual housing or bungalow, not exceeding two units. The provisions in proviso to Regulation No.5.3.1 shall also be applicable.

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5.4 FOR KOLHAPUR REGIONAL PLAN.

5.4.1 Committed Development.

Instead of Regulation No. 5.1.3 (i) and (ii), following regulations shall be applicable for committed development.

i) Regarding Committed Development outside previously Sanctioned Regional Plan of Kolhapur - Ichalkaranji Region :- All development permissions/ layout approval granted by the District Collector / Concerned Revenue Authority or any development proposal for which tentative or final approval has been recommended by the concerned Town Planning Office and is pending with the concerned Revenue Authority for demarcation or for final NA Approval on 12/09/2016 i.e. the date of board resolution for publication of draft R.P. shall continue to be valid for that respective purpose along with approved Floor Space Index.

Provided that it shall be permissible for the owner to either continue with the permission in toto as per such earlier approval and for that limited purpose, erstwhile regulation shall apply or apply for grant of revised permission under the new regulations. However, in such revision of cases, the premium if any shall not be applicable, for the originally approved land use and FSI only.

ii) Regarding Committed Development within the ambit of previously sanctioned Regional Plan of Kolhapur-Ichalkaranji Region.

The development permission / layout approval granted by the District Collector/ concerned Revenue Authority within the ambit of the sanctioned Regional Plan of Kolhapur-Ichalkaranji prior to the publication of the Draft Regional Plan, Kolhapur and if the said Development permission/ layout is as per the provisions of sanctioned Regional Plan of Kolhapur-Ichalkaranji Region then such permission/ layouts shall be treated as valid permission for the respective sanctioned use. These permissions/ layouts, if submitted for revised approval, then it should be corrected as per the present sanctioned regulations of the Regional Plan of Kolhapur Region.

a) The development permission/ layout approval granted by the District Collector/ concerned Revenue Authority within the ambit of the sanctioned Regional Plan of Kolhapur-Ichalkaranji and if the said development permission/ layout approval is contradictory or adverse to the provisions of sanctioned Regional Plan of Kolhapur - Ichalkaranji Region or Draft Published Regional Plan of Kolhapur Region then such permission/ layout shall be treated as illegal and to be cancelled with immediate effect.

Note: - The layouts which are approved before publication of the Regional Plan but not fulfilling the requirements of the then DCR such as road width, open space etc. but saved as per above special regulation, in such cases the building permission shall be granted with 75% of FSI permissible in such zones.

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5.5 FOR SATARA REGIONAL PLAN

5.5.1 Regulations for proposed Buffer Zone up to 2.5 km. aerial distance around Mahableshwar Pachgani Region.

The following Regulations is applicable for the proposed Buffer Zone :-

Proposed Land-use Zone	Permissible Users.	Permissible FSI
Lands falling within 50 m. distance from the boundary of Mahableshwar-Pachgani Region.	No development shall be allowed.	
Agriculture/ No Development Zone	All users permissible in Agriculture Zone as per Regulation No. 4.11.	**a)** Maximum permissible FSI shall be 0.75 for the lands falling within permissible peripheral distance from the gaothan. **b)** Maximum permissible FSI shall be as per regulation No. 4.11 from the lands falling beyond such permissible distance.
Forest	The development as may be required by the Ministry of Forest or its Authorities as per the requirements shall only be permissible on the lands owned and possessed by the Ministry of Environment and Forest or its Authorities.	
Eco-Sensitive Area	Users permissible shall be as per MOEF Notification dt.27/02/2017.	a) Maximum permissible FSI shall be 0.75 for the lands falling within permissible peripheral distance from the gaothan. b) Maximum permissible FSI shall be as per regulation No. 4.11 from the lands falling beyond such permissible distance.
Core and Buffer Zone of Sahyadri Tiger Project	Permissible users and FSI shall be as per the Development Control Regulations being prepared for this Zone by the Local Advisory Committee headed by Divisional Commissioner, Pune. Till such Regulations are	For gaothans in Buffer Zone. a) Maximum permissible FSI shall be 0.75 for the lands falling within permissible peripheral distance from the gaothan. b) Maximum permissible FSI shall be as per regulation No. 4.11 from the lands falling beyond such permissible distance.

	framed, for the peripheral area of the gaothans falling in Buffer Zone, the users permissible in the Agriculture Zone shall be allowed with the approval of Competent Authority of the Forest Department. In the Core Zone, no development shall be permissible.	
Area of Growth Centre / Urban Complex falling within the Buffer Zone.	As per the Land use proposed in such Growth Centre / Urban Complex Plan.	0.75 FSI shall be permissible for the proposed Residential Land use Zone and for the proposed Agriculture/ No Development Zone, the FSI for users permissible shall be as per Regulation No. 4.11

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5.5.2 Conservation Zone in Satara Region.

Regulations for proposed Conservation Zone shall be applicable as and when sanctioned by the Government separately.

5.5.3 Development above 1000 m. Mean Sea Level.

Regulations for Development above 1000 m. Mean Sea Level shall be applicable as and when sanctioned by the Government separately.

5.6 FOR HINGOLI, BULDHANA, WASHIM, YAVATMAL, NANDED REGIONAL PLAN

Following additional regulations shall be applicable for the development in the areas affected by the LIGO project.

i) Within the distance of 15 km. from the boundary of the site, no New Railway line shall be proposed.

ii) Within the distance of 5 km. from the boundary of the site, no classified roads, MDR and above etc. shall be newly proposed. Upgradation of existing roads shall not be treated as new road.

iii) Within the distance of 5 km. to 30 km., from boundary of the site, no reciprocating activity, requiring the use of sustained heavy equipments including mining, blasting or such other similar activities requiring more than 20 HP power, shall be allowed,.

iv) Within the distance of 15 km. from boundary of the site, no Power Plant Machinery, Rock crushers, Heavy Machinery, Wind Mill shall be allowed.

v) Within the distance of 5 km. from boundary of site, no non-reciprocating (rotating) power plant machinery and industrial machinery shall be allowed.

vi) Within the distance of 60 km. from the boundary of the site, no New Airport shall be proposed.

Note -

a) If any more clarification or exemption or certain information is required, then permissions shall be referred to the LIGO - India authorities (at local office) before final Grant of permission.

b) The Development Control Regulations as amended from time to time, by the Department of Atomic Energy, Govt. of India, shall be applicable as it is for this LIGO - India Project.

5.7 FOR RAIGAD REGIONAL PLAN

5.7.1 The development in Nagothane growth centre shall be governed by following regulations.

The lands which fall within the periphery on the north/ south direction of the IPCL project complex have been designated as low density residential zone in which residential user may be permitted subject to following conditions.

i) Maximum FSI shall be 0.25.

ii) Only ground floor structure shall be permissible.

5.7.2 The development in wadi lands in the coastal belt, which are marked as such in the Regional Plan, development shall be subject to the following conditions, only along the existing roads.

i) Plot with frontage on the existing road.

ii) Ground + one floor building within 33 m. from the existing road with permissible set back from the road.

iii) FSI shall be limited to 0.04 maximum with a maximum built-up area of 150 sq.m.

Note - Coastal belt is the area within 1 km. from the sea for the purpose of this Regulation.

5.7.3 The development in low density Zone in Rajpuri and Usar growth center shall be subject to 0.5 basic FSI.

5.8 FOR SOLAPUR REGIONAL PLAN

In agricultural zone, residential development for the housing of Economical Weaker Section may be permitted subject to following conditions.

i) The premium at the rate of 10% of the land rate mentioned in ASR without considering the guidelines therein shall be paid before granting the permission.

ii) The authority/ collector shall decide the beneficiary persons, who are actually under the Economical Weaker Section, as per revenue records.

5.9 FOR PUNE REGIONAL PLAN

5.9.1 Regulations for planning areas of growth centres at sector-R –i.e. i) Lonavala-Karla-Malvali And ii) Kune–Pangaloli-Kurwande and surrounded area which is a part of Pune Metropolitan Development Authority area, shall be as per the following Regulations.

REGULATIONS FOR LONAVALA-KARLA-MALAVALI PLANNING AREA OF SECTOR -R OF REGIONAL PLAN OF PUNE REGION

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i) No plots in these zones shall be less than 500 sq.m. provided that smaller plots in these zones admeasuring not less than 300 sq.m. existing before the date of publication of regional plan shall be recognized for the purpose of granting development permissions, provided further that plots directly abutting on Mumbai-Pune road shall not admeasure less than 1000 sq.m. Development in such 1000 sq.m. plot, shall be governed by development control rules in Lonavala Development Plan, applicable to 10 are zone. Built up areas, number of storeys, tenements, marginal open spaces and room sizes, the maximum built up areas, the maximum number of storeys, the maximum number of tenements, the minimum marginal open spaces and the minimum room sizes permissible in these zones shall be as indicated in the statement annexed hereto. As regards rules for layout plots and group housing schemes and buildings of various users other than residential including industrial, other items of building construction, such as balcony, sanitation, height, ventilation and parking etc. and all other such regulations which are not explicitly covered above shall be governed by development control regulations for these items incorporated in Development Plan of Lonavala as amended from time to time and subject to these regulations.

Sr. No.	Plot Size group	Maximum built up area	Max. no. of storeys	Max. no of of tenements	Min. marginal open space			Min Habi-table room sizes	Min. sizes for kitchen	Min sizes for shops & other rooms for commer-cial use
1	Between 300 sq.mm and less than 500 sq.m	25%	Ground plus one floor only	2	3m	2.5m	3m	9.0 sq.mm with no side less than 3m	7.5 sq.mm with no side less than 2.5m	15 sq.mm with no side less than 3m
2	500 sq.m and above	25%	Ground plus one upper	4	4.5 m	3m	4.5m			

1) A ground floor on stilts or columns without enclosing walls (except retaining walls, where such floor is constructed by cutting the sloping ground) intended to be used as parking space shall not be counted as ground floor.

2) In case of classified roads, the minimum marginal open spaces to be observed from roads, shall be as prescribed above or as prescribed by Government from time to time under the ribbon development rules, whichever is more.

3) Sr.no.1 is applicable to the plots existing on or before the date of publication of the notification of sectioning of regional plan in the official gazette.

ii) **REGULATIONS FOR KUNEPANGALOLI- KURWANDE PLANNING AREA OF SECTOR-R OF REGIONAL PLAN OF PUNE REGION-** Development in this area shall be governed by the regulations applicable to 10 Are zone in the Lonavala Regional/Development Plan. The maximum built up areas, the maximum number of

storeys, the maximum number of tenements, the minimum marginal open spaces and the minimum room sizes permissible in these zones shall be as indicated in the statement annexed hereto. As regards rules for layout plots and group housing schemes and buildings of various users other than residential including industrial, other items of building construction, such as balcony, sanitation, height, ventilation and parking etc. and all other such regulations which are not explicitly covered above shall be governed by development control regulations for these items incorporated in Development Plan of Lonavala as amended from time to time and subject to these regulations.

Sr. No.	Plot Size group	Maximum built up area	Max no. of storeys	Max. no of tene-ments	Min. marginal open space			Min habitable room sizes	Min. sizes for kitchen
					Road side	Side	Rear		
1	Between 500 sq.mm and less than 1000 sq.m	25%	Ground plus one floor only	2	4.5 m	3 m	4.5 m	9.0 sq.mm with no side less than 3m	7.5 sq.mm with no side less than 2.5 m
2	1000 sq.m m and above	25%	Ground plus one upper	4	4.5 m	3 m	4.5m	11 sq.m m with no side less than 3m	

1) A ground floor on stilts or columns without enclosing walls (except retaining walls, where such a floor is constructed by cutting the sloping ground) intended to be used as parking space shall not be counted as ground floor.

2) In case of classified roads, the minimum marginal open spaces to be observed from roads, shall be as prescribed above or as prescribed by Government from time to time under the ribbon development rules, whichever is more.

3) Sr.No. 1 is applicable to the plots existing on or before the date of publication of the notification of sanctioning of regional plan in the official gazette.

5.10 CERTAIN REGULATIONS CEASE TO OPERATE IN FUTURE.

The Regulation No. 5.8 shall cease to operate on 1st Jan, 2022 or as decided by the Government from time to time and thereafter provisions of these regulations shall apply.

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CHAPTER – 6

GENERAL BUILDING REQUIREMENTS – SETBACK, MARGINAL DISTANCE, HEIGHT AND PERMISSIBLE FSI

6.0 GENERAL

Following regulations shall be applicable for the lands included in congested area (or core area) as shown on the Development Plan. These regulations shall also be applicable for the gaothan areas in Regional Plans (including the areas of Local Bodies and Special Planning Authorities where Development Plan or Planning Proposal is not sanctioned).

However, in congested area, if the original land holding is more than 0.40 Hectare, then regulations of non-congested area, except FSI, shall apply. FSI in such cases shall be as per the Regulation No.6.1.1

6.1 REGULATIONS FOR CONGESTED AREA IN DEVELOPMENT PLANS / GAOTHANS OF VILLAGE SETTLEMENTS IN METROPOLITAN REGION DEVELOPMENT AUTHORITIES AND REGIONAL PLANS.

(Note-In Nashik Municipal Corporation, the term 'Core Area' is synonymous to 'Congested Area'.)

6.1.1 Residential Buildings/ Residential Buildings with mixed-use

i) Floor Space Index:-

The maximum permissible basic floor space index, FSI on payment of premium, permissible TDR loading shall be as per the following Table No. 6A.

Note for Table No. 6 A :

1) In addition to what is mentioned in Table No. 6 A, ancillary area FSI upto the extent of 60%of the proposed FSI in the development permission (including Basic FSI, Premium FSI, TDR but excluding the area covered in Regulation No.6.8) shall be allowed with the payment of premium at the rate as specified below on the land rate in Annual Statement of Rates of the said land without considering the guidelines therein. This shall be applicable to all buildings in all zones.

Sr. No.	Authority / Area	Rate of Premium.
1	Pune and Thane Municipal Corporation.	15%
2	Nagpur, Nashik Municipal Corporation and Municipal Corporations in MMR (except Thane) and Metropolitan Development Authority area.	10%
3	All other Municipal Corporations.	10%
4	Municipal Councils, Nagar Panchayats and R.P. area.	10%

Provided that in case of non-residential use, the extent of ancillary area FSI shall be upto 80%.No separate calculation shall be required to be done for this ancillary area FSI. Entire FSI in the development permission shall be calculated and shall be measured with reference to permissible FSI, premium FSI, TDR, additional FSI including ancillary area FSI added therein.

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Provided further that, the above mentioned rates shall not exceed the rate of premium mentioned in column 4 of Table 7 A under Chapter-7 where the development permission is sought for the uses mentioned in the said table.

Provided further that, this ancillary area FSI shall be applicable to all other schemes like TOD, PMAY, ITP, IT, MHADA, etc. except SRA. In the result, free of FSI items in the said schemes, if any, other than mentioned in UDCPR, shall stand deleted.

2) All notes mentioned below Table 6-G of Regulation No. 6.3 shall be applicable, mutatis-mutandis.

3) Utilisation of ancillary area FSI is optional. It can be used fully/ partly.

4) In case of composite building of mixed users premium and ancillary area FSI shall be on prorate basis.

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Table No.6 A								
Sr. No.	**Road width in meter**	**Basic FSI**	**For all Municipal Corporations**			**For remaining authorities/areas**		
			FSI on payment of premium	**Maximum permissible TDR loading**	**Maximum building potential on plot**	**FSI on payment of premium**	**Maximum permissible TDR loading**	**Maximum building potential on plot**
1	**2**	**3**	**4**	**5**	**6**	**7**	**8**	**9**
1	Below 9.0 m.	1.50	--	--	1.50	--	--	1.50
2	9.00 m. and below 18.00 m.	2.00	0.30	0.30	2.60	0.30	0.10	2.40
3	18.00 m. and below 30.00 m.	2.00	0.30	0.50	2.80	0.30	0.20	2.50
4	30.00 m. and above	2.00	0.30	0.70	3.00	0.30	0.20	2.50

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ii) Front Marginal Distances/Setback/ Roadside Margin/s in Congested Area

The minimum front setback from the existing or proposed road/ roads shall be as per the following Table No. 6B.

Table No. 6B.			
Sr. No.	**Road width**	**For Residential building**	**For Residential Buildings with mixed-use**
(i)	For streets/lane less than 4.5 m. width	2.25m. from the centre of the street/ lane	2.25m. + 1.50 m from the centre of the street/lane
(ii)	For streets 4.5m. to less than 6.00 m. in width	NIL	1.50 m.
(iii)	For streets 6 m. to less than 12 m. in width	1.00 m.	2.00 m.
(iv)	For streets 12 m. in width and above	2.00 m.	2.50 m.

iii) Side and Rear Marginal Distances in Congested Area

The minimum side and rear marginal distances shall be as per the following Table No. 6C.

Table No. 6C.		
Plot Area	**Side**	**Rear**
Up to 1000 sq.m.	0.00	0.00
Above 1000& upto 4000 sq.m.	1.00 m.	1.00 m.
Above 4000 sq.m.	As per Regulation for non-congested area	

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Note:-

1) For light and ventilation, provisions about interior & exterior chowks shall apply.
2) Irrespective of the area of a plot, if the width thereof is 7m. or less, then the side margin shall be nil.

iv) For the lanes having width less than 4.5m. abutting to any side of plot, a setback of 2.25m. from the centre of lane shall be provided to make such lane 4.5m. wide. No projections shall be permissible on such widened lane.

v) Excepting the FSI and its maximum loading limit & marginal distances as prescribed above, all other regulations shall be applicable for development permission in congested area.

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

6.1.2 Other buildings like Public/ Semi-Public, Educational, Medical, Institutional, Commercial, Mercantile, etc.

(a) Floor Space Index, – The FSI permissible for these buildings shall be as per Regulation No.6.1.1.

(b) Marginal Distances - For these buildings marginal distances shall be 3m. on all sides including front up to 24m. height.

Provided that for building more than 24 m. height, regulations of non-congested area shall apply.

Provided further that, for buildings like cinema theatres, multiplex, assembly buildings, shopping malls etc., regulations for outside congested area, except FSI, shall apply.

6.1.3 Pathway for access to internal building or interior part of the building shall not be less than 3.6 m. in width.

6.1.4 Front setback (marginal distance) as prescribed under highway or any other rules shall be applicable if they are over and above as prescribed in these regulations.

6.2 REGULATIONS FOR OUTSIDE CONGESTED AREA (NON-CONGESTED AREA).

6.2.1 Marginal Distances and set-back for Residential Buildings and mixed use with Height up to 15 m. or as mentioned in the Table No. 6-D.

The provisions for minimum marginal distances as given in **Table No. 6-D** below shall apply for the Residential buildings, Residential with mixed uses permissible in Residential Zone and Residential buildings permissible in other zones.

Table No.6-D

Sr. No	Description of the road	Min Plot Size in Sq.m.	Min width of plot in meters	Min setback from road side in meters	Min. side margins in meters	Min. rear margins in meters	Remarks
1	2	3	4	5	6	7	8
1	Roads of width 30 m. and above in local authority area.	450	15	6.0in case of A, B, C class Municipal Corporations and 4.50 in case of other areas.	3.0	3.0	Side and Rear Margins for building upto 15m. height (excluding parking floor upto 6 m. height)
2	In case of Regional Plan area. NH/SH	450	15	4.5m.or as specified by Highway rules whichever is more.	3.0	3.0	Side and Rear Margins for building upto 15m. height (excluding parking floor upto 6 m. height)
3	Roads of width 18 m. and above but below 30 m.	250	10	4.5	2.0	2.0	Side and Rear Margins for building upto 10m. height (excluding parking floor upto 6 m. height)
4	Roads of width 15 m. and	200	10	3.0	1.5	1.5	Margins for buildings G+2

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	above but below 18m.						or stilt +3 structure
5	Roads of width less than 15m.	80	6	3.0	1.5 (in case of semi-detached building, only one side marginal distance shall be permissible	1.5	Margins for buildings G+2 or stilt + 3 structure
6	Row Housing on roads of 12m. and below	30	3.5	2.25	0.0 (In case of corner plot, 1.50 or building line of adjoining road whichever is more)	1.5	--do--
7	Row Housing for EWS/ LIG/ by public authority / private individual / Slum Upgradation etc. by public authority	20	3.0	0.9 from pathway or 2.25 from road boundary	0.0 (In case of corner plot, 1.5 or building line of adjoining road whichever is more)	0.9	G+1 or stilt + 2 structure only

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Notes:-

(1) The width of the road in above table shall govern the requirements in column 3 to 8.

(2) In case of Sr. No. 1 to 6 structures having higher height may be permitted subject to marginal distance mentioned in Regulation No.6.2.3.

(3) The minimum area of plots fronting on service roads along highways shall be with reference to the actual width of the service road.

(4) For semi-detached buildings, side margin shall be on one side only. Plots for semi-detached buildings shall be in pairs.

(5) Row-housing plots at the junction of two roads shall be larger to maintain the setback from both roads. Not more than 12 and not less than 3 plots shall be allowed in each block of row housing. Each block shall be separated from the other by a 4.5 m. wide road / pathway or 4.5m. side marginal distance within the plot or space including side marginal distance of the plot.

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

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

(8) In case of Regional Plan areas, ribbon development rules shall not be relaxed without consent of the Highway Authority.

(9) In case of special building, marginal distances shall be as per regulations for such buildings.

(10) The plot width to depth ratio shall be 1:1.5 to 1:2.5, as far as possible in plotted layout.

(11) In Public Housing Schemes for E.W.S. undertaken by government or semi-government organizations, marginal distances shall be as per the respective schemes and rules.

(12) The front setback set-out in already approved and partially developed layouts/ schemes, may be retained as per original approval, so as to maintain the building line.

(13) The pattern of development like semi-detached, row housing etc. in already approved layout shall be as per said approved layout.

(14) Where commencement certificate is granted prior to publication of draft development plan or sanction of Development Plan and the plot gets affected by new road / road widening, proposed in the development plan, the front margin shall stand relaxed to that extent.

(15) In case of redevelopment proposal affected by line of street up to 9 m. width under Municipal Council or Municipal Corporation Act or development plan road of up to 9 m. width, the front margin shall stand relaxed to the extent of land affected by such proposal.

(16) Subsidiary structure such as garage (limited to one), outhouse and independent sanitary block may be permitted only in plots having area 250sq.m.or more.

(17) Rear or side marginal distances for development along nallah or watercourses shall be subject to Regulation regarding “Sites Not Eligible for Construction of Building” and “Construction Within Flood Line”.(Chapter 3)

(18) The plots which are substandard in area shall be developed as per marginal distances mentioned in the above table with reference to road width.

(19)In case of plots having approach by dead-end road, (point access) front margin shall be limited to width of point access.

6.2.2 Other Buildings

The Provision in respect of minimum road width, minimum marginal distances etc., as given in **Table No.6E** below shall apply for different categories of other buildings.

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Table No.6 E				
Sr. No	**Type of building**	**Minimum road width required**	**Minimum marginal distances**	**Other stipulations**
1	**2**	**3**	**4**	**5**
1	**Medical buildings**			
	a) Hospital, Maternity Homes, Health Club, Clinics etc. buildings not being special buildings	9 m. in case of A, B, C class Municipal Corporation, Metropolitan Authority Area and 7.5 m. in case of other areas.	Margins as per Table No. 6D subject to side marginal distance of minimum 3m.	NIL
	b) Hospital, Maternity Homes, Health Club etc. buildings under category of special building.	Road width as required for Special Buildings. (Regulation No.3.3.9)	6 m. on all sides	Height of building subject to provisions of Maharashtra Fire Prevention and Life Safety Measures Act 2006.
2.	**Educational buildings**			
	a) Pre-primary School	On any road.	Margins as per Table No. 6 D	Other requirements shall be as mentioned in the Table No.7A of Regulation No. 7.1. Height of building subject to provisions of Maharashtra Fire Prevention and Life Safety Measures Act 2006.
	b) Primary School not being special building.	6 m.	--do--	
	c) Other Educational Buildings not being special building.	9 m.	3m. on all sides	
	d) Any building of category a, b, c above being special building.	Road width as required for Special Buildings	6 m. on all sides	
3.	**Public-Semi Public Building**			
	a) Public-Semi Public Building not being special building.	9 m.	Margins as per Table No. 6D subject to side marginal distance of minimum 3m.	--
	a) Public-Semi Public Building being special building.	Road width as required for Special Buildings	6 m. on all sides	--

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4.	**Cinema Theatre**			
	Cinema Theatre/ Drama Theatre/ Assembly Hall/ Multiplex / Shopping Malls	12 m.	Front - 12m. (only on one major road). 6m. on all remaining sides	i) In case of cities having population more than 2.5 lakhs as per latest census, redevelopment of existing cinema theatre on 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 user permissible in R2 zone. ii) For redevelopment of existing theatre, marginal distances including front margin as per these regulations shall not be insisted. Redevelopment shall be allowed as per existing set back distances. Parking area required as per these regulations shall not be insisted; however existing parking area shall be maintained.
				iii) In cases where redevelopment of existing Cinema Theatre is carried out on the same place with the capacity more than existing capacity in the form of single or multiscreen cinemas, then owner / developer shall be allowed FSI potential mentioned in column 6 or 9, as the case may be, of Table No.6-G at the rate of 20% land rate mentioned in Annual Rates of Statement without considering guidelines therein, for the additional capacity.
				iv) The existing Cinema Theatre shall be allowed to be relocated and constructed at some other place within a distance of 5 km. In such case, original site shall be allowed to be developed as per uses permissible in adjoining zone.
				Construction of Cinema Theatre / Multiplex shall conform to the provisions of Maharashtra Cinema (Regulations) Rules, 1966 and as amended from time to time, except the provisions mentioned above.

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				v) For redevelopment of Cinema plot having area less than 1000 sq.m., and if redevelopment of existing cinema theatre on such plot is not possible considering the other requirements in these regulations, the condition of providing atleast 1/3 of the existing seats or minimum 150 seats for cinema theatre shall not be insisted. In such case users permissible in adjoining predominant zone shall be permissible with special permission of sanctioning authority.
5.	**Mangal Karyalaya**			
	a) Mangal karyalaya and like buildings not under the category of special building.	Road width as required for R-2 zone.	3 m. on all sides.	-
	b) Mangal karyalaya and like buildings under the category of special building.	12 m.	6 m. on all sides.	-
6.	**Fuel Stations**			
	Fuel Filling Stations/including Petrol/ Ethanol /LPG / CNG /etc., Public Charging Stations for Electric Vehicles with or without service bays	9 m.	4.5m. on all sides	i) In case the plot is located on any Classified road in Regional Plan area, the distance from the junction of roads as may be specified by Indian Road Congress/ Ministry of Road, Transport and Highway, shall be followed. (IRC guideline 2009 and MORTH Letter No.RW/NH-33023/19/99-DOIII, Dated: 25.09.2003 as amended from time to time)
				ii) NOC from Chief Controller of Explosives shall be necessary. iii) In a plot of Fuel Filling Station, other building or composite building for sales office, snack bars, restaurant, public conveniences or like activities may be permitted. iv) The FSI shall not exceed 0.25 and underground structures along with kiosks shall not be counted towards FSI.

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7.	**Mercantile Buildings.**			
	a) Mercantile/ Business/ Hotel/ Commercial building under the category of special buildings.	Road width as required for Special Building.	Front 6m. Side & rear 6m.	i) Shops may also face on side and rear of a plot. ii) Minimum width and area of Shop shall be as per convenience of the owner / developer. iii) In case of construction of shops / offices only on ground floor (not being special building) side and rear marginal distance shall be as per Table No. 6-D.
	b) Mercantile/ Business/ Hotel/ Commercial building not under category of special buildings	Road width as required for R-2 zone.	Margins as per Table No. 6-D subject to side marginal distance of minimum 3m.	
	c) Convenience shopping in R-1 zone.	On any road.	Margins as per Table No. 6-D.	--
8.	**Stadium**			
	Stadium with Pavilion	12m.	6m. on all sides	The covered portion of spectator's gallery shall not exceed 25%of plot area, which shall not be counted towards FSI. Shops below spectator's gallery may be permitted which shall not be counted towards FSI. In addition to this, ancillary office, sportspersons accommodation, public convenience like structures may also be permitted which shall not consume more than 0.10 FSI on gross plot area.

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Note :

i) In case of plots fronting on National Highways, State Highways and Major District Roads in Regional Plan area, the building line shall be as per Ribbon Development Rules or as given in Table above, whichever is more.

ii) Side and rear marginal distances mentioned in above Table shall be subject to Regulation No.6.2.3, whichever is more.

iii) In case of special buildings, marginal distances shall be as per regulations for special buildings.

iv) A stadium should desirably accommodate 400 m. running track.

v) For above buildings, permissible FSI shall be as per Regulation No.6.3, unless otherwise specified above.

vi) Point access (approach by dead end road) to a plot shall be considered for the minimum road width requirement mentioned in above table. In such case, front margin shall be applicable for the width of point access road.

vii) The provisions about Cinema Theatre in column 5 of Table No. 6 E shall be applicable to Cinema Theatres in congested area also.

6.2.3 Marginal distances for buildings of heights more than mentioned in Table No.6-D of Regulation No.6.2.1

(a) Front Margin - Front margin shall be as given in **Table No. 6-D**shall be applicable to a building irrespective of its height.

Provided that, in the case of group housing schemes where building abuts on internal road, the minimum 3m. set back from internal road or distance between two buildings, whichever is more, shall be provided. For Development/ Regional Plan roads or classified roads or through roads, passing through Group Housing Schemes, the setback as prescribed in these regulations shall be provided.

(b) Side or rear marginal distance - Side or rear marginal distance in relation to the height of the building for light and ventilation shall be as below: -

The marginal distance on all sides shall be as per Table No.6D/ Table No.6E for building height or floors mentioned there in. For height more than stipulated in Table No.6D/ Table No.6E, the marginal distance on all sides, except the front side of a building, shall be minimum H/5 (Where H = Height of the building above ground level).

Provided that, such marginal distance shall be subject to a maximum of 12m. from the plot boundary and distance between two buildings shall be maximum 16 m.

Provided further that, in case of redevelopment of building which has ceased to exist in consequence of accidental fire / natural collapse / demolition for the reason of the same having been declared dangerous or dilapidated or unsafe by or under a lawful order of the authority or building having an age of more than 30 years, such marginal distance may be allowed upto 6 m. for height of building upto 45 m. For redevelopment of smaller plots having area less than 1000 sq.mt., one of the side margin / rear margin of 6 m may be relaxed subject to Fire NOC in case of bonafide hardship.

Provided further that, such marginal distance from recreational open space shall be 3 m. in case of non-special buildings and 6 m. in case of special buildings, irrespective of its height.

Provided further that, the building height for the purposes of this regulation and for calculating the marginal distances shall be exclusive of height of parking floors upto 6m.

Provided further that, where rooms do not derive light and ventilation from the exterior open space, i.e. dead walls, such marginal distance may be reduced by 1 m. subject to minimum of 6.0 m. in case of special building and 3.0 m. in case of other buildings.

Provided further that the plot / land of the owner falls within the jurisdiction of more than one authority, then continuous building (without leaving margin on the boundary of the authorities) may be allowed with the consent of the other Authorities.

(c) Provision for Step Margin: - Step margins may be allowed to be provided on upper floors to achieve required side or rear marginal distances as mentioned in these regulations subject to minimum marginal distance of 6 m. on ground level in case of special building.

This provision shall also be applicable to congested area.

6.2.4 In the cases of layouts of two or more buildings in a plot for any uses: -

Distance between two buildings: - The distance between two buildings shall be the side/ rear marginal distance required for the taller building between the two adjoining buildings.

Provided that, the pathway/ internal road may be allowed to be proposed in such marginal distance.

6.2.5 In case of group housing scheme where building abuts on internal road, the minimum 3m. set back from internal road or distance between two buildings whichever is more shall be provided. For Development plan road /Regional plan road or classified road or through road, passing through Group Housing Scheme, normal setback as prescribed in the regulations shall be provided.

6.2.6 Buildings Abutting Two or More Streets

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

6.3 PERMISSIBLE FSI

Permissible basic FSI, additional FSI on payment of premium, Permissible TDR Loading on a plot in **non-congested** area for **Residential and Residential with mixed uses** and other buildings in developable zones like residential, commercial, public-semi-public etc. shall be as given in **Table 6 G below** : **-**

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Table 6 G								
Sr. No.	**Road width in meters**	**Basic FSI**	**For all Municipal Corporations**			**For remaining authorities/areas**		
			FSI on payment of premium	**Maximum permissible TDR loading**	**Maximum building potential on plot including in-situ FSI**	**FSI on payment of premium**	**Maximum permissible TDR loading**	**Maximum building potential on plot including in-situ FSI**
1	**2**	**3**	**4**	**5**	**6**	**~~7~~**	**~~8~~**	**~~9~~**
1	Below 9 m.	1.10	--	--	1.10	--	--	1.10
2	9 m. and above but below 12 m.	1.10	0.50	0.40	2.00	0.30	0.30	1.70
3	12 m. and above but below 15 m.	1.10	0.50	0.65	2.25	0.30	0.60	2.00
4	15 m. and above but below 24 m.	1.10	0.50	0.90	2.50	0.30	0.70	2.10
5	24 and above but below 30 m.	1.10	0.50	1.15	2.75	0.30	0.90	2.30
6	30 and above	1.10	0.50	1.40	3.00	0.30	1.10	2.50

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Note - i) In addition to above, ancillary area FSI up to the extent of 60% of the proposed FSI in the development permission (including Basic FSI, Premium FSI, TDR but excluding the area covered in Regulation No.6.8) shall be allowed with the payment of premium as specified in Regulation No. 6.1.1.This shall be applicable to all buildings in all zones.

Provided that in case of non-residential use, the extent of ancillary area FSI shall be upto 80%. No separate calculation shall be required to be done for this ancillary area FSI. Entire FSI in the development permission shall be calculated and shall be measured with reference to permissible FSI, premium FSI, TDR, additional FSI including ancillary area FSI added therein.

Provided further that, this ancillary area FSI shall be applicable to all other schemes like TOD, PMAY, ITP, IT, MHADA, etc. except SRA. In the result, free of FSI items in the said schemes, if any, other than mentioned in UDCPR, shall stand deleted.

ii) The column of TDR shall not be applicable for the area, where there is no Planning Authority and accordingly, values in subsequent column shall stand modified.

iii) The maximum permissible limits of FSI specified in the Table above, may be allowed to be exceeded in cases mentioned in Chapter - 7, where higher FSI is permissible over and above the limit specified in above table.

iv) Maximum permissible building potential on plot mentioned under column No.6 or 9 shall be exclusive of FSI allowed for Inclusive Housing as per Regulation No.3.8. There is no priority fixed to utilise premium FSI or TDR as mentioned in Column No. 4, 5 and7, 8.Other conditions of TDR utilisation shall be applicable as per the TDR Regulations No 11.2. In respect of service road, shown on development plan or in approved layout, or plots facing on major road, however deriving access from other roads, the width of highway or major road shall be considered for entitlement of building potential as per column 6 or 9 of above table, as the case may be.

v) Out of quantum of TDR mentioned in Column No. 5 or 8 minimum 30% and subject to maximum 50% of TDR shall be utilised out of the TDR generated from Slum Rehabilitation Scheme (Slum TDR) / Urban Renewal TDR / Amenity construction TDR (till generation of URT). If such TDR is not available then other TDR may be used.

vi) The restrictions of road width mentioned above shall not be applicable in cases where, the permissible FSI is more than the basic FSI in various schemes such as slum rehabilitation scheme, redevelopment of dangerous buildings, cluster development for congested (core) area, redevelopment of MHADA buildings, TOD etc. in such scheme, regulations of respective scheme shall be applicable.

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vii) The maximum limits of FSI prescribed above shall be applicable to (a) fresh permission (viz., green-field development (i.e. building on a vacant plot of land) and brown-field development (i.e., cases of addition to existing building where a permissible FSI has not been exhausted.) and also to (b) an existing building which has not been granted full occupation certificate. The cases of existing buildings shall be subject to production of stability certificate from structural engineer.

viii) Premium - Rate of premium for the premium F.S.I., as mentioned in Column No. 4 and 7 above shall be 35% of the rate of the said land mentioned in Annual Statement of Rates without considering the guidelines therein. Apportionment of such amount between Authority and Government shall be as decided by Government from time to time. The premium of the Government, if to be paid, shall be deposited by the Authority in the specified head of account of the Government. In the area of Regional Plans, entire premium shall be paid to the Government through the District offices of Town Planning and Valuation Department.

ix) Basic FSI for unauthorisedly subdivided plots having area up to 0.4 ha shall be 0.75 and the values of Column No. 3 to 9 shall vary proportionately. This provision shall be subject to provisions in Regulation No. 3.4.1 (i) (a) and (c) wherein plot shall be entitled for full potential.

x) The utilisation of TDR mentioned in above table would be available to an existing road width of 9 m. and above so marked under relevant Act.

xi) For plots regularised under Maharashtra Gunthewari Development (Regularisation, Upgradation and Control) Act 2001, these regulations shall apply and allowance of TDR in column No. 5 and8 shall be to the extent of 50%. This shall also be applicable for cases mentioned in Regulation No.3.4.1 (i)(b).

xii) In case plots having approach by dead end road, (point access) the potential of plot mentioned in above table shall be permissible if length of such access road does not exceed 100 m.

xiii) If the strip of land / plot adjacent to road is surrendered by the owner to the authority for road widening, then benefit of widened road in terms of building potential, permissible height shall be granted subject to condition that such road widening shall result in widening of road from junction of roads (or origin of road) to junction of roads (or T junction).

xiv) Entire area of plot may be considered for calculating the potential of plot in respect of premium FSI +TDR, but not the basic FSI. Basic FSI shall be calculated on area of the plot remaining with the owner after deducting area under D.P. road and amenity space. This shall be applicable in cases where reservation area or amenity space is handed over to the authority.

xv) If 6 m. wide road is proposed to be widened to 9 m. by the authority under the provisions of the Municipal Corporation or Municipal Council Act by prescribing line of street and owner of the plot handover 1.5 m. strip along such road to the authority, then he may be entitled for FSI and potential applicable to 9 m. road.

6.4 INDUSTRIAL BUILDINGS

Minimum plot area, front, side and rear margins, Permissible FSI, Additional FSI with payment of premium for industrial buildings in industrial zone shall be as per **Table No. 6 H** given below: -

Table No 6 H						
Sr. No.	**Min. road width (m.)**	**Plot Size in sq.m.**	**Basic Permissible FSI**	**FSI on Payment of premium**	**Min. Front Margin in m.**	**Min. Side & Rear Margins in m.**
1	2	3	4	5	6	7
1	9	Up to 300	1.00	0.40	3.00	2.25
2	9	Above 300 and upto 500	1.00	0.40	3.00	3.00
3	9	Above 500 and upto 1000 not being Special Building.	1.00	0.40	4.5	3.00
4	12	Above 1000 and not being special building.	1.00	0.40	4.5	4.50
5	12	Above 500 and being special building.	1.00	0.40	6.0	6.00

Notes: -

(i) In addition to above, ancillary area FSI up to the extent of 80%of the proposed FSI in the development permission (including Basic FSI, Premium FSI but excluding the area covered in Regulation No.6.8) shall be allowed with the payment of premium as specified in Regulation No. 6.1.1.The notes mentioned below Table No.6-G of Regulation No. 6.3, which are relevant in respect of industrial use, shall be applicable.

(ii) In case of Regional Plan areas, the plots fronting on National Highway, State Highway and Major District Roads, the building line/ control line shall be as per Ribbon Development Rules or as given in Table above, whichever is more.

(iii) Maximum floor height shall be 4.5 m. for industrial buildings. However, greater heights maybe permitted as per the requirement.

(iv) **Buffer zone**-For construction of industrial building, a 23m. wide buffer zone shall be kept from residential or incompatible zone, wherever necessary. Such buffer zone may form part of sizable required recreational open space. Roads and marginal distance may also be treated as a part of Buffer Zone. However, area of such buffer zone, falling within the plot, shall be counted in gross area for computation of FSI. Where green belt is shown in Development Plan between residential and industrial zone, area of such green belt may be counted in gross area for calculation of FSI, if land under such green belt is owned by the applicant.

Provided that, if the land under industrial zone is utilized entirely for non-polluting industries, IT/ ITES or like purposes, then such buffer zone / open space shall not be necessary.

6.5 FSI OF GREEN BELT

FSI of the green belt zone shown on the Development Plan / Regional Plan may be allowed on remaining land of the owner by counting area of green belt in gross area of plot subject to

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condition that the area shall always be under tree cover. The owner shall plant trees in this area with proper planning at the rate of minimum 100 trees per hectare that should have survived for at least one year prior to issuance of occupation certificate.

6.6 CALCULATION OF BUILTUP AREA FOR THE PURPOSES OF FSI.

Outer periphery of the construction floor wise (P-line) including everything but excluding ducts, voids, and items in Regulation No. 6.8,shall be calculated for the purpose of computation of FSI. The open balcony, double height terraces and cupboard shall also be included in P-line of respective floor, irrespective of its use / function. If part of the stilt, podium or basement is proposed for habitation purpose or for the construction which is counted in FSI, then such construction shall also be measured in P-line in that respective floor.

6.7 PERMISSIBLE PROJECTIONS IN MARGINAL OPEN SPACES/ DISTANCES

The following projections shall be permissible in marginal open spaces:-

(a) **Projections into Marginal Open Spaces:-** Every open space provided either interior or exterior shall be kept free from any erection thereon and shall be open to the sky and no cornice, chajja, roof or weather shade more than 0.75 m. wide shall overhang or project over the said marginal open spaces so as to reduce the width to less than the minimum required. However, sloping/ horizontal chajja provided over balcony/ gallery etc. may be permitted up to balcony projections at horizontal level.

(b) **Balconies -** as specified in Regulation No 9.14

(c) Ledge for Air conditioning unit as specified in Regulation No 9.5.

(d) **A canopy or porch** not exceeding 5m. in length and 2.5m. in width in the form of cantilever and unenclosed over the main and subsidiary entrances providing a minimum clear height of 2.4m. below the beam bottom of canopy. The canopy shall not have access from upper floors (above floors), for using as sitting out place. There shall be a minimum clearance of 1.5m. between the plot boundaries and canopy.

Provided that more than one canopy may be permitted in the case of special buildings as per requirement.

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

(f) **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 4.0sq.m.in the rear or side open space and at a distance of 7.5m. from the road line or the front boundary and 1.5m. from other boundaries may be permissible. The Authority may reduce 1.5m. margin in exceptional cases to avoid hardship.

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

iii) Underground Suction tanks, soak pits, wet and dry garbage separately with collection chambers, space required for fire hydrants, electrical and water-fittings, underground water tanks, dustbins etc.

iv) One watchman's cabin/ booth not more than 6sq.m.in built up area having minimum width or diameter of 1.80m. Cabin / booth may be allowed at every entrance and / or exit.

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

(g) **Ramp for basement** in side and rear marginal distances subject to provisions under Regulation No. 9.12.

(h) **Fire escape staircase** of single flight not less than 1.2m. width excluding the marginal distance required for special building.

(i) **Staircase mid-landing** of 1.2m width with clear minimum headroom of 2.1m. below the mid-landing. However, clear distance from edge of landing to the plot boundary shall not be less than 1.8m.in case of non-special building and 6 m. in case of special building.

(j) **Architectural projections -** Architectural projections as specified in Regulations No. 9.30.

(k) Construction of ottas, railings, barricades or supporting columns for canopy or porch shall not be permitted within the minimum required front marginal distances. However, steps or steps along with otta may be permitted to project upto 1.2m. from the building line.

(l) **Cupboard** as specified in regulation No.9.6.

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6.8 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.6.7 (a), (c), (d), (e), (f) (iii), (g), (i), (j), (k).

ii) Stilt/ Multi-storeyed floors/ podium/ basement, if used for parking including passages therein.

iii) Areas covered by Porches, Canopies, lofts, ledge or tand, shelves, Air Conditioning Plant Rooms, Lift Well, Lift-Machine Room and Service Floor of height not exceeding 1.8 m. height below the beam, for hospitals, shopping malls, plazas and Star category hotels (rating with three stars and above)and like buildings, other buildings above 15 m. in height.

iv) Area of structures for water, grey water, wet-waste or an effluent treatment plant, rain water harvesting Pump rooms (maximum 10sqm.), electric cabin of sub-stations/ of generator set area, electric meter rooms as per requirements, Refuse chutes/ garbage chutes /garbage shafts for wet and dry garbage separately with collection chambers.

v) Rockery, Well and well structures, Plant Nursery, Water Pool, platform around a tree, Fountain, bench, Chabutara with open top and unenclosed sides, Ramps, Compound wall, Gate, slide/ swing, Steps outside the buildings, Domestic working place (open to sky), Overhead water tank on top of the building, Refuge area for high rise buildings as specified in Regulation No. 9.29.6

vi) Telecommunication tower, antenna and allied activities.

vii) Atrium may be allowed in any type of building. Such atrium may be allowed to be

enclosed on top by transparent or opaque sheet.

viii) Open to sky terraces, top of podium, open to sky swimming pool on the top terrace and top of podium with plant room.

ix) Structures permissible in recreational open space as per Regulation No.3.4.7.

6.9 INTERIOR & EXTERIOR CHOWK

(a) Interior chowk: Wherever habitable rooms or kitchen derive ventilation from inner chowk or interior open space, the minimum size of such interior open space shall not be less than

3m. x 3m. The size of such chowk shall increase with the height of building and shall not be less than H/6m. x H/6m., where H= Height of highest wall of the Chowk from ground level.

(b) Exterior chowk: The minimum width of the exterior chowk for the purpose of light and ventilation shall not be less than 2.4m. and the depth shall not exceed 2 times the width, for buildings up to 17 m. height and for height more than 17 m., the exterior open space shall not be less than H/7m. x H/7m.where H= Height of highest wall of the Chowk from ground level. If the width of the exterior chowk is less than 2.4m., it shall be treated as a notch and shall not be considered for deriving ventilation.

(c) Where only water closet, bathroom, combined bathroom and water closet are abutting on the interior open space, the size of the interior open space shall be in line with the provision for ventilation shaft as given in Regulation No.9.20.2.

Provided that, for (a) and (b) above maximum distance shall be subject to 16 m. If the owner wishes to provide chowk size more than what is prescribed above, it shall be allowed.

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6.10 HEIGHT OF BUILDING

This regulation shall be applicable for buildings to be constructed in all land use zones, unless and otherwise specified in the respective regulation.

6.10.1 (i) Height of building shall be allowed to the extent mentioned below subject to approval of Chief Fire Officer of the Authority or Director of Fire services, if required, under these regulations.

Sr.No.	Authority / Area	Permissible height (m.)excluding parking floor upto 6m. height
1.	For Pune, Pimpri-Chinchwad, Nagpur, Nashik, Municipal Corporations in MMR and Metropolitan Authorities area.	Permissible height as per approval from Fire Department.
2.	For remaining Municipal Corporations area	70
3.	For All Municipal Councils, Nagar Panchayats, Non Municipal Council D.P. and Regional Plan areas.	50

Provided that higher height may be allowed in case of Integrated Township Project where fire station and fire-fighting facilities are to be constructed/provided. Also, if such facilities are available in nearby area of the project, then buildings of higher heights may be allowed in such project. However, necessary certificate to that effect and NOC shall be produced from

Director of Fire Services.

(ii) The building height upto 24 m. shall be allowed on roads less than 12 m. For a building having height more than 24 m., the minimum road width shall be 12m.

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

(iv) (a) In addition to (iii), for Industrial Chimneys 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

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

(v) The buildings of height more than 70 m., shall be allowed subject to fulfilment of the requirements mentioned in Regulation No.6.12.

6.11 HEIGHT EXEMPTIONS

The appurtenant structures such as roof tanks and their supports, two toilets on terrace not exceeding 8sq.m. built-up area and height upto 3 m. in case of residential building, ventilating, air-conditioning structures, lift rooms and similar service equipment, stair cover, chimneys and parapet walls and architectural features not exceeding height allowed in these regulations, and Solar panels not exceeding 1.8 m. in height shall not be included in computation of height of building.

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6.12 REQUIREMENTS IN CASE OF BUILDING MORE THAN 70 M. HEIGHT

It is mandatory for all the high rise buildings to comply with the requirements of Structural Design and Stability, Geo-technical and other aspects and Fire Safety norms as per provisions of UDCPR, Maharashtra Fire (Prevention and life Safety Measures) Act, 2006 and National Building Code of India, amended from time to time, for the aspects not covered in UDCPR. The certificates from structural and geo-technical engineers about the fulfilment of necessary requirements shall be attached with the application. The responsibility of structural and other stability and safety of such high-rise buildings shall lie with owner/ developer and concerned expert, consultant, executants appointed by owner/developer.

6.13 FSI OF LANDS AFFECTED BY HEMRL OR OTHER RESTRICTIONS

The lands which are affected by the restrictions of High Energy Material Research Laboratory or provisions of other Central or State Government Acts, forms the part of the entire land, then FSI of such affected land may be allowed to be utilised on the remaining contiguous land. However, sub-division of such land shall not be allowed.

6.14 PROVISION OF RECREATIONAL FLOOR

In case of residential building having height more than 30 m., recreational floor may be allowed subject to following-

i) the height of such floor shall be upto 4.5 m. and shall be open on all sides,

ii) such floor shall be used for recreational purpose/activities including construction of swimming pool and shall be in addition to the recreational open space required as per

UDCPR,

iii) one such floor may be allowed at every 50 m. height, however, first floor may be allowed after 30 m. height,

iv) such floor shall not be counted in FSI, however, ancillary constructions like changing room, wash room, etc. shall be computed in FSI.

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CHAPTER – 7
HIGHER FSI FOR CERTAIN USES

7.0 GENERAL

Higher Floor Space Index may be allowed for certain uses in congested and non-congested area, except as otherwise specified and subject to following conditions:

i) Permissible higher FSI for the buildings as mentioned in Table No 7-A shall be the maximum permissible building potential according to road width as mentioned in column 6, 9, ~~12~~ of Table No.6A or column 6, 9of Table No. 6Gunder Regulation No. 6.1 or 6.3 (whichever is applicable) minus Basic FSI. Instead of availing this higher FSI, the owner shall be entitled to avail premium FSI/ TDR or both to that extent.

ii) Such higher FSI shall only be available for use for which higher FSI is granted alongwith ancillary uses.

iii) **Premium** –Premium for higher F.S.I. shall be as per column 4 of the Table No. 7Abelow:- 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 & the Authority respectively. Premium to be paid to the Government shall be deposited in the concerned Account Head of Urban Development Department at Government Treasury by the Authority. In case of areas of Regional Plans, such entire premium shall be paid to the Government through the District office of the Town Planning and Valuation Department. The quantum / rates of premium shall be subject to the orders of the Government from time to time.

iv) In addition to above, other ancillary area FSI as mentioned in notes below Table No.6 A and 6G (whichever is applicable) shall also be applicable for these uses.

vi) The higher FSI shall also be permissible to existing authorised uses subject to structural stability.

f) If the owner/ developer desires to avail such higher F.S.I. 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 higher F.S.I. No condonation in the required open spaces, parking and other requirements in these regulations shall be allowed. However, for the proposals in respect of existing building, such condition need not be insisted upon and the proposal shall be cleared only after strictly conforming to structural and fire safety norms.

h) No Amenity Spaces as per Regulation No. 3.5 shall be required to be provided for the uses mentioned in Table No.7A.

j) In agricultural zone, uses mentioned at Sr.No. A & B of table 7A, shall be entitled for 100% additional FSI over and above, permissible in said zone.

Table No. 7.1 – Higher F.S.I.				
Table No. 7-A				
Categories of the other buildings	**Basic FSI**	**Additional FSI**	**Rate of the Premium**	**Conditions if any,**
1	2	3	4	5
A) Educational i) Pre-primary School, nursery Kindergarten and Special Educational Institute for Physically challenged/ Mentally ill.	As per Regulation No. 6.1 or 6.3, whichever is relevant.	Maximum Building Potential limit as per road width as mentioned in Table No.6-A or 6-G (whichever is relevant) minus basic FSI.	5 %	a) Provision of playground shall be complied with as specified in these regulations. Provided that, it shall not be necessary to increase area of existing playground, if any, when utilisation of higher F.S.I. as otherwise permissible in these regulations, is proposed on upper floor of existing building. Provided further that, in case of existing building wherein utilisation of higher F.S.I. is proposed on the vacant land, area of playground shall not be less than 40% or the existing area of playground whichever is minimum. Provided further that, in case of existing building wherein utilisation of higher F.S.I. on upper floors is not possible and it is necessary to expand the existing building to accommodate number of students, then in such exceptional circumstances, required area of playground(and not existing) may be permitted to be reduced, b) Maximum height of Educational building shall be as per The Maharashtra Fire protection and Life Safety Measures Act, 2006
ii) Primary School	--do--	--do--	5%	
iii) Other Educational Buildings including boys/ girls / youth hostels within 500 m. periphery from the recognised educational institutions.	--do--	--do--	For Charitable Institutions 10% and for private buildings 15%.	
B) Medical Institutions- Hospital, Maternity	--do--	As per Sr. No. A (i) above.	For Charitable Institutions 10%	Maximum height of building for hospitals, sanatorium and nursing homes, shall be as per The Maharashtra Fire protection

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Homes, buildings		However, maximum building potential shall be considered as 3.00 subject to Road width 18m. and above.	and for private buildings 15%.	and Life Safety Measure, Act, 2006.
C) Institutional buildings/ Banks	--do--	As per Sr. No. A (i) above.	As per Sr. No. B above.	
D) Starred category hotels (two star and above)Mega-Ultra Mega and Large Tourism Project/Unit as per Maharashtra Tourism Policy-2016 or as amended from time to time.	--do--	--do--	20%	i) Certificate from the Tourism Department, GOI shall be necessary for type of category of hotels. ii) The maximum building potential limit mentioned in Table No. 6-A or 6-G shall be allowed considering the road width one step below. e.g. for the roads as mentioned at Sr. No. 3 in Table No. 6-G, the maximum building potential shall be considered as given at Sr. No. 4. iii) Mega/Ultra Mega/Large Tourism Project/Unit may also include Tourism support activities to the extent of 20% of the additional FSI consumed.
E) Buildings of Government and Semi-Government Offices, Local Authorities and Public Sector Undertakings / the Land in possession of Maharashtra State Road Transport Corporation /	--do--	As per Sr. No. A (i) above. However, maximum building potential shall be considered as 3.00 for Roads having width 18m. and more.	Government and Semi-Government Originations, Local Authorities – Nil. For Public Sector Institutions – 15%	The Authority may allow exceeding the limit of higher FSI mentioned in column 3.

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City Transport / Metro Stations and Depot including Govt. Guest Houses.				
F) Religious Building:	--do--	As per Sr. No. A (i) above.	15%	i) It shall be necessary to obtain the No-Objection Certificate from concerned Police Authority and Collector (District Magistrate), before grant of permission. ii) Other ancillary user like, administration office, Dharmashala or Accommodation for devotees, eateries, convenience shops, etc. may be permitted.
G) Yatri Niwas,	--do--	--do--	15%	
I) Basic shelter for urban poor and Housing schemes developed for EWS / LIG	--do--	As per Sr. No. A (i) above or FSI upto 2.5, whichever is maximum.	No premium	Any housing scheme for EWS/ LIG undertaken by the authority, government/ semi government organisation, under the basic shelter for urban poor or similar programme/ scheme of the Central / State Government, shall be eligible for higher FSI.
J) Students' Hostel/ Working Women - Men Hostel / Dormitories / Hostel for Labourers (for whom Labour Laws are applicable.)	--do--	As per Sr. No. A (i) above	10%	i) Built-up area of the unit shall not exceed 17 Sq. m. with or without toilet, excluding common area. ii) Unit shall not be sold and shall be on rental basis. The condition to that effect shall be stamped on plans and be incorporated in permission letter. iii) Ancillary facilities such as kitchen, dining hall, common hall, common toilets may be permitted.

Note :

i) The owner shall be at liberty to avail TDR instead of paying premium mentioned in above table to the extent specified above.

ii) The above premium shall not be applicable for development under taken by Government, Semi-Government Departments, Local Authorities and Public Sector Undertakings.

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7.2 Entitlement of FSI for Road Widening or Construction of New Roads / Surrender of Reserved Land

The Authority 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 /Regional Plan / Planning Proposal, and also service road proposed to NH/ SH/ MDR/ ODR whether shown on plan or not, if the owner (including the lessee) of such land surrenders such land without claiming any monetary compensation in lieu thereof and hands over the same free from encumbrances to the satisfaction of the Authority. FSI generated against the surrender of land, shall be in proportion to the provisions mentioned in Regulation of TDR and may be utilised on the remaining land within the building potential mentioned in Table 6-A, 6-G and 6-H of Regulation No. 6.1, 6.3and 6.4 respectively, whichever is applicable. If desired by the owner, TDR, wherever applicable, 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 Right in accordance with the provisions regulating Transfer of Development Rights (TDR). Thereafter, the road shall be transferred in the city survey records/ revenue records in the name of the Authority and shall vest in it becoming part of a public street.

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 provision of TDR as mentioned in Regulation No. 11.2.3.

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7.3 DEVELOPMENT / REDEVELOPMENT OF STAFF QUARTERS OF THE STATE GOVERNMENT OR ITS STATUTORY BODIES OR PLANNING AUTHORITY

7.3.1 Construction/ reconstruction of staff quarters of the State Government or its statutory bodies or Authority shall be permitted on land belonging to such Authorities which are situated in developable zones such as Residential/ Public Semi-public/ Commercial Zones etc. on the following conditions

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

7.3.3

Road width and plot area	Maximum permissible FSI including basic FSI
18m. or above, minimum plot area 4000sq.m. and above	3.00
12m. or above but below 18m.	2.50

7.3.4 For the purpose of calculating the FSI, the entire area of the plot excluding area under Development Plan roads / Regional Plan Roads and Development Plan reservations, if any, shall be considered.

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

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

7.3.5 The total permissible FSI under this regulation shall be utilised for construction of staff quarters and ancillary activities for the User Authority, subject to the following :-

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

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

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

Sr. No.	Municipal Corporations/ Metropolitan Authorities	Status	Authorities Other than those in column 2 including Regional Plan area
1	**2**	**3**	**4**
1	Municipal/ Metropolitan Commissioner (of the Municipal Corporation/ Metropolitan Authority)	Chairman	Collector of Concerned District
2	Police Commissioner/ District Superintendent of Police of Concerned District	Member	District Superintendent of Police of Concerned District
3	Collector of Concerned District	Member	Chief Officer/ Chief Executive Officer of the Authority or Assistant Director of Town Planning of concerned District in the Regional Plan area.
4	Superintendent Engineer (PWD)	Member Secretary	Superintendent Engineer (PWD)

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

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

7.3.6 i) Notwithstanding anything contained in these regulations, no amount shall be charged towards Premium, Scrutiny Fee etc., for the projects proposed under this regulation.

ii) The provisions of Inclusive Housing, mentioned in these regulations, shall not be applicable for development under this regulation.

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

7.4 DEVELOPMENT/ REDEVELOPMENT OF HOUSING SCHEMES OF MAHARASHTRA HOUSING AND AREA DEVELOPMENT AUTHORITY

7.4.1 Development / re-development of housing schemes of Maharashtra Housing and Area Development Authority shall be subject to the following provisions: -

i) 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 be2.50 or maximum building potential as per road width(Regulation No. 6.1 or 6.2) whichever is maximum, on the net plot area and at least 60% built-up area in such scheme shall be in the form of tenements under the EWS, LIG and MIG categories, as defined by the Government in Housing Department from time to time.

ii) 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 be2.50 on the gross plot area.

7.4.2 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:-

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

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

b) an additional entitlement governed by the size of the plot under redevelopment, in accordance with the Table 7-B below:-

Table 7-B	
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 entitlement of rehabilitation area as admissible under this regulation shall be exclusive of the area of balcony.

ii) **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 7-C below:-

Table No. 7-C	
Basic Ratio (LR/RC)	**Incentive (As % of Admissible Rehabilitation Area)**
Above 6.00	40%
Above 4.00 and up to 6.00	50%
Above 2.00 and up to 4.00	60%
Up to 2.00	70%

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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.

iii) **Sharing of the Balance FSI:-**The FSI remaining in balance after providing for the rehabilitation and the incentive components, calculated as per (i) and (ii) above respectively, shall be shared between the Co-operative Housing Society and MHADA in the form of built-up area, as given in Table No.7D below and the share of MHADA shall be handed over to MHADA free of cost.

Table No. 7D		
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 up to 6.00	35%	65%
Above 2.00 and up to 4.00	40%	60%
Up to 2.00	45%	55%

Provided that in case of plots up to 4000 sq.m., MHADA without insisting MHADA's Share in the form of BUA, may allow additional BUA over and above existing BUA up to 2.50 FSI by charging premium at the percentage rate of ASR defined in Table No. 7E below:-

Table No. 7E			
LR/ RC Ratio	**EWS/LIG**	**MIG**	**HIG**
0 to 2	20%	45%	60%
2 to 4	23%	49%	64%
4 to 6	25%	53%	68%
Above 6	28%	56%	71%

7.4.3 Where redevelopment of buildings in the existing Housing Schemes of MHADA is undertaken by MHADA or jointly by the MHADA along with the housing societies or along with the occupiers of such building or along with the lessees of MHADA, the Rehabilitation Area Entitlement shall be as follows:-

i) **Rehabilitation Area Entitlement:-** The Rehabilitation Area Entitlement shall be increased by 15% of the existing carpet area, over and above the Rehabilitation Area Entitlement calculated as per Regulation No. 7.4.2 (i) above.

7.4.4 For the purpose of calculating the FSI, the entire area of the layout including Development Plan roads / Regional 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 Regulations of the UDCPR shall apply.

The reservations in the MHADA layout may be developed as per the provisions of these Regulations.

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.

7.4.5 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.

7.4.6 i) 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 granted over and above the basic FSI admissible for the redevelopment schemes. 50% of the Infrastructure Charge levied and

collected by MHADA shall be transferred to the Authority for developing necessary off site infrastructure.

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

a) Construction of EWS/LIG and MIG tenements by MHADA on a vacant plot, **or**

b) In a redevelopment project for the construction of EWS/ LIG and MIG tenements towards the share of MHADA.

7.4.7 Notwithstanding anything contained in these Regulations, the relaxation incorporated for slum rehabilitation scheme 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.

7.4.8 i) 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 51% of its members and where such NOC holder has made provision for alternative permanent 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 relevant sections of the MHADA Act mutatis mutandis shall apply for the purpose of getting the tenements vacated from the non-co-operative members.

ii) For redevelopment of buildings in any existing Housing Scheme of MHADA under clause 7.4.8(i) 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 relevant sections of the Maharashtra Housing and Area Development Act, 1976 may be taken by MHADA.

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7.4.9 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.

7.4.10 i) In case of layout of MHADA where development is proposed under this Regulation and where such land is observed to be partially occupied by slum, under section 4 of Slum Act existing prior to 1.1.2000 or such other reference date notified by the Govt., then for integrated development of the entire layout area and in order to promote flexibility, MHADA may propose development, including area occupied by the slum, under this regulation.

ii) a) Each eligible residential or residential cum commercial slum dweller shall be entitled to a tenement of carpet area of 27.88 sq.m. (300 sq.ft.)and

b) Existing or 20.90 sq.m. whichever is less in case of non-residential.

iii)If such land occupied by slum is observed to be affected by reservation then the development of reservation on land occupied by slum shall be regulated by the Slum Regulation.

iv) Corpus fund: An amount as may be decided by SRA as per Regulation shall be deposited with MHADA Authority for each eligible slum dwellers.

7.5 PROTECTION OF FSI IN REDEVELOPMENT OF EXISTING BUILDINGS

For redevelopment or reconstruction of existing buildings, the FSI to be allowed shall be FSI permissible under Regulation No.6.1 or 6.3,or the FSI consumed by the existing authorized building including TDR, premium FSI etc., whichever is more. (Such TDR, Premium FSI etc. utilised in existing building shall be treated as authorisedly consumed FSI entitled for redevelopment.)

7.6 REDEVELOPMENT OF OLD DILAPIDATED/ DANGEROUS BUILDINGS

Reconstruction / Redevelopment in whole or in part of any building which has ceased to exist in consequence of accidental fire / natural collapse or demolition for the reasons of the same having been declared dangerous or dilapidated or unsafe by or under a lawful order of the Authority or building having age of more than 30 years, shall be allowed subject to following conditions.

7.6.1 Redevelopment of multi-dwelling buildings of owner / society.

i) FSI allowed for redevelopment shall be FSI of existing authorized building and 10%incentive FSI shall be allowed on the FSI, TDR, premium FSI etc. consumed in the existing building. This shall be subject to maximum building potential mentioned in Regulation No.6.1 or 6.3, as the case may be. However, in case of buildings belonging to EWS / LIG group, 10% incentive FSI or 10 sq.m. built-up area per tenement, whichever is more, shall be allowed as incentive FSI.

Such incentive FSI shall not be applicable for redevelopment of existing bunglow.

ii) In cases where carpet area occupied by residential tenement in the existing building is less than the carpet area of 27.87 sq.m. then such tenement shall be entitled for minimum carpet area of 27.87 sq.m. and difference of these areas shall be allowed as additional FSI without any premium.

7.6.2 Redevelopment of tenanted buildings

i) The FSI allowed for redevelopment of building having protected tenants under the relevant provisions of law, shall be FSI permissible under Regulation No.6.1 or 6.3,or the FSI consumed by the existing authorized building including TDR, premium FSI etc., whichever is more. (Such TDR, Premium FSI etc. utilised in existing building shall be treated as a basic FSI for redevelopment.) In addition to this, 50% incentive FSI of the rehab area required for rehabilitation of tenants, shall be allowed. Provided that rehab area shall be the authorisedly utilised area or 27.87 sq.m. carpet area per tenement whichever is more. In case of non-residential occupier the area to be given in the reconstructed building shall be equivalent to the area occupied in the old building.

Provided that, where such building is partly self-occupied by the owners, then entitlement of such partly area shall be governed by the provisions mentioned in Regulation No.7.6.1 above.

Provided further that, if the existing authorised built up area and incentive thereon as stated above is less than maximum building potential mentioned in Regulation No. 6.1 or 6.3, as the case may be, then society may avail premium FSI / TDR upto maximum building potential.

ii) All the eligible tenants of the old building shall be re-accommodated in the redeveloped building.

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iii) In case of fire gutted buildings, the conditions of more than 30 years age of buildings shall not be applicable.

Note:- (applicable for Regulation No.7.6.1 & 7.6.2)

1) For the purpose of deciding authenticity of the structure if the approved plans of existing structure are not available, the Authority shall consider other evidences such as Assessment Record or City Survey Record or Sanad.

2) The new building may be permitted to be reconstructed in pursuance of an agreement to be executed on stamp paper by at least 51% of the landlord/ occupants in the original building, within the meaning of the Bombay Rents, Hotel and Lodging House Rents Control Act, 1947 or Apartment Act and its related provision and in such agreement provision for accommodation for all occupants in the new building on agreed terms shall be made and a copy of such agreement shall be deposited with the Planning Authority before commencement or undertaking reconstruction of the new buildings.

3) An amount as may be decided by the Government shall be paid by the Owner/Developer/ Society as additional Development Cess for the built up area over and above the Base FSI. A corpus fund as decided by the Authority is to be created by the Developer which will take care of the maintenance of the building for a period of 10 years.

7.7 DEVELOPMENT OF HOUSING FOR EWS/ LIG

7.7.1 *In Residential Zone-*

If the owner constructs the housing for EWS/ LIG in the form of tenements of size up to 50 sq.m. built-up area on his plot, then he shall be allowed FSI of maximum building potential mentioned in the column 6 or 9 of Table No.6A or column 6 or 9 of Table No. 6G of Regulation No.6.1 or 6.3, subject to following conditions.

i) For the FSI availed over and above the basic FSI, the premium shall be charged at the rate of 15% of land rate in ASR, without considering guidelines therein.

ii) Out of the total tenements, at least 40% tenements shall be of built-up area not more than30sq.m.

iii) Only one tenement should be sold to a family. Adjoining tenement should not be sold to a close relative of such tenement owner. Affidavit to that effect shall be obtained from the land owner/ developer and purchaser.

iv) For these proposals, marginal distances (except front margin) parking and other requirement shall be as per Slum Redevelopment Regulations, wherever such regulations exist.

v) The owner shall have option to avail TDR over and above basic FSI instead of availing FSI with the payment of premium as mentioned in (i) above.

7.7.2 *In Agricultural Zone -*

The housing scheme mentioned in Regulation No.7.7 shall be permissible in Agricultural Zone with FSI of 1.00 with approach road of minimum 9 m. The responsibility of development of infrastructure shall lie with the owner / developer.

7.7.3 *For Regional Plan Area -*

The housing scheme mentioned in Regulation No.7.7.1 and 7.7.2 shall be applicable for Regional Plan area mutatis mutandis.

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7.8 REGULATIONS FOR DEVELOPMENT OF INFORMATION TECHNOLOGY ESTABLISHMENT

7.8.1 For Municipal Corporation, Area Development Authority and Special Planning Authority area.

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

i) The Authority may permit additional FSI up to 200% over and above the basic permissible F.S.I. to all registered Public and Private IT/ ITES Parks/AVGC Parks /IT SEZs or IT Parks in SEZs / Stand-alone IT/ ITES units in public IT Park (including IT/ ITES units located in Residential / Industrial/ No Development/ Green/ Agriculture Zone or any other land use zone in which such users are permissible), which have been approved by the Directorate of Industries, proposed to be set up or already set up under present / previous IT/ITES policies, (hereinafter referred to as the "said unit") by charging premium of 20% of the land rate for the said land as prescribed in Annual Statement of Rates for the relevant year of granting such additional F.S.I.

In the case of lessor authorities such as New Town Development Authorities as land owner, such Authorities may recover lease premium for additional F.S.I., if applicable, under their land disposal policy.

Provided that additional FSI above 100% and up to 200% shall be permissible only on plots having an access road of minimum18 m. width.

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

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

ii) Maximum 20% of total proposed Built-up area (excluding parking area) inclusive of such additional F.S.I. may be permitted for support services in IT Parks. Remaining built-up area shall be utilized for IT/ ITES.

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

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

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Industries;

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

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

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

vii) While developing site for IT/ITES with additional FSI, support services as defined in the IT Policy 2015 or amended from time to time, shall be allowed.

viii) Notwithstanding anything contained in the Development Control Regulations of Planning Authorities, no amenity space is required to be left for development of IT/ITES buildings.

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

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

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

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

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

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

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7.8.2 For Municipal Council, Nagar Panchayat and Non-Municipal Town Development Plan area.

The regulations mentioned in Regulation No. 7.8.1 above shall be applicable to Municipal Council area with following modifications. The Chief Officer shall grant additional FSI accordingly.

i) In case of Ambarnath and Kulgaon-Badlarpur Municipal Council, premium to be paid for additional FSI shall be 30% of the land as prescribed in Annual Statement of Rates. In other areas, it shall be 10%.

ii) Sharing of premium between the Planning Authority and the Government shall be 75:25.

iii)In case of Ambarnath and Kulgaon-Badlarpur Municipal Council 20% and other areas Maximum 40% of total proposed Built-up area may be permitted for support services

7.8.3 For Regional Plan area

The regulations mentioned in Regulation No. 7.8.1 above shall be applicable to Regional Plan area with following modifications. The Authority shall grant additional FSI accordingly.

i)In case of Regional Plan area, premium to be paid for additional FSI shall be10% of the land as prescribed in Annual Statement of Rates and shall be paid to the Government through District office of the Town Planning and Valuation Department.

ii)Maximum 40% of total proposed Built-up area may be permitted for support services.

7.9 REGULATION FOR DEVELOPMENT OF BIOTECHNOLOGY PARKS

7.9.1 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 0.80ha or 1,858sq.m. (20,000sq.ft.) built up area.

7.9.2 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 and all regulation of Industrial Zone shall apply.

7.9.3 Biotechnology Units/ Park to be allowed in No Development Zone earmarked in the Development/ Regional Plan.

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

i) Maximum FSI limit shall be 0.20on gross area 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 24m.

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

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7.9.4 Additional FSI to Biotechnology Units/ Park

The Authority may permit the floor space indices specified in these regulations to be exceeded to the extent of 100% over and above the permissible basic FSI for biotechnology units/ parks subject to following conditions:-

i) Out of total built up area minimum 90% shall be used for Biotechnology purpose and maximum 10% (by deducting parking space) shall be used for ancillary users such as specified in the Govt. Resolution of Industry, Energy and Labour Department No. BTP 2008/ CR-1608/ Ind-2, dated 10/2/2009 or as amended from time to time.

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 and Promotion Regulation shall be provided subject to minimum requirement of one parking space per 100sq.m. 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 20% of the present day market value of the land under reference as indicated in the ASR.

v) 25% of the total premium shall be paid to the Government and remaining 75% amount shall be paid to the said Authority. In Regional Plan area, such amount shall be entirely paid to the Government through the concerned branch office of the Town Planning and Valuation Department.

vi) The premium so collected by the Authority 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 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 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 Authority

viii) No condo-nation 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 Government resolution dated 10th February, 2009 as amended from time to time.

7.10 INCENTIVE FOR GREEN BUILDINGS

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

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

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

GRIHA Four star/IGBC Gold/LEED Gold or equivalent rating - 5% incentive FSI on basic

FSI.

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

Provided, achieving minimum GRIHA Three star/ IGBC Silver / LEED silver or equivalent rating for construction projects shall be mandatory for all buildings belonging to Government, Semi- Government, local bodies and public sector undertakings.

ii) Incentive FSI will be awarded after pre-certification from the empanelled agency. This FSI shall be exclusive of the limits specified in this UDCPR.

iii) In case that the developer fails to achieve committed rating as per pre-certification at the time of final occupancy, a penalty shall be imposed at the rate 2 times of the land cost as per ASR for the incentive FSI for the rating not achieved.

7.11 DEVELOPMENT OF PUBLIC TOILET

If any person constructs public toilet prescribed by the Authority on its land, preferably on ground floor, he may be granted Amenity TDR against the constructed area as per regulation of Transferable Development Rights. If owner constructs such amenity on his own land, he shall also be entitled for aforesaid benefit alongwith additional 50% TDR thereon as incentive, in addition to TDR of land occupied by such structure along with appurtenant land. In such case, the said structure along with land shall be transferred, to the Authority with proper approach.

7.12 BUILDINGS OF SMART FINTECH CENTRE

i) The Authority may permit additional FSI up to200% over and above the basic permissible FSI to Smart Fin-Tech Centre located in Residential/Industrial/Commercial Zone, which have been approved by the Directorate of Information Technology, proposed to be set up (hereinafter referred to as the "said unit") by charging premium of 20%of the land rate for the said landaus prescribed in Annual Statement of Rates for the relevant year of granting such additional FSI.

Provided that additional FSI shall be permissible only on plots having an access road of minimum 18m. width and subject to approval by committee chaired by the Principal Secretary, Information Technology and comprising representatives of Industries, Finance and Urban Development Department (UD-1).

Provided further that, the premium so collected shall be shared between the Planning Authority and the Government in the proportion of 50: 50.The share of the Government shall be deposited in the Fin-Tech Corpus fund which is being set up by Director of Information Technology.

(Explanation:-Premium charges shall be calculated on the value of lands under such zones, determined by considering the land rates of the said land as prescribed in Annual Statement of Rates (ASR). These charges shall be paid at the time of permitting additional FSI by considering the ASR for the relevant year without applying the guidelines).

ii) The total maximum permissible FSI shall not exceed limit of 3.00.In case of plot fronting on roads having width of 24m. or more, the FSI may be permitted to be exceeded upto 4.00.

iii) No amenity space is required to be left for development of plot/land up to 2.00Hectare for Smart Fin-Tech Centre.

iv) At least 85% of total proposed Built-up area (excluding parking area) shall be permitted for business of Fin-Tech (start-ups, incubators, and accelerators), banking and financial service including NBFC and insurance, and IT/ITES with focus on FinTech.

v) The Directorate of Information Technology will develop a web portal on which the developer of every Smart FinTech Centre will be bound to provide/ update detailed information about names of the units in the park, utilization of built-up area and activities being carried out, manpower employed in the Smart FinTech Centre on yearly basis.

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

a) The misuse shall be ascertained by physical site verification of the said Smart FinTech Centre policy by a team of officers from the Directorate of Information Technology and the Authority, which has approved the building plans of the said Smart FinTech Centre.

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

c) The penalty will be recovered from the date of commencement of unauthorized use till the day non-FinTech activities.

After payment of the penalty to the Authority, which has sanctioned the building plans of the concerned Smart FinTech Centre, the said Smart FinTech Centre will restore the use of premises to the original purpose for which LOI/ Registration was granted. If the Smart FinTech Centre fails to pay penalty and/ or restore the use to its original intended use, the Authority will take suitable action under the Maharashtra Regional and Town Planning Act 1966, against the erring Smart FinTech Centre under intimation to the Directorate of Information Technology. These provisions will be over and above the penal provisions of the MRTP Act, 1966.

vii) In this regulation the terms and expression shall have the meaning specified in FinTech Policy declared by Directorate of Information Technology vide Govt. Resolution No.DIT-2018/CR-17/D-1/39, dated 16th February, 2018. Notwithstanding anything contained in the existing regulation, the above provisions shall be applicable for Smart FinTech Centre.

Other provisions of existing regulations, which are not specifically mentioned in this regulation, shall be applicable.

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CHAPTER – 8
PARKING, LOADING AND UNLOADING SPACES

8.1 PARKING SPACES

Wherever a property is to be developed or redeveloped, parking spaces at the scale laid down in these Regulations shall be provided. A parking plan showing the parking spaces along with manoeuvring spaces/ aisles shall be submitted as a part of building plan. 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 of vehicles for different occupancies shall be as given in Table No.8A

8.1.1 General Space Requirements

i) Location of Parking Spaces

The parking spaces include parking spaces in basements or on a floor supported by stilts, podium or on upper floors, covered or uncovered spaces or in separate building in the plot and / or lock up garages. The height of the stilt shall not be less than 2.4 m. from the bottom of beam. In case of stack parking, height up to 4.5 m. may be allowed.

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ii) Size of Parking Space

The minimum sizes of parking spaces to be provided shall be as shown below in Table No.8A

Table No.8A - Parking Space Requirement

Sr.No.	Type of Vehicle	Minimum size/ area of parking space
1	Motor vehicle	2.5 m. x 5 m.
2	Scooter, Motor Cycle.	1.0 m. x 2.0 m.
3	Transport vehicle / Ambulance / Mini Bus.	3.75 m. x 7.5 m.

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

iii) Marking of Parking Spaces

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

iv) Manoeuvring and Other Ancillary Spaces

Off street parking space must have adequate vehicular access to a street and the area shall be exclusive of drives, aisles and such other provisions required for adequate manoeuvring of vehicles. The width of drive for motor vehicles and scooter, motor cycle shall be minimum 3.00 m. and 2.00 m. respectively.

v) Composite parking.

The composite parking of vehicles like one car with two scooters may be allowed. Also, six scooters' parking may be allowed to be converted in one car parking. In such cases, drives or aisles shall be required taking into consideration entire composite parking.

vi) Bus bay for schools / multiplex /malls/ assembly buildings / group housing.

For these occupancies, being a special building, a bus bay of required size shall be provided within premise or along main road on which plot abuts. This shall be applicable for housing scheme having more than 500 flats.

vii) Ramps for Basement Parking:

Ramps for parking in basement should conform to the requirement of Regulation No.9.12

viii) Other Parking Requirements

a) 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

b) 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 carpet 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. However, in case of office building, such parking spaces shall not exceed more than 4.

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

d) The space to be left out for parking as given in this regulation shall be in addition to the marginal open spaces left out for lighting and ventilation purposes as given in these regulations. These spaces may be used for parking provided minimum distance of 3 m. (6 m. in case of special building mentioned in Regulation No. 2.2.8) around the buildings is kept free of any parking or loading and unloading spaces, excepting the building as mentioned in Clause (c) above. Such parking area adjoining the plot boundary may be allowed to be covered on top by sheet roofing, so as not to infringe the marginal distance to be kept open as specified above. Further such sheet roofing shall not include the area adjoining the plot boundary to be used for tree plantation as mentioned in Regulation No. 3.4.1 (iii), if any.

e) In case of parking spaces provided in basements, at least two separate ramps of adequate width and slope for entry and exit shall be provided preferably at opposite ends. One ramp may be provided as specified in Regulation No.9.12.

8.2 OFF STREET PARKING REQUIREMENT

8.2.1 Off-street parking requirement

Off street parking requirement shall be based on Table No. 8B below and factors mentioned in Table No.8C of Regulation No. 8.2.2 for various cities/ areas. Total parking requirement for a building shall be worked out as per Table No. 8B, and then factor mentioned in Table No.8C shall be applied to arrive at required parking for a building.

Table No. 8B - Parking Requirements							
Sr No	**Occupancy**	**Size of tenement**	**Parking Spaces Required**				**Remarks**
			Congested Area		**Non Congested Area**		
			Car	**Scooter**	**Car**	**Scooter**	
1	Residential i) Multi- Family residential	For every tenement having carpet area of 150sq.m. and above.	2	2	2	3	In addition 5% visitor parking
		For every tenement having carpet area equal to or above 80 sq.m. but less than 150 sq.m.	1	2	1	3	In addition 5% visitor parking
		For every two tenements with each tenement having carpet area equal to or above 40 sq.m. but less than 80 sq.m.	1	4	1	5	In addition 5% visitor parking
		For every two tenements with each tenement having carpet area less than 40 Sq.m. but more than 30 sq.m.	1	1	1	2	In addition 5% visitor parking
		For every two tenements with each tenement having carpet area less than 30 Sq.m.	0	4	0	4	In addition 5% visitor parking
	ii) Lodging establishment's tourist homes, hotels with lodging accommodation, Star Category Hotels.	For every five guest rooms	1	4	1	6	--
	iii) Restaurants	For every 50 sq.m. of carpet area of restaurant including kitchen, pantry hall, dining room etc.	0	8	1	8	--

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2	Institutional (Hospitals, Medical Institutions)	For every 10 beds	2	12	3	10	For hospital (special building), space for 1 ambulance per hospital, shall be provided.
3	Assembly (theatres, cinema houses, concert halls, auditoria, assembly halls including those of college and hostels)	For every 40 seats.	4	16	4	16	--
	Multiplexes	For every 40 seats.	5	14	5	14	--
	Mangal karyalaya / Marriage Halls, Cultural Halls and Banquet Hall	For every 100 sq.m. carpet area / lawn area of fraction thereof.	1	5	1	5	--
	Community hall and club house in layout open space(applicable only for open spaces having area 4000 sq.m. and more)	For every 200 sq.m. carpet area	1	5	1	5	--
4	Educational Schools and the administrative as well as public service areas therein	For every 100 sq.m. carpet area of the administrative as well as public service area of the school.	1	4	2	4	--

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		For every 3 class rooms	1 (Mini Bus)	9	2 (Mini Bus)	9	--
	College and administrative as well as public service area therein.	For every 100 sq.m. carpet area of the administrative as well as public service area of the school.	1	12	2	17	--
		For every 3 class rooms	1	24	2	24	--
	Coaching Classes / Tuition Classes / Hobby Classes.	For every 20 students.	1	9	1	9	--
5	Government or semi public or private business buildings.	For every 100 sq.m. carpet area or fraction thereof	1	12	2	12	In addition 20% visitor parking
6	Mercantile (markets, departmental stores, shops and other Commercials users)	For every 100 sq.m. carpet area or fraction thereof	1	6	2	6	--
	Whole sale shops not being used for retail trading.	For every 100 sq.m. carpet area or fraction thereof	1	4	1	5	--
	Hazardous building	For every 100 sq.m. carpet area	0	4	1	3	--
	Office and I.T. building	For every 200 sq.m. carpet area or fraction thereof.	3	11	3	11	--

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7	Industrial	For every 300 sq.m. carpet area or fraction thereof	2	9	3	9	--
8	Storage (any type)	For every 300 sq.m. carpet area or fraction thereof	0	4	1	3	--

Note -

i) After calculating the parking for entire building, multiplying factor given in Table 8 C shall be applied. Fraction of parking spaces more than 0.5 shall be rounded to next digit.

ii) In case of independent single family residential bungalows having plot area upto 300 sq. m., parking space need not be insisted separately. Further a garage shall be allowed in rear or side marginal distance at one corner having minimum dimensions of 2.5 m. x 5.0 m. and maximum dimensions 3 m. x 6 m. i.e. minimum 12.5 sq.m and maximum 18.0 sq.m. built up area.

iii) In the case of shops, row houses on plots upto 100 sq. m., parking space need not be insisted.

iv) Mechanical/Hydraulic / Stack parking / multi-storeyed parking with or without car lift may be allowed to meet the requirement.

v) Parking more than 50% over and above stipulated in table 8 B and 8C, shall be liable for payment of charges at the rate of 10% of land rate mentioned in the ASR without taking into account guidelines therein. Such charges shall be recovered on the area covered under car / scooter parking over and above the requirement. However, for public semi-public, hotel, hospital, educational buildings, such charges shall not be leviable.

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8.2.2 Off street parking requirement for various Planning Authorities / areas.

Off street parking requirement for various Planning Authorities/ Areas shall be worked out by applying multiplying factor given in Table No.8Cbelow. This multiplying factor shall be applied to the total quantum of parking spaces worked out as per Table No. 8B above.

Table No.8C

Sr. No.	Authority / Area	Multiplying Factor
1	Pune, Pimpri-Chinchwad and Thane Municipal Corporation area and PCNTDA area.	1.00
2	Nagpur, Nashik Municipal Corporation area.	0.9
3	Other Municipal Corporations in MMR area except Thane M.C.,	0.8
4	Remaining Municipal Corporations not covered at Sr. No. 1 to 3 and 5, Metropolitan Area Development Authority / Area Development Authority/ SPA area.	0.7
5	'D' Class Municipal Corporation area except at Sr. No.3	0.6
6	'A' Class Municipal Council area.	0.6
7	'B' and 'C' Class Municipal Council area.	0.5
8	Nagar Panchayat, Non Municipal Town Development Plan area and areas in Regional Plan.	0.4

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CHAPTER – 9
REQUIREMENTS OF PART OF BUILDING

9.0 STANDARD REQUIREMENTS OF VARIOUS PART 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:

9.1 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 30cm. above the surrounding ground level. In areas subjected to flooding, the height of the plinth shall be at least 45cm. above the high flood level.

ii) Covered parking spaces and garages shall be raised at least 15 cm. above the surrounding ground level and shall be satisfactory drained.

9.2 HABITABLE ROOMS

9.2.1 Size and Dimension of Habitable Rooms

Size and dimension of habitable rooms, shall be as per requirement and convenience of the owner.

9.2.2 Height of Habitable Rooms

The minimum and maximum height of a habitable room shall be given in Table No.9A hereunder:

Table No. 9 A

No.	Occupancy	Minimum Height (m)	Maximum Height (m)
(1)	(2)	(3)	(4)
1	**Flat Roof -**		
	a) Any habitable room	2.75	4.5
	a1) Habitable room in EWS / LIG Housing.	2.75	4.2
	b) Air-conditioned habitable room	2.4	4.5
	c) Assembly Halls, Residential Hotels of 3 star category and above, Institutional, Educational, Industrial, Hazardous or storage occupancies, Departmental Stores, Malls, IT Buildings, Office Buildings, Exhibition Centre, Convention Hall, Theatre, Film Studio, Entrance Halls and Lobbies to these buildings.	3.0 (2.40 m. in case of Air conditioned room)	6.00 or higher according to the requirement of occupancy.
	d) Shops	3.00	4.5

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2	**Pitched roof-**		
	a) Any habitable room	2.75 (average with2.0 m. at the lowest point)	4.5 (average with 3.2 m. at the lowest point)
	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 the minimum head-way under any beam shall be 2.4 m.

Provided further that height more than that specified above, if required for particular occupancy, shall not be counted towards calculation of FSI.

9.3 KITCHEN

9.3.1 Size of Kitchen

The size of kitchen or a cooking alcove serving as cooking space shall be as per requirement and convenience of the owner.

9.3.2 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.

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9.4 BATH ROOMS, WATER CLOSETS, COMBINED BATH ROOM AND WATER CLOSET

9.4.1 Size of bath room and water closet

Minimum size shall be as under

i) Independent Bath room 1.00 m. x 1.20 m.

ii) Independent Water closet 0.9 m. x 0.9 m.

iii) Combined bath room and water closet 1.50 sq.m. with minimum width or 1.00m.

9.4.2 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.

9.4.3 Other requirements of bath room and water closet

Every bathroom or water-closet shall –

i) be so situated that it derives ventilation from ventilation shaft or external air,

ii) 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.

iii) 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.9.25

9.5 LEDGE OR TAND / LOFT

9.5.1 Location and extent

Ledge or Tand may be provided at suitable places as per requirement. 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. 9 B subject to the following restrictions-

i) The clear head room under the Loft shall not be less than2.1 m.

ii) Loft in commercial areas and industrial building shall be located 2 m. away from the entrance.

iii) Loft shall not interfere with the ventilation of the room under any circumstances.

iv) The maximum height of loft shall be 1.5m.

Table No.9 B - 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

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9.5.2 Location and extent of Ledge for Air Conditioning unit

Ledge for Air Conditioning unit may be provided on the exterior of wall of the rooms of size not exceeding 0.5 m. x 1.0 m. at suitable location.

9.6 CUPBOARD

9.6.1 In residential buildings, cantilever projections of cupboards, floor to floor level, may be permitted except on ground floor. Such projections excluding window area, may project upto 0.60 m. in the setbacks for buildings. However, the window frame shall be placed on the inner side of the wall and such cupboard shall be allowed only on one wall of each room. Moreover, such projection shall be at least 6m. from plot boundary in case of special buildings.

9.6.2 For height 24 m. and more no cupboard shall reduce the marginal open space to less than 6 m. on first floor and 4.5 m. on upper floor. In congested area cupboard may be permitted on upper floors projecting in front setbacks except over lanes having width 4.50 m. or less and in marginal distances subject to 1.0 m. clear marginal distance from the plot boundary to the external face of the cupboard.

9.7 MEZZANINE FLOOR

9.7.1 Size of Mezzanine Floor

The minimum size of the mezzanine floor shall be as per requirement and convenience of owner. The aggregate area of such mezzanine floor shall in no case exceed 50% of built-up area of that

room, shops, etc. Where loft is provided in the room, the mezzanine floor shall not be allowed.

Note - Mezzanine floor area shall be counted towards FSI.

9.7.2 Height of Mezzanine Floor

The head room under mezzanine floor shall not be less than 2.1 m.

9.7.3 Other requirements of mezzanine floor

A mezzanine floor may be permitted in a room or within a space, provided

i) it conforms to the standards of living rooms as regards lighting and ventilation in case the mezzanine floor is used as habitable room.

ii) it is so constructed as not to interfere, under any circumstances, with the ventilation of the space over & under it.

iii) such mezzanine floor or any part thereof will not be used as a kitchen.

iv) it is atleast 1.8 m. away from front wall of such rooms.

v) access to the mezzanine floor is from within the respective room only.

vi) in no case shall a mezzanine floor be closed so as to make it liable to be converted into unventilated compartments.

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9.8 STORE ROOM

9.8.1 Size of Store Room

The area of a store room/ rooms, if provided in a residential building, where light, ventilation and height are provided at standards lower than as required for living room, shall be as per requirements and convenience of the owner.

9.9 GARAGE

9.9.1 Size of private Garage

The size of a garage in individual residential building shall not be less than 2.5 m. x 5.0 m. and not more than3.0m. 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. The area of garage shall be including in FSI.

9.9.2 Height of private Garage

The minimum and maximum height of garage shall be 2.4 m. and 2.75 m. respectively.

9.9.3 Plinth of private Garage

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

9.9.4 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.

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

9.10 ROOFS

9.10.1 The roof of a building shall be so constructed or framed as to permit effectual drainage of the rainwater there from by means of sufficient rainwater pipes of adequate size, wherever required, so arranged, jointed and fixed as to ensure that the rainwater 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.

9.10.2 Top Terrace of a building shall not be sub-divided and it shall have only common access. However, intermediate terraces may be allowed to be attached with flat and shall not be counted in balcony area.

9.10.3 The 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, if not used for rain water harvesting.

Rainwater pipes shall be affixed to the outside of the walls of the buildings or in recesses or chases cut or formed in such walls or in such other manner as may be necessary.

9.11 BASEMENTS

9.11.1 Basement shall generally be constructed within the prescribed setbacks / margins with one or more level.

Following uses shall be permissible at free of FSI.

i) Air-conditioning equipment's and other machines used for services and utilities of the building;

ii) Parking spaces;

iii) D.G. set room, meter room and electric substation (which will conform to required safety requirements),Effluent Treatment Plant, suction tank, pump room;

Following uses shall be permissible and counted in FSI.

a) Storage of household or other goods or ordinarily non-combustible material incidental to principle use;

b) Strong rooms, bank lockers, safe deposit vaults, laundry room, Radio/ laser therapy, post mortem room, mortuary, medical shop and cold storage for hospital building etc.

c) Commercial use in first basement in case of shopping centre/ shopping malls.

d) Uses strictly ancillary to the Principal use.

e) Nursing quarters as ancillary use to hospital in first basement, if it is 0.9 to 1.2 m. above ground level with proper ventilation.

Provided that,

i) If the basement is proposed flushing to average surrounding ground level, then such basement can be extended in side and rear margins upto 1.5 m. from the plot boundary.

ii) Multilevel basements may be permitted if the basement is used for parking.

9.11.2 The basement shall have the following requirements -

a) Every basement shall be in every part at least 2.4 m. in height from the floor to the soffit of beam.

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b) Adequate ventilation shall be provided for the basement with a ventilation area not less than 2.5% of the area of the basement. Any deficiency may be met by providing adequate mechanical ventilation in the form of blowers, exhaust fans or air-conditioning systems, etc.;

c) The minimum height of the ceiling of any basement shall be 0.9 m. and the maximum shall be 1.2 m. above the average surrounding ground level. However, it does not apply to the mechanically ventilated basements. In such cases, basement may also be allowed flushing to the average ground level;

d) Adequate arrangements shall be made so as to ensure that surface drainage does not enter the basement;

e) The walls and floors of the basements shall be water-tight and be so designed that the effect of the surrounding solid and moisture, if any, is taken into account in design and adequate damp proofing treatment is given. In case of special building, where, movement of fire fighting vehicle is proposed on the basement flushing to the ground level, the slab of the basement shall be designed to withstand the pressure of fire fighting vehicle.

f) The access to the basement shall be separate from the main and alternate staircase providing access and exit from higher floors. Where the staircase is continuous, the same shall be enclosed type serving as a fire separation from the basement floor and higher floors. Open ramps shall be permitted subject to the provision of Regulation No. 9.12.

9.12 RAMP

9.12.1 Non Vehicular Ramp

All the requirements of stairways in Regulation No. 9.28.8shall 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 dimensions. In certain cases, steeper slopes may be permitted but in no case greater than 1 in 8shall be permitted. 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 1:10 slope shall be provided; steps shall not be used.

g) In case of non-special building, ramp may be permitted in side marginal distances. In case of special building, ramps may be permitted in side marginal distances, after leaving 6 m. marginal distance for movement of fire fighting vehicle.

9.12.2 Ramp to basements and upper storeys for vehicles

For parking spaces in a basement and upper floors, at least two ramps of minimum 3 m. width with slope not more than 1:8 shall be provided, preferably at the opposite ends. Instead of two

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ramps, one ramp of 6 m. width may be allowed. In addition to these, the owner may provide car lifts, if he so desires.

If the ramp is proposed to be used only for two wheeler then at least two ramps of 2 m. width with slope not more than 1:8 shall be provided, preferably at the opposite ends. Instead of two ramps one ramp of 4 m. width may be allowed.

In case of plot admeasuring1000 sq.m. or less, only one ramp of 3 m. may be provided for car parking and one ramp of 2 m. may be provided for the two wheeler parking.

9.13 PODIUM

Podium for parking of the vehicles and other uses mentioned herein, may be permitted with following requirements / conditions:

i) Height of the podium shall be at least 2.4 m. from the floor to the soffit of beam.

ii) Podium maybe allowed at a distance of 6m. from front, side and rear of the plot boundary in case of special building, subject to provisions of Regulation No. 6.2.3.(c).

iii) Podium shall be designed to take load of fire engine, if required.

iv) Recreational open space may be permitted on Podium subject to regulation No. 3.4.1 (iii). The structure mentioned in Regulation No. 3.4.7 may be permitted over the podium on which recreational open space is provided, subject to 15% area of such recreational open space.

v) Podium shall be permissible joining two or more buildings or wings of buildings, subject to availability of manoeuvring space for fire engine. In such case, the distance between two buildings/wings of the building shall be provided as otherwise required under these Regulations.

vi) Part of the podium may be used for recreation or play area for schools.

vii) Part of the podium may be used for club house subject to regulation No. 3.4.7 (i).

9.14 BALCONY

Balcony or balconies of a minimum width of 1m. and maximum of 2m. may be permitted in residential and other buildings at any floor except ground 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 (including front) to less than 2m. upto 24m. building height. For height 24m. and more no balcony shall reduce the marginal open space to less than 6m. on first floor and 4.5 m. on upper floor. In congested area balcony may be permitted on upper floors projecting in front setbacks except over lanes having width 4.50m. or less and in marginal distances subject to 1.0m. clear marginal distance from the plot boundary to the external face of the balcony.

ii) Balcony, though not cantilever, shall be allowed on ground floor, after leaving required setback/ marginal distances.

iii) The width of the balcony shall be measured perpendicular to the building up to the outermost edge of balcony.

iv) The balcony may be allowed to be enclosed in the room, at the time of development permission, if desired by the owner / developer. In such case depth of the enclosed balcony shall not exceed 1/3 of the depth of the room. (including the depth of balcony)

v) Nothing shall be allowed beyond the outer edge of balcony.

9.15 SUPPORTED DOUBLE HEIGHT TERRACES

Supported double height terraces shall be permitted (open terraces with railing and minimum height equal to two floors) within the building line.

9.16 STILT

A stilt with one or more levels may be permitted underneath a building. The height of the stilt floor below the soffit of the beam shall not be less than 2.4 m. Atleast two sides of the stilt shall be open. In case of stack parking, clear height of 4.50 m. shall be maintained. The open stilt portion shall not be used for any purpose other than for vehicles parking or play area for children. However, habitable use may be allowed in part of the stilt which shall be counted in F.S.I. In case of stilt at ground floor plinth of stilt shall not be more than 15 cm. from surrounding ground level.

9.17 CHIMNEYS

Chimney, where provided, shall conform to the requirements of Indian Standard Code of Practice for Fire Safety of Building. Provided that the Chimney shall be built at least 0.9 m. above flat roof. In the case of sloping roofs, the chimney top shall not be less than, 0.6 m. above the ridge of the roof in which the chimney penetrates.

9.18 LETTER BOX

A letter box of appropriate dimensions shall be provided on the ground floor of residential and commercial buildings.

9.19 METER ROOM

Meter room shall be provided as per the requirement of M.S.E.D.C.L. or power supply company as per the number of tenements/ units.

9.20 LIGHTING AND VENTILATION OF ROOM

9.20.1 Adequacy and manner of provision

i) The minimum aggregate area of opening of habitable rooms and kitchens excluding doors shall be not less than 1/10th of the floor area of the room.

ii) No portion of a room shall be assumed to be lighted, if it is more than 7.5 m. away from the opening assumed for light and ventilation, provided additional depth of any room beyond 7.5 m. may be permitted subject to provision of proportionate increase in the area of opening.

iii) A staircase shall be deemed to be adequately lighted and ventilated, if it has one or more openings and area taken together admeasures not less than 1 sq.m. per landing on the external wall.

iv) An opening with a minimum area of 1 sq.m. in a kitchen, and 0.30 sq.m. with one dimension of 0.30 m. for any bathroom, water closet or store shall be treated as adequate.

9.20.2 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 in table below:-

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Table No. 9 C - Ventilation Shaft			
Sr. No.	**Height of Buildings in m.**	**Cross-section of Ventilation shaft in sq.m.**	**Minimum one dimension of the shaft in m.**
(1)	**(2)**	**(3)**	**(4)**
1	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

Note :-

a) For buildings above 30m., mechanical ventilation system shall be installed besides the provisions of minimum ventilation shaft.

b) For fully air-conditioned residential/ other buildings, 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.

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9.20.3 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.

9.21 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.

9.22 PARAPET

Parapet walls and handrails provided on the edges of roof terraces, podium, balcony, varandah and recreational floor shall not be less than 1.0m. and not more than1.2m. in height from the finished floor level. In case of occupancies like educational, health etc. such parapet may be permitted upto 2.00 m. height.

9.23 CABIN

Where cabins are provided, 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.

9.24 WELLS

Wells intended for supply of water for human consumption or domestic purposes may be permitted at suitable place in a plot.

9.25 SEPTIC TANKS

Every building or group of buildings together shall be either connected to a Drainage system or be provided with sub-soil dispersion system in the form of septic tank of suitable size and technical specifications. Modern methods of disposals, as may be specified by Government/ Government bodies such as NEERI etc. may also be permissible.

9.26 BOUNDARY / COMPOUND WALL

i) 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. The maximum height of side and rear compound wall shall be 1.5 m. above the average ground level of the particular plot.

ii) In case of a corner plot, the height of the boundary wall shall be restricted to 0.75 m. for a length equal to fanning of the road on the front and side of the intersection and the remaining height of 0.75 m., if required, in accordance with sub-regulation (i) above, may be of open type construction (railings).

iii) The provision of sub-regulations (i) and (ii) above 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 Authority.

v) The gates in a compound wall shall not open on any public access/ pathway / road / street and shall open entirely inside the property.

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9.27 PROVISION OF LIFT

9.27.1 Planning and Design

Atleast one lift shall be provided in every building more than 15m. in height. In case of buildings more than 24m. height, atleast two lifts shall be provided. However, in 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.

For building or floors of the building to be constructed for Retirement Home or Senior Citizen Housing, lift shall be provided irrespective of height of building.

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 Lift & Escalators of Part VIII - Building Services of National Building Code of India.

All the floors shall be accessible for 24 hours by the lifts. The lifts provided in the buildings shall not be considered as a means of escape in case of emergency. Grounding switch at ground floor level to enable the fire service to ground the lift cars in an emergency shall also be provided.

The lift machine rooms shall be separate and no other machinery shall be installed therein.

9.27.2 Fire Lift

Fire lift shall be provided as mentioned in Regulation No.9.29.8.

9.28 EXIT REQUIREMENTS

9.28.1 The following General requirements shall apply to exits

a) In every building or structure, exits shall comply with the minimum requirements of this part, except those not accessible for general public use.

b) 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.

c) 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.

d) No building shall be so altered as to reduce the number, width or protection of exits to less than that required.

e) 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.

f) All exits shall provide continuous means of egress to the exterior of a building or to an exterior open space leading to a street and,

g) Exits shall be so arranged that they may be reached without passing through another occupied unit.

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9.28.2 Type of Exits

An exit may be a doorway, a corridor, a passage or a way to an internal staircase or external staircase, ramp or to a varandah 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.

9.28.3 Number and Size of Exits

The requisite number and size of various exits shall be provided, based on number of occupants in each room and floor based on the occupant load, capacity of exits; travel distance and height of building as per provisions of Regulation No. 9.28.4.to Regulation No. 9.28.8.

9.28.4 Arrangement of Exits

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

Table No. 9 D

Type of Building	Travel Distance
Residential, Educational, institutional and Hazardous occupancies	22.5 m.
Assembly, business, mercantile, Industrial and Storage Occupancies.	30.0 m.

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

9.28.5 Occupant Load

For determining the exits required, the number of persons within any floor area or the occupant load shall be based on the actual number of occupants, but in no case less than that specified in

Table No. 9 E below :-

Table No. 9 E		
Sr. No.	**Group of Occupancy**	**Occupant Load Floor Area in sq.m per person**
(1)	**(2)**	**(3)**
1	Residential	12.5
2	Educational	4.0
3	Institutional	15 (See Note i)
4	Assembly	
	a) With fixed or loose seat and dance floors	0.6 (See Note ii)
	b) Without seating facilities including dining rooms	1.5(See Note ii)
5)	Mercantile	
	a) Street floor & Sales basement	3
	b) Upper sale floors	6
6)	Business and industrial	10
7)	Storage	30
8)	Hazardous	10

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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.

9.28.6 Capacity of Exits

1) The unit of exit width use to measure the capacity of any exit should be 50 cm. A clear width of 25 cm. should be counted as additional half unit. Clear width less than 25 cm. should not be computed for exit width.

2) Occupants per unit exit width shall be in accordance with Table No.9 F

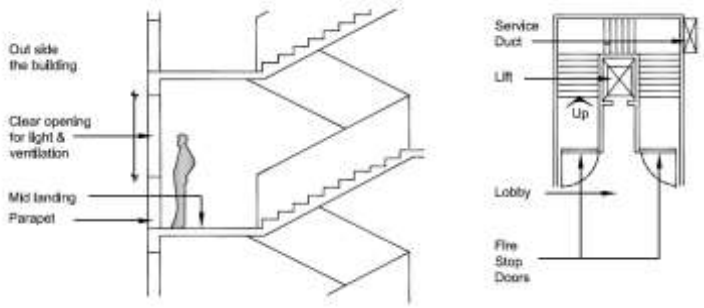
Table No. 9 F				
Sr. No.	Group of Occupancy	Number of Occupants		
		Stairways	Ramps	Doors
(1)	(2)	(3)	(4)	(5)
1	Residential	25	50	75
2	Educational	25	50	75
3	Institutional	25	50	75
4	Assembly	40	50	60
5	Business	50	60	75
6	Mercantile	50	60	75
7	Industrial	50	60	75
8	Storage	50	60	75
9	Hazardous	25	30	40

9.28.7 Provision for Staircase

All buildings having height more than ground floor shall have provision of one staircase. The special buildings specified in Regulations No. 1.3(93)(xiv) shall have two staircases out of which one shall be fire escape staircase.

They shall be of enclosed type. At least one of them shall be on external walls of buildings and shall open directly to the exterior, interior open space or to an open place of safety. Further, the provision or otherwise of alternative staircases shall be subject to the requirements of travel distance being complied with.

A staircase shall not be provided around the lift shaft unless provided with fire stop door of 1 hour rating at every floor level and no other openings in the inside wall as illustrated below.



9.28.8 Width of stair case

The minimum width of staircases/ corridors for various buildings shall be as below.

Table No.9G-Minimum width of staircase		
S. No	Use of Building	Minimum width of Stair Case (in m.)
1	Residential Buildings	
	a) Individual Housing upto G + 2 storeys	0.75
	b) Multi-storied Residential Building upto 15 m. height	1.00
	c) Multi-storied Residential Building above 15 m. & upto 24 m. height	1.20

	d) Multi-storied Residential Building above 24 m. height	1.50
2	Residential hotel buildings	1.50
3	Assembly Building likes auditorium, theatres, cinemas, multiplex, mangal karyalaya, marriage halls, etc.	2.00
4	Institutional &Educational Buildings.	2.00
5	All other buildings excluding Sr.No. (1) to (4) above	1.50

9.29 OTHER REQUIREMENTS OF INDIVIDUAL EXIT AT EACH FLOOR

The detailed requirements in respect of exits shall be as provided in Regulations No.9.29.1to 9.29.8 given below.

9.29.1 Doorways

i) Every exit doorway shall open into an enclosed stairway or a horizontal exit, or a corridor or passageway providing continuous and protected means of egress:

ii) No exit doorway shall be less than 90 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.

9.29.2 Revolving doors

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

9.29.3 Stairways

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 to the extent of required opening adjacent to an external wall and shall be completely enclosed.

iii) Hollow combustible construction shall not be permitted.

iv) The minimum width of tread without nosing shall be 25 cm. for an internal staircase for residential buildings. 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.

v) 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 to15 per flight.

vi) Handrails shall be provided with a minimum height of 100 cm. from the centre of the tread

to the top of the handrails. Balusters/ railing shall be provided such that the width of staircase does not reduce.

vii) 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.

viii) The minimum headroom in a passage under the landing of a staircase shall be 2.2 m.

ix) 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.

x) No living space, store or other space including fire risk shall open directly into the staircase.

xi) 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.

xii) 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 equipment. 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 m. x 0.5 m.

xiii) 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.

9.29.4 Fire escape or external stairs

A fire escape or external stair shall be provided as provided in Regulation No. 9.28.7 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 to 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.

xii) Fire escape staircase shall be connected to other staircases through common passage at every floor.

9.29.5 Corridors and passageways

i) The minimum width of a corridor shall not be less than 75 cm. in the case of 2 storeys row housing residential buildings and 100cm. in the case of other buildings and actual width shall be calculated based on the provision of Regulations No.9.28.3 to 9.28.8 (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.

9.29.6 Refuge Area

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

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

a) **For floors above 24 m. and upto 39m. height-**One refuge area on the floor immediately above 24 m.

b) **For floors above 39 m height-**One refuge area on the floor immediately above 39 m. and so on after every 15 m.

Refuge area provided in excess of the requirements shall be counted towards FSI. However, area remained in excess because of planning constraints, shall not be counted in FSI, provided, such excess area does not exceed 100% of the required refuge area.

9.29.7 Lifts and Escalators

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i) **Lifts**:- Provision of lift shall be made as mentioned in Regulation No.9.27.

ii) **Escalators :**Escalators may be permitted in addition to required lifts. Such escalators may also be permitted in atrium area of the buildings.

9.29.8 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.

9.29.9 Fire Escape Chutes / controlled Lowering Device for evacuation

i) (a) High rise building having height more than 70 m. shall necessarily be provided with fire escape chute shaft/s for every wing adjacent to staircase.

b) Walls of the shaft shall have 4 hours' fire resistance.

c) One side of the shaft shall be at external face of the building with proper ventilation.

d) The dimension of the shaft shall not be less than 2.5 m. x 1.5 m.

e) The access to the fire escape chute's shaft shall be made at every floor level from lobby area or from staircase mid-landing with self closing door having fire resistance of at least one hour.

f) The fire chute shall be of staggered type with landing of each section at the vertical height of not more than 21 m.

Alternatively,

ii) High rise building having height more than 70 m, shall be provided with fire tower at landing/ mid-landing level with smoke check lobby with fireman lift being integral part of the fire escape staircase or fire evacuation lift (Hydro pneumatic / electrically operated) on the external face of the building having opening within the fire escape staircase at landing/ mid-landing level with smoke check lobby as approved by Chief Fire Officer shall be provided.

Note - Both the smoke check lobby with evacuation lift shall have positive level difference of minimum 75 mm. with respect to staircase landing or mid-landing level to avoid ingress of water in fireman lift shaft.

9.29.10 Refuse Chute / Garbage Chute-

In residential buildings, refuse chute / garbage chute may be provided with opening on each floor or on mid-landing. Design and specifications of refuse chute shall be in accordance with provisions of IS 6924.

9.30 ARCHITECTURAL PROJECTIONS

Architectural Projections may be allowed to the following extent.

Horizontal	Vertical (above building)
H/20 subject to min 0.3 m. and max 3 m. exclusive of side and rear marginal distance of 6 m. required for movement for fire fighting vehicle in case of special	H/20 subject to max 6 m.

buildings.	

Where H=Height of building from ground level.

The owner shall submit the undertaking to the authority that, such architectural projection shall not be converted to any habitable or other purpose.

9.31 ADDITIONAL REQUIREMENTS IN CASE OF HOUSING SCHEMES

Following amenities shall be provided in any housing scheme and shall be counted in FSI.

i) Fitness Centre, Crèche, society office cum letter box room, admeasuring area of about 20 sq.m.in scheme having minimum 100 flats and thereafter additional 20 sq.m. area for every 300flats.

ii) Sanitary block for servants having maximum area of 3 sq.m. in schemes having minimum100 flats and thereafter additional 3 sq.m. area for every 200 flats.

iii) Drivers room of size 12 sq.m. with attached toilet in schemes having minimum 100 flats and thereafter additional 10 sq.m. area for every 300 flats.

In case of scheme having more than 1000 flats, the above amenities shall be reasonably provided keeping in view the above requirements.

iv) Every Residential building having more than 6 flats/tenements shall have entrance lobby of minimum 9 sq.m. at ground floor. Minimum dimension of such lobby shall not be less than 2.50 m.

v) The requirements at (i) to (iii) above shall firstly be provided for the building having 30 or more tenements and thereafter the quantum mentioned in the said provisions shall be provided.

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9.32 FIRE PROTECTION REQUIREMENT

All special buildings shall be planned, designed and constructed to ensure fire safety and this shall be done in accordance with the regulations of Maharashtra Fire Prevention and Life Safety Measures Act, 2006. For the provisions not included in these regulations and the said Act, provisions mentioned in Part IV of Fire Protection of National Building Code India, amended from time to time shall be referred and prevail.

9.33 SERVICE FLOOR

A service floor of height not exceeding 1.8 m. may be provided in a building exclusively for provision/diversion of services. Provided further that a service floor with height exceeding 1.8 m. may be allowed in a building of medical use or in building having height more than 70 m. with the special permission of Authority with reasons recorded in writing.

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CHAPTER -10
CITY SPECIFIC REGULATIONS

10.0 GENERAL

Notwithstanding anything contained in these regulations, following city / authority specific regulations shall be applicable to respective planning authorities/ areas.

10.1 PUNE CITY MUNICIPAL CORPORATION.

10.1.1 Height of Building

For the building having height more than 36 m., the minimum road width shall be 12 m. and for building having height equal to or more than 50 m., the minimum road width shall be 15 m.

10.1.2 The height restriction in Koregaon Park Area shall be as per special regulations applicable in Koregaon Park Area as below.

a) Koregaon Park Area is bounded as below :-

i) The Koregaon Park North Road on the north;

ii) The Ghorpadi village boundary on the east;

iii) The Southern Railway line on the south ; and

iv) The Circuit House - Fitzgerald Bridge Road on the west.

b) Special Building Rules framed by the Collector of Pune for this area shall be applicable which are as given below.

i) The minimum area of a building plot shall be as mentioned in the layout. No building plot as shown in the layout shall be sub-divided.

No building shall be allowed to be erected in any plot unless the said plot has suitable access by an existing metalled road or by projected road which shall be previously constructed (i.e. metalled in conformity with the layout sanctioned by the Collector)

ii) Only one main building together with such outhouses as are reasonably required for the bonafide use and enjoyment by its occupants and their domestic servants shall be permitted to be erected in any building plot. Provided that this restriction shall not prevent the erection of two or more building on the same plot, if the plot admeasures at least twice or thrice as the case may be (according to the number of buildings) the minimum size required. Provided also that the same open space shall be required around each main building as if each of these were in a separate building plot.

iii) Every building to be built shall face the road and where the plot has frontage on more than one road the building shall face the more important road.

iv) Every building shall be set back at least 20 feet from the boundary of any road, 40 feet or more in width and 15 feet from the other roads as shown in the layout.

v) No building shall be constructed within 10 feet of the side boundaries of the plot.

vi) The distance between the main building and the rear boundary of the plot shall be; not less than 20 feet. Provided that , subsidiary buildings such as outhouse, a garage, stable, privy and the like may be permitted at the rear of the main building subject to the

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condition that such building shall be at a distance of not less than 10 feet from either any building in the compound or boundary of the plot.

vii) The open space to be kept around every building shall be open to sky and free from any erection except projection of roof, chajja or weather sheds, steps or hounds or fountains with parapet walls not more than 4 feet high. Provided that balcony or gallery may be allowed to project over such open space if the distance between the outer edge of such a projection and the boundary of the plot is not less than 10 feet.

viii) Not more than one-third of the total area of any building plot shall be built upon. In calculating the area covered by buildings the plinth area of the; buildings and other structures excepting compound walls, steps, open ottas and open hounds or wells with parapet walls not more than 4 feet high or Chajja and weather sheds shall be taken into account. Area covered by a staircase and projections of any kind shall be considered as built over. Provided a balcony or gallery which

a. is open on three sides;

b. has no structure underneath on ground floor;

c. projects not more than 4 feet from the walls; and

d. length of which measured in a straight line does not exceed 2/3rd the length of the wall to which it is attached; shall not be counted in calculating the built over area.

ix) No building shall contain more than two storeys including the ground floor.

x) If flats are constructed there shall be not more than two self-contained flats on each floor, each flat being occupied by one family only.

xi) The minimum standard of accommodation to be provided exclusively for one family shall consist of one living room and one bed room together admeasuring not less than 250 sq.ft. one kitchen, one verandah not less than 6 feet in width in front and rear, a bathroom and a water-closet or latrine.

xii) In no circumstances shall one roomed tenements be allowed to be constructed or used as residence. No chawls or temporary sheds shall be allowed to be constructed.

xiii) Every building shall have a plinth of at least 2 feet above the general level of the ground.

xiv) No building shall exceed 100 feet in length in any direction.

xv) All subsidiary buildings such as an outhouse providing auxiliary accommodation such as a garage, servant's quarter, stable, storeroom, privy etc. appurtenant to the main building but detached thereon shall be ground floor structures only and shall be constructed at the rear of the plot at a distance of not less than 10 feet from one another or from the main building or from the boundary of the plot.

xvi) Owner of the adjoining plots may be permitted with their mutual consent to group the subsidiary ground floor buildings, such as outhouses, stables, privies etc. along the common boundary in the rear of their plots provided that such building shall be at a distance of not less than 10 feet from any other building in the compound.

xvii) The minimum floor area of any room intended for human habitation shall be not less than 120 sq.ft.

xviii) No sides of a room for residential purposes shall be less than 10 feet long at least one side of every such room shall be an external wall abutting on the surrounding open space through its length or on an interior open yard (chowk) not less than 300 sq.ft. in area and

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l5 feet in any direction or on an open verandah.

xix) The height of every room inside the building shall be not less than 10 feet from the floor to ceiling and in the case of a sloping roof the height of the lowest point thereof shall be not less than 7 feet and 6 inches from the floor.

xx) Every room shall be provided with windows or other apertures other than doors opening out into the internal air for the admission of light and air and the aggregate area of such openings shall not be less than 1/7th of the floor area of the room in which they are provided.

xxi) Privies shall be at the rear of the main building and not less than 10 feet from it. They shall be innocuous to the neighbours. They shall not be within 30 feet of a well and shall be screened from public view.

xxii) No cesspools shall be allowed to be constructed unless there exists an agency for clearing them regularly and properly.

xxiii) No cesspool shall be used or made within 100 feet of any well.

xxiv) No Khalkuwa Khalketi shall be used for reception of night soil.

xxv) No cattle shall be kept in any part of the residential buildings. No stable or cattle shed shall be constructed within 10 feet of a residential building.

xxvi) Shops may be allowed on the ground floor of the building in the plots reserved for shops only. The upper floor of the building may be used for residence. Provided all regulations applicable to residential building are adopted.

xxvii) The Collector may within his discretion sanction or license the erection of any building other than a dwelling house if he is satisfied after necessary inquiry in the locality that the erection and user of such building will not adversely affect the amenities of the adjoining lands or buildings.

xxviii) All buildings shall be of pucca construction and no easily combustible materials shall be used in their construction.

xxix) No boundary or compound wall or fence shall be erected on the boundary not to any street of a greater height than 4 feet measured from the center of the road in front.

xxx) No addition to or alterations in a building shall be carried out without the previous written permission of the Collector.

xxxi) In the case of land or building situate within the limits of a Municipal Corporation or any other local authority, the rules and bylaws of the Municipal Corporation or local Authority in that behalf shall apply in addition to regulations prescribed above.

xxxii) The permission shall be liable to be revoked on breach of any of the conditions.

xxxiii) All the roads within lay-out will be constructed and got ready within six months from the date of sanctioning the layout.

xxxiv) Central arrangements for the delivery of water to the individual plot holder will be made and got ready within six months from the date of sanctioning the layout.

xxxv) No building shall be used for other than the residential purposes.

Note - This regulation stand modify if modified by the Government / Collector.

10.1.3 Notwithstanding anything contained in these regulations, height of building shall not be more than

21 m. in following area. This height may be relaxed by Government in special cases.

a) **Parvati** - Area bounded by Singhagad Road on the north, Singhagad Road on the west, Southern boundary of P.L. Deshpande Udyan on the south, and Road from over bridge upto Laxminagar and western boundary of Tulsibagwale Colony in S.No. 89, 90 etc. of Parvati on the east.

b) **Chatushrungi** - S.No. 105, 106 pt, 107 pt etc. of village Bhamburda.

Area bounded by Ganeshkhind Road on the North, Senapati Bapat Road on the east, S.No. 106 - South boundary on the south, Western boundary of S.No. 107,105,106 - on the west.

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

(a) If the land is within a prohibited distance (currently of seventy five meters) from the crest of the outer parapet of the Armament Research and Development Establishment (ARDE), Range Pashan, Pune;

(b) If the land is within a prohibited distance of approximately 457.2 m. (500 yards) from the crest of the outer parapet of the High Energy Materials Research Laboratory (HEMRL), Sutarwadi, Pune as shown on Development Plan;

10.2 THANE MUNICIPAL CORPORATION AREA.

10.2.1 Development along Ram Maruti Road and Gokhale Road.

Front set-backs for development on above roads shall be as below :-

i) In the case of plots fronting on Ram Maruti Road, only ground floor of the structure shall be set back by 3.05 m. from the road line and rest of the floors shall be set back at a distance of 4.5 m. subject to the condition that the front terrace so formed shall be kept inaccessible.

ii) In case of any plot fronting on Gokhale Road, from the portion between Ashok Talkies and its junction with M.G. Road, the ground floor of the building shall be set back by 2.3 m. from the road line and the upper floors shall be set back at a distance of 4.5 m. subject to condition that the owner of the plot shall pave the front open space.

10.2.2 Setbacks from Eastern Express Highway and Roads more than 52.5 m. in width.

No construction of building shall be undertaken within 7.5 m. from the boundary of the Eastern Express Highway and other roads having prescribed width more than 52.5 m.

10.2.3 *a)* Development of Multi Storey Public Parking Lot (PPL) near Metro Stations.

For development of Multi-storied PPL on any plot abutting a road of minimum width of 18 m., additional FSI (hereinafter referred to as “Incentive FSI”) as specified below on built up parking area, created and handed over to the Thane Municipal Corporation (TMC) free of cost with amenities required for parking area as prescribed by the Commissioner such PPL shall be allowed, on the land belonging to a private owner/Lease hold plots of Govt. and TMC with prior consent, which is not reserved for any public purpose, subject to the conditions contained herein below:

I. The minimum area of plot shall be 1000 sq.m. in sector - 1, 2, 3 and 2000 sq.m. in remaining sectors. The minimum number of Motor Vehicle public parking spaces provided shall not be less than 50. The location of parking spaces can be in 2 level basement, ground

floor or upper 2 floors maximum, with access through ramp/lift or combination of both subject to clearance from CFO with special emphasis on fire hazard.

II. A Committee under the Chairmanship of Municipal Commissioner, TMC shall earmark/ select the plots for public parking, on the basis of their suitability. The Committee shall comprise the following or their representatives (i) Metropolitan Commissioner, MMRDA. (ii) Dy. Commissioner of Police (Traffic), (iii) Joint Director of Town Planning, Konkan Division (iv) Assistant Director of Town Planning, TMC (Member Secretary).

III. The incentive FSI given on this account will be over and above the base FSI permissible under any other provisions of UDCPR. This incentive FSI shall be allowed to be used on the same plot in conformity with UDCPR/ DP, within the overall cap/ limit of total maximum permissible FSI as given at (vii) below.

IV. The proposed development shall be subject to any other conditions prescribed by the Municipal Commissioner.

V. Concerned land owner/ developer/ society/ company shall not be allowed to operate the public parking lot.

VI. Area covered under parking shall not be counted towards FSI consumption.

VII. The incentive FSI permissible under this Regulation against BUA of the PPL shall be 50% of the BUA of the PPL, such that the total permissible FSI including the incentive FSI under this Regulation does not exceed the limit as per Regulation 6.3.

VIII. The maximum cap on BUA per parking shall be 50 sq.m. for LMVs, 65 sq.m for LCVs and 120 sq.m. for HMVs/Buses. Incentive FSI shall be calculated as per BUA of the PPL, based on these norms or the actual BUA of the PPL, whichever is less.

IX. The developer of the PPL shall pay 'premium', worked out as per the following formula:-

Premium = 60% of [Value of the additional BUA corresponding to the incentive FSI admissible under this Regulation, as per A.S.R. – (Cost of construction of PPL + cost of any extra amenities/facilities provided + cost of construction of BUA corresponding to the incentive F.S.I. admissible under this Regulation)]

For the purpose of calculating premium as above, the cost of construction of PPL including amenities/ facilities and the cost of construction of BUA corresponding to the Incentive FSI admissible under this Regulation shall be 75% and 125% respectively of the rate of RCC construction as per ASR.

(X) The Premium shall be paid before the issuance of building permission for the incentive FSI admissible under this Regulation.

Upon Payment of 100% premium as aforesaid, building permission shall be issued in respect of 50% of incentive FSI. In no case, Incentive FSI be released without handing over of the PPL, complete in all respects, to TMC.

The year in which premium is paid before the issuance of building permission for the PPL shall be taken as the year for determination of construction cost as well as ASR for calculation of the premium. Out of the total premium payable, 50% shall be paid to the GoM and the remaining 50% to TMC.

Provision of this Regulation may also be applicable to lease hold plots of Govt. and TMC with prior approval from Government/ Municipal Corporation.

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XI) The land owner/ developer/ Society/ company shall hand over PPL with separate entrance and exit for the dedicated use of TMC by way of registered conveyance deed. Such PPL will not be part of proposed society/ apartment/ owners association.

XII) The PPL shall not be permissible in combination with other regulations.

XIII) Public Parking shall be developed in independent building as far as possible, but it may permissible in composite buildings subject to compliance of these regulations.

XIV) The Commissioner may hand over such PPL to any agency to transparent bidding procedures for its operations and maintenance upon such terms and conditions as deem fit and proper. However in any condition such PPL shall not be allotted to concerned land owners/ housing society/ association of apartment owners of occupiers in the plot of PPL.

XV) No public parking lots shall generally be more than 500 vehicles. However in exceptional cases Commissioner may permit PPL for 1000 vehicles for the reasons to be recorded in writing.

XVI) PPL connectivity to nearest station of Local/ Mono/ Metro/ BRTS etc. may also be insisted if propose PPL is within 250 m. by skywalk and underground connectivity within 100 m. These area shall also be counted for giving incentive FSI and shall not be included for calculating limits of vehicles.

XVII) For every sectors Commissioner shall endeavour to evaluate total need of PPL and shall cause it to be declared in local newspaper within three months of promulgation of these regulation for every 5 years. Total PPL sanctioned in any sector shall not increase beyond that for next 5 years. PPL shall be allowed only after studying traffic impact analysis of area with the periphery of 250 m. of PPL.

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10.2.4 Development around Hazardous Industries (Chemical Zone Areas).

a) Green Belt -

i) There shall be green belt of 100 m. around the boundary of the Hazardous Chemical Industries as shown on plan attached with the report of authority.

ii) The creation of the green belt, its development and maintenance as per report of authority will be the responsibility of Municipal Corporation.

iii) The cost of acquisition of land for the green belt, around the Hazardous Chemical Industries will be borne by the Industry / Industry Association. The private land owner will be given Transfer of Development Rights based on FSI for the present land usage. The cost of acquisition to be borne by industry will be exclusive of the value of TDR.

iv) The existing authorised structures should be tolerated. However, only repairs to such existing structures should be allowed in future and no reconstruction or new construction should be allowed in the Green Belt.

v) Unauthorised structures should be removed or relocated by the Thane Municipal Corporation as per the existing Public Policy.

b) Creation of Low Density Zone

i) Beyond the Green Belt, another belt of 150 m. should be created as "Low Density Zone" as shown on plan, attached with the report of the Authority.

ii) The FSI in the Low Density Zone shall be 0.5 and only Ground plus two storey structures

should be allowed.

iii) The existing buildings if already authorised with the higher FSI and plan of the proposed building already approved by the Thane Municipal Corporation and Commencement Certificate have been given to such structure should be allowed to continue, be completed and occupied by the issuing Occupation Certificate. Where the plans have been approved by the Thane Municipal Corporation but commencement certificates have not been issued, they should be reviewed and the permission should be revised in accordance with the Low Density Zone Regulation, now be prescribed.

iv) The development proposals in Low Density Zone shall be scrutinised and permission shall be granted as per these UDCPR.

c) Development between 250 and 1000 Meters.

The Development proposals beyond the area of 250 m. shall be scrutinised and permissions shall be granted as per these UDCPR.

d) Other Stipulations -

i) The original land under Chemical Industry, which has been certified by the Director of Industries/ Director of Industrial Safety and Health/ Competent Authority as permanently closed or having shifted elsewhere shall be allowed to be developed as per the relevant provisions in the prevailing Development Control Regulations.

Upon certification by the Director of Industries/ Director of Industrial Safety and Health/ Competent Authority that the Chemical Industry has been permanently closed or has shifted elsewhere, the 100 m. Green belt and the further 150 m. low density belt around the plot boundary of such Chemical Industry shall suo-moto cease to exist.

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10.2.5 Development around Air Force Stations.

i) As per Government of India, MoD SRO No. 4, dated 13 January, 2010 which was published in Part-II Section 4 of Gazette Notification dated 23 January, 2010. Air Force Station Thane falls within the 100 m. restriction zone. As per notification, no construction should be permitted within the restricted zone of 100 m. from the outer parapet of the Air Force boundary. Similarly, live hedges, tree/rows or clumps of trees or orchards shall not be maintained, planted, added to or altered within the 100 m. restricted zone. The restriction is equally applicable for construction of underground structure, wherein no digging and/ or change in the level of ground is permitted within the notified zone.

ii) Beyond the notified zone of 100 m., no restriction is required to be imposed as per the Works of Defence Act 1903 and no NOC from Air Force Station, Thane is necessary.

iii) It should be ensured that in view of the sensitivity of the information and security concerns of the Indian Air Force, no copies of the maps forwarded by Air Force Station, Thane vide letter dated 04 March, 2016 are made available. Moreover, the map should be secured under lock and key all the time in the custody of a responsible Officer.

iv) A clear straight approach and take off path up to 750 meters is required for safe conduct of operations by helicopters. To ensure safe helicopter operations at this base, no construction should be permitted in the approach and take off funnel.

10.2.6 Development around Defence Establishment.

The following provisions/ restrictions shall be applicable in and around the land in the vicinity of

the Naval Station at village Kolshet, Thane -

i) Minimum clearance are to be maintained from the perimeter wall of the Defence establishments as under :-

a) No construction is to be undertaken within 100 m. of perimeter wall of Defence establishment.

b) For multi - storey building more than four storeys clearance of 500 m. from the perimeter wall of Defence establishment is to be maintained.

ii) Further, in accordance with Government of Maharashtra Gazette notification TPS 1203/1254/CR-193/05/UD-12, dated 30 Dec, 2006, the under mentioned clearances are to be maintained from the boundary wall of Naval Station, Sandoz Baugh (Post), Kolshet Road, Thane West Unit :-

(1)	Upto 50 mtrs	-	No Development zone
(2)	50 mtrs to 290 mtrs	-	Structures upto height of 18 mtrs
(3)	290 mtrs up to 445 mtrs	-	Structures upto height of 27 mtrs
(4)	445 mtrs up to 595 mtrs	-	Structures upto height of 32 mtrs
(5)	595 mtrs up to 745 mtrs	-	Structures upto height of 46 mtrs
(6)	745 mtrs up to 915 mtrs	-	Structures upto height of 64 mtrs
(7)	915 mtrs up to 1110 mtrs	-	Structures upto height of 84 mtrs

iii) Permission to undertake development work/ construct multi-story building be accorded considering the clearances mentioned at clause (i) and (ii) above and subject to concurrence of Naval Station, Sandoz Baugh (Post), Kolshet Road, Thane West Unit.

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10.2.7 Regulations for G-1 Zone (Yeur village Section-VII only)

Following uses shall be permitted in G-1 Zone.

The residential Building on the lands which are actually under cultivation and the holiday homes for weekend stay and the Rest Houses subject to following conditions :-

1) The plot to be permitted for such development shall be not less than 4000 sq.m. with the maximum FSI of 0.025.

2) Each building to be not more than ground plus one storey with height not exceeding 9.75 m. including the height of stilt portion if any, subject to maximum built up area 100 sq.m. excluding stilt.

3) To permit Club House, open play Grounds and other recreational purposes as normally permissible under green zone with permissible FSI as per these Regulations.

4) To insist plantation at the rate of two fast growing trees per 100 sq.m. of land under development.

10.2.8 Regulations for G-3 Zone for Forest Area.

No development of any sort shall be allowed in this zone except the project of the Forest Department. In case of pockets of private lands in G-3 zone, development shall be permitted as per the provisions of Green Zone / as per the provisions of G-1/G-2 Zone subject to concurrence of Forest Department.

10.3 NAGPUR MUNICIPAL CORPORATION

The following regulations shall be applicable

10.3.1 Buildings in Commercial Zone :

(a) In non-congested area :

FSI for buildings outside congested area in commercial zone - the basic FSI permissible shall be 2.00 for commercial cum residential use or purely residential use and 2.50 for purely commercial use.

(b) In congested area :

The permissible FSI for commercial use shall be 1.50 for the plots fronting on the road having width less than 9 m. and 2.00 for the plots fronting on the road having width 9 m. or more.

10.3.2 Buildings in Industrial Zone

a) In congested area, the permissible FSI for industrial use shall be 1.00.
b) In non-congested area, the permissible FSI for industrial use shall be 2.5.

10.3.3 I to R provisions - Allowing Residential/ Commercial uses in Industrial Zone.

The Regulation No. 4.8.1 in these regulations shall be applicable to Nagpur Municipal Corporation area with following modifications.

i) Any open land or lands of closed Industrial unit/ units in the Industrial Zone (Excluding the leased out plots by NIT/ NMC) may be permitted to be utilized for all the users permissible in the Residential zone with permissible FSI in Residential Zone, subject to payment of premium to be paid equal to 15% of the rate of developed land as given in the Annual Statement of Rates published by IGR every year.
However, for the Industrial Plots leased out by Planning Authority, (NIT / NMC) while granting I to R permission on these plots, FSI of 2.5 for purely commercial use and 2.00 for Mix use shall be permissible subject to payment of premium at the rate of 15% for Residential and 20% for Commercial use. Premium charges shall be as per rate of developed lands as given in the Annual Statement of Rates published by IGR every year.

ii) Provisions of Regulation No. 4.8.1 (b) (iv) shall not be applicable where the Industrial layout has already been approved, and where in amenity space has already been provided in the approved layout.

10.3.4 For Plots admeasuring 1000 sq.m. and above (including amalgamated plots) in Residential Zone, basic FSI shall be 1.25, in congested and non-congested area, irrespective of road width. In cases covered in Regulation No. 10.3.1 and 10.3.4 maximum building potential on plot including in-situ FSI shall remain the same, as mentioned in Table No. 6 A and 6 G. However, the owner shall be at liberty to avail, the difference of potential if any, out of column 4 or/ and 5.

10.4 NAGPUR METROPOLITAN REGION DEVELOPMENT AUTHORITY

10.4.1 Development along Ring Road:

250 m. Residential Zone/ Residential Belt proposed along the 60 m. wide Outer Ring Road as a corridor development is sanctioned, subject to payment of premium. The development in this 250 m. corridor is permitted on payment of premium as decided by the Government on the total area of land under development or building permission. Such premium shall be deposited with the

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concerned Authority.

10.4.2 Special Regulations for the Improvement Schemes :

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

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

i) **Improvement Scheme** - The scheme is prepared under the NIT Act 1936 for the notified area and is duly approved by the State Government and which is now included in NMRDA area.

ii) **Original Plot** - A plot consisting of nearby khasras calculated as a single record in a village which is under same ownership and has the same tenure status as defined in the respective 7 / 12 documents of the khasras.

iii) **Final Plot** - The plot which is reconstituted or reshaped from the Original Plot within a draft/ sanctioned Improvement Scheme in a manner appropriate for development and given access from the public right of way. The Final Plots is reconstituted as per the relevant regulations/ Act as Final plots for Authorities share and owners share.

iv) **Owner** - An owner is a person who has legal title for land or building. The definition also includes :-

a) An agent or trustee who receives the rent on behalf of the owner;

b) An agent or trustee who receives the rent of a or is entrusted with or is concerned with any building devoted to religious or charitable purposes;

c) A receiver, executor or administrator or a manager appointed by any court of competent jurisdiction to have the charge of, or to exercise the rights of the owner; and

d) A mortgage in possession.

v) Permissible FSI For Final Plot –

i) The Metropolitan Commissioner may allow the owner to develop the final plot in possession of the owner subject to handing over to the Planning Authorities share as independent plot free of cost as per norms prescribed by Metropolitan Commissioner.

ii) The owner shall thereafter be entitled to develop his final plot for the uses permissible in adjoining zone as per the this DCPR with full permissible FSI of the entire Plot alongwith Additional FSI/TDR potential permissible for his Final plot share as per Chapter No. 6 of this DCPR .

iii) The Metropolitan Commissioner shall develop the Final Plot in his possession (Authorities Share) for the purpose for which the scheme is sanctioned. This plot shall be entitled to be developed as per potential permissible for Authorities Final plot share as per Chapter No. 6 of this UDCPR.

vi) **Net Plot area for Computation of FSI -** For the purpose of computing FSI/Built - up area, the net area of the plot shall be as defined in these regulations.

vii) **Special Regulations For Inclusive Housing** - The provision regarding inclusive housing in development proposal shall be not made applicable in Improvement scheme if the Final Plot in the possession of Authority is to be designed and develop for the purpose of any affordable housing scheme.

viii) **Height of Building -** The maximum height of building for all users shall be as per Chapter No. 6 of this UDCPR.

ix) **Amenities Space -** If the Amenity space has already provided in the scheme at the time of approval of scheme/ layout, in such cases the amenity space as required under this UDCPR shall not be insisted.

x) **Land Use Permissible -** All land uses mentioned in this UDCPR shall be permissible in the Improvement Schemes.

xi) **Development Charges** - The Development charges shall be recovered as mentioned in these regulations.

xii) **Power to Authority -** For the smooth implementation of the schemes, the Metropolitan Commissioner with the Approval of the Authority, makes / amends the rule in consistent to the relevant Act and Regulations assigned to it with prior approval of by the Government.

xiii) **UDCPR - All** regulations of UDCPR shall apply except above special regulations.

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10.4.3 The following regulation shall be applicable only for the reference of Regulation No. 25.6 (xxxx) mentioned in the notification of sanctioning the Development Plan of Nagpur Metropolitan Region Development Authority.

In Agriculture zone, Residential use shall be allowed subject to following conditions.

a) Minimum area of land shall be 15.0 hect.

b) Land shall front on minimum 12 m. wide existing road.

c) Permissible FSI/ TDR shall be as that of Residential zone.

d) The offsite infrastructure like road, water supply, sewerage treatment plant having zero discharge shall be developed by land owner at his own cost, unless this infrastructure is provided by Authority.

e) 10% of the entire holding area shall be handed over to the Authority free of cost, without any FSI/ TDR and free of all encumbrances for sale by Authority for residential, commercial or industrial use depending upon the nature of development. This 10% area shall be over and above recreational open space and amenity space to be provided as per regulation. This 10% area shall front on minimum 12 m. wide road.

f) Premium on gross area at the rate of 5% of land rate in Annual Statement of Rates of the said land without considering the guidelines therein shall be paid to the Authority.

10.5 NASHIK MUNICIPAL CORPORATION

10.5.1 Applicability of Regulations for some areas.

i) The special Regulations framed by the Arbitrator for some final plots in TP Scheme No.1 (First Varied) shall remain in force.

ii) For the area earlier under the jurisdiction of CIDCO which is handed over to Nasik Municipal Corporation, the Development Control Regulations of CIDCO prevailing on the date of taking over the area shall remain in force for the said area.

10.5.2 Development of Cycle Track Along River and Nallah

A cycle track shall be developed in green belt areas earmarked on Development Plan along the rivers. Also, cycle track proposal is shown on canal land in the Development Plan.

A distance of 6 m. from the edge of minor water course (nallah) is to be left as marginal distance for construction of any building. A 3 m. strip of land from the edge of such water course out of this 6 m. distance to be left shall be available for use as cycle track for general public. The compound wall shall be constructed excluding this distance of 3 m. strip for cycle track. The owner shall be entitled for FSI of this strip of land for cycle track, in-situ. This 3 m. wide strip shall be handed over to Municipal Corporation for which, owner shall be entitled for TDR or in-situ FSI equivalent to 35% of the area of 3 m. wide strip. This regulation shall be applicable for development of land along nallahs specified in Plan-A annexed with this UDCPR. Where development is already taken place and it is not possible to make provision for such 3 m. wide cycle track, then Municipal Commissioner shall be empowered to decide not to apply this regulation for particular stretch of nallah. In such cases, normal marginal distances under these regulations shall apply.

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10.5.3 Set back and marginal distances for 36 m. wide D.P. road passing through village Gangapur and Ambad.

Notwithstanding anything contained in Regulation No. 6.2.1, following set back and marginal distance shall be applicable for road mentioned below.

Description of the road	Min Plot Size in Sq.m.	Min width of plot in meters	Min set back from road side in meters	Min. side margins in meters	Min. rear margins in meters	Remarks
36 m. wide D.P. road from Gangapur S.No. 12 to Ambad S.No. 199	300	12	3.00 (for commercial use also)	2.00	2.00	Margins for buildings G+2 or stilt + 3 structure. Higher height permissible subject to marginal distances in Regulation No.6.2.3.

10.6 VASAI VIRAR CITY MUNICIPAL CORPORATION

Following regulations shall be applicable for the low intensity development areas in the Vasai Virar City Municipal Corporation.

The basic and total permissible FSI with DR/TDR on the plot shall be as under :-

Table No. 10 A

Sr. No.	Land use Zone	Base FSI	Additional FSI on payment of premium	Admissible TDR including Road widening FSI if any	Maximum permissible FSI
1	Low Density Residential Zone	0.3	0.2	--	0.5
2	G-Zone				
	I) Gaothan and Congested Area	1.0	--	--	1.0
	i) Upto 200 m. from gaothan and congested area	0.3	--	--	0.3
	ii) for public assembly, educational medical, religious and intuitional buildings beyond 200 m. from gaothan and congested area	0.3	--	--	0.3

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10.7 MIRA BHAYANDAR MUNICIPAL CORPORATION -

10.7.1 Uses permissible in Agriculture Zone.

The lands along 45m., 30 m. wide roads upto a depth of 30 m. may be developed for residential purpose on condition that the owner should provide infrastructural facilities such as septic tank, drainage, water supply etc. at his own cost.

10.7.2 Manori-Gorai-Uttan Notified Area

Special Development Control Regulations sanctioned for the Manori-Gorai-Uttan Notified Area as amended from time to time shall be applicable for the development/ redevelopment in the said notified area being a special Tourism Development Plan sanctioned for this notified area.

10.8 ULHASNAGAR CITY MUNICIPAL CORPORATION

Regulations of unauthorised development in Ulhasnagar City Municipal Corporation shall be governed by the Regularisation of Unauthorised Developments in the City of Ulhasnagar Act, 2006.

10.9 KOLHAPUR MUNICIPAL CORPORATION

10.9.1 Open spaces, area, FSI and height limitations for characteristic specified areas in Kolhapur.

For characteristic specified areas in Kolhapur, listed herein below, shall have the open spaces and regulations for FSI and height limitations as given in table No. 10 B. below :-

TABLE NO – 10 B.

Sr No.	Particulars of Areas	Minimum size of plot	Marginal distance to be observed			Permissible Max. built-up area
			Front	Rear	Side	
1	2	3	4	5	6	7
1	Rajarampuri almost all plots are of 40 x 78 except corner plots of 80 x 78	40 x 78 = 3120 sq.ft. (12.16 m. x 23.77 m.) 294 sq.m.	10.0 (3.05 m.)	2.0 (0.60 m.)	2.6 (0.76 m.)	-
2	Shahupuri Commercial lane 30 x 75 (9.12 m. x 22.86 m.) or 40 x 75 (12.16 m. x 22.86 m.) Part of old cantonment (new Shahupuri) Shown as ABCDE on Development Plan.	30 x75 = 2250 sq.ft. (9.12 m. x 22.86 m.)	1.0 (0.305m)	1.0 (0.305m)	1.06	-
	Shahu Road	40 x 75 = 3000 sq.ft. (12.216m. x 22.86 m)	1.0 (0.305m)	1.0 (0.305m)	2.6	-
	Other lanes (12.16 m. x 24.30 m.)	40 x80 = 3200 sq.ft. (0.305 m.)	1.0 (0.305m)	1.0 (0.305m)	2.6	-
3	Laxmipuri	80 x160 = 12800 sq.ft. (24.3m x48.64m)	20.0 (6.00m)	5.0 (1.52 m)	5.0 (1.52 m)	-
		50 x100 = 5000 sq.ft.(15.2 m x 30.48m)	10.0 (3.05m)	2.6 (0.76 m)	2.6 (0.76 m)	-

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		40 x80 = 3200 sq.ft. (12.16m x 24.3m)	5.0 (1.52m)	2.6 (0.76 m)	2.6 (0.76 m)	
4	Subhash road (South side Uma Talkies	40 x100 = 4000 sq.ft. (12.16 m x 30.4 m)	10.0 (3.05m)	3.0 (0.91 m)	5.0 (1.52 m)	-
	Gokhale College	Upto 3000 sq.ft.	10.0 (3.05m)	3.0 (0.91m)	5.0 (1.52m)	-
5	Balbag Vashant	80 x 120 = 9600 sq.ft. (24.32 m x 36.48m)	15.0 (4.56 m)	10.8 (3.04 m)	5.0 (1.52 m)	-
6	Muskuti Talao	40 x 80 = 3200 sq.ft. (12.16 m x 24.32 m)	5.0 (1.52m)	2.6 (0.76 m)	2.6 (0.76 m)	-
7	Old cantonment (New Shahupuri) Remaining part area excluding in Sr. No. 2	80 x 120 = 9600 sq.ft. (24.32 m x 36.48m)	2.6 (0.76m)	2.6 (0.76 m)	2.6 (0.76 m)	-
		40 x 80 = 3200 sq.ft. (12.16 m x 24.32 m)	2.6 (0.76m)	2.6 (0.76m)	2.6 (0.76m)	
8	Patankar Colony	80 x 120 = 9600 sq.ft. (24.32 m x 36.48m)	-	-	-	-
		Main Road	10.0 (3.05m)	3.0 (0.91m)	5.0 (1.52m)	-
		Other Roads	5.0 (1.52m)	2.6 (0.76 m)	2.6 (0.76 m)	-
9	Rajarampur New vasahat East side of Tararani vidyapeeth	40 x 80 = 3200 sq.ft. (12.16 m x 24.32 m)	10.0 (3.05m)	3.0 (0.91m)	5.0 (1.52m)	-
10	Petala New Mahadwar Road	40 x100 = 4000 sq.ft. (12.16 m x 30.4 m) Other plots interior roads.	5.0 (1.52m)	3.0 (0.91m)	5.0 (1.52m)	-
11	Tarabai Park	5000 sq.ft. and above (460 sq.m.)	15.0 (4.56 m)	10.0 (3.05)	10.0 (3.05m)	-
		3000 sq.ft. to 5000 sq.ft. (278.5 sq.m. to 460 sq.m.)	15.0 (4.56 m)	10.0 (3.05)	7.6 (2.25 m)	-
12	Shahaji Nagar	5000 sq.ft. (460 sq.m.)	15.0 (4.56 m)	10.0 (3.05)	10.0 (3.05m)	-

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13	Sykes Extension	80 x 120 = 9600 sq.ft. (24.32 m x 36.40m)	15.0 (4.56 m)	10.0 (3.05)	10.0 (3.05m)	-
	CTS no. 1143, E	60 x 70 = 3200 sq.ft. (18.29 m x 21.33 m)	10.0 (3.05m)	5.0 (1.52m)	5.0 (1.52m)	-
	CTS no. 1141, E	40 x 80 = 3200 sq.ft. (12.16 m x 24.32 m)	5.0 (1.52m)	2.6 (0.76 m)	2.6 (0.76 m)	-
14	Old Gavat Mandai opposite Jijamata Girls High School	40 x 80 = 3200 sq.ft. (12.16 m x 24.32 m) and other Plots.	10.0 (3.04m)	2.6 (0.76 m)	2.6 (0.76 m)	-
15	Subhash Nagar	40 x60 = 2400 sq.ft. (12.16 m x 10.24m)	5.0 (1.52m)	2.6 (0.76 m)	2.6 (0.76 m)	-
16	Jawahar Nagar	40 x60 =2400 sq.ft. (12.16 m x 10.24m)	10.0 (3.05m)	5.0 (1.52m)	5.0 (1.52m)	-
17	Line Bazar near Masjid	40 x90= 3600 sq.ft. (12.16 m x 27.42m))	10.0 (3.05m)	2.6 (0.60 m)	2.6 (0.76 m)	-
18	Shivaji Udyam Nagar (Industrial use only permitted except to residential use already in use)	80 x 120 = 9600 sq.ft. (24.32 m x 36.48m)	20.0 (6.10 m)	3.6 (1.064m)	2.6 (0.76m)	-
		40 x 80 = 3200 sq.ft. (12.16 m x 24.32 m)	5.0 (1.52m)	2.6 (0.76 m)	2.6 (0.76 m)	-
		On Rajaram Road 80 x80 = 6400 sq.ft. (24.32 m x 24.32m)	5.0 (1.52m)	3.6 (1.064m)	5.0 (1.52m)	-
		40 x 80 = 3200 sq.ft. (12.16 m x 24.32 m)	5.0 (1.52 m)	3.6 (.064m)	5.0 (1.52m)	-
	CTS No. 1325	40 x 80 = 3200 sq.ft. (12.16 m x 24.32 m)	5.0 (1.52m)	2.6 (0.76 m)	2.6 (0.76 m)	-
	CTS No. 1243/2 to 1243/4 for foundry use. Power Nagar, Udyam nagar extension		20.0 (6.10 m)	5.0 (1.52m)	5.0 (1.52m)	-
19	Dhor Vasahant	80x 160 = 12800 sq.ft. (24.32 m x 48.64m)	15.0 (4.56 m)	10.0 (3.05 m)	5.0 (1.52 m)	-

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20	Town Planning Scheme	Kolhapur No. 1 Special	-	-	-	-
	For final Plots	Upto 2 Gunthas (less than 2 area)	5.0 (1.52 m)	5.0 (1.52 m)	2.06 (0.76m)	50%
	For final Plot	2 Gunthas to 5 gunthas (2 ares to 5 areas)	10.0 (3.05m)	5.0 (1.52m)	5.0 (1.52m)	50%
	For final Plots	5 gunthas (5 ares)	15.0 (4.5 m)	15.0 (4.56 m)	10.0 (3.05 m)	33%
21	Town Planning Scheme Kolhapur No. II Special Regulations.					
B)	Excepting above further final plots		15.0 (4.56 m)	15.0 (4.56 m)	5.0 (1.52m)	33%
22	Two planning Scheme Kolhapur No. III Special Regulations.					
	A. Final plot about 5000 sq.ft. (460 sq.m.)		15.0 (4.56 m)	15.0 (4.56 m)	10.0 (1.56m)	33%
	B. Final plot No. 15 and 19		10.0 (3.04 m)	10.0 (3.04 m)	10.0 (3.04 m)	33%
23	Mahatma Phulewadi Housing society	40 x110 = 4400 sq.ft. (12.016 m x 33.53m)	10.0 (3.05 m)	2.6 (0.76 m)	2.06 (0.76m)	-
		40 x60 = 2400 sq.ft. (12.16 m x 18.29 m)	10.0 (3.05 m)	2.6 (0.76 m)	2.6 (0.76 m)	-
24	Sambhaji Nagar	40 x 80 = 3200 sq.ft. (12.16 m x 24.32 m)	5.0 (1.52m)	2.0 (0.60 m)	2.6 (0.76 m)	-
		40 x60 = 2400 sq.ft. (12.16 m x 18.29 m)	5.0 (1.52 m)	2.0 (0.60 m)	2.6 (0.76 m)	-
25	Sagar Mal. Behind Maharashtra Housing Board colony. (Shastri	50 x 85 = 4250 sq.ft. (15.20m x 25.900m)	10.0 (3.05 m)	2.6 (0.76 m)	2.6 (0.76 m)	-

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	Nagar)					
26	Khasbag Road from CTS No. 2557 to 2533		As per gaothan regulation	1.0 (0.305m)	1.6 (0.76m)	-
27	Sakoli Vasahat to the South West of Rankala S.T. Stand		As per gaothan regulation	1.0 (0.305m)	1.6 (0.457m)	-
28	Timber Market	100x150 – 15000 sq.ft. (30.48 m x 45.72m)	15.0 (4.56 m)	15.0 (4.56 m)	15.0 (4.56 m)	-
29	Golibar Vasahat K Bavada	40 x 40 = 1600 sq.ft. (12.16 m x 12.16m)	2.6 (0.76 m)	2.6 (0.76 m)	2.6 (0.76 m)	-
30	Patharvat Vasahat Near Daulat Nagar	30 x 50 = 1500 sq.ft. (9.14 m x 15.24 m)	5.0 (1.52m)	2.6 (0.76 m)	2.6 (0.76 m)	-
31	Old Vasahats Dombar Wada Takala portion on Koti-tirth	Gaothan Regulation would be applicable	-	-	-	-
32	Sotewala Vasahat		5.0 (1.52m)	2.0 (0.60 m)	2.6 (0.76 m)	-
33	Nagala Area of Tarbai Park	5000 sq.ft. and above (460 sq.m.& above)	15.0 (4.56 m)	10.0 (3.05 m)	10.0 (3.05 m)	33%
		3000 sq.ft. to 5000 sq.ft. (278.5 sq.m. to 460 sq.m.)	15.0 (4.56 m)	10.0 (3.05 m)	7.6 (2.25 m)	33%
34	Hind co-Operative Housing Society (Ruikar Colony)	65 x 80 = 52000 sq.ft. (19.81 m x 24.36 m)	10.0 (3.05 m)	-	7.0 (2.135m)	-
		60 x 90 = 5400 sq.ft. (18.91m x 27.42m)	15.0 (4.56 m)	5.0 (1.52 m)	7.0 (2.135m)	-
35	Dinanath Mangeshkar Nagar – site No. 272 & 273	i) 1500 to below 2000 sq.ft. (139.35 sq.m. to 185.80 sq.m.)	10.0 (3.05 m)	5.0 (1.52 m)	5.0 (1.52 m)	1/2
		ii) 2000 to below 3000 sq.ft. (185.0	10.0 (3.05 m)	10.0 (1.52 m)	5.0 (1.52 m)	1/2

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		sq.m. to 278.7 sq.ft.)				
		iii) 3000 to below 5000 sq.ft. (278.7 sq.m. to 464.5 sq.m)	15.0 (4.56 m)	10.0 (3.05 m)	7.6 (2.25 m)	1/2
36	Sagarmal (S.No. 1330) E Ward, site No. 338)	do	do	do	do	do
37	R.S. No. 690 site No. 365	400 sq.ft.(37016 sq.m.) 400 to 784 sq.ft. (37016 to 67.03 sq.m.)	Gaothan Regulation shall be applied 5.0 (1.52m)	- 2.0 (0.60m)	- 2.6 (0.76m)	-
38	Site No. 87 (Housing the Dishoused)	AS mentioned in sr.no.l35	AS mentioned in sr.no.l35	-	-	-
39	R.S. No 711 K, Karveer	500 to 1000 sq.ft. (46.45 to 92.90 sq.mt.)	5.0 (1.52m)	-	3.0 (0.9 m) on one side 2.6 (Common distance (0.76m)	-
40	Remanmala Zopadpatti	1800 to 2000 sq.ft. (1167.22 to 185.8 sq.m.)	5.0 (1.52 m)	2.6 (0.76 m)	2.6 (0.76 m)	1/2
41	Site No. 60	50 x 30 = 1500 sq.ft. (15.24 m x 9.14 m)	5.0 (1.52 m)	2.6 (0.76 m)	2.6 (0.76 m)	1/2
42	Daulat Nagar	1500 sq.ft. (139.35m)	5.0 (1.52 m)	2.6 (0.76 m)	2.6 (0.76 m)	1/2

Note 1 – Maximum permissible Basic FSI for Sr. No. 1 to 3 and 26, 27 and 31 shall be 1.5 for residential use and 2.0 for residential cum-Commercial use and for remaining areas, it shall be 1.1 and mix non-residential use to be allowed without any restriction of percentage.

Note 2 – The properties fronting on " Mahadwar to Mahadwar Chowk Road " shall be given building permission with a front set back of only 0.5 m.

Note 3 – The Maximum permissible Basic FSI, permissible TDR loading and additional FSI on payment of premium shall be as allowed as per these regulations.

Note 4 – Height of building

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i) Height of building to be constructed on Kiranotsav Marg of Mahalaxmi Temple shall be determined by the Municipal Commissioner.

ii) For Sr.No. 1, 2 & 3 – upto 21 m. height with marginal distances as per column No. 4, 5 & 6 of table above.

Above 21 m. height - it shall be as per regulation No. 6.10.

iii) For Sr. No. 4 to 42 upto 15 m. as per column No 4, 5 & 6 of table above.

For height above 15 m., 1.0 m. set-back for every 3 m. height on all sides except front for open plot. For the existing structures and ongoing projects only front and rear set-back to be kept in addition to the marginal open spaces as per column No. 4, 5 & 6 of table above. This may be allowed in form of step margin. Side margin as mentioned in column No. 6 of table above, may be continued upto 21 m. height.

Above 21 m. height - it shall be as per regulation No. 6.10

Note - 5 Other provisions excluding above, shall be as per UDCPR.

Note - 6 For parking spaces in basement and upper floor at least one vehicular ramp of 3.00 m**.** width in side and rear margin for 4 wheeler and 2 m. width for 2 wheeler shall be provided for plot area upto 1000 sq.m.

10.9.2 Height of building on Kiranotsav Marg other than specified area.

The height of building to be constructed along Kiranotsav Marg of Mahalaxmi Temple shall be determined by the Municipal Commissioner.

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10.10 NAVI MUMBAI MUNICIPAL CORPORATION

10.10.1 Basic FSI Permissible for Certain Categories of Plots.

Business or Mercantile use wholly or in combination with the residential use in any other zone mentioned in Regulation, other than Regional Park Zone and No Development Zone, shall be as below.

Provided that, in case of combination, Business or mercantile use shall not be less than 10% of the admissible FSI. Provided further that the area of all such plots taken together in the zone from Node shall not exceed 15% of the area of the relevant zone from the Node.

a. For plots of area below 1000 sq.m. Basic FSI = 1.00

b. For plots of area 1000 sq.m. and above & fronting on minimum 15 m. wide road Basic FSI = 1.50

Note :

1) The benefit of the regulation mentioned at (a) above may be extended to plots of land leased out or agreed to be leased out by CIDCO earlier with different (lower) FSI, in Zones other than predominantly Commercial Zone, provided further that all other UDCPR provisions including parking are fully complied with.

2) All plots leased by CIDCO with FSI 1.50 and fronting on roads less than 15 m. if any, prior to the sanction of this UDCPR shall be exempted from the 15 m. road with criteria.

If the intended development is within the scheme for allotment of land to the project affected land holders in the defined area contiguous to the villages or within the scheme of allotment of 12.5% / 22.5% land to the project affected land holders, 15% of such FSI may be utilized for commercial area and FSI permissible shall be 1.50.

3. In case of plot where basic FSI is 1.5 the maximum building potential of plot including in-situ FSI as mentioned in table 6 G may be allowed to be exceeded by further 0.5.

10.10.2 Reconstruction / Redevelopment of Building in CIDCO / NMMC Areas

Regulation for reconstruction / redevelopment schemes undertaken by CIDCO/Owner's Association / Co-operative Housing Society (CHS) in respect of the authorized buildings previously constructed by CIDCO but subsequently destroyed by natural calamities or accidental fires or which have collapsed by aging or are demolished or being demolished under a lawful order of the Municipal Commissioner etc.:-

Reconstruction / Redevelopment, in whole or in part of a building, previously constructed by CIDCO (not being a building wholly occupied by warehousing / Industrial user and also not being an individually owned structures, which has ceased to exist for the reasons mentioned above) or a building constructed by CIDCO which has been declared dilapidated by the Commissioner NMMC or a buildings constructed by CIDCO which is above 30 years of age, irrespective of its status of dilapidation, (hereinafter collectively referred to as "dangerous / dilapidated building") shall be permissible in accordance with the following Regulations.

Regulation for Reconstruction / Redevelopment :-

1. For redevelopment of building or buildings in the housing schemes of CIDCO, containing houses or tenements for (i) EWS / LIG and / or (ii) MIG and/or (iii) HIG, the total permissible FSI shall as specified in Table below or Rehab + Incentive FSI as per clause 2(A) & (B), whichever is more and shall be based on gross plot area:-

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Table No -10 C		
Sr. No.	**Category**	**Permissible FSI**
i)	Plot area of 1000 sq.mt. or more and having access road of minimum 15 m width.	3.00
ii)	Plots area of 1000 sq.mt. or more and having access road of minimum 9m. width	2.00
iii)	All other plots having access road below 9m width.	1.80 or Authorisedly consumed FSI + 50% Incentive whichever is less

If the entitlement of FSI as above is less than maximum building potential mentioned in column 6 or 9 of Table 6-G of Regulation No.6.3, then difference of FSI entitlement shall be availed by payment of premium. Moreover, the maximum building potential mentioned in Table No.6-G shall be allowed considering the road width one step below subject to road width of minimum 12 m.

e.g. for the roads as mentioned at Sr.No.3 in Table No.6-G, the maximum building potential shall be considered as given at Sr.No.4.

Identification of dangerous / dilapidated buildings shall be done by a Committee Under the Chairmanship of the Municipal Commissioner, NMMC, comprising Superintendent Engineer, Public Works Department, Thane; Joint Director, Town Planning, Konkan Division; City Engineer, NMMC; Chief Engineer, CIDCO; Chief Planner, CIDCO and such other members as may be appointed by the Municipal Commissioner, NMMC, having regard to their academic

qualifications, technical competence and previous experience in the field of Structural Engineering.

2. Where redevelopment of any dangerous / dilapidated buildings(s) in a Housing Scheme of CIDCO constructed building is undertaken by the Co-op Housing Society or the occupiers of such building(s) or by the lessees of CIDCO, the Rehabilitation area Entitlement, Incentive FSI and sharing of balance FSI shall be as follows:-

A) Rehabilitation Area Entitlement :

i) Under redevelopment of any dangerous / dilapidated building(s) in a Housing Scheme of CIDCO, the entitlement of rehabilitation are 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 below :-

Table No - 10 D

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	10%
Above 2 hect to 5 hect	15%
Above 5 hect to 10 hect	20%

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Explanation: The plot under redevelopment means the total area of the land on which redevelopment of dangerous / dilapidated building (s) is to be undertaken.

Provided that the maximum entitlement of rehabilitation area shall in no case exceed the maximum limit of carpet area prescribed 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 any dangerous / dilapidated building(s) in a Housing Scheme of CIDCO, the entitlement of rehabilitation area of any existing authorized commercial unit / 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 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 Schedule of Rates (ASR) and Rate of Construction (RC)* in Rs/Sq.m applicable to the area as per the ASR and shall be as given in the Table below :-

Table No – 10 E	
Basic Ration (LR/RC)	**Incentive (As % of Admissible Rehabilitation Area)**
Above 3.00	70%
Above 2.00 and upto 3.00	80%
Above 1.00 and upto 2.00	90%
Upto 1.00	100%

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 Schedule of Rates.

Provided that the above incentive will be subject to the availability of the FSI on the Plot under redevelopment and its distribution by NMMC, with prior approval of CIDCO.

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 the applicable rates shall be taken for calculating the Average Land Rates and the Basic Ratio.

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

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 existing or proposed Co-operative Housing Society / Apartment Ownership Association and CIDCO, in the form of built-up area, as given in Table below and the share of CIDCO shall be handed over to CIDCO free of cost.

Table No - 10 F		
Basic Ratio (LR/RC)	**Sharing of Balance FSI**	
	Society / Association Share	**CIDCO Share**
Above 3.00	30%	70%
Above 2.00 and upto 3.00	40%	60%
Above 1.00 and upto 2.00	50%	50%
Upto 1.00	60%	40%

Provided that building or buildings under redevelopment in the NMMC area, upto 20% of the CIDCO's share in the form of tenement shall be handed over free of cost to the NMMC. NMMC require the same for rehabilitation of the project affected persons.

2.1 Where redevelopment of dangerous / dilapidated building(s) in a Housing Scheme of CIDCO is undertaken by CIDCO directly or jointly by CIDCO along with the Co-operative Housing Society / Association or the occupiers of such building(s) or by the lessees of CIDCO, 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 15% of the existing carpet area, over and above the Rehabilitation Area Entitlement calculated in (A) of Clause 2 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 Clause 2.

C) **Sharing of the balance FSI:** There shall be no sharing of the balance FSI, which shall be entirely available to CIDCO for implementing Affordable Housing Project.

3. **Other requirement / Criteria :**

i. For the purpose of calculating the FSI, the entire area of the layout including widening of existing roads and internal roads but excluding the land earmarked for public amenities shall be considered. Sub-division as well as amalgamation of plots shall be permissible. Amalgamation of more than one Apartment Owners' Association / Co. op. Hsg. Society (CHS) / Residents' Association shall be permissible and after such amalgamation, the amalgamated plot should be in the name of the applicant CHS with legal ownership title, without considering the provision made in the Regulation of the DCR. However consent of at least 70% leaseholders / occupants who intend to amalgamate such condominium shall be necessary.

ii. In a condominium/plot area, widening of existing roads as per the regular line of street prescribed by the Commissioner, NMMC or widening of road providing vehicular access to the condominium plot to bring it to the minimum right of way as prescribed in Table No. 10 C, shall be permissible for reconstruction / redevelopment, after handing over required stretch of land under road to NMMC, free of cost, duly developed with storm water drains and footpath, if any, to the satisfaction of the Municipal Commissioner.

iii. In case where there are a number of dangerous / dilapidated buildings on a plot, in such cases, equivalent Land component of such buildings shall be worked out and incentive F.S.I. shall be based on such land component.

iv. The normal permissible tenement density per net hectare may be allowed to be exceeded in multiple of F.S.I. permissible.

v. The existing residential premises (other than R+C premises) shall be permitted to be redeveloped for residential user only. No change of use from Residential to Residential cum Commercial shall be permitted. However, in such premises, if area of such plot is more than 1000 sq.m. and the same is fronting on a road having width of 20 mtr and above then it shall be permissible to construct convenience shopping to the extent of 5% of the plot area and if the plot area is more than1000 sq.mr and the plot is fronting on a road having width of 30 mtrs and above then this limit for convenience shopping will be upto 10%.

vi. In a condominium/plot area, It shall be mandatory to keep minimum 10% or 15%, as the case may be, compulsory recreational open space on ground clearly open to sky over and above podium garden, in the proposed redevelopment project in respect of land area between 2500 sq.mt. to 4000 sq.mt. or more than 4000 sq.mt., respectively.

vii. 5% of the Plot area under reconstruction / redevelopment project shall be surrendered to the Municipal Corporation, free of cost, towards essential amenity area, in case the plot

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area is more than 2500 sq.mt. The FSI of such amenity area shall be permissible on the balance plot area and the entire area of such amenity space will be considered for computation of FSI, without deducting this area from the gross plot area. However, 1.0 FSI out of amenity space FSI will be deducted from the total permissible FSI. Alternatively carpet area equivalent to 5% of the area of the plot Under redevelopment can be constructed within the Scheme, providing Separate access, and handed over to NMMC free of cost as Social amenity.

viii. The Layout of entire condominium / residential / Residential cum commercial premises, duly signed by the Apartment owners' Association/CHS shall be submitted at the time of Commencement Certificate to ascertain the feasibility of the entire condominium for redevelopment, so that in future, proper redevelopment of other buildings in the condominium/residential premises is smoothly feasible. However, such redevelopment can be undertaken in a phased manner in respect of one or two buildings likewise as per the approved layout of the entire condominium/residential premises. In case of such partial redevelopment, the infrastructure charges shall also be deposited in proportion to the area under such partial redevelopment.

ix. For the purpose of deciding the authenticity of the age of the structure, if the approval plans of such existing structure are not available, the Municipal Commissioner shall consider other evidence such as Assessment Record, or city survey record or sanad.

x. In any Redevelopment project where the existing or proposed Co-operative Housing Society/Apartment Owners' Association/Developer appointed by the concerned Society/Association has obtained No Objection Certificate from the CIDCO, thereby securing 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. However, in case of Apartment owners' Association, the Consent as per the concerned Act will be required.

xi. For redevelopment of any dangerous / dilapidated buildings in any Housing Scheme of CIDCO under clause 2.1 hereinabove, by CIDCO, the consent of the Cooperative Housing Society in the form of a valid Resolution as per the Co-operative Societies Act, 1960 will be sufficient. Similarly in case of Apartment Owners' Association, the consent as per the concerned Act will be required.

xii. For providing the requisite infrastructure for the increased population, an infrastructure charge at the rate of 10% of the Land Rate as per the ASR of the year of approval of the redevelopment project shall be levied and charged by the NMMC for the extra FSI granted for the redevelopment project, over and above the Basic Zonal FSI.

xiii. A corpus fund, as may be decided by Municipal Commissioner, shall be created by the Developer which shall remain with the concerned Co-operative Housing Society / Apartment Owners' Association for the maintenance of the new buildings under the Rehabilitation Component.

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

XV. Any redevelopment proposal where NMMC has already issued Commencement

Certificate (C.C.) prior to the date of coming into force of this Modification (hereinafter referred to as "the appointed date") and which is valid as on the appointed date, shall be allowed to convert to redevelopment projects under this Regulation, provided it satisfies all the requirements specified in this Regulation.

10.10.3 Road width of 11 m.

The road width of 11 m. in Navi Mumbai Municipal Corporation area shall be treated at par width of 12 m. for all purposes including permissible uses mentioned in this UDCPR.

10.10.4 Allowance of premium FSI in lieu of TDR

In addition to the quantum of premium FSI mentioned in Table 6A of Regulation No.6.1.1 and Table 6G of Regulation No.6.3, the additional premium FSI to the extent of TDR mentioned in the said table shall be allowed till the generation of TDR in Navi Mumbai Municipal Corporation area.

10.10.5 Provision of Amenity Space.

The Regulation No.3.5 shall not be applicable to CIDCO area.

10.10.6 Provision of Recreational Open Space

The recreational open space required to be provided in the lands allotted outside the Action area shall be as per the relevant clause of the Agreement to lease or as per these regulations (UDCPR), whichever is more.

The Action area means area for which the CIDCO intends to prepare a detailed layout plan with special development control regulations.

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10.11 NATIONAL PARK AND TUNGARESHWAR ECO-SENSITIVE ZONE -

10.11.1 Development around National Park and Tungareshwar Eco-sensitive Zone

The restrictions imposed by Ministry of Environment, Forests and Climate Change for the Eco-sensitive Zone declared around Sanjay Gandhi National Park and Tungareshwar Eco-sensitive Zone shall be applicable as amended from time to time in addition to these Regulations.

10.12 MAHARASHTRA AIRPORT DEVELOPMENT COMPANY NOTIFIED AREA.

10.12.1 In the areas notified for Maharashtra Airport Development Company as Planning Authority / Special Planning Authority, the following additional regulation shall be applicable.

The basic FSI permissible for development in Airport and allied activities / services, Special Economic Zone, Mix Use Zone, Public-Semi-Public Zone shall be 1.50.

10.13 BHIWANDI SURROUNDING NOTIFIED AREA

10.13.1 REGULATIONS FOR AFFORDABLE HOUSING SCHEME:

In order to promote construction of affordable housing stock on private lands, the Planning Authority may permit implementation of Affordable Housing Scheme in accordance with the provisions of these Regulations. Affordable Housing Scheme (hereinafter referred to as 'the Scheme') shall be permissible only on the lands situated within the limits of the Bhiwandi Surrounding Notified Area in the Mumbai Metropolitan Region (MMR).

(i) Affordable Housing Scheme shall be permissible in Residential Zone / Affordable Housing Zone shown on the Development Plan only and on plots having access from an existing or

proposed Development Plan Road having width equal to or in excess of 18 nit, or an existing road in respect of which Regular Line of Street has been declared under the relevant provisions of Maharashtra Municipal Corporation Act, Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships Act, 1965 for a width of 18 nit. or more, provided permissible FSI on such plots is 0.95 or more and TDR/additional FSI on payment of premium more than 0.6 is allowable. However in case of a proposed road, the land under the said proposed road shall be acquired before the approval of building plans for the Affordable Housing Scheme. Affordable Housing Scheme shall not be allowed in areas where FSI is less than 0.95 or where use of TDR is not permissible.

(ii) Minimum plot area for the Affordable Housing Scheme shall be 4000 sq.mt., excluding area under D.P. Roads and D.P. Reservations, if any.

(iii) The plot under the Scheme shall be independent, unencumbered and contiguous.

(iv) The Scheme shall not be permissible in congested areas, demarcated as such on the Development Plan.

3. The Special Planning Authority for Bhiwandi Surrounding Notified Area, shall be competent to grant both location clearance and layout approval/building permission for an Affordable Housing Scheme.

4. (i) Maximum permissible FSI (including the base FSI of 1.00) under the Scheme shall be 3.00 on the gross plot area, including mandatory layout recreational open space and Amenity Space. The FSI to be utilized shall be in the proportion of 1:3 for the Affordable Housing Component and the Free Sale Housing Component on 1/4th and 3/4th part of the land respectively. Thus Affordable Housing and Free Sale Housing shall be proposed on the same plot of land but on two separate independently buildable pockets. For lands in Affordable Housing Zones, the owner/ developer may be allowed to develop the land as per the Rules of the Affordable Housing Policy with the proviso that free sale to Affordable Housing FSI ratio will be 1.8:1 instead of 1.66 : 1 and the maximum FSI will be 2.5.

Or

the owner / developer may be allowed to develop the land as permissible in Residential Zone as per prevailing Development Control Regulation subject to the condition that the area of tenements to be constructed with entire potential of the land, shall be of Affordable Housing Scheme. However if the provisions of inclusive housing stipulated in UDCPR are applicable to this area then, it shall also be made applicable to such land.

(ii) Under Affordable Housing Scheme, upto 15 % of the total built-up area of the Affordable Housing Component may be used for construction of shops / commercial use as per the direction of Special Planning Authority for Bhiwandi Surrounding Notified Area and such commercial built-up area shall be handed over to the Special Planning Authority for Bhiwandi Surrounding Notified Area free of cost.

5. (i) An Affordable Housing Unit shall be a self-contained dwelling unit of 25 sq.mt, carpet area, However the carpet area of a Housing Unit shall be 160 sq.ft., where the construction under the Rental Housing Scheme has already commenced.

(ii) The amenity space for Affordable Housing shall be 10 % of the gross plot area under the Scheme and it shall be proportionately provided in the area earmarked for the Affordable Housing Component and the Area kept for Free Sale Housing Component.

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

no further area shall be required to be kept as amenity space under Regulation 5 (ii) for the Scheme if the area prescribed to be kept as amenity space while permitting residential user in Industrial zone is equal to or more than 10% of the gross plot area.

only the balance area shall be required to be kept as amenity space under Regulation 5(ii) for the Scheme if the area of amenity space prescribed by the Planning Authority, while permitting residential user in Industrial zone, falls short of 10%.

(iii) Notwithstanding anything contained in the relevant provisions of the Development Control Regulations of Amenity Space in general, and also regarding permitting Residential User in Industrial Zone, it shall be obligatory on the Developer/Owner to develop the amenity space for users (hereinafter referred to as prescribed amenity users) such as School, Play Ground, Garden, Health Care Facilities, Multipurpose Hall, Auditorium, etc. with the approval of Chief Executive Officer of Special Planning Authority, as per the specifications prescribed by the said Authority, subject to the condition that at least 50% of such amenity space shall be kept for open users, before seeking Occupancy Certificate for the Free Sale Housing Component of the Scheme, failing which the land under such amenity space shall be handed over free of cost to the Planning Authority and such land shall be developed by the Chief Executive Officer of Special Planning Authority for the aforesaid prescribed amenity users only.

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

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

(v) Under the Affordable Housing Scheme, there shall be a welfare hall and a Balwadi at the rate of 30 sq.mt. for every multiple or part of 200 residential units and an office for Managers/Co-operative Housing Society at the rate of 30 sq.mt. per every multiple or part of 500 residential units which shall be treated as a part of Affordable Housing Component and shall not be counted towards the FSI while computing 3.00 FSI on the site and shall be given along with layout/DP roads and shops, free of cost to the Special Planning Authority for Bhiwandi Surrounding Notified Area. These facilities shall be constructed at locations as suggested by the Special Planning Authority for Bhiwandi Surrounding Notified Area and shall be transferred free of cost to it.

6. Under the Affordable Housing Scheme, Off-Site Infrastructure Charges at the rate of 5% of the land rate as given in the Annual Statement of Rates (ASR) prepared by the Inspector General of Registration, Maharashtra State, for the year in which Commencement Certificate is issued, subject to a minimum of Rs. 2000 per sq.mt., shall be paid by the Developer for the built up area,

over and above the normal permissible FSI. This amount shall be paid to the Special Planning Authority for Bhiwandi Surrounding Notified Area.

7. Release of FSI under the Scheme shall be as follows:-

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

Sr. No.	Stages of Release FSI	Affordable Housing Component*	Free Sale Component*
1	On Grant of Building Permission/ Commencement Certificate up to plinth by 1.1-L-B Special Planning Authority for Bhiwandi Surrounding Notified Area /Planning Authority to the Affordable Housing Project.	3.00	1.00
2	On Completion of 50% BUA of Affordable Component	-	0.75
3	On Completion of 100% BUA of Affordable Component	-	0.75
4	On handing over of 25% land and completed Affordable Housing Component buildings with Occupancy Certificate	-	0.50
	Total	3.00*	3.00*

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

8. The Affordable Housing Component under the Scheme shall be handed over alongwith the 1/4 part of the total plot of land, free of cost to the Special Planning Authority for Bhiwandi Surrounding Notified Area.

9. (i) The affordable Housing stock created under the Scheme shall be allotted by the Special Planning Authority for Bhiwandi Surrounding Notified Area as follows:-

Per cent age	Allotment to	Category of Stock	Rate of Allotment
25	Special Planning Authority for Bhiwandi Surrounding Notified Area for use as PAP tenements or Staff Quarters or Transit Accommodation,	Ownership	Free of Cost
25	Outright sale to Govt. of Maharashtra and its statutory bodies / Govt. undertakings for use as PAP tenements or staff quarters or Transit Accommodation.	Ownership	As per Construction rate of ASR
50	Outright sale as affordable housing by	Ownership	Free of Cost to

	MHADA subject to the general or specific directions of the Government.		MHADA which shall dispose of the same as per its pricing policy and by draw of lots.

(ii) The Affordable Housing stock shall be disposed of as per the prevailing policy of MHADA regarding pricing and disposal of its housing Stock meant for affordable housing. Each Project approved under the Scheme Shall be brought to the notice of the Government of Maharashtra and its statutory bodies/Government undertakings by means of Press Advertisement and if the Government of Maharashtra or any of its statutory bodies/Government Undertakings doesn't place firm requirement for the housing stock earmarked for them in the Scheme before the Completion Certificate/Occupation Certificate for the said Scheme is issued, the same shall come to the share of MHADA for outright sale as per the Prevailing Policy of the MHADA.

10. (i) The other aspects of the Development of Affordable Housing Scheme, not specifically dealt with hereinabove, shall be as per the relevant provisions of the Development Control Regulations of the respective Planning Authority.

(ii) It shall also be permissible for the Developer/Owner to utilize the FSI available for Free Sale Housing Component, fully /partly for any other user otherwise permissible as per Development Plan and Development Control Regulations.

(iii) In case owing to genuine hardship and site conditions, relaxation in marginal open spaces is sought by the Developer/Owner, the Chief Executive Officer of Special Planning Authority may consider such request, using his discretionary powers under the Development Control Regulations, subject to the condition that in no case shall the clear marginal open space reduced below 6.m No premium shall be charged for granting such relaxation in marginal open space in respect of Affordable Housing Component of the Scheme.

11. No project under the Rental Housing Scheme envisaged under the said directives issued by the Government vide orders dated 61h August 2008, 25h August 2009,49' November 2008 and August 2008 shall be permitted after the date on which the Notice No TPS-1212/79/C R 60/12/11D,12, Dated 30th November 2013 regarding this Regulation Under section 37 (IAA) of the Maharashtra Regional and Town Planning Act, 1066 was published in the official (herein after referred to as 'the cut cat date')

Provided that the Rental Housing Projects in respect of which Location Clearance had been granted by MMRDA, but Commencement Certificate has riot been issued by the concerned planning Authority, shall he allowed to continue, as such in case such project proposals are resubmitted to MMRDA within a period of 31) days from the date of this Notification in the Official Gazette. All such project proposals received by MMRDA within the prescribed time limit shall be scrutinized by MMRDA on merit and submitted for the prior approval of the State Government for their continuance under the Rental Housing Scheme.

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

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10.14 CIDCO AREA EXCLUDING NAINA AREA

10.14.1 The Regulations No. 10.10.1, 10.10.2, 10.10.3, 10.10.5 and 10.10.6 shall be applicable to CIDCO area**.**

10.14.2 Regulations for Land Compensation Scheme and Rehabilitation Pocket in Navi Mumbai

(i) Land Compensation Scheme and Rehabilitation Pocket: Land Compensation Scheme means the Scheme devised by City and Industrial Development Corporation of Maharashtra Ltd. (CIDCO) with the approval of State Government vide Government Resolution CID1812/C.R. 274/UD10, dated 1/3/2014 and as amended from time to time for compensating the land holders whose lands are being acquired on or after 1st March 2014, The Rehabilitation Pocket means the land identified by CIDCO for allotment under land compensation scheme. The compensation under Scheme shall have three components.

a) Component - I: involving allotment of 10% developed land in lieu of monetary compensation after deduction of 30% of the eligible area for the development of infrastructure and amenities. Maximum 15% FSI may be used for commercial use provided that such commercial use shall be permissible as per provisions of UDCPR

b) Component - II: involving allotment of 12.5% developed land in lieu of monetary compensation after deduction of 30% of the eligible area for the development of infrastructure and amenities. Maximum 15% FSI may be used for commercial use provided that such commercial use shall be permissible as per provisions of UDCPR

c) Component - III: involving allotment of developed plot to the eligible owner of the house whose house and land under house are being acquired and resettled at another location Maximum 15% FSI may be used for commercial use provided that such commercial use shall be permissible as per provisions of UDCPR

(ii) Floor Space Index admissible on lands allotted under the scheme shall be as follows:

a) Component – I: Floor Space Index for the development of lands allotted under Component – I shall be 2.5.

b) Component – II: Floor Space Index for the development of land allotted under Component – II shall be 1.5.

c) Floor Space Index for the development of total land allotted under Component – I and Component – II that is 22.5% shall be 2.0.

d) Component – III: Floor Space Index for the development of land allotted under Component – III shall be 1.5.

e) The base FSI of the lands within Pushpak Node as described by CIDCO shall be 2.0 irrespective of the land use and the maximum permissible FSI shall be 2.5. Provided that with the previous approval of VC & MD, CIDCO, this additional 0.5 FSI may be granted for utilization on these plots subject to payment of additional premium as may be decided by the Corporation.

Alternatively, with the previous approval of VC & MD, CIDCO, additional FSI 0.5 in the form of DRC shall be allowed on lands within the Pushpak Node only over and above the base FSI of 2.0. However, while granting such additional 0.5 FSI VC & MD, CIDCO shall give priority to grant of such additional FSI in the form of DRC.

Provided that

A Maximum FSI 2.0 shall be admissible for plots having an area equal to or in as excess of 1000 sq. mtr., however in case, the available FSI can not be used at site due to hardship of height restriction and for any other reasons recorded in writing in Pushpak Node, floating of TDR shall be allowed and such TDR shall be used within Pushpak Node only with the approval of VC & MD.

B FSI 1.5 shall be admissible for plot having area less than 1000 sq. mtr. and the balance 0.5 or 1.0 FSI, as may be applicable, shall be admissible for utilization in the form of Development Right Certificate (DRC) as a Transferable Development Right (TDR), the utilization of which shall be within Pushpak Node only.

(iii) Locations for utilization of DRC –

DRC in the form of TDR shall be eligible for utilization in the following locations.

a) Pushpak Node as shown on the plan with CIDCO.

(iv) Extent of Utilization of DRC :

The utilization of DRC within Pushpak node only shall be permitted is as follows:

Road width	Maximum Permissible Utilization of TDR in addition to basic FSI under these regulations.
Equal to or above 20.0 mtr and along the service road in Pushpak node	Upto 0.5 FSI on receiving plot.

10.14 A CIDCO AREA WITHIN PANVEL MUNICIPAL CORPORATION.

10.14 A.1 The Regulations No. 10.10.1, 10.10.2 10.10.3, 10.10.5 and 10.10.6 shall be applicable to CIDCO area within Panvel Municipal Corporation.

10.15 CERTAIN REGULATIONS CEASE TO OPERATE IN FUTURE.

The Regulation No. 10.1.1, 10.3.1, 10.3.2, 10.3.4, 10.4.1 and 10.14.1 shall cease to operate on 1st Jan, 2022 or as decided by the Government from time to time and thereafter provisions of these regulations shall apply.

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CHAPTER – 11

ACQUISITION AND DEVELOPMENT OF RESERVED SITES IN DEVELOPMENT PLANS

11.0 GENERAL

These regulations shall be applicable for the areas within the jurisdiction of planning authorities, unless otherwise specified.

11.1 Manner of Development of Reserved Site in Development Plan (Accommodation Reservation Principle)

The use of lands situated within the limits of Planning Authority which have been reserved for certain purpose in the Development Plan, shall be regulated in regard to type and manner of development/ redevelopment according to the provisions mentioned in following Table No.11A.

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

Table No.11-A - Manner of Development

Reservation	Person/Authority who may acquire/ develop	Principle For Development through Accommodation Reservation subject to which development is permissible
1	2	3
1) Recreational -		
1.1) Open reservations like Garden, Play Ground, Children PG, Open Space, Recreation Ground, Recreational Centre, Park etc.	Planning Authority/ Appropriate Authority/ Owner	Planning Authority may acquire the land and develop the same for the purpose. If the Land under reservation is owned by any Government agency/ Authority, in such cases the Planning Authority may allow such Government agency/ Authority to Develop full reservation for the said purpose subject to condition as may be decided by the Authority and such Developed Amenity shall be open to the general Public. **OR** The Authority, after handing over of 70% of the land of the reservation to the planning authority by the owner in lieu of FSI/TDR, may allow him to develop remaining 30 %of land as per adjoining use, subject to following terms/conditions:-

		i) The owner shall be entitled to develop remaining 30% land for the uses permissible in adjoining zone with full permissible FSI of the entire Plot and permissible TDR potential of the entire Plot. ii) The Authority, if required, shall allow the TDR for the unutilized FSI, if any (after deducting in-situ FSI as mentioned in Sr.No.(i) above), to be utilised as per TDR Regulations. iii) The reservation shall be allowed to be developed in parts. However, it shall be ensured that Garden and Play Ground area to be handed over to Authority shall be minimum 1000sq.m.
1.2) Stadium, Sport Complex, etc.	Planning Authority/ Appropriate Authority	Planning Authority/ Appropriate Authority shall acquire the land and develop the same for the purpose.
1.3) Swimming Tank / Swimming Pool	Planning Authority /Appropriate Authority / Owner	The Planning Authority/ Appropriate Authority may acquire and develop the site for the same purpose. **OR** The Planning Authority/ Appropriate Authority after acquiring the land or after acquiring and developing the same, as the case may be, lease out as per the provisions of the Municipal Councils/Municipal Corporations/Authority Act, to the Registered Public Institution for developing and running or only for running the same. **OR** The Owner may be allowed to develop according to the designs; specifications and conditions prescribed by the Authority and run the same.
2) Public Utilities		
a) Cremation Ground, b) Burial Ground, c) Slaughter House, d) Sewerage Treatment	Planning Authority/ Appropriate Authority	The Planning Authority/ Appropriate Authority shall acquire the land and develop the reservation for the same purpose.

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Plant, e) Water Treatment Plant, f) Water Tank		
3) Commercial		
3.1) Market and Mandies- a) Weekly Market/ b) Vegetable Market c) Open Market. d) Hawkers Market **3.2) Shopping centres** a) Shopping Centre, b) Commercial Complex, c) District Commercial Centre, c) Municipal Market d) Fish Market e) District Commercial (C-2) etc.	Planning Authority/ Appropriate Authority/ Owner	The Planning Authority/ Appropriate Authority shall acquire the land and develop the reservation for the same purpose. **OR** i) The Authority may allow the owner to develop the reservation, subject to handing over to the Planning Authority an independent plot along with constructed amenity of total area, mentioned in Note-1 below this table& as per norms prescribed by the Authority. ii) The owner shall be entitled to develop remaining land for the uses permissible in adjoining zone with full permissible FSI of the entire Plot and permissible TDR potential of the entire Plot. iii) The Authority, if required, shall allow the TDR for the unutilized FSI, if any (after deducting in-situ FSI), to be utilised as per TDR Regulations. iv) Reservation may be allowed to be developed in parts.
4) Health Facility		
a) Health Centre b) Hospital c) Dispensary d) Maternity Home e) Veterinary Hospital/ Clinic f) Urban Health Centre	Planning Authority/Appropriate Authority/Owner	The Planning Authority / Appropriate Authority may acquire and develop the reservation site for the same purpose. **OR** The owner may be allowed to develop entire reservation for the intended purpose only. **OR** i) The Authority may allow the owner to develop the reservation, subject to

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g) Rural Hospital and like		handing over to the Planning Authority an independent plot along with constructed amenity of total area, mentioned in Note-1 below this table &as per norms prescribed by the Authority. ii) The owner shall be entitled to develop remaining land for the uses permissible in adjoining zone with full permissible FSI of the entire Plot and permissible TDR potential of the entire Plot. iii) The Authority, if required, shall allow the TDR for the unutilized FSI, if any (after deducting in-situ FSI), to be utilised as per TDR Regulations. iv) Reservation may be allowed to be developed in parts.
5) Transportation		
5.1) Depots and Stands- a) Bus Stand b) Bus Depot etc. c) Metro Car Shed d) MRTS Station	Planning Authority/Appropriate Authority/ Owner	The Planning Authority/ Appropriate Authority may acquire and develop the reservation site for the same purpose. **OR** The owner may be allowed to develop entire reservation for the intended purpose. **OR** i) The Authority may allow the owner to develop the reservation, subject to handing over to the Planning Authority an independent plot along with constructed amenity of total area, mentioned in Note-1 below this table& as per norms prescribed by the Authority. The Authority shall ensure that constructed amenity to be handed over is of proper size and utilisable for the said use. ii) The owner shall be entitled to develop remaining land for the uses permissible in adjoining zone with full permissible FSI of the entire Plot and permissible TDR potential of the entire Plot.

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		iii) The Authority if required, shall allow the TDR for the unutilized FSI, if any (after deducting in-situ FSI), to be utilised as per TDR Regulations. iv) In case of Bus Stand/ Bus Depot, atleast 40% of the area shall be kept for parking/ movement of buses. iv) Reservation may be allowed to be developed in parts.
5.2) Roads Proposed	Planning Authority / Appropriate Authority / Owner	The Planning Authority/ Appropriate Authority shall acquire the land and develop the reservation for the same purpose. **OR** The Authority may allow the owner to develop the new Development Plan road, along with the construction of road as per the specifications given by the Authority. After handing over the said constructed road along with the land under proposed road to the Authority, the owner shall be entitled for TDR and Amenity TDR. The cost incurred for construction of road shall be calculated on the basis of District Schedule of Rates of Public Works Department.
5.3) Parking	Planning Authority/Appropriate Authority/ Owner	The Planning Authority/ Appropriate Authority may acquire and develop the site for the same purpose. **OR** The Planning Authority/ Appropriate Authority after acquiring the land or after acquiring and developing the same, as the case may be, lease out as per the provisions of the Municipal Corporations Act, to the Registered Public Institution for developing and running or only for running the same. **OR** The owner may be allowed to develop entire reservation for public parking and he shall maintain it for public parking forever. Agreement to that effect shall be executed with the Authority by the owner.

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		OR The Owner may be allowed to develop remaining area of the reservation, subject to following :- i) The owner shall develop parking space according to the designs, specifications and conditions prescribed by the Authority and handover the constructed parking area equal to the reservation area, to Authority. ii) The operation and the maintenance of the facility will be decided by the Authority. iii) Parking spaces may be in basement or on stilts or on first/second floor with separate entry & exit. iv) After handing over the above said parking area to the Planning Authority, the owner shall be entitled to construct with full permissible FSI of the entire Plot and permissible TDR potential of the entire Plot for other permissible user in that zone. v) The Authority, if required, shall allow the TDR for the unutilized FSI, if any (after deducting in-situ FSI), to be utilised as TDR Regulations.
5.4) Truck Terminus or similar	Planning Authority/Appropriate Authority/ Owner	The Planning Authority/ Appropriate Authority may acquire and develop the reservation site for the same purpose. **OR** The owner may be allowed to develop entire reservation for the intended purpose. **OR** i) The Authority may allow the owner to develop the reservation, subject to handing over to the Planning Authority an independent plot along with constructed amenity of total area, mentioned in note-1 below this table & as per norms prescribed by the Authority.

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		ii) The owner shall be entitled to develop remaining land for the uses permissible in adjoining zone with full permissible FSI of the entire Plot and permissible TDR potential of the entire Plot. iii) The Authority, if required, shall allow the TDR for the unutilized FSI, if any (after deducting in-situ FSI), to be utilised as per TDR Regulations. iv) Reservation may be allowed to be developed in parts.
6) Educational		
(a) Primary School (b) High School (c) College	Planning Authority/ Appropriate Authority/ Registered Educational Institution Trust / Owner	The Planning Authority/ Appropriate Authority may acquire and develop the site for the same purpose. **OR** The Planning Authority / Appropriate Authority after acquiring land or after acquiring and constructing the building on it, as the case may be, lease out the same as per the provisions of the Municipal Councils/Municipal Corporations/Authority Act, to the Registered Public Educational Institution trust for developing and running or only for running the same. **OR** The owner may be allowed to develop the reservation for the same purpose. The Registered Public Educational Institution trust on behalf of owner may also be allowed to develop subject to terms/conditions as prescribed by the Authority. **OR** i) The Authority may allow the owner to develop the reservation, subject to handing over to the Authority an independent plot along with constructed amenity of total area, mentioned in Note-1 below this table & as per norms prescribed by the Authority.

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		ii) The owner shall be entitled to develop remaining land for the uses permissible in adjoining zone with full permissible FSI of the entire Plot and permissible TDR potential of the entire Plot. iii) The Authority, if required, shall allow the TDR for the unutilized FSI, if any (after deducting in-situ FSI) to be utilised as per TDR Regulations. iv) Reservation may be allowed to be developed in parts. However, it shall be ensured that school or college of proper size is constructed. It shall be ensured that Primary School and High School area to be handed over to Authority shall be minimum 2000sq.m.
(c) Educational Complex	Planning Authority/ Appropriate Authority/ Land Owner	The Planning Authority/ Appropriate Authority may acquire and develop the site for the same purpose. **OR** The Planning Authority/ Appropriate Authority after acquiring land or after acquiring and constructing the building on it, as the case may be, lease out the same as per the provisions of the Municipal Corporations Act, to the Registered Public Educational Institution Trust for developing and running or only for running the same. **OR** The owner may be allowed to develop the reservation for the same purpose. The Registered Public Educational Institution trust on behalf of owner may also be allowed to develop subject to terms/conditions as prescribed by the Authority. **OR** If the area of the Educational Complex reservation is more than 1.00 Ha. then, i) The Authority may allow the owner to develop the reservation, subject to

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		handing over to the Planning Authority an independent plot alongwith constructed amenity of total area, mentioned in Note-1 below this table & as per norms prescribed by the Authority. ii) The owner shall be entitled to develop remaining land for the uses permissible in adjoining zone with full permissible FSI of the entire Plot and permissible TDR potential of the entire Plot. iii) The Authority, if required, shall allow the TDR for the unutilized FSI, if any (after deducting in-situ FSI), to be utilised as per TDR Regulations. iv) Reservation may be allowed to be developed in parts.
7) Residential		
a) Public Housing / EWS/LIG Housing. b) High Density Housing. c) Housing for Dis-housed. d) Reservation similar as above.	Planning Authority/ Appropriate Authority/ Owner	Planning Authority / Appropriate Authority may acquire the reserved land and develop for the same purpose. **OR** i) The Authority may allow the owner to develop the reservation, subject to handing over to the Planning Authority an independent plot along with constructed tenements of not more than 30 sq.m. carpet area each to the Authority, mentioned in Note-1 below this table& as per norms prescribed by the Authority. ii) The owner shall be entitled to develop remaining land for the uses permissible in adjoining zone with full permissible FSI of the entire Plot and permissible TDR potential of the entire Plot. iii) The Authority, if required, shall allow the TDR for the unutilized FSI, if any (after deducting in-situ FSI), to be utilised as per TDR Regulations.

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		iv) The Planning Authority / Appropriate Authority shall allot such tenement on priority to the persons dispossessed by implementation of Development Plan. iv) Reservation maybe allowed to be developed in parts. **OR** The Authority may allow the owner to develop the reservation, subject to- a) Handing over of 40 % land to Authority in lieu of FSI/TDR, for laying out plots for EWS/LIG. The owner shall thereafter be entitled to develop remaining plot as per the uses permissible in residential zone with permissible FSI/TDR potential of entire plot on remaining plot without taking into account the area handed over to the Planning Authority. b) The Planning Authority / Appropriate Authority shall prepare layout for EWS/LIG plots and allot such plots on priority to the persons dispossessed by implementation of Development Plan. The Planning Authority may construct EWS/LIG tenements on such land.
8) Assembly and Institutional		
a) Town Hall, b) Drama Theatre, c) Auditorium, d) Samaj Mandir, e) Community Hall, f) Multipurpose Hall, g) Library h) Town Centre, i) Town Sub-Centre etc.	Planning Authority/ Appropriate Authority/ Owner	The Planning Authority / Appropriate Authority may acquire and develop the site for the same purpose. **OR** The Planning Authority/ Appropriate Authority after acquiring the land or after acquiring and developing the same, as the case may be, lease out as per the provisions of the Authorities' Act to a Registered Public Institution to develop and running or only for running the same. **OR** The owner may be allowed to develop entire reservation for the intended purpose only.

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		OR i) The Authority may allow the owner to develop the reservation, subject to handing over to the Planning Authority an independent plot along with constructed amenity of total area, mentioned in Note-1 below this table & as per norms prescribed by the Authority. ii) The owner shall be entitled to develop remaining land for the uses permissible in adjoining zone with full permissible FSI of the entire Plot and permissible TDR potential of the entire Plot. iii) The Authority, if required, shall allow the TDR for the unutilized FSI, if any (after deducting in-situ FSI), to be utilised as per TDR Regulations. iv) Reservation may be allowed to be developed in parts.
9) Public-Semi public		
a) Govt. Offices b) Fire Brigade Station c) Reservations similar to above.	Planning Authority/ Appropriate Authority/ Owner	The Planning Authority/ Appropriate Authority may acquire and develop the reservation site for the same purpose. **OR** i) The Authority may allow the owner to develop the reservation, subject to handing over to the Planning Authority independent plot along with constructed amenity of total area, mentioned in Note-1 below Table & as per norms prescribed by the Authority. ii) The owner shall be entitled to develop remaining land for the uses permissible in adjoining zone with full permissible FSI of the entire Plot and permissible TDR potential of the entire Plot. iii) The Authority, if required, shall allow the TDR for the unutilized FSI, if any (after deducting in-situ FSI), to be utilised as per TDR Regulations.

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		iv) Reservation may be allowed to be developed in parts.
10) Reservations of composite nature like Vegetable Market & Shopping Centre, Town Hall & Library, etc.	Planning Authority/ Appropriate Authority/ Owner	The Planning Authority/ Appropriate Authority may acquire and develop the site for the same purpose. **Explanation-**For the reservation of composite nature, proposed in Development Plan except Town Hall & Library**,** area of each user shall be considered equal i.e. 50-50% and for Town Hall & Library, area of Library shall be 10% of area of Town Hall and such area shall be allowed to be developed as per the norms applicable for such reservation as mentioned in these regulations.
11) Reservations which are not included in these regulations but are compatible to other similar type of reservation.	Planning Authority/ Appropriate Authority/ Owner	Planning Authority/ Appropriate Authority may acquire the reserved land and develop for the same purpose. **OR** The development permissions for such type of user under this Regulation may be granted by the Authority in consultation with the Divisional Joint Director of Town Planning, subject to verification of compatibility of both the users and as per the norms applicable for such reservation as mentioned in these regulations.
12) For other buildable reservations shown in Development Plan which are not covered above	Planning Authority/ Appropriate Authority Owner.	The Planning Authority/ Appropriate Authority may acquire and develop the reservation site for the same purpose. **OR** i) The Authority may allow the owner to develop the reservation, subject to handing over to the Planning Authority an independent plot along with constructed amenity of total area, mentioned in Note-1 below this table& as per norms prescribed by the Authority. ii) The owner shall be entitled to develop remaining land for the uses permissible in adjoining zone with full permissible FSI of the entire Plot and

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		permissible TDR potential of the entire Plot. iii) The Authority, if required, shall allow the TDR for the unutilized FSI, if any (after deducting in-situ FSI), to be utilised as per TDR Regulations. iv) Reservation may be allowed to be developed in parts.
13) Reservations for the Appropriate Authority other than Planning Authority	Planning Authority/ Appropriate Authority/ Owner	Planning Authority/ Appropriate Authority may acquire the reserved land and develop for the same purpose. **OR** The Authority may allow the owner to Develop the reservation subject to condition that; i) Wherever the reservation is to be developed by the Appropriate Authority other than Municipal Corporation, No Objection Certificate from the Appropriate Authority shall be obtained before granting development permission. ii) The concerned Appropriate Authority (other than the State Government Department) shall deposit cost of construction for the built- up area to be handed over to it, as per Annual Statement of Rates with the Planning Authority. However, the Authority shall handover such constructed area to the State Government/ concerned State Government Department free of cost.

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General conditions/notes to allow development under above regulations:-

i) The percentage of land and construction of amenity to be surrendered to the Authority as per above mentioned regulations for various authorities, shall be as below:-

Sr. No. of above Table	Reservation	Type of Authority	Percentage of total land to be surrendered free of cost &free from encumbrances	Percentage of constructed amenity of the total land area to be surrendered free of cost & free from encumbrances
1	**2**	**3**	**4**	**5**
3 4 5 7 8 9 12	Commercial Health Facility Transportation Residential Assembly & Institutional Public-Semi public Other Buildable Reservations	A, B, C Class Municipal Corporations and Development Authorities	40	50
		D Class Municipal Corporations & A Class Municipal Councils.	40	25
		B & C Class Municipal Councils and Nagar Panchayats.	30	20
5.4	Truck Terminus or Similar	A, B, C Class Municipal Corporations and Development Authorities.	40	10
		D Class Municipal Corporations & A Class Municipal Councils.	30	7
		B & C Class Municipal Councils and Nagar Panchayats	20	5
5.1	Bus Stand	A, B, C Class Municipal Corporations and Development Authorities	50	20
		D Class Municipal Corporations & A Class Municipal Councils	40	15
		B & C Class Municipal Councils and Nagar Panchayats	40	10
6	Education	A, B, C Class Municipal Corporations and Development Authorities	40	50

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		D Class Municipal Corporations & A Class Municipal Councils	40	40
		B & C Class Municipal Councils and Nagar Panchayats	40	30

ii) The owner shall be entitled for Amenity TDR against the construction of amenity, if any, as per TDR Regulation.

iii) The word 'Authority' means Municipal Commissioner of Municipal Corporation, Chief Officer of Municipal Council, Metropolitan Commissioner of Metropolitan Development Authority or Chief Executive Officer of the concerned Authority.

iv) If the area of reservation is not adequate to construct independent building as mentioned above OR When it is not possible to handover individual plot along with public amenity, then in such cases Authority may allow composite building on said land subject to condition that the built up area mentioned as above may be allowed to be handed over to the Planning Authority or Appropriate Authority, as the case may be, preferably on ground floor and subject to payment of premium at the rate of 40% of land rate in ASR, without considering the guidelines therein. If ground floor is utilised for parking, then such built up area shall be given on stilt/first floor with separate entry & exit from Public Street. In such cases, built-up area (along with proportionate undivided share in land) shall be handed over to the Planning Authority or Appropriate Authority, as the case maybe.

v) In case of development of reservation of Bus Stand at Sr. No. 5.1, the construction area for allied activities and uses permissible in Residential Zone may be allowed to be constructed up to FSI of 2.00 of the surrendered plot with the consent of owner. In such cases, the owner shall be entitled for amenity TDR to that extent. If the plot along with construction is handed over to MSRTC, the regulations applicable to the plot owned by MSRTC shall be applicable to the said plot.

vi) If owner desires to construct area of amenity more than what is mentioned above table with the consent of the authority, then he shall be entitled for amenity TDR to that extent.

vii) It shall be obligatory on the Authority to make registered agreement with the developer /owner at the time of granting the development permission subject to terms and conditions as it deem fit. Occupancy Certificate shall be issued only after compliance of all terms & conditions and getting possession of the constructed amenity.

viii) The area/ built-up area to be handed over to the Planning Authority under these Regulations shall be earmarked on the sanctioned building plan clearly mentioning the same. After completion of construction, the said amenity shall be handed over by executing the deed of transfer in this respect and expenses thereon shall be borne by the owner. The occupation certificate to the construction belonging to owner shall be granted only after handing over said amenity to the Planning Authority. The constructed amenity shall be made available to the general public by the Authority within 3 month from possession.

ix) In cases, where permission for development under accommodation reservation principle is already granted as per earlier regulations, the same shall continue to be valid till completion of construction.

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x) Provisions of Regulations of Inclusive Housing, Amenity Space if any, shall not be applicable for development under this Regulation. Moreover Regulation of required recreational open space shall not be applicable for development of reservation other than Residential purpose as mentioned at Sr. No.7.

xi) Notwithstanding anything contained in these regulations, there shall be no cap for utilization of available in-situ FSI/and TDR potential of the entire plot on the remaining plot.

xii) Once sanction is granted under this regulation, the owner/developer shall have to complete the development and hand over the developed reservation to the Authority within the period as specified by Authority. Thereafter Authority may levy penalty for any delay.

xiii) The development permissions granted under the provisions of Accommodation Reservation provisions and full & final occupation certificate is issued, in such cases the portion/location designated for respective reservation is continued to be in said reservation and rest of land on which residential/commercial development permission is granted is deemed to be converted into residential/ commercial zone to the extent of that area.

xiv) Where appropriate authority for development of reservation is other than the planning authority, then such appropriate authority may be consulted for usefulness of the constructed amenity to be handed over, before granting the development permission.

xv) In case of Nagpur Municipal Corporation, for development of commercial reservation at Sr. No. 3 of Table No. 11-A, FSI permissible for development of reservation shall be as per Regulation No. 10.3.1. In such case the construction area to be handed over to the authority shall be 1.5 time of the plot area to be handed over and the owner shall be entitled to utilise entire potential of reserved plot as per Regulation No. 10.3.1.

xvi) This regulation shall not be applicable for development of amenity space to be provided as per Regulation No. 3.5 and Regulation No. 4.8.1.

xvii) The norms mentioned above in note (ii) for B and C class Municipal Councils, shall be applicable to non-Municipal Town Development Plan also.

11.2 REGULATIONS FOR GRANT OF TRANSFERABLE DEVELOPMENT RIGHTS

11.2.1 Transferable Development Rights

Transferable Development Rights (TDR) is compensation in the form of Floor Space Index (FSI) or Development Rights which shall entitle the owner for construction of built-up area subject to provisions in this regulation. This FSI credit shall be issued in a certificate which shall be called as Development Right Certificate (DRC).

Development Rights Certificate (DRC) shall be issued by Authority under his signature and endorse thereon in writing in figures and in words, the FSI credit in square meters of the built-up area to which the owner or lessee is entitled, the place from where it is generated and the rate of that plot as prescribed in the Annual Statement of Rates issued by the Registration Department for the concerned year. TDR generated within the jurisdiction of a particular Authority, shall be utilised within the jurisdiction of the same Authority as per this regulation.

11.2.2 Cases eligible for Transferable Development Rights (TDR)

Compensation in terms of Transferable Development Rights(TDR)shall be permissible for-

i) lands under various reservations for public purposes, new roads, road widening etc. which are subjected to acquisition, proposed in Draft or Final Development Plan, prepared under

the provisions of the Maharashtra Regional and Town PlanningAct,1966;

ii) lands under any deemed reservations according to any regulations prepared as per the provisions of Maharashtra Regional & Town Planning Act,1966;

iii) lands under any new road or road widening proposed under the provisions of Maharashtra Municipal Corporation Act, Maharashtra Municipal Council, Nagar Panchayat and Industrial Township Act;

iv) In case where layout is submitted along with proposed Development Plan Road, in such cases TDR shall be permissible for entire road width as per these regulations.

v) development or construction of the amenity on the reserved or deemed reserved land;

vi) unutilized FSI of any structure or precinct which is declared as Heritage structure or precinct under the provisions of Unified Development Control and Promotion Regulations, due to restrictions imposed in that regulation;

vii) in lieu of constructing housing for slum-dwellers according to regulations prepared under the Maharashtra Regional & Town Planning Act,1966;

viii) for handing over land to the Authority for development of housing under PMAY by the Authority.

ix) The purposes as may be notified by the Government from time to time.

11.2.3 Cases not eligible for Transferable Development Rights (TDR)

It shall not be permissible to grant Transferable Development Rights (TDR)in the following circumstances:-

i) For earlier land acquisition or development for which compensation has been already paid partly or fully by any means;

ii) Where award of land has already been declared and which is valid under the Acquisition Act or the Right to Fair Compensation & Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 unless lands are withdrawn from the award by the Appropriate Authority according to the provisions of the relevant Acts.

iii) In cases where layout has already been sanctioned and layout roads are incorporated as Development Plan roads prior to these regulations.

iv) If the compensation in the form of FSI / or by any means has already been granted to the owner.

v) Where lawful possession including by mutual agreement /or contract has been taken and such agreement does not provide for TDR.

vi) For an existing user or retention user or any required compulsory open space or recreational open space or recreational ground, in any layout.

vii) For any designation, allocation of the use or zone which is not subjected to acquisition.

viii) Existing nallah, river, natural stream, natural pond, tank, water bodies etc.

ix) Reservations which are not developable under the provisions of UDCPR.

x) For the lands owned by the State Government.

11.2.4 Generation of the Transferable Development Rights (TDR)

Transferable Development Rights (TDR) against surrender of land:-

a. For surrender of the gross area of the land which is subjected to acquisition, free of cost and free from all encumbrances, the owner shall be entitled for TDR or DR irrespective of the FSI permissible or development potential of such land to be surrendered and also that

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of land surrounding to such land at the rate given below :-

Area Designated on DP	Entitlement for TDR / DR
Non-Congested Area	2 times the area of surrendered land.
Congested Area	3 times the area of surrendered land.

Note :-

i) The quantum of Transferable Development Rights (TDR) generated for reservation in area having total legal impediment / constraint on construction or development like CRZ / Hazardous zone / Low Density zone, shall be 50% of TDR generated as prescribed above.

ii) The quantum of Transferable Development Rights (TDR) generated for Bio Diversity Park reservation shall be 8% of gross area.

(**Explanation :-** Above entitlement may also be applicable to the compensation paid in the form of FSI to the owner to be utilised on unaffected part of same land parcel and in such cases the procedure of DRC shall not be insisted.)

Provided that, if levelling of land and construction/erection of the compound wall/ fencing as per Clause (b) below to the land under surrender is not desirable considering the total area of reservation, the quantum of TDR shall be reduced to 1:1.85 and 1:2.85 in non-congested area and congested area respectively. In such cases, the owner shall have also an option of paying the cost of construction of compound wall (as decided by the Authority) without reducing the quantum of TDR.

Provided further that such construction/ erection of compound wall/ fencing shall not be necessary for area under development plan roads. In such cases TDR equivalent to entitlement as mentioned above shall be granted without any reduction.

Provided also that Additional/ incentive Transferable Development Rights (TDR) or Development Rights (DR) to the extent of 5% of the surrendered land area shall also be allowed to the land owners who submit the proposal for grant of Transferable Development Rights (TDR) of land reserved in the development plan, within 2years from the sanction of these regulations.

Provided that the quantum of generation of TDR as prescribed above, shall not be applicable for TDR generated from construction of amenity or construction of reservation/roads, Slum TDR, Heritage TDR and deemed reservations.

b. DRC shall be issued only after the land is surrendered to the Authority, free of cost and free from encumbrances and after levelling the land to the surrounding ground level and after constructing/ erecting a 1.5 m. high compound wall / fencing i.e. brick/stone wall up to 0.60m. above ground level and fencing above that upto remaining height with a gate, at the cost of the owner and to the satisfaction of the Authority.

c. If any contiguous land of the same owner/developer, in addition to the land under surrender for which Transferable Development Rights (TDR) is to be granted, remains unbuildable, the Authority may grant Transferable Development Rights (TDR) for such remaining unbuildable land also if the owner / developer hands it over free of cost and free from all encumbrance and encroachment. If such land is from the proposed roads then such land shall be utilised for road side parking, garden, open space or road side amenities including bus bays, public toilets or any compatible user as the Authority may decide and if the such land is from the proposed reservation then same shall be included in such proposed

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reservation and shall be developed for the same purpose.

d) In case of lessee, the award of Transferable Development Rights (TDR) shall be subject to lessee paying the lessor or depositing with the Authority for payment to the lessor, an amount equivalent to the value of the lessor's interest to be determined by the Authority on the basis of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 against the area of land surrendered, free of cost and free from all encumbrances.

e) Where the authority has taken the possession of the reserved land in development plan with the commitment of granting TDR / DRC in the past and DRC is not issued, in such cases, DRC shall be issued for the quantum as per this UDCPR.

11.2.5 Transferable Development Rights (TDR) against Construction of Amenity-

When an owner or lessee, with prior approval of Authority, develops or constructs the amenity on the surrendered plot, at his own cost subject to such stipulations as may be prescribed and to the satisfaction of the Authority and hands over the said developed/constructed amenity free of cost to the Authority, then he may be granted a Transferable Development Rights (TDR) in the form of FSI as per the following formula :-

Construction Amenity TDR in sq.m. = A/B * 2.00

Where,

A = cost of construction of amenity in rupees as per the rates of construction mentioned in Annual Statement of Rates (ASR) prepared by the Inspector General of Registration for the year in which construction of amenity is commenced. (In case of construction of new D.P. road, cost of construction as worked out on the basis of District Schedule of Rates.)

B = land rate per sq.m. as per the Annual Statement of Rates (ASR) prepared by the Inspector General of Registration for the year in which construction of amenity is commenced.

In case of buildings like auditorium, assembly etc. wherein height of building is more, cost of the building may be worked out from the Public Works Department as per applicable DSR. Also expenses for ancillary requirements only of immovable items like acoustic etc. may also be included in such cost. Such expenses for ancillary requirement may also be considered for hospital and educational buildings.

If any person, with the consent of the authority, constructs D.P. road by obtaining development rights / consent of the other owners whose land is covered under the D.P. road, then such person may be entitled for construction amenity TDR subject to -

i) This provision shall only apply to construction of new road proposed in the Development Plan.

ii) One end of road should meet other existing public road.

iii) The specifications for construction of road shall be as decided by the Authority.

11.2.6 Utilisation of Transferable Development Rights (TDR)

i) A holder of DRC who desires to use FSI credit therein on a particular plot of land shall attach valid DRCs to the extent required with his application for development permission. Proposal for Transferable Development Rights (TDR) utilisation shall be submitted along with the documents as may be prescribed by the Authority or by the Government from time to time.

ii) With an application for development permission, where an owner seeks utilization of DRC,

he shall submit the DRC to the Authority who shall endorse thereon in writing in figures and words, the quantum of the TDR proposed to be utilised, before granting development permission. Before issuance of Occupation Certificate, the Authority shall endorse on the DRC, in writing in figures and words, the quantum of TDR/DRs actually used and the balance remaining, if any

iii) The Transferable Development Rights (TDR) generated from any land use zone shall be utilised on any receiving plot irrespective of the land use zone including development plan reservations of buildable nature and anywhere in congested or non-congested area or town planning scheme area earmarked on Development Plan. The equivalent quantum of Transferable Development Rights (TDR) to be permitted on receiving plot shall be governed by the formula given below:-

Formula: X = (Rg / Rr) x Y

Where,

X = Permissible Utilisation of TDR/DR in sq.m. on receiving plot.

Rg = Rate for land in Rs. per sq.m.as per ASR of generating plots in generating year.

Rr = Rate for land in Rs. per sq.m. as per ASR of receiving plot in generating year.

Y = TDR debited from DRC in sq.m.

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11.2.7 Utilisation of Transferable Development Rights (TDR) and Road Width Relation

i) The total maximum permissible built-up area and utilisation of Transferable Development Rights (TDR) on receiving plot shall be, as per Regulation No. 6.1, 6.2 and 6.3.

ii) The quantum of maximum permissible TDR loading mentioned in Table 6-G of Regulation No. 6.3 shall include minimum 30 % and maximum 50% slum TDR/ URT/ Amenity TDR (wherever applicable). If such TDR is not available, the other TDR may be used. Moreover, this shall not be applicable for TDR loading mentioned in Regulation No.6.1.1. Table 6 A.

iii) The utilisation of Transferable Development Rights (TDR) shall be permissible by considering Gross Plot Area excluding area affected by reservations or deemed reservation, if any.

11.2.8 Areas Restricted from Utilisation of Transferable Development Rights (TDR)

Utilisation of Transferable Development Rights (TDR) shall not be permitted in following areas:-

a. Agricultural/ No Development/ Green zone/ Green Belt/ Regional Park/ HTHS Zone and Bio Diversity Park reservation in the Development Plan.

b. Area within the flood control line i.e. blue line (prohibitive zone) as specified by Irrigation Department.

c. Coastal regulation zone.

d. Area having developmental prohibition or restrictions imposed by any notification issued under the provisions of any Central/State Act (like CRZ regulations, Defense restriction areas, etc.) or under these regulations

e. Koregaon Park area in Pune Municipal Corporation area.

11.2.9 General stipulation

i) Development Rights (DRs) will be granted to an owner or lessee, only for reserved lands which are retainable and not vested or handed over to the Government /Urban Local Bodies and not exempted under section 20 or 21 of the then Urban Land (Ceiling and Regulations) Act, 1976 and undertaking to that effect shall be obtained, before a Development Right is granted. In the case of schemes sanctioned under section 20 or 21 of the said Act, the grant of Development Rights (DRs) shall be to such extent and subject to the conditions mentioned in section20 or 21 scheme and such conditions as the Government may prescribe. In case of non-retainable land (surplus land), the grant of Development Rights shall be to such extent and subject to such conditions as the Government may specify. The provisions of this Regulation shall be subject to the orders issued by the Government from time to time in this regard.

ii) In case of lands having tenure other than Class-I, Inam lands, tribal lands etc., N.O.C. from Competent Authority shall be produced by the land holder at the time of submission of application for grant of TDR.

iii) DRC shall be issued by the Authority as a certificate printed on bond paper in an appropriate form prescribed by him. Such a certificate shall be a "transferable and negotiable instrument" after the authentication by the Authority. The Authority shall maintain a register in a form considered appropriate by him of all transactions, etc. relating to grant of, or utilisation of DRC.

iv) The Authority shall issue DRC within 90 days from the date of application or reply from the applicant in respect of any requisition made by him, whichever is later.

v) The TDR shall be granted only for those reservations which are developable for intended purpose under these regulations.

11.2.10 Transfer of DRC

The Authority shall allow transfer of DRC in the following manner :-

i) In case of death of holder of DRC, the DRC shall be transferred only on production of the documents, as may be prescribed by him, from time to time, after due verification and satisfaction regarding title and legal successor.

ii) If a holder of DRC intends to transfer it to any other person, he shall submit the original DRC to the Authority with an application along with relevant documents as may be prescribed by the Authority and a registered agreement which is duly signed by Transferor and Transferee, for seeking endorsement of the new holders name, i.e., the transferee, on the said certificate. The transfer shall not be valid without endorsement by the Authority and in such circumstances the Certificate shall be available for use only to the holder /transferor.

The utilisation of TDR from such certificate shall not be permissible during transfer procedure.

iii) The Authority may refrain the DRC holder from utilizing the DRC in the following circumstances:-

a) Under direction from a competent Court.

b) Where the Authority has reason to believe that the DRC is obtained

a) by producing fraudulent documents **b)** by misrepresentation,

iv) Any DRC may be utilised on one or more plots or lands whether vacant, or already

developed fully or partly by erection of additional storey, or in any other manner consistent with the these Regulations,

v) DRC may be used on plots/land having Development Plan reservations of buildable nature, whether vacant or already developed for the same purpose, or on the lands under deemed reservations, if any, as per these Regulations or on amenity space.

vi) DRC may be used on plots/land available with the owner after surrendering the required land and construction to the Authority under the provisions of Accommodation Reservation. In such circumstances, for the purpose of deciding receiving potential of the plot for the Transferable Development Rights (TDR), the total area of the reservation before surrender shall be considered.

11.2.11 Infrastructure Improvement Charges-

No infrastructure improvement charges shall be paid for utilisation of TDR.

11.2.12 Vesting of Land:-

The Authority, before issuing DRC, shall verify and satisfy himself that the ownership and title of the land proposed for surrender is with the applicant, and get the Record of Right corrected in the name of Authority.

In case the Appropriate Authority for reservation is other than Authority, it shall be permissible for the Authority, on the request of such authority to grant TDR under this regulation and hold such possession as a facilitator.

Provided that, the Authority shall handover the possession of such land to concerned Appropriate Authority, after receipt of value of land, from such Appropriate Authority as per Annual Statement of Rates prevailing at the time of handing over possession of land under reservation.

Provided also that, if such Appropriate Authority is the State Government or State Government Department, the Authority shall handover the possession of such land to the concerned Department, free of cost.

11.2.13 Effect of this Regulation

DRC issued under the old regulations as per TDR zone, shall be utilised as per these regulation considering the year of generation of TDR mentioned on the original DRC and accordingly land rate in the relevant ASR shall be considered.

Provided also that old TDR purchased as per TDR zones for utilisation on a specific plot with registered documents of sale and / or specific proposal for utilisation of such TDR pending in the ULBs, shall be allowed completely as per the old regulations.

11.3 RESERVATION CREDIT CERTIFICATE (RCC)

The reservation credit certificate is a certificate specifying the amount of compensation in lieu of handing over of reserved land to the Corporation and shall be issued by the Authority. The amount mentioned in this credit certificate may be used for payment of various charges like development charges, premium, property tax, infrastructure charges etc. to the authority from time to time in future till exhausting the amount mentioned therein. Reservation Credit Certificate shall be issued subject to the following conditions.

i) The authority shall acquire the land under reservation in lieu of RCC only when it is immediately required for development or creation of amenity or services or utilities.

ii) Such certificate shall not bear any interest on the amount mentioned therein and shall be transferable. However, payment being made to the authority through the amount from RCC after six months from the date of issue of RCC shall be discounted @10% for the payments to be made under provisions of these UDCPR.

iii) The amount of compensation to be paid to the owner shall be as per the provisions of the relevant Acts dealing with land acquisition as amended from time to time

iv) The land to be handed over to the Corporation shall be free from all encumbrances and procedure laid down in TDR regulations shall be followed.

The Authority shall endorse the entries of payment on such certificate from time to time. It shall maintain a record in a form considered appropriate by it of all transactions relating to grant of utilisation of reservation credit certificate.

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CHAPTER – 12

STRUCTURAL SAFETY, WATER SUPPLY, DRAINAGE AND SANITARY REQUIREMENTS, OUTDOOR DISPLAY AND OTHER SERVICES.

12.1 STRUCTURAL DESIGN

The structural design of foundations, elements made of masonry, timber, plain concrete; reinforced concrete, pre-stressed concrete and structural steel shall be carried out in accordance with Part 6. Structural design Section 1-Loads, courses and effects, Section 2- Soils and Foundation, Section 3-Timber and Bamboo, Section 4-Masonry, Section5-Concrete, Section 6-Steel, Section7-Prefabrication, systems building and mixed/ composite construction of National Building Code of India, amended from time to time. Proposed construction shall be as per the norms as specified by Bureau of Indian Standard, for the resistance of earthquake, Fire Safety and natural calamities. Certificate to that effect shall be submitted by the Licensed Structural Engineer of the developer/ land owner, along with the proposal for development permission, as prescribed in these Regulations.

12.2 QUALITY OF MATERIALS AND WORKMANSHIP

1) All materials and workmanship shall be of good quality conforming generally to accepted standards of Public Works Department of Maharashtra and Indian Standard Specifications and Codes as included in Part 5 - Building Materials and Part 7 - Construction Practices and Safety of National Building Code of India, amended from time to time

2) All borrow pits dug in the course of construction and repair of buildings, roads, embankments etc. shall be deep and connected with each other in the formation of a drain directed towards the lowest level and properly stopped for discharge into a river stream, channel or drain and no person shall create any isolated borrow pit which is likely to cause accumulation of water which may breed mosquitoes.

12.3 ALTERNATIVE MATERIALS, METHODS OF DESIGN & CONSTRUCTION AND TESTS

1) The provision of the regulations are not intended to prevent the use of any material or method of design or construction, not specifically prescribed by the regulations, provided any such alternative has been approved.

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

3) The authority may approve any such alternative provided it is found that the proposed alternative is satisfactory and conform to the provisions of relevant parts regarding material, design, and construction and that material, method or work offered is, for the purpose intended, at least equivalent to that prescribed in the rules in quality, strength, compatibility, effectiveness, fire rating and resistance, durability and safety.

4) **Tests**: Whenever there is insufficient evidence of compliance with the provisions of the regulations of evidence that any material or method of design or construction does not conform to the requirements of the rules or in order to substantiate claims for alternative

materials, design or methods of construction, the Authority 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.

5) 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.

6) 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.

12.4 BUILDING SERVICES

1) The planning, design and installation of electrical installations, air-conditioning and heating work shall be carried out in accordance with Part 8 - Building Services, Section 2-Electrical and allied Installations, Section 3-Air Conditioning, heating and mechanical ventilation of National building Code of India, amended from time to time.

2) The planning design including the number of lifts, type of lifts, capacity of lifts depending on occupancy of building; population on each floor based on occupant load, height of building shall be in accordance with Section-5 installation of Lifts and Escalators of National Building Code of India, amended from time to time. In existing buildings, in case of proposal for one additional floor, existing lift may not be raised to the additional floor.

3) The lifts shall be maintained in working order properly.

12.5 WATER SUPPLY, DRAINAGE AND SANITARY REQUIREMENTS

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

2) Requirements of Water Supply in Building.

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

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

3) The requirements of water supply for various occupancies shall be as given in Table No.12-A and Table No.12-B or as specified by the Authority from time to time.

Table No.12 A		
Per Capita Water Requirements for Various Occupancies/ Uses		
Sr. No	**Type of Occupancy**	**Consumption per head per day (in litres)**
1	**2**	**3**
1	**Residential**	
	(a) in living units	135
	(b) Hotels with lodging accommodation (per bed)	180
2	**Educational**	
	(a) Day Schools	45
	(b) Boarding Schools	135
3	**Institutional (Medical Hospitals)**	
	(a) No. of beds not exceeding 100	340
	(b) No. of beds exceeding 100	450
	(c) Medical quarters and hostels	135
4	**Assembly:**-Cinema theatres, auditorium etc. (per seat of accommodation)	15
5	Government and Semi-public business	45
6	**Mercantile (Commercial)**	
	(a) Restaurants (per seat)	70
	(b) Other business buildings	45
7	**Industrial**	
	(a) Factories where bathrooms are to be provided	45
	(b) Factories where no bath-rooms are required to be provided	30
8	Storage (including warehousing)	30
9	Hazardous	30
10	Intermediate / Stations (excluding mail and express stops)	45 (25)*
11	Junction Stations	70 (45)*
12	Terminal / Stations	45
13	International and domestic Airports	70

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

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

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Table No.12 B		
FLUSHING STORAGE CAPACITIES		
Sr. No.	**Classification of building**	**Storage capacity.**
(1)	**(2)**	**(3)**
1	For tenements having common convenience	900 litres net per w.c. seat.
2	For residential premises other than tenements having common convenience	270 litres net for one w.c. seat and 180 litres for each additional seat in the same flat.
3	For Factories and Workshops	900 litres per w.c. seat and 180 litres per urinal seat.
4	For cinemas, public assembly halls, etc.	900 litres per w.c. seat and 350 litres per urinal seat.

12.6 DRAINAGE AND SANITATION REQUIREMENTS

12.6.1 General

1) 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.
2) 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.
3) 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.

12.6.2 For Residences

1) Dwelling with individual convenience shall have at least the following fitments:
   a) One bathroom provided with a tap and a floor trap,
   b) One water-closet with flushing apparatus with an ablution tap; and
   c) One tap with a floor trap or a sink in kitchen or wash place.
2) Dwelling without individual conveniences shall have the following fitments:
   a) One water tap with floor trap in each tenement,
   b) One water-closet with flushing apparatus and one ablution tap, bath for every two tenements, and
   c) One bath with water tap and floor trap for every two tenements.

   Such fitments shall not be necessary where there is not water supply scheme of the authority.

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12.6.3 For Buildings other than Residences

The requirements for fitments for drainage and sanitation in the case of buildings other than residences shall be in accordance with Table No. 12-C to 12-P. 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 Authority.

c) Drinking fountains shall not be installed in the toilets.

d) Where there is the danger of exposure to skin contamination with poisonous, infectious or irritating material, washbasin with eye wash jet and an emergency shower located in an area accessible at all times with the passage / right of way suitable for access to a wheel chair, shall be provided.

e) When applying the provision of these tables for providing the number of fixtures, consideration shall be given to the accessibility of the fixtures. Using purely numerical basis may not result in an installation suited to the need of a specific building. For example, schools should be provided with toilet facilities on each floor. Similarly toilet facilities shall be provided for temporary workmen employed in any establishment according to the needs; and in any case one WC and one washbasin shall be provided.

f) All buildings used for human habitation for dwelling work, occupation, medical care or any purpose detailed in the various tables, abutting a public sewer or a private sewage disposal system, shall be provided with minimum sanitary facilities as per the schedule in the tables. In case the disposal facilities are not available, they shall be provided as a part of the building design for ensuring high standards of sanitary conditions in accordance with this section.

g) Workplaces where crèches are provided, they shall be provided with one WC for 10 persons or part thereof, one washbasin for 15 persons or part thereof, one kitchen sink with floor tap for preparing food / milk preparations. The sink provided shall be with a drinking water tap.

h) In all types of buildings, individual toilets and pantry should be provided for executives and for meeting / seminar / conference rooms, etc. as per the user requirement.

i) Where food is consumed indoors, water stations may be provided in place of drinking water fountains.

12.7 SIGNS AND OUTDOOR DISPLAYSTRUCTURES

12.7.1 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 and, shall be in accordance with respective rules/by-laws, directive given by Government, and also rules/by-laws framed by the Authority in this regards from time to time.

12.7.2 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 Authority 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.

Table No. 12 C : Sanitation Requirements - Office Buildings					
Sr. No.	**Fixtures**	**Public Toilets**		**Staff Toilets**	
		Male	**Female**	**Male**	**Female**
(1)	**(2)**	**(3)**	**(4)**	**(5)**	**(6)**
i)	Executive Rooms and Conference Halls in Office Buildings Toilet suite comprising one WC, one washbasin (with optional shower stall if building is used round the clock at user's option) Pantry optional as per user requirement	Unit could be common for Male/ Female or separate depending on the number of user of each facility		For individual officer rooms	
ii)	Main Office Toilets for Staff and Visitors				
	a) Water-closet	1 per 25	1 per 15	1 per 25	1 per 15
	b) Urinals	Nil up to 6 1 for 7-20 2 for 21-45 3 for 46-70 4 for 71-100	-	Nil up to 6 1 for 7-20 2 for 21-45 3 for 46-70 4 for 71-100	-
	Add @ 3% for	101-200		101-200	
	Add @ 2.5 %	Over 200		Over 200	

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Table No.12 D : Sanitation Requirements – Factories					
Sr. No.	**Fixtures**	**Offices/Visitors**		**Workers**	
		Male	**Female**	**Male**	**Female**
(1)	(2)	(3)	(4)	(5)	(6)
i)	Water-closets (Workers & Staff)	1 for up to 25 2 for 16-35 3 for 36-65 4 for 66-100	1 for up to 15 2 for 16-25 3 for 26-40 4 for 41-57 5 for 58-77 6 for 78-100	1 for up to 15 2 for 16-35 3 for 36-65 4 for 66-100	1 for up to 12 2 for 13-25 3 for 26-40 4 for 41-57 5 for 58-77 6 for 78-100
	For persons 101-200 add	3 %	5 %	3 %	5 %
	For persons over 200 add	2.5 %	4 %	2.5 %	4 %

ii)	Urinals	Nil up to 6 1 for 7-20 2 for 21-45 3 for 46-70 4 for 71-100	-	Nil up to 6 1 for 7-20 2 for 21-45 3 for 46-70 4 for 71-100	-
	For persons 101-200 add	3 %		3 %	
	For persons over 200 add	2.5 %		2.5 %	

Table No. 12E : Sanitation Requirements - Cinema, Multiplex Cinema, Concerts and Convention Halls, Theatres					
Sr. No.	**Fixtures**	**Public**		**Staff**	
		Male	**Female**	**Male**	**Female**
(1)	(2)	(3)	(4)	(5)	(6)
i)	Water-closets	1 per 100 up to 400 Over 400, add at 1 per 250 or part thereof	3 per 100 up to 200 Over 200, add at 2 per 100 or part thereof	1 for up to 15 2 for 16 - 35	1 for up to 12 2 for 13 - 25
ii)	Urinals	1 per 25 or part thereof	-	Nil up to 6 1 for 7-20 2 for 21-45	-

NOTE - Male population may be assumed as two-third and female population as one-third.

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Table No. 12-F- Sanitation Requirements - Art Galleries, Libraries and Museums					
Sr. No.	**Fixtures**	**Public**		**Staff**	
		Male	**Female**	**Male**	**Female**
(1)	(2)	(3)	(4)	(5)	(6)
i)	Water-closets	1 per 200 up to 400 Over 400 add at 1 per 250 or part thereof	1 per 100 up to 200 Over 200 add at 1 per 150 or part thereof	1 for up to 15 2 for 16-35	1 for up to 12 2 for 13-25
ii)	Urinals	1 per 50	-	Nil up to 6 1 per 7-20 2 per 21-45	-
Notes - Male population may be assumed as two-third and female population as one-third.					

Table No. 12-G- Sanitation Requirements - Hospitals with Indoor Patient Wards

Sr. No.	Fixtures	Patient Toilets		Staff Toilets	
		Male	Female	Male	Female
(1)	(2)	(3)	(4)	(5)	(6)
i)	Toilet suite comprising one WC and one washbasin and shower stall	Private room with up to 4 patients		For individual doctor's / officer's rooms	
For General Wards, Hospital Staff and Visitors					
ii)	Water-closets	1 per 8 beds or part thereof	1 per 8 beds or part thereof	1 for up to 15 2 for 16-35	1 for up to 12 2 for 13-25
iii)	Urinals	1 per 30 beds	-	Nil up to 6 1 for 7 to 20 2 for 21-45	-

Note - Male population may be assumed as two-third and female population as one-third.

Table No. 12-H- Sanitation Requirements - Hospitals - Outdoor Patient Department

Sr. No.	Fixtures	Patient Toilets		Staff Toilets	
		Male	Female	Male	Female
(1)	(2)	(3)	(4)	(5)	(6)
i)	Toilet suite comprising one WC and one washbasin (with optional shower stall if building used for 24 h)	For up to 4 patients		For individual doctor's/officer's rooms	
ii)	Water-closets	1per 100 persons or part thereof	2 per 100 persons or part thereof	1 for up to 15 2 for 16-35	1 for up to 12 2 for 13-25
ii)	Urinals	1 per 50 persons or part thereof	-	Nil up to 6 1 per 7 to 20 2 per 21-45	-
	Note - Male population may be assumed as two-third and female population as one-third.				

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Table No. 12-I - Sanitation Requirements - Hospitals' Administrative Buildings

Sr. No.	Fixtures	Staff Toilets	
		Male	Female
(1)	(2)	(3)	(4)
i)	Toilet suite comprising one WC and one washbasin (with optional shower stall if building used for 24 h)	For individual doctor's/officer's rooms	
ii)	Water-closets	1per 25 persons or part thereof	1per 15 persons or part thereof
iv)	Urinals	Nil up to 6 1 per 7 to 20 2 per 21-45	-

Note - Some WC's may be European style if desired.

Table No. 12-J- Sanitation Requirements -Hospitals' Staff Quarters and Nurses Homes

Sr. No.	Fixtures	Staff Quarters		Nurses Homes	
		Male	Female	Male	Female
(1)	(2)	(3)	(4)	(5)	(6)
i)	**Water-closets**	1 per 4 persons or part thereof	1per 4 persons or part thereof	1 per 4 persons or part thereof 2 for 16-35	1per 4 persons or part thereof 2 for 16-35

Table No. 12- K -Sanitation Requirements -Hotels

Sr. No.	Fixtures	Public Rooms		Non-Residential Staff	
		Male	Female	Male	Female
(1)	(2)	(3)	(4)	(5)	(6)
i)	Toilet suite comprising one WC, washbasin with shower or a bath tub	Individual guest rooms with attached toilets		-	
Guest Rooms with Common Facilities					
ii)	**Water-closets**	1 per 100 persons up to 400 Over 400 add at 1 per 250 or part thereof	2 per 100 persons up to 200 Over 200 add at 1 per 100 or part thereof	1 for up to 15 2 for 16-35 3 for 36-65 4 for 66-100	1 for up to 12 2 for 13-25 3 for 26-40 4 for 41-57 5 for 58-77 6 for 78-100

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iv)	**Urinals**	1 per 50 persons or part thereof	Nil, upto 6 persons 1 for 7-20 persons 2 for 21-45 persons 3 for 46-70 persons 4 for 71-100 persons	Nil up to 6 1 for 7 to 20 2 for 21-45 3 for 46-70 4 for 71-100	-
Note - Male population may be assumed as two-third and female population as one-third.					

Table No. 12-L-Sanitation Requirements –Restaurants					
Sr. No.	**Fixtures**	**Public Rooms**		**Non-Residential Staff**	
		Male	**Female**	**Male**	**Female**
(1)	(2)	(3)	(4)	(5)	(6)
i)	**Water-closets**	1 per 50 seats up to 200 Over 200 add at 1 per 100 or part thereof	2 per 50 seats up to 200 Over 200 add at 1 per 100 or part thereof	1 for up to 15 2 for 16-35 3 for 36-65 4 for 66-100	1 for up to 12 2 for 13-25 3 for 26-40 4 for 41-57 5 for 58-77 6 for 78-100
ii)	**Urinals**	1 per 50 persons or part thereof	----	Nil up to 6 1 for 7-20 2 for 21-45 3 for 46-70 4 for 71-100	----

NOTE : Male population may be assumed as two-third and female population as one-third.

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Table No. 12-M- Sanitation Requirements –Schools and Educational Institutions						
Sr. No.	**Fixtures**	**Nursery School**	**Non-Residential**		**Residential**	
			Boys	**Girls**	**Boys**	**Girls**
(1)	(2)	(3)	(4)	(5)	(6)	(7)
i)	**Water-closets**	1 per 15 pupils or part thereof	1 for 40 pupils or part thereof	1 per 25 pupils or part thereof	1 per 8 pupils or part thereof	1 per 6 pupils or part thereof
ii)	**Urinals**	----	1 per 20 pupils or part thereof	----	1 per 25 pupils or part thereof	----

Table No. 12-N- Sanitation Requirements –Hostels							
Sr. No.	**Fixtures**	**Resident**		**Non-Resident**		**Visitor/Common Rooms**	
		Male	**Female**	**Male**	**Female**	**Male**	**Female**
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
i)	**Water-closet**	1 per 8 or part thereof	1 per 6 or part thereof	1 for up to 15 2 for 16-35 3 for 36-65 4 for 66-100	1 for up to 12 2 for 13-25 3 for 26-40 4 for 41-57 5 for 58-77 6 for 78-100	1 per 100 up to 400 Over 400 add at 1 per 250	1 per 200 up to 200 Over 200 add at 1 per 100
iii)	**Urinals**	1 per 25 or part thereof	----	Nil up to 6 1 for 7-20 2 for 21-45 3 for 46-70 4 for 71-100	----	1 per 50 or part thereof	----

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Table No. 12-O-Sanitation Requirements – Mercantile Buildings, Commercial Complexes, Shopping Malls, Fruit& Vegetable Markets							
Sr.No.	**Fixtures**	**Shop Owners**		**Common Toilets in Market/ Mall Building**		**Public Toilet for Floating Population**	
		Male	**Female**	**Male**	**Female**	**Male**	**Female**
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
i)	**Water-closets**	1 per 8 persons or part thereof		1 for up to 15 2 for 16-35 3 for 36-65 4 for 66-100	1 for up to 12 2 for 13-25 3 for 26-40 4 for 41-57 5 for 58-77 6 for 78-100	1 per 50 (Minimum 2)	1 per 50 (Minimum 2)
iii)	**Urinals**	----	----	Nil up to 6 1 for 7-20 2 for 21-45 3 for 46-70 4 for 71-100	----	1 per 50	----

Table No. 12-P-Sanitation Requirements – Airports and Railway Stations							
Sr. No.	**Fixtures**	**Junction Stations, Intermediate Stations and Bus Stations**		**Terminal Railway and Bus Stations**		**Domestic and International Airports**	
		Male	**Female**	**Male**	**Female**	**Male**	**Female**
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
i)	**Water-closet**	3 for up to 1000 Add 1 per additional 1000 or part thereof	4 for up to 1000 Add 1 per additional 1000 or part thereof	4 for up to 1000 Add 1 per additional 1000 or part thereof	5 for up to 1000 Add 1 per additional 1000 or part thereof	Minimum-2 for 200-2 For 400-9 For 600-12 For 800-16 For 1000-18	Minimum-2 For 200-2 For 400-9 For 600-12 For 800-16 For 1000-18
ii)	**Urinals**	4 for up to 1000. Add 1 per additional 1000	----	6 for up to 1000. Add 1 per additional 1000	----	1 per 40 or part thereof	----
iii)	**Toilet for Disabled**	1 per 4000	1 per 4000	1 per 4000	1 per 4000	1 per 4000 (Minimum 1)	1 per 4000 (Minimum 1)

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CHAPTER – 13

SPECIAL PROVISIONS FOR CERTAIN BUILDINGS

13.0 GENERAL

Special provisions shall be made in respect of certain buildings as given below. However, this provision shall stand superseded if new directions are issued by the Government.

13.1 PROVISIONS FOR BARRIER FREE ACCESS

Provisions for barrier free access in buildings for differently abled persons shall be as given below.

13.1.1 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.

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13.1.2 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

13.1.3 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”. 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 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.

13.1.4 Building Requirements

The specified facilities for the buildings for differently abled persons shall be as follows:-

i) Approach to plinth level

ii) Corridor connecting the entrance / exit for the differently abled.

iii) Stair-ways

iv) Lift

v) Toilet

vi) Drinking Water.

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

ii) **Ramped Approach :-** Ramp shall be finished with non-slip material to enter the building. Minimum width of ramp shall be 1800mm. with maximum gradient 1:12. Length of ramp shall not exceed 9 m. having 800mm. high hand rail on both sides extending 300mm. beyond top and bottom of the ramp. Minimum gap from the adjacent wall to the hand rail shall be 50mm.

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

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

v) Entrance Landing:-Entrance landing shall be provided adjacent to ramp with the minimum dimension 1800mm. x 2000mm. The entrance landing that adjoins the top end of a slope shall be provided with floor materials to attract the attention of visually impaired 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”). Finishes shall have a non-slip surface with a texture traversable by a wheel chair. Curbs, wherever provided, should blend to a common level.

vi) Corridor connecting the entrance / exit for the differently abled:- The corridor connecting the entrance / exit for differently abled, 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:-

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

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.

vii) Stair-ways - One of the stair-ways - near the entrance / exit for the differently abled 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.

viii) Lifts -Wherever lift is required as per regulations, 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.

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

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

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

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

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

x) Drinking Water:-Suitable provision of drinking water shall be made for the differently abled near the special toilet provided for them.

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

Explanatory notes:-

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1) Guiding / Warning Floor Material:

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

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

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

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

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

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

2) Proper signage:-

Appropriate identification of specific facilities within a building for the differently abled 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 differently abled.

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

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

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

i) All such buildings where SWH/RTPV are to be installed will have open sunny roof area available for the installation of SWH/RTPV.

ii) The roof loading adopted in the design of such building should be at least 50 kg. per sq.m. for the installation of SWH/RTPV.

iii) At least 25% of the roof area shall be utilized for installation of the SWH/RTPV system.

iv) Precaution should be taken that architectural elevation treatment should not cast shadow on terrace space. As far as possible, parapet of south, east and west sides of the terrace shall be of railing type (above 1 feet) such that it will not cast shadow on the solar collectors and

maximum terrace space can be utilized.

v) All such new buildings installed with SWH shall have an installed hot water line from the rooftop and insulated distribution pipelines to each of the points where hot water is required in the building.

13.3 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.m. shall have one or more Rain Water Harvesting structures having a minimum total capacity as detailed in Schedule.

Provided that the Authority 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 100sq.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.

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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 m. diameter and 6m. in depth into which rain water may be channelled and allowed to filter for removing silt and floating material. The well shall be provided with ventilating covers. The water from the open well may be used for non-potable domestic purposes such as washing, flushing and for watering the garden etc.

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

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

iv) The surplus rain water, after storage, may be recharged into 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 2m. to 2.50 m. depth. The trenches can be of 0.60 m. width X 2 to 6 m. length X 1.50 to 2 m.

depth. Terrace water shall be channelled to pits or trenches. Such pits or trenches shall be back filled with filter media comprising the following materials :-

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

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

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

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

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

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

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

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

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

The structures constructed under this provision shall not be counted towards FSI computation.

13.4 GREY WATER RECYCLING AND REUSE

Grey Water - It means waste water from bathrooms, sinks, shower and wash areas, etc.

Applicability -These Regulations shall be applicable to all Developments/ Redevelopments/part Developments for the uses as mentioned under Regulation No. 13.4.1 to 13.4.6 shall have the provision for treatment, recycling and reuse of Grey Water. The applicant shall along with his application for obtaining necessary layout approval/ building permission shall submit a plan showing the location of Grey Water Treatment Plant, furnishing details of calculations, 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.

13.4.1 For Layout Approval/Building Permission

i) In case of Residential layouts, area admeasuring 10000 sq.m. or more, in addition to 10% open space, prescribed in the bye- laws, a separate space for Grey Water Treatment and Recycling Plant should be proposed in the layout. This may be proposed in amenity space as per Regulation No. 3.5.

ii) On the layout Plan, all Drainage lines, Chambers, Plumbing lines should be marked in different colour and submit the layout for approval to the Authority.

iii) The recycled water shall be used for gardening, car washing, toilet flushing, irrigation, etc. and in no case for drinking, bathing, washing utensils, clothes etc.

iv) 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 Authority or by State Government and the result of which shall be made accessible to the competent authority/ EHO of the respective ward office.

b) Any recommendation from testing laboratory for any form of corrective measures that are needed to be adopted shall be compiled. Copy of any such recommendation and necessary action taken shall also be sent by the testing laboratories to the Competent Authority/ EHO of respective Wards.

c) Maintenance of Recycling Plant should be done by the Developer or Housing Society or Owner.

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13.4.2 Group Housing/Apartment Building

In case of Group Housing scheme or a multi-storeyed building having 100 or more tenements, Grey Water Recycling Plant as mentioned in Regulation No. 13.4.1 above, should be constructed. In case of EWS/ LIG tenements, this shall be provided for tenements 150 or more.

13.4.3 Educational, Industrial, Commercial, Government, Semi-Government Organizations, Hotels, Lodgings, etc.

For all above buildings having built-up area 1500 sq.m. or more or if water consumption is 20,000 litre per day whichever is minimum, then provision for Grey Water Treatment Plant as mentioned in Regulation No. 13.4.1 is applicable.

13.4.4 Hospitals

Those Hospitals having 40 or more beds, Grey Water Recycling Plant as mentioned in Regulation No. 13.4.1 is applicable.

13.4.5 Vehicle Servicing Garages

All Vehicle servicing garages shall ensure that the Grey water generated through washing of vehicles is treated and recycled back for the same use as mentioned in Regulation No.13.4.1

13.4.6 Other Hazardous uses

All other Establishments/ Buildings where chances of Waste Water generated containing harmful chemicals, toxins are likely and where such water cannot be directly led into municipal sewers, the concerned Competent Authority may direct the Owners, users of such Establishments, Buildings

to treat their Waste Water as per the directions laid in Regulation No. 13.4.1

13.4.7 Incentive

The Owner/Developer/Society setting up and agreeing to periodically maintain such Grey 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.

13.4.8 Penalty Clause

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

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

13.5 SOLID WASTE MANAGEMENT

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It shall be mandatory for:-

i) Housing complexes, Commercial establishments, hostels, hospitals having aggregate built-up area more than 4,000 sq.m. or more.

ii) All three star or higher category hotels.

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

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

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

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CHAPTER – 14
SPECIAL SCHEMES

14.1 INTEGRATED TOWNSHIP PROJECT (ITP)

14.1.1 For Regional Plan Area

14.1.1.1 Applicability:-

These regulations shall be applicable to the areas under Regional Plan sanctioned under the provisions of Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as "the said Act").

Provided that, if the Development Control Regulations regarding development of Integrated Township Project for an area over which a Planning Authority/Special Planning Authority/Area Development Authority has been appointed or constituted or deemed to have been appointed are yet to be sanctioned, then in considering the application for permission, these regulations, shall be applicable, mutatis mutandis, till such Authority adopts the Regulations in this regard.

If the ITP falls within the jurisdiction of more than one authority then in such cases Government can issue directives at the time of Locational Clearance or at any time regarding as to which authority shall give permission and supervise the project subject to terms and conditions as may be specified.

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14.1.1.2 Requirements of Site:-

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

i) Any suitable area having area of 40 hect. (100 Acres) or more at one place.

ii) The area shall be one, contiguous, unbroken and uninterrupted. Provided that, such area if divided by one or more water courses (such as nallah, canals, etc.), existing or proposed roads of any width or by railways, pipeline etc., shall be treated as one, contiguous, unbroken and uninterrupted, subject to condition that the Project Proponent/s shall construct necessary connecting roads or bridges as per site requirements at his own cost with due permission from concerned authorities. Integrated Township area may also include;

   a) Lands in afforestation zone provided that such land is not a forest land and subject to no construction being allowed on land having slope more than 1:5.

   b) Lands within the buffer zone of National Park subject to restriction on development permissible in such buffer zone and subject to NOC of Forest Department.

   c) Tribal land subject to permission granted under MLR code, Government lands allotted to project proponent subject to Regulation No. 14.1.1.13 (ii).

   d) Private forest land that have been restored back after completion of section 22(a) Enquiry of Maharashtra Private Forest Act, 1975 shall be allowed to be part of the ITP with the condition that development permission shall be granted on such land only after necessary permission under the provision of Forest Conservation Act,1980.

e) Buffer zone of Eco-sensitive Zone notified subject to all restriction on development and FSI permissible in such buffer zone.

f) Areas under flood line/ flood zone subject to clearance from Water Resource Department.

g) Areas under Hill Top/ Hill Slope Zone, and (b), (e), (f) mentioned above as shown on Regional Plan/Development Plan subject to condition as mentioned in Regulation No. 14.1.1.7 (i) (c) However total of these areas shall be restricted to maximum 40% of total area under ITP.

iii) If the Integrated Township area is more than 200 Ha., it can be segregated as long as each parcel is more than 40 Ha. and is located within a radius of 5 kms. Provided that the land use mix is maintained in each parcel.

iv) The area shall have an access by means of an existing, or proposed road having minimum width of 18 m. In case of proposed road, such area shall have an access by existing road having width 12 m. for the purpose of declaration locational clearance and LoI of such project but it is necessary for the project proponent to have an existing access of 18 m. before sanction of Commencement Certificate to the FSI beyond 25% of project. Provided that Government land or land belonging to tribal can be considered for the purpose of road if there is a registered Agreement. However development permission shall be granted only after due permission of appropriate authority is given.

v) The ITP Area shall not include the area under:-

a) Notified forest, (excluding the private forest land subject to NOCs of forest Department.)

b) Water bodies like river, creek, canal, reservoir, etc. Mangroves, Tidal Zone, Mud Flats

c) The area under Notified National Parks.

d) Defence Estates

e) Cantonment Boards

f) Any restricted area.

g) Quarry Zone, Notified SEZ, designated port/harbour areas, wildlife corridor and biosphere reserves, Gaothan/Congested Area.

h) The historical and archaeological places notified under the relevant act.

i) Any other area that may be declared by the Govt. of Maharashtra from time to time.

14.1.1.3 Ownership of Lands:-

The project proponent/s shall have the ownership of all the land parcels under project.

(**Explanation** - for this clause, ownership includes rights accrued vide one or more registered Development Agreement/s or Power of Attorney (PoA) for such development and disposal, on behalf of land owner/owners).

14.1.1.4 Permission and Declaration of Project by State Government

i)The Project Proponent/s shall apply to the State Government for obtaining permission and

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declaration of such project to be a "Integrated Township Project". Such application shall be accompanied by the following attested documents in two sets:-

a) Details of ownership of land viz. extracts of V.F.No. 7/12 or Property Register Cards, in original having date not more than six months prior to the date of submission. In case of rights accrued through registered Development Agreement or PoA, attested copies of such documents.

b) Self-attested list of S.No./G.No./CTS showing name of owner as per record of rights, total area of such land parcel, area owned by the applicant in such land parcel, the name of person/ company owning the Development Rights, area proposed to be included in project from such land parcel.

c) Part plan of sanctioned Regional Plan, showing all the lands falling in the project.

d) No Objection Certificate from the officer at Divisional level, Water Resources Department in respect of lands falling in "Command Area" of any Irrigation Project unless these powers are exercisable by the higher authority.

e) Village maps showing the lands falling in the project.

f) Certificate from concerned Forest Officer not below the rank of Dy. Conservator of Forests at Divisional level (unless these powers are exercisable by higher authority), showing that the lands under project do not form part of and not included in reserved forest or protected forest or non-classified forest or not acquired under the provisions of the Maharashtra Private Forest (Acquisition) Act, 1975 and also, confirming that such lands do not form part of the Notified National Parks, prohibited area of Notified Wildlife Sanctuaries and Notified Bird Sanctuaries.

g) Certificate from the concerned revenue officer not below the rank of Tahasildar, showing the lands under project do not include lands belonging to tribal or that tribal land included in ITP have necessary permission under MLR code.

h) Certificate from the Director of Archaeological Department, Maharashtra State, showing that the lands under project do not include monuments notified by the Archaeological Department, Heritage buildings and Precincts. Such certificate should also mention the distance to be kept around such places, if any.

i) Receipt of processing fee (non-refundable) paid, at the concerned branch office of the Town Planning Department, at the rate of Rs.5000/- per ha. for the current year with the yearly rise of Rs.500/- per ha. starting from the month of January every year.

ii)On receipt of an application under Clause (i) above, the Government may, after consulting the Director of Town Planning, Maharashtra State, by notification in the Official Gazette, grant the Locational Clearance and declare such project to be a "Integrated Township Project", subject to such general and/or special conditions or, reject the application, under the provisions of Section 18(3) of the said Act, within a period of 90 days from the date of receipt of application or reply from the Project Proponent/s in respect of any requisition made by the Government, whichever is later. If the project proponent fails to comply with the conditions specified while granting location clearance within the specified time limit, then in such cases location clearance given earlier stands

automatically cancelled and no refund or adjustment of premium/ fees/ expenses etc. shall be eligible.

(Explanation - In circumstances described in Clause (ii) above, such grant of permission and declaration of project shall be made under the provisions of Section 18(3) of the Maharashtra Regional and Town Planning Act, 1966)

iii)Every such permission and declaration shall remain in force for a period of two years, if not applied for Letter of Intent under Regulation No. 14.1.1.5, from the date of issue of Locational Clearance Notification and thereafter it shall lapse.

Provided that, the Director of Town Planning, Maharashtra State, Pune may, on application made by Project Proponent/s before expiry of the above period extend such period by two years in aggregate. Provided also that, it is not mandatory on Project Proponent/s to submit all the papers afresh as prescribed under Clause (i) above, however the affidavit regarding the ownership of land about any dispute shall be mandatory.

iv) Such lapse shall not bar any subsequent application for fresh proposal.

v) The Director of Town Planning, Maharashtra State, on the request of Project Proponent/s, by notification in the Official Gazette, may grant to add or delete any area, not exceeding 50%of the total area under Locational Clearance, subject to condition that the remaining area shall not be less than 40 Hect. The permissible FSI and other parameters shall increase or decrease accordingly.

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14.1.1.5 Letter of Intent (LOI) by the Collector

i) The Project Proponent/s shall apply to the Collector for obtaining the Letter of Intent for such project. Such application shall be accompanied by the ownership documents as prescribed in Regulation No. 14.1.1.4 (i)(a) & (i) (b) and with locational clearance notification issued by the Government.

ii) The Collector shall verify and satisfy himself that Ownership and Development Rights of all the lands under project are with the Project Proponent/s before issuing the Letter of Intent.

iii) On receipt of an application under Clause (i) above, the Collector shall grant the Letter of Intent for the whole area or separately for any part thereof, which shall not be less than 40 Ha. at the first instance, subject to conditions as may be deem fit, or reject the application, within a period of 45 days from the date of receipt of application or reply from the Project Proponent/s in respect of any requisition made by the Collector, whichever is later.

Provided that, in case of rejection, the Collector shall mention the grounds for such refusal.

iv) Every such Letter of Intent shall remain in force for a period of two year, if not applied for Development Permission under Regulation No 14.1.1.6, from the date of issue of Letter of Intent, unless renewed. Provided that, the Collector may, on application made by Project Proponent/s before expiry of the above period extend such period by two years in aggregate. Provided also that letter of intent granted by collector under earlier regulations may also be extended subject to other conditions of these regulations.

14.1.1.6 Master Layout Plan Approval by the Collector:-

i) The project proponent/s shall apply to the concerned Collector for obtaining the approval to the Master Layout Plan of the entire area as per Letter of Intent. Such application shall be accompanied by the documents in two sets as prescribed below:-

a) Attested copy of Gazette Notification issued by the Government under Regulation No. 14.1.1.4(ii).

b) Attested copy of Letter of Intent issued by Collector under Regulation No.14.1.1.5.

c) Part plan of sanctioned Regional Plan showing the lands under the Master Layout Plan.

d) Village Map showing the lands under the Master Layout Plan.

e) In case, project has no access from existing road having right of way of 18 m. then documents showing the ownership of Project Proponent/s in lands proposed for 18m. wide access road.

f) Bank Guarantee of requisite amount as prescribed in Regulation No.14.1.1.12 (vi)

g) Undertaking and Affidavit as may be prescribed by the Collector.

h) Copies of Master Layout Plan with or without Building Plans in three sets prepared and signed by expert in respective field and team headed by an Architect or Town Planner registered with Institute of Town Planners India (ITPI)with sign of owner/developer.

i) Contour map showing contour levels of lands under Master Layout Plan. Trueness of the contour shall be certified and attested by the surveying agency and the Project Proponent/s under their signature and seal.

j) Colored Google earth image/ Bhuvan image/ Drone survey image etc. showing lands under Master Layout Plan.

k) Phased Program for development of physical infrastructure with amenities under project, along with the project cost details.

ii) If the application is not accompanied by the documents mentioned in Regulation No.14.1.1.6(i) above, the Collector convey the same to the Project Proponent/s immediately within 10 working days giving specific time period for fulfilment of such documents and if the same are not submitted by the said project proponent in given time then return the proposal at his level only.

iii) On receipt of application, complete in all respects, as prescribed under Regulation No. 14.1.1.6(i) above, the Collector shall forward the same to the concerned Divisional Joint Director of Town Planning for technical consultation within 10 working days.

iv) The office of the Divisional Joint Director of Town Planning shall send its remarks to Collector within two months from the receipt of proposal from the Collector or receipt of reply from the Project Proponent/s in respect of any requisition made by him, whichever is later. Such master layout approval will be given with the condition that project proponent will not commence work without environmental clearance. Such environmental clearance shall be submitted at the time of sanction to the building permission. Sanctioned master Plan layout along with complete set of drawings shall be endorsed to the concerned branch office of Town Planning Department, for the further

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permissions.

v) Approval to the Master Plan:- The Collector shall grant approval to the master layout or reject the application, under Section 18 of the said Act, within one month from the receipt of reply from the Divisional Joint Director of Town Planning as mentioned in Regulation No. 14.1.1.6 (iv) above.

vi) Approval to the building plan:- Detailed building permission under the master layout plan sanctioned as per Regulation No. 14.1.1.6(v) shall be granted by the Assistant Director of Town Planning/Town Planner of concerned Branch within 30 days from the receipt of the proposal from the project proponent as mentioned in (a) below.

a) The Project Proponent/s shall apply to the concerned head of the Branch office of the Town Planning Department, for grant of building permission, alongwith all relevant documents and attested copy of Environment Clearance for the project from MoEF or the Authority empowered by the MoEF.

b) The Project Proponent/s shall submit the certificate of Architect regarding completion of plinth stating that the construction of plinth is as per the approved building Plans to the concerned branch office of the Town Planning along with approved Plan. The Branch Office of the Town Planning verify the same within stipulated time period. If it is found that the construction of plinth is not as per the building permission sanctioned, the said office shall reject such plinth checking certificate. In such circumstances, the Project Proponent/s shall either demolish the said plinth or get the revised plan sanction according to changes. If it is found that the construction of plinth is as per the building permission sanctioned, then granting the plinth checking certificate is not necessary.

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14.1.1.7 Planning Considerations

i) Permissibility in respect of Zoning:-

a) Notwithstanding anything contained in any regulation for the time being in force, the project to be notified under this regulation may be permissible in any land-use zone/s of sanctioned Regional Plan/ Development Plan, excepting areas mentioned in Regulation No. 14.1.1.2(v).

b) For the areas falling in zones, other than residential, commercial and U1 & U2 zone as per the sanctioned Regional Plan the Project Proponent/s shall have to pay a premium for permitting project in such zones at the rates prescribed below in Table No. 14 A :-

Table No. 14 A

Sr. No.	Type of Zone	Premium Charges
1	Afforestation Zone, Hill Top & Hill Slope Zone as shown on Regional Plan / Development Plan.	15 %
2	Public / Semi-public Zone, Industrial Zone, TH & LP	8 %
3	Agriculture/ No Development Zone/G1 zone / Low Density Residential Zone / Buffer Zone of ESZ and other zones excepting at Sr. No. a & b above.	10 %

Explanation: Premium charges shall be calculated by considering the agriculture land

rate of the said land as prescribed in Annual Statement of Rates (ASR) without applying the guidelines. If agriculture land rate is not mentioned in ASR, in such cases the Agricultural land rate for such land will be decided by referring the matter to the Inspector General of Registration. Thereafter the premium will be calculated by considering the land rate given by IGR in such cases. Out of total premium10% shall be paid at the time of Locational Clearance**,** 10%paid at the time of letter of Intent, 20 %at the time of sanctioning of Master Layout Plan and remaining 60%shall be in four equal instalments per year and subject to interest as per Prime Lending Rate. (PLR)

c) Restriction on development-No construction shall be permitted on the lands within the HFL (Blue line),land in Hill Top & Hill Slope Zone and on lands having slope equal to or more than 1:5 in the said Project, whether specifically marked as such on the Regional Plan/ Development Plan or not. No development of any sort and activity involving cutting/ levelling/ filling shall be permissible on such sloping lands. Provided that, it shall be permissible to use such lands for Plantation, Park, Garden purposes, access road to township development with minimum cutting and other users as otherwise permissible in respective Regional Plan/ Development Plans and the FSI of such lands shall be permissible to the extent as prescribed in Regulation No. 14.1.1.7(ii).

d)In the Buffer zone of notified ESZ and in ESZ's, only those development activities and FSI as permissible under MoEF notification of the ESZ (as amended from time to time) under Environment Protection Act, 1986 shall be permitted. All the development in this buffer zones shall be in accordance with MoEF notifications.

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ii) Permissible Floor Space Index (FSI):-

a) Notwithstanding anything contained in any regulation for the time being in force, if premium as mentioned in 14.1.1.7 (i) (b) is paid by the project proponent then the basic permissible FSI for such project shall be 1.0 to be calculated on Gross Plot Area under Master Layout Plan without deducting any areas under the slopes within HFL, etc.

b) Further, additional FSI on payment of premium as mentioned below Table No. 14 B shall be permissible on payment of premium at the rate of 10% of the weighted average land rate of the said land as prescribed in Annual Statement of Rates for the relevant year, without applying the guidelines therein. Such premium shall be paid at the time of Building permission.

Table No. 14 B

Area under Township	Additional built-up area on payment of premium
40 hect. and upto 200 Hector.	Up to 70 % of basic permissible FSI
More than 200 hect. and upto 500 Hector	Up to 80 % of basic permissible FSI
More than 500 hect. Hector	Up to 100 % of basic permissible FSI

c) Over and above the FSI as prescribed above, an additional FSI in lieu of construction of tenements for social housing shall be permissible as prescribed in

Regulation No.14.1.1.9, without charging premium.

d) It shall be permissible to utilise the maximum permissible built-up area as prescribed above, anywhere in the area under sanctioned Master Layout Plan.

iii) Mandatory Town-Level Amenities - Area and FSI Allocations:-

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

a) Spaces for Recreation

Table No. 14 C			
Sr. No.	**Particulars**	**Minimum Area Required**	**Conditions**
i	Garden/s and Park/s	5% of Master Layout Area.(out of this 50% area may be allowed on Hill Top Hill Slope Zone, Buffer Zone of ESZ and within HFL)	Out of this at least 1000 sq.m. area shall be kept open for Town Plaza/Town Square, at one place and remaining area shall be kept open and may be allowed to be proposed at suitable places. Major public amenities / activities shall be cluster around this area.
ii	Play Ground/s	7.5% of Master Layout Area (may be allowed in Buffer Zone of ESZ having slope less than 1: 5)	Maximum 10% of area under Play Ground which may accommodate indoor games, stadiums and allied users only.

Note - These spaces shall be exclusive of open spaces to be required at sector-level layouts. Notwithstanding anything contained RP-DCPR, 10% open space shall be provided in sector level layout. Such open space shall be calculated by considering area of the sector excluding roads in Master Layout Plan and Town Level Amenity spaces excepting Economic Activities.)

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

Table No. 14 D			
Sr. No.	**Particulars**	**Minimum Area Required**	**Minimum Built-up Area required**
i	For Master Layout area of 40 Ha.	5,000 sq.m.	5,000 sq.m.
ii	For Master Layout area more than 40 Ha.	To be increased proportionately with increase in Master Layout area and be proposed at one or more locations, as per requirements.	

Note-

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

2) Requirement of plot area and built up area shall be exclusive of Play Ground spaces. Hence it is mandatory to show separate Play Ground adjoining to school building at the

rate of 7 sq.m./ student.

c) Community Health Care Facilities:- Primary and Secondary Health Care Facilities like Dispensary, Maternity Home, Hospital etc.

Table No. 14 E

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

d) Community Market:-

Table No. 14 F

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

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

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

Table No. 14 G

Sr. No.	Particulars	Minimum Area Required	Minimum Built-up Area required
i	For Master Layout area up to & inclusive of 100 Ha	5000 sq.m.	5000 sq.m.

ii	For Master Layout area more than 100 hact. and upto 200 Ha.	10000 sq.m.	10000 sq.m.
iii	For Master Layout area more than 200 Ha.	To be increased proportionately with increase in Master Layout area and be proposed at one or more locations, as per requirements.	

f) Economic Activities:-Economic activities including users such as Market, Multiplex, Mall, Information Technology & Information Technology enabled Services (IT & ITES) including SEZs, Essential Shopping, Recreational Centres, Trade & Commerce, Education, Hospitals, Non-polluting Industries, Service Industries, Entertainment, Tourism, Star Category Hotels, Convention Centres, Gymnasiums, Socio-economic activities, such as workshop, hostel for Autistic persons**,**challenged persons and Senior Citizens except independent residential tenements as per requirements.

Table No. 14 H			
Sr. No.	**Particulars**	**Minimum Area Required**	**Minimum Built-up Area required**
i	For Master Layout area of 40 Ha.	40000 sq.m.	80000 sq.m.
ii	For Master Layout area more than 40 Ha.	To be increased proportionately with increase in Master Layout area and be proposed at one or more locations, as per requirements.	

Note :-

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

2) The required parking spaces for all such amenities as per norms shall be provided in same plot.

g) Public Utilities:- For Master Layout area up to & inclusive of 200 Ha.

Table No. 14 I			
Sr. No.	**Particulars**	**Minimum Area Required**	**Permissible Built-up Area**
i	Fire Brigade Station	3000 sq.m. or as prescribed by the Director of Fire Services, Maharashtra	As per recommendations of the Director of Fire Services, Maharashtra State/Chief fire Officer of

		State/ Chief fire Officer of the concern Authority.	the concern Authority.
ii	Sewage Waste Management Project(SWMP)	4000 sq.m.	As per requirements
iii	Cremation Ground	2000 sq.m.	As per requirements
iv	Burial Ground	2000 sq.m.	As per requirements
v	Bus Station / Transport Hub	3000 sq.m.	
vi	Police Station	1000 sq.m.	
vii	Electric Sub-station	As per requirement	
viii	Other Public Utilities	As per requirement	
ix	Public Parking Facilities	As per prevailing DCR	
x	Solid waste management	As per requirement	

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Note:

1) If the facility of Cremation Ground/ Burial Ground is available in the village where the Township is located in such case these requirements need not be insisted subject to NOCs of respective Gram Panchayat.
2) If Police Station is available within 1km. area from the proposed Township, then such facility need not to be provided.

h) Transport & Communication:-

i) The entire area of the project shall have a proper road pattern, taking into consideration the linkages with existing roads within the project and outside area as well. All such roads shall be developed by the Project Proponent/s as per standard prescribed by the Indian Road Congress.

ii) The width of the -

a) Classified Road should not be less than as may be prescribed by concerned public authority;

b) Main / Arterial / Ring Road should be of minimum right of way of 18 m.

c) Other Sub-Arterial roads, Collector streets, local streets, etc., shall be proposed as per the requirements to cater to the need of occupancies on such roads including for pedestrians.

d) Network of cycle track in entire Township area of minimum width of 3 meter shall be provided without clashing with the vehicular traffic, to the extent possible.

iii) It may be permissible for Project Proponent/s, to realign the Regional Plan / Development Plan Roads, and earlier existing roads passing through the project area, without changing the entry and exit points of such roads.

iv) All the Regional Plan / Development Plan Roads and all the Main/ Arterial / Ring Roads, shall always be open for general public, irrespective of the fact that, they resides in the project or not.

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

1) The requirements prescribed above for items (a) to (f) are by considering FSI proposed for the project is only 1.0. If the FSI proposed is increased or decreased then the only built up area requirement shall be increased or decreased proportionately.

2) The requirements prescribed above for items (g) are for Master Layout area up to & inclusive of 200 Ha. It shall be increased or decreased proportionately and may be proposed at one or more locations, as per requirements.

iv) Residential Activities:-

Table No. 14 J

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

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14.1.1.8 Development Control Regulations:-

For those aspects which are not covered under this regulation, the prevailing provisions as prescribed in the Standardised Development Control and Promotion Regulations for Regional Plan in Maharashtra shall apply mutatis-mutandis. The provisions of MoEF CRZ notifications amended from time to time shall also be applicable.

However where in prevailing DCR of the respective authority the maximum height of building is not mentioned in such cases the maximum height shall be allowed subject to provisions of Maharashtra Fire Prevention and Life safety measures Act 2006 and any restriction imposed by Chief Fire Officer.

14.1.1.9 Social Housing:-

i) The Master Layout Plan shall provide sufficient space for construction of small tenements for persons from EWS and LIG categories (hereinafter referred to as the "Social Housing Component"), as a social responsibility with FSI as mention in Regulation No. 14.1.1.9 (iii). Out of this Social Housing Component 25% FSI shall be utilised exclusively for construction of EWS tenements and remaining 75% FSI may be used for LIG tenements. Out of the total tenements constructed as Social Housing component, one third (1/3rd) tenements shall be kept for Rental Housing tenements which will be disposed on Rent only by the project Proponents.

ii) Social Housing tenements shall be constructed with area as specified by the MHADA for EWS and LIG category respectively.

iii) The minimum Social Housing component shall be constructed at 15% of the Residential basic FSI of the area available for Residential Development as prescribed in Regulation No. 14.1.1.7 (iv) (hereinafter referred to as the "Social Housing component").

iv) Social Housing tenements shall be constructed as per the general and special specifications prescribed by concerned unit of MHADA for their projects.

v) The Project Proponent/s, after getting commencement certificate of Social Housing component as mentioned above shall immediately intimate to MHADA regarding the numbers of Social Housing Component to be disposed by them to the allottees. Upon such intimation, MHADA within a period of six months, from the date of receipt of such intimation after following procedure of lottery system shall prepare the list of the allottees from the district as far as possible and forward it to the Project Proponent/s. The project proponent shall dispose of such housing tenements to the allottees at the construction cost mentioned in ASR applicable of the year of disposal (date of occupancy certificate) plus 25% additional cost. Out of this 25% additional cost, 1% shall be paid to MHADA towards administration charges.

If the allottees fails to deposit the amount within specified time limit, then the allotment shall stand cancelled and MHADA can give fresh names of allottees from waiting list within one month.

Provided that if the MHADA is unable to provide the list of the allottees as mentioned above then the project proponent shall dispose of such social housing tenements in the market at the construction cost in ASR applicable to the land of the year of disposal plus 20% additional cost.

vi) Every Occupation Certificate for the regular tenements shall be granted only alongwith the Occupation Certificate in proportionate with Social Housing component.

vii) Amalgamation of such Social Housing tenements shall not be permitted in any case.

viii) The purchaser of tenement under social housing shall deposit an amount equivalent to 10% of the construction cost of tenement, as prescribed in Annual Statement of Rates prevailing at the time of occupation, with the Project Proponent/s as one-time maintenance deposit for onsite infrastructure maintenance.

ix) The Project Proponent/s shall maintain the premises and common spaces outside the building/s of social housing including concerned all basic infrastructure and amenities, in good condition in the same manner with the maintenance of remaining area of the project.

x) The purchaser of tenement under social housing shall have to pay all the government taxes, duties like stamp duty, GST etc. and also the fees charged for use of common amenities at actual, to the Project Proponent/s, as per the requirement, from time to time.

14.1.1.10 Liability of Project Proponent/s:-

i) The entire project shall be an integrated one with all facilities within the boundaries of such project. All the on-site infrastructure i.e. internal roads, approach road, street lights, water supply and drainage system shall be mandatory and constructed/ maintained in future by the Project Proponent/s. Proposed internal roads and Open Spaces in the

layouts shall be used only for ITP.

ii) The Regional Plan Roads & Reservations which are included in ITP shall be Developed by project proponent and after development made available to the general public. Such reservations may be allowed to shift within 500 m. (within Township Area Only) in consultation with the concerned Divisional Joint Director of Town Planning.

iii)It shall be the responsibility of the Project Proponent/s to develop and maintain all the infrastructure in good condition till handing over to the appropriate authority.

The project proponent may collect periodical contribution or raise corpus funds for the maintenance of infrastructure from the purchasers of tenements or statutory bodies of the purchasers of tenements formed by the developer for this purpose.

Provided that, the Project Proponent/s shall handover the infrastructure, for maintenance purpose, only after the completion of the project, to the Urban Local Body or appropriate authority, when constituted in the area comprised by the project along with the unutilized corpus fund collected for maintenance of common infrastructure.

iv) Project Proponent/s shall mandatorily provide facilities for making the Township SMART-

a) For the people residing in the project area, an efficient and timely public transportation system up to the nearest public transportation station/hub/depot/stand. He shall develop it himself or tie with Government / Semi Government or private transport agency for such efficient public transportation. The number of buses and trips will be decided by MSRTC / Local Transport Authority.

b) Continuous unobstructed footpath of minimum 2 m. width on either sides of all street / roads of width ROW 12 m. or more and of a lesser width for roads / Streets of ROW less than 12 m.

c) Dedicated and physically segregated bicycle track with a width of 3 m. or more, should be provided for entire Township Area.

d) Pedestrian friendly pathways, encouragement to non-motorized transport, intelligent traffic management, non-vehicle street / zones, smart parking, energy efficient street lighting visible improvement in the area i.e. replacing existing overhead electric wiring with underground wiring, encroachment free public areas,

e) Arranging generation of power through non-conventional energy sources like solar, wind and other shall be mandatorily provided with at least 10% of total requirement of common physical infrastructure of the project;

f) To provide energy management by adopting advanced technology like installing Solar Water Heating System, Solar Lamps/Lights in common areas, LED Lamps, auto-operated street lights, solar pumps, etc. all external lighting shall be of LED, Solar Water Heating System, Solar Lamp shall be compulsorily provided;

g) To provide effective water management by adopting water harvesting techniques like rain water harvesting, recycling of used water, metered water supply to the users under project, double plumbing pipeline. The recycled water shall be used for flush system, gardening, carwash and industrial use;

h) To provide effective safety & security measures like CCTV surveillance at strategic

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locations, centralized control room, etc.;

i) Arranging smart and fast internet/broad band connectivity to all residences, e-governance online system for grievance redressal;

j) Encouraging and providing platform for citizens participations in decision making about public community issues.

k) Arranging real time environmental monitoring i.e. air pollution, noise pollution etc. shall be observed.

l) Encouraging and providing platform for e-DCR for building plans with BIM, 3-D maps on GIS of the utility services network and properties in the city, central command, control and emergency response center for all infrastructure facilities. Project Proponent/s shall also provide urban design concept plans along with Master Plan.

m) It shall be obligatory on the part of Project Proponent/s to provide the infrastructure and green building norms that are necessary as per the guidelines as may be laid down by the Government, under the policy of development of 'Smart City' from time to time.

n) Ensure that the buildings have at least 3 star ratings from GRIHA

v) Project Proponent/s shall also mandatorily provide for:-

a) **Water Supply**-Safe and potable drinking water at the rate of 90 litters per capita per day, exclusive of requirement of water for fire fighting and gardening purposes. The storage capacity of the same shall be at least 1.5 times of the actual required quantity as determined by expected population (Resident and Floating) and other uses. The Project Proponent/s would be required to develop proper internal distribution with double pipe plumbing for reuse of treated water at appropriate places and maintenance system along with smart metering and shall specially undertake rain water harvesting, groundwater recharging and waste water recycling within the project.

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

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

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

c) **Power**:- The Project Proponent/s shall ensure continuous and quality power supply for the project area. The Project Proponent/s may draw the power from any existing supply system or may go in for arrangement of captive power generation with the approval from the concerned authority. If power is drawn from any

existing supply system, the Project Proponent/s shall, before commencement of development, procure a firm commitment of power for the entire Township from the power supply company.

14.1.1.11 Occupancy Certificate:-

i) Application for obtaining the Occupancy Certificate for buildings in project, in full or part shall be submitted by Project Proponent/s to the concerned branch Officer of Town Planning. Such application shall be accompanied by -

a) All the relevant documents alongwith coloured Google Earth / Bhuvan /Drone survey image showing the area under Master Layout Plan;

b) Documents showing compliance of the conditions prescribed while according sanctions from time to time;

c) Appropriate declaration/s and undertaking/s made by the Project Proponent/s and his technical personnel's;

d) Any other requirement as may be prescribed by the Collector.

ii) The concern Branch Officer of Town Planning shall grant Occupancy Certificate or reject the application giving specific reason within one month from the receipt of application.

iii) The Collector, before issuing the Occupancy Certificate for the project as a whole, shall verify and satisfy himself about the completion of erection / development/construction of all the basic required infrastructure in Master Layout plan. In case, an application for part occupancy, such completion shall be as prescribed in phase programme.

14.1.1.12 General Stipulations:-

i) Development of basic infrastructure and amenities shall be completed by the Project Proponent/s to the satisfaction of the Collector either for whole or as per phases, of the project.

ii) It shall not be mandatory for the Project Proponent/s to provide Amenity Space as otherwise required as per regulation of Regional Plan / Development Plan, if any.

iii) The Project Proponent/s shall plant indigenous trees at the rate of at least 150 trees per ha. and maintain it properly. The certificate to that effect issued by the Deputy Conservator of Forest or an Officer nominated by him for this purpose shall be produced by Project Proponent/s at the time of application for Final Occupation Certificate under Regulation No. 14.1.1.11.

iv) All the powers and functions that are supposed to be exercised by the Collector under this regulation shall be exercised by the Chief Officer / Chief Executive Officer of the concerned Planning Authority wherever applicable, excepting the powers to grant Letter of Intent under Regulation No. 14.1.1.5 of this regulation.

Provided that, before grant or refusal to the Master Layout Plan, the Chief Officer / Chief Executive Officer of the Authority shall, consult the, concerned Divisional Joint Director of Town Planning as prescribed in Regulation No.14.1.1.6(iii) and (iv), if the Planning Officer posted in such Authority is below the rank of Joint Director of Town Planning, and to the concerned branch office of Town Planning as prescribed in Regulation No. 14.1.6(vi) and Regulation No. 14.1.1.11, if the Planning Officer posted

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in such Authority is below the rank of Assistant Director of Town Planning.

v) All the amounts of scrutiny fees, charges, premium etc. payable to the Government shall be deposited with the concerned Branch office of the Town Planning. In circumstances described in proviso of Regulation No. 14.1.1.12(iv) above, 50% of such amount shall be deposited with the concerned Branch office of the Town Planning, and 50% to the concerned Planning Authority.

vi) The Project Proponent/s shall submit a bank guarantee of an amount equal to the 15% of estimated development cost required for development of the basic Physical infrastructure such as roads, water supply, drainage & garbage disposal, Trunk installations for power supply, fire brigade station & fire engines. Such development cost be worked out as per respective phases taking into consideration the phased programme for development of infrastructure with amenities under project as submitted and as required under Regulation NO. 14.1.1.6(i).Certificate regarding estimated development cost shall be produced by the respective Architect of the project. If Bank Guarantee as mentioned above is submitted then separate security deposit shall not be insisted by the authority.

vii) The Project Proponent/s shall construct and maintain the Fire Station building & Infrastructure at their cost. The project proponent shall post well-trained staff at fire station as per the recommendations of the Director of Fire Services, Maharashtra State / Chief Fire Officer of the concerned Authority or the cost of staff appointed by Chief Fire Officer for this purpose shall be borne by the Project Proponent. The amount of all expenditure on such staff shall be the responsibility of the Project Proponent/s. After completion of fire station and as per requirement such fire brigade/station shall be handed over to the nearest respective authority on the terms and condition decided by the respective authority and project proponent.

viii) Developer shall complete the Special Township Project within 10 years or such period as allowed by the Government from the approval to the master plan. Developer shall develop and maintain the all infrastructure (internal street light, roads etc.) upto the completion of the ITP project. Within such period or till the authority is formed as per Regulation No. 14.1.1.12 (ix), the concession in property tax levied by the respective Grampanchayat or the respective Planning Authority shall be 66% of normal rate as prescribed under the Grampanchayat Act or under Maharashtra Municipal Council, Nagar Panchayat and Industrial Town ship Act 1965 or Maharashtra Municipal Corporation ACT. Such property tax shall be levied from date of Occupancy Certificate. Respective Grampanchayat /Planning Authority shall provide mandatory provisions like Birth and Death Registration Certificate etc. for the same period in such ITP. Provided that the utilities like fire brigade, police station/chowky etc. shall be handed over to the nearest respective Authority at the terms and condition decided by the respective authority.

ix) A local Authority shall be formed under section 3 read with section 341 of the Maharashtra Municipal Council, Nagar Panchayat and Industrial Town ship Act 1965 according to population of such town ship. The newly formed respective authority shall take over the operation maintenance of infrastructure in the Integrated Township Project area with the previous approval of Government. However, if the area under ITPs merged in any Local Authority then operation and maintenance of infrastructure in such

Integrated Township Project area shall be made by the respective Local Authority.

x) Licensing to the Project Proponent/s - The respective Authority shall provide licenses to the Project Proponent/s for telephone Connection, Power and other utilities in the Township area as per existing rules & regulations. After granting the license from the respective Authority, the project proponent/s shall provide utilities in the Township area as per the conditions laid down by the respective authority.

xi) It shall be mandatory for the Project Proponent/s to provide appropriate width of road to the land not owned by the project proponent which is surrounded by the Township Area**.**

14.1.1.13 Special Concessions

i) **Deemed conversion for Non-Agricultural (N.A.) Use**:- The lands under approved Master Layout Plan shall be considered as deemed N.A. No separate permission shall be required under the provisions of Maharashtra Land Revenue Code, 1966. The amount of non-agricultural assessment shall be exempted to the extent of 50% of the normal rate for the land under Integrated Township Project.

ii) **Grant of Government land**:- The Government land/s, if surrounded or adjacent by the lands owned by the Project Proponent/s, may preferably be granted to the Project Proponent/s, as per the rules and regulations to that effect, by the Revenue and Forest Department of the State Government. Maximum 10% of the total area under township shall be allowed to be included in such township.

iii) **Concession in Stamp Duty**:- For the purchase of land by project proponent for township area or for the first transaction from Project Proponent/s to Purchaser of any unit under any user from approved Master Layout Plan or subsequent building plan under this Regulation, concession of 50% of stamp duty as otherwise required under the Mumbai Stamp Act, shall be granted. This concession will be available only at one stage i.e. either at the time of land purchase or at the time of sale of units. Also, if the project proponent assigns the rights to his own subsidiary companies for the running of the Amenities in such Township project as per the approved plan in such cases concession of 50 % of stamp duty as otherwise required under the Mumbai Stamp Act, shall be granted.

iv) **Exemption in payment of Development Charges**:- 50 % of the amount of Development Charges under sub-section (3) of Section 124F of the said Act shall be exempted for institution use or, change of use of any land or building or, development of any land or building, proposed for project undertaken by a Project Proponent/s under this Regulation.

v) **Relaxation from Mumbai Tenancy and Agriculture Land Act**:- The condition that, only the agriculturist will be eligible to buy the agriculture land shall not be applicable to the Project Proponent/s for purchasing agriculture land for Integrated Township under this Regulation.

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

vii**)** **Exemption from scrutiny fee**:- The amount of scrutiny fee shall be exempted to the

extent of 50% of the normal rate for building permission under Integrated Township Project.

viii) **Exemption from royalty on minor minerals**:- The amount of royalty on minor minerals as per the Maharashtra Minor Mineral Extraction (Development and Regulation) Rules shall be exempted to the extent of 50% for the earth which is extracted while developing the land within Township area and fully exempted if the said excavated material is used in the same project.

14.1.1.14 Transition Policy

i) It shall be permissible for the Project Proponent/s, to whom Special Township Project has already been granted location clearance and / or LOI or the project is on-going wherein part Occupancy Certificate is granted before 26/12/2016 to -

a) Continue such Special / Integrated Township Project under the erstwhile regulations under which LC is granted without considering these regulations.

b) If the project proponents wish to develop township according to this regulations then he may apply for grant of Letter of Intent or Master Layout Plan as the case may be wherever required, under this regulation.

ii) If in case as described in Regulation No. 14.1.1.14 (i) (b), the construction of the project is on-going and the Occupation Certificate, either in fully or partly has granted or not been granted, it shall be permissible for the Project Proponent/s to choose an option to prefer this regulation subject to payment of premium as prescribed in Regulation No. 14.1.1.7 (i) and (ii). In such cases premium shall be calculated on balance area which shall be the difference of FSI permitted as per earlier regulation and that being availed as per this regulation.

14.1.1.15 Appeal

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

14.1.1.16 Control by the State Government -

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

14.1.1.17 Government may relax any provisions from these regulation considering the site condition of the particular project.

14.1.1.18 Read the concern Planning Authority/ Special Planning Authority constituted under relevant Acts instead Collector, wherever applicable.

14.1.1.19 The rate of premium mentioned in the Regulation No. 14.1.1.7 (i) (b) and 14.1.1.7(ii) (b) can be revised by the Government from time to time.

14.1.2 For Development Plan area

Regulations for Integrated Township Projects for Regional Plan mentioned in Regulation No 14.1.1 shall be applicable to Development Plan area with modified Regulations as mentioned below.

14.1.1.4 (ii) ----------

(Explanation - In circumstances described in Regulation No. 14.1.1.4 (ii) above, such grant of permission and declaration of project shall be made under the provisions of Section 18(3) read with section 44 (2) of the Maharashtra Regional and Town Planning Act, 1966)

14.1.1.6 (i)----------

e) In case, project has no access from existing road having right of way of 18m. then documents showing the ownership or registered agreement for permanent right of way, as the case may be, of Project Proponent/s in lands proposed for 18 m. wide access road.

j) Colored Google earth image / Bhuvan image/ Drone survey image etc. showing lands under Master Layout Plan, signed by project proponent

iv) The office of the Divisional Joint Director of Town Planning shall send its remarks to Authority within two months from the receipt of proposal from the Authority or receipt of reply from the Project Proponent/s in respect of any requisition made by him, whichever is later. Such master layout approval will be given with the condition that project proponent will not commence work without environmental clearance. Such environmental clearance shall be submitted at the time of sanction to the building permission.

14.1.1.6 (vi) -Approval to the building plan:-Detailed building permission under the master layout plan sanctioned as per Regulation No. 14.1.1.6(v) shall be granted by the concerned Authority with prior consultation as prescribed in proviso to Regulation No. 14.1.1.12(iv) within 30 days from the receipt of the proposal from the project proponent as mentioned in 14.1.1.6 (vi) (a).

14.1.1.6 (vi) (b) -The Project Proponent/s shall submit the certificate of Architect regarding completion of plinth stating that the construction of plinth is as per the approved building Plans to the concerned branch office of the Town Planning along with approved Plan. The Branch Office of the Town Planning verify the same within stipulated time period. If it is found that the construction of plinth is not as per the building permission sanctioned, the said office shall reject such plinth checking certificate. In such circumstances, the Project Proponent/s shall either demolish the said plinth or get the revised plan sanction according to changes. If it is found that the construction of plinth is as per the building permission sanctioned, then granting the plinth checking certificate is not necessary.

However, notwithstanding anything mentioned above, before grant or refusal to the Master Layout Plan, the Authority shall, consult the, concerned Divisional Joint Director of Town Planning as prescribed in Regulation No. 14.1.1.6 (iii) and (iv) if the planning officer posted in such Authority is below the rank of Joint Director of Town Planning, and to the concerned branch office of Town Planning as prescribed in Regulation No. 14.1.1.6(vi) and Regulation No. 14.1.1.11, if the Planning Officer posted in such Authority is below the rank of Assistant Director of Town Planning.

14.1.1.7 (iii) ----------

h) Transport & Communication:-

i) The entire area of the project shall have a proper road pattern, taking into consideration the linkages with proposed roads of D.P. and R.P. existing roads within the project and outside area as well. All such roads shall be developed by the Project Proponent/s as per standard prescribed by the Indian Road Congress.

14.1.1.11 (ii) - On receipt of application as prescribed under Regulation No.14.1.1.11(i) the Planning Authority shall forward the same to the concerned officer as stipulated in the proviso to Regulation No. 14.1.1.12(iv) for technical consultation within 10 working days.

Following new Regulation shall be added.

14.1.1.7 (v) - Share of Local / Planning Authority.

The integration of Integrated Township Projects included in the Local / Planning Authority, an area @ 2% of gross area shall be earmarked and shall be handed over free of cost to the respective Authority for development of the City Level Facilities.

For determining eligibility of ITP, the above 2% area shall be considered in area calculation. This area shall not contain area under hill slopes, and shall be accessible by major road. Base FSI of such 2% land shall be made available to the applicant on remaining land.

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14.2 TRANSIT ORIENTED DEVELOPMENT (TOD)

The following regulations in respect of Transit Oriented Development shall be applicable for the areas mentioned herein under. These provisions shall come in to operation where Authorities either have or proposed RTS/ Metro-rail/ BRTS corridors in their Development Plans and have started implementing them.

14.2.1 For Pune Municipal Corporation Area

Kept in abeyance.

14.2.2 Pune Metropolitan Region Development Authority area.

For this areas, the regulations specified in Regulation No. 14.2.1 are applicable mutatis – mutandis

14.2.3 For Nagpur Municipal Corporation and Nagpur Metropolitan Region Development Authority.

Following Regulations are applicable for Development / Redevelopment of building falling within Nagpur Metro Rail Corridor (NMRC)

i) Definitions

a) Nagpur Metro Rail Corridor (NMRC) - It is the area falling within 500 m. distance on either side of the Nagpur Metro Rail measured from its Centre line and also includes the area falling within 500 m. distance from the longitudinal end of the last Metro Railway Station. This regulation is also applicable for all the Planning Authorities from where the Metro Rail is passing through.

b) Base permissible FSI - It is the FSI that is otherwise permissible on any land

with respect to zone shown as per the sanctioned development plan and the relevant provision of the Principal DCR excluding the TDR and the premium FSI, redevelopment incentive FSI that can be received.

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

ii) Maximum Permissible FSI

The maximum permissible total FSI in NMRC shall be 4.00 including the basic permissible FSI, subject to condition that, the additional FSI over and above the basic permissible FSI shall be allowed within the overall limit of maximum permissible FSI, as given in the Table No 14 O below :-

Table No. 14 O			
Sr. No.	**Minimum Road Width**	**Plot Area**	**Maximum Permissible FSI**
1	9.00 m.	Below 1000 sq.m.	2.00
2	9.00 m.	1000 sq.m. or above	3.00
3	12.00 m.	2000 sq.m. or above	3.50
4	15.00 m.	2000 sq.m. or above	4.00

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Explanation:-

1) The maximum permissible FSI as per the above Table shall be determined by satisfaction of both the criterias viz. Minimum Road width as well as plot area, simultaneously. However in case, both these criterias are not satisfied simultaneously, the maximum permissible FSI shall be the minimum of that permissible against each of these two criterias, as illustrated below ;

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

Illustrations: -

Table No. 14 P				
Plot Area	**Road width**			
	Less than 9m.	**9 m. & above**	**12 m. & above**	**15 m. & above**
below 1000 sq.m.	As mentioned in Chapter 6	2	2	2
1000 sq.m. up to 2000 sq. m.	As mentioned in Chapter 6	3	3.5	3.5
Above 2000 sq.m.	As mentioned in Chapter 6	3	3.5	4.0

a) **Premium to be Paid**

Additional FSI over and above basic permissible FSI of respective land use zones as mentioned in Chapter 6 may be permitted on the payment of premium as may be decided by the Govt. from time to time.

i) The additional FSI as prescribed in the Table under provision 1.2 above, in case of development / redevelopment proposed in the NMRC with minimum tenement density per hectare of the gross plot area as given below.

Minimum Numbers of Tenements = Gross Plot Area x Maximum Proposed FSI for Residential use x 200 Tenement per Hector.

ii)However, subject to the provisions of regulation A.3herein below, if the tenement density proposed is less than that stipulated in the table under A.2.1(a),the premium to be paid in that event shall be the additional premium as may be decided by the Govt. from time to time and such premium shall be chargeable on the total additional FSI to be availed beyond the basic permissible FSI.

iii) For construction of buildings mentioned in Chapter 7, the rates of premium shall be as mentioned in the said Chapter.

b) Impact Assessment and Integrated Mobility Plan

Such additional FSI over and above the base permissible FSI, shall be granted by the Commissioner, Nagpur Municipal Corporation / Chairman, Nagpur Improvement Trust, any Planning Authorities from where the Metro Rail is passing through after taking into account the Impact Assessment of the implementation of these regulations regarding the impact on the city and sector level infrastructure and amenities as well as traffic and environment on such NMRC. Such Impact Assessment shall also contain measures to be undertaken to mitigate its likely impact and the Action Plan for implementation of such measures in a time bound manner. It shall also contain Integrated Mobility Plan envisaging therein inter-linkages between different modes of mass transport, parking management, traffic management and pedestrianisation.

c) The maximum permissible FSI as given in Table under Regulation No.(ii) above shall be calculated on the gross plot area.

d) In case of plot / plots falling partly within the NMRC, the FSI permissible shall be as follows, provided that the total area of the plot (plot falling within NMRC plus plot falling outside NMRC) shall be as prescribed in the table in Regulation No.(ii) above:-

(i) Where 50% or more area of such plot / plots falls within NMRC, these regulations including FSI shall apply to the total area of such plot / plots.

(ii) Where less than 50% area of such plot / plots falls within NMRC, these regulations including FSI shall be applicable to the part of plot / plots falling within NMRC, whereas for the part of plot / plots falling outside NMRC, these regulations except provisions regarding FSI shall be applicable. The FSI permissible for the part falling outside NMRC shall be as mentioned in chapter 6.

Moreover, the owner shall have option of either to opt for UDCPR provisions in toto or opt for TOD regulations in toto. In case, the owner opts for development as per UDCPR provisions, then he may be allowed to utilise FSI as per TOD regulations over and above the maximum potential

mentioned in Table 6-A or 6-G.

e) Notwithstanding anything contained in any other provisions of these regulations, TDR shall not be allowed to be received on the plots within NMRC, irrespective of its location in congested area / non-congested area as per the Sanction Development Plan of Nagpur.

iii) Permissible mixed use in NMRC:

Mixed use in the form of residential and commercial, fully commercial use may be permissible on the residential plot in NMRC fronting on the road width of 12 m. and above. Mix use on plot / plots in commercial zone of sanction Development Plan falling under NMRC shall be permissible as per these Development Control and Promotion Regulations and the FSI permissible as per his Regulation over and above as mentioned in Chapter 6 shall be allowed on the payment of premium, as per subject to Maximum building potential as mentioned in Regulation No. (ii) above

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

v) Marginal Spaces

Table No. 14 Q

Sr. No.	Building Height	Side and Rear Margins	Remark
a	15 m. and below	H/2-4	Minimum 3.0m. for Residential minimum 4.5 m. for Commercial and Minimum 6.0m. for Special Buildings.
b	Above 15 m. and upto 24 m.	H/5	Minimum 4.5 m. for Residential and Commercial Building and 6 m. for Special Building.
c	Above 24 m.		Minimum 6.0 m.

Note-1. Maximum Side / Rear / Front Margin shall be 12.00 m. However if Developer / Owners provides more than 12 m. side and rear margins it may be allowed.

Note-2. The Municipal Commissioner may relax the side & rear marginal distances as per Regulation No. 2.4 of UDCPR subject to following provisions.

A) If clear minimum marginal distance is proposed from one side as per these Regulation then other side marginal distance may be relaxed up to 50%.

B) Front margin relaxation to allow additional FSI may be granted subject to condition that the Minimum road width shall be 12 m. and above.

Note-3. In case semi-detached construction as per these regulations, common wall

constructed is allowed and marginal distance shall be provided for other side as per these regulations.

(v)(a) No projections shall be allowed in one side marginal spaces as mentioned in Note 2(A) above so that this marginal spaces remain free from all encumbrances for the movement of fire tenders. However open balconies may be allowed in the marginal spaces where concession as mentioned in Note No. 2(A) above is allowed, after leaving minimum 3.0 m. distance from the plot boundaries, subject to Fire NOC.

In case if ramp is necessary from accessibility, such ramp may be allowed after living 6 m. clear margin. However such Ramp may be allowed in side margin where relaxation is to granted as per provision mentioned in Note No. 2(A) above subject to NOC of the Fire Department.

(v)b) For calculation of marginal distances, the height of the parking floors (Maximum two floors above the Ground Level) shall not be taken in account, However height of such parking floors will be counted towards the total height of the building for deciding the building as high rise building and for civil Aviation purpose.

(v)(c) Car lift / mechanical parking shall be permissible, as per these regulations as amended from time to time.

vi) Parking

Parking in the NMRC shall be provided as per the table given below :-

Table No. 14 R

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

Note:-

1) Parking spaces for differently - abled persons shall be provided as stipulated in these regulations in each new construction / development / re- development in the NMRC.

2) On street parking shall not be permissible, unless specifically allowed in the impact assessment and mobility report.

(vi)(a) Incentive for providing Public Parking in the area falling within the radius of 200 m. from the Metro Station.

If the owner / developer of the plot falling within the radius of 200 m. from the Metro Station, is willing to provide Public Parking space over and above the parking spaces required as per the table given in Regulation No. (vi) above of this regulation, the same shall be allowed and in that case the premium to be paid by such developer / owner as per Regulation No. 14.2.3 (ii)(a) shall be reduced by the amount equal to the premium worked out for 25% of the area earmarked for such additional Public Parking space, subject to following conditions:-

i) Such parking area shall be in the built-up form and shall be handed over to Planning Authority free of cost before granting the Occupation Certificate to the project. The Planning Authority should enter into an agreement with owner / developer for such parking space at the time of granting Commencement Certificate to the project. Such Public Parking area shall be clearly shown on the proposed building plan / layout and a condition to above effect shall be incorporated in the Commencement Certificate.

ii) The parking area shall have independent access from major road adjacent to the plot and with proper entry and exits.

iii) The parking area to be made available at individual site shall be at minimum 100 sq.m. at one place either at Ground floor / Stilt floor or first floor.

iv) The maximum parking area that can be provided shall be decided by the Commissioner, Nagpur Municipal Corporation / the Chairman, Nagpur Improvement Trust, as the case may be, on considering the location of such site and the parking requirement.

v) A board showing the location of such public parking space should be displayed at suitable places by the Planning Authority.

vi) Area covered under such parking shall not be counted towards FSI consumption.

vii) Concerned land owner / developer / society / public company shall not be allowed to operate the public parking.

viii) The proposed development shall be further subject to such conditions as may be decided by the Municipal Commissioner / Chairman, NIT, as the case may be.

vii) In case of development or redevelopment, proposed by the Authority / individual applicant / any other Planning Authority, from the edge of the Metro Rail, within 10m. distance from the Metro Rail, on its either side, the concerned Planning Authority i.e. Nagpur Improvement Trust / Nagpur Municipal Corporation before granting such permission for development / redevelopment shall seek prior NOC from the Nagpur Metro Railway Corporation Ltd as required under the Metro Railways (Construction of Works) Act, 1978 from the point of view of safety of the Metro Railway and such other

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related matters.

viii) The provisions of these UDCPR shall be applicable except, express provisions of these TOD regulations. However in case of any conflict between TOD Regulations and any other Regulation/s of UDCPR, TOD Regulations shall prevail for the NMRC.

ix) No Compound wall / fencing shall be permissible on the boundary of plot facing the road and 50% front marginal distance (subject to minimum and maximum of 3m.) shall be kept accessible and to be used as foot paths for pedestrians. However, it shall be permissible for the applicant to construct / erect fencing, on the boundary, after leaving the space for pedestrians as specified above.

However for the plots situated on 9 m., 12 m.. & 15 m., wide Roads having 100% residential use therefore above rule shall not be made applicable.

a) Large wholesale stores, auto dealer showrooms, warehouses/storages, auto service centres, Garages etc. shall not be permissible in NMRC.

b) Provision of Inclusive housing shall not be applicable in NMRC.

c) For Gunthewari development regularized under the provisions of Maharashtra Gunthewari Development Act, 2001 and falling in NMRC, seeking provisions for Development / redevelopment, these regulations shall apply.

d) The width of passage shall be minimum 1.2 m. for residential use & 2 m. for commercial use.

e) Above regulation shall be applicable to all the buildings (i.e. newly proposed buildings as well as old buildings for utilization of FSI) in TOD.

f) In case of redevelopment scheme, size of tenement can be relaxed for Rehab Component subject to other provisions of UDCPR. However for free sale component TOD Regulation shall be made applicable.

g) In case of independent unit / Bungalow for self-use, such Development / Redevelopment may be allowed within base FSI subject to UDCPR.

h) The layout of building / group housing layout or standalone building on a plot / plots situated in NMRC over which construction is started and for which occupancy certificate is not granted may be revised and balance potential if any may be allowed as per the above provisions subject to following :-

Marginal Distance – The existing marginal distances including front margin may be allowed for higher floor / floors and necessary relaxation to that extent may be granted by the Municipal Commissioner subject to compliance of all fire requirements and fire NOCs by charging hardship premium. Hardship premium is to be decided by Municipal Commissioner. In any case sanctioned existing marginal /front margin distance shall not be reduced.

14.2.4 For other Municipal Corporations and other Metropolitan Region Development Authority area.

For these areas, the regulations specified in Regulation No. 14.2.1shall be applicable.

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14.2.5 Regulations for BRT Corridor in Pimpri-Chinchwad Municipal Corporation.

The Regulations for development along the BRT corridor in Pimpri-Chinchwad Municipal Corporation area sanctioned vide Government Notification No. TPS-1812/737/12/CR 506/13/Reconstruction No. 110/UD-13, dated 03/03/2010and amended from time to time, shall be applicable with following modifications.

FSI receiving or development potential of the plot shall be as below.

Sr. No.	Road width in meters	Basic FSI	FSI on payment of premium	Maximum permissible TDR loading	Maximum building potential on plot including in-situ FSI
1	2	3	4	5	6
1	Below 9 m.	1.00	--	--	1.00
2	9 m. and above but below 12 m.	1.00	0.50	0.75	2.25
3	12 m. and above but below 15 m.	1.00	0.50	1.00	2.50
4	15 m. and above but below 24 m.	1.00	0.50	1.25	2.75
5	24 and above but below 30 m.	1.00	0.50	1.50	3.00
6	30 and above	1.00	0.50	1.75	3.25

14.3 AFFORDABLE HOUSING SCHEME

i) The Authority may permit implementation of Affordable Housing Scheme in accordance with the provisions of these Regulations. Affordable Housing Scheme (hereinafter referred to as 'the Scheme') shall be permissible only on the lands situated within the limits of Municipal Corporation.

a) Affordable Housing Scheme shall be permissible in Residential Zone only and on plots having access from an existing or proposed Development Plan Road having width equal to or in excess of 18 m. or an existing road in respect of which Regular Line of Street has been declared under the relevant provisions of Maharashtra Municipal Corporation Act, for a width of 18 m. or more. However in case of a proposed road, the land under the said proposed road shall be acquired before the approval of building plans for the Affordable Housing Scheme.

b) Minimum plot area for the Affordable Housing Scheme shall be 4000 sq.m., excluding area under D.P. Roads and D.P. Reservations, if any.

c) The plot under the Scheme shall be independent, unencumbered and contiguous.

d) The Scheme shall not be permissible in congested areas, demarcated as such on the Development Plan.

e) Maximum permissible FSI (including the basic FSI of 1.00) under the Scheme shall be 3.00 on the gross plot area, including mandatory layout recreational open space and Amenity Space. The FSI to be utilized shall be in the proportion of 1:3 for the Affordable Housing Component and the Free Sale Housing Component on ¼th and ¾th part of the land respectively. Thus

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Affordable Housing and Free Sale Housing shall be proposed on the same plot of land but on two separate independently buildable pockets.

f) Under Affordable Housing Scheme, upto 15% of the total built-up area of the Affordable Housing Component may be used for construction of shops/commercial use as per the direction of Urban Local Body and such commercial built-up area shall be handed over to the concerned ULB free of cost.

g) An Affordable Housing Unit shall be a self-contained dwelling unit of 27.88 sq.m. carpet area. However the carpet area of a Housing Unit shall be 160 sq.ft., where the construction under the Rental Housing Scheme has already commenced.

h) The amenity space for Affordable Housing shall be as per these regulations and it shall be proportionately provided in the area earmarked for the Affordable Housing Component and the area kept for Free Sale Housing component.

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

i) no further area shall be required to be kept as amenity space under this Regulation for the Scheme if the area prescribed to be kept as amenity space while permitting residential user in Industrial Zone is equal to or more than 10% of the gross plot area.

ii) only the balance area shall be required to be kept as amenity space under this Regulation for the Scheme if the area of amenity space prescribed by the Planning Authority, while permitting residential user in Industrial zone, falls short of 10%.

ii) a) Notwithstanding anything contained in the relevant provisions of

the Development Control Regulations for the respective Municipal Corporation regarding the provision of Amenity Space in general, and also regarding permitting Residential User in Industrial Zone, it shall be obligatory on the Developer / Owner to develop the amenity space for users (hereinafter referred to as prescribed amenity users) such as School, Play Ground, Garden, Health Care Facilities, Multipurpose Hall, Auditorium, etc. with the approval of Authority as per the specifications prescribed by the said Authority, subject to the condition that atleast 50% of such amenity space shall be kept for open users, before seeking Occupancy Certificate for the Free Sale Housing Component of the Scheme, failing which the land under such amenity space shall be handed over free of cost to the Planning Authority and such land shall be developed by the Authority for the aforesaid prescribed amenity users only.

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

b) Irrespective of whether the Owner / Developer develops the prescribed amenity users as per the provisions of Clause (iii) above or fails to do so, the process of handing over the land under such amenity space, along with the developed prescribed amenities, where such prescribed amenities have been developed, shall be completed within one month from the date of application by the

Developer / Owner for seeking Occupancy Certificate for the free sale housing component of the Scheme and if such handing over process is not completed within the said period, the occupancy certificate for the free sale housing component of the Scheme shall be withheld by the Authority till such amenity space, along with developed prescribed amenities, where such prescribed amenities have been developed, is handed over to the Authority.

c) Under the Affordable Housing Scheme, there shall be a welfare hall and a Balwadi at the rate of 30 sq.m. for every multiple or part of 200 residential units and an office for Co-operative Housing Society at the rate of 30 sq.m. per every multiple or part of 500 residential units which shall be treated as a part of Affordable Housing Component and shall not be counted towards the FSI while computing 3.00 FSI on the site and shall be given along with layout/DP roads and shops, free of cost to the concerned ULB. These facilities shall be constructed at locations as suggested by the concerned ULB and shall be transferred free of cost to it.

iii)Under the Affordable Housing Scheme, off-site infrastructure charges at the rate of 5% of the land rate as given in the Annual Statement of Rates (ASR) prepared by the Inspector General of Registration, Maharashtra State, for the year in which Commencement Certificate is issued (without applying guidelines of ASR),subject to a minimum of Rs.2000 per sq.m., shall be paid by the Developer for the built up area, over and above the normal permissible FSI. This amount shall be paid to the concerned ULB.

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iv) **Release of FSI under the Scheme shall be as follows:-**

FSI for Affordable Housing Component and the Free Sale Housing Component under the Scheme shall be released in accordance with the following Table No. 14 R.

Table No. 14 S

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

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

Free-Sale Housing component.

v) The Affordable Housing Component under the Scheme shall be handed over along with the ¼th part of the total plot of land, free of cost to the concerned ULB.

vi)(a) The affordable housing stock created under the scheme shall be allotted by the concerned ULB as follows :-

Table No. 14 T			
Percentage	**Allotment to**	**Category of stock**	**Rate of allotment**
50	Respective ULBs for use as PAP ownership free of cost tenements or staff quarters or transit accommodation.	Ownership	Free of cost
25	Government of Maharashtra and its statutory bodies/Govt. undertaking for use as PAP tenements or staff quarters or transit accommodation	Ownership	Free of cost
25	As affordable housing by MHADA subject to the general or specific direction of the Government	Ownership	Free of cost to MHADA which shall dispose of the same as per its policy and drawl of lots

b) The affordable housing stock shall be disposed of as per the prevailing policy of MHADA regarding pricing and disposal of its housing stock meant for affordable housing. Each project approved under the Scheme shall be brought to the notice of the Government of Maharashtra and its statutory bodies/Government undertakings by means of press advertisement and if the Government of Maharashtra or any of its statutory bodies/ Government Undertakings doesn't place firm requirement for the housing stock earmarked for them in the Scheme before the completion certificate / occupation certificate for the said scheme is issued, the same shall come to the share of MHADA for outright sale as per the prevailing policy of the MHADA.

vii) a) The other aspects of the development of affordable housing scheme, not specifically dealt with hereinabove, shall be as per the relevant provisions of UDCPR.

b) It shall also be permissible for the developer / owner to utilise the FSI available for free sale housing component, fully / partly for any other user otherwise permissible as per UDCPR.

c) In case owing to genuine hardship and site conditions, relaxation in marginal open spaces is sought by the developer / owner, the authority may consider such request, using its discretionary powers under the UDCPR, subject to the condition that in no case shall the clear marginal open space be reduced below 6 m. No premium shall be charged for granting such relaxation in marginal open spaces in respect of affordable housing component of the scheme.

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14.4 PRADHAN MANTRI AWAS YOJANA

14.4.1 For Development Plan area.

i) **For developable zone.**

In any developable zone such as Residential / Commercial / Public semi-public / Urbanisable Zone / Urbanisable Zone U-1, U-2 / Industrial etc., Affordable Housing for the Economically Weaker Sections (EWS) &Low Income Group (LIG), undertaken by Government / any Institutions authorized by the Government or Owner / any Private Developer (hereinafter referred to "the Project Proponent"), shall be permitted, subject to the following conditions.

Conditions :-

1. These Regulations shall only be applicable for development undertaken under "Pradhan Mantri Awas Yojana" wherein all the tenements shall be constructed for EWS / LIG with the use of latest technology, subject to condition no.3 herein below.
2. Such Development shall be permitted in Industrial Zone only after leaving amenity space as per Regulation No. 4.8.1. However, no premium shall be charged for allowing residential use in the form of PMAY in Industrial Zone.
3. The permissible FSI for such projects shall be the maximum building potential on the plot mentioned in Regulation No. 6.1 or 6.3 subject to maximum 2.5 which shall be treated as allowable basic FSI for such project. No premium FSI or TDR shall be required to be loaded for availing this FSI upto 2.5. However, where building potential as per Regulation No. 6.1 or 6.3 exceeds 2.5, in such cases permissibility of availing building potential above 2.5 shall be in the form of premium FSI or TDR or both which may be utilised for the permissible uses under this UDCPR.
4. Out of the FSI allowed in PMAY, 10% of the basic FSI mentioned in Regulation No. 6.1 or 6.3, shall be allowed for commercial use.
5. The Municipal Commissioner / Metropolitan Commissioner / Chief Executive Officer/ Chief Officer, before granting development permission, shall verify and satisfy himself in respect of the feasibility of providing basic infrastructure facilities like electricity, water supply, sewerage etc. required for the project.
6. The project proponent shall plan proper internal Road network including major linkage upto outside roads, wherever necessary.
7. The project proponent shall provide all the basic facilities and utilities, on-site infrastructure such as Road, Water Line, Drainage Line, Street Light, Waste Water Recycling Plant etc. at his own cost to the satisfaction of the Authority. In no case the burden of providing infrastructure shall lie with the Authority.

Provided that the project proponent shall lay the water, drainage/sewage lines up to the nearest existing lines which are laid by the concerned Planning Authority.

8. The carpet area of the tenement shall not be more than the carpet area as may be decided by the Government of Maharashtra from time to time in respect of EWS /LIG Housing.

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9. Amalgamation of two or more tenements shall not be permissible under any circumstances.

10. All other guidelines and norms shall be followed as may be decided by the Government of India or State Government, from time to time in respect of **"Pradhan Mantri Awas Yojana".**

ii) For No Development Zone / Agricultural Zone / Green Zone-1.

All above Regulation No. 14.4.1(i) with following modification shall be applicable for Pradhan Mantri Awas Yojana to be permitted in No Development Zone / Agricultural Zone / Green Zone-1.

a) The minimum width of approach road shall be 9 m.

b) The permissible FSI for such projects shall be 1.0 on gross plot area.

14.4.2 For Regional Plan area.

The Regulations No.14.4.1 shall be applicable for Pradhan Mantri Awas Yojana to be permitted in following areas of Regional Plan, in respective zones.

i) In Mumbai Metropolitan Regional Plan area

a) PMAY shall be permissible in urbanisable zone U-1, U-2 / Urbanisable Zone of entire Mumbai Metropolitan Regional Plan, with FSI and other provisions mentioned in Regulation No.14.4.1(i).

b) PMAY shall be permissible in zones, other than urbanisable zoneU-1, U-2 / Urbanisable Zone, within distances mentioned in following table, with FSI and other provisions mentioned in Regulation No.14.4.1(ii).

ii) In other Regional Plan Area.

PMAY shall be permissible in respective zones, within distances mentioned in following table with FSI and other provisions mentioned in Regulation No.14.4.1(i) & (ii).

Sr No.	Within distance from	Outer peripheral distance from the Boundary of the Urban Local Bodies where PMAY is permissible
1	Municipal Corporations	2.0 k.m.
~~2~~	Municipal Councils / Nagarpanchayats	1.0 k.m.

14.5 CONSERVATION OF HERITAGE BUILDINGS / PRECINCTS / NATURAL FEATURES

14.5.1 Applicability

This regulation will apply to heritage sites which means, artefacts, structures, areas and precincts of historic and/or architectural and / or cultural significance (hereinafter as 'Listed Buildings / Heritage Buildings and Listed Precincts / Heritage Precincts'') and those natural features of environmental significance including scared graves, hills, hillocks, water bodies (and the areas adjoining the same) etc. within the areas of Planning Authorities and Regional Plan.

14.5.2 Preparation of List of Heritage Buildings, Heritage Precincts and Natural Features

The Authority on advice of Heritage Committee shall prepare heritage list and shall issue public notice in the local newspapers declaring his intention to include the buildings or modify such list of buildings, structures 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 etc. and invite objections and suggestions from any person in respect of the proposed inclusion within a period of 30 days from the date of such notice.

While preparing the list, the authority shall strictly insure that such structure / precinct has heritage value and is liable for inclusion in the list in view of its national, regional, or local importance as specified in Regulation No. 14.5.8. The structure / precinct which do not comply the requirements specified in the said regulation shall not be included in the list. Generally, the following aspects shall be ascertained while preparing the list.

a) Its value for architectural, historical or cultural reasons

b) The date and/or period and/or design and/or unique use of the building or artefact

c) Relevance to social or economic history

d) Association with well-known persons or events

e) A building or groups of buildings and/or areas of a distinct architectural design and/or style, historic period or way of life having sociological interest and/or community value

f) The unique value of a building or architectural features or artefact and/or being part of a chain of architectural development that would be broken if it were lost

(g) Its value as a part of a group of buildings

(h) Representing forms of technological development

(i) Vistas of natural/scenic beauty or interest, including water front areas, distinctive and/or planned lines of sight, street line, skyline or topographical features.

(j) Open spaces sometimes integrally planned with their associated areas having a distinctive way of life and for which they have the potential to be areas of recreation

(k) Industrial sites of historical interest

(l) Archaeological sites

(m) Natural heritage sites

(n) Sites of scenic beauty

All such heritage structures shall be documented in the Heritage List Card as given in Appendix - L and the Heritage List Card shall be duly authenticated by the authorised heritage conservationist upon his site visit, stating the significance of heritage site for its appropriate grading.

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

The Authority, in respect of any objections or suggestions, shall decide the same after giving hearing to such persons and send the list as finalised by him to the State Government for approval. The State Government may sanction the said heritage list with modification, if required. This list will be called Final Heritage List. For this, modification under section 37 or

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20 of the Maharashtra Regional and Town Planning Act, 1966 need not be necessary.

Thereafter, the Authority may amend the Final Heritage List from time to time as and when required, on the advice of the Heritage Committee. In such case it shall not be necessary to follow the procedure under Section 37 or section 20 of the Maharashtra Regional and Town Planning Act of 1966, but the procedure as laid down above in this regulation shall be followed.

The heritage lists which have been approved by the Government before coming into force these regulations, shall remain valid and shall be the part of these regulations.

14.5.3 Restriction on development, Redevelopment/repairs etc.

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

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

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

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

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

14.5.4 Incentive uses for Heritage Buildings.

After the commencement of this Regulation, the Heritage Precincts or the Listed Buildings shall not be permitted to be used for any commercial or office purpose except with the concurrence 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 in an ideal state of preservation with due repairs / restorations and if the owner / owners give a written undertaking to that effect, may be allowed by the Authority in consultation with Heritage Conservation Committee to convert part or the whole of the building to commercial / office use / any other different use that is beneficial to the preservation of the same 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 Authority shall withdraw the permission forthwith.

14.5.5 Grant of Transferable Development Rights to Owners/ Lessees of Heritage Buildings/Heritage Precincts.

If the owner is deprived of using permissible FSI on the said plot or development permission is

granted to him with conditions which deprive him of use of permissible FSI, then he shall be entitled for TDR as decided by the Authority in consultation with Heritage Conservation Committee. The utilization of this TDR shall be as per TDR Regulation.

14.5.6 Maintaining Skyline

Building included in heritage precinct shall maintain the skyline, roof profile, built form edges, and respect the architectural style (without any high-rise development) as may be existing in the surrounding area, so as not to diminish or destroy the value and beauty of the said heritage building/ heritage precinct. The development within the precinct shall be in accordance with the guidelines framed by the Authority on the advice of the Heritage Conservation Committee.

14.5.7 Restrictive Covenants

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

14.5.8 Grading of the Listed Buildings/Listed Precincts.

Grade-I	Grade-II	Grade-III
(A) Definitions		
Heritage Grade-I comprises Buildings and precincts of National or Historic importance, excellence in architectural style, design technology and material usage and/or aesthetics; associated with a great historic event, personality, movement or institution. They have been and are the prime landmarks of the city and of National importance.	Heritage Grade - II (A and B) comprises buildings and precincts of Regional importance, possessing special architectural or aesthetic merit, or cultural or historical significance though of a lower scale than Heritage Grade-I. They are local landmarks, which contribute to the image and identity of the region. They may be the work of master craftsmen or may be models of proportion and ornamentation or designed to suit a particular climate.	Heritage Grade - III comprises buildings and precincts of local importance for townscape, they evoke architectural, aesthetic, or sociological interest though not as in Heritage Grade - II. These contribute to determine the character of the locality and can be representative of life-style of a particular community or region and, may also be distinguished by setting on a street line or special character of the façade and uniformity of height width and scale.
(B) Objective		
Heritage Grade-I richly deserves careful preservation.	Heritage Grade-II deserves intelligent conservation.	Heritage Grade-III deserves intelligent conservation (though on a lesser scale than Grade-II and special protection to unique features and attributes.)
(C) Scope for Change		
No interventions be permitted either on exterior or interior	Grade-II (A)	External, internal changes and adaptive reuse would by and

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unless it is necessary in the interest of strengthening and prolonging the life of the buildings or precincts or any part of features thereof. For this purpose absolutely essential and minimum changes would be allowed and they must be in accordance with the original. Repairs shall be with the use of like to like material.	Internal changes and adaptive reuse and external changes may by and large be allowed but subject to strict scrutiny. Care would be taken to ensure the conservation of all special aspects for which it is included in Heritage Grade-II Grade-II (B) In addition to the above, extension of Additional building in the same plot or compound, in certain circumstances be allowed, provided that, the extension/additional building is in harmony with (and does not detract from) the existing heritage buildings or precincts especially in terms of height, and facade.	large be allowed. Changes can include extensions, and additional buildings in the same plot or compound. However any changes should be such that they do not detract from the existing heritage building/ precinct.
(D) Procedure		
Development permission for the changes would be given by the Authority on the advice of the Heritage Conservation Committee.	Development permission for the changes / additional construction would be given by the Authority on the advice of Heritage Conservation Committee.	Development permission for the changes / additional construction would be given by the Authority on the advice of the Heritage Conservation Committee.
(E) Vistas/ Surrounding Development		
All developments in areas surrounding Heritage Grade-I shall be regulated and controlled by ensuring that it does not mark the grandeur of or view from Heritage Grade-I		

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14.5.9 Signs and Outdoor Display Structures

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

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

Notwithstanding the provisions mentioned above no advertising sign or outdoor display structures shall be permitted on buildings of architectural, aesthetic, historic or heritage

importance as may be decided by the Authority, Committee or also on Government buildings, save that in the case of Government buildings only such advertising signs or outdoor display structures may be permitted that relate to the activities of the said buildings and related programs.

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

14.5.10 Composition of Heritage Conservation Committee.

There shall be Heritage Conservation Committee for the areas within the jurisdiction of Planning Authority and Regional Plan area. This Committee shall be constituted by the Government in consultation with the Authority. The committee shall comprise of the following members:-

i)	Chairman Appointed by the Government	Chairman
ii)	Joint Director of Town Planning of the Concerned Division (For the areas excluding Municipal Council and Regional Plan area) (Assistant Director of Town Planning of the District for Municipal Councils)	Member
iii)	Divisional/ District officer of Archaeological Survey of India	Member
iv)	Divisional/ District officer of Archaeological Survey of Maharashtra	Member
v)	Convenor, INTACH Local Chapter	Member
vi)	Heritage Conservation Architect having more than 10 years of experience and membership of the Council of Architecture	Member
vii)	Historian having experience of more than 10 years in the field of History.	Member
viii)	Structural Engineer having experience of more than 10 years and member of Institute of Engineers.	Member
ix)	City Engineer (Planning Authority)/ Chief Planner (Metropolitan Authority or SPA or NTDA) / Chief Officer (Municipal Council) / Assistant Director of Town Planning of the District. (Regional Plan area)	Member secretary

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The tenure of the Chairman and Members of categories (vi) to (viii) above shall change after every three years provided however that, the same person shall be eligible for re-appointment as Member.

The Heritage Conservation Committee shall come into existence with effect from the date of its publication in the official Gazette. However, Heritage Committees constituted by the Government before coming into force of these regulation, shall remain in operation till further period as may be specified.

No act of the Committee done in good faith, shall be deemed to be invalid by reason only of some defect subsequently discovered in the organization of the Committee or in the Constitution of the Committee or in the appointment of the Member or on the ground that such member was disqualified for being appointed.

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

14.5.11 The Terms of reference of the Committee :-

i) To advise whether development permission should be granted under this Regulation and the conditions of such permission.

ii) To prepare a list or supplementary list of buildings, artefacts, structures, areas/ precincts of historic, aesthetic, architectural, cultural significance and a supplementary list of natural features of environmental significance including sacred groves, hills, hillocks etc., water bodies (and the areas adjoining the same) to which this regulation would apply.

iii) To advise whether any relaxation, modification, alteration, or variance of any of the Development Control and Promotion Regulations is called for.

iv) To suggest amendments, changes or special regulations or modification to regulations for listed buildings and the heritage precincts regulated under these regulations

v) To advise on the extent of Development Rights 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.

viii) To advise on erection of outside advertisement/ bill boards.

ix) To recommend guidelines to be adopted by those private parties or any other agency, who sponsor beautification schemes at public intersections and elsewhere.

x) To advise on the cost of repairs to be given to the owners to bring the existing building back to the original condition. For this purpose, the Committee may suggest ways to raise funds through private sources.

xi) To advise on special designs and elements and guidelines for listed buildings and control of height and essential façade characteristics such as maintenance of the buildings and to suggest suitable design adopting new materials for replacements keeping the old form intact to the extent possible.

xii) To advise on preparation of guideline relating to design elements and conservation principles to be adhered to and to advise on other guideline for the purpose of this regulation.

xiii) To consider any other issue as may be required from time to time during course of scrutiny of development permissions and in overall interest of heritage/ environmental conservation.

In the absence of Heritage Conservation Committee, the Authority shall consult the Government before giving such permission.

14.5.12 Heritage Conservation Fund

i) Heritage buildings included in the said list shall be maintained by the owners of the said buildings themselves, with a view to give monetary help for such maintenance/repairs a separate fund may be created which would be kept at the disposal of the Authority, who

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will utilise these funds on the advice of the Heritage conservation Committee. The Authority may, in such cases disburse appropriate amount to the owner or may get maintenance/ repair work done through Planning Authority/ Collector.

ii) 2% of total development charges collected shall be transferred to the Heritage Conservation Fund.

iii) The fund may also be used to support the cost of listing of heritage sites and cost towards expert guidance and fees for architects, engineers and other expert.

iv) The Authority shall have right to remove any unauthorized construction in the property enlisted as heritage property and recover the expenses of such removal/ demolition work from the owner as per provisions of the Act.

v) The Authority shall have right to enter into any such heritage property to repair such property to avoid any damage or injury, and the amount shall be spent form Heritage Conservation Fund and shall be recovered from the owner as arrears of taxes due to the Authority.

vi) If Heritage structure listed in Grade I needs conservation, preservation and immediate repairs and if the structure is affected due to vandalism by occupier/ owner, then the Authority shall have right to acquire such heritage property and conserve its heritage value.

14.6 SLUM REHABILITATION SCHEME FOR PUNE, PCMC, PCNTDA AND NAGPUR.

The slum Rehabilitation Scheme Regulations for Pune, Pimpri-Chinchwad and Nagpur Municipal Corporation shall be applicable as sanctioned by the Government from time to time.

14.7 SLUM REHABILITATION SCHEME FOR OTHER MUNICIPAL CORPORATIONS.

Slum rehabilitation scheme for other Municipal Corporations, excluding covered in Regulation No. 14.6, shall be as below.

14.7.1 Eligibility for redevelopment scheme

i) A person eligible for redevelopment scheme shall mean a protected occupier as defined in Chapter IB of Maharashtra Slums Areas (Improvement, Clearance and Redevelopment) Act, 1971 as amended time to time, (hereinafter referred to as the Slum Act) and orders issued there under.

ii) Subject to the foregoing provisions, only the actual occupants of the hutment shall be held eligible, and the so-called structure-owner other than the actual occupant if any, even if his name is shown in the electoral roll for the structure, shall have no right whatsoever to the reconstructed tenement against that structure.

14.7.2 Definition of Slum, Pavement, and Structure of hut

i) Slums shall mean those censused, or declared and notified, in the past or hereinafter under the Slum Act. Slum shall also mean area/pavement stretches hereinafter notified or deemed to be and treated as Slum Rehabilitation Areas.

ii) If any area fulfils the condition laid down in section 4 of the Slum Act, to qualify as slum area and has been censused or declared and notified shall be deemed to be and treated as Slum Rehabilitation Areas.

iii) Slum Rehabilitation area shall also mean any area declared as such by the SRA though

preferably fulfilling conditions laid down in section 4 of the Slum Act, to qualify as slum area and/or required for implementation of any slum rehabilitation project. Any area where a project under Slum Rehabilitation Scheme (SRS) has been approved by CEO, SRA shall be a deemed slum rehabilitation area.

iv) Any area required or proposed for the purpose of construction of temporary or permanent transit camps and so approved by the SRA shall also be deemed to be and treated as Slum Rehabilitation Areas, and projects approved in such areas by the SRA shall be deemed to be Slum Rehabilitation Projects.

v) A pavement shall mean any Municipal/Govt. /Semi-Govt. pavement, and shall include any viable stretch of the pavement as may be considered viable for the purpose of SRS.

vi) A structure shall mean all the dwelling area of a protected occupier as defined in Chapter I-B of Slums Act, and orders issued thereunder.

vii) A composite building shall mean a building comprising both rehab and free-sale components and part thereof in the same building.

viii) Censused shall mean those slums located on lands belonging to Govt., any undertaking of Govt., or Corporation and incorporated in the records of the land-owning authority as having been censused in 1976, 1980, or 1985 or prior to 1st January, 1995, and 1st Jan 2000

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14.7.3 Joint ownership with spouse

The reconstructed tenement shall be of the ownership of the hutment dweller and spouse conjointly, and shall be so entered and be deemed to be so entered in the records of the co-operative housing society, including the share certificates or all other relevant documents.

14.7.4 De-notification as Slum Rehabilitation Area

SRA on being satisfied that it is necessary to do so, or when directed by the State Govt, shall de-notify the Slum Rehabilitation Area.

14.7.5 Applicability

The following provisions will apply for redevelopment/construction of accommodation for hutment/pavement-dwellers through owners/developers/co-operative housing societies of hutment/pavement-dwellers/public authorities such as MHADA, MIDC, MMRDA etc./Non-Governmental Organizations anywhere within the limits of Municipal Corporation. However, NGO should be registered under the Maharashtra Public Charitable Trusts Act, 1961 and the Societies Registration Act, 1960 at least for the last five years and should also be approved by SRA.

14.7.6 Right of the Hutment Dwellers

i) Hutment-dwellers, in the slum or on the pavement, eligible in accordance with the provisions of this Regulation shall in exchange of the protected dwelling structure, be given free of cost a residential tenement having a carpet area of 27.88 sq.m. including balcony, bath and water closet, but excluding common areas.

For this purpose, “carpet area” means the net usable floor area within a tenement excluding that covered by the walls or any other areas specifically exempted from floor space index computation as per prevailing Regulation.

ii) Even those protected dwelling structures having residential areas more than 27.88 sq.m. shall be eligible only for 27.88 sq.m. of carpet area where Carpet area means area of tenements as mentioned in (i) above.

iii) All eligible hutment dwellers taking part in the SRS shall have to be rehabilitated in accordance with the provisions of these Regulations. It may be in situ and in the same scheme as far as possible.

iv) Pavement dwellers and hutment dwellers in the slum on land required for vital public purpose or such location which are otherwise unsuitable for human habitation or non-suitable due to other statutory restriction shall not be rehabilitated in-situ but in other available location and in accordance with these Regulations. Competent Authority appointed by the State Government in Housing Department shall on the basis of verification of documents, as may be prescribed, shall decide on the eligibility of hutment dwellers.

v) The eligibility of a person including a transferee, under a scheme of Slum redevelopment shall be established in accordance with Chapter I B of Slum Act, and orders issued thereunder.

vi) An individual agreement shall be entered into by the owner/developer/co-operative housing society/NGO with the eligible hutment-dwellers in the slum/pavement.

vii) An individual agreement entered into between hutment-dweller and the owner/developer/co-operative society/ NGO shall be in the joint names of pramukh hutment dweller and spouse for every protected dwelling structure

viii) Hutments dwellers in category having a differently abled person or female headed households shall be given first preference in allotment of tenements. Thereafter lots shall be drawn for allotment of tenements from the remaining tenements to the other eligible hutment-dwellers before grant of occupation certificate to rehab Building.

ix) Transfer of Photo passes- Since, only the actual occupant at present will be eligible for redevelopment; there shall be no need to regularize the transfers of photo passes that have occurred so far. A photo pass will be given after the new tenement has been occupied.

x) Any person who owns a dwelling unit on ownership basis in Municipal Corporation areas, shall not be held eligible under the scheme. Any person who can be held eligible under more than one SRS, shall be held eligible in only one scheme.

xi) Premium for ownership and terms of lease -That part of Government / Municipal Corporation /MHADA land on which the rehabilitation component of the SRS will be constructed, shall be leased to the Co-operative Housing Society of the slum-dwellers on 30 years lease period. Annual lease rent of Rs. 1001 for 4000 per sq.m. of land or part thereof shall be payable and lease shall be renewable for a further period of 30 years at a time. Simultaneously land under free sale component shall be leased directly to the Society/Association of the purchasers of the tenement under free sale component for 30 years with a provision for further renewal for a period of 30 years at a time. The lease rent for the free sale component shall be fixed by SRA.

Further, the Developer/Co-op. Housing Society shall pay premium at the rate of 25% of ASR of the year of issue of LOI, in respect of SRS proposed to be undertaken on lands owned by Government, Semi-Government undertakings and Local Bodies and premium

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shall go to land owing authority such as MHADA, Municipal Corporation, MMRDA, as the case may be. The premium instalment so recovered shall be remitted to concerned land owing authority within 30 days from the date of recovery.

In the case of Government land, the premium shall be deposited in Nivara Nidhi.

The amount of premium shall be recovered in instalment as may be prescribed by Govt. from time to time. Land owning authority such as Municipal Corporation, MMRDA, MHADA shall not recover land premium in any other form. Proposals for SRS on land owned by Central Government shall not be accepted unless NOC for the scheme is obtained from Central Government.

xii) Automatic cancellation of Vacant Land Tenure and leases- If any land or part of any land on which slum is located is under vacant land tenure, the said tenure/lease created by Municipal Corporation or Authority shall stand automatically terminated as soon as letter of Intent is issued by SRA for a SRS, which is a public purpose, on such land is prepared and submitted for approval to the SRA. Any arrears of dues to be collected by Municipal Corporation shall not be linked to the issue of any certificate or NOC relating to the Slum Rehabilitation Scheme.

On sanction of SRS, rights of Imla malik, municipal tenants or any other tenancy shall stand terminated in respect of the sanctioned SRS.

xiii) Recovery of pending dues such as assessment, compensation, occupational charges, non-agricultural tax/dues etc. pending with public authorities such as State Govt, MHADA, and/or Municipal Corporation shall be dealt with separately and not be linked to grant of approval or building permission to the slum rehabilitation projects.

xiv) A Slum Rehabilitation Project shall be considered preferably when submitted through a proposed or registered co-operative housing society of hutment dwellers on site. The said society shall include all the eligible hutment on site while submitting the S.R. Scheme and give an undertaking to that effect to SRA.

xv) Where 51% percent or more of the eligible hutment-dwellers in a slum and stretch of road or pavement contiguous to it at one place agree to join a rehabilitation scheme, it may be considered for approval, subject to submission of irrecoverable written agreements of eligible hutment-dwellers before LOI. Provided that nothing contained herein shall apply to Slum Rehabilitation Projects undertaken by the State Government or Public authority or as the case may be a Govt. Company as defined in Sec. 617 of the Companies Act 1956 and being owned & controlled by the State Government

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

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

b) The details of the tenement that would be given to them by way of allotment by drawing lots for them on the same basis as for those who have joined the Project, will be communicated to them in writing by the Managing Committee of the Co-operative Housing Society if it is registered, or the developer. In case of dispute, decision of the CEO, SRA shall be final and binding on all the parties concerned.

c) The transit tenement that would be allotted to them or rent payable would also be

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indicated along with those who have joined the Project.

d) If they do not join the scheme within 15 days after the approval has been given to the Slum Rehabilitation Project on that site, then action under the relevant provision including Sections 33, 33(A) and 38 of the Slum Act, as amended from time to time, shall be taken and their hutments will be removed, and it shall be ensured that no obstruction is caused to the scheme of the majority of persons who have joined the scheme willingly.

e) After this action under the foregoing clause is initiated, they will not be eligible for transit tenement along with the others, and they will not be eligible for the reconstructed tenement by lots, but they will still be entitled only to what is available after others have chosen which may be on the same or some other site.

f) If they do not join till the building permission to the Project is given, they will completely lose the right to any built-up tenement, and their tenement shall be taken over by the SRA, and used for the purpose of accommodating pavement-dwellers and other slum dwellers who cannot be accommodated in-situ etc.

xvii) The Managing Committee of the proposed as well as registered Co-operative housing society of hutment dwellers shall have women to the extent of one-third of the total strength of actual members on the committee at any time.

xviii) Restriction on Transfer of Tenements; the tenement obtained under this scheme cannot be sold/leased/assigned or transferred (except to legal heir) in any manner for a period of ten years from the date of allotment/possession of the tenement. In case of breach of conditions, except transfer to legal heir, the tenement will be taken over by SRA.

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14.7.7 Building Permission for Slum Rehabilitation Project

i) The proposal for each Slum Rehabilitation Project shall be submitted to the SRA with all the necessary documents, no-objection certificates, and the plans as may be decided by the SRA from time to time.

ii) Approval to the Project shall be given by the SRA within a period of 60 days from the date of submission of all relevant documents. In the event of failure by SRA to do so, the said approval shall be deemed to have been given, provided the Project is in accordance with the provisions of these Regulations.

iii) The SRA while giving the approval may lay down terms and conditions as may be necessary.

iv) The SRA shall adopt the procedure laid down in the MR & TP Act, 1966 for giving building permission to any Slum Rehabilitation Project under this Scheme.

v) On compliance with the terms and conditions, the building permission shall be given, in accordance with the provisions under section 45 of the MR & TP Act, 1966 to the Project under the SRS, first to the Rehabilitation component and thereafter to the free-sale component subject to the provisions in clause below.

vi) Correlation between Rehabilitation and free-sale components: Building permission, for 10 percent of BUA of both the rehab and free-sale components may be given simultaneously and thereafter proportionately or as may be decided by the CEO, SRA.

vii) Where the Project is being implemented directly by an NGO approved by SRA, CEO (SRA) may sanction 20 percent of the free-sale component without waiting for any expenditure on the rehabilitation component. The approval for remaining part of free-sale component will be given only after at least 30 percent of rehabilitation component is

completed on site.

viii) As soon as the approval is given to the Project, the NOC for building permission of the landowning authority shall be given in respect of that slum located on lands belonging to any department, undertaking, agency of the State Govt. including MHADA, or any local self-Government such as the Municipal Corporation within 60 days after the intimation of such approval to the Project is communicated. In the event of its refusal to grant NOC, reasons thereof shall be stated and in the event of its not being given within the period, it shall be deemed to have been given'.

ix) Occupation certificate shall not be held up only for want of lease documents to be executed, in all slum rehabilitation projects taken up on lands belonging to any department, undertaking, agency of the State Govt., including MHADA, and any local self-Government such as the Municipal Corporation.

14.7.8 Rehabilitation and Free-Sale Component

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

ii) Built up area (BUA) for rehabilitation component shall mean total construction area of rehabilitation component, excluding what is set down in Regulation 14.7.9 (vi) of these Regulations, but including areas under staircases, passages, anganwadi, health center / outpost, community hall /gymnasium / fitness center, skill development center, women entrepreneurship center, yuva kendra/ library, Balwadi/s society office, religious structures as permitted under Government Home Department Resolution dt.05/05/2011 and 18/11/2015, other social infrastructure like School, Dispensary, Gymnasium run by Public Authority or Charitable Trust, 5 percent incentive commercial areas for the Co-operative society, and the further 5 percent incentive commercial area for the NGO, Govt./Public Authority/Govt. Company wherever eligible.

iii) The incentive FSI/BUA shall depend on size of the scheme and rate of developed land and rate of construction as per ASR of year in which LOI is sanctioned.

Basic Ratio (LR/RC*)	**Incentive as per scheme**				
	Upto 0.40 ha	More than 0.40 ha upto 1 ha	More than 1 ha upto 5 ha	More than 5 ha upto 10 ha	For more than 10 ha
Above 2.00	1.20	1.35	1.50	1.65	1.80
Above 1.50 and upto 2.00	1.35	1.50	1.65	1.80	1.95
Above 1.00 and upto 1.50	1.50	1.65	1.80	1.95	2.10
Above 0.50 and upto 1.00	1.65	1.80	1.95	2.10	2.25
Upto 0.50	1.80	1.95	2.10	2.25	2.40

- RC is the rate of construction in respect of RCC Construction and LR is the Land Rate of open Land. FSI to be sanctioned on a Slum Rehabilitation scheme site may exceed 3.00

iv) FSI that can be sanctioned on any slum site shall be 3.00 or sum of rehabilitation FSI plus incentive FSI whichever is more with Minimum Tenement Density of 500 per Net Hectare. CEO, SRA may insist for tenements for project affected persons or other purposes. In such cases, minimum tenement density may exceed 650 tenements per net hectare. The computation of FSI shall be done for both rehab and free-sale components in the normal manner, that is giving the benefit of what is set down in Regulation No. 14.7.9 (vi). While the areas referred in sub Regulations No.14.7.11 (vi) and 14.7.13 (ii) of this Regulation shall not be included for computation of FSI, and the said areas shall be included for computation of the rehab component. In all cases where permissible in-situ FSI cannot be utilised in situ the difference between permissible FSI and that can be constructed in-situ, will be made available in the form of TDR in accordance with the provisions of Regulation 11.2.

v) Notwithstanding the provisions in (iv) above, the slum dweller society/NGO/Developer undertaking the scheme may opt to claim TDR in lieu of sale component available for the scheme, on account of constraints such as height restrictions, uneconomical site conditions, etc.; if the full permissible FSI cannot be used on the same site, TDR may be allowed as may be necessary without consuming permissible FSI on the same site. However, TDR may be allowed only when the frame work for one complete building in rehab component is constructed or when 10% of the rehab component has been constructed on site and the said TDR will not exceed 50 percent of the construction of rehab component at any point of time till the total rehab component has been completed. On completion of the total rehab component balance TDR will be allowed.

vi) The rehabilitation component shall mean all residential tenements as well as non-residential built-up premises given free of cost in accordance with the provisions of the SRS outlined in this Regulation excluding what is set down in Regulation 14.7.9 (vi) and including anganwadi, health centre / outpost, community hall /gymnasium / fitness centre, skill development centre, women entrepreneurship centre, yuva kendra /library existing eligible religious structure, school, dispensary, gymnasium run by Public Authority or charitable trust etc. as per provision of 14.7.13 (i) &(ii) but excluding built-up area given for buildable DP reservations.

vii) Notwithstanding anything contained in this regulation, if rehabilitation project of a slum located on land belonging to public authority and needed for a vital public purpose and where eligible slum dwellers which cannot be accommodated in the in-situ SRS of land under non-buildable reservations, is taken up on an unencumbered plot, TDR as per Regulation No.11.2 for the area of the land spared for this purpose shall be sanctioned to the owner of the said unencumbered plot and the TDR in lieu of cost of construction of BUA as per Regulation No. 11.2 shall be permissible**.** For the purpose of this regulation BUA shall be as per Regulation No. 14.7.8 (ii) of this Regulation**.** Following conditions shall be applicable for such scheme.

a) The Rehabilitation Project is approved by the SRA.

b) The tenements so constructed in execution of the Project are offered to slum dwellers located on land belonging to Govt. or Public Authority and needed for vital public purpose and within 270 days from the date of issue of LOI the Agency shall identify the slum dwellers.

c) If the Agency fails to identify the slum dwellers needed to be shifted for a vital public purpose, as above, then the tenements so constructed shall be offered;

i) To the slum dwellers located on land belonging to Government or Public Authority within a distance of 2 km. from the land on which the Project is undertaken, or

ii) To the slum dwellers located anywhere in the Corporation limit on lands belonging to Govt. or Public Authority,

d) Further provided that in all above cases the relocation of. slum dwellers in any case will be undertaken not with reference to individuals but reference to assembly of slum dwellers for the purpose of releasing the plot of land wholly from slums and not only the patches of land.

Provided further that, these provisions are also applicable to lands belonging to or leased out to or leased out by a Public Authority, a Statutory Authority, a Public Sector undertaking or any Department of Government of India and a Joint Venture with any of them, subject to payment of premium for infrastructure development as applicable under Regulation No. 14.7.14 (ii) of this Regulation.

e) No sale component shall be permissible.

f) In case of slums on municipal lands, there will be as option to exercise the powers of CEO, SRA by the Municipal Commissioner with the prior approval of the Government.

viii) All non-residential built-up areas shall be included in the computation of minimum density but on the scale of 20.90 sq. m of carpet area being one tenement.

Provided further that in case of slum redevelopment where there are no eligible commercial slum dwellers and where it is possible to provide commercial tenements on ground floor, then in such cases commercial PAP tenements of size of carpet area 20.90 sq.m (225 sq.ft.) or of required size shall be provided as decided by CEO(SRA) and same shall be handed over free of cost to SRA.'

Provided if SRS is undertaken by a Federation, Co-Op. Housing society consisting of members who are serving or retired State Govt. Employees/Employees of the State Govt. Undertakings/Employees of local bodies of State Government for providing housing to its members, such tenements which are generated over and above the tenements to be provided to the existing eligible hutment dwellers, shall be handed over back to the said Federation/Co.-operative Housing Society for providing housing to its above mentioned members and subject to further additional terms and conditions as would be imposed by the CEO, SRA to ensure adequate membership of class III and class IV employees.

ix) Any land declared as slum rehabilitation area or on which slum rehabilitation project has been sanctioned, if it is spread on part or parts of C.S. Nos. or CTS Nos. or S.Nos. or F.P. Nos. shall be treated as natural amalgamation/subdivision/s of that C.S. or CTS or S. No. or F.P. No. for which no separate approval for amalgamation/subdivision of land would be necessary.

x) Boundaries and the Slum Rehabilitation Area shall be declared by the competent authority after actual measurement of plot area on site and the same shall be adopted for planning purpose for calculation of density and floor space index.

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xi) The CEO, SRA may if required, adjust the boundary of the plot declared as slum rehabilitation area so as to suit the building design and provide proper access to these Scheme. Provided further that the encumbered area under D P Road/Sanctioned Regular line road abutting the SRS shall be included in the scheme to be developed.

xii) After approval is given to the Slum Rehabilitation scheme, the area may be further subdivided if necessary to earmark separate plots for the rehab component and the free sale component. The Plot area and the built-up area in terms of square meters on the said plot shall be separately mentioned in the lease agreements and Record of Rights.

xiii)The CTSO/SLR, of the district on payment of such fees as may be decided by the Govt. ensure that the City Survey sheet and property cards are corrected accordingly and fresh property cards are opened for each of the plots giving details regarding the area of the plots and the total area of the floors of the built-up property and TDR given that is, the FSI used on that plot.

14.7.9 Temporary Transit Camps

i) The multi-storeyed temporary transit camp shall be provided on the site itself or outside the SRA project site on portion of plot which is not designated/reserved for public purpose or not affected by road widening and is preferably close to the site.

ii) The eligible slum dwellers shall be shifted to temporary transit camp or on rent as may be mutually decided between the proposed society and developer.

ii) The area of temporary transit tenements shall be excluded from the computation of FSI, but the safety of the structure shall be ensured by a license structural consultants. The minimum area of individual transit tenement shall be14.5 sq.m.

iv) Such building permission shall be given within 15 days from the date of application and after approval to the project by Slum Rehabilitation Authority, failing which it shall be deemed to be given.

v) On any nearby vacant site without any reservation in the DP construction of temporary transit tenements made of light material with the consent of the landowners, shall be allowed upto an FSI of 3.0 and this shall be applicable. Temporary shall mean made of detachable material such as tubular/prefabricated light structures.

vi) In all such cases where the temporary transit camp is erected, the condition shall be that the structures shall be demolished by the Developer/Society/NGO within 30 days of granting Occupation Certificate to the rehab buildings and the site should be brought back to the original state. Till the transit camps are fully demolished, development rights for the free sale area shall not be permitted to be used beyond 75% of the total admissible free sale area permissible under this Regulation.

14.7.10 Commercial / Office / Shop / Economic Activity Free of Cost

i) The eligible existing area under commercial/office/economic activity shall be computed on actual measurement/inspection, and/or on the basis of official documents such as License under the Shops and Establishment Act, Electricity bills, Photo pass etc.

ii) In the rehabilitation component, the BUA for commercial/office/shop/economic activity that existed prior to the date as decided by the Government subject to the provisions in the sub-regulation below shall be given. Where a person has both residential and

commercial premises without common wall between residential and commercial premises, for commercial/office/shop/economic activity in the slum/ pavement, he shall be considered eligible for a residential/Commercial unit including BUA for commercial/office/shop/economic activity, both free of cost and carpet area of such unit shall not exceed 27.88 sq.m.

iii) BUA for commercial/office/shop/economic activity upto 20.90 sq.m. (225 sq.ft.) carpet area or actual area whichever is less, shall be provided to the eligible person free of cost as part of the rehabilitation project. Any area in excess of 20.90 sq.m. to the extent of existing area may, if required, be sold on preferential basis at the rate for commercial area in the free-sale component.

For this purpose, "carpet area" as per (i) and (ii) above means the net usable floor area within a tenement excluding that covered by the walls or any other areas specifically exempted from floor space index computation as per prevailing Regulation.

iv) Such area may be allowed on any side of the plot abutting 3.0 m. wide pathway and deriving access from 3.0 m. wide pathway/open space. Back-to-back shopping on ground floor shall also be allowed for the purpose of rehabilitation. After exhausting these provisions, it may be allowed on the first floor to the extent necessary.

v) All activities which were previously existing shall be allowed to be relocated regardless of the non-conforming nature of the activities, except those which are hazardous and highly polluting, and except in cases where the alternative accommodation has already been allotted elsewhere by the Municipal Corporation.

vi) Convenience shopping in the free-sale component shall be permitted along the layout roads. The CEO, SRA may add to alter or amend the said list for convenience shopping.

vii) Incentive Commercial Areas for Society and NGO

a) The scheme, when undertaken by a Co-operative Housing Society of slum dwellers, may provide an additional 5 per cent built-up area on the rehabilitation area free of cost for commercial purpose. This area will be at the disposal of the Co-operative Housing Society of the hutment-dwellers. The corpus amount shall not be spent, but the income from the property/corpus alone shall be used by the Society for maintenance of the building and premises, and such other purposes as may be laid down by the SRA.

b) Where the scheme is undertaken by a Non-Government Organization Govt. or Public Authority or Govt. Company another additional 5 per cent BUA on the rehabilitation area may be given free of cost for commercial purpose. This area shall be at the disposal of the Non-Governmental Organization Govt. or Public Authority or Govt. Company in consultation with the cooperative housing society.

14.7.11 Relaxation in Building and Other Requirements

i) Separate kitchen shall not be necessary. Cooking space (alcove) shall be allowed without any minimum size restrictions. Where a kitchen is provided, the minimum area shall be 5 sq.m. provided the width shall be at least 1.5 m.

ii) There shall be no size restriction for bath or water closet unit. Moreover, for bathroom, water closet or kitchen, there shall be no stipulation of one wall abutting open space, etc. as long as artificial light & ventilation through any means are provided.

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iii) In water closet flushing system shall be provided with minimum seat size of 0.46 m. (18 inches).

iv) A septic tank filter bed shall be permitted with a capacity of 150 litters per capita, where the municipal services are likely to be available within 4-5 years.

v) In the rehabilitation component, lift shall not be insisted upon, upto ground plus five floors.

vi) Notwithstanding anything contained in this regulation areas of common passages not exceeding 2.0 m. in width provided in rehabilitation component to give access shall not be counted towards FSI even while computing FSI on site.

vii) Where the location of the plot abuts a nallah, the marginal open space along the nallah shall not be insisted upon beyond 3m. from the edge of the trained nallah provided at least on one side of nallah, marginal open space of 6 m. is provided.

viii) The distance between any two rehab/composite buildings shall be as follows,

a) For building with height up to 40 m. – Min 6m.

b) For building with height above 40 m upto 50 m. – Min. 7.50 m.

c) For building with height above 50 m upto 70 m. – Min. 9.00 m.

d) For building with height above 70 m. – Min. 12.00 m.

ix) A composite building shall contain at least 50 percent of the built-up area as rehabilitation components.

x) Wherever more than the minimum front and marginal spaces have been provided, such additional area provided may be considered as part of the amenity open space in the project comprising both rehabilitation and free sale components, and without charging any premium.

xi) Even if the amenity space is reduced to make the project viable a minimum of at least 8% of amenity open space shall be maintained at ground level.

xii) Between the dimensions prescribed for the pathway and marginal distances, the larger of the two shall prevail. The pathway shall act as access wherever necessary. The building shall be permitted to touch pathways.

xiii) The means of access shall be normally governed by the provisions of Regulation No.3.2. However, in the project, wherever the design of the buildings in the same land requires relaxation, it may be given. Access through existing pathways including the roads maintained under relevant section of the MMC Act, 1949 but not less than 3.6 m. in width, shall be considered adequate for any slum rehabilitation project, containing buildings having height up to 24 m. including stilts.

xiv) Premium shall not be charged for exclusion of staircase and lift-well etc.

xv) All relaxations outlined hereinabove shall be given to the rehabilitation component, and also to the composite buildings in the project. Premium shall not be charged for all or any of the relaxations given hereinabove. Provided that if any further relaxation in open spaces is granted by Chief Executive Officer then the same shall be subject to compliance of CFO requirement and recovery of premium at the rate 2.5% of ASR. . In case of Slum Rehabilitation Schemes under this regulation, the amount of premium shall be computed as per the ASR rate prevailing at the time of issue of IOA and the same shall be

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recovered at the time of grant of full occupation permission to the respective building. All other redevelopment schemes shall be governed by their respective regulations.

xvi) Relaxations for the free sale component–Relaxation contained in sub Regulation No. (viii) above, as well as other necessary relaxation shall be given to the free sale components on payment of premium at the rate of 2.5% of Ready Reckoner Rate or 10% of normal premium whichever is more.

xvii) In order to make the SRS viable, the CEO of SRA shall be competent to make any relaxation wherever necessary for reasons to be recorded in writing.

xviii) For rehabilitation tenements, car parking at the rate mentioned in these Regulation shall be provided or one parking spaces per tenement for two-wheeler shall be provided. The above parking spaces may be provided in any combination.

14.7.12 Slums and Development Plan Reservations*:*

Slums situated in lands falling under various reservations/zones in the DP shall be developed in accordance with the following provisions.

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

a) Any plot/layout having area under non-buildable/open space reservations admeasuring up to 500 sq.m. shall be cleared by shifting the slum-dwellers from that site.

b) Where the area of site having non-buildable/open space reservation, is more than 500 sq.m. such sites may be allowed to be developed for slum redevelopment subject to condition that the ground area of the land so used shall not be more than 65% of the reservation and leaving 35% rendered clear thereafter for the reservation.

ii) Existing slum structures on lands reserved for Municipal School/ Primary and secondary school or a Higher Education may be developed subject to the following:-

a) In case of land reserved for Municipal School, Primary and secondary school in the DP, a building for accommodating such number of students as may be decided by the Municipal Commissioner, nor in any case for less than 500 students, shall be constructed by the owner or developer at his cost according to the size, design, specification and conditions prescribed by the Municipal Commissioner. The built-up area occupied by the constructed building shall be excluded for the purpose of FSI computation, and where it is intended for a Municipal School, the building or part thereof intended for the school use shall be handed over free of cost and charge to the Corporation. Thereafter, the land may be allowed to be redeveloped with the full permissible FSI of the plot according to this Regulation

b)In the case of lands affected by the designation or reservation of a Higher Education in the DP, a building for accommodating such number of students as may be decided by the Municipal Commissioner, not in any case for less than 800 students, shall be constructed by the owner or developer at his cost according to the size , design, specification and conditions prescribed by the Municipal Commissioner, the built-up area occupied by the constructed building shall be

excluded for the purpose of FSI computation. The constructed building shall be handed over to the Corporation free of cost and charge and the Authority may hand over the same or part thereof intended for the School use to a recognized and registered educational institution for operation and maintenance on terms decided by him. Thereafter the land may be allowed to be redeveloped with full permissible FSI of the plot according to this Regulation.

c) In case area under reservation of Municipal School/ Primary and secondary school or a Higher Education is spread on adjoining plot and the plot under development, then in such cases Commissioner with special permission may insist upon construction of Municipal School or a Higher Education in proportion to the area under reservation affecting the plot under development. Requirements of Play Ground as per these regulations may not be insisted for (i) above.

iii) For other buildable reservations excluding Municipal School or a Higher Education on lands under slum built-up area equal to 25 percent of the area under that reservation in that plot, shall be demanded free of cost by the Slum Rehabilitation Authority for the Municipal Corporation or for any other appropriate Authority.

iv) In case of the plot reserved for the Parking Lot 125% built up area as per zonal basic permissible FSI of such reserved area shall be handed over to the Municipal Corporation.

The developer/owner shall be entitled for the Built up Area (BUA) in lieu of cost of construction against handing over of built up amenity.

v) Existing slum structures on lands reserved for Rehabilitation & Resettlement shall be treated as sites for development of slum structures and shall be allowed for redevelopment according to this Regulation.

vi) **Slum Rehabilitation Permissible on Town Planning Scheme Plots :-**

Slum Rehabilitation scheme can be taken up on the final plots of the Town Planning Scheme, as per these regulations and further as per conditions given below.

a) Such slum should be notified slum.

b) If the owner of a final plot in the Town Planning Scheme has already accepted or accepts the possession of the plot along with encroachments and has developed / develops the remaining vacant plot with full permissible FSI of the entire Final Plot retaining encroachments on his plot, then the slum rehabilitation scheme on encroached plot shall be developed as follows :-

i) The Slum Rehabilitation Scheme shall be entitled for FSI as per these regulations.

ii) The owner of Final plot can develop the slum rehabilitation scheme subject to condition that in-situ FSI of the scheme shall be reduced to the extent of the FSI of such encroached plot already utilized in the remaining vacant plot.

iii) The owner shall demarcate the area in his plot which is occupied by the slum encroachments and transfer such land in the name of the Authority. The Authority on its own or through the Co-Op Housing of Hutment dwellers may initiate Slum Rehabilitation Scheme on the encroached area of Final Plot. Further, the Authority shall record the number of tenements, names of occupiers, area occupied of the time of granting permission.

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14.7.13 Anganwadi, Health Centre / Outpost, Community Hall /Gymnasium / Fitness Centre, Skill Development Centre, Women Entrepreneurship Centre, Yuva Kendra / Library Society Office, and Religious Structures:

i) There shall be Balwadi, Welfare hall and any of two amenities mentioned above. There shall be health Centre/ outpost, Anganwadi, skill development centre, women entrepreneurship centre, yuva kendra / library of size 27.88sq.m. for every multiple or part of 250 hutment dwellers. In case of misuse, it shall be taken over by the SRA which will be competent to allot the same to some other organization /institution for public use. Balwadi shall also be provided for on a similar scale. An office for the Co-operative housing society shall be also constructed for every 100 rehab tenements in accordance with these Regulations. However, if the number of rehab tenements exceeds 100 then for every 100 rehab tenements such additional society office shall be constructed. There shall be a community hall for rehab bldg. of the Project as a part of the rehabilitation component. The area of such hall shall be 2% of rehab built up area of all the buildings or 200 sq.m. whichever is less.

Religious structures existing prior to redevelopment, if allowed in accordance with the guidelines issued by Government from time to time as part of redevelopment shall not exceed the area that existed prior to redevelopment. Other social infrastructure like School, Dispensary and Gymnasium run by Public Authority or Charitable Trust that existed prior to the redevelopment shall be allowed without increase in existing area.

However, it is provided that in the slum rehabilitation project of less than 250 hutments, there shall be Balwadi, Welfare hall and any of two amenities mentioned above, as decided by co-operative housing society of slum dwellers, of size of 27.88 sq.m. and office for the Co-operative housing society in accordance with these Regulations. CEO, SRA may permit accumulation of the amenities mentioned above but ensure that it shall serve equitably to the rehab area.

ii) All the areas underlying Anganwadi, health centre / outpost, community hall /gymnasium / fitness centre, skill development centre, women entrepreneurship centre, yuva kendra / library community hall/s, society office, balwadi/s, religious structure/s, social infrastructure like School, Dispensary, Gymnasium run by Public Authority or Charitable Trust, the commercial areas given by way of incentives to the co-operative society and the non-government organisation shall be free of cost and shall form part of rehabilitation component and it is on this basis the free-sale component will be computed.

iii) Anganwadi, health centre/ outpost, community hall /gymnasium / fitness centre, skill development centre, women entrepreneurship centre, yuva kendra / library society office, Balwadi/s and religious structures, social infrastructure like School, Dispensary and Gymnasium run by Public Authority or Charitable Trust in the rehab component shall not be counted towards the FSI even while computing permissible FSI on site.

14.7.14 Payments to be made to SRA and Instalments*:*

i) An amount of Rs.40,000/- or such an amount as may be decided by the Planning Authority from time to time per tenement including the welfare hall and balwadi in the rehab component as well as in the case of permanent transit camp tenements will have to be deposited by the owner/developer/society with the Slum Rehabilitation Authority, in

accordance with the time-schedule for such payment as may be laid down by the CEO, SRA. However, by the time of completion of construction for occupation of tenements by the hutment dwellers, the total amount at the rate of Rs.40,000/- per tenement completed should have been deposited in full. The building permission for the last 25 percent of the free-sale component would be given only after all the required amount is deposited in full with SRA.

ii) An amount at the rate of 2% of ready reckoner rate as prevailing on the date of issue of LOI per sq.m. such an amount as may be decided by GOM from time to time shall be paid by the Owner/Developer/Society/NGO for the BUA over and above the Zonal (basic) FSI, for the rehabilitation and free-sale components. This amount shall be paid to the SRA in accordance with the time-schedule for such payment as may be laid down by the CEO, SRA provided the instalments shall not exceed beyond the completion of construction. This amount shall be used for Schemes to be prepared for the improvement of infrastructure in slum or slum rehabilitation areas. These infrastructural charges shall be in addition to development charges levied as per section 124 of MR&TP Act 1966.

Provided that out of amount so recovered as Infrastructural charges, 90% amount will go to Municipal Corporation and 10% amount will remain with SRA

14.7.15 Conversion of Old Project into New Project:

i) Projects, where LOI has been granted, shall be treated as per the provisions existing on the date of LOI. In case such a project comes up for revised LOI or change of developer or any other change, including recording and resubmission without change in slum boundary, these regulations shall apply. Provided further that for amalgamation of schemes being sought and for schemes that have been sanctioned under different regulations (earlier as well as current one), FSI calculations shall apply as per these regulations.

ii) **Exceptions**

a) Schemes approved prior to coming into force of these Regulations:-

The slum rehab schemes where LOI has been issued by SRA prior to the date of coming into force of these Regulations and which is valid may continue to be governed by the regulation applicable prior to these Regulations.

b) Wherever the S.R. Scheme sanctioned by CEO (SRA) is under progress on reservations shall be valid & continue.

iii) In case of conversion of old SRD Scheme to new S.R.Scheme on land owned by Govt. Semi Govt. undertaking and local bodies, the developer shall pay the premium at the rate of Twenty Five percent of land value as per the ASR in proportionate to difference of FSI sanctioned in old SRD Scheme and new S.R.Scheme. Payment of premium shall not be applicable to those schemes wherein lease already executed by concerned authorities.

14.7.16 Provision relating to Permanent Transit Camp Tenements for Slum Rehabilitation Scheme implemented on open plot / non-slum plot.

Total FSI on plot area may be allowed to be exceeded upto 4 for construction of Transit Camp tenements for SRA.

i) The FSI and distribution of additional FSI for the construction of Transit Camp

Tenements shall be as shown below –

Minimum Road Width	Total Permissible FSI	Zonal FSI	Additional FSI	RSI for transit tenements for SRA of total additional FSI	% FSI for sale component of total add FSI
Below 9.00 m.	upto 3.00	1.00	upto 2.00	50%	50%
9.00 m. and above	upto 4.00	1.00	upto 3.00	50%	50%

ii) Such schemes shall not be permissible on lands reserved in the Development Plan and Zone in which Residential development is not permissible.

iii) Transit tenements for SRA out of additional FSI could be used for construction of Transit Camp of tenements having carpet area of 27.88 sq.m. Ground floor shall be used for commercial tenement having carpet area of 20.90 sq.m. (225sq.ft.) for project affected commercial tenements and same shall be handed over free of cost to SRA. Alternatively, residential tenements can be used for Government Staff Quarters etc.

iv) Provision of Anganwadi, Health Centre / Outpost, Community Hall / Gymnasium / Fitness Centre, Skill Development Centre, Women Entrepreneurship Centre, Yuva Kendra / Library, Society Office, Balwadi, shall be as per Regulation No. 6.14.4 of this DCR to these transit camps 25% of basic FSI shall be exclusively used for the purpose of shops along layout road for use of residential occupants of layout.

v) Additional FSI over and above basic FSI may be released in co-relation to the BUA of the tenements that are required to be handed over free of cost to SRA / Authority as the case may be. Alternatively, TDR in lieu of unconsumed sale component of additional FSI, as per this Regulation, may be permitted for Permanent Transit Camp (PTC) for which SRA will be the Planning Authority.

vi) Only after the Transit Camps are handed over free of cost to the SRA, the Occupation Certificate, water connection, power connection etc. for the other portion shall be given by the Appropriate Authority.

vii) Clubbing - The entire rehabilitation components including base FSI may be categorised as rental housing and permanent transit component as applicable and the corresponding sale components from the additional FSI amongst two or more schemes under this regulation can be permitted to be interchanged. A developer / developers making an application under this regulation may club more than one plot belonging to single or multiple owners and offer permanent transit component on a single plot while shifting sale component as well as base FSI of the plot to other plot agree and make a joint application. However, clubbing shall be allowed only if it leads to an independent plot / building / wing as the case may be with permanent transit component being handed over to Authority.

The developer shall have to pay premium equal to 40% of unearned income calculated with the rates of construction as well as sale given in ASR of the year of payment. The unearned income shall be computed by calculating valuation of sale component awarded in lieu of component for Authority after deducting cost of construction of sale as well as Authority's component and the cost incurred to various authorities towards statutory

payments relating to Authority as well as sale component. In case there is shifting of base FSI within plots in clubbing scheme, difference of land valued in ASR shall be taken into account while finalising unearned income, and this difference shall be calculated as 100% towards premium.

Such clubbing can be allowed for the schemes falling within the distance of 5Km.

The premium shall be paid to the Authority in two stages 50% at the time IOA and 50% at the time of issuing C.C. for the incentive FSI, or the developer has to surrender equivalent sale FSI in form of constructed BUA to the extent of premium in the scheme to be valued at ASR rate of sale in the year of such surrender of built-up area.

Note - Out of the total premium amount so collected under rehabilitation scheme under this these Regulations, 2/3 shall be kept in a separate account to be utilized as shelter fund for the State of Maharashtra and 1/3 shall be deposited at the District Office of the Town Planning Department.

14.8 URBAN RENEWAL SCHEME

Urban Renewal Scheme (URS) shall be applicable for all Corporation as given below.

14.8.1 Urban Renewal Scheme (URS) for Municipal Corporation Area.

i) "Urban Renewal Scheme" (URS) means any scheme for redevelopment of a cluster or clusters of buildings and structures in Municipal Corporation Area, over a minimum area of 10,000 sq.m., in non-congested area and 4000 sq.m. in congested area, bounded by existing distinguishing physical boundaries such as roads, nallahs, railway lines etc. accessible by an existing or proposed D P road which is at least 18 m. wide and identified for urban renewal:-

However, in specific cases, in which URS is not bounded by roads, nallahs and railway lines, then the boundary of the cluster can be decided/ finalised by Municipal Commissioner, in consultation with High Power Committee (H.P.C.)

In case of demonstrable hardship such as natural sub division by roads, nallahs, river, railway lines, the area of the cluster can be allowed up to an area of 8000 sq.m. in non-congested area which shall be allowed by Municipal Commissioner in consultation with H.P.C.

However no forest land shall be included in such URS.

ii) Such URs may be :-

a) Under the Development Plan (DP), where the DP contains such well-defined Clusters ; or

b) Under the Urban Renewal Plan (URP) for the concerned area, prepared and notified by the Commissioner, who may revise the same, as and when required ; or

c) By the Promoter of the Urban Renewal Scheme over a cluster or clusters of buildings, where such clusters are not shown on the DP and the URP is yet to be prepared. If such plans are submitted and approved, these shall mean to be URP within the meaning of this Regulation.

iii) Building Age Criteria for URC shall be as under :—

The Urban Renewal Cluster (URC) may consist of a mix of structures of different

characteristics such as –

a) Unauthorized buildings which are at least 30 years of age ;

b) Authorized dilapidated buildings, as determined by the Committee specified in Regulation of Redevelopment of Dilapidated Buildings;

c) Authorized buildings which are at least 30 years of age;

d) Buildings belonging to the Central Government, the State Government, Semi-Government Organizations and Municipal Corporations, as well as Institutional Buildings, Office Buildings, tenanted Municipal Buildings, Staff Quarter Buildings of Municipal Corporation , that are at least 30 years of age with prior consent of the respective Authority ;

e) Any land belonging to the State Government, any Semi-Government Organization, Municipal Corporation and MHADA (either vacant or built upon) which falls within the area of the proposed Urban Renewal Scheme including that which has been given on lease or granted on the tenure of Occupant Class II, provided that if built upon, these building shall be at least 30 years of age ;

f) Any other buildings which may be less than 30 years of age but which by reasons of dis-repair or because of structural / sanitary defects, are unfit for human habitation or by reasons of their bad or sub-optimal configuration or the narrowness of streets are dangerous or injurious to the health or safety of the inhabitants of the area, as certified by the Committee specified in Regulation of Redevelopment of Dilapidated Buildings;

g) Slum areas declared as slums under section 4 of the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971 or slums on Public lands prior to 1st January 1995 or such other reference date notified by the Government. However such slum area shall be maximum 25% of cluster area;

In case of Ulhasnagar Municipal Corporation, minimum area shall be 4000 sq.m. for non-congested and congested area.

h) The lands belonging to MIDC can be included in the URS after obtaining necessary clearance from Industries Department.

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

Explanation–2.—Whenever any authorized building, more than 30 years of age, is included in a URC, the same shall not be done without evaluation of its state of dis-repair by Municipal Corporation and if such building is found in a state of disrepair, only after giving the owner/occupier(s) thereof, a notice of three months to cause any repairs needed. At the end of three months, if such building is found to be habitable and safe, such building shall be treated at par with authorized buildings which are less than 30 years of age. If at the end of three month, such building is found and certified by the Committee specified in Regulation of Redevelopment of Dilapidated Buildings as dilapidated and unsafe for habitation, such building shall be included in the URC without the requirement of consents.

Explanation–3.—If some authorized buildings which are less than 30 years of age or buildings which are developed or in the process of development, under the different provisions of the DCR, are required to be included in the URC for the purpose of wholesome planning, they may be so included, provided the area under such buildings does not exceed 40% of the total area of URC. If any such building is included in the URC without the requisite consent of 70% of all title holders of such building, the Commissioner shall retain such building while designing/ sanctioning URS and area of such building shall be excluded from calculation of FSI under this Regulation.

However, the area under slum mentioned in Regulation No.14.8.1(iii)(G) and area under authorised structure mentioned above shall not be more than 50% in aggregate.

Explanation 4.—When any private land owner / developer submits such scheme will be given priority while implementation.

14.8.2 Eligibility for Urban Renewal Cluster (URC)–

i) For Buildings outside Slums -Every occupant of every building falling under a URC on the date of sanction of this Regulation (hereinafter referred to as the cut-off date), shall be eligible for rehabilitation and relocation under the Scheme, in accordance with the provisions of Regulation No. 14.8.4 and 14.8.5, subject to the ineligibility criteria mentioned herein below.

a) No new Tenancy, occupancy or any other right created after the cut-off date shall be taken into account in any illegal or unauthorized construction. No unauthorized construction made after the cut-off date in any existing building or in the form of new building shall be considered while doing computation of existing FSI or liability of rehabilitation on the URC.

b) Any occupant, who has been allotted any subsidized housing in the Mumbai Metropolitan Region by any public or semi-public authority in the past, shall not be eligible for subsidized rehabilitation under a URC as mentioned in Regulation No. 14.8.5. For this, a self-declaration in the form of Registered Affidavit shall be considered sufficient which, if ever found to be false, shall render the concerned allottee liable for eviction and prosecution as per law.

c) Subject to the forgoing provisions, only the actual occupants fulfilling the eligibility criteria mentioned under this Regulation shall be held eligible for rehabilitation, and any person, other than the actual occupant, claiming rights as owner/ promoter/ developer/lessee over any land/ building/ structure included in the URC, shall have no right whatsoever to rehabilitation under the URC in the reconstructed tenements against such land/building/structure. In case of an unoccupied building or a building occupied illegally, no one shall have right whatsoever to rehabilitation under the URC, against such building/structure.

ii) Slum Areas - Whenever a Slum area or part thereof is included in a URC, eligibility of the hutment dwellers of such slum area rehabilitation under the URC, shall be governed by corresponding provisions of Slum Rehabilitation Scheme. Eligibility of any hutment dweller of a Slum area included in the URC shall be certified by the Competent Authorities as notified under the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment Act, 1971). For slum dwellers not covered under Slum Rehabilitation

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Scheme, the eligibility for rehab area shall be the same as under Slum Rehabilitation Scheme.

14.8.3 Determination of eligibility and requirement of Rehabilitation and Relocation areas under URS

i) Municipal Commissioner shall initiate the process for determination of eligibility and requirement of alternative area of Rehabilitation and relocation of each occupant under any URS, along with determination of rights over lands falling under the Urban Renewal Cluster(s) and the consideration thereof.

ii) Municipal Commissioner shall designate officer(s), not below the rank of Assistant Municipal Commissioner, who shall be called Authorized Officer(s) and shall cause to be done the survey required for the purpose mentioned in Clause (i) above and declare and publish the list of buildings/ structures and their owners/lessees, occupants/ tenants etc., for inviting suggestions and objections along with relevant records, within one month of such publication for determination of entitled area and the consideration to be offered to the owners/ lessees and other right-holders as well as eligibility and admissible area for the occupants, in accordance with the provisions in this Regulation. Authorized Officer(s) shall, after due enquiry and hearing, finalize the said list(s) and cause the same to be published. Appeal against any decision leading to finalization of the said list shall lie with an officer not below the rank of Deputy Municipal Commissioner who is authorized in this regard by the Municipal Commissioner, in writing.

14.8.4 Entitlement of Rehabilitation

i) All the eligible occupants of the building(s)/slums undergoing redevelopment under a URC shall be rehabilitated in the redeveloped building(s) :

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

ii) Each eligible residential occupant, other than occupants of Slums included in URC, shall be rehabilitated on a carpet area equivalent to the area occupied by such occupant in the old building. However in case of residential occupants, such carpet area shall not be less than 30sq.m. and in case of commercial, such carpet area shall be as per actual area in possession.

And further the residential occupants belonging to authorised buildings shall be entitled additional 25% of the eligible area.

iii) Any occupant of a slum structure included in URC, either residential or commercial, whether eligible under Slum Rehabilitation Scheme or not but eligible under this Regulation, shall be entitled for a carpet area as prescribed in Slum Rehabilitation Scheme.

iv) All the eligible occupants shall be rehabilitated in the redeveloped buildings of URC as far as possible. However at the request of or with the consent of an occupant, he may be allotted alternative rehabilitation in a location outside URC, up to the extent of his eligibility, at the discretion of the Municipal Commissioner. Request or consent under this provision shall however be irrevocable.

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

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

14.8.5 Terms of Allotment of Rehabilitation Tenements

i) Allotment of rehabilitation tenements for owners belonging to authorised buildings shall be free of cost and without any consideration for the original area and additional 25% area over and above the eligible area Shall be allowed for the occupants of the authorised buildings, free of Cost.

If any non-residential unit holder demands residential unit against his non-residential previous holding, such request may be considered by Commissioner in consultation with HPC. However to consider such request shall not be obligatory on the part of the Commissioner.

Allotment of rehabilitation tenements to occupants belonging to unauthorized / illegal buildings and slums shall be at a consideration in accordance with the following Table No. 14 X:—

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Table No. 14 X		
Minimum Carpet Area of Rehab Tenement	**Type of Rehab Tenement**	**Consideration (i.e. Amount payable by the Allottee to Municipal Corporation)**
(1)	**(2)**	**(3)**
For Slum Area		
27.88sq. m.	Residential	Zero Payment if eligible under Slum Rehabilitation Scheme Or else Construction Cost as per ASR rates or as per any policy decided by the Government of Maharashtra under the Slum Act, 1971.
For Non-Slum Area		
30 sq.m.	Residential	Free of Cost
>30 sq.m but less than or equal to 50 sq.m.	Residential	Upto 30 sq.m. as above. Beyond 30 sq.m. at Construction Cost as per ASR rates.
>50 sq.m.	Residential	Up to 50 sq.m. as above. Beyond 50 sq.m. at Full Market Rate as per ASR.

Non-Residential/ Commercial Area		
16.75 sq.m.	Non - Residential/ commercial Area	Free if eligible under Slum Rehabilitation Scheme. Or else, Construction Cost as per ASR rates.
>16.75 sq.m. but less than or equal to 40 sq.m.	—do——	Upto 16.75 sq.m. as above and beyond 16.75 sq.m. at 100% of Construction Cost as per ASR rates
>40 sq.m.	—do——	Upto 40 sq.m. as above and Beyond 40 sq.m. at 100% of market rate as per ASR.

Note for Thane Corporation Area - The erstwhile structures within the gaothans which subsequently merged with the Municipal Corporation in 1982 will be considered as protected and legal structures.

ii) If an eligible occupant finds it financially unaffordable to pay the amounts as mentioned herein, Commissioner may allot him a tenement of immediately lower area. If any eligible beneficiary finds it financially unaffordable to pay even the amount required for the minimum area, or fails to make payment as per the Schedule of payment given by the Commissioner, the Commissioner may allot him a tenement of minimum area on hire-cum-purchase basis, till such allottee pays the requisite amount in one or more instalments or through EMI payments. Rent in such cases would be decided by Municipal Commissioner and EMI shall be calculated for such number of years at such rate of interest as may be fixed by Municipal Commissioner.

iii) Any existing amenity in the URC on the date of coming into force of this regulation which is under control of a private person/ organization and Charitable Trust/ religious organization shall be entitled for an area equal to the existing area of such amenity, subject to the following :—

a) for an amenity being used for non-residential activities and under the control of private person(s)/ organization(s), allotment of equivalent area under URS shall be at 50% of ASR Rate for commercial area up to 40 Sq. Meters and at 100% of ASR Rate for commercial area above 40 sq.m.;

b) for an amenity being used for non – residential and in control of any Charitable Trust or religious organization for purpose of raising fund for public welfare activities, such allotment shall be free for area up to 40 Sq. meters and at 50% of ASR Rate for construction above 40 Sq. Meters.

c) for an amenity having users like (e.g. Educational / Health-care facility etc.) and under control of private person(s)/ organization(s) such allotment shall be at 25 % of ASR Rate for constructed area up to 40 Sq. Meters and at 50% of ASR Rate for constructed area above 40 Sq. Meters.

iv) **Process of Allotment to Beneficiaries and Conditions thereof :—**

a) Process of allotment of tenements to beneficiaries, lease conditions including those pertaining to transfer, formation of co-operative housing societies and policy of maintenance of common amenities of buildings and layout as well as policy

regarding any other relevant matter shall be as determined by Corporation from time to time.

b) Allotment of land shall be on lease for the period of 30 years, which shall be renewable for further period of 30 years at a time. However, Allotment of rehabilitation tenements for owners and beneficiaries shall be on ownership basis. This provision of lease shall not apply for the authorised building constructed on private land.

c) Rehabilitation tenements allotted to beneficiaries shall not be transferable for first fifteen years, except with prior permission of Commissioner, who may grant such permission in case of hardship, on payment of premium as below :

i) For the transfer of Rehabilitation tenements allotted to Occupants belonging to the authorised buildings, no premium shall be charged

ii) For carpet area less than 30.00 Sq.m. premium shall be 10% of the differential amount calculated as per clause (iv) below;

iii) For the transfer of Residential and non-residential Rehabilitation tenements other than those covered under (a) and (b) above, premium shall be 25% of differential amount calculated as per explanation below;

iv) Differential amount for the purpose of clause (ii) and (iii) shall be equal to difference in the Annual Statement of Rates (ASR) valuation in the year of transfer and the original consideration paid for the allotment of a Tenement brought forward to the year of transfer through capital inflation index.

Provided that, In case of unauthorized transfer of any Rehabilitation tenement, the Commissioner may regularize the transfer by charging double the premium as mentioned above, with 12% interest from the date of transfer.

Provided further that, If the transferee refuses to pay the premium demanded within 3 months of demand, the Commissioner shall initiate process of vacating the premises, though in cases of willingness but hardship, Commissioner may grant instalments with 12% interest rate.

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14.8.6 The permissible FSI for URC

i) Total Permissible Global FSI over the area of a URC shall be double the value required for the rehabilitation of occupants as per their eligibility under this Regulation, or 4.00 whichever is higher. FSI shall be calculated over the gross area of the URC. Deducting area falling in CRZ and Forest areas if any. However, if the area in CRZ-II is upto 25% of the URC then the FSI shall be allowed to be used in non CRZ area however no FSI shall be allowed for the area from CRZ-I. Out of the construction area allowed as per Global FSI, FSI that cannot be actually utilized in URC, due to constraints imposed by different provisions of UDCPR, or otherwise, shall be converted into Urban Renewal TDR (URT) which shall be utilisable on a receiving plot.

ii) The URT may be released by the Commissioner in stages to be decided by him but URT released at any point of time shall never exceed construction done in URC with respect to buildings where Occupation Certificates have been granted and 50% of construction done in URC with respect to buildings where Occupation Certificates are not granted.

iii) The FSI for an Urban Renewal Scheme in CRZ area shall be governed by the MOEF Notifications issued from time to time, and the same shall be taken into account while computing permissible FSI as per Clause (i) above.

Plot area, considered after deducting the area of URC falling in CRZ/ Forest area and area under unbuildable reservations, etc. shall be primarily used for rehabilitation of existing occupants and development of buildable reservations and public amenities with required FSI. After the said development, if there are any eligible occupants left who could not be rehabilitated due to inability to construct the requisite area for rehabilitation and relocation, owing to constraints imposed by UDCPR, shall be rehabilitated in any nearby URS or in the PAP tenements available with the Corporation; as per the policy guidelines decided by the Corporation.

iv) If after construction of rehabilitation tenements and other areas of entitlement as per the provisions of this Regulation, there is still some building potential left as per the ceiling of 4.0 FSI, construction can be done for free sale, either in independent buildings, or on sub-plots or in composite buildings or in undivided plots along with rehabilitation component.

v) When the FSI available in URC in case less than 4.0 then50 %of the difference in FSI shall be constructed in the form of EWS/LIG tenements and shall be handed over to the Commissioner. Commissioner may use these tenements preferably for transit accommodation, PAP tenements or staff quarters. However if tenements are not needed for above purpose then Municipal Commissioner shall after realisation of proceeds from disposal of these tenements, deposit such proceeds in Shelter Fund setup under this Regulation.

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14.8.7 Development of Reservations contemplated in Development Plan falling in the area of URC

i) All the reservations in the Development plan falling in the area of URC shall be provided and may be rearranged / relocated, under URS as follows :—

a) Redevelopment / reconstruction in any zone shall be allowed to be undertaken without going through the process of change of zone. However, for the industrial user, the existing segregating distance shall be maintained from the existing industrial unit.

b) Any land under non-buildable reservations, admeasuring only upto 500 sq.mt. may be cleared by shifting the existing tenants from that site.

c) If the area under a non-buildable reservation is more than 500 sq.mt. minimum 50% of the area under reservation shall be developed for the same purpose and handed over to Municipal Corporation, subject to minimum of 500 sq.mt. and remaining land shall be allowed for development.

d) For the reservation of parking lot on a land included in URC, built up area equivalent to zonal permissible FSI for the area under reservation in that plot shall be made available free of cost to the Corporation or to any other Appropriate Authority. Such built up area to be handed over shall be free of FSI.

e) For other buildable reservations on land, built up area equal to 60% of the zonal permissible FSI under such reservations or existing built up area of the amenity whichever is more, on that plot shall be made available free of FSI and free of cost

to the Municipal Corporation or to the Appropriate Authority. The reservations of compatible nature can be preferably constructed in one or more separate blocks, depending on the area and nature of such reservations and Municipal Commissioner may permit composite development of reservations in case of such reservations. However, if the HPC/Planning Authority requires built-up area under any designation /reservation in excess of the zonal permissible FSI, then such excess area shall be considered as rehabilitation FSI and incentive FSI as admissible under this Regulation shall be permissible :

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

f) Where a proposed Development Plan Road or Regular line of street passes through the Urban Renewal Scheme area, the entire FSI admissible under this Regulation for the area of the road may be given in the same Scheme.

g) Built up area required for development of public amenities/ reservations shall not be counted while computing permissible FSI under URS. If URS includes areas falling under CRZ and Forest, subject to NOCs of the concerned Authority, these areas may be considered against the compulsory open space to be kept as per DCR.

h) The multiuser mix user in High rise or composite building for public purpose amenities shall be permitted.

ii) If the area under non-buildable reservation except Play Ground in the URS area is more than 2000 Sq.m. minimum 50% of the area of such reservation or 2000 Sq.m. whichever is more shall be developed for the said purpose.

14.8.8 Preparation and Approval of URS

i) Subject to the provisions of Development Plan and the URP prepared and notified by the Commissioner, the Commissioner may prepare detailed plan, for one or more URCs contained therein, showing proposals for development/ reconstruction of cluster of buildings and/or structures, which in the opinion of the Commissioner should be developed or redeveloped under a URS. Such plan shall include —

(a) Plan for overall development/Redevelopment of specific areas for urban renewal.

(b) Strategies and plan for dealing satisfactorily with areas of bad layout, obsolete development and slum areas and relocation and rehabilitation of population.

(c) Open spaces, gardens, playgrounds and recreation areas.

(d) Area or areas required for making the implementation of such plan for Urban Renewal viable.

ii) After preparation of detailed plans of URC(s), the Commissioner shall place the same for approval of a High Power Committee (HPC) constituted under this Regulation as follows-

Municipal Commissioner	-	Chairman
Collector	-	Member
Joint Director Town Planning of the Division	-	Member
DCP (Traffic)	-	Member
Chief Officer, MHADA	-	Member
Joint Director / Deputy Director /Assistant Director Town Planning of the Corporation	-	Member Secretary

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

iii) **Entitlement for consideration under URS** :

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

iv) **Consideration for Land falling under URS.**

a) Person(s) having legal rights in any land required for URS under this Regulation shall be offered monetary compensation for constructed area or TDR for the entitled area as provided hereinafter.

b) Basis for determination of entitled area towards consideration under URS Scheme shall be as follows :—

i) Person(s) in legal possession and ownership of unencumbered land: - Entitled area collectively against this parcel of land shall be equivalent to the area of the land.

ii)Person(s) in legal possession and ownership of encumbered land where authorized buildings have consumed FSI less than the permissible FSI **:-**If liability of rehabilitation of the occupants of the building(s)/Structure(s) on the land in question is being taken on URS, entitled area collectively against such parcel of land shall be 25% of the area of encumbered land plus difference of FSI available on such parcel land and the encumbrance; if the occupants of the building(s) are being independently rehabilitated/ compensated by the person(s)/rights holders in legal possession and ownership of the land, and not being rehabilitated in URS, entitled area collectively against such parcel of land towards consideration shall be equal to FSI available on the vacated land area :

Provided where the area of rehab is less than the component of free sale, the component for free sale could be enhance upto 30% by the Municipal Commissioner in consultation with HPC.

iii) Person(s) in possession and ownership of authorized encumbered land where

buildings have consumed FSI more than permissible FSI **:-** If liability of rehabilitation of the occupants of the building(s)/Structure(s) in question is on the land being taken on URS, entitled area collectively against such parcel of land shall be 25% of land area, if the occupants of the building(s)/ Structure(s) are being independently rehabilitated / compensated by the person(s)/rights holder (s) ; in possession and ownership of the land, and not being rehabilitated in URS, entitled area collectively against such parcel of land towards consideration shall be equal to FSI available on the vacated land area.

iv) Person(s) having right over unauthorisedly encumbered land:- Entitled area collectively against this parcel of land shall be calculated at 50% of entitled area calculated as per clause (ii) and (iii) above, except when occupant(s) of building(s) are being rehabilitated/ compensated by such Person(s) and are not being rehabilitated in URS, entitled area towards consideration shall be equal to FSI/TDR available on the vacated land area.

c) Consideration for Acquisition of land under URP

i) Consideration for any land required to be procured for URP shall be either in terms of payment due for entitled area collectively against that parcel of land, as calculated in Regulation No. 14.8.8 (iv) (b) above as per ASR, along with 100% solatium, as applicable for the year of possession, along with 12% annual compounded interest from date of possession to date of payment, or in terms of TDR equivalent to the entitled area or in terms of equivalent area constructed in URS. Concerned person(s) shall have option to choose from amongst these three modes of consideration. The option once chosen shall be registered and shall be irrevocable.

ii) Once consideration as above, has been accepted by a person having any interest in the land on which any unauthorised construction exists or existed, the Commissioner may consider such person eligible for Compounding of any offence under relevant provisions of MRTP Act with respect to the concerned land/ plot.

iii) Wherever any person having demonstrable legal rights over any area falling under URP rejects the consideration being offered, the Commissioner shall forward the proposal for Land Acquisition under “Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013”. In such an eventuality, the Commissioner may move the competent authority for advance possession of the land(s) so as to ensure smooth implementation of URS and shall pay requisite advance, rent etc. under the “Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013”, as determined by the Competent Authority. If, however there is any dispute only about apportionment of consideration among person(s) having demonstrable legal rights over any land falling under URS, the Commissioner shall ask the disputing parties to approach Competent Civil Court to get their disputes resolved and to settle apportionment of consideration as offered under this Regulation. Till the final decision in this regard is received, in order to

ensure that URS does not get delayed and adversely affect other parties to the URS; the Commissioner shall cause an area, equivalent to the entitled area corresponding to such land, to be constructed as part of URS and in case the claimant(s) of ownership finally declared eligible by the Competent Court decide upon an option other than constructed area and exercise such other option, as mentioned in Regulation No.14.8.8(iv)(b),the Commissioner shall pay consideration as per such option exercised and such reserved constructed area in URS shall vest with the Corporation.

iv) In any proposed URC, any open plot is included and if the concerned owner is not willing to participate in URC, the compensation payable shall be as per Land Acquisition, Rehabilitation and Resettlement Act.

v) In case of buildings or lands belonging to the Central Govt., the State Government, Semi-Government Organizations and Municipal Corporation or MHADA or any Local Government or any Corporation or Company owned by the Central/State Government or any Local Government (hereinafter collectively referred to as Public Authority), prior consent of such Public Authority shall have to be obtained for their inclusion in the URS. For such lands or buildings, the Commissioner may either offer Market Price, to be decided by mutual consent, subject to ratification by the Municipal Corporation, or may offer constructed area, in-situ or ex-situ, in a composite or independent building or may, alternatively, offer equivalent TDR as per TDR regulations or may offer an exchange of suitable land as per mutual consent, subject to ratification by the Municipal Corporation and thereafter such land(s)/building(s) shall vest with the Municipal Corporation and shall form the part of URS.

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14.8.9 Planning for Rehabilitation and Free Sale Plots in URS

i) Net area of URC shall be calculated after deducting the area under CRZ and Forest, if any. Out of total net area of the URC, maximum of 50% area in terms of one or more plots, to be called Free Sale Plots, shall be carved out for raising resources to cover the cost of construction of rehabilitation component and development of all the reservations and amenities. While carving out Free Sale Plots, due weight-age shall be given to the fact that the higher is the percentage of these plots in terms of area, the more dense is the Rehabilitation Area, and in exceptional cases, Commissioner may reduce these Free Sale Plots to zero. The percentage of the free sale plot may be enhanced upto 50% subject to approval by the HPC by considering 100% in-situ Rehabilitation with consumption of minimum FSI of 2.5 and if net plot area excluding Recreation Ground area is more than 8000 Sq.mt. under URS. Constructed area available on this Free Sale Plot collectively shall be equal to that available over the whole URC minus that required for rehabilitation and relocation. If Free Sale Plots, are more than one, the Commissioner may distribute the available free sale construction area under URS over such plots, as he may deem fit. Such Free Sale Plots shall be deemed to belong to C1/C2 Zone for the purposes of permissible users thereon.

ii) After the development of reservations, any occupants who could not be settled due to non-buildability of required construction area for rehabilitation and relocation, owing to

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

iii) Two or more contiguous URCs having different densities may be permitted to get clubbed for implementation purpose sharing the densities in order to ensure balanced development increasing the viability of clusters.

14.8.10 Selection of Implementation Agency

If an owner or group of owners or proposed co-op. Hsg. Society of occupants or federation of occupants, either directly or through a Power of Attorney Holder, collectively owning more than 70% of the area of URC or a part thereof, come forward for implementation of URS as per the Detailed Plan prepared by the Commissioner for such URC, within 3 months of declaration of the detailed plans of URC, or within such extended period as may be granted by the Commissioner, they may be selected as Implementation Agency for implementation of URS on such URC. In such a case, an Infrastructural charges at the rate of 10% of construction cost as per prevailing ASR to be received by the Corporation. In case owners/ stakeholders owning more than ~~70%~~***51%*** of whole or part area of URS as mentioned above fail to come together, selection of an implementation agency for the URS shall be done through a transparent bid process.

14.8.11 URS by Private Promoters/ MHADA/ Co-operative Housing Societies

i) Whenever there is no URP made by Commissioner or wherever there is no URS floated by the Commissioner over one or more URCs falling under URP made by Commissioner, any Private Promoter, MHADA, Co-operative Housing Society, federation of occupants etc. may approach Commissioner with consent of owners / stakeholers of 51% of any area requiring Urban Renewal, for implementation of URS thereon and Commissioner may, after satisfying himself that conditions mentioned herein, which make an area fit for redevelopment under URS are met, decide to implement URS thereon and, subject to other conditions and processes mentioned in this Regulation, appoint such applicant as implementation agency at the Base Premium.

ii) In case where there are some owners (pertaining to less than 30% area) who have not given their consent to the Private Promoter, MHADA, Co-operative Housing Societies etc. for URS, who are appointed as per Clause (i) above by Commissioner as Implementing Agency, the Commissioner shall offer remaining owners and right holders consideration for their rights as mentioned in the provisions for URS being designed and implemented by Commissioner, and if these considerations are rejected by these dissenting owners or right holders the Commissioner shall forward proposals for Land Acquisition to competent authority. In such cases, if final compensation is in terms of money, the same shall be recovered from the Implementation Agency and if final compensation is in terms of TDR, market value of such plots as per ASR rates shall be recovered from the Implementation Agency, in addition to the Base Premium

iii) A Surcharge on Development undertaken by the promoter/Developer at the rate of 100% of Development charge shall be leviable, which may be paid in stages in proportionate with the progress of work. This surcharge shall not be applicable to the construction within basic FSI**,** the built up area to be handed over to Municipal Corporation or any Public Authority in lieu of any reservation and also to the amenity areas to be handed over to the Municipal Corporations per the requirement indicated by the Municipal

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Corporation or the High Power Committee.

Explanation 1.—In case of inclusion of a Slum in URS, any person/ agency having consent of more than 51%eligible Slum dwellers shall be construed to be appropriate person/ agency to deal with the issues regarding the whole area of Slum for the purposes of this sub-section only. i.e. for the purposes of decision about Implementation Agency.

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

i) Irrespective of its land-use classification under Development Plan, construction of temporary transit tenements made of light detachable material such as tubular/ prefabricated light structures shall be allowed upto an FSI of 4.0 on any nearby vacant site without any reservation in the Development Plan, with the consent of the land-owner.

ii) The temporary transit camp shall be provided on or close to the site of URS itself. However in exceptional circumstances to be recorded in writing, construction of Temporary Transit Camps may be permitted on the area of open space required to be kept in accordance with Regulation No. 3.4.

iii) Multi-storeyed temporary transit tenements may be allowed to be constructed with 4.00 FSI on the site of URS.

iv) The area of temporary transit tenements shall be excluded from the computation of FSI, but structural safety of such tenements shall be ensured.

v) Building permission for Temporary Transit Tenements shall be given within 45 days from the date of application but only after approval to the URS, failing which such permission shall be deemed to have been granted.

vi) If a site, reserved in Development Plan for any public purpose is vacant or partly encumbered, or it happens to be the unused portion of such public purpose for which such site is reserved, and there is no other option for locating temporary transit tenements, then such site or unused portion may be utilized for building temporary transit tenements, with the permission of Commissioner, on payment of such rent and subject to such conditions/ as the Commissioner may prescribe.

vii) Temporary transit camp erected, under this Regulation shall have to be demolished by the Developer within 30 days from grant of Occupation Certificate to the Rehabilitation buildings and the land there under shall be brought back to the original state.

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

14.8.14 **Relaxation in Building and other requirements.—**

i) The calculation of FSI for all purposes shall be on gross area i.e. without deducting any percentage for recreational open space. This shall not affect the requirement of physical open space in terms of keeping aside the said recreational open space on site as per the UDCPR.

ii) The provisions in UDCPR relating to balcony shall apply to the URS with the modification that there shall be no restriction on Zone and balcony shall not reduce

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marginal open space to less than 3.00 meters However, at ground level, clear margin of minimum 4.5 mtr shall be maintained. Enclosed balcony shall be included while calculating the entitled area.

iii) Front and marginal open spaces: For a building in the Rehabilitation Component or composite building having height upto 24.0 m., front and marginal open space shall be 4.5 mtr and for buildings having height more than 24.0 m., the same shall be 6.00m.

iv) Notwithstanding the provisions in UDCPR, where the plot abuts a DP Road having width of 18.0mt and above, the front marginal open space shall not be insisted upon beyond 4.5 mtr, provided such road is not a Highway.

v) Where the plot abuts a trained nallah, the marginal open space along the nallah shall not be insisted upon beyond 4.5 mtr from the edge of the trained nallah Or as per requirement of SWD Department of, whichever is greater.

vi) The distance between any two rehabilitation buildings shall not be less than 6.00 mt.

vii) If the height of a building in URS is more than 25 mtr, 6 mtr wide marginal open space or marginal open space as per the requirement of CFO, , whichever is greater, shall be considered.

viii) A Composite building shall contain at least 50 percent of the built up area as Rehabilitation Component.

ix) The means of access shall be normally governed by the provisions of UDCPR. However, in the URS, wherever the design of the buildings up to 24 m. height in the same land requires some relaxation, the same may be given by the Commissioner***;*** buildings having height exceeding 24 m. Shall be permissible only on access having width of 9 m. or more.

x) Even if the recreational open space is reduced to make the URS viable, a minimum of at least 10 percent of the area of URC shall be provided as recreational open space. In addition to this, 10 percent of URC area shall be earmarked for amenity space which can be adjusted against the DP reservation(excluding roads), if any provided the area of such reservation exceeds 25% of the area of the URP.

xi) Amenities not available in the periphery of 400m. from boundaries of URC shall be developed on Amenity Plot, subject to the minimum area specified for such amenities under this Regulation and handed over free of cost to the Corporation without any consideration.

xii) Area to be excluded from computation of FSI shall be as per these Regulations (UDCPR).

xiii) In order to make the URS viable, the Municipal Commissioner shall be competent to sanction any relaxation in the parking requirements and marginal open spaces, except for front marginal open spaces, wherever required on account of bonafide demonstrable hardship and for reasons to be recorded in writing, which shall not affect general safety and fire safety requirements.

xiv) All relaxations outlined hereinabove shall be admissible only to buildings in the Rehabilitation Component of URS and also to the composite buildings therein. Premium at the concessional rate shall be charged by the Municipal Commissioner for all or any of the relaxations given hereinabove or for any other mentioned in UDCPR.

xv) The parking in the URS shall be provided as per the provisions of UDCPR.

xvi) Any aspect of development under URS, which is not specified under this Regulation shall be governed by the relevant provisions of the UDCPR.

xvii) In order to facilitate redevelopment and to decongest the redeveloped area in the URC, the Commissioner may insist on additional road width, over and above that prescribed in the sanctioned D.P. or the width of the existing roads.

xviii) Provisions of Public amenities and roads under the URS shall be considered at par with reservations and the roads in the Development Plan.

xix) Portion of URC falling under No Development Zone, Buffer Zone, CRZ- I & III and Private Forest shall form a part of the required Recreational Area in the URS.

14.8.15 The approving/sanctioning authority for the building plans under the URS shall be the Municipal Commissioner as per the MRTP Act, 1966, even if the URS partly consists of declared slums or slums on Municipal / Govt. lands, existing prior to 1st January1995 or such other reference date as may be notified by the Government.

14.8.16 Religious structures existing on the site of URS prior to redevelopment, if allowed to be redeveloped in accordance with the guidelines issued by the Government from time to time; following such redevelopment, shall not have area exceeding their area prior to redevelopment.

14.8.17 Heritage buildings of Grade-I and II may be included in the area of Urban Renewal Cluster, but have to be kept as they are, along with land appurtenant, but shall not be considered for FSI under this Regulation. As regards such Heritage Structures, the Promoter / Developer shall have to contribute Heritage Cess at 5% of ASR Rates on the basis of built-up area of the Heritage structure. Existing provisions under these Development Control Regulations shall apply to Heritage Buildings of Grade-III. However, before granting the approval for such buildings, the HPC shall consult the Heritage Committee appointed for that purpose.

14.8.18 If HPC approves areas for amenities such as Fire Stations/ Hospitals/ Police Stations/ Schools, etc. other than reservations/ designations as per Development Plan, such amenities shall be handed over to the concerned Authority, free of cost and the built up area of such amenity shall be considered as rehabilitation F.S.I. and incentive FSI as admissible under this Regulation shall be permissible.

The decision of HPC shall be appealable, as if, it is an appeal under section 47 of the MRTP Act, 1966.

14.8.19 Formation of Co-operative Housing Societies, and their Federations for buildings in URS:

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

Corporation.

14.8.20 Formation of Shelter Fund:

Commissioner shall cause to be deposited 50% of amount of consideration received from the allottees and amount received from bidding process in a separate fund to be named as "Shelter Fund", which may be used as per the policy to be formulated by the Corporation for payment of consideration for acquisition of land falling under URC, providing financial assistance to beneficiaries under URC, procurement of land for creation of affordable Housing, and promoting affordable housing in the city limits.

14.9 DEVELOPMENT OF TOURISM AND HOSPITALITY SERVICES UNDER COMMUNITY NATURE CONSERVANCY AROUND WILD LIFE SANCTUARIES AND NATIONAL PARKS.

14.9.1 Applicability- These regulations shall apply to the privately owned (not applicable to forest land) lands falling in Agriculture/ No Development Zone situated within 5 km distance from the boundaries of wildlife sanctuaries and national parks in the State of Maharashtra. The provisions of existing Regional Plans / Development Plans will prevail over these regulations, wherever lands are earmarked for urbanisable zones in such plans.

14.9.2 Regulation- For the lands situated within 5 km distance (or up to a limit of notified eco-sensitive zone, whichever is more) from the boundaries of wildlife sanctuaries and national parks, if the land owner applies for development permission, for development of eco-tourism, nature tourism, adventure tourism, same may be allowed; provided the land under consideration has minimum area of one hectare in contiguous manner.

i) Permissible users and built up area-

The users permissible in Agricultural Zone/ No Development Zone area shall be as follows:-

a) Agriculture, Farming, development of wild animal shelters, plantation and allied uses.

b) Tourist homes, Resorts, Hotels etc. with Rooms/ suites, support areas for reception, kitchen, utility services etc. along with ancillary structures like covered parking, Watchman's quarter, guard cabin, landscape elements, and only one observation tower per tourist resort up to the height of 15 m. with platform area up to 10 sq.mt. in permanent/ semi-permanent structural components.

ii) The norms for buildings shall be as follows-

a) The construction activities shall be as per Zonal Master Plan / Regional Plan / Development Plan of the concerned protected area.

b) The maximum permissible total built up area shall not exceed 10% of gross area with only G+1 structure having height not more than 9 m. and it should blend with surrounding.

c) The Fencing/ fortification may be permissible for only 10% of total land area around built up structures in the form of chain link without masonry walls thereby keeping the remaining area free for movement of wildlife.

d) Tourism infrastructure must conform to environment friendly, low height, aesthetic architecture, natural cross ventilation; no use of asbestos, no air pollution, minimum outdoor lighting and merging with the surrounding landscape. They

should generate at least 50% of their total energy and fuel requirement from non-conventional energy sources like solar and biogas, etc.

e) The owner shall establish effective sewage disposal and recycling system during the construction and operational phase of the development. No sewage shall be allowed to be discharged into natural stream.

If in cases, where lack of compliance is observed, the concerned authority should issue a notice to the resort owner/ operator for corrective action within 15 days, failing to do so or having not been satisfied with the action taken or reply/ justification received, any decision to shut down the unit may be taken, by the respective authority.

f) The owner shall establish effective systems for collection, segregation, composting and /or reuse of different types of solid waste collected during the construction and operational phase of the development.

g) The plastic components used within the area shall be recycled; failing which the resort shall be closed down within 48 hours.

h) Natural streams/ slopes/ terrain shall be kept as it is, except for the built-up area.

i) On the area other than 10% area, only local trees shall be planted and only natural vegetation shall be allowed.

j) For the development of such type already taken place, Condition no. (c) above shall be applicable retrospectively to the extent of restricting the fencing and keeping the remaining area free for movement of wildlife.

k) While allowing such development, principles given in the National Tiger Conservation Authority, New Delhi Notification No.15-31/2012-NTCA, dated 15/10/2012 published in the Gazette of India Ext. pt. III S-4 dated 08/11/2012 and Government of Maharashtra as amended time to time shall be used as guidelines.

l) All regulations prescribed in Eco-Sensitive zone Notification of concerned National Park/ Wildlife Sanctuary should be strictly followed and all clearances required should be taken.

14.10 INTEGRATED INFORMATION TECHNOLOGY TOWNSHIP (IITP)

Integrated Information Technology Township (IITP) shall be allowed in Residential, Commercial, Public Semi-public, Industrial and Agricultural Zone in Development Plan and Regional Plan areas and shall be governed by the provisions mentioned herein below.

14.10.1 Area Requirement

Any suitable area in Regional plan or Development plan having access by means of an existing road or a proposed Regional plan/Development Plan road having a minimum width of 18.0 m. can be identified for the purpose of development as Integrated IT Township. The area notified under the Integrated IT Township shall be one continuous, unbroken and uninterrupted and in any case shall not be less than 10 Ha. (25 acres) at one place.

(Explanation- If such minimum 10Ha. (25Acre) area proposed to be developed under a

Integrated IT Township is divided by one or more water courses (such as nallahs, canal, etc.)existing or proposed roads of any width or railways, etc. then such area shall be considered

to be continuous, unbroken and uninterrupted, subject to the condition that the developer shall construct necessary connecting roads or bridges as per site requirements at his own cost with due permission from concerned authorities.)The area under any Integrated IT Township shall not include the area under notified forest, water bodies like river, creek, canal, reservoir, tribal lands, lands falling within the belt of500 m. from the High Flood Line (HFL) of major lakes, lands in the command area of irrigation projects, land falling within the belt of 200 m. from the historical monuments and places of Archeological importance, Archeological monuments, heritage precincts and places, any restricted areas, notified national parks, gaothan areas or congested areas, Defense areas, Cantonment areas, truck terminus especially earmarked on Development plan, area under Eco-sensitive Zone, other environmentally sensitive areas, Quarry Zone, notified areas of Special Economic Zone (SEZ) and designated airport areas. However, such Integrated IT Township may include private land under Hill-Top and Hill-Slope Zone, whether earmarked on Regional plan/Development plan or not and private land in A forestation Zone. Provided that, the area of lands in such Hill-Top and Hill-Slope Zone and a forestation Zone shall not exceed 40 percent of the gross area of the project and such area shall be shown towards 50% area to be kept permanently open where no development activity shall be permissible under such project. The said areas shall be developed for tree plantation as per the norms specified. However, for the purpose of calculation of Floor Space Index (FSI), such areas shall be excluded.

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14.10.2 Planning Considerations

The project has to be an integrated project. The Integrated IT Township should necessarily provide land for following users:-

1. Information Technology (Industrial)
2. Residential
3. Commercial
4. Educational
5. Amenity Spaces
6. Health Facilities
7. Parks, Gardens & Playgrounds
8. Public Utilities
9. Transport and Communication

14.10.3 General Norms for Different Land Use

Out of the total area notified as "Integrated IT Township" 60% FSI shall be used for IT/ ITES activities and 40% FSI for the development of residential and commercial activities provided that 20% area shall be kept for Park / Play Ground / Garden of total IITP.

Residential and commercial activities shall include malls, cinema, theaters, public auditorium and multiplexes, showrooms for all types of merchandise, hospitals, nursing homes, schools and colleges, training institutes and hostels related to them, hotels. The development of entire township, i.e., 60% area for IT/ITES and 40% other area can take place simultaneously but the developer will have to ensure that sale / lease of both areas is proportionate. To ensure this occupation certificate for commercial, residential and support services shall be given only after the development of infrastructure facilities on the area earmarked for IT/ITE activities and

occupation certificate is granted by the Authority and after 1/3rd area kept for IT/ ITES activity is occupied.

14.10.4 FSI In integrated I.T. Township

The maximum permissible FSI on the gross area of the notified Integrated IT Township shall vary as follows:-

For Integrated IT Township located in Pune, Pimpri-Chinchwad, Greater Mumbai, Thane, Navi Mumbai, Kalyan-Dombivali, Mira-Bhayandar, Ulhasnagar, Nagpur Municipal Corporations and Ambarnath Municipal Council limits the permissible FSI shall be 2.5. For rest of the areas in the State, the permissible FSI shall be 2.00. For land in Agricultural zone in all areas, it shall be 1.00. The premium chargeable shall be as in para. 5 (ii) of Annexure-I Maharashtra's Information Technology/ Information Technology Enabled Services Policy (IT/ITES) - 2015 issued by Industries, Energy &Labour Department vide Government Resolution No. ITP-2013/ (CR-265)/Ind-2, dated 25th August, 2015 as amended from time to time. Floating of FSI shall not be permissible from the area of IT /IT use to the area of Support Activities or vice versa, but floating of FSI shall be permitted within the respective areas of IT / ITES and Support Activities separately.

14.10.5 i) Provisions of these DCPR as well as provisions of MOEF and CRZ notification, wherever applicable, issued & as amended from time to time shall be applicable mutatis-mutandis to the Integrated IT Township except those expressly provided in these Regulations.

ii) In the event the Integrated IT Township contains sites reserved for public purposes (buildable reservations) in Regional plan/Development plan, for which the Appropriate Authority is any department of State Govt./Central Govt. or any Government undertaking, the developer shall construct the amenity as per requirement of the concerned department and handover the constructed amenity free of cost to that Department. Upon such handing over the constructed amenity the developer would be entitled to utilise additional floor space over and above the FSI permissible within the Integrated IT Township (equivalent to the built up area of the constructed amenity) anywhere within the Integrated IT Township.

iii)In every Integrated IT Township proposal the Structural Designer of developer has to submit declaration with project report to the Authority about the construction of buildings below:

`I have confirmed that the proposed construction in the scheme is as per norms as specified by Bureau of Indian Standard for the resistance of earthquake, fire safety &natural calamities'.

iv) In Integrated IT Township being developed in Residential and other zones mentioned above and Agricultural/Green Zone/ No Development Zone, trees at rate of minimum 100 trees per Ha. And200 trees per Ha. respectively shall be planted and maintained by the developer.

14.10.6 Infrastructure Facilities

The entire onsite infrastructure in the Integrated IT Township along with access road shall be provided and maintained by the developer. However, it would be obligatory on the part of the developer to provide all basic infrastructures on at least 75%area under the Integrated IT Township within 3 years from the date of sanction of development proposals by the Authority; failing which bank guarantee submitted by the project proponent/s shall be forfeited.

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The Project Proponent/s shall submit a bank guarantee of an amount equal to the15% of estimated development cost required for development of the basic infrastructure such as roads, water supply, drainage & garbage disposal, installations for power supply, fire brigade station & fire engines. Such development cost be worked out as per respective phases taking into consideration the phased program for development of infrastructure with amenities under project as submitted. Certificate regarding estimated development cost shall be produced by the respective Architect of the project.

14.10.7 Water Supply

The developer shall be required to develop the source for drinking water (excluding the groundwater source) or secure firm commitment from any water supply Authority for meeting the daily water requirement of minimum 140 liters per capita per day, exclusive of requirement of water for firefighting and gardening. The storage capacity of the same shall be at least 1.5 times of the actual required quantity as determined by expected population (Resident and Floating) and other uses. The developer would be required to develop proper internal distribution and maintenance systems and shall specially undertake rain water harvesting, groundwater recharging and waste water recycling projects within the Integrated IT Township.

14.10.8 Drainage and Garbage Disposal

The developer shall make suitable and environment friendly arrangements for the disposal and treatment of sewage and solid waste as per requirements of Maharashtra Pollution Control Board. Recycling of grey water for gardening shall be undertaken by the developer.

The developer shall develop eco-friendly garbage disposal system by adopting the recycling and bio-degradation system in consultation with Maharashtra Pollution Control Board.

14.10.9 Power

The developer shall ensure continuous and good quality power supply to the Integrated IT Township area. The developer may draw the power from existing supply system or may go in for arrangement of captive power generation with the approval from concerned Authorities. If the power is drawn from an existing supply system, the developer shall before commencement of development, procure a firm commitment of power for the entire Integrated IT Township from the power supply company.

14.10.10 Environment

The development contemplated in Integrated IT Township shall not cause damage to ecology. In no case, it shall involve topographical changes, changes in alignment of cross-section of existing water course, if any in the scheme are or adjustment to scheme area. Environmental clearance shall be obtained from the Ministry of Environment and Forest, Government of India as per directions issued by the MoEF's Notification dated 7th July, 2004 and as amended from time to time. The Integrated IT Township shall provide at least20% of the total area as park/ garden/ playground, with proper landscaping and open uses designated in the Integrated IT Township shall be duly developed by owner / developer. This amenity shall be open to general public without any restriction or discrimination.

14.10.11 Special Concession

a) N.A. Permission: Non-agriculture permission will be automatic. As soon as the scheme is approved, lands under such Integrated IT Townships area shall be deemed to have been

converted into non-agriculture and no separate permission is required.

b) Grant of Government Land: Any Government land falling under Integrated IT Township area shall be leased out to the developer at the prevailing market rate on usual terms conditions, without any subsidy.

c) Relaxation from Mumbai Tenancy and Agriculture Land Act: The condition that only the agriculturist will be eligible to buy the agriculture land shall not be applicable in Integrated IT Township area.

d) Ceiling of agriculture land: - There shall be no ceiling limit for holding agriculture land to be purchased by the owner / developer for Integrated IT Township project.

e) Exemption from Urban Land (Ceiling and Regulation) Act, 1976: Integrated IT Township projects will be exempted from the purview of Urban Land (Ceiling and Regulation) Act, 1976.

14.10.12 Sale Permission

It would be obligatory on the part of the developer firstly to provide for basic infrastructure and as such no permission for sale of plot/ flat shall be allowed unless the basic infrastructure is provided by the developer to the satisfaction of the Authority. In case the development is provided in phases & sale permission is expected after completion of phase-wise basic infrastructure, such permission may be granted by the Authority. Before granting such sale permission, developer has to submit undertaking about the basic infrastructure to be provided and completed phase wise. The plots earmarked for amenities, facilities and utilities shall also be simultaneously developed phase-wise along with IT/support services development.

14.10.13 Implementation and Completion

Development of any notified Integrated IT Township shall be completed within 5 years from the date of final sanction to the layout plan of the area.

14.10.14 Interpretation

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

14.11 INTEGRATED LOGISTIC PARK (ILP)

Integrated Logistic Parkshall be allowed in Commercial, Industrial and Agricultural Zone in Development Plan and Regional Plan areas and shall be governed by the provisions mentioned herein below.

14.11.1 Eligibility for establishment of Logistic Park

Private land owner or developer appointed by him or any Company with legal entity may apply for permission for Integrated Logistic Park.

14.11.2 Activities Constituting Logistic Park

A logistic Park can include the following activities. (The list is indicative)

i) Logistic Services.

a) Cargo aggregation/ segregation.
b) Sorting, grading, packaging/ repackaging, tagging/ labelling.
c) Distribution/ Consumer Distribution.
d) Inter-model transfer of material and container.
e) Open and closed storage for transit period.
f) Custom bonded warehouse.
g) Container freight station.
h) Container terminals.
i) Material handling equipment facilities for efficient movement and distribution of Semi-finished or finished products.

ii) Infrastructure

a) Internal roads
b) Power line
c) Communication facilities
d) Internal Public Transportation System
e) Water distribution and water augmentation facilities
f) Sewage and drainage lines
g) Effluent treatment and disposal facilities
h) Fire Tenders arrangements - Parking

iii) **Business and commercial facilities**

a) Dormitories
b) Guest Houses
c) Canteen
d) Medical Centre
e) Petrol Pump
f) Banking and finance
g) Office Space
h) Hotel
i) Restaurants
j) Hospital/Dispensary
k) Administration office

iv) **Common Facilities**

a) Weigh Bridge
b) Skill Development center
c) Computer center
d) Sub contract exchange
e) Container freight station
f) Production Inspection Centre
g) Repair workshop for vehicles & production machinery in the park.

The list of permissible activities as revise by the department of Industries, Government of Maharashtra, from time to time, shall be applicable.

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14.11.3 Procedure for Development of Logistic Parks

Private land owner or developer appointed by him may apply to the Authority for development of Logistic Park under this Regulation. After sanction of permission by the Authority for setting up Logistic Park, such area shall be deemed to be converted for industrial use in the respective Development Plan or Regional Plan and shall be available for development of Logistic Park. However, in case of land in Agricultural zone, the premium shall be charged at the rate of 15% of land value as per ASR, without considering guideline therein.

14.11.4 Integrated Logistics Park (ILP) :-

An "Integrated logistic park" will be defined as one that is spread over a minimum of 5 acres of land and having minimum 15 meters wide access road. A minimum of 70% of the total area of 'Integrated Logistic Park' shall be used for providing logistic services, and remaining area shall be permitted for support services and common facilities. Floating of FSI shall not be permissible from the area of industrial zone to the area of support services or vice versa, but floating of FSI shall be permitted within the respective areas of industrial zone and support activity zone separately. The Integrated Logistics Park shall provide following minimum infrastructure and common facilities.

i) Infrastructure :

a) Internal roads
b) Power line
c) Communication facilities
d) Water distribution and water augmentation facilities
e) Sewage and drainage lines
f) Effluent treatment & disposal facilities
g) Fire tender arrangements h. Parking

ii) Common facilities:

a) Dormitories
b) Canteen
c) Medical Centre
d) Weigh Bridge

The parking and other essential services mentioned in Regulation No 14.11.2 (ii) will be free of FSI. The letter of Intent for development of an Integrated Logistics Park shall be issued by Directorate of Industries. The development in the said Logistics Park shall be completed within 5 years from date of issue of Letter of Intent (LOI). The extension to time limit upto a minimum of one year at a time and not more than 3 times may be granted on merits. Directorate of Industries will be the registering agency for all Integrated logistic parks. The procedure adopted for issue of letter of intent and registration would be in line with that adopted under the Integrated Industrial Area. The developer of Integrated Logistics Park will have to develop the infrastructure and create and maintain the facilities. Such facilities can be hired/leased/rented or put to own use by the Developer.

14.11.5 Logistics Park (LP)

Logistics park/building with a minimum of 20000 sq. feet Built up Area with basic FSI will be designated as Logistics Park (LP). The 80% of the total area of 'Logistic Park' should be used

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for providing logistic services and up to 20% of the total area will be permitted for support services and common facilities mentioned in Regulation No.14.11.2 (iii and iv). Logistics Parks will be allowed applicable FSI in these Regulations. The letter of Intent for development of a Logistics Park shall be issued by Directorate of Industries. The development in the said Logistics Park shall be completed within 3 years from date of issue of Letter of Intent (LOI). The extension to time limit upto a minimum of one year at a time and not more than 3 times may be granted on merits. Directorate of Industries will be the registering agency for all logistic parks. The procedure adopted for registration would be in line with that adopted under the IT/ITES Policy 2015. The developer of Logistics Park will have to develop the infrastructure and create and maintain the facilities. Such facilities can be hired/leased/rented or put to own use by the Developer.

14.11.6 Upto 200% Additional FSI for Integrated Logistics Park & Logistics Park

For Integrated Logistic Parks & Logistic Parks, the FSI permissible for Industrial Zone as per these regulations shall be applicable. Upto 200% of additional FSI shall be admissible over and above the basic FSI for development of Integrated Logistic Park & Logistics Park with or without premium as follows :-

Sr No.	Location of Parks (As defined under PSI 2013)	Premium
1	No industries district and Naxalism affected areas	Nil
2	Areas other than PMC, TMC, Kalyan Dombivali, Mira Bhayendar, Panvel, Ulhasnagar, Ambarnath, Navi Mumbai Municipal Corporation, NID and Naxalism Affected Areas	10%
3	PMC, TMC, Kalyan-Dombivali, Mira Bhayendar, Panvel, Ulhasnagar, Ambarnath, Navi Mumbai Municipal Corporation	15%

Note : However premium charged will be limited upto the demand made by the developer for additional FSI.

14.11.7 Permissible Height

For Integrated Logistic Park & Logistics Park, height of building upto 24.mt. or as per requirement shall be permitted.

14.12 INDUSTRIAL TOWNSHIP UNDER AEROSPACE AND DEFENSE MANUFACTURING POLICY

Industrial Township under Aerospace and Defense Manufacturing Policy shall be permitted in Commercial, Industrial and Agricultural Zone in Development Plan and Regional Plan areas. Other stipulations for Industrial Township under Aerospace and Defense Manufacturing Policy-2018, declared by the State Government in Industry, Energy Labour Department vide Government Resolution No. Asangho2015/Pra.Kra.98/Udyog-2, dated 14/02/2018, shall be applicable.

The FSI permissible for this Industrial Township shall be as per FSI permissible in Industrial Zone. The lands which are included in Agricultural Zone in the Development or Regional Plan shall be treated as included in Industrial Zone after the permission is granted for this Industrial

Township.

Provided that upto 20% of total built up area of such Industrial Township may be used for residential / commercial purpose / support activities.

Provided further that the Research and Development Institutions in such Industrial Township shall be eligible for additional 0.50 FSI over permissible FSI as per these Regulations.

14.13 DEVELOPMENT OF INTEGRATED INDUSTRIAL AREA

The development of Integrated Industrial Area within the jurisdiction of Maharashtra Industrial Development Corporation shall be allowed as per Urban Development Department's Notification No. TPB4314/20/CR-32/2014/UD-11, dated 1st August, 2015. The Principal Regulation's referred in the said notification shall be deemed to have reference to provisions of UDCPR alongwith specific regulations related to MIDC mentioned in Chapter 10.

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CHAPTER – 15
REGULATIONS FOR SPECIAL ACTIVITIES / PLANS

15.1 QUARRYING OPERATIONS

With the approval of the, Authority Mining or Quarrying operations may be permitted in Agriculture Zone on following conditions:

1) 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) Original 7/12 extract along with 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 also approved by the Director of Geology and Mining, Government of Maharashtra.

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

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

6) In the case of murum quarrying, entire weathered soil or murum shall not be excavated exposing hard rock; instead, a capping of at least half a meter be left so that it can support

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vegetation and plantation that be done later on. Similarly, these operations shall not cause depression below the average ground level.

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

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

9) Kachha road leading to quarry site shall be invariably sprayed by water during the period when trucks carry murum. In addition, in order to minimize dust pollution, measurers 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 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.

15.2 ERECTION OF MOBILE TOWERS

Erection/ setting up Telecommunication Cell Sites/ Base Stations and installation of the equipment for Telecommunication network shall be permissible as per the norms of Department of Telecommunication / Information Technology or concerned Department of the Central/ State Government.

15.3 PREPRATION OF LOCAL AREA PLAN

A local area plan is a plan for comprehensive development of particular area in city/ town, which may consist of detail provisions than that of development plan addressing the local requirements of the area. The Authority may prepare such plan consisting of planning requirement at micro level, local area specific regulations, urban design etc. The local area plan shall be prepared by following procedure similar to that of section 33 of the Maharashtra Regional and Town Planning Act, 1966. After approval to this plan by the State Government, it shall come into force. In the event of provisions of local area plan not consistent with UDCPR, the provisions of local area plan shall prevail.

15.4 GUIDELINES FOR STREET DESIGN IN CITY / TOWN.

The authority shall ensure complete design of street i.e. streets shall be designed to cater to the needs of all users and activities like smooth and convenient vehicular movement, safe and unhampered pedestrian movement for all age groups, safe and easy movement of differently abled persons, street furniture etc.

The street shall generally be designed to

i) attract more users,
ii) have provisions for pedestrian and cyclist,
iii) increase retail activities,
iv) to provide relevant street furniture and signage,
v) plant trees,
vi) make provisions for proper illumination,
vii) have provisions for underground utilities,

1and up to 60. mt. are given at Appendix-M. The authority shall develop the new roads as per these specimens.

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(Kishor Gokhale)
Under Secretary
Government of Maharashtra

(N. R. Shende)
Joint Secretary and Director of Town Planning
Government of Maharashtra

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APPENDIX A-1: FORM FOR CONSTRUCTION OF BUILDING OR LAYOUT OF BUILDINGS /GROUP HOUSING

Application for permission for development under Section 18/44/58/69 of The Maharashtra Regional and Town Planning Act, 1966 read with any other Act governing the Planning Authority*, if any.

From _____ (Name of the owner)

To,

The Authority (Name of the Authority)

Sir,

I intend to carry out the under mentioned development in the site/plot of land, on Plot No…… Revenue S.No……./ Gat No...../ Khasara No..... / City Survey No……../ Final Plot No..... Mauje ……situated at Road/ Street …… Society …….in accordance with Section 18/44/58/69 of the Maharashtra Regional and Town Planning Act, 1966 read with Section (*)---------- of --------- Act.

I forward herewith the following plans and statements (Item i to x), wherever applicable, in quadruplicate, signed by me (Name in block letters) ……..and the Architect/ Licensed Engineer/ Supervisor (License No…….), who has been engaged by me and 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/s and elevation/s of the proposed development work along with existing structure to be retained/ to be demolished, if any;

iv) Particulars of development in Form enclosed (excluding individual Residential building);

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)

vii) In case of revised permission, document of consent as per Regulation No 2.2.3 (v).

viii) Attested copy of receipt of payment of scrutiny fees;

ix) Latest property tax receipt;

x) 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. I hereby undertake that I shall carry out the work according to the approved plan.

Signature of Owner

Name of Owner

Address of Owner.

Contact No.

Dated.

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The above mentioned Plans are prepared by me as per UDCPR.

Signature of the Architect /

Licensed Engineer / Supervisor.

Name.

License No.

Contact No.

Dated

(*) Name of the Act of the Planning Authority, if any, be mentioned.

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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.	
	(i) Name and address of Architect/ licensed Engineer/ Supervisor.	
	(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 Congested Area (Core Area) or Outside Congested Area?	
3.	(a) What is the total area of the plot according to the i) Ownership document? ii) Measurement plan ?	
	(b) Does it tally with the Revenue/CTS Record ?	Yes / No
	(c) What is the actual area available on site measured by Architect/licensed Engineer/Supervisor? (The permission shall be based on the area whichever is minimum.)	
	(d) Minimum area of 3 (a) (i), (ii) and 3 (c) above	
	(e) Is there any deduction in the original area of the plot on account of i) D.P. Roads, or ii) Reservation(s) If so, are they correctly marked on the site plan? Please state the total area of such deductions?	Yes / No Area ---------- Yes / No Area ---------- Yes / No Total Area ----------
	(f) Is there any water stream in the land? State the area of such land.	Yes / No Area ----------
	(g) What is the area remained for development after above deduction(s)?	Area ----------
	(h) What is the area proposed for recreational open space?	Area ---------- sq.m.
	(i) i) Whether amenity space as required under Regulation No.3.5 is left? **OR** ii) Whether amenity space as required under Regulation No.4.8.1 is left? (applicable in case of I to R provision)	Yes / No Area ---------- Yes / No Area ----------

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	(j) What is the net plot area as per Regulation No. 3.9 ? (excluding (i) above)	Area ----------
4.	Are all plans as required under Regulation No.2.2 enclosed?	Yes / No
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?	---------- Yes / No
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)	Yes / No Existing Width ----------
	(b) Is the land fronting on D.P. road? If so, width of the D.P. road	Yes / No Width ----------
	(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?	Height ----------
	(d) Is it within permissible limit of height specified in Regulation No.6.8?	Yes / No
	(e) Is height approved by Chief Fire Officer/ Director of Fire Services, M.S.? (In case of height more than 15 m.)	Yes / No
7.	Is the land subject to restrictions of blue/ red flood line, airport, railway, electric line, land fill sites, archaeology, etc.? Please state the details along with 'No objection certificate', if any.	Yes / No --------
8.	(a) If there are existing structures on the plot	Yes / No
	(i) Are they correctly marked and numbered on the site plan?	Yes / No
	(ii) Are those proposed to be demolished immediately and hatched in yellow colour?	Yes / No
	(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.	(a)Please state the total built up area on the basis of outer line of construction (including balconies, double height terraces and deducting voids) (existing + proposed)	
	(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 utilised?	
	(d)What is the area of TDR proposed to be utilised?	
	(e) What is the additional FSI proposed to be utilised?	

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	(f)Please state the overall F.S.I. utilised in the proposal?		
	(g)Is carpet area of each apartment mentioned on the plan?		
10.	Whether area for inclusive housing is required as per Regulation No. 3.8? Please state the details.		
11.	(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?		
13.	(a) What is :	**Permissible**	**Proposed**
	(i) the front set-back (s) ?		
	(ii)the side marginal distance (s)?		
	(iii) the rear marginal distance (s)?		
	(vi) the distance between buildings?		
14.	(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?		
15.	(a)Whether use of every room / part mentioned on the plan?		
	(b)Whether every room derives light and ventilation required under the regulations?		
16.	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.	**Passenger Capacity**	**No. of Lifts**
	(b) Details of Fire Lift.	**Passenger Capacity**	**No. of Lifts**
17.	(a) Does the building fall under purview of Special Building Regulation No.2.2.8?		
	(b)If so, is fire escape staircase provided in addition to regular staircase?	Yes / No	
	(c)Whether the ramps to the basement are provided leaving 6 m marginal distance for movement of fire fighting vehicle?	Yes / No.	
	(d) If podiums are proposed, does it allow the movement of fire fighting vehicle properly?	Yes / No.	
18.	(a) What are the requirements of parking spaces under the Regulation No. 8.0 ? How many are proposed?		**Required** / **Proposed**
		Car	
		Scooter	
	(b) (i)		
	(ii) If so, what is the requirement?		

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	(iii) How many are proposed?	
19.	Is the sanitary arrangement provided as per the regulation?	
20.	Details of the source of water to be used in the construction ?	
21.	Distance from the sewer line. (if sewerage system is available)	
22.	Please explain in detail in what respect the proposal does not comply with the Unified 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/ 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 / Supervisor employed.

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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. 9 (a)] Proposed Building		
Building No.	**Floor No.**	**Total Built-up Area of floor, as per outer construction line.**
(1)	**(2)**	**(3)**
	Total	

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Form of Statement 3 (to be printed on plan) [Sr. No. 9 (g)]					
Area details of Apartment					
Building No.	**Floor No.**	**Apartment No.**	**Carpet area of apartment**	**Area of Balcony attached to Apartment**	**Area of Double height terraces attached to flat.**
1	**2**	**3**	**4**	**5**	**6**
Note : Above statements may vary, wherever required.					

Proforma – I: Area Statement (At Right Hand top Corner of Plans)	
PROPOSED ---------- COMPLEX ON C.T.S. NO./PLOT NO. / S.NO. / GAT NO. /F.P.NO.------- OF VILLAGE MAUJE -----	**Drawing Sheet No.: X/Y**
Stamps of Approval of Plans:	
AREA STATEMENT	
1. Area of plot *(Minimum area of **a, b, c** to be considered)*	
(a) As per ownership document (7/12, CTS extract)	
(b) as per measurement sheet	
(c) as per site	
2. Deductions for	
(a) Proposed D.P./ D.P. Road widening Area/Service Road / Highway widening	
(b) Any D.P. Reservation area	
(Total a+b)	
3. Balance area of plot (1-2)	
4. Amenity Space (if applicable)	
(a) Required -	
(b) Adjustment of 2(b), if any -	
(c) Balance Proposed -	
5. Net Plot Area (3-4 (c))	
6. Recreational Open space (if applicable)	
(a) Required -	
(b) Proposed -	
7. Internal Road area	
8. Plotable area (if applicable)	
9. Built up area with reference to Basic F.S.I. as per front road width *(Sr. No. 5xbasic FSI)*	
10. Addition of FSI on payment of premium	
(a)Maximum permissible premium FSI - based on road width / TOD Zone. (b) Proposed FSI on payment of premium.	
11. In-situ FSI / TDR loading	
(a)In-situ area against D.P. road *[2.0 x Sr. No. 2 (a)],if any*	

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(b)In-situ area against Amenity Space if handed over *[2.00 or1.85 x Sr. No. 4 (b)and /or(c)],*	
(c)TDR area	
(d) Total in-situ / TDR loading proposed (11 (a)+(b)+(c)) **12.**Additional FSI area under Chapter No. 7	
13. Total entitlement of FSI in the proposal	
(a) [9 + 10(b)+11(d)] or 12 whichever is applicable.	
(b) Ancillary Area FSI upto 60% or 80%with payment of charges.	
(c) Total entitlement (a+b)	
14. Maximum utilization limit of F.S.I. (building potential) Permissible as per Road width *{(as per Regulation No. 6.1 or 6.2 or 6.3 or 6.4 as applicable) x 1.6 or 1.8}*	
15. Total Built-up Area in proposal.*(excluding area at Sr.No.17 b)*	
(a) Existing Built-up Area.	
(b) Proposed Built-up Area (as per 'P-line')	
(c) Total (a+b)	
16. F.S.I. Consumed (15/13) *(should not be more than serial No.14 above.)*	
17. Area for Inclusive Housing, if any	
(a) Required *(20% of Sr.No.5)*	
(b) Proposed	

Certificate of Area:

Certified that the plot under reference was surveyed by me on_____ and the dimensions of sides etc. of plot stated on plan are as measured on site and the area so worked out tallies with the area stated in document of Ownership/ T.P. Scheme Records/ Land Records Department/City Survey records.

Signature

(Name of Architect/ Licensed Engineer/ Supervisor.)

Owner's Declaration –

I/We undersigned hereby confirm that I/We would abide by plans approved by Authority / Collector. I/We would execute the structure as per approved plans. Also I/We would execute the work under supervision of proper technical person so as to ensure the quality and safety at the work site.

Owner (s) name and signature

Architect/ Licensed Engineer/ Supervisor name and signature

Job No.	**Drawing No.**	**Scale**	**Drawn by**	**Checked by**	**Registration No. of Architect/ License no. of Licensed Engineer/ Supervisor**

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APPENDIX A-2: FORM FOR SUB-DIVISION OF LAND AS PLOTTED LAYOUT

Application for permission for development under Section 18/44/58/69 of The Maharashtra Regional and Town Planning Act, 1966 read with any other Act governing the Planning Authority, if any.*

From _____ (Name of the owner)

To,
The Authority,(Name of the Authority.)

Sir,

I intend to carry out the under mentioned development in the site/plot of land, bearing S.No./Gat No./City Survey No/Final Plot No.……,Mouje ……, situated at Road/ Street …… in accordance with Section 18/44/58/69 of The Maharashtra Regional and Town Planning Act, 1966 read with Section (*)---------- of --------- Act.

I forward herewith the following plans and statements (Item 1 to 7), wherever applicable, in quadruplicate, signed by me (Name in block letters) …… and the Architect / Licensed Engineer / Supervisor (Registration/ License No…….), who has been engaged by me and has prepared the plans, designs and a copy of other statements /documents as applicable.

(1) Key Plan (Location Plan);(to be shown on first copy of the set of plans)

(2) Site Plan showing the surrounding land and existing access to the land included in the layout;(to be shown on first copy of the set of plans)

(3)A layout plan showing,

(i) sub-divisions of the land or plot with dimensions and area of each of the proposed sub-divisions and its use according to prescribed regulations;

(ii) width of the proposed streets; and

(iii) dimensions and area of recreational open spaces provided in the layout.

(iv) dimensions and area of amenity space provided in the layout.

(4) An extract of record of rights, property register card (any other document showing ownership of land to be specified)

(5) In case of revised permission, document of consent as per Regulation No 2.2.3 (v).

(6) Particulars of development in Form enclosed.

(7)Attested copy of Receipt for payment of scrutiny fees.

(8) No Objection Certificate, wherever required. I request that the proposed Sub-division / layout may please be approved and permission accorded to me to execute the work.

Signature of Owner

Name of Owner

Address of Owner

Contact No.

Dated:

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CERTIFICATE

The above mentioned Plans are prepared by me as per UDCPR.

Signature of the Architect / Licensed Engineer / Supervisor.

Name

License No.

Contact No.

Dated

(*) Name of the Act of the Planning Authority, if any, be mentioned.

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Form giving Particulars of Development

(Part of Appendix A-2, Item 6)

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 / Supervisor employed.	
	(ii) No. and date of issue of License (Registration No. in case of Architect.)	
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?	Yes / No. ----------
	(b) Whether the land is situated in Congested (core) Area or outside Congested Area?	Yes / No.
3.	(a) What is the total area of the plot according to the ownership document and measurement plan?	Area --------
	(b) Does it tally with the Revenue/CTS Record	Yes / No.
	(c) What is the actual area available on site measured by Architect/ licensed Engineer/ Supervisor? (The permission shall be based on the area whichever is minimum.)	Area --------
	(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?	Yes / No. D.P. Road / widening Area -------- Reservation Area ------
	(e) Is there any water stream in the land? State the area of such land and state whether it is excluded?	Yes / No. Area --------
	(e) What is the area remained for development after above deduction(s)?	Area --------
	(f) What is the area proposed for recreational open space? (For minimum original holding as mentioned in Regulation No. 3.4)	Area --------
	(g) Whether amenity space as required under Regulation No. 3.5 is left? Please mention the area.	Yes / No. Area --------
	(h) What is the net plot area as per Regulation No. 3.9?	Area --------

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4.	Are all plans as required under Regulation No.2.2 enclosed?	Yes / No.
5.	(a) In what zone does the plot / land 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)	Yes / No. Width ------m.
	(b) Is the land fronting on D.P. road? If so, width of the D.P. road	Yes / No. Width ------m.
	(c) Is the land fronting on National or State highway? If so, is the Building line / control line maintained? Please state the distance.	Yes / No. --------
7.	Is the land subject to restrictions of blue / red flood line, airport, railway, electric line, land fill sites, archaeology, etc.? Please state the details along with 'No objection certificate', if any.	Yes / No.
8.	Whether the internal roads proposed in the layout conform to the Regulation No.3.3 ?	Yes / No.
9.	Whether roads in the layout are co-ordinated with the roads in the surrounding layout?	Yes / No.
10.	Whether the area and dimensions of plots are proposed as per prescribed regulations?	Yes / No.
11.	Whether area for inclusive housing is required as per Regulation No. 3.8 ? Please state the details.	Yes / No.

I hereby declare that I am the Architect/ Licensed 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/ Supervisor employed.

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Proforma - I: Area Statement

(At Right Hand top Corner of Plans)

Proposed ---------- Layout on C.T.S. No./ Plot No. / S.No. /Gat. No./ F.P.No.------- of Village Mauje ----- **Drawing Sheet No.: X/Y**

Stamps of Approval of Plans:

Area Statement	
Area of Plot *(Minimum area of **a, b, c** to be considered)*	
a) As per ownership document (7/12, CTS extract)	
b) as per measurement sheet	
(c) as per site	
2. Deductions for	
(a) Proposed D.P./ D.P. Road widening Area/Service Road / Highway widening	
(b) Any D.P. Reservation area	
(Total a+b)	
3. Balance area of plot (1-2)	
4. Amenity Space (if applicable)	
(a) Required -	
(b) Adjustment of 2(b), if any -	
(c) Balance Proposed -	
5. Net Plot Area (3-4 (c))	
6. Recreational Open space (if applicable)	
(a) Required -	
(b) Proposed -	
7. Internal Road area	
8. Service road and Highway widening	
9. Plotable area	
10. Pro-rata factor for FSI calculation on layout plots = (5/9)	
11. Area for inclusive housing	
(a) Required -	
(b) Proposed -	

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Area Statement
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
Statement of distribution of FSI on each plot (to be printed at suitable place on plan)

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Plot No.	**Plot area (sq.m.)**	**Corner Rounding area of Road (if any) (sq.m.)**	**Remaining Plot area (b-c) (sq.m.)**	**Pro-Rata FSI factor**	**Built up area on pro-rata basis i.e.(d x e) ***	**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)	(i)

* This factor may not be applied in case of individual plot, if quantum of FSI to be apportioned on various plots is varied. In such case, column (e) shall read as "quantum of pro-rata FSI to be utilised" and total of this column shall be equal to or less than the quantum at Sr. No. 5.

APPENDIX 'B': FORM FOR SUPERVISION

To,

The Authority

(Name of the Authority)

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 _____ Revenue S.No……./ Gat No...../ Khasara No..... / City Survey No……../ Final Plot 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.

Date :

Signature and name of the Architect or Licensed Engineer/ Site Engineer /Supervisor. *

Registration/ License No.

* Strike out whichever is not applicable.

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CERTIFICATE

** I hereby certify that the structural drawings for the above mentioned work are prepared by me / us and work, as far as structural drawings are concerned, shall be carried under my supervision. I shall be responsible for the execution of the work as far as structural drawings are concerned.

Signature and name of the Structural Engineer / Architect / Licensed Engineer. ***

Registration/ License No.

Date :

** Wherever applicable.

*** Strikeout whichever is not applicable.

APPENDIX -C

QUALIFICATION, COMPETENCE, DUTIES AND RESPONSIBILITIES ETC. OF LICENSED TECHNICAL PERSONNEL OR ARCHITECT FOR DEVELOPMENT PERMISSION AND SUPERVISON.

C-1 GENERAL

C-1.1 The qualifications of the technical personnel and their competence to carry out different jobs for development permission and supervision for the purpose of licensing by the Authority shall be as given in Regulation No. C-2 to C-6. The procedure for licensing the technical personnel is given in Regulation No.C-7. In the event, the services of the technical personal is discontinued by the owner / developer or such technical personal resigns from the services, he shall forthwith intimate to the authority and owner / developer shall immediately appoint another technical person on the project.

C-2 ARCHITECT

C-2.1 Qualifications-

The minimum qualifications for an architect shall be the qualifications as provided ~~for~~ in the Architects Act, 1972 and should be registered with the Council of Architecture with valid membership. Such registered Architects shall not be required to again register their names with the Authority. However, he shall submit the registration certificate to the~~.~~ Authority.

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C-2.2 Competence of Architect:

To carry out work related to development permission as given below and shall be entitled to submit -

i) All plans and technical information connected with designs and plans of development permission.

ii) Structural details and calculations for building on plot up to 500 sq.m. and up to 3 storeys or 11 m. height and

iii) Certificate of architectural supervision and completion for all buildings.

C-2.3 Duties and Responsibilities.

i) Design as per Client's requirements and site conditions.

ii) Prepare and submit plans as per the Regulations and shall be responsible for correctness of the calculations and dimensions mentioned on the plan and shall be liable for consequences arising thereof.

iii) Represent before the Authority for scrutiny of drawings.

iv) Prepare and issue working drawings details in conformity with approved plans.

v) Advice client to appoint Site Engineer/ Supervisor, in case he himself is not undertaking the supervision work.

vi) Inform Authority about Commencement of work on site.

vii) To verify the work at obligatory stages of plinth completion, completion of RCC structure and superstructure completion to ensure work progress in conformity of approved drawings and dimensions.

viii) Inform Authority about reaching relevant stage of work where stage-wise approval from the

authority is required.

ix) Issue completion / part completion certificate for submission to the authority.

x) Inform in writing to the Authority in case of violation by Client during the period of appointment

xi) To assist and co-operate with the Authority and other officers in carrying out and enforcing the provisions of Maharashtra Regional and Town Planning Act, 1966 and of any regulations for the time being in force under the same.

xii) The above mentioned Architect's scope and responsibilities shall be similarly applicable for Landscape/ Heritage & Conservation Consultant, if any.

C-3 ENGINEER

C-3.1 Qualifications-

i)The qualifications for Licensing Engineer shall be the corporate membership (Civil) of the Institution of Engineers or such Degree or Diploma in Civil or Structural Engineering or equivalent; **or**

ii) Diploma in Civil Engineering or Diploma in Architectural Assistance ship or equivalent qualification, having experience of 10 years in the field of land and building planning.

C-3.2 Competence-

To carry out work related to development permission as given below and shall be entitled to submit-

i) All plans and related information connected with development permission.

ii) Structural details and calculations for building on plot up to 500 sq.m. and up to 3 storeys or 11m. height, and

iii) Certificate of supervision and completion for all buildings.

C-3.3 Duties and Responsibilities.

Duties and Responsibilities of the Engineer shall be as mentioned in C-2.3 above within the competency mentioned in Clause - C-3.2.

C-4 STRUCTURAL ENGINEER

C-4.1 Qualifications-

i) Graduate in Civil Engineering of recognised Indian or Foreign University and Chartered Engineer or Associated Member in Civil Engineering Division of Institution of Engineers (India) or equivalent Overseas Institution with minimum 3 years of experience of structural engineering practice in designing and related field work; **or**

ii)Post graduate degree in structural engineering with 2 years' experience; **or**

iii) Doctorate in structural engineering with 1 year experience.

C-4.2 Competence –

The structural engineer shall be competent.

i) To prepare the structural design, calculations and details of all buildings and carry out verification of reinforcement as per stages of work.

ii) To carry out structural audit/ structural condition survey of the existing/ old buildings.

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C-4.3 Duties and Responsibilities of Structural Engineer

i) All structural layouts and structural design related with plan and development on the basis of details received from architect/ owner/ builder/ developer/ geo technical consultant.

ii)Wherever required, structural engineer shall avail the services/advice of Geotechnical Engineer.

iii) Provide lists of tests to be carried out at each stage of work and allow the further work only after satisfying with the same.

iv) To verify the structural elements in compliance with structural drawings.

v) To document the site visit report mentioning therein the deviation / lapses, if any, in respect of structural elements designed by him and inform the same to the site engineer, owner / developer, architect / licensed personnel for rectification required.

vi) He shall be responsible for the adequacy of the structural design in compliance with BIS code and plans received from architect/ owner/ builder/ developer.

vii) The structural engineer will advise owner/ builder/ developer to appoint formwork co-coordinator (FWC) and same shall be employed by the owner/ builder/ developer for the project.

viii) Certificate of structural design adequacy at the time of completion.

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C-5 SUPERVISOR

C-5.1 Qualification

(a) For Supervisor 1 :-

i) Three years architectural assistantship or intermediate in architecture with two years experience, or

ii) Diploma in Civil engineering or equivalent qualifications with two years experience. or

iii) Draftsman in Civil Engineering from ITI or equivalent qualifications with Ten years experience out of which five year shall be under Architect/Engineer.

(b) For Supervisor - 2 :-

i) Draftsman in Civil Engineering from ITI or equivalent qualifications with five years experience under Architect/ Engineer.

C-5.2 Competence

(a) For Supervisor-1: He shall be entitled to submit -

i) All plans and related information connected with development permission on plot up to 500sq.m.; and

ii) Certificate of supervision of buildings on plot up to 500 sq.m. and completion thereof.

(b) For Supervisor-2 :He shall be entitled to submit -

i) All Plans and related information up to 200sq.m. built up area, and

ii) Certificate of supervision for limits at (i) above and completion thereof.

C-5.3 Duties and Responsibilities.

Duties and Responsibility of the Engineer shall be as mentioned in C-2.3 above within the competency mentioned in Clause C-5.2.

C-6 TOWN PLANNER

C-6.1 Qualification

Graduate or Post-graduate degree in Town and country planning, urban planning, planning, regional planning or equivalent.

C-6.2 Competence

i) All plans and related information connected with development permission.
ii) Issuing certificates of supervision for development of all lands.

C-6.3 Duties and Responsibilities.

i) Design as per Client's requirements and site conditions.
ii) Prepare and submit plans as per the Regulations and shall be responsible for correctness of the calculations and dimensions mentioned on the plan and shall be liable for consequences arising thereof.
iii) Represent before the Authority for scrutiny of drawings.
iv) Advice client to appoint Site Engineer / Supervisor, in case he himself is not undertaking the supervision work.
v) Inform Authority about Commencement of work on site.
vi) Inform Authority about reaching relevant stage of work where stage-wise approval from the authority is required.
vii) Inform in writing to the Authority in case of violation by Client during the period of appointment.
viii) To assist and co-operate with the Authority and other officers in carrying out and enforcing the provisions of Maharashtra Regional and Town Planning Act, 1966 and of any regulations for the time being in force under the same.

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C-7. LICENSING-

C-7.1 Technical Personnel to be licensed:-

The Qualified technical personnel or group as given in regulations; No. C-2, C-3, C-4, C-5, C-6 shall be licensed with the Authority or District Offices of Town Planning Department and the license shall be valid for three calendar years ending 31st December after which it shall be renewed every three years. The technical person registered with the Authority shall be entitled to work within Authority's jurisdiction and those registered with district offices shall be entitled to work within jurisdiction of all Authorities as well as regional plan area of the respective district.

C-7.2 Fees for Licensing- The annual licensing fees shall be as follows:-

For Engineer, Structural Engineer and Town Planner.	Rs.3000/- For three years.
For Supervisor (1) and For Supervisor (2)	Rs.1500/- For three years. .

These fees shall be increased by 10% for every three years.

C-8 DUTIES AND RESPONSIBILITIES OF OTHER TECHNICAL PERSONS / Owner

C-8.1 SITE ENGINEER

C-8.1.1 Qualifications:

The "Site Engineer" must hold a minimum diploma in Civil/ Construction Engineering / Construction Management or any other equivalent qualification in the field of Civil Engineering.

C-8.1.2 Duties and Responsibilities

i) To carry out day to day supervision in order to ensure that the work on site is carried out in accordance with the development permissions, approved plans, drawings given by Licensed personnel/ Architect of the project, structural drawings given by structural engineer.

ii) Enforce construction methodology, Ensure the quality of work as per the specifications and keep site records.

iii) To make necessary arrangement for the temporary structures/formwork/shuttering required for the execution of the building as per the design and drawing with the help of owner/ developer.

iv) To organise the all activities related to construction and development in coordination with Architect / Engineer / Structural Engineer and Owner/ Developer.

v) To take necessary measures to ensure the safety of workers on site.

C-8.2 GEOTECHNICAL ENGINEER.

C-8.2.1 Qualifications:

i) Graduate in civil engineering or geotechnical engineering or Member of Civil Engineering Division of Institution of Engineers (India), and with minimum 3 year experience in geotechnical engineering practice in designing and field work., **or**

ii) Post graduate in civil engineering or geotechnical engineering with minimum 2 year experience in geotechnical engineering practice in designing and field work. **or**

iii) Doctorate in civil engineering or geotechnical engineering with minimum 1 year experience in geotechnical engineering practice in designing and field work.

C-8.2.2 Duties and Responsibilities of Geotechnical Engineer

i) Geotechnical investigation by exploring necessary field tests and visual inspection, taking samples and testing in certified/ authorized Laboratory.

ii) Prepare the Geotechnical Report certifying the Geotechnical conditions, advise on safe bearing capacity, required depth for foundation, stability of excavated slopes and safety of the adjoining structures to the Structural Engineer by considering all relevant affecting/ governing aspects.

iii) Certify the strata and sub soil conditions before laying the foundation.

C-8.3 OWNER / DEVELOPER

C-8.3.1 Duties and Responsibilities.

i) The applicant owner/ developer shall be responsible for title of the property.

ii) The applicant owner/developer shall be responsible for truthfulness and validity of orders, NOCs, certificates obtained by him.

iii) Communicate with the consultants on reaching various stages of work in order to facilitate them to get clearances for further action.

iv) Appoint professional/ consultant/ supervisors/ site engineer/ technical personnel/ staff required for carrying out the work.

v) Provide necessary resources as may be required by the professionals/ consultants/ supervisors/ technical personnel/Staff.

vi) Commence work at various stages only after obtaining required approval to the plans from the Authority or clearances under the law.

vii) To comply with any instructions, directions and orders by any Statutory Authority.

viii) Ensure that no work in violations of the sanctioned plan is carried out at any stage of the work and even after Occupation certificate is obtained.

ix) To ensure overall safety during construction by engaging various technical persons, site engineer, formwork coordinator etc.

C-8.4 DUTIES AND RESPONSIBILITIES OF THE OFFICERS OF THE AUTHORITY.

In addition to the duties and responsibilities assigned to the post of the officers of the Authority dealing with the development permission, following duties shall also be performed.

i) The application of development permission shall be scrutinised and shall be disposed off within the time limit specified in the Act/ DCPR or Right to Services Act.

ii) The concerned officer shall make site inspection/s as and when required.

iii) If any complaint is received in respect of any on-going work for which development permission has been granted, he should take the cognizance of the said compliant and do the needful within 15 days.

iv) On receipt of complaint, the officer of the Authority shall investigate thoroughly and do the needful as per provisions of law and regulations. He shall not act arbitrarily on complaint and issue stop work notice to on-going work.

C-8.5 TECHNICAL FACT FINDING COMMITTEE.

In case of any accident at site during construction on account of failure of any component of building/ structure, the reason for the same shall be ascertained by the following technical fact finding committee.

Committee for Planning Authority Area		
Sr. No.	**Members**	**Post**
1	Collector of the concerned District	Chairman
2	Deputy Commissioner of Police or Police Officer of the equivalent rank.	Member
3	Assistant Director of Town Planning of the District.	Member
4	Superintending Engineer of P.W.D. (Building Design Division) of the State.	Member
5	Chief Fire Officer of the concerned Authority. In absence of such officer at the Authority, representative of Director of Fire Services, Maharashtra State.	Member
6	Representative of Labour Commissioner not below the rank of Class-A officer.	Member
7	Representative of Indian Society of Structural Engineers of local/ nearby centre.	Member
8	Representative of Indian Institute of Architects of local/ nearby centre.	Member.
9	Representative of CREDAI of the concerned district/ city.	Member.

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10	In-charge Officer of the department of the concerned Authority, granting the development permission.	Member Secretary.

Committee for Regional Plan Area		
Sr. No.	**Members**	**Post**
1	Divisional Commissioner of the Concerned Division.	Chairman
2	Joint Director of Town Planning of the concerned Division.	Member
3	Collector of the concerned District	Member
4	Deputy Superintendent of Police or Police Officer of the equivalent rank.	Member
5	Superintending Engineer of P.W.D. (Building Design Division) of the State.	Member
6	Representative of Director of Fire Services, Maharashtra State.	Member
7	Representative of Labour Commissioner not below the rank of Class-A officer.	Member
8	Representative of Indian Society of Structural Engineers of local/ nearby centre.	Member
9	Representative of Indian Institute of Architects of local/ nearby centre.	Member.
10	Representative of CREDAI of the concerned district/ city.	Member.
11	Assistant Director of Town Planning/ Town Planner of the concerned area.	Member Secretary.

In case of accident mentioned above, the concerned Authority shall intimate to the concerned committee along with relevant documents. The Committee shall convene the meeting of the committee immediately and shall send the report of its primary findings within 3 working days to the concerned Authority for further necessary action. The committee shall submit final report within 10 working days if detailed investigations are required. The committee shall be at liberty to take the help of experts, if required. It may give hearing to the concerned persons, if required.

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APPENDIX 'D-1'

FORM FOR SANCTION OF BUILDING PERMISSION AND COMMENCEMENT CERTIFICATE

To,

Sir,

With reference to your application No._____,dated _____ for the grant of sanction of Commencement Certificate under Section 18/44 of The Maharashtra Regional and Town Planning Act, 1966 read with Section (*)---------- of --------- Act, to carry out development work / Building on Plot No…… Revenue S.No……./ Gat No...../ Khasara No..... / City Survey No……../Final Plot No.....Mauje_____ situated at Road /Street_____, Society _____, the Commencement Certificate/Building Permit is granted under Section 18/45 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 in future.

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 certificate is granted.

3. 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.

4. This permission does not entitle you to develop the land which does not vest in you.

Office No.

Office Stamp

Date :

Yours faithfully,

Authority or an officer appointed by it

(*) Name of the Act of the Planning Authority, if any, be mentioned or concerned sentence be deleted.

(Specimen of Stamp of Approval to be marked on building plan)

OFFICE OF THE **----------

Building Permit No. ----------

--

Date : ----------.

SANCTIONED.

** Name of the Municipal Corporation / Council / Nagar Panchayat / Collector shall be mentioned.

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APPENDIX 'D-2'

FORM FOR TENTATIVE APPROVAL FOR DEMARCATION OF LAND / SUB-DIVISION LAYOUT

To,

Sir,

With reference to your application No _____,dated _____ for the land sub-division approval, under Section 18/44 of The Maharashtra Regional and Town Planning Act, 1966 read with Section (*)---------- of --------- Act, to carry out development work in respect of land bearing Plot No…… Revenue S.No……./ Gat No...../ Khasara No..... / City Survey No……../ Final Plot No....., Mauje ……it is to inform you that, land sub-division layout is hereby tentatively approved and recommended for demarcation, subject to the following conditions:

1. You will get the land sub-division layout demarcated on the site by the Land Records Department and submit the certified copy to that effect for final approval.

2. It shall be the responsibility of the owner to carry out all the development work including construction of roads, sewer lines, water supply lines, culverts, bridges, street lighting, etc. and hand it over to the Authority after developing them to the satisfaction of the Authority.

3. If you wish that the Authority has to carry out these development works, then you will have to deposit the estimated expenses to the Authority in advance, as decided by the Authority.

4. You will have to handover the amenity space to the Authority before approval of final layout as per Regulation No. 3.5. (applicable in case where owner is not allowed to develop)

5. This permission does not entitle you to develop the land which does not vest in you.

Office No. Yours faithfully,

Office Date

Authority or an officer appointed by it

Office Stamp

(*) Name of the Act of the Planning Authority, if any, be mentioned or concerned sentence be deleted.

(Specimen of Stamp of Approval to be marked on Layout plan)

OFFICE OF THE **----------

Letter No. ----------

Date : ----------.

LAYOUT RECOMMENDED FOR DEMARCATION.

** Name of the Municipal Corporation / Council / Nagar Panchayat / Collector shall be mentioned.

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APPENDIX 'D-3'

FORM FOR FINAL APPROVAL TO THE LAND SUB-DIVISION / LAYOUT

To,

_____

_____

Sir,

With reference to your application No. _____,dated _____ for the land sub-division approval, under Section 18/44/69 of The Maharashtra Regional and Town Planning Act, 1966 read with Section (*)---------- of --------- Act, to carry out development work in respect of land bearing Plot No…… Revenue S.No……./ Gat No...../ Khasara No..... / City Survey No……../ Final Plot No....., Mauje…… the land sub-division layout is finally approved as demarcated, under Section 18/45/69 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 Planning Authority /Collector after developing them to the satisfaction of the Authority.
2. If you wish that the Planning Authority /Collector should carry out these development works, then you will have to deposit the estimated expenses to the Planning Authority /Collector in advance, as decided by the Authority.
3. As per the undertaking submitted by you in respect of recreational open space as stipulated in Regulation No.3.4, the said open space admeasuring ------- sq.m. stand vested in the name of plot holders of the layout or society of the plot holders and you have no right of ownership or interest in the said recreational open space.
4. This permission does not entitle you to develop the land which does not vest in you.
5. ----------

Yours faithfully,

Office Stamp

Authority or an officer appointed by it

(*) Name of the Act of the Planning Authority, if any, be mentioned or concerned sentence be deleted.

(Specimen of Stamp of Approval to be marked on Layout plan)

OFFICE OF THE **----------

Letter No. ---------- Date : ----------

LAYOUT SANCTIONED

Subject to conditions mentioned in the said

** Name of the Municipal Corporation / Council / Nagar Panchayat / Collector shall be mentioned.

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APPENDIX 'E-1'

FORM FOR REFUSAL OF BUILDING PERMIT/ COMMENCEMENT CERTIFICATE

Office No. Office Date

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 S.No……./ Gat No...../ Khasara No..... / City Survey No……../ Final Plot No..... Mauje_____, I regret to inform you that the proposal has been refused under Section 18/45/69 of the Maharashtra Regional and Town Planning Act, 1966, on the following grounds.

1.

2.

3.

4.

5.

6.

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Yours faithfully,

Office Stamp

Authority or an officer appointed by it

Note - While refusing the permission, the Authority shall mention the Regulation number, provision of which is not complied within the development proposal.

(Specimen of Stamp of rejection to be marked on building plan)

Letter No. --------

Date : ----------.

REJECTED

APPENDIX 'E-2'

FORM FOR REFUSAL OF LAND SUB-DIVISION/ LAYOUT

Office No. Date

To,

Sir,

With reference to your application No. _____dated _____ for the grant of sanction for the development work bearing Plot No…… Revenue S.No……./ Gat No...../ Khasara No..... / City Survey No……../ Final Plot No..... Mauje_____, I regret to inform you that the proposal has been refused under Section 18/45/69 of the Maharashtra Regional and Town Planning Act, 1966, on the following grounds.

1. ----------

2. ----------

3. ----------

4. ----------

5. ----------

6. ----------

Stamp

Yours faithfully,

Authority or an officer appointed by it

Note - While refusing the permission, the Authority shall mention the Regulation number, provision of which is not complied within the development proposal.

(Specimen of Stamp of rejection to be marked on Layout plan)

Letter No. --------

Date : ----------.

REJECTED

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APPENDIX 'F'

FORM FOR INTIMATION OF COMPLETION OF WORK UP TO PLINTH LEVEL*

To,

The Authority,

Planning Authority /Collector

Sir,

The construction up to plinth / column up to plinth level has been completed in Building No _____ Plot No…… Revenue S.No……./ Gat No...../ Khasara No..... / City Survey No……../ Final Plot No....., Mouje ……situated at Road/Street _____,Society_____ in accordance with your permission No _____ dated _____ under my architectural / technical supervision and construction is carried out strictly in accordance with the sanctioned plan upto plinth level.

This is for information to you and we are proceeding further with the remaining construction work.

Yours faithfully

Signature of Architect/Licensed Engineer/ /Supervisor

Name : _____

(In Block Letters)`_____

Address :_____

_____

E-mail ID: _____

Mobile No.: _____

Date: _____

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APPENDIX 'G'

FORM FOR COMPLETION CERTIFICATE

To,

The Authority,

Planning Authority /Collector

Sir,

I hereby certify that the erection / re-erection or part/ full development work in / on building / part building No _____ Plot No…… Revenue S.No……./ Gat No...../ Khasara No..... / City Survey No……../ Final Plot No....., Mouje ……has been supervised by technical person and has been completed on _____ without any departures of substantial nature according to the plans sanctioned, vide office communication No. _____ dated _____. The work has been completed as per sanctioned plan. No provisions of the Act or the building Regulations, no requisitions made, conditions prescribed or orders issued thereunder have been transgressed, except * a few changes made within the internal layout of residential or commercial units, which do not violate FSI or other regulations, 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.

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Yours faithfully

(Signature of Owner)

Encl : As above.

Name of Owner (in Block Letters)

Date :

Signature and name of Architect /Licensed Engineer/Supervisor

* Wherever applicable.

** Delete whichever is not applicable.

APPENDIX 'H'

FORM FOR FULL / PART OCCUPANCY CERTIFICATE

Office No. Date

To,

i) Owner:

ii) Architect, Licensed Engineer , Structural Engineer / Supervisor

Sir,

The full / part development work / erection re-erection / or alteration in of building / part building No _____Plot No…… Revenue S.No……./ Gat No...../ Khasara No..... / City Survey No……../ Final Plot No....., Mouje ……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.

Office Stamp

Yours faithfully,

Authority or an officer appointed by it

(Specimen of Stamp to be marked on the plan)

OFFICE OF THE **----------	OFFICE OF THE **----------
Letter No. ---------- Date : ----------	Letter No. ---------- Date : ----------
OCCUPATION GRANTED	PART OCCUPATION GRANTED

** Name of the Municipal Corporation / Council / Nagar Panchayat / Collector shall be mentioned.

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APPENDIX 'I'
FORM FOR REFUSAL OF OCCUPANCY CERTIFICATE

Office No. Date

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 S.No……./ Gat No...../ Khasara No..... / City Survey No……./Final Plot No....., Mouje ……completed under the supervision of _____ Architect, Licensed Engineer / Supervisor, / License No_____ is not allowed to be occupy 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 Authority and remaining sets are regretfully returned herewith.

Encl : As above.

Office Stamp Yours faithfully,

Authority or an officer appointed by him

(Specimen of Stamp of rejection to be marked on the plan)

Letter No. --------

Date : ----------.

O.C. REJECTED

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APPENDIX 'J'

FORM OF INDEMNITY FOR PART OCCUPANCY CERTIFICATE

(On Stamp Paper)

(Of such value as decided by the Authority.)

To,

The Authority,

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 Authority 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:

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APPENDIX 'K' APPROVALS OF BUILDING PERMISSION BASED ON RISK BASED CATEGORIZATION			
Sr. No.	**Parameters to be considered for Risk Base**	**Risk Category**	
		Low Risk Category	**Moderate Risk Category**
1	Plot area	Building on a Plot Area upto 150 sq.m.	Buildings on a Plot Area more than 150 Sq.m. and upto 300 sq.m.
2	Plot status	Plot should be from sanctioned layout released for construction or regularised under Gunthewari Act, if plot is from congested area / gaothan it should have undivided original City Survey Number/ original Property Card Number/ Independent 7/12 abstract. (Plot should not be from un-authorised sub-division.)	Plot should be from sanctioned layout released for construction or regularised under Gunthewari Act, if plot is from congested area / gaothan it should have undivided original City Survey Number/ original Property Card Number/ Independent 7/12 abstract. (Plot should not be from un-authorised sub-division.)
3	Buildability of Plot	Plot should be buildable in view of the provisions in Regulation No.3.1.	Plot should be buildable in view of the provisions in Regulation No.3.1.
4	Zone in Development Plan	Residential or Commercial Zone or in a zone wherein Residential development is allowed.	Residential or Commercial Zone or in a zone wherein Residential development is allowed.
5	Type of Building	Residential or Residential with shop on ground floor.	Residential or Residential with shop on ground floor or mixed use.
6	Front, side and rear open spaces, access, parking and other requirements.	As per the provisions of UDCPR.	As per the provisions UDCPR.
7	Storeys allowed.	G. F. + 2 or Stilt + 3 floors.	G.F. + 2 or Stilt + 3 floors.
8	FSI	Construction should be within basic FSI + Premium FSI along with ancillary area FSI thereon	Construction should be within basic FSI + Premium FSI along with ancillary area FSI thereon
9	Submission of Application for approval.	Applicant shall submit the intimation letter as per Appendix-K-1 along with i) Ownership document. ii) Copy of approved layout showing plot/ measurement plan of plot. iii) Building plan showing periphery	Applicant shall submit the application as per UDCPR and all required document shall be certified and signed by the licensed personal. The licensed personal shall also submit the certificate stating that the proposal is strictly in accordance with the provisions of

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		of construction (P-line) floor wise and details of property, FSI calculation as mentioned in Proforma-I with the signature of owner and licensed personal. iv) Copy of receipt of development charges including labour cess paid to Authority, if any v) The certificate of licensed personal stating that the proposal is strictly in accordance with the provisions of UDCPR. No more details shall be necessary.	UDCPR.
10	Issue of Commencement Certificate/ Approval.	The receipt of application along with the required documents and fees/ charges mentioned in 9 above, by the authority shall be treated as permission for development.	After receipt of the application, the Demand Note regarding payment of Development Charges and other Charges based on the proposed Plans/ Drawing submitted, shall be given by the concerned Engineer of the authority within 10 days. After the receipt of payment, the Authority shall issue Commencement Certificate within 10 days from receipt of such plans without any scrutiny, solely based on the certificate of the licensed personal.
11	Plinth Checking	Plinth Checking shall not be required.	Plinth Checking shall not be required.
12	Occupation Certificate.	After completion of the work, the owner shall intimate to the Authority about the occupation of the building.	Licensed personal shall submit the completion certificate in Appendix - H to the Authority. The licensed personal shall not issue the completion certificate unless the construction is completed strictly as per plan. The Authority shall issue the occupation certificate within 10 days after site inspection.
13	Other Stipulations.	----	Any deficiency of documents or payments as per UDCPR shall amount to unauthorised construction and shall be liable for action under the provisions of the Act.

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Note - The above procedure for permission shall not bar the owner to obtain development permission as per provisions of this UDCPR, if he so desires.

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APPENDIX 'K-1'

FORM FOR PERMISSION OF CONSTRUCTION OF BUILDING ON A PLOT

UPTO 150 SQ.M.

Application for permission for development under Section 18/44of The Maharashtra Regional and Town Planning Act, 1966 read with any other Act governing the Planning Authority, if any.

From _____

(Name of the owner)

To,

The Authority

(Name of the Authority)

Sir,

I intend to carry out the under mentioned development in the site/plot of land, on Plot No…… Revenue S.No……./ Gat No...../ Khasara No..... / City Survey No……./Final Plot No....., Mouje ……situated at Road / Street …… Society …….in accordance with Section 18/44of the Maharashtra Regional and Town Planning Act, 1966.

I forward herewith the following plans and statements, signed by me (Name in block letters) ……..and the Architect / Licensed Engineer / Supervisor (License No…….), who has prepared the plans.

i) Key Plan (Location Plan) and Site Plan (to be shown on the plan)

ii) A building plan showing the periphery of construction line (P-line) floor wise. No details of internal room sizes and other details including section / elevation are to be shown. The height of building shall be mentioned. Existing structure to be retained/ to be demolished, if any, shall be shown;

iii) Copy of sanctioned layout plan, if any;

iv) An extract of record of rights, property register card (any other document showing ownership of land to be specified)

v) Attested copy of receipt of payment of Charges;***(give details of proposed Area, FSI, Charges.)***

vi) Copy of latest property tax receipt;

Please treat this intimation as permission for development.

Signature of Owner
Name of Owner
Address of Owner
Contact No. Dated
The above mentioned P-line plans are prepared by me.
Signature of the Architect /
Licensed Engineer / Supervisor.
Name
License No.
Contact No.
Dated

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APPENDIX - 'L'			
HERITAGE LISTCARD (TOWN & REGION)			
	Location	**Pin/ MH 09**	**Heritage listing of the city**
	Photo w.r.t. Landmark (min. 4 side black and white photos)	Site photo (black and white)	Card No.
			Grade
			Zone
			Zone reference
			Geological co-ordinate
			Village / CTS / Survey / Plot No.
			Postal Address
			GTS R.L. Survey

A	**Name of the Property**	
i)	Name	
ii)	Historic name	
iii)	Built in/ Age	
B	**Built Form**	
i)	Number of floors	
C	**Area (sq.)**	
i)	Plot Area	
ii)	Built-up area	
D	**Approach**	
i)	Access	
ii)	Distance from Rly. Station	
E	**Ownership**	
i)	Past owner (s)	
ii)	Present owner (s)	
iii)	Lease status	
F	**Uses**	
i)	Past uses	
ii)	Present uses	

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G	Listing criteria and reference	
i)	Historic/Archaeological Significance	
ii)	Value for architectural, historical or cultural reasons	
iii)	Architectural	
iv)	Historical	
v)	Cultural	
vi)	The date and/or period and/or design and/or unique use of the building or artefact	
vii)	Period	
viii)	Design	
ix)	Use	
x)	Relevance to social or economic history	
xi)	Association with well-known persons or events.	
xii)	A building or groups of buildings and/or areas of a distinct architectural design and/or style, historic period or way of life having sociological interest and/or community value.	
xiii)	The unique value of a building or architectural features or artefact and/or being part of a chain of architectural development that would be broken if it is lost.	
xiv)	Its value as a part of a group of buildings.	
xv)	Representing forms of technological development.	
xvi)	Vistas of natural/scenic beauty or interest, including water front areas, distinctive and/or planned lines of sight, street line, skyline or topographical features.	

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xvii)	Special details related to services like sanitation, plumbing, water supply system, drainage system, electrical, wind scoops, rainwater harvesting, etc.	
xviii)	Open spaces sometimes integrally planned with their associated areas having a distinctive way of life and for which they have the potential to be areas of recreation.	
ix)	Industrial sites of historical interest	
xx)	Archaeological sites	
xxi)	Natural heritage sites	
xxii)	Sites of scenic beauty	
xxiii)	Architectural Description (As- Built drawings)	
xxiv)	Ecological Significance	
xxv)	Final grade	
xxvi)	Lister/ reviewer	
H	**Architectural Systems in the Structure with Images/ Photos**	
i)	Foundation and Plinth	
ii)	Walls	
iii)	Floor	
iv)	Roof	
v)	Openings	
vi)	Steps	
vii)	Decorative elements/Interiors	
ANNEXURE I		
Transformation over the years in		
i)	Form	
ii)	Structure	
iii)	Finishes	

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ANNEXURE II		
Ecological and Environmental Features in and upto 500 m from the Site		
i)	No. of trees	
ii)	Type of trees	
iii)	Topography	

ANNEXURE III		
A	**Cultural Aspect**	
i)	Folk cultural	
ii)	Social, Traditional Festivals	
B	**Historical Aspect**	
i)	Renewal time of form - every 5 years	
C	**Present Structural Status**	
i)	Structural Stability Audit every 5 years	
ii)	Maintenance Level	
D	**Remarks**	
i)	Conservation and Development - Methodology	
ii)	Any other Significant Aspect	

Name and Signature of Heritage Conservationist

-*-*-*-*-

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ANNEXURE III		
A	**Cultural Aspect**	
i)	Folk cultural	
ii)	Social, Traditional Festivals	
B	**Historical Aspect**	
i)	Renewal time of form - every 5 years	
C	**Present Structural Status**	
i)	Structural Stability Audit every 5 years	
ii)	Maintenance Level	
D	**Remarks**	
i)	Conservation and Development - Methodology	
ii)	Any other Significant Aspect	

Name and Signature of Heritage Conservationist

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APPENDIX - 'M'

TYPICAL PLANS & CROSS SECTIONS OF ROAD

- PLAN 1 : 18M Wide
- PLAN 2 : 24M Wide
- PLAN 3 : 30M Wide
- PLAN 4 : 36M Wide
- PLAN 5 : 45M Wide
- PLAN 6 : 60M Wide

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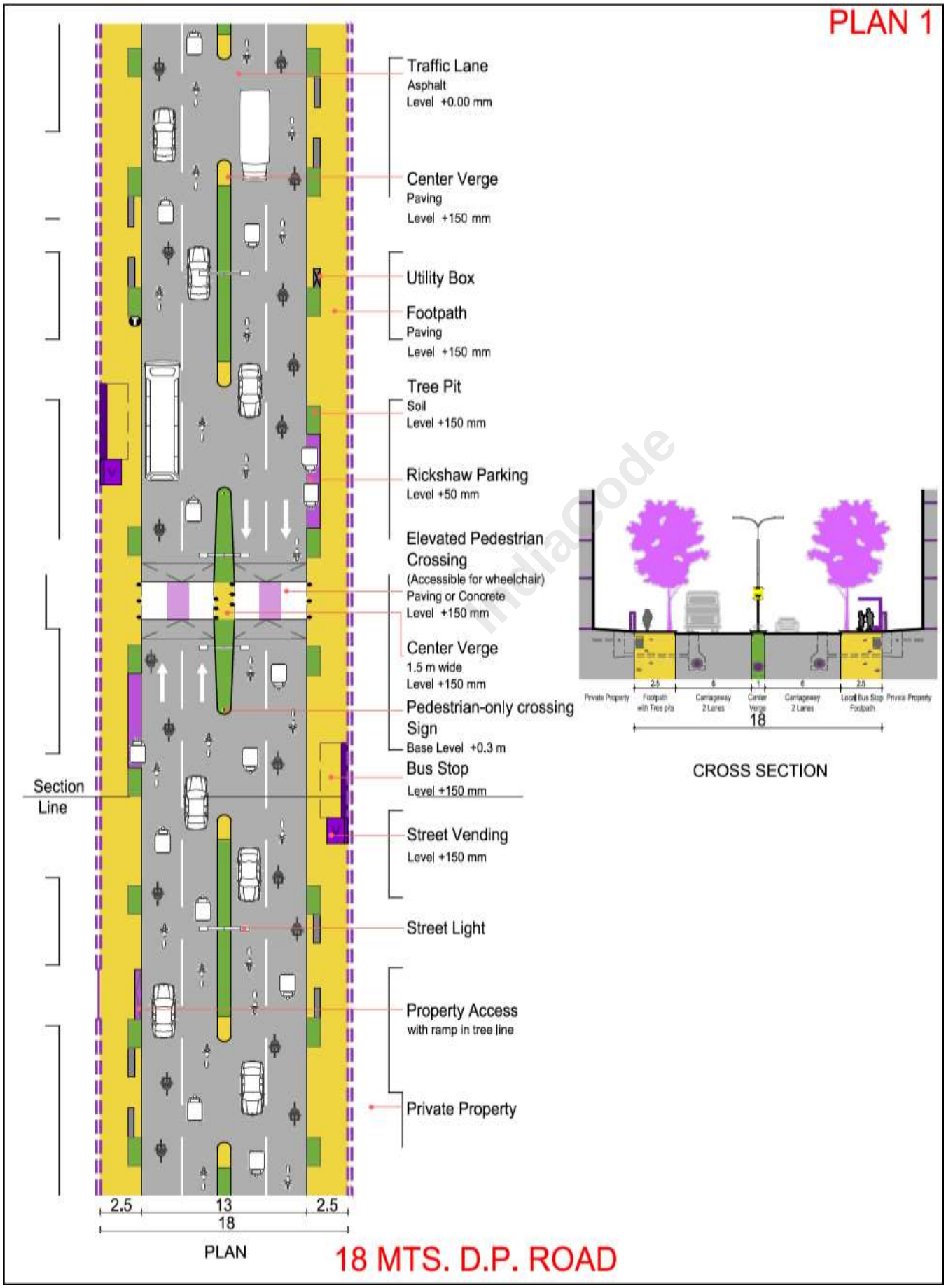
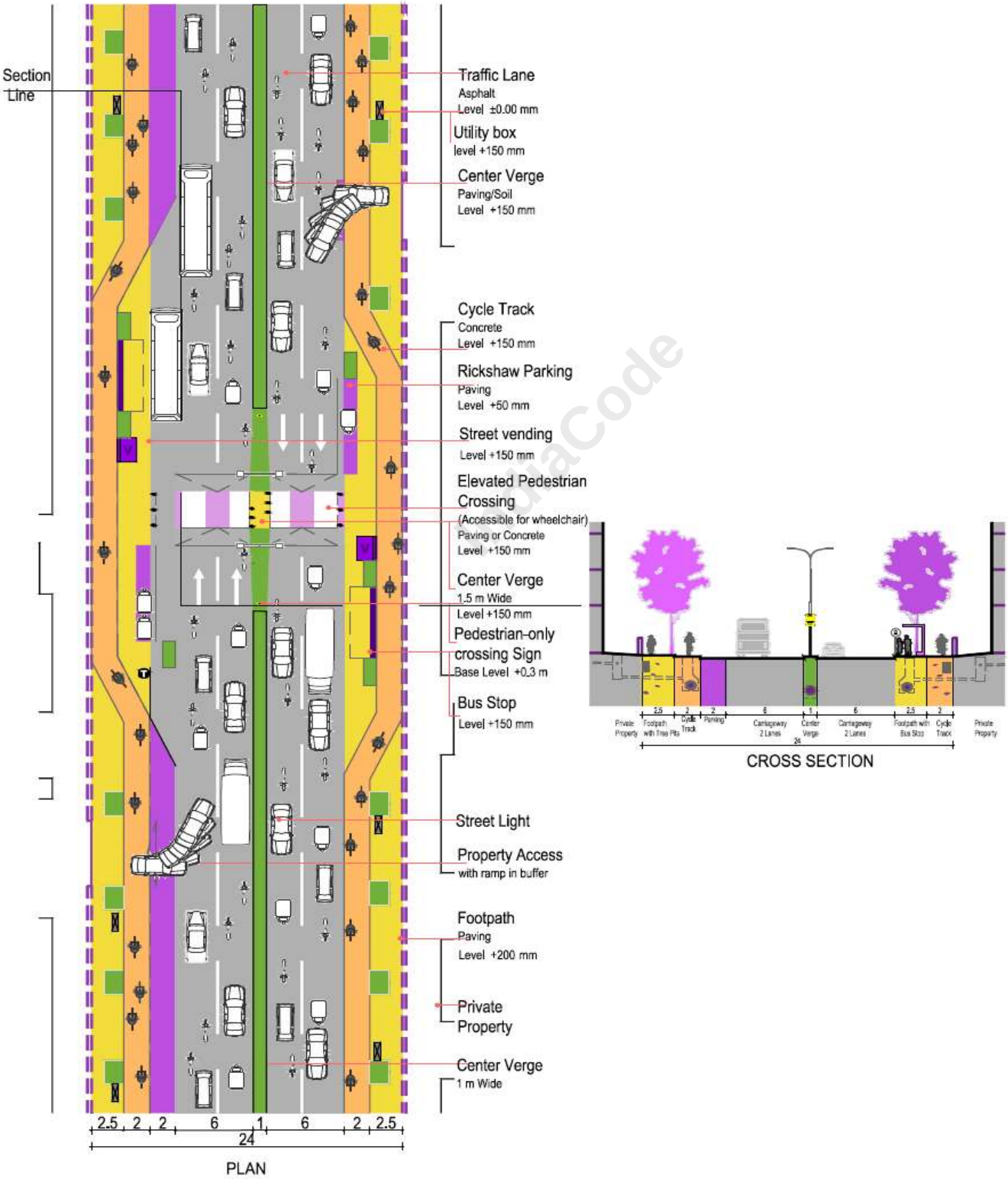
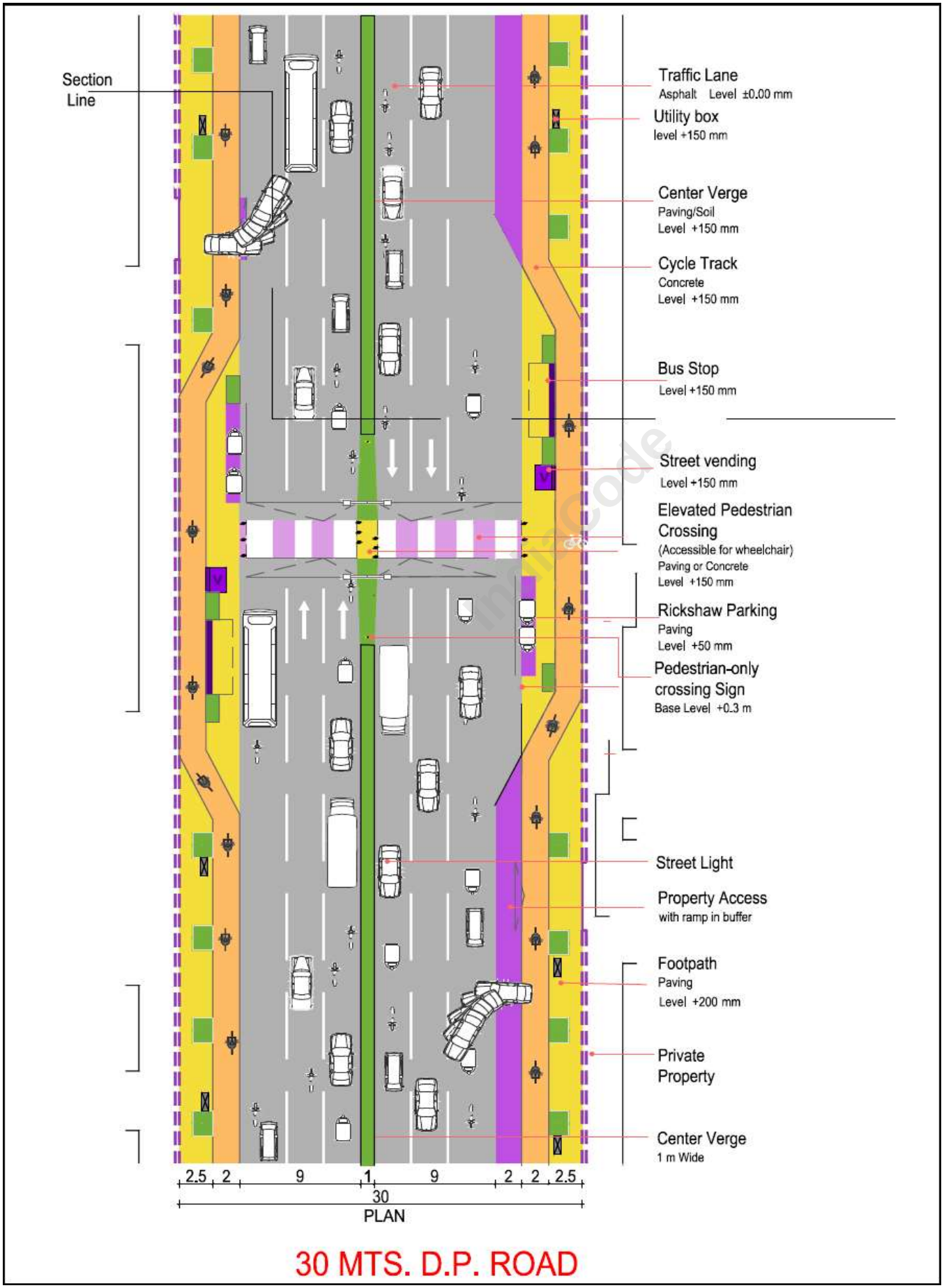

PLAN 1
Traffic Lane
Asphalt
Level +0.00 mm
Center Verge
Paving
Level +150 mm
Utility Box
Footpath
Paving
Level +150 mm
Tree Pit
Soil
Level +150 mm
Rickshaw Parking
Level +50 mm
Elevated Pedestrian Crossing
(Accessible for wheelchair)
Paving or Concrete
Level +150 mm
Center Verge
1.5 m wide
Level +150 mm
Pedestrian-only crossing Sign
Base Level +0.3 m
Bus Stop
Level +150 mm
Section Line
Street Vending
Level +150 mm
Street Light
Property Access
with ramp in tree line
Private Property
2.5
13
2.5
18
PLAN
CROSS SECTION
18 MTS. D.P. ROAD

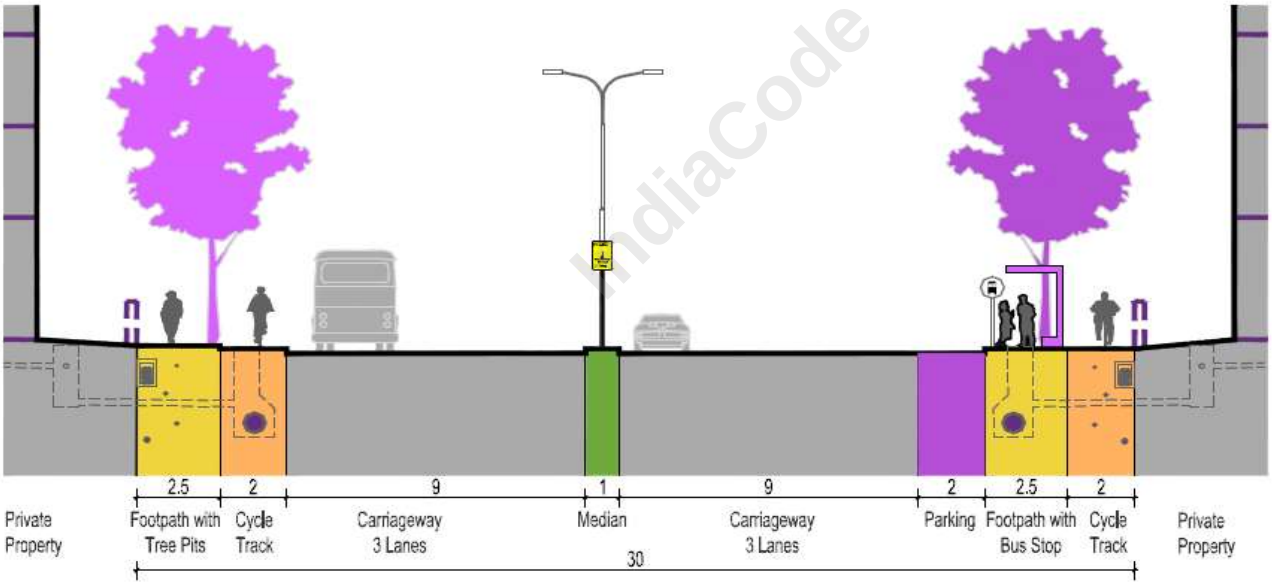
PLAN 2



24 MTS. D.P. ROAD

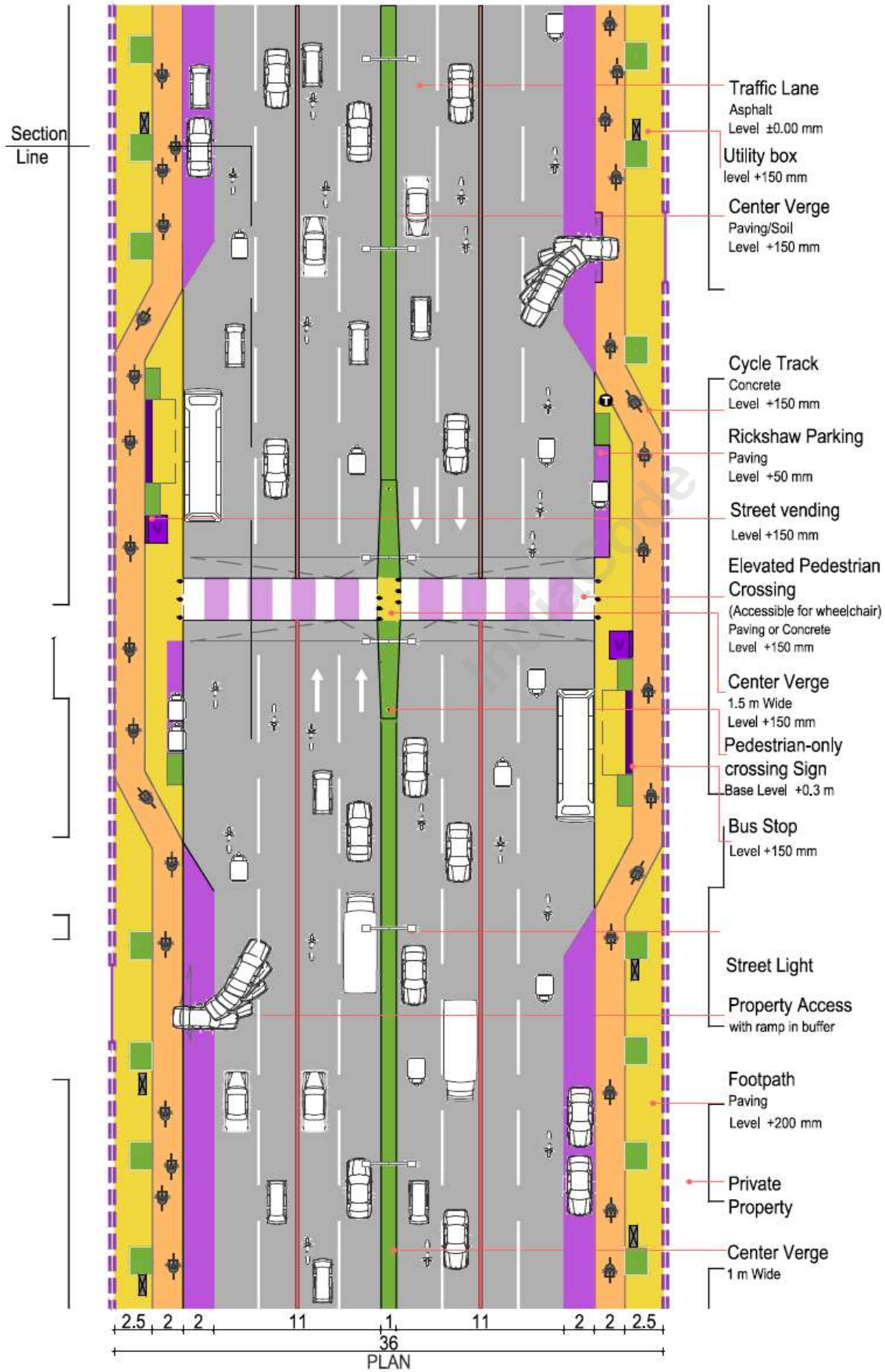

Section Line
Traffic Lane
Asphalt Level ±0.00 mm
Utility box
level +150 mm
Center Verge
Paving/Soil
Level +150 mm
Cycle Track
Concrete
Level +150 mm
Bus Stop
Level +150 mm
Street vending
Level +150 mm
Elevated Pedestrian Crossing
(Accessible for wheelchair)
Paving or Concrete
Level +150 mm
Rickshaw Parking
Paving
Level +50 mm
Pedestrian-only crossing Sign
Base Level +0.3 m
Street Light
Property Access
with ramp in buffer
Footpath
Paving
Level +200 mm
Private Property
Center Verge
1 m Wide
2.5
2
9
1
9
2
2
2.5
30
PLAN
30 MTS. D.P. ROAD

PLAN 3



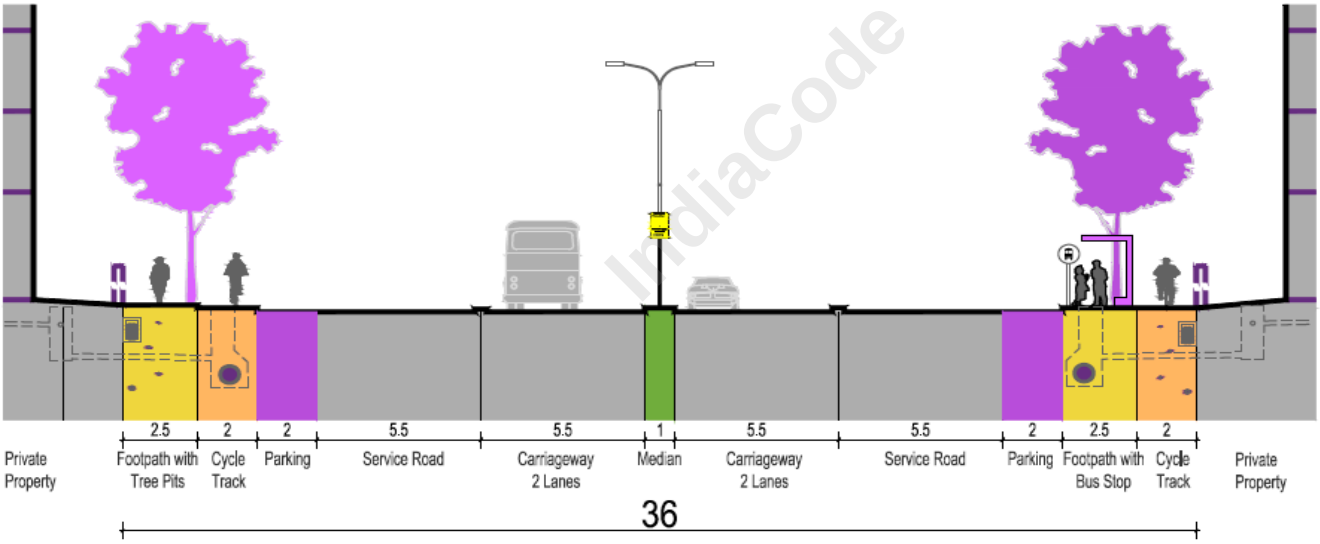
CROSS SECTION

30 MTS. D.P. ROAD



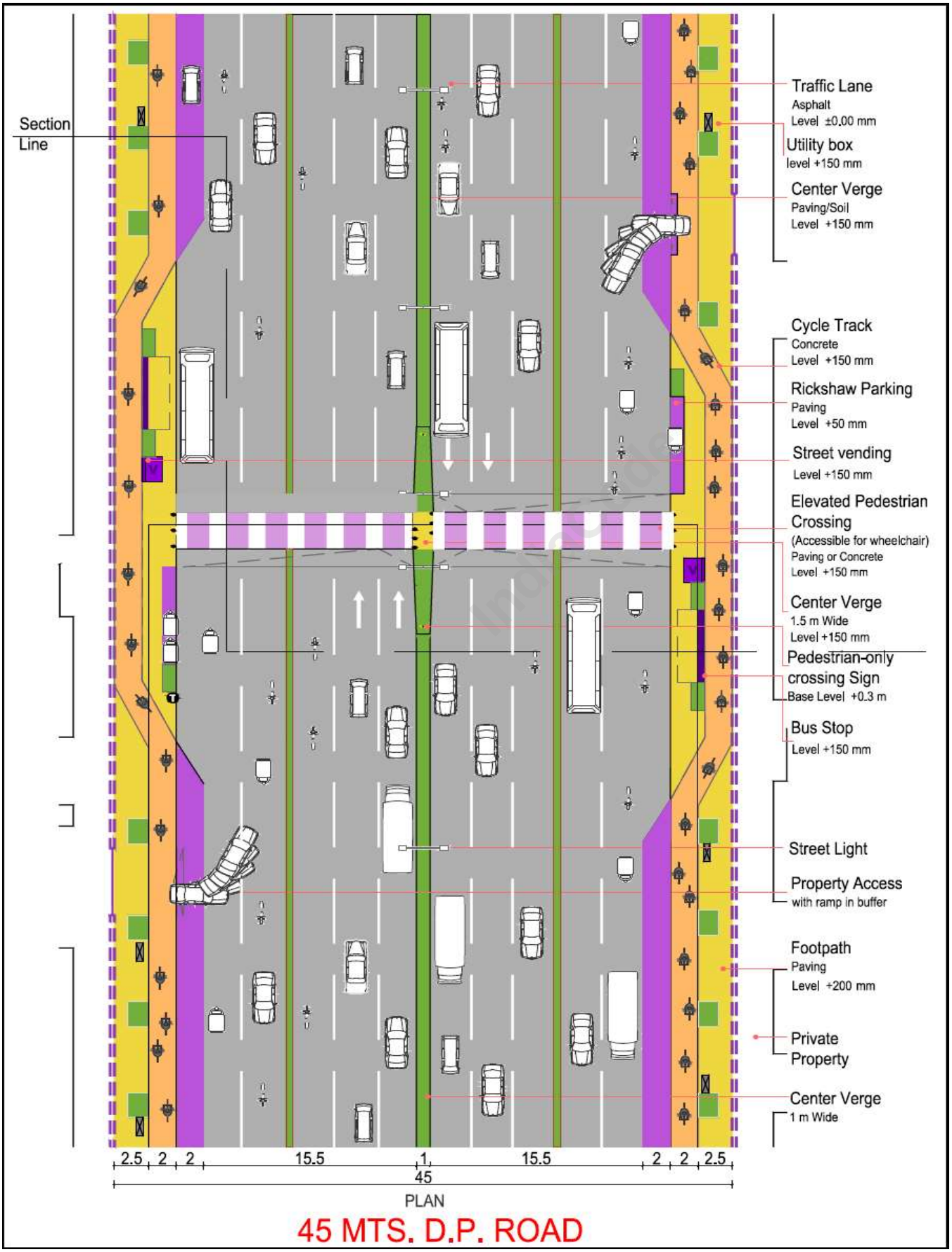
36 MTS. D.P. ROAD

PLAN 4



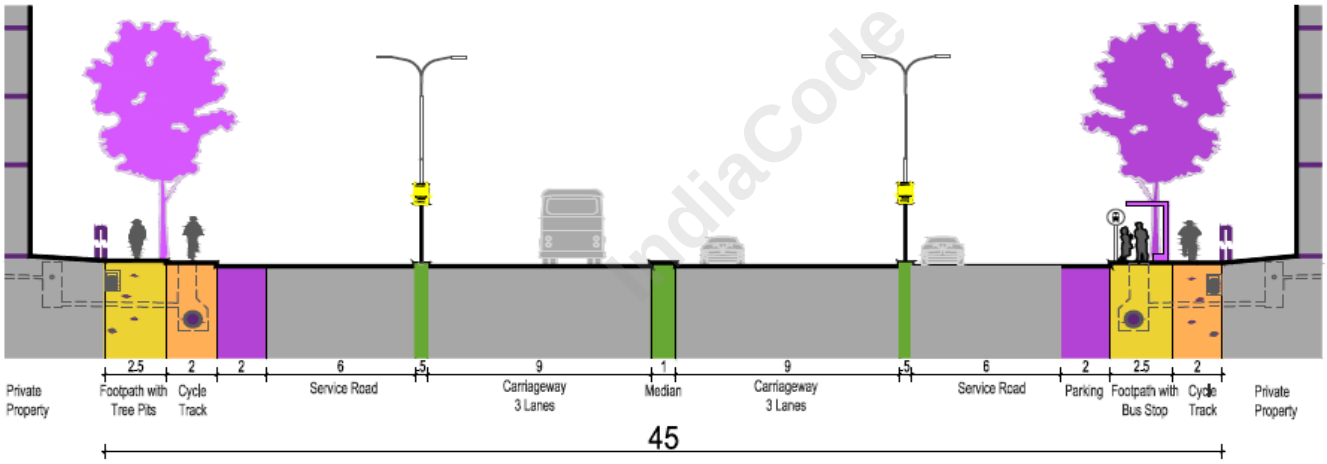
CROSS SECTION

36 MTS. D.P. ROAD



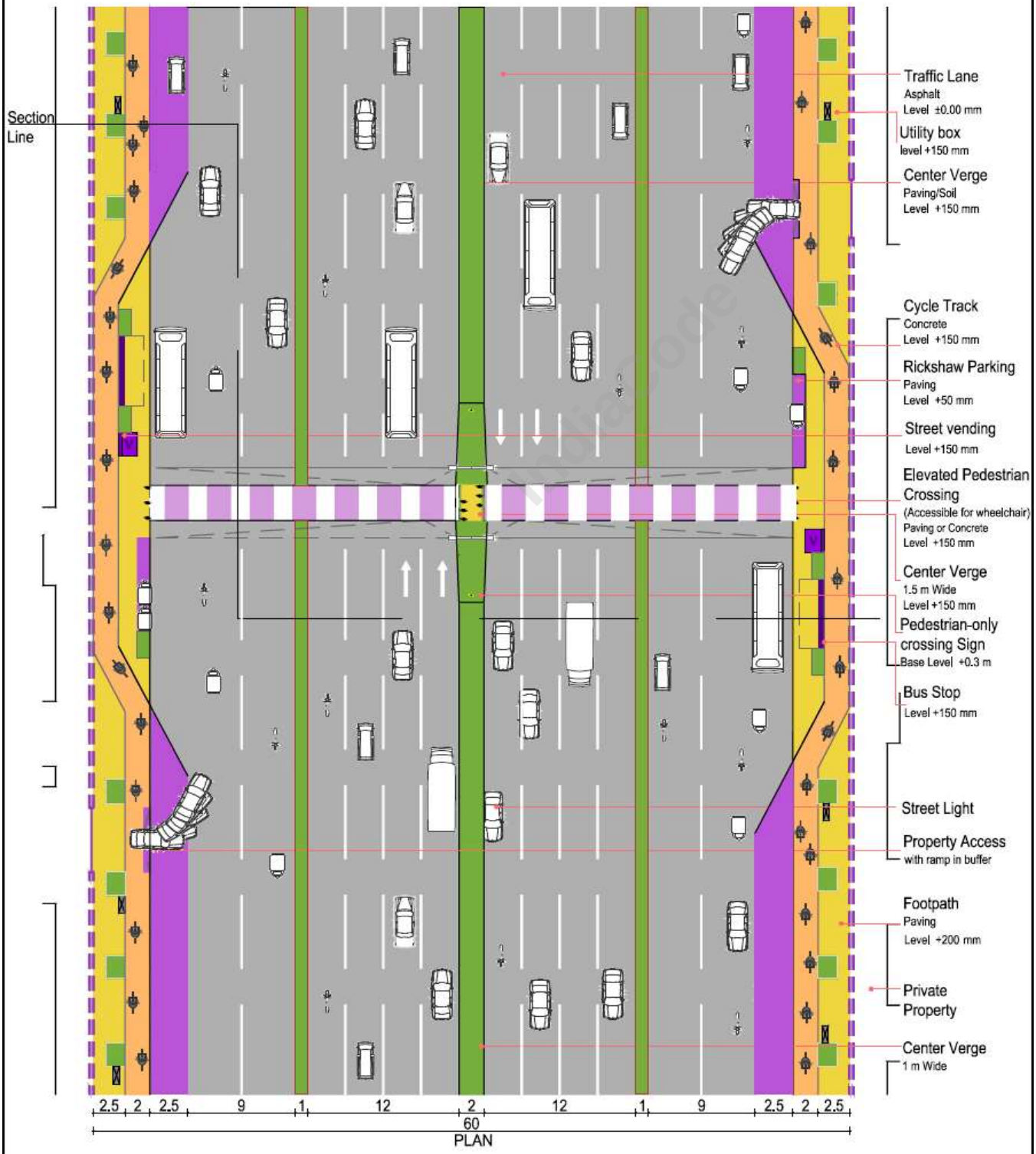
45 MTS. D.P. ROAD

PLAN 5



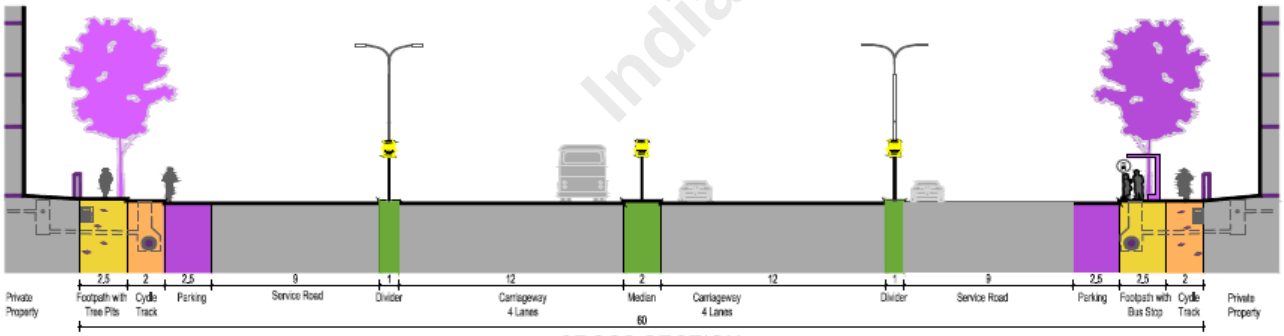
CROSS SECTION

45 MTS. D.P. ROAD



60 MTS. D.P. ROAD

PLAN 6



CROSS SECTION

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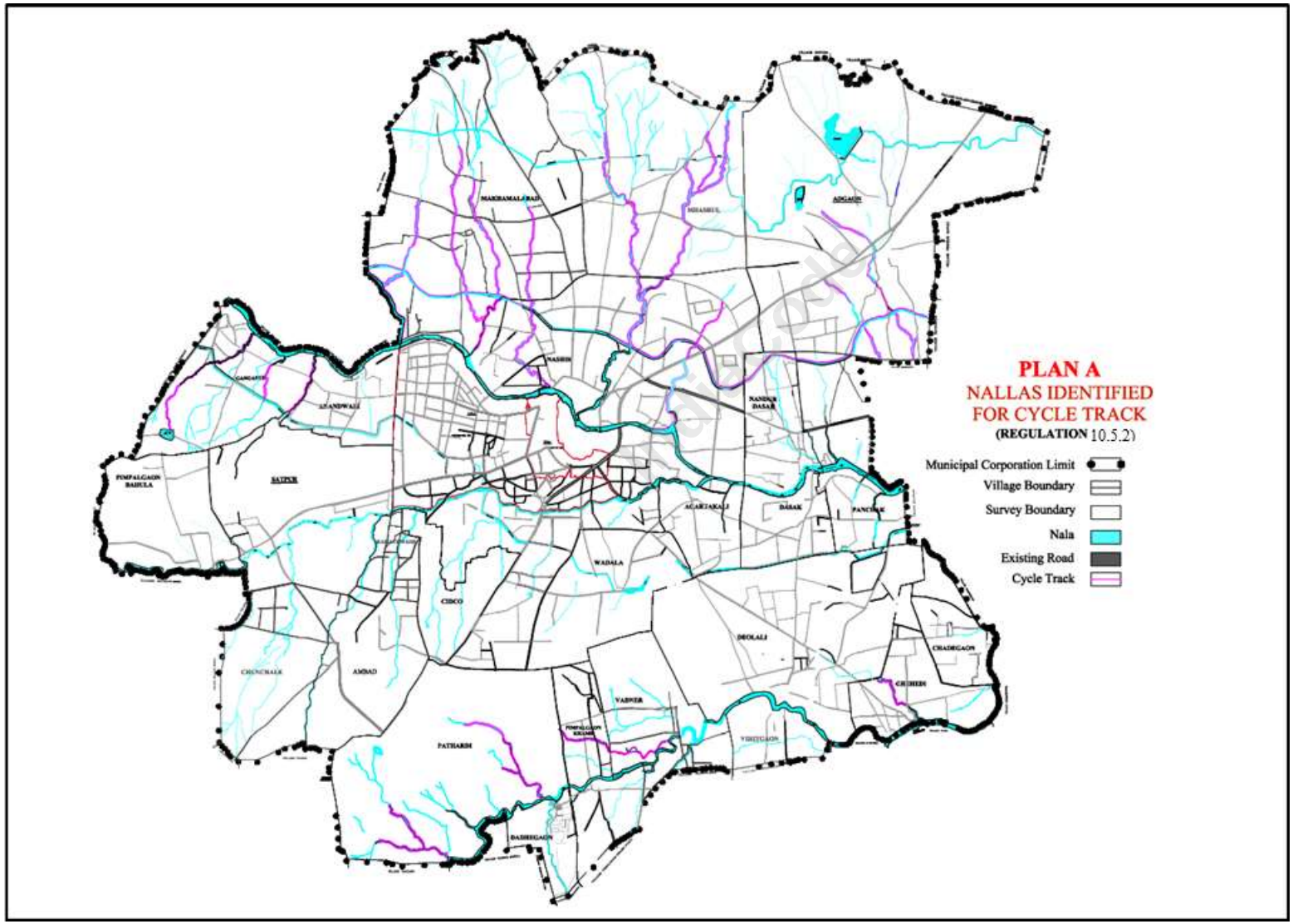
60 MTS. D.P. ROAD

CONSTRUCTION OF FOOTPATHS AT PROPERTY ENTRANCES



Plan A - Nallahs identified for Cycle Track in Nashik Municipal Corporation Area.