



**SANCTIONED
DEVELOPMENT
CONTROL
REGULATIONS
FOR
BHIWANDI - NIZAMPUR
MUNICIPAL
CORPORATION.**

(Sanction on 8/7/2003 come into
force on 14/8/03)

(Modified upto August- 2011)

Rs. 600/-

महाराष्ट्र शासन राजपत्र
असाधारण
प्राधिकृत प्रकाशन
मंगळवार, जुलै ८, २००३/आषाढ १७, शके १९२५
भाग एक-कोकण विभागीय पुरवणी
अधिसूचना

URBAN DEVELOPMENT DEPARTMENT
Mantralaya Mumbai 400 032, dated 8th July 2003.
NOTIFICATION

MAHARASHTRA REGIONAL AND TOWN PLANING ACT, 1966.

No. TPS. 1299/331/CR-45/99/UD-12. ---- Whereas under Government Notification. Urban Development and public Health Department NO. TPS. 1275/306/UD-5, dated 21st May 1976 has sanctioned the development Plan of Bhiwandi-Nizampur Municipal Council (hereinafter referred to as "The said Council") and the same has come into force with effect from 25th June, 1976;

And whereas, Government in Urban Development and Public Health Department, vide its Notification No. Ext. 1676/768/CR-353/UD-8, dated 29th June 1982 has extended the limit of the said Council by adding therein the areas of adjoining few villages;

And whereas, the said Council vide Resolution No. 718, dated 21st November 1983 has declared its intention to prepare a Draft Development Plan for the entire (Original + Extended) area under Municipal limit under section 23(1) read with section 38 of the Maharashtra Regional and Town Planning Act, 1966 (XXXVII of Maharashtra) (hereinafter referred to as the "said Act") which has appeared in the Maharashtra Government Gazette, dated 1st December 1983;

And whereas, the said Municipal Council after carrying out survey of the entire area within its jurisdiction, prepared and published a Draft Development Plan for entire area of Bhiwandi-Nizampur (hereinafter referred to as "the said Development Plan") on 10th August 1993 and published a notice to that effect in the Maharashtra Government Gazette, dated 19th August 1993 in accordance with the provisions of sub-section (1) of section 26 of the said Act;

And whereas, in accordance with the provision of sub-section (1) of section 30 of the said Act, the said Development Plan is to be submitted to Government for sanction within a period of twelve months from the date of publication of Notice under Section 26 in the Official Gazette or within such further period as extended by Government from time to time but not in any case such extended period exceeding twenty four months in aggregate;

And whereas, in accordance with the provision of Section 30 of said Act, the said Council has submitted the said Plan to the Government of Maharashtra for sanction vide its letter No. DP/Bhiwandi/1642, dated 24th July 1996;

And whereas, even though the said Municipal Council has submitted the said Development Plan for sanction to the Government but has not followed the legal formalities under Section 28(4), 29 and 30 of the said Act, and therefore the Government of Maharashtra vide its order No. TPS-1296/667/CR-145/96/UD-12, dated 25th October 1996 has appointed the Deputy Director of Town Planning, Konkan Division, Navi Mumbai to be an officer (hereinafter referred to as the "said Officer") in accordance with the provision of sub-section (1) of section 162 of the said act, for performing the duties of the Planning Authority under sections 28, 29 and 30 of the said Act;

And whereas, it is seen that some of the modifications proposed to be made in view

of the decisions taken by the said officer under sub-section (4) of section 28 of the said Act, in the said Development Plan as well as in the Development Control Regulations are of substantial nature and requires republication under section 29 of the said Act;

And whereas, the said officer has republished the substantial modifications in the Development Plan as well as in the Development Control Regulations and Notification to that effect under section 29 of the said Act is published in the Maharashtra Government Gazette, dated 11th June 1998;

And whereas, after giving hearing to the suggestions and objections received within the stipulated period, the said officer has published his decision to that effect, and notice under section 28(4) of the said Act is appeared in Maharashtra Government Gazette, dated 11th March 1999;

And whereas, the said officer has submitted the said Plan under section 30 of the said Act vide his letters, dated 26th February 1999 and 22nd April 1999;

And whereas, in accordance with the provisions of sub-section (1) of section 31 of the said Act, the said Plan is required to be sanctioned by the State Government not later than One year from the, date of receipt of the said Plan from the said officer or within such further period, as the State Government may decide either without modification or subject to such modifications as the State Government may consider proper or return the said Plan to the Planning Authority for modifying the said Plan as it may direct or it may refuse to accord sanction and direct the Planning Authority to prepare a fresh Development Plan;

And whereas, Government after making necessary enquiry and after consulting the Director of Town Planning , Maharashtra State, Pune and after carefully examining the reservations, proposals and Development Control Regulations has decided to make some modifications in the said Plan as well as in the Development Plan Regulations and excluding certain parts in which substantial changes have been made, accorded sanction to the said Development Plan and the Development Control Regulations, vide Government Notification No. TPS. 1299/331/CR-45/99/UD-12, dated 30th March 2001;

And whereas, it is seen that some of the modifications proposed to be made by the state Government are of substantial nature requiring republication under section 31 of said Act, the modifications which are of substantial nature are given in Schedule-II, appended to this notification and are also shown on the said Development Plan verged in orange colour and marked as excluded portion E.P. 1 to E.P. 247;

And whereas, in exercise of the powers conferred by sub-section (1) of section 31 of the said Act, Government of Maharashtra published a notice bearing No. TPS. 1299/331/CR-45/99/UD-12, dated 30th March 2001 in Maharashtra Government Gazette, dated 4th April 2001 (hereinafter referred to as "the said Notice") thereby inviting suggestions and objections from person/persons in respect of substantial modifications (hereinafter referred to as "the said modifications") as given in Schedule-II appended to the said notice within a prescribed period from the date of publication of the said notice in the official gazette. The notice is also published in newspapers, namely Dainik Lokmat, dated 11th April 2001;

And whereas, as necessary corrigendum has been issued as per Government Notification No. TPS. 1299/331/CR-45/99/UD-12, dated 5th May 2001 published in Maharashtra Government Gazette Extraordinary, dated 7th June 2001 (page No. 516).

And whereas, Government of Maharashtra in Urban Development Department vide its Notification No. GEN. 1596/CR 80/96/UD-24, dated 1st December 2001 has constituted the Bhiwandi-Nizampur Municipal Corporation (hereinafter referred to as "the said Corporation") by upgrading the existing Bhiwandi Nizampur Municipal Council;

And whereas, the Deputy Director of Town Planning, Brihan Mumbai (hereinafter referred to as "the said Officer") ENSA Hutment, E-Block, Azad Maidan, Mahaplika Marg, Mumbai 400 001 who has been appointed as Officer under section 31(2) of the said Act by the State Government to hear the persons who have filed objections and to submit his report in respect of the substantial modifications to Government and whereas, the said

Officer has submitted his report to Government;

And whereas, the State Government has sanctioned the substantial modification in respect of EP-166 of said Corporation vide Notification No. TPS. 1299/331/CR-45/99/UD-12, dated 18th June 2003;

And whereas, after consulting the Director of Town Planning, Maharashtra State, Pune and after making necessary enquiries, Government of Maharashtra is of the opinion that it is necessary to sanction the said modification;

Now therefore, in exercise of the powers conferred by sub-section (1) of section 31 of the said Act and all other powers enabling to it in this behalf the Government of Maharashtra hereby,----

- (a) Sanctions the modifications in respect of E.P. No. 1 to 247 of the said Corporation as shown in violative colour on plan and move particularly described in schedule appended under this notification and
- (b) Fixes the 14th August 2003 to be the, date on which the modification of the said Development Plan shall come in to force.

Notes. ---- Copy of the plan showing said modifications made by the Government in the above schedule shall be kept for inspection by the public during all working days for a period of one year in the office of the Bhiwandi-Nizampur Municipal Corporation.

भिवंडी-निजामपूर शहर महानगरपालिका, भिवंडी जिल्हा - ठाणे

महानगरपालिकेबाबत संक्षिप्त माहिती

- * भिवंडी निजामपूर नगरपरिषदेची स्थापना :- १० ऑक्टोबर १८६४.
- * भिवंडी निजामपूर नगरपरिषदेचे क्षेत्र :- ४७२ हेक्टर
- * भिवंडी निजामपूर नगरपरिषदेची हद्दवाढ :- १ जुलै १९८२
- * भिवंडी निजामपूर नगरपरिषदेचे हद्दवाढी नंतरचे क्षेत्र :- २६३६ हेक्टर(२६.३६ चौ.कि.मी.)
- * भिवंडी निजामपूर शहर महानगरपालिकेची स्थापना :- १६/१२/२००१
- * भिवंडी निजामपूर शहर महानगरपालिकेचे क्षेत्र :- २६.३६ चौ.की.मी.
- * भिवंडी निजामपूर शहर महानगरपालिकेमध्ये समाविष्ट होणारी एकूण महसुली गांवे :- १२
(भिवंडी, निजामपूर, कणेरी, गौरीपाडा, नागांव, पोगांव, चाविंद्रा, भादवड, टेमघर, फेणे, कामतघर, नारपोली)
- * भिवंडी निजामपूर शहर महानगरपालिका क्षेत्राची सन- २००१ च्या जनगणनेनुसार लोकसंख्या :- ५,९८,७४१
- * भिवंडी निजामपूर शहर महानगरपालिका क्षेत्राची सन- २०११ च्या जनगणनेनुसार लोकसंख्या :- ७,११,३२९ (४,१८,४३८ स्त्री- २,९२,८९१)

DEVELOPMENT CONTROL RULES FOR BHIWANDI NIZAMPUR CITY

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PART-I

SCHEDULE
PART I
ADMINISTRATION

1. SHORT TITLE, EXTENT AND COMMENCEMENT - (1) **Title** - These Regulations shall be called the Development Control Regulations for **BHIWANDI - NIZAMPUR MUNICIPAL CORPORATION 1993** (hereinafter called “**These Regulations**”)-

(2) **Jurisdiction** - These Regulations apply to building activity and development work in areas under the entire jurisdiction of the Municipal Corporation of Bhiwandi-Nizampur (hereinafter called “the Corporation”). If there is a conflict between the requirements of these Regulations and those of any other rules or bye-laws, these Regulations shall prevail ;

Provided however that in respect of areas included in a finally sanctioned Town Planning Scheme, the Scheme Regulations shall prevail, if a conflict between these regulation and the scheme Regulations arises.

2. DEFINITIONS OF TERMS AND EXPRESSIONS. - (1) **General** - In these Regulations, unless the context otherwise requires, the terms and expressions shall have the meanings indicated against each of them.

(2) **Meanings as in the Acts, Rules, etc.** - Terms and expressions not defined in these Regulations shall have the same meanings as in the Maharashtra Regional and Town Planning Act, 1966 (Mah. Act. No. XXXVII of 1966) and Mumbai Provincial Municipal Corporation Act, 1949 (Act No. XL of 1965) the rules or bye-laws framed thereunder, as the case may be unless the context otherwise requires.

(3) **Definitions - 1) ‘Access’**-Aligned means of passage from public road to the plot or land.

2) **“Accessory building”** - A building separated from the main building on a plot, and put to one or more accessory uses.

3) **“Accessory use”** - Use of the building subordinate and customarily incidental to the principal use.

4) **“Act”** -

(i) The Mumbai Provincial Municipal Corporation Act, 1949 or

(ii) The Maharashtra Regional and Town Planning Act, 1966 (Maharashtra Act No. XX-XVII of 1966) ; as amended from time to time.

5) **“Advertising sign”** - Any surface or structure with characters, letters or illustrations applied thereto and displayed in any manner whatsoever out of doors for the purpose of advertising or giving information regarding or to attract the public to any place, person, public performance, article or merchandise, and which surface or structure is attached to, forms part of 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.

6) **“Air-conditioning”** - The process of treating air to control simultaneously its temperature, humidity, cleanliness and distribution to meet the requirement of an enclosed space.

7) **“Addition and/or alteration”** - 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 a change to the structure, such as the construction or cutting into or removal of any wall or part of a wall, partition, column, beam, joist, floor including a mezzanine floor or other support, or a change to or closing of any required means of ingress or egress, or a change to fixtures or equipment, as provided in these Regulations.

8) **“Amenity”** - Roads, streets, open spaces, parks, recreational grounds, play-grounds, gardens, water supply, electric supply, street lighting, sewerage, drainage, public works and other utilities, services and conveniences.

9) **“Approved”** - Approved by any authority having jurisdiction.

10) **“Automatic sprinkler system”** - An arrangement of pipes and sprinklers, automatically operated by heat and discharging water or fire, simultaneously setting an audible alarm.

11) **“Balcony”** A horizontal projection, including a parapet, hand-rail or balustrade, to serve as a passage or sitting out place.

12) **“Basement or Cellar”** - The lower storey of a building below, or partly below the ground level.

13) **“Building”** - A structure, constructed with any materials whatsoever for any purpose, whether used for human habitation or not, and includes -

i) foundation, plinth, walls floors, roofs, chimneys, plumbing and building services, fixed platforms ;

ii) verandahs, balconies, cornices, projections ;

iii) part of a building or anything affixed thereto ;

iv) any wall enclosing or intended to enclose any land or space, signs and outdoor display structures ;

v) tanks constructed for storage of chemicals or chemicals in liquid form;

vi) all types of buildings defined in (a) to (p) below, but tents, shamianas and tarpaulin shelters erected for temporary purposes for ceremonial occasions, with the permission of the Commissioner shall not be considered to be “buildings.”

(a) **“Assembly building”** - A buildings or part thereof where groups of people congregate or gather for amusement, recreation, social, religious, patriotic, civil, travel and similar purposes. “Assembly buildings” include buildings of drama and cinema theatres, drive-in theatres, assembly halls, city halls, town halls, auditoria, exhibition halls, museums, mangal karyalayas, “ skating rinks, gymnasias, stadia, restaurants, eating or boarding houses, places of worship, dance halls, clubs, gymkhanas, road, air, sea or other public transportation stations, and recreation piers.

(b) **“Business building”** - Any building or part thereof used for transaction of business and/or keeping of accounts and records therefor; offices, banks, professional establishments, court houses being classified as business buildings if their principal function is transaction of business and/or keeping of books and records.

(c) **“Detached building”** - A building with walls and roofs independent of any other building and with open spaces on all sides.

(d) **“Educational building”** - A building exclusively used for a school or college, recognized by the appropriate Board or University, or any other competent authority

involving assembly for instruction, education or recreation incidental to educational use, and including a building for such other users incidental thereto such as a library or a research institution. It shall also include quarters for essential staff required to reside in the premises, and a building used as a hostel captive to an educational institution whether situated in its campus or not.

(e) **“Hazardous building”** - A building or part thereof used for -

(i) storage, handling, manufacture or processing of radioactive substances or of highly combustible or explosive materials or products which are liable to burn with extreme rapidity and/or producing poisonous fumes or explosive emanations;

(ii) storage, handling, manufacture or processing of which involves highly corrosive, toxic or noxious alkalis, acids, or other liquids, gases or chemical Producing flame, fumes and explosive mixtures or which result in division of matter into fine particles capable of spontaneous ignition.

(f) **“Industrial building”** - A building or part thereof where in products or material are fabricated, assembled or processed, such as assembly plants, laboratories, power plants, refineries, gas plants, mills, dairies and factories.

(g) **“Institutional building”** - A building constructed by Government, Semi-Government organizations or registered Trusts and used for medical or other treatment, a hostel for working women or for an auditorium or complex for cultural and allied activities or for an hospice, care of persons suffering from physical or mental illness, handicap, disease or infirmity, care of orphans, abandoned women, children and infants, convalescents, destitute or aged persons and for penal or correctional detention with restricted liberty of the inmates ordinarily providing sleeping accommodation, and includes dharamshalas, hospitals, sanatoria, custodial and penal institutions such as jails, prisons, mental hospitals, houses of correction, detention and reformatories.

(h) **“Mercantile building”** - A building or part thereof used as shops, stores, or markets for display and sale of wholesale or retail goods or merchandise, including office storage and service facilities incidental thereto located in the same building.

(i) **“Multi-storied building”** or **“High-rise building”** - A building of a height of 24 meters or more above the average surrounding ground level.

(j) **“Office building” (premises)** - A building or premises or part thereof whose sole or principal use is for an office or for office purposes or clerical work. “Office purposes” includes the purpose of administration, clerical work, handling money, telephone, telegraph and computer operation; and “clerical work” includes writing, book-keeping, sorting papers, typing, filing, duplicating, punching cards or tapes, machine calculations, drawing of matter for publication and editorial preparation of matter for publication.

(k) **“ Residential building”** - A building in which sleeping accommodation is provided for normal residential purposes, with or without cooking or dining facilities, and includes one or more family dwellings, lodging or rooming houses, hostels, dormitories apartment houses, flats, and private garages of such buildings.

(l) **“Semi-detached building”** - A building detached on three sides with open space as specified in these Regulation.

(m) **“Special building”** -

(i) a building solely used for the purpose of a drama or cinema theatre, a drive-in theatre, an assembly hall or auditorium, an exhibition hall, theatre museum, a stadium, a “Mangal karyalaya” or where the built-up area of such a user exceeds 600 sq.m. in the case of mixed occupancies;

(ii) an industrial building;

(iii) a hazardous building;

(iv) a building of a wholesale establishment;

(v) a residential hotel building or centrally air-conditioned building which exceeds -

(a) 15 m. in height, or

(b) a total built-up area of 600 sq.m.

(n) **“Storage building”** means a building or part thereof used primarily for storage or shelter of goods, wares, merchandise and includes a building used as a warehouse, cold storage, freight depot, transit shed, store house, public garage, hangar, truck terminal, grain elevator, barn and stable.

(o) **“Unsafe building”** - A building which -

(i) is structurally unsafe,

(ii) is unsanitary,

(iii) is not provided with adequate mean of egress,

(iv) constitutes a fire hazard,

(v) is dangerous to human life,

(vi) in relation to its existing use, constitutes a hazard to safety or health or public welfare by reasons of inadequate maintenance, dilapidation or abandonment.

(p) **“Wholesale establishment”** - An establishment wholly or partly engaged in wholesale trade and manufacturers wholesale outlets, including related storage facilities, warehouses and establishments engaged in truck transport, including truck transport booking agencies.

14) “Building line” - The line upto which the plinth of a building adjoining a street or an extension of a street or on a future street may lawfully extend and includes the lines prescribed, if any, in any scheme and/or development plan.

15) “Built-up area” - The area covered by a building on all floors including cantilevered portion, if any, but excepting the areas excluded specifically under these Regulations.

16) “Cabin” - A non-residential enclosure constructed of non-load bearing partitions.

17) “Carpet area” - The net usable floor area within a building excluding that covered by the walls or any other areas specifically exempted from floor space index computation in these Regulations.

18) “Chimney” - A construction by means of which a flue is formed for the purpose of carrying products of combustion to the open air and includes a chimney stack and the flue pipe.

19) “Chajja” - A sloping or horizontal structural overhang usually provided over openings on external walls for protection from sun and rain.

20) “Chowk” - A fully or partially enclosed space permanently open to the sky within a building at any level; an inner chowk being enclosed on all sides except as

provided in clause (a) of Sub-regulation (9) of Regulation 28 and an outer chowk having one enclosed side.

21) “Combustible material” - That material which when burnt adds heat to a fire when tested for combustibility in accordance with the IS: 3808-1066 Method of Test for Combustibility of Building Materials, National Building Code.

22) “Convenience shopping” - Shops, each with a carpet area not exceeding 20 sq.m. except where otherwise indicated and comprising those dealing with day to day requirements, as distinguished from wholesale trade or shopping It includes -

- (i) Foodgrain or ration shops, each with carpet area not exceeding 50 sq.m.
- (ii) Pan shops.
- (iii) Tobacconists.
- (iv) Shops for collecting and distribution of clothes and other materials for cleaning and dyeing establishments.
- (v) Tailor or darning shops.
- (vi) Groceries, confectioneries, wine and general provision shops, each with a carpet area not exceeding 50 sq.m.
- (vii) Hair dressing saloons and beauty parlors.
- (viii) Bicycle hire and repair shops.
- (ix) Vegetable and fruit shops.
- (x) Milk and milk products shops.
- (xi) Medical and dental practitioners dispensaries or clinics, pathological or diagnostic clinics and pharmacies, each with a carpet area not exceeding 50 sq.m.
- (xii) Florists.
- (xiii) Shops dealing in ladies ornaments such as bangles etc.
- (xiv) Shops selling bakery products.
- (xv) Newspaper, magazine stalls and circulating libraries.
- (xvi) Wood, coal and fuel shops, each with a carpet area not exceeding 30 sq.m.
- (xvii) Books and stationery shops or stores.
- (xviii) Cloth and garment shops.
- (xix) Plumbers, electricians, radio, television and video equipment repair shops and video libraries.
- (xx) Restaurants and eating houses each with a carpet area not exceeding 50 sq.m.
- (xxi) Shoes and sports shops each not exceeding 75 sq.m. with carpet Area.

The Commissioner may from time to time add to alter or amend the above list.

23) “Contiguous holding” - A contiguous piece of land in one ownership irrespective of separate property register cards.

24) “Corridor” - A common passage or circulation space including a common entrance hall.

25) “Courtyard” - A space permanently open to the sky within the site around a structure and paved/concreted.

26) “Development” - “Development” with grammatical variations means the carrying out of buildings, engineering, mining or other operations in or over or under land or water, or the making of any material change; in any building or land or in use of any building or land and includes (reclamation) redevelopment and lay-out and subdivision of any land and “develop” shall be construed accordingly;

- 27) **“Dharmashala”** - A building used as a place of religious assembly, a 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, or are granted, residence without payment or on nominal payment.
- 28) **“Drain”** - A system or a line of pipes, with their fittings and accessories, such as manholes, inspection chambers, traps, gullies, floor traps used for drainage of buildings or yards appurtenant to the buildings within the same curtilage. A drain includes an open channel for conveying surface water or a system for the removal of any liquid.
- 29) **“Enclosed staircase”** - A staircase separated by fire resistant walls and doors from the rest of the building.
- 30) **“Escape route”** - Any well ventilated corridor, staircase or other circulation space, or any combination of the same, by means of which a safe place in the open air at ground level can be reached.
- 31) **“Existing building”** - A building or structure existing authorized before the commencement of these Regulations.
- 32) **“Existing use”** - Use of a building or a structure existing authorized before the commencement of these Regulations.
- 33) **“Exit”** - A passage, channel or means of egress from any building, storey or floor area to a street or other open space of safety; horizontal, outside and vertical exist having meanings at (i), (ii) and (iii) respectively as under :-
- (i) **“Horizontal exit”** - An exist which is a protected opening through or around a fire wall or a bridge connecting two or more buildings.
- (ii) **“Outside exist”** - An exist from a building to a public way, to an open area leading to a public way or to an enclosed fire resistant passage leading to a public way.
- (iii) **“Vertical exist”** - An exist used for ascending or descending between two or more levels, including stairways, smoke-proof towers, ramps, escalators and fire escapes.
- 34) **“External wall”** - An outer wall or a building not being a party wall even though adjoining a wall of another building and also means a wall abutting on an interior open space of any building.
- 35) **“Fire and/or emergency, alarm system”** - An arrangement of call points or detectors, sounders and other equipment for the transmission and indication of alarm signals working automatically or manually in the case of fire or other emergency.
- 36) **“Fire lift”** - A special lift designed for the use of fire service personnel in the event of fire or other emergency.
- 37) **“Fire Proof Door”** - A door or shutter fitted to a wall opening, and constructed and erected with the requirement to check the transmission of heat and fire for a specified period.
- 38) **“Fire Pump”** - A machine, driven by external power for transmitting energy to fluids by coupling the pump to a suitable engine or motor, which may have varying outputs/capacity but shall be capable of having a pressure of 3. 2 kg. /cm² at the top-most level of a multistoreyed or high rise building.

- 39) “Booster Fire Pump”** - A mechanical / electrical device which boosts up the water pressure at the top level of a multistoreyed / high rise building and which is capable of a pressure of 3. 2 kg/cm at the nearest point.
- 40) “Fire Resistance”** - The time during which a fire resistant material i. e. material having a certain degree of fire resistance, fulfills its function of contributing to the fire safety of a building when subjected to prescribed conditions of heat and load or restraint. The fire resistance test of structures shall be done in accordance with IS : 3809 - 1966 Fire Resistance Test of Structure.
- 41) “Fire Separation”** - The distance in meters measured from any other building on the site or from another site, or from the opposite side of a street or other public space to the building for the purpose of preventing the spread of fire.
- 42) “Fire Service In-let”** - 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.
- 43) “Fire Tower”** - An enclosed staircase which can only be approached from the various floors through landings or lobbies separated from both the floor area and the staircase by fire-resisting doors and open to the outer air.
- 44) “Floor”** - The lower surface in a storey on which one normally walks in a building, and does not include a mezzanine floor. The floor at ground level with a direct access to a street or open space shall be called the ground floor; the floor above it shall be termed as floor 1, with the next higher floor being termed as floor 2, and so on upwards.
- 45) “Floor Space Index (FSI)”** - The quotient of the ratio of the combined gross floor area of all floors, excepting areas specifically exempted under these Regulations, to the total area of the plot, viz. :-

Floor Space Index

$$(FSI) = \frac{\text{Total covered area on all floors}}{\text{Plot area}}$$

- 46) “Footing”** - A foundation unit constructed in brick, stone masonry or concrete under the base of a wall or column for the purpose of distributing the load over a large area.
- 47) “Foundation”** - That part of the structure which is in direct contact with and transmitting loads to the ground.
- 48) “Front”** - The space between the boundary line of a plot abutting the means/ access / road / street and the building line. Plots facing two or more means of accesses/ roads/streets shall be deemed to front on all such means of accesses/roads/streets.
- 49) “Gallery”** - An intermediate floor or platform projecting from a wall of an auditorium or a hall, providing extra floor area, and/or additional seating accommodation. It also includes the structures provided for seating in stadia.
- 50) “Garage-Private”** - A building or a portion thereof designed and used for the parking of vehicles.
- 51) Garage-Public”** - A building or portion thereof, designed other than as a private

garage, operated for gain, designed and/or used for repairing, servicing, hiring, selling or storing or parking motor-driven or other vehicles.

52) “Habitable room” - A room occupied or designed for occupancy for human habitation and uses incidental thereto, including a kitchen if used as a living room, but excluding a bath-room, water closet compartment, laundry, serving and storing pantry, corridor, cellar, attic, store-room, pooja-room and spaces not frequently used.

53) “Hazardous material” -

(i) radio active 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, fumes, explosive, poisonous, irritant or corrosive gases or which may produce explosive mixtures of dust or fine particles capable of spontaneous ignition.

54) “Height of a building” - The vertical distance measured, in the case of flat roofs, from the average level of the ground around and contiguous to the building to the highest point of the building and, in the case of pitched roofs, upto the point where the external surface of the outer wall intersects the finished surface of the sloping roof, and, in the case of gables facing the road, the mid-point between the eaves level and the ridge.

55) “Height of a room” - The vertical distance measured from the finished floor surface to the finished ceiling/slab surface. The height of a room with a pitched roof means the average height between the finished floor surface and the bottom of the eaves and the bottom of the ridge.

56) “Home Occupation” - Customary home occupation other than the conduct of an eating or a drinking place offering services to the general public, customarily carried out by a member of the family residing on the premises without employing hired labour, and for which there is no display to indicate from the exterior of the building that it is being utilized in whole or in part for any purpose other than a residential or dwelling use, and in connection with which no article or service is sold or exhibited for sale except that which is produced therein, which shall be non-hazardous and not affecting the safety of the inhabitants of the building and the neighborhood, and provided that no mechanical equipment is used except that as is customarily used for purely domestic or household purposes and/or employing licensable goods. If motive power is used, the total electricity load should not exceed 0.75 KW. “Home Occupation” may also include such similar occupations as may be specified by the Commissioner with the approval of Divisional Deputy Director of Town Planning, and subject to such terms and conditions as may be prescribed.

57) “Ledge” or “Tand” - A shelf-like projection supported in any manner, except by vertical supports, within a room itself but without a projection of more than half a meter.

58) “Architect” - An architect who is an associate or corporate member of the Indian Institute of Architects or who holds a degree or diploma which makes him eligible for

such membership for such qualifications listed in Schedule XIV of the Architects Act, 1972, and being duly registered with the Council of Architecture under that Act.

59) “Licensed Surveyor / Engineer / Structural Engineer / Supervisor” - A qualified surveyor, engineer, structural engineer or supervisor, licensed by the Commissioner.

60) “Lift” - A mechanically guided car, platform or transport for persons and materials between two or more levels in a vertical or substantially vertical direction.

61) “Loft” - An intermediate floor between two floors or a residual space in a pitched roof above normal level constructed for storage.

62) “Masonry” - An assemblage of masonry units properly bonded together by mortar.

63) “Masonry unit” - An unit whose net cross-sectional area in every plane parallel to the bearing surface is 75 per cent or more of its gross cross-sectional area measured in the same plane. It may be either clay, brick, stone, concrete block or sand-lime brick.

64) “Mezzanine floor” - An intermediate floor, not being a loft, between the floor and ceiling of any storey.

65) “Non-combustible” - Not liable to burn or add heat to a fire when tested for combustibility in accordance with the IS : 3808 - 1966 Method of Test for Combustibility of Building Materials.

66) “Occupancy” or “Use” - The principal occupancy or use for which a building or a part of it is used or intended to be used, including contingent subsidiary occupancies; mixed occupancy buildings being those in which more than one occupancy are present indifferent portions of the buildings.

67) “Open space” - An area forming an integral part of a site self open to the sky.

68) “Owner” - A person who receives rent for the use of the land or building or would be entitled to do so if it were let, and includes -

- (i) an authorized agent or trustee who receives such rent on behalf of the owner ;
- (ii) 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 ;
- (iii) an agent or trustee who receives the rent of or is entrusted with or is concerned with any building devoted to religious or charitable purposes; and
- (iv) a mortgagee in possession.

69) “Parapet” - A low wall or railing built along the edge of a roof or a floor.

70) “Parking space” - An enclosed or unenclosed covered or open area sufficient in size to park vehicles. Parking spaces shall be served by a driveway connecting them with a street or alley and permitting ingress or egress of vehicles.

71) “Partition” - An interior non-load bearing divider one storey in height.

72) “Permanent open air space” - Air space permanently open -

- (i) if it is a street,
- (ii) if its freedom from encroachment is protected by any law or contract ensuring that the ground below it is either a street or is permanently and irrevocably appropriated as an open space.

In determining the open air space required for construction of a building, any

- space occupied by an existing structure may, if it is ultimately to become a permanently open air space, be treated as if it were already such a place.
- 73) **“permission”** - A valid permission or authorization in writing by the competent authority to carry out development or a work regulated by the Regulations.
- 74) **“Plinth”** - The portion of a structure between the surface of the surrounding ground and surface of the floor immediately above the ground.
- 75) **“Plinth area”** - The built-up covered area measured at the floor level of the basement or of any storey.
- 76) **“Plot”** - A parcel or piece of land enclosed by definite boundaries.
- 77) **“Porch”** - A covered surface supported on pillars or otherwise for the purpose of a pedestrian or vehicular approach to a building.
- 78) **“Retention activity”** - A activity or use which is allowed to continue, notwithstanding its non-conforming nature in relation to the use permitted in the adjoining or surrounding area.
- 79) **“Road/Street”** - Any highway, street, lane, pathway, alley, stairway, passageway, carriageway, footway, square, place or bridge, whether a thoroughfare or not, over which the public have a right of passage or access or have passed and had access uninterruptedly for a specified period, whether existing or proposed in any scheme, and includes all bunds, channels, ditches, storm-water drains, culverts, sidewalks, traffic islands, road-side trees and hedges, retaining walls, fences, barriers and railings within the street lines.
- 80) **“Road/Street-level or grade”** - The officially established elevation or grade of the centre line of the street upon which a plot fronts, and if there is no officially established grade, the existing grade of the street at its mid-point.
- 81) **“Road/Street line”** - The line defining the side limits of a road/street.
- 82) **“Road width” or “Width of road/street”** - 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 of direction of such road.
- 83) **“Row housing”** - A row of houses with only front, rear and interior open spaces.
- 84) **“Semi-detached building”** - A building detached on three sides with open spaces as specified, in these Regulations.
- 85) **“Service road”** - A road/lane provided at the front, rear or side of a plot for service purposes.
- 86) **“Site”** - A parcel or piece of land enclosed by definite boundaries.
- 87) **“Site, Corner”** - A site at the junction of and fronting on two or more intersecting streets.
- 88) **“Site, Depth of”** - the mean horizontal distance between the front and rear site boundaries.
- 89) **“Site with double frontage”** - A site having a frontage on two streets other than a corner plot.
- 90) **“Site, Interior or Tandem”** - A site access to which is by a passage from a street whether such passage forms part of the site or not.
- 91) **“Smoke-stop door”** - A door for preventing or checking the spread of smoke from

one area to another.

92) “Stair-cover” - A structure with a covering roof over a staircase and its landing built to enclose only the stairs for the purpose of providing protection from the weather, and not used for human habitation.

93) “Stilt” - A position of building at ground level open from atleast two sides, used for parking of vehicles or as play field.

94) “Storey” - The portion of a building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between any floor and the ceiling next above it.

95) “Tenement” - An independent dwelling unit with a kitchen, or a cooking alcove.

96) “Theatre” - A place of public entertainment for the purpose of exhibition of motion pictures and/or dramas and other social or cultural programs.

97) “Tower-like structure” - A structure in which the height of the tower-like portion is at least twice the width of the broader base.

98) “Travel distance” - The distance and occupant has to travel to reach on exist.

99) “Volume to plot ratio (V. P. R.)” - The ratio expressed in meters of the volume of a building measured in cubic meters to the area of the plot measured in square meters.

100) “Water Closet (W. C.)” - A privy with an arrangement for flushing the pan with water, but does not include a bathroom.

101) “Water course” - A natural channel or an artificial channel formed by training or diversion of a natural channel meant for carrying storm and waste water.

102) “Water Course, Major” - A water course which carries storm water discharging from a contributing area of not less than 160 hectares, the decision of the Commissioner on the extent of the contributing area being final. A minor water course is one which is not a major one.

103) “window” - An opening, other than a door, to the outside of a building, which provides all or part of the required natural light, ventilation or both to an interior space.

104) “Congested Area” - Means the area specifically indicated as congested area on the development plan, by respective colour verge.

105) “Cupboard” - Means a cantilevered projection of upper floor level permitted in a required open space & on ground floor level, on ground floor at plinth level, but not in required open space.

106) “Double frontage site” - Means a site having a frontage on two streets other than a site of corner plot.

107) “Fyoer” - Means a lobby for waiting.

108) “Party wall” - includes.

(i) A wall forming part of a building, and being used or constructed to be used in any part of the height or length of such wall for separation of adjoining buildings belonging to different owners or occupied or constructed or adopted to be occupied by different persons.

OR

(ii) A wall forming part of a building and standing in any part of the length of such wall, to a greater extent than the projection of the footing on one side on grounds of different owners.

109) “Revas Projection” - Means a part of a room or rooms projecting in the open spaces beyond the building line.

110) “Store room” - Means a room used for storage purpose.

111) “To abut” - Means to abut on a road such that any portion of the building is fronting on the road.

112) “To erect” - Means -

(i) to erect a new building on any site, whether previously built upon or not,

OR

(ii) to erect any building of which portions above the plinth level have been pulled down, burnt or destroyed.

OR

(iii) to erect from one occupancy to another and sub-division of occupancy into more than one.

113) “theatre” - Means a place of public entertainment for the purpose of exhibition of motion pictures and/or dramas and other social or cultural programs.

114) “Research and Development” - Means the research on any subject except there search for dangerous and explosive chemical industry and development means the development of land for the research related activity.

3. APPLICABILITY - (1) 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 the design, construction or reconstruction of, and additions and alterations to a building.

(2) Part construction - where the whole or part of a building is demolished or altered or reconstructed/removed, except where otherwise specifically stipulated, these Regulations apply only to the extent of the work involved.

(3) Change of occupancy - Where the occupancy of a building is changed, except where otherwise specifically stipulated, these Regulations apply to all parts of the building affected by the change.

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

4. DEVELOPMENT PERMISSION AND COMMENCEMENT CERTIFICATE

- (1) **Necessity of obtaining permission** - No person shall erect or re-erect a building or alter any building or carry out any development or redevelopment, on any plot or land or cause the same to be done without first obtaining separate development permission and a commencement certificate from the Commissioner.

(2) **Items of operational construction by some authorities excluded.** - Construction for operational purposes, including maintenance of operational structures, by the following organizations, authorities or departments whether temporary or permanent, may be exempted by the special permission of the Commissioner in each case from the purview of

These Regulations, except those relating to floor space index and fire precautions. -

- (i) Railways ;
- (ii) National Highways;
- (iii) National Waterways ;
- (iv) Major Ports ;
- (v) Aerodromes and Airports ;
- (vi) Posts and Telegraphs, Telephones, Television, Wireless, Broadcasting authorities and the authorities of other similar forms of communication ;
- (vii) Regional grids, towers, gantries, switchyards, contact rooms for distribution, etc. of electricity ;
- (viii) Defence Authorities ;
- (ix) Any other essential public service as may be notified by the State Government.

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

(3) Operational construction excluded. - The following constructions for operational purposes of the organizations, authorities or departments listed above are exempted from the purview of these Regulations except those relating to floor space indexed and fire precautions :-

- (i) repairs and renovation of existing installations or building used for operational purposes only which do not involve addition to or increase of built-up-area.
- (ii) In the case of the Railways -
 - (a) repairs and renovation of existing railway tracks, including culverts, over-bridges, under-passes or bridges, tunnels and side drains;
 - (b) platforms, goods sheds and offices, parcel offices, sub-stations, foot-over-bridges, turn-tables, lifting towers, gantries, signal and signal boxes or control cabins in hump yards;
 - (c) running (loco) sheds, carriage and wagon depots, carriage washing places, overhead or ground level water tanks, pipelines and pumping stations, running rooms, train examiners offices, yard depots, permanent way inspectors and signal inspectors stores in railway yards and all overhead electric equipment for traction.
- (iii) Store sheds, when ancillary to operational requirement only;

Provided that, for the construction of new railway lines or tracks the approval of the State Government shall be necessary. For construction of new buildings, goods stores, sheds or platforms parcel officers and workshops or for purposes of major remodeling the approval of the Commissioner shall be necessary.

Further provided that, the following constructions by the organizations, authorities or departments listed in sub-regulation (2) herein shall not be deemed to be operational for the purpose of exemption under the said Regulations, namely -

- (i) Residential buildings, commercial buildings, office buildings and industrial buildings (other than gate lodges essential operational staff quarters and the like), roads and drains, hospitals, clubs, institutes and schools in residential, commercial or industrial areas of the colonies of such organizations, authorities or departments.
- (ii) Construction, installation or any extension of any building in the case of any

Services other than those mentioned in this Regulation.

(4) **Validity of development permission** - If a development permission has been issued before the date of commencement of these Regulations, but the development is not started within a year from the date of such permission, the said development permission shall be deemed to have lapsed.

(5) **Applicability to partially completed works** - For partially completed works started with due permission before these Regulation have come into force, the Commissioner may not for reasons to be recorded in writing, necessarily insist on compliance with the provisions of these Regulations for extending the period of the development permission, which shall not exceed that specified in section 48 of the maharashtra Regional and Town Planning Act, 1966.

5. PROCEDURE FOR OBTAINING DEVELOPMENT PERMISSION AND COMMENCEMENT CERTIFICATE - (1) **Notice of intention** - Every person who

intends to carry out a development or redevelopment erect or re-erect a building or alter any building or part of a building shall give a notice in writing to the Commissioner of his said intention in the form in Appendix VI and such notices shall be accompanied by plans and statements with sufficient number of copies, as required by sub-regulation (2) and (3) hereunder. The plans may be ordinary prints. One set of such plans shall be retained in the Corporation Office for record after the issue of permission or refusal.

(2) **Copies of plans and statement** -

(i) Notice - The notice referred to in sub regulation (2) of Regulation 6 shall be accompanied by as many copies of plans as the Commissioner may prescribed after taking into consideration the clearances required from other agencies.

(ii) Size - The size of drawing sheets shall be any of those specified in Table 1 hereunder.

TABLE 1
Drawing Sheet Sizes

Serial No	Designation	Trimmed Size (mm)
(1)	(2)	(3)
1	A0	841 - 1189
2	A1	594 - 841
3	A2	420 - 594
4	A3	297 - 420
5	A4	210 - 297
6	A5	148 - 210

(iii) Colouring notations for plans - The plans shall be coloured as specified in Table 2 hereunder. The prints of the plans shall be on one side of the paper only.

TABLE 2
Colouring of Plans

Serial No.	Item	Site Plan	Building Plan
(1)	(2)	(3)	(4)
1	Plot lines	-----Thick black -----	
2	Existing street	Green	. . . . .
3	Future street	Green dotted	. . . . .
4	Permissible building	Thick dotted black	. . . . .
5	Open spaces	----- No colour -----	
6	Work proposed to be demolished		Yellow hatched
7	Proposed work	---- Red filled in -----	
8	Drainage and sewerage work	----- Red dotted -----	
9	Water supply work	----- Blue dotted thin -----	
10	Deviations	----- Red hatched -----	
11	Recreation ground	----- Green wash -----	
12	Roads and set backs	----- Burnt sienna -----	
13	Reservation	-- Appropriate colour code	

Note - Existing work to be hatched black; for land development/sub-division/lay-out suitable colouring notations shall be used duly indexed.

(3) Information accompanying notice - (i) **Key plan, site plan, etc.** to accompany notice - The notice shall be accompanied by the key plan (location plan), a site plan, sub-division/layout plan, building plan, specifications and certificate of supervision, ownership, title, etc. as prescribed in clauses (ii) to (xiii) below.

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

- (a) attested copy or original sale/lease deed/ power of attorney/enabling ownership document wherever applicable.
- (b) property register card of a date not earlier than twelve months of the date of submission of the development proposal;
- (c) statement of area of the holding by triangulation method from the qualified licensed technical person or architect with an affidavit from the owner in regard to the area in the form prescribed by the Commissioner.
- (d) any other document prescribed by the Commissioner.

In the case of land leased by the Government or local authorities, clearance of Government or such authorities regarding observance of the lease conditions shall be obtained and attached to the application for development permission in respect of such land.

(iii) Key plan or location plan - A key plan drawn to a scale of not less than 1 : 10000 shall be submitted alongwith the application in Appendix VI for development permission and commencement certificate showing the boundary locations of the site with respect to neighborhood land-marks.

(iv) **Site - plan** - the site plan sent with an application for permission drawn to a scale of 1 : 500 shall be duly authenticated by the appropriate officer of the Department of Land Records showing in addition to the details in Form - II of Appendix VI the following :-

(a) The boundaries of the site and of any contiguous land belonging to the owner of the site ;

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

(c) The names of the streets on which the building is proposed to be situated, if any ;

(d) all existing buildings contained in the site with their names (where the buildings are given names) and their numbers;

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

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

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

iii. If there is no street within a distance of 12 m. of the site, the nearest existing street with its name;

(f) The means of access from the street to the building, and to all other buildings (if any) which the applicant intends to erect upon his contiguous land referred to in (a) ; above

(g) The space to be left around the building to secure free circulation of air, admission of light and access for scavenging purposes;

(h) The width of the street (if any) in front and of the street (if any) at the side or near the building'

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

(j) Any existing physical features, such as wells, tanks, drains or trees;

(k) The ground area of the whole property and the break-up of the covered area on each floor with the calculations for percentage covered in each floor in terms of the total area of the plot as required by the Regulations governing the coverage of the area;

(l) Overhead electric supply lines including space for electrical transforming sub-station according to the requirements of the electric distribution licenses, water supply and drainage line;

(m) Such other particulars as may be prescribed by the Commissioner.

(v) **Sub-division/Lay-out Plan** - Where development is proposed in a sub-division or involves a layout plan, the notice shall be accompanied by a key-plan showing the location of the plot at a scale of not less than 1 : 4000, and a sub-division layout plan to a scale of not less than 1 : 500, which shall be measurement plan duly authenticated by the appropriate officer of District Inspector of Land Records/Superintendent of land Records. A sub-division / lay-out plan to a scale of not less than 1 : 500 shall be containing the following :-

(a) Scale used and the north line;

- (b) The location of all proposed and existing roads with their names, existing/proposed/prescribed width within the land.
- (c) Dimensions of the plot alongwith the building lines showing the set-backs with dimensions within each plot ;
- (d) The location of drains, sewers, public facilities and services, electric lines, etc. ;
- (e) A table indicating the size, area and use of all the plots in the sub-division/lay-out plan ;
- (f) A statement indicating the total area of the site area utilized under roads, open spaces for parks, playgrounds, recreation spaces and development plan designations, reservations and allocations, schools, shopping, and other public places alongwith their percentage with reference to the total are of the site ;
- (g) In the case of plots which are sub-divided, in built-up areas, in addition to the above the means of access to the sub-division from existing streets, and in addition, in the case of plots which are sub-divided in built-up areas, the means of access to each sub-plot from existing streets.
- (vi) **Building plan** - The plan of the building with elevations and sections accompany- ing the notice shall be drawn to a scale of 1 : 100 and shall -
 - (a) Include floor plans of all floors together with the covered area clearly indicating the size of the rooms, the position and width of staircases, ramps and other exit ways, liftwells, lift machine rooms and lift pit details, meter room and electric sub-station. It shall also include the ground floor plan as well as the basement plan and shall indicate the details of parking spaces, loading and up-loading spaces, if required to be provided around and within the building, as also the access ways and appurtenant open spaces with projections in dotted lines, the distance from any building existing on the plot in figured dimensions alongwith the accessory building. These plans will also contain the details listed in Form I of Appendix VI.
 - (b) Show the use or occupancy of all parts of the buildings;
 - (c) Show the exact location of essential services, e. g. water closet (WC), sink, bath;
 - (d) Include sectional drawings showing clearly the sizes of the footings, thickness of basement wall, wall construction, size and spacing of framing members, floor slabs and roof slabs with their materials. The section shall indicate the heights of the build- ing and rooms and also the height of the parapet and the drainage and the slope of the roof. At least one section should be taken through the staircase. The structural plan giving details of all structural elements and materials used along with structural cal- culations can be submitted separately, but in any circumstances before the issue of the development permission / commencement certificate ;
 - (e) Show relative levels of streets;
 - (f) Indicate details of basket privy/served privy, if any ;
 - (g) Give dimensions of the portions projecting beyond the permissible building line;
 - (h) Include a terrace plan indicating the drainage and the slope of the roof;
 - (i) Indicate the north line relative to the plans;
 - (j) Give a schedule of doors, windows and ventilators;
 - (k) Provide such other particulars as may be prescribed by the Commissioner.

provided that with the building plans for multistoreyed/high rise or special

buildings, the following additional information shall be furnished or indicated on the building plans -

- (a) access to fire appliances/vehicles with details of vehicular turning circle and clear motorable accessway around the building;
 - (b) size (width) of main and alternate staircases along with the balcony approach, corridor, ventilated lobby approach ;
 - (c) Location and details of lift enclosures;
 - (d) Location and size of fire lift ;
 - (e) Smoke stop lobby door, where provided;
 - (f) Refuse chutes, refuses chamber, service duct, etc.
 - (g) Vehicular, loading and unloading parking spaces;
 - (h) Refuse area, if any
 - (i) Details of air-conditioning system with position of fire dampers, mechanical ventilation system, electrical services, (with dimensions of electrical transforming sub-stations etc.) boilers, gas pipes, meter rooms etc.;
 - (j) Details of exits, including ramps, etc. for hospitals and special risks;
 - (k) Location of generator, transformer and switch gear room;
 - (l) Smoke exhaust system, if any;
 - (m) Details of fire alarm system;
 - (n) Location of centralized control, connecting all fire alarms, built-in fire protection arrangements and public address system, etc.;
 - (o) Location and dimensions of static water storage tank and pump room alongwith fire service inlets for mobile pump and water storage tank;
 - (p) Location and details of fixed fire protection installation such as sprinklers, wet hose reels, drenchers, carbon-dioxide (CO₂) installations, etc. ; and
 - (q) Location and details of first aid and fire fighting equipment/installations.
- (vii) **Service plan** - Plan and sectional elevations of private water supply, sewage disposal system and details of building services, where required by the Commissioner, shall be made available on a scale of not less than 1 : 100 before undertaking such work.
- (viii) **Specification** - General specifications of the proposed construction, giving the type and grade of materials to be used in the form in Appendix VI signed by a licensed surveyor / engineer / structural engineer / supervisor, or architect as the case may be, shall accompany the notice.
- (ix) **Supervision Certificate** - The notice shall be further accompanied by a certificate of supervision in the form in Appendix VII by the licensed surveyor / engineer / structural engineer / supervisor or architect as the case may be. If the said licensed technical person or architect ceases to be employed for the development work, further development, shall be suspended till a new licensed technical person or architect is appointed and his certificate of supervision along with a certificate of supervision along with a certificate for the previous work erected, if any, is accepted by the Commissioner.
- (x) **Development permission fee receipt.** - The notice shall be accompanied by an attested copy of the receipt of payment of the development permission application fee.
- (xi) **Security deposit** - To ensure compliance with these Regulations and the

directions given in the sanctioned plan and other conditions, a security deposit which may be in the form of an irrevocable bank guarantee, shall be charged at rates specified by the Commissioner. It shall be returned to the owner one year after the issue of the full occupancy certificate after the Commissioner is satisfied with the compliance with various conditions stipulated in the said full occupancy certificate.

(xii) **Clearance certificate for tax arrears** - The notice shall also be accompanied by an attested copy of a clearance certificate from the Assessment Department of the Municipal Corporation payment of tax up-to-date.

(xiii) **No objection Certificate** - For occupancies requiring clearance from authorities like the Civil Aviation Department, Directorate of Industries, Maharashtra Pollution Control Board, Inspectorate of Boilers and Smoke Nuisances, electrical distribution licensers regarding requirements of electrical transforming stations, the no objection certificate from these authorities, applicable to the occupancy shall also accompany the application.

(xiv) **Other facilities to be provided during construction** - The notice shall also be accompanied by an undertaking from the owner/developer/contractor to the effect that during the period of construction, facilities will be made available for day-care centre, crèche, adult-literacy and non-formal education programs for the construction workers, directly by him or through a voluntary agency.

(4) **Singing Of Plans By Owners And Licensed Personnel / Architect - (i) Singing of plans** - All the plans shall be signed by the owner and the licensed surveyor / engineer / structural engineer / supervisor, or architect, as the case may be, and shall indicate their names in block capital letters, addresses and license numbers when so licensed, allotted by the Commissioner.

(ii) **Qualification and competence of the Licensed Surveyor / Engineer / Structural Engineer / Supervisor** - The Commissioner shall license surveyors, engineers, structural engineers and supervisors with the qualifications listed in Appendix VIII to perform the tasks mentioned in that Appendix.

(5) **Processing Of The Development Permission Application - (i) Grant of permission or refusal** - The Commissioner may either sanction or refuse to sanction the plans and specification or may sanction them with such modifications or directions as he may deem necessary and thereupon, he shall communicate his decision to the person giving the notice accordingly in the form in Appendix IX or X.

(ii) **Fire brigade scrutiny** - The plans for all multistoreyed, high rise and special buildings shall also be subject to the scrutiny of the Chief Fire Officer, and development permission shall be given by the Commissioner only after the clearance by the Chief Fire Officer.

(iii) **Deemed permission** - If within sixty days of the receipt of the notice under sub-regulation (i) of Regulation 5, the Commissioner fails to intimate in writing to the person who has given the notice his refusal or sanction, or sanction with modifications or directions, the notice with its plans and statements shall be deemed to have been sanctioned, provided that this shall not be construed to authorise any person to do anything on the site of the work in contravention of or against the terms of lease or titles of the land, development plan, these Regulations or any law in force.

(iv) **Revised plans** - Once the plans have been scrutinized and objections have been pointed out, the owner giving notice shall modify the plans to comply with the objections raised and resubmit them. The plans submitted for final approval shall not contain superimposed corrections. The Commissioner shall scrutinise the revised plans and shall grant or refuse commencement certificate/development permission within sixty days from the date of re-submission.

(6) **Commencement Of Work** - A commencement certificate/development permission shall remain valid for four years in the aggregate, but shall have to be renewed before the expiry of one year from the date of its issue, The application for renewal shall be made before expiry of one year, if the work has not already commenced. Such renewal can be done for three consecutive terms of one year each, after which proposals shall have to be submitted to obtain development permission afresh.

For the purpose of this Regulation, Commencement shall mean as under :-

- (a) For a building work including additions and alterations; : Upto plinth level.
- (b) For bridges and overhead tanks : Foundation and construction work upto the base floor.
- (c) For underground works : Foundation and construction work upto floor of underground floor.
- (d) For lay-out, subdivision and amalgamation proposals; : Final demarcation and provision of infrastructure and services upto the following stages
 - (i) Roads Water bound macadam complete.
 - (ii) Sewerage, drainage and water supply excavation and base concreting complete.

6. PROCEDURE DURING CONSTRUCTION - (1) Construction to be in conformity with Regulations - Owner's liability - Neither the grant of permission nor approval of the drawings and specifications, nor Inspections by the Commissioner, during erection of the building, shall in any way relieve the owner of such building from full responsibility for carrying out the work in accordance with these Regulations.

(2) **Notice for start of work** - The owner shall give notice to the Commissioner of his intention to start work on the building site in the form given in Appendix XI. The owner may start the work after 7 days have elapsed from the date of the service such notice to the Commissioner or earlier, if so permitted.

(3) **Documents at site - (i) Results of tests.** - Where tests of any material 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 required by the Commissioner.

- (ii) Development permission - The person to whom a development permission is issued shall during construction, keep -
- (a) posted in a conspicuous place, on the site for which permission has been issued, a copy of the development permission; and -
 - (b) a copy of the approved drawings and specifications referred to in Regulation 5 on the site for which the permit was issued.
- (4) **Checking of plinth or plinth columns upto plinth level** - The owner through his licensed surveyor, engineer, structural engineer or supervisor or his architect shall give notice in the form of Appendix XII to the Commissioner, on completion of work upto plinth level to enable the Commissioner to ensure that the work conforms to the sanctioned plans. The Commissioner may inspect the work jointly with the licensed technical personal or architect within fifteen days from the receipt of such notice and either give or refuse permission for further construction as per the sanctioned plans in the form in Appendix XIII. If within this period, the permission is not refused, it shall be deemed to have been given provided the work is carried out according to the sanctioned plans.
- (5) **Deviation during constructions** - If during the construction of a building, any departure of a substantial nature from the sanctioned plans is intended by way of internal or external additions, sanction of the Commissioner shall be necessary. A revised plan showing the deviations shall be submitted and the procedure laid down for the original plans hereto fore shall apply to all such amended plans, any work done in contravention of the sanctioned plan without prior approval of the Commissioner shall be deemed as unauthorized.
- (6) **Completion Certificate** - The owner through his licensed plumber, shall furnish a drainage completion certificate to the Commissioner in the form in Appendix XV. The owner through his licensed survey or/ engineer/ structural engineer/ supervisor or his architect, who has supervised the construction, shall furnish a building completion certificate to the Commissioner in the form in Appendix XVI. The certificate shall be accompanied by three sets of plans of the completed development. The Commissioner shall inspect the work and, after satisfying himself that there is no deviation from the approved plans, issue a certificate of acceptance of the completion of the work in the form in Appendix XVII.
- (7) **Occupancy Certificate** - On receipt of the acceptance of completion certificate in the form in Appendix XVII the owner, through his licensed surveyor/engineer/structural engineer/ supervisor or his architect shall submit to the Commissioner a development completion certificate in the form in Appendix XIV with three copies of the completion plan, one of which shall be cloth mounted for record. The Commissioner may inspect the work and after satisfying himself that there is no deviation from the sanctioned plans, issue an occupancy certificate in the form in Appendix XVIII of refuse to sanction the occupancy certificate within 21 days from the date of receipt of the said completion certificate, failing which the work shall be deemed to have been approved for occupation, provided the construction conforms to the sanctioned plans. One set of plans, certified by the Commissioner as the completed plans, 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 refusal.

(8) Part Occupancy Certificate - When requested by the holder of the development permission, the Commissioner may issue a part occupancy certificate for a building or part thereof, before completion of the entire work, as per the development permission, provided sufficient precautionary measures are taken by the holder to ensure public safety and health. The occupancy certificate shall be subject to the owner's indemnifying the Commissioner in the form in Appendix XIX.

7. AMENDMENT/MODIFICATION TO APPENDICES. - Except where the same are prescribed in Mumbai Provincial Municipal Corporation Act, 1949 or Maharashtra Regional and Town Planning Act, 1966 or the rules or bye-laws framed thereunder, the Commissioner may, from time to time, add to, alter or amend Appendices VI to XIX.

8. INSPECTION - (1) Inspection at various stages - The Commissioner may at any time during erection of a building or the execution of any work or development make an inspection thereof without giving previous notice of his intention so to do.

(2) Inspection by Fire Department - For all multistoreyed, high-rise and special buildings the work shall also be subject to inspection by the Chief Fire Officer / Inspector, and the Commissioner shall issue the occupancy certificate only after clearance by the said Chief Fire Officer / Inspector.

(3) Unsafe buildings. - All unsafe buildings shall be considered to constitute a danger to public safety, hygiene and sanitation and shall be restored by repairs or demolished or dealt with as otherwise directed by the Commissioner.

(4) Unauthorized development - In case of unauthorized development, the Commissioner shall -

(a) Take suitable action which may include demolition of unauthorized works as provided in section 53 of the Maharashtra Regional and Town Planning Act, 1966 and the relevant provisions of the Mumbai Provincial Municipal Corporation Act, 1949.

(b) Take suitable action against the licensed technical person or the architect concerned.

9. BUILDING PERMIT FEE - As one of the conditions under Section 45(1) (ii) of M.R. & T. P. Act and Section 386 of M.P.M.C. Act 1949, the building Permit Application fee shall be as prescribed below :-

(i) Sub-Division of Land or Development Work -

AREA TO BE DEVELOPED	RUPEES
1 Ha.	150
1-2.5 Ha.	300
2.5-5 Ha.	450
Above 5 Ha.	150 additional for every 5 Ha. above Rs. 450.

(ii) Residential Buildings -

TOTAL COVERED AREA ON ALL FLOORS	RUPEES
Up to 60 sq. m.	10
Up to 150 sq.m.	50
Above 150 sq.m. and upto 300 sq.m.	100
Above 300 sq. m.	Charge Rs. 10 for every 50 sq. m. above Rs. 100 subject to a maximum of Rs. 250

(iii) Commercial (Mercantile), Business, Assembly, Hazardous and Storage Buildings

TOTAL COVERED AREA	RUPEES
150 Sq.m.	200
For every additional 150 sq.m. or part thereof.	100 additional for every 150 sq.m. above Rs. 200 subject to a maximum of Rs. 1000

(iv) Public Buildings (For Educational, Religious & Charitable Use).

TOTAL COVERED AREA	RUPEES
150 Sq.m.	25
More than 150 sq.m.	25 additional for every 150 sq.m. above Rs. 25 subject to a maximum of Rs. 100.

(v) Industrial Buildings Or Mixed Zone Buildings.

TOTAL COVERED AREA	RUPEES
150 Sq.m.	200
For every additional 150 sq.m. or part thereof.	100 additional for every 150 sq.m. above Rs. 200 subject to a maximum of Rs. 1000.

(vi) Compound Wall - It should be a minimum of Rs. 5 for walls up to 100 running meters and further increase the fee on the same scale.

PART-II

PART II

GENERAL PLANNING REQUIREMENTS

LAND USES AND MANNER OF DEVELOPMENT

10. LAND USES AND THE MANNER OF DEVELOPMENT - The uses of all lands situated within the Corporation limits of Bhiwandi Nizampur, which have been allocated designated or reserved for certain purposes in the development plan, shall be regulated in regard to type and manner of development/re-development, according to Table - 3 hereunder :-

TABLE : 3

Land Uses and the Manner of Development

Sr. No.	Use (Allocation, Designation or reservation)	Person/ Authority who may develop	Conditions Subject to which Development is permissible.
I	Residential (R)		
	a) Residential(R-1) Residential with Shop line (R-2) & No power loom Zone	Owner Owner	
	b) Housing for the Dishoused	Corporation or owner	The Corporation may develop the land after acquiring it in accordance with the law. OR The owner may develop the land provided the land holder in his layout (i) provided 50% plots shall be of minimum area and out of these 50% plots, plot equal to 10% of the net area of the layout shall be made available to the Corporation free of cost or (ii) if the land holder intent to construct a multistoried building then 50% tenements having a carpet are, of 25 sq.m. (plinth area of 30 sq.m.) shall be achieved & out of total permissible built up area, 10% of the tenements of carpet area of 25 sq.m. (Plinth are of 30 sq.m.) each in the building so constructed shall be made available by him to the Corporation free of cost. The Corporation must allot such plots/tenement to the authorise persons which are affected by the implementation of Development Plan.
	c) Corporation Staff Quarter/Housing.		The Corporation may develop the land after acquiring it in accordance with the law.

d) Govt.Staff Govt./Semi Govt. or semi Govt. may develop the land
Quarters/Govt. Govt. after acquiring it in accordance with the
Housing law.

* e) मंजूर विकास योजनेमधील झोपडपट्टी पुनर्वसन या आरक्षणाचा विकास जमिन मालक करू शकतील.

अ) ५० टक्के भुखंड किमान क्षेत्राचे काढावेत व या ५० टक्के भुखंडापैकी अभिन्यासातील निव्वळ क्षेत्राच्या १० टक्के क्षेत्राइतके भुखंड नगरपरिषदेस विनामुल्य द्यावेत.

ब) जमिन मालकास बहुमजली इमारत बांधावयाची झाल्यास अशा इमारतीमध्ये ५० टक्के गाळे ३० चौ.मी. क्षेत्राचे बांधावे व एकूण बांधकाम क्षेत्राच्या १० टक्के गाळे ३० चौ.मी. क्षेत्राच्या गाळ्यामधून नगरपरिषदेस विनामुल्य द्यावेत. नगरपरिषदेस विनामुल्य प्राप्त होणारे भुखंड/गाळे विकास योजनेतील इतर आरक्षणामधील झोपडपट्टी धारकांना देण्यांत येतील.

क) सदरचे निदेश “झोपडपट्टी पुनर्वसन” या आरक्षणाखालील जमिनीवर झोपडपट्टी नसेल तेव्हाच लागू होतील.

जमिनीचा भुखंडासाठी अभिन्यास करणे अथवा जमिनीचा भुखंडासाठी अभिन्यास न करता बहुमजली इमारतीचा प्रस्ताव करणे या दोन विकल्पापैकी एका वेळेस एकच विकल्प वापरता येईल व मंजूर केलेल्या विकल्पात अंशतः क्षेत्रासाठी बदल करता येणार नाही.

II **Commercial (c)**

a) (i) Local Owner The owner may develop the land with the
Commercial (C-1) sufficient off-street parking facilities as per
D.C.R. The ground floor shall be utilized be
only for commercial purpose. The upper
floor may be utilized for residential
purpose.

(ii) District Corporation The Corporation or public/semi public
Commercial (C-2) Public/semi Authority may develop the land after ac-
public quiring it in accordance with the law.
Authority or OR
owner

1) The owner may be allowed to develop on such terms as may be agreed between him & the Commissioner.

2) The owner may be permitted to develop the land provided 15% of total land shall be kept for public purposes such as fire station, Electric sub station, overhead water tank and sanitary blocks etc. 30% land shall be utilized for District commercial user (C-2) & Balance 55% Land shall be utilized for shops on ground floor and other floor for offices/residential areas.

3) In cases where the owner has been granted exemption u/s. 20,21 or 22 of urban land (ceiling & regulations) Act, 1976, prior to coming into force of these Regulations, he would be entitle to develop the land in accordance with the terms & conditions. Set out in exemption order issued by the Govt. or the Competent Authority under that Act.

..25..

b) Market / Vegetable Market/mutton Market/Fish Market	Corporation or Owner	The Corporation may acquire & Develop the Market. OR The owner may be permitted to develop the market reservation provided on 20% land the owner shall construct the market as per the terms and conditions prescribed by the Commissioner & further subject to his agree ing to handover the builtup market area to the Corporation free of cost. Thereafter the owner will be entitled to have the full per missible FSI of the plot for the other user permissible in the adjacent zone, without taking into account the area utilized for market.
c) Shopping Centre	Corporation or Owner	The Corporation may acquire the land & develop it for the shopping centre. OR The owner may develop the shopping cen tre on his agreeing to give 25% of the shops to the council on payment of cost of con struction plus 15% profit on the cost of con struction. In this case the FSI allowed will be permissible FSI as per these regulations or subject to his agreeing to hand over the aforesaid 25% built up area to the Corpora tion free of cost. Thereafter the owner will be entitled to have the full permissible FSI of the plot for the other user permissible in the adjacent zone, without taking into account the builtup area handed over to the Corporation.
d) Municipal Market	Corporation	--
e) Whole Sale Market	Corporation	--

III **Loom Industry** Owner --
Cum Residential
Zone

IV) **Industrial (I)**
(a) (i) Service Owner --
Industries (I - 1)

(ii) General industries (I - 2) Owner --

b) Godown/
Warehouse/
Cold Storage Public
Authority or
Owner --

V) **Transportation**

a) Proposed road/Street Corporation --

b) Proposed widening of existing road/street envisaged either in the development plan or by prescription of regular line of street under the Mumbai Provincial Municipal Corporation Act,1949 Corporation --

c) Bus Depot/Bus Stand/S.T.Stand State Transport --

d) Truck Terminal Public Authority / Municipal Corporation --

e) Parking lot Corporation The Corporation may acquire the land & develop, operate & maintain the parking lot etc.

Parking/
Taxi Stand Public Authority / OR

Rickshaw Stand Public Organisation / owner The public authority or a public organisation or the owner may be allowed to develop the parking etc. for the public according to the design, specification & conditions prescribed by the Deputy Director of Town Planning utilising the full builtup area equal to the FSI available on the plot for the purpose of providing the parking spaces. The operation & maintenance of the facility will be decided by the Commissioner irrespective of the authority, organisation

or person who develop the facility.

The parking spaces may be in the basement or open spaces or under the stilts or on the upper floors. The Corporation, public authority, public organisation or the owner will be entitled to thereafter have the full permissible FSI of the plot, without taking into account the areas utilized for providing the parking spaces for the other permissible user of the plot in the adjacent Zone.

VI **Public, Semi-public**

1) **Institutional**

- | | |
|---|----------------------|
| (a) Municipal Dispensary / Dispensary | Corporation or Owner |
| (b) Health / Welfare Centre/ Women's Welfare Centre | |
| (c) Maternity Home | |

The Corporation may acquire, develop and maintain the amenity as a reservation.

OR

The owner may be permitted to develop the amenity subject to his handing over to the Corporation free of cost the 15% builtup area of total area under reservation for dispensary & 25% builtup area of total area under reservation for maternity home and if the land is reserved for both the purpose together then 30% builtup area of total area under reservation duly constructed for said amenity according to the norms prescribed by the Commissioner Thereafter he will be entitled to have full permissible FSI of the plot for other permissible user of the plot without taking into account, the area utilized for constructing the amenity. The Commissioner may hand over the amenity space for a dispensary, health or welfare centre or maternity home to a public organization for operation and maintenance on terms decided by him.

Explanation :- Welfare Centre also includes homes, shelters or institution for homeless or street children, waifs, destitute children (but not beggars) strays delinquents, abandoned or destitute women, homes for the destitute or dying destitute, drug addicts & alcoholics, creches or day care centre for children of working parents,

		sevaghars, mobile creches & for physically disabled or handicapped provided they are all run by registered public trusts.
(d) Hospital	Corporation / public authority or public organisation / Trust or owner	When owner develop this facility, it will be in accordance with the specification and conditions approved by the Commissioner For this purpose Commissioner has to consult with the Divisional Dy. Director of Health Services.
(e) Municipal Hospital	Corporation	The Corporation may develop the land after acquiring it in accordance with law.

2) Educational

(a) Primary School	Corporation or Owner only for construction	The Corporation may acquire the land and develop it. OR The Commissioner may entrust the Primary School to registered Institutions or trust for development and its operation subject to conditions as will be decided by him.
(b) High School	Public Authority or Owner	The land for the Primary School or High School may be acquired for by Municipal Corporation on behalf of a public authority, a public trust of registered society subject to the conditions as decided by the Commissioner may develop the facility themselves or lease it to another institution or trust for running the same or The owner may be allowed to develop the land subject to the conditions as will be decided by the Commissioner for the specific facility and operate it himself or entrust its operation to a registered institution or trust.
(c) College or Educational Institute	Public Authority or Owner	The conditions subject to which development of college is permissible will be as in the case of a High School as indicated in this column against item VI (2) (b).
(d) Polytechnic	Public Authority or owner	Conditions subject to which development of Polytechnic is permissible will be as in the case of a High School as indicated in this column against item VI(2)(b).

(e) Technical School	Public Authority or owner	Conditions subject to which development of Technical School is permissible will be as in the case of a High School as indicated in this column against item VI(2)(b).
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3) **Government or Semi public**

(a) Government Office	Government	--
(b)Municipal Office	Corporation	--
(c) Municipal Ward Office, Octroi Office	Corporation	--

4) **Assembly & Recreation**

(a) Community Hall	Corporation or Owner	Wherever necessary the Corporation or registered society may acquire the land under these amenities and develop it in accordance with the D.C.Regulations. The Commissioner may entrust the development and maintenance of the facility to a suitable agency on terms to be decided by him. The owner may be allowed to develop the amenities at (e) & (f) subject to the condition that Drama Theatre sites should be provided for the capacity of at least 300 seats for existing Cinema Theatre or Drama Theatre, 33% of the existing seats whichever is more. Excluding the FSI required for the said amenity, the balance FSI can be utilised for residential, Commercial & Offices as per the Provisions of the D. C. Regulations & as per the terms & conditions as would be decided by the Commissioner.
(b) Gymnasium / Gymkhana		
(c) Club		
(d) Stadium		
(e) Cinema Theatre		
(f) Drama Theatre		
(g) Open air Theatre		
(h) Museum / Art Gallery		
(i) swimming Pool		
(j) recreation Ground		
(k) Play Ground		
(l) Garden		
(m) Park		
(n) Sports Complex-cum-Shopping Centre		
(o) Library	Corporation or Owner	The Corporation may acquire, develop and maintain the Library space as a reservation.

OR

The owner may be permitted to develop the library subject to his handing over to the Corporation free of charge the builtup space for the library constructed on 20% land reserved according to norms prescribed by the Commissioner Thereafter the owner

will be entitled to have the full permissible FSI of the plot for the other permissible uses of the plot without taking into account, the area utilised for constructing the library.

5) **Public Utilities**

(a) Fire Brigade
Station

(b) Sewage
Purification
Works

(c) Reservoir Corporation --

(d) Pumping
Station

(e) Refuse
Transport
Station /
Trenching
Ground /
Compost Depot

(f) Municipal Water
Supply Project

(g) Cremation Corporation/
Ground/Burial Public
Ground Authority or
owner The Corporation or a public authority with the approval of the Corporation may acquire & develop the land for Cremation ground / Burial ground.

OR

The owner may allowed to develop the land for cremation ground or Burial ground with the approval of council on such terms and conditions it may specify.

(h) Post Office, Telephone Service Centre, Police Chowky Government department concerned or owner The Government department concerned may acquire/develop & maintain the users.

OR

The owner may be permitted to develop, subject to his handing over to the Govt. Deptt. concerned free of charge the required builtup space for the facility constructed according to the norms prescribed by the said Govt. Deptt. There after, the owner will be entitled to the full permissible FSI of the plot, without taking into account the area utilised for constructing the facility.

(i) Telephone Exchange Government Department --

(j) Police Station/
Parade Ground concerned

(k) Public Sanitary Corporation or convenience	owner	The Corporation may develop the facility either itself or through a sponsored or may allow owner to develop the same on plots designated or reserved for the purpose in the development plan or at other suitable locations niches (even in sites designated or reserved for other purpose or amenities in the development plan) as may be approved by the Commissioner in consultation with the Divisional Dy. Director of Town Planning such development will be free from FSI computation.
(l) M.S.E.B.	M.S.E.B.	--

Explanation -

(i) Even where an owner, in terms of column (3) in Table 3 above is permitted to develop certain categories of reservations allocations or designations the Corporation or concerned authority may at any time acquire land thereunder.

(ii) An owner, who, in terms of column (3) of Table 3 also, is permitted to develop certain categories of allocations, designations of reservations, shall provide the required parking spaces for the same, in addition to those required for the developments he is permitted to undertake.

(iii) In the case of development of Lands for gymnasias, gymkhanas, clubs, stadia, swimming pools recreation grounds and playgrounds, construction for ancillary uses only may be permitted (in a suitable location so as to keep as much of the remaining space open) up to 15 percent of 10 percent of the area of the land for the said amenities.

(iv) In the reservation of Truck Terminal (T.T.) which is to be developed by the Public Authority or Municipal Corporation the following users may be allowed in the reservation.

1. Administrative Building.
2. Restaurant / Canteen.
3. Petrol Pump.
4. Garrage.
5. Space for Weigh Bridge.
6. Automobile Shops.
7. General Shops.
8. Rest-House (Hostel Type) for truck Drivers / Cleaners.
9. Transport Office Shade.
10. Workshop for repairing.
11. Police Station.
12. Post Office / Telephone Exchange.
13. Dispensary.
14. Bank.
15. Fire Brigade Services.
16. Godowns.
17. Parking Space.

18. Water Tank.
19. Loading/Unloading Platform.
20. Watch & Ward
21. Allied Activities.

11. OTHER STIPULATIONS - (1) General - In every case of development/re-development of any land, building or premises, the intended use shall conform to the use zones, purpose of designation, allocation or reservation as the case may be unless specified otherwise.

(2) Development of land partly designated/allocated/designated/reserved - Where a building exists on a site shown as an allocation designation or reservation in the Development Plan, only its appropriate part as used for such allocation, designation or reservation, shall be used for the said purpose and the remaining part of the building or of the developable land may be put to use in conformity with the purpose of development as otherwise permissible in the case of adjacent land.

(3) Combination of public purposes uses in reserved sites - Where the Corporation or the Appropriate Authority proposes to use land/building/premises reserved for one specific public purpose/purposes, for different public purpose/purposes it may do so, with the previous approval of the Government, provided that the combination of such second user conforms to these Regulating and the permissible use in the Zone in which the site falls. Provided that this shall not apply (a) to any site being developed for an educational or medical purpose or club/gymkhanas where in a branch of a bank may be allowed, (b) to any site being developed for medical purposes wherein shops of pharmacists or chemists may be permitted, and (c) to any site encumbered by another non-educational user and being redeveloped for educational purposes, in which case the existing non-educational users may be allowed to continue without any increase in the net floor area covered by them and (d) to any site being developed for recreational use, such as garden, playground, recreation ground, park, etc., each measuring not less than 400 Sq. meters at one place, wherein electric sub-stations, which may utilize not more than 10 per cent of the site in which they are located is proposed.

(4) Shifting and/or interchanging the purpose of designations/reservations - In the case of specific designations/reservations in the Development Plan, the Commissioner with the consent of interested persons may shift, interchange the designation/reservation in the same or/on adjoining lands/building, to which an access is available or has to be provided and the same is not encumbered provided that the area of such designation/reservation is not reduced.

12 DEVELOPMENT IN LARGE HOLDING - Notwithstanding anything contained in these Regulations the provisions in Appendix V will apply to residential development, undertaken by a single developer if he desires to undertake it on a single plot or group of plots of 20000 sq.m. or more in area.

13 EXEMPTIONS - (1) Existing non-conforming uses to continue in certain circumstances -

(a) Any lawful use of land/building/premises, existing before the coming into force of these Regulations may continue even if it does not conform to the use provisions of these Regulations provided such nonconforming use is not extended or enlarged except as provided in these Regulations.

(b) In housing schemes, undertaken by the MHADA where a new construction or new building is constructed in place of an old building, containing authorized non-conforming users, the Commissioner may allow the same non-conforming users in the new building provided such user is not industrial hazardous or Power Looms likely to cause pollution as per Appendix II.

14 ANCILLARY USES PERMITTED - THE ANCILLARY USES PERMITTED IN VARIOUS USE ZONES AND THE CONDITIONS GOVERNING THE SAME SHALL BE AS GIVEN IN PART - IV.

15 PROHIBITION OF FACTORIES IN RESIDENTIAL BUILDING IN CONFORMING ZONES - Notwithstanding anything contained in these Regulations no permission shall be granted for erecting any factory, workshop or work place (for the establishment of which previous permission is required under Mumbai Provincial Municipal Corporation Act, 1949), wholly or partly on lands used for residential purposes even if such use is in conformity with these Regulations and the aforesaid Act;

Provided that the uses in a residential building permissible under Regulation 50 and 51 which are compatible with the residential user may permitted on the ground floor.

16 REQUIREMENTS OF SITES - No land shall be used as a site for the construction of buildings -

(a) if the Commissioner considers that the site is insanitary or that it is dangerous to construct a building on it or no water supply is likely to be available within a reasonable period of time;

(b) If the site is within 9m. from the edge of the water mark of a minor water course, or 15 m . from the edge of the water mark of a major water course, unless arrangements to the satisfaction of the Commissioner are made to drain the flow of the water course;

Provided that where a water course passes through low-lying land without well-defined banks, the Commissioner may permit the owner of the property to restrict or divert the water course to an alignment and cross section determined by him (Commissioner).

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

(d) If the building is proposed on any area filled up with caresses excreta, filthy and offensive matter, till the production of a certificate from the Commissioner to the effect that it is fit to be built upon from the health and sanitary point of view;

(e) If the use of the said site if for a purpose which in the Commissioner's opinion may be a source of danger to the health and safety of the inhabitants of the neighborhood;

- (f) If the Commissioner is not satisfied that the owner of the building has taken the required measures to safeguard the construction from constantly getting damp;
- (g) For assembly use for cinemas, theatres, places of public workshop, residential hotels lodging and boarding houses, unless the site has been previously approved by the Commissioner and the Commissioner of Police;
- (h) Unless it derives access from an authorized street/means of access described in these Regulation;
- (i) For industrial use other than a service industry unless the application is accompanied by a no objection certificate from the appropriate officer of the Industries Department of the Government of Maharashtra according to the prevailing Industrial Location Policy.
- (j) If the proposed development is likely to involve damage to or have deleterious impact on or is against urban aesthetics of environment or ecology and/or on historical / architectural / esthetical buildings and precincts or is not in the public interest.

17 PUBLIC STREETS AND MEANS OF ACCESS - (1) Every site to have access free of encroachment - Every site proposed to be developed or redeveloped shall have access from a public street/road as required in these Regulations. Such access shall be kept free of encroachment.

(2) Multi-storeyed, High Rise and Special Buildings - The Commissioner may permit access to such buildings from any street not less than 9 m. wide, one end of which shall join another street of equal or greater width.

(3) Other buildings - (a) The Commissioner shall permit access from streets having width of not less than 6 m. through land over which the public have a customary right of access or have used it or passed over it uninterruptedly for period of 20 years.

(b) The Commissioner may permit access from -

(i) Any street 6 m. wide or more (including streets in a gaathan which give access to other properties outside the gaathan).

(ii) Any existing street not less than 3.6 m. wide which is proposed to be widened either in development plan or by laying down a regular line of street under the Maharashtra Municipalities Act, 1965.

(iii) Any street less than 3.6 m. wide in a gaathan if the plot boundary is shifted 2.25 m. from the central line of the street.

(iv) Any street or road more than 52 m. in width specifically identified in the development plan for giving direct access except where a no-objection certificate has been granted by the appropriate road authorities ;

Provided further that where any road is proposed to be widened in the development plan or for which regular line of street has been prescribed under the Mumbai Provincial Municipal Corporation Act, 1949, the resulting proposed width shall be reckoned in dealing with a request for development permission.

(4) Plots/Buildings abutting or fronting a means of Access :- Where a plot or building abuts/fronts a means of access; the width of the access shall be as specified in Regulation 22.

18 HIGHWAYS AND WIDER ROADS - No site excepting one proposed to be used for highway amenities like petrol pumps or motels shall have direct access from a highway or specified road 52 m. or more in width, and the portion of these roads in which such amenity sites may have direct access will be identified in the development plan.

For this purpose the Commissioner shall specify such roads from time to time with the approval of the Corporation. He shall also maintain a register of such specified roads which shall be open to public inspection.

Provided that this shall not apply to any lawful development along the highways and other specified roads which have existed before these Regulations have come into force and alternative measures are provided for their continuance.

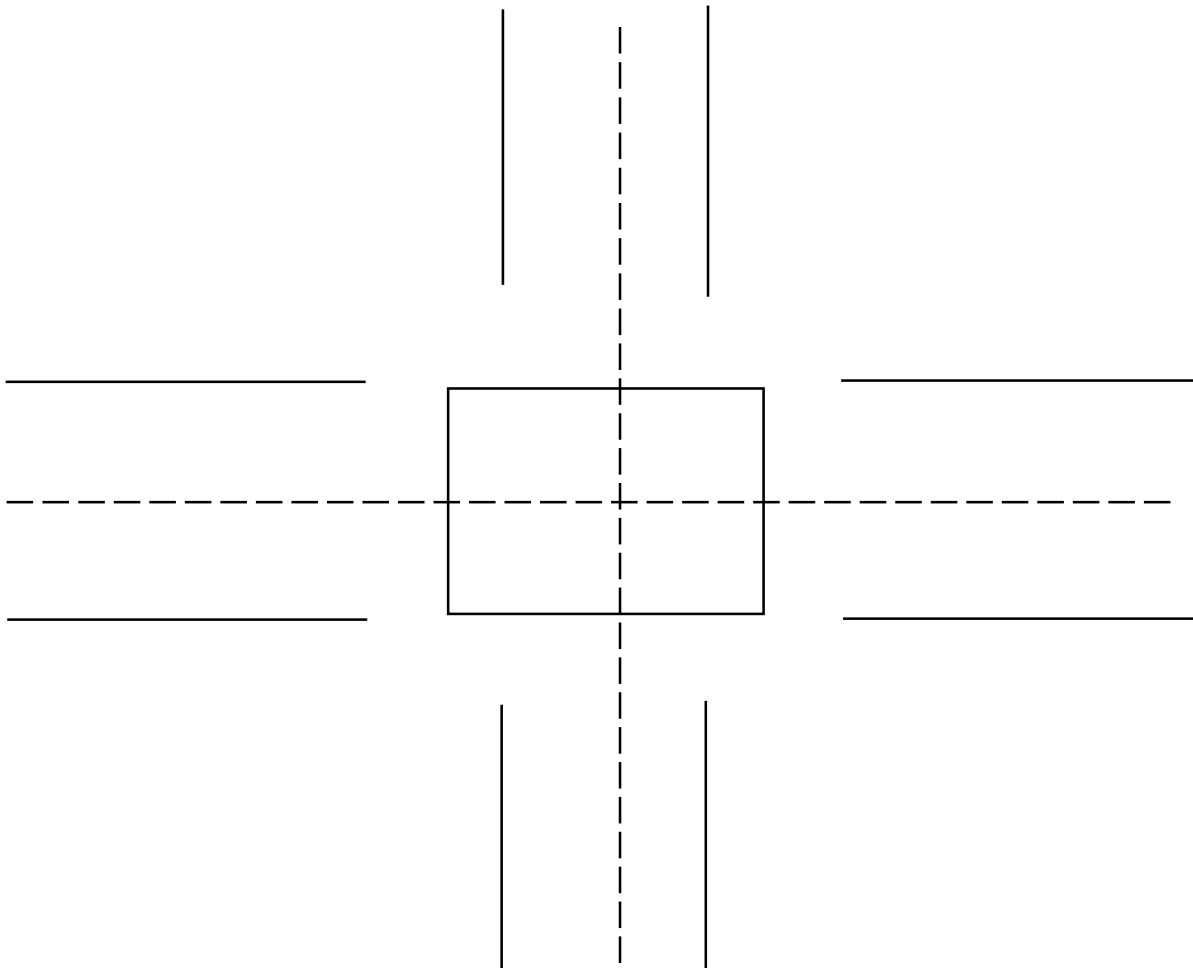
19 MEANS OF ACCESS TO BE CONSTRUCTED AND MAINTAINED -

(1) **General** - Means of access shall be leveled, metalled, tarred, flagged, paved, sewerer drained, channeled, provided with lights and water supply line and with trees for shade to the satisfaction of the Commissioner. They shall be free of encroachment by any structure or fixture that may reduce their width below the minimum required by Regulation 22 and shall be maintained in condition considered satisfactory by the Commissioner.

(2) **Private Street** - If any private street or other means of access is not constructed or maintained as specified in sub-regulation (1) above or if structures or fixtures arise thereon in contravention of that sub- rule, the Commissioner, may be written notice, direct 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 all of the aforesaid requirements in such manner and within such time as he shall direct. If the owner or owners fail to comply with his direction, the Commissioner may arrange for its execution and recover the expenses incurred from the owner or owners.

(3) **How to measure the length of access ways** - The length of a main means of access shall be determined by the distance from the farthest plot or building plot and the main street. The length of a subsidiary accessway shall be measure from the point of its origin and the next wider road it meets.

20 INTER-SECTION OF ROADS - At junctions of road the rounding off of inter-section shall be done with the tangent from the point of intersection of the curve being 1/2 the road width across the direction of tangent as given below :-



ROUNDING OFF INTERSECTIONS AT JUNCTIONS

21 LAYOUT OF LAND AND LAND SUB-DIVISION - (1) Circumstances warranting preparation of a layout or sub-division - A layout or sub-division shall be submitted for the following -

- (a) when more than one building (except for buildings accessory to the main building) is proposed on any land.
- (b) when development or redevelopment of any tract of land includes its division or sub-division into plots.

(2) Contents - Every sub-division/layout shall contain sub-plots being formed after sub-division, access thereto recreational open space, if any, required under Regulation 22 and 23 spaces for other ancillary uses if any required under Regulation 24 and 26 as also all the reservation, designations, allocations, road or road widening proposals of the development plan and the regular lines of streets prescribed under the Mumbai Provincial Municipal Corporation Act, 1949. Where there is a conflict between the widths or widening lines proposed in the development plan and those under the regular line of a street, the wider of the two shall prevail.

Provided that the Commissioner may without any reduction in area, allow adjustment in the boundaries of reserved/allocated sites within the same holding and conforming to the zoning provisions to suit the development. In doing so, he will ensure that the shapes of altered allocated/reserved sites are such that they can be developed in conformity with these Regulations.

(3) Minimum plot areas - The minimum plot areas permissible for different categories of use types of development permissible and the minimum dimensions shall be as in Table 4 hereunder :-

TABLE - 4
MINIMUM PLOT AREAS FOR VARIOUS USES

Sr. No.	Land use	Plot area (sq.m.)	Type of Development
1	2	3	4
1.	Residential & Commercial subject to the limitation of urban land (ceiling & Regulation) Act, 1976 (except those in 2,3 & 4 below)	i) 25 sq.m. to 40 sq.m.	Row Housing
		ii) 41 sq.m. to 125 sq.m.	Semi Detached building (plot width 6 to 12 m)
		iii) Above 125 sq.m. with no dimension less than 9 m.	Detached (plot width above 12 m.)
(Note :- Plot which are 4 m. to 6 m. in width shall be developed as Row Housing schemes.)			
2.	Plot in public Housing/ High density Housing/ sites & Services/Slum upgradation/Reconstruction Scheme L.I.G. & EWS of Society under taken by public Agencies	21sq.m. with a minimum width of 3 m.	Row Houses
3.	Petrol Filling Station (a) without service bay	545 (with one dimension not less than 16.75m.)	Detached
	(b) with service bay	1100 (with one dimension not less than 30.5.)	Detached
4.	Cinema theatre, assembly hall	3sq.m.per seat including Parking requirements	
5.	Mangal Karyalaya	1000	
6.	4 & 5 Starred Hotel in independent plot	2500	Detached
7.	3 starred hotel on independent plot	1000	Detached
8.	Industrial (I ₂)	300 (width < 15m.)	Detached

* (4) 1) For the sub-division of the land admeasuring 2000 sq.mt. and more, following provision shall be compulsorily provided

(a) 20-25% area in the form of 30 to 50 sq.mt. plot for EWS/LIG.

(b) 10% area in the form of 50 to 100 sq.mt. plots.

2) For the layout of the land admeasuring 2000 sq.mt. and more, following provision shall be compulsorily provided

(a) 20-25% tenements shall be proposed for EWS/LIG Group (30 to 40 sq.mt.) and 10% tenements shall be proposed for MIG Group (41 to 60 sq.mt.)

22 INTERNAL MEANS OF ACCESS TO EACH PLOT - (1) Minimum road width vis-a-vis the area served - Plots which do not abut on a street shall abut/front on a means of access, the width and other requirements of which shall be as given in Table 5 hereunder for residential and commercial zones and as given in table 6 hereunder for an industrial zone.

TABLE - 5

Width of access for Residential and Commercial Zones.

Access length in meters (m)	Width of Mean of Access in meters (m)
(1)	(2)
Less than 75	6
75 to 150	7.5
150 to 300	9
over 300	12

Provided that in residential layouts, straight cul-de-sacs upto 150 m. long roads are permissible. An additional length upto 125 m. will be permissible, if an additional turning space is provided at 150 m. The dead end shall be at a level higher than the main road from where the cul-de-sac road takes off. The turning space, in each case, should not be less than 81 sq.m. in area, no dimension being less than 9 m.

TABLE - 6

Width of access for Industrial Zones.

Access length in meters (m)	Width of means of access in meters (m)
(1)	(2)
Upto 100	9.00
Above 100 upto 300	12.00
Above 300	15.00

(2) Access for residential, commercial and industrial zones as in Table 5 and 6 above -

(a) Shall be clear of marginal open spaces but not less than 3 m. from the building line;

(b) May be reduced by 1 m. in their prescribed widths if the plots are on only one side of the access;

(c) Shall be measured in length from the point of its origin to the next wider public street it meets.

(3) In the interest of the general development of any area, the Commissioner may require the means of access to be of larger width than that required under these Regulation.

(4) Notwithstanding the above, in partially built-up plots where the area still to be built upon does not exceed 5000 sq.m. an access of 3.6 m. width may be considered adequate. If such an access is through a built over arch, this access shall have a height of not less than 4.5 m. If such access is at least 3 m. in width, it shall be considered as adequate means of access for areas to be built upon not exceeding 5000 sq.m. provided such area is used for low income group housing and the F.S.I. would be 75 per cent of the F.S.I. permissible in the zone.

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

23 RECREATIONAL AMENITY OPEN SPACES - (1) Open spaces in residential, Commercial and Loom Industry cum Residential Zone -

(a) **Extent** - In any layout or sub-division of vacant land in a residential and commercial zone Commercial Zone, Loom Industry cum Residential Zone open spaces shall be provided as under :-

1. Area from 1001 sq.mt. to 2500 sq.mt.	15 per cent.
2. Area from 2501 sq.mt. to 10,000 sq.mt.	20 per cent
3. Area above 10,000sq.mt.	25 per cent

These open spaces shall be exclusive of areas of access /internal road / designations or reservations, development plan roads and areas for road-widening and shall as far as possible provided in one place. Where however, the area of the layout or sub-division is more than 5000 sq.mt., open spaces may be provided in more than one place, but at least one of such places shall be not less than 1000 sq.mt. in size. Such recreational spaces will not be necessary in the case of land used for educational institutions with attached independent playground. Admissibility of F. S. I. shall be as indicated in regulation 32 and 32 A.

(b) **Minimum area** - No such recreational space shall measure less than 150 sq.m.

(b1) **Minimum Dimensions** - The minimum dimensions of such recreational space shall not be less than 7.5 m. and if the average width of such recreational space is less than 16.6 m., the length thereof shall not exceed 2.5 times the average width.

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

(d) **Ownership** - The ownership of such recreational space shall vest, by provision in a deed of conveyance, in all the property owners on account of whose holdings the recreational space is assigned.

(e) Tree growth - Excepting for the area covered by the structures permissible under (f) below, the recreational space shall be kept permanently open to the sky and accessible to all owners and occupants as a garden or a playground etc. and trees shall be grown as under :-

(a) at the rate of 5 trees per 100 sq.m. or part thereof of the said recreational space to be grown within the entire plot.

(b) At the rate of 1 tree per 80 sq.m. or part thereof to be grown in a plot for which subdivision or layout is not necessary.

(f) Structures/uses permitted in recreational open spaces -

(i) In a recreational open space exceeding 400 sq.m. in area (in one piece) elevated/ underground water reservoirs, electric sub-stations, pump houses, kinder garden, library, club hall, gymnasium, may be built only with ground floor structure of maximum height of 5 m. and not utilising more than 10% of the open space in which they are located. Further location of such structure shall be only in one corner of concerned open space.

(ii) In a recreational open space or playground of 1000 sq.m. or more in area (in one piece and in one place), structure for pavilions gymnasia, club, houses, and other structures for the purpose of sports and recreation activities may be permitted with builtup area not exceeding 15 percent the total recreational open spaces in one place. The area of the plinth of such a structure shall be restricted to 10% of the area of the total recreational open space. The height of such structure shall not exceed 8 m. & only with ground floor but without mezzanine. A swimming pool may also be permitted in such a recreational open space and activities shall conform to the following requirements.

(a) The ownership of such structures and the appurtenant users shall vest, by provision in a deed of conveyance, in all the owners on account of whose cumulative holdings, the recreational open space is required to be kept as recreational open space or ground viz. 'R.G.' in the layout or subdivision of the land.

(b) The proposal for construction of such structure should come as a proposal from the owner/owners/society/societies or federation of societies - without any profit motive and shall be meant for the beneficial use of the owner/owners/members of such society/societies/federation of societies.

(c) Such structures shall not be used for any other purpose, except for recreational activities, for which security deposit as decided by the Commissioner will have to be paid to the corporation.

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

(e) The owner/owners or society or societies or federation of societies shall submit to the Commissioner a registered undertaking agreeing to the conditions in (a) to (d) above.

(2) Open spaces in industrial plots/layout of industrial plots -

(a) In any industrial plot admeasuring 1000 sq.m. or more in area, 10 percent of the total area shall be provided as an amenity open space subject to a maximum of 2500 sq.m. and

- (i) Such open space shall have proper means of access and shall be so located that it can be conveniently utilised by the person working in the industry.
- (ii) The parking and loading and unloading spaces as required under these Regulations shall be clearly shown on the plans;
- (iii) Such open spaces shall be kept permanently open to sky and accessible to all the owners and occupants and trees shall be grown therein at the rate of 5 trees for every 100 sq.m. of the said open space to be grown within the entire plot or at the rate of 1 tree for every 80 sq.m. to be grown in a plot for which a sub-division or layout is not necessary.
- (b) In case of sub-division of land admeasuring 8,000 sq.m. or more in area in an industrial zone, 5 per cent of the total area in addition to 10 per cent in (a) above shall be reserved as amenity open space, which shall also serve as general parking space. When the additional amenity open space exceeds 1500 sq.m. the excess area may be used for construction of buildings for banks, canteens, welfare centres, offices, creches and other common purposes considered necessary for industrial users as approved by the Commissioner.

24 MINIMUM WIDTHS OF PATHWAYS - The approach to a building from a road/street/internal means of access shall be through a paved pathway of width specified in Table 7 hereunder, the length of pathway being determined by the distance from the farthest plot or building to the internal road proposed under Regulation 20 or to an existing road from which it takes off.

TABLE - 7
Widths of Pathways.

Types of Development	Length of pathway in meters	Width in meters
(1)	(2)(m)	(3)(m)
i) A building of any type	upto 20	1.5

25 SHOPPING CENTRES/DEPARTMENTAL STORES - In layouts or sub-divisions of areas in excess of 2 ha. in residential and commercial zones, plots may be provided for shopping centres/departmental stores. Such centres/stores may have an aggregate area upto 5 per cent of the area of the plot. The conditions governing the layout of such a centre/store shall be as under :

- (i) The centre/store may be at one place or may be distributed within the layout to make it accessible from the different parts of the layout;
- (ii) These centre/stores shall not abut any roads more than 31 m. wide;
- (iii) Within a layout, the centre/stores may be provided on the ground and upper floors or on the ground floor and the upper floors may be used for residential purposes and conveniences like banks or places for medical or dental practitioners.
- (iv) Uses shall be as defined in clause (22) of sub-regulation (3) of Regulation 2. Additional uses may include.

- (a) Stores or shops for the conduct of retail business. There will however, be no storage or sale of combustible material except with the permission of the Commissioner.
- (b) Personal services establishments.
- (c) Hair dressing saloons and beauty parlours;
- (d) Frozen food stores;
- (e) Shoe shops, sports shops shoe repairs and shoe shining shops;
- (f) Shops for the collection and distribution of clothes and other materials for cleaning pressing and dyeing establishments;
- (g) Tailoring, embroidery and button-hole making shops, each not employing more than 9 persons;
- (h) Cleaning and pressing establishments for clothes, each occupying a floor area not more than 200 sq.m. and not employing solvents with a flash point lower than 59⁰ c machines with dry load capacity exceeding 30 Kg. and employing not more than 9 persons, with a total power requirements of not more than 4 KW;
- (i) Shops for goldsmiths, lock-smiths, watch and clock shops and their repairs, bicycle shops and their rental and repairs, opticians shops and optical glass grinding and repairs shops, musical instruments shops and their repairs, picture framing, radio, television and household appliance shops and their repairs umbrellas shops and their repairs and upholstery work, each employing not more than 9 persons;
- (j) Coffee selling shops and grinding establishments each with electric motive power not exceeding 0.75 K.W. (0.025 KW) individual) each;
- (k) Restaurants, eating houses, cafeterias, ice-cream and milk bars each with area not exceeding 200 sq.m.,
- (l) Bakeries with no floor above, not occupying for production an area in excess of 75 sq.m. and not employing more than 9 persons, if the power requirement does not exceed 4 KW, where only electrical ovens are used and additional heating load upto 12 KW. permitted;
- (m) Confectioneries and establishments for the preparation and sale of tables not occupying for production an area in excess of 75 sq.m. per establishment and not employing more than 9 persons, or motive power exceeding 1.12 KW., as well as sugar cane and fruit crushers, each not employing more than 6 persons with motive power not exceeding 1.12 KW, in an area not more than 25 sq.m. ;
- (n) Vegetable, fruit, flower, frozen fish, frozen meal or frozen food shops.
- (o) Photographic studios with laboratories, zeroxing, photocopying, video and video taping establishments etc. and their laboratories, each with an area not exceeding 50 Sq.m., and not employing more than 9 persons and not using power more than 3.75 KW;
- (p) Data processing unit with use of computers;
- (q) travel agencies, ticket booking and selling for air, surface or water travel or transport or other modes of travel or transport.
- (r) Other uses permitted in the residential zone with shop line with permission of the Commissioner.

26 ELECTRIC SUB-STATION - In every case of development redevelopment of any land building or premises, provision for electric sub-stations may be permitted as under if the requirement for the same is considered necessary by the concerned power supply authority :

Serial No	Plot area (sq.m.)	Maximum requirements depending on land
1	Plot upto 500 sq.m. each	One single transformer sub-station of the size of 5m.X 5 m. and height of not more than 5 m.
2	Plots of 501 sq.m. to 1500 sq.m.	One Single transformer sub-station of the size of 8m.X 5 m. and height of not more than 5 m.
3	Plots of 1501 sq.m. to 3000 sq.m.	One or more-transformer sub-station of the size of 12 m. X 5.5 m. and height of not more than 5 m.
4	Plots of 3001 sq.m. upto 2 ha.	Two numbers, single or two transformer sub-stations or combination thereof of the size stipulated in serial No. 3 above.
5	Layout or sub-division of a plot measuring 2 ha. or more	A suitable site for an electric sut-station (11KV/33KV/110KV) as decided by the Commissioner

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

27 ADDITIONAL AMENITIES AND FACILITIES IN LAY-OUTS EXCEEDING 2 HA. - In any layout exceeding two hectares in area in residential and commercial zones, where the development plan has not provided for amenities and services or facilities, or if provided they are inadequate, 5 percent of the total area shall be designated/reserved as amenity space for provision of primary schools, sub-post offices, police posts, etc. as directed and approved by the Commissioner, and such amenities or facilities shall be deemed to be designations or reservations in the development plan thereafter.

28 SETBACKS AND OPEN SPACES WITHIN BUILDING PLOTS - When different open spaces/widths are prescribed under these Regulations, the largest of them shall prevail, except when specifically provided otherwise. The general conditions governing open spaces shall be as under -

(a) **Buildings abutting more than one street** - When a building abuts two or more streets, the set-backs from each of them shall be such as if the building were fronting each such street.

(b) Open spaces separate for each building or wing - The open spaces required under these Regulations shall be separate or distinct for each building, and where a building has two or more wings, each wing shall have separate or distinct open spaces as required under these Regulations:

Provided that if one of the wings does not depend for light and ventilation on the open space between the two wings, the said open space shall be the one required for the higher wing.

(c) Open spaces to be provided for the full consumption of F. S. I. The open spaces to be left at the sides and rear shall relate to the height necessary to consume the full F. S. I. permissible for the occupancy in the zone.

(d) Manner of computing front open space / setback where the street is to be widened - If the building plot abuts any road which is proposed to be widened under the Development plan or because of the prescription of regular lines of streets under the Mumbai Provincial Municipal Corporation Act, 1949 the front open/space road-side setback shall be measured from the resulting road widening line or the centre line of the widened road as the case may be. Where there is any conflict between the width provided in the development plan and the width resulting from the prescription of a regular line of a street under the Mumbai Provincial Municipal Corporation Act, 1949 the larger of the two shall prevail.

29 OPEN SPACE REQUIREMENTS - Side and rear open space in relation to the height of the building for light and ventilation - (1) Residential and Commercial zones : (a) Building having length/depth upto 40 m. - The open spaces on all sides except the front side of a building shall be of a width not less than a one third of the height of that building above the ground level, rounded to the nearest decimeter subject to a maximum of 20 m. the minimum being 3.0 m.* for a residential building and 4.5 m. for a commercial building.

(b) Building with Length/Depth Exceeding 40 m. - (a) If the length or depth of a building exceeds 40 m. an additional width of 10 per cent of the dimension in excess of 40 m. shall be required on the side of rear open space as the case may be :

Provided that no such increase in additional open space shall be necessary if (a) it is a front open margin space, or (b) when only store rooms and stairways derive light and ventilation from the open space.

Provided further that -

(i) The open space for separation between any building and a single storeyed accessory building need not exceed 1.5 m.

(ii) The minimum distance between any two ground floor structures in Public Housing shall be 4.5 m., if habitable rooms derive light and ventilation from the intervening space; if not the distance may be reduced to 1.5 m.

(iii) except where the plot size is less than 250 m. the marginal open space in a plot abutting the amenity/recreational open space in the same lay-out shall not be less than 3 m.

(iv) where the amenity open space being accessible from all the layout plots does not have an exclusive means of access, the rear marginal open space shall not be less than 3 m,

...45...

* As per Govt. GR No. TPS.1207/1590/ CR-239/08/UD-12, date 23/07/2010

(c) Set back at upper level - The Commissioner, may permit smaller set backs at upper levels and also permit additional floor area upto a limit of 10 Sq.m. over the permissible FSI to avoid structural difficulties or hardship but so as not to affect adversely the light and ventilation of an adjoining building or part thereof.

(d) Tower like structures _ Notwithstanding any provision to the contrary, a tower-like structure may be permitted only with 6 m. open space at the ground level and one set-back at the upper levels provided that the total height does not exceed 24 m.

(e) Where a room does not derive light and ventilation from an exterior open space; the width of the exterior open space as given in this Regulation may be reduced on one-fifth of the height of the building subject to a minimum of 3.6 m. in respect of residential building and 4.5 m. for a commercial building subject to a maximum of 12 m.

(2) Industrial Zone :

* (a) Minimum size of plot, minimum marginal open spaces to be left a plot minimum width of the plot shall be give in Table No.7A				
Table No. 7A				
Sr. No.	Plot Area in sqm.	Minimum Margins (mt.)		Minimum width of plot (mt)
		Front	Rear & side.	
1.	Upto 800	6	3	12
2.	801 to 1200	6	4	20
3.	1201 to 2500	6	5	25
4.	Above 2501	6	6	35

This provision shall be applicable only the building of height upto 16 mt.

(b) Buildings more than four storeys or 16 m. in height - The open space dimension prescribed in (a) above shall be increased by atleast 0.25 m. for every one metre of height or fractions thereof, above four storeyes or 16 m.

Provided that no such increase in open spaces is necessary, if (i) it is a front margin or (ii) when only store rooms & stairways derived light and ventilation from the open space.

(2) - (a) Loom industry cum Residential Zone :-

- 1) Purley Residential building in Loom industry cum Residential Zone shall conform to the regulations prescribed for residential building in the residential Zone.
- 2) Purely industrial building to be used for Loom industry shall conform to the regualtions prescribed for industrial buildings in industrial zone.

3) A building intended to be used for mix user of loom industry as well as of residential user shall conform the following regulations.

- 1) The loom industry shall be only on ground floor utilising maximum land coverage at 50% of the plot area.
- 2) The portion of building intended to be used for industrial purpose shall conform to other regulations prescribed for industrial building & the portion intended for residential user shall conform to the regulations prescribed for residential activities.
- 3) The separate access to industrial activity shall be provided so as to avoid nuisance to the residential activity.
- 4) Floor space indices.
The maximum floor space indices in amixed user building shall be 1.33 in congested area & 1.00 in other areas.
- 5) Sufficient fire protection arrangements to the satisfaction of the Chief Fire Officer shall be provided considering the upper residential user.
- 6) The ground floor industrial activity shall be run between 8.00 am to 8.00 p.m.

(3) Provisions in marginal open spaces for residential and commercial zone -

TABLE - 8

Sr. No.	Plot Area (sq.m.)	Type of Development	Minimum front	Open Space Rear Side
1.	25 and above but less than 30.	Row	0.75 (ii)	1.5
2.	30 and above but less than 40.	Row	0.75 (ii)	2.25
3.	40 and above but less than 60	Row/Semi-detached	1.0 (ii)	2.25 1.0(i)
4.	60 and above but less than 125	Row/Semi-detached	1.5	3.00 1.0(i)
5.	125 and above but less than 250	Row/Semi-detached/ Detached.	3.0	3.00 1.5(i)
6.	250 and above but less than 450		4.5	3.0 2.25

Explanation to Table 8 (i) Such side open space will not be required for row housin, a semi-detached structure will have open space around the entire structure. Such side open space, shall not be reckoned as the main source of light and vetilation for habitable rooms of the structure.

(ii) In plots less than 40 sq.m. in area, no front open space need be provided if the means of access serving such plots is at least 3 m. in width.

(iii) A row housing scheme developed as a block shall not be more than 45 m. in length and the distance separating two such blocks shall not be less than 1.5 m.

(iv) Where the amenity open space is accessible from all the layout plots and has no exclusive means of access, the rear marginal open space in plots abutting such amenity open space shall not be less than 3 m.

(v) If the plot area is more than 250 sq.m. and upto 450 sq.m. in area and the height of the building is upto ground floor plus two upper floors then the rear and side marginal open space shall not be less than 3.0 m. and 2.25 m. respectively. further, if the plot area is more than 450 sq.m. in area then the marginal open spaces shall be provided as per the Regulation No. 29 (1) (a).

3A. Marginal Distance for congested or gaothan Area -

Front Open Spaces - The minimum set back from existing or proposed road shall be as under : (a) For 7.5 m. to less than 12.0 m. in width - 1.0 m. (b) For streets 12.0 m. and above in width - 1.5 m. (c) For streets less than 7.5 m. in width no set back shall be prescribed subject to condition that no lane shall be less than 4.5 m. in width clear of structural projections. For lanes less than 4.5 m. wide a set back of 2.25 m. shall be prescribed from the centre line of such lane, Streets less than 4.5 m. wide shall be treated as lanes only when they serve as access to the properties fronting on them. Where such streets, despite their narrowness, form part of traffic circulation system widening shall be proposed and normal set back mentioned above shall be applied.

a) Structural projections such as cornices, weather sheds, roof projections etc. shall be allowed in the set back distances, However balconies, eaves projections & projecting passages & galleries shall only be allowed if they maintain clear distance of 1.00 m. from the boundary of the plot or of road.

3 B Narrow plots (situated outside congested portions) -

i) Residential / Commercial zone :- Narrow plots are those which are existing prior to 19.8.1993 & having average depth or width less than 14 m. The building activity shall be permitted as per the provisions to Table No. 8 B given below shall be applicable to such plots.

TABLE NO. - 8B

Open Space Relaxation in Narrow Plots in Residential & Commercial Zone

Sr. No.	plot Size	Relaxation	restrictions on building
1	2	3	4
1.	Depth less than 14 m. but more than 11 m.	Rear open space to be reduced to 1.8 m.	i)Depth not to exceed 6m. ii)Ht, not to exceed 3 storeys or 10 m.
2.	Width less than 14 m. but more than 11 m.	One side open space may be reduced to 1.8m.	i)Width not to exceed 6m. ii) Ht. Not to exceeds 3 storeys or 10 m.
3.	Two adjoining plots each less than 14 m. but more than 11.00 m. wide	Semi-detached structure permitted subject to Tabel 8	Height not to exceed 3 storeys or 10 m.
4.	Depth or width less than 11 m.	Open space on all sides 1.5 m.	Ground floor structure
5.	Two adjoining plots each less 11 m. wide.	Semi-detached structure with open space 1.5 m. wide all round	Ground floor structure height not to exceed 4 m.

NOTE :- No dimension of any building in a narrow plot shall exceed 30 m.

ii) Industrial Zone :- Narrow plots are those which are existing prior to 19.8.1993 and having width or depth or depth less than 15 m.

The provision of Table No. 8 C given below shall be applicable to industrial development in such narrow plots.

TABLE NO. 8C
Open space Relaxation in Narrow plots in Industrial Zone

Sr. No.	Relaxation granted in or conditions imposed	Width less than 9.00 mt.	Depth less than 9.00 mt.	Width between 9.00 mt. and 15.00 mt.	Depth between 9.00 mt. and 15.00
1	2	3	4	5	6
1	Open space	Side open may be reduced to 1.5 mt.	Rear open space may be reduced to 1.5 mt.	may be reduced on one side only but to not less than 1.8 mt.	May be reduced at the rear but to not less than 1.8 mt.
2	Building - (a) Dimension (i) Maximum width (ii) Maximum depth (iii) Maximum height (b) Walls (c) Use	6 mt. 30 mt. 4.5 mt. (one storey) Dead walls 40 cm. thick on both sides Storage only	30 mt. 6 mt. 4.5 mt. (one storey) Dead walls 40 cm. thick on rear side Storage only	6 mt. 30 mt. 8 mt. (two storey) Dead wall 40 cm thick facing the reduced open space As permissible	30 mt. 6 mt. 8 mt. (two storey) Dead wall 40 cm. Thick facing the rear side As permissible

(4) Provisions in open spaces for plots in Reconstruction / Redevelopment Scheme under the Maharashtra Housing and Area Development Authority Act, 1976 ;

NOTWITHSTANDING the provisions contained in sub-regulation (1) of this Regulation the side and rear marginal open spaces may be reduced to 1.5 m. the distance between any two such buildings being not less than 1.5 m.

(5) Front Set-back from the Street Centre Line / Plot Boundary, and set-back from the zonal boundary in the different zones shall be as in Table 8A hereunder.

TABLE - 8A

Sr.	Location of lot plot	plot		
		Residential Zone	Commercial Zone	Industrial Zone
		(in meters)		
1.	On express Highways or roads wider than 52m.	7.5	7.5	22.5
2.	On Roads wider than 21m. other than those in (1)	6.0	6.0	****
3.	Away from road	4.5	4.5	6.0
* 4.	Plot in gaathan as well as congested area shown in D.P. as mention in para 3A.	As Mentioned in Para 3A		
5.	Areas not listed above	4.5	4.5	****

*** :- Refer to Sub-Regulation (2) of this Regulation.

B. Front Set- back from Street Centre Lines (in meters)

Sr.	Location of plot	Residential Zone	Commercial Zone	Industrial Zone
(1)	(2)	(3)	(4)	(5)
1.	On Minor Streets*	9.0	9.0	12.0
2.	In gaathan or Congested Area	As Mentioned in Para 3A above.		
3.	Area not listed above.	10.5	10.5	12.00

** **Note :-** Provisions in above table No. B & provisions in Govt. G. R. Dated 9/3/2001 , 21/9/2001 & also Dt. 7/1/2002 of state PWD or as amended time to time by Govt. strengent of both of above are applicable.

minor street is one less than 12 m. wide.

C. Set-back in Industrial Zones (in meters)

Sr. No.	Type of Building	Set-back in Zones (m)
1.	Industrial Building	
	(a) If zone boundary coincides with the boundary of permanent open space such as R. G. P. G. et.	I - 1 : 6 m. I - 2 : 10.5 m.
	(b) Otherwise	I - 1 : 10 m. I - 2 : 22.5 m.

* As per Govt. GR No. TPS.1207/1590/ CR-239/08/UD-12, date 23/07/2010

** As per Govt. GR No. संकीर्ण २००२/अनौ.२९८/ प्रक्र.-२५८/०३/नवि-१२, दि.२३/०७/२०१०

(6) Open spaces for various types of buildings - (a) Educational, buildings, hospitals, mental hospitals, maternity homes, houses of correction, assembly buildings, mangal karyalaya, markets, stadia, petrol filling and service stations :

A minimum space 6 m. wide shall be left open on all sides from the boundaries of the plot.

(b) Cinemas/theatres :

(i) Front open space - A minimum space 12 m. wide from the road or 37 m. from the centre of National Highway/State Highway/Major District road, whichever is more, is required.

(ii) Side and rear open space - Subject to the provisions of sub-regulation (7) of Regulation 51, the side and rear marginal distances to be left open shall not be less than 6 m. wide.

(iii) In area when the majority of the plots is less than 11.5 meters in width or depth, the Commissioner may prescribe building lines in which row houses would be permissible.

(7) Additional restriction on construction / reconstruction -

(i) distance from electricity lines. - No verandah, balcony or the like shall be constructed/reconstructed or any additions or alterations shall be made to a building on a site within the distance stated below from any overhead electric supply line :

	Vertically	Horizontally
(a) Low and medium voltage lines and service lines	2.5 m.	1.2 m.
(b) High voltage lines upto and including 33,000 V.	3.7 m.	2.0 m.
(c) Extra High voltage beyond 33,000 V.	3.7 m. (Plus 0.3m. for every additional 33,000 V or part thereof)	2.0 m. (Plus 0.3m. for every 33,000 V or part thereof)

Explanation - The minimum clearance above shall be measured from the maximum sag for vertical clearance and maximum deflection due to wind pressure for horizontal clearance.

(ii) Building sites abutting railway track boundary : * “No objection certificate” from the concerned railway shall be insisted before granting permission for the building plans between the Railway boundry and the disfance 30 mt. from it.

(8) Interior open spaces (chowks) - (a) Inner chowk - Unless it abuts on a front, rear, or side open space, the whole of one side of every room other than a habitable room shall abut on an interior open space, courtyard or chowk, whose minimum width shall be 3 m. Such interior space, courtyard or chowk shall be accessible at least on one side at ground floor level through a common passage or space. Further, the inner chowk shall have an area at all its levels of not less than the square of one fifth of the height of the highest wall abutting the chowk ;

Provided that when any room (excluding the stairway bay, the bathroom and water closet) depends for its light and ventilation of an inner chowk, the dimension shall be such as is required for each wing of the building.

(b) Outer chowk- The minimum width of an outer chowk (as distinguished from its depth) shall be 2.4 m. but if the depth exceeds the width, the open space between the wings shall be regulated by clause (b) of sub-regulation (i) of this Regulation, when any habitable room depends or light and ventilation on such outer chowk. A recess less than 2.4 m. wide shall be treated as a notch and not as a chowk.

(9) Open spaces to be unencumbered - Every open space whether interior or exterior shall be kept free from any erection thereon and shall remain open to the sky except the features covered by the next Regulation.

30 FEATURES PERMITTED IN OPEN SPACES - Certain features may be permitted in the prescribed open spaces as enumerated below :-

(i) Permitted in the side or rear marginal open spaces -

(a) Where the facilities in an existing building are inadequate, a sanitary block (i) not exceeding 3 m. in height and 4 sq.m. in carpet area, (ii) at least 7.5 m. from the road line or the front boundary and 1.5 m. from other boundaries and (iii) at least 1.5 m. away from the main building.

(b) Covered parking spaces at least 7.5 m. from any access road, subject to Regulation 35.

(c) Suction tank, pump room, electric meter room or sub-station, garbage shaft, space required for fire hydrants, electrical and water fittings, water tank, dust-bin, etc.

(ii) Other features permitted in open space - (a) A rockery, well and well structures, plant nursery water pool, or fountains swimming pool (if uncovered and only beyond the required open space as required under these Regulations), platform around a tree, tank, bench, gate, slide, swing, ramp., compound wall;

(b) A cantilevered and unenclosed canopy over common entrance and each common staircase not more than 5.5 m. long and at least 2.2 m. above ground level. the outer edge of the canopy shall be at least 1.5 m. from the plot boundary. The Commissioner may permit canopies of larger size in public multistoreyed or high rise or special buildings;

(c) An unenclosed porch open on three sides, not more than 5.5 m. in length parallel to the main building in front of common entrance only and except rear open space. No part of such porch shall be less than 1.5 m. from the plot boundary.

(d) A balcony for a residential building constructed in conformity of sub-regulation (22) of Regulation 37, if it does not reduce the width or the clear required marginal open space to less than 3m. at the rear and sides and 1.5 m. in the front. The width of a balcony will be measured perpendicular to the building line and reckoned from that line to the balcony's outer-most edge,

(e) A chajja, cornice weather shade, sun-breaker and ornamental projection projecting not more than 1.2 m. from the space of the building. No chajja, cornice, weather shade, sun-breaker or other ornamental projection etc. shall be permissible, which will reduce the width of the required open space, to less than 2.5 m.

(f) A chajja, cornice, weather shade, and sun-breaker over a balcony or gallery, its projection not exceeding from the balcony or gallery face with level difference of 0.3 m. in relation to the floor level. However an ornamental projections over a balcony or gallery may be allowed to project upto 0.75 m.

(g) Watchman's booth not over 3 sq.m. in area.

31 HEIGHT OF BUILDINGS - (A) Height vis-a-vis the road width - the height of a building shall not exceed one and a half times the total of the width of the street on which it abuts and the required front open space. For this purpose, the width of the street may be the prescribed width of the street, provided the height of the building does not exceed twice the sum of the width of the existing street and the width of the prescribed and required open space between the existing street and the building. the latter width shall be calculated by dividing the area of land between the street and the building by the length of the front face of the building.

Explanation - (i) "Prescribed width" here means the width prescribed in the development plan or the width resulting from the prescription of a regular line of the street under the Mumbai Provincial Municipal Corporation Act, 1949. whichever is larger.

(ii) If a building abuts two or more streets of different widths, it shall be deemed for the purpose of this Regulation to abut the wider street, the height of the building shall be regulated by the width of that street and may be continued to this height to a depth of 24 m. along the narrower street, subject to conformity with Regulation 27.

(2) Buildings intended for hazardous godowns, storage of inflammable materials or storage of explosives shall be single-storeyed structures only.

(3) The height and character of an industrial chimney in the areas for which clearance of the Civil Aviation Authorities is required under these Regulations shall be prescribed by the Civil Aviation Authorities.

(4) Other restrictions in height - For the purpose of operational requirements of buildings structures or installations or for the purpose of telecommunications or other forms of communications of the Departments of the Government of India or the State Government or public sector undertakings, the Commissioner may for reasons to be recorded in writing, restrict the height of any building in the vicinity of such buildings, structures or installation, and may also permit the prescribed heights to be exceeded for such buildings, structures or installations themselves or for any other statutory communication requirement.

(5) Structures not relevant to height - The following appertant structures shall not be included in reckoning the height of a building except while considering the requirement of Civil Aviation Authorities and other statutory communications requirements :- Roof tanks and their supports, ventilation/air-conditioning shafts, lift-rooms and similar service equipment, stair covers, chimneys and parapet walls, architectural features not exceeding 1.5 m. in height, television antenna, booster antenna and wireless transmitting and receiving towers.

32. FLOOR SPACE INDEX - F. S. I. for the public Sites in congested area shall be in accordance with the byelaws applicable for the Non-congusted area.

The maximum FSI in various zones shall be as follows :-

Sr. No.	Occupancy & Location	FSI		Maximum Tenament Density per net ha.
		Non Congested	Congested	
1	2	3		4
1.	Residential (R1 and R2)	1 *	R1 - 1.50 R2 - 2 out of which maximum 0.5 shall be for commercial user in R-2 zone and 1.5 for purely residential use shall be permissible	250 Tenanments per net ha. for non Congested. 350Tenanments per net ha. (Density is not proposed to be increased to curtail the congestion)
2.	Commercial Sites	1	1.33	-----
3.	Mixed Zone	1	1.33	-----
4.	Service Industrial Estate in R1, R2 and C Zone.	1	-----	-----
5.	Industrial Zone (I-1 and I 2)	1	----- In 11 for Residential User 0.25 can be used.	-----
6.	For Storage Buildings. (Warehouses & godowns)	1	-----	-----
7.	Educational Buildings Medical Institutions.	1	-----	-----
8.	Govt. and Semi- Govt. Offices.	1	-----	-----

32-A : FLOOR SPACE INDEX COMPUTATION

(i) Floor space index / Built up calculation :- The total area of a Plot shall be reckoned in floor space index/built up area calculations applicable only to new development to be undertaken hereafter as under :-

Plot size in sq. mt. (1)	Area in sq.mt. for FSI computatio (2)
Residential and commercial zones	
(1) Up to 1000 sq.mt.	Total area
(2) 1001 to 2500 sq.mt.	Total area subject to a maximum of 2125 sq.mt.
(3) 2501 to 10000 sq.mt.	Total area excluding 15 percent area instead of 20% area physically to kept open for recreational/amenity open space vide item (ii) in clause (a) of sub-regulation (1) of Regulation 23, * however, the area for FSI computation shall be 90 per cent of net area (after deducting amenity area) in case of change of Industrial user to Residential user as specified in Regulation No. 56.2(b)
(4) Above 10000 sq.mt.	Total area excluding 15% area instead of 25% area physiclly to be kept open for recreational open space under item (iii) of clause of (a) of sub-regulation (1) of Regulation 23.
Industrial Plots	
(1) Up to 1000 sq.mt.	Total area
(2) More than 1000 sq.mt.	Total area subject to a maximum of 2125 sq.mt. excluding 10% out of the area for recreational amenity open space vide clause (a) of sub-regulation (1) of Regulation 23.
Industrial Layouts :	
(1) Plots of 8000 sq.mt. or more	Total area excluding area of construction permissible in open space over 1500 sq.mt. according to clause(a) and (b) of sub-regulation (2) of Regulation 23 and excluding 10% area for recreational amenity open space vide clause (a) of sub-regulation (2) of regulation 23.

Note :- (1) The occupation certificate for buildings constructed for residential/commercial use shall be granted by the Commissioner only after recreational area is developed and structure for recreational activities are actually provided on site.

(2) The above table is not applicable for the plots in the layouts approved by the competent authority wherein statutory open space and internal roads are already provided.

(ii) In case of Government/Semi-Govt. Deptt. and organisations/public sectors authorities/Undertakings such as the Atomic Energy Deptt., the Civil Avition Deptt., Intenational Airport Authority of India, Defence Authories, Railway authorities for computing the available floor space index, the areas of lands not designated/reserved but shown as such in development plan for the following purpose shall be excluded :-

- (a) Playground, stadia, golf courses ;
- (b) Parade grounds, training grounds, firing ranges ;
- (c) Green areas within their complexes ;
- (d) Lands kept open for operational purposes ;

- (e) Land under major internal roads ;
- (f) Railway tracks and yards ;
- (g) Lands unauthorisedly reclaimed ;
- (h) Lands of air fields & strips.

33. ADDITIONAL FLOOR SPACE INDEX WHICH MAY BE ALLOWED IN CERTAIN CATEGORIES -

(1) Road widening and Construction of new Roads - The Commissioner may permit additional floor space index on 100 per cent of the area required for road widening or for construction of new roads proposed under the development plan or those proposed under the Mumbai Provincial Municipal Corporation Act, 1949. excluding areas of internal means of access, if the owner (including the lessee) of such land surrenders such land for road widening or new road construction without claiming any compensation in lieu thereof and hands over the same to the Corporation free of encumbrances to the satisfaction of the Commissioner. Such 100 per cent of the F.S.I. on land so surrendered to the Corporation will be utilisable on the remainder of the land upto a limit of 40 per cent of the area of the plot remaining after such surrender and the balance F.S.I. remaining thereafter shall be allowed to be utilised as a Development Right in accordance with regulations governing Transfer of Development Rights (TDRs) in Appendix IV, or the full FSI on the land is surrendered to the Corporation may be allowed to be used as a Development Right in accordance with the regulations governing Transfer of Development Right in accordance with the regulations governing transfer of Development Rights (TDRs) in Appendix IV. Thereafter the road land shall be transferred in the city survey records in the name of the Corporation and shall vest it in becoming part of a public street as defined in the Mumbai Provincial Municipal Corporation Act, 1949.

(2) Building of Government or Semi-Government offices and public sector undertakings - The Commissioner may permit the floor space index specified in Reg. 32 above to be exceeded by 50 per cent in the case of buildings of Government and Semi - Government offices and public sector undertakings only.

(3) * Development/redevelopment of Housing Schemes of Maharashtra Housing & Area Development Authority:

1) The FSI for a new scheme on vacant lands of Low Cost Housing Schemes for Economically Weaker Section, Low Income Groups & Middle Income Group of the MHADA having at least 60% built up area in the form of tenements under EWS, LIG & MIG categories shall be 2.50.

2) For redevelopment of existing housing schemes of MHADA, under taken by the MHADA departmentally or jointly with societies/occupiers of buildings or by housing societies/occupiers of building or by leasees of MHADA or by the developer, the FSI shall be as under-

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* As per Govt. GR No. TPS-1208/UOR 150/CR-445/2008/UD-12, date 08/04/2010

- a) Total permissible FSI shall be 2.5 on gross plot area.
- b) The incentive FSI admissible against the FSI required for rehab shall be as under-
- (i) In congested area, for the area upto 4000 sq.mt. the incentive FSI admissible will be 50%.
- (ii) In congested are, for the area above 4000 sq.mt. the incentive FSI admissible will be 60%.
- (iii) Outside congested area, for the area upto 4000 sq.mt. the in centive FSI admissible will be 60%.
- (iv) Outside congested area, for the area above 4000 sq.mt. the incentive FSI will be 75%.
- c) Difference between 2.5 FSI and the FSI required for “rehab + incentive” shall be shared between MHADA & Society/ Developer in the ratio of 2:1.
- d) In the scheme, for the land allotted for societies of MIG & HIG and developed plot allotted individually to MIG & HIG group, the permissible FSI shall be as per Development Control Regulation No.32.
- 3) In case of grant of NOC with additional permissible Builtup area over and above the permissible FSI by Konkan Board/MHADA for the purpose of undertaking Redevelopment/Utilisation, MHADA shall charge premium at the rate decided by Govt. in Housing Department from time to time.
- 4) For the purpose of calculating the FSI, the entire area of the layout including development plan roads and internal roads but excluding the land under the reservation of public amenities shall be considered. Sub-division of plots will be permissible on the basis of compulsory open spaces as in these Regulations. For low cost housing schemes of MHADA for EWS, LIG categories, the Regulations in Appendix-I (excluding regulation No.1(b) shall apply.
- 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.
- 6) For the offsite infrastructure, MHADA shall pay to the BNCMC 12.5% of the charges collected by MHADA for the grant of additional FSI . (FSI over and above the normally permissible FSI) for the Redevelopment Schemes.
- 7) Not withstanding anything contained in these regulations, the relaxations incorporated in Regulations No. 33(3) of these regulations shall apply for Housing schemes under this regulation for tenements under EWS/LIG and MIG categories. However, the front open space in any case shall not be less than 3.6mt.
- 8) 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/Konkan Board thereby sanctioning additional balance FSI with a 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 tenement for the purpose of redevelopment. In case of failure to vacate the existing tenements, the

provisions of section 95A of the MHADA Act mutatis mutandis shall apply for the purpose of getting the tenements vacated from the non co-operative members.

9) A corpus fund, as may be decided by MHADA, shall be created by the Developer which will remain with the societies for its maintainance.

(4) Construction for Housing the Dishoused - For the construction of buildings by the Corporation in the category of Housing the Dishoused for the purpose of housing those who are displaced by projects undertaken by the Corporation for implementation of proposals of the Development Plan, the FSI shall be 1.0 times the permissible FSI. Such additional FSI will not be available when an owner undertakes development as in Serial No. I(c) in Table 3.

(5) Sites and Services, Small Size Tenement, under the Urban Land Ceiling and Regulations Act, 1976 - For Development of sites and services and smaller size tenements for housing schemes under the Urban Land (Ceiling and Regulations) Act, 1976, approved in Appendix III hereto shall apply.

(6) Buildings of Educational and Medical Institutions - The authority may permit the FSI in respect of the buildings in independent plots of Educational and Medical Institutions and Institutional building of Government and Public Authority of Registered Public Charitable Trust by 50% subject to prior approval from Director of Town Planning.

Such additional F.S.I. on the total plot of Primary and Secondary Schools shall also be permissible exclusively on the building constructed as per ratio of areas specified in Table No. 4.

(7) Building of Starred Category Residential Hotels - With previous approval of Director of Town Planning, Pune and subject of the premium at the rate as may be determined by the Planning Authority in consultation with the Director of Town Planning, Additional F.S.I. of 0.5 over and above the normally permissible F.S.I. may be permitted to be exceeded in case of starred category of residential hotels in independent plots and under single establishment as approved by the Department of Tourism.

(8) Additional FSI in case of the Public Library buildings completing more than 100 years - The existing Vachan Mandir Library building which is included in class-A as per the Rule No. 10 of the Maharashtra Public Libraries Rules 1970 under the Maharashtra Public Library Act, 1967, and have completed 100 years or more shall be considered eligible to get additional FSI, including the permissible FSI as per D.C. Regulation, the total FSI permissible would be to the extent of 2.50. Further, out of this 2.5 FSI; FSI of 1.00 shall be permissible for commercial user on the following conditions.

1) Convenience shops, Branches of Bank, Petty Hotels, except wine shops, Hotels, Pan-Bedi-Cigarette, Lottery shops and such types of shops. However, shops which will affect the activity of library and shops which are dangerous / explosive in nature such as Gas godowns etc. will not be permitted.

2) The returns available from such commercial user shall be utilised only for the Library development and maintenance.

Provided further that, such commercial user, shall be permitted only after parking space with proper maneuverability of vehicles are provided, by the library authorities.

However, if the total FSI proposed to be utilised is less than 2.5 then the FSI for commercial user shall be reduced to the extent in proportion of the FSI utilised for library purpose. Further, such additional FSI will be permissible subject to the other provisions of the D.C. Regulations.

*** (10) Regulation regarding Biotechnology park.**

1	Definitions	The Biotechnology Units/ Parks shall mean Biotechnology units/ parks which are certified by the Development Commissioner (Industries) or any officer authorized by him in his behalf. The biotechnology park and unit/units outside park shall have minimum land area of 2 acres or 20000 sq.ft built up area. The said requirement of 20000 sq.ft. shall be as per normal permissible FSI and without considering permissible additional FSI/TDR/Free of of FSI area,
2.	Biotechnology Units/Park to be allowed in Service Industries Zone (I-1)	'Biotechnology Units/Park shall be permitted in I-1 Zone and Services Industrial Estates on all plots fronting on roads having width more than 12 metre”.
3	Biotechnology Units/Park to be allowed in General Industries Zone (I-2) and Special Industrial Zone (I-3)	“Biotechnology Units/ Park shall be permitted on all plots fronting on roads having width more than 12 meter” .
4	Biotechnology Unit/Park to be allowed in No Development Zone/Green Zone earmarked in the Development Plan.	l) Biotechnology units/ parks shall be permitted in No Development Zone/ Green Zone subject to following conditions:- (i) Maximum FSI limit shall be 0.20 and as far as possible the development shall be at one place of the total land. (ii) The ground coverage shall not exceed 10% of the area of plot. (iii) Tree plantation shall be done at the rate of 500 Trees/Ha. on the remaining land excluding the built up area and the surrounding open space/ utility space. (iv) The maximum height of buildings shall not exceed 24 mt.

* As per Govt. GR No. TPB-4309/419/CR-22/2009/UD-11, date 27/02/2009

		<p>(v) Essential residential development for the staff/ officers accommodation shall be permitted upto the extent of 33% of the permissible built up area.</p> <p>(vi) These users shall be permitted in No Development Zone, within a distance of 3 km. from the adjoining develop able zone.</p> <p>(vii) Development in plots affected by by CRZ area, shall be permissible subject to the notification issued by MOEF regarding CRZ.</p>
5.	Additional FSI to Biotechnology Units/Park.	<p>Subject to approval by Director of Industries, the Commissioner or as the case may permit the floor spaces indices specified in these regulations to be exceeded to the extent of 100% over and above the permissible FSI (including for Biotechnology Units/Park located in NDZ/Green Zone/Agriculture Zone proposed in the Development Plan) for bio technology units/parks subject to following conditions:</p> <p>(i) Out of total built up area minimum 90% shall be used for Biotechnology purpose and maximum 10% (by deducting parking spaces) shall be used for ancillary users such as specified in the Govt. Resolution of Industry, Energy and Labour Deptt. No.BTP 2008/ CR-1608/Ind-2, dated 10/2/09.</p> <p>(ii) Additional FSI to Biotechnology units would be available to Biotechnology Parks duly approved by Dire ctorate of Industries and after observance of all the regulation of environment.</p> <p>(iii) Parking spaces, as per the provision of Development Control Regulation shall be provided subject to minimum requirement of one parking space per 100 sq.mt. built-up area.</p> <p>(iv) The additional FSI shall be granted upon payment of premium which shall be paid in the manner as may be determined by the Government. Such premium shall be recovered at the rate of 25% of the present day market value of the land under reference as indicated in Ready Reckoner.</p> <p>(v) 25% the total premium shall be paid to the Govt. and remaining 75% amount shall be paid to the said Authority.</p>

		<p>(vi) The premium so collected by the Planning Authorities shall be primarily used for development/upgradation of off site infrastructure required for the Biotechnology Parks.</p> <p>(vii) In the event, the developer comes forward for provision of such off site infrastructure at his own cost, then the said Planning Authority shall determine the estimated cost of the works and shall also prescribe the standards for the work. After completion of the works the said Planning Authority shall verify as to whether the same is as per prescribed standards and thereafter, by deducting the cost of works, the balance amount of premium shall be recovered by the said Planning Authority.</p> <p>(viii) No condonation in the required open spaces, parking and other requirement prescribed in the regulation shall be allowed in case of additional FSI.</p> <p>(ix) Development of biotechnology park shall be done as per the guidelines issued by Industries Department vide the said resolution.</p>
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(12) * एकात्मिक गृहनिर्माण व झोपडपट्टी विकास कार्यक्रम (IHSDP) व शहरी गरीबांना मुलभूत सुविधा पुरविणे (BSUP) या योजनेसाठी २.५ च.क्षे.नि.अनुज्ञेय करणे.

१) सदर नियम हे एकात्मिक गृहनिर्माण व झोपडपट्टी विकास कार्यक्रम (IHSDP), शहरी गरीबांना मुलभूत सुविधा पुरविणे (BSUP), आर्थिकदृष्ट्या दुर्बल घटक (EWS), अल्प उत्पन्न गट (LIG), व संक्रमण गाळे या शहरी गरीबांसाठी असलेल्या गृहनिर्माण योजनाकरीता लागू असतील.

२) सदर योजना ही भिवंडी निजामपूर शहर महानगरपालिकेने स्वतः राबवावी.

३) अनुज्ञेय २.५ च.क्षे.निर्देशांकाच्या कमाल विक्री घटकामुळे १५ टक्के च.क्षे.नि.विक्री घटकासाठी अनुज्ञेय करण्यात यावा. तसेच या १५ टक्के मर्यादित जर एकात्मिक गृहनिर्माण व झोपडपट्टी विकास कार्यक्रम (IHSDP) व शहरी गरीबांना मुलभूत सुविधा पुरविणे (BSUP) योजना सुसाध्य (Viable) होत नसतील तर उपाध्यक्ष, म्हाडा यांच्या सविस्तर छाननीअंती आणखी १० टक्के च.क्षे.नि.विक्री घटकासाठी अनुज्ञेय राहिल.

४) उक्त मुद्दा क्र.३ मुळे निर्माण होणारे विक्री घटकातील गाळे मुंबई प्रांतिक महानगरपालिका अधिनियम १९४९ महाराष्ट्र नगर परिषदा, नगर पंचायती व औद्योगिक नागरी अधिनियम १९६५ मधील तरतुदीनुसार विक्री करण्यास परवानगी अथवा भाडेपट्ट्यावर देता येऊ शकतील.

५) सदर योजना खुल्या जागेवर राबवावयाची असल्यास सदर प्रस्तावात येणारी सर्व आरक्षणे विकसित करणे आवश्यक राहिल. मात्र सदर योजना घोषित झोपडपट्टीने बाधित जागेवर राबवावयाची असल्यास, प्रस्तावात येणा-या सर्व आरक्षणाबाबत महाराष्ट्र झोपडपट्टी (सुधारणा व पुनर्विकास) अधिनियम, १९७१चे कलम ३ झेड-५(२) नुसार नियोजन प्राधिकरण (सर्वसाधारण सभेच्या मंजूरीने), संचालक, नगररचना यांच्या पुर्व मान्यतेने विकास योजना / प्रादेशिक योजना तसेच विकास नियंत्रण नियमावलीतील तरतुदी शिथिल करू शकतील.

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* As per Govt. GR No. टीपीएस ११०७/अनौ.३६/प्रक्र. १३५/०८/नवि-९, दि.२४/१२/२००८

६) शहरी गरीबांना मुलभूत सुविधा पुरविणे (BSUP) आणि एकात्मिक गृहनिर्माण व झोपडपट्टी विकास कार्यक्रम (IHSDP) योजनेसाठी २.५ च.क्षे.नि.अनुज्ञेय करतांना खुल्या जागा (Open space), बाजूच्या मोकळ्या जागा (Side margin), इत्यादीचे बाबतीत आवश्यकतेप्रमाणे झोपडपट्टी पुनर्वसन योजनेनुसार (SRA) सवलत देण्याची उचित कार्यवाही करण्याचे अधिकार महानगरपालिकेचे आयुक्त यांना राहतील.

७) हयाबाबत वेळोवेळी प्राप्त होणा-या शासन निदेशानुसार कार्यवाही करणे बंधनकारक राहिल.

34. TRANSFER OF DEVELOPMENT RIGHTS - In certain circumstances, the development potential of a plot of land may be separated from the land itself and may be made available to the owner of the land in the form of Transferable Development Rights (TDR). These Rights may be made available and be subject to the Regulations in Appendix IV hereto.

35. PARKING SPACES - Wherever a property is developed or redeveloped, parking spaces at the scale laid down in these Regulations shall be provided. When additions are made to an existing building, the new parking requirements will be reckoned with reference to the addition space only and not to the whole of building but this concession shall not apply where the use changed.

(1) General Space Requirements - (i) Types - The parking spaces mentioned below include parking spaces in basements or on a floor supported by stills, or on upper floors, covered or uncovered spaces in the plot and lock-up garages.

(ii) Size of Parking Space - The minimum sizes of parking spaces to be provided shall be as shown below -

Type of Vehicle	Minimum size / Area of parking space
(a) Motor Vehicle	2.5 m. X 5.5 m.
(b) Scooter, Motor-cycle	3 sq. m.
(c) Bicycle	1.4 sq. m.
(d) Transport Vehicle	3.75 m. X 7.5 m.

Note - In the case of parking spaces for motor vehicles, upto 50 per cent of the prescribed space may be of the size of 2.3 m. X 4.5 m.

(iii) Marking of Parking Spaces - Parking spaces 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 street, and the area shall be exclusive of drives, aisles and such other provisions required for adequate manoeuvring of vehicles.

(v) Ramps for Basement Parking - Ramps for parking in basements should conform to the requirements of sub-regulation (18) of Regulation 37.

(2) **Quantitative Requirements** - Four wheeled auto - vehicles - Parking spaces for four wheeled auto vehicles shall be provided as in Table 9 below, any fractional space of more than half resulting from the ratios in column (3) thereof being rounded off upward to the nearest integer.

TABLE 9
Off Street Parking Spaces

Serial No.	Occupancy	Parking Space required
(1)	(2)	(3)
1.	Residential	One parking space for every - (a) 4 tenements having carpet area above 35 sq.m. each. (b) 2 tenements with carpet area exceeding 45 sq.m., but not exceeding 70 sq.m. each. (c) 1 tenement with carpet area exceeding 70 sq.m. In addition to the parking spaces specified in (a),(b) and (c) above, parking shall be provided to the extent of stipulated above, subject to minimum of one.
(ii)	For five, four and three star hotels	One parking space for every 60 sq. m. of total floor area.
(iii)	For lodging establishments	One parking space for every 120 sq.m. of total floor area of a lodging establishment. (a) For Grade I hotels and eating houses, one parking space for every 25 sq.m. of area of restaurant including hall, dining room, pantry and bar. (b) For Grade II and III hotels and eating houses, one parking space for every 80 sq.m. of restaurant including hall, dining room, pantry and bar.
2.	Educational	One parking space for 70 sq.m. carpet area of the administrative office area and public service area.
3.	Assembly and assembly halls or auditorial (including those in educational uses and hostels)	(a) One parking space for 25 seats / persons. (b) Without fixed seats, one parking space for every 30 sq. m. of floor area.

- (c) For canteen, bar and restaurant, additional parking required under these Regulations for other permissible users as per provisions made herein for such purposes shall be provided.
4. Government or semi office business buildings
One parking space for every 75 sq.m. of public or private office space upto 1500 sq.m., for every 150 sq.m. of additional space for areas exceeding 1500 sq.m. in other areas.
 5. Mercantile (markets Shops & other commercial users)
One parking space for every 8 sq.m. of departmental stores floor area upto 800 sq.m. and one parking space for every 160 sq.m. of space for areas exceeding 800 sq.m. provided that no parking space need the provided for floor area upto 100 sq.m.
 6. Industrial
One parking space for every 300 sq.m. thereof subject to minimum of 2 spaces.
 7. Storage
One parking space for every 300 sq.m. thereof subject to minimum of 2 spaces.
 8. Hospitals and Medical Institutions of total floor area, except that it would be one parking space for every 600 sq.m. of the total floor area in the case of Government and Municipal Hospitals and Medical Institutions. In addition, one parking space for ambulance parking measuring 10 m. X 4 m. for Hospitals or Medical Institutions with bed strength of 100 or more.
 9. Cinemas and Theatres
Parking spaces equivalent to four percent of total number of seats with additional parking as otherwise also required for other permissible users in conjunction with that of cinema/theater.
 10. Shopping (included under mercantile occupancy)
One parking space for 300 sq.m. of total floor area in the case of shopping user with each shop shops upto 20 sq.m. in area (i.e. in convenience shopping) and one parking space 100 sq.m. of total floor area for shops each over 20/30 sq. m. area.
 11. Stadia
One parking space for every 200 seats plus additional parkings as in these regulations for occupancies like those of restaurants, etc. with such stadia or clubs.

(3) Other Vehicles - For all non-residential, assembly and non-assembly occupancies 10 per cent additional parking space subject to a minimum of two spaces shall be provided in addition to what prescribed in these Regulations.

(4) Transport Vehicles - In addition to the parking spaces provided for mercantile (commercial) buildings like offices, markets, department stores and for industrial and storage buildings, parking space for transport vehicles shall be provided at the rate of one space for each 2000 sq.m. of floor area or fraction thereof exceeding the first 400 sq.m. of floor area. The space shall not be less than 3.75 m. X 7.5 m. in size more than 6 spaces need not be insisted upon.

(5) Parking Spaces - Where to be accommodated - The parking space may be provided -

(a) Underneath the building, in basements within its stilted portion, or on upper floors;

(b) In the side and rear open spaces, but not in the amenity open spaces if -

(i) They are unenclosed but uncovered except as provided in (d) below;

(ii) They do not consume more than 50 per cent of the open space;

(iii) A minimum distance of 3.0 m. around the building is kept free of parking for proper maneuverability of vehicles;

(iv) They are atleast 7.5 m. from the boundary in case of detached covered garages;

(v) If the plot is fronting on two roads then the parking shall be allowed in the marginal open spaces only at rear end. However, Parking shall not be allowed in the marginal road set back or at the entrance of a building near the road.

(c) In a residential zone, beyond the compulsory side and rear open spaces stipulated in sub-regulation 2 of Regulation 27 if other conditions under sub-rule (b) above are satisfied. Here the parking space may be an unenclosed covered space.

(d) In a residential zone and a residential zone with shop line, with covered parking garages with open type enclosing of size of 2.5 m. X 5.5 m. with a height of 2.75 m. above ground level, at the rate of one covered garage for every 400 sq. m. of plot area inside or rear open spaces at a distance 7.5 m. from any street line or the front boundary of the plot. Provided that the same is 1.5 m. from the buildings and the condition (b)(v) above is complied with.

(6) Cinemas, Theatres and Assembly Halls - Subject to the provisions of sub regulation (5) above, in sites of cinemas, theatres, auditoria and assembly halls, one row of uncovered parking may be allowed in the front margin space of 12 m. or more, if the clear vehicular access way is not reduced to less than 6 m.

(7) Common Parking Space - If the total parking space required by these Regulations is provided by a group of property owners for their mutual benefit, such use of this space may be construed as meeting the off-street parking requirements under these Regulations subject to the approval of the Commissioner. If such common parking space is proposed for a group of buildings, the owners of such buildings shall submit a layout therefor and also a registered undertaking stating that the area earmarked for the parking space will not be built upon.

PART-III

PART III

36. GENERAL - Space requirements of various parts of Buildings etc. This part sets out the standard space requirements of various parts of a building and those of light and ventilation, the building services, fire safety, etc. Some of these items depend on the number of persons who would normally occupy the building, for which the occupant load should be worked out from Table 10 hereunder.

Table 10

Sr. No.	Type of Occupancy	Occupancy load per 100 sq. m. of plinth Covered area.
(1)	(2)	(3)
1.	Residential	8
2.	Educational	25
3.	Institutional	6.6*
4.	Assembly :	
	a) With fixed or loose seats and dance floor	166.6**
	b) Without seating facilities including dining rooms	66.6**
5.	Mercantile :	
	a) Street floor and sales basement	33.3
	b) Upper sale floors	16.6
6.	Business and industrial	10
7.	Storage	3.3
8.	Hazardous	10

* The occupant load in dormitory portions of homes for the aged, orphanages or mental hospitals etc. where accommodation is provided, shall be calculated at not less than 13.3 persons per 100 sq. m.

** The plinth or covered area shall include, in addition to the main assembly room of space, any occupied connected 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 deduction shall be made in the plinth/covered area for corridors, closets and other sub-divisions; that area shall include all space serving the particular assembly occupancy.

37. REQUIREMENTS OF PARTS OF BUILDINGS - (1) Plinth - The Plinth or any part of a building or outhouse shall be so located with respect to the surrounding ground level that adequate drainages of the site is assured.

(i) Main Building - The height of the Plinth shall not be less than 30 cm. above the surrounding ground level. In areas subject to flooding, the height of the plinth shall be at least 60 m. above the high flood level.

(ii) **Interior court-yards, covered parking spaces and garages** - These shall be raised at least 15 cm. above the surrounding ground level and shall be satisfactorily drained.

(2) **Habitable Rooms - (i) Size and Width** - The minimum size and width shall be as given in the Table 11 hereunder.

Table 11
Minimum size and width of Habitable Rooms

Sr. No.	Occupancy	Minimum Size in sq. m.	Minimum Width in sq. m.
(1)	(2)	(3)	(4)
1.	Any habitable room	9.5	2.4
2.	Rooms in a two-room tenement-		
	a) one of the rooms	9.6	2.4
	b) other room	7.5	2.4
3.	Single-bedded room in a hostel of a recognized educational institution.	7.5	2.4
4.	Shop	6.0	---
5.	Class room in an educational building	38.0	5.5
		or area at the rate of 0.8 sq. m. per student whichever is more.	
6.	Institutional Building -		
	a) special room	9.5	3.0
	b) general ward	40.0	5.5
7.	Cinema hall, theatre, auditorium, assembly hall etc.	In conformity with the Maharashtra Cinema Rules.	

Provided that in sites and services projects, a room of 5.6 sq.m. with a toilet arrangement may be allowed in the first phase, and in the second phase, another room of 9.3 sq.m. may be added. Provided further that an additional bed room for occupancy of single person with a size of 5.5 sq.m. with a minimum width of 1.8 m., may be permitted.

(ii) **Height** - The minimum and maximum height of a habitable room shall be as given in Table 12 hereunder.

Table 12

Sr. No.	Occupancy	Minimum height (In meters)	Minimum height (In meters)
(1)	(2)	(3)	(4)
1.	Flat roof -		
	(a) Any habitable room	2.75	4.2
	(b) Air-conditioned habitable room	2.4	4.2

(1)	(2)	(3)	(4)
(c)	Assembly halls, residential hotels of 3 star category and above rooms in institutional, educational industrial, hazardous or storage occupancies department stores, entrance halls and lobbies to department stores and assembly halls.	3.6	4.2
Subject to the written permission of the Commissioner, greater height, may be permitted.			
2. Pitched roof -			
a)	Any habitable room	2.75	4.2
		(average with 2.1 m. at the lowest point)	(average with 3.2 m. at the lowest point)

Provided that -

- (i) the minimum clear head-way under any beam shall be 2.4 m.
- (ii) in all occupancies, except those included in Serial No. 1(c) in the Table above, any height excess of 4.2 m. shall be deemed to have consumed an additional FSI of 50 per cent of the relevant floor area.
- (iii) Other requirements - One full side of habitable room must be about an exterior open space save as provided in sub-regulation (9) of Regulation 28.

(3) Kitchen - (i) Size - (a) General - The area of kitchen shall not be less than 5.5 sq.m. with a minimum width of 1.8 m. but in two room tenement the minimum area of the room to be used as a kitchen shall be 7.5 sq. m. with minimum width of 2.1 m.

(ii) Height - The height of a kitchen shall be the same as that of a habitable room as stipulated in clause (ii) of sub-regulation (2) of this Regulation.

(iii) Other Requirements - Every room to be used as a kitchen shall have -

a) unless separately provided in a pantry, means for the washing of kitchen utensils which shall lead directly through a sink to a grated and trapped connection to the waste pipe;

b) on an upper floor, an impermeable floor;

c) at least a window not less than 1 sq. m. in area, opening directly on to an interior or exterior open space, but not into a shaft (see sub regulation (2) of Regulation 41) and

d) in residential buildings more than 15 m. high, refuse chutes.

(4) Bathroom and water closets - Bathrooms and water closets shall be provided at the following scale -

(i) Size - (a) General - The area and floor dimension of a bathrooms or water closet shall not be less than the values given below :-

Type	Area (in sq. m.)	Side (in m.)
(i) Bathroom	1.5	1.1
(ii) Water Closet (WC)	1.1	0.9
(iii) Combined bathroom and Water closet (WC)	2.2	1.1

(ii) Low Cost Housing - The minimum dimensions of an independent bathroom shall be 1.3 m. X 1.1 m. and for combined bathroom and water closet (WC) the size shall be 2 sq. m. with minimum width of 1.1 m.

(iii) Height - The height of a bathroom or water closet measured from the surface of the floor to the lowest point of the ceiling (bottom of slab) shall be not less than 2.2 m.

(iv) Other Requirements - (a) Every bathroom or water closet shall be so situated that at least one of its walls shall abut on to an exterior open space or an interior / exterior chowk of the size specified in clause (a) of sub-regulation (3) of Regulation 29 or a ventilation, shaft of the size specified in sub-regulation (2) of Regulation 41 with the openings (windows, ventilators, louvres) not less than 0.3 sq. m. in area or 0.3 m. in width.

(b) No bathroom or water closet shall be situated directly over any room other than another water closet, washing place, bathroom or terrace. However, in no case shall a water closet or bathroom be provided over a kitchen. (Additional Combined toilet only to attached Bed Room)

(c) Every bathroom or water closet shall have the platform or seat or flooring made of water-tight non-absorbent material.

(d) It shall be enclosed by walls or partitions and the surface of every such wall or partition shall be finished with a smooth impervious material to a height of not less than 1 m. above the floor of such a room.

(e) It shall be provided with an impervious floor covering sloping towards the drain with a suitable grade and not towards a verandah or any other room.

(f) No room containing water closets shall be used for any purpose except as a lavatory.

(g) Every water closet and/or a set of urinal shall have a flushing cistern of adequate capacity attached to it.

(h) All the sewerage outlets shall be connected to the municipal sewerage system. Where no such system exists, a septic tank shall be provided within the plot conforming to the requirements of sub-regulation 30 of Regulation 37.

(5) Loft - (1) Location and extent - Lofts may be provided over kitchens, habitable rooms bath-rooms, water closets, and corridors within a tenement in residential buildings, over shops, and in industrial buildings, subject to the following restrictions:-

Serial No.	Rooms over which permitted	Coverage (percentage to area of room below)
(1)	(2)	(3)
1.	Kitchen / habitable room	25
2.	Bathroom, water closet, corridor	100
3.	Shops with width upto 3 m.	33-1/3
4.	Shops with width exceeding 3 m.	50
5.	Industrial	33-1/3

Provided that (a) lofts in commercial or industrial buildings shall be located at least 2m. Away from the entrance; and (b) loft area shall not be counted towards F.S.I. subject to (ii) below :-

(ii) Height - The clear head room under a loft shall not be less than 2.2 m. and that above it shall not be more than 1.5 m. if it exceeds 1.5 m. it shall be counted towards F.S.I.

(6) Mezzanine Floor - (i) Size - The aggregate area of a mezzanine floor in any room shall not exceed 50 percent of the built-up area of that room. The size of a mezzanine floor shall not be less than 9.5 sq. m. if it is used as a living room. The area of the mezzanine floor shall be counted towards F.S.I.

(ii) Height - The minimum height/head-room above a mezzanine floor shall be 2.2 m. The head-room under a mezzanine floor shall not be less than 2.2 m.

(iii) Other Requirements - A mezzanine floor may be permitted over a room or a compartment, if -

(a) It conforms to the standards of living rooms in regard to lighting and ventilation in case its size is 9.5 sq. m. or more;

(b) It is so constructed as not to interfere under any circumstances with the ventilation of the space over and under it;

(c) No part of it is put to use as a kitchen;

(d) It is not closed, so that it could be converted into an unventilated compartment;

(e) It is at least 1.8 m. away from the front wall of such room;

(f) Access to the mezzanine floor is from within the respective room below only;

(g) Where it is in an industrial building, a no objection certificate from the relevant authorities of the Industries Department is obtained for the additional floor area.

(7) Store Room - (i) Size - The area of a store room where provided in residential buildings shall not be more than 3 sq. m.

(ii) Height - The store room shall not be less than 2.2 m. high.

(8) Garage - (i) Size - The size of a private garage shall be not less than 2.5 m. X 5.5 m. or 2.3 m. X 4.5 m. as provided in clause (ii) and the note under it in sub-regulation (1) of Regulation 35.

(ii) Location - If not within the building the garage may be located at its side or rear, but at least 7.5 m. away from any access road.

Explanation - For purposes of this Regulation, the term “garage” means a detached ground floor structure in the open space of the plot or on the ground floor or on upper floor of a building and intended for parking or shelter of mechanically controlled vehicles but not for their repairs

(iii) Other Requirements - Lockup garages when within the building shall be of such construction as will give fire resistance of 2 hours.

(9) Basement - (i) Area and Extent - The total area of any basement shall not exceed twice the plinth area of the building or the area of the plot, whichever is less. It may be in one level or two.

(ii) Height - The height of the basement from the floor to the underside of the roof-slab or ceiling or under side of a beam when the basement has a beam shall not be less than 2.4 m.

(iii) Ventilation - The extent of ventilation shall be the same as required by the particular occupancy for which the basement is used. Any deficiency must be made good by resort to a mechanical system. viz. blowers, exhaust fans, air-conditioning system, according to the standards in Part VIII Building Services Section I - Lighting and Ventilation, National Building Code.

(iv) Uses Permitted - A basement may be put to the following uses only :-

(a) Storages of household or other non-hazardous goods,

(b) Store rooms, bank lockers or safe-deposit vaults,

(c) Air-conditioning equipment and other machines used for services and utilities of the building,

(d) Parking spaces.

(e) Electric sub-station (which will conform to required safety requirements)

Provided that user strictly ancillary to the principal user may also be permitted in a basement.

(v) Other Requirement - Every basement shall meet the following specifications :-

(a) The ceiling of an upper basement shall be at least 0.9 m. and not more than 1.2 m. above the average surrounding ground level.

(b) Adequate arrangements shall be made to ensure that surface drainage does not enter the basement.

(c) The walls and floors of the basement shall be water tight and the effect of the surrounding soil and moisture, if any, should be taken into account in design and adequate damp proofing treatment shall be given.

(d) Any access to the basement through a staircase or pedestrian ramp shall meet the requirement of clause (18) of this Regulation. Open ramps may be permitted in the open spaces except in the front open space subject to (b) above and the fire protection requirements.

(e) Any access to the the basement through vehicular ramps shall meet the requirements of item, (ii) of clause (18) of this Regulation.

(10) Cabin - Where cabins are provided, a clear passage not less than 0.9 m. wide will be maintained. The size of a cabin shall not be less than 3 sq. m. and the distance from the farthest space of a cabin to the nearest exist shall not be more than 18.5 m. If the cabin does not derive direct light and ventilation from any open spaces / mechanical means, its maximum height shall be 2.2 m.

(11) Office Room for Co-op. Hsg. Society - In every residential building, constructed or proposed to be constructed for the use of a co-operative housing society or an apartment owners association, an office room will be permitted on the ground floor or floor 1. In an already developed property, it may be on an upper floor. The area of the room shall be limited to 12 sq. m., if the number of tenements in the building does not exceed 20 and to 20 sq. m. otherwise.

(12) Letter Box - A letter box of appropriate dimensions shall be provided on the ground floor of residential and commercial buildings with five and more storeys to the satisfaction of the Commissioner

(13) Meter Room - An independent and ventilated meter (service) room directly accessible from the outside shall be provided on ground floor and / or on upper floors, according to the requirements of the electric supply undertaking. The door to the room shall have fire resistances of not less than two hours.

(14) Refuse Chute - The minimum multi-storeyed or high rise residential buildings, a refuse chute shall be provided with openings on each floor.

(15) Corridor - The minimum width of a common corridor shall be as shown in Table 13 hereunder. Provided that any corridor identified as an exist (vide Regulation 42) shall also conform to the requirements therein.

(16) Door - Doors shall conform to the undermentioned provisions. In addition, in order to satisfy fire-fighting requirements, any doorway identified as an exist shall conform to the requirements stipulated in regulation 42.

(i) Width - A door shall be at least 0.9 m. wide, except that doors to bathroom, water-closets or stores may at least be 07. m. wide.

(ii) Height - The minimum height of a doorway shall be 2 m.

(17) Stairway - Stairway shall conform to the following provisions in addition to item (i) to (vii) below. In addition, in order to satisfy fire-fighting requirements, any stairway identified so an exist stairway shall conform to the requirements stipulated in Regulation 42.

(i) Width - The minimum width of a staircase other than a fire escape shall be as given in Table here under.

TABLE 13**Minimum Width of Common Stairways / Corridors for various Occupancies**

Serial No.	Type of Occupancy	Minimum width of staircase/ stairway/corridor (in meters)
(1)	(2)	(3)
1.	Residential buildings -	
	(a) General	1.2
	(b) Row Housing (2 storeys)	0.75
	(c) Hotels	1.5
2.	Educational buildings	1.5
3.	Institutional buildings - (i.e. hospitals -)	
	(a) Upto 10 beds	1.5
	(b) Over 10 beds	2.0
4.	Assembly buildings	2.0
5.	Mercantile, business, industrial, storage, hazardous buildings.	1.5

(ii) Flight - No flight shall contain more than 12 risers, but in residential buildings in narrow plots and single flight staircase may be permitted.

(iii) Risers - The maximum height of a riser shall be 19 cm. in a residential building, and 16 cm. in any other occupancy. However, on an internal stairway within a dwelling unit a riser may be 25 cm. high.

(iv) Trends - The minimum width of the tread without nosing shall be 25 cm. for staircases of a residential building, other than fire escapes. In other occupancies, the minimum width of the tread shall be 30 cm. It shall have a non-slippery finish and shall be maintained in that fashion.

(v) Head-room - The minimum head-room in a passage under the landing of a staircase and under the staircase shall be 2.2 m.

(vi) 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.

(vii) Hand Rail - Hand rails with a minimum height of 0.9 m. from the centre of the trends shall be provided.

(18) Ramps - (i) Ramps for pedestrians - (a) General - The provision applicable to stairways shall generally apply to ramps. A ramp in a hospital shall not be less than 2.25 m. wide. In addition, to satisfy the fire-fighting requirements, a ram shall conform to sub-regulation (6) of Regulation 43.

(b) Shope - A ram shall have a slope of not more than 1 in 10. It shall be of non-slippery material.

(c) Handrail - A handrail shall be provided on both the sides of the ramp.

(ii) Ramps for basement or storeyed parking - For parking spaces in a basement and upper floors, at least two ramps of adequate width and slope shall be provided preferably at the opposite ends. Such ramps may be permitted in the side and rear marginal open spaces after leaving sufficient space for movement of fire-fighting vehicles subject to the provision of sub-regulation (6) of Regulation 43.

(19) Lifts - Lifts shall conform to the provisions given below and to the provisions of sub-regulation (2) of Regulation 46.

(i) At least one lift shall be provided in every building more than 16 m. in height. However, in the case of a proposal to add one additional floor to an existing building having a lift, it will not be necessary to raise the existing lift to the additional floor.

(ii) In the case of building more than 24 m. high at least two lifts shall be provided for every dwelling except those situated on the ground and first floor without having to climb or to go down more than one floor.

Provided that in the case of a building with ground floor stilts for parking facilities and serving upper floors not exceeding 22.5 m. in height (measured from the ground floor to the top floors), the provision of a second lift may not be insisted upon.

(iii) Other requirements - (a) The number, type and capacity of lifts shall be the requirements of Sec. 5 Installation of Lifts and Escalators. National Building Code of India.

(b) At ground floor level, a grounding switch shall be provided to enable grounding the lift cars in an emergency.

(c) The lift machine room shall be separate and no other machinery shall be installed therein.

(d) The number of each floor shall be conspicuously painted in figures at least 15 cm. large on the wall opposite the lift / lifts opening or on other suitable surface so as to be distinctly visible from the lift cage.

(e) In multi-storeyed and high rise residential buildings, one of the lifts installed shall be a freight lift.

(20) Porch - A porch, if any, shall be at least 1.5 m. clear of the plot boundary; the area of a porch upto 5.5 m. in length (parallel to the main building) shall not be counted towards FSI. A parapet wall 0.23 m. in height is permissible over a porch. The Commissioner may permit larger porches for mercantile, hotel and public buildings by recording reasons therefore.

(21) Canopy - A cantilevered and un-enclosed canopy may be permitted over each entrance and staircase, if a clear distance of at least 1.5 m. is maintained between the plot boundary and the outer edge of the canopy. The minimum clear height of the canopy shall be 2.2 m.

(22) Balcony - In any residential zone (R - 1) and residential zone with slope line (R - 2), or in a purely residential building in any other zone, balconies may be permitted free of FSI at each floor, excluding the ground and terrace floor, of an area

not more than 10 per cent of the area of the floor from which such balcony projects subject to the following conditions -

(i) No balcony shall reduce the minimum marginal open space to less than 3 m. at the rear and sides and 1.5 m. in the front. The width of the balcony will be measured perpendicular to the building line and reckoned from that line to the balcony's outermost edge.

Provided further that for the plot area upto 450 sq.mt. no balcony shall reduce the minimum marginal open space to less than 2.50 mt. at the rear and sides.

(ii) Balconies may be allowed to be enclosed with written permission of the Commissioner. When balconies are enclosed, one-third of the area of their faces shall have louvers, gill shutters or grills on the top and the rest of the area except the parapet shall have glazed shutters.

(23) Revas Projection - (i) A revas projection 1.20 m. in width may be permitted in the front open space when it faces a street 12.20 m. or more in width. To facilitate the construction of a staircase, such revas projection may be permitted in the side or rear open space provided that such open space is at least 4.5 m. and the revas projection is limited to a width of 0.75 m. and the length of the staircase landing. No revas projection shall be at a height less than 2.1 m. above the ground level.

(ii) A revas projection shall not be permissible in the side or rear open spaces of a tower like structure.

(iii) The areas of all revas projections shall be taken into account for the computation of F.S.I.

(24) Roof - (i) Effective drainage of rain water - The roof of a building shall be so constructed or framed as to permit effectual drainage of the rain water therefrom by means of rain water pipes at the scale of at least one pipe of 10 cm. diameter for every 40 sq. m. of roof area. Such pipes shall be so arranged, jointed and fixed as to ensure that the rain water is carried away from the building without causing dampness in any part of the walls or foundations of the building or those of an adjacent building.

(ii) Connecting rain water to drain or sewer. The Commissioner may require rain water pipes to be connected to a drain or sewer through a covered channel formed beneath the public footpath to connect the rain water pipes to the road gutter or in any other approved manner.

(iii) Manner of fixing rain water pipes - Rain water pipes shall be affixed to the outside of the walls of the building or in recesses or chases cut or formed in such walls or in such other manner as may be approved by the Commissioner.

(25) Terrace - Terrace shall not be sub-divided and shall be accessible by a common staircase.

(26) Parapet - Parapet walls and hand-rails provided on the edges of the roof terrace, balcony, etc., shall not be less than 1.15m. from the finished floor level and not more than 1.30 m. in height above the unfinished floor level.

(27) Boundary wall and main entrance - (i) Boundary wall - (a) Except with the permission of the Commissioner the maximum height of a boundary wall shall be 2 m. above the level of the center line of the front street. A boundary wall upto 2.4 m. height may be permitted if the top 0.9 m. is of the open type construction, to facilitate through vision.

(b) At a corner plot, the height of the boundary wall shall be restricted to 0.75 m. for a length of 10 m. on the front and side of the intersection and the balance height of 0.75m. if required in accordance with (i) above may be made up of open type construction (through railings).

(c) The provisions of (a) and (b) above will not apply to the boundary walls of jails.

(d) In electric sub-stations, transformer stations, institutional buildings like sanatoria, hospitals, educational buildings like schools, colleges, including hostels, industrial buildings and other uses of public utility undertakings, a height upto 2.4 m. may be permitted by the Commissioner

(ii) Main Entrance - The main entrance to a plot accommodating a multi-storeyed high rise or a special building shall be at least 4.5 m. wide and shall be so designed as not to obstruct easy movement of a fire-engine or truck. The entrance gate to it shall open inside and fold back against the compound wall.

(28) Wells - (i) Location - No well shall be located (a) less than 12 m. from say ash pit refuse pit, sub-soil dispersion (soak pit), earth closet or privy, or on a site lower than the said earth closet or privy;

(b) under a tree, unless it has a canopy over it so that leaves and twigs do not fall into it and rot.

(ii) Other Requirements - The well shall -

(a) have a minimum Internal diameter of 1 m.

(b) be constructed to a height not less than 1 m. above the surrounding ground level, to form a parapet or kerb and to prevent surface water from flowing into it and shall be surrounded with paving constructed of impervious material which shall extend for a distance of not less than 1.8 m. in every direction from the parapet or the kerb- forming the well head and the upper surface of such paving shall be sloped away from the well;

(c) be of sound and permanent construction (pucca) throughout. A temporary or exposed (kutchra) well shall be permitted only in fields or gardens for purposes of irrigation;

(d) have the interior surface of its lining or walls rendered impervious for a depth of not less than 1.8 m. measured from the level of the ground immediately adjoining the well-head.

(29) Overhead Tanks - Every overhead water storage tank shall be maintained in a perfectly mosquito-proof condition by providing a properly fitting hinged cover and every tank more than 1.5 m. in height shall be provided with a permanently fixed iron ladder to enable inspection by anti-malaria staff.

(30) Septic Tanks - (i) Location and sub-soil dispersion - A sub-soil dispersion system shall not be closer than 12 m. to any source of drinking water, such as a well, to mitigate the possibility of bacterial pollution of water supply. It shall also be as far removed from the nearest habitable building as economically feasible but not closer than 2 m. to avoid damage to the structure.

(ii) Dimensions etc. - (a) Septic tanks shall have a minimum inner width of 75 cm. a minimum depth of one meter below the water level and a per capita minimum liquid capacity of 85 liters. The length of the tanks shall be at least twice the width.

(b) Septic tanks may be constructed of brick work, stone masonry, concrete or other suitable material as approved by the Commissioner.

(c) Under no circumstances should effluent from a septic tank be allowed into an open channel drain or body of water without adequate treatment.

(d) The minimum nominal diameter of the pipe shall be 100 mm. Further, at junctions of pipes in manholes, the direction of flow from a branch connection should not make an angle exceeding 45° with the direction of flow in the main pipe.

(e) The gradients of land-drains, under-drainage as well as the bottom of dispersion trenches and soakways should be between 1 : 300 and 1 : 400.

(f) Every septic tank shall be provided with a ventilation pipe of at least 50 mm. diameter. The top of the pipe shall be provided with a suitable cage of mosquito-proof wire mesh. The ventilating pipe shall extend to a height which would cause no smell or nuisance to any building in the area. Generally, the ventilating pipe should extend to a height of about 2 m. when the septic tank is at least 15 m. away from the nearest building and to a height of 2 m. above the top of the building when it is located closer than 15 m.

(g) When the disposal of a septic tank effluent is to a seepage pit, the seepage pit may be of sectional dimension of 90 cm. and not less than 100 cm. in depth below the inner level of the inlet pipe. The pit may be lined with stone, brick and concrete blocks with dry open joint which should be backed with at least 7.5 cm. of clean coarse aggregate. The lining above the inlet level should be finished with mortar. In the case of pits of large dimensions the top portion may be narrowed to reduce the size of the R.C.C. cover slabs. Where no lining is used, specially near trees the entire pit should be filled with loose stones. A masonry ring should be constructed at the top of the pit to prevent damage by flooding of the pit by surface run off. The inlet pipe should be taken down to a depth of 90 cm. from the top as antimosquito measure.

(h) When the disposal of septic tank effluent is to a dispersion trench, the dispersion trench shall be 50 to 100 cm. wide excavated to a slight gradient and shall be provided with a layer of washed gravel or crushed stones 15 to 25 cm. deep. Open jointed pipes placed inside the trench shall be made of unglazed earthenware clay or concrete and shall have a minimum internal diameter of 75 of 100 cm. Each dispersion trench should not be longer than 30 m. and trenches should not be placed closer than 1.8 m. to each other.

(31) Exclusion from FSI computation - The following shall not be counted towards FSI : Subject to that the total area under stair cases, passages, balconies and the common built up spaces permitted for exclusion shall not exceed the 20% of the permissible FSI.

- (a) Areas of structure permitted in recreational open space under clause (g) of sub-regulation (1) of Regulation 23.
- (b) Areas covered by features permitted in open spaces as listed in Regulation 30.
- (c) Areas covered by staircases rooms, lift rooms, above the top most storey, lift wells and common staircases, architectural features, chimneys and elevated tanks of permissible dimensions with the permissions of the planning authority.

Where the permissible FSI has been exhausted in the case of existing building and cases decided by the appropriate Authority period to coming in to force of these regulation, the exclusion from FSI computation as in these regulation will be available for construction of the balance potential. If they are satisfying new standards.

- (d) Area of the escape stairways and cantilever fire escape passages according to the Chief Fire Officers requirement as in sub-regulation 5 of Regulation 43.
- (e) Area of the basement as provided in sub-regulation (9) of Regulation 37 for the specified users only.
- (f) Area of unenclosed but covered parking spaces as provided in clause 5 of Regulation 35.
- (g) Area of one office room of a Co-Operative Housing Society or apartment owners association as provided in sub-regulation (11) of Regulation 37.
- (h) Area of sanitary blocks consisting of a bathroom and water closet for each wing of each floor of a building of prescribed dimensions deriving access from a common passage as provided in sub-regulation (4) of Regulation 37 for the use of domestic servants engaged in the premises.
- (i) Refuse area as provided in sub-regulation (7) of Regulation 43.
- (j) Area covered by -
 - (i) Service floor of height not exceeding 1.5 mt. with special permission of the Planning Authority.
 - (ii) Lofts (vide sub-regulation (5) of Regulation 37).
 - (iii) Meter rooms (vide sub-regulation (13) of Regulation 37).
 - (iv) Porches (vide sub-regulation (20) of Regulation 37).
 - (v) Canopies (vide sub-regulation (21) of Regulation 37).
 - (vi) Air-conditioning Plant rooms.
 - (vii) Electric sub-station constructed in the plot for the benefit of the residents/tenants/flat owners of the very plot (vide Regulation 26).
- (k) Area of balconies as provided in sub-regulation (22) of Regulation 37.
- (l) Area of structures for an effluent treatment plant as required to be provided by the industries as per the requirements of the Maharashtra Pollution Control Board or other relevant authorities. Provided, however, in case of an existing industry, if no vacant land is available, the Planning Authority may permit structures with dimensions to be approved by him for such effluent treatment plant on 10 percent amenity open space.
- (m) Area covered by service ducts, pump rooms, electric sub-stations, niches and cupboards upto 1mt. depth below window sill, passages and additional amenity of lift and/or staircase beyond those required under the Regulations with the permission of the Planning Authority.

- (n) Area covered by new or additional lifts and staircases, including passages to be provided in a building with the permission of the Planning Authority.
- (o) Area of one milk boot under the public distribution system with the permission of the Planning Authority.
- (p) Area of one public telephone booth and one telephone exchange (PBX) per building with the permission of the Planning Authority.
- (q) Area of one room for installation of telephone concentrators not exceeding 20 sq.mt. per building with the permission of the Planning Authority.
- (r) Area of separate letter box on the ground floor of residential and commercial buildings to the satisfaction of the Planning Authority.
- (s) Area covered by new lift and passage thereto in an existing building with a height upto 16 mt.
- (t) Area of a covered passage of clear width not more than 1.52 mt. (5 ft.) leading from a lift exit at terrace level to the existing staircases, so as to enable descent to lower floors in a building to reach tenements not having direct access to a new lift in a building with out an existing lift.

38(a) COMMON ANTENNA FOR TELEVISION TRANSMISSION RECEPTION - A common conventional antenna for receipt of television transmission may be provided for every residential building with more than ten tenements.

38(b) INSTALLATION OF TELEPHONE CONNECTORS - The area of one room for installation of telephone connectors as per the requirements of the Department of telecommunication of the companies authorized on that behalf but not exceeding 20 sq.mt. per building with the written permission of the Commissioner can be permitted free of FSI.

(38)(c) * RAIN WATER HARVESTING - a) All the layout open spaces/amenity spaces of housing societies and new constructions/ reconstruction's/ additions on plots having area not less than 300 sq.mt. in non gaothan areas of all towns shall have one or more Rain Water Harvesting structures having a minimum total capacity as detailed in schedule.

Provided that the 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 structure is maintained in good repair for storage of water for non potable purposes or recharge of ground water at all times.

c) The Authority may impose a levy of not exceeding Rs.1000/- per annum for every 100 sq.mt 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 byelaws.

SCHEDULE
RAIN WATER HARVESTING

Rain Water Harvesting in a building site includes storage or recharging into ground of rain water falling on the terrace or on any paved or unpaved surface within the building site.

1. The following systems may be adopted for harvesting the rain water drawn from terrace and the paved surface.

(i) Open well of a minimum of 1.00 mt. dia and 6 mt. in depth into which rain water may be channeled and allowed after filtration 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 ground water may be done through a borewell around which a pit of one metre width may be excavated upto a depth of at least 3.00 mt and refilled with stone aggregate and sand. The filtered rain water may be channeled to the refilled pit for recharging the borewell.

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

(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 condition, the pits may be of the size of 1.20 mt. width x 1.20 mt. length x 2.00 mt. to 2.50 mt. depth. The trenches can be 0.60 mt. width x 2.00 to 6.00 mt. length x 1.50 to 2.00 mt. depth. Terrace water shall be channeled to pits or trenches. Such pits or trenches shall be back filled with filter media comprising the following materials.

- a) 40mm stone aggregate as bottom layer upto 50% of the depth.
- b) 20mm 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 loose soil entering into pits/trenches. The projection of the wall above ground shall at least be 15cms.

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

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

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

3. Rain water harvesting structures shall be sited as not to endanger the stability of building or earthwork. The structures 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.

4. 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 utilized for drinking and/or cooking purpose, it shall be ensured that proper filter arrangement and the separate outlet by passing the first rain-water has been provided.

Provided further that it will be ensured that for such use, proper disinfectants and the water purification arrangements have been made.

38(d) * Regulation/Bye Laws for Installation of Solar Assisted water Heating Systems in Functional Buildings.

1. No new building in the following categories in which there is a system or installation for supplying hot water shall be built unless the system or the installation is also having an auxiliary solar assisted water heating system.

a) Hospitals and Nursing Homes.

b) Hotels, Lodges, and Guest Houses.

c) Hostels of Schools, Coleges, Training centres.

d) Barracks of armed forces, paramillitary forces and police.

e) Individual residential buildings having more than 150 sq.mt plinth area.

f) Functional Building of Railway Stations and Airports like waiting rooms, retiring rooms, rest rooms, inspection bungalows and catering units.

g) Community Centres, Banquet Halls, Barat Ghars, Kalyan mandaps and Buildings for similar use.

SCHEDULE.....

Definitions:-

- | | | |
|-----|--------------------------------------|---|
| i. | Solar Assisted Water Heating System. | A device to heat water using solar energy as heat source. |
| ii. | Auxiliary Back up | Electrically operated or fuel fired boilers/sytems to heat water coming out from solar water heating system to meet continous requirement of hot water. |

- | | | |
|------|-------------------|--|
| iii. | New Building | Such buildings of above said categories for which construction plans have been submitted to competent authority for clearance. |
| iv. | Existing Building | Such buildings which are licensed to perform their respective business. |

2. Installation of Solar Water Heating Systems: - a) **New Buildings:** Clearance of plan for the construction of new buildings of the aforesaid categories shall only be given if they have a provision in the building design itself for an insulated pipeline from the rooftop in the building to various distribution points where hot water is required. The building must have a provision for continuous water supply to the solar water heating system. The building should also have open space on the roof top which receives direct sun light. The load bearing capacity of the roof should atleast be 50 kg. per sqmt. All new buildings of above said categories must complete installation of solar water heating systems before obtaining necessary license to commence their business.

b) **Existing Buildings:** Installation of Solar Assisted Water Heating Systems in the existing building shall be made mandatory at the time of change of use to above said category provided there is a system or installation for supplying hot water.

c) **Capacity:** The capacity of solar water heating system to be installed on the building different categories shall be decided in consultation with the local bodies. The recommended minimum capacity shall not be less than 25 litres per day for each bathroom and kitchen subject to the condition that maximum of 50% of the total roof area is provided with the system.

d) **Specifications:** Installation of Solar Assisted Water Heating Systems shall confirm to BIS (Bureau of Indian Standards) specification IS 12933. The solar connectors used in the system shall have the BIS certification mark.

e) **Auxiliary System:** Wherever hot water requirement is continuous, auxiliary heating arrangement either with electric elements or oil of adequate capacity can be provided.

39. REQUIREMENTS OF EDUCATIONAL BUILDING - In addition to the class-rooms and other areas, every educational building shall be provided with -

- (a) a tiffin room with a minimum area of 18.0 sq.m. for every 800 students of part thereof;
- (b) a separate tiffin room for teachers where strength of students, exceeds 1000;
- (c) a room with drinking water facilities for every 300 students or less on each of the floors.

(ड) * शैक्षणिक संस्थांच्या जागेत शैक्षणिक प्रयोजनार्थ बांधकाम करतांना त्यामध्ये एकाच ठिकाणी सलग किमान ४० टक्के क्षेत्र क्रिडांगण म्हणून राखीव ठेवणे बंधनकारक राहिल

These requirements may be amended by the Commissioner in consultation with the Education Department of the State Government.

40. MODEL BUILDING BYE-LAWS TO PROVIDE FACILITIES FOR PHYSICALLY HANDICAPPED PERSONS.

BYE-LAWS

1. SHORT TITLE, EXTENT & COMMENCEMENT

1.1 These bye-laws shall be annexed to the Municipal Corporation of City of Bhiwandi-Nizampur.

1.2 They shall extend to a whole Municipal Corporation of Bhiwandi-Nizampur.

1.3 They shall come into force from the date of their publication in the official Gazette,

2. DEFINITIONS

2.1 Non-ambulatory Disabilities :- Impairments that, regardless of cause or manifestation, for all practical purposes, confine individuals to wheel chairs.

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

2.3 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.

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

2.5 Wheel Chair :- Chair used by Disabled people for mobility. The standard size of wheel chair shall be taken as 1050 mm X 750 mm

3. SCOPE

These bye-law are applicable to all buildings and facilities used by the public, it does not apply to private & public residences.

4. SITE DEVELOPMENT

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

4.1 **Access Path/Walk Way :-** Access path from plot entry and surface parking to Building entrance shall be of 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 emit different sound to guide visually impaired persons (hereinafter referred to as "guiding floor material") (Annexure-I). Finishes shall have a non slip surface with a texture traversable by a wheel chair. Curbs wherever provided should blend to a common level.

4.2 **Parking :-** For parking of vehicles of handicapped people the following provisions shall be made

a) Surface parking for two Car Spaces shall be provided near entrance for the physically handicapped persons with maximum travel distance of 30.0 meter 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.

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.

5. BUILDING REQUIREMENTS

The specified facilities for the building for physically handicapped persons shall be as follows.

1. Approach to plinth level.
2. Corridor connecting the entrance/exit for the handicapped.
3. Stair-ways .
4. Lift.
5. Toilet.
6. Drinking water.

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

5.1.1 Ramped Approach :- Ramp shall be finished with no slip material to enter the building. Minimum width of ramp shall be 1800mm. with maximum gradient 1:12. length of ramp shall not exceed 9.0 meter having 800 mm. high hand rail on both sides extending 300 mm. beyond top and bottom of the ramp. Minimum gap from adjacent wall to the hand rail shall be 50mm

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

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

5.1.4 Entrance Landing :- Entrance landing shall be provided adjacent to ramp with the minimum dimension 1800mm x 2000mm. The entrance landing that adjoin 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 emit different sound to guide visually impaired persons (hereinafter referred to as “guiding floor material”)(Annexure-I) Finishes shall have a non slip surface with a texture traversable by a wheel chair. Curbs wherever provided should blend to a common level.

5.2 **Corridor connecting the entrance/exit for the handicapped :-** The corridor connecting the entrance/exit for handicapped leading directly outdoors to a place where information concerning the overall use of the specified building can be provided to

visually impaired persons either by a person or by signs, shall be provided as follows :

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

b) The minimum width shall be 1500mm

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

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

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

a) The minimum width shall be 1350mm.

b) Height of the riser shall not be more than 150mm. 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.

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

Clear internal depth 1100mm.

Clear internal width 2000mm.

Entrance door with 900mm.

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 1800mm. or more.

c) The time of an automatically closing door should be minimum 5 seconds and the closing speed should not exceed 0.25 Meter /Sec.

d) The interior of cage shall be provided with a device that audibly indicates the floor the cage has reached and indicates that the door of the cage for entrance/exit is either open or closed.

5.5 Toilets :- One special W.C. in a set of toilet shall be provided for the use of handicapped with essential provision of wash basin near the entrance for the handicapped.

a) The minimum size shall be 1500mm X 1750mm.

b) Minimum clear opening of the door shall be 900mm and 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.

5.6 Drinking Water :- Suitable provision of drinking water shall be made for the handicapped near the special toilet provided for them.

5.7 Designing for Children :- In the buildings meant for the predominant use of the children, it will be necessary to suitably alter the height of the handrail and others fittings & fixtures etc.

ANNEXURE-I

Explanatory Notes

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 material 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, stair-cases 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.

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

Signs should be designed and located so that they are easily legible by using suitable letter size (not less than 20 mm high). For visually impaired persons, information board in braille 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's 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 as shown below be installed at the lift, toilet, staircase, parking areas etc. that have been provided for the handicapped.

41. LIGHTING AND VENTILATION - (1) Adequacy and manner of provisions

- All parts of any room shall be adequately lighted and ventilated. For this purpose every room shall have -

- (a) one or more apertures, excluding doors, with area not less than one-sixth of the floor area of the room, with no part of any habitable room being more than 7.5 m. away from the source of light and ventilation. However, a staircase shall be deemed to be adequately lighted and ventilated, if it has one or more openings their area taken together measuring not less than 1 sq. m. per landing on the external wall;
- (b) an opening with a minimum area of 1 sq. m. in any habitable room including a kitchen, and 0.3 sq. m. with open dimension of 0.3 sq. m. for any bathroom, water closet or store;
- (c) all the walls, containing the openings of light and ventilation fully exposed to an exterior open space either directly or through a verandah not exceeding 2.4 m. in width provided that a room meant for non-residential user shall be considered as

adequately lighted and ventilated if its depth from the side abutting the required open space does not exceed 12m.

(2) Artificial ventilation shaft - A bathroom, water of closet, staircase or store may abut on the ventilation shaft, the size of which shall not be less than the values given below -

Height of building in m.	Cross - section of ventilation in sq. m.	Side of shaft in meters.
Upto 12	2.8	1.2
Upto 18	4.0	1.5
Upto 24	5.4	1.8
Above 30	9.0	3.0

In such ventilation shafts mechanical ventilation system shall be installed. Further, such ventilation shaft shall be adequately accessible for maintenance.

(3) Artificial lighting 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 VIII, Building Service Section I, Lighting and Ventilation, National Building

(4) Code In any residential hotel where toilets are provided with a mechanical ventilation system, the size of the ventilation shaft prescribed in this Regulation may be suitably relaxed by the Commissioner.

42. FIRE PROTECTION REQUIREMENTS - (1) General - The planning design and construction of any building shall be such as to ensure safety from fire. For this purposes unless otherwise specified in these Regulations, the provisions of Part-IV; Fire Protection Chapter, National Building Code shall apply.

For multi storied, high rise and special buildings, additional provision relating to fire protection contained in Appendix VIII shall also apply. The approach to the building and open spaces in all sides upto 6 m. width and their layout shall conform the requirements of fire advisor to Govt. of Maharashtra. They shall be capable of taking the weight of a Fire Engine weight upto 18 tones. These open spaces shall be free from any obstruction and shall be motorable.

(2) Exits - Every building meant for human occupancy shall be provided with exits sufficient to permit safe escape of its occupants in case of fire or other emergency for which the exists shall conform to the following -

(i) Types - Exits should be horizontal or vertical. A horizontal exit may be a doorway, a corridor, a passage-way to an internal or external stairway or to an adjoining building, a ramp a verandah, or a terrace which has access to the street or to the roof of a building. A vertical exit may be a staircase or a ramp but not a lift.

(ii) General Requirements - Exits from all the parts of the building, except those not accessible for general public use, shall -

- (a) provide continuous access to the exterior of the building or to an exterior open space leading to the street,
- (b) be so arranged that, except in a residential building, they can be reached without having to cross another occupied unit,
- (c) be free of obstruction,
- (d) be adequately illuminated,
- (e) be clearly visible, with the routes reaching them clearly marked and signs posted to guide any person to the floor concerned,
- (f) be fitted, if necessary, with fire fighting equipment suitably located but not as to obstruct the passage, clearly marked and with its location clearly on both sides of the exit way,
- (g) be fitted with a fire alarm device, if it is either a multi-storeyed, high-use or a special building so as to ensure its prompt evacuation.
- (h) remain unaffected by any alteration of any part of the building so far as their number, width, capacity and protection thereof is concerned,
- (i) be so located that the travel distance on the floor does not exceed the following limits -

- (i) Residential, educational, institutional and hazardous occupancies : 22.5 m.
- (ii) Assembly, business, mercantile, industrial and storage buildings : 30 m.

Note - The travel distance to an exit from the dead end of a corridor shall not exceed half the distance specified above. When more than one exit is required on a floor, the exits shall be as remote from each other as possible:

Provided that for all multi-storeyed high rise and special buildings, a minimum of two enclosed type staircases shall be to an interior open space or to any open place of safety.

(iii) Number and width of exits - The width of an exit, stairway/corridor and exit door to be provided at each floor in occupancies of various types shall be as shown in columns 3 and 5 of Table 14 hereunder. Their number shall be calculated by applying to every 100 sq. m. of the plinth or covered area of the occupancy, the relevant multiplier in columns 4 and 6 of the said Table, fractions being rounded off upward to the nearest whole number.

TABLE 14
Width and number of Exits for various Occupancies

Serial No.	Type of Occupancy	Stairway minimum width in meters	Corridor multiplier	Door minimum width in meter	Exit
(1)	(2)	(3)	(4)	(5)	(6)
1	Residential Dwellings	1.2	0.145}		0.53
	- row housing (2 storeys)	0.75	0.213}		
	- hotels	1.5	0.107}		

2	Educational				
	- upto 24 m. high	1.5	0.333}		0.667
	- over 24 m. high	2.0	0.250}		
3	Institutional i.e. Hospital				
	- upto 10 beds	1.5	0.089*}		0.044
	- over 10 beds	2.0	0.067*}		
4	Assembly**				
	- fixed seats or loose seats and dance floor.	2.0	0.394	1.0	0.926
	- no seating facilities and dining rooms.	2.0	0.278		0.370
5	Mercantile -				
	- street floor and basement	1.5	0.222		0.222
	- upper sales floors	1.5	0.111		0.111
6	Business, Industrial	1.5	0.067		0.067
7	Storage	1.5	0.022		0.022
8	Hazardous	1.5	0.133		0.125

 * For the dormitory portions of homes for the aged, orphanages, mental hospitals, etc. these multipliers will be double.

**The plinth or covered area shall include, in addition to the main assembly rooms or space, any occupied connecting room or space in the same storey or in the storey above or below where entrance is common to such rooms and space and they available for use by the occupants of the assembly place.

No deduction shall be made in the gross area of the corridors, closets or other subdivisions, all space serving the particular assembly occupancy shall be reckoned.

43. REQUIREMENTS OF INDIVIDUAL EXITS AT EACH FLOOR - The detailed requirements of individual exits at each floor are given below :-

(1) Corridors - (a) Exit corridors shall be of a width not less than the total required width of exit doorways leading from them in the direction of travel to the exterior/ stairway.

(b) Where stairway discharge through corridors, the height of the corridors shall not be less than 2.4 m.

(c) Where there is more than one staircase serving a building there shall be at least one smoke stop door in the space between the staircase.

(2) Doorways - (a) Every exit doorway shall open into an enclosed stairway, a horizontal exit or a corridor or passageway providing continuous and protected means of egress;

(b) An exit doorway shall open outwards i.e. away from the room, but shall not obstruct the travel along any exit. No door, when opened, shall reduce the required width of a stairway or landing to less than 90 cm.

(c) An exit door shall not open immediately upon a flight or stairs; a landing equal to atleast the width of the door shall be provided in the stairway at each; the level of the landing shall be the same as that of the floor which it serves.

- (d) Exist doorways shall be openable from the side which they serve, without the use of a key.
- (3) Revolving doors** - (a) Revolving doors shall not be used as required exits except in residential business and mercantile occupancies; they shall not constitute more than half the total required door width.
- (b) When revolving doors are considered as required exitways -
- (i) the multiplier in Table 14 shall be increased by 33 1/3 per cent, and;
 - (ii) revolving door shall not be located at the foot of a stairway. Any stairway served by a revolving door shall discharge through a lobby or foyer.
- (4) Internal stairways** - (a) Stairways shall be constructed of non-combustible materials throughout.
- (b) Any interior staircase shall be constructed as a self-contained unit with atleast one side adjacent to an external wall and shall be completely closed.
- (c) A staircase shall not be arranged around a lift shaft unless the later is entirely enclosed by a material of fire resistance rating as that for type of construction itself. For multi-storeyed, high rise and special buildings, the staircase location shall be to the satisfaction of the Fire Advisor of Government of Maharashtra.
- (d) In multi-storeyed, high rise and special buildings, access to main staircases shall be gained through atleast half-an-hour fir-resisting automatic closing doors, placed in the enclosing wall of the staircases. They shall be swing type doors opening in the direction of the escape.
- (e) No living space, store or other space, involving fire risk, shall open directly into a staircase.
- (f) The external exit door of a staircase enclosure at ground level shall open directly to the open space or should be accessible without passing through any door other than a door provided to form a draught lobby.
- (g) In multi-storyed high rise and special buildings, exit signs with arrows indicating the escape route shall be provided at height of 1.5 m. from the floor level on the wall and shall be painted with fluorescent paint. All exit way signs should be flush with the wall and so designed that no mechanical damage to them can result from the moving of furniture or other heavy equipment.
- (h) Where a building has a single staircase, it shall terminate at the ground floor level, and the access to the basement shall be by a separate staircase. Where the building is served by more than one staircase one of the staircase may lead to the basement 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 of through enclosures. It shall also be cut off from the basement area at various basement levels by a protected and ventilated lobby/lobbies.
- (5) Fire escape or external stairs** - Multi-storeyed, high rise and special buildings shall be provided with fire escape stairs, which will be free of F.S.I., and they should conform to the following :-
- (a) They shall not be taken into account in calculating the evacuation time of a building.
 - (b) All of them shall be directly connected to the ground.

- (c) Entrance to them shall be separate and remote from the internal staircase.
 - (d) Routes to the fire escape shall be free of obstruction at all times, except, for a doorway leading to the fire escape, which shall have the required fire resistance.
 - (e) They shall be constructed of non-combustible materials.
 - (f) They shall have a straight flight not less than 75 cm. wide with 15 cm. treads and risers not more than 19 cm. The number of risers shall be limited to 16 per flight.
 - (g) They shall be provided with handrails at a height not less than 90 cm. above the tread.
- (6) Ramp** - (a) All the requirements of sub regulation (4) of this Regulation shall apply to any ramps they apply to a staircase.
- (b) Ramps shall lead directly to outside open spaces at ground level or courtyards or other safe places.
 - (c) In a multistoreyed, high rise and special building, access to ramps from any floor shall be through a smoke-stop door.
- (7) Refuge Area** - (a) In multi-storeyed and high rise buildings, at least one refuge area shall be provided on the floor immediately above 24 m.
- (b) It shall be on the external walls as a cantilevered projection or in any other manner.
 - (c) It shall have a minimum area of 15 sq.m. and a minimum width of 3.0 m.
 - (d) It shall not be counted in F.S.I.

44 STRUCTURAL SAFETY AND SERVICES - (1) Structural design - The structural design of foundations, elements made of masonry, timber, plain concrete, reinforced concrete, prestressed concrete and structural steel shall conform to the provisions of Part VI Structural Design Section - 1 Loads, Section 2 - Foundation, Section 3 - Wood, Section 4 - Masonry, Section 5 - Concrete, Section 6 - Steel National, Building Code of India.

(2) Quality of materials and workmanship - (i) The quality of all materials and workmanship shall conform to accepted standards and Indian Standard Specifications and Codes as included in Part V Building Materials and Part - VII Constructional Practices and Safety. National Building Code of India.

(ii) All burrow pits dug in the course of construction and repair of buildings, roads, embankments etc. shall be deep and connected with each other in the formation of a drain directed towards the lowest level and properly stepped for discharge into a river, stream, channel or drain, and no person shall create any isolated burrow pit which is likely to cause accumulation of water that may breed mosquitoes.

(3) Alternative materials, method of design and construction and tests - The provisions of the Regulations are not intended to prevent the use of any material or method of design of construction not specifically prescribed in them provided any such alternative has been approved. Nothing of the provisions of these Regulations is intended to prevent the adoption of architectural planning and layout conceived as an integrated development scheme. The Commissioner may approve any such alternative if it conforms to the provisions of the relevant parts of the National Building Code, regarding material, design and construction, and the material, method or work offered

is, for the purpose intended, atleast equivalent to that prescribed in these Regulations in quality, strength, compatibility, effectiveness, fire and water resistance, durability and safety.

45. TESTS - When there is insufficient evidence of compliance with the provisions of the Regulations or evidence that any material or method of design or construction does not conform to the requirements of the Regulations, in order to substantiate claims for alternative materials, design or methods of construction, the Commissioner may require tests sufficiently in advance, as proof of compliance. These tests shall be made by an approved agency at the expense of the owner as follows :-

(i) Test Methods - Test methods 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 Commissioner, shall determined the test procedure. For methods of tests for building materials, reference shall be made to the relevant Indian Standards as given in the National Building Code of India published by the Bureau of Indian Standards.

(2) Test results to be preserved - Copies of the results of all such tests shall be retained by the Commissioner for not less than two years after the acceptance of the alternative material.

46. BUILDING SERVICES - **(1) Electrical installations** - The Planning design and installation of electrical installation, air-conditioning and heating work shall conform to the provisions of part VIII Building Services. Section 2 - Electrical Installations, Section 3 - Air conditioning and Heating, National Building Code of India.

(2) Lifts - (a) Planning and design - The planning and design of lifts including their number type and capacity depending on the occupancy of the building, the population on each floor based on the occupant load and the building height shall be in accordance with Section 5 - Installations of Lifts and Escalators, National Building Code of India.

(b) Maintenance - (i) The lift installation should receive regular cleaning lubrication adjustment and adequate servicing by authorised competent person at such intervals as the type of equipment and frequency of service demand. In order that the lift installation is maintained at all times in a safe condition, a proper maintenance schedule shall be drawn up in consultating with the lift manufacturer and rigidly followed. A log book to record all items relating to general servicing and inspection shall be maintained. The electrical circuit diagram of the lift with the sequence of operation of different components and parts shall be kept readily available for reference by persons responsible for the maintenance and replacement, where necessary to the satisfaction of the competent authority (Lift Inspector of the Government of Maharashtra).

(ii) Any Accident arising out of operation of maintenance of the lifts, shall be duly reported to the competent authority, i. e. Lift Inspector of the Government of Maharashtra.

47. SIGNS AND OUTDOOR DISPLAY STRUCTURES - (1) National Building Code of apply the display of advertising signs and outdoor display structures on buildings and land shall be in accordance with Part X - Sign and Outdoor Display Structures, National Building Code of India.

(2) Additional Conditions - In addition to sub-regulation (1) above, the following provisions shall apply to advertising signs in deferent land use zone :

(i) Residential Zone (R-1) The following non-flashing and neon signs with illumination not exceeding 40 Watt Light -

(a) One name plate with an area not exceeding 0.1 sq. m. for each dwelling unit.

(b) For other users permissible in the zone, one identification sign or bulletin board with an area not exceeding 10 sq. m. provided the height of the sign does not exceed 1.5 m.

(c) "For Sale" or "For Rent" signs for real estate, not exceeding 2 sq. m. in area provided they are located on the premises offered for sale or rent.

(ii) Residential zones, with shop lines (R-2) :- Non-flashing business signs placed parallel to the wall and not exceeding 1 m. in height per establishment.

(iii) Commercial Zones (C-1 and C-2) - Flashing or non flashing business signs placed parallel to the wall not exceeding 1 m. in height provided such signs do not face residential buildings.

(3) Prohibition of advertising signs and outdoor display structures in certain cases - Notwithstanding the provision of sub-regulations (1) and (2) no advertising sign or outdoor display structures shall be permitted on buildings of architectural, austhetical historical or heritage importance as may be decided by the Commissioner, or on Government buildings, save that in the case of Government building only advertising signs or outdoor, display structures may be permitted if they relate to the activities for the said buildings own purpose of related programmes.

(4) The Commissioner may, with the approval of the Corporation add, alter or amend the provisions in sub-regulation (2) above.

PART-IV

PART IV

LAND USE CLASSIFICATION & USES PERMITTED

48. USES AND ANCILLARY USES - The uses and specified ancillary uses as indicated in these Regulations will be permitted in each of the predominant use zones as shown in the development plan. Such ancillary uses will be subject to fulfillment of the prescribed conditions.

49. POWER OF GRANTING PERMISSION - Where it is specified that a particular use is to be allowed only with the Commissioner's special permission, the power of granting such permission shall be exercised by the Commissioner.

50. PURELY RESIDENTIAL ZONE (R-1 ZONE) - Ancillary uses permitted - Apart from residential use, the following uses and specified ancillary uses to the extent of 50 per cent of the floor space of the principal use shall be permitted in buildings, premises or plots in the purely residential zone :-

- (i) Customary home occupations.
- (ii) Medical and Dental practitioners dispensaries or clinics, including pathological or diagnostic clinics with a restriction of one dispensary or clinic per building to be permitted on the ground floor, on the floor just above the stilts or on the first floor.
- (iii) Nursing homes, polyclinics maternity homes and medical practitioners / consultants in different disciplines of medical sciences in independent buildings or independent parts of buildings on the ground floor, floor 1 and floor 2 with separate means of access/staircase from within the building or outside, but not within the prescribed marginal open spaces in any case, and with the special permission of the Commissioner.
- (iv) Professional Offices and studies of a resident of the premises and incidental to such residential use, or medical and dental practitioners dispensaries or clinics of a resident of the building with only out patient treatment facilities without any indoor work, each not occupying a floor area exceeding 30 sq. m.
- (v) Educational buildings, excluding building of trade schools but including students hostels in Independent buildings, religious buildings, community halls, welfare centres and gymnasias.

Provided that the Commissioner may, by order permit Montessori Schools, kindergarden classes or balmandirs in a part of a residential building on the ground floor or on the floor above the stilts if the area thereof is not less than 40 sq. m. and no nuisance is likely to be caused to the residents of the building.

Provided further that in congested localities where it is not possible to provide a separate building for a school, the Commissioner may allow a primary school in any part of or on any separate floor of a residential building. In doing so, he shall take into account the location, room sizes, means of access, water and sanitary arrangements and other relevant factors. He shall also ensure that a staircase is easily accessible from the entrance and serves the classrooms. The school shall also conform to other requirements of educational buildings stipulated in Regulation 39.

(vi) Public libraries on the ground floor and floor 1 or on two consecutive floors immediately above the stilts in a building constructed on stilts, and museums in part or entire building.

(vii) Club houses, or gymkhanas not conducted as a business, on independent plots which may have an extension counter or only branch of a bank in such club-houses or gymkhanas.

(viii) Public or private parks, gardens and playfield in independent plots not utilised for business purposes, but not amusement parks.

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

(x) Radio broadcasting and television studios and sound recording and dubbing studios in independent buildings or part of building or in independent plots, with the permission of the Commssioner.

(xi) Places for the disposal of human bodies, subject to the Corporation's approval.

(xii) Police stations, telephone exchanges, Government sub-office, municipal sub-office, suboffices of Bombay Electric Supply and transport undertaking or the concerned electric company consulate offices, post and telegraph offices, branches of banks including safe deposit vaults, electrical sub-stations, receiving stations, fire stations civil defense warden posts and first aid posts, home guards and civil defence centres, pumping stations, sewage disposal works and water supply installations and ancillary structures thereof required to cater to the local area on roads of width of not less than 12 m. However, a branch of a bank with a safe deposit vault may be permitted on roads of less than 12 m.

(xiii) Storage of liquefied petroleum gas cylinders (bottled gas) for domestic consumption not exceeding 300 kg. in residential building and not exceeding 8000 kg. in an independent ground floor structure (except a garage) at any one time, with the special permission of the Commssioner and subject to compliance with statutory safety requirements.

(xiv) General agriculture, horticulture and poultry farming (but not dairy farming) poultry farming being permitted at the rate of 0.25 sq. m. built up area per bird in an independent plot measuring not less than 1 ha.; provided that no offensive odors, dirt and/or dust are created, that there is no sale of products not produced on the premises, and the accessory buildings are not located within from any of 9 m. the boundaries or 6m. from the main buildings or the plot.

Provided further that the above restriction on space shall not apply to any poultry kept for domestic consumption only.

(xv) Flour Mills, with the special permission of the Commssioner, if (a) they are in a single-storeyed detached or semi-detached structure, and (b) their power requirement does not exceed 7.5 KW. each.

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

51. RESIDENTIAL ZONE WITH SHOP LINE (R-2 ZONE) - (1) The residential zone with shop line (R-2-Zone) in which shopping will be permissible as indicated herein, will comprise -

(1) Plots in a residential zone along roads having existing or prescribed width of 12.0 m. and between 31 m.

(2) Notwithstanding anything contained in this Regulation, for reasons of congestion, traffic or nuisance, new shopping or convenience shopping, even if otherwise permissible, the Commissioner may not, for reasons to be recorded in writing, permit such shopping.

(3) Uses permitted in the Residential Zone with Shop Line (R-2 Zone) the following uses shall be permitted in buildings, premises or plots in a residential zone with shopline-

(i) All uses permitted in the purely residential zone (R-1 Zone)

(ii) Stores or shops for conduct of retail business, including department stores. There will, however, be no storage or sale of combustible materials except with the special permission of Commissioner.

(iii) Personal services establishments.

(iv) Hair dressing saloons and beauty parlors.

(v) Frozen food stores.

(vi) Shoe repair & sports shop.

(vii) Professional offices each not exceeding 100sq.m. in area.

(viii) Shops for the collection and distribution of clothes and other materials for cleaning, pressing and dyeing establishments.

(ix) Tailoring embroidery and button-hole making shops, each employing not more than 9 persons.

(x) Cleaning and pressing establishments for clothes, each occupying a floor area not more than 200 sq. m. and not employing solvents with a flash point lower than 59° C., machine with dry-load capacity not exceeding 30 kg. and employing not more than 9 persons.

Provided that the total power requirement does not exceed 4 KW.

(xi) Shops for goldsmiths, lock-smiths, watches and clocks and their repairs, bicycles and their rental and repairs, optical glass grinding and repairs, musical instruments and their repairs, picture-framing, radio, television and household appliances and their repairs, umbrellas and their repairs and upholstery work, each employing not more than 9 persons.

(xii) Coffee grinding establishments with electric motive power not exceeding 0.75 KW (0.025 KW individual motor each)

(xiii) Restaurants, eating houses, cafeterias, ice-cream and milk bars under one establishment with total area not exceeding 200 sq.m. on the ground and/or floor 1 of a building with the special permission of the Commissioner.

(xiv) Bakeries, with no floor above, each not occupying for production an area more than 7559m. and not employing more 9 persons, if the power requirement does not exceed 4 KW, where only electrical ovens are used, an additional heating load upto 12 KVA being permitted.

- (xv) Confectioneries and establishments for the preparation and sale of eatables each not occupying for production an area more than of 75 sq.m. per establishment and employing not more than 9 persons, motive power not exceeding 1.12 KW, as well as sugarcane and fruit juice crusher each employing not more than 6 persons with motive power not exceeding 1.12 KW and area not more than 25 sq.m.
- (xvi) Printing presses with aggregate motive power each not exceeding 3.75 KW and not employing more than 9 persons and individual electric motors of not more than 1.5KW.
- (xvii) Trade and other similar schools not involving any danger of fire or explosion, or offensive noise, vibration, smoke, dust, odor, glare, heat or other objectionable features.
- (xviii) Vegetable, fruit, flower, frozen fish, frozen meat or frozen food shops.
- (xix) Battery charging and repairing establishments each not employing more than 6 person with an area not more than 25 sq.m. and not more than 2 charges with power not exceeding 5 KW.
- (xx) Photographic studios with laboratories, zeroxing, photo-copying, video-taping establishments etc. and their laboratories each with an area not exceeding 50 sq.m. and employing not more than 9 persons and not using power more than 3.75 KW.
- (xxi) Coal or fire-wood shops.
- (xxii) Local sub-offices of any public utility.
- (xxiii) Electronic industry of assembly, but not of manufacturing type, with the Commssioner's special permission subject to following restrictions -
- (a) Only on the ground floor each with an area not exceeding 50 sq. m.
 - (b) Total electric power inclusive of motive power and heating load not to exceed 3.75 KW.
 - (c) Employing not more than 9 persons each.
- (xxiv) Pawn shops.
- (xxv) Art galleries i.e. display shops.
- (xxvi) Undertakers premises.
- (xxvii) Establishments using power only for heating refrigeration or air-conditioning purposes.
- (xxviii) Private lockers.
- (xxix) Data-processing unit, with use of computers.
- (xxx) Repairing garage, without activities of body-building and spray painting each employing not more than 9 persons or using 1.5 KW motive power with no floor, above with the permission of the Commssioner to be allowed to function only between 8 & 20 hrs.
- (xxxi) Motor driving schools, with the permission of the Commssioner.
- (xxxii) Travel agencies, ticket booking and selling agencies for air, surface or water travel or transport of any other modes of travel or transport.
- (xxxiii) Accessory uses customarily incidental to any permitted principal use, including storage upto 50 per cent of the total floor area of the principal use.

(4) Conditions governing additional uses permitted in the R-2 zone - The uses permissible in the R-2 zone shall be restricted and subject to the conditions below -

(i) A depth of 12 m. measured from the building line along the front portion abutting the street only provided.

(ii) All goods offered for sale or displayed should be within the premises comprising the shop and should not be kept in the passages or open spaces.

(iii) Shops shall be permitted only on the ground floor of a building unless specified otherwise.

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

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

(vi) Power may be discontinued if the Commssioner is satisfied that the particular use is a nuisance to the residents.

(5) With the special permission of the Commssioner shopping uses and departmental stores may be permitted on the entire ground floor of the buildings, subject to the following conditions.

(i) The side and rear marginal open spaces shall not be less than 9 m. in width.

(ii) No back-to-back shops would be permitted unless they are separated by a corridor at least 1.8 m. in width which shall be properly lighted and ventilated.

(iii) All goods offered for sale or displayed should be within the premises comprising the shop and should not be kept in the passages or open spaces.

Provided that such shopping users and department stores may be permitted in the entire building where the whole building is in occupation of one establishment or of a co-operative society only and subject to the above conditions.

(6) Notwithstanding anything contained in these Regulations, convenience shops as defined in item (20) of sub-regulation (3) of Regulation 3 may be permitted on all roads having width of 12 m. and above. In gaothan however, these users will be permitted on roads having width of 9 m. and above.

(7) Uses permitted in independent premises/buildings in the Residential Zone with Shop Line (R-2-Zone) - The following uses may be permitted in independent premises/buildings/plots in the R-2 zone.

(i) Drive-in-theatres, theatres, cinemas, club-houses, assembly or concert halls, dance and music studies and such other places of entertainment on roads with width not exceeding 25m. These uses may be permitted in combination with permissible non-residential uses except that of petrol pump, with the special permission of the Commssioner.

Provided, however, in the case of a cinema/theatre the front open space shall be minimum 12 m. and the side and rear open spaces shall not be less than 6m;

Provided further that in the case of development and/or re-development of a cinema/theatre, the user for a cinema/theatre may be permitted in combination with the permissible users in a residential zone with a shop-line (R-2 zone) excluding the users for bakery, confectionery, trade and other similar schools and coal or fire wood shops, with a cinema/theatre being permitted underneath or above any building subject to

compliance with fire and safety requirements specified by and to the satisfaction of the Fire Advisor of Maharashtra. However, residential user in combination with that of a cinema/theatre may not be allowed in the same building.

Provided further that the redevelopment of a plot allocated for a cinema/theatre shall be subject to such conditions as may be prescribed by the Government.

(ii) Petrol filling and service stations each employing not more than 9 persons in combination with other permissible uses in the zone subject to clearance by the Controller of Explosives and the Fire Advisor of Maharashtra, and observance of such conditions as they may prescribe and with the permission of the Commissioner.

* "Provided that in the redevelopment of sites of existing filling & service station of Petrol, Diesel, Compressed Natural Gas or any other Motor Vehicle fuel change of user shall not be permitted"

(iii) Trade or other similar schools.

(iv) Bulk storage of kerosene and bottled gas for domestic consumption with the special permission of the Commissioner.

v) Parking of automobiles and other light vehicles on open plots as a business or otherwise.

(vi) Fish or meat shops.

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

Provided that residential hotels of 4 & 5 star categories may be allowed only in an independent plot of size not less than 2500 sq. m. and on roads of 18 m. wide or more, a hotel of lower star categories being also allowed on a separate floor of a premise or a building with separate access.

Provided further that development of residential hotels of the star categories shall be permitted by the Commissioner only after due approval by a Committee consisting of the Divisional Deputy Director of Town Planning, the Region Development Authority, the Commissioner of Police (Law, Order and Traffic) and the Managing Director, Maharashtra Tourism Development Corporation Ltd.

(viii) General agriculture, horticulture and domestic poultry, with limitation of keeping of upto 20 birds at the rate of 0.25 sq.m. per bird.

(ix) Repairing garages not employing not more than 9 persons o 1.5 KW motive power with no floor above, with the permission of the Commissioner.

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

(xi) Correctional and mental institutions, institutions for children, the aged or widows sanatoria and hospitals (except veterinary hospitals) with the special permission of the Commissioner provided that those principally for contagious diseases shall be located not less than 36 m. from any boundaries.

(xii) Stadia.

52. LOOM INDUSTRY CUM RESIDENTIAL ZONE - The following users are permitted in Loom Industry Cum Residential Zone.

1. Any user permitted in Residential Zone R1 or R2.

.OR.

2. Only Powerlooms with maximum restriction of 16 powerlooms in a plot of area not admeasuring 250 sq.mt. with maximum motive power of 20 H.P.

.OR.

3. Powerlooms combined with residential activities in which case no Powerloom shall be permitted above the floor where residential user is allowed.

53. LOCAL COMMERCIAL AREA/ZONE (C-1 ZONE) - (1) Uses permitted in a Local Commercial Zone (C-1 Zone) - The following uses are permissible in the C-1 Zone :- (i) Any uses permitted in a residential zone with a shop line (R-2 Zone) except powerloom.

(ii) Confectioneries bakeries and establishments for the preparation and sale of eatables each not occupying for production an area in excess of 250 sq. m. per establishment and employing no more than 25 persons or using power exceeding 10 KW with no upper floors over the furnace portion. If only electrical ovens are used, and additional load of upto 24 KVA may be permitted.

(iii) Auto part stores and show rooms for motor vehicles and machinery.

(iv) Sale of used or second hand goods for merchandise, excepting for junk, cotton and other waste rags or other materials an offensive nature.

(v) Club houses or other recreational activities conducted as business (with an extension counter or branch of a bank).

(vi) Storage of furniture and household goods.

(vii) Repairing of building materials, open or enclosed, with not more than 500 sq. m. of area for establishment.

(viii) Pasteurising and milk processing plants each employing not more than 9 persons and 7.5 KW motive power within an area not more than 50 sq.m.

(ix) Printing, book-binding engraving and block-making, each with an area not exceeding 120 sq. m. and motive power not exceeding 7.5 KW per establishment.

(x) Veterinary dispensaries and hospitals and kennels.

(xi) Supari and masala grinding/pounding using motive power not exceeding 7.5 KW or occupying more than 25 sq.m. area, with the special permission of the Commssioner.

(xii) Prisons and animals pounds.

(xiii) Repair, cleaning shops and analytical experimental or testing laboratories each employing not more than 15 persons (but not including cleaning and dyeing establishments, using a cleaning or dyeing fluid having a flash point lower than 59° and machines with dry-load capacity not exceeding 30 kg. or any establishment carrying on activities that are offensive because of emission of odour, dust, smoke, gas, noise or vibration or otherwise dangerous to public health and safety), provided that the motive power requirement of each such establishment does not exceed 7.5 KW.

- (xiv) Paper-box manufacturing, including paper cutting each employing not more than 9 persons with motive power not exceeding 3.75 KW and area not more than 50 sq.m.
- (xv) Mattress making and cotton cleaning, each employing not more than 9 persons with motive power not exceeding 2.25 KW and area not more than 50 sq. m. per establishment.
- (xvi) Establishments requiring power for sealing tins, packages, etc. each employing not more than 9 person with motive power not exceeding 2.25 KW.
- (xvii) Ice factories in independent buildings, each with an area not more than 250 sq.m. and power not more than 34 KW.
- (xviii) Business offices including trade exchanges.
- (xix) Accessory uses, customarily incidental to any permitted principal use including storage space upto 50 per cent of the total floor area occupied for the principal use.
- (xx) Aquariums.

(2) General conditions governing the uses permitted in a C-1 Zone - In buildings premises or plots in Local Commercial Zone (C-1 Zone), the users permitted shall be subject to the following conditions :-

- (a) All goods offered for sale shall be displayed within the building, and not in passages and open spaces.
- (b) When the commercial zone boundary falls short of a street, the frontage along such street shall not be developed for uses which would not be permissible along such streets.
- (c) When the users other than those permissible in the R-1 Zone, have an access from the side or rear open space, the width of such open space shall not be less than 7 mtr.
- (d) The building constructed in this zone shall be either used wholly for the users permitted in C-1 zone or for the residential user to the extent of 50% of the total floor area but only on the upper floor.

54. DISTRICT COMMERCIAL AREA/ZONE (C-2 ZONE) - (1) Use permitted in a District Commercial Zone (C-2 Zone) - The following uses are permissible in a C-2 Zone :-

- (i) Any uses permitted in a Local Commercial Area/Zone (C-1 Zone); except residential use other than ancillary to the said commercial user.
- (ii) Wholesale establishment, each with storage, capacity not exceeding 200 sq.m. or commodities other than those prohibited by any statute or rules.
- (iii) Printing, book binding engraving and block making, if they are in an independent building, subject to any special conditions the Commssioner may prescribed in the interest of the adjoining development;
- (iv) Public Utility Buildings;
- (v) Headquarters of a commercial organization or firm.

(2) General conditions governing the uses permitted in the C-2 Zone - In a building premises, in a District Commercial Zone (C-2 Zone) the uses permitted in sub regulation (1) above shall be permitted subject to the following conditions :-

- (a) All goods offered for sale shall be displayed within the building and not in passages and open spaces.

- (b) When the commercial zone boundary falls short of a street the frontage along such street shall not be developed all uses which would not be permissible along such street.
- (c) If the uses, excepting those permissible in the R-1 Zone, derive access from the side or rear open space, the width of such open space shall not be less than 7 mtr.

55. SERVICE INDUSTRIES ZONE (I-I ZONE) - (1) Uses permissible in the Service Industries Zone (I-I Zone) and the conditions governing such uses; Service industries may be permitted as indicated in Table 15 hereunder in an independent designated plot or in an I-I zone, or with the Commssioner's special permission in the R-2 zone and subject to the limitations of area permitted, maximum number of persons to be employed, maximum permissible power requirement and the special conditions given in the said Table.

Further, caretakers, essential staff quarters, watchman's quarters, canteens and banks may be permitted within a plot, building or premises for service industries.

TABLE 15
Uses permissible in Service Industries Zone (I-I) and conditions governing such uses.

Serial No.	Category of Industry	Maximum permissible power (in KW)	Maximum permissible employment	Maximum permissible floor area (sq.m.)	Special conditions if any
(1)	(2)	(3)	(4)	(5)	(6)
<u>I. Food Products -</u>					
1)	Groundnut decorticators	7.5	9	50	
2)	Grain mill for production of flour.	7.5	9	50	
3)	Manufacture of supari and masala grinding.	7.5	9	50	
4)	Manufacture of bakery products.	10	25	250	(i) Fuel used shall be electricity, gas or smokeless Fuel. (ii) No floor above the furnace portion. (iii) Where only electric oven is used, an additional heating load of 24 KVA permitted per establishment.
5)	Coffee curing, roasting and grinding.	1.5	9	50	
6)	Manufacture of ice	45.0	20	250	
7)	Sugarcane and fruit juice crushers.	1.5	9	25	

8) Rice-hullers	7.5	9	50
9) Manufacture of milk and dairy products.	7.5	9	50
10) Manufacture of ice-cream and ice candy.	7.5	9	50

II. Tobacco -

11) Manufacture of bidis	No Power to be used	No Limit	250
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III. Textile and Textile Products -

12) Handloom/Powerloom			
a) However in the residential zone (R-2) such looms are permitted only on 15 mt. or more wider roads only, subject to following conditions. Maximum 8 looms/10 HP/18100 sq.mt. At ground floor only in plots admeasuring not less than 300 sq.m.			
b) Subject to maximum 16 looms			At ground floor residential on upper floor shall be permitted.
13) Embroidery and making of crepe laces and fringes.	3.75	9	50
14) Manufacture of textile goods, such as wearing apparel, curtains, mosquito nets, mattresses, bedding material, pillow cases, textile bags.	2.25	9	50
15) Mattress making and cotton cleaning.	2.25	9	50

IV. Wood products and Furnitures :-

16) Manufacture of wooden furniture and fixtures.	2.75	9	50 Not permitted under or adjoining a dwelling unit
17) Manufacture of bamboo and cane furniture and fixture	2.25	9	50 Not permitted under or adjoining a dwelling unit

V. Paper products and Printing Publishing -

18) Manufacturing of containers and boxes from paper board.	3.75	9	50 i)Manufacture with paper pulp not permitted. pulp not permitted. ii)No restrictions on power, number of employees, area or hours of operation shall apply if located in a building on a separate plot not less than 500 sq.m. in area and if special permission of the Commssioner is obtained.
19) Printing and publishing periodicals, books, journals, atlases, maps envelopes, picture post cards and embossing.	7.5	9	120 i)Manufacture with paper pulp not permitted. ii)No restrictions on power, number of employees, area or hours of operation shall apply,if located in a building on a separate plot not less than 500 sq.m. in area and if special permis sion of the Commssioner is obtained.

(1)	(2)	(3)	(4)	(5)	(6)
20)	Engraving, etching, block making etc.	7.5	9	120	
21)	Book Binding.	7.5	9	120	
<u>VI. Leather Products Excluding Tanning -</u>					
22)	Manufacture of leather footwear.	3.75	9	50	Manufacture of eather or leather processing not permitted.
23)	Manufacture of wearing apparel like coats, gloves.	3.75	9	50	
24)	Manufacture of leather consumer goods, such as upholstery, suitcase, pocket books, cigarette and key cases, purses.	3.75	9	50	
25)	Repair of footwear and other leather products.	3.75	9	50	
<u>VII. Rubber and Plastic Products -</u>					
26)	Retreading, recapping and vulcanizing works.	1.5	9	50	
27)	Manufacture of rubber balloons, hand-gloves and allied products.	1.5	9	50	
<u>VIII. Metal Products -</u>					
28)	Tool sharpening and razor sharpening works.	0.75	9	25	
29)	Umbrella assembly works	0.75	9	25	
<u>IX. Electrical Goods -</u>					
30)	Repairs of household electrical appliances, such as radio and television sets, heaters, irons, shavers, vaccum cleaners, refrigerators air-conditioners, washing machines, electric cooking ranges, meter rewinding works.	2.25	9	50	No spray paining permitted.
31)	Electronic industry of assembly type.	3.75	9	50	Only permitted on ground floor.
<u>X. Transport Equipments -</u>					
32) a)	Servicing of motor vehicles and motor cycles	3.75	9	100	No floor above.
b)	Repair of motor vehicles and motor cycles.	3.75	9	100	i) No spray painting permitted. ii) No floor above.
c)	Battery charging and repairs.	5.0	6	25	
d)	Repair of bicycles and cycle rickshaw	3.75	6	50	
<u>XI. Other manufacturing and repairs, Industries and services -</u>					
33)	Manufacture of jwellwery and related article.	2.25	9	50	
34)	Repairs of watches, clocks, and jewellery.	2.25	9	50	
35)	Manufacture of musical instruments and their repairs	2.25	9	50	
36) a)	Repairs of locks, stoves umbrellas, sewing machines, gas-burners, buckets and other sundry household equipments.	2.25	9	50	
b)	Optical glass grinding and repairs	2.25	3	50	

(1)	(2)	(3)	(4)	(5)	(6)
37) Petrol filling stations in plot size of 30.5m X 16.75 m.and petrol filling and service stations in plot size of 36.5 m. X 30.5 m.		7.5	9	No limit.	
38) Audio taping, recording, manufacture of equipment for the same and recording studio.		4.0	9	50	
39) Laundries, laundry services and cleaning, dyeing, bleaching and dry cleaning.		4.0	9	50	i)Cleaning and dyeing fluid used shall not have a flash point lower than 59° C. ii) Machinery having dry load capacity of 20kg and above.
40) Data Processing units with use of computer.		4.0	9	50	
41) Photo-processing, laboratories xeroxing, photocopying, video taping and their laboratories.		3.75	9	50	
42) Repacking and mixing of liquids, powders, pastes, etc. not involving any chemical reaction which is non-hazardous in nature.		2.25	9	50	
43) Diamond cutting and polishing.		15.0	30	120	

Note - (i) In the R-2, C-1 & C-2 Zone the hours of operation for the concerned industry shall be from 08 to 20 hours only.

(ii) The M.C. may from time to time add to alter or amend the above Table.

56. GENERAL INDUSTRIES ZONE - (I-2 ZONE) - (1) General conditions governing the uses permitted in an I-2 Zone - The General Industries Zone (I-2 Zone) includes any building or part of a building or structure in which products or materials of all kinds and properties are fabricated, assembled or processed, e.g. assembly plants, laboratories, dry-cleaning plants, power plants, pumping stations, smoke houses, laundries, gas plants, refiners, dairies, and saw- mills.

(2) Uses permitted in a General Industries Zone (I-2 Zone) - Buildings or premises in the General Industries Zone (I-2 Zone) may be used for any industrial and accessory uses except the following -

- (i) Any dwelling other than dwelling quarters of watchmen, caretakers or other essential staff required to be maintained on the premises;
- (ii) Acetone manufacture;
- (iii) Acetylene gas manufacture and storage;
- (iv) Acid manufacture;
- (v) Air-craft (including parts) manufacture;
- (vi) Alcohol manufacture;
- (vii) Ammonia manufacture;
- (viii) Aniline dyes manufacture;
- (ix) Arsenal manufacture ;
- (x) Asphalt manufacture or refining;

- (xi) Automobiles, trucks and trailers (including parts) manufacture or engine re-building or motor body-building employing pneumatic riveting;
- (xii) Blast furnace;
- (xiii) Bleaching powder manufacture;
- (xiv) Boiler works manufacture or repairs, except repairs to boilers with heating surface not exceeding 5 sq.m.
- (xv) Bricks, tile or terra-cotta manufacture;
- (xvi) Carbide manufacture;
- (xvii) Caustic Soda and compound manufacture;
- (xviii) Celluloid or cellulose manufacture or treatment and articles manufacture;
- (xix) Cement manufacture;
- (xx) Charcoal and fuel briquettes manufacture;
- (xxi) Coke manufacturing ovens;
- (xxii) Chlorine manufacture;
- (xxiii) Concrete product manufacturing including concrete central mixing and proportioning plants;
- (xxiv) Cotton ginning, cleaning, refining or pressing and manufacture or cotton wadding or lint, except cotton processing for the purpose of preparing mattresses;
- (xxv) Creosote manufacture or treatment;
- (xxvi) Disinfectant manufacture except mixing of prepared dried liquid ingredients;
- (xxvii) Distillation of bones, coal or weed;
- (xxviii) Dye-stuff manufacture, except mixing of dry powders and wet mixing;
- (xxix) Exterminator or pest poison manufacture except mixing of prepared ingredients;
- (xxx) Emery cloth and sand-paper manufacture;
- (xxxi) Explosive or fireworks manufacture or storage except storage in connection with retail sale;
- (xxxii) Fat rendering;
- (xxxiii) Fertilizer manufacture;
- (xxxiv) Photographic film manufacture;
- (xxxv) Flour mill with motive power exceeding 18.75 KW, grain crushing or processing mill with motive power exceeding 37.5 KW, masala grinding mill with motive power exceeding 11.25 KW, or a combination of more than one of the above mills with aggregate motive power exceeding 45 KW and any one mill using motive power in excess of the above limits;
- (xxxvi) Forges, hydraulic or mechanically operated;
- (xxxvii) Garbage, offal or dead animals reduction, dumping or incineration;
- (xxxviii) Gas manufacture and storage in cylinders, except manufacture of gas as an accessory to a permissible industry;
- (xxxix) Glass manufacture, except manufacturing of Glass products form manufactured glass;
- (xl) Glue, sizing material or gelatine manufacture;

- (xli) Graphite and graphite products manufacture;
- (xlii) Gypsum or plaster of Paris manufacture;
- (xliii) Hair, felt, fur and feather-bulk-processing, washing curing and dyeing;
- (xliv) Hydrogen and oxygen manufacture;
- (xlv) Industrial alcohol manufacture;
- (xlvi) Printing ink manufacture;
- (xlvii) Junk(iron, aluminium, magnesium or zinc) cotton-waster or rags storage and baling;
- (xlviii) Jute, hemp, sisal, coir and cokum products manufacture;
- (xlix) Lime manufacture;
- (l) Match manufacture;
- (li) Lamp, black carbon black or bone black manufacture;
- (lii) Metal foundries with an aggregate capacity exceeding 10 tones a day;
- (liii) Metal processing (including fabrication and machinery manufacture), factories employing such machine tools or process as a power hammer forging machine, pneumatic drilling or revetting, sheet working with heavy sledge hammers, or processes expressly prohibited herein;
- (liv) Metal finishing, enamelling, anodizing, japanning, plating, galvanizing, lacquering, grinding, polishing, rust-proofing and hear treatment;
- (lv) Paint, oil, shellac, turpentine or varnish manufacture, except manufacture of edible oils;
- (lvi) Oilcloths or linoleum manufacture, except waterproofing of paper or cloth;
- (lvii) Paper, card board or pulp manufacture;
- (lviii) Petroleum or its products, refining or wholesale storage;
- (lvix) Plastic materials and synthetic resins manufacture;
- (lx) Pottery or ceramic manufacture, other than the manufacture of handicraft products;
- (lxi) potash works;
- (lxii) Pyroxylin manufacture or products;
- (lxiii) Rolling mills;
- (lxiv) Rubber (natural or synthetic) or gutta-percha manufacture, except manufacture of latex goods and small rubber products and synthetic-treated fabrics, such as washers, gloves, footwear, bathing-caps, atomizers, hoses, tubing, wire insulation, toys and balls, but including manufacture of tyres and tubes.
- (lxv) Salt works, except manufacture of common salt from sea water,
- (lxvi) Sand, clay or gravel quarrying;
- (lxvii) Smelting, reduction, refining and alloying of metal and metal ores except of rate and precious metals;
- (lxviii) Soaps manufacture, other than cold mix;
- (lxix) Soda and compound manufacture;
- (lxx) Starch, glucose or dextrose manufacture;
- (lxxi) Stock-yard or slaughter of animals or fowls, except the slaughter of fowls incidental to retail business;

- (lxxii) Stone-crushing and quarrying;
- (lxxiii) Shoe polish manufacture;
- (lxxiv) Sugar manufacture or refining;
- (lxxv) Tallow, grease or lard manufacture;
- (lxxvi) Tanning, curing or storage of raw hides or skins;
- (lxxvii) Tar distillation or manufacture;
- (lxxviii) Tar products; manufacture;
- (lxxix) Textiles manufacture, excepting manufacture of rope bandage, net and embroidery using electric power upto 37.5 KW;
- (lxxx) Vegetable oil manufacturing and processing plants;
- (lxxxii) Wood and timber, bulk processing and wood working including saw-mills and planning mills, excelsior plywood and veneer and wood preserving treatment, except the manufacture of wooden articles with saw or planning machines;
- (lxxxiii) Wax products; manufacture from paraffin;
- (lxxxiv) Wool-pulling or scouring;
- (lxxxv) Yeast plant;
- (lxxxv) In general, those uses which may be offensive by reason of emission of odour liquid effluvia, dust, smoke, gas noise, vibration or fire hazards.

NOTWITHSTANDING anything contained above - (a) Service Industries and Service Industrial Estate shall be permissible in the General Industries Zone (I-2).

* **56-2(b) New provision (by Govt. U/S 37(1AA))**

- | | | |
|---|----------------------------------|---|
| 1 | Regulation No.56.2
(b)(1) | With the Previous approval of Commissioner and on such conditions as deemed appropriate by him, the existing or newly built up area of unit, in the industrial zone may be permitted to be utilised for an office or commercial purposes |
| 2 | Regulation No.56.2
(b)(2) | With the Previous approval of Commissioner, any open land or lands or industrial lands in the industrial zone. may be permitted to be utilised for any of the permissible users in the Residential zone (R-1 zone) or the Residential zone with shop line (R-2 zone) or for those in the commercial zone (C1 and C2 zone) subject to the following :- |
| 3 | Regulation No.56.2
(b)(2) (i) | (i) The conversion of Industrial Zone to Residential/Commercial Zone in respect of closed industries shall not be permitted unless NOC from Labour Commissioner, Maharashtra State, Mumbai stating that all legal dues have been paid to the workers or satisfactory arrangement between management and workers have been made, is obtained.

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

- 4 Regulation No.56.2 (b)(2) (ii) (ii) The layout or sub-division of such land admeasuring about 2.00 Ha. shall be approved by the commissioner,who will ensure that 5% land for public utilities and amenities like electric sub-sta tion, bus-station,sub-post office,police out post and such other amenities, as may be considered necessary, will be provided therein.
- 5 Regulation No.56.2 (b)(2) (iii) (iii) In such layouts or sub-divisions having area more than 2 Ha. but less than 5 Ha., 20% land for public utilities and amenities like electric sub-station,bus-station sub-post office,police out post, garden, playground, school, dispensary and such other amenities shall be provided.Provided that atleast 50% of this land shall be reserved for unbuildable reservations such as Garden, Recreational ground etc.
- 6 Regulation No.56.2 (b)(2) (iv) (iv) In such layouts or sub-division each more than 5 Ha. in area, 25% of land for public utilites and amenities like electric sub-station, bus-station,sub-post office, police out post, garden, playground, school, dis pensary and such other amenities shall be provided. These areas will be in addition to the recreational space as required to be provided under these regulations.Provided that atleast 50% of this land shall be reserved for unbuildable reserva tions such as Garden,Recreational ground etc.
- 7 Regulation No.56.2 (b)(2) (v) The required segregating distance as Prescribed under these regu lations shall be provided with in such land in tended to be used for residential or commercial purpose.
- 8 Regulation No.56.2 (b)(2) (vi) Such residential or local commercial development shall be allowed within the permissible FSI of the nearby residential or commercial zone
- 9 Regulation No.56.2 (b)(2) (vii) Provision for public utilities and amenities shall be considered to be reservation in the Development Plan and transferable develop ment rights as Appen dix-IV, Regulation No.33 or FSI of the same shall be available for utilisation on the remaining land.

Note,-- (i) Conversion from industrial zone to residential / commercial zone shall be applicable to the part area of the land holding subject to the condition that total area of the entire land holding shall be considered for deciding the percentage of land to be reserved of the said part area of land for public amenity spaces,as per the said regulation,However,necessary segregating distances shall be provided from industrial use.

(ii) The area under reservation shall be treated in the area of required amenity space and TDR/in situ FSI for this area will be allowed.

(iii) Out of the total floor area proposed to be utilised for residential development,20 percent of the same shall be built for residential tenements having built up area upto 50 square meter.

(3) Other uses in the General Industrial zone (2 Zone) - If a plot in the General Industrial Zone (I-2) becomes unbuildable for industrial uses because of any restriction in the Industrial Location Policy or restrictions regarding segregating distances and provided under these Regulations the following uses may be permitted on such a plot, with the written permission of the Commissioner.

- (i) Petrol pumps and service stations;
- (ii) Parking lots;
- (iii) Electric sub-stations.
- (iv) Non-residential buildings, offices for public utility concerns or organizations.
- (v) Branches of banks, including safe deposit vaults telephone exchanges, police stations, Government and semi-Government offices municipal sub-offices, fire stations, posts and telegraph offices;
- (vi) Hotels each with not more than 50 room;
- (vii) Convenience shops, department stores, tea stalls etc.
- (viii) Restaurants;
- (ix) Warehouses.

With the prior approval of the Director of Town Planning, the Commissioner may alter, amend or add to the list of the above users.

57. NO DEVELOPMENT ZONE (NDZ) - The following uses are permissible in a No Development Zone (NDZ) provided, however, no services of any kind will be provided by the Corporation -

- (i) Agriculture, horticulture and animal husbandry (except for keeping animals on a commercial scale) subject to a limit of 10 head of cattle per care and providing necessary building, garages, pig sties, stables and storage building; The FSI permissible for such structures shall not exceed 0.33.
- (ii) Gardens and poultry farms;
- (iii) Forestry;
- (iv) Golf clubs and links;
- (v) Public Parks, private parks, playfield, stadia, gymkahans, swimming pools, gliding facilities, temporary camps for recreation of all types;
- (vi) Amusement park, in a plot of not less than 5 ha. in area, with recreational and amusement devices like a giant wheel, roller coaster, merry-go-round or similar rides, ocean park, swimming pool, magic mountain and lake, ethnic village, shops for souvenirs, toys goods, refreshments and beverages on the following conditions with the special permission of the Commissioner.
 - (a) The entire land for the amusement park shall vest in a single ownership and the land shall not be sub-divided at any time.
 - (b) Structures for the amusement park shall not be sold at any time to any other person.
 - (c) The required infrastructure, like proper and adequate access to the park, water supply, sanitation, conservancy services, sewage disposal and adequate off-street parking will have to be provided and maintained by the promoters of the project at their cost and to the satisfaction of the Commissioner.
 - (d) The promoters of the the project shall provide adequate facilities for collection and disposal of garbage at their cost, and to the satisfaction of the Commissioner and will keep, at all times, the entire environment clean, neat and hygienic.

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

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

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

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

(i) Structures, buildings or monuments of historical, an esthetical, architectural, or heritage importance, if any, shall be preserved and maintained properly.

(j) Sufficient parking facilities and ancillary facilities for cars, buses, transport vehicles etc. shall be provided on site as prescribed by and to the satisfaction of the Commissioner and Commissioner of Police.

(k) The promoters of the project will prepare a suitable layout with appropriate landscaping of the recreational and other facilities and obtain approval of the Commissioner.

(l) No objection certificate of the Tourism Department shall be obtained.

(m) The development shall be regulated according to other requirements of these and all applicable rules and regulations and subject to all other clearances as may be required.

(n) Proper arrangements for safety, regulation of traffic approaches to the park etc. shall be made to the satisfaction of the Commissioner of Police from the law and order and traffic aspects.

(vii) Race tracks and shooting ranges.

(viii) Fish curing on open land/fish farming.

(ix) Salt manufacture from sea water.

(x) Public utility establishments such as electric sub-stations, receiving stations, switch yards, over-head line corridors, radio and television stations, receiving stations, main stations for public gas distribution, sewage treatment and disposal works, water works along with residential quarters for essential staff for such works, with the special permission of the Commissioner.

(xi) Cemeteries and crematoria and structures incidental thereto.

(xii) Structures for watchmen's quarters, each not exceeding 20 sq.m., numbers of such structures in each plot to be decided by the Commissioner.

(xiii) A residential building, in an area other than that of an amusement park as in (vi) above, subject to the following -

(a) Building to be not more than ground and one storey with a height not exceeding 9.75 m. including the height of stilted portion, if any;

(b) FSI to be not more than 0.05 for independent plots of area upto one hectare each;
(c) For plots each more than one hectare is area FSI to be 0.05 for upto the first hectare and thereafter to be not more than 0.025 for the remaining area of the plot no sub-division of plots being permitted.

(xiv) Manufacturing of resine (Bedana) from the grapes.

(xv) In No Development Zone/Green Zone, L. P. Gas godowns are permissible subject to the following conditions.

- (1) Minimum plot area should be 2000 sq. m.
- (2) FSI permissible on such plot will be 0.2.
- (3) Only ground floor structures will be permissible.
- (4) It is necessary to obtained No Objection Certificate from controller of explosive and Chief Fire Officer.
- (5) It is necessary to follow the conditions laid down by the Commssioner.

(xvi) In No Development Zone/Green Zone, Research cum Development activity shall be permissible subject to the following conditions.

- (1) Minimum plot area shall be 10.00 Hectare.
- (2) The plinth area upto 10 percent of total plot area shall be permissible.
- (3) Maximum one percent area for office user and maximum one percent area for essential staff quarters of total built up area shall be permissible.
- (4) The maximum number of staff be at the rate of one staff member per 300 sq.m. of plot area.
- (5) The Research and Development for dangerous and explosive Chemical Industry shall not be permitted.
- (6) The maximum ground floor plus one floor, shall be permissible.
- (7) It is compulsory to plant the trees at the rate of 500 trees per hectare.
- (8) The permission granted shall be revoked in case of violations made in any of the above conditions.

57A. COASTAL REGULATION ZONE - (1) The development along Kamwadi river wherein the back water came shall be governed by the Government of India, Ministry of Environment and forest Notification No. SO-114(E) dated 19th February 1991 as amended from time to time and also in accordance with the Coastal Zone Management Plan prepared under that Notification.

(2) The development permissible under above Notification shall be as per these Development Control Regulations.

PART V

SUPPLEMENTAL AND MISCELLANEOUS PROVISIONS

58. INTERPRETATION - (1) In these Regulations, the use of the present tense includes the future tense, the masculine gender includes feminine and neuter genders the singular number includes the plural number and the plural number includes the singular number. The word "person" includes a corporation as well as an individual; "writing" includes printing and typing and "signature" includes thumb impression of a person unable to sign, provided that his name is written below such impression.

(2) Sizes and Dimensions - Whenever sizes and dimensions of rooms and spaces within

buildings are specified, they mean the clear dimensions, unless otherwise specified in these Regulations.

(3) If any question or dispute arises with regard to interpretation of any of these Regulations the matter shall be referred to the State Government which, 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 decisions of the Government on the interpretation of these Regulations shall be final and binding on the concerned party or parties.

(4) **Delegation of powers** - Any of the powers, duties or functions conferred or imposed upon or vested in the Planning Authority by any of the forgoing regulations may be exercised, performed or discharged under the planning authority control and subject to his revision and to such conditions and limitations if any as he shall think fit to prescribe, by the Commissioner.

(5) **Discretionary powers** - In conformity with the intent and spirit of these regulations *Commissioner may -

(i) decide on matters where it is alleged that there is an error in any order, requirement, decision, determination, interpretation made by him under delegation of powers in regulation or interpretation in the application of these regulation;

(ii) interpret the provisions of these regulations where street layout actually on the ground varies from the street layout shown on the development plan;

(iii) modify the limit of a zone where the boundary line of a zone divides a plot;

(iv) authorize the erection of a building or the use of premises for a public service undertaking for public utility purposes 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.

(v) Determine and establish the location of zonal boundaries in exceptional cases or in cases of doubt or controversies.

(vi) In specific cases where a clear demonstrable hardship is caused, the *Commissioner may for reasons to be recorded in writing, by special permission permit any of the dimensions prescribed by these regulations to be modified except those relating to floor space [index](#), unless otherwise permitted under these regulations, provided that the relaxation will not affect the health safety, fire safety, structural safety and public safety of the inhabitants of the building and the neighborhood, provided further that while granting permission as above, the planning authority may impose conditions regarding obligations of claim of compensation, payment of deposit and its forfeiture for non compliance and payment of premium amount.

(6) **Temporary constructions/permissions** - The planning authority may grant temporary permission for the following for a period not exceeding one year at a time and total period aggregating not more than three years.

(i) Pendants allowed for various fairs, ceremonies, religious functions, etc.

(ii) Structures for godown/storage, temporary site office only during construction work.

(iii) Temporary shades for production of mass elements like tiles, prefab components, timber work shops, material testing laboratory etc. for large

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* As per Govt. GR No. TPS 1207/1590/CR-239/08/UD-12, date 23/07/2010

development schemes i.e. for area exceeding 2 ha. Such structures may be permitted in 10% RG until the completion of project subject to conditions laid down by the Appropriate Authority.

- (iv) Temporary exhibition/circus etc.
- (v) Watchman's chowky constructed for protection of land.
- (vi) Storage of important machinery in case of factories in industrial land before installation etc.
- (vii) Structures for ancillary work for quarrying in conforming zone.
- (viii) MAFCO stalls, milk booths, telephone booths, police chowky and such other type of booths/stalls etc.
- (ix) Transit accommodation for persons to be rehabilitated during construction period.
- (x) If any specific public user is in existence in rented premises and subsequently such user is discontinued the owner of such premises shall be permitted to develop for any of the public user or for the user as per the zone in which such premises are located.

Provided that structures for (2), (3), (6) and (9) may be allowed to be constructed beyond 3 years upto completion of the project. As for (9), these may be allowed on a yearly renewable basis considering the need in the area and traffic consideration.

59. COMMERCIAL USE OF LANDS IN THE POSSESSION OF THE MAHARASHTRA STATE ROAD TRANSPORT CORPORATION

* Notwithstanding anything to the contrary contained in these Regulations or the Development Plan/Planning Proposals, land in the possession of the Maharashtra State Road Transport Corporation shall be allowed to be developed for additional 0.5 FSI over and above the permissible FSI. Out of total FSI maximum 1.00 FSI shall be allowed to be developed for commercial use and remaining FSI shall be for the self permissible use of the said Corporation as per the Development Plan. For additional 0.5 FSI, premium shall not be charged.

**** 60. Special Regulations for development of IT/ITES**

Reg.No.		
1	Definitions	<p>In the context of the policy, the Information Technology Industry, Industry, IT Services and IT Enabled Services as defined below: IT Taskforce of Government of India has defined IT software as follows:-</p> <p>a) IT Software: IT Software is defined as any representation of instruction, data, sound or image, including source code and object code, recorded in a machine readable form and capable of being manipulated or providing interactivity to a user, with the means of a computer.</p>

* As per Govt. GR No. TPB 432001/563/CR-126/2001/UD-11, date 17/10/2001

** As per Govt. GR No. TPS 2004/687/CR-26/2004/UD-13, date 20/05/2004

		<p>b) IT Hardware:- IT Hardware covers approximately 150 I.t. products notified by Directorate of Industries.</p> <p>c) IT services and IT Enabled Services: These include various IT Services and are defined by the IT Task force of the Government of India as follows:</p> <p>“IT Service including IT Enabled Service is defined as any unit that provides services, that result from the use of any IT Software over a Computer System for realizing any value addition”.</p> <p>The Directorate of Industries has prepared and published an illustrative list of such IT Enabled Services which is to be updated from time to time.</p>
2	Height of the room for ITE	Notwithstanding anything contained in these regulations any telemetric equipment storage erection facility can have a height as required for effective functioning of that system.
3	Covered antenna be free FSI.	Any covered antenna/dish antenna/ communication tower will be allowed to be erected free of FSI if used for Telecom (basic cellular or satellite telephone) or ITE purposes, which shall include equipment relating to earth station, V-Sat, Routes, Transponders and similar IT related structures or equipment
4	ITEs to be allowed in Residential Zone	“Notwithstanding anything contained in these regulations, IT/ITEs on the plots/premises fronting on roads having width more than 12.0 mt.” shall be allowed.
5.	ITEs to be allowed in Service Industries Zone (I-1)	IT/ITES shall be permitted in I-1 Zone and Services industrial Estates on all plots fronting on roads having width more than 12 metre”.
6	ITEs to be allowed in General Industries Zone (I-2) and Special Industrial Zone (I-2)	“IT/ITES shall be permitted on all plots fronting on roads having width more than 12 meter.
7	ITEs to be allowed in No Development Zone /Green Zone earmarked in the Development Plan	Development of IT/ITES with ancillary residential development shall be allowed in No Development Zone subject to the following:- i. The total FSI shall not exceed 0.20. ii. Residential development shall not exceed one third of the total build-up area.

		<p>iii. Construction of ITE/ancillary Residential use may be permitted (in a suitable location so as to keep as much of remaining space open) upto 20% on 10% of the area of plot.on remaining 90% plot, trees shall be planted at the rate of 500 trees per hectare.</p> <p>iv. Sub-division of land shall be permitted with area of the plot so sub-divided being not less than 4000 sq.mt.</p>
8	Additional FSI to IT/ITES	<p>Subject to approval by Director of Industries, the Commissioner may permit the floor paces indices specified in these regulations to be exceeded to the extent of 100% over and above the permissible FSI as under (including for IT/ITES units located in NDZ/Green Zone/ Agriculture Zone proposed in the development Plan or Regional Plan.)</p> <p>i. 100% additional FSI shall be made available to all IT/ITES units in public IT parks.</p> <p>ii. 100% additional FSI shall also be made available to all registered IT/ITES units located in private IT parks approved by the Directorate of Industries.</p> <p>iii. Permission for erecting towers and antenna upto the height permitted by the Civil Aviation Department shall be granted by the concerned municipal bodies at the time and as a part of approval of building plan itself.</p>
9	General Terms/ Conditions applicable for development of IT/ITES units	<p>i. Additional FSI to IT/ITES units would be available only upon full utilization of basic admissible FSI.</p> <p>ii. Additional FSI to IT/ITES units would be available to IT/ITES parks duly approved by the Directorate of industries.</p> <p>iii. The additional FSI shall be granted upon payment of premium which shall be paid in the manner as may be determined by the Govern ment. Such premium shall be recovered at the rate of 25% of the present day market value of the land under reference as indicated in the Ready Reckoner.</p> <p>iv. 25% the total premium shall be paid to the Govt. and remaining 75% amount shall be paid to the said respective Municipal Corporation,</p> <p>v. The premium so collected by the Planning Authorities/MIDC shall be primarily used for development/up gradation of off site infrastructure required for the IT/ITES park and the utilisation of this premium shall be monitored by the empowered committee.</p>

		<p>vi. In the event, the developer comes forward for provision of such off site infrastructure at his own cost, then the respective Planning Authority or the MIDC as the case may be shall determine the estimated cost of the works and shall also prescribe the standards for the work. After completion of the works the said Planning Authority/MIDC shall verify as to whether the same is as per prescribed standards and thereafter, by deducting the cost of works, the balance amount of premium shall be recovered by the said Planning Authority/MIDC.</p> <p>vii. Users/Services ancillary to the IT/ITES: While developing site for IT/ITES with additional FSI, users ancillary to the Principal user, as may be approved by Directorate of Industries shall also be allowed.</p> <p>viii. No condonation in the required open spaces, parking and other requirements prescribed in these regulations shall be allowed in case of such additional FSI.</p>
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- * **61** Regulation for reconstruction of dangerous or dilapidated properties tenant occupied building. destroyed by fire/collapsed/demolished etc.
- (a) These provisions shall be applicable to following proposals:-
- (i) Reconstruction/Redevelopment schemes undertaken by the Corporation/Owners for the existing authorized residential development. The FSI to be allowed for such proposal shall be FSI permissible under these regulation or the FSI consumed by the existing authorized building whichever is more. In addition to this 15% additional FSI shall be allowed as an incentive to the owner.
- (ii) Reconstruction/Redevelopment of building destroyed by fire, collapsed, demolished etc. Reconstruction in whole or in part of building (not being a building wholly occupied by warehousing user) on or before reference date as specified in 1 (b) below and which has ceased to exist in consequence of accidental fire, natural collapse or demolished for the reason of the same having been declared unsafe by or under a lawful order of the Commissioner.
- (a) Redevelopment of tenant occupied building outside the congested area shall be allowed with FSI permissible +50% FSI of the area occupied by the tenants or 2.00 whichever is less.
- (b) Redevelopment of tenant occupied building within the congested area shall be allowed with the FSI permissible +50% FSI of area occupied by the tenants or 3.00 whichever is less.
- (iii) The Committee comprising of Commissioner (BNCMC) Superintending Engineer, Public Works Department Thane, Dy. Director, Town Planning, Konkan Division, shall decide the building which are dangerous and dilapidated.
- (b)The reconstruction under (a) above shall be allowed only in respect of the building existing prior to the dates as mentioned below--

25th June 1976

The date of coming into force of the sanctioned Development Plan of Bhiwandi. For the areas covered under the sanctioned Development Plan of Bhiwandi the Erstwhile Municipal Council limits.

16 August 1973

The date of coming into force of the sanctioned Regional Plan of Mumbai Metropolitan Region For the remaining area included in the Corporation limit.

Note:- (i) For the purpose of deciding authenticity of the structure of the approved plans of existing structure are not available, the Commissioner shall consider other evidence such as Assessment Record or City Survey Record or Sanad.

(ii) In cases where there are number of bldgs on plot, in such cases, equivalent land component of the bldg which is declared unsafe shall be worked out and incentive FSI shall be based on such land component.

(2) Reconstruction of the new building of the plot should conform to the provision of the development plan and these regulation, Reconstruction on the said plot not so affected by the development plan is permissible.

(3) The new building may be permitted to be reconstructed in purchase of an agreement to be executed on stamp paper by atleast 70% of the landlord/ occupants (if any) in the original building, within the meaning of the Bombay Rents, Hotel and lodging House Rents control Act. 1947 and such agreement shall make a provision for accommodation for the said landlords all occupants in the new building on agreed terms and a occupants in the new building on agreed terms and a copy of such agreement shall be deposited with the Corporation before Commencement or undertaking reconstruction of the new building.

(4) The carpet area of part or part of the new building intended to be used as office premises shall not exceed the carpet area of parts of the original building so used as office premises or for commercial use or 0.5 FSI whichever is more.

(5) The New building shall be reconstructed in accordance with these Regulations and all other Regulations and orders as applicable from time to time. The Commissioner may exercise his powers under Regulation 58 for condonation of minor variations in respect such reconstruction.

(6) The maximum area of a residential tenement in the reconstructed building shall not exceed 70 sq.mt or such larger area as may be decided by the State Government in deserving case.

(7) The landlord/occupants of the original building shall furnish a duly stamped undertaking that he/they shall allot to all the occupants in the original building accommodation in the new building in accordance with Regulation in this Appendix.

(8) No construction or reconstruction shall be permitted on set-back area or areas required for road-widening and such area shall be handed over to the corporation.

(9) Reconstruction of collapsed/gutted/demolished portions of building (provided such collapsed/gutted/demolished portion is not more than 25 percent of the whole building, excluding sanitary portions and common facilities, passages and usage's such as lift portion and lift wells, staircases et.) will be permitted subject to these Regulation with the use of conventional material only except for repair to the aforesaid sanitary portion and common facilities which will be permitted in R.C.C. with existing FSI irrespective permissible FSI.

* **62. Commercial use of lands owned by Zilla Parishad, Panchayat Samiti & Gram Panchayat.**

Notwithstanding anything contained in these Regulations or the Development Plan/ Planning proposals, land owned by the Zilla Parishad Panchayat Samiti & Gram Panchayat (excepting the lands reserved for the Appropriate Authority other than Zilla Parishad, Panchayat Samiti & Gram Panchayat) shall be allowed to be developed for commercial use up to the maximum extent of 33% of the Floor Space index available & subject to the general restrictions applicable, otherwise to such development and also in accordance

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* As per Govt. GR No. TPS 3305/546/CR-132/2005/UD-30, date 28/12/2005

with Rural Development and Water Conservation Departments Resolution No. संकुल २००४/ प्र.क्रं.५४/परा-८ dated 30-04-2004 & as may be modified from time to time (hereinafter referred to as “the said Modification”) subject to the following conditions.

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

* **63. REGULATIONS FOR DEVELOPMENT OF SPECIAL TOWNSHIPS**

A. GENERAL REQUIREMENTS:

1. APPLICABILITY: These Regulations would be applicable to the area under sanctioned B.N.C.M.C. Development Plan area.

1.1 AREA REQUIREMENT: Any suitable area free from all encumbrances having sufficiently wide means of access (not less than 18 mt wide) can be identified for the purpose of development as “Special Township”. The area under the Special Township shall not be less than 40 Ha (100 acres) at one place, contiguous, unbroken and uninterrupted which shall not include the area under forest, hill top hill slope, water bodies like river, creek canal, reservoir, lands falling within the belt of 100 mt from the HFL of major lakes, dams and its surrounding restricted area, lands in the command area of irrigation projects, land falling within the belt of 200 mt. from the historical monuments and places of Archeological importance, Archeological monuments, Heritage precincts and places, any restricted areas, notified National parks, existing and proposed industrial zone gaothan area or congested areas.

1.2 MANNER OF DECLARATION; Any area identified above and if found suitable can be Notified by Government in Urban Development Department by following procedure under section 37 of the Maharashtra Regional and Town Planning Act 1966 and also in such other manner as may be determined by it for the purpose of development as “Special Township Project”.

However, in cases where the proposal of Special Township is submitted by the land owners by them selves or by the Developer who holds rights to develop the whole land under the Special Township, the procedure under section 37 of the said Act shall not be necessary.

1.3 INFRASTRUCTURE FACILITIES: The entire Township should be an integrated one with all facilities within the boundaries of declared townships. All the onsite infrastructures , i.e. roads, including D.P. roads, approach road, street lights, water supply and drainage system shall be provided and maintained in future by the developer till urban local body is constituted for such area and the developer shall also carry out development of amenity or proposals, if any designated in the Development Plan, in accordance with the prevailing regulation.

(a) *Water Supply:* The developer shall be required to develop the source for drinking water (excluding the ground water source) or secure firm commitment from any water supply authority for meeting the daily water requirement of minimum 140 ltrs per capita per day exclusive of requirement of water for fire fighting and gardening. The storage capacity of the same shall be atleast 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 maintainance systems and shall specially undertake rain water harvesting, groundwater recharging and waste water recycling projects within the township.

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* As per Govt. GR No. TPS 1806/2348/CR-476/06/UD-13, date 03/07/2007

(b) 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 & BNCCM Municipal Corporation. Recycling sewage 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 and BNCCM Municipal Corporation.

(c) Power: The developer shall ensure continuous and good quality power supply to 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 authority. If power is drawn from an existing supply system, the developer shall before commencement of development, procure a firm commitment of power for the entire township from the power supply company.

1.4. ENVIRONMENT: The development contemplated in townships shall not cause damage to ecology. 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 Township shall provide at least 20% of the total area as park/garden/playground as mentioned in 4(f) below, with proper landscaping and open uses designated in the Township shall be duly developed by owner/developer. This amenity shall be open to general public without any restriction or discrimination.

2. SPECIAL CONCESSIONS:

a) N.A. Permission: Non-agriculture permission will be automatic. As soon as the scheme is notified, lands notified under Special Township area as per Regulation No.1.2 will be deemed to have been converted into non-agriculture and no separate permission is required. Non-agriculture assessment however will commence from the date of sanction of scheme as per Regulation No.7 (c).

b) Stamp Duty: The stamp duty rates applicable in Notified Special Township area shall be 50% of the prevailing rates of the Mumbai Stamp Act.

c) Development Charges: A special Township Project shall be exempted from payment of Development charges to the extent of 50%.

d) Grant of Government Land: Any Government land falling under township area shall be leased out to the developer at the prevailing market rate on usual terms and conditions, without any subsidy.

e) Exemption from Mumbai Tenancy and Agriculture Land Act: The condition that only the agriculturist will be eligible to buy the agriculture land will be exempted in Special Township area.

f) Ceiling of agriculture land: There shall be no ceiling limit for holding agriculture land to be purchased by the owner/developer for such project.

g) Exemption from Urban Land (Ceiling and Regulation) Act, 1976: Special Township Projects will be exempted from the purview of Urban Land (Ceiling and Regulation) Act, 1976.

h) Scrutiny fee: A Special Township Project shall be partially exempted from payment of scrutiny fee being levied by the B.N.C.M.C. Municipal Corporation for processing the development proposal on certain terms and conditions as may be decided by the B.N.C.M.C. Municipal Corporation.

i) Floating FSI: There will be floating FSI in the township. Unused FSI of one plot can be used anywhere in the whole township.

j) Special benefits/concessions in respect of Star Category Hotels, Hospitals and Multiplexes/Property Tax shall be provided.

3. PLANNING CONSIDERATIONS;

The Township project has to be an integrated township project. The project should necessarily provide land for following users:-

- a) Residential
- b) Commercial
- c) Educational
- d) Amenity Spaces.
- e) Health Facilities
- f) Parks, Gardens & Play grounds.
- g) Public Utilities.

4. GENERAL NORMS FOR DIFFERENT LAND USES :

The overall planning of the special townships shall be such that the project shall meets with the specifications spelt out in the prevailing planning standards approved by Government Further, the planning of Special Township shall take care of following land uses in particular.

a) Residential: The residential area should be well defined in clusters or neighbourhoods or in plotted development with proper road grid. Out of the total built-up-area, proposed to be utilised which is permissible as proportionate to zoning of area under such township atleast 60% of the area shall be used for purely residential development and further out of the total built-up-area proposed to be utilised for residential development 10% shall be built for residential tenements having built up area upto 40 sq.mt.

b) Commercial: The commercial area shall be properly distributed in hierarchical manner such as convenient shopping, community centre etc.

c) Educational: Comprehensive educational system providing education from primary to secondary should be provided as per the requirement. The area allocation should be on projected population base and as far as possible the educational complex should not be concentrate at one place. All such complexes should have adequate allocation area for playground. Minimum area required from educational purpose shall be as per prevailing planning standards.

d) Amenity Spaces: The area allocation for amenity space providing amenities like market, essential shopping area, recreation centers, town hall, library etc. should not be less than 5% of gross area and should be evenly placed.

e) Health Facilities: Adequate area allocation for health facilities for primary health shall be provided. Minimum area required for health facilities shall be as per prevailing planning standard.

f) Parks, Gardens and Play grounds: The township shall also provide at least 20% of the gross area of township as parks/gardens/play grounds without changing the topgraphy. This should be exclusive of the statutory open spaces to be kept in smaller layout and should be distributed in all residential clusters. This 20% area should be developed by the developer for such purposes and kept open to general public without any restriction or discrimination.

g) Public Utilities: Appropriate area allocation should be provided for (a) power receiving station/sub station, (b) water supply system, (c) sewerage and garbage disposal system, (d) police station, (e) public parking, (f) cemetery/cremation ground, (g) bus station, fire brigade station, and other public utilities as per requirements.

h) Transport and Communication: The entire area of township shall be well kintted with proper road pattern, taking into consideration the linkages with existing roads within the township and outside area as well. All such roads shall be developed by the developer as per standard and road widths shall be as given bellow.

Classified Road-as prescribed.

Main road/Ring road- Minimum 18 to 24 meter wide.

Internal road- as per prevailing bye laws applicable to Development Plan subject to minimum road width 9mt.

i) Service Industries: In the Special Township area, lands required for commercial uses, industrial uses, permissible in residential user, may also be earmarked. However, the predominant land use shall be residential use.

Notes:-

I) All the amenities referred to above shall be inclusive of designated amenities and Amenity space required as per regulations of Development Plan.

II) Location of Development Plan reservation can be shifted anywhere in the Township Area with the approval of Municipal Commissioner.

III) Development Plan reservations in the Township area, shall not be handed over to the Planning Authority but the same shall be developed by the developer for the designated amenity.

IV) Development Plan roads in the township area shall be developed and maintained by developer, and the same shall be always open for general public without any restrictions there upon.

V) Minimum parking shall be provided as per DCR of B.N.C.M.C. Municipal Corporation provided that for hotel, restaurant, college, school, educational institutes, hospitals, polyclinics and diagnostic centres, offices, mangal Karyalay, town hall, clubs, etc. onsite parking shall be provided. For buildings having mixed users, regular parking area of 3.0 mt. wide strip within the area along the road on front side shall be provided for visitor's parking.

5) DEVELOPMENT CONTROL REGULATIONS;- Prevailing Development Control Regulations of sanctioned Development Plan amended from time to time shall be applicable mutadis mutandis except those expressly provided in these Special Regulations.

5.1 Special Township in Residential, Residential with Agricultural Zone/Green Zone/No Development Zone.

(i) The total builtup area/FSI of entire gross area of the Special Township declared as per Regulation No. 1.1 excluding the area under Agriculture Zone, if any, included in the project shall be 1.00. The FSI for Agriculture Zone/Green Zone/No Development Zone if any included in Special Township Zone shall be 0.2 only in proportion to area of the zone. There will be no limit of total built up area/FSI for the development of individual plots. Heights of building shall be as per prevailing Development Control Regulations for B.N.C.M.C. Municipal Corporation.

However, it may be increased subject to provisions of fire fighting arrangements with prior approval of Chief Fire Officer, B.N.C.M.C. Municipal Corporation/utilisation of DRC's originated from any other area i.e. outside Special Township area shall not be permissible in Special Township area.

ii) In case area Notified under Special Township falls in Residential Zone and partly

in Agricultural Zone the provisions applicable to such scheme shall be proportionate to the area under the respective zoning as per sanctioned Development Plan.

iii) Notwithstanding anything contained above, the FSI/Built up area in 5 Are & 10 Are zone in Lonawala Municipal Council shall be as per prevailing D.C.R. applicable to Lonawala Municipal Council.

5.2 Special Townships in Agricultural Zone/Green Zone/No Development Zone.

i) Development of Special Township Project in Agricultural/Green Zone/No Development Zone, contained in the Development plan shall be permissible subject to conditions that 50% of the gross area of the project shall be kept open while the project of Special Township shall be executed on the remaining 50% land with gross built up area/FSI of 0.20 worked out on the entire gross area of the project. Further, while developing such projects, it would be obligatory on the part of the developer to provide and develop all the infrastructure facilities including sites required for public purposes as per the prescribed planning norms. As regards 50% of land which is required to be kept open, the same shall be made free of encumbrances and no development except town level open amenities shall be permissible therein.

ii) All provisions of Regulations except 4 (f) shall apply to the development of Township in Agricultural Zone/Green Zone/ No Development Zone.

5.3 General Regulations:

(i) In the event the special township project contains sites reserved for public purposes (buildable reservations) in 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 township (equivalent to the builtup area of the constructed amenity) anywhere within the special township project.

ii) In every Special Township proposal the structural designer of developer has to submit declaration with project report to Municipal Corporation about the construction of building as below:

‘ I have confirmed that the proposed construction in the scheme is as per norms as specified by Indian Standards Institute, for the resistance of earth quake fire safety & natural calamities’.

iii) Upper and lower ground floor type construction shall not be allowed.

iv) In special Township schemes under Residential zone and Agricultural Zone trees at the rate of minimum 150 trees per ha. and 400 trees per ha. respectively shall be planted and maintained by the developer.

v) once the location clearance to the proposal for special Township is granted by the Government under Regulation No. 7(a) no change of zone proposal in such Township area shall be considered by Government.

6. 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 as per Regulation no. 1.3 is provided by the developer to the satisfaction of Municipal Commissioner, B.N.C.M.C. Municipal Corporation. In case the development is proposed in Phases & sale permission is expected after completion of Phase wise basic infrastructure, such permission may be granted by the BNCMC, Municipal Corporation. Before granting such sale permission, Developer has to submit undertaking about the basic infrastructure to be provided & completed phase wise. The plots earmarked for amenities, facilities, and utilities shall be also simultaneously developed phase wise along with residential/ allied development.

7. PROCEDURE

a) **Locational Clearance:** The proposal for development of Special Township, alongwith details of ownership of land or Development rights of lands in the proposed scheme, site plan, part plan of sanction development plan, shall be submitted to Government in Urban Development Department and a copy to Director of Town Planning Maharashtra State, Pune Environment Department of Maharashtra State, for grant of locational clearance. Upon receipt of such proposal, depending upon the merits of the case, locational clearance may be granted by Government u/s 45 of MR&TP Act, 1966 in consultation with the Director of Town Planning and Environment Department and other respective departments of the state Government within a period of 90 days from the date of receipt of the proposal & after completion of all prescribed procedure specified in Regulation No.1.2 above and compliance of any such document as may be required by Government. This locational clearance will be valid for one year from the date of issue and if within such period the letter of intent and final approval is not taken or not applied for, such clearance/approval will stand lapsed unless it is renewed by Govt. for sufficient reasons. Application for renewal has to be made to Govt. before expiry of one year. These special Regulations shall not be applicable to the area on which clearance/approval has lapsed.

b) **Letter of intent:** Upon receipt of locational clearance from the Government, the developer shall submit the proposal in respect of Special Township to Municipal Commissioner, B.N.C.M.C. Municipal Corporation alongwith the environmental clearance as mentioned in Regulation No.1.4 for issue of letter of intent. The proposal shall contain ownership rights/development rights, document in respect of atleast 50% of area under scheme and other particulars as decided and directed by Commissioner, B.N.C.M.C. Details of qualified technical staff and consultant in technical and law field. Letter of intent shall be issued within a period of 45 days from the date of receipt of the final proposal, complete in all respect. The letter of intent shall be valid for six months unless renewed.

c) **(i) Final Approval:** The Developer shall submit the layout plan of the entire township area, sector-wise detailed building plans and details of phasing, for final sanction to the Municipal Commissioner, B.N.C.M.C. The developer shall also submit an undertaking and execute an agreement about development and maintainance of basic infrastructural amenities in future with bank guarantee of 15% of its development costs. The Municipal Commissioner, B.N.C.M.C. shall conduct proper enquiry and ensure the correctness of title and ownership etc. Only after such verification, Municipal Commissioner, B.N.C.M.C. shall grant approval to layout plan and sector wise detailed building plan in consultation with Divisional Deputy Director of Town Planning, within the stipulated period on terms and conditions as may be determined by Municipal Commissioner, B.N.C.M.C.

The period required for Technical consultation with Deputy Director of Town Planning, Pune Division, Pune shall not be computed.

Any one aggrieved by an order passed under prevailing Development Control Regulations may within fourty days of the date of Communication of the order prefer an appeal to the State Government.

ii) Every application shall be accompanied by:

- (a) Ownership Document: 7/12 extract/Property Card, ownership right Document in original with list of such documents.
- (b) Extend of area: Village maps showing the extent of area and authenticated measurement plan/gut book of the land in original and list of such documents.
- (c) Authenticated copies of locational clearance and letter of intent.

- (d) Layout and building:
(Prepared & signed by experts in respective field and team headed by an Architect Town Planner)
- i) Layout plan showing all details of area utilized under roads, open spaces, parks garden playground & other amenities.
 - ii) Detailed layout plan, building plans of all development with area of all sector and individual plots and built up area/FSI proposed on each sector and plot.
 - iii) Detailed Report comprising of expected population, requirement of amenities proposed amenities with reference to prevailing planning standards approved by Government sources of all basic amenities and details of implementation maintainance, Taxation etc.
 - iv) Details of zoning and area under such zone.
 - v) Details of FSI/Total built up area proposed to be utilized in scheme.
 - vi) Details of Eco friendly amenities provided.
 - vii) Plan showing road hierarchy and road widths, pedestrian facility, street furniture, plantation, side walk, subways with details.
 - viii) Details of solid waste management plan.
 - ix) Plan showing HFL of major lakes, river if any certified by Irrigation Department.
 - x) Plan showing details of distribution of total built-up-area/space.
 - xi) Plan showing water supply distribution system, including reservoirs, recycling system, details of rainwater harvesting system
 - xii) Details of storm water drainage scheme.
 - xiii) Details of fire fighting mechanism, fire brigade station.
 - xiv) All other documents as determined and directed by Municipal Commissioner, B.N.C.M.C.

Note:- The above prescribed periods shall be computed after compliance of all the requirements listed above and any other additional information called for from the owner/developer by the Government/Collector/Commissioner.

- 8. Implementation & Completion:** i) Development of Basic infrastructure & amenity shall be completed by the developer to the satisfaction of the Municipal Commissioner, B.N.C.M.C. as per phases of scheme. Development of the scheme shall be completed

within 10 years from the date of final sanction to the layout plan of scheme.

ii) No building in the scheme is permitted to be occupied in any manner unless occupancy's certificate is issued by Municipal Commissioner , B.N.C.M.C.

iii) Final completion certificate for the scheme is to be issued Municipal Commissioner , B.N.C.M.C. in consultation with Maharashtra Pollution Control Board, Tree Authority as far as tree plantation is concerned and Chief Fire Officer of B.N.C.M.C.

iv) Application for occupation certificate or final completion certificate shall be submitted alongwith a declaration and undertaking by the developer and his structural consultant, Architect Town Planner as follows:

i) We confirm that all buildings constructed in the scheme area are as per norms as specified by Indian Standard Institute for the resistance of earthquake, fire safety and natural calamities.

ii) Work is done as per sanctioned plan.

iii) Builtup area and FSI consumed in scheme is as per sanctioned plan of the scheme.

iv) If it is found that extra builtup area/FSI is consumed in the scheme at any time, it shall be demolished by developer at his own cost as directed by Commissioner, BNCCM within one month.

9. 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 Regulations. The decision of Government on the interpretation of these Regulation shall be final and binding on all concerned.

*** 66 Regulation for Rental Housing**

	<p>i) Construction of Rental Houses on unencumbered land:- For construction of Rental Houses on unencumbered land by land owner or any other agency approved by MMRDA within the limits of said Authority, where the provisions of Transferable Development Right exist in the respective Development control Regulations of the said authorities, the FSI shall be 3.00 subject to the regulations in Appendix A here to.</p> <p style="text-align: center;">OR</p>
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	<p>ii) Construction of Rental Houses on unencumbered land:- For construction of Rental Houses on unencumbered land by land owner or any other agency approved by MMRDA within the limits of said Authority, where the provision of Transferable Development Right exist in the respective Development control Regulations of the said authorities, the FSI shall be 4.00 . The utilization of FSI 4 shall be as follows:</p> <p>a) FSI 1.00 shall be used for Rental Housing Project on minimum 25.00% of the total land area to be conveyed in the name of MMRDA free of ' cost. The land owner shall handover to MMRDA free of cost constructed Rental Units with appurtenant land as specified in the Appendix B.</p> <p>b) FSI 3.00 shall be used for construction of Housing Units on maximum 75.00% of the total land area by the land owner and sold in the open market to subsidize the component of Rental housing at (a) above as specified in the Appendix B.</p> <p>iii) Construction of Rental Houses on encumbered lands vested with MMRDA:- For construction of Rental Houses on unencumbered lands by MMRDA on land vested with them within the limits of said Authority the FSI shall be 4.00 and out of 4.0 FSI, 25% of 4.0 FSI shall be allowed for commercial use which can be sold in open market to subsidize the component of Rental housing. This 4.0 FSI will be subject to the regulations in Appendix C hereto.</p>
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**SCHEDULE
(APPENDIX-A)**

Regulations for Rental Housing Project on unencumbered land:-

I) Eligibility for allotting Rental Houses:

i) The allottee under the project shall have employment/self employment/ business within Mumbai Metropolitan Region and minimum family income of the allottee shall be Rs. 5000/- per month.

ii) The allottee and his family member shall not own any house in Mumbai Metropolitan Region (MMR).

iii) The domiciled resident of Maharashtra State shall be given preference in the allotment.

iv) The allotment shall be made in the joint name of spouse if married.

II) Definition of Rental Housing Unit: A 14.86 sq.mt (160 sq.ft) carpet area self contained residential unit to be given on leave and license for a period to be decided by MMRDA at a monthly charge to be decided by Metropolitan Commissioner, MMRDA considering the location of the project and residential unit, cost of construction, market condition and any other expenses.

III) Land Construction and Incentive Component:

a)	If Rental Housing Project is taken up on an unencumbered plot, Transferable Development Rights (TDR) equivalent to the plot area shall be sanctioned to the land owner who spares the plot for this purpose as Land TDR.
b)	Permissible FSI on site for construction of Rental Housing Project shall be 3.00 and shall be used only for rental housing.
c)	<p>The total built up area of Rental Houses shall mean all Built up area of residential units as well as non-residential units meant for Rental Houses but excluding what is set down as under. This total built up area of Rental Houses with FSI 3.00 shall be given free of cost to the Project Implementing agency i.e. MMRDA. The construction built up area shall exclude what is set down as under.</p> <p>Exclusion from FSI computation:- The following shall not be counted towards FSI:-</p> <p>a) Areas covered by stair-case rooms, lift rooms above the topmost storey, lift wells and stair-cases and passages thereto, architectural features, chimneys and elevated tank of permissible dimensions in respect of buildings in the MMR with the special permission of the Commissioner:</p> <p>b) Area of the fire escape stairways and cantilever fire escape passages according to the Chief Fire Officer's requirements, if any.</p> <p>c) Area of the basement, if any.</p> <p>d) Area of covered parking spaces, if any.</p> <p>e) Area of one office room of co-operative housing society or apartment owners association or Rent Manager.</p> <p>f) Area of the sanitary block(s) consisting of a bathroom and water closet for each wing of each floor of a building of prescribed dimensions deriving access from a common passage for the use of domestic servants engaged in the premises.</p> <p>g) Refuge area as per requirement of Chief Fire Officer</p> <p>h) Areas covered by:-</p> <ul style="list-style-type: none"> (i) Lofts (ii) Meter rooms (iii) Porches (iv) Canopies (v) Air-conditioning plant rooms. (vi) Electric Sub stations (vii) Service floor of height not exceeding 1.5m. with the special permission of the Commissioner. <p>i) Area of balconies not more than 10 percent of the area of the floor.</p>

	<p>j) Area of structures for an effluent treatment plant as required to be provided by industries as per the requirements of the Maharashtra Pollution Control Board or other relevant authorities:</p> <p>k) Area covered by service ducts, pump rooms, electric substations, niches upto 1m. depth below window sill, passages and additional amenity of lift and/or staircase beyond those required under the Regulations with the permission of the Commissioner.</p> <p>l) Area of one milk booth under the public distribution system with the permission of the Commissioner.</p> <p>m) Area of one public telephone booth and one telephone exchange (PBX) per building with the permission of the Commissioner.</p> <p>n) Area of one room for installation of telephone concentrators as per requirements of Mahanagar Telephone Nigam Limited, but not exceeding 20 sq.m.per building, with the permission of the Commissioner.</p> <p>o) Area of separate letter box on the ground floor of residential and commercial building with five or more storeys to the satisfaction of the Commissioner.</p> <p>p) Area of a covered passage of clear width not more than 1.52m. (5 ft.) leading from a lift exit at terrace level to the existing staircase so as to enable descent to lower floors in the building to reach tenements not having direct access to a new lift in a building without an existing lift.</p>
d)	If desired by MMRDA, Non-residential units/convenient shopping shall be constructed to the extent of 15% of the total built up area of Rental Houses, along the layout roads and shall be given free of cost to the Project Implementing Agency i.e. MMRDA.
e)	There shall be welfare Hall and Balwadi in each project as a part of the construction of Rental Houses component. It shall be at the rate of 14.86 sq.Mts. for every multiple or part of 200 residential units but located so as to serve all the floors and buildings equitably and shall not be counted towards the FSI even while computing 3.00 FSI on site. This shall be given free of cost to the PIA i.e. MMRDA.
f)	There shall be manager's office space of size 14.86 sq.mt. carpet area for every multiple or part of 500 rental units located as desired by MC, MMRDA in the project as a part of construction of Rental Houses component and shall not be counted towards the FSI even while computing 3.00 FSI on site. This shall be given free of cost to the PIA i.e. MMRDA.
g)	Total Construction Component shall mean the construction built up area of Rental Houses of self-contained 14.86 sq.m. carpet area (160 sq.ft.), including areas under passages with minimum 2.0 mt. width, balwadis, welfare centers, manager's office, Non-residential units/convenient shopping, which are to be given free of cost to the PIA i.e. MMRDA.

h)	<p>Project FSI for the Rental Housing project includes FSI of the total construction component of Rental Houses give in (g) above and Construction TDR. The ration between the total Construction component and construction TDR shall be as laid herein below:-</p> <p>(i) If total construction component of Rental Houses at (g) above is 10 q.mts. then TDR of 13.33 sq.mts will be permitted to the developer as Construction TDR which can be sold in the open market to subsidize the total construction component of Rental Houses.</p> <p>(ii) Project FSI to be sanctioned for Rental Housing Project site may may exceed 3.00 because of in-situ construction component of Rental Houses at (g) above and construction TDR at (i) above. However the maximum FSI that can be utilized on any Rental Housing Project site shall not exceed 3.00 and the difference between Project FSI above and 3.00 will be made available in the form of Construction Transferable Development Right (TDR) to be used as per DCR provisions applicable. The Land TDR at (a) above and Construction TDR at (h) above generated in Rental Housing project shall be treated as TDR, in accordance with the provisions of the said Regulations</p>
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(IV) Building details and other requirements:

1		Size of Rental unit- A Rental unit shall be 14.86 sq.mt. carpet area including cooking space, bath & water closet.
2		Density
	a)	Density shall be minimum 1500 Rental units of 14.86 sq.mts carpet area per net hectare.
3		Minimum plot size
	a)	Plot of minimum 500 sq.mt. is required for the project. However, it may be relaxed with the special permission of Metropolitan Commissioner, MMRDA.
4		Components of Rental unit.
	a)	Multi purpose Room: A multi purpose room shall be allowed with size upto 12.5 sq.mts with a minimum width of 2.4 m.
	b)	Cooking space (alcove)- Provision of separate kitchen shall not be necessary. However, cooking space (alcove) shall be allowed with a minimum size of 2.4 sq.mts with minimum width of 1.2 mts.
	c)	Bath & WC: A Combined bath & WC shall be of minimum area of 1.85 sq.m.with minimum width of one meter. There shall be no stipulation of one wall abutting open space etc. as long as artificial light & ventilation through any means are provided. Water closet seat shall be of minimum length of 0.46 mt. A septic tank filter bed shall be permitted with a capacity of 150 ltr per capita, where the Municipal services are likely to be available within 4-5 years.

5		Height: The height of Multi purpose room shall be minimum 2.75 mt and the height of building shall be as permissible by the Civil Aviation Authority.										
6		Plinth: Minimum plinth height shall be 30cm. and in areas subject to flooding the plinth shall be higher than the high flood level.										
7		External Walls: Minimum 150mm thick external brick wall without plaster shall be permitted. However, for use of modern construction technology and material etc, this thickness may be reduced with prior approval of Metropolitan Commissioner, MMRDA.										
8		Staircase: The staircase shall be of dogleg type. If a single flight staircase is accepted, the flight shall not be less than 1.5 mt.										
9	a)	Front & marginal Open spaces: For buildings of Rental Housing Project having height upto 24 mt. the front & marginal open space shall be 3.6 mt. for these buildings. Provided , however that in case of these buildings having height more than 24 mtrs the minimum marginal open space shall be 6 mtrs. or as may be prescribed by Metropolitan Commissioner, MMRDA.										
	b)	Notwithstanding the provisions in DCR where the location of the plot abuts DP Road, the front marginal open space in layout shall not be insisted upon beyond 3.6 mt. provided subject to rules in force from time to time.										
	c)	Where the location of plots abuts a nalla, the marginal open space along the nalla in the layout shall not be insisted upon beyond 3 mt. from the edge of the trained nalla.										
	d)	The distance between any two buildings shall not be less than 4.5 mt.										
10	a)	Means of access; The ratio between the length of pathway and width thereof shall be as follows: <table border="0" style="margin-left: 20px;"> <thead> <tr> <th style="text-align: left;">Length</th> <th style="text-align: left;">Width</th> </tr> </thead> <tbody> <tr> <td>Upto 20 mt</td> <td>1.5 mt</td> </tr> <tr> <td>Upto 30 mt</td> <td>2.00 mt</td> </tr> <tr> <td>Upto 40 mt</td> <td>2.5 mt</td> </tr> <tr> <td>Upto 50 mt</td> <td>3.00 mt.</td> </tr> </tbody> </table>	Length	Width	Upto 20 mt	1.5 mt	Upto 30 mt	2.00 mt	Upto 40 mt	2.5 mt	Upto 50 mt	3.00 mt.
Length	Width											
Upto 20 mt	1.5 mt											
Upto 30 mt	2.00 mt											
Upto 40 mt	2.5 mt											
Upto 50 mt	3.00 mt.											
	b)	Between the dimensions prescribed for the pathways & marginal distances the larger of the two shall prevail. The pathway shall act as access wherever necessary. The building shall be permitted to touch pathway.										
	c)	The means of access shall be normally governed by the provisions of DCR however in the project wherever the design of the buildings in the same layout required relaxation it may be										

			given. Access through existing pathways/layout roads but not less than 3.6 mt. in width, shall be considered adequate for any Rental Housing Project, containing buildings having height less than 24 mt. including stilts.
11	a)		Even if the amenities space is reduced to make the project viable, a minimum of at least 8% of amenity open space shall be maintained and while FSI computation for plot the area for recreational/amenity open space shall not be excluded.
	b)		Wherever more than the minimum front & marginal spaces have been provided such additional area provided may be considered as part of the amenity open space in the project without charging any premium in relaxation of the stipulation in DCR wherever it is necessary.
12			Premium shall not be charged for exclusion of staircase & lift-well etc. as covered under the provision of III(C) above.
13			In order to make the Rental Housing Project viable, the relaxation in DCR such as providing viability gap etc, shall be granted by Metropolitan Commissioner, MMRDA, if necessary.

V) Payments to be made of MMRDA:

An amount of Rs.500/- per sq.mt shall be paid by the land owner/developer for the built-up area over and above the normal permissible FSI. This amount shall be paid to Metropolitan Commissioner, MMRDA, in accordance with the time schedule for such payment as may be laid down by the Metropolitan Commissioner, MMRDA. However, by the time of completion of construction for occupation of the rental housing units, the total amount shall be deposited in full. This amount shall be used for schemes to be prepared for improvement of infrastructure in rental housing scheme provided that out of Rs. 500/- per sq.mt. infrastructural charges 90% amount will go to said Authority and 10% amount will remain with the MMRDA.

**SCHEDULE
(APPENDIX-B)**

Regulations for Rental Housing Project on unencumbered land:-

I) Eligibility for allotting Rental Houses:

- i) The allottee under the project shall have employment/self employment/ business within Mumbai Metropolitan Region and minimum family income of the allottee shall be Rs. 5000/- per month.
- ii) The allottee and his family member shall not own any house in Mumbai Metropolitan Region (MMR).
- iii) The domiciled resident of Maharashtra State shall be given preference in the allotment.
- iv) The allotment shall be made in the joint name of spouse if married.

IV) Definition of Rental Housing Unit: A 14.86 sq.mt (160 sq.ft) carpet area self contained residential unit to be given on lease and license for a period to be decided by Mumbai Metropolitan Region Development Authority (MMRDA) at a monthly charge to be decided by Metropolitan Commissioner, MMRDA considering the location of the project and residential unit, cost of construction, market condition and any other expenses.

V) Land Construction and Incentive Component:

a)	If Rental Housing Project is taken up on unencumbered land, the land owner shall convey minimum 25% of total land area in the name of MMRDA free of cost for Rental Housing and retain maximum 75% of the total land area with him, However, the division of these area's shall not be considered for side margin, front and rear open space etc.
b)	Permissible FSI on site for construction of Rental Housing Project shall be 4.00 out of 4.0 FSI, FSI 1.00 shall be used for construction of Rental Houses on minimum 25% of land and handed over free of cost by land owner to PIA i.e. MMRDA and FSI 3.00 shall be used for construction of Housing Units by land owner on maximum 75% of land which can be sold in open market to subsidize the component of Rental housing.
c)	<p>The total construction built up area of Rental Houses and Houses to be sold in open market shall include all Built up area of residential units and non-residential units. Built up area of Rental Houses with FSI 1.00 shall be given free of cost of PIA i.e. MMRDA. The construction built up area shall exclude what is set down as under:</p> <p>Exclusion from FSI computation:- The following shall not be counted towards FSI;-</p> <ul style="list-style-type: none"> a) Areas covered by stair-case rooms, lift rooms above the topmost storey, lift wells and stair-cases and passages thereto, architectural features, chimneys and elevated tank of permissible dimensions in respect of buildings in the MMR with the special permission of the Commissioner: b) Area of the fire escape stairways and cantilever fire escape passages according to the Chief Fire Officer's requirements, if any. c) Area of the basement, if any. d) Area of covered parking spaces, if any. e) Area of one office room of co-operative housing society or apartment owners association or Rent Manager. f) Area of the sanitary block(s) consisting of a bathroom and water closet for each wing of each floor of a building of prescribed dimensions deriving access from a common passage for the use of domestic servants engaged in the premises. g) Refuge area as per requirement of Chief Fire Officer h) Areas covered by:- <ul style="list-style-type: none"> (i) Lofts (ii) Meter rooms

	<p>(iii) Porches (iv) Canopies (v) Air-conditioning plant rooms. (vi) Electric Sub stations (vii) Service floor of height not exceeding 1.5m. with the special permission of the Commissioner.</p> <p>i) Area of balconies not more than 10 percent of the area of the floor.</p> <p>j) Area of structures for an effluent treatment plant as required to be provided by industries as per the requirements of the Maharashtra Pollution Control Board or other relevant authorities:</p> <p>k) Area covered by service ducts, pump rooms, electric substations, niches upto 1m. depth below window sill, passages and additional amenity of lift and/or staircase beyond those required under the Regulations with the permission of the Commissioner.</p> <p>l) Area of one milk booth under the public distribution system with the permission of the Commissioner.</p> <p>m) Area of one public telephone booth and one telephone exchange (PBX) per building with the permission of the Commissioner.</p> <p>n) Area of one room for installation of telephone concentrators as per requirements of Mahanagar Telephone Nigam Limited, but not exceeding 20 sq.m.per building, with the permission of the Commissioner.</p> <p>o) Area of separate letter box on the ground floor of residential and commercial building with five or more storeys to the satisfaction of the Commissioner.</p> <p>p) Area of a covered passage of clear width not more than 1.52m. (5 ft.) leading from a lift exit at terrace level to the existing staircase so as to enable descent to lower floors in the building to reach tenements not having direct access to a new lift in a building without an existing lift.</p>
d)	<p>If desired by MMRDA, Non-residential units/convenient shopping shall be constructed to the extent of 15% of the total built up area of Rental Houses, of FSI 1.00, along the layout roads/DP roads/Municipal roads and shall be given free of cost by land owner to the Project Implementing Agency i.e. MMRDA.</p> <p>If desired by MMRDA, the land owner shall also construct non residential units for commercial user/convenient shopping to the extent of 15% of the total built up area on Housing Units of FSI 3.00 along the layout roads/DP roads/Municipal roads. The Housing Units with shopping units can be sold by land owner in open market.</p>
e)	<p>There shall be welfare Hall and Balwadi in each project as a part of the construction of Rental Houses component. It shall be at the rate of 14.86 sq.Mts. for every multiple or part of 200 residential units but located so as to serve all the floors and buildings equitably and shall not be counted towards the FSI even while computing 4.00 FSI on site. This shall be given free of cost to the PIA i.e. MMRDA.</p>

f	There shall be manager's office space of size 14.86 sq.mt. carpet area in the project for every multiple or part of 500 rental units located as desired by MC, MMRDA as a part of construction of Rental Houses component and shall not be counted towards the FSI even while computing 4.00 FSI on site. This shall be given free of cost to the PIA i.e. MMRDA.
g)	Total Construction Component shall mean the construction built up area of Rental Houses of self-contained 14.86 sq.m. carpet area (160 sq.ft.), including areas under passages with minimum 2.0 mt. width, balwadis, welfare centers, manager's office, Non-residential units/convenient shopping, of commercial use This shall be given free of cost to PIA i.e. MMRDA.

(IV) Building details and other requirements:

1		Size of Rental unit- A Rental unit shall be 14.86 sq.mt. carpet area including cooking space, bath & water closet, but excluding common area.
2		Density
	a)	Density of Rental Housing shall be minimum 500 Rental units of 14.86 sq.mts carpet area per net hectare and Density of Housing to be sold in open market shall be minimum 100 tenements per net hectare.
3		Minimum plot size
	a)	Plot of minimum 1000 sq.mt. is required for the project. However, for small plot size approval may be obtained from Metropolitan Commissioner, MMRDA.
4		Components of Rental unit.
	a)	Multi purpose Room: A multi purpose room shall be allowed with size upto 12.5 sq.mts with a minimum width of 2.4 m.
	b)	Cooking space (alcove)- Provision of separate kitchen shall not be necessary. However, cooking space (alcove) shall be allowed with a minimum size of 2.4 sq.mts with minimum width of 1.2 mts.
	c)	Bath & WC: A Combined bath & WC shall be of minimum area of 1.85 sq.m. with minimum width of one meter. There shall be no stipulation of one wall abutting open space etc. as long as artificial light & ventilation through any means are provided. Water closet seat shall be of minimum length of 0.46 mt. A septic tank filter bed shall be permitted with a capacity of 150 ltr per capita, where the Municipal services are likely to be available within 4-5 years.
5		Height: The height of Multi purpose room shall be minimum 2.75 mt and the height of building shall be as permissible by the Civil Aviation Authority.

6			Plinth: Minimum plinth height shall be 30cm. and in areas subject to flooding the plinth shall be higher than the high flood level.										
7			External Walls: Minimum 150mm thick external brick wall without plaster shall be permitted. However, for use of modern construction technology and material etc, this thickness may be reduced with prior approval of Metropolitan Commissioner, MMRDA.										
8			Staircase: The staircase shall be of dogleg type. If a single flight staircase is accepted, the flight shall not be less than 1.5 mt.										
9	a)		Front & marginal Open Spaces: Notwithstanding the provisions in DCR 15.5.3.5, table 15.4, for buildings of Rental Housing Projects having height up to 24 mt. the front & marginal open space shall be 3.6 mt. for these buildings. Provided, however that in case of these buildings having height more than 24 mtrs the minimum marginal open space shall be 6 mtrs. or as may be prescribed by Metropolitan Commissioner, MMRDA.										
	b)		Notwithstanding the provisions in DCR where the location of the plot abuts sanctioned Road, having width of 18.30m and above, the front marginal open space in layout shall not be insisted upon beyond 3.6 mt. provided subject to rules in force from time to time.										
	c)		Where the location of plots abuts a nalla, the marginal open space along the nalla in the layout shall not be insisted upon beyond 3 mt. from the edge of the trained nalla.										
	d)		The distance between any two buildings shall not be less than 4.5 mt.										
10			Any composite building (Rental Housing Project Building + Housing Building) shall contain at least 50% of the built up area for Rental Housing Project.										
11	a)		Means of access; The ratio between the length of pathway and width thereof shall be as follows: <table border="0"> <thead> <tr> <th style="text-align: left;">Length</th> <th style="text-align: left;">Width</th> </tr> </thead> <tbody> <tr> <td>Upto 20 mt</td> <td>1.5 mt</td> </tr> <tr> <td>Upto 30 mt</td> <td>2.00 mt</td> </tr> <tr> <td>Upto 40 mt</td> <td>2.5 mt</td> </tr> <tr> <td>Upto 50 mt</td> <td>3.00 mt.</td> </tr> </tbody> </table>	Length	Width	Upto 20 mt	1.5 mt	Upto 30 mt	2.00 mt	Upto 40 mt	2.5 mt	Upto 50 mt	3.00 mt.
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	b)		Between the dimensions prescribed for the pathways & marginal distances the larger of the two shall prevail. The pathway shall act as access wherever necessary. The building shall be permitted to touch pathway.										

	c)	The means of access shall be normally governed by the provisions of DCR however in the project wherever the design of the buildings in the same layout required relaxation it may be given. Access through existing pathways/layout roads but not less than 3.6 mt. in width, shall be considered adequate for any Rental Housing Project, containing buildings having height less than 24 mt. including stilts.
12	a)	Even if the amenities space is reduced to make the project viable, a minimum of at least 8% of amenity open space shall be maintained and while FSI computation for plot the area for recreational/amenity open space shall not be excluded.
	b)	Wherever more than the minimum front & marginal spaces have been provided such additional area provided may be considered as part of the amenity open space in the project without charging any premium in relaxation of the stipulation in DCR wherever it is necessary.
13		Premium shall not be charged for exclusion of staircase & lift-well etc. as covered under the provision of III(C) above.
14		All relaxation for the Housing Buildings to be sold in open market- Relaxation contained in sub regulation No.9(a), (b), (c), (d), 11(b), (c), 12 above, as well as other necessary relaxation shall be given to these Housing buildings
15		In order to make the Rental Housing project viable, the relaxation in DCR of MMR such as providing viability gap etc, shall be granted by Metropolitan Commissioner, MMRDA, if necessary.

V) The land owner shall give priority to construction of rental housing over the construction of housing to be sold in open market and shall ensure that the rental housing gets completed before the latter.

VI) Payments to be made of MMRDA:

An amount of Rs.500/- per sq.mt shall be paid by the land owner/developer for the built-up area over and above the normal permissible FSI. This amount shall be paid to Metropolitan Commissioner, MMRDA, in accordance with the time schedule for such payment as may be laid down by the Metropolitan Commissioner, MMRDA. However, by the time of completion of construction for occupation of the rental housing units, the total amount shall be deposited in full. This amount shall be used for schemes to be prepared for improvement of infrastructure in rental housing scheme provided that out of Rs. 500/- per sq.mt. infrastructural charges 90% amount will go to said Authority and 10% amount will remain with the MMRDA.

**SCHEDULE
(APPENDIX-C)**

Regulations for Rental Housing Project on unencumbered lands vested with Mumbai Metropolitan Region Development Authority (MMRDA):-

I) Eligibility for allotting Rental Houses:

- i) The allottee under the project shall have employment/self employment/ business within Mumbai Metropolitan Region and minimum family income of the allottee shall be Rs. 5000/- per month.
- ii) The allottee shall not own any house in Mumbai Metropolitan Region (MMR).
- iii) The domiciled resident of Maharashtra State shall be given preference in the allotment.
- iv) The allotment shall be made in the joint name of spouse if married.

II) Definition of Rental Housing Unit: A 14.86 sq.mt (160 sq.ft) carpet area self contained residential unit to be given on leave and license for a period to be decided by MMRDA at a monthly charge to be decided by Metropolitan Commissioner, MMRDA considering the location of the project and residential unit, cost of construction, market condition and any other expenses.

III) Land Construction and Incentive Component:

a)	Permissible FSI on site for construction of Rental Housing Project shall be 4.00 and out of 4.0 FSI, 75% of 4.00 FSI shall be used for construction of Rental Houses and 25% of 4.00 FSI shall be allowed for Commercial use and can be sold in open market to subsidize the component of Rental housing.
b)	<p>The total construction built up area of Rental Houses shall mean all Built up area of residential units as well as non-residential units of commercial use meant of Rental Houses but excluding what is set down as under : Exclusion from FSI computation: The following shall not be counted towards FSI:-</p> <ul style="list-style-type: none">a) Areas covered by stair-case rooms, lift rooms above the topmost storey, lift wells and stair-cases and passages thereto, architectural features, chimneys and elevated tank of permissible dimensions in respect of buildings in the MMR with the special permission of the Commissioner:b) Area of the fire escape stairways and cantilever fire escape passages according to the Chief Fire Officer's requirements, if any.c) Area of the basement, if any.d) Area of covered parking spaces, if any.e) Area of one office room of co-operative housing society or apartment owners association or Rent Manager.

	<p>f) Area of the sanitary block(s) consisting of a bathroom and water closet for each wing of each floor of a building of prescribed dimensions deriving access from a common passage for the use of domestic servants engaged in the premises.</p> <p>g) Refuge area as per requirement of Chief Fire Officer</p> <p>h) Areas covered by:- (i) Lofts (ii) Meter rooms (iii) Porches (iv) Canopies (v) Air-conditioning plant rooms. (vi) Electric Sub stations (vii) Service floor of height not exceeding 1.5m. with the special permission of the Commissioner.</p> <p>i) Area of balconies not more than 10 percent of the area of the floor.</p> <p>j) Area of structures for an effluent treatment plant as required to be provided by industries as per the requirements of the Maharashtra Pollution Control Board or other relevant authorities:</p> <p>k) Area covered by service ducts, pump rooms, electric substations, niches upto 1m. depth below window sill, passages and additional amenity of lift and/or staircase beyond those required under the Regulations with the permission of the Commissioner.</p> <p>l) Area of one milk booth under the public distribution system with the permission of the Commissioner.</p> <p>m) Area of one public telephone booth and one telephone exchange (PBX) per building with the permission of the Commissioner.</p> <p>n) Area of one room for installation of telephone concentrators as per requirements of Mahanagar Telephone Nigam Limited, but not exceeding 20 sq.m.per building, with the permission of the Commissioner.</p> <p>o) Area of separate letter box on the ground floor of residential and commercial building with five or more storeys to the satisfaction of the Commissioner.</p> <p>p) Area of a covered passage of clear width not more than 1.52m. (5 ft.) leading from a lift exit at terrace level to the existing staircase so as to enable descent to lower floors in the building to reach tenements not having direct access to a new lift in a building without an existing lift.</p>
c)	<p>There shall be welfare Hall and Balwadi in each project as a part of the construction of Rental Houses component. It shall be at the rate of 14.86 sq.Mts. for every multiple or part of 200 residential units but located so as to serve all the floors and buildings equitably and shall not be counted towards the FSI even while computing 4.00 FSI on site</p>

d)	There shall be manager's office space of size 14.86 sq.mt. carpet area for every multiple or part of 500 rental units located as desired by MC, MMRDA as a part of construction of Rental Houses component and shall not be counted towards the FSI even while computing 4.00 FSI on site.
e)	Total Construction Component shall mean the construction built up area of Rental Houses of self-contained 14.86 sq.m. carpet area (160 sq.ft.), including areas under passages with minimum 2.0 mt. width, balwadis, welfare centers, manager's office, Non-residential units/convenient shopping, of commercial use.

(IV) Building details and other requirements:

1		Size of Rental unit- A Rental unit shall be 14.86 sq.mt. carpet area including cooking space, bath & water closet, but excluding common areas.
2		Density
	a)	Density shall be minimum 1500 Rental units of 14.86 sq.mts carpet area per net hectare.
3		Minimum plot size
	a)	Plot of minimum 500 sq.mt. is required for the project. However, for small plot size approval may be obtained from Metropolitan Commissioner, MMRDA.
4		Components of Rental unit.
	a)	Multi purpose Room: A multi purpose room shall be allowed with size upto 12.5 sq.mts with a minimum width of 2.4 m.
	b)	Cooking space (alcove)- Provision of separate kitchen shall not be necessary. However, cooking space (alcove) shall be allowed with a minimum size of 2.4 sq.mts with minimum width of 1.2 mts.
	c)	Bath & WC: A Combined bath & WC shall be of minimum area of 1.85 sq.m.with minimum width of one meter. There shall be no stipulation of one wall abutting open space etc. as long as artificial light & ventilation through any means are provided. Water closet seat shall be of minimum length of 0.46 mt. A septic tank filter bed shall be permitted with a capacity of 150 ltr per capita, where the Municipal services are likely to be available within 4-5 years.
5		Height: The height of Multi purpose room shall be minimum 2.75 mt and the height of building shall be as permissible by the Civil Aviation Authority.

6			Plinth: Minimum plinth height shall be 30cm. and in areas subject to flooding the plinth shall be higher than the high flood level.										
7			External Walls: Minimum 150mm thick external brick wall without plaster shall be permitted. However, for use of modern construction technology and material etc, this thickness may be reduced with prior approval of Metropolitan Commissioner, MMRDA.										
8			Staircase: The staircase shall be of dogleg type. If a single flight staircase is accepted, the flight shall not be less than 1.5 mt.										
9	a)		Front & marginal Open spaces: For buildings of Rental Housing Project having height upto 24 mt. the front & marginal open space shall be 3.6 mt. for these buildings. Provided , however that in case of these buildings having height more than 24 mtrs the minimum marginal open space shall be 6 mtrs. or as may be prescribed by Metropolitan Commissioner, MMRDA.										
	b)		Notwithstanding the provisions in DCR where the location of the plot abuts DP Road, the front marginal open space in layout shall not be insisted upon beyond 3.6 mt. provided subject to rules in force from time to time.										
	c)		Where the location of plots abuts a nalla, the marginal open space along the nalla in the layout shall not be insisted upon beyond 3 mt. from the edge of the trained nalla.										
	d)		The distance between any two buildings shall not be less than 4.5 mt.										
10			Any composite building (Rental Housing Project Building + Commercial Building) shall contain at least 50% of the built up area for Rental Housing Project.										
11	a)		Means of access; The ratio between the length of pathway and width thereof shall be as follows: <table border="0" style="margin-left: 20px;"> <thead> <tr> <th style="text-align: left;">Length</th> <th style="text-align: left;">Width</th> </tr> </thead> <tbody> <tr> <td>Upto 20 mt</td> <td>1.5 mt</td> </tr> <tr> <td>Upto 30 mt</td> <td>2.00 mt</td> </tr> <tr> <td>Upto 40 mt</td> <td>2.5 mt</td> </tr> <tr> <td>Upto 50 mt</td> <td>3.00 mt.</td> </tr> </tbody> </table>	Length	Width	Upto 20 mt	1.5 mt	Upto 30 mt	2.00 mt	Upto 40 mt	2.5 mt	Upto 50 mt	3.00 mt.
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	b)		Between the dimensions prescribed for the pathways & marginal distances the larger of the two shall prevail. The pathway shall act as access wherever necessary. The building shall be permitted to touch pathway.										

	c)	The means of access shall be normally governed by the provisions of DCR however in the project wherever the design of the buildings in the same layout required relaxation it may be given. Access through existing pathways/layout roads but not less than 3.6 mt. in width, shall be considered adequate for any Rental Housing Project, containing buildings having height less than 24 mt. including stilts.
12	a)	Even if the amenities space is reduced to make the project viable, a minimum of at least 8% of amenity open space shall be maintained and while FSI computation for plot the area for recreational/amenity open space shall not be excluded.
	b)	Wherever more than the minimum front & marginal spaces have been provided such additional area provided may be considered as part of the amenity open space in the project without charging any premium in relaxation of the stipulation in DCR wherever it is necessary.
13		Premium shall not be charged for exclusion of staircase & lift-well etc. as covered under the provision of III(C) above.
14		All relaxation for the Commercial Building Relaxation contained in sub regulation No.9(a), (b), (c), (d), 11(b), (c), 12, 13 above, as well as other necessary relaxation shall be given to the Commercial building
15		In order to make the Rental Housing project viable, the relaxation in DCR of MMR such as providing viability gap etc, shall be granted by Metropolitan Commissioner, MMRDA, if necessary.

V) Payments:-

MMRDA shall pay to the said Authority Rs. 450/- per sq.mt (90% of Rs. 500/-) for the built up area over and above the normal permissible FSI as infrastructural charges before occupation of rental housing.

67 provision of allowing commercial use in present set of development control regulations in the form of offices/shops below the space of new flyover of in new subways subject to the following conditions.

1. The Shops/offices shall face the internal passage of adequate width
2. Adequate area under flyover shall be earmarked and used for parking.
3. Sufficient area under the flyover shall be developed as green lots, so as to make the surrounding as sthetically beautiful
4. Exposed walls can be used for advertisement purpose for such advertisement which will not cause hinderance to the traffic

....144..

* As per Govt. GR No. TPB 4396/636/CR-133/96/A/UD-11, date 03/11/1997

5. The entry and exit points shall be conveniently located, considering the use, and the traffic by providing a subway or an overbridge. In no case the pedestrians be allowed to cross the main roads.

6. The plans of the flyovers shall be got approved from the Director of Town Planning in consultation with the Deputy Director of Town Planning, Traffic & Transportation cell.

7. The Corporation may prescribe any other suitable condition as deemed necessary without violating the spirit mentioned in Clause No. 1 to 6.

APPENDIX I

[Regulation 33(5)]

Regulations for Low Cost Housing Schemes of the Maharashtra Housing and Area Development. Authority for Economically Weaker Section (EWS) and Low Income Groups (LIG).

1. Density - (a) Density shall be upto 450 tenements per net hectare having at least 60 per cent tenements for EWS/LIG housing.

(b) Extra density of 20 percent over and above the normally permissible density will apply for such housing schemes, with 60 per cent tenements under the E.W.S. and L.I.G. categories.

2. Minimum Plot Size - (a) In the case of a growing house on a plot of 25 sq.m., a room of minimum size of 5.57 sq. m. (60 sq.ft.) with toilet arrangement in the first phase shall be permitted. In the second phase, one room of 9.30 sq.m. (100 sq.ft.) may be allowed to be added. However, commencement and occupation certificates shall be granted initially to the first phase only and subsequent certificate for second phase issued as required.

(b) Multi-purpose rooms - A multi purpose room shall be allowed with size upto 12.5 sq.m. with a minimum width of 2.4 m.

(c) Cooking space (alcove) - Provision of separate kitchen shall not be necessary. However, cooking space shall be allowed with a minimum use of 2.4 sq.m. with minimum width of 1.2 m.

(d) Combined toilet - A combined toilet shall be permitted for more than one tenement with a minimum area of 1.85 sq.m. with minimum width of one meter.

(e) Height - The average height for a habitable room with sloping roof shall be minimum, 2.6 m. with minimum height of 2 m. at the eaves. In the case of a flat-roof, minimum clear height shall be 2.6m. for a habitable room. Kitchen areas shall have minimum clear height/average height of 2.4 m. and bath and water closet (without loft) shall have a clear minimum height of 2.2 m.

(f) Plinth - The minimum plinth height shall be 30 cm. and in areas subject to flooding the plinth shall be higher than the flood level.

3. External walls - 115 mm. thick external brick wall without plaster shall be permitted.

4. Staircases - Single flight staircases without landing between the two floors shall be permitted.

5. Front open space - The front open space from roads having width of 9.14 m. and below shall be of a minimum of 1.5 m. for buildings with height of upto 10 m.

6. Open space (side and rear) - The distance between two ground floor structures shall be of a minimum of 4.5 m. for purposes of light and ventilation of habitable rooms. In case of toilets deriving light and ventilation from an open space, the distance between the two ground floor structures shall be a minimum of 1.5 m.

7. Pathways - The widths of pathways shall be as follows -

- (i) 1.5 m. width of pathways upto 20 m. in length.
- (ii) 2.0 m. width for pathways upto 30 m. in length;
- (iii) 2.5 m. width for pathways upto 40 m. in length;
- (iv) 3.0 m. width for pathways upto 50 m. in length.

8. Flushing cistern - In water closets, flushing cistern shall not be essential and toilets without this provisions may be permitted.

9. Water closet pan size - The water closet seat shall be of a minimum of 0.46 m. (18 inches) in length.

10. Septic tank and leaching pits (soak pits) - A septic tank shall be provided with capacity of 141.6 liters (five cubic feet) per capita. Where the municipal services are likely to be available within four to five years or so, pour flush water seal latrines (NEERI type) shall be permitted where the Corporation sewerage system is not available and the water table in the area is not high.

11. Convenience shopping - Convenience Shopping as defined in these Regulations shall be permitted along layout roads with width of 12.2 m. to 18.49 m. provided that a minimum set-back of 1.5 m. and a minimum plot area of 25.2 m. is available and is provided.

12. Recreation Ground - In the layouts, provision for recreation ground shall be on the lines prescribed in these Regulations.

13. Ancillary structures - Ancillary structures such as underground tank, overhead tank substations etc. shall be permissible in the compulsory recreation open space subject to the condition that not more than 10 per cent of such space shall be utilised for such purposes.

APPENDIX II

LOW COST HOUSING SCHEMES

The following Special Regulations are approved, as a special case, and shall be applicable only for Low Cost Housing Schemes i.e. Economically Weaker Sections and Low Income Group Housing Scheme only undertaken by Maharashtra Housing and Area Development Authority in the areas within the jurisdiction of Municipal Corporations (other than the Municipal Corporation of Greater Bombay), the Nagpur Improvement Trust and Municipal Councils in the State of Maharashtra and shall prevail over their corresponding provisions of Development Control Rules in force, as amended from time to time :-

1. Minimum Plot Size -

- (a) In case of growing house for E.W.S. and L.I.G. category on a plot of 25 sq.m., a room of minimum size of 5.57 sq.m. (60 sq.ft.) with toilet arrangement in the first phase

shall be permitted. In the second phase, one room of 9.30 sq.m. (100 sq.ft.) may be allowed, to be added. However, commencement and occupation certificate shall be granted initially to the first phase only, and subsequent certificates for second phase issued as required.

(b) **Multi-purpose rooms** - The minimum size of multi-purpose room shall be allowed with size upto 12.5 sq.m. with a minimum width of 2.4 meters.

(c) **Cooking space (alcove)** - In E.W.S. and L.I.G. Housing Schemes as provision of separate kitchen shall be necessary. However, cooking, space shall be allowed with a minimum size of 2.4 sq.m. with minimum width of 1.2 meter.

(d) **Height** - The average height for a habitable room sloping roof shall be minimum 2.5 meters and minimum height of two meters at caves. In the case of a flat roof minimum clear height shall be 2.6 meters for habitable rooms. Kitchen area shall have minimum clear height/average height of 2.4 meters and bath and water closet (without loft) shall have a clear minimum height of 2.2 meters.

(e) **Plinth** - The minimum plinth height shall be 30 cms. but in any case above high flood level.

2. External walls - For housing Schemes of E.W.S. and L.I.G. categories, 115 mm. thick external brick wall without plaster shall be permitted.

3. Staircase - Single flight staircases without landing between the two floors shall be permitted for Economically Weaker Section and Lower Income Group Housing Schemes.

4. Front open space - In the case of E.W.S. and L.I.G. Housing Schemes the front open space from Roads having width of 9.14 meters and below shall be of a minimum of 1.5 meters for buildings with heights of upto 10 meters.

Open space (side and rear) - In the case of E.W.S. and L.I.G. Housing Schemes and distance between two ground floor structures shall be of a minimum of 4.5 meters for purposes of light and ventilation of habitable rooms. In the case of toilets, deriving light and ventilation, the distance between the two ground floor structures shall be of a minimum of 1.5 meters.

5. Pathways - The widths of pathways for E.W.S. and L.I.G. Housing Schemes shall be as follows :-

1. 1.5 meters width for pathways upto 20 meters in length,
2. 2.0 meters width for pathways upto 30 meters in length,
3. 2.5 meters width for pathways upto 40 meters in length,
4. 3.0 meters width for pathways upto 50 meters in length.

6. Water Closet Pan Size - The water closet seat in E.W.S. and L.I.G. Housing Schemes shall be a minimum of 0.46 m. (18 inches) in length.

(a) **Combined toilet** - Combined toilet shall be permitted for more than one tenement with a minimum area of 1.85 sq. m. with minimum width of one meter.

7. Flushing Cistern - Cistern in the water closets of E.W.S. and L.I.G. Housing Schemes shall not be essential and toilets without this provision may be permitted.

8. Septic Tank and Leaching Pits (Soak Pits) - A septic tank shall be provided in E.W.S. and L.I.G. Housing Schemes with capacity of 141.6 liters (five cubic feet) per capita. Where the municipal services are likely to be available within the four to five years or so. Pour Flush Waterseal latrines (NEERI Type) shall be permitted where the municipal sewerage system is not available and the water table in the area is not high.

9. Convenience Shopping - Convenience Shopping as defined in the existing Development Control Rules shall be permitted along layout roads within E.W.S. and L.I.G. scheme area with width of 12.2 to 18.49 meters provided that a minimum of set back of 1.5 meters and minimum plot area of 25.2 square meters is available and is provided.

10. Recreational Ground - Ancillary structures such as underground tank, overhead tank, sub-stations, etc. shall be permissible on a compulsory recreation space subject to the condition that not more than 10 per cent of such recreational shall be allowed to be utilised for such purposes.

11. Other provision of the existing Development Control Rules Municipal Corporations Nagpur Improvement Trust, Municipal Corporation shall continue to have application for such E.W.S. and L.I.G. schemes.

12. The definitions of the terms used in this Annexure shall be the same as those in the Maharashtra Regional and Town Planning Act, 1966 Development Control Rules and the Bombay Provincial Corporation Act, 1949 or Maharashtra Municipalities Act, 1965 and other relevant Acts pertaining to the Municipal Corporations, Nagpur Improvement Trust and Municipal Councils.

APPENDIX III
SITES AND SERVICES
[Regulation 33(5)]

Regulations for sites and Services and for small size tenements for the Housing Schemes under the Urban Land (Ceiling and Regulation) Act, 1976 approved by Government from time to time.

1. F.S.I. - The F.S.I. shall be the same as is permissible under these Regulations which shall prevail over the corresponding provisions of Rules/Regulation in force as amended from time to time.

2. Density - Density upto 450 tenements per net hectare (180 tenements per net acre) shall be permitted on 70 per cent of net developable land for plots above 4000 sq.m. on which the sites and services scheme is implemented according to Government orders. For land below 4000 sq. m. the normal Regulations shall apply.

3. Minimum plot size - (a) A serviced site shall be 25 sq.m. and shall have plinth of adequate height for W.C. and bathroom. The size of the plinth for a W.C. shall be 1.2m. X 0.9m. (4' X 3').

(b) In the case of a dwelling unit as a core house, in addition to the services mentioned in (a) the said unit shall have plinth with adequate height, the total area of which shall not exceed 21 sq.m. in a plot with an area of 25 sq.m. Further, in the case of a core house on a plot of 25 sq.m. a room of a minimum size of 5.57 sq.m. with a toilet arrangement in the first phase shall be permitted. In the second phase, one room of 9.30 sq. m. may be allowed to be added. However, the occupation certificate shall be granted initially to the first phase only and subsequent certificates for second phase issued as and when required.

4. **Multipurpose rooms** - A multipurpose room shall be allowed with a minimum size of 12.5 sq.m. and with a minimum width of 2.4 m.

5. **Cooking space (Alcove)** - Provision of separate kitchen shall not be necessary. However, a separate cooking space shall be allowed with a minimum size of 2.4 sq.m. with minimum width of 1.2 m.

6. **Height** - The average height for a habitable room with sloping roof shall be 2.6 mt. with a minimum height of 2 m. at the eaves. In case of a flat roof, the minimum clear height shall be 2.6 m. for a habitable room. Kitchen shall have minimum height of 2.4, and bath and W.C. (without loft) shall have a clear minimum height of 2.2 m.

7. **Plinth** - The minimum plinth height shall be 30 cm. but in any case above high flood level.

8. **External Walls** - 115 mm. for external bricks wall without plaster shall be permitted.

9. **Front Open space** - The front open space from roads having width of 9.14 m. and below shall be of a minimum of 1.5 m.

10. **Open Spaces (side and rear)** - The distance between two ground floor structures shall be of a minimum of 4.5 m. for purposes of light and ventilation of habitable rooms. In the case of toilets, deriving light and ventilation from an open space, the distance between the two ground floor structures shall be of a minimum 1.5 m.

11. **Pathways** - The width shall be as follows :-

- (i) 2.5 m. width for pathways upto 40 m. in length.
- (ii) 3.0 m. width for pathways upto 50 m. in length.

12. **Water Closet Pan Size** - The water closet pan size shall be of a minimum of 0.46m. (18 inches) in length.

13. **Flushing Cistern** - In water closets, a flushing cistern shall not be essential and toilets without this provision may be permitted.

14. **Septic Tank and Leaching Pits (soak pits)** - A septic tank shall be provided with capacity of 141.6 liters (five cubic feet) per capita where municipal services are likely to be available within 4 to 5 years or so. Pour flush water seal latrines (NEERI type) shall be permitted where the municipal sewerage system is not available and the water table in the area is not high.

15. **Convenience Shopping** - Convenience shopping as defined in these Regulations shall be permitted along layout roads with width of 12.2 m. to 18.49 m. provided that a minimum setback of 1.5 m. and a minimum plot area of 25.2 sq.m. are available and provided.

16. **Recreation Ground** - In the layouts of housing schemes under this category, provision for recreation ground shall be as normally required by these Regulations.

17. **Ancillary structures** - Ancillary structures such as underground tank, overhead tank sub-station etc. shall be permissible in the compulsory recreation space subject to the condition that not more than 10 per cent of such recreation space shall be allowed to be utilised for such purposes.

APPENDIX IV

[T - D - R -]

(Regulation 34)

Regulation for the grant of Transferable Development Rights (TDRs) to owners/developers and conditions for grant of such Rights.

1. The owner (or lessee) of a plot of land which is reserved for a public purpose in the development plan and for additional amenities deemed to be reservations, provided in accordance with these Regulations excepting in the case of an existing or retention user or to any required compulsory or recreational open space, shall be eligible for the award of Transferable Development Rights (TDRs) in the form of floor space index (FSI) to the extent and on the conditions set out below. Such award will entitle the owner of the land to FSI in the form of a Development Right Certificate (DRC) which he may use himself or transfer to any other person.

2. Subject to the Regulation I above, where a plot of lands is reserved for any purpose specified in section 22 of Maharashtra Regional and Town Planning Act, 1966, the owner will be eligible for Development Rights (DR's) to the extent stipulated in Regulation 5 and 6 in this Appendix had the land been not so reserved, after the said land is surrendered free of cost as stipulated in Regulation 5 in this Appendix, and after completion of the development or construction as in Regulation in this Appendix, if he undertakes the same.

3. Development Rights (DRs) will be granted to an owner or a lessee only for reserved lands which are retainable/ non- retainable under the Urban Land (Ceiling and Regulations) Act, 1976, and in respect of all other reserved lands to which the provisions of

the aforesaid Act do not apply and on production of a certificate to this effect from the Competent Authority under that Act before a Development Right is granted. In the case of non-retainable lands, the grant of Development Rights shall be to such extent and subject to such conditions as Government may specify. Development Rights (DRs) are available only in cases where development of a reservation has not been implemented i.e. TDRs will be available only for prospective development of reservation.

4. Development Rights Certificates (DRCs) will be issued by the Commissioner himself. They will state, in figures and in words, the FSI credit in square meters of the built-up area to which the owner or lessee of the said reserved plot is entitled, the place and user zone in which the DRs are earned and the areas in which such credit may be utilised.

5. The built-up area for the purpose of FSI credit in the form of a DRC shall be equal to the gross area of the reserved plot to be surrendered and will proportionately increase or decrease according to the permissible FSI of the zone where from the TDR has originated.

6. When an owner or lessee also develops or constructs the amenity on the surrendered plot at his cost subject to such stipulations as may be prescribed by the Commissioner or the appropriate authority, as the case may be and to their satisfaction and hands over the said developed/constructed amenity to the Commissioner/appropriate authority, free of cost, he may be granted by the Commissioner a further DR in the form of FSI equivalent to the area of the construction/development done by him, utilization of which etc. will be subject to the Regulations contained in this Appendix.

7. A DRC will be issued only on the satisfactory compliance with the conditions prescribed in this Appendix.

8. If a holder of DRC intends to transfer it to any other person, he will submit the DRC to the Commissioner with an appropriate application for an endorsement of the new holder's name, i.e. transferee on the said Certificate. Without such an endorsement by the Commissioner himself, the transfer shall not be valid and the Certificate will be available for use only by the earlier original holder.

9. A holder of a DRC who desires to use the FSI credit certified therein on a particular plot of land shall attach to his application for development permission valid DRCs to the extent required.

10. a) T.D.R. shall not be available within congested area. b) This Rule shall not be applicable in cases which have been already decided under U.L.C.Act.1976.

11. The user that will be permitted for utilization of the DRCs on account of transfer of development rights will be as under :-

Zone in which designated/reserved plot is situated.	User to be permitted in receiving in receiving areas.
1) Residential	only residential users and in Residentias Zone only.
2) Commercial (C-1)	Commercial (C-1) if the plot where the FSI is to be utilised is situated in C-1 Zone. Residential only in Residential Zones
3) Industrial	Residential only in Residential Zones.

12. DRCs may be used on one or more plots of land whether vacant or already developed or by the erection of additional storeys, or in any other manner consistent with these Regulations, but not so as to exceed in any plot a total built-up FSI higher than that prescribed in Regulation 13 in this Appendix.

* **13.** The FSI of a receiving plot shall be allowed to be exceeded by not more than 0.8 in respect of either DR available in respect of the reserved plot as in this Appendix or DR available in respect of land-surrendered for road widening or construction of new roads

** FSI of the receiving plot in the area of permission under regulation no. m- 6.1 Note 2(b) (vi) may be allowed to be exceeded upto 100% of FSI of the said plot area excluding area under road widening or new road without deducting amenity space by way of development rights in respect of the land surrendered for public utilities and amenities to the planning authority in pursuence of the development permission as per regulation no. 55 A

14. DRs will be granted and DRCs issued only after the reserved land is surrendered to the Corporation where it is Appropriate Authority, otherwise to the State Government, as the case may be, free of cost and free of encumbrances, after the owner or lessee has levelled the land to the surrounding ground level and after he has constructed a 1.5 m. high compound wall (or at a height stipulated by the Commissioner with a gate at the cost of the owner, and to the satisfaction of the Commissioner, or the State Government (where the Corporation is not the appropriate authority). The cost of any transaction involved shall be borne by the owner or lessee.

15. With an application for development permission, where an owner seeks utilizations of DRs, he shall submit the DRC, to the Commissioner who shall endorse thereon in writing, in figured and words, the quantum of the DRC proposed to be utilised before granting development permission, and when the development is complete, the Commissioner shall endorse on the DRC in writing, in figures and words, the quantum of DRs actually utilized and the balance remaining thereafter, if any, before issue of occupation certificate.

..153..

* As per Govt. GR No. TPS 1207/1590/CR-239/08/UD-12, date 23/07/2010

** As per Govt. GR No. TPS 1205/2436/CR-107/06/UD-12, date 17/09/2007

16. A DRC shall be issued by the Commissioner himself as a certificate printed on bond paper in an appropriate form prescribed by Commissioner. Such a certificate will be a transferable “ negotiable instrument” after due authentication by the Commissioner. The Commissioner shall maintain a register in a form considered appropriate by him of all transactions etc. resulting to grant of utilization of DRs.

17. The surrendered reserved land for which a DRC is to be issued shall vest in the Corporation or the State Government, if the appropriate authority is other than the Corporation, and such land shall be transferred in the City- Survey Records in the name of the Corporation or the State Government, as the case may be , and shall vest absolutely in the Corporation or the State Government. The surrendered land, so transferred to the State Government in respect of which the Corporation is not the appropriate authority, may, on application, thereafter be allotted by the State Government in favour of the concerned authority, which may be a State or Central Government Department, authority or organisation, or an other public authority or organisation on appropriate terms as may be decided by the State Government.

* **18.** “ Whenever, the Appropriate Authority submit their demand for the land reserved for them in the Development Plan or the land owner serves the purchase notice for such land the Municipal Corporation can grant the TDR for such reservation and take possession of such land subject to condition that the concerned appropriate authority (other than the Govt. Deptt.) shall deposit atleast 75% of land cost as per prevailing rates of ready reckoners and subsequently take the possession of such reserved land after payment of 100% land cost as per the prevailing rates of ready reckoner. However, for the sites reserved for State Govt. the Municipal Corporation shall hand over the such reserved land free of cost to concerned State Govt. Deptt.”

APPENDIX V

[Regulation 12]

Regulation relating to Development in large Holding in the Residential Zone.

The following facilities will be available for residential development undertaken by a single developer as one scheme in a single plot of 20,000 sq.m. in area :-

- 1.** A platform or podium may be built at floor 1 or 2 level but not over 7.5 m. from the level of the approach road to join residential building towers (subject to the lighting and ventilation requirements being fulfilled) and to cross over public roads adjoining this development, with the previous approval of the Fire Advisor of Maharashtra.
- 2.** The recreational open space prescribed in these Regulation may be provided either at ground level or as an open to sky podium to be developed as lawn/garden.
- 3.** A Shopping centre may be provided exclusively within the building towers with no access or frontage on any public road. Such centre shall be limited in area to 5 percent of total FSI.

4. If a public amenity like a kinder-garten school, milk centre, electric sub-station, bus shelter, etc. is provided within the project the area of such facility not exceeding 5 percent of the total plot area shall be allowed free of F.S.I.

5. Pathways. - Pathways upto - 2.5 m. wide connecting the residential tower buildings may be provided by a roof with a clear height not exceeding 2.4 m. Such pathways shall be exclusively for pedestrian use and will be free of F. S. I.

6. The required open space from the boundary of the holding shall not be reduced by construction of a podium.

APPENDIX VI

[Regulation 5 (1), 5(3) (iii), (iv)]

Form of Notice and first Application for development Under Sections 44,45,58,69 of the Maharashtra Regional and Town Planning Act, 1966 and to erect a building under Mumbai Provincial Municipal Corporation Act, 1949.

The Commissioner

Bhiwandi- Nizampur Municipal Corporation.

Sir,

I intend to carry out development in the site/to erect, to re-erect/to make material alteration in the building _____ on/in plot No./
c.s.No./C.T.S. No. _____ of

Division / Village / Town Planning Scheme No.

situated at Road / Street _____ ward

and in accordance with section 44,45,58,69 of the Maharashtra Regional and Town Planning Act, 1966 and provisions of Maharashtra Municipal Act, 1965 and the Maharashtra Development Plan Rules, 1970

2. I enclose the following plans and statements (Items 1 to 6) wherever applicable, in quadruplicate , signed by (Name in block letters)

licensed surveyor / engineer / structural engineer / supervisor, License No.

_____ or architect, who has prepared the plans and designs on my behalf and a copies of other statements / documents as applicable (Item 7 to 12)

1. Key plan (Location Plan)
2. Site Plan
3. Sub - division / layout plan
4. Building Plan
5. Particular of development in the form in Annexure I
6. Ownership Title
7. Attested copy of receipt for payment of building permit fee.
8. Clearance certificate of municipal tax arrears.
9. No objection certificate / s, where required.
10. Appointment letter in favour of licensed technical person or architect.
11. Supervision memorandum of licensed technical personnel or architect.

12. Property register card, and city survey plan for plot in original signed by the Competent City Survey Authority, owner's affidavit regarding area of the plot and Architect certificate for plot area alongwith area calculations by triangulation method. Please approve the proposed development / construction and permit me to execute the work.

Date :

Yours faithfully

Signature of Owner

Name of Owner

(in block letters)

Address of Owner.

Signature of owner

ANNEXURE I

[Part of Appendix VI - Items 5]

Particulars of Development

1. (a) (i) Applicant's Full Name

(in block letters)

(ii) Applicant's address

(b) Name and address of Licensed Surveyor / Engineer / Structural Engineer or Supervisor Architect employed

(c) No. and date of issue of licence

valid upto

2. Is the plot affected by any reservation or road lines ? If so, are these correctly marked on the block plan ?

3. *(a) What is the total area of the plot according to the document.

*(b) Does it tally with the Collector's record ?

*(c) What is the actual area available on site measured by the licensed surveyor / architect / engineer / structural engineer / supervisor or architect ?

(d) If there is any deduction in the original area of the plot on account of road lines or reservation ? Please state the total area of such deductions.

(e) If so, what is the net area ?

(f) Is the clearance under Urban Land (Ceiling & Regulation) Act 1976 obtained ? If so, what is the area allowed for development ?

* Permission will be based on the minimum of areas in (a), (c) or (f) above.

(NOTE .- INDICATE DETAILS ON THE SITE / BUILDING PLAN AS IN FORM 1)

4. Are all plans as required under Regulation 5 (3) enclosed ?

5. (a) Is the plot part of a city triangulation survey number, revenue survey number or

hissa number or a final plot number (city survey number) of a Town Planning Schemes or a part of an approved layout ?

(b) Please state sanction number and date of sub - division / layout.

6. (a) In what zone does the plot fall ?

(b) What is the permissible Floor Space Index of the Zone ?

(c) What is the number of tenements per net hector permissible in the zone ?

7. (a) Is the use of every room in the proposed work marked on the plans ?

(b) Is it in accordance with the Regulations ?

(c) Does the building fall in the category of -

(i) Special building as defined in Regulation 2(3) (13) (m) ?

(ii) Multy-storeyed building or high rise building as defined in Regulation 2(3) (13)

(i) ?

8. If the work is in connection with an industry -

(a) Please briefly describe the main and accessory processes.

(b) Please state the maximum number of workmen and the total KW likely to be employed pe shift in the factory.

(c) Under what industrial classification does it fall ?

(Reference to relevant Regulation should be given.)

(d) Is the proposal for relocation of an existing industry ? If so, give the name and address of the existing industry.

Note - The permission will be based on the area which is minimum.

(e) If the proposal is for the establishment of a new industry or for the expansion of an existing industry, is a copy of the “ No Objection Certificate” from the Department of Industries enclose [see Regulation No. 16 (i) wherever applicable ?

(f) Will the building be away from the boundary of a residential or commercial zone or as per Table 8A (c) in Regulation 29 (3) ?

(g) Is the proposal for a service industrial estate on a plot reserved for service industries or in a General or special industrial zone ?

(h) Nature and quantum of industrial waste / affinities and methods of disposal be stated.

9. (a) What is the average -

(i) prescribe width ? and

(ii) existing width of the street ?

(If the plot abuts two or more streets, information for all streets should be given)

(b) What is the height of the building ?

(i) above the centre of the street ?

(ii) above the average ground level of the plot ?

(c) Does it comply with Regulation 31 ?

10. (a) If there are existing structures on the plot -

(i) Are they correctly marked and numbered on the site plan ?]

- (ii) Are those proposed to be demolished immediately coloured yellow ?
- (iii) What is the plinth area and total floor area of all existing structures to be retained ?
(Please indicate in the appended Statement ' A ' with details)
- (iv) What is the number of existing tenements in the structure (s) to be retained.
- (b) What is the plinth area and total floor area of the proposed work or building ?
(Please indicate in appended statement 'B' with details)
- (c) What is the number of tenements proposed ?

Note - INDICATE DETAILS OF THE BUILDING PLAN AS IN FORM 1.

- 11.** (a) Please state the plinth area, existing and proposed (i.e.totals of items 10(a) (III) AND 10 (B).
- (b) Please state the Development Rights, if any, proposed to be used and the floor space index credit available thereunder.
- (c) Please state the overall floor space index [Item 11(a) divided by Item 3 (e)] plus the floor space index available due to Development Rights.
- (d) Does the work consume the full floor space index of the plot, as given in item 6(b)?
If not, why not ?
- (e) Is the building proposed with setbacks on upper floors ?
- (f) What is the total number of tenements [Item 10 (a) (iv) plus Item 10(c)

Note - INDICATE DETAILS ON THE BUILDING PLAN AS IN FORM 1.

- 12. (a)** What is the width of the front open space ? If the building abuts two or more streets, does the front open space comply with Regulation 28(a) ?
- (b) Please state which of the sub - regulation of Regulation 29 and or any other regulation is applicable for the open space.
Does the front open space comply with the Regulation ?

- 13.** What is the distance from the centre line of the street ?
Does it comply with Table 8A(C) to Regulation 29 (3) ?

- 14. (a)** What is -

- (i) the width of side open space (s) ?
- (ii) the width of rear open space (s) ?
- (iii) the distance between buildings ?
- (b) Do they comply with Regulation 29 (1) (a) ?
Regulation 28 (1) (b) ?
Regulation 28(5) ?

- (c) Are there two or more wings to the buildings ?

If so, are the open spaces separate or distinct for each wing as required by Regulation 28 (b)

- 15. (a)** What are the dimension of the inner or outer chowk ?

- (b) (i) Does any room depend for its light and ventilation on the chowk ? If so, are the dimensions as required for each wing of the buildings ?

(ii) If not, is the area at least equal to square of one fifth of the height as per Regulation 29 (7) ?

16. If the height of the building is greater than 16 m. above, the average ground level. is provision for lift (s) made ?

If so, give the following details of the lift (s) :-

Type Passenger Capacity No. of lifts Types of doors (b) Details of fire lift.

17. (a) Does the building fall under the purview of clause (i) or (m) of sub- regulation (2) Regulation 3 ?

(b) If not give reasons.

18. (a) (i) What is the requirement of parking spaces under Regulation 35(2) and (3)?

(ii) How many are proposed ?

(iii) How many lock-up garages are proposed ?

(b) (i) Are parking spaces for transport vehicles provided [Regulation 35 (4)]?

(ii) If so, what is the requirement ?

(iii) How many are proposed ?

Note - INDICATE DETAILS ON BUILDING PLAN AS IN FORM 1.

19. (a) (i) What are the maximum width of balconies ?

(ii) Will they reduce the required open space to less than the provisions of the Regulation ?

(iii) Do they serve as a passage to any part of the building ?

(iv) What is their total area ?

(b) What is the maximum width of weather-frames, sun-shades (chajja), sunbreakers, cornices, eaves, or other projections ?

(c) (i) Are any porches/ canopies proposal ?

(ii) Do they comply with requirements of Regulation 30 ?

20. (a) What is the width of the means of access ?

(b) What is its clear height ?

(c) Will it be paved, drained and kept free of encroachment ?

21. Is the recreational or amenity open space provided as required under Regulation 23(1), 23(2) ?

22. (a) Are any accessory buildings proposed ? If so, for what purpose ?

(b) What are their heights ?

(c) Are they 7.5 meters away from the street or front boundary and if located within the open spaces, 1.5 meters from any other boundary ?

(d) Is their area calculated in floor space index ?

23 (a) What is the proposed height of the compound wall ?

Is it at a junction ?

(b) Does it comply with Regulation 37 (27) ?

24. (a) Is the proposal in the airport zone ?

(b) Is a No Objection Certificate for height and Aviation Authorities (Attach copy)

(c) Does the proposal fall in the category of tower - like structure vide Regulation 2(2) (98) and 29 (1) (d) ?

If so, does it comply with the requirements thereof ?

25. Indicate provision for common communication antenna for receipt of television transmission in residential building with more than ten tenements (Regulation 30)

26. Does the proposal fall in any of the areas/zones such as those of the Bombay Metropolitan Region Development Authority / Maharashtra Housing and Area Development Authority / Railway / Highway / Slum Authorities / Power Transmission line / Coastal Area / No Development Zone / Tourism Development Zone / Communication Authorities, etc. ?

27. (a) Does any natural water course pass through the land under development ?

(b) Is the necessary set back provided according to Regulation 16(b)

28. Is the plinth level proposed to be above the level of the surrounding ground level?

29. The details of the materials to be used in construction with specifications are as follows.

Roofs _____

Floors _____

Walls _____

Columns _____

Beams _____

Any other material _____

30. The number of water closets, urinals, kitchens,baths, to be provided are as follows.

	Water	Closets	Baths	Urinals	Kitchens
Existing	_____	_____	_____	_____	_____
Proposed	_____	_____	_____	_____	_____

31. Details of the source of water to be used in the construction.

32. Distance from the sewer.

33. How much municipal land, if any, will be used for stacking building material ?

34. Please explain, in detail, in what respect the proposal does not comply with these Regulations and the reasons therefor, attaching separate sheets for this information, if necessary.

I am the owner - lessee / mortgagee in possession /-----
of the plot on which the work is proposed and that the statements made in this Form are
true and correct.

Date :

Address : Signature of the applicant
Form of Certificate be signed by the Licensed Surveyor/Engineer/ Structural
Engineer/Supervisor or Architect employed by the Applicant.

I(Name)_____ have been employed by the
applicant as his Licensed Surveyor/Engineer/Structural Engineer/ Supervisor or Ar-
chitect . I have carefully persuade his covenant or conveyance in respect of this plot
and have examined the boundaries and the area of the plot and I certify that I have
personally verified all the statements made by the applicant who is the owner/lassee/
mortgagee in possession of the plots as in the above Form and the attached Statement
A and found them to be correct

Date : signature of Licensed
Address : Surveyor / Engineer /
Structural Engineer /
Supervisor or Architect.

NOTE - INDICATE IN BUILDING PLAN AS IN FORM II

STATEMENT ‘ A’
[Sr. No. 10 (a) (iii) in ANNEXURE “A”]
Existing Building to be retained.

Existing No.	Building Floor No.	Plinth Area	Total floor area of the Existing	Use of Occupan- cy of Floors
1	2	3	4	5

STATEMENT ‘B’
[Sr. No. 10(b) in ANNEXURE “1”]
Proposed Work / Buildings

Building No.	Floor No.	Area	Total Floor Areaof proposed work	Use of of Floors.

FORM 1

(Sr. No. 2,9,10,11,19 in ANNEXURE “A”)

(At right top corner of site / building plan at Ground Floor Level)

A. Area Statement		Square Meters			
1.	Area of plot. ..	..	..	..	..
2.	Deductions for				
	(a) Road set- back area ..	..	..	..	..
	(b) Proposed road ..	..	..	..	..
	(c) Any reservation ..	..	..	..	..
				Total (a + b + c)	
3.	Balance area of plot (1 minus 2)	..	..	..	..
4.	Deduction for recreational ground (if deductible)				
5.	Net area of plot (3 minus 4)				
6.	Additions for floor space index				
	2 (a) 100% .. ..	..	..	..	..
	2 (b) 100% .. ..	..	..	..	..
7.	Total Area (5 plus 6)			..	..
8.	Floor Space Index permissible			..	..
9.	Floor Space Index credit available by Development Rights (Restricted to 40% of the balance area vide item 3 above).				
10.	Permissible Floor Area (7 multiplied 8) plus 9 above ,	..	..	..	..
11.	Existing Floor Area .. ..	..	..	..	..
12.	Proposed area .. ..	..	..	..	..
13.	Excess balcony area taken in floor space index (as per B (iii) below).				
14.	Total built - up area proposed (11 + 12 + 13 )			..	..
B. Balcony Area Statement					
	(i) Permissible balcony area per floor			..	..
	(ii) Proposed balcony area per floor			..	..
	(iii) Excess balcony area per floor			..	..
	(iv) Total excess balcony area for all				..
C. Tenement Statement					
	(i) proposed area (Item A, 12 above. )	..	..	..	..
	(ii) Less deduction of non-residential area (Shop, etc.)				..
	(iii) Area available for tenements [(i) minus (ii)]				..
	(iv) Tenements permissible (Density of tenements / hectare)				..
	(v) Tenements proposed	..	..	..	..
	(vi) Tenements existing	..	..	..	..
	Total Tenements on the Plot				

..

D. Parking Statement

(i) Parking required by Regulations for :-

Car	..	..	..	..	..	..	..
Scooter / Motor cycle	..	..	..	..	..	..	..
Outsiders (Visitors )	..	..	..	..	..	..	..

(ii) Covered garages permissible

..
----	----	----	----

(iii) Covered garages proposed

Car	..	..	..	..	..	..	..
Scooter / Motor cycle	..	..	..	..	..	..	..
Outsiders (Visitors)							

(iv) Total parking provided

E. Transport Vehicles Parking

(i) Spaces for transport vehicles parking required by Regulations

(ii) Total No. of transport Vehicles Parking spaces provided :

FORM II

[At right bootom corner of plans / below Form I]

Contents of sheet

Stamp of date of receipt of plans

Stamp of approval of plans

-----	-----	-----	-----
Revison	Description	Date	Signature
-----	-----	-----	-----

Certificate of Area

Certified that I have surveyed the plot under reference on and that the dimensions of the sides, etc. of the plot stated on the plan are as measured on site and the area so worked out is * _ _ _ _ square metres and tallies with the area stated in the document of ownership.

Signature of Licensed Surveyor /
Architect / Engineer / Structural
Engineer / Supevisor or Architect

Description of proposal and property

Name of owner

Job No. DRG. No. Scale Checked by Drawn by

North Line

Signature, Name (in block letters)
and Address of Licensed Surveyor /
Architect / Engineer / Structural
Engineer / Supevisor or Architect

* Area to be stated in figures and also in words... ..

APPENDIX VII
[Regulation 5 (3) (ix)]
Form for Supervision

To,
The Commissioner
Bhiwandi Nizampur Muncpal Corporation

Sir,

The development / erection / re - erection / demolition or material alteration of the building _____ on Plot No. / C. S. No. / C.T.S. No.____ of Division / Village / Town Planning Scheme No. _____ situated at Road / Street _____ ward _____ will be carried out under my supervision. All the marerials (type and grade) and the workmanship of the work will generally tally with the general specifications submitted alognwith the plans and the work will be carried out according to the sanctioned plans. I shall be responsible for the execution of the work in all respects.

Yours faithefully

Signature of Licensed / Surveyor / Engineer / -----
Structural Engineer / Supervisor or Architect -----
Name -----

-

(in block letters)

Licence No. -----

Address : -----

Date : -----

APPENDIX VIII

[Regulation No. 5 (4) (ii)]

Qualifications , Competence , Duties and Responsibilities etc. of Licensed Technical Personal or Architect for preparation of schemes for Development Permission and Supervision.

1. Genral.

(i) The qualifications of technical personnel and their competence to carry out different jobs for development permission and supervision for the purpose of licensing shall be given in Regulation 2 to 6 . The procedure_ licensing technical personnel is given in Regulation 6.

2. Architect :

(i) Competence of Architect - To carry out work related to development permission as given below and to submit. -

- (a) All plans and information connected with development permission ;
- (b) Structural details and calculations for buildings on Plot upto 500 sq.m. and upto 3 storeys or 11 m. height ; and
- (c) Certificate of supervision and completion for all buildings.

3. Engineer :

(1) Qualifications. - Corporate membership (Civil) of the Institution of Engineer or a Degree or Diploma in Civil or Structural Engineering which makes him eligible for such membership. or the Diploma in Civil engineering and thereafter havin exp. of atleast loyeres in the fields of engineering or architecture out of which minimum three years exp. shall be as Supervisor in any of m.pal areas

(2) Competence. - To carry out work related to development permission as given below and to submit.

- (a) All plans and related information connectid with development permissions ;
- (b) Structural details and calculations of buildings on plot upto 500 sq.m. and 5 storeys or 16 m. height ; and
- (c) Certificat of supervision and completion for all buildings.

4. Supervisor :

(1) Qualification - (a) For Supervisor I :

(ii) Three years architectural assistantship or intermediate in architecture with two yearw experienxe ; or

(ii) Diploma in Civil Engineering with two years experience.

(b) For Supervisor II :

(i) Draftsman in Civil Engineering from I.T.I. with five yerars exeperience under architect / engineer.

2. Competence - (a) For Supervisor I - To submit -

(i) All plans and related information connected with development permission on plots upto 200 sq.m. and upto two storeys ; and

(ii) Certificate of supervision of buildings on plots upto 200 sq.m, and upto two storeys and completion there of (b) for supervisor II To submit (i) All Plans and reated information upto 50 sq.m. built up area and upto two stireys and Certificate of supervi-sion for limits at (i) above and completion thereof.

5. Structural Engineer :

(1) Qualification . - Three years experience in structural engineerign practice with designing and field work, and

(a) A degree in Civil Engineering of a recognised Indian or Foreign University and Chartered Engineer or Associate Membership in the Civil Engineering Division of the Institution of Engineers (India) or equivalent overseas institution ; or

(b) Associate Membership in Civil Engineering Division of the Institution of Engi-neers (India) or equivalent overseas institution possessing exceptional merit.

Three years experience will be reduced to two years for those with a post - graduate degree of a recognised Indian / Foreign University in the branch of Structural Engineering and to one year for those with a Doctorate in Structural Engineering.

(2) Competence - To submit the structural details and calculations for all buildings and supervision.

2.1 Complicated buildings and sophisticated structures, as decided by the Commissioner which are within the horizontal areas and vertical limits under 2 (1) (b), 3(2) (b) and 4 (2) (a) (i) shall be designed only by structural engineers.

6. Licensing :

(1) Technical personal to be licensed. - The qualified technical personal or group referred to in Regulation 3; 4 and 5 shall be licensed with the Municipal Corporation and the licence shall be valid for one calendar year ending 31st December after which it shall be renewed annually.

(2) Fees for Licensing - The annual licensing fees shall be as follows :-

For Engineers and Structural Engineers Rs. 250 per annum.

For Supervisors S-I Rs. 100 per annum.

For Supervisors S-II Rs. 50 per annum.

“Provided that an architect duly registered with the council of Architecture constituted under the Architects Acts 1972 (20 of 1972) shall not be required to pay any Licensing fee”

(3) Duties and Responsibilities of Licensed Technical Personnel or Architect -

(a) It will be incumbent on every licensed technical person or architect in all matters in which he may be professionally consulted or engaged to assist and co-operate with the Commissioner and other Corporation Officers in carrying out and enforcing the provisions of the Corporation Act and Maharashtra Regional and Town Planning Act and of any Regulations or rules for the time being in force under the Acts.

(b) Every licensed technical person or architect shall in every case in which he may be professionally consulted or engaged be responsible so far as his professional connection with such case extends, for due compliance with the provisions of Mumbai Provincial Municipal Corporation Act., the Maharashtra Regional and Town Planning Act and of any rules or regulations for the time being in force under the said acts, or such of them as may respectively be applicable to the circumstances of particular case and in particular it will be obligatory on him to satisfy himself that a qualified and competent site supervisor with qualifications prescribed by the Commissioner is constantly employed and present on the work to supervise the execution of all work and to prevent the use of any defective material therein and the improper execution of any such work.

(c) In every case in which a licensed technical person or architect is professionally concerned with any building or work upon any premises in respect of which a right to require a set-back has accrued or is about to accrue to the Commissioner under the provisions of Mumbai Provincial Municipal Corporation Act, 1949 to ascertain whether “ the regular line of the street” has been prescribed and whether any portion of the said premises is required for the street and or any of them it, will be incumbent on such Licensed technical person, must, on any account or under any pretence, be a party to any evasion or attempted evasion of the set-back (if any) that may be required.

(d) In every case in which a licensed technical person or architect is professionally concerned with any building or work upon any premises designed or intended to be used or any purpose for which the written permission or licence of the Commissioner is prescribed by the said Act as a necessary condition to the establishment or use of such premises for such purpose, it shall be incumbent on such licensed technical person so far as his professional connection with such case extends, to see that all condition prescribed by the said Act. or by any rules or regulations for the time being in force thereunder, are duly fulfilled or provided for -

(e) A licensed technical person or architect shall not carry out any work in connection with any building or other erection on a plot of land leased or agreed to be leased by the Municipal Corporation contravention of any condition of the lease or agreement for lease.

(f) When a licensed technical person or architect ceases to be in employment for the development work, he shall report the fact forth with to the Commissioner.

APPENDIX IX
[Regulation (5) (5) (1)]

Form of sanction of development permission building permission and commencement certificate.

To _____

Sir,

With reference to your application No. _____ dated _____
for Development Permission and grant of Commencement Certificate under Section 45
and 69 of the Maharashtra Regional and Town Planning Act 1966, to carry out devel-
opment and building permission under Section 253 of the Mumbai Provincial Muni-
cipal Corporation Act, 1949 erect a building in Building No. _____ on Plot No.
/ C.S.No. / C.S.T. No. _____ Divn. / village / Town Planning Scheme No. _____
_____ situated at Road / street _____ Ward _____

_____ the Commencement Certificate / Building permit is granted on the following
conditions.

1. The land vacated in consequence of the enforcement of the set -
back line/road widening line shall form part of the public street.
2. No new building or part thereof shall be occupied or allowed to be occupied or
used for permitted to be used by any person until occupancy permission has been
granted.
3. The commencement certificate/ development permission shall remain valid for
one year commencing from the date of its issue.
4. This permission does not entitle you to develop land which does not vest in you.
- 5
- 6

Yours faithfully,

Commissioner,
Bhiwandi Nizampur City Municipal Corporation.

Office No. _____

Office Stamp _____

Date _____

APPENDIX X
[Regulation 5 (5) (1)]

Form of refusal of Development Permission, Building Permission and commencement Certificate.

To

Sir,

With reference to your application No ----- dated ----- for the grant of sanction of the development works; the erection of a building / execution of work for Building on ----- plot No. / C.S.No. / C.T.S.No. of ----- Divn. / Village / Town Planning / Scheme No. ----- situated at ----- Road / Street ----- Ward-----, I regret to inform you that the sanction is refused on the following grounds under Section 45/69 of the Maharashtra Regional and Town Planning Act, 1966

- | | |
|---------|---------|
| 1 ----- | 2 ----- |
| 3 ----- | 4 ----- |
| 5 ----- | 6 ----- |

Yours faithfully,

Commissioner,
Bhiwandi Nizampur City Municipal Corporation.

Office No. -----

Office Stamp -----

Date -----

APPENDIX XI
[Regulation No. 6 (2)]
Form of Notice for Start of Work

To

The Commissioner,
Bhiwandi Nizampur City Municipal Corporation.

Sir,

The development work/erection /re-erection/ demolition or material alteration in / of Building No. ----- on / in Plot No. / C.S.No. / C.T.S.No.

----- Division /village / Town Planning Scheme No -----

----- situated at ----- Street/Road -----

--

Ward ----- will start on ----- in accordance with your permission No ----- date ----- under the supervision of ----- Licensed Surveyor/Engineer/Structural Engineer/ Supervisor, or Architect Licence No ----- and in accordance with the plans sanctioned.

Your Faithfully

Signature of Owner -----

Name of the Owner -----

In Block Letters, -----

Address of Owner -----

Date : -----

APPENDIX XII

[Regulation No. 6 (4)]

Form for Intimation of Completion of Work upto Plinth Level.

To,

The Commissioner,
Bhiwandi Nizampur City Municipal Corporation..

Sir,

The construction upto plinth / column upto plinth level has been completed in Building No ----- on / in Plot No./ C.S. No. / C.T.S. No.----- Division / village / Town Planning Scheme No. ----- Road/Street ----- Ward ----- in accordance with your permission No. ----- dated ----- , under my supervision and in accordance with the sanctioned plan.

Please check the completed work and permit me to proceed with the rest of the

Yours faithfully

Signature of Licensed
Surveyor / Engineer / Structural
Engineer / Supervisor or
Architect.

Name -----

(In Block Letters)

Address -----

Date : -----work.

APPENDIX XIII

[Regulation No. 6(4)]

**Form of Approval / Disapproval of Development work
upto Plinth Level.**

To,

Sir,

Please refer to your intimation No.----- dated-----

-
regarding the completion of construction work upto plinth / columns upto plinth level
in Building No.----- on / in plot No. / C.S.No. / C.T.S. No ---
----- Division / Village / Town Planning scheme No -----
situated at ----- Road / Street ----- Ward ----- you may/
may not proceed with the ----- further work as per sanc-
tioned plan / as the construction upto plinth level does/does not conform to the sanc-
tioned plans.

Yours faithfully,

Commissioner,
Bhiwandi Nizampur City Municipal Corporation.

Office No.-----

Office Stamp -----

Date -----

APPENDIX XIV

[Regulation No. 6(7)]

Form for Development Completion Certificate

To,

The Commissioner,
Bhiwandi Nizampur City Municipal Corporation.

Sir,

I certify that the erection/re-erection or part/full development work in/on building / part building no.----- on / in plot No., C.S.No. / C.T.S.No.----- situated at ----- Road / Street ----- Ward -----

-
has been supervised by me and has been completed on ----- according to the plans sanctioned (office communication No. ----- dated-----). The work has been completed to my best satisfaction, the workmanship and all the materials (type and grade) have been used strictly in accordance with general and detailed specification. No provisions of the Act or development Control Regulations no requisitions made, conditions prescribed or orders issued thereunder have been transgressed in the course of the work. I am enclosing three copies of the completion plans, one of which is cloth mounted. 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 and give permission for the occupation of the building.

Yours faithfully,

Signature of Licensed
Architect / Surveyor Engineer/
Structural Engineer /
Supervisor or Architect.

Name (In Block Letters) -----

Address -----

Date -----

Licence No.-----

APPENDIX XV
[Regulation No. 6(6)]
Drainage Completion Certificate

To,

Sir,

The following work----- (insert full particular of the work) has been completed to my satisfaction; the workmanship and the whole of the materials used are good; and no provision of the Act or the Development Control Regulations or building Bye-laws and no requisition made, condition prescribed or order issued thereunder , has been transgressed in the course of the work.

Your faithfully

Signature of Licensed Plumber -----

Name (In Block Letters) -----

Address -----

Date ----- Licence No -----

APPENDIX XVI
[Regulation No. 6(6)]
Building Completion Certificate

TO

Sir,

The following building work (insert full particulars of the work) has been supervised by me and has been completed to my satisfaction; the workmanship and the whole of the materials used are good; and no provision of the Act or the Regulations Bye-laws and no requisitions made, condition prescribed or order issued thereunder, has been transgressed in the course of the work.

Your faithfully,

Signature of Licensed /
Surveyor / Engineer / Structural
Engineer / Supervisor or
Architect

Name (in Block Letters) -----

Address -----

Date ----- Licence No. -----

APPENDIX XVII
[Regulation 6(6) and 6 (7)]
Form of Acceptance of Completion Certificate by
Bhiwandi Nizampur City Municipal Corporation

No ----- of

To,

Subject :

Reference :

Sir,

The Completion Certificate submitted by you on----- for the above work, is hereby accepted.

Yours faithfully

Commissioner,
Bhiwandi Nizampur City Municipal Corporation.

Date :

Office Stamp :

Copy forwarded to

APPENDIX XVIII

[Regulation 6 (7)]

Form for Occupancy Certificate.

To,

Sir,

The part / full development work / erection / re/ erection or alteration in / of building / part building No ----- on / in plot No.-----
Block No ----- situated at ----- Road / Street
----- City S. No. ----- completed under the supervision of ----- Licensed Surveyor / Engineer / Structural Engineer / Supervisor, Architect / License No ----- may be occupied on the following condition

- 1 -----
- 2 -----
- 3 -----
- 4 -----

A set of certified completion plans is returned herewith.

Your faithfully

Commissioner,
Bhiwandi Nizampur City Municipal Corporation.

Office No -----

Office Stamp -----

Date -----

APPENDIX XIX

[Regulation 6 (8)]

Form of Indemnity for Part Occupancy Certificate

To,
Commissioner,
Bhiwandi Nizampur City Municipal Corporation.

Subject
Sir,

While thanking you for letting me occupy a portion of the above building before acceptance of the Completion Certificate of the whole building for the plans approved in communication No ----- dated----- I indemnify the Bhiwandi - Nizampur Municipal Corporation against any risk, damage and danger which may occur to occupants and users of the said portion of the building and also undertake to take necessary security measures for their safety.

This undertaking will be binding on me / us, our heirs, administrators and our assignees.

Your faithfully

Signature of Owner -----

Name of the owner -----

(In Block Letters)

Witness

(Signature & name in block letters) -----

Address -----

Date
