

Preamble

State Government sanctioned the Development Control Regulations – 2001 for Vasai Virar Sub Region vide Urban Development Department notification dtd. 16/02/2004 including certain regulations as EP 1 to EP 7. Further EPs were approved vide notification dtd 18/01/2006. The Planning Authority functions were handed over to Vasai Virar City Municipal Corporation vide notification dtd. 7th July 2010. Principal Secretary, Urban Development Department has directed VVCMC to modify the DCR of VVCMC as per the requirement. The Urban Development Department has also directed VVCMC to study the possibility of implementing uniform DCR across entire MMR Region by studying the DCRs of all Municipal Corporations. Keeping these two in mind, new DCR is proposed by modifying the sanctioned DCR of VVSR. Many consultants, experts were contacted to study the possibility of preparation of new DCR on the above guidelines. Mr. S.V. Surve, Rtd. Deputy Director and Consultant of VVCMC has also taken much efforts in the process of preparation of this modified DCR. We are also grateful to Mr. S.G. Joshi- Rtd. Deputy Chief Engineer of MCGM, Mr. Parag Raut – Executive Engineer (in his personal capacity), Mr. Harshad Bhatia – Urban Designer, Ar. Vishwas Paranjape and Ar. Suhas Deshpande-Planner for their valuable suggestions with reference to regulations of BMC. We are also thankful to many practicing Architects and Consultants of BMC area who gave valuable suggestions to us while this DCR work was in progress. To bring uniform DCR across entire MMR Area and to improve the finance base of VVCMC many innovative provisions are introduced. The draft modified DCR was approved in General Body Meeting held on 9th April 2012. Modification under sub-section (1) of Section 37 of MR & TP Act,1966 is effected and notification is published to this effect. After calling suggestions and objections from public, hearing was taken and we are grateful to the public who expressed their opinion on DCR. Looking into many modifications as per the suggestions/objections into the Modified DCR, it has been decided to republish the draft DCR (Modified) 2013 by cancelling the draft DCR published in July 12-18, 2012 and November 1-7,2012. This draft DCR-2013 is published under Section 37(1) of MR & TP Act, 1966 after following due procedure under the MR&TP Act 1966. This DCR will come in to effect after due approval from Government. Till such time Section 46 of MR & TP Act,1966 will be applicable i.e. Stringent provisions of sanctioned DCR and Modified DCR-2013 shall prevail.

Deputy Director,
Town Planning Department
Vasai Virar City Municipal Corporation

Commissioner,
Vasai Virar City Municipal Corporation

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CHAPTER – I

ADMINISTRATION

1. SHORT TITLE, EXTENT AND COMMENCEMENT

- (1) **Title** – These Regulations shall be called the Development Control and Promotion Regulations for Vasai-Virar City Municipal Corporation (hereinafter called as “These Regulations”).
- (2) **Jurisdiction** – These Regulations shall apply to building activity and development work in areas under the entire jurisdiction of Vasai-Virar City Municipal Corporation in force from time to time (hereinafter called as “the Municipal Corporation”). If there is conflict between the requirements of these Regulations and in any other regulations, rules, bye-laws in force, then these Regulations shall prevail.
- (3) **Commencement** – These Regulations shall come into force from the date of sanction of modification under Section 37(2) of Maharashtra Regional & Town Planning Act, 1966.

2. DEFINITIONS OF TERMS AND EXPRESSIONS

- (1) **General** – In these Regulations, unless the context otherwise requires, the terms and expressions shall have the meaning indicated against each of them.
- (2) **Meanings** – Terms and expressions not defined in these Regulations shall have the same meanings as stated in the Maharashtra Regional and Town Planning Act, 1966 (Mah. Act. No. XXXVII of 1966), Bombay Provincial Municipal Corporations Act, 1949 (Bombay Act No. LIX of 1949), Maharashtra Land Revenue Code, 1966 (Act No. XLI of 1966) and National Building Code of India, 2005 and the rules or bye-laws framed thereunder, as the case may be, unless the context otherwise is required. Whenever there is any conflict across various terms, the terms defined in these Regulations shall be considered as final.
- (3) **Definitions** -
- 1) **“Access”** means a passage from public road to the plot or land.
 - 2) **“Accessory /Ancillary Building”** means a building separate from the main building on a plot and containing one or more rooms/space for accessory/ancillary use of the main building such as servants quarters, garages, store rooms or such other similar ancillary use.
 - 3) **“Accessory use”** means use of the building subordinate and customarily incidental to the principal use.
 - 4) **“Act”** means -
 - i) The Bombay Provincial Municipal Corporations Act, 1949 (Bombay Act No. LIX of 1949) (BPMC Act) ; or

- ii) The Maharashtra Regional and Town Planning Act, 1966 (Maharashtra Act No. XXXVII of 1966) (MR & TP Act).
- 5) **“Advertising Sign”** means 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 it, 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”** means 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”** means 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 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 equipments, as provided in these Regulations.
 - 8) **“Amenity”** means roads, streets, open spaces, parks, recreational grounds, playgrounds, sports complex, parade grounds, gardens, markets, parking lots, primary and secondary schools and colleges and polytechnics, clinics, dispensaries and hospitals, water supply, electric supply, street lighting, sewerage, drainage, public works, fire station, fire fighting services and other utilities, services and conveniences.
 - 9) **“Applicant”** for development permission means, any person who is an owner or a person claiming to be an owner through an irrevocable registered Power of Attorney and any other document as acceptable to the Municipal Corporation.
 - 10) **“Appropriate Authority”** means any public authority on whose behalf land is reserved / designated for a public purpose in any plan / scheme under the Act.
 - 11) **“Approved”** means approved by the Competent Authority or before the enforcement of these Regulations, approved by the Competent Authority then in force.
 - 12) **“Architect”** means 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 the Act.
 - 13) **“Authority”** means an Authority which has been created by a statute and will also include a Technical Committee or an Official having a professional skill to act on its behalf authorized by it for the purpose of administering these Regulations.
 - 14) **“Automatic Sprinkler System”** means an arrangement of pipes and sprinklers, automatically operated by heat and discharging water/approved fire extinguishing materials on fire, simultaneously setting an audible alarm.
 - 15) **“Balcony”** means a horizontal projection, including a parapet, hand-rail balustrade, to serve as a passage or sitting out place.

- 16) **“Basement or Cellar”** means the lower storey of a building, below or partly below the ground level/below the basement.
- 17) **“The Biotechnology Unit”** shall mean and include Biotechnology units which are certified by the Competent Authority.
- 18) **“Buildable Plot Area”** means an area of plot considered for computation of permissible Built up Area (BUA) under these Regulations.
- 19) **“Builder”** means a person/firm/company/group legally empowered to construct/develop or to execute work on a building unit, building or structure or where no one is empowered, the owner of the building unit, building or structure, registered with the Municipal Corporation. Builder shall take registration from Municipal Commissioner in order to enable him to construct in Municipal Corporation jurisdiction area.
- 20) **“Building”** means 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, etc.;
 - ii) verandahs, balconies, cornices, projections, etc.;
 - iii) part of a building or any 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 any material in liquid, gaseous form etc.;
 - vi) all types of buildings defined in (a) to (p) below. Provided that tent, shamiyana and tarpaulin shelter erected for temporary purposes for ceremonial occasions for limited period, with the prior permission of the Municipal Commissioner/ Other Competent Municipal Officer shall not be considered as a building.
- a) **“Assembly Building”** means a building 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, art gallery, “mangal karyalas”, skating rinks, gymnasia, stadia, large restaurants or eating and boarding houses, places of worship, dance halls, clubs, gymkhanas, road, air, sea or other public transportation stations, and recreation piers.
- b) **“Business Building”** means any building or part thereof used for transaction of business and/or keeping of accounts and records thereof; 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”** means a building with walls and roofs independent of any other building and with open spaces on all sides.
- d) **“Educational Building”** means a building exclusively used for a school or college, recognized by the appropriate Board or University or any other Competent Authority involving assembly for instruction, education or recreation incidental to educational use, and including a building for such other 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 buildings used as a hostels captive to an educational institution whether situated in its campus or not.

- e) **“Hazardous Building”** means a building or part thereof used for:
 - i) storage, handling, manufacture or processing of radio active 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”** means a building or part thereof wherein products or material are fabricated, assembled or processed, such as assembly plants, laboratories, power plants, refineries, gas plants, mills, factories and those processing dairy products.
- g) **“Institutional Building”** means 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 dharmshalas, hospitals, sanatoria, custodial and penal institutions such as jails, prisons, mental hospitals, houses of correction, detention and reformatories.
- h) **“Mercantile Building”** means a building or more than 50% 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”** means a building having a height more than 24 m above finished ground level, excluding the structures not relevant to height prescribed in these Regulations. The building upto 24m in height is a normal building.
- j) **“High Rise Building”** means a building having height more than 70m above the finished ground level or as decided by Government from time to time.
- k) **“Office Building (Premises)”** means 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 or matter for publication and editorial preparation of matter for publication.
- l) **“Residential Building”** means 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.

- m) **“Special Building”** means:-
- i) A building solely used for the purpose of a drama or cinema theater, a drive-in theater, an assembly hall or auditorium, an exhibition hall, theater, 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
 - 1) in height more than 15 m, or
 - 2) a total built-up area of 600 sq. m.
 - vi) Multistoried and high rise building
 - vii) Buildings as defined in Fire Act
- n) **“Storage Building”** mean 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, hanger, truck terminal, grain elevator, barn and stable.
- o) **“Unsafe Building”** means a building which:-
- i) is structurally unsafe / unserviceable,
 - ii) is unsanitary,
 - iii) is not provided with adequate means 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”** means 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.
- 21) **“Building Line”** is the profile of the building at plinth level.
- 22) **“Building Setback Line”** means the line upto which the plinth of a building adjoining a street or an extension of a street or of a future street may lawfully extend and includes the lines prescribed, if any, in any scheme and/or development plan.
- 23) **“Built-Up Area”** means the area covered by a building on all floors including cantilevered and mezzanine portions but excepting the areas excluded specifically under these Regulations from FSI computation.
- 24) **“Cabin”** means a non-residential enclosure constructed of non-load bearing partitions.
- 25) **“Competent Authority”** means an officer by whom the powers and functions of the Municipal Corporation are to be exercised and performed as per the provisions of Section 152 of the MR&TP Act, 1966. (In case of Municipal Corporation by the Municipal Commissioner or such other officer as he may appoint in this behalf as per MR&TP Act, 1966).

- 26) **“Carpet Area”** means the net usable floor area within a building excluding that covered by the walls or any other areas specifically exempted from FSI computation in these Regulations.
- 27) **“Chimney”** means 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.
- 28) **“Chajja”** means a structural overhang provided over openings on external walls for protection from rain and the weather.
- 29) **“Chowk”** means a fully or partially enclosed space permanently open to the sky within a building at any level. Inner chowk is enclosed space on all sides as provided in clause (a) and an Outer Chowk is enclosed space whose one side is open as provided in clause (b) of Sub-Regulation (3) of Regulation no. 35.
- 30) **“Combustible Material”** means that material which when burnt adds heat to a fire when tested for Combustibility in accordance with the IS:3808-1966 Method of Test for Combustibility of Building Materials, National Building Code.
- 31) **“Congested Area”** means a land included within the gothans as determined under Maharashtra Land Revenue Code, 1966, prior to enforcement of these Regulations, and within the areas specifically marked on the Development Plan or Congested area as will be declared by Municipal Corporation from time to time.
- 32) **“Convenience Shopping”** means shops, each with a carpet area not exceeding 20 sq. m. except where otherwise indicated and comprising those dealing with day to day domestic requirement.
- 33) **“Contiguous Holding”** means a contiguous piece of land in one ownership irrespective of separate property register cards.
- 34) **“Corridor”** means a common passage or circulation space including a common entrance hall.
- 35) **“Courtyard”** means a space permanently open to the sky within the site around a structure and paved/concreted.
- 36) **“Cupboard”** means a cantilevered projection at floor level permitted in a required open space except at ground floor. Cupboard on ground floor shall be at plinth level, but not in required mandatory open space.
- 37) **“Development Permission”** means a valid permission or authorisation issued in writing by a Municipal Commissioner/ Other Competent Municipal Officer or by erstwhile Competent Authority, to carry out development with due regard to the provisions of the Maharashtra Regional & Town Planning Act, 1966 and any other Act or law in force at the time of its issue.
- 38) **“Development Right”** means a floor space potential of a plot / land required to be surrendered to the Municipal Authority by virtue of a reservation / designation proposed in the Development Plan, amenity site under these Regulations or regular line of street prescribed under the Act. The development right could also be earned by undertaking development of a reservation / designation, amenity site or construction of new roads /

widening of existing roads as per development plan proposals subject to these Regulations.

- 39) **“Dharmshala”** means 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 wherein a certain section of people have a right of, or are granted, residence without payment or on nominal payment.
- 40) **“Dilapidated Building”** means whole or part of a building which has been declared unfit for human habitation and required to be demolished for being unfit by an order of the Competent Authority.
- 41) **“Drain”** means a system or a line of pipes, with their fittings and accessories, such as manholes, inspection chambers, traps, gullies, floor traps used for drainage of buildings or yards appurtenant to the buildings within the same cartilage. A drain includes an open channel for conveying surface water or a system for the removal of any liquid.
- 42) **“Enclosed/Fire Staircase”** means a staircase separated by fire resistant walls and doors from the rest of the building.
- 43) **“Escape Route”** means a 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/ refuge floor level can be reached.
- 44) **“Existing Building”** means a building or structure constructed with due permission and existing before the commencement of these Regulations.
- 45) **“Existing Use”** means use of a building or a structure or of a plot being carried out with due permission prior to the commencement of these Regulations.
- 46) **“Exit”** means a passage, channel or means of egress from any building, storey or floor area to a street or other open space of safety - horizontal, outside and vertical exits having meanings at (i), (ii), (iii) respectively as under:
- i) **“Horizontal Exit”** means an exit which is protected opening through or around a fire wall or a bridge connecting two or more buildings.
 - ii) **“Outside Exit”** means an exit 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 Exit”** means an exit used for ascending or descending between two or more levels, including stairways, smoke-proof towers, ramps, escalators and fire escapes.
- 47) **“External Wall”** means an outer wall of a building not being party wall even though adjoining a wall of another building and also means a wall abutting on an interior open space of a building.
- 48) **“Fire and/or Emergency Alarm System”** means 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.
- 49) **“Fire Lift”** means one of the lifts specially designed for the use of fire service personnel in the event of fire or other emergency.

- 50) **“Fire Proof Door”** means a door or shutter fitted to a wall opening, and constructed and erected with the requirement to check the transmission of heat and fire for a specified period.
- 51) **“Fire Pump”** means 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 should be capable of having a pressure of 3.2 kg/cm² at the topmost level of a multi-storeyed or high rise building.
- 52) **“Fire Pump- Booster”** means a mechanical/electrical device which boosts up the water pressure at the top level of a multi storeyed/high rise building and which is capable of a pressure of 3.2 kg/cm² at the nearest point.
- 53) **“Fire Resistance”** means the time during which a fire resistant material i.e. material having a certain degree of fire resistance, fulfills its function of contribution 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.
- 54) **“Fire Separation”** means 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 any other public space to the building.
- 55) **“Fire Service Inlet”** means a connection provided at the base of a building for pumping up water through in-built fire fighting arrangements by fire service pumps in accordance with the recommendations of the Fire Officer of the State Government or of the Municipal Corporation.
- 56) **“Fire Tower”** means 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.
- 57) **“Fitness centre” in a building** means a built up premises which may have toilet facilities and primarily meant for gymnasium for the purpose of fitness, physical exercises, yoga and such other activities for the benefit of its inmates and as may be permitted by the Municipal Commissioner/ Other Competent Municipal Officer.
- 58) **“Floor”** means 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 (First Floor), with the next higher floor being termed as floor 2 (Second Floor) and so on upwards.
- 59) **“Floor Space Index (FSI)”** means the quotient or the ratio of the built-up area of all floors, including mezzanine floors excepting areas specifically exempted under these Regulations, to the total area of the buildable plot.

$$\text{i.e. F.S.I.} = \frac{\text{Built Up Area of all floors}}{\text{Buildable Plot Area}}$$

- 60) **“Footing”** means 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.
- 61) **“Foundation”** means that part of the structure which is in direct contact with and transmitting loads to the soil .
- 62) **“Foyer”** means a lobby for waiting.
- 63) **“Front margin”** means the space required between the existing or proposed line of a means of access/road/street and the building setback line. Plots facing two or more means of accesses/roads/streets shall be deemed to front on all such means of accesses/roads/streets.
- 64) **“Gallery”** means 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.
- 65) **“Garage-Private”** means a building or a portion thereof designed and used for the parking of vehicles.
- 66) **“Garage-Public”** means a building or portion thereof designed other than as private garage, operated for gain, designed and/or used for repairing, servicing, hiring, selling or storing or parking motor-driven or other vehicles.
- 67) **“Gross Plot Area”** means an aggregate area of a contiguous land holding of an applicant.
- 68) **“Ground Level”** means finished level of the ground in a plot or site.
- 69) **“Group Housing”** means a building constructed or to be constructed with one or more floors, each floor consisting of one or more dwelling units and having common service facilities such as stair case, corridor, lifts, etc.
The Group Housing Scheme includes group of such buildings proposed in one plot.
- 70) **“Habitable Room”** means 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.
- 71) **“Hazardous Material”** means:
- 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.

- 72) **“Height of a Building”** means a vertical distance measured from finished ground level of the plot:-
- (i) In the case of flat roofs : up to the top of finished surface of the roof slab.
 - (ii) In the case of pitched roof : up to the point where the external surface of the outer wall intersects the finished surface of the sloping roof
 - (iii) In the case of gables : upto the midpoint between the eaves level and the ridge.
- Architectural features serving no function except that of decoration shall be excluded for the purpose of determining the height of a building.
- 73) **“Height of a Room”** means 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. The height of a room with gables is from the floor level to the mid-point between the eaves level and the ridge.
- 74) **“High Density Housing”** means a housing scheme having a minimum tenement density of 450 per net plot area in hectare.
- 75) **“Home Occupation”** means customary home occupation other than the conduct of an eating or a drinking place offering services to the general public, customarily carried out by a member of the family residing on the premises without employing hired labour, and for which there is no display to indicate from the exterior of the building that it is being 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 inhabitants of the building and also of the neighborhood, and provided that no mechanical equipment is used except that 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 Municipal Commissioner/ Other Competent Municipal Officer and subject to such terms and conditions as may be prescribed.
- 76) **“Information Technology Establishment”** means an establishment which is in the business of development of IT software, IT Hardware. IT services, IT enabled services as defined below:
- a) **IT software** : IT software is defined as any representation of instruction, data, sound or image, including source code and object code, recorded in a machine readable form and capable of being manipulated or providing interactivity top a user, with the means of a computer.
 - b) **IT Hardware** : IT Hardware shall cover such industrial units as may be decided by the Director of Industries.
 - c) **IT Services and IT enabled Services** : These include various IT services and are defined by the IT Task force of the Government of India as follows :
 “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.”
 “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.”

- 77) "**Ledge**" or "**Tand**" means 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.
- 78) "**Licensed Engineer / Structural Engineer / Supervisor**" means a qualified engineer, structural engineer or supervisor, licensed by the Municipal Commissioner/ Other Competent Municipal Officer.
- 79) "**Lift**" means a mechanically guided car, platform or transport for persons and materials between two or more levels in a vertical or substantially vertical direction.
- 80) "**Loft**" means a storage space, between two floors or a residual space in a pitched roof above normal level.
- 81) "**Mall**" means a large enclosed shopping area.
- 82) "**Masonry**" means an assemblage of masonry units properly bound together by mortar.
- 83) "**Masonry Unit**" means an unit whose net cross-sectional area measured in every plane parallel to the bearing surface is 75 % 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.
- 84) "**Mezzanine Floor**" means an intermediate floor between two floors of any storey forming an integral part of floor below, overhanging or overlooking a floor beneath, not being a loft, between the floor and ceiling of any storey.
- 85) "**Net Plot Area**" means an area obtained after the deduction of area under DP reservations and DP roads from gross plot area.
- 86) "**Non-Combustible**" means 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.
- 87) "**Occupancy or Use**" means the principal occupancy or use for which a building or a part of it is used or intended to be used, including contingent subsidiary occupancies; mixed occupancy buildings being those in which more than one occupancy are present in different portions of the buildings.
- 88) "**Open Space**" means an area forming an integral part of a site left open to the sky beyond building line.
- 89) "**Original plot**" means a original holding recognized by the Arbitrator in the Town Planning Scheme prepared under M.R. & T.P. Act, 1966.
- 90) "**Owner**" means any person for the time being receiving or entitled to receive, whether on his own account or as agent, trustee, guardian, manager or receiver for another person or for any religious or charitable purposes the rent, or profits of the property in connection with which it is used.
- 91) "**Parapet**" means a low wall or railing built along the edge of a roof, terraces, balcony, verandah, etc.

- 92) **“Parking Space”** means an enclosed or unenclosed covered or open area sufficient in size to park vehicles. Parking spaces shall be served by a drive way connecting them with a street or alley and permitting ingress or egress of vehicles.
- 93) **“Partition”** means an interior non-load bearing divider one storey or part storey in height.
- 94) **“Patio”** means a double-height area adjoining to a habitable room used as an area for outdoor lounging.
- 95) **“Permanent Open Air Space”** means 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.
- 96) **“Permission”** means a valid permission or authorization in writing of the Competent Authority to carry out development or a work regulated by the Regulations.
- 97) **“Plinth”** means the portion of a structure between the surface of the surrounding ground and surface of the floor immediately above the ground.
- 98) **“Plinth Area”** means a built up area measured externally at the level of a floor, basement or any storey *excepting areas specifically exempted under these Regulations*.
- 99) **“Plot”** means a parcel or piece of land enclosed by definite boundaries.
- 100) **“Podium”** means a continuous projecting base or pedestal under a building/beyond building line, the space above and under which is used exclusively for the purpose of parking, recreational open space and play area and connecting area.
- 101) **“Porch/Canopy”** means a covered surface supported on pillars or otherwise for the purpose of a pedestrian or vehicular approach to a building.
- 102) **“Reconstruction”** means a reconstruction in whole or part of a building which has ceased to exist due to an accidental fire, natural collapse or demolition after having been declared unsafe by the Authority, or which is likely to be demolished by or under the order of the Municipal Commissioner/ Other Competent Municipal Officer.
- 103) **“Refuge Area”** means an unenclosed space in a multi-storied building specifically provided to serve as fire-proof space to gather easily for evacuation of the occupants.
- 104) **“Retention Activity”** means an activity or use which is allowed to continue, not withstanding its non-confirming nature in relation to the use permitted in the adjoining or surrounding area.
- 105) **“Revas Projection”** means a part of a room or rooms or staircase projecting in the open space beyond the building line.

- 106) a) **“Road / Street”** means any highway, street, lane, pathway, alley, stairway, passageway, carriage way, footway, square, place or bridge, whether a thoroughfare or not, over which the public have a right of passage or access or have passed and had access uninterruptedly for a specified period, whether existing or proposed in any scheme, and includes all bunds, channels, ditches, storm water drains, culverts, sidewalks, traffic islands, roadside trees and hedges, retaining walls, fences, barriers and railings within the street lines.
b) **“Road Junction”** is a meeting point of two or more public roads having width 12m. or more or a meeting point of two or more DP roads.
- 107) **“Road / Street Level or Grade”** means 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 midpoint.
- 108) **“Road / Street Line”** means the line defining the side limits of a road street.
- 109) **“Road Width” or “Width of Road/Street”** means the whole extent of space within the boundaries of a road when applied to a new road / street, as laid down in the city survey or development plan or prescribed road lines by any act or law and measured at right angles to the course or intended course of direction of such road and includes drains adjoining and parallel to it.
- 110) **“Row Housing”** means a row of houses, with only front, rear and interior open spaces, except end houses that shall be with a side open space also.
- 111) **“Semi-Detached Building”** means a building detached on the three sides with open spaces as specified, in these Regulations.
- 112) **“Service Floor”** means a non-habitable intermediate floor, with a floor to ceiling height of 2.0 m. used permanently for providing and managing the services of the upper floors of a building.
- 113) **“Service Road”** means a road/lane provided at the front, rear or side of a plot for service purposes.
- 114) **“Site/Plot”** means a parcel or piece of land enclosed by definite boundaries.
- 115) **“Site/Plot At Corner”** means a site at the junction of two or more roads or streets and fronting these roads/streets.
- 116) **“Site/Plot Depth of”** means the mean horizontal distance between the front and rear site boundaries.
- 117) **“Site/Plot with Double Frontage”** means a site having a frontage on two streets other than a corner plot.
- 118) **“Site/Plot, Interior or Tandem”** means a site access to which is by a passage from a street where such passage forms part of the site or not.
- 119) **“Smoke-Stop Door”** means a door for preventing or checking the spread of smoke from one area to another.

- 120) **“Stair-Cover”** means 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.
- 121) **“Stilt”** means a portion of building at ground level or on the podium ,open atleast from two sides, and used for parking of vehicles or as open common area (in addition to obligatory recreational open space) .
- 122) **“Terrace”** means
- a) Roof terrace on the topmost storey open to sky
 - b) Set-back terrace at floor level open to sky
 - c) Double height (Patio) terrace at alternative floor level with roof at double height equal to two storeys.
- 123) **“Storey”** means the portion of a building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between any floor and the ceiling next above it
- 124) **“Tenement”** means an independent dwelling unit with a kitchen, or a cooking alcove.
- 125) **“Theatre”** means a place of exhibition of motion pictures and/or dramas and other social or cultural programs.
- 126) **“Tower-like Structure”** means a structure in which the height of the tower-like portion is at least twice the width of the broader base.
- 127) **“Travel Distance”** means the distance from the remotest point on a floor of a building to a place of safety, be it a vertical exit or a horizontal exit or an outside exit measured along the line of travel.
- 128) **“Volume to Plot Ratio (V.P.R.)”** means 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.
- 129) **“Water Closet (W.C.)”** means a privy with an arrangement for flushing the pan with water, but does not include a bathroom.
- 130) **“Water Course”** means a natural channel or an artificial channel formed by training or diversion of a natural channel meant for carrying storm and waste water treated to the requirement of MPCB.
- 131) **“Window”** means an opening, other than door, to the outside of a building which provides all or part of the required natural light, ventilation or both to an interior space.
- 132) **“Wing”** of a building is the part of the building which is accessible through a lift/ staircase/ entry.

3. APPLICABILITY

- (1) Development and Construction** – Except as hereinafter otherwise provided, these Regulations shall apply to all development, re-development, erection and/or re-erection

of a building, change of user, etc. as well as to the design, construction or reconstruction, and additions and alterations to a building.

- (2) Part Construction--** Where the whole or part of building is demolished or altered or reconstructed / removed, except where otherwise specifically stipulated, these Regulations shall apply only to the extent of the work involved.
- (3) Change of Occupancy--** Where the occupancy of a building is changed, except where otherwise specifically stipulated, these Regulations shall apply to all parts of the building affected by the change.
- (4) Applicability to partially completed works –** For partially completed works started with due permission before these Regulation have come into force, the Municipal Commissioner/ Other Competent Municipal Officer may, for reasons to be recorded in writing, not necessarily insist on compliance with the provisions of these Regulations. However , modification or alteration to the development proposals, which have been approved by the Municipal Commissioner / Other Competent Municipal Officer shall be permitted under these Regulations. Modification or alteration of such proposals considering Regulations prevailing earlier may be permitted subject to the following conditions:
- (a) FSI already permitted or was permissible shall remain the same.
 - (b) Development work has already been commenced and carried out substantially as per approved plan or in specific cases as will be permitted by the Municipal Commissioner as per Regulation no. 61.
- (5) 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 Municipal Commissioner / Other Competent Municipal Officer such a building is unsafe or constitutes a hazard to the safety of adjacent property and inhabitants.
- (6) Repairs to Structures affected by D.P. Reservation -** In case of permission for carrying out repairs only for the maintenance of the authorised structures affected by D.P. road proposals or reservations, the such repair permission shall be granted on certain conditions as deemed fit by Municipal Commissioner/ Other Competent Municipal Officer.

Temporary Constructions - The Municipal Commissioner/ Other Competent Municipal Officer may grant permission for temporary construction for a period not exceeding six months at a time, but in aggregate not exceeding a period of three years. Such temporary permission may be granted for the constructions of the following nature :

- i) Structures without RCC frames and/or walls for protection from the rain;
- ii) Pandals for fairs, ceremonies, religious function, etc.
- iii) Structures for godowns/storage of construction materials within the site;
- iv) Temporary site offices and watchmen chowkies within the site only during the phase of construction of the main building;
- v) Structure for exhibitions/circuses, etc.

- vi) Structures for storage of machinery, before installation, for factories in industrial lands within the site;
- vii) Structures for ancillary works for quarrying operations in conforming zones;
- viii) Stalls for sale of goods for specific period;
- ix) Milk booths and telephone booths;
- x) Transit accommodation for persons to be rehabilitated in a new construction;

Provided that temporary constructions for structures, etc. mentioned at (iii), (iv), (vi) and (x) may be permitted to be continued temporarily by Municipal Commissioner/ Other Competent Municipal Officer, but in any case not beyond completion of construction of the main structure or building. The structures in (ix) may be continued beyond three years on annual renewable basis by the Municipal Commissioner/ Other Competent Municipal Officer.

Applications of permissions for temporary constructions need not be submitted through a Technical Person. A scrutiny fee shall be paid as specified in Appendix B-III along with the application.

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 for each building exclusively from the Municipal Commissioner/ Other Competent Municipal Officer.

(2) Items of operational construction by some authorities to be 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 a special permission of the Municipal Commissioner/ Other Competent Municipal Officer in each case from the purview of these Regulations, except those relating to floor space index and fire precautions are as mentioned in Appendix A-I

All such constructions shall, however, conform to the proposals of the Development Plan or the Town Planning Scheme and prescribed requirements for the provision of essential services, water supply connections, drains, etc., to the satisfaction of the Municipal Commissioner/ Other Competent Municipal Officer

(3) Operational constructions exclude the following :-Constructions for operational purposes of the organizations as specified in Appendix A-I, authorities or departments listed above and are exempted from the purview of these Regulations except those relating to floor space index and fire precautions.

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 exemptions under the said regulation, 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 earlier 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 or within the extended period as per section 48 of MR&TP Act,1966 the said development permission shall be deemed to have lapsed for that building and fresh permission as per this Regulation shall be obtained accordingly.

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 Municipal Commissioner/ Other Competent Municipal Officer of his said intention in the form of Appendix C-XXI by engaging the services of Technical Personnel holding qualifications and competence as detailed out in Appendix A-II. 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 shall be in ammonia prints. Two sets of such plans shall be retained in the Municipal Office for record after the issue of permission or refusal. The proposal shall be strictly as per Sanctioned Development Plan, Sanctioned Development Control Regulations, MR & TP Act, 1966 and other applicable governing statutes.

(2) Copies of plans and statement-

- i) **Notice** – The notice referred to in sub regulation (2) of Regulation no. 6 shall be accompanied by as many copies of plans as the Municipal Commissioner/ Other Competent Municipal Officer 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) **Coloring 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

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

Note -

Existing work to be hatched black for land development/sub-division/ layout, 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 (xii) 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/development agreement 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 methods from the qualified licensed technical personnel or architect with an affidavit from the owner in regard to the area in the form prescribed by the Municipal Commissioner/ Other Competent Municipal Officer.
 - d) TILR map ascertaining the plot boundaries.
 - e) any other document as prescribed by the Municipal Commissioner/ Other Competent Municipal Officer.

In the case of land leased by the Government or local authorities, clearance of Government or of 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 1:5000 shall be submitted along with the application in Appendix C-XXI 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 Record showing in addition to the details in Form-II of Appendix C-XXI 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 neighboring 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 name (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 rear of 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) overhead electric supply lines including space for electrical transforming sub-station according to the requirements of the electric distribution licensers, water supply and drainage line;
 - l) such other particulars as may be prescribed by the Municipal Commissioner/ Other Competent Municipal Officer.
- 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 1:5000, and a subdivision layout plan to a scale of not less than 1:500, which shall be duly authenticated by the appropriate officer of District Inspector of Land Records/ Superintendent of Land Records 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 or layout plan;
 - f) a statement indicating the total area of the site utilised under roads, open spaces for parks, playgrounds, recreational spaces and development plan designations, reservations and allocations, schools, shopping, and other public places along with their percentage with reference to the total area 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 plans of the building with elevations and sections accompanying 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, lift wells, 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 unloading 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 along with the accessory building. These plans will also contain the details listed in Form-I of Appendix C-XXI.
 - b) show the use or occupancy of all parts of the building;
 - 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 building 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 alongwith structural calculations can be submitted separately for certain structures as decided by Municipal Commissioner/ Other Competent Municipal Officer, but in any circumstances before the issue of the development permission/ commencement certificate;
 - e) show relative levels of streets;
 - f) indicate details of common 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 Municipal Commissioner/Other Competent Municipal Officer.

Provided that with the building plans for multi-storeyed 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 access way around the building;
- b) size (width) of main and/or 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 if any;

- e) smoke stop lobby door, where provided;
 - f) refuse chutes, refuse chamber, service duct, etc if any.
 - g) vehicular, loading and unloading parking spaces;
 - h) refuge 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 centralised 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 along with 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 firefighting equipment/installations.
- vii) **Service plan** - Plan and sectional elevations of private Water supply, sewage disposal system and details of building services, wherever required by the Municipal Commissioner/Other Competent Municipal Officer shall be made available on a scale of not less than 1:100 before undertaking such work.
- viii) **Specifications** - General specifications of the proposed construction, giving the type and grade of materials to be used in the Annexure in Appendix C-XXI signed by a licensed 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 C-XXII by the licensed/ 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 alongwith a certificate for the previous work erected, if any, is accepted by the Municipal Commissioner/Other Competent Municipal Officer.
- x) **Development permission fee / scrutiny fee receipts** - The notice shall be accompanied by an attested copy of the receipts of payment of the development permission application fee and the scrutiny fee . The application fee and the scrutiny fee shall be charged at the rates specified in the Appendix B-III subject to revision by the Municipal Corporation from time to time.
- xi) **Security deposit** - To ensure compliance with these Regulations and the directions given in the sanctioned plan and other conditions, a security deposit shall be charged at rate specified in the Appendix B-III subject to revision by the Municipal Corporation from time to time. It shall be returned to the owner/developer after the specified period is expired and after the Municipal Commissioner/Other Competent Municipal Officer is satisfied with the compliance of various conditions stipulated in the commencement certificate / final occupancy certificate.

- xii) **Development Charge** – The notice shall also accompany Development Charges as per MR & TP Act, 1966 and as per these Regulations.
- xiii) **Premium and Other Charges** – The notice shall accompany premium and other charges as per these Regulations.
- xiv) **No objection Certificate** - For occupancies requiring clearance from authorities like the Civil Aviation Department, Directorate of Industries, Highway Authority, Railway Authority, 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.

None of the following activities shall be carried out by any person, without the N.O.C. of the Competent Authority even though the same require the permission of another Authority :

- i) Obtaining power supply connection;
- ii) Obtaining Water Supply Connection;
- iii) Obtaining permission for subdivision/amalgamation of agricultural lands from Collector/SDO.
- iv) Before felling of any tree, permission from the Tree Authority shall be obtained in writing. However, two times the number of trees required to be cut, shall be planted before obtaining the plinth completion certificate by the applicant on the same parcel of land.

Fees as mentioned in Appendix B-III and other documents listed in the proforma prescribed by the Municipal Commissioner/ Other Competent Municipal Officer shall have to be accompanied with every application for such N.O.C. Such application need not be submitted through Technical Person.

- xv) **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, creche, adult-literacy and non-formal education programs for the construction workers, directly by him or through a voluntary agency as per the requirements of other applicable statutory provisions.

Safety Measures at site :Proper care to avoid risk and injury to persons working on site and passers-by shall be taken by owner/applicant.

(4) Signing of plans by owners and licensed personnel / architect -

- i) **Signing of plans** - All the plans shall be signed by all the owners or by the power of Attorney holder and by the licensed 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 Municipal Commissioner/ Other Competent Municipal Officer. The owner and the technical personnel both are responsible for the contents of the drawing.

- ii) **Qualification and competence of the Licensed engineer / structural Engineer / Supervisor** - The Municipal Commissioner/Other Competent Municipal Officer shall license engineers, structural engineers and supervisors with the qualifications listed in Appendix A-II to perform the tasks mentioned in that Appendix.

(5) Processing of the development permission application -

- i) **Grant of permission or refusal** – The Municipal Commissioner/Other Competent Municipal Officer may either sanction or refuse to sanction the plans and specifications or may sanction them with such modifications/conditions 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 C-XXIII or C-XXIV as the case may be.
- ii) **Fire brigade scrutiny** –
 - a) The plans for all multi-storeyed and high-rise buildings and special buildings shall also be subject to the scrutiny of the Fire Officer of the Government of Maharashtra / Municipal Corporation as the case may be.
 - b) The necessary fire requirements are to be made for the buildings of height 24 m. or above. In case of conflict, the terms of this Development Control and Promotion Regulation shall prevail. Atleast one fire staircase of 1.5 m. width shall be provided for building height more than 15m. but less than 24m. In case of buildings with height more than 24 m., two staircases shall be provided of which one shall be fire staircase as per Fire Officer's specifications. However two staircases are not required, but only one staircase of width 1.5 m is required if floor area is less than 500 sq.m. and travel distance mentioned do not exceed as mentioned in item(i) of sub-clause (2) of clause 18 of Appendix A-XVIII.
- iii) **Deemed permission** - If within sixty days of the receipt of the notice under sub-regulation (1) of Regulation no. 5, the Municipal Commissioner/Other Competent Municipal Officer fails to intimate in writing to the person who has given the notice his refusal or sanction, or sanction with modifications/conditions or directions, the notice with its plans and statements shall be deemed to have been sanctioned, provided that the development proposal for which the permission was applied for is strictly in conformity with the requirements of all the relevant Development Control and Promotion Regulations framed under this Act or bye-laws or regulations framed in this behalf under any law for the time being in force and the same in no way violates either the provisions of any draft or final plan or proposals published by means of notice submitted for sanction under this Act, provided further 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 resubmitted for final approval shall not contain superimposed corrections. The Municipal Commissioner/Other Competent Municipal Officer shall scrutinise the revised plans and shall grant or refuse commencement certificate/ development permission within sixty days from the date of resubmission.

(6) Commencement of work/development

- i) **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 for each building shall be made before expiry of one year respectively, 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:	Completion upto plinth/stilt level
b) For additions and alterations to building	Substantial work as decided by Municipal Commissioner/Other Competent Municipal Officer
c) For bridges and construction overhead tanks	Completion upto foundation and work upto the base floor
d) For underground works	Completion of Foundation and construction Work upto floor of underground floor.
e) For lay-out, subdivision and amalgamation	Final demarcation and provision of water bound macadam roads completed.

ii) Display Board on Site:

As soon as the development/building permission is obtained the owner/Developer shall install a "Display board" on conspicuous place on site indicating following details:

- Name & Address of the owner, Developer, Licensed Personnel and Contractor.
- Survey Number/City Survey Number/Ward Number of land under reference along with description of its boundaries.
- Order Number and date of grant of development/building permission/redevelopment permission issued by the Municipal Corporation or any other authority.
- Built up area permitted.
- Number of Residential/Commercial flats with their areas.
- Address where copies of detailed approved plans shall be available for inspection.
- A notice in the form of an advertisement giving all the details mentioned in this sub-regulation above shall also be published in 2 widely circulated newspapers, one of which should be in regional language, in case of commercial & residential complex only, for individual residential unit no such advertisement is necessary.

(This is a requirement as per Government notification no. TPB-4394/1504/CR-287/94/UD-11 dated on 7/22/1998.)

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 Municipal Commissioner/Other Competent Municipal Officer, during erection of the building, shall in any way relieve the Owners / employed Licensed Personnel/Architect of such building from full responsibility for carrying out the work in accordance with Development Plan and these Regulations . Further obtaining the Non Agricultural Permission under MLR Code, 1966 and other permission as required as per other statutes is also the responsibility of the Owner concerned.
- (2) Notice for start of work** - The owner shall give notice to the Municipal Commissioner/Other Competent Municipal Officer of his intension to start work on the building site in the form given in Appendix C-XXV and along with Non-Agriculture Permission.
The owner may start the work after 7 days have elapsed from the date of the service of such notice to the Municipal Commissioner/Other Competent Municipal Officer or earlier, if so permitted.
- (3) Documents at site –**
- i) **Result 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 Municipal Commissioner/Other Competent Municipal Officer.
 - 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 no. 5 on the site for which the permit was issued.
 - iii) No building material shall be allowed to be stacked on public roads/places without the written permission of the Commissioner/ Other Competent Municipal Officer. The Commissioner/ Other Competent Municipal Officer may decide the terms and conditions on which such permission shall be given.
- (4) Checking of plinth/stilt or construction upto plinth/stilt level** - The owner through his licensed engineer, structural engineer or his architect shall give notice accompanying the NA permission in the form of Appendix C-XXVI, along with other NOCs and statutory permissions required, to the Municipal Commissioner/Other Competent Municipal Officer to ensure that the work conforms to the sanctioned plans. The Municipal Commissioner/Other Competent Municipal Officer may inspect the work jointly with the licensed technical personnel or architect within fifteen days from the receipt or such notice and either give or refuse permission for further construction as per the sanctioned plans in the form in Appendix C-XXVII. 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 and sanctioned Development Control and Promotion Regulations.
- (5) Deviation during constructions** - If during the construction of a building, any departure of a substantial nature from the sanctioned plans such as increasing the number of tenements, built up area / FSI, height of the building, decrease in open spaces, change in alignment of roads, location of DP reservations, CFC plots,

recreational open spaces, apportionment of BUA to various buildings, etc. is intended by way of internal or external additions, etc., sanction of the Municipal Commissioner/Other Competent Municipal Officer shall become necessary. A revised plan showing the deviations shall be submitted and the procedure laid down for the original plans hereto before shall apply to all such amended plans. However, while granting sanction to amended plans, Section 48 of MR & TP Act, 1966 shall also be taken into cognizance. Any work done in contravention of the sanctioned plans, without prior approval of the Municipal Commissioner/Other Competent Municipal Officer shall be deemed as unauthorised.

- (6) Completion Certificate** - The owner through his licensed plumber, shall furnish a drainage completion certificate to the Municipal Commissioner/Other Competent Municipal Officer in the form in Appendix C-XXIX. The owner through his licensed engineer/structural engineer or his architect, who has supervised the construction, shall furnish a building completion certificate along with certificate of the structural engineer regarding the compliance of the structural requirements prescribed for concerned Seismic Zone to the Municipal Commissioner/Other Competent Municipal Officer in the form in Appendix C-XXVIII and C-XXX. In addition, for multi-storeyed and special buildings and other buildings required as per Fire Act, the developer shall also submit No-Objection Certificate of the Fire officer regarding compliance of the required safety measures. The completion certificate shall be accompanied by sets of As-Built drawings showing exactly the details of construction carried out at site and any such document as may be required to prove compliance to any of the conditions stipulated in the CC along with prescribed NOCs. One set of the As-Built drawings shall be cloth mounted or laminated.
- (7) Occupancy certificate** - On receipt of the acceptance of completion certificate in the form in Appendix C-XXXI the owner, through his licensed engineer / structural engineer/ supervisor or his architect shall submit to the Municipal Commissioner/Other Competent Municipal Officer a development completion certificate in the form in Appendix C-XXVIII and C-XXX with three copies of the completion plan for record. The Municipal Commissioner/Other Competent Municipal Officer may inspect the work *and ensure all facilities including recreational facilities as shown on plan are provided* and after satisfying himself that there is no deviation from the sanctioned plans and completion of all other necessary compliances is done, issue an occupancy certificate in the form in Appendix C-XXXII or 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 and Development Control and Promotion Regulations. One set of plans, certified by the Municipal Commissioner/Other Competent Municipal Officer 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 Municipal Commissioner/Other Competent Municipal Officer 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 Municipal Commissioner/Other Competent Municipal Officer in the form in Appendix C-XXXIII.

- (9) Suspension of permit** - In addition to the provisions of section 51 of Maharashtra Regional & Town Planning Act 1966, the authority may revoke or suspend any permit issued under these provisions, wherever the work is commenced without obtaining NA permission and/or there has been any false statement or any misrepresentation of any material fact or the conditions of the Commencement Certificate are violated in the application on which the permit was based. In such case no compensation shall be payable as per section 51(2) of the MR & TP Act, 1966. In such cases, both applicant and technical personnel will be held responsible and necessary actions as per MR & TP Act, 1966 and other statutes shall be initiated.

7. AMENDMENT / MODIFICATION TO APPENDICES I TO XXXXII

Except where the same are prescribed in Bombay Provincial Municipal Corporation Act, 1949 or Maharashtra Regional and Town planning Act, 1966 or the rules or bye-laws framed thereunder, the Director of Town Planning, The Municipal Corporation or the Municipal Commissioner/Other Competent Municipal Officer, as the case may be, may from time to time, add to, alter or amend Appendices as categorized into three categories A B and C. The details are as under:

- (1) Category A :** Appendix can be modified with the approval of Director of Town Planning, Government Of Maharashtra.
- (2) Category B :** Appendix can be modified by Municipal Corporation with the approval of General Body of Municipal Corporation.
- (3) Category C :** Appendix can be modified with the approval of Commissioner.

8. INSPECTION

- (1) Inspection at various stages** - The Municipal Commissioner/Other Competent Municipal Officer may at any time during erection of a building or the execution of any work/development make an inspection thereof without giving previous notice of his intention to do so.
- (2) Inspection by Fire Department** - For all multi-storeyed, high-rise and special buildings, the work shall also be subject to inspection the Fire Officer of the Government of Maharashtra / Municipal Corporation who gives NOC for fire requirements till the occupancy certificate.
- (3) Unsafe building** - 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 Municipal Commissioner/Other Competent Municipal Officer.
- (4) Unauthorised development** - In case of unauthorised development, the Municipal Commissioner shall
 - a) take suitable action which may include stopping of unauthorised works as provided in section 54 or demolition of unauthorised works as provided in section 53 of the Maharashtra Regional and Town Planning Act, 1966 , BMC Act, 1949 and the relevant provisions of other Acts.
 - b) take suitable action against the Owner, licensed technical persons or the architect concerned under section 52 of the Maharashtra Regional and Town planning Act,

1966. Take action against technical personnel which may include debarring them from practicing in VVCMC area.

- (5) Unauthorised occupation of building** - The Municipal Commissioner/Other Competent Municipal Officer shall recover from the concerned land owner / developer / occupier of any building which is found occupied before obtaining occupation certificate as required under these Regulations, an additional amount equal to one time development charge shall be obtained.
- (6) Scrutiny by Structural Committee** – For the buildings above height of 24 m., the Municipal Commissioner/Other Competent Municipal Officer may if required in any particular case may
- (a) get the structural drawings verified through a Committee of suitable number of Competent Structural Engineers, well qualified and/ or experienced in the field of structural engineering to ascertain structural designs and details of the building.
 - (b) insist the scrutiny of designs prepared by structural engineers to be verified by at the cost of developer, from recognized institutions like IIT Mumbai, VJTI, and other such Competent institutions.

The Structural Engineer will have to modify/change the designs as may be suggested by the Structural Committee.

- (7) Scrutiny by Public Buildings and others from Urban Design point of view** – Municipal Commissioner/Other Competent Municipal Officer may insist the scrutiny of public buildings and other buildings through Urban Design expert in the field from Urban Design point of view.

CHAPTER-II

GENERAL PLANNING REQUIREMENTS LAND USES AND MANNER OF DEVELOPMENT

9. LAND USE ZONES

Uses including ancillary uses permitted in different land use zones are as follows:

(1) High Intensity Development Area:

- a) General Residential Zone.
- b) Special Residential Zone
- c) Service Industries Zone I-1
- d) General Industries Zone I-2

(2) Low Intensity Development Area:

- e) Low Density Residential Zone
- f) Green Zone
- g) Plantation Zone
- h) Cattle Shed Zone

(3) Restricted Development Area:

- i) No Development Zone
- j) Coastal Regulation Zone
- k) Area under heritage structures/sites/precincts.

10. ACTIVITIES PERMISSIBLE IN VARIOUS ZONES

Note :

(a) The proposal to be as per MoEF notification dtd. 14/09/2006:

Any new project or activity or expansion or renovation of existing projects or activities listed in the schedule as per Ministry of Environment and Forest notification dated 14th September 2006 and as amended from time to time shall be undertaken after prior Environmental clearance from Central Government or as the case may be by the State level Environment Impact Assessment. The prescription, conditions shall be strictly followed by the Developers.

(b) NOC from other Competent Authority

The responsibility of NOC from other Competent Authority as required under various Acts lies with the Owner/Applicant of the Project.

A) HIGH INTENSITY DEVELOPMENT AREA

(1) GENERAL RESIDENTIAL ZONE:

- a) Activities permitted on lands fronting roads less than 12-m. width:

i) Residences:

In this zone predominantly residential activity will be allowed.

ii) Home occupations:

Home occupations offering services to the general public, customarily carried out by a member of the family residing on the premises without employing hired labour and for which there is no display to indicate from the exterior of the building that it is being utilised in whole or in part for any purpose other than a residential or dwelling use, and in connection with which no article or service is sold or exhibited for sale except that which is produced therein. Such home occupations shall be non-hazardous and non-abnoxious not affecting safety of the inhabitants in the neighbourhood as well as of the building and in these occupations no mechanical equipments are used except those as are customarily used for purely domestic or household purposes and/or employing licensable goods subject to the maximum electricity load of 0.75 kw.

Home occupations licensed by the Khadi & Village Industries Commission/ Board shall be allowed.

iii) Convenience Shops:

Convenience Shops of carpet area not more than 20 sq.m. can be provided for day to day convenience of people, provided that front margin in such cases shall not be less than 6 m. inclusive of a lay-by of 3-m. width. Lay-by shall be provided in the front open space and maintained for the purpose of public parking of vehicles. Such road lay-by must have an unrestricted entry from the road and should not be enclosed. The level of the lay-by shall be flush with the road.

Provided further that where the width of the existing road is less than 6m. and a new Regular Line cannot be prescribed and it is declared accordingly by Municipal Corporation, the Owner can shift compound wall to 3 m. from the center line of the existing road without shifting plot boundary and provide a lay-by of 3m. width for the use of pedestrians/shoppers, the convenience shop shall be allowed in the building as per Appendix C-XXXX. In case of reconstruction/renewal of existing developments, marginal concessions in front margin will be given by the Municipal Commissioner/Other Competent Municipal Officer.

Such shops shall be permitted on ground floor upto a depth of one half of the proposed road width. The type of convenience shopping permitted is indicated in the list given in Part A(I) of Appendix – A-IV.

iv) Shopping along Commercial Strips:

Shopping activity mentioned in Regulation No. [10.A)(1)b)] below shall be permitted only in the commercial strips specifically designated in the Development Plan.

b) Activities permitted on roads of 12 m. and more up to 30m. width:

i) Activities permitted in Regulation No. [10.A)(1)a)] above.

ii) Activities given in Part A(II) of Appendix A-IV shall be permitted on these roads. In case of junction of roads with different widths, shopping specified for respective road widths shall be permitted. The shopping shall be permitted to a depth equal to

one half of the respective road width on which it abuts. Commercial activity in the commercial strips specifically designated in the Development Plan and commercial activity having single occupancy shall be permitted up to the full depth in the entire building. There shall be no restriction on the area of such shops. Front margin in such cases shall not be less than 6 m. inclusive of a 3m wide lay-by provided for public parking. Such road lay-by shall have unrestricted entry from the road and shall not be enclosed. The level of lay-by shall be flushed with the road.

- iii) Uses such as Gymnasium, Police Station, Community halls, Banks and Information Technology Establishments (ITEs) etc. not using more than 10 HP power shall be permitted.

c) Activities permitted on roads of more than 30 m. width:

- i) Activities permitted in Regulation no. [10.A)(1)a]
- ii) Shopping activity mentioned in Regulation No. [10.A)(1)b)] shall also be permitted only if it involves reconstruction and redevelopment of an existing building having existing shopping users.
- iii) Shopping activity mentioned in Regulation No. [10.A)(1)b)] shall be permitted only in the commercial strips specifically designated in the Development Plan upto a maximum depth equal to the proposed width of the road.
- iv) However, Municipal Commissioner can allow shopping in certain areas if shopping is already developed in near vicinity or in genuine cases.

d) Sites designated for commercial purposes:

- i) Full-scale commercial uses along with other ancillary uses shall be allowed in the sites designated for Commercial purposes. Major commercial establishments involved in wholesale trade, offices, mercantile buildings may be permitted, upto a depth equal to the road width on all the floors of the buildings.
- ii) Residential and allied activities covering not more than 50% of the total built up area shall be permissible only on upper floors or in separate wings or in a separate building subject to provision of exclusive stairs and/or lifts and separate parking area.
- iii) Storage and sale of combustible materials shall not be permitted in such commercial plots. However warehousing of the goods shall be allowed.
- iv) Following additional activities shall be permitted in the areas designated as (d) above:
 1. Pasteurising and milk processing plant not employing more than 25 H.P. motive power in these activities in a plot of minimum 1000 sq.m.
 2. Printing Press and related activities, paper box manufacturing, Ice factories, establishments requiring power for sealing and packaging shall be allowed in a plot of minimum 1000 sq.m.
 3. Personal services establishments.
 4. Hair dressing saloons and beauty parlours.
 5. Cold storage units in a plot of minimum 1000 sq.m.
 6. Cleaning and pressing establishments for clothes and not employing solvents

- with a flash point lower than 59^oc. Machines with dry load capacity not exceeding 30 k.g. and not employing more than 9 persons; provided that the total power requirement does not exceed 4 KW.
7. Coffee grinding with electric motive power not exceeding 1 H.P.
 8. Restaurants, eating houses, cafeterias, gymnasiums, health clubs, banks, coaching classes.
 9. Bakeries and confectioneries only on ground floor, not occupying for production an area in excess of 75 sq.m. and not employing more than 9 persons, the power requirement not exceeding 4 KW and heating load not exceeding 12 KVA shall only be allowed. These will not use coal or wood as fuel.
 10. Sugarcane and fruit juice crushers not employing more than 6 persons with motive power not exceeding 1.5 H.P. and area not exceeding 25 sq.m.
 11. Garage/workshops not employing more than 9 persons and using not more than 5 H.P. motive power on independent plots.
 12. Battery charging and repairing not employing more than 9 persons having an area not more than 25 sq.m., with not more than two chargers and power not exceeding 5 KW.
 13. Art Galleries, museums, show-rooms, exhibition halls, etc.
 14. Accessory uses customarily incidental to any permitted principal use including storage up to 50 percent of the total floor area of the principal use.
 15. Lodging and boarding houses, hotels.
 16. Professional offices, Government and Semi-Government offices.
 17. Cinema theatres, drama theatres, mangal karyalays and auditoriums.
 18. Information Technology Establishments.

(2) SPECIAL RESIDENTIAL ZONE

- i) Every scheme in Special Residential Zone intended for residential and commercial use shall provide atleast 60 % of total built up area of the plot for flats of maximum built up area of 30 sq.m. inclusive of toilet facilities for the housing the Economically Weaker Sections (EWS) and Low Income Groups (LIG) of the society.
- ii) The development shall be as per the provisions of Appendix A-XVII.
- iii) No building shall be permitted exclusively for non-residential use except for the designated users in the Development Plan and those proposed exclusively for educational and medical institutions, malls, religious or cultural activities and Drama/Cinema theaters.
- iv) Infrastructural activities for which the reservations are provided in the Development Plan shall have to be carried out on the reserved sites. Shifting or relocation of reservations as prescribed in these Regulations shall be allowed only within Special Residential zone.
- v) Housing Schemes of Economically Weaker Sections of the Society undertaken by the Maharashtra Housing and Area Development Authority shall be permitted without restrictions and conditions mentioned in this Regulation, however, in accordance with the prevailing Government orders.
- vi) In these schemes, the long common corridors giving access to flats shall be exempted from FSI.

- vii) SRZ scheme in Residential zone, Low Density zone or Green zone shall also be allowed on plot of any size, as per Regulation no. 20(19) and Appendix A-XVII. The Sub-regulation (vi) shall be also applicable for these cases.

(3) SERVICE INDUSTRIES ZONE (I -1 ZONE):

- i) Predominantly, the activities which are required to serve the residential premises, commercial and industrial establishments as also the daily needs of the people shall be permitted in this zone. The limitations of area permitted, maximum number of persons to be employed, maximum permissible power requirement and the special conditions are indicated in Appendix A-V.
- ii) Other industrial activities which are non-polluting, non-obnoxious and non-hazardous in nature shall only be allowed subject to maximum employment of 25 workers and utilising electric power of not more than 45 kW.
- iii) Residences of industrial labour is permitted in this zone upto 40% of total built up area, provided it is proposed on an independent plot. Flat size shall not be more than 40 sq.m. However, in genuine cases, the Municipal Commissioner shall grant residential area more than 40% of total built-up area.
- iv) Watchmen's quarters, canteens and banks shall also be permitted within a plot, building or premises for service industries.
- v) Information Technology Establishments shall be permitted.
- vi) Biotechnology unit shall be permitted on all plots fronting on roads having width more than 12mt.

(4) GENERAL INDUSTRIAL ZONE (I -2 ZONE):

- i) In general industrial zone any industrial building or structure, in which products or materials of all kinds and properties, except hazardous and obnoxious, are fabricated, assembled or processed and which are allowed by the Directorate of Industries in keeping with the Industrial Location Policy of the State Government shall be permitted. Such buildings or structures may include assembly plants, laboratories, R & D Centres, dry-cleaning plants, power plants, pumping stations, smoke houses, laundries, gas plants, refineries, dairies and saw mills.
- ii) Following additional uses are also permitted.
 - a. Petrol Pumps and Service Stations.
 - b. Parking lots.
 - c. Electric Sub-station.
 - d. Non-residential buildings, offices for public utility concerns or organisations.
 - e. 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.
 - f. Information Technology Establishments (ITEs).
 - g. Hotels.
 - h. Convenience Shops as listed in para [10.A) - (1)a)(iii)].
 - i. Restaurants.
 - j. Warehouses.

- k. Service industries and service industrial estates.
 - l. Hospital or any other user as permitted by Municipal Commissioner.
- iii) In I-2 zone essential staff quarters up to 10% of the built up area of the principal use shall be permitted with an independent access.
 - iv) Biotechnology unit shall be permitted on all plots fronting on roads having width more than 12mt.

B) LOW INTENSITY DEVELOPMENT AREA

(1) LOW DENSITY RESIDENTIAL ZONE

- i) Activities permissible under the Regulations No. [10.A)(1)a)], [10.A)(1)b)] and [10.A)(1)c)] shall be permitted to the extent specified in Table 5 of Regulation No. [13.(2)].
- ii) Information Technology Establishments (ITEs) shall be permitted in this zone on plots fronting 12m to 30m wide roads.
- iii) No multi-storeyed or high-rise building shall be allowed in this zone.

(2) GREEN ZONE (G - ZONE)

Activities permitted in this zone are as given in Part B of Appendix – A-IV and as permitted by MMRDA in Green Zone shall be permitted.

(3) PLANTATION ZONE: (*Predominately Wadi Lands*)

Activities permissible within Plantation Zone shall be to the extent specified in the Part B of Appendix A-IV **excepting clauses at Sr. Nos. (vii), (viii), (ix) and (x).**

(4) CATTLE SHED ZONE:

Following activities shall be permitted in this zone

- i) All activities permissible in the G-zone except those given in Sr.No. (ix), (x), (xiii), (xv) and (xviii) of Part B of Appendix A-IV;
- ii) Cattle sheds each keeping more than 10 animals shall be permissible only on a plot of at least 2000 sq.m. in area. 50% of the plot area shall be reserved for cattle grazing and provision of utilities etc. In the rest of the area cattle sheds and essential staff quarters shall be permitted to the extent specified in Table 5 of Regulation No. [13(2)].
- iii) Gaothan expansion upto 200m from the existing gaothan.

C) RESTRICTED DEVELOPMENT AREA

(1) NO DEVELOPMENT ZONE (NDZ) :

The following activities shall only be permitted:

- a) Roads, Railways and highways by Govt. & Semi Govt. authorities.
- b) Fishing, raising of crop, salt-cultivation, nurseries, forestry.
- c) Laying of electric, telephone, gas, drainage, sewerage and water lines (without buildings) by public authorities.
- d) Cemeteries, burial grounds, cremation sheds.
- e) Other utilities and services specifically permitted by the State Govt.
- f) NDZ which is not part of CRZ area shall be considered as Urbanisable Zone/Green Zone/Plantation Zone/Industrial Zone/*Residential Zone*/Special Residential Zone as the case may be.

(2) COASTAL REGULATIONS ZONE (CRZ):

Land in this zone shall be developed with due permission from Competent Authority, only in the manner and to the extent as may be allowed by the provisions set out in the Coastal Regulations Zone notification of the Ministry of Environment and Forests, Govt. of India, dated 19/02/1991 and 06/01/2011 and as amended from time to time. And various orders from State Level Coastal Zone Management Authority shall also be followed.

(3) AREA UNDER HERITAGE STRUCTURES/SITES/PRECINCTS:

The detailed Regulations for development of identified heritage structures/sites/precincts are given in Regulation no. 39 and Appendix B-VIII.

D) SPECIAL PROVISION FOR INFORMATION TECHNOLOGY ESTABLISHMENTS:

Information Technology Establishments are those establishments, which are engaged in the business of developing information technology, related software or hardware.

These shall be allowed in the following zones on plots abutting roads of 12m to 30m width.

(i) High Intensity Development Area:

1. General Residential Zone.
2. Service Industries Zone I-1
3. General Industries Zone I-2

(ii) Low Intensity Development Area:

4. Low Density Residential Zone
5. Plantation Zone
6. Green Zone

The manner of development of these establishments is elaborated in these Regulations by incorporating various provisions relating to permissibility of use, exemption of telecommunication equipment from computation of built up area, the extent of built up area permissible for these establishments, grant of additional FSI on payment of premium and exemption in height of room from built up area calculations; at appropriate places. Moreover these enabling provisions have been placed in Appendix – A-IX.

E) AREA UNDER QUARRIES

Mining and quarrying shall be permitted in the Sub-Region at specified locations marked on the Development Plan up to a level as may be specified by the Competent Authority from time to time. They will be permitted on producing a N.O.C. from Maharashtra Pollution Control Board (M.P.C.B). These operations will be permitted as per Regulations contained in Appendix – A-VII. Crushing activity shall also be allowed at sites specified by the Competent Authority.

F) FOREST LANDS

The lands which are notified under the Indian Forest Act, 1950 and other designated forest lands if any in the Sub-Region shall not be permitted to be used for any other purpose eventhough they fall under various use- zones of the Development Plan except the following users:

- i) Forest and allied activities permitted under the Forest Act.
- ii) Roads, Railways, Highways undertaken by the Government.
- iii) Laying out of electric, telephone, gas, drainage, sewerage and water lines.(without building operations) undertaken by the public authorities and with the prior approval of the Government.
- iv) Other utilities and services specifically permitted by the Government.

G) PUBLIC /SEMI PUBLIC ZONE/ USE

Activities permitted in this zone are as given in Part C of Appendix A-IV

Commercial user to be permissible in public/ semi public zone as given in the table below :

Area of plot	Permissible Commercial use in Percentage
Upto 1000 sq.mt	7.5%
1001 to 2500 sq.mt	10 %
2501 to 4000 sq.mt	12 %
4001 sq.mt. & above	15 %

Commercial use shall be allowed on following conditions,

- (1) Convenient shopping, branch of bank, small hotels, etc, shall be permitted but shops/hotels for wine, pan, cigarette, tobacco, lottery tickets and such others which do not serve public purpose; similarly domestic gas shops/godowns which are dangerous to public health shall not be permitted.
- (2) Such a commercial development shall take place in such a way that it shall not affect the view of the main development on the land, similarly such a commercial user shall be permitted upto 50% length of the plot.
- (3) The Municipal Corporation shall ascertain that for parking places and for traffic, sufficient area is kept in the plot.
- (4) Additional F.S.I shall be allowed only on the plot area remained after deducting the plot area utilised for commercial user.

- (5) The Municipal Corporation shall not allow sub division of Survey No., Gut No., Plot No., on which such a development which may cause/has taken place/would take place.
- (6) In such layouts of 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.
- (7) The commercial user is permitted upto a depth of 12.00 mt.
- (8) For parking, sufficient area shall be kept in the plot.
- (9) The land owner/developer/institution shall give guarantee in writing to the Municipal Commissioner/ Competent Authority for following all the stipulated conditions scrupulously.
- (10) The plots in which there is an existing development, such commercial use shall be restricted to max 20% of the balance potential.

Note:

- i. If any Public/ Semi Public Use marked on the Development Plan is existing in the rental premises and subsequently it is vacated, the land under it may be permitted to be used for the surrounding predominant land use.
- ii. Base FSI shall be as per residential zone.

CHAPTER-III

BUILT-UP AREA AND FSI FOR VARIOUS USES AND ZONES

11. FLOOR SPACE INDICES (FSI)

In the non-congested area the permissible base Floor Space Index shall be 1.0.

In the congested and gaothan area specifically marked in the Development Plan, maximum permissible base Floor Space Index shall be as per Table-4 and Table-5, out of which FSI of 0.30 shall be permitted for commercial/business use in respect of plots directly fronting the roads having width of 9.0 meter & above.

The buildable plot area in the case of development of a holding where one or more main buildings are proposed shall be calculated as per Regulation no. 12.

12. BUILDABLE PLOT AREA AND COMPUTATION OF BUILT UP AREA

- (1) **Floor Space Index / Built up area calculations** - The buildable plot area shall be calculated as under :

**TABLE-3
BUILT-UP AREA CALCULATIONS**

Plot Area in sq.m. (Net)	Area in sq.m. for FSI Computation (percentage with the net plot area)
(1)	(2)
Residential and commercial zones	
a) Upto 1000 sq.m. of net plot area	Net plot area
b) Above 1000 sq.m. and Upto 4000 sq.m. of net plot area	Net plot area subject to max. 3400 sq.m.
c) Above 4000 sq.m. of net plot area	85% of the net plot area.
Industrial Zones / Industrial Plots	
a) Upto 8000 sq.m. of net plot area	Net plot area subject to max. of 7200 sq.m.
b) Above 8000 sq.m. of net plot area	90% of the net plot area.
For other purposes / zones	The buildable plot area shall be equal to the net plot area.

Note-

- i) The occupation certificate for buildings constructed for residential/commercial use shall be granted by the Municipal Commissioner/Other Competent Municipal Officer only after recreational area is developed and structures for recreational activities are actually provided on site.

- ii) In case of Government/Semi Government departments and organizations/public authorities, for computing available floor space index, the areas of lands not designated/reserved, but shown as such in the development plan for the following purpose shall be excluded:
- playgrounds, stadia, golf courses;
 - Parade grounds, training grounds, firing ranges;
 - Green areas within their complexes;
 - Lands kept open for operational purposes;
 - Lands under major internal roads;
 - Lands reclaimed by Government Department;
 - Lands of air fields and air strips;
 - Railway tracks and yards.

- (2) The buildable plot area of every sub-divided plot in a layout approved under these Regulations shall be calculated as under:

The entire area under layout shall be considered as net plot area and the buildable plot area of layout shall be then calculated as stipulated in Regulation No. [12(1)]. This buildable plot area of layout shall be distributed proportionately amongst the sub-divided plots as buildable plot areas of the respective plots.

- (3) The permissible built up area shall be derived by multiplying permissible FSI of respective use/zone with the buildable plot area.

- (4) In a given plot, initially entire DR component of that plot shall be consumed to apply for loading TDR component on that plot. Only after consuming TDR to its maximum entitlement, premium FSI shall be allowed to be utilized on that plot. However, Municipal Commissioner may allow premium FSI in commensurate with TDR component in certain cases. Where TDR is not available due to various reasons, only premium FSI can be allowed by Municipal Commissioner. The FSI mentioned in Table-4 and Table-5 shall be utilized in the manner as mentioned in Regulation no. [12.(4)]. Rates of Premium FSI shall be as decided Municipal Commissioner in consultation with General Body of Municipal Corporation and shall be revised from time to time *based on Ready Reckoner Rates*.

13. Maximum FSI for various uses/zones

(1) High Intensity Development Areas:

The maximum permissible Floor Space Index for various occupancies, locations, and for various use zones to be consumed on the buildable plot as per Regulation no. [12(4)] shall be as given in Table - 4 below :

Table-4
MAXIMUM PERMISSIBLE FSI IN HIGH INTENSITY DEVELOPMENT AREA

Sr. No	Use/Zone	Maximum FSI on buildable plot.	Maximum FSI by way of DR/TDR utilization on net plot area	Maximum FSI by way of Premium FSI on net plot area
a.	General Residential and strips designated along certain roads for commercial activity	1.00	0.75	0.75
b.	Medical and educational user	1.00	0.75	1.00

c.	Medical and educational user for registered Charitable trust	1.00	1.00	2.00
d.	Industrial Zones, I-1 & I-2	1.00	0.50	0.50
e.	Congested area and Zone 1 of TDR zone– All uses	1.00	N.A.	1.00
f.	Commercial zone	1.00	0.75	0.75
g.	Information Technology Establishments	1.00	0.75	1.00
h.	Special Residential Zones	1.00	0.75	0.75
i.	EWS housing schemes at par with SRZ scheme in Residential zone	1.20	0.75	0.75
j.	Buildings of Government or Semi Government Offices and Public Sector Undertakings	1.00	NA	1.00 (without premium)
k.	Buildings of Star category or MTDC approved Residential Hotels	1.00	0.50	1.00
l.	Low-cost housing schemes of the Maharashtra Housing and Area Development Authority and VVCMC	1.00	NA	1.50 (without premium)
m.	Reconstruction of structurally unsafe buildings / dilapidated buildings	1.00	NA	1.00 (without premium) and 0.50 (with premium)
n.	Reconstruction of damaged/destroyed/collapsed buildings due to natural calamity	1.00	NA	1.00 (without premium) and 0.50 (with premium)
o.	Constructions of Staff Quarters of POLICE, MUNICIPAL CORPORATION, JAIL, HOME GUARD, FIRE BRIGADE	2.50	NA	NA
p.	Religious Building	1.00	NA	0.50 (without premium) and 0.50 (with premium)
q.	Bio-technology Unit	1.00	0.75	1.00
r.	Urban Renewal Scheme	1.00	NA	3.00 (without premium)
s.	Development of multi storied Parking lots by owner/developer in JV with Municipal Corporation	3.00		1.00(Out of 3.0, premium is to paid for FSI of 1.0)
t.	Reconstruction / Redevelopment in gaothan area-- (i) Plots fronting 9.0 m. road or smaller roads (ii) Plots fronting road width more than 9.0	1.00 1.00	NA	0.50 1.00

(2) Low Intensity Development Areas:

The maximum permissible F.S.I. and the total FSI with the DR/ TDR FSI on the buildable plot as per Regulation no. [12(4)] shall be as under : -

Table-5**MAXIMUM PERMISSIBLE FSI IN LOW INTENSITY DEVELOPMENT AREA**

Use/Zones		Maximum FSI on Buildable Plot on net plot area	Maximum FSI by way of DR/TDR on net plot area	
Gaothan and Congested Area of Plantation zone, Green zone and Low Density Residential zone		1.0	Not allowed	
Low Density Residential Zone		0.5	0.5 (within the same zone)	
Plantation Zone		0.3	Not allowed	
G zone	Upto 200 m. from Gaothan notified under MLR Code,1965	1.0	Not allowed	
	Beyond 200 m. from Gaothan or Congested Area	a) For residential activities	0.3	0.2
		b) For public assembly, educational, medical, religious and institutional buildings	0.4	
Cattle shed zone		0.125	Not allowed	

Notes:

- i) Notwithstanding the above, a minimum built up area of 50 sq.m. will be permitted in Green Zone and in Plantation zone for bonafide residential use only irrespective of smaller plot area.
- ii) The additional FSI upto 0.2 on payment of premium to Municipal Corporation at the rate as decided by Municipal Corporation, shall be permitted within the total limit of FSI of 0.60 for educational activities/medical activities run by public and charitable trust or registered institutions only for local residents.

14. FSI PRESCRIBED FOR CFC PLOT :

In any layout or sub-division of land intended for residential or commercial use where net plot area exceeds 4000 sq.m., 5% of the net plot area shall be designated/reserved as common facility center (CFC). In the case of lands or layouts proposed for development of industries such CFC will be required if the net plot area exceeds 8000 sq.m.

- (1) The activities permissible in the common facility centre in non industrial cases are as follows:
- i) Any utility such as water storage reservoirs
 - ii) Educational use.
 - iii) Health related use,
 - iv) Markets and convenience shops
 - v) Social facility including post office, police station, telephone exchange etc.
 - vi) Public parking.
 - vii) Any other utility/ amenity/ public conveniences, as may be decided by the Municipal Commissioner/Other Competent Municipal Officer.
- (2) Such CFC plots shall be situated as far as possible at one location and shall have access from the DP road/public street and if not either of these then from widest internal road . In case the CFC plot is distributed at more than one location then the minimum area of CFC plot shall be 200 sq.m The CFC shall be treated at par with Reserved lands of Development Plan. If the owner surrenders the CFC plot to Municipal Corporation free of cost and free of encumbrances he will get DR or TDR of that CFC plot. Combined structure with separate access shall be allowed where CFC is not surrendered to Municipal Corporation.
- (3) With the approval of the Municipal Commissioner the owner may develop and maintain the CFC plot for any of the uses mentioned in Regulation No. [14(1)]. The same shall be kept open to the public.
- (4) The Municipal Corporation may allot the surrendered CFC plot to an Authority, Registered society (other than housing society), Charitable Trust, etc, on such terms and conditions as may be decided by it for development and/or maintenance of any activity listed in Regulation No. [14(1)]. If CFC is constructed and handed over to Municipal Corporation, additional DR/TDR of 150% of the construction area is permissible.
- (5) In case of industrial layout/sub-division, out of total plot under CFC , 33% of plot area to be used for parking and the remaining plot area for construction of CFC by utilizing FSI of 1.0 of entire CFC plot. However, Ground floor shall be stilt and sufficient parking for the industrial buildings shall be ensured. Out of the total constructed CFC on remaining plot area, two-third BUA to be retained with owner for amenity purpose and remaining one-third BUA to be handed over to the Municipal Corporation free of cost. The constructed area on lower floors except basement *and stilt* handed over to the Municipal Corporation shall be preferably fronting the widest road.
- The constructed amenity with the owner shall be utilized for banks, canteens, and welfare centers, offices of industry associations/federations, crèches and other common purposes considered necessary for industrial users with prior approval of the Municipal Commissioner/ Other Municipal Competent Officer.
- (6) In case of industrial layout/sub-division, where CFC plot is not developed as per Regulation no. [14(5)] above, one-third of unencumbered CFC plot area that is fronting the access road to be handed over to Municipal Corporation free of cost for development of amenity of public purpose. The remaining two-third area of CFC plot to be used for parking.

15. INCENTIVE FSI FOR LAND POOLING

The persons jointly or a developer through valid power of attorney intending to develop several small contiguous parcels of land which do not attract individually deductions under Regulation no.12 may submit a single application for development of such lands and shall be eligible for the incentive FSI at these rates subject to following conditions:

- (a) Provided further that for plots of area attracting deductions under Regulation no. 12 will also be eligible for this regulation after complying Regulation no. 12, 14 and 32 for their respective areas.
- (b) Such persons have one single application for joint development of the plots or entered into an agreement with one person for its development through irrevocable registered power of attorney and
- (c) The plot shall be got amalgamated before starting development.
- (d) Incentive in terms of FSI for land pooling shall be granted as under:

TABLE-6

INCENTIVE FSI FOR LAND POOLING

Sr. No.	Gross plot area not less than	Incentive FSI as percentage of permissible FSI (without DR/TDR)	
		For Owner/ applicant	For Coop. Society of Land Owners
1	1 ha.	-	3.0%
2	2 ha.	4.5%	5.0%
3	5 ha.	6.0% on payment of premium	6.5% on payment of premium
4	10 ha.	8.0% on payment of premium	8.5% on payment of premium
5	20 ha.	10.0% on payment of premium	10.5% on payment of premium

Note -

- i) The above provision shall apply only to the High Intensity Development Areas. This provision will not be applicable to layouts and building proposals already approved unless a revision of such projects is entirely based on these Regulations.
- ii) The above additional FSI shall be allowed by the Municipal Commissioner//Other Competent Municipal Officer on payment of Premium as decided by Municipal Commissioner in consultation with General Body of Municipal Corporation.

16. BUILT-UP AREA CALCULATION IN RESPECT OF ROOM HAVING HEIGHTS MORE THAN SPECIFIED:

- a) In case of occupancies like Assembly buildings, residential hotels of 3 star category and above, institutional, educational, medical, malls, supermarkets, department

stores, entrance halls and lobbies to department stores and assembly halls and in case of genuine architectural requirements or for machinery requirements, room height above 4.2 m. shall be allowed without payment of premium and without considering 50% addition in FSI of the relevant floor area.

In case of industrial, hazardous or storage occupancies room height above 5.0 m. shall be allowed without payment of premium and without considering 50% addition in FSI of the relevant floor area.

- b) In other occupancies except those mentioned in clause (a) above, any height in excess shall be allowed with special permission of Municipal Commissioner/Other Competent Municipal Officer with payment of premium as decided by Municipal Corporation.
- c) Any height in excess without such special permission of Municipal Commissioner/Other Competent Municipal Officer shall be deemed to have consumed an additional FSI of 50 per cent of the relevant floor area.

17. BUILDING FEATURES PERMITTED FREE OF FSI

(1) Without Payment of Premium

The following features of a building wherever present, shall be excluded from the calculation of built up area without paying premium:

- a) Areas covered by features permitted in marginal open spaces as listed in Regulation no. **36** except covered parking spaces.
- b) Areas covered by staircase rooms, lift rooms above topmost storey, overhead tanks (provided its height below the tank from the floor does not exceed 1.5 m.) and staircase/ lift wells and passages in stilt, service floors, floors entirely exempted from FSI under this regulation and basement exclusively used as mentioned in sub-regulation (k) below.
- c) Area under stilts up to a clear height (i.e. between floor and beam bottom of ceiling) of 2.4 m. only.
- d) Area under structures like Bio-gas plants, effluent treatment plants, water treatment plants, solar water heating system, sewage treatment plants, Air conditioning Plant rooms, Electric Sub-stations, Pump rooms.
- e) Meter rooms [vide Regulation no. **40(24)**], Porches / Canopies [vide Regulation no. **40(20)**], if provided in accordance with these Regulations.
- f) Covered areas required on top of terrace for antenna/ dish antenna/ communication tower used for Telecom (basic cellular or satellite telephone) or ITE purposes, V-Sat, Routes, Transponders or similar IT-related structure or equipment upto an area of 20 sq.m. As far as mobile tower is concerned, refer to Appendix A-XXXIV.
- g) Chimneys and elevated tanks of permissible dimensions.
- h) A chajja, cornice, weather shed, sun-breaker; at window-level only, projecting not more than 1.2 m. from the face 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 3.0m for building height upto 24 m and 6.0m for building height above 24 m.; and Further chajja, cornice, weather shed, sun-breaker or other ornamental projections etc. shall be permissible upto 0.3 m in gaothan area for the plots admeasuring upto 250 sq.m.

Further , chajja, cornice, weather shade, sun-breaker over a balcony or gallery shall be permissible, its projection not exceeding from the balcony or gallery face with level difference of 0.2 m. in relation to the floor level. However and/or ornamental projections over a balcony or gallery may be allowed to project upto to 0.75m.

- i) Fire escape passages in the case of industrial and public assembly buildings up to a width of 2 m as per requirement of Chief Fire Officer;
- j) Area of fire escape stairways and cantilever fire escape passages according to the Chief Fire Officer's requirements as in sub-clause (5) of clause 19 in Appendix – A-XVIII.
- k) Area of the basement *including ramp for basement* if used for vehicular parking and essential machinery installations as provided in sub-regulation (4)(f)(iii) of Regulation no. 40.
- l) Refuge area as provided in sub-regulation (41) of Regulation no. 40.
- m) 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. Provided however in the case of an existing industry, if no vacant land is available, the Municipal Commissioner/Other Competent Municipal Officer, may permit structures with dimensions to be approved by him for such effluent treatment plant on 10 per cent Recreational Garden only.
- n) Areas covered by service ducts abutting sanitary block and not exceeding 1.2 m in width. In case of high rise buildings, higher width/ size as per requirement and design approved by Municipal Commissioner/ Other Competent Municipal Officer but not exceeding 3 m.
- o) Area of one room for installation of telephone concentrators as per requirements of BSNL/telephone service provider or Mobile Telephone Company licensed by the Government of India but not exceeding 20 sq. m. per building, with the permission of the Municipal Commissioner/Other Competent Municipal Officer.
- p) Area of a separate letter box on the ground floor/floor immediately below first habitable floor of residential and commercial buildings with five or more storeys to the satisfaction of the Municipal Commissioner/Other Competent Municipal Officer (vide sub-regulation (39) of a Regulation no. 40.
- q) Service floor, not exceeding floor to ceiling height of 2.0 m, only where building requires such floor for providing better sanitary, electrical and other services.
- r) Parking areas under a podium and a sanitary block of not more than 3.0 sq.m on each parking floor below podium, but Deck parking inclusive of car lifts and passages thereto on habitable floors shall be counted in FSI.

- s) The corridors of EWS and LIG housing schemes only in Residential Zone, Green zone, Low Density zone and Special Residential zone.
- t) Area of a covered passage of clear width not more than 1.52 m leading from a lift exit at terrace level to the existing staircase so as to enable descend to lower floor in a building to reach tenements not having direct access to a new lift in a building without an existing lift.
- u) The construction space required for providing any or all the equipment/ storage space required for batteries of the solar assisted systems.
- v) Public Sanitary Convenience.

(2) Building Features Permitted Free of F S I on Payment of Premium

The following features shall be excluded from the calculation of built up area on payment of premium as decided by Municipal Corporation:

- a) Covered parking spaces as specified in Regulation no.38.(6)d).
- b) Balconies upto 10% of floor area in non-residential building and Balcony for residential building.
- c) Basements for permitted uses other than mentioned in Regulation no. [17(1)k] and staircase/ lift wells and passages in such basements; and Lock up Garages.
- d) Areas covered by staircases/ lift wells and passages in buildings and bungalows thereto excluding those covered under Regulation no. 17(1) b).
- e) Otlas either open or enclosed, to the extent of 10% of built up area (BUA) of ground floor.
- f) Office room of a co-operative housing society or apartment owners' association to the extent as provided in sub regulation (25) of Regulation no. 40 and a toilet of not more than 3 sq.m.
- g) Flower Bed of area not more than 15% of floor area.
- h) Cupboards, Gallery and other similar elevation features.
- i) Open to sky swimming pool at any level.
- j) Patio, maximum upto 10 % of built up area and as provided in sub-regulation (27) of regulation no. 40.
- k) Area of the sanitary block for use of domestic servants engaged in the premises, not exceeding 3 sq.m. at staircase midlanding level.
- l) Area of fitness center for co-op. housing society/apartments of owners association, as provided in sub-regulation (33) of regulation no. 40.
- m) Driver's rest-room (9.5 sq.m.) on/below podium.

- n) Structures permitted in the recreational open spaces under Regulation No.[32.(1 g)].
- o) Areas covered by Lofts [vide Regulation no. 40(8)].

Note :

- (1) If features mentioned in sub regulation 2 above are in the building/built up portions to be handed over to Municipal corporation, premium shall not be levied.
- (2) Total area of exemptions under sub regulation 2 of this regulation, excepting sub regulations a, c, d,f, h, i, k, l, m, n and o shall not exceed 30% 35% of the built up area of the respective floor .

18. MANNER OF DEVELOPMENT OF VARIOUS LAND USES

The uses of all lands situated within the municipal limits of the Municipal Corporation, 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 7 hereunder subject to the following conditions:

- (i) The reservations / public sites designated in the name of the Municipal Corporation, or in any Appropriate Authority in the development plan may be developed by owner or any other person / institution, if whole of the reservation falls within his plot, only after obtaining prior permission of the Municipal Commissioner/Other Competent Municipal Officer as per the requirement of the concerned Appropriate Authority as the case may be. The amenity can be developed as per Table-7.
- (ii) The owner/ any person/ institution is allowed to construct a combined structure and to utilize permissible FSI of the plot for permissible use of adjoining zone without taking into account the built up area utilized for constructing the amenity only if the owner constructs the amenity as per the design given by the Commissioner and hands it over to Municipal Corporation by accepting DR (in situ FSI) of 150% of constructed amenity or 15% of the area developed in respect of unbuildable amenity (like garden etc.). However depending on the type of amenity of unbuildable type, more compensation shall in the form of DR be given by Commissioner based on actual construction cost. However in no case BUA of amenity shall be less than 50% of the permissible FSI of the plot except in the opinion of Competent Authority any amenity needs lesser BUA. Preferably owner shall come with entire amenity for development. However in genuine cases, Commissioner may allow the development if the amenity area is not less than 50%.
- (iii) The owner/ any person/ institution may be allowed to develop any part of the reservation/ CFC as per the Master plan of the reservation/ CFC as prepared by Municipal Commissioner in respect of buildable reservation/ CFC as per Table-7.
- (iv) The powers vested in these Regulations shall be exercised by the Municipal Commissioner/Other Competent Municipal Officer and shall have right to impose terms and conditions as he may deem fit.

- (v) Where the sites are developed by the Municipal Corporation, other suitable public amenities /services to the extent of 15% of the site area or for the appropriate remunerative uses to the extent of 15% of the total site area to cross-subsidise principal user of the site may be permitted subject to condition that :
- a) the principal user of such site shall remain predominant
 - b) Independent access/entry to these users shall be insisted
 - c) conforming use as per the adjoining zone be allowed
 - d) structure shall not be more than G+1 floors
- (vi) Every site of Play-Ground / Park / Garden / Open Space / Children Play Ground / Stadium / Sports Complex admeasuring 0.20 ha. and above shall provide lay-by of atleast 6.00 m depth and of appropriate length along the main/important road for vehicular parking and for informal shopping of hawkers (subject to max. 15% of the site area).
- (vii) a) Where development of sites designated for gardens, parks, play-grounds, recreational grounds, and for similar users is permitted, ancillary structures under gymnasiums, gymkhanas, clubs, stadium, swimming pools, creches, etc. shall not exceed in plinth coverage of 10 % of the area of site with FSI of 0.15. Further, location of such structures shall be such that they shall keep remaining large area suitable for the principal user.
- b) In case of development of lands for gymnasia, gymkhana, club, pavilion Stadiums, on sites reserved/ designated/ earmarked (existing or proposed), FSI of 1.00 of entire plot shall be allowed on 50% of the area of the land, for the site amenities.
- (viii) Where an owner in terms of table 7 below is permitted to develop certain categories of reservations, allocations or designations by the Municipal Commissioner/Other Competent Municipal Officer , the Municipal Corporation or the concerned Appropriate Authority shall not then acquire the land thereunder.
- (ix) An owner in terms of Table 7, who is permitted to develop certain categories of allocations, designations of reservations, shall provide the required parking spaces along with all other Development Control and Promotion Regulations for the same, in addition to those required for the development he is permitted to undertake.
- (x) An owner in terms of Table 7 is entitled to get equivalent FSI for development of amenity in the site, this FSI shall be utilized on the remaining area of the site. In case FSI can not be consumed on the remaining plot, then the Municipal Commissioner/Other Competent Municipal Officer for the reasons to be recorded in writing shall allow it to be used in the form of TDR. If built-up portion with separate plot is transferred free of cost, then FSI for plot area plus FSI for equivalent built-up part shall be permissible.
- (xi) An owner in terms of Table 7 is entitled to get additional FSI, for development of road/street or for widening of existing road, this FSI shall be utilized on the remaining area of plot left after surrendering the land for road free of cost. In case FSI can not be consumed on the remaining plot, then the Municipal Commissioner/Other Competent Municipal Officer for the reasons to be recorded in writing shall allow it to be used in the form of TDR . If built-up portion is demolished and the land is cleared by the owner before transferring the land for road free of cost, then FSI for road area

surrendered plus FSI for equivalent built-up part demolished shall be permissible with the condition that it will apply to authorized buildings only.

- (xii) The additional FSI mentioned above shall be granted by the Municipal Commissioner/Other Competent Municipal Officer to the owner only after the land/property surrendered free of cost is recorded in the P.R Card or 7/12 extract in the name of the Municipal Corporation and TILR map showing the same is also submitted.

**TABLE-7
MANNER OF CARRYING OUT DEVELOPMENT OF VARIOUS D. P. RESERVATIONS**

Sr. No .	Amenity Type	Ame nity Sym bol	Who Can Develop?	Alternate Uses Permissible	ALT-1 Amenity Developed and Managed by Owner	ALT-2 partial construction (combined structure) with independent Access and / or Premises	ALT-3 Development of amenity as per 18 (i) or 18(iii)	ALT-4 DR/Monet ary compensa tion by Municipal Corporatio n
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
					Generally owner is allowed to develop and manage the land and building for the purpose for which it is reserved. 20% of the built up area can be utilised for activities, which are non-conflicting with the designated amenity. However, the provision may differ depending upon the type of reservation	Owner is allowed to construct a combined structure/ amenity on a separate plot and to utilize permissible FSI of the plot for permissible use of adjoining zone without taking into account the built up area utilized for constructing the amenity only if the owner constructs the amenity as per the design given by the Municipal Commissioner/ Other Competent Municipal Officer and hands it over to Municipal Corporation by accepting DR (in situ FSI) of 150% of	Owner is allowed to construct a combined structure and to utilise permissible FSI of the plot for the whole amenity only if the owner constructs the amenity as per the design given by the Municipal Commissioner/ Other Competent Municipal Officer and hands it over to Municipal Corporation free of cost. After handing over the amenity, he will be entitled for 150% of the built up area of amenity to be utilised in the same plot for permissible use of	Surrender of land in lieu of TDR as prescribed in DCR or monetary compensation as per the prevailing policy

						constructed amenity or 15% of the area developed in respect of unbuildable amenity (like garden etc.). However in no case BUA of amenity shall be less than 50% of the permissible FSI of the plot except in the opinion of Commissioner any amenity needs lesser BUA. However for non-buildable reservation, suitable compensation may be given in form of DR/TDR by Municipal Commissioner depending on the cost of construction in development of amenity. For development of garden, 15% can be given in lieu of cost of construction.	the adjoining zone without taking into account the built up area utilized for constructing the amenity and if the same/part of it cannot be utilized on the same plot, he shall also be allowed for TDR . Provided further that developer shall be entitled for DR/TDR equivalent to the area of plot surrendered to Municipal Corporation as per above sub regulation (i) and (xii).	
1	HEALTH CENTRE, MATERNITY HOME	HC MH	Owner/ Trust / Deptt. Concerned / Municipal Corporation	Hospitals/ Maternity Homes/ Nursing Homes in addition to Health Centres.	Allowed.	Allowed. In a separate wing/ building with separate access.	Allowed. In a separate wing/ building with separate access.	Allowed

2	GENERAL HOSPITAL	GH	Chari. Trust / Deptt. Concerned / Municipal Corporation	Health Centre cum Hospital, Maternity Home with staff quarters.	Allowed by Charitable and / or Registered Trust.	Not allowed	Allowed as independent structure in lieu of compensation in the form of TDR	Allowed
3	CENTRAL HOSPITAL	CH	Deptt. Concerned / Registered Trust / Municipal Corporation	Hospitals and Medical College / Super Speciality Hospital with staff quarters	Not allowed.	Not allowed	Allowed as independent structure in lieu of compensation in the form of TDR	Allowed
4	PRI. SCHOOL HIGH SCHOOL COLLEGE	PS HS C	Land Owner/ Registered Trust/ Municipal Corporation	Primary or Secondary or Junior College, Technical School in addition to principal use	Allowed with 50% of the land to be used as Play Ground by any Regd. Trust or Educational Institute.	Not allowed	Allowed as independent structure in lieu of compensation in the form of TDR	Allowed
5	EDUCATION CENTRE	EC	Land Owner/ Registered Trust/ Municipal Corporation	School, College, Technical and Professional Institutes and Other Educational Facilities.	Allowed with 50% of the land to be used as Play Ground by any Regd. Trust or Educational Institute.	Not allowed	Allowed as independent structure in lieu of compensation in the form of TDR	Allowed
6	CEMETERY/ BURIAL GROUND/ CREMATION GROUND	CM BG CG	Charitable Trusts/ Municipal Corporation	Single or combined activities	Not allowed. But Charitable Trust may be allowed.	Not allowed	Allowed as independent structure in lieu of compensation in the form of TDR	Allowed

7	COMMUNITY CENTRE/ DRAMA THEATRE/ LABOUR WELFARE CENTRE	CC DTH LWC	Land Owner / Municipal Corporation	Community Center, Welfare Center, Library, Marriage Hall, Drama Theatres in addition to principal use	Allowed	Allowed	Allowed as independent structure in lieu of compensation in the form of TDR	Allowed
8	SPORTS COMPLEX	SPC	Land Owner/ /Deptt. Concerned/ Registered Trust / Municipal Corporation	Club House, Play Ground, Stadium, Swimming Pool, Indoor Games' Halls etc.	Allowed	Not allowed	Allowed as independent structure in lieu of compensation in the form of TDR	Allowed
9	FAIR GROUND	FG	Land Owner / Municipal Corporation	Play Ground,	Allowed	Not allowed	Allowed as independent structure in lieu of compensation in the form of TDR	Allowed
10	PARK OR GARDEN PLAY GROUND	G PG	Land Owner/ Registered Trust / Municipal Corporation	Fair Ground	40% of the plot can be developed as Recreational Activity for G with a permissible FSI of 0.10 of total plot area. Remaining 60% of land shall be developed and kept open for public use free of cost.	Allowed with 15% compensation for construction over and above basic land DR/TDR, subject to surrender of plot to Municipal Corporation	Allowed with 15% compensation for construction over and above basic land DR/TDR, subject to surrender of plot to Municipal Corporation	Allowed

12	POST OFFICE HEAD POST OFFICE	PO HPO	Land Owner / Dptt. Concerned / Municipal Corporation	Post Office / Telephone Exchange Office	Not allowed	Allowed. Amenity built up area as required by the Department Concerned.	Allowed. Amenity built up area as required by the Department Concerned.	Allowed
13	TELEPHONE EXCHANGE	TE	Deptt. Concerned	Post Office	Not allowed	Not allowed	Allowed as independent structure in lieu of compensation in the form of TDR	Allowed
14	POLICE STATION	PST	Deptt. Concerned	None	Not allowed	Not allowed	Not allowed	Allowed
15	SUB POLICE STATION	SPS T	Deptt. Concerned	None	Not allowed	Not allowed	Not allowed	Allowed
16	FIRE BRIGADE STATION	FB	Municipal Corporation	None	Not allowed	Not allowed	Not allowed	Allowed
17	BUS DEPOT	BD	Deptt. Concerned/ Municipal Corporation	Bus Terminal / Stand / Municipal Vehicle Yard	Not allowed	Allowed	Allowed as independent structure in lieu of compensation in the form of TDR	Allowed
18	BUS TERMINAL	BT	Deptt Concerned / Municipal Corporation	Bus Terminal, Vehicle Yard	Not allowed	Allowed	Allowed as independent structure in lieu of compensation in the form of TDR	Allowed
19	MUNICIPAL VEHICLE YARD	MVY	Deptt Concerned/ Municipal Corporation	Bus Depot	Not allowed	Not allowed	Allowed as independent structure in lieu of compensation in the form of TDR	Allowed

20	TRUCK TERMINAL	TT	Land Owner/ Municipal Corporation	Parking Lot Motor Garage, Fuel Pump, Weighing - Machines, Restaurant, Driver's Dormitory and other ancillary units of Truck Terminal use	Allowed	Not allowed	Not allowed	Allowed
21	WATER SUPPLY RESERVOIR	MBR , ESR, GSR	Municipal Corporation	Any type of water reservoir or pumping station	Not allowed	Not allowed. (But concerned authority may construct essential staff quarters or store & its office)	Not allowed. (But concerned authority may construct essential staff quarters or store & its office)	Allowed
22	PARKING LOT	PL	Land Owner/ Municipal Corporation	None	Allowed to utilise 20% built up area for Parking related activities such as, Spare Parts shops etc.	Allowed with full gr. floor area for parking facilities (atleast 33% of plot area) and the upper floors can be used by the owner for permissible FSI if the parking space is surrendered free of cost. However parking required for owner' s portion to be provided separately	Allowed	Allowed
24	GARBAGE DISPOSAL DUMP	GDD	Registered Trust / Municipal Corporation	None	Not allowed	Not allowed	Not allowed	Allowed
25	ELECTRIC SUB-STN.	S/S	Deptt. Concerned	Receiving Stations	Not allowed	Not allowed	Not allowed	Allowed

27	WATER CHANNEL	WCH	Municipal Corporation	None	Not allowed	Not allowed	Not allowed	Allowed
28	HOLDING PONDS	HP	Land Owner / Municipal Corporation	Restaurants, Boating Facilities	Allowed. Can develop Boating Facilities with 10% built up area without obstructing the water course.	Not allowed	Not allowed	Allowed
29	SEWAGE TREATMENT PLANT PUMP HOUSE	STP PH	Deptt. Concerned/ Municipal Corporation	STP, Pump House	Not allowed	Not allowed	Not allowed	Allowed
30	MUNICIPAL MARKET, VEG. MARKET, FISH / MUTTON MARKET	MM VM FMM	Land Owner/ Municipal Corporation	These users in combination.	Allowed	Allowed on upper floors with separate access	Allowed on upper floors with separate access	Allowed
31	SHOPPING CENTRE	SC	Land Owner/ Municipal Corporation	None	Allowed	Allowed	Allowed	Allowed
32	NATIONAL HIGHWAY / EXPRESSWAY	NH EXW	Deptt. Concerned	None	Not allowed	Not allowed (In addition, Deptt. may use it for road amenities)	Not allowed (In addition, Deptt. may use it for road amenities)	Not allowed
33	RAILWAY CORRIDOR AND STATION / TERMINUS	RT	Deptt. Concerned	None	Not allowed	Not allowed. (In addition, Deptt. may use it for confirming users)	Not allowed. (In addition, Deptt. may use it for confirming users)	Not allowed

Note (for Table-7):

1. In case the owner is not in a position to utilise the permissible FSI within the plot he will be entitled to have TDR as per the provisions of Appendix A-XIII of these Regulations.
2. Subject to sub-regulation (i) and (ii) above, alternative 1, 2, 3 and 4 shall normally be available only where the whole of the amenity land is offered for development. In case of part ownership these options may be permitted only at the discretion of the Municipal Commissioner/Other Competent Municipal Officer. The Municipal Commissioner/Other Competent Municipal Officer may in such cases also prescribe a combination of the relevant alternatives so as to ensure regular shape and size of plot on which the amenity is developed and to keep aside the odd shaped and sized pieces of land for future development along with the balance land reserved for the same amenity. The area of the reservation shall not be less than 50% for development by Owner. In some cases, Municipal Commissioner may ask 50% of the plot area along with amenity for surrendering to the Municipal Corporation in Alt-2 of Table-7 instead of a combined structure.
3. Public Sanitary Conveniences may be developed by the Competent Authority itself or through a sponsor or may allow Owner to develop at suitable locations or at unbuildable plots in sites designed or reserved for other purposes approved by Municipal Corporation. Such development shall be free from FSI computation.
4. When the sites are developed by the Local Authorities or by the Municipal Corporation, the other suitable amenities to cross-subsidies the principal user of the designated site may be permitted to be developed to the extent of 15 % of the total area of such site as built-up area subject to
 - i) provision of independent access / entry,
 - ii) conforming use of amenity as per the adjoining zone,
 - iii) the structure shall not have more than Ground + two upper floors.
5. Business Centre (BC) will be in a zoning form and the land owners may develop net area for identified activities as per comprehensive layout of the Centre to be prepared by the Competent Authority.
6. Shopping Centre (SC) reservations can be developed and managed by the land owners if built-up shops up to 20 % of the FSI are surrendered to the Municipal Corporation and then it will not be counted towards FSI.
7. In Shopping Centre, Municipal Market, Veg. / Mutton / fish Market, 15 % of the permissible FSI may be permitted for other ancillary uses like Police Chowky, small restaurant, Post Office etc. if alternative 1 is adopted.
8. The Competent Authority may allow surrendering part plot out of total reservation fully leveled in lieu of DR/TDR as may be prescribed time to time.
9. The APMC market shall be developed by APMC along with Municipal Corporation. No owner shall be allowed to develop the APMC reservation, however the owner shall surrender the land to Municipal Corporation in lieu of DR/TDR and the lands will be transferred in the name of APMC.
10. Land in the possession of MSRTC shall be allowed to be developed for commercial use to the extent of 50% of the admissible Floor Space Index subject, however, to the general restrictions otherwise applicable to such development, and also in accordance

with the Government of Maharashtra, Home Department, Resolution No. STC/3400/CR148/TRA-1 dated 1st February, 2001, and as may be, modified from time to time.

11. The regulations governing the DR/TDR of Development Plan reservations and DP roads proposed or in case of buildings with listed heritage buildings shall be as per Appendix A-XIII.

19. 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 as the case may be unless specified otherwise.
- (2) **Development of land partly reserved /allocated/designated**– 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 Municipal 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 Municipal Corporation with rational justification, provided that the combination of such second user conforms to these Regulations 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 wherein 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 uses 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. mt. at one place, wherein electric sub-stations, water tanks utilizing not more than 10 per cent of the site in which they are located may be proposed.
- (4) **Shifting and/or interchanging the purpose of designations/reservations** – In case of specific designations/ reservations in the Development Plan, the Municipal Commissioner, with the consent of interested persons or vice versa may shift, interchange the designation/ reservation within the land of the same owner or on adjoining lands/ buildings of the same owner within 200m if he is satisfied that an access is available or will be provided and the same is not encumbered and provided that such an act conforms to the zoning provisions. The Municipal Commissioner/Other Competent Municipal Officer, in genuine cases may allow to shift, interchange the designation/ reservation within the land of the same owner or on adjoining lands of the same owner beyond 200 m. However, in all such cases, the area of such designation/ reservation shall not be reduced.

In doing so, the owner will ensure that the shapes of altered allocated/reserved sites are such that they can be developed in conformity with these Regulations.

- (5) **Relocation of DP roads** - In case of DP roads, they may be realigned within the land holding, however, the general nature and entry and exit points of such roads shall remain unaltered. However, the Municipal Commissioner shall decide the alignment of D.P. Road to be modified in the same holding or adjoining holding as he may consider fit in the larger interest considering local situation.

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

(1) **Road widening and construction of new Roads**

The Municipal Commissioner/Other Competent Municipal Officer 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 as regular lines of streets or new streets under the BPMC Act, 1949, if the owner (including the lessee) of such land surrenders such land for road widening or new road construction without claiming any monetary compensation in lieu thereof and hands over the same to the Municipal Corporation free of encumbrances to the satisfaction of the Municipal Commissioner/Other Competent Municipal Officer. DR/ TDR is admissible only after the land under road has been transferred in the City Survey Records/TILR in the name of Municipal Corporation and shall vest it in becoming part of a public street as defined in the BPMC Act, 1949.

The Municipal Commissioner/Other Competent Municipal Officer may permit in addition to the above, equivalent FSI of 1.00 on the built-up portion demolished and surrendered free of cost and free of encumbrances for road widening or for new road with the condition that it will apply to authorized buildings.

CONSTRUCTION DR/TDR : For construction/development of the road including system road or any other road as insisted by Municipal Commissioner/Other Competent Municipal Officer and surrendering the same free of cost and free of any encumbrances, additional 35% of D.R./T.D.R. is admissible only after ascertaining that road is developed to the satisfaction of Municipal Commissioner/Other Competent Municipal Officer.

(2) **Development of Amenities not reserved as required by the Municipal Corporation**

Any owner/ developer/ institution who intends to develop an amenity not reserved on his land as per the design and specifications of the Municipal Commissioner for the public purpose/ utility or services may be allowed as decided by the Municipal Corporation.

Owner/ developer/ institution may be permitted 150% of the built up area of the amenity constructed and surrendered free of cost to the Municipal Corporation over and above the normal FSI prescribed subject to maximum total FSI of 2.50. Even higher DR/TDR can be given depending on cost of construction and type of amenity, subject to maximum FSI of 3.00.

For un-buildable amenity, suitable compensation in the form of DR/TDR shall be given by Municipal Commissioner depending on the cost of construction of amenity.

(3) Building of Educational and Medical Institutions, Institutional Buildings

The Municipal Commissioner/Other Competent Municipal Officer may permit the base FSI specified above to be exceeded by 300 percent in respect of buildings in independent plots of educational and medical institutions and institutional buildings of Government or Public Authorities or of registered Public Charitable Trust as per Appendix A-XXXVI & B-XXXVII.

Terms and Conditions:

- (a) Out of the total additional FSI of 300% allowed, 100% may be availed by utilizing Transferable Development Rights (without payment of premium), and 200% on payment of premium provided that the utilization of such TDR will be allowed only after availing additional FSI.
- (b) Such additional FSI (except the TDR Component) will be permissible subject to the payment of premium. Rates of Premium FSI shall be decided by Municipal Corporation.
- (c) The additional built-up area over and above the permissible FSI shall be utilized for bonafide purposes only.

(4) Buildings of Government or Semi Government and Public Sector Undertakings

The Municipal Commissioner/Other Competent Municipal Officer may permit the additional floor space index without charging premium as specified in Table 4 in the case of buildings of Government and Semi-Government and Public Sector Undertakings.

(5) Buildings of Star category / MTDC approved Residential Hotels

Subject to such other terms and conditions as may be prescribed by the Municipal Commissioner/Other Competent Municipal Officer, the floor space index of 1.00 may be permitted to be exceeded by the Municipal Commissioner/Other Competent Municipal Officer in the case of buildings of all Star category Residential Hotels under one establishment as approved by the Department of Tourism situated in independent plots without other commercial or business users by a maximum FSI of 100 per cent by way of premium and 50 percent by way of TDR over the permissible base floor space index without granting any condonation in the required setbacks and marginal open spaces (except where demonstrable hardship is seen and after recording it in writing), parking and other requirements as in these Regulations. Such additional FSI shall be subject to the provisions in Appendix B-XXXVII and payment of premium as decided by Municipal Corporation.

Further, subject to such other terms and conditions as may be prescribed by the Municipal Commissioner/Other Competent Municipal Officer, the floor space index of 1.00 may be permitted to be exceeded by the Municipal Commissioner/Other Competent Municipal Officer in the case of buildings of Residential Hotels with boarding and/or other tourist facilities as approved by the Department of Tourism or by the Maharashtra Tourism Development Corporation, situated in independent plots, without other commercial or business users by a maximum FSI of 100 per cent by way of premium and 50 percent by way of TDR over the permissible base floor space index without granting any condonation in the required set backs and marginal open spaces (except where demonstrable hardship is seen in marginal open spaces and after recording it in writing), parking and other requirements as in these Regulations. Such additional FSI shall be subject to the provisions in Appendix B-XXXVII and payment of premium as decided by Municipal Corporation.

(6) Development/redevelopment of Low-cost housing schemes of the Maharashtra Housing and Area Development Authority

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

Maharashtra Housing and Area Development Authority can undertake Low-cost housing schemes also as joint venture with private developers on vacant lands for EWS, LIG and MIG categories, subject to maximum FSI of 2.5 and as per the provisions in Appendix A-XVII.

The Municipal Corporation can also undertake Low-cost housing schemes either directly or as joint venture with private developers on vacant lands for EWS, LIG and MIG categories, subject to maximum FSI of 2.5 and as per the provisions in Appendix A-XVII. *Allotment of such tenements to be done by a very transparent process preferably by lottery system or by any other process as legally tenable.*

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

a) Total permissible FSI shall be 2.5 on gross plot area.

b) The incentive FSI admissible against the FSI required for rehabilitation shall be as under:--

(i) In non-gaothan areas, for the area upto 4,000 sq.mt the incentive FSI admissible will be 60%.

(ii) In non-gaothan area, for the area above 4,000 sq.mt the incentive FSI admissible will be 75%.

c) In the redevelopment scheme either—

(i) Difference between 2.5 FSI and the FSI required for rehabilitation + incentive shall be shared between MHADA and Society/Developer in the ratio of 1:1 or

(ii) For additional built-up area over and above the permissible FSI as per Regulation no. 13, MHADA shall charge premium at the rate decided by Government in Housing Department from time to time.

d) In the scheme, for the land developed for societies of HIG and developed plot allotted individually to HIG group, the permissible FSI shall be as per Regulation no.13.

Provided that if the redevelopment of existing housing scheme of MHADA fulfils the provision of 20(13) of the said Regulation, modified from time to time, then it may be undertaken under Regulation no. 20(13).

- 3) For the purpose of calculating the FSI, the entire area of the layout including development plan roads and internal roads but excluding the land under the reservation of public amenities shall be considered; sub-division of plots 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 A-XVII (excluding 1 (b)) shall apply.

- 4) For the purpose of this Regulation the carpet areas for EWS, LIG or MIG tenements shall be as determined by the Government from time to time.
- 5) For the off site infrastructure, Municipal Corporation shall be paid 12.5% of the charges leviable by MHADA for the grant of additional FSI (FSI over and above the normally permissible FSI) for the Redevelopment Schemes. Unless 12.5% of the charges are paid to the Municipal Corporation no redevelopment permission shall be allowed by Municipal Corporation.
- 6) 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 for redevelopment scheme 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) than 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/occupiers vacated from the non co-operative members.
- 7) A corpus fund, as may be decided by MHADA, shall be created by the Developer which will remain with the societies for its maintenance.
This FSI will be subject to the Regulations in Appendix A-XVII hereto.

(7) Construction for resettlement and rehabilitation of Project Affected People (PAP)

Subject to approval of location, for Development of sites reserved for resettlement and rehabilitation for the purpose of accommodating Project Affected People (PAP) of projects of Vasai Virar City Municipal Corporation only, the FSI shall be allowed upto 2.5, as detailed in Appendix C-XXXVIII (PAP specifications)

The normally permissible FSI on the plot may be used for the purpose for which it is designated in the Development Plan. Out of the total additional FSI, 40% FSI to be used for tenements for PAP of projects undertaken by VVCMC and the remaining FSI for free sale component.

Only after the above mentioned percentage of PAP tenements are handed over free of cost to the Municipal Corporation after getting Occupation Certificate, Water connection, Power connection to PAP tenements, plans for remaining additional FSI shall be approved.

The additional FSI shall be permitted also in cases where construction has already taken place consuming full or part of the normally permissible FSI provided in the separate buildings.

The Municipal Commissioner/Other Competent Municipal Officer can consider the proposal in I-1 and I-2 zones, in case of such requirement and with prior approval of Municipal Corporation, Municipal Commissioner/Other Competent Municipal Officer may grant any combination of industrial and non-industrial tenements to any PAP.

Provided further that, Municipal Commissioner/Other Competent Municipal Officer with the prior approval of Municipal Corporation shall be empowered to allot large size tenement having multiple rooms in cases where the affected persons are residing in bungalow or buildings having tenements of two or more rooms. However, total carpet area shall not be more than that earlier occupied by the affected persons.

(8) Reconstruction of structurally unsafe buildings / dilapidated buildings/ unhygienic buildings

In the case of proposals involving reconstruction of dilapidated /unsafe /unhygienic buildings declared under provision of BMC Act, wholly or in part, the maximum permissible FSI shall be equal to the FSI already consumed by the occupants to be rehoused plus the FSI otherwise permissible under these Regulations, subject to maximum FSI of 2.5, out of which 0.5 is with premium. Municipal Commissioner shall issue the orders from time to time as regards administrative part of this Regulation.

The reconstruction of such old buildings may be permitted by the Municipal Commissioner/Other Competent Municipal Officer so as to make possible the re-housing of the old tenements subject to following conditions.

- a) The structure shall be authorizedly constructed and shall be at least 30 years old on the date of application. The documents required shall be as decided by Municipal Commissioner.
- b) FSI equal to the built-up area that was already under the use of old occupants who are to be re-housed plus the permissible FSI as per these Regulations subject to maximum limit of FSI of 2.50.
- c) All such occupants shall be rehoused in the reconstructed buildings with the consent of at least 70% occupants.
- d) The development shall conform to Development Plan and provisions of these Regulations.

(9) Reconstruction of damaged/destroyed/collapsed buildings due to natural calamity

In the case of proposals involving reconstruction of any building or part of a building which has ceased to exist or damaged or collapsed due to accidental fire, earthquake or similar natural calamities beyond the human control or any other genuine reasons making the building dilapidated and declared unsafe by Municipal Corporation, the reconstruction of such buildings may be permitted by the Municipal Commissioner/Other Competent Municipal Officer with an FSI in the new building not exceeding that of the original building and the FSI permissible under this regulation subject to maximum limit of FSI of 2.5 out of which 0.5 is with premium. All such occupants shall be rehoused in the reconstructed buildings and development shall conform to Development Plan and provisions of these Regulations.

Municipal Commissioner shall issue the orders from time to time as regards administrative part of this Regulation.

(10) Construction of Buildings of POLICE, MUNICIPAL CORPORATION, JAIL, HOME GUARD, FIRE BRIGADE etc. including their staff quarters

In cases of Buildings of Department of Police, Police Housing , Corporation, Jail and Home Guard of Government of Maharashtra for use as their staff Quarters, the Municipal Commissioner/ Other Competent Municipal Officer may permit the floor space index to be exceeded upto 2.5

It shall be permissible to submit a composite scheme for the development or redevelopment of land of Department of Police, Police Housing, Corporation, Jail and home guard for the utilization of permissible commercial user under these Regulations, so that commercial potential of one plot can be shifted to other plot, provided the aggregate FSI on any plot shall not exceed 2.5.

For reconstruction/redevelopment of the buildings of Department of Police, Police Housing Corporation, Jail and Home Guard of Government of Maharashtra constructed prior to 1940, the FSI shall be 2.5 or consumed floor space index of existing old building plus 50% incentive FSI, whichever is more.

In the cases of development or redevelopment of land of Department of Police, Police Housing Corporation and Home Guard, commercial user permissible under these Regulations may be permitted upto 25% of the total permissible builtup area.

(11) CONSTRUCTION OF RELIGIOUS BUILDINGS

The Municipal Commissioner/Other Competent Municipal Officer may permit the floor space indices to be exceeded in respect of buildings in independent plots for religious purpose of registered Public Trust by 0.50 FSI, subject to following terms & conditions.

- i) The religious building shall be on independent plot.
- ii) No objection certificate shall be obtained from concerned Police Authority and Collector before applying for permission as per directives of the Government.
- iii) Additional FSI shall be used for religious purpose only. Ancillary residential user may be permissible within 10% of total area. No commercial use shall be permissible, provided that petty shops catering to the needs of Religious activity to the extent of 5% may be permitted.
- iv) The additional FSI shall be permissible to existing authorised religious user subject to structural stability.
- v) No condonation in the required marginal open spaces and parking shall be allowed in case of grant of such additional FSI.
- vi) The minimum area of plot shall be 500 sq.mt.

(12) CONSTRUCTION OF BIO-TECHNOLOGY UNIT

The Municipal Commissioner/Other Competent Municipal Officer may permit the base floor space indices specified in the table No. 4 for construction of bio-technology unit to be exceeded by 100% in respect of buildings in independent plots of biotechnology establishment set up by public bodies like MHADA, DEEPZ, MIDC, SICOM, CIDCO or their joint venture comprises having more than 11% stakes of these bodies or lessees of this public bodies having plots exclusively used for biotechnology units, subject to terms and conditions as he may specify.

Provided in case additional FSI allotted in respect of biotechnology unit as aforesaid, premium as per the rates as decided by Municipal Corporation.

(13) URBAN RENEWAL SCHEME-

Urban Renewal Scheme could be undertaken by Municipal Corporation independently or as Joint Venture with Private Developers, for which the FSI shall be 4.00 or the FSI

required for rehabilitation of existing tenants / occupiers, whichever is more, as per Appendix B-XVI and Appendix C-XXXV.

(14) DEVELOPMENT OF MULTI STORIED /PARKING LOTS-

Development of multi-storied/parking lots shall be undertaken as per Appendix A-XXXXI and Appendix B-XXXXII on any plot abutting the roads of width not less than 12 m. Additional FSI as specified in Table-8 below, shall be permitted on such built up parking area, created and handed over to Municipal Corporation free of cost .

Additional FSI on built up parking area and total permissible FSI including additional FSI shall be as follows:-

**TABLE-8
PERMISSIBLE ADDITIONAL FSI ON BUILT UP PARKING AREA**

Sr. No.	Location	Permissible additional FSI on built up parking area	Total maximum permissible FSI including additional FSI
(1)	(2)	(3)	(4)
1	Within the area of 500 mt. from precincts of Railway Stations, S.T. Bus Depots, Metro Stations, Water jetties and existing Govt., Semi Govt. and Corporation Offices, Tourist places identified by Tourism Department, Important Religious places of worship (registered under charity Act), etc. having inadequate public parking facilities.	50%	3.00 Independent as well as composite buildings for public parking
2	Remaining area		For public Parking- Independent Building = 3.00

Area covered under parking shall not be counted towards FSI consumption. Out of the total additional FSI of 3.00, FSI of 1.00 shall be with premium.

(15) RECONSTRUCTION/REDEVELOPMENT IN GAOTHAN AREA:-

For reconstruction or redevelopment of gaothan areas, the floor space indices shall be as follows:-

- (a) For plots fronting on roads below 9 mt. width, permissible FSI will be 1.5 only,
- (b) For plot fronting on road width of 9 mt. and above (existing or proposed) additional 0.5 FSI shall be allowed for commercial use subject to condition that margin and parking space as required under these Regulations are provided:

Provided that, for (a) and (b) above, consumed FSI of existing buildings, utilized authorizedly, shall be permitted.

(16) BUILDINGS OF INFORMATION TECHNOLOGY ESTABLISHMENT (pertaining to software only):

The Municipal Commissioner/ Other Competent Municipal Officer may permit the base floor space indices specified in Table 4 and Table 5 above to be exceeded by 100% as specified in Appendix A–IX.

(17) PUBLIC LIBRARIES HAVING COMPLETED 100 YEARS :

The Municipal Commissioner in consultation with the Competent Municipal Officer may permit the prescribed floor space indices to be exceeded to 2.5 for the public libraries which fall under 'A' category as per the Rule No. 10 of the Maharashtra Public Library Rules, 1970 framed under the Maharashtra Public Libraries Act, 1967. Out of the above 2.5 FSI, FSI to the extent of 1.00 may be allowed to be used for commercial purpose on the following terms and conditions:-

(i) Convenience shopping, branches of banks, small restaurants, etc. may be permitted; however, wine shops, hotels, tobacco shops, pan thela, lottery shop and likewise uses which may cause nuisance to the public life shall not be permitted. Also, hazardous uses like gas godown etc. shall not be permitted.

(ii) Income received from commercial use shall be used for development of library.

(iii) The authority shall ensure that adequate parking facilities are provided for such user.

If FSI less than 2.5 is consumed then the FSI for the commercial purpose shall be proportionally reduced.

(iv) Additional FSI so sanctioned shall be subject to the other Development Control and Promotion Regulations.

(18) TENEMENTS/ PLOTS FOR EWS/LIG IN LAYOUT/SUB DIVISION OF PRIVATE LAND

For the sub-division of land admeasuring 2000 sq.m. and more, minimum 20% area shall be provided in the form of 30 to 50 sq.m. developed plots for EWS/LIG (affordable plots), subject to the conditions in Appendix A-XX.

For the layout of land admeasuring 2000 sq.m. and more, minimum 20% of the built-up area shall be provided for EWS/LIG housing (27.88 to 45 sq.m.) (affordable tenements), subject to the conditions in Appendix A-XX.

(19) CONSTRUCTION OF BUILDING/S WITH EWS/LIG TENEMENTS FOR AFFORDABLE HOUSING.

Any owner/ developer who intends to provide housing for EWS/ LIG as per the Appendix A-XVII in a General Residential zone, *Low density zone or Green zone* shall be permitted with additional FSI of 20% over and above normal FSI if owner/ developer utilized atleast 60% of the base FSI for housing EWS/LIG of tenement size 30 sq.m.

21. NON-CONFORMING USES:

(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 non conforming use is not extended or enlarged except provided in these Regulations.

- b) In case a building accommodating any non-conforming use collapses or is pulled down or is destroyed, any new building on the site shall conform to the Regulations and to the land use prescribed for the plot in the Development Plan.
- c) In rehabilitation schemes, undertaken by the Maharashtra Housing and Area Development Board where a new building is constructed in place of an old building, containing authorized non-conforming users, the Municipal Commissioner/Other Competent Municipal Officer may allow the same non-conforming users in the new building provided such user is not industrial, hazardous or likely to cause pollution.

In case of rehabilitation schemes in an industrial zone, authorized residential user may be permitted only in independent buildings subject to Regulation no. 23.

(2) Non-conforming industries:

Non conforming industries which are neither hazardous nor polluting and which have been permitted to operate, without any requirement that they must be shifted to a conforming zone after a specific period, may, with the Municipal Commissioner/Other Competent Municipal Officer's special permission be allowed to make additions to start a new process or to manufacture new products provided the degree of nuisance from the existing unit will in no way be affected by such additions if –

- a) Such scheme form is integral part of and is directly connected with the process carried on in the existing unit;
- b) Such addition is required to prevent undue loss or improve the working efficiency or the conditions of the existing unit or to balance the existing production units of the industry.
- c) Open spaces of 6 m, are maintained from the boundaries of the plot as well as between two buildings;
- d) Satisfactory means of access as required by these Regulations for industrial zones is provided and maintained; and
- e) Parking spaces are provided according to these Regulations.

(3) Other non-conforming uses :

Any permitted non-conforming use which is non-hazardous or non-polluting and which existed before may be allowed to be continued in the development plan, without additions to such non-conforming use on the following conditions, namely –

- a) The whole building or entire premise is owned and occupied by one establishment only and
- b) Open space and parking space required under these Regulations are provided.

(4) Other Industries to be shifted

Notwithstanding anything contained above however, unauthorized non-confirming, hazardous and polluting industries should be shifted within the time limit to be prescribed by the Municipal Commissioner/Other Competent Municipal Officer as per the policy framed by the Municipal Corporation in this behalf.

22. ANCILLARY USES PERMITTED:

The ancillary uses permitted in various use zones and the conditions governing the same shall be as given in Regulation no.18.

23. PROHIBITION OF INDUSTRIES IN RESIDENTIAL OR IN NON-CONFORMING ZONES:

Notwithstanding anything contained in these Regulations, no permission shall be granted for erecting any industry, workshop or work place (for the establishment of which prior permission is required under the BPMC Act) 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 Part-B of Appendix A-IV which are compatible with the residential user may be permitted only on the ground floor.

CHAPTER- IV

GENERAL PLANNING REQUIREMENTS FOR DEVELOPMENT OF LAND

24. REQUIREMENTS OF SITES:

No land shall be used as a site for the construction of buildings-

- a) if the Municipal Commissioner/Other Competent Municipal Officer 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 made available within a reasonable period of time;
- b) if the site is within 9m. from the edge of the water mark of a water course., unless arrangements to the satisfaction of the Municipal Commissioner/Other Competent Municipal Officer 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 Municipal Commissioner/Other Competent Municipal Officer may permit the owner of the property to restrict or divert the water course to an alignment and cross section determined by the Municipal Commissioner/Other Competent Municipal Officer. Once such a protection work has been constructed by the applicant at his cost to the satisfaction of the Municipal Commissioner/Other Competent Municipal Officer, it may also allow the reduction of the reservation for such water course to the extent of the cross section inclusive of a suitable means of access to the alignment and allow construction of a building at a distance of 6 m. from the edge of restricted water way.
- 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 carcasses, excreta, filthy and offensive matter, till the production of a certificate from the Municipal Commissioner/Other Competent Municipal Officer 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 is for a purpose which in the Municipal Commissioner/Other Competent Municipal Officer's opinion may be a source of danger to the health and safety of the inhabitants of the neighbourhood;
- f) if the Municipal Commissioner/Other Competent Municipal Officer 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 worship, residential hotels, lodging and boarding houses, unless the site has been previously approved by the Municipal Commissioner/Other Competent Municipal Officer and the concerned Government Departments;
- h) unless it derives access from an authorized street/means of access described in these Regulations;
- 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/aesthetical buildings and precincts or is not in the public interest.
- k) if the general slope of the land is 22 ½ degrees or more, unless it is leveled as may be directed by Municipal Commissioner/ Other Competent Municipal Officer, depending upon nature of the proposal.
- l) if the plot is already under well developed orchard or under dense trees and by cutting of trees green cover of the plot will be destroyed or reduced affecting ecology and environment.

25. PUBLIC STREETS AND MEANS OF ACCESS:

- (1) **Access to be 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 and minimum width of access shall be 6 m. In Green zone, Plantation zone and Urbanisable zone bungalows shall be allowed on roads of lesser width also as per the discretion of Commissioner.
- (2) **Multi-Storeyed, High Rise and Special Building** – The Municipal Commissioner/Other Competent Municipal Officer shall insist access to such buildings from any means of access/ street not less than 12 m. wide and one end of which shall join public street of required width or of greater width. A 9m. road width shall be required for a building height of 15 – 24 m. and a 12 m. road width shall be required for a building height of 24 m and above.
The internal roads leading to such buildings also to be of width not less than 9m for building height of 15-24m and 12m for building height above 24m. No multi storey or high rise building shall be allowed on access less than 12m.
- (3) **Other buildings -**
- a) Municipal Commissioner/Other Competent Municipal Officer shall permit access from street having width of not less than 4.5 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 atleast 20 years.
 - b) The Municipal Commissioner/Other Competent Municipal Officer may permit access from-
 - i) any street 6 m. wide or more (including streets in a congested area) which give access to another properties outside the congested area
 - ii) any existing street not less than 3.6 m. width which is proposed to be widened either in development plan or by laying down a regular line of street under the BPMC Act.
 - iii) any street less than 3.6 m. wide in a congested area if the plot boundary is shifted 2.25m. from the center line of the street.
- (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 no. 31.

26. HIGHWAYS AND CLASSIFIED ROADS AND RAILWAY LINE

- (1) No site excepting one proposed to be used for highway amenities like fuel pumps or motels or auto-service stations shall have direct access from a National or State Highway or classified road unless they are permitted to take direct access after obtaining NOC from the concerned Road Authority.
- (2) In the case of properties falling within 30m from the railway line boundary no new construction or reconstruction of an existing building shall be allowed, within a distance
- a) equal to one third of the height of the building/wing or
 - b) 3m, or
 - c) as may be approved by the Competent Authority of Railways, whichever is more.

27. MEANS OF ACCESS TO BE CONSTRUCTED AND MAINTAINED –

- (1) **General** – Means of access shall be leveled, metalled, tarred, flagged, paved, sewered, drained, channeled, provided with lights and water supply line and with trees for shade to the satisfaction of the Municipal Commissioner/Other Competent Municipal Officer. They shall be free of encroachment by any structure or fixture that may reduce their width below the minimum as required by Regulation no. 31 and shall be maintained in conditions considered satisfactory by the Municipal Commissioner/Other Competent Municipal Officer.
- (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 the structures or fixtures arise thereon in contravention of that sub-rule, the Municipal Commissioner/Other Competent Municipal Officer may by 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 Municipal Commissioner/Other Competent Municipal Officer 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 access way shall be measured from the point of its origin and the next wider road it meets.

28. INTERSECTION OF ROADS

For inter-section of roads meeting at right angles, as well as other than at right angles, the rounding off, cut-off or splay or similar treatment shall be done to the satisfaction of the Municipal Commissioner/Other Competent Municipal Officer depending upon the widths of the roads, the traffic generated, the sighting angle, etc. to provide clear sight distance.

29. AMALGAMATION OF PLOTS

Existing plots or Sub-plots of layout, two or more, when proposed for development as a single proposal, development permission shall not be granted unless a prior approval to amalgamate them is obtained from the Municipal Commissioner/Other Competent Municipal Officer and thereupon, from the City Survey Department/TILR.

30. LAYOUT OR SUB-DIVISION OF LAND

- (1) **Circumstances warranting preparation of layout or sub-division** – A layout of Multi-Building Proposal or of Sub-Division of Land shall be submitted in the following cases:
 - a) When more than one building (except for building 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.
 - c) When the land under development admeasures 4000 sq. m. or more in a residential or commercial or in an industrial zone.

d) When the land under the proposal gets naturally sub-divided due to existing or proposed D.P. roads/ D.P. reservations or physical barriers.

- (2) **Contents** – Every sub-division/layout shall contain sub-plots being formed after sub-division, access thereto required under Regulation no. 31 and recreational open space, if any, under Regulation no. 32, spaces for other ancillary uses if any required under sub-regulation (g) of Regulation no. 32(1) as also all the reservations, designations, allocations, roads or road-widening proposals of the development plan and the regular lines of streets prescribed under the BPMC 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 Municipal Commissioner/Other Competent Municipal Officer may without any reduction in area, allow adjustment in the boundaries of reserved/allocated sites of the development plan within the same holding as per Regulation no. 19(4) and conforming to the zoning provisions to suit the development. In doing so, it shall be ensured 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 land use types of development permissible and the minimum dimensions shall be as in Table 9 hereunder:

TABLE-9
Minimum Plot Areas for various uses

Sr.	Land use	Plot area (sq.m.)	Type of development permitted
i	Residential	i)(a) 21 and above with min. width 3 m. (b) 50 and above with min. width 5 m. ii) 100 and above with min. width 7.5m. iii) 150 and above with min. width 10m	Row house of EWS of max. 6 units Row Houses of max. 8 units Semi-detached Detached
ii	Petrol filling station - a) without service bay b) with service bay	545 (with one dimension not less than 16.75 m.) 1100 (with one dimension not less than 30.5 m.)	In independent plot with other compatible users.
iii	Cinema theatre / Drama Theatre/Town Hall/ Assembly hall.	3 sq.m. per seat including parking requirement	Detached or as part of a Commercial Complex

iv	Other Public Assembly building	1000	Detached or as a part of commercial complex
v	3 and above star Hotel	2500	In an independent plot
vi	Commercial	150	In an independent plot with other compatible users
vii	Industrial	300 (with width not less than 15 m)	Detached
viii	Open Plot for social function	1000	Open to sky with maximum FSI of 0.1 for toilets, offices, pantry etc. Dismantleable non-permanent pandals are permitted on temporary basis.
ix	Educational a) School upto 4th std b) School upto 12th std c) College, Other Higher Educational facilities	2000 4000 6000 or as per the norms of Educational Department, whichever is less.	This norm includes provision of playgrounds at 40% of the net plot area excluding Hostels and staff quarters. Stilt area may be allowed to be used as playground. The permissible FSI shall be computed on the net plot area.
x	Hospitals, Nursing Homes, Maternity Homes and other medical centres with indoor patients	500	In an independent plot with other compatible users.
xi	Social Welfare institution	500	In an independent plot with other compatible users to be run by registered society or Public Trust or Charitable Institution.

Note:-

- a) Minimum Area permissible for the plots existing in the Municipal Industrial Estates shall be as per the approved layouts of these Industrial Estates.
- b) The minimum plot areas for Educational purpose can be revised from time to time with prior approval of Director of Town Planning.

31. INTERNAL MEANS OF ACCESS TO EACH PLOT

- (1) **Minimum road width vis-à-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 10 hereunder for residential and commercial zones and as given in Table 11 hereunder for an industrial zone .

**TABLE-10
WIDTH OF PATHWAY AND ROADS IN LAYOUTS FOR OTHER THAN
INDUSTRIAL USES**

Length of internal road/ Pathway in m.	Category	Minimum width in m. for other than G-zone	Minimum width in m. for G- zone
Up to 30	Pathways or Approach to building/plots	3.0	3.0
Above 30 and upto 75	Other Pathways	4.5	4.5
Above 75 and upto 150	Road	6.0	4.5
Above 150 and upto 300	Road	9.0	6.0
Above 300	Road	12.0	9.0

**TABLE-11
WIDTH OF PATHWAY AND ROADS IN INDUSTRIAL LAYOUTS**

Length of internal road/ Pathway in m.	Category	Minimum width
Up to 30	Pathway	3.0
Above 30 and upto 75	Pathway	4.5
Above 75 and upto 150	Road	9.0
Above 150 and upto 300	Road	12.0
Above 300	Road	15.0

(2) Access for residential, commercial and industrial zones as in Table 10 or Table 11 above

- a) shall be measured in length from the point of its origin to the next wider public street it meets.
- b) shall be clear of marginal open spaces but not less than 3 m. from the building line and for multi-storied and high rise buildings as per the requirement of the Fire Officer, however in no case less than 6m;
- c) may be reduced by 1m. in their prescribed widths if the plots are on only one side of access;
- d) in the interest of the general development of any area, the Municipal Commissioner/Other Competent Municipal Officer may require the means of access to be of larger width than that required under these Regulations.
- e) At junctions of layout roads the intersection shall be rounded off, with the tangent length from the point of inter-section to the curve being half the road width across the direction of the tangent.
- f) In the case of a plot, surrounded on all sides by other plots i.e. land-locked plot which has no access to any street or road, the Municipal Commissioner /Other Competent Municipal Officer 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 Municipal Commissioner/Other Competent Municipal Officer may specify.

- g) In any layout a cul-de-sac shall be permitted at the end of the internal road, having length upto 150 m. The dead end of such cul-de-sac shall be at a level equal to or higher than the main road level from where the cul-de-sac road takes off. The turning space, in each case, shall not be less than 81 sq.m. and no dimension shall be less than 9 m.
- h) Layout road shall be levelled and paved, sewered, drained, channeled, lighted, laid with water supply line and provided with trees for shade to the satisfaction of the Competent Authority.
- i) The approach by means of pathway to a building or to a recreational open space within a plot subject to clearance of 1.0 m. from any building. However, for multi-storied and high rise buildings, clearance for the pathway from the building shall as per the requirement of the Fire Officer. Also other regulations regarding the distance between the buildings and other statutory margins shall be maintained in such cases.

32. RECREATIONAL GARDEN (RG)

(1) Recreational Open Spaces in residential and commercial layouts or in Building Proposals

- a) **Extent** – In any layout or sub-division of vacant land or in building proposal or in amalgamation scheme in a residential and commercial zone, recreational open spaces shall be provided as under:

i) Area from 1000 sq.m. to 4000 sq.m.	10 per cent
ii) Area from 4001 sq.m. to 10,000 sq.m.	15 per cent
iii) Area above 10,000 sq.m.	20 per cent

These open spaces shall be exclusive of areas of access/internal road/designations or reservations, development plan road and areas for road-widening and shall as far as possible be in one place. Where however, the area of the layout or sub division is more than 10,000 sq. m., open spaces may be provided in more than one place, but at least one of such places shall not be less than 800 sq.m. in size.

Such recreational open spaces will not be necessary in the case of land used exclusively for Cinema/Drama theatres, Community/Cultural Halls, Mangal Karyalay, Fuel Pumps, Institutional buildings and Educational Institutions with attached independent playgrounds. Admissibility of FSI shall be as indicated from Regulation no. 11 to Regulation no. 13.

Such recreational open spaces will not be necessary for the plots from approved layouts where recreational common open spaces are already provided in such layouts.

- b) **Minimum area** – No such recreational space shall admeasure less than 125 sq.m.

- c) **Minimum dimensions** – The minimum dimension 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 ½ times the average width.
- d) **Access** – Every plot meant for a recreational open space shall have an independent means of access/pathway, unless it is approachable directly from every building/plot in the layout.
- e) **Ownership** – The ownership of such recreational open space shall vest, by provision in a deed of conveyance, in all the property owners on account of whose holding the recreational space is assigned or vest in Co-Op. Society/Condominium of Apartments formed by them.
- f) **Tree growth** – Excepting for the area covered by the structures permissible under (g) 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:
- (i) Two times the number of trees required to be cut, shall be planted before obtaining the plinth completion certificate by the applicant on the same parcel of land. However, before felling of any tree, permission from the Competent Authority shall be obtained in writing.
 - (ii) Over and above this, 1 tree for every 30 sq.m. of the built-up area of the layout or part thereof shall be planted outside R.G. area before obtaining the occupancy certificate.
 - (iii) Trees shall also be grown in the recreational open space at the rate of 1 tree for every 10 sq.m. of R.G. area before obtaining the occupancy certificate and in case of layouts/sub-division of lands along with development of infrastructure.
 - (iv) In order to ensure proper plantation of trees, Municipal Commissioner may levy Security Deposit. Rates of such deposit shall be as decided by Municipal Corporation.
- g) **Structures/uses permitted in recreational open spaces-**
- (i) Elevated/underground water reservoirs, electric sub-stations, pump houses
 - (ii) In a recreational open space or playground of 800 sq.m. or more in area (in one piece and in one place), structures for pavilions, gymnasia, club houses, crèches, religious building, community hall, prayer hall and other structures for the purpose of sports and recreation activities may be permitted with built-up area not exceeding 15 per cent of the recreational open spaces in one place. The area of the plinth of such a structure shall be restricted to 10 per cent of the areas of the recreational open space. The maximum height of the structures shall not exceed 8.0 m. However, in genuine cases, further height above 8.0m. shall be allowed by Municipal Commissioner. Also, certain items which are free of FSI and are non-conflicting with the proposed use of the R.G. structure can be allowed for any number of floors in the structure of R.G. provided ground coverage of that entire RG structure is 10% only. A swimming pool may also be permitted in such a recreational open space and shall be free of FSI. Structure for such sports and recreation activities shall conform to the following requirements:
 - (ii.a) The ownership of such structures and other 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 recreational ground viz. R.G. in the layout or sub-division of the land.

- (ii.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.
- (ii.c) Such structures shall not be used for any other purposes, except for recreational activities for which a security deposit as decided by the Municipal Commissioner/Other Competent Municipal Officer will have to be paid to the Municipal Corporation.
- (ii.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 play ground.
- (ii.e) The owner/owners/or society or societies or federation of the societies shall submit to the Municipal Commissioner/Other Competent Municipal Officer a registered undertaking agreeing to the conditions in (ii.a) to (ii.d) above.

h) **Marginal Open Spaces from the boundary of RG** – The building shall be atleast 3m. away from the boundary of recreational open space for building with height upto 24 m. However, in case of building height more than 24m. or more, such minimum margin shall be 6 m with approval of Fire Officer. In certain cases after receipt of Fire Officer's recommendations, paved R.G. shall be allowed by Municipal Commissioner.

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

- a) In the case of lands, layouts, sub-division of lands intended for industrial use such open space shall be provided at the rate of 10% of the net plot area where net plot area under layout or subdivision exceeds 8000 sq.m. This shall also serve as general parking space.
 - i) such open space shall have proper means of access and shall be so located that it can be conveniently utilized 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) Two times the number of trees required to be cut, shall be planted before obtaining the plinth completion certificate by the applicant on the same parcel of land. However, before felling of any tree, permission from the Competent Authority shall be obtained in writing. Over and above this, 1 tree for every 30 sq.m. of the built-up area of the layout or part thereof shall be planted outside R.G. area before obtaining the occupancy certificate. Trees shall also be grown in the recreational open space at the rate of 1 tree for every 10 sq.m. of R.G. area before obtaining the occupancy certificate and in case of layouts/sub-division of lands along with development of infrastructure. In order to ensure proper plantation of trees, Municipal Commissioner may levy Security Deposit. Rates of such deposit shall be as decided by Municipal Corporation.
- b) In industrial layouts such open space shall be used only for recreational activities and for parking of vehicles. When this open space exceeds 1500 sq.m. the excess area may be used for construction of buildings for banks, canteens, welfare centres, offices, creches and for any other purpose considered necessary for industrial development by the Commissioner. Built up area of such constructions shall not exceed 10% of the total recreational open space with ground and one upper floor. The maximum height of the structures shall not exceed 8.0 m. However, in genuine cases, further height above 8.0 m. shall be allowed by Municipal Commissioner.

33. 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 M.S.E.B. i.e. concerned power supply authority.

Provided that the sub station is constructed in such manner that it is away from the main building at a distance of at least 3m. 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 Municipal Commissioner/Other Competent Municipal Officer.

34. SET BACKS AND MARGINAL OPEN SPACES WITHIN BUILDING PLOTS

When different open spaces/widths are prescribed under these Regulations largest of them shall prevail, except when specifically provided otherwise. The general conditions governing open spaces shall be as under:

- a) **Building 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 building were fronting on each 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 Regulation no. 35(1)(c).
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 as per Regulation no. 35(1)(c).
- c) **Open spaces to be provided for the full consumption of F.S.I.** – Preferably, the open spaces to be left at the sides and rear shall relate to the height necessary to consume the full base F.S.I. permissible for the occupancy in the zone.
- d) **Manner of computing from 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 street under the BPMC Act, 1949 the front open space/road-side setback shall be measured from the road line or proposed road widening line or the centre line of the widened road as the case may be as per the discretion of Municipal Commissioner/ Other Competent Municipal Officer. Where there is any conflict between the width provided in the development plan and the width prescribed under the relevant section of a regular line of a street under the said Act, then larger of the two shall prevail.
- e) In case of building with Podium, side and rear margins shall be not less than 3.0 m. for a residential building and 4.5 m. for a commercial building. The marginal space for building above Podium to be as per Regulation no. 35.

35. MARGINAL OPEN SPACE REQUIREMENTS

Side and rear marginal open spaces in relation to the height of the building for light and ventilation shall be as under.

(1) Residential and Commercial Zones or Users:

- a) **Building having length/depth upto 40m.** – The marginal open spaces on all sides except the front of a building shall be of a width not less than one third of the height of that building above the ground level, rounded to the nearest decimeter, the minimum being 3.0 m. for a residential building and 4.5 m. for a commercial building

subject to NOC from Chief Fire Officer and other required NOC, and maximum marginal space being 20.0 m on all sides except the front of a building. However, such marginal open spaces necessary according to height of building may be allowed to be complied with at respective floor levels in hardship cases for buildings having height more than 24 m.

In Congested area such open space shall be 1.5 m. for height of a building upto 12m and shall be increased by 0.5 m for every additional height of 3.0 m or part thereof. In the case of Educational, Institutional, Assembly and Hospital Buildings in gaothan/congested areas, such margins shall be 3.0 m. minimum.

b) Building with Length/Depth exceeding 40m.

If the length or depth of a building exceeds 40 m. an additional open space of 10 per cent of the dimension in excess of 40m. shall be required on the side or rear open space as the case may be, provided that maximum open space requirement shall be not more than 20.0 m. Provided that no such increase in additional open space shall be necessary if

- i) it is a front open margin space from the road/pathway or
- ii) when only store rooms and stairways derive light and ventilation from the open space or
- iii) it is a marginal open space abutting a RG.

c) Open Spaces between two adjacent buildings in a plot.

i) The open space for separation between any two buildings shall be half the height of the taller building subject to 4.5 m minimum and 20.0 m maximum. If walls of any building are dead walls, then such distance shall be one third the height of the building admitting light and ventilation subject to 3.0 m as minimum for building height upto 24 m and 6.0 m minimum for building height above 24 m subject to the requirements of the Fire Officer . If the walls of both the buildings are dead then distance between multi-storied/ high rise buildings shall be one fifth of the height of the taller building subject to minimum 6.0m. and for buildings below 24m. the distance shall be one-fifth the height of the taller building subject to minimum 3.0m. Such distance between main building and a single storeyed accessory building shall be minimum 1.5 m.

ii) marginal open space in a plot abutting recreational garden in the same layout, where the recreational garden is accessible from all the layout plots but does not have an exclusive means of access, the rear marginal open space shall not be less than 3m and for multi-storied buildings 6 m. or as per the Fire Officer recommendations.

iii) In congested area ,these open spaces shall be 1.5 m as minimum. If the plot width is less than 9 m. the Municipal Commissioner/Other Competent Municipal Officer may allow the building to abut the wall/s of the adjoining properties, if NOC of the owners concerned is submitted.

d) Set back at upper level –The Municipal Commissioner/Other Competent Municipal Officer may permit

i) 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.

ii) upper floors in existing authorised buildings with setback at upper levels to make up for deficiencies in the open space as required under these Regulations to utilise any additional F.S.I.

- e) **Tower like structures** – Not withstanding any provision to the contrary, a tower like structure may be permitted only with 6m. open space at the ground level and required set backs at the upper levels. The distance between two tower-like structure shall be half the height of the taller tower irrespective of the fact that they derive light and ventilation from that face of the tower or not. The distance between the two towers shall be half the height of the taller wing of the tower in case of wings having different heights.
- f) **Dead wall** - Where a room does not derive light and ventilation from an exterior open space due to dead wall, the width of the exterior open space from the building as given in this Regulation may be reduced to a minimum of 3.0 m in respect of residential building and 4.5m for a commercial building upto a height of 24m. For a building with height of 24 m. or more, such exterior open space shall be minimum 6 m. or more subject to the requirements of the Fire Officer.

(2) Industrial Zone:

Side and rear marginal open spaces in case of industrial buildings shall be as under:

TABLE-12
SIDE AND REAR MARGINAL OPEN SPACES FOR INDUSTRIAL BUILDING

Sr.No.	Plot size in sqm	Minimum side/ Rear margin in m
1	Upto 1000	3.0
2	Above 1000 upto 5000	4.5
3	above 5000	6.0

Note:-

- i) ***In the case of industrial use proposed in narrow plots, relaxation in side and rear marginal open spaces may be permitted subject to minimum 2.5 m. provided adjacent plot to such side or rear of plot is used only for industrial use.***
- ii) ***No room except store room and staircase shall derive light and ventilation from such reduced open space.***

(3) 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 or store room shall abut on an interior open space, courtyard or chowk, whose minimum width shall be 3m. 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 level of not less than the square of one fifth of the height of the highest wall abutting the chowk.
Provided that when any habitable room excluding the stairway bay, the bathroom and water closet depends for its light and ventilation on an inner chowk, the dimension shall be such as required for each wing of the building.
- b) **Outer Chowk** – The minimum width of an outer chowk (as distinguished from its depth) shall be 2.4m. but if the depth exceeds the width, the open space between the wings shall be regulated by Regulation no. 35 when any habitable room depends or light and ventilation on such outer chowk.

(4) Front set-back from the Street

The front set-back from the street boundary or its Centre Line or the plot Boundary, and set-backs from the zonal boundary in the different zones shall be as in Table-13 hereunder:

TABLE-13
MINIMUM SET BACKS PRESCRIBED FOR DIFFERENT ROADS

Sr No.	Category of roads	User	Setbacks in the U-Zone (m.)		Setbacks in the green plantation zone, cattle shed zone (m.)	
			From boundary of the road	From centre line of road	From boundary of the road	From centre line of roads
I)	1. National Highways 2. State Highways 3. Expressways	a) Residential b) Commercial c) Industrial d) Other traffic attracting users e) Other non-traffic attracting users.	6.0 6.0 9.0 12.0	Upto building & control lines as per schedule II under rule 4(I)(e) of M.L.R. Rules 1969 or as per chapter III of Bombay Highway Act, 1955 as would be applicable	6.0 6.0 9.0 12.0 6.0	Upto building & control lines as per PWD Resolution No.RBD-1081/871/Roads-7 dated 9-3-2001 and as amended from time to time.
II)	Roads having width of 20m. or more.	a) Residential b) Commercial c) Industrial d) Other traffic attracting users e) Other non-traffic attracting users.	4.5 6.0 7.5 12.0 4.5		4.5 4.5 9.0 12.0 4.5	
III)	Roads of 12 m. or more but less than 20m. in width.	a) Residential b) Commercial c) Industrial d) Other traffic attracting users e) Other non-traffic attracting users.	4.5 6.0 6.0 12.0 4.5		3.0 4.5 6.0 12.0 3.0	

IV)	Roads of 6m. & more but less than 12m. in width outside congested area.	a) Residential b) Commercial c) Industrial d) Other non-traffic attracting users.	3.0 6.0 6.0 3.0		3.0 4.5 6.0 3.0	
V)	Roads less than 6 m. in width outside congested area.	a) Residential b) Other uses.	3.0 3.0	6.0 9.0	3.0 3.0	6.0 9.0
VI)	Road of 9.0 m. and more in width in congested and gaothan user.	a) Residential b) Other uses.	1.5 3.0	-- --	1.5 3.0	-- --
VII)	Roads having width less than 9.0m. in congested or gaothan uses.	a) Residential b) Other uses.	Nil Nil	4.5 4.5	Nil Nil	3.0 3.0

Notes :

- i) The user of Cinemas, Assembly Halls and Drama theatre, Hospital, Mental Hospitals, Petrol filling & Service stations, stadiums, Star-category Hotels, Holiday resorts, Motels shall be considered as traffic-attracting users.
- ii) In case of Commercial use proposed on the roads where Commercial strips are earmarked on the development plan the setback from the boundary of road shall be atleast 6.0 m for these roads of width 12 m. and more and 4.5m. for other roads of lesser widths.
- iii) The above setbacks shall not be applicable for narrow plots as specific provisions are made for such plots.
- iv) In gaothan and congested areas, plots facing road or street/means of access less than 4.5 m. in width the front set back shall be 2.25 m. from the centre line of such road/street/means of access. A setback of 4.5 m. from the centre line of road/street/means of access shall be left for existing road width of 4.5 m or more upto 6.0 m.
- v) Additional Setback of 1.5 m. from road shall be left for existing road width of 6.0 mt or lesser than 6.0 m in non-gaothan areas.

(5) Marginal Open spaces for Various Types of Buildings:

- a) Educational buildings, hospitals, mental hospitals, maternity homes, houses of correction, assembly buildings, mangal karyala, markets, stadia, petrol filling and service stations.
A marginal side and rear open space of width equal to one fifth the height of the building shall be provided from the boundaries of the plot, subject to minimum width of 6 m. and maximum of 14m.
- b) Cinemas/Theatres:
 - i) Front open space – A minimum space of 12m. wide from the road or 37m. from the centre of national or state highway/major district road, whichever is more, is required.

- ii) Side and rear open space –the side and rear marginal distances to be left open shall not be less than 6m. wide.

(6) Provisions regarding relaxation in open spaces in narrow plots.

- a) **Narrow plots in Residential and Commercial Zones** - Narrow plots in authorized subdivisions in residential and commercial zones viz. those shown in column 3 of table 14 hereunder subject to the restrictions in column 4 thereof.

TABLE-14
Marginal Open Space Relaxations in Narrow Plots in Residential and Commercial Zones

Sr. No.	Plot size/ dimension	Relaxation	Restrictions on building
(1)	(2)	(3)	(4)
1.	Depth less than 15m	Rear open space may be reduced to 3m	---
2.	Width less than 15m. but more than 11.5m.	Side open space may be reduced to 3.0 m	---
3.	Depth less than 11.5m but more than 9m.	Front open space may be reduced to 3m. and rear open to 1.8m.	Height not to exceed 15 m.
4.	Width less than 11.5m. but more than 9m.	One side open space may be reduced to 3.0 m and the other side open space may be reduced to 1.8 m	Height not to exceed 15 m.
5.	Depth or width less than 11.5m.	Semi-detached structure on adjoining plots with open space as at Sr. No. 3 or 4 above	(i) Depth of the building not to exceed 5.5m. (ii) Height not to exceed 3 storeys or 10m.
6.	Depth or width less than 9m	Open space may be reduced to 1.5m. all around	Only ground floor structure

Explanation to Table 14-

- i) No dimension of any building in a narrow plot shall exceed 30m.
ii) In areas where the majority of the plots are less than 11.5 m in width or depth, the Municipal Commissioner/Other Competent Municipal Officer may prescribe building lines in which row houses would be permissible.

- b) **Narrow plots in industrial zones**, viz. those having one dimensions smaller than 16 m. will be allowed the relaxation subject to the restrictions in Table 15 hereunder.

TABLE-15
Marginal Open Space Relaxations in Narrow Plots in Industrial Zones

Sr. No.	Relaxation granted in or condition imposed on	Width less than 10.5 m.	Depth less than 10.5 m.	Width between 10.5 m. upto 12 m	Depth between 10.5 m. upto 12 m	Width between 12m upto 18 m.	Depth between 12m upto 18m.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1	Open space	Side open space may be reduced to 1.8m.	Rear open space may be reduced to 1.8 m.	(i) May be reduced on one side to 3.0 m. (ii) The other side may be reduced to 1.8m.	May be reduced at the rear to not less than 1.8 m.	One side open space may be reduced to 1.8 m.	Rear open space may be reduced 1.8 m.
2	Building dimensions, etc.-						
(i)	Maximum width	6 m.	30 m.	6 m.	30 m.	6 m.	30 m.
(ii)	Maximum depth	30 m.	6 m.	30 m.	6 m.	30 m.	6 m.
(iii)	Maximum height	4.5 m.	4.5 m.	8 m.	8 m.	8 m.	8 m.
(iv)	No. of storeys	One	One	Two	Two	Two	Two

(7) Additional restriction on construction / re-construction

- i) **Distance from electricity lines** – No building or the like shall be constructed/reconstructed or any additions or alterations shall be made to a building on a site within the distance state below from any overhead electric supply line:

TABLE-16
DISTANCE FROM ELECTRICITY LINES

	Voltage Lines	Vertically	Horizontally
a)	Low and Medium Voltage Lines and Service Lines	2.50 m	1.20 m
b)	High Voltage Lines upto and including 33 kv	3.70 m	2.00 m
c)	Extra High Voltage beyond 33 kv	3.70 m + 0.3 m (for every additional 33 kv or part thereof)	2.00 m + 0.3 m (for every additional 33 kv 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.

(8) **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 sky except the features covered by Regulation No. 36.

(9) **Marginal Open Spaces In Green Zone and Plantation Zone**

TABLE-17
MARGINAL OPEN SPACE IN GREEN ZONE & PLANTATION ZONE

MINIMUM MARGINAL OPEN SPACE IN METRES						MAXIMUM HEIGHT IN METRES
Sr.No	Category	Front	Side 1	Side 2	Rear	Height
(I)	Outside Gaothans/ Congested areas:					
	<u>(i)Residential Use</u>					
	1. Row Houses	3.0	Nil	Nil	1.5	7.0
	2.Semi detached house	3.0	1.5	Nil	1.5	7.0
	3.Detached house	3.0	1.5	1.5	1.5	7.0
(I)	<u>(ii)Other Uses</u>					
	Institutional, Educational, Hospital, maternity homes, houses for Correction, motel complex, tourist resorts, cattle sheds & all other users.	12.0	6.0	6.0	6.0	12.0
(II)	In Gaothans/ Congested areas:					
	<u>(i)Residential Use</u>	1.5	1.0	1.0	1.5	10.0
	<u>(ii)Other Uses</u>	3.0	1.5	1.5	3.0	12.0

Note : The front set back specified in the above table shall be applicable only if the plot/land is abutting public road. If the proposed structure is facing a minor road or an internal road, then the front marginal open space of at least 1.5 m. in case of residential buildings and 3 m. in case of other users shall be left.

(10) **Open Spaces For Row House/Semi Detached House:**

Marginal Open spaces for Row Houses and Semi-Detached houses (except those in 'G' Zone and Plantation Zone) having height up to 7.5 m. shall be as under :

TABLE-18
MARGINAL OPEN SPACES FOR ROW HOUSES AND SEMI-DETACHED HOUSES

Sr.No.	Type of Development	Min. Marginal Open Space in m.		
		Front	Rear	Side
1	Row Houses	3.00	1.5	-
2	Semi detached	3.00	1.5	1.5

Notes :

- i) Row houses at the junction of the roads shall be setback as fronting on both the roads.
- ii) Joint side open space between the row houses buildings shall be minimum 4.5 m.
- iii) Joint rear open space between the row houses buildings shall be minimum 3 m.

36. FEATURES PERMITTED IN MARGINAL 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 3m. 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 1.5m. away from the main building can be provided.
- b) Covered parking spaces at least 7.5 m from any access road, subject to Regulation no. 38.
- 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, platform around a tree, tank, bench, gate, slide, swing, ramp, compound wall. Ramp is permitted in open spaces except front margin with clearance of 3.6m.
- b) a cantilevered and unenclosed canopy over common entrance, each not more than 5.5m long and at least 2.2m above ground level. The outer edge of the canopy shall be at least 1.5m from the plot boundary. The Municipal Commissioner/Other Competent Municipal Officer may permit canopies of larger size in public multi-storeyed or special buildings.
- c) An unenclosed porch open on three sides, not more than 5.5m. in length parallel to the main building in front of the common entrance only. No part of such porch shall be less than 1.5m. the plot boundary;
- d) A balcony / veras projection/ architectural feature/ elevation or façade feature/ ota for a residential building constructed in conformity of sub-regulations of Regulation no. 40, if it does not reduce the width or the clear required marginal open space to less than 3m in the case of buildings upto 24 m. in height and 6m. in the case of multistoried/ high rise buildings. The width of a balcony will be measured perpendicular to the building line and reckoned from that line to the balcony's outermost edge.
- e) A chajja, cornice weather shade, sun-breaker, Flower Beds, Cupboards, Gallery and other similar ornamental projection and elevation features projecting not more than 1.2m from the face 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 3.0 m. in the case of buildings upto 24 m. in height and 6.0 m. for multistoried/ high rise buildings.

- f) A chajja, cornice weather shade, sun-breaker, Flower Beds, Cupboards and other similar ornamental projection and elevation features over a balcony or gallery, its projection not exceeding 0.75 m. from the balcony or gallery face with level difference of 0.2m in relation to the floor level.
- g) Watchman's booth not over 3 sq.m. in area and only on the ground floor with a height not exceeding 3 m.
- h) Parking lock up garage not exceeding 2.4 m clear height shall normally be permitted in the rear corner of the plot, provided that in exceptional cases where such a location is not possible it may be permitted in the side or rear open spaces at a distance of 7.5 m. from any road line or the front boundary of the plot and 1.5 m from the main building subject to clearance of Fire Officer in case of multi-storied/high rise buildings.

37. ULTIMATE HEIGHT OF BUILDING

- (1) **Height vis-à-vis the road width** – The ultimate height of a building shall not exceed twice the sum of the width of the street on which it abuts and the provided front open space. The restrictions of height of the building spelt out in this Regulation however, cease to apply in case where the plot fronts on road having width equal to or more than 20.00 m. and where front marginal open space of 12 m. minimum is observed . The restrictions of height of the building spelt out in this Regulation shall also cease to apply in case where the plot fronts on road having width equal to or more than 12.00 m. and where front marginal open space is observed in a manner such that the sum of the width of the street on which it abuts and the provided front open space is not less than 30m. Further restrictions on the height of the building need not be followed when open space between the two buildings is available (h/2) and the buildings are proposed on the either side of the road. For this purpose, the width of the street, may be the prescribed width of the street.

The maximum height of the building shall be 24 m. on a 9m. road width and height of more than 24 m. shall be allowed on a road width of 12m. However, the maximum height shall be 70 m. subject to meeting all other requirements mentioned in these Development Control and Promotion Regulations. For building height of more than 70 m., the approval shall be obtained from the Director of Fire Services, Mumbai and of the High Rise Committee to be constituted by the State Government.

Access to Multi-storied buildings shall be from internal/ public roads subject to Regulation no. [25. (2)].

Explanations –

- i) 'Prescribed width' here means the width prescribed in the development plan or the width resulting from the prescription of regular line of the street under the BPMC Act, 1949 whichever is larger. *If the width of the existing street is wider than prescribed road width in Development Plan or any other road as declared under BPMC Act or any other Act, the width of the existing road shall be considered for such purpose.*
- ii) *The maximum height allowed vis-à-vis road width as permissible in this Regulation shall be allowed upto only a depth of 24m of the building. Additional access shall be provided for building depth that is more than 24m.*
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 24m. along the narrower street, subject to conformity with Regulation no. 34.

- (2) **Buildings intended for hazardous godowns**, storage of inflammable materials storage of explosive like Godowns of LPG Gas Cylinders 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 Municipal Commissioner/Other Competent Municipal Officer 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. The Municipal Commissioner/Other Competent Municipal Officer may allow installation of mobile towers as per Appendix A-XXXIV.
- (5) **Structures not relevant to height** – The following appurtenant structure shall not be included in reckoning the height of a building except while considering the requirement of Civil Aviation 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 as allowed by Municipal Commissioner/ Other Competent Municipal Officer, television antenna, booster antenna, mobile telephone antenna and wireless transmitting and receiving towers, any telemetric equipment storage facility of an Information Technology Establishment.
- (6) **In the Green and Plantation Zones**, the maximum permissible height for various uses shall be 16m.
In genuine cases, Municipal Commissioner may allow more heights for genuine self-use/bungalow construction.

38. PARKING SPACES

Wherever a plot 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 added built up area.

(1) General Space Requirements –

- i) **Types** – The parking spaces mentioned below include parking space in basements, stilts, on a floor supported by stilts, or on upper floors if exclusively used for parking, deck parking, terrace parking, covered or uncovered parking spaces in the plot and lock up garages or on the podium.

Where requirement of parking area is more considering the main user of the building, mechanical arrangement of parking the vehicles may be allowed either in the stilt portion or in basement where height of stilt / basement shall be decided on the mechanical arrangement to be provided.

Parking spaces shall be paved and clearly marked for different types of vehicle.

Note: Deck parking can be provided for individual apartments/floors on upper floors along with the provision of car lift. The deck parking inclusive of car lifts and passages thereto on habitable floors shall be counted in FSI.

- ii) **Size of parking space** – the minimum sizes of parking spaces to be provided shall be as shown below.

**TABLE-19
SIZE OF PARKING SPACE**

Sr.No.	Type of vehicle	Minimum size / area of parking space
a)	Motor vehicle	2.5 m x 5.5 m
b)	Scooter – Motor cycle	1.25 sq.m.
c)	Bicycle	1.0 sq. m.
d)	Transport vehicle	3.75 m x 7.5 m

Note : In the case of parking spaces for motor vehicles, upto 50 percent of the prescribed spacemay 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 the ancillary spaces** – off street parking spaces must have adequate vehicular access to a street, and the area shall be exclusive of drives aisles and such other provisions required for adequate manoeuvring of vehicles.
- v) **Ramps for basement parking** – ramps for parking in basements should conform to the requirements of sub-regulation (38) of Regulation no. 40.

(2) Quantitative Requirements –

For four wheeled auto vehicles – parking spaces for four wheeled auto vehicle shall be provided as in Table 20 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-20
Off Street Parking Spaces**

Sr. No.	Occupancy	Parking Space Required
(1)	(2)	(3)
1.	i) Residential	<p>a) 1 parking for every 4 tenements having carpet area upto 30 sq mts.</p> <p>b) 1 parking for 2 tenements having carpet area between 30 to 50 sq mts.</p> <p>c) 1 parking for 1 tenement having carpet area between 50 to 70 sq mts.</p> <p>d) 2 parking for tenements exceeding 70 sq mts.</p> <p>e) In addition to the parking spaces specified in a, b and c above, parking spaces for visitors parking shall be provided to the extent of 10 per cent of the number stipulated above, subject to minimum of two car space.</p>

		f) For Bungalow at least 1 parking space per bungalow shall be provided.
	ii) For five, four and three star hotels	One parking space for every 30 sq.m. of total floor area
	iii) For lodging establishments	One parking space for every 60 sq.m. of total floor area of a lodging establishment a) for grade I hotels and eating houses, one parking space for every 12.5 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 40 sq. m. of restaurant including hall, dining room, pantry and bar.
2.	Educational	One parking space for 35 sq. m. carpet area of the administrative office area and public service area.
3.	Assembly and Assembly halls or auditoria or Multiplex	a) one parking space for 12 seats b) without fixed seats, one parking space for every 15 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 therein for such purposes shall be provided.
4.	Mercantile	One parking space for every 40 sq.m. of floor area upto 800 sq.m. and one parking space for every 80 sq.m. of space for areas exceeding 800 sq.m. provided that no parking space need to be provided for floor area upto 50 sq.mt.
5.	Government or Semi public or private office business buildings	One parking space for every 37.5 sq.m. of office space upto 1500 sq.m. for every 75 sq.m.of additional space for areas exceeding 1500 sq. m. in other areas.
6.	Industrial	One parking space for every 150 sq.m. thereof subject to minimum 2 spaces
7.	Storage	One parking space for every 150 sq. m. thereof subject to minimum of 2 spaces.
8.	Hospitals and Medical Institutions	One parking space for every 150 sq. m. of total floor area, except that it would be one parking space for every 300 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 admeasuring 10 m x 4 m for hospitals or medical institutions with bed strength of 100 or more.
9.	Cinemas and Drama Theatres	Parking space equivalent to 8 % of total number of seats with additional parking as otherwise also required for other permissible users in conjunctions with that of cinema / theatre.

10.	Malls/Markets, Shopping Centres Departmental Stores, Shops	One parking space for every 50 sq. m. of total floor area in the case of shopping user with each shop upto 20 sq.m.. in area i.e. convenience shopping and one parking space for every 100 sq.m. of total floor area for shops each over 20 sq.m. in area.
11.	Business	1 for 50 Sq.M. of floor area or part thereof.
12.	Stadia Clubs	One parking space for every 100 seats plus additional parking as in these Regulations for occupancies like those of restaurants etc. with such stadia or clubs.

- (3) **Two Wheeler Parking** - Irrespective of the size of the tenement, one parking space of two-wheeler vehicle shall be provided for every tenement. *Two Wheeler Parking for other users shall be as decided by Municipal Commissioner/Other Competent Municipal Officer. General policy to be declared by Municipal Commissioner/Other Competent Municipal Officer from time to time.*
- (4) **Other vehicles** – For all non- residential, assembly and non assembly occupancies 10 per cent additional parking spaces subject to a minimum of two spaces shall be provided in addition to what prescribed in these Regulations.
- (5) **Transport Vehicles** – In addition to the parking spaces provided for mercantile commercial building like business 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 3.75m x 7.5m in size more than 6 spaces need not be insisted upon.
- (6) **Location of Parking spaces** – the parking spaces may be provided –
- a) underneath the building, in basements upto 2 tiers, within its stilt portion, above stilt, on upper floors, under podium or on the podium, on habitable floor in the form of deck parking and on terrace.
 - 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 percent of the open space
 - iii) a minimum distance of 3.0m around the building is kept free of parking for proper maneuverability of vehicles;
 - iv) they are at least 7.5 m. from the front boundary in case of detached covered garages.
 - v) the parking layouts meet the requirements of the Chief Fire Officer in the case of multi-storeyed, high rise and special buildings.
 - c) In a residential zone, beyond the compulsory side and rear open spaces stipulated in sub-regulation (1) in Regulation no. 35 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 enclosures of a size of 2.5 m. X 5.5 m. with a clear height of 2.4 m. above ground level, at the rate of one covered garage for every 400 sq.m. or part thereof of plot area, in side or rear open spaces, at a distance of not less than 7.5 m. from any street line or the front boundary of the plot.
Provided that the same is 1.5 m. from the building and the condition in (b) v) above is complied with.

- (7) **Cinemas, theatres and assembly halls** – Subject to the provisions of sub regulation (6) above, in sites of cinemas, theatres, auditoria and assembly halls, one row of uncovered parking may be allowed in the front margin space of 12m or more, if the clear vehicular access way is not reduced to less than 6m.
- (8) **Common parking space** – If the total parking space required by these Regulations is provided by a group of legitimate 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 Municipal Commissioner/Other Competent Municipal Officer. If such common parking space is proposed for a group of buildings, the owners of such buildings shall submit a layout thereof and also a registered undertaking stating that the area earmarked for the parking space will not be built upon in future.
- (9) **Parking Lay-bye for Shop Line.**- If shops are proposed in a building fronting directly on the municipal or classified road, then a 3.0 m wider lay-bye in a front set-back along the road frontage shall be provided for temporary parking of vehicles by the customers, provided that minimum distance of 1.5 m is left from the building. Such lay-bye shall be leveled to the road surface and paved, concreted or asphalted to the satisfaction of the Municipal Commissioner/Other Competent Municipal Officer.
- (10) **Parking under Podium** - If a Developer/ Builder/Owner is providing parking spaces for the use of the occupants, then he is permitted to provide such parking spaces exclusively for the use of the occupants under a podium free of FSI subject to the requirements as specified in sub-regulation 36 of Regulation no. 40.
- (11) **Parking floor** -
Parking floor not more than 4 storeys shall be allowed within the building line and with a clear height of 2.4 m.

39. REGULATIONS FOR HERITAGE STRUCTURES/SITES/PRECINCTS

These regulations are imposed with a view to regulate and conserve the listed buildings, areas, artefacts, structures and precincts of historical and/or aesthetic and/or architectural and/or cultural value, i.e. heritage buildings and heritage precincts.

Applicability: These regulations will apply to those buildings, artifacts, structures and/or precincts of historical and/or aesthetic and/or architectural and/or cultural value (hereinafter referred to as listed building/heritage buildings and listed precincts/heritage precincts) Apart from the Vasai Fort and Buddha Stupa, these shall also apply to heritage buildings / heritage precincts as may be listed in notification(s) to be issued by Government, from time to time.

Further the regulations are as stipulated in Appendix **B-VIII**

CHAPTER-V

GENERAL BUILDING REQUIREMENTS

40. SPECIFICATIONS OF PARTS OF BUILDING

The following parts of a building, wherever present, shall conform to the specifications given herein:

(1) HABITABLE ROOM:

a) Size and dimensions of various rooms shall be as under:

TABLE-21
MINIMUM SIZE AND DIMENSIONS OF HABITABLE ROOMS

Sr. No.	Occupancy	Minimum size in sq.m.	Minimum dimension of a side in m.	Remarks
1	Living room	9.5	2.4	
2	Bed room	9.5	2.4	
3	Kitchen a) One room – kitchen tenement b) two room -kitchen tenement	7.5 5.5	1.8 1.8	
4	Any other room in a two room – kitchen tenement	7.5	2.4	
5	Rooms in a two-room tenement of a site and services projects (i) one of the rooms (ii) other room	9.5 7.5	2.4 2.4	
6	Single room tenement in Housing scheme for EWS,	12.5	2.4	Cooking alcove of a minimum length of 1.5 m and a minimum width of 1.2 m should be provided. A window of at least 1.0 sq.m. opening to external face or courtyard should also be provided.
7	Single-bedded room in a hostel of educational institution/ working men's or women's hostel.	7.5	2.75	
8	Shop	7.5	2.4	For convenience shops, minimum width shall be 1.8 m. for the proposals abutting to road width less than 12 m, subject to maximum area of 20 sq.m.
9	Class room in an educational building	38.0	5.5	Area at the rate of 0.8 sq.m. per student, whichever is more.
10	General ward in a hospital/ nursing home	38.0	5.5	

Provided that –

- i) Every tenement except that in EWS housing scheme shall have at least a living room and a kitchen.
- ii) Minimum size of a Cinema theatre, shall be in conformity with Maharashtra Cinema Rules. The minimum size of Drama theatre or Auditorium shall be provided at the rate of 20 seats in 9.0 sq.m. exclusive of gangways (Minimum of 1.5 mt.)

b) Height of the rooms:

The minimum and maximum height of a habitable room shall be as follows:

**TABLE-22
HEIGHT OF HABITABLE ROOMS**

Sr. No.	Occupancy	Min. Height in m.	Max. Height. In m.
1	Flat Roof		
	(i) Living room	2.75	4.20
	(ii) Habitable room in LIG or EWS housing scheme	2.60	4.20
	(iii) Air-conditioned habitable room/ common corridors.	2.40	4.20
	(iv) Commercial, Business and Professional Occupancies.	3.60	4.20
	(v) Industrial hazardous or storage occupancies	3.60	5.00 (Greater height may be permitted, for genuine requirement without payment of premium)
	(vi) Auditorium, Drama/Cinema Theatres, Assembly Halls, residential hotels of 3 star category and above, institutional, educational, departmental stores, entrance halls and lobbies to departmental store and assembly halls etc.	3.60	4.2 (Greater height may be permitted, for genuine requirement without payment of premium)
2	Pitched Roof		
	(i) Any habitable room	2.75	4.20
	(ii) Habitable room in LIG and EWS Housing scheme	2.60	4.20

Provided that -

- (i) In the case of mezzanine such maximum height shall be 4.6 m.
- (ii) In case of occupancies where more room height is unavoidable, it may be permitted as special case after recording reasons in writing therefor.
- (iii) The minimum clear headway under any beam shall be 2.2 m.

c) Other requirements of Kitchen

Every room to be used as a kitchen shall have –

- i) Unless separately provided, 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;
- ii) On an upper floor, an impermeable floor, at least a window not less than 1 sq.m. in area, opening directly or on to an interior or exterior open space, but not into a shaft (see sub-regulation (13)(b) of Regulation no. 40) and
- iii) refuse chutes in residential buildings more than 15 m. height.

(2) BATHROOM AND WATER CLOSET:

- a) The area and dimensions of a bathroom and water closet shall not be less than those given below.

**TABLE-23
MINIMUM AREA AND DIMENSIONS OF BATHROOM AND WATER CLOSET**

Type	Area (in sq.m.)	Side (in m.)
i) Bathroom	1.5	1.2
ii) Water Closet (W.C.)	1.1	0.9
iii) Combined Bathroom and Water Closet (WC)	2.2	1.2

- b) In the case of housing schemes for Economically Weaker Sections as given in Appendix A-XVII, the minimum sizes of bathroom and water closet shall be as follows :

**TABLE-24
SIZE OF BATHROOM AND WATER CLOSET IN HOUSING FOR ECONOMICALLY WEAKER SECTION**

Type	Minimum Dimension in m.
(i) Bathroom	1.3 x 1.1
(ii) Water Closet	1.1 x 0.9
(iii) Combined Bathroom and Water Closet	1.8 x 1.1

- c) The height of a bathroom or water closet measured from the surface of the floor to the lowest point in the ceiling shall not be less than 2.2m.

(3) STORE ROOM:

- a) The area of a storeroom in a residential building shall not be less than 3.0 sq.m.
- b) The height of a storeroom shall not be less than 2.2 m.

(4) BASEMENT:

- a) Not more than two storey of basement shall be permitted.
- b) The access to the basement shall be independent of the main entrance of a building. Separate staircase providing access and exit may be provided. Where the staircase is continuous, the same shall be of enclosed type serving as a fire separation for the basement floor and higher floors. Ramps to the basement shall be permitted in the open spaces except the front open spaces subject to the sub-rule [g) ii)] below. Car lifts may also be provided in addition to ramps when basement is proposed for vehicular parking.
- c) **Area and Extent** – No basement shall be constructed so as to reduce the marginal open spaces less than 3.0 m. and front margin shall not be reduced. The extent required for mechanical parking and Fire fighting requirements to be followed.
- d) **Height** – The height of the basement from the floor to the underside of the roof slab or ceiling or underside of a beam when basement has beams inside shall not exceed 2.4 m.
Further, more height may be permitted for such basement if it is counted towards FSI.
Further for mechanized parking, basement height upto 4.2 m. can be provided if permitted by Municipal Commissioner/Other Competent Municipal Officer.
For Special building intended for hospitals and industries, additional height of basement may be permitted after recording in writing the reason for granting additional height, but only for fitting special machinery required for predominant use.
- e) **Ventilation** – The extent of ventilation shall be the same as required by the particular occupancy for which the basement is used. The area of window provided for ventilation shall not be less than 10% of the floor area. Any deficiency must be made good by resorting to a mechanical system viz. Blowers, exhaust fans, air-conditioning systems according to the standards in Part VIII Building Services Section I - Lighting and Ventilation, National building Code.
- f) **Uses Permitted** – A basement permitted free of FSI shall be put to the following uses only:-
- i) Storages of household or other non-hazardous goods,
 - ii) Store rooms, bank lockers or safe-deposit vaults,
 - iii) Air-conditioning equipment, AHU and other machines used for services and utilities of the building, except transformers.
 - iv) Parking spaces.
 - v) Electric sub-station (which will conform to required safety requirements), Non-habitable users strictly ancillary to the principal user may also be permitted in a basement.
 - vi) Provided that the users mentioned at i) and ii) above shall be permitted in the uppermost basement level only .
 - vii) Basement put to use for any other purpose than specified above shall be counted in FSI.
 - viii) All requirements regarding access, safety (including fire safety), ventilations etc. shall be complied with. All the planning standards (particularly as regarding parking) should be strictly adhered to.
- g) **Other Requirements**
Every basement shall meet the following specifications:-

- i) The ceiling of a basement shall be at least 0.9 m. and not more than 1.5 m. above the average surrounding ground level.
- ii) Adequate arrangements shall be made to ensure that surface drainage does not enter the basement.
- iii) The walls and floors of the basement shall be water-tight and the effect of the surrounding soil and moistures if any, should be taken into account in design and adequate damp proofing treatment shall be given.
- iv) Any access to the basement through a staircase or pedestrian ramp shall meet the requirement of clause (38) of this Regulation. Open ramps may be permitted in the open spaces except in the front open space subject to (ii) above and the fire protection requirements.
- v) Any access to the basement through vehicular ramps shall meet the requirements of item (b) of clause (38) of this Regulation.
- vi) Basement shall be in conformity to fire requirements as mentioned in clause (7) of Appendix A-XVIII.

(5) PLINTH:

- a) The minimum height of plinth for any building shall be 60 cm above the surrounding ground.
- b) Interior courtyards, stilt, covered parking and garages shall be raised at least 15 cm above the surrounding ground level and shall be satisfactorily drained.

(6) STILT:

- a) A stilt portion shall be permitted on ground and above Podium only. The height between ground floor level and beam bottom of ceiling of the stilt portion shall not be more than 2.4 m. and at least two sides of the stilt portion shall be open. The stilt portion shall not be used for any purpose other than parking of vehicles or as open play area. Plinth of stilt shall be 15 cm. above the surrounding ground level. A ramp shall be provided to facilitate movement of vehicles.
- b) In the case of educational or assembly buildings intended for open gathering of the students or the people and for institutional buildings, stilt with more height upto 4.5 m. and further if required shall be permitted, without payment of any premium. Stilt with more height shall be permitted for utilities like fire brigade stations, etc
- c) Any violation in the maximum height or use mentioned above will lead to counting the stilt area in the built up area.
- d) Stack parking in stilt shall be permitted with payment of premium as decided by Municipal Corporation, allowing more height of stilt than permissible as per these Regulations.

(7) MEZZANINE FLOOR :

- a) Mezzanine floor may be permitted on any floor and its area shall be counted towards F.S.I.
- b) Aggregate area of the mezzanine floor shall not exceed 50% of the built up area of that floor. The minimum size of a mezzanine floor, if it is used as a habitable room, shall not be less than 9.5 sq.m.
- c) Minimum headroom of a mezzanine floor shall be 2.2 m.
- d) A mezzanine floor may be permitted provided that -
 - i) It conforms to the standards of habitable rooms as regards light and ventilation.
 - ii) It is so constructed as not to affect the ventilation of the spaces over and under it.
 - iii) No part of it is used as a kitchen.

- iv) It is at least 1.8 m. away from the front wall of a habitable room.
- v) It is accessible only from within the respective room below the same.

(8) LOFT :

- a) Loft provided in habitable rooms, kitchens or over bathrooms and corridors or in shops and industrial buildings shall be subject to following :

**TABLE-25
MAXIMUM DEPTH AND COVERAGE OF LOFTS**

Sr. no.	Rooms over which loft is permitted	Maximum Coverage as percentage to area of room below	Max. Depth in m.
1.	Kitchen/habitable room.	25.00 %	0.75
2.	Bathroom, water closet, corridor.	100.00 %	2.00
3.	Shops with depth upto 3 m	33.33 %	1.00
4.	Shops with depth exceeding 3 m.	50.00 %	2.00
5.	Industrial	33.33 %	3.00

Provided that -

- (i) Lofts in commercial or industrial buildings shall be located at least 2 m. away from the entrance;
 - (ii) Loft area shall not be considered in built up area computation, if it is in accordance with these Regulations.
- b) The clear headroom under the loft shall not be less than 2.2 m. and the headroom above the loft shall not be more than 1.5 m. If it exceeds 1.5 m. it shall be counted towards F.S.I.

(9) PROJECTIONS FOR CUPBOARDS:

Projection (cantilever) of cupboards and shelves may be permitted and shall be exempted from built up area calculations. Such full height projections may be projected upto 120 cm in the set-backs for residential buildings provided the height of such cupboards or shelves does not exceed 2.40 m and there shall not be more than one such cupboard or shelves in each room. However, cupboards on ground floor may be permitted only within the building line. However, contiguous cupboards or shelves with 120 cm projection may be permitted if the same are constructed under / beneath the sill portion of the windows (not exceeding 90 cm above the floor) and over the lintel of windows (at height above 2.00 m above floor level). Cupboard on Ground Floor shall not be permitted in set- back.

(10) BALCONY:

- a) In any residential with shop line or purely residential building in any other zone, balconies having minimum width of 0.9 m and maximum width upto 1.5 m may be permitted free of FSI at each floor excluding the ground and terrace floors, of an area not more than 10 percent of the area of the respective 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 front margins. The width of the balcony will be measured perpendicular to the building line and reckoned from that line to the balcony's outermost edge.

- ii) Balconies shall be allowed only on the floor above the ground floor. No balcony shall be at a height less than 2.2 m. above the ground level.
 - iii) However, balconies and otlas may be allowed on the ground floor if the building line inclusive of the balcony or otlas fulfills the statutory marginal open space requirements.
 - iv) Balconies/otlas are allowed to be enclosed, provided light and ventilation for the room, to which they are attached, is not compromised and by charging additional premium as decided by Municipal Commissioner.
- b) Balconies may be allowed to be enclosed with written permission of the Municipal Commissioner. When balconies are enclosed, one-third of the area of their faces shall have louvers glass shutters or grills on the top and the rest of the area except the parapet shall have glazed shutters.

(11) REVAS PROJECTION:

- a) A revas projection of maximum width of 1.20 m may be permitted in the front, side and rear marginal open spaces provided required marginal open spaces are left from such projection.
- b) No revas projection shall be at a height less than 2.2 m above the ground level.
- c) Areas of all revas projections excepting staircase projection shall be taken into account for the computation of built up area.

(12) ROOF:

- a) 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 there from by means of pipes at the scale of at least one pipe of 10 cm. diameter for every 40 sq.m. of roof area. Such pipe 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.
- b) Connecting rain water to drain or sewer - The Municipal Commissioner/Other Competent Municipal Officer 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.
- c) Manner of fixing rain water pipes – Rain water pipes shall be affixed to the outside of the walls of the buildings or in recesses or chases cut or formed in such walls or in such other manner as may be approved by the Municipal Commissioner/Other Competent Municipal Officer.
- d) As regards Rain Water Harvesting, provisions in Appendix A-XI (B) are to be strictly followed.

(13) LIGHTING AND VENTILATION OF ROOM:

- a) **Adequacy and manner of provision -**
 - i) All habitable rooms including kitchen shall have for the admission of light and air, one or more apertures, such as windows opening directly to the external air or into an open verandah not more than 2.4 m. in depth.
 - ii) The minimum aggregate area of openings of habitable rooms and kitchens excluding doors shall be not less than 1/6 of the floor area. However a staircase shall be deemed to be adequately lighted and ventilated if it has one or more openings, on the external wall, having size of at least 1.00 sq.m. per landing.

- iii) Minimum opening of 1.00 sq.m. area in any habitable room including a kitchen, and 0.3 sq.m. with one dimension of 0.3 m. for any bathroom, water closet, store or pooja room, shall be provided.
- iv) No part of a habitable room including kitchen shall be assumed to be lighted and ventilated if it is more than 7.5.m. away from the opening assumed for lighting that portion. However, room meant for non-residential uses shall be considered as adequately lighted and ventilated if its depth from the side abutting the required open spaces does not exceed 12 m.
- v) Where the lighting and ventilation requirements are not met through day lighting and natural ventilation, the same shall be ensured through artificial lighting and mechanical ventilation as per the provisions of the National Building Code of India. (Part VIII building, services, sections and light and ventilation.)
In the case of special types of buildings requiring artificial lighting and air conditioning for special types of manufacturing or other process, the requirements regulating natural day lighting and ventilation may be suitably relaxed by the Competent Authority.

b) **Artificial ventilation shaft –**

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

Table-26
AREA AND DIMENSION OF VENTILATION SHAFT

Height of Buildings in m.	Cross-section of ventilation shaft in sq.m.	Minimum Side of shaft in meters.
Upto 12	2.8	1.2
Upto 18	4.0	1.5
Upto 24	5.4	1.8
Upto 30	8.0	2.4
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.

c) **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 Code.

d) **Residential Hotel -Size of ventilation shaft -**

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 Municipal Commissioner/Other Competent Municipal Officer.

(14) PARAPET:

Parapet walls and handrails provided on the edges of roof terraces, balcony etc. shall have a clear height not less than 1.15 m. from the finished floor level and not more than 1.30 m. above the unfinished floor level.

(15) EXIT REQUIREMENT:

- a) **General Requirements** : The following general requirements shall apply to exits:
- i) Any building meant for human occupation shall be provided with exits sufficient to permit safe escape of occupants in case of fire or other emergencies. An exit may be doorway, corridor, passage leading to an internal staircase or external staircase, ramps or a verandah and/or terraces that have access to the street or to the roof of a building. An exit may also include a horizontal exit leading to an adjoining building at the same level.
 - ii) In every part of the building except those, which are not accessible for general public use, exits shall comply with the minimum requirements of this part. Requisite number and size of exits shall be provided, based on the population in each room and floor based on the occupant load capacity of exits, travel distance and height of buildings as per these Regulations.
 - iii) Non residential component in a building partially having residential use shall have independent exit.
 - iv) All exits shall provide continuous means of egress to the exterior of a building or to an exterior open space leading to a street.
 - v) Exits shall be clearly visible and the routes to reach the exit shall be clearly marked and sign posted to guide the people to the floor concerned;
 - vi) All exit ways shall be properly illuminated.
 - vii) All exits shall be free of obstructions. Exits shall be so located that the total travel distance on the floor shall not exceed 22.5 m. for residential, educational, institutional and hazardous occupancies and 30 m. for assembly, business, mercantile, industrial and storage occupancies. Whenever more than one exit is required for a floor of a building, exits shall be placed as remote from each other as possible. All the exits shall be accessible from the entire floor area at all floor levels.
 - viii) Fire fighting equipment where provided along with the exits shall be suitably located and clearly marked but must not obstruct the exit way and yet there should be clear indication about its location from either side of the exit way.
 - ix) Alarm devices shall be installed for special buildings above 16 m. in height in conformity with Regulation 14 of Appendix A-XVIII to ensure prompt evacuation of the population concerned through the exits.
 - x) Exits shall be so arranged that they may be reached without having to pass through another occupied unit except in the case of residential buildings.
 - xi) Exits for all public assembly and institutional buildings shall have provision of ramp with handrails at 75 cm height to facilitate movement of physically challenged persons.
 - xii) No building shall be altered so as to reduce the number, width of exits to less than that required.
 - xiii) For all multi-storeyed high rise and special buildings, a minimum of two enclosed type staircases shall be provided, at least one of them opening directly to the exterior to an interior, open space or to any open place of safety.

Note 1: The travel distance to an exit from dead end of a corridor shall not exceed half the distance specified above.

Note 2: Lifts and escalators shall not be considered as exits.

b) **Occupant load –**

The population in rooms, areas of floors shall be calculated based on the occupant load given below.

**TABLE-27
OCCUPANT LOAD**

Sr. No.	Group of Occupancy	Occupant Load as Gross Area in sq.m. /person. *
1	Residential	12.5
2	Educational	4.0
3	Institutional	15.0
4	Assembly	
	(i) With Fixed or Loose Seats and Dance floors.	0.6 **
	(ii) Without seating facilities, including dining rooms.	1.5 ***
5	Mercantile	
	I) Street Floor and Sales basement	3.0
	ii) Upper Sale Floors	6.0
6	Business and Industrial	10.0
7	Storage	30.0
8	Hazardous	10.0

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

** Occupant load in dormitory portions of homes for the aged, orphanages, insane asylums, etc. where a living accommodation is provided, shall be calculated at not less than 7.5 sq.m. gross area/person.

*** The gross area shall include in addition to the main assembly room or spaces, any occupied connecting room or spaces 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. Area under corridors, toilets, etc shall not be taken into account while computing the occupant load.

c) Capacity of exits -

- i) The capacity of exits (doors and stairways) indicating the number of persons that could be safely evacuated through a unit exit width of 50 cm. shall be as given below.

**TABLE-28
OCCUPANT LOAD PER UNIT EXIT WIDTH**

Sr. No.	Group of Occupancy	Stairways	Occupant load
1.	Residential	25	75
2.	Educational	25	75
3.	Institutional	25	75
4.	Assembly	60	90
5.	Business	50	75
6.	Mercantile	50	75
7.	Industrial	50	75
8.	Storage	50	75
9.	Hazardous	25	40

- ii) For all special buildings where two staircases are required, at least one of them shall be on the external wall of building and shall open directly to the exterior, interior open space or to any open place of safety. It shall preferably be of an enclosed type.

(16) DOORWAY:

- 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) No exit doorway shall be less than 100 cm. in width. Doorways shall not be less than 200 cm. in height. Doorways for bathrooms, water closet, stores etc. shall be not less than 75 cm. wide - (masonry opening) provided further that the clear opening between the frame shall not be less than 65 cm.
- c) Exit doorways, including special security doors shall open outwards, that is, away from the room but shall not obstruct the travel along any exit corridor, landing etc. No door, when opened, shall reduce the required width of stairway or landing to less than 90 cm. Overhead or sliding doors shall not be installed.
- d) Exit door shall not open immediately upon a flight of stairs. A landing of at least 1.5 m. width shall be provided in the stairway at each doorway. The level of landing shall be the same as that of the floor it serves.
- e) **Revolving Doors:**
Revolving doors may be used as required exit only in business and mercantile occupancies. When revolving doors are considered as required exit way the following assumptions shall be made: -
 - i) Each revolving door shall be credited one half unit exit width, and
 - ii) Revolving doors shall not be located at the flight of a stairway. Any stairway served by a revolving door shall discharge through a lobby or foyer.

(17) CORRIDOR:

- a) The minimum width of a corridor shall not be less than 1.0 m. in the case of 2 storeyed row housing residential building and in the case of other buildings, actual width shall be calculated based on the provisions of Table-27.
- b) In case of more than one main staircase of the building, inter-connected by a corridor or other enclosed spaces, there shall be at least one smoke-stop door across the corridor or enclosed spaces between the doors in the enclosing walls of any two staircases.

(18) STAIRCASE

- a) Stairways 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 exit stairway shall conform to the requirements stipulated in clause **19** of Appendix A-XVIII.
At least one fire staircase of 1.5 m. width shall be provided for building height more than 15m. but less than 24m. In case of buildings with height more than 24 m., two staircases shall be provided of which one shall be fire staircase as per Fire Officer's specifications. However, the provisions of sub-regulation (5)(ii)(b) of Regulation no. 5 shall be followed.
 - i) **Width** – The minimum width of a staircase other than a fire escape shall be as given in Table 29 hereunder. The exclusion from the FSI is only permissible if the stairways have these widths as minimum.

TABLE-29
MINIMUM WIDTH OF COMMON STAIRWAY / CORRIDORS
FOR VARIOUS OCCUPANCIES

Sr. No.	Type of Occupancy	Minimum width of staircase / stairway / corridor in m	Minimum width of landing / mid landing in m
1.	Residential Buildings -		
	(i) General	1.20	1.50
	(ii) Row Housing (2 storeys)	0.75	0.75
	(iii) Bungalow/Duplex/Pent House	1.0	1.0
	(iv) Hotels	1.50	1.50
2.	Educational and Medical bldgs.	2.00	2.00
3.	Institutional buildings -	2.00	2.00
4.	Assembly buildings	2.00	2.00
5.	Mercantile, business, industrial, storage, hazardous buildings.	1.50	1.50

Notwithstanding anything contained in the above table, if the length of the closed corridor/passage exceeds 7.5 m in the case of a residential building, then the width of the corridor/passage shall increase by 1/5th of the incremental length. Similarly, in the case of non-residential buildings, if the length of closed corridor/passage exceeds 12 m., then the width of the corridor/passage shall increase by 1/8th of the incremental length. Provided that the maximum width of such closed corridor shall not exceed 3.0m.

- ii) **Flight** – No flight shall contain more than 12 risers, but in residential buildings in narrow plots, 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) **Treads** – 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 of at least 15 cm. size on the wall facing the flights of a stairway or at such suitable place as is distinctly visible from the flights. In the case of assembly, institutional, residential hotels, industrial and hazardous occupancies, the exit sign with arrow indicating the way to escape route shall be provided at a height of 1.5 m. from the floor level on the wall and shall be illuminated by electric light connected to corridor circuits or alternatively painted with fluorescent paint. All exit way marking signs should be flush with the wall and so designed that no mechanical damage shall occur to them due to moving of furniture and other heavy equipment.
- vii) **Hand Rail** – Hand rails with a minimum height of 0.9 m. from the center of the treads shall be provided. In the case of public offices, assembly halls, hospitals, etc. an additional low rail shall be provided at a height of 75 cm.

b) Other requirements of staircase -

- i) Common stairs shall be constructed of non-combustible materials throughout.
- ii) Interior stairs shall be constructed as a self-contained unit with at least one side adjacent to an external wall and shall be completely enclosed.
- iii) A staircase shall not be arranged around a lift shaft unless the latter is entirely enclosed by a material of fire resistance rating as that for the type of construction itself.
- iv) Hollow combustible construction shall not be permitted.
- v) No room shall open directly to the flight of a stair.
- vi) External exit door of staircase enclosure at ground level shall open directly to the open spaces or shall be such as can be reached without passing through any door other than a door provided to/ from a draught lobby.
- vii) In the case of single staircase, it shall terminate at the ground floor level and the access to the basement shall be by a separate staircase. Whenever, a building is served by more than one staircase, one of the staircases may lead to basement level, provided the same is separated at ground level by either a ventilated lobby or a cut off screen wall without opening, having a fire resistance of not less than 2 hours with discharge points at two different ends or through enclosures. It shall also be cut off from the basement area at various basement levels by a protected and ventilated lobby/lobbies. The staircase shall be lighted and ventilated and the minimum size of openings on walls abutting open spaces shall be 0.3 sq.m. per landing.

(19) LIFT:

At least one lift shall be provided in every building more than 15 m. in height. In case of buildings more than 24 m. high at least two lifts shall be provided. However, in the case of a proposal to add one additional floor to an existing building having a lift, it will not be necessary to raise the existing lift to the additional floor. Provided that in the case of an existing building with height of 15 m. or above one additional floor may be permitted without insisting on a lift in the case of chawl like structures. The same concession would be available for buildings with apartment accommodation provided the additional floor space is limited to 120 sq.m. The total height shall not exceed 15 m. or ground and four upper floors.

In the case of buildings 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 exceeds 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.

The first lift provided in any building shall be stretcher lift.

a) Other requirements –

- i) 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 – Installation of Lifts and Escalators, National Building Code of India.
- ii) At ground floor level, a grounding switch shall be provided to enable grounding the lift cars in an emergency.
- iii) The lift machine room shall be separate and no other machinery shall be installed therein.

- iv) 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 cages.
 - v) In multi-storeyed and high rise residential building, one of the lifts installed shall be freight lift.
- b) Minimum one lift, preferably a stretcher lift should be provided in a hospital building exceeding three storeys.
 - c) Lifts shall conform to the provisions given above and to the provisions of Reg.no.55.

(20) PORCH / CANOPY:

a) **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) and upto 3.0 m in width shall not be counted towards FSI. A parapet wall 0.23 m. in height is permissible over a porch. The Municipal Commissioner/Other Competent Municipal Officer may permit larger porches for mercantile, hotel and public buildings by recording reasons therefore subject to clearance of 1.5 m from the plot boundary.

b) **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.

(21) GARAGE:

- a) The garage shall be located in a plot as provided in Regulation no. [36(i)b)] and shall not affect the access to the building.
- b) The aggregate built up area of all the garages shall not exceed
 - (i) 10 % of the gross plot area, however, a minimum area of 20 sq.m. shall be permitted.
 - (ii) Area of a single garage shall not exceed 20 sq.m.
- c) The maximum headroom in a garage and parking area shall be 2.4 m.

(22) 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 exit 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.

(23) CHIMNEY:

- a) Chimneys shall conform to the requirements of IS 1645-1960.
- b) They shall be built at least 0.9 m. above flat roofs, provided further that they shall project above the adjacent parapet wall. In the case of sloping roofs, the chimney top shall rise 0.6 m. above the ridge of the roof.

(24) METER ROOM:

An independent and ventilated meter (service) room upto carpet area of 10 sq. m directly accessible from the outside shall be provided on ground floor and/or on upper floors, according to the requirements of the MSEB/ the electric supply undertaking . The door to the room shall have fire resistances of not less than two hours.

(25) 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 owner's 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 upto 20 sq.m. otherwise.

(26) Refuse Chute

In all multi storeyed residential buildings, a refuse chute shall be provided with openings on each floor.

(27) Patio to Habitable Room

Patio shall be atleast 5.65 m clear in height, adjoining to any habitable room (excluding kitchen) at higher floor levels, and shall not be beyond the overall permissible projection. Such patios upto 10 % of total built up area shall not be counted in FSI calculations and subject to payment of premium. Rates of Premium shall be as decided by Municipal Corporation.

(28) Terrace

Terrace shall not be sub-divided and shall be accessible by a common staircase, provided that pocket terrace attached to dwelling unit shall be permissible on payment of premium.

(29) Boundary wall and main entrance

a) Boundary wall. –

- i) Except with the permission of the Municipal Commissioner/Other Competent Municipal Officer the maximum height of a boundary wall shall be 1.5 m. above the level of the centre line of the front street. A boundary wall upto 2.4 m. in height may be permitted if the upper 0.9 m is of open type construction, to facilitate through vision.
- ii) At a corner plot, the height of the boundary wall shall be restricted to 0.75 m. for a length of 10m. on the front and side of the intersection and the balance height of 0.75 m. if required in accordance with (i) above may be made up of open type construction (through railings.)
- iii) The provisions of (i) and (ii) above will not apply to the boundary walls of jails.
- iv) 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 undertaking, a height upto 2.4 m. may be permitted by the Municipal Commissioner/Other Competent Municipal Officer .

b) Main Entrance –

The main entrance to a plot accommodating 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.

(30) Wells

- i) Bore wells shall not be permitted in the green/plantation zone located to the west of main railway line. New dug well in this coastal area shall be permitted provided it is intended only for bonafide use of the owner.
- ii) Wells, wherever permissible, shall be located as follows :
 - (a) Not less than 12 m. from any ash pit, refuge pit, cess pit, soak pit, bore hole latrine, earth closet or privy and shall be located on a site upwards from the earth closet or privy.
 - (b) Not under a tree unless it has a canopy over, so that leaves and twigs do not fall into the well and rot.
 - (c) So as not to cause contamination by the movement of sub soil or other water.
- iii) No dug well shall be permitted unless it satisfies following requirements-
 - (a) Have a minimum internal diameter of not less than 1.5 m.
 - (b) Be constructed to a height not less than 1 m. above the surrounding ground level to form a parapet or kerb and to prevent surface water flowing into it and shall be surrounded by a paving constructed of impervious material which shall extend upto a distance of not less than 1.8m in every direction from the parapet or the kerb forming the well head. The upper surface of such a paving shall be sloped away from the well.
 - (c) Be of sound and permanent construction (pucca) through out. Temporary exposed (kutchcha) wells shall only be permitted in fields or gardens for purpose of irrigation.
 - (d) Be rendered impervious for a depth of not less than 1.8 m. measured from the level of the ground immediately adjoining the well head.
 - (e) Have a provision to facilitate movement of persons into the well for occasional cleaning purposes.

(31) Overhead Tanks

Every overhead water storage tank shall be maintained in a perfectly mosquito-proof condition by providing a properly fitted 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.

(32) Septic Tanks

Location of septic tanks and sub-surface dispersion system: -

A sub-soil dispersion system shall not be closer than 12 m. from any source of drinking water such as a well. It shall also be located away from a habitable building but not closer than 1.5 m. to avoid damage to the structure.

Requirements -

- a) Septic tanks shall have minimum width of 75 cm, minimum depth of 1.0 meter below the water level and a minimum liquid capacity of 1.0 cu.m. Length of tanks shall be 2 to 4 times the width.

- b) Septic tanks may be constructed of brickwork, stone masonry or concrete.
- c) Under no circumstances should effluent from a septic tank be allowed into an open channel drain, or subsoil body of water without adequate treatment.
- d) Minimum internal diameter of pipe shall be 100 mm. Further, at junctions of pipes in manholes, direction of flow from a branch connection should not make an angle exceeding 45 degrees with the direction of flow in the main pipe.
- e) The gradients of land drains, under ground drainage as well as the bottom of dispersion trenches and soak ways should be between 1:300 and 1:400.
- f) Every septic tank shall be provided with ventilating pipe of at least 50 mm diameter. The top of the pipe shall be provided with a suitable cage of mosquito proof wire mesh. The ventilating pipe shall extend to a height of about 2 m. when the septic tank is at least 15 m. away from the nearest building and to a height of 2 m, above the top of the building when it is located closer than 15 m.
- g) When the disposal of septic tank effluent is to a seepage pit, it may be of any suitable shape with the least cross sectional dimension of 90 cm. and not less than 100 cm. in depth below the invert level of the inlet pipe. The pit may be lined with stone, brick or concrete blocks with dry open joints, which should be backed with at least 7.5 cm. of clean coarse aggregate. The lining above the inlet level should be finished with mortar. In the case of pits of large dimensions, the top portion may be narrowed to reduce the size of the R.C.C. cover slabs. Where no lining is used, especially near trees, the entire pit should be filled with loose stones. A masonry ring may be constructed at the top of the pit to prevent damage due to flooding of the pit by surface run off. The inlet pipe may be taken down to a depth of 90 cm. from the top as an anti - mosquito measure.
- h) When the disposal of septic tank effluent is to a dispersion trench, the dispersion trench shall be 50 to 100 cm. deep and 30 to 100 cm. wide excavated to a slight gradient and shall be provided with 15 to 25 cm. of washed gravel or crushed stones. Open jointed pipes placed inside the trench shall be made of unglazed earthenware, clay or concrete and shall have minimum internal diameter of 75 to 100 mm. No dispersion trench shall be longer than 30 m. and trenches shall not be placed closer than 1.8 m. to each other.

(33) Fitness Centre Room

In every residential building, constructed or proposed to be constructed for the use of a co-operative housing society or an apartments of owners association, a fitness center room shall be permitted. The area of such room shall be limited to two percent (2 %) of the total built-up area of the building or 20 sq. m whichever is more. Such room shall not be used for any other purpose except for fitness activities and its ownership shall vest in the concerned society / association.

(34) COMMON ANTENNA FOR TELEVISION TRANSMISSION RECEPTION

A common conventional antenna or dish for receipt of television transmission shall be provided for every residential building with more than ten tenements.

(35) 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 or part thereof;
- b) a separate tiffin room for teachers where strength of students, exceed 1000;

- c) a room with drinking water facilities for every 300 students or less on each of the floors. These requirements may be amended by the Municipal Commissioner/Other Competent Municipal Officer .

(36) PODIUM

- a) Net area of plot shall be atleast 2000 sq.m
- b) Podium shall be constructed below a building, structurally sound to take the vehicular traffic, projecting beyond building line, maintaining 3.00 m marginal open spaces all along the plot boundaries and leaving the required set-backs from the public roads.
- c) The parking areas maximum with two tiers and having tier height not more than 2.4 m shall be permitted below the podium.
- d) The parking areas under podium or on the podium shall be well connected by two separate ramps each for entry and exit having slope not steeper than 1:10 with minimum width of 3.6 m. and minimum width of 6.0 m. for single ramp.
- e) Ramps leading to parking spaces or podium shall be permitted in the marginal open spaces, subject to clearance of 3.6 m. from the boundary.
- f) Proper fire fighting arrangements for parking areas shall be made and NOC from the Chief Fire Officer shall be produced.
- g) Atleast one Staircase and lift of every building shall be extended upto the ground level for easy entry and exit of the occupants upto the road.
- h) Driver rest-room (9.5 sq.m.) may be permitted free of FSI on payment of premium as decided by Municipal Corporation.
- i) One sanitary block of 3.0 sq.m. maximum shall be provided at each tier which shall be free of FSI.
- j) The recreational space prescribed in Regulation no.32 may be provided either at ground level or on open to sky podium.

(37) PARKING FLOOR

Parking floor shall be allowed within the building line and with height requirements same as Stilt as mentioned in Regulation no. [40(6)].

Stack parking in parking floors shall be permitted with payment of premium as decided by Municipal Corporation, allowing more height of parking floor than permissible as per these Regulations.

(38) RAMP:

a) Ramps for pedestrians

- i) **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 ramp shall conform to sub-regulation (6) of Regulation 19 in Appendix A-XVIII.
- ii) **Slope** – A ramp shall have a slope of not more than 1 in 10. It shall be of non-slippery material.
- iii) **Handrail** – A handrail shall be provided on both the sides of the ramp.

b) Ramps for basement or storeyed parking spaces in a basement & upper floors

At least two ramps of 3.6 m minimum width and slope not more than 1 in 10 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 vehicle subject to the provision of sub-regulation (6) of Regulation 19 in

Appendix A-XVIII. In hardship cases, the Municipal Commissioner/Other Competent Municipal Officer may permit single ramp of atleast 6.0 m wide if the developer makes sufficient provision to avoid accidents. Such ramps may be permitted in marginal open spaces subject to clearance of 3.6 m. Ramp shall not be allowed in front margin.

(39) LETTER BOX:

A letterbox of appropriate dimensions shall be provided on the ground floor residential and commercial buildings having G+2 and more storeys.

(40) HANDRAIL:

Handrails shall be provided at a height of 90 cm. from the centre of the step of a staircase/ ramp surface. An additional rail shall also be provided at a height of 75 cm.

(41) REFUGE AREA:

(a) Number of refuge area:

- (i) In case of multi-storeyed and highrise buildings, having height more than 30m, first refuge area shall be provided at 24 m or 1st habitable floor above 24 m., whichever is higher. Thereafter, the refuge area shall be provided at every 7th habitable floor. The refuge area shall be 4% of the habitable floor areas it serves, and will be free of FSI. If it exceeds 4%, the excess area shall be counted in FSI.
- (ii) Not withstanding clause (i), for buildings having height upto 70m, as an alternative, Refuge areas can be provided as R.C.C. cantilever projections at the alternate mid-landing level of staircase, free of FSI.
Each refuge area at mid-landing level shall have a minimum width of 3m and minimum area of 10 sq.m. for residential and 15 sq.m. for non-residential buildings.
- (iii) In case of multistoreyed buildings upto 30m height, the terrace floor of the building shall be treated as the refuge area.

(b) Manner of providing refuge area:

- (i) It shall have a minimum area of 15 sqm and a minimum width of 3.0 m.
- (ii) The refuge area shall be so located that it shall preferably face the access road/s or otherwise face the wider open space on the side of the building perpendicular to the main access road,
- (iii) The cantilevered refuge area on cantilever will be permissible at the midlanding of the staircase only. All other refuge areas shall be within the building line only.
- (iv) The cantilevered refuge area shall necessarily be of RCC type.
- (v) R.C.C. covering shall be provided above the topmost cantilever refuge area.
- (vi) The cantilever refuge area shall have a door which shall be painted or fixed with a sign in luminous paint mentioning 'REFUGE AREA'.
- (vii) The lift/s shall not be permitted to open into the refuge areas.
- (viii) The refuge area provided within building line shall be accessible from common passage/ staircase.

(c) It shall not be counted in FSI.

(d) Use of refuge area:

- (i) The refuge area shall be earmarked exclusively for the use of occupants as temporary shelter and for the use of Fire Brigade Department or any other

organization dealing with fire or other emergencies when occur in the building and also for exercises/ drills if conducted by the Fire Brigade Department.

- (ii) The refuge areas shall not be allowed to be used for any other purpose and it shall be the responsibility of the owner/ occupier/ society to maintain the same clean and free of encumbrances and encroachments at all times.
- (e) Facilities to be provided at refuge area: Adequate emergency lighting facility shall be provided.
- (f) Terrace floor as refuge area:
- (i) The necessary facilities such as emergency lighting, drinking water etc. shall be provided.
 - (ii) The access door/s from the enclosed staircase/s to the terrace floor shall have louvers at top half portion of the door.
 - (iii) The entrance doors to the terrace shall be painted or fixed with sign painted in luminous paint mentioning 'REFUGE AREA'.

CHAPTER- VI

ADDITIONAL AND SUPPLEMENTAL PROVISIONS

41. PROVISIONS FOR INSTALLATION OF SOLAR ASSISTED WATER HEATING SYSTEM

Solar assisted water heating system shall be provided as per Government Resolution no. DCR-1094/2829/UD-11 dated 18/11/2004 under Section 154 of MR & TP Act, 1966 regarding regulations for Solar Assisted Water Heating System.

Solar water heating system should be made in the buildings for Hospitals, Hotels, Guest Houses, Policemen / Army Barracks, Canteens, Laboratories, Research Institutions of Hospitals, Schools and Colleges and other Institutions as given in the Appendix A-XI(A) Section 37 procedure as per MR & TP Act, 1966 was already done by CIDCO and the proposal was submitted to Government for approval by CIDCO.

42. INSTALLATION OF RAIN WATER HARVESTING SYSTEM

Rain water harvesting system shall be provided as per Government Resolution no. TPB/432001/2133/CR-230/01/UD-11 dated 10/03/2005 issued under Section 154 of MR & TP Act, 1966 regarding regulations for Rain Water Harvesting System.

They are as per Appendix A-XI(B). Section 37 procedure as per MR & TP Act, 1966 was already done by CIDCO and the proposal was submitted to Government for approval by CIDCO.

43. REGULATIONS FOR DEVELOPMENT OF RENTAL HOUSING SCHEME

Government of Maharashtra, UDD vide its order No. TPS-1208/MMR/CR-393/08/UD-12 dated 04/11/2008 has issued certain directives under Section 37(1) and Section 154 of MR & TP Act, 1966 regarding regulations for development of Rental Housing in Vasai Virar Sub Region. The detailed regulations for development of such Rental Housing are given in Appendix A-XII(A). Section 37 procedure as per MR & TP Act, 1966 was already done by CIDCO and the proposal was submitted to Government for approval by CIDCO.

44. REGULATIONS FOR DEVELOPMENT OF SPECIAL TOWNSHIP SCHEME

Government of Maharashtra, UDD vide its order No. TPS-1208/Vasai Virar D.P.DCR/UD-12 dated 04/02/2008 has issued certain directions under Section 37(1) and Section 154 of MR & TP Act, 1966 regarding regulations for development of Special Townships. The development of 'Special Townships' shall be permitted on request of the applicant. The general requirement, area requirement, procedure for application and sanction, infrastructure facilities to be provided, special concessions applicable, planning considerations, general norms for land uses, Development Control Regulations and implementation and completion shall be in accordance with Appendix A-XII(B). Section 37 procedure as per MR & TP Act, 1966 was already done by CIDCO and the proposal was submitted to Government for approval by CIDCO.

45. COMMERCIAL USE UNDER FLYOVER OR IN NEW SUBWAYS IN THE FORM OF OFFICES/ SHOPS

Commercial use shall be allowed in form of offices/shops below the space of new flyover or in new /subways subject to the following conditions:

- i) The shops/offices shall face the internal passage of adequate width.
- ii) Adequate area under flyover shall be earmarked and used for parking.
- iii) Sufficient area under the flyovers shall be developed as parking lots, so as to make the surrounding aesthetically beautiful.
- iv) Exposed walls can be used for advertisement purpose for such advertisement which will not cause hinderance to the entry and exit points and shall be conveniently located considering the use and traffic by providing a subway or an over bridge. In no case the pedestrians be allowed to cross the main roads.
- v) The plans of the flyovers shall be got approved form the Director of Town Planning in consultation with the Deputy Director of Town Planning, Traffic & Transportation Cell.
- vi) The Corporations may prescribe any other suitable conditions as deemed necessary without violating the spirit mentioned in clause no. (i) to (v).

46. ENABLE MSRTC TO UTILISE LAND IN THEIR POSESSION FOR COMMERCIAL PURPOSE

Not with standing 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 commercial use to the extent of 50% of the admissible floor spaces index subject, however to the general restrictions otherwise applicable to such development and also in accordance with the Government of Maharashtra Home Department Resolution no. STC 3400/CR 14S/TRA dated February 2001 as may be modified from time to time hereinafter.

47. CONVERSION OF INDUSTRIAL (I-1) ZONE TO RESIDENTIAL ZONE

- a) With the previous approval of Municipal Commissioner /Other Competent Municipal Officer 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 utilized for residential or commercial purpose.
- b) With the previous approval of the Municipal Commissioner/Other Competent Municipal Officer, any open land or industrial lands in the Industrial Zone including lands in industrial zone in Town Planning Scheme area may be permitted to be converted to Residential Zone and may be utilised for any of the permissible users in the Residential and Commercial Zone or the Residential Zone subject to the following conditions :
 - (i) The conversion of Industrial Zone to Residential/ Commercial zone in respect of industries which are not in operation shall not be permitted unless NOC from Labour Commissioner, Maharashtra State, Mumbai stating that all legal dues have been paid to the workers or satisfactory arrangement between management and workers have been made, is obtained. Provided that where conversion has been permitted on the basis of this certificate, occupation certificate will not be given unless a no dues certificate is granted by Labour Commissioner.

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

- (ii) 5% land in addition to the required Recreational Garden as per these Regulations shall be provided for public utilities and amenities, like electric sub-station, bus-station, subpost office, police out-post and such other amenities/utilities, as may be considered necessary.
- (iii) The land under public utility / amenity shall be handed over to the Municipal Corporation free of cost with proper access and basic land development and shall always be open for general public without any restriction. These areas will be in addition to the recreational space as required to be provided under these Regulations provided that at least 50% of land out of the total provided public amenity/ utility space shall be reserved for unbuildable purposes such as garden, recreational ground, etc.
- (iv) The required segregating distance between Industrial Zone and Residential use as prescribed under these Regulations shall be provided within such land intended to be used for residential or commercial purpose.
- (v) Such residential or local commercial development shall be allowed within the permissible FSI of the nearby Residential or Commercial Zone.
- (vi) Provision for public utilities and amenities shall be considered to be reserved in the Development Plan and DR/TDR as per Regulation No.37.

Note :

- i. Conversion from Industrial Zone to Residential/Commercial Zone shall be applicable to the entire land holding and layout shall be approved for the entire land holding and not in part.
- ii. Out of the total area proposed to be utilised for residential development, 20% of the same shall be built for residential tenements having built up area upto 50 sq.m. or plot area upto 150 sq.m in case of subdivision of layout.

48. ENABLE LANDS OWNED BY ZP, PANCHAYAT SAMITI & GRAM PANCHAYAT FOR COMMERCIAL USE

Notwithstanding anything contained in these Regulations or the Development Plan, 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 with Rural Development and Water Conservation Department's Resolution No. (Sankul 2004/ Pr. Kr. 54/Para-8) dated 30-04-2004 & as may be modified from time to time (hereinafter referred to as "the said Modification") subject to the following conditions:

- a) The Land must be owned by Zilla Parishad, Panchayat Samiti & Gram Panchayat as the case may be.
- b) These lands are not reserved for any other Appropriate Authority in Regional Plan/Development Plan/Town Planning Schemes.
- c) Independent access of appropriate width shall be separately provided for each commercial user and original user.
- d) Parking requirements as prescribed for each type of user shall have to be provided.

49. IMPOSITION OF URBAN DESIGN IN CERTAIN PROPOSALS

In specific proposals, the Municipal Commissioner is of the opinion that a particular urban design is required to be imposed in view of aesthetic consideration or to preserve the landscape of a particular area or for the convenience/benefit of the people at large or to give a distinct identity to VVSR , then in that specific proposal, the developer shall comply with the requirements of the prescribed urban design as insisted by the Municipal Commissioner/Other Competent Municipal Officer.

50. SPECIAL AMENITIES FOR THE PHYSICALLY CHALLENGED PERSONS:

Special facilities for physically challenged persons as specified in Appendix A-XIX shall be provided in all buildings, either existing or proposed, to be used for public and/or semipublic offices, business/professional establishments, educational and medical purpose, recreational/amusement/community or cultural activities, stadiums or like uses or any public purpose where people gather for common activities.

51. STRUCTURAL SAFETY AND SERVICES –

a) **Structural design** – The structural design of foundations, elements made of masonry, timber, plain concrete, reinforced concrete, pre-stressed 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 of National Building Code of India.

The structural designer shall carry out various tests including soil test in case of all buildings. The structural design shall satisfy the requirement laid down for Seismic Zone-III. The structural designer shall have to certify accordingly.

b) **Structural safety from earthquake hazards** – The structural design shall satisfy the requirements laid down for Seismic Zone III in the National Building Code of India. The structural stability certificate shall have to be submitted along with certificate of the authorized structural engineer that he has designed the structure to comply with the requirements of Seismic Zone III and it is constructed accordingly under his supervision.

The Occupancy Certificate shall be granted by the Municipal Commissioner/Other Competent Municipal Officer only after such compliance.

52. QUALITY OF MATERIALS and WORKMANSHIP :

a) All material and workmanship shall be of good quality generally conforming to accepted standards of Public Works Department of Maharashtra and Indian Standard Specification and codes as included in Part V Building material and Part VII Construction Practices and Safety of National Building Code of India.

b) 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 leading to breeding of mosquitoes.

53. ALTERNATIVE MATERIALS, METHODS OF DESIGN AND CONSTRUCTION :

The provisions of these regulations are not intended to prevent the use of any material or method of design or construction not specifically prescribed by these Regulations, provided such an alternative has been approved by a concerned Authority.

The provisions of these regulations are also not intended to prevent their adoption for architectural planning and layout conceived as an integrated development scheme.

The Authority may approve any such alternative provided it is found that the proposed alternative is satisfactory and conforms to the provisions of the relevant parts regarding material, design and construction and that material and method of work offered is, for the purpose intended, at least equivalent to that prescribed in the regulations, in quality, strength, compatibility, effectiveness, fire and water resistance, durability and safety.

54. 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 Municipal Commissioner/Other Competent Municipal Officer 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:-

- 1) **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 Municipal Commissioner/Other Competent Municipal Officer shall determine 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 Municipal Commissioner/Other Competent Municipal Officer for not less than two years after the acceptance of their alternative materials.

55. BUILDING SERVICES:**a) Electrical installations**

The planning, design and installation of electrical installations, air-conditioning and heating work shall be carried out in accordance with Part – VIII Building services, Section 2 – Electrical Installations, Section 3 – Air conditioning and Heating, of the National Building Code of India.

b) Plumbing Services

The planning, design, construction and installation of water supply, drainage, sanitation and gas supply system shall be in accordance with the provisions of water supply and drainage regulations as per Part – IX Plumbing Services – Section 1- Water Supply, Section 2- Drainage and Sanitation and Section 3 – Gas Supply, of National Building Code of India.

c) Requirements of Water Supply in buildings

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

Occupancy	Basis
Residential building	5 persons / tenement
Other buildings	No. of persons based on occupant load and area of floors given in Table-27

The per capita requirements of water supply for various occupancies / uses, domestic storage capacities etc shall be as per Appendix C-XIV.

Water supply system with two distinct pipelines – one for drinking and cooking and the other for the rest of the activities shall be provided. The drinking water pipeline shall be distinctly painted blue and shall carry only potable water.

d) **Sanitary requirements**

The fittings and installation for different occupancies/uses shall be as approved by the Competent Authority as per Appendix C-XV.

e) **Town gas / Liquid Petroleum Gas supply pipes**

These pipes shall be run in shafts exclusively for this purpose and shall be on external walls, away from the staircases. There shall be no interconnection between these shafts and the rest of the floors; Gas meters shall be housed in a suitably constructed metal cupboard located in a well-ventilated space at ground level.

f) **Alternate source of electric supply**

A stand-by electric generator for multi-storeyed and high-rise buildings shall be installed to supply power to staircase and corridor lighting circuits, fire lifts, the stand-by fire pump, pressurization fans and blowers, smoke extraction and damper systems in case of failure of normal electric supply. The generator shall be capable of taking starting current of all the machines and circuits stated above simultaneously. If the stand-by pump is driven by diesel engine, the generator supply need not be connected to the stand-by pump.

g) **Lightning Protection of Building**

The lightning protection systems for buildings shall be in accordance with the provisions of Part III, National Building Code of India.

h) **Lifts maintenance**

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

i) Sullage and Sewage

- i. Sullage collected separately from kitchen and bathrooms shall be directly connected to a collection centre or shall be suitably connected to the main storm water drain.
- ii. Sewage collected from W.C.s shall be suitably connected to septic tank, which in turn should be connected to a soak pit.
- iii. Further as insisted by Municipal Commissioner/ Other COmpetent Municipal Officer, the legitimate owner / society/ institution etc. shall make all suitable arrangements to connect sullage and sewerage to Municipal Sewer/Storm Water Drain.

J) DISPOSAL OF INDUSTRIAL/ CHEMICAL EFFLUENTS:

In the case of industrial buildings with different operations or processes, the different (gaseous, solid, liquid) effluents shall be treated, in accordance with the directions given from time to time by the Maharashtra Pollution Control Board and Chief Inspector of Steam Boilers and Smoke nuisance, before letting them out on the air, ground or water.

k) STORM WATER DRAINAGE:

- i. The infrastructure to be developed to facilitate proper storm water drainage of the site under reference will have to be constructed by the applicant as per Competent Authority's specifications and design.
- ii. For the plots abutting existing/ proposed channel/ water course, if the width of the channel is reduced, as per the design given by the Competent Authority, the owner/ developer can utilise the balance land in tune with the zoning regulations of surrounding land.
- iii. The owner will be entitled to use the F.S.I. of the land actually falling under the storm water drainage / reservation on the remaining area as per these Regulations.
- iv. The owner shall allow free access through his property for inspection and maintenance of the storm water drainage at all times by the Competent Authority.
- v. The owner shall not dump or allow any one to dump any waste/ debris/ construction material in the drain/ channel during or after the construction.
- vi. The owner can construct a wall for his property over the retaining wall of the storm water drain. However an inspection gate will have to be provided for access and maintenance of the drain.

l) GARBAGE DISPOSAL ARRANGEMENT:

- i. Solid waste disposal unit at a location accessible to the municipal sweepers is to be provided, to store/ dump solid waste in 2 compartments of 0.67 cu.m. and 1.33 cu.m. capacity for every 50 tenements or part thereof for non-biodegradable and bio-degradable waste, respectively.
- ii. In the case of any non-residential, commercial and industrial premises, such a unit shall be provided in 2 compartments of 1.33 cu.m. and 0.67 cu.m. capacity for every 1000 sq.m. built up area or part thereof for non-biodegradable and biodegradable waste, respectively.
- iii. However, Municipal Commissioner/ Other Competent Municipal Officer may issue directives from time to time for arrangements to be made as regards garbage disposal.

56. FIRE PROTECTION MEASURES :

All buildings attracting provisions of fire protection, shall conform to the fire protection requirements as detailed out in Appendix A-XVIII. The fire escape staircases shall be provided as per the following:

a) Fire escape staircases :

- i) **External stairs :** High rise and special buildings shall be provided with fire escape stairs and cantilever fire escape passages. They shall 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 stairs and fire escape passages. These shall have the required fire resistance.
 - e) They shall be constructed of non-combustible materials.
 - f) They shall have straight flight not less than 75 cm wide with ~~45 cm~~ 23 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.
- ii) **Spiral stairs :**
 - a) The use of spiral staircase shall be limited to buildings of height upto 9 m. having low occupant load unless connected to platforms such as balconies and terraces to allow escapees to pause.
 - b) A spiral fire escape staircase shall not be less than 150 cm in diameter.

57. SIGNS AND OUTDOOR DISPLAY STRUCTURES :

- a) The display of advertising signs on building and land shall be in accordance with Part - X - Signs and Outdoor Display Structures, National Building Code of India.
- b) **Other conditions :**

In addition to the provisions of Regulation no. 51 , the following provisions shall be complied with for permitted advertising signs in different land use zones.

 - i) **Residential Zone :**

The following non-flashing and non-neon signs with illumination not exceeding 40 Watt Light:

 - I. One name plate with an area not exceeding 0.1 sqm for each dwelling unit.
 - II. for other users permissible in the zone, one identification sign on bulletin board with an area not exceeding 10 sq.m. provided the height of the sign does not exceed 1.5 m.
 - III. '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.

- IV. Non-flashing business signs placed flat against the wall and not exceeding 1 sq.m. in area per establishment.

ii) **Designated Commercial Sites :**

Flashing or non-flashing business signs placed flat against the wall, not exceeding 5 sq.m. in area and covering not more than 15% of the area of such wall including doors and windows and overhanging signs which project not more than 0.9 m from the wall, provided that such overhanging signs shall be in conformity with the following and provided that such signs do not face residential building.

- I. not more than one overhanging sign may be permitted for each 4.5 m of plot frontage and
- II. the area of such overhanging signs shall not be more than 1 sq.m. except that for each 0.9 m of plot frontage above the first 4.5 m an increase in area of 0.2 sq.m. shall be permitted.

c) **Prohibition of advertising signs and outdoors display structures in certain cases :**

Notwithstanding the provisions of sub-regulations (a) and (b), no advertising sign or outdoor display structures shall be permitted on buildings of architectural, aesthetic, historical or heritage importance as may be decided by the Competent Authority or on Government buildings, save that in the case of the Government buildings only advertising signs or outdoor display structures may be permitted if they relate to the activities of the Government departments.

The Municipal Commissioner/Other Competent Municipal Officer may, add, alter or amend the provisions in sub-regulation (b) above as when situation demands.

58. Manner of Development of Certain Land Uses :

i) **Cinema theatres/Assembly halls:**

- a) In the case of plots facing National Highway, State Highway and Major District Roads the building shall be constructed at least at a distance prescribed by the P.W.D. for control line from the centre line of such classified roads or 12 m. from plot boundary, whichever is more.
- b) The minimum distance between boundary of the site for cinema theatre/assembly hall and boundary of educational, institutional and other government buildings as well as any junction of roads either existing or proposed in Development Plan shall not be less than 60 m.
- c) The provisions of Maharashtra Cinema Rules 1966 as amended from time to time shall be applicable.

- ii) **Petrol filling stations with or without service bays:**
- a) The plot on which a petrol filling station with or without service bays is proposed shall be an independent plot. No other structure shall be constructed on the plot.
 - b) Petrol station shall not be permitted within a distance of 90 m. from any junction of road.
 - c) Petrol station shall not be located on the convex side of a road curve. In case the curve is not very sharp and vehicles moving out of the station are completely visible to the traffic from a distance of at least 100 m. and vice-versa, a petrol station may be permitted on such a convex curve.
 - d) Petrol station shall not be located within a distance of 100 m. from the premises of school, hospital, theatre, assembly hall or stadium.

59. INTERPRETATION

- 1) In these Regulations, the use of the present tense includes the future tense, the masculine gender includes the feminine and neuter genders, the singular number includes the plural number and the plural number includes the singular number. The word "person" includes a Council 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 Municipal Commissioner 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 decision of the Municipal Commissioner on the interpretation of these Regulations shall be final and binding on the concerned party or parties.

60. DELEGATION OF POWERS

The powers and functions vested in the Municipal Commissioner by these Regulations may be delegated to the Deputy Director of Town Planning/Municipal official under his control subject to his revision if necessary and to such conditions and limitations, if any, as he may prescribe. In each of the said Regulations, the words the "Municipal Commissioner", shall to the extent to which municipal official is so empowered be deemed to include such official.

61. DISCRETIONARY POWERS

- (a) In conformity with the intent and spirit of these Regulations, the Municipal Commissioner may *exercise his discretion in order to mitigate a demonstrable hardship or to subserve public interest in following ways:*
- i) decide on merits where it is alleged that there is an error in any order, requirement, decision, determination, made by the Municipal official /Deputy Director of Town Planning under delegation of powers in Regulation or interpretation in the application of these Regulations.
 - ii) interpret the provisions of these Regulations where a 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 the zone divides a plot with the consent of the Deputy Director of Town Planning.
 - iv) Interpret these Regulations in various contexts not covered in it, in situations where more clarity is required.
 - v) Decide upon the relocation of D.P. Reservation as provided in Regulation no. [19(4)].
 - vi) Modify the limit of a zone where the boundary line of a zone divides a parcel of land or where a layout street or a survey no. actually on the ground, varies from its location shown on the Development Plan.
 - vii) Authorise the erection of a building or the use of a premises for a public service undertaking or a public utility purpose where such an authorisation is reasonably necessary for the convenience and welfare of the public, even if such erection or use is not permitted as per these Regulations.
 - viii) Determine and establish the location of zonal boundaries in case of doubts or controversies.
 - ix) Decide on the fine/penalty, premium or compounding charges to be made applicable in cases of developments where violation of these Regulations has occurred.
 - x) Permit residential user in industrial (I-1) zone depending on the merit of the case, in case of substantial adjacent existing residential use in that zone.
 - xi) Any other discretion depending on the nature of the case either expressly mentioned in the Regulations or not.
 - xii) Municipal Commissioner may constitute a committee to advice him in exercising the discretionary powers.

(b) CONCESSIONS:

The Municipal Commissioner/Other Competent Municipal Officer may, only for hardship cases for the reason to be recorded in writing, grant certain concessions in these Regulations subject to payment of premium. However, the F.S.I. permissible under these Regulations shall not be relaxed in any case. The Municipal Commissioner/ Other Competent Municipal Officer may levy condonation fees while granting such concessions.

(c) POWER OF RELAXATION

- i) In specific cases where a clear demonstrable hardship is caused, the Municipal Commissioner/Other Competent Municipal Officer may for reasons to be recorded in writing, by special permission permit any of the dimensions prescribed in these Regulations to be modified, except those relating to floor space indices, unless otherwise permitted in these Regulations, provided that such relaxation will not affect the health, safety, fire safety, structural safety and public safety of the inhabitants of the building and the neighbourhood and subject

to the premium as decided by the Municipal Commissioner/Other Competent Municipal Officer.

- ii) In specific cases where a clear demonstrable hardship is caused, the Municipal Commissioner/Other Competent Municipal Officer may, for reasons to be recorded in writing, and with the prior approval of the Deputy Director of Town Planning, by special permission, permit on merit, development of any land included in public and semipublic zone for users permissible in the adjoining predominant zone if existing public and semipublic use is discontinued or abandoned.

()
Dy. Director of Town Planning

()
Municipal Commissioner

Vasai- Virar City Municipal Corporation

**CHAPTER-VII
APPENDICES**

**APPENDIX A-I
OPERATIONAL CONSTRUCTIONS OF GOVERNMENT DEPARTMENTS**
[Regulation no. 4(2) and 4(3)]

- (A) Construction for operational purposes, including maintenance of operational structures, by the following organisations, authorities or departments, whether temporary or permanent, shall be from the purview of these Regulations, except those relating to change in the floor space index : -
- (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 Competent Authority.**
- (B) Following works of Operational Constructions in case of railways are excluded from taking regular Development Permission: -
- (a) Repairs and renovations of existing railway tracks, including culverts, overbridges, underpasses 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 examiner's offices, yard depots, permanent way inspectors' and signal inspector's stores in railway yards and all overhead electric equipment for traction.
 - (d) store sheds, when ancillary to operational requirement only.
- (C) For laying of new railway lines, construction of new buildings, goods stores, sheds or platforms, parcel offices and workshops or for purposes of major remodeling the approval of the Competent Authority shall be necessary.
- (D) The following constructions by the organisations, authorities or departments listed above shall not be deemed to be operational constructions for the purpose of exemption under the said Regulation, namely:
- (a) Residential buildings, commercial buildings, office buildings, and industrial buildings (other than guest houses, 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 organisations, authorities or departments.
 - (b) Construction, installation or any extension of any building in the case of any services other than those mentioned in this Regulation.

APPENDIX A-II

QUALIFICATIONS, COMPETENCE, DUTIES AND RESPONSIBILITIES OF TECHNICAL PERSONNEL FOR PREPARATION OF SCHEMES FOR DEVELOPMENT PERMISSION AND SUPERVISION

[Regulation No. 5(4) ii)]

(A) General :

- 1) The minimum qualifications of technical personnel and their competence to carry out different jobs for development permission and supervision shall be as given in item 2.0 to 6.0 mentioned hereinafter.

(B) Architect :

- 1) Qualification - Registration with the Council of Architecture, India.
- 2) Competence - To carry out work related to development permission as given below and to submit.
 - a) All plans and information connected with development permission.
 - b) Certificate of supervision and completion for all buildings.

(C) Engineer :

- 1) Qualification – Membership (Civil) of the Institution of Engineers (India) or such Degree in Civil or Structural engineering which makes him eligible for such membership as certified by Institution of Engineers (India).
- 2) Competence – To carry out work related to development permission as given below and to submit-
 - a) All plans and related information connected with development permissions;
 - b) Structural details and their calculations of buildings on plot up to 500 sq.m. and up to 5 storeys or 16m height; and
 - c) Certificate of supervision and completion for all buildings.

(D) Supervisor :

- 1) Qualifications : –
 - a) For Supervisor I :-
 - i) Three year's architectural assistantship or intermediate in architecture with two years experience; or
 - ii) Diploma in Civil Engineering with two years experience.
 - b) For Supervisor II :-
Draftsman in Civil Engineering from ITI with five years experience under architect/ engineer.
- 2) Competence :-
 - a) For Supervisor I :- To carryout all work related to development permission and to submit
 - i) All plans and related information connected with development permission on plots up to 200 sq.m. and up to two storeys; or height up to 9 m.
 - ii) Certificate of supervision of building on plots upto 200 sq.m. and upto two storeys; and completion thereof.
 - b) For supervisor II:- To carryout work related to development permission and to submit.
 - i) All plans and related information upto 50 sq.m. built up area and up to two storeys; and

- ii) Certificate of supervision of buildings on plots upto 50 sq.m. and completion thereof.

(E) Structural Engineer :

- 1) Qualifications –
 - a) A Degree in Civil Engineering or Structural Engineering which makes him eligible for Associate Membership of the Institution of Engineers (India) or equivalent overseas institution; or
 - b) Associate Membership in Civil Engineering Division of the Institution of Engineers (India) or equivalent overseas institution possessing exceptional merit.
- 2) In addition to qualifications mentioned at (a) and (b) above, three years experience in Structural Engineering practice with designing and field works. The 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.
- 3) Competence –

To carry out all works related to structural designing and to submit:

 - i. structural details and calculations for all buildings and supervision
 - ii. stability of structures and their design conforming to requirements of seismic zone no. III.
 - iii. certificate of supervision relating to all structural works during construction in respect of stability.

(F) Licensing :

- 1) Technical personnel to be licensed: - the qualified technical personnel or group referred to in item (C), (D) and (E) shall be licensed by the Competent Authority and the license shall be valid for one calendar year ending 31st December after which it shall be renewed annually.
- 2) Fee for licensing the technical personnel except the architects mentioned at (B) above shall be as per Appendix B-III.
- 3) Duties and Responsibilities of Licensed Technical Personnel and the Architects :-
 - 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 Competent Authority in carrying out and enforcing the provisions of the BPMC Act, 1949 and the Maharashtra Regional and Town Planning Act, 1966 and rules for the time being in force under these Acts and under these Regulations.
 - 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 the BPMC Act, 1949 and the Maharashtra Regional and Town Planning Act, 1966 as may be applicable to the circumstances of the particular case. It will be obligatory on him to satisfy himself that a qualified and competent site supervisor with qualifications prescribed by the Competent Authority 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 designed or intended to

be used for such purpose for which the written permission or license of any other appropriate Authority is necessary under any other Act to the establishment or use of such premises, it shall be incumbent on such licensed technical person or architect, so far as his professional connection with such case extends, to see that all requirements and conditions prescribed by that relevant Act, or by any rules or regulations for the time being in force thereunder, are duly fulfilled or provided etc.

- d) 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 Competent Authority in contravention of any condition of the lease or agreement for lease.
- e) When a licensed technical person or architect ceases to be in employment for the development work, he shall report the fact forthwith to the Competent Authority.

4) Revocation of License :-

The license issued to a technical person is liable to be revoked in case he is proved to have indulged in professional misconduct, misrepresentation or suppression of material facts or forgery of documents. However, an opportunity of being heard shall be given to him before the Competent Authority revokes the license. In the case of Architect involved in such matter mentioned above, the Competent Authority shall suspend his license within jurisdiction of Municipal Corporation and refer the name of concerned Architect for cancellation of his registration to the Council of Architecture, India. All the concerned technical personnels shall be liable for prosecution as per provisions of Section 53 (6)(a) of MR & TP Act, 1966 for causing the land to be used in contravention of the notice.

APPENDIX B-III

FEES, DEPOSITS, AND CHARGES

[Regulation No. 5 (3) x), xi), xii), Appendix A-II and Appendix A-XIII]

(A) SCRUTINY FEES FOR VARIOUS TYPES OF APPLICATIONS.

TABLE-30

Sr. No.	Purpose of Application	Rate of scrutiny fees per sq.m. as per use proposed	Area considered for charging fees.	Minimum scrutiny fees	Maximum scrutiny fees
1	Layouts for subdivision of parcel of land	a). Residential -Rs 2	Total area under layout	Rs 500	Rs 1,00,000
		b). Commercial -Rs 5		Rs 1000	Rs 2,00,000
		c). Industrial -Rs 2		Rs 500	Rs 1,00,000
		d). Other uses -Rs 2		Rs 500	Rs 1,00,000
2	Amalgamation plots	For any user Rs 5	Total area under amalgamation	Rs 500	Rs 20,000
3	Construction or reconstruction of building in any zone other than G-zone, cattleshed-zone and plantation-zone (including additions to existing building)	a). Residential -Rs 25	Total proposed built up area	Rs 1000	Rs 4,00,000
		b). Commercial -Rs 30		Rs 2000	Rs 10,00,000
		c). Industrial -Rs 30		Rs 1000	Rs 4,00,000
		d). Other uses -Rs 25		Rs 1000	Rs 4,00,000
4	Construction or reconstruction of building in G-zone, plantation zone, cattleshed-zone (including additions to existing building)	a). Residential - Rs 5	Total proposed built up area	Rs 500	Rs 50,000
		b). Commercial -Rs 15		Rs 1000	Rs 1,00,000
		c). Amusement parks, resorts and like commercial Use - Rs 10		Rs 1000	Rs 2,00,000
		d). Industrial - Rs 10		Rs 1000	Rs 1,00,000
		e). Other uses - Rs 10		Rs 1000	Rs 1,00,000
5	Amendments of previously sanctioned layouts/ building proposals/ alterations to existing buildings.	a). Residential -Rs 5	Total built up area proposed under amendment	Rs 500	Rs 1,00,000
		b). Commercial -Rs 10		Rs 1000	Rs 2,00,000
		c). Industrial - Rs 10		Rs 500	Rs 1,00,000
		d). Other uses - Rs 10		Rs 500	Rs 1,00,000

6	Mining and quarrying	Rs 10	Gross area proposed for quarry operations	Rs 500	No limit
7	NOC for crusher	Lump sum of Rs 1000	-	-	
8	NOC for power supply	Lump sum of Rs 500	-	-	
9	NOC for any other user	Lump sum of Rs 500	-	-	
10	Temporary Construction at Regulation No. 3.(7) Sr.,No.(i),(iii),(v),(viii),(x)	Lump sum of Rs.1000	-	-	
11	Fire Scrutiny				
	(1)Residential use-				
	a) with height 25m and above but below 40m.	Rs. 20	Based on Height of the building	Rs. 60,000	
	b) With height 40 m. and above	Rs. 30		Rs. 1,20,000	
	(2) Commercial and other non-residential uses		Based on Construction area		
	a) below 1000 sq.m.	Rs. 40		Rs. 40,000	
	c) From 1000 upto 2000 sq.m.	Rs. 40		Rs. 85,000	
	d) Above 2000 upto 3000 sq.m.	Rs. 40		Rs. 1,50,000	
	e) Above 3000 upto 4000 sq.m.	Rs. 40		Rs. 2,40,000	
	f) Above 4000 upto 5000 sq.m.	Rs. 40		Rs. 4,75,000	
	g) Above 5000	Rs. 40		Rs. 5,00,000	

Note :-

- i) Fees for compound walls, storage tanks, garages, open structures, other temporary structures, repairs of existing structures, demolition works shall be Rs 500 per proposal.
- ii) Built up area in the proposal shall be considered as that area under construction permitted by the Competent Authority.
- iii) 50% concession shall be given in the scrutiny fees in respect of proposal for medical, education, social and religious activities run or to be run by charitable registered institution.

- iv) The activities like resorts, amusement parks, clubs, marriage halls, video clubs, I.T. establishments, professional offices, lodging and boarding houses, cinemas, drama theatres and like shall be considered as commercial activities for charging scrutiny fees.
- v) For dwelling unit exclusively meant for Adivasis, cattle sheds and farm houses (both not exceeding in area of 50 sq.m). in Green-zone and Plantation zone. Scrutiny fee shall be charged as an Rs 500 in lump sum.
- vi) 75% concessions in scrutiny fee shall be given in the case of proposal of shifting non-conforming industries to the conforming zones.
- vii) 50% concessions in scrutiny fees shall be given for accommodating industries for
 (i) readymade garments
 (ii) electronic assembly units
 (iii) software development
 (iv) cottage industry
- viii) Fire Scrutiny shall be paid separately for each building

(B) SECURITY DEPOSITS FOR DUE PERFORMANCE OF CONDITIONS

TABLE-31

Sr. No	Part of building for security deposit	Rate per sqm of relevant built up area	Period of deposit	Conditions for forfeiture of deposit
1	Basement or stilt portion in all use zones	Rs. 50	3 years from the date of occupancy certificate	Basement and stilts used for non permitted uses Violations in the height of stilts. If stilts enclosed from two sides or more
2	Buildings or structures not under basement or stilt except in G-zone & Plantation zone	Rs. 20	1 years from then date of occupancy certificate	It is forfeited either in part or whole at the discretion of Competent Authority depending on the nature of violations
3	Buildings meant for hospitals, schools, colleges, nurseries and the buildings of charitable registered institutions I all use zone	Rs. 5	1 year from the date of occupancy certificate	It is forfeited either in part or whole at the discretion of Competent Authority depending on the nature of violations
4	Buildings for residential use in G-zone and in plantation zone	Rs. 5	1 year from the date of occupancy certificate	It is the forfeited either in part or whole at the discretion of Competent Authority depending on the nature of violations

Note :-

- i) Forfeiture of security deposit shall be without prejudice to any other remedy or right of the Municipal Commissioner/ Other Competent Municipal Officer.
- ii) The security deposit shall not bear to any interest at any time.

iii) Forfeiture of security deposit shall be only in the case of breach of any conditions, provision, and regulations stipulated in the CC and it shall be at the absolute discretion of the Competent Authority.

iv) Security deposit shall not be levied for constructions exclusively meant for Adivasis.

(C) FIRE CESS FOR BUILDINGS TO BE USED FOR VARIOUS PURPOSES.

Fire charges are to be paid as per Fire Act as decided by Municipal Corporation and already finalized as per BPMC Act. 1949.

(D) REVALIDATION FEES

TABLE-32

Sr No	Period from the date of expiry of CC	Revalidation fee for			
		Residential	Commercial	Industrial	Other use
1	Before the date of expiry of CC	Rs 2500	Rs 3500	Rs 2500	Rs 2000
2	Within one month from the expiry date of CC	Rs 3500	Rs 4500	Rs 3500	Rs 2500
3	After one month but within three months from expiry date of CC	Rs 4000	Rs 5000	Rs 4000	Rs 3000
4	After three month but upto 4 years from the date of CC	Rs 4000 + late fee of Rs 500 per month	Rs 5000 + late fee of Rs 500 per month	Rs 4000 + late fee of Rs 500 per month	Rs 3000 + late fee of Rs 500 per month

Note :-

- i) Revalidation of the Commencement Certificate shall not be made for any reason after total period of four years from the date of grant of CC.
- ii) Application for revalidation is considered valid only after above fees are received by the Competent Authority.

(E) FEES FOR CERTIFIED COPIES OF APPROVED PLANS AND DOCUMENTS

TABLE-33

Sr No.	Certified copy of	Fees per copy
1	Approved building and layout plans	Rs 50
2	CC, PCC, OC OR NOC	Rs 25
3	Part of DP (coloured)	Rs 25 for size of 15cm x 20cm

(F) DEVELOPMENT CHARGE

- 1) Any person who intends to carry out any development or change any use of any land or building for which the development permission is required under these Regulations, whether he has applied for such permission or not or who has commenced carrying out any such development or has carried out any change in such use or who has applied to the Competent Authority for grant of Occupancy Certificate shall pay to the Competent Authority the development charge in accordance with the procedure laid down in Section 124 A to L of MR & TP Act,

1966 and in accordance with the directives received from the State Government for levy of development charges.

- 2) In the Green & Plantation zones of Vasai - Virar Sub Region, the development charge shall be levied on the built up area and only on the land below the structure including the land area that is required to be provided as side, rear and front marginal open space i.e. appurtenant open space.

(G) LICENSING FEES FOR TECHNICAL PERSONNELS

For Engineers and Structural Engineers	Rs. 5000 per annum
For Supervisors S-I	Rs. 2000 per annum
For Supervisors S-II	Rs. 1000 per annum

(H) FEES FOR TDR

- i. The scrutiny fee to be paid alongwith the application for TDR will be Rs 5/- per sq.m.
- ii. The fee for transfer of DRC will be Rs 1/- per sq.m of the total F.S.I. value of DRC subject to minimum of Rs. 2000/-.
- iii. The principal DRC after a period of 5 years from the date of issue shall have to be got revalidated from the Municipal Corporation on payment of Rs.100/- every five years.
- iv. Transferee's DRC after a period of 2 years or upto the date of principal DRC - whichever is earlier shall be got revalidated on payment of Rs.100/- every two years.

APPENDIX A-IV**USES PERMISSIBLE IN RESIDENTIAL AND GREEN ZONE**

[Regulation nos. 10. A) and 10. B)]

PART - A : ADDITIONAL USES PERMISSIBLE IN RESIDENTIAL ZONE :**I. Convenience shops permissible on lands fronting roads of less than 12 m. width**

- 1) Food Grain shops, Grocery shops, General provisions.
- 2) Pan Shops, Tobacconists.
- 3) Shops for collection and distribution of clothes for cleaning and dyeing.
- 4) Tailor and/or Darner.
- 5) Hair dressing saloon, Beauty parlour, Health club.
- 6) Bicycle hire and repairs.
- 7) Vegetable and Fruit stalls.
- 8) Milk shops/ Tea stalls/ Restaurants/Eating houses.
- 9) Florists.
- 10) Bangles and Cosmetics.
- 11) Newspaper stalls.
- 12) Books and stationary stalls.
- 13) Dispensaries, Clinics, Chemist's and Druggist's shops.
- 14) Flour Mill and Baker's shop only on ground floor. Bakery only on ground floor and no floor above.
- 15) Coffee Grinding establishment with electric power not exceeding 0.75 K.W with each electric motor not exceeding 0.25 K.W..
- 16) Photographic studios using power up to 1.00 K.W..
- 17) Data Processing Unit with use of computers.
- 18) Photo Copying Centers, Public Call Offices, Cybercafes.
- 19) Cloth and Garment shops.
- 20) Plumbers, Electricians, etc.
- 21) Radio, Television and Household electric equipment repair shops. Video libraries.

- 22) Offices of professionals and any other user permitted by Municipal Commissioner / Other Competent Municipal Officer.

Note : All the above uses shall have maximum built up area of 20 sq.m.

II. Uses permissible on lands fronting roads of width 12 m. and more, upto 30 m.

- 1) All uses listed in Part A, (I) above –
- 2) Residential hotels, Lodging houses in independent buildings.
- 3) Educational buildings including students' hostels in independent buildings.
- 4) Religious buildings.
- 5) Restaurants and their accessory users.
- 6) Welfare Centres.
- 7) Gymnasium.
- 8) Public libraries and museums in independent structures.
- 9) Club House in independent structure or restricted to ground floor.
- 10) Public or private parks, gardens, playfields.
- 11) Public transport / Intermediate public transport terminal / parking lots etc.
- 12) Radio broadcasting and Television studios, sound recording and dubbing studios in independent buildings or part of a building.
- 13) Information Technology Establishments (ITEs)
- 14) Places for disposal of human bodies cemeteries, burial ground subject to the approval of the Municipal Corporation.
- 15) Police Station, Government and Municipal Sub-Offices.
- 16) Telephone Exchanges, Post and Telegraph Offices.
- 17) Banks with safe deposit vaults.
- 18) Electric sub-stations, Receiving stations,
- 19) Fire stations, Civil defence, warden posts, First Aid posts Homeguards.
- 20) Pumping Stations, Water Installations and ancillary structures thereof.
- 21) Community halls.
- 22) Assembly of light electronic goods, ready-made garments, gem and jewellery processing units on independent plots.

- 23) Medical institutions, correction and retention centres, penal institutions rehabilitation centres, hospices, etc on independent plots.
- 24) Cinema theatres, Drive-in-Theatres, and halls for performing audio-visual arts, entertainment and public assembly, on independent plots.
- 25) Higher educational and technical training institutions, Research & Development centres on independent plots.
- 26) Vegetable, fruit, flour, fish or meat market with the approval of the Competent Authority / municipal council.
- 27) Service industries as specified under these Regulations, on an independent plot, not employing more than 9 persons, having power consumption less than 10 HP and which are non polluting in general.
- 28) Business Offices.
- 29) Offices and studios of a resident of the premises and incidental to such residential use, medical and dental practitioners' dispensaries or clinics of the resident of the building with outpatients' facilities only, each not occupying 50 sq.m. built up area.
- 30) Petrol Pumps and/or Service Stations.

III. Uses permissible on lands fronting roads of width more than 30 m. shall be as specified in subregulation 1)(c) of Regulation no. 10. A) .

PART - B : LAND USES PERMISSIBLE IN GREEN ZONE

- (i) Khadi and Village/Cottage Industries/ Drying/ Chilling Plants on obtaining K.V.I.B's consent only, existing units engaged in the manufacture/extraction of animal products and other small scale industries.
- (ii) Development connected with carrying out agriculture and allied operations including poultry keeping, dairy farming up to 10 animals, piggeries.
- (iii) Houses for the bonafide use of residents of G-Zone, expansion of Gaothans, housing for co-operative societies of local villagers.
- (iv) Bungalows, cottages in a plot of 500 sq.m. or more area.
- (v) Holiday homes, hostels for institutions, farm houses, week-end houses , shooting sites *for films and televisions, studios, RMC plants, EWS housing.*
- (vi) Petrol pumps, shops dealing in spare parts of automobiles, repairing and vulcanising of tyres.
- (vii) Transit godowns for goods, sheds for road transport operators and other reasonable highway amenities including wayside shops and restaurants in conformity with the Regulations applicable in that respect along the National Highway, State Highway, Major District Roads and Other District Roads.
- (viii) Complexes of Agriculture Produce Market Committee (A.P.M.C.) at locations designated on the plan or as approved by the Municipal Corporation.

- (ix) Golf clubs and links, Regional Parks, Public Parks, Private Parks, Playfields, Stadia, Gymkhanas, Swimming Pools, Holiday resorts, Gliding facilities, temporary camps for recreation of all types,
- (x) Amusement park, in a plot of not less than 5 ha. area, with recreational and amusement devices on the conditions specified in Appendix A-VI.
- (xi) Public utility establishments such as with residential quarters for essential staff for such works,
- (xii) Cemeteries, burial grounds, and crematoria and structures incidental thereto.
- (xiii) Sanitary land fill sites.
- (xiv) Construction of roads, railway lines, airports, helipads, jetties, floating platforms, pontoons, bridges etc.
- (xv) Educational, social welfare and medical institutions
- (xvi) Structures for watchmen's quarters, each not exceeding 20 sq.m.
- (xvii) Local resource based industries and processing plants, agrobased, industries.
- (xviii) Information Technology Establishments. (ITEs) as given under item 8 of Appendix A-IX.
- (xix) Large institutions on minimum 2.5 ha plots. The FSI proposed for such activities is 0.05.
- (xx) Certain obnoxious or hazardous uses with adequate environmental protection measures The FSI proposed for such activities is 0.05.
- (xxi) All uses under convenience shopping listed in Part-A. of this Appendix.
- (xxii) Any other uses as permissible as per DCR of MMRDA for MMR.

PART- C : LAND USES PERMISSIBLE IN PUBLIC/SEMI PUBLIC ZONE

The following uses shall be permissible:

- (i) Pre-primary, Primary Schools, High Schools, Technical / Trade Schools, Colleges, Educational Complex, Hostel for students and essential staff quarters.
- (ii) Hospital, Sanatoria, Dispensary, Maternity Homes, Health Centre, Complex of such uses, Dharmashala for the visitors to patients, essential staff quarters, veterinary hospital, auditorium exhibition hall and gallery.
- (iii) Training institutions, Home for aged, essential quarters.
- (iv) Government/ Semi -Government/ Local self Government offices, Court buildings, essential staff quarters.

- (v) Post Office, Telegraph office, Telephone Exchange, Radio Station, Complex of such uses, Staff quarters and similar public /Semi-public uses.
- (vi) Religious use subject to prior approval of Home Department.
- (vii) Library, Mangal Karyalaya, Gymnasium, Gymkhana, Water tanks, Stadium, Community hall, Religious Structures, etc.
- (viii) Commercial Use as mentioned in Regulation no. 10 (G)

APPENDIX A-V

USES PERMISSIBLE IN SERVICE INDUSTRIES ZONE (I-1 Zone)

[Regulation No. 10.A)(3)]

TABLE-34

Sr. No.	Category of industry	Service Industry permitted subject to			
		Maximum permissible power (in H.P)	Maximum Permissible Employment (Persons)	Maximum permissible floor area (In sq.m.)	Special condition If any.
1	2	3	4	5	6
I	Food Products -				
1	Manufacture of milk and dairy products such as butter & ghee.	10	9	50	---
2	Rice huller	10	9	50	---
3	Grain mills for production of flour	10	9	50	---
4	Manufacture of supari and masala grinding	10	9	50	---
5	Groundnut decorticator	10	9	50	---
6	Baby oil expellers.	10	9	50	---
7	Manufacture of bakery products.	10	9	50	(I) No floor above the furnace portion. (ii) Where only electric oven is used, an additional heating load upto 20 KVA will be Permitted. (iii) Fuel used shall be electricity, gas or smokeless coal.
8	Coffee curing roasting and grinding.	2	9	50	---
9	Manufacture of Ice.	45	20	250	---
10	Sugarcane and fruit juice crushers.	2	9	25	----
11	Manufacture of Ice cream, kulfi and ice candy.	10	9	50	---
II	Tobacco :				
12	Manufacture of bidi	No power to be used.	No limit	250	---
III	Textiles				
13	Handloom / powerloom subject to a maximum of 4 looms.	5	9	50	---

14	Embroidery and making of crape laces and fringes.	5	9	50	---
15	Manufacture of all types of textile garments including wearing apparel.	5	9	50	---
16	Manufacture of made up textiles good such as curtains, mosquito Nets mattresses, bedding materials, pillowcases, cloth / jute bags etc.	5	9	50	---
17	Manufacture of wooden furniture and fixtures.	7	9	50	---
18	Manufacture of bamboo, cane furniture and fixtures.	7	9	50	---
IV	Paper products and Printing / Publishing / Industry.				
19	Manufacture of containers and boxes from paperboard.	5	9	50	Manufacture with paper pulp not permitted.
20	Printing and publishing periodicals, books, journals, atlases, maps, envelopes, picture post-cards, greeting cards, invitation cards, embossing, etc	10	9	120	---
21	Engraving sketching, block making etc.	10	9	120	---
22	Book binding	10	9	120	---
V	Leather Products.				
23	Manufacture of leather footwear	5	9	50	Manufacture of leather or Leather processing is not permitted.
24	Manufacture of wearing apparel like coats, gloves, etc.	5	9	50	---
25	Manufacture of consumer goods of leather such as upholstery, suitcases, pocket books, cigarette and key cases, pouches purses, etc.	5	9	50	---
26	Repairing of footwear and other leather goods.	5	9	50	---
VI	Rubber and plastic Products.				
27	Rethreading, retreading, recapping and vulcanising works.	2	9	50	---
28	Manufacture of Rubber balloons, hand gloves and allied products.	2	9	50	---

VII Metal Products.					
29	Tool sharpening and razor sharpening works.	1	9	25	---
30	Umbrella assembly works.	1	9	50	---
VIII Electric Goods					
31	Repair of Household electrical appliances such as radio set, transistors, tape recorders, video cassette recorders, audio-video players, compact disk players, personal computers, refrigerators, heaters, irons, shavers, vacuum cleaners, air conditioners, washing machines, electrical cooking ranges, motor rewinding works, dish workers etc.	5	9	50	---
32	Electronic industry of assembly types.	5	9	50	---
IX Transport Equipment					
33	(a) Servicing of motor vehicles and motor cycles, scooters.	5	9	50	No floor above.
	(b) Repair of motor vehicle and motor cycles, scooters, etc.	5	9	50	I) No spray painting permitted. ii) No floor above.
	c) Battery charging and repairs.	5	6	25	---
	d) Repair of bicycles and cycle rickshaws	5	6	50	No spray painting permitted.
X Other Manufacturing and Repairing Industries-					
34	Manufacture of jewellery and related articles.	3	9	50	---
35	Repair of watch, clock, and jewellery	3	9	50	---
36	Manufacture of musical instruments and its repair.	5	6	50	---
37	Repairs of locks, stoves, sewing machines, gas burners, buckets and other sundry household equipment.	3	9	50	---
38	Optical glass grinding and repairs.	3	9	50	---
39	(a) Petrol filling stations.	10	9	30.5 x 16.75 m.	These are minimum plot

	(b) Petrol filling with Service Station.	10	9	36.5 x 30.50 m.	areas.
40	Laundries, laundry services and cleaning, dyeing, bleaching and dry cleaning.	6	9	50	i) Cleaning and dyeing fluid used shall not have flash point lower than 39 deg.C ii) Machinery having dry load capacity of 20 kg. And above shall not be allowed.
41	Photo processing laboratories, Xeroxing, photo copy, Video taping and repairing thereof	5	9	50	
42	Data Processing Units with use of Computer.	6	9	50	
43	Repacking and mixing of liquids powders, pastes. Etc. not involving any chemical reaction, which is hazardous in nature.	5	9	50	
44	Diamond Cutting and polishing.	15	30	120	
45	Manufacture / Repair of implements	15	30	120	

Note:

- 1) The Competent Authority may amend the above-mentioned uses from time to time as per the local requirement in consultation with the Directors of Town Planning.
- 2) The industries mentioned above are also permissible in the General Industries Zone (I-2 Zone) without having restriction of number of employment, motive power, floor area, etc.

APPENDIX A-VI

REGULATIONS FOR DEVELOPMENT OF AMUSEMENT PARKS, WATER PARKS, GOLF GROUNDS, RACE COURSE, HEALTH FARMS IN GREEN ZONE

[Item no. (ix) and (x) of PART-B of Appendix A-IV]

- (i) The minimum area of land to set up an amusement park, health farm, water park, golf courses, and like activities shall be 5 ha. The required infrastructure, like proper and adequate access to these activities, water supply, sanitation, conservancy services, sewage disposal and adequate off-street parking shall be provided and maintained by the owner/company of the project at their cost and to the satisfaction of the Municipal Commissioner/Other Competent Municipal Officer.
- (ii) The project shall have adequate facilities for collection and disposal of garbage to the satisfaction of the Municipal Commissioner/Other Competent Municipal Officer and will keep that at all times the entire environment clean, neat and hygienic.
- (iii) Structures for ancillary activities, such as administrative offices, exhibition hall or auditorium, restaurant, open air theatre, essential staff quarters, stores, food shops, museum, structures ancillary to swimming pool may be permitted subject to a maximum floor space index of 0.04 i.e. FSI of 0.025 for principal activity and 0.015 for ancillary activities.
- (iv) Structures permitted for these activities (except those intended for park apparatus, entertainment such as magic mountain etc. and other equipment) should be ground floor structures, subject to their constructions blending with the surrounding environment and landscape.
- (v) Except for minor dressing, hills and natural features, if any, shall be maintained in their natural condition and shall be beautified with planting of trees etc.
- (vi) All trees already growing on the land shall be preserved except that if it becomes utmost necessary to cut any tree, the required permission of the Tree Authority should be obtained under the law. At least 5 trees per 100 sq.m or part thereof, of gross plot area shall be planted and grown within the area of the park.
- (vii) Structures, buildings or monuments of historical, aesthetical or heritage importance, if any, shall be preserved and maintained properly.
- (viii) Parking facilities shall be provided at the rate of 1 car space for every 200 sq.m. of gross area of the Amusement park, and shall be suitably distributed. Ancillary facilities for cars, buses, transport vehicles etc. shall be provided on site as prescribed by and to the satisfaction of the Municipal Commissioner/Other Competent Municipal Officer.
- (ix) A suitable layout of the entire project with appropriate landscaping of the recreational and other facilities shall have to be submitted and the developer shall obtain prior approval of the Municipal Commissioner/Other Competent Municipal Officer.
- (x) No Objection Certificate of the Tourism Department / MTDC shall be obtained and submitted along with the application while seeking development permission from the Municipal Commissioner/Other Competent Municipal Officer.

APPENDIX A-VII**REGULATIONS FOR CARRYING OUT MINING AND QUARRYING OPERATIONS.**

[Regulation No. 10. E]

- 1) No quarrying operations shall be carried out without obtaining Development Permission of the Competent Authority.
- 2) The quarrying and mining operations shall be permitted outside CRZ and Ecosensitive Zone notified under Heritage Regulations but only at specific locations decided by the Competent Authority. The development permission shall be granted subject to production of order to carry out these activities from the Revenue Authority concerned under the Minor Minerals Act and NOC of the MPCB.
- 3) The application for Development Permission for quarrying / mining shall also include:-
 - a. Original 7/12 extract alongwith a location Plan at 1:500 scale of the quarry site and an area upto 500 meters around the quarry site showing important natural and man made features and contours;
 - b. A site plan at 1:500 scale showing site boundaries, contours, all existing natural and man-made features such as hills, water courses, trees and other important landscape features, access roads, buildings and other structures;
 - c. Proposed excavation plan and cross sections at 1:500 or larger scale prepared by recognised qualified Geologist, showing proposed phasing; terracing; stepping; benching slopes; locations of process equipment's; diversion of water courses; impounding lake; storage areas for top soil, waste material, quarried materials; workers housing; landscaping including screen planting, mounding, and measures against visual intrusion etc;
 - d. A restoration plan including landscaping proposals, phasing and proposals for reuse of the area after quarrying;
 - e. A report supplementing the excavation and restoration plans, costs and implementation programme;
 - f. Scrutiny fee as per Appendix B-III.
 - g. Development charge for the land under quarrying.
 - h. Permission from Collector of Thane District.
- 4) No quarrying shall commence until the excavation plan is also approved by the Director of Geology and mining, Govt. of Maharashtra, Nagpur.
- 5) The Restoration Plan approved by the Competent Authority shall be carried out in consultation with officer concerned of the Forest Department, and the Revenue Authority.
- 6) Natural gradient of slope should be maintained during quarrying operations, slope of the footwall side (slope in the direction in which mining does not exist) should be properly

stabilised by planting adequate trees of suitable species so as to have soil binding vegetation.

- 7) In case of murum quarrying, entire weathered soil or murum shall not be excavated exposing hard rock; instead, a capping of at least half a meter be left so that it can support vegetation and plantation that will be done later on. Similarly these operations shall not cause depression below the average ground level.
- 8) Watercourse, if any from a higher slope, should be properly diverted out of quarry area so that minimum water flows into the quarry and is safely channeled out of any nearby human settlement.
- 9) During quarrying operations, water should be sprayed at least once in a day over the roads at quarry sites and nearby area.
- 10) Kachha road leading to quarry site shall be invariably sprayed by water during the period of movement of trucks. In addition, in order to minimise dust pollution, measures such as adoption of hoods at transfer points, vulcanizing of conveyer belt joints, under belt cleaning devices, apart from installation of dust suppression and /or dust extrication system for conveyance shall be adopted. The Kachha road leading to the quarry shall have roadside plantation in order to arrest the dust pollution.
- 11) No quarrying and crushing shall be permitted if a highway or public road having width of 30 m. or more, railway line or any human settlement is located within 200 metres from the quarrying site. However, for quarrying with blasting operations, this distance shall be at least 500 m.
- 12) Residences for labourers and related temporary structures should be constructed at least 500 metres away from the place of blasting and quarrying. Heavy blasting by use of heavy machinery shall be prohibited.
- 13) The development permission for quarrying shall be granted for period of 1 year and may be revalidated every year for a maximum period of 3 years. After this fresh permission for further quarrying will be necessarily. In granting such fresh permission, the Competent Authority shall have regard to the applicant's performance in observing the approved excavation and restoration plans, and in carrying out the quarrying operations in accordance with these guidelines.
- 14) The applicant shall deposit and keep deposited for stipulated period Security Deposit for the due performance of the conditions attached to the permission granted under Commencement Certificate.
- 15) The Security deposit shall be forfeited either in whole or in part at the absolute discretion of the Competent Authority for any breach of the stipulated conditions. In other cases the deposit shall be refunded on expiry of the stipulated period. This security deposit shall be paid in full before the issue of commencement certificate at the rate of Rs. 10/- per sq. m. of plot area.

APPENDIX B-VIII

REGULATIONS FOR HERITAGE STRUCTURES/SITES/PRECINCTS

[Regulation No. 10. C) 3) and Regulation no. 39]

1) Restriction on Development/Redevelopment/Repairs etc.

- (i) No development or redevelopment or engineering operation or additions, alternations, repairs, renovation including the painting of buildings, replacement of special features or demolition of the whole or any part thereof or plastering of said listed/heritage buildings or listed/ heritage precincts shall be allowed except with the prior written permission of the Municipal Commissioner who shall act on the advice the Heritage Conservation Committee to be appointed by Government (hereinafter called "the said Heritage Conservation Committee")

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

- (ii) Changes, repairs, additions, alterations and renovations required in respect of religious buildings, on religious grounds mentioned in sacred texts, or as a part of holy practices laid down in religious codes shall be treated as permissible, subject to their being in accordance and consonance with the original structure and architecture, designs, aesthetics and other special features thereof. However, before arriving at its decision, the Municipal Commissioner shall take into consideration the recommendations of the Heritage Conservation Committee.
- (iii) The State Government shall by notification list the structures and sites having heritage values. The said list of buildings, artifacts, structures and precincts of historical, and/or aesthetic, and/or architectural and/or cultural value to which these regulations apply shall not form part of this Regulation for the purpose of Section 37 of the Maharashtra Regional and Town Planning Act, 1966. This list may be supplemented, altered, deleted or modified from time to time by State Government on receipt of proposals from the Municipal Corporation or from the said Heritage Conservation Committee, or by Government suo-moto provided that before the list is supplemented, altered, deleted or modified, objections and suggestions from the public are invited and duly considered by the Municipal Corporation and/or by Government.
- (iv) Power to alter, modify or relax Regulations - With the approval of Government and after consultation with the said Heritage Conservation Committee, the Municipal Corporation shall have the power to alter, modify or relax the provisions of other Regulations of the Development Control and Promotion Regulations applicable to and in force if it is needed for the conservation, preservation or retention of historical, aesthetical, cultural or architectural quality of any listed buildings/heritage buildings or listed precincts/heritage precincts.
- (v) Hearing etc. to persons likely to be affected shall be given in case any alterations modifications or relaxation of any of the provisions of the Development Control and Promotion Regulations cause undue loss to the owner/lessee and to the public.
- (vi) Grant of compensation in cases of loss of Development Rights: - If any application for development is refused under this Regulation or conditions are imposed while

permitting such development which deprive the owner/lessee of any unconsumed FSI the said owner/lessee shall be compensated by grant of Development Rights Certificate (herein referred to as TDR) of the nature set out in Development Control Regulation no.18[clause 11 in Notes below Table-7] and Appendix B-VIII and as may be prescribed by the Government from time to time. The TDR from heritage buildings will be consumed in designated areas. The extent of TDR certificates to be granted may be determined by the Municipal Commissioner, if required in consultation with the Heritage Conservation Committee and will not be awarded unless sanctioned by the Government.

- (vii) Restrictive Covenants:- Restrictions existing as on date of this notification imposed under covenants, terms and conditions on the leasehold plots by State Government shall continue to be imposed in addition to Development Control and Promotion Regulations. However, in case of any conflict with the heritage preservation interest, the stringent of the two regulations shall prevail.
- (viii) Grading of the Listed Buildings/Listed Precincts: In the said list of Heritage buildings, Heritage Precincts. "Grades" as I and II shall be mentioned. The meaning of these Grades and basic guidelines for development permissions are as follows :-

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

**TABLE-35
MEASURES TO CONSERVE HERITAGE SITES**

Sr No.	Grade - I	Grade -II	Grade - III
A.	Definition : Heritage Grade-I comprises of buildings, and precincts of national or historical importance, embodying excellence in architectural style, design, technology and material/usage, they may be associated with a great historical event, personality, movement or institution. They have been and are the prime landmarks of the Sub Region.	Heritage Grade-II comprises of buildings, and precincts of importance for townscape, they evoke architectural, aesthetic or sociological interest though not as much as in Heritage Grade-I. These contribute to determine the character of the locality, and can be representative of life style of a particular community or region and, may also be distinguished by setting on a street line or special character of the façade and uniformity of height, width and scale.	Heritage Grade III Comprises of buildings, and precincts of importance for town scape; they evoke architectural aesthetic or sociological interest though not as much as in Heritage Grade-II. These contribute to determine the character of the locality, and can be representative of life style of a particular community or region and, may also be distinguished by setting on a streetline, or special character of the façade and uniformity of height, width and scale.
B.	Objective : Heritage Grade-I richly deserves careful preservation.	Heritage Grade II deserves protection of unique features and attributes.	Heritage Grade III deserves protection of unique features and attributes.

C.	<p>Scope for Changes :</p> <p>No interventions would be permitted either on the exterior or interior unless it is necessary in the interest of strengthening, and prolonging, the life of the buildings or precincts or any part or features thereof. For this purpose, absolutely essential and minimal changes would be allowed and they must be in accordance with the original</p>	<p>Grade – II(A) Internal changes, adaptive reuse and external changes will be generally allowed but will be subject to strict scrutiny. Care would be taken to ensure the conservation of all special aspects for which it is included in Heritage Grade – II(A).</p> <p>Grade – II(B) In addition to above extension or addition buildings in the same plot or compound could in certain circumstances, be allowed provided that the extension/additional building is in harmony (and does not detract) existing heritage building(s) or precincts especially in terms of height and façade.</p>	<p>External and internal changes and adaptive reuse would generally be allowed. Changes can include extensions, additional buildings in the same plot or compound provided that extension /additional building is in harmony with and does not detract from the existing heritage building/ precinct especially in terms of height and/or façade. Reconstruction may be allowed when the building is structurally weak or unsafe or when it has been affected by accidental fire or any other calamity or if reconstruction is required to consume the permissible FSI and no option other than reconstruction is available. However, unless absolutely essential, nothing should spoil or destroy any special features or attributes for which it is placed in the Heritage List.</p>
D.	<p>Procedure -- Development permission for the changes would be given by the Municipal Commissioner on the advice of the Heritage Conservation Committee to be appointed by State Government.</p>	<p>Development permission for changes would be given by the Municipal Commissioner but in consonance with guidelines, which are to be laid down by Government in consultation with the Heritage Conservation Committee.</p>	<p>Development permission would be given for changes by the Municipal Commissioner itself but in consonance with guidelines, which are to be laid down by Government in consultation with the Heritage Conservation Committee.</p>
E.	<p>Vistas/Surrounding Development. : All development in areas surrounding Heritage Grade-I shall be regulated and controlled, ensuring that it does not mar the grandeur of or views from, Heritage Grade-I.</p>		

The criteria grading of the environmental systems (talavs) in VVSR has been specially formulated so that it is relevant to the local context. These sets of criteria have been detailed in the following table.

**TABLE-36
GRADING OF THE ENVIRONMENTAL SYSTEMS**

No.	Grade - IE	Grade - IIE	Grade – IIIE
A	<p>Definition: Heritage Grade-I E are environmental assets consisting of large talavs (10,000 sq.mts. and above) which are of vital importance to maintain the environmental balance of the place. Their influence zone needs to be clearly identified, which in this case is their hydrological features like watersheds, catchments, immediate flora and fauna. These assets also affect the ground water of the region. These assets are an important resource in the economic/ cultural life of the community. These assets need to be safeguarded at all cost</p>	<p>Definition: Heritage Grade-II E are environmental assets consisting of medium sized talavs (5000 to 10000 sq.mts.) which do play an important role in maintaining the environmental balance of the place. There might have as influence zone which needs to be clearly identified. These assets play a significant role in the economic/cultural life of the community. They can be local landmarks contributing to the image and identity of the area.</p>	<p>Definition: Heritage Grade-III E are environmental assets consisting of small sized talavs (up to 5000 sq.mts.). There may or may not be an influence zone which needs to be clearly identified.</p>
B	<p>Objective: Heritage Grade-IE richly serves careful preservation.</p>	<p>Objective: Heritage Grade-IE richly serves careful preservation.</p>	<p>Objective: Heritage Grade-IE richly serves careful preservation.</p>
C	<p>Scope for changes: No interventions would be permitted to change or transform the natural features like edges, topography of this system.</p>	<p>Scope for changes: No interventions would be permitted to change or transform the natural features like edges, topography of this system if an influence zone has been identified.</p>	<p>Scope for changes: No interventions would be permitted to change or transform the natural features like edges, topography of this system unless done as intelligent preservation.</p>
D	<p>Procedure: Development Permission for the changes would be given by the Commissioner on the advice of the Heritage Conservation Committee</p>	<p>Procedure: Development Permission for the changes would be given by the Commissioner on the advice of the Heritage Conservation Committee to be appointed by the State</p>	<p>Procedure: Development Permission for the changes would be given by the Commissioner on the advice of the Heritage Conservation Committee to be appointed by the State</p>

	to be appointed by the State Government.	Government.	Government.
E	Landscape/Surrounding Development: All development in areas surrounding such environmental assets, especially in the identified influence zone shall be controlled ensuring that it does not damage the sensitive environmental system.	Landscape/Surrounding Development: All development in areas surrounding such environmental assets, especially in the identified influence zone shall be controlled ensuring that it does not damage the sensitive environmental system.	Landscape/Surrounding Development: All development in areas surrounding such environmental assets, especially in the identified influence zone shall be controlled ensuring that it does not damage the sensitive environmental system.

- ix) In addition to the area under Vasai Fort and Buddha Stupa, a belt of 100m from this fort wall and the Stupa respectively shall be considered as Restricted Area and a further belt from 100 m. to 300m. shall be considered as Regulated Area and any development in this area may be permitted by the Municipal Commissioner on a case by case basis and as per the guidelines to be laid down by the Government in consultation with the Heritage Conservation Committee and as stipulated in Ancient Monument and Archaeological Sites and Remains (Amendment and Validation) Act, 2010 .

2) Heritage Buildings and Precincts in VVSR

Documentation and Preparation of Conservation Guidelines for Heritage Buildings and precincts in Vasai-Virar Sub Region is conducted by Collective Research Initiatives Trust (CRIT) in December 2008. The project was sponsored by MMR-Heritage Conservation Society. Certain modifications have been suggested to DCR provisions for Heritage Structures. It is proposed to include these modifications in the conservation guidelines for the Heritage Structures and Precincts under Section 37 of MR & TP Act, 1966 in the sanctioned DCR of VVSR.

However, structure at Sr. no. 45 i.e. Phadkewada, which is listed as Grade II A Heritage Structure and was earmarked to be converted into a museum for preservation of artifacts with Heritage value, has been demolished. Sir D.M.Petit Municipal Dispensary, Papy Talav and Taam Talav were proposed to be deleted as per General Body Meeting dated 20/07/2011 and 09/02/2012. Hence Phadkewada, Sir D.M.Petit Municipal Dispensary, Papy Talav and Taam Talav is proposed to be deleted from the list. Further as per General Body decision dated 12/08/2013, all Talavs have been deleted and also Matkariwada has been deleted from the list.

According to the report submitted, Heritage Assets have been classically defined (this definition is intrinsic to the criteria for inclusion of assets in the World Heritage List and the Heritage Regulations for Greater Mumbai) as '*assets and resources of outstanding values which merit preservation after having been historically produced under a set of cultural conditions*'. In the case of VVSR, the historical development pin-points that the agrarian and mercantile sectors of the local economy have had a vital role to play in the establishment of outstanding cultural assets in the VVSR, which could be regarded as Heritage Assets. Heritage in the VVSR, therefore, is recognized as function of these cultural relations. In order to articulate a holistic and inclusive definition of Heritage for the VVSR, this study gives recognition to cultural relations which play a significant role in the formation of cultural products, whose loss would be irreversible.

Heritage Assets for the VVSR, therefore, are defined as:

“Assets of not only outstanding values and excellence produced historically under a set of cultural conditions but also tangible and intangible cultural manifestations and resources that explicitly or implicitly play a significant role in people’s livelihoods; the loss of which would be irreversible and severely affect their living conditions”.

Emerging Categories of Heritage Assets

The local communities have associations with certain types of assets which could be listed as follows:

- Artefacts
- Buildings
- Precincts

**TABLE-37
CRITERIA FOR LISTING HERITAGE ASSETS IN THE VVSR**

The Criteria for listing and the values that are associated with the broad categories of Heritage asset in the VVSR have been articulated in this section. The criteria for listing heritage assets in the VVSR draws from the values that have been formulated for the Heritage list for greater Mumbai. However, they have been appropriately modified to respond to the context of the broad categories of heritage assets emerging in the VVSR.

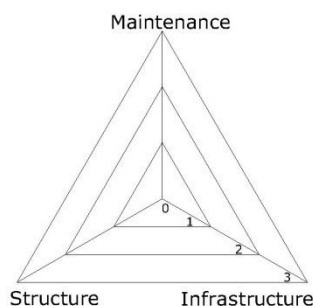
No	Criteria	Abbrev.
1	Artefacts	A
	Artefacts listed for historical reasons, which would primarily include the age of the artefact.	A (his)
	Artefacts listed for cultural reasons, which would primarily include a distinctive cultural form	A (cul)
	Artefacts with a relevance to the socio-economic history of the region	A (she)
	Artefacts listed due to exhibiting local architectural characteristics	A(arch)
	Artefacts having value as landmarks	A(lm)
	Artefacts which mark social or political events	A(ev)
	Artefacts associated with a significant individual(s) who have played a significant role in shaping local/regional/national political or social history	A(bio)
2	Buildings	B
	Value for historical reasons which would primarily include the age of the buildings/distinctive buildings typology or usage emerging in a particular period which is of cultural relevance	B (his)
	Buildings representing forms of technological development and innovation	B(tech)

	Buildings of architectural interest which would primarily include the architectural intent and its translation into architectural values like physical disposition, experience, scales and proportions and other criteria that may be of architectural interest	B(arch)
	Buildings which have value as a part of a group of buildings	B(grp)
	Buildings which have value as landmarks	B(lm)
	Buildings associated with significant political or social events that are of local/regional/national relevance	B(ev)
	Buildings associated with a significant individual (s) who have played a significant role in shaping local/regional/national political or social history	B(bio)
	Buildings having a cultural significance	B(cul)
	Buildings having an adaptive reuse value	B(reus)

3	Precincts Areas/Group of buildings having a distinctive architectural character, emerging from a specific period which contributes to the physical character of locality/region and is of community/cultural value.	P P(arch)
	Areas which have relevance to the socio-economic history, which would include areas that retain original/earlier communities, their activities and resources necessary for their livelihoods	P(she)
	Areas exhibiting a distinctive cultural form/of community value or retaining special activities that are of cultural significance	P(cul)

Criteria for Condition Assessment of Heritage assets in the VVSR

Three parameters have been used for assessing the present condition of the heritage assets. The first parameter is of the structural condition, the second parameter is of level of infrastructure provision and the third parameter is of the maintenance levels and capacities of the owners to maintain the assets. Each of this parameter has been graded from 0-3 with the implications for condition assessment described in the figure below:



0 : RUIN / NON EXISTANT
1 : POOR
2 : FAIR
3 : GOOD

The assessment has been conducted through a visual diagnosis. For assessing the parameters in each of the heritage assets the following criteria have been developed.

	STRUCTURE	INFRASTRUCTURE	MAINTENANCE
ARTEFACTS	Superstructure, plinth, walls, roofing, fenestrations/finishes, compound/fence/gate, curtilege/unbuilt space/out-buildings/landscape	Lighting, ventilation, electricity, water supply, sanitation, drainage, fire precautions, other systems.	Measures undertaken and capacity of agency.
BUILDINGS	Plinth, walls, roofing, fenestrations/openings, finishes, compound/fence/gate, curtilege/unbuilt space/out-buildings/landscape	Lighting, ventilation, electricity, water supply, sanitation, drainage, fire precautions, other systems.	Measures undertaken and capacity of agency.
PRECINCTS	Tiling/pavement/finishes, compound/fence/gate	Lighting, sanitation, storm water drainage, public facilities	Measures undertaken and capacity of agency.

Table-38

The summary of the final list of the Heritage Assets that have been identified in the Notified area of Vasai Virar City Municipal Corporation (VVCMC)

No.	Name:		Location			
	Ownership	Usage	Built in	Value	Condition	Grade
	Special Characteristics					

1. VIRAR MUNICIPAL COUNCIL (Erstwhile)

1	Naringi Zilla Parishad School		Naringi Gaothan, Virar (W)			
	Zilla Parishad	Educational institution	1900	B(his), B(she), B(im), B(reus)	Poor	III
	Chief source of subsidized education for children from weaker economic background. Courtyard and single long pitched Mangalore tile roof.					

2. NALA SOPARA MUNICIPAL COUNCIL (Erstwhile)

2	Sopare Zilla Parishad School		Sopare-Ghas Road, Nala Sopara (W)			
	Zilla Parishad	Educational institution	1894	B(his), B(she), B(lm), B(reus)	Poor	
	Chief source of subsidized education for children from weaker economic background. Courtyard and single long pitched Mangalore tile roof and verandah punctuated with the building façade.					

3	Burhanpur Chowk Market Precinct		Idgah Road, Nala Sopara (W)			
	Mun. Council	Commercial	16th Century	P(seh), P(cul)	Poor	
	Market area in the pre-portuguese port town of Sopara. The chowk well was once used by tired horses and buffaloes to quench thirst. It is an important public space with the Republic Day and independence Day parade being held there.					

4	Rehmatulla Alleya Dargah		Station-Dargah Road, Nala Sopara (W)			
	Trust	Religious Institution	1555	B(cul), B(lm)	Poor	III
	Dargah situated on the top of the hillock with winding steps leading to the top.					

3. NAVGHAR MANIKPUR MUNICIPAL COUNCIL (Erstwhile)

5	St. Michael Church		St. Michael's Church Road			
	Trust	Religious Institution	1606; Rebuilt 1739	B(his), B(cul), B(arch), B(lm)	Good	II B
	Decorative front façade typical of Portuguese churches along with two large entrance bells. The altar in this church was brought from one of the churches in the Vasai Fort.					

6	St. Philomena School		St. Michael's Church Road			
	Trust	Educational Institution	1949	B(his), B(seh), B(lm), B(reus)	Fair	III
	Chief source of subsidized education for children from weaker economic background. The rectangular building with a single, long pitched Mangalore tile roof is fronted by a large playground.					

4. VASAI MUNICIPAL COUNCIL (Erstwhile)

7	Holy Market Precinct					
	Mun. Council	Commercial	16th Century	P(Seh), P(cul)	Poor	—
	Open market which formerly exported betel nut to the Sindh (Pakistan).					

8	Our Lady of Remedies Church		Remedy - Par Naka Road			
	Trust	Religious Institution	1577	B(his), B(cul), B(arch), B(lm)	Good	II B
	Decorative front façade typical of portuguese churches along with two large entance bells.					

9	R. P. Wagh School		Remedy - Par Naka Road			
	Trust	Educational Institution	1934	B(his), B(arch), B(reus)	Fair	III
	Load bearing structure with flat arches and a Mangalore tile roof.					

10	Patil Wada		Remedy - Par Naka Road			
	Private	Residential	1850's	B(his), B(cul), B(arch)	Good	III
	Wada with wooden decorative columns which form pilasters at the first floor level with full length windows.					

11	Gavankar Wada		Par Naka - Dhuoli Road			
	Private	Residential	18th Century	B(his), B(cul), B(arch), B(lm), B(ev), B(bio), B(reus)	Fair	II A
	Inhabited by Mahatma Gandhi during the Salt Satyagraha Movement. Segmental arched fenestrations at lower level and full length flat arched fenestrations at the upper level with decorative shutters.					

12	Vasai Court		Killa Bunder Road			
	Government	Institutional	1864	B(his), B(arch), B(lm), B(reus)	Fair	II B
	Built by the British, the court is made of random rubble stone masonry. It has a pitched roof made of king post timber truss having intricate details and joinery.					

13	Bohra Masjid		Devi Talav Road, Vasai			
	Trust	Religious Institution	19th Century	B(his), B(cul), B(arch), B(lm)	Fair	III
	Segmental arched fenestration at the ground level and flat arch opening, at the first level with full length wooden shutters.					

14	Vasai Market		Off Zenda Bazaar Road, Vasai (W)			
	Mun. Council	Commercial	16th century	P(Seh), P(cul)	Poor	—
	Open market which formerly exported betel nut to the Sindh (Pakistan).					

15	Zilla Parishad School		Zenda Bazaar Road, Vasai (W)			
	Zilla Parishad	Educational institution	1886	B(his), B(cul), B(reus)	Poor	III
	Chief source of subsidized education for children from weaker economic background. Random rubble stone masonry structure with pitched mangalore tile roof and segmental arched openings.					

16	Shri Swami Siddeshwar Mandir		Zenda Bazaar Road, Vasai (W)			
	Trust	Religious Institution	16th century	B(his), B(cul), B(arch), B(lm)	Poor	II B
	Kund within the temple complex.					

17	St. Peters Church		Killa Bunder Road, Vasai(W)			
	Trust	Religious Institution	1913	B(his), B(cul), B(arch), B(lm)	Good	II B
	The church has king post truss with semi circular tie member at the base of the truss. Mosaic tiles with intricate patterns.					

18	Vasai Fort Precinct		Par Naka - Killa Bunder Road			
	ASI	Fish net mending, religious activities, residential and tourism	16th century	P(Seh), P(cul), P(arch)	Poor	—
	The rampart wall with bastions and the remains of the churches form the characteristic architectural elements within the fort. The churches are typical of the Portuguese churches from the 16th and 17th century having false front facades. The precinct is also characterized by large open spaces, some of which are used for mending and drying fishing nets. One temple and one church are presently in active use.					

18a	The Rampart Wall		Par Naka - Killa Bunder Road			
	ASI	Tourism	1536-1600	B(his), B(cul), B(arch)	Poor	I
	The double wall connects the bastions with stone steps that lead to the top of each bastion.					

18b	St. Anthony's Church		Par Naka - Killa Bunder Road			
	ASI	Religious Institution	1537	B(his), B(cul), B(arch), B(tech)	Ruin	I
	37 feet long fling arch made of stone hat supported the choir. The internal courtyard façade has a semi circular arched colonnade.					

18c	The Church of the Holy Name of Jesus		Internal road of fort formerly known as Royal Street			
	ASI	Religious Institution	1549-1578	B(his), B(cul), B(arch), B(tech)	Fair	I
	The western façade is characterized by column with fluted shafts and Corinthian capitals. A Jesuit monogam sits on the gable and which is 65 feet high.					

18d	The Citadel		Killa Bunder Road			
	ASI	Fish net mending and tourism	1535	B(his), B(cul), B(arch)	Ruin	I
	The entrance to the citadel is characterized by a semicircular arched gateway with Corinthian columns.					

18e	Our Lady of Life Church		Killa Bunder Road			
	ASI	Religious Institution	1536	B(his), B(cul), B(arch), B(tech)	Ruin	I
	This garrison church is characterized by two Corinthian columns on either side of the entrance with decorative friezes. The altar has a barrel vault roof made of stone.					

18f	The Jail		Killa Bunder Road			
	ASI	Institutional	1639	B(his), B(cul), B(arch)	Ruin	I
	Semicircular arched openings with decorative friezes.					

18g	Chimaji Appa Temple (Nageshwari and Vajreshwari)		Killa Bunder Road			
	Trust	Religious Institution	1739	B(his), B(cul), B(arch), B(ev)	Fair	II B
	The dome over the garbhagriha has statues of the ganas, who are supposed to be the permanent guards of the eight directions of the universe.					

18h	The Church of Blessed Gonsalvo		Killa Bunder Road			
	ASI	Religious Institution	1583	B(his), B(cul), B(arch)	Ruin	I
	It has the biggest courtyard (130x130 feet) in the entire Vasai fort. Semicircular openings, lancet windows and decorative stones with floral designs used for the vaulted roof.					

18i	Martiz of St. Joesph		Killa Bunder Road			
	ASI	Religious Institution		B(his), B(cul), B(arch), B(tech)	Ruin	I
	Tallest entrance façade in the entire Vasai Fort complex with monunental arched doorways and tower with a dome above.					

19	Vasai Fishing Jetty and Drying Grounds		Pachu Bunder			
	St. Government	Fishing activities	NA	P(Seh), P(cul)	Poor	—
	The characteristic elements comprise of the jetty ramp that slopes towards the sea and a series of structures made of bamboo poles for fish drying.					

20	Ram Mandir		Off Papy Market Road			
	Trust	Religious and Social Gatherings	Early 20th Century	B(his), B(cul), B(arch), B(lm)	Poor	III
	High shikara on the garbhagriha and a pitched Mangalore tile roof around the rest of the structure. Segmental arched openings on the external façade and deepa stambh at the entrance.					

21	Govardhan Vidyalaya		Papdy Road			
	Zilla Parishad	Educational institution	1889	B(his), B(she), B(lm), B(reus)	Poor	III
	Chief source of subsidized education for children from weaker economic background. Random rubble stone masonry structure with pitched Mangalore tile roof and segmental arched openings.					

22	Mohanlal Vakil Bungalow		Papdy Road			
	Private	Residential and Institutional	1933	B(his), B(cul), B(arch), B(reus)	Poor	III
	R.C.C structure exhibiting Art Deco Characteristics. A Part of the Property is tenanted to the Central Excise Department making an excellent case of adaptive reuse.					

23	Shah Wada		Main Remedy Road, Vasai (W)			
	Private	Residential and Institutional	19th Century	B(his), B(cul), B(arch), B(arch)	Fair	III
	Decorative wooden brackets which support the beams and the floor. A Part of the property is tenanted to the Filaria Control Unit and post office making on excellent case of adaptive reuse.					

24	Our Lady of Grace Church, Papdy		Papdy - Par Naka Road			
	Trust	Religious Institution	1574	B(his), B(cul), B(arch), B(lm)	Good	II B
	Decorative front façade typical of Portuguese church having two entrance bells. The external façade is characterized by segmental and pointed arched openings.					

25	Thomas Baptista School		Papdy - Par Naka Road			
	Trust	Educational Institution	1889	B(his), B(lm)	Fair	III
	Two storey load bearing structure with segmental arched openings.					

5. AGASHE GRAMPANCHAYAT (Erstwhile)

26	Hanuman Mandir		Off Agashe - Arnala Road			
	Trust	Religious Institution	18th Century	B(his), B(cul), B(grp), B(lm)	Good	III
	Pitched Mangalore tiled roof hovers above the building forming a distinctive architectural element.					

27	Sarvajanik Vachnalaya		Off Agashe - Arnala Road			
	Trust	Institutional and Commercial	1939	B(cul), B(grp), B(arch), B(reus)	Poor	III
	Segmental arched openings characterize the external façade with extended covered balconies supported by wooden brackets and decorative wooden eaves projecting from the roof overhang.					

28	Bhawani Shankar Mandir		Off Agashe - Arnala Road			
	Trust	Religious Institution	18th Century	B(his), B(cul), B(grp), B(arch), B(lm), B(ev)	Fair	II A
	The temple marks the shift of power in the highly contested 18th century Bassein (Vasai) from the Portuguese to the Marathas lending it an immense historical significance. A large deepa-stambh at the entrance of the temple with a large tree is an important architectural feature.					

29	Khanolkar House		Off Agashe - Arnala Road			
	Private	Residential	18th Century	B(his), B(cul), B(grp), B(arch), B(reus)	Good	II A
	This building was formerly the guest house of the Peshwa and an important part of Maratha Heritage in this region. The front façade has a verandah with timber posts at the lower level which transform into pilasters at the upper level. Between the pilasters at the upper level are full length wooden framed openings with panels					

30	Vishnu Mandir		Off Agashe - Arnala Road			
	Private	Religious Institution	18th Century	B(his), B(cul), B(grp), B(arch)	Fair	III
	The front façade has a verandah at the lower level with timber posts which sit on a wooden base and have a wooden capital. These posts continue at the upper level and are expressed as pilasters. Between the pilasters are full length openings with wooden shutters.					

31	Ram Mandir		Off Agashe - Arnala Road			
	Trust	Religious Institution	18th Century	B(his), B(cul), B(grp), B(arch)	Fair	III
	The front façade consists of a large fenestration having wooden paneled door and two full length windows with wooden jalis.					

32	St. James Church		Agashe Market Road			
	Trust	Religious Institution	1568; Rebuilt 1760	B(his), B(cul), B(arch), B(lm)	Good	II B
	It was the first church built outside the Vasai Fort by the Portuguese forming a part of their Inquisition Movement. It was set on fire in 1739 and rebuilt in 1760. The tall bell tower and the front façade are distinctive architectural features in the landscape of Agashe. The front facade is punctuated with windows having segmented and pointed arches of different sizes.					

33	Zilla Parishad School		Agashe -Nirmal Road			
	Zilla Parishad	Educational Institution	1886	B(his), B(seh), B(lm), B(reus)	Poor	III
	Chief source of subsidized education for children from weaker economic background. The varandah that runs along the entire length of the structure forms the chief architectural characteristic along with the segmental arched fenestrations and small circular rose windows that act as ventilators.					

6. KOFRAD GRAMPANCHAYAT (Erstwhile)

34	Holy Spirit Church		Nandakhal Road			
	Trust	Religious Institution	1573	B(his), B(cul), B(arch), E(eco)	Good	II B
	The external façade comprises of arched openings with the main portico façade and a belfry. The external walls are buttressed along the sides. The roof consists of queen post truss supported on iron columns. The altar has a wooden coffered arched ceiling.					

7. BOLINJ GRAMPANCHAYAT (Erstwhile)

35	Zilla Parishad School		Virar-Agashe Road			
	Zilla Parishad	Educational Institution	1879	B(his), B(seh), B(lm), B(reus)	Fair	III
	Chief source of subsidized education for children from weaker economic background. The school building is characterized externally with a wide verandah and a large Mangalore tile pitched roof supported on load bearing walls timber posts and trusses.					

8. VAGHOLI GRAMPANCHAYAT (Erstwhile)

36	Nirmal Bazaar		Nirmal - Kalamb Road			
	Grampanchayat	Commercial	1957	B(cul), B(seh), B(lm)	Poor	III
	The markets in VVSR have been sites where agrarian commodities produced in the VVSR like rice, vegetable, fish etc. are exchanged. The open space around the shed acts as an important gathering space.					

9. MARDES GRAMPANCHAYAT (Erstwhile)

37	Buddha Stupa		Madres-Sopare Road			
	ASI	Tourism	3 th Century B.C .	A(his), A(cul), A(arch), A(lm)	Poor	I
	Out of the fourteen ashokan edicts that exist, the ninth edict was discovered at this site, lending it immense historical, archaeological, cultural and political significance. The stupa is circular having a central chamber in which the relics of the buddha were placed. It comprises of a hemispherical monolithic mound of bricks that rises from the ground and a stone plinth. The bricks used are smaller and flat-typical of the ones used in the buddhist architecture during the period. The hemispherical mound is held by corbelling the bricks.					

10. GHAS GRAMPANCHAYAT (Erstwhile)

38	Dargah and Idgah Grounds		Sopara - Ghas Road			
	Trust	Religious Institution	16 th century	B(his), B(cul), B(lm)	Fair	III
	The Hajrat Diwan shah Dargah is a small tomb located amidst the large open space of the Idgah grounds which form a gathering space during Eid's					

11. NIRMAL GRAMPANCHAYAT (Erstwhile)

39	Holy Cross Church		Vasai - Agashe Road			
	Trust	Religious Institution	1586 Rebuilt 1856	B(his), B(cul), B(arch) , B (lm)	Fair	II B
	The Holy Cross Church was built by the Franciscan missionaries in 1580 a part of their inquisition movement. In 1739, The church was destroyed by the marathas and was later re-built in 1856. A grand flight of steps leading to an external patio space with in-situ stone seats forms the chief architectural element which distinguishes this church from the rest found in this region. The roofing system is a unique wooden mansard roof with tie beams at regular intervals and no trusses.					

40	Shankaracharya Mandir		Vasai - Agashe Road			
	Trust	Religious Institution	Rebuilt 17 th century	B(hisl), B(cul), B(arch), B (lm)	Fair	II B
	Constructed on a hillock in early 17 th century, this structure is the 5 th jagadguru shankaracharya vidyaranya swami samadhi mandir. It is accessed by a grand flight of stairs similar to the ones in the Holy Cross church The samadhi (older structure) is constructed of stone blocks embellished with carvings of human figures and topped with the dome and kalash.					

12. GIRIJ GRAMPANCHAYAT (Erstwhile)

41	Girij Grampanchayat Office		Vasai-Nirmal Road			
	Grampanchayat	Institutional	20th century	B(Lm), B(reus)	Fair	III
	Load bearing structure with mangalore tile pitched roof and verandah form the main architectural elements.					

42	St. Francis Xaviers Church		Vasai-Nirmal Road			
	Trust	Religious Institution	1917	B(Cul), B(arch), B(Im)	Good	II B
	The front façade has tall spires and is punctuated with windows having pointed arches.					

13. KAULAR KHURD GRAMPANCHAYAT (Erstwhile)

43	Our Lady of Merces Church		Augustine Kulas Road			
	Trust	Religious Institution	1606 Rebuilt 1856	B(his), B(cul), B(Im)	Good	II B
	It is amongst the several churches built by the portuguese outside the vasai fort as a part of their inquisition movement. It was established in 1606 by the Augustinian Missionaries and was broken down by the Marathas in 1739. It was later re-built in 1856. The large internal volume of the congregational hall is characterized by a timber Queen-post truss roof with chandeliers hung from it and semi-circular arched openings.					

14. KAULAR BUDRUK GRAMPANCHAYAT (Erstwhile)

44	Hanuman Mandir		Rangaon Road			
	Trust	Religious Institution	18th century	B(his), B(cul) , B(lm)	Poor	III
	A large deepa-stambh at the entrance of the temple with a large tree is an important architectural feature. The temple has intricately decorated wooden construction.					

45	Zilla Parishad School		Rangaon Road			
	Zilla Parishad	Educational institution	1917	B(his), B(seh), B(lm) , B(reus)	Fair	III
	Chief source of subsidized education for children from weaker economic background. The verandah with timber posts and mangalore tile roof that runs along the entire length of the structure forms the chief architectural elements.					

15. SANDOR GRAMPANCHAYAT (Erstwhile)

46	Hanuman Mandir		Off Vasai-Nirmal Road			
	Trust	Religious Institution	18 th century	B(his), B(cul), B(arch) , B(lm)	Fair	III
	The front façade of the temple creates a background for the talav. The columns on the front façade are expressed as pilasters. A large deepa-stambh at the entrance of the temple forms an important architectural feature.					

47	Grampanchayat Office		Off Vasai-Nirmal Road			
	Grampanchayat	Institutional	19 th century	B(his), B(lm), B(reus)	Poor	III
	The verandah with timber posts and mangalore tile roof that runs along the entire length of the structure forms the chief architectural elements. This building was originally built as a zilla parshad school and presents as excellent case of adaptive reuse.					

48	St. Thomas Church		Sandor-Saloli Road			
	Trust	Religious Institution	1571	B(his), B(cul), B(arch) , B(lm)	Good	II B
	It is the oldest church building that presently exists outside the vasai fort. The decorative front facade forms distinctive architectural features and is punctuated with pilasters and windows having segmented and semi-circular arches of different sizes.					

16. VADAVALI GRAMPANCAYAT (Erstwhile)

49	Mother Of God Church		Papdy -Naigoan station road			
	Trust	Religious Institution	1585 Rebuilt 1840	B(his), B(cul), B(arch), B(lm)	Good	II E
	The decorative semi-circular arched openings, the rose window and the stained glass murals in the windows form the other important features of the building.					

50	Pali Dargah		Papdy -Naigoan station road			
	Trust	Religious Institution	16th century	B(his), B(cul), B(arch)	Poor	II B
	The dargah is one of the few representatives of Islamic architecture that presently exist in this region. The step well, the islamic dome and the minarets form the main architectural elements. The dargah has segmented arched and pointed arched openings with stone jaalis.					

51	Pali Masjid		Papdy -Naigoan station road			
	Trust	Religious Institution	18th century	B(his), B(cul), B(arch), B(lm)	Good	III
	This building shows a mix of several influences from islamic, portuguese architecture and the wada typology that existed in this region. The entance stairway is reminiscent of the portuguese stairways although at a much smaller scale. The building has a timber frame structure with wooden base and wooden brackets on which are supported timber trusses. The walls are made of stone masonry and have full length openings with wooden paneled doors and windows.					

17. NAIGAON GRAMPANCHAYAT (Erstwhile)

52	Naigoan Bazaar		Papdy-Naigoan Station Road			
	Grampanchayat	Commercial	NA	B(cul), B(seh), B(lm)	Fair	
	The markets in VVSR have been sites where agrarian commodities produced in the VVSR like rice, vegetables, fish etc. are exchanges. Part of the market has a built shed and a part of it takes place through construction of informal and temporary covered spaces. These bazaars exhibit such a cultural form.					

18. JUCHANDRA GRAMPANCHAYAT (Erstwhile)

53	Juchandra Zilla Parishad School		Juchandra Naka-Gandhi Talav Road			
	Grampanchayat	Domestic water source	1872	B(his), B(seh), B(lm) , B(reus)	Poor	
	Chief source of subsidized education for children from weaker economic background. Long building with verandah and pitched mangalore tile roof.					

19. SASUNAVGHAR GRAMPANCHAYAT (Erstwhile)

54	Portuguese Hambara		Off National Highway - 8, Sasunavghar			
	NA	No usage	16th / 17th Century	B(his), B(lm)	Ruin	III
	The hambara referred to as a printing press by local knowledge sources is a 17 th century structure.					

20. MANDVI GRAMPANCHAYAT (Erstwhile)

55	Aseri Fort		Mandvi Gaothan			
	Grampanchayat	No usage	16th century	B(his), B(Cul), B(Lm)	Ruin	I
	The Fort was a check post from which the trade of logs of wood was controlled during the 16 th and 17th century.					

APPENDIX A-IX
Regulations for Information Technology Establishments (ITE)
[Regulation No. 10. D)]

Sr.	Item	Description
1	Definition	<p>Information Technology Establishment means an establishment which is in the business of development of IT Software, IT Hardware, IT Services and IT Enabled Services as defined below:</p> <p>i) IT Software – 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> <p>ii) IT Hardware – Industrial units decided by the Director of Industries as engaged in computer hardware business.</p> <p>iii) IT Services and IT Enabled Services –Any unit that provides services, that result from the use of any IT Software over a Computer System for realizing any value addition as decided by the Director of Industries</p>
2	Covered Antenna to be Free of FSI	Any Covered Antenna/Dish Antenna/Communication Tower used for Telecom or ITE purposes
3	Introduction of a new Land-Use	IT Land Use includes any land use primarily for the development of Computer related IT establishments and equipments relating to earth station, V-SAT routes , transponders, covered and dish antenna, transmission towers, and other similar IT related users.
4	ITEs to be permitted in Residential Zone	IT Land-Use pertaining to only software related establishments is permissible in General Residential and Special Residential Zones. However, all IT uses are permissible in Low-Density Residential Zones.
5	Road Frontage	IT Land-Uses are permissible only in the plots fronting 12.0 m or more wider roads.
6	ITEs to be permitted in Plantation &Green Zones	ITEs pertaining to software business including ancillary residential development shall be permissible in these zones subject to total FSI of 0.30 where ancillary uses limited to 0.10.
7	Additional FSI to ITEs	<p>The Competent Authority may permit additional 100 % FSI on lands in High Intensity Development areas over and above the allowable FSI given in table 4 of Regulation No. [13(1)] for all IT and ITES units in public IT Parks and in all registered IT and ITES units located in private IT Parks which are approved by the Director of Industries subject to following conditions</p> <p>i) Such additional FSI shall be available only on full utilization of basic FSI.</p>

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| | | <p>ii) This additional FSI shall be granted upon the payment of premium in the manner determined by the Govt. at the rate of 25 percent of the relevant market value of the land under reference indicated in the Ready Reckoner.</p> <p>iii) Out of the total premium 25 % of the amount shall be paid to the Govt. and 75 % amount shall be paid to Competent Authority.</p> <p>iv) The premium collected by the said Authority shall be utilized for developing infra-structure in the IT Park only.</p> <p>v) In the event, the developer agrees to provide off-site infrastructure at his own cost, then the said Authority shall determine the estimated cost of the works to be carried out within the standards prescribed by the said Authority. Then the developer may be allowed to carry out the works and on satisfactory completion of the same, the said Authority shall recover the balance amount as premium after deducting the cost of such works.</p> <p>vi) No condonation in the required marginal distances or in the parking areas for utilizing additional FSI shall be given.</p> |
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APPENDIX B-X

PREMIUM FOR CERTAIN TYPES OF DEVELOPMENTS

[Regulation no. 17(2) and Regulation no. 20]

- 1) The premium to be levied to permit certain types of development shall be determined by the base rates given below.

**TABLE-39
BASE RATES FOR VARIOUS USES**

Sr. No	Use		Zone
	Residential/ Industrial/ Institutional use	Commercial use	
1	i) Rs. 1500 per sq.m.	i) Rs. 2000 per sq.m.	In the urbanisable zone within old municipal areas
2	ii) Rs. 1000 per sq.m.	ii) Rs. 1500 per sq.m.	In the urbanisable zone outside old municipal areas
3	iii)Rs. 500 per sq.m.	iii) Rs. 750 per sq.m.	In Green, Plantation and Cattleshed Zones.

- 2) Competent Authority may revise the base rates from time to time. However, the revised rates shall have to be published for the knowledge of public at least for 30 days before their enforcement.

**TABLE-40
PREMIUM CHARGEABLE FOR VARIOUS PURPOSES**

Sr. No.	Type of development	Amount of Premium to be charged as a percentage of the base rate for residential use.	Remarks
1	Sheds on the ground for maximum period of six months.	Residential - 20% Commercial – 30% Industrial – 30% Other use – 20%	As a refundable security deposit, subject to maintenance of clear margins for fire fighting measures
2	Semi permanent, without RCC structures for ceremonies, functions without walls for self use sheds over the terrace of building.	50%	As a non-refundable security deposit, it will be forfeited for non-compliances.
3	Society room/ Servants toilet of the co-op hsg. society.	20 %	As a non-refundable security deposit.
4	Exclusive Use Terraces/Pocket Terraces	30%	As a non-refundable security deposit.
5	Lock up Garages	50%	As a non-refundable security deposit.

6	Balcony ,Staircase, Staircase and lift wells, flower beds, cupboards and other items of Reg. no.17(2) as will be decided by Municipal Commissioner/ Other Competent Municipal Officer	50%	As a non-refundable security deposit.
7	Basement	30%	For permitted uses other than parking of vehicles and ancillary machinery.

Note :

- i. Premium rates shall be decided on the basis of principal use of a development
- ii. Premium charged as security deposits will be forfeited for any violation in use or of any conditions prescribed for.

APPENDIX A-XI

(A) SPECIAL PROVISIONS FOR INSTALLATION OF SOLAR ASSISTED WATER HEATING SYSTEM [Regulation No. 41]

Definitions:

Unless the context otherwise requires, the following definitions shall be applicable for the purpose of these Regulations.

i)	“Solar Assisted Water Heating System” (SAWHS)	A devise to heat water using solar energy as heat source
ii)	“Auxiliary Back Up”	Electrically operated or fuel fired boilers/systems to heat water coming out from solar water heating system to meet continuous requirement of hot water.
iii)	“New Building”	Such buildings of categories specified in Regulation No. 42.(2) for which construction plans have been submitted to competent authority for approval
iv)	“Existing Building”	Such buildings which are licensed to perform their respective business.

(1) Solar Assisted Water Heating Systems (SAWHS)

Buildings of the following categories shall prove the system or the installation having an auxiliary Solar Assisted water Heating System (SAWHS) as mentioned in Appendix A-XIX

- a) Hospitals and Nursing Homes.
- b) Hotels, Lodges and Guesthouses.
- c) Hostels of Schools, Colleges, Training Centres.
- d) Barracks of armed forces, paramilitary 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 (Marriage Halls) and Buildings for similar use.

(2) Installation of Solar Assisted Water Heating System (SAWHS)

The following provisions shall be applicable for all the new buildings of categories mentioned in (2) for installation of Solar Energy Assisted System.

- a) Adequate provisions shall be made for installation of SAWHS in the building design itself for an insulated pipeline from the rooftop of various distribution points, within the aforesaid occupancies. The building must have a provision for continuous water supply to the solar water heating system.
- b) In case of hot water requirement, the building should also have open space on the rooftop, which receives direct sunlight, wherever hot water requirement is continuous auxiliary heating arrangement either with electric elements or oil of adequate capacity can be provided.
- c) The load bearing capacity of the roof should at least be 50 kg. per sq.m. All new buildings of above said categories must complete installation of solar water heating systems before obtaining necessary permissions to commence their activities.

- d) The capacity of solar water heating system to be installed on the building different categories shall be decided in consultation with the Planning / Local Authority concerned. 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 a provided with the system.
 - e) Installation of SAWHS shall conform to BIS (Bureau of Indian Standards) specifications IS 12933. The solar connectors used in the system shall have the BIS certification mark.
 - f) Building permissions for all the new constructions/buildings of the aforesaid categories shall be granted only if they have been complied with these provisions.
- (3) In case of existing building the above provision shall be mandatory at the time of change of use / to any of the categories specified in (2), provided there is already system or installation for supplying hot water.

(4) Solar Assisted Electric Equipment (Photo voltaic equipment)

In addition to the above provisions, buildings of all categories, especially public buildings, large holdings of commercial and residential complexes may provide an auxiliary system of solar electricity for staircase lighting, garden area lighting or any other places wherever feasible within the premises. The installations shall conform to the specifications, to be certified by the registered practitioner in this field or the norms stipulated by the Govt.of Maharashtra or any other authority designated for this purposes such as BIS, ISI etc., from time to time.

APPENDIX A-XI

(B)SPECIAL PROVISIONS FOR INSTALLATION OF RAIN WATER HARVESTING STRUCTURES

[Regulation no. 42]

- (1) The following provisions shall be applicable for installation of Rain Water Harvesting Structures (RWHS).
- a) All the layout open spaces / amenity spaces of housing societies and new constructions/reconstruction/additions on plots having area no less than 300 sq.mt. in non gaathan areas shall have one or more Rain Water Harvesting structures having a minimum total capacity as detailed in Sub-Regulation (2) given here below:

Provided that the Authority may approve the Rain Water Harvesting Structures of specifications different from those specified here below, subject to the minimum capacity of Rain Water Harvesting being ensured in each case.
 - b) The owner / society of every building mentioned in (a) above shall ensure that the Rain Water Harvesting structure is maintained in good condition for storage of water for non potable purposes or recharge of groundwater, at all times.
 - c) 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 bylaws.

- (2) Rain Water Harvesting in 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.
- a) 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 6.00 mt. 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 bore well 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 overflow.
 - (iv) The surplus rain water after storage may be recharged into ground through percolation pits or trenches or combination of pits and trenches. Depending on the geomorphological and topographical 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 or 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) 40 mm stone aggregate as bottom layer up to 50% of the depth.
 - (b) 20 mm stone aggregate as lower middle layer upto 20% of the depth;
 - (c) Coarse sand as upper middle layer upto 20% of the depth.
 - (d) A thin layer of fine sand as top layer.
 - (e) Top 10% of the pits / trenches will be empty and a splash is to be provided in this portion in such a way that roof top water falls on the splash pad.
 - (f) Brick masonry wall is to be constructed on the exposed surface of pits / trenches and the cement mortar plastered.
 - (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.
 - vi) In case of the plots where the water table is high i.e. 10 feet less, it is not mandatory to follow the above provisions.
- b) The terrace shall be connected to the open well/bore well/storage tank / recharge pit / 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 (insects) proof wire net. For the instant discharge of rain water, there shall be at least two rain water pipes of 100 mm dia. Mtr. For a roof area of 100 sq.mt.

- c) Rain Water harvesting structures shall be sited as not to endanger the stability of building on 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.
- d) 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 is exceptional circumstances will be utilized for drinking and/or cooking purpose, it shall be ensured that proper filter arrangement and the separate outlet for 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.

APPENDIX A-XII

(A) SPECIAL PROVISIONS FOR RENTAL HOUSING PROJECT

[Regulation no. 43]

MMRDA shall be the implementing Agency for Projects of Rental Housing. Metropolitan Commissioner, MMRDA shall be Chief Executive Officer of such project. The Rental Housing Project for which MMRDA is the PIA (Project Implementing Agency) shall be a project for vital public purpose.

These regulations of Rental Housing would be applicable as under –

- 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 Rights exist in the respective Development Control Regulations of the said authorities, the F.S.I. shall be 3.00 subject to the regulations in Part -A hereto (tabled as Annexure-II).
- ii) Construction of Rental Houses on unencumbered 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 F.S.I. shall be 4.0 and out of 4.0 F.S.I. 25% of 4.0 F.S.I. shall be allowed for commercial use which can be sold in open market to subsidize the component of Rental Housing. This 4.0 F.S.I. will be subject to the regulations in Part-B hereto (tabled as Annexure-II).

[PART - 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 <u>Land TDR</u> .
(b)	Permissible FSI on site for construction of Rental Housing Project shall be 3.00 and shall be used only for rental housing.

(c)	The total built up area of Rental Houses shall mean all Built up area of residential unit 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 of the Project Implementing agency i.e. MMRDA. The construction built up area shall exclude what is set down as under :
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	<p>Exclusion from FSI computation :- The following shall not be counted towards FSI:-</p> <ol style="list-style-type: none"> a) Areas covered by stair-case rooms, lift rooms above the topmost storey, lift-wells and staircases and passages thereto, architectural features, chimneys and elevated tanks of permissible dimensions in respect of buildings in the MMR with the special permission of the Commissioner : b) Area of 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 a 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 :- <ol 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 1.5 m with the special permission of the Commissioner. i) Area of balconies not more than 10 percent of the area of the floor. 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 : 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. l) Area of one milk booth under the public distribution system with the permission of the Commissioner. m) Area of one public telephone booth and one telephone exchange (PBX) per building with the permission of the Commissioner. 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.
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	<p>o) Area of a separate letter box on the ground floor of residential and commercial buildings 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 1.52 m. (5 ft.) leading from a lift exit at terrace level to the existing staircase 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 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 of 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 given in (g) above and Construction TDR. The ratio 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 sq.mts. then TDR of 13.33 sq.mts. will be permitted to the developer as <u>Construction TDR</u> which can be sold in the open market to subsidize the total construction component of Rental Houses.</p>
(ii)	Project FSI to be sanctioned for Rental Housing project site 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 regulation.

(IV) Building details and other requirements :

1		Size of Rental unit – A Rental unit shall be of 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 up to 12.5 sq.mts. with a minimum width of 2.4km.
	(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 lit 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 30 cm. 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 staircases 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 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 mts. the minimum marginal open space shall be 6 mts. 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 plot abuts a nalla, the marginal open space along the nalla in the lay out 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:
		Length
		Width
		Up to 20 mt
		1.5 mt.
		Up to 30 mt.
		2.0 mt.

		Up to 40 mt.	2.5 mt.
		Up to 50 mt.	3.0 mt.
	(b)	Between the dimensions prescribed for the pathway & 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 require 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 to 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.

PART -B

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 MMR 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 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 lease 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 4.0 FSI shall be allowed for commercial use and can be sold in open market to subsidize the component of Rental housing.
(b)	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 for Rental Houses but excluding what is set down as under: Exclusion from FSI computation: The following shall not be counted towards FSI:-
	<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 tanks of permissible dimensions in respect of buildings in the MMR with the special permission of the Commissioner:</p> <p>b) Area of 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 a 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> <p>(i) Lofts</p> <p>(ii) Meter rooms</p> <p>(iii) Porches</p> <p>(iv) Canopies</p> <p>(v) Air-conditioning plant rooms.</p> <p>(vi) Electric Sub stations</p> <p>(vii) Service floor of height not exceeding 1.5 m.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>

	o) Area of a separate letter box on the ground floor of residential and commercial buildings with five or more storeys to the satisfaction of the Commissioner.
	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 a building to reach tenements not having direct access to a new lift in a building without an existing lift.
c)	There shall be Welfare Hall and Balwadi in each project as 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.
d)	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 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 of 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 bet hectare.
		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 up to 12.5 sq.mts with a minimum width or 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 lit 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 30 cm. and in areas subject to flooding the plinth shall be higher than the high flood level.
7		External Walls: Minimum 150 mm 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 up to 24 mt.the front & marginal open space shall be 3.6 mt. for these buildings, provided, however that space shall be 3.6 mt. for these buildings, Provided, however that in case of these buildings having height more than 24 mts the minimum marginal open space shall be 6 mts. 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 plot abuts a nalla, the marginal open space along the nalla in the lay out 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		<i>Any composite building (Rental Housing Project Building + commercial Building)</i> 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>2.0 mt</td> </tr> <tr> <td>Upto 40 mt</td> <td>2.5 mt.</td> </tr> <tr> <td>Upto 50 mt</td> <td>3.0 mt.</td> </tr> </tbody> </table>	Length	Width	Upto 20 mt	1.5 mt	Upto 30 mt	2.0 mt	Upto 40 mt	2.5 mt.	Upto 50 mt	3.0 mt.
Length	Width											
Upto 20 mt	1.5 mt											
Upto 30 mt	2.0 mt											
Upto 40 mt	2.5 mt.											
Upto 50 mt	3.0 mt.											
	(b)	Between the dimensions prescribed for the pathway & 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(b) above.										
14		All relaxation for the Commercial Building – Relaxation contained in sub regulation No.9(a), (b), (c),)d) 11(b), 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.

APPENDIX A-XII

(B) Regulations for Development of Special Townships in Vasai-Virar Sub-Region and Surrounding Notified Area

[Regulation no. 44]

The above modification under Section 37 of MR & TP Act, 1966 was done by CIDCO vide notification no. TPS-1208/Vasai Virar D.P.DCR/UD-12 dated 04/02/2008 and further went to Government for approval vide letter no. CIDCO/ACP(NT)/2008/196 dated 22/12/2008.

A. GENERAL REQUIREMENTS

1. **Applicability** – These Regulations would be applicable to the area under the sanctioned Development Plan of Vasai-Virar Sub-Region and surrounding Notified area excluding area under Maharashtra Industrial Development Corporation and Special Planning Authority, where the land has been or proposed to be acquired.
 - 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 plantation zone, No Development Zone, Cattle Shed Zone, 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 archeological importance, archeological monuments, heritage precincts and places, any restricted areas, notified national parks, existing and proposed industrial zone, gaothan areas and congested areas, truck terminus specially earmarked on Development Plan, wildlife corridors and biosphere reserves, eco-sensitive zone/area, quarry zone and recreational tourism development zone, catchment areas of water bodies, defence areas, cantonment areas, notified area of SEZ, designated Port/Harbour areas and Recreational Tourism Zone.
 - 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 themselves 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 township. All the onsite infrastructures, i.e. roads, including D.P. roads, approach roads, 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 amenities of proposals, if any designated in the Development Plan, in accordance with the prevailing regulations.

(a) **Water Supply**–The developer shall be required to develop the source for drinking water (excluding the groundwater source) or secure firm commitment from any water supply authority for meeting the daily water requirement of minimum 140 liters per capita per day exclusive of requirement of water for fire fighting and gardening. The storage capacity of the same shall be at least 1.5 times of the actual regulated quantity as determined by expected population (Resident and Floating) and other uses. The developer would be required to develop proper internal distribution and maintenance system and shall specially undertake rain water harvesting, groundwater recharging and waste water recycling projects within the Township.

(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. Recycling of 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.

(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 township shall not cause damage to ecology. Environmental clearance shall be obtained from the Ministry of Environment and Forest, Government of India (MOEF) 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 parks/gardens/play grounds 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. However, non-agriculture assessment will commence from the date of sanction of scheme as per Regulation No.7(c).

(b) **Stamp Duty**-The stamp duty rates applicable to 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 Special Township area shall be leased out to the developer at the prevailing market rate on usual terms and conditions, without any subsidy.
- (e) Relaxation from Mumbai Tenancy and Agriculture Land Act.- The condition that only the agriculturist will be eligible to buy the agriculture land shall not be applicable in Special Township area.
- (f) Ceiling of agricultural Land – There shall be no ceiling limit for holding agriculture land to be purchased by the owner/developer for Special Township project.
- (g) Exemption from Urban Land (Ceiling and Regulation) Act, 1976 – Special Township Project 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 Special Planning Authority/Municipal Corporation/Municipal Council for processing the development proposal on certain terms and conditions as may be decided by the concerned Special Planning Authority/Municipal Corporation/Municipal Council functioning in the area.
- (i) Floating FSI – There will be floating FSI in the township, Unused FSI of one plot can be used anywhere in the whole Special Township area.
- (j) Special Benefits – Special benefits, concessions in respect of Star Category Hotels, Hospitals, 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 and 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 spell out in the prevailing planning standards in respect of development Plans 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 neighborhoods or in plotted development work proper road grid. Out of the total built-up area proposed to be utilized which is permissible as proportionate to zoning of area under such township, at least 60% of the area shall be used for purely residential development and further out of the total built-up area proposed to

be utilized for residential development, 10% shall be built for residential tenements having built-up area upto 40 sq.mt.

- (b) Commercial – The commercial are shall be properly distributed in hierarchical manner such as convenient shopping, community centres etc.
- (c) Educations – 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 concentrated at one place. All such complexes should have adequate allocation are for playground. Minimum area required for educational purpose shall be as per prevailing planning standards.
- (d) Amenity Spaces- The area allocation for amenity space providing amenities like markets, essential shopping area, recreation centers, town hall, libraries 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 standards.
- (f) Parks, Gardens and Play grounds – The Township shall also provide at least 20 percentage of the gross area of township as parks/gardens/play grounds without changing the topography . this should be exclusive of the statutory open spaces to be kept in smaller layouts 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 knitted with proper road pattern, taking into consideration the linkages with existing roads within the township and in outside area as well. All such roads shall be developed by the developer as per standards as per standards and road widths shall be as given below-
 - 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 of 9.00 mt.
- (i) Service Industries – In the Special Township area, lands required for commercial uses, industrial uses, permissible in residential user, may also be earmarked. Provided 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 the Special Planning Authority.
- (iii) Development Plan reservations in the Township area, shall not be handed over to the Special 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 thereupon.
- (v) Minimum parking shall be provided as per the Development Control and Promotion Regulations prescribed under the Development Plan provided that for hotel, restaurants, colleges schools, educational institutions, hospitals, polyclinics and diagnostic centres, offices, Mangal Karyalayas, town halls, 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 from side shall be provided for visitor's parking.

5. Development Control and Promotion Regulations - Prevailing Development Control and Promotion Regulations of sanctioned Development plan as well as provisions of MOEF, CRZ notification dated 19th February 1991 amended from time to time shall be applicable mutatis mutandis except those expressly provided in these special regulations.

5.1 Special Township in Residential, Residential with Green Zone-

- (i) The total built-up Area/FSI of entire gross area of the Special Township declared as per Regulation No.1.1 excluding the area under Green Zone, if any, included in the project shall be 1.00. The FSI for areas outside the CRZ limits from Green Zone if any included in Special Township Zone shall be 0.5 in proportion to the area of these Zones. There will be no limit of total built up Area/FSI for the development of individual plots. Height of building shall be as per prevailing Development of individual plots. Height of building shall be as per prevailing Development Control and Promotion Regulations prescribed for Vasai-Virar Sub-Region. However, it may be increased subject to provisions of fire fighting arrangements with prior approval of the Chief Fire Officer, CIDCO/Municipal Council, utilization of DRC's originated for 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 partly in Residential Zone and partly in Green Zone, the provision applicable to such scheme shall be proportionate to the are under the respective zoning as per the sanctioned Development Plan.
- (iii) Special Township in Special Residential Zone shall be permissible as per (i) above subject to restriction on the tenement size as per DCR applicable to Vasai-Virar Sub-Region as amended, from time to time.
- (iv) Special Township in Low-Density Residential Zone shall be permissible as per (i) above subject to restriction of the FSI prescribed in the DCR of Vasai-Virar Sub-Region as amended, from time to time.

5.2 Special Township in Green Zone-

- (i) Development of Special Township Project in Green 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 0.50 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 area lying outside the CRZ limits from Green Zone.

5.3 General Regulations-

- (i) In the event special Township project contains sites reserved for public purposes (buildable reservations) in Development Plan, for which the Appropriate Authority is any department of State Government/Central Government 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 utilize additional floor space over and above per FSI permissible (equivalent to the built up 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 the Special Planning Authority/concerned Municipal Council 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 Institutes, for the resistance of earth quake fire safety and natural calamities' :

- (iii) Upper and lower ground floor type construction shall not be allowed.
- (iv) In Special Township Schemes under Residential Zone/Urbanisable Zone and Green Zone, trees at the rate of minimum 150 trees per ha and 400 trees per ha. Respectively shall be planned and maintained by the developer.
- (v) Once 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 Planning Authority. 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 Special Planning Authority. 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 and 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 and a copy of 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 under section 45 of Maharashtra Regional and Town Planning Act, 1966 in consultation with the Director of Town Government 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 and 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 Government for sufficient reasons. Application for renewal has to be made to Government before expiry of one year. These special Regulations shall not be applicable to the area where such clearance/approval have 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 the Special Planning authority 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 at least 50 Percentage of area under scheme and other particulars as decided and directed by the Special Planning authority, details of qualified technical staff and consultants 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 Special Planning authority. The developer shall also submit an undertaking and execute an agreement about development and maintenance of basic infrastructural amenities in future with bank guarantee of 15 Percentage of its development costs. The Special Planning authority shall conduct proper enquiry and ensure the correctness of title and ownership etc., only after such verification, the Special Planning Authority 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 the Special Planning authority. The period required for Technical consultation with Deputy Director of Town Planning, Konkan Division, Konkan Bhavan, Navi Mumbai shall not be computed.

Anyone aggrieved by an order passed under prevailing Development Control and Promotion Regulations may, within forty 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) Extent 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 and 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, playgrounds and other amenities.
 - (ii) Detailed layout plans, building plans of all development with area of all sectors 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, maintenance, taxation etc.
 - (iv) Details of zoning and area under such zone.
 - (v) Details of FSI/Total built-up area proposed to be utilized in the scheme.
 - (vi) Details of Eco friendly amenities provided
 - (vii) Plan showing road hierarchy and road widths, pedestrian facilities, street furniture, plantation, side walk-ways, sub-ways 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 Special Planning authority.

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/Municipal Commissioner.

- 8. Implementation and completion-**
- Development of Basic Infrastructure and Amenities shall be completed by the developer to the satisfaction of the Special Planning Authorities, as per phase of scheme, Development of the scheme shall be completed within 10 years from the date of final sanction to the layout plan of scheme.
- No building in the scheme is permitted to be occupied in any manner unless Occupancy Certificate is issued by the Special Planning Authority.
- Final completion certificate for the scheme is to be issued by the Special Planning Authority in consultation with Maharashtra Pollution Control Board, Tree Authority as far as tree plantation is concerned and Chief Fire Officer of the Special Planning Authority or of the concerned Municipal Council.
- 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.
- 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. Work is done as per the sanctioned plans.
- Built-up area and FSI consumed in scheme is as per sanctioned plan of the scheme
- If it is found that extra built-up area/FSI is consumed in the scheme at any time, it shall be demolished by Developer at his own cost as directed by the Special Planning Authority within one month from the order.
- 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 the Regulations. The decision of Government on the interpretation of these Regulation shall be final and binding on all concerned.
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APPENDIX A-XIII**(A) REGULATIONS FOR THE GRANT OF TRANSFERABLE DEVELOPMENT RIGHTS (TDRs and DRs) TO OWNERS/DEVELOPERS AND CONDITIONS FOR GRANT OF SUCH RIGHTS**

[Regulation No. 18, Note 11]

- 1) The owner (or lessee) of a plot of land which is reserved for a public purpose or for road proposal in the development plan shall be eligible for the award of Transferable Development Rights (TDRs) as per section 126 of M. R. & T. P. Act 1966. These TDRs shall be in the shape of Floor Space Index (F.S.I.) in the form of Development Right Certificate (DRC) which he may use or transfer to any other person.
- 2) As stipulated in Regulations 1 of above, the transferable developments rights to the extent specified in regulation nos. 5 and 6 of this Appendix shall be used after the plot is surrendered without claiming monetary compensations. Transferable Development Rights (TDR) shall not be permissible once an award has been declared under the acquisition process and or the possession has already been delivered to the Municipal Corporation under any Act.
- 3) Development Rights (DRs) shall be granted to an owner or a lessee only for reserved lands, which are retainable, under the Urban Land (Ceiling and Regulations) Act, 1976, wherever applicable. As for non-retainable land under the provision of the said Act, only after production of a certificate from the appropriate Authority under that Act, a Development Right will be 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 case where development of a road or reservation has not been implemented i.e. TDRs will be available only for prospective development of roads and reservations which will be solely decided by the Competent Authority. However, in case no compensation is received by the Applicant, the Municipal Commissioner can grant compensation for such implemented cases.
- 4) Development Rights Certificates (DRCs) shall be issued reservationwise and ownershipwise by the Competent Authority after carrying out demarcation and measurement as well as after ascertaining the title of the land. The certificate shall state the size of plot, survey number, built up area in square meters (all these details in figures and in words) to which the owner or lessee of the said reserved plot is entitled, the place and user zone in which the DRC is earned and the areas in which such credit may be utilised.
- 5) The built up area for the purpose of F.S.I. credit in the form of DRC shall be equivalent to the area of the reservation.
- 6) If a holder of a DRC intends to transfer it to any other person, he shall submit the DRC to the Competent Authority 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 Competent Authority, the transfer shall not be valid and the Certificate will be available for use only by the original holder.
- 7) A holder of a DRC who desires to use the F.S.I. credit certified therein on a particular plot of land shall attach to his application for development permission valid DRC to the extent required.

- 8) A DRC shall not be valid for use on receivable plots in the following cases :-
- (a) Coastal Regulation Zone, and areas designated as Gaothans / congested area.
 - (b) On plots for housing schemes for EWS of MHADA for which additional F.S.I. is permissible as per Appendix A-XVII.
 - (c) On narrow plots.
 - (d) Quarry Zone and Cattle Shed Zone.
- 9) With an application for development permission, when an owner seeks utilisation of DRs, he shall submit the DRC, to the Competent Authority which shall endorse thereon in writing in figures and words, the quantum of DRs proposed to be utilised before granting development permission. When the development is complete, it shall endorse on the DRC in writing, in figures and words - the quantum of DRs actually utilised and the balance thereafter, if any, before issue of occupation certificate. If the quantum of balance development rights is zero then no DRC will be issued.
- 10) A DRC shall be issued by the Competent Authority, as a certificate printed on bond paper in an appropriate form. Such a certificate will be transferable "negotiable instrument" after due authentication by the Competent Authority shall maintain a register - in a form considered appropriate by it, of all transactions, etc. relating to grant of / utilisation of DRs.
- 11) Disposal of Land : The surrendered reserved land for which a DRC is to be issued shall vest absolutely in the Municipal Corporation. Such land will be transferred in the City Survey Records in the name of the Planning Authority. The surrendered land so transferred to the Municipal Corporation in respect of which the Municipal Corporation is not the Appropriate Authority for reservation, may, on application, thereafter allot such land to the appropriate authority concerned, which may be a State or Central Government Department, a public authority, a registered society or charitable institution or a public Trusts on appropriate terms as may be decided by It, and as per its land disposal policy.
- 12) For authorised structures falling in the D.P. road reservation, TDR will be given equal to the total land area affected and built up area of structure affected provided that the cost of demolition or reconstruction is borne by owner.
- 13) Concession in ultimate marginal distance requirement and in the height limitations prescribed in the Regulation No. [37.(1)] in a multibuilding proposal shall be given to the extent of 25 %, without charging any premium or compounding fee. The provisions of Regulation No. [37.(1)] shall not be made applicable in such proposals. *However the above shall be subject to minimum front margin and parking and fire fighting facilities shall not be compromised.*
- 14) Concession in Recreational Ground upto 50%, by charging premium as decided by Municipal Corporation, may be permitted for the plot where TDR is utilised.
- 15) **ZONES FOR UTILISATION OF FSI GENERATED BY WAY OF TDR :**

(SUBJECT TO REGULATION NO.8 OF THIS APPENDIX)

TABLE-41

GENERATION ZONE	UTILISATION ZONE
ZONE 1 Area around stations as has been marked on the development plan.	In any Generation Zone
ZONE 2 Area of U-zone falling in Municipal limits, except area of Zone 1 and area of U-zone outside Municipal limits	In Generation Zone No. II
ZONE 3 Area of Green zone, Plantation zone and Low Density Development zone	Public buildings in Green zone, Plantation zone and Low Density Residential zone and Residential building in Green zone.

Notes:

- a) Municipal limits shall be considered as those existing prior to formation of Municipal Corporation
- b) U Zone mentioned above shall include High Intensity Development areas and Low-Density Residential Zone stated under Regulations Nos. 10. A) and 10. B) respectively.
- c) FSI generated in any zone shall be 1.00, where as consumption shall be as per above Table-41.
- d) DR/TDR generated from Green zone can be utilized in U-zone on certain percentage as per the discretion of Commissioner.

16) FEES AND VALIDITY :

- i). The scrutiny fee and fee for transfer of DRC shall be as per clause (H) of Appendix B-III.
- ii). The principal DRC shall be valid for a period of 5 years from the date of issue. Thereafter, it shall have to be got revalidated from the Municipal Corporation on payment as mentioned in clause (H) of Appendix B-III in every five years.
- iii). Transferee's DRC shall be valid only for a period of 2 years or upto the date of principal DRC - whichever is earlier. Thereafter the transferee's DRC shall be got revalidated on payment as mentioned in clause (H) of Appendix B-III in every two years.
- iv). In the following cases no DR will be granted.
 - a) Any existing or retention user or any statutory open space of a layout shown in the development plan.
 - b) Lands falling under the Railway and National Highways.
 - c) For any reservation designated on the lands (vesting) in local authority, Govt. or any agencies of the State or Central Govt or Public undertakings. However, such agencies can utilise the F.S.I. of the reservations on the (remaining) land, if any.
 - d) Land under disputed ownership.

17) Modalities for grant of TDR :

- I. The built up area for the purpose of F.S.I. credit in the form of DRC shall be equal to the land area under the reservation surrendered to the Competent Authority free of cost, free from all encumbrances and with proper reclamation to the satisfaction of the Competent Authority.
- II. DRC will be granted only if the proposal is received for the land under the reservation except the DP Road and the shape and size is acceptable to Competent Authority.
- III. The onus of proving the ownership of land while submitting application for grant of development right certificates shall solely lie on the applicant. The Competent Authority will not be responsible for any litigation arising out of ownership disputes. An Indemnity Bond in this regard will be submitted by the owner.

18) Utilisation of TDR :

DRC may be used on one or more plots of land whether vacant or already developed or by erection of additional storeys, or in any manner consistent with these regulations. Minimum unit for utilisation of TDR shall be 10 sq.m.

**(B) REGULATIONS FOR THE GRANT OF TRANSFERABLE DEVELOPMENT
RIGHT TO OWNERS / LESSEES OF HERITAGE BUILDINGS / HERITAGE
PRECINCTS AND CONDITIONS FOR GRANT OF SUCH RIGHTS**

[Regulation 10.C)(3)]

- i. As provided in sub-regulation (3) of (C) of Regulation no. 10 , and as mentioned in Rule 3(vi) of Appendix A-VII, Development Right of the owner/lessee of any Heritage buildings who suffers loss of Development Rights due to any restrictions imposed by the Commissioner or Government, under sub-regulation (3) of (C) of Regulation no. 10, shall be eligible for award of Transferable Development Rights (TDR) 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 Heritage Building to FSI in the form of a Development Rights Certificate (DRC) which he may use himself or transfer to any other person.
- ii. A DRC will be issued only on the satisfactory compliance with the conditions prescribed in this Appendix.
- iii. If a holder of a 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 holders name, i.e, transferee on the said Certificate. Without such an endorsement of the new holders 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. 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.
- iv. A holder of a DR who desires to use the FSI credit certified therein on a particular plot of land shall attach to his application for development permission valid DRC's DRC's to the extent required.

- v. A DRC shall only be valid for use on receivable plots in the urbanizable zone in areas shown in the diagram.
- vi. A user that will be permitted for utilization of the DRC's on account of transfer of development rights will be as under:

TABLE-42
ZONES FOR UTILISATION OF FSI GENERATED BY WAY OF TDR TO OWNERS/LESSEES OF HERITAGE BUILDINGS

	Zone in which designated/reserved plot is situated	User to be permitted in receiving area
1.	Plantation zone	Only residential user and in urbanizable zones only.
2.	Unbanizable zone	
3.	Green zone	
4.	Cattle shed zone	

- vii. DRCs may be used on one or more plots of lands whether vacant or already developed or by the erection of additional storey's, or in any other manner consistent with these regulations, but not so as exceed in any plot a total built-up FSI higher than that prescribed in clause (ix) below in this Appendix.
- viii. The FSI of receiving plot shall be allowed to be exceeded by not more than 0.4 in respect of a DR available in respect of Heritage Buildings and up to a further 0.4 in respect of DR available in respect of land surrendered for road-widening or construction of new roads, where the said road (is) shown as passing through the receiving plot itself.
- ix. With an application for development permission, where an owner/lessee seeks utilization of DRs, he shall submit the DRC to Commissioner who shall endorse thereon in writing in figures and words, the quantum of the DRC proposed to be utilized, 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.
- x. 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. relating to grant of utilization of DRC.
- xi. The Development Control regulation which controls the FSI permissible in the Urbanizable, the Plantation Zone, the Green Zone is consonant with the nature of heritage assets in the precinct and therefore need not be modified. However they should not be further increased in these areas. Otherwise they would be a threat to the character of precincts observed.

APPENDIX C-XIV

PER CAPITA WATER REQUIREMENT OF VARIOUS OCCUPANCIES /USES

[Regulation no. 55.c]

TABLE-43
PER CAPITA WATER REQUIREMENT

Sr. No.	Type of Occupancy	Consumption. In Litres per capita per day (Lpcd)
1.	RESIDENTIAL	
	(a) In living unit located on plots less than 50 sqm. in area	90
	(b) In other living units	135
	(c) Hotels with Lodging accommodation (per Bed)	180
2.	EDUCATIONAL	
	(a) Day Schools	45
	(b) Boarding Schools	135
3.	INSTITUTIONAL (Hospitals)	
	(a) No. of beds not exceeding 100	340
	(b) No. of beds exceeding 100	450
	(c) Staff quarters and hostels	135
4.	Cinema theatres, auditoria etc. (per seat of accommodation)	15
5.	Government or semi-public business offices	45
6.	Mercantile use	
	(a) Restaurants (per seat)	70
	(b) Other business buildings	45
7.	INDUSTRIAL	
	(a) Factories where bath rooms are to be provided	45
	(b) Factories where no bath rooms are required to be provided.	30
8.	Storage including warehousing	30
9.	Hazardous building	30
10.	Intermediate / stations (Excluding mail & Express Stops)	45 (25)
11.	Junction stations	70 (45)
12.	Terminal / stations	45
13.	International and domestic airports	70

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

Note:-

- (1) The number of persons for Sr.No. (10) to (13) shall be determined by the average number of passengers handled by the station daily. Due consideration may also be given to the staff and workers likely to use the facilities.
- (2) As regards the requirement of water for cattle sheds, the norm prescribed by the Animal Husbandry and Dairy Development Department shall be followed.

**TABLE-44
FLUSHING STORAGE CAPACITIES**

Sr.No. (1)	CLASIFICATION OF BUILDINGS (2)	STORAGE CAPACITY (3)
1.	For tenements having common convenience.	900 litres per WC Seat.
2.	For residential premises other than tenements having common convenience.	270 litres for one WC Seat & 180 litres for each additional seat in the same flat.
3.	For factories and work shops.	900 litres per WC seat and 180 litres per urinal seat.
4.	For cinemas, public assembly halls etc.	900 litres per WC seat & 350 litres per urinal seat.

**TABLE-45
DOMESTIC STORAGE CAPACITIES**

Sr.No.	No. of floors	Storage capacity	Remarks
I For premises occupied as Tenements with Common conveniences.			
1	Floor 1 (Ground)	Nil	Provided no downtake fittings are installed.
2	Floors 2,3,4,5 and upper floors	500* litres per tenement	
II For premises occupied as Flats			
1	Floor 1	Nil	Provided no downtake fittings are installed.
2	Floor 2,3,4,5 and upper floors	500* litres per tenement	

NOTE: 1 - If the premises are situated at a place higher than the road level in front of the premises, storage at ground level shall be provided on the same lines as on floor 2.

NOTE: 2 - The above storage may be permitted to be installed provided, that the total domestic storage calculated on the above basis is not less than the storage calculated on the number of downtake fittings according to the scales given below.

Downtake taps	70 litres each
Showers	135 litres each
Bathtubs	200 litres each

* Subject to provisions of Water Supply and Drainage rules.

APPENDIX C-XV

SANITATION REQUIREMENTS FOR VARIOUS USES/OCCUPANCIES

[Regulation No.55. d)]

TABLE-46

Sr. No	Type of Occupancy	Water closets with ablution taps	Bath rooms with water taps	Urinals with water taps	Cleaner s sinks	Was h basin s
1.	<u>Residences</u> i) Dwelling with individual convenience.	1	1	--	1	--
2.	<u>Shops</u> i) For 10 convenience shops or part these of ii) For 5 shops other than (a) above.	1 1	-- --	2 2	-- --	1 1
3.	<u>Mercantile & Business Occupancy</u> i) For every 25 persons or part thereof for Male. ii) For every 15 persons or part thereof for Female	1 1	-- --	3 2	1/ unit 1/ unit	2 2
4.	<u>Hotels & Lodging Houses</u> i) <u>For residential & staff</u> a) For every 10 Male staff or part thereof b) For every 10 Female staff or part thereof ii) <u>For non-residential staff</u> a) for 20 males or part thereof b) for 15 females or part thereof iii) <u>For Public Rooms</u> a) for 100_males or part thereof b) for 50 females or part thereof	1 1 1 1 1 1	1 1 -- -- -- --	1/ 25 persons 1/ 15 persons 2 2 2 --	1 for 25 beds -- -- -- --	1 1 2 2 1 1
5.	<u>Restaurants & Bars</u> i) for public for every 50 seats or part therefore	1 for male 1 for female	--	2 for male	--	2
6.	<u>For staff</u> i) <u>Nursery schools for every 30 pupils or part thereof</u> ii) <u>Residential Institutions</u> a) for every 25 boys or part thereof b) For every 25 girls or part thereof	1 3 4	-- 3 4	1 1 1	-- 1 /floor 1 /floor	2 2 2

	iii) <u>Non residential other/ Educational Institutions.</u> a) for 80 boys or part thereof b) for 60 girl or part thereof	1 1	-- --	4 3	-- --	2 2
7.	Hospitals & indoor patients medical institutions. (i) <u>Hospital</u> a) for every 8 beds & part thereof i) for male ward i) for females b) for 100 daily outdoor patients or part thereof i) for male ii) for females c) Administration Unit & for staff. i) for 25 males or part thereof ii) for 15 females or part thereof (ii) <u>Medical staff hostels including nurses Hostels.</u> a) for 6 male persons or part thereof b) for 4 female or part thereof c) for 4 nurses or part thereof	1 1 1 1 1 1 1 1	1 1 -- -- 1 1 1	-- -- 4 2 1 -- -- 1	1 / ward 1 / ward 1 per floor 1 / floor 1 / floor 1 /floor 1 /floor 1 /floor	4 4 2 1 1 1 1 1
8	Govt. semi. Govt. & public occupancy offices i) for every 25 males or part thereof ii) for every 15 females or part thereof	1 1	-- --	2 2	1 /floor 1 /floor	2 2
9	Assembly building, Cinemas theatres & Auditoria & like occupancies. i) <u>For public</u> a) for every 100 males or part thereof b) for every 50 female or part thereof ii) <u>For staff</u> a) for every 15 male staff or part thereof b) for every 15 female staff or part thereof	1 1 1 1	-- -- -- --	5 2 2 1	-- -- 1 / floor 1 / floor	4 2 1 1

10	Art Galleries museums Libraries & like occupancies i) <u>For Public</u> a) for every 200 males or part thereof b) for every 40 females or part thereof ii) <u>For staff</u> a) for every 15 male staff or part thereof b) for every 10 female staff or part thereof	1 1 1 1	-- -- -- --	4 1 2 1	-- -- 1 / floor 1 / floor	1 1 1 1
11	Factories, Industries & like occupancies i) <u>For workers</u> a) for male workers of 25 or part thereof b) for female workers of 15 or part thereof ii) <u>For administrative & supervising staff</u> a) for every 1 male staff or part thereof b) for every 10 female staff or part thereof	1 1 1 1	-- -- -- --	2 1 1 1	1 1 1 1	1 1 1 1
12.	<u>Any other Occupancy</u> i) For every 25 persons or part thereof for Male. ii) For every 15 persons or part thereof for Female	1 1	-- --	3 2	1/ unit 1/ unit	2 2

Note :

- i. Sanitation requirements for occupancies other than mentioned above shall be provided as prescribes in part IX section 2 (Drainage & sanitation) of National building code of India.
 - ii. Atleast one Indian style water closet shall be provided in each occupancy separately for males & females.
 - iii. All the flush tanks provided in W.C./ Toilets shall have dual valve system to regulate the flow of water. Inter alia, cisterns of toilets shall have a capacity not exceeding 10 litres.
 - iv. Water recycling plants/ effluent treatment plants/ package treatment plants shall have to be provided in all layouts having an area of 2 Ha or more in the Urbanisable Zone. Municipal Commissioner may insist provision of suitable systems for recycling of water depending on the size of the proposal, user and other environmental considerations.
 - v. Wherever crèches are attached with the occupancies atleast are wash basin and one water closet for every 10 persons or part thereof shall be provided.
 - vi. For occupancies like restaurants Hotels assembly halls, Cinemas, Theatres, Museums, Libraries, Art galleries and offices male to female ratio shall be taken as 2:1.
 - vii. For staff in educational occupancies, sanitation requirements shall be taken as mentioned for office occupancy at Sr. No. 8.
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APPENDIX B-XVI

REGULATIONS FOR RECONSTRUCTION OR REDEVELOPMENT OF BUILDINGS IN CONGESTED AREAS / URBAN RENEWAL SCHEMES

[Regulation no. 20(13)]

1.1. "Reconstruction or redevelopment of buildings in congested areas" means buildings within areas where inadequate infrastructure or amenities have been provided in the opinion of the Municipal Commissioner/Other Competent Municipal Officer and which consists of a mix of structures of different characteristic as given below.

"Urban Renewal Scheme" means any scheme for areas specifically determined by Corporation from time to time and which consists of a mix of structures of different characteristics such as -

- i) Buildings came in existence prior to establishing planning authority in Municipal Limits
- ii) Buildings erected before 1.4.1982 (a date 30 years prior to date of notification for this regulation) or buildings acquired by MHADA under MHADA Act, 1976.
- iii) All buildings belonging to the Government, semi Government and Municipal Corporation including institutional buildings, office buildings, tenanted municipal buildings and buildings constructed by MHADA, that are constructed prior to 1.4.1982 (a date 30 years prior to date of notification for this regulation) . However, prior permission of concerned department shall be obtained before granting development permission.
- iv) Other buildings which are, irreparable or have structural / sanitary defects, unfit for human habitation or are by reasons of their bad configuration or the narrowness of streets, dangerous or injurious to the health of the inhabitant of the area as may be certified by the officer designated by provisions of any Act.
- v) Provided that building erected after 1.4.1982 (a date 30 years prior to date of notification for this regulation) which fulfills the above conditions shall be considered with prior approval of Corporation.
- vi) Areas/settlements declared as Insanitary huts and sheds under section 308 of BPMC Act 1949 or such other reference date notified by the government,
- vii) Any land belonging to the Government, semi Government, Municipal Corporation or MHADA (either vacant or built upon) which have been given on lease or have the tenure of Occupant Class II which falls within the proposed Urban Renewal Scheme shall be made available for the project subject to payment of premium at the rate of 25% of the Ready Reckoner rate of that year.

Explanation: If some areas are previously developed/ are in the process of development, under the different provisions of the DCR, such areas can be included in development under provisions of this clause for the purpose of calculation of area of development. However, it shall be necessary to obtain consent of owner/owners of such areas to become part of the cluster.

2. Eligibility for Reconstruction/ Redevelopment or Urban Renewal Scheme :

a. Buildings:

- i. No new tenancy/ownership or any new rights on the tenements created after date of this notification shall be considered. However, the Director of Town Planning may issue comprehensive guidelines for determination of eligibility of occupiers and tenants therein.

- ii. The list of occupants and area occupied by each of them in buildings excepting buildings owned by MHADA shall be certified by Municipal Corporation. The list of occupants and area occupied by each of them in buildings owned by MHADA, shall be certified by Competent Authority of MHADA.
- b. For Areas/settlements having insanitary huts and sheds:
 - i. All the inhabitants of existing structures whose names and structures are included in the Assembly Election roll of 1/1/2012 or such other reference date notified by the government or a date prior thereto and who are staying there at.
 - ii. A structure shall mean all the dwelling areas of all persons who are enumerated as living in one numbered house in the electoral roll of the latest date, upto 1st January 2012 and regardless of the number of persons, or location of rooms or access.
 - iii. The eligibility of the participants will be certified by the Competent Authorities as notified under the provisions of section 308 of BMC Act 1949.
3. a) Redevelopment or Reconstruction under Scheme may be permitted in pursuance of an irrevocable written consent by not less than 70% of the plots (i.e. consent by 70% of the eligible tenants/occupiers of the plot/tenements or by the land owner of the plot). However, in case of Urban Renewal Scheme, if such consent cannot be obtained, then Municipal Corporation can undertake such development directly without consent of 70% tenants/occupiers or owners for reconstruction or redevelopment. However, procedure as per Chapter XVI of BMC Act, 1949 shall be followed.
 - b) All the eligible occupants / tenants of the building shall be rehabilitated in the redeveloped building.
 4. Each occupant/ tenant shall be rehabilitated and given the carpet area occupied by him for residential purpose in the old building subject to the minimum fixed carpet area of 27.88 sq.mt. (300 sq.ft.) and maximum area equivalent to the area occupied in the old building. In case of non-residential occupier, the area to be given in the reconstructed building will be equivalent to the area occupied in the old building.
 5. The FSI for rehabilitation of the existing tenants / occupiers in a redevelopment / reconstructed building, owners share, Corporation's/MHADA's share and incentive FSI shall be as under –
 - a) The total permissible FSI shall be on gross plot area excluding reservations / designations, but including the built up area under reservation / designation. However, for Urban Renewal Scheme where new roads are being proposed which are wider and more planned than the existing roads, the existing roads or Development Plan roads will be deleted from the plan without following any process under Section 37 of MR & TP Act, 1949.
 - b) The incentive FSI admissible against the FSI required for rehab shall be 150% of existing Built Up area.
 - c) Provided that augmentation of area of cluster is not allowed after completion of scheme.
Provided further that amalgamation of the plots from Revenue Department shall be insisted before applying for commencement certificate.
 - d) In the proposal of maximum 4.00 FSI the permissible maximum FSI over and above "rehab + incentive" as per (b) above shall be shared in terms of built up area between Municipal Corporation/MHADA (in proportionate to their plot areas) and private developer in Joint Venture in the ratio of 1:1.5.
Provided that the area equivalent to the market value of area admissible as per the prescribed percentage of built up area and the share of built up area admissible

under 5(a) and 5(c) respectively can be made available within the same municipal ward of Municipal Corporation with special permission of Municipal Commissioner.

- e) In the urban renewal scheme for those structures containing other than as mentioned in 1.1 above, for the land component area beneath such structure, the FSI shall be admissible as per rule No.13 and for remaining plot of land area the FSI shall be admissible as per 5(a) to (c) above.

With the prior approval of the High Power Committee, occupant of tolerated structures encroaching over roads in nearby vicinity should be allowed to be included in the scheme and its built up area shall be included in rehab area, provided the structure is permanently removed.

6. From the entire FSI available under clause 5, entire rehab and Municipal Corporation/MHADA's share shall be allowed to be utilized on plot / plots under redevelopment scheme. In case of part of incentive FSI, is not proposed to be utilized on the same plot, the benefit of transferable development rights to be used as per provisions of these regulations.
7. Construction or reconstruction of slums / buildings falling under Reservations contemplated in development or those in 1.1(vi) above, shall be permitted as under –
 - a. Redevelopment / reconstruction in any zone shall be allowed to be taken in site without going through the process of change of zone. However, for the industrial user, the existing segregating distance shall be maintained from the existing industrial unit.
 - b. Any land under reservations, admeasuring only upto 500 sq.mt. may be cleared by shifting the existing tenants from that site.
 - c. If the area under reservation in the such area is more than 500 sq.mt., minimum 50% of the area under reservation shall be developed for same purpose and handed over to Municipal Corporation, subject to minimum of 500 sq.mt. and remaining land shall be allowed for development. The said provision is subject to Hon^{ble} High Court's order in Writ Petition No. 1152/2002 (City Space V/s. Govt. of Maharashtra)
 - d. All the reservations in the Development shall be rearranged if necessary with same area and same width of access road or as required under DCR, whichever is more.
 - e. For the reservation of parking lot on land, built up area equivalent to zonal permissible FSI for area under reservation in that plot shall be made available free of cost for the Corporation or for any other Appropriate Authority. Built up area to be handed over shall be free of FSI.
 - f. For other buildable reservations on land, builtup area equal to 100% of zonal permissible FSI under reservation or existing built up area of the amenity whichever is more in that plot shall be made available free of cost for the Corporation or for any other Appropriate Authority. Built up area to be handed over shall be free of FSI.
8. 30% of the incentive FSI can be used for non-residential purposes.
9. An amount of Rs. 6000/- per sq. mt. shall be paid by the owner / developer/ society as additional development cess for the builtup area over and above the normally permissible FSI, for the rehabilitation and free sale components. This amount shall be paid to the Corporation in accordance with the time schedule for such payment as may be laid down by the Municipal Commissioner provided that the payment of instalments shall not go beyond the completion of construction. This amount should be kept in separate account and shall be used for Scheme to be prepared for the improvement of

off-site infrastructure around the cluster. The above development cess shall be enhanced @ 5.00% (rounded to Rs. 500/-) on 1st February of every year.

10. For smooth implementation of the redevelopment scheme undertaken by owners and/or Co-operative Housing Society of the tenants / occupiers, the temporary transit camps may be permitted on the same land or land situated elsewhere belonging to the same owner/ developer with the concessions permissible under Appendix C-XXXV of these Regulations. Such transit camps should be demolished, after shifting the inhabitants, within one month from the date of occupation certificate granted by the Corporation for the reconstructed/rehabilitation building.
11. Non conforming activities – All activities which are existing shall be allowed to be re-accommodated regardless of the non-conforming nature of the activities except those which are hazardous and highly polluting and except in cases where the alternative accommodation have already been provided elsewhere by the Municipal Corporation.

APPENDIX A-XVII

REGULATION FOR LOW COST HOUSING SCHEMES INCLUDING THAT OF THE MAHARASHTRA HOUSING AND AREA DEVELOPMENT AUTHORITY FOR ECONOMICALLY WEAKER SECTION (EWS) AND LOW INCOME GROUPS (LIG)

[Regulation No 20.(6) and 20.(19)]

The following special regulations shall be applicable for Housing Schemes for Economically Weaker Sections. The housing schemes for Economically weaker sections undertaken by the owner other than Maharashtra Housing and Area Development Authority shall have 60% tenement of maximum built-up area of 30 sq.m. inclusive of independent toilet facilities.

1) **MINIMUM PLOT/ROOM SIZE:**

- (i) In case of a growing or incremental house for E.W.S. category on a plot of 25 sq.m. A room with a minimum carpet area 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 certificate for second phase shall be issued as required.
- (ii) Multi-purpose rooms: The minimum size of a multi-purpose room shall be 12.5 sq.m. with a minimum width of 2.4 metres.
- (iii) Cooking space (alcove): Provision of separate kitchen shall not be necessary. However, cooking space shall be allowed with a minimum size of 2.4 sq.m. and a minimum width of 1.2 metres.
- (iv) Toilet: Each tenement shall have an independent bath and WC, which may be separate or combined with minimum dimension and area, shall be as per Regulation No.6.2.2.
- (v) Height: The average height of a habitable room with sloping roof shall be at least 2.6 metres and at least two metres at eaves. In the case of a flat roof, minimum clear height shall be 2.6 metres for habitable rooms. Kitchen areas shall have minimum clear height/average height of 2.4 metres and bath and water closet (without loft) shall have a minimum height of 2.2 metres.
- (vi) Plinth: The minimum plinth height shall be 30 cm. In any case, the plinth shall be above high flood level.

2) **EXTERNAL WALLS:**

115mm. thick external brick wall without plaster shall be permitted.

3) **STAIRCASES:**

Single flight staircases without landing between the two floors shall be permitted.

4) **OPEN SPACES:**

(i) **Front -**

The front open space from internal roads having width of 9 metres or less shall be of a minimum of 1.5 metres for buildings with height up to 10 metres.

(ii) Side and Rear -

The minimum distance between two ground floor structures shall be 4.5 metres for purposes of light and ventilation of habitable rooms. In the case of toilets, deriving light and ventilation, the distance between two ground floor structures shall be 1.5 metres.

5) PATHWAYS:

They shall be as follows:

- (i) 1.5 metres width for pathways with length upto 20 metres.
- (ii) 2.0 metres width for pathways with length up to 30 metres.
- (iii) 2.5 metres width for pathways with length upto 40 metres.
- (iv) 3.0 metres width for pathways with length upto 50 metres.

6) WATER CLOSET PAN SIZE:

The water closet shall be at least 0.46 m. (18 inches) in length.

7) FLUSHING SYSTEM:

Toilets/Water closets without the provision of a flushing system may be permitted

8) SEPTIC TANK:

Septic tank shall be provided with a capacity of 141.6 litres (five cubic feet) per capita, where the municipal services are likely to be available within four to five years. Whereas, Pour Flush Waterseal latrines (NEERI Type) shall be permitted where municipal sewerage system is not available and the water table in the area is not high.

9) CONVENIENCE SHOPPING:

Convenience Shopping as defined in these Development Control and Promotion Regulations shall be permitted along layout road within the area with width of 12.0 to 18.00 metres provided a minimum setback of 1.5 metres and minimum plot area of 25.0 square metres is available.

10) RECREATION GROUND:

In the layouts, provision for recreation ground shall be as prescribed in these Regulations.

11) 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 percent of such recreation space shall be allowed to be utilised for such purposes.

12) DENSITY

- i) Density shall be upto 450 tenements per hectare of net plot area with atleast 60 percent tenements shall be built only for E.W.S. and/or L.I.G. housing.
- ii) Extra density of tenements to the extent of 20 percent over and above the permissible density will be allowed where housing schemes with 60 percent of tenements are meant for E.W.S. and L.I.G. categories.

- 13) Any owner/ developer who intends to provide housing for EWS/ LIG as per this Appendix in a General Residential zone, *Green zone or Low Density zone* shall be permitted with additional FSI of 20% over and above normal FSI if owner/ developer utilized atleast 60% of the base FSI for such affordable housing.

APPENDIX A-XVIII**ADDITIONAL FIRE PROTECTION REQUIREMENTS FOR MULTI-STOREYED,
HIGH RISE AND SPECIAL BUILDINGS**

[Regulation No. 56]

1. GENERAL

In addition to the provisions of Part IV Fire Protection National Building Code of India, the Fire Officer may insist on suitable provisions in multi-storeyed, high rise and special buildings or premises from the fire safety and fire-fighting point of view depending on their occupancy and height.

2. CONSTRUCTION

- 2.1 Load bearing elements of construction and elements of construction for which the required fire resistance is one hour or more shall be of non-combustible material. Interior finish materials (wall paintings, floor coverings etc.) may be permitted of materials having their rating for flame spread and smoke developed not exceeding a very low flame spread limit in accordance with IS:1642, 1960 (Class I). Ceiling linings shall be non-combustible or of plasterboard.
- 2.2 Stairways and corridors shall not contain combustible materials.
- 2.3 Structural members such as supports and load bearing walls shall have fire resistance rating of 3 hours, whereas transoms and ceilings shall have fire resistance rating of at least 2 hours.
- 2.4 Internal walls and partitions separating corridors from areas on floors that are used for any purpose other than circulation shall have a fire resistance of not less than one hour. There shall be no openings in such walls other than for doors or delivery hatches with fire resistance not less than half an hour. Fire sections (fire walls) sub-dividing the building to prevent fire spread, shall have a fire resistance rating not less than two hours.
- 2.5 Facades excluding windows and doors shall consist of non-combustible building materials. The minimum distance between the top of the opening on a lower floor and the sill of that on the floor above it shall be 0.9 m., so that the fire would have to travel at least 0.9 m. between storeys.

3. STAIRCASE ENCLOSURES

- 3.1 At least one fire staircase of 1.5 m. width shall be provided for building height more than 15m. but less than 24m. In case of buildings with height more than 24 m., two staircases shall be provided of which one shall be fire staircase as per Fire Officer's specifications.

The internal enclosing walls of staircases shall be of brick or R.C.C. construction with a fire resistance of not less than two hours. All enclosed staircases shall be reached via a ventilated lobby and shall have access through self-closing doors of at least half an hour fire resistance. These shall be single swing doors opening in the direction of the escape. The door shall be fitted with check section door closers. The floor landing of staircases shall not form part of common corridor.

- 3.2 The staircase enclosure on the external wall of a building shall be ventilated to the atmosphere at each landing or mid-landing.

- 3.3 A permanent vent at the top equal to 5 percent of the cross sectional area of the enclosure and openable sashes at each landing level with area not less than 0.5 sq.m. on the external wall shall be provided. The roof of the shaft shall be at least 1 m. above the surrounding roof. There shall be no glazing or glass bricks in any internal enclosing wall of a staircase. If the staircase is in the core of the building and cannot be ventilated at each landing, a positive pressure of 5 mm. water gauge by an electrically operated blower shall be maintained.
- 3.4 The mechanism for pressuring the staircase shaft shall be so installed that it operates automatically and also manually when the automatic fire alarm operates.

4. LIFT ENCLOSURES

- 4.1 The walls enclosing the lift shafts shall have a fire resistance of not less than two hours. Shafts shall have permanent vents at the top having a clear area of at least 0.2 sq m or 1800 mm. diameter. Lift motor rooms should preferably be sited at the top of the shaft and shall be separated from lift shafts by the enclosing wall of the shaft or by the floor of the motor rooms.
- 4.2 Landing doors in lift enclosures shall open into the ventilated or pressurised corridor/lobby and shall have fire resistance of not less than one hour.
- 4.3 The number of lifts in one lift bank shall not exceed four. The shaft for the fire lift in a lift bank shall be separated from other shafts by a brick masonry or R.C.C. wall of fire resistance of not less than two hours. Lift car doors shall have fire resistance of not less than one hour.
- 4.4 If the lift shaft and lift lobby are in the core of the building, a positive pressure of not less than 2.5 mm, and not more than 3mm, water gauge by an electrically operated blower shall be maintained in the lift lobby and positive pressure of not less than 5 mm water gauge shall be maintained in the lift lobby and positive pressure of not less than 5mm water gauge shall be maintained in the lift shaft. The mechanism for pressurising the lift shaft and lift lobby shall be so installed that they shall operate automatically when the automatic fire alarm operates. The mechanism shall have facilities to operate manually.
- 4.5 Exit from the lift lobby, if located in the core of the building, shall be through a self closing smoke stop door of a half-hour fire resistance.
- 4.6 The lift machine room shall be separate and no other machinery shall be installed therein.
- 4.7 Lifts shall not normally communicate with the basement. However, one of the lifts may be permitted to reach the basement level provided the lift lobby at each basement level is pressurised and separated from the rest of the basement areas, by a smoke-actuated fire resisting door of two hours fire resistance . These doors can also be kept in hold-open position by an electro-magnetic device to be linked with a smoke detector.

5. EXTERNAL WINDOWS

The area of the openable external windows on a floor shall be not less than 2.5 percent of the floor area. The locks for these windows shall be fitted with budget lock or the carriage key type (which can be opened with the point of a fireman's axe).

6. FIRE LIFTS :

The following provisions shall be made for a fire lift:-

- 6.1 To enable fire service personnel to reach the upper floors with minimum delay, one or more of the lifts shall be so designed as to be available for the exclusive use of such personnel in an emergency and be directly accessible to every dwelling/livable floor space of each floor.
- 6.2 The lift shall have a floor area of not less than 1.4 sq.m. with a minimum dimension of 1.12 m. It shall have a loading capacity of not less than 545 kg.(8 persons lift) with automatic closing doors.
- 6.3 There shall be an alternate electric supply from a generator of an adequate capacity, apart from the electric supply in the building and the cables shall run in a route isolated from fire, i.e. within the lift shaft. In case of failure of normal electric supply, it shall automatically trip over to alternate supply. For apartment buildings, this change over of supply could be done through a manually operated change-over switch.
- 6.4 The operation of a fire lift shall be by a simple toggle or two button switch situated in a glass fronted box adjacent to the lift at the entrance level. When the switch is on, landing call-points will become inoperative and the lift will be on car control only or on priority control device. When the switch is off, the lift will return to normal working. This lift can be used by the occupants in normal times.
- 6.5 The words `FIRE LIFT' shall be conspicuously displayed in fluorescent paint on the lift landing doors at each floor level.
- 6.6 Collapsible gates shall not be permitted for lifts. The lifts shall have solid doors with fire resistance of at least one hour.
- 6.7 The speed of the fire lift shall be such that it can reach the top floor from ground level within one minute.

7. BASEMENTS

- 7.1 Each basement shall be separately ventilated. Vents with cross sectional area (aggregate) not less than 2.5 percent of the floor area spread evenly around the perimeter of the basement shall be provided in the form of grills or breakable stall board lights or pavement lights or by way of shafts. Alternatively, a system of air inlets shall be provided at basement floor level and smoke outlets at basement ceiling level. Inlets and outlets, may be terminated at ground level with stallboards or pavement lights as before but ducts to convey fresh air to the basement floor level shall have to be laid. Stallboards and pavement lights should be in positions easily accessible to the Fire Brigade personnel and rescue teams and clearly marked `SMOKE OUTLET' or `AIR INLET' with an indication of area served, at or near the opening.
- 7.2 The staircase of basements shall (a) be of enclosed type having fire resistance of not less than two hours; (b) be situated at the periphery of the basement to be entered at ground level only from the open air and in such a position that smoke from any fire in the basement shall not enter any exit serving the ground and upper storeys of the building; and (c) communicate with the basement through a lobby provided with fire-resisting self-closing doors of one hour fire resistance. If the travel distance exceeds 18.50 m., additional staircases at proper places shall be provided.

- 7.3 Intake ducts may serve all basement levels but each basement and basement compartment shall have separate smoke outlet duct or ducts.
- 7.4 Mechanical extractors for smoke-venting system from lower basement levels shall also be provided. The system shall be of such design as to operate on actuation of heat sensitive detectors or sprinklers if installed and shall have a considerably higher performance than the standard units. The system should also have an arrangement to start it manually and shall be designed to function at a temperature not less than 55⁰ C.
- 7.5 Kitchens working on gas fuel, departmental stores and shops shall not be permitted in basements.

8. FLOOR SPACE DIVISION (FIRE SECTION)

If the undivided floor space on a floor exceeds 750 sq.m. it shall be separated into compartments each not exceeding 750 sq.m. by means of fire walls of not less than two hours fire resistance. In extended building, fire walls should be erected at distances not exceeding 40 m. For floors with sprinklers, the area mentioned above may be increased by 50 percent.

9. SERVICE DUCTS

- 9.1 Service ducts shall be enclosed by walls having a fire resistance of not less than two hours. Doors for inspection or access shall also have a fire resistance of not less than two hours.
- 9.2 If the cross sectional area of a duct exceeds 1 sq.m. it shall fit as closely as possible around any such pipe or trunk.
- 9.3 A permanent vent shall be provided at the top of the service shaft of cross-sectional area not less than 460 sq. cm. or 6.25 cm. dia. for each 900 sq.cm. of the area of the shaft, whichever is more.

10. REFUSE CHUTES AND REFUGE CHAMBERS

- 10.1 Hoppers under refuse chutes shall be situated in a well ventilated position and the chutes shall be continued upward with an outlet above roof level and with an enclosure wall of non-combustible material with fire resistance of not less than two hours. The hoppers shall not be located within the staircase enclosure.
- 10.2 Inspection panels and hopper (charging station) openings shall be fitted with light fitting metal doors, covers, having a fire resistance of not less than one hour. Flap doors/covers i.e. push-in or lift-up type shall not be permitted.
- 10.3 Refuse chutes shall not be provided in staircase walls and air conditioning shafts, etc.
- 10.4 Refuse chambers shall have walls and floors or roofs constructed of non-combustible and impervious material and shall have a fire resistance of not less than two hours. They shall be located at a safe distance from exit routes.

11. BUILDING SERVICES

11.1 Electrical Services -

- 11.1.1 The electric distribution cables/wiring shall be laid in a separate duct. The duct shall be sealed at every alternate floor with non combustible materials having the same fire resistance as that of the duct.

- 11.1.2 Water mains, telephone lines, intercom lines, gas pipes or any other service line shall not be laid in the duct for electric cables.
- 11.1.3 Separate circuits for water pumps, lifts, staircase and corridor lighting and blowers for the pressurising system shall be provided directly from the main switch gear panel and these circuits shall be laid in separate conduit pipes so that a fire in one circuit will not affect the others. Master switches controlling essential services circuits shall be clearly labelled.
- 11.1.4 The inspection panel doors and any other opening in the shaft shall be provided with airtight fire doors having a fire resistance of not less than two hours.
- 11.1.5 Medium and low voltage wiring running along shafts, and within a false ceiling, shall run in metal conduits.
- 11.1.6 An independent and well-ventilated service room shall be provided on the ground floor with direct access from outside or from the corridor for the purpose of termination of electric supply from the licensee's services and alternative supply cables. The doors provided for the service room shall have fire resistance of not less than two hours.
- 11.1.7 If the licensee agrees to provide meters on upper floors, their cables shall be segregated from consumer cables by a partition in the duct. Meter rooms on upper floors shall not open into staircase enclosures and shall be ventilated directly to open air outside.
- 11.1.8 PVC cables should have an additional sheathing or protection provided by compounds sprayed on after installation.
- 11.2 Town gas/L.P. Gas supply pipes** - These pipes shall be run in shafts exclusively for this purpose and shall be on external walls, away from the staircases. There shall be no interconnection between these shafts and the rest of the floors, Gas meters shall be housed in a suitable constructed metal cupboard located in a well ventilated space at ground level.
- 11.3 Staircase and Corridor Lightings** -
- 11.3.1 The staircase and corridor lighting shall be on separate circuits and shall be independently connected so that they could be operated by one switch installation on the ground floor easily accessible to firefighting staff at any time irrespective of the position of the individual control of the light points, if any.
- 11.3.2 Staircase and corridor lighting shall also be connected to alternate supply as defined in sub-regulation (4) below. However, for assembly and institutional buildings of less than 24 m.height the alternate source of supply may be provided by battery continuously tricklecharged from the electric mains.
- 11.3.3 Double throw switches should be installed to ensure that the lighting in the staircase and the corridor do not get connected to two sources of supply simultaneously. A double throw switch shall be installed in the service room to terminate the stand-by-supply.

- 11.3.4 Emergency lights shall be provided in the staircases/corridors for multi-storeyed high-rise and special buildings.
- 11.4 Alternate source of electric supply** - A stand-by electric generator shall be installed to supply power to staircase and corridor lighting circuits, fire lifts, the stand-by fire pump, pressurisation fans and blowers, smoke extraction and damper systems in case of failure of normal electric supply. The generator shall be capable of taking starting current of all the machines and circuits stated above simultaneously. If the stand-by pump is driven by diesel engine, the generator supply need not be connected to the stand-by pump.
- 11.5 Transformers -**
- 11.5.1 A tank of RCC construction capable of accommodating the entire oil of the transformers shall be provided at lower level, to collect the oil from the catch-pit in an emergency. The pipe connecting the catch-pit to the tank shall be of non-combustible construction and shall be provided with a flame-arrester.
- 11.6 Air-conditioning -**
- 11.6.1 Escape routes like staircases, common corridors, lift lobbies etc. shall not be used as return air passages.
- 11.6.2 The ducting shall be constructed of substantial gauge metal in accordance with IS:655-1963 Metal Air Ducts (Revised).
- 11.6.3 Wherever the ducts pass through fire-walls or floors, the opening around the ducts shall be sealed with fire-resisting materials such as asbestos rope or vermiculite concrete glass wool.
- 11.6.4 As far as possible, metallic ducts shall be used even for the return air in the space above the false ceiling.
- 11.6.5 The material used for insulating the duct system (inside or outside) shall be of noncombustible materials such as glass wool, spun glass with neoprene facing.
- 11.6.6 Area more than 750 sq. m. on an individual floor shall be segregated by a fire-wall and automatic fire dampers for isolation shall be provided where the ducts pass through fire walls. The fire dampers shall be capable of operating manually.
- 11.6.7 Air ducts serving main floor areas, corridor, etc. shall not pass through the staircase enclosure.
- 11.6.8 The air handling units shall, as far as possible, be separate for each floor and air ducts for every floor shall be separate and in no way interconnected with the ducting of any other floors.
- 11.6.9 Automatic fire dampers shall be provided at the inlet of the fresh air duct and the return air duct of each compartment on every floor. They shall be so arranged as to close by gravity in the direction of the air movement and to remain tightly closed upon operation of a smoke detector.
- 11.6.10 If the air handling unit serves more than one floor, the requirements given above shall be complied with in addition to the conditions given below :-

- 11.6.10.1 Proper arrangements by way of automatic fire dampers working on smoke detectors for isolating all ducting at every floor from the main riser shall be made.
- 11.6.10.2 When the automatic fire alarm operates, the respective air handling units of the air-conditioning system shall automatically be switched off.
- 11.6.11 The air filters of the air-handling units shall be of non-combustible materials.
- 11.6.12 The air handling unit room shall not be used for storage of any combustible materials.
- 11.6.13 Inspection panels shall be provided in main trunking to facilitate the cleaning of the duct of accumulated dust and to obtain access for maintenance of fire dampers.
- 11.6.14 No combustible material shall be fixed nearer than 15 cm. to any duct unless such duct is properly enclosed and protected with non-combustible material (glass wool or spun glass with neoprene facing enclosed and wrapped with aluminium sheeting) at least 3.2 mm. thick and which does not readily conduct heat.
- 11.6.15 Materials used for false ceilings, runners and suspenders shall be of non-combustible type.

11.7 Boiler room –

Boiler and boiler rooms shall conform to the provisions contained in the Indian Boilers Act. The following additional aspects should be taken into account in the location of boiler/boiler room:-

- 11.7.1 Boilers shall not be allowed in a lower basement but may be allowed in basements at first level and away from the escape routes.
- 11.7.2 The Boilers shall be installed in a fire-resisting room of 4 hours fire resistance rating situated on the periphery of the basement. Catch-pit shall be provided at the low level.
- 11.7.3 Entry to this room shall be provided with a composite door of two hours fire resistance.
- 11.7.4 The boiler room shall be provided with fresh air inlets and smoke exhausts directly to the atmosphere.
- 11.7.5 The furnace oil tank for the boiler, if located in the adjoining room, shall be separated by fire-resisting walls of 4 hours rating. The entrance to this room shall be provided with double composite doors. A kerb of suitable height shall be provided at the entrance in order to prevent the flow of oil into the boiler room in case of tank rupture.
- 11.7.6 Foam inlets shall be provided on the external walls of the building near the ground level to enable the fire services to use foam in case of fire.

12. PROVISION OF FIRST AID AND FIRE-FIGHTING APPLIANCES :

- 12.1 First-aid fire fighting equipment shall be provided on all floors including basements, lift rooms, etc. in accordance with IS:2217 -1963 Recommendation for providing First-Aid Fire Arrangements in Public Buildings.

12.2 The fire fighting appliances shall be distributed over the building in accordance with IS:2190-1971 Code of Practice for Selection, Installation and Maintenance of Portable First-Aid-Appliances.

13. FIXED FIRE FIGHTING INSTALLATION

13.1 Building shall be protected by wet riser, wet riser-cum-down comer, automatic sprinkler, installation, high pressure water spray or foam generating system as prescribed in sub-regulation(2) to (7) below :-

13.2 The wetriser/riser-cum-down comers installation with capacity of water storage tanks and fire pumps shall conform to the requirements specified in Table below.

TABLE-47
Water Supply and Pump Capacity Requirements for Wet Riser

		REQUIREMENTS					
		WATER SUPPLY			PUMP CAPACITY		
Serial No. (1)	Type of the building occupancy (2)	Type of Installation (3)	Underground and Static Tank (4)	Terrace Tank (5)	Near the underground Static Tank (6)	Terrace Level (7)	
1	Residential Buildings above 15m. and upto 24 m. in height	Fire Extinguisher, Hose reel, Down comer,	25,000 liters	5,000 liters	1,350 liters per minute giving a pressure not less than 3.2 kg/cm ² . At the topmost hydrant.	450 liters per minute giving a pressure not less than 2.1 kg/cm ² . At the topmost hydrant.	
2	Residential buildings- (a) Above 24m. and not exceeding 35 m. with shopping area upto 250 sq.m. and restricting the shopping area to the ground floor only.	Wet Riser-cum down comer.	50,000 liters	20,000 liters	1,400 liters per minute giving a pressure not less than 3.2 kg/cm ² . At the topmost hydrant.	900 liters per minute giving a pressure not less than 2.1 kg/cm ² . At the topmost hydrant.	
	(b) Above 24m. and not exceeding 35 m. with shopping area exceeding 250 sq.m.	Wet Riser-cum down comer.	1,00,000 liters	20,000 liters	2,400 liters per minute giving a pressure not less than 3.2 kg/cm ² at the topmost hydrant.	900 liters per minute giving a pressure not less than 2.1 kg/cm ² at the topmost hydrant.	

	(c) Exceeding 24 m. but not exceeding 45 m.	Wet riser cum down corner	50,000 litres	20,000 litres	1400 litres per minute giving pressure not less than 3.2 kg/cm ² at the top most hydrant.	450 litres per minute giving pressure not less than 2.1 kg/cm ² at the top most hydrant.
(3)	Non residential special type buildings-					
	(a) Upto 15 m. in height.	Nil	50,000 liters	Nil	Nil	Nil
	(b) Above 15m. but not exceeding 24 m. in height excepting educational buildings.	Wet Riser-cum down corner.	50,000 Liters	10,000 Liters	1,350 liters per minute giving a pressure not less than 3.2 kg/cm ² at the topmost hydrant.	450 liters per minute giving a pressure not less than 2.1 kg/cm ² at the top hydrant.
	(c) Above 15 m. but not exceeding 24 m. in height except educational buildings.	Wet Riser-cum down corner	Nil	10,000 liters	Nil	Nil
	(d) Above 24 m. but not exceeding 45 m.	Wet Riser-cum down corner.	75,000 liters	20,000 liters	2,400 liters per minute giving a pressure not less than 3.2 kg./cm ² .	450 liters per minute giving a pressure not less than 2.1 kg/cm ² at the topmost hydrant.

Note 1 : Any of the above categories may incorporate an automatic sprinkler / drencher system, if the risk is such that it requires such protective methods.

Note 2 : A minimum of two hydrants shall be provided within a courtyard.

Note 3 : Wet riser-cum-down corner is an arrangement for fire fighting within the building by means of vertical rising mains of not less than 10 cm. internal dia. with hydrant and hose reel on each floor landing connected to an overhead water/storage tank for fire fighting purpose through a booster pump check valve and non-return valve near the

tank end and a fire pump gear and non return valve over the underground static tank. A fire service inlet at ground level filled with a non-return valve shall also be provided to the rising main for charging it by a fire service pump in case of failure of static fire pumps over the underground static tanks.

Note 4: The performance of pumps specified above shall be at R.P.M. not exceeding 2,000.

Note 5 : The above quantities of water shall be exclusively for fire fighting and shall not be utilised for domestic or other use.

Note 6 : A facility to boost water pressure in the riser directly from the mobile pump shall also be provided to the wet riser system with suitable fire service inlets (collecting head with two 63 mm inlets for 10 cm rising main and four 63 mm inlets with cheek valves for 15 cm dia.rising main) and a non-return valve and a gate valve .

Note 7: Hose Reel- The Internal diameter of rubber hose for the hose reel shall be a minimum of 19 mm. A shut-off branch with a nozzle of 4.8 mm. size shall be provided.

13.3 Wet Riser Installations:- They shall conform to IS:3644 Code of Practice for Installation of Internal Fire Hydrants in multistoreyed or high rise buildings. In addition, the wet riser shall be designed for zonal distribution ensuring that unduly high pressure does not develop in riser and hose pipes.

In addition to wet riser cum down comer, first hose reels shall be installed on the floors of buildings above 24 m. and shall conform to IS:884-1969 Specifications for First Aid Hose Reel for Fire Fighting (Fixed Installation). The first aid hose reel shall be connected to nose of the female couplings of twin couplings of landing valves directly to the wet riser in the case of single outlet of the wet riser installation by means of adapter .

13.3.1 Static Water Storage Tank :- A satisfactory supply of water for the purpose of fire fighting shall always be available in the form of an underground static storage tank with capacity specified for each building with arrangements of replenishment by main or alternative source of supply at 1000 litres per minute. The static storage water supply should easily be accessible to fire engines. Provision of suitable number of manholes shall be made available for immersion, repairs and inspection of suction hose etc. The covering slab shall be able to withstand a vehicular load of 18 tonnes. The domestic suction tank connected to the static water storage tank shall have an overflow capable of discharging 2250 litres per minute to a visible drain point from which by a separate conduit the overflow shall be conveyed to a storm water drain.

13.3.2 To prevent stagnation of water in the static water storage tank, the suction tank of the domestic water supply shall be fed only through an overflow arrangement to maintain the level therein at the minimum specified capacity.

13.3.3 The static water storage tank shall be provided with a fire brigade collecting breaching with four 63 mm. dia, (1 woof 63mm dia for pump with capacity 1400 litres/minute) instantaneous male inlets arranged in a valve box at a suitable point at street level and connected to the static tank by a suitable fixed pipe of not less than 15 cm. dia to discharge water into the tank when required at a rate of 2250 litres per minute.

13.3.4 Automatic Sprinklers - Auto-sprinklers shall be installed-

- 13.3.4.1 In basements used as car parks except in apartment buildings and residential hotels if the area exceeds 500 sq.m.
- 13.3.4.2 In basements of multistoreyed and high rise buildings used as car parks and for permissible essential services ancillary to a particular occupancy
- 13.3.4.3 In any room or other compartment of a building exceeding 500 sq. m.
- 13.3.4.4 In departmental stores or shops with an area exceeding 750 sq.m.
- 13.3.4.5 In all non-domestic floors of mixed occupancy considered to constitute a hazard and not provided with staircase independent of the remainder of a building ;
- 13.3.4.6 In godowns and warehouses as considered necessary ;
- 13.3.4.7 In dressing rooms, scenery decks, stages and stage basements of theatres.

13.4 Automatic High Pressure Water Spray (emulsifying) :- This system shall be provided for protection of indoor transformers of a substation in a basement area.

13.5 Foam Generating System - This system shall be provided for protection of boiler rooms with ancillary storage of furnace oils in a basement.

13.6 Carbon-dioxide (CO₂) Fire Extinguishing System - Fixed CO₂ fire extinguishing installation shall be provided as per IS:6382-1971 Code of Practice for Design and Installation of Fixed CO₂ Fire Extinguishing System on premises where water or foam cannot be used for extinguishing fire because of the special nature of the contents of the buildings/areas to be protected. Where possible, BCF installation may be provided instead of CO₂ installation.

14. FIRE ALARM SYSTEM

All buildings mentioned below shall be equipped with fire alarm system as given below

14.1 Special buildings above 16m in height .

14.1.1 Such buildings shall be equipped with a manually-operated electrical fire fighter so located that one or the other of them shall be accessible to all occupants of the floor without having to travel more than 22.5 m.

14.1.2 The call boxes shall be of the 'break-glass' type without any moving parts where the call is transmitted automatically to the control room without any other action on the part of the person operating the call box.

14.1.3 All call boxes shall be wired in a closed circuit to a control panel in the control room located as given in this rule so that the floor number where the call box is actuated is clearly indicated on the control panel. The circuit shall also include one or more batteries with a capacity of 48 hours normal working at full load. The battery shall be arranged to be continuously trickle-charged. The circuit shall be connected to an alternate source of electric supply as in sub-regulation (4) in Regulation 11 in this Appendix.

- 14.1.4 The call boxes shall be arranged to sound one or more sounders so as to ensure that all occupants of the building are warned whenever any call box is actuated.
- 14.1.5 The call boxes shall be so installed that they do not obstruct the exit-ways and yet their location can easily be noticed from either direction. The base of the call box shall be at a height of 1 m. from the floor level.

15. PROTECTION AGAINST LIGHTNING

All Stilt + 5/ Ground + 5 or more storeyed buildings shall have the lightning protection provided as per the stipulations of part III of the National Building Code of India 1970.

16. CONTROL ROOM

For all buildings mentioned in regulations 14 of this Appendix, except residential buildings, there shall be a control room on the entrance floors of the building with communication system (suitable public address systems) to all floor. Panels along with the details of fire fighting equipment and installations shall be maintained in the control room. The control room shall also have facilities to detect a fire on any floor through indicator boards connecting fire detecting and alarm systems on all floors. The staff in charge of the control room shall be responsible for the maintenance of the various services and fire fighting equipment and installations. Control room shall be manned round the clock.

17. FIRE DRILLS AND FIRE ORDERS

Fire notices/orders shall be prepared indicating the requirements of fire fighting and evacuation of the building in the event of fire or other emergency. Occupants shall be thoroughly familiarised with their contents and action needed in the event of an emergency. Such notices should be displayed prominently.

18. 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 storeyed, high rise and special buildings, additional provisions relating to fire protection shall also apply. The approach to the building and open spaces in all sides shall be of atleast 6 m. in width and their layout shall conform the requirements of the Chief Fire Officer of the Municipal Corporation. They shall be capable of taking the weight of a Fire Engine weight upto 18 tonnes. 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 exits shall conform to the following.
 - i) **Types** – Exits should be horizontal or vertical. A horizontal exit may be a door-way, 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 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 egress 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-rise 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 provided, at least one of them opening directly to the exterior 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 48 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-48

WIDTH AND NUMBER OF EXITS FOR VARIOUS OCCUPANCIES

Sr.Type of Occupancy No.		Stair Way/ Minimum Width in meters	Corridor Multiplier	Door Minimum width in meters	Exit Multiplie
(1)	(2)	(3)	(4)	(5)	(6)
1.	Residential Dwellings	1.2	0.145	0.90	0.053
	Row housing	0.75	0.213	"	
	(2 storeys)				
	Hotels	1.5	0.107	"	
2.	Educational				
	Upto 16 m. high	1.5	0.333	1.00	0.667
	Over 16 m. high	2.0	0.250	1.00	
3.	Institutional				
	i.e. Hospital				
	upto 10 beds	1.5	0.089*	1.00	0.044
	over 10 beds	2.0	0.067*	1.00	
4.	Assembly **				
	fixed seats or loose	2.0	0.694	1.00	0.926
	seats and dance floor.				
	no seating facilities	2.0	0.278	1.00	0.370
	and dining rooms.				
5.	Mercantile –				
	street level floor	1.5	0.222	1.00	0.222
	and basement				
	upper sales	1.5	0.111	1.00	0.111
	floors				
6.	Business,	1.5	0.067	1.00	0.067
	Industrial				
7.	Storage	1.5	0.022	1.00	0.022
8.	Hazardous	1.5	0.133	1.25	0.125

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

**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 are 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 sub-divisions, all space serving the particular assembly occupancy shall be reckoned.

19. 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 at least the width of the door shall be provided in the stairway at each doorway; the level of the landing shall be the same as that of the floor which it serves.
- d) Exit doorway 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 exit ways –
 - i) the multiplier in Table 28 shall be increased by 33 1/3 per cent, and;
 - ii) revolving doors 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 stairway –

- a) Stairways shall be constructed of non-combustible materials throughout.
- b) Any interior staircase shall be constructed as a self-contained unit with at least 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 latter is entirely enclosed by a material of fire resistance rating as that for type of construction itself. For multistoreyed, 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 at least half-an hour fire 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-storeyed high rise and special buildings, exit signs with arrows indicating the escape route shall be provided at a 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 areas 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 :-
- i) They shall not be taken in account in calculating the evacuation time of a building.
 - ii) All of them shall be directly connected to the ground.
 - iii) Entrance to them shall be separate and remote from the internal staircase.
 - iv) Routs 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.
 - v) They shall be constructed of non-combustible materials.
 - vi) 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.
 - vii) They shall be provided with handrails at a height not less than 90 cm. above the tread.
- 6) Ramp –**
- i) All the requirements of sub regulation 4) of this Regulation shall apply to any ramps as they apply to a staircase.
 - ii) Ramps shall lead directly to outside open spaces at ground level or courtyards or other safe places.
 - iii) In a multistoreyed, high rise and special building, access ramps from any floor shall be through a smoke-top door.
- 7) Refuge Area –**
Refuge area shall be provided as mentioned in Regulation no. 40(41).

APPENDIX A-XIX
SPECIAL FACILITIES FOR PHYSICALLY CHALLENGED PERSONS

[See Regulation No. 50]

1) DEFINITIONS:

a) Non-ambulatory Disabilities:-

Impairments that, regardless of cause or manifestation, for all practical purposes, confine individuals to wheelchairs.

b) 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.

c) 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.

d) Sight Disabilities:-

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

e) Wheel Chair:-

Chair used by Disabled people for mobility. The standard size at wheel chair shall be taken as 1050 mm. X 750 mm.

2) SCOPE:

These bye laws are applicable to all existing and proposed buildings and facilities used by the public.

3) SITE DEVELOPMENT:

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

a) 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 slope. Slope if any shall not have gradient greater than 5%. Finishes shall have a no slip surface with a texture traversable by a wheel chair. Curbs wherever provided shall blend to a common level.

b) Parking:- For parking of vehicles of physically challenged people, the following provisions shall be made:-

- i) Surface parking for two car spaces shall be provided near entrance for the physically challenged persons with maximum travel distance of 30 mt. from building entrance.
- ii) The width of parking bay shall be minimum 3.60 mt.
- iii) The information stating that the space is reserved for wheel chair users shall be conspicuously displayed.

4) **BUILDING REQUIREMENTS:**

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

1. Approach to plinth level.
2. Corridor connecting the entrance/exit for the physically challenged.
3. Stairways.
4. Lift.
5. Toilet.
6. Drinking Water.

a) **Approach to Plinth Level:-**

Every building should have atleast one entrance accessible to the physically challenged and shall be indicated by proper signage. This entrance shall be approached through a ramp together with the stepped entry.

b) **Ramped Approach:-**

Ramp shall be finished with no slip material to enter the building. Minimum width of ramp shall be 1800 mm. With maximum gradient 1:12. Length of ramp shall not exceed 9.0 mt. Having 800 mm. High hand rail on both sides extending 300 mm. Beyond top and bottom of the ramp. Minimum gap from the adjacent wall to the hand rail shall be 50 mm.

c) **Stepped Approach:-**

For stepped approach size of tread shall not be less than 300 mm. And maximum riser shall be 150 mm. Provision of 800 mm. High hand rail on both sides of the stepped approach similar to the ramped approach.

d) **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 wheel chair user. Threshold shall not be raised more than 12 mm.

e) **Entrance Landing:-**

Entrance landing shall be provided adjacent to ramp with the minimum dimension 1800 x 2000 mm. Finishes shall have a non-slip surface with a texture traversable by a wheel chair. Curbs wherever provided should blend to a common level.

f) **Corridor Connecting the Entrance/Exit for the Physically challenged:-**

The corridor connecting the 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:-

- i) The minimum width shall be 1500 mm.
- ii) In case there is a difference of level slope ways shall be provided with a slope of 1:12.
- iii) Hand rails shall be provided for ramps/slope ways.

g) **Stair Ways:-**

One of the stair-ways near the entrance/exit for the physically challenged shall have the following provisions:-

- i) The minimum width shall be 1350 mm.
- ii) Height of the riser shall not be more than 150 mm. And width of the tread 300 mm. The steps shall not have abrupt (square) nosing.
- iii) Maximum number of risers on a flight shall be limited to 12.
- iv) Hand rails shall be provided on both sides and shall extend 300 mm. On both sides and shall extend 300 mm. On the top and bottom of each flight of steps.

- h) **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:
- Clear internal depth : 1100 mm.
 - Clear internal width : 2000 mm.
 - Entrance door width : 900 mm.
- (i) A hand rail not less than 600 mm. Long at 1000 mm. Above floor level shall be fixed adjacent to the control panel. Also, switch control shall be at an operating height equal to that of hand rails.
- (ii) The lift lobby shall be of an inside measurement of 1800 x 1800 mm. or more.
- (iii) The time of an automatically closing door should be minimum 5 second and the closing speed should not exceed 0.25 M/sec.
- (iv) The interior of the 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/exist is either open or closed.
- i) **Toilets:-**
- One special W.C. in a set of toilet shall be provided for the use of physically challenged with essential provision of wash basin near the entrance for the physically challenged:-
- (i) The minimum size shall be 1500 x 1750 mm.
 - (ii) Minimum clear opening of the door shall be 900 mm. and the door shall swing out.
 - (iii) Suitable arrangement of vertical/horizontal handrails with 50 mm. Clearance from wall shall be made in the toilet.
 - (iv) The W.C. seat shall be 500 mm. from the floor.
- j) **Drinking Water:-**
- Suitable provision of drinking water shall be made for the physically challenged near the special toilet provided for them.
- k) **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 and fixtures etc.
-

APPENDIX A-XX

PROVISION FOR EWS, LIG AND MIG HOUSING IN THE LAYOUT/ SUB-DIVISION OF PRIVATE LAND FOR AFFORDABLE HOUSING

[See Regulation No. 20 (18)]

The main objective of this regulation is to facilitate affordable housing in urban areas , create adequate housing stock for Economically Weaker Section (EWS) , Lower Income Group (LIG) and Middle Income Group (MIG) on ownership or rental basis. To provide the same , it is necessary to provide certain percentage of tenements/ plots for EWS, LIG and MIG in the layout/ sub-division of private land. This shall not be applicable for Special Residential Zone.

For the sub-division of land admeasuring 2000 sq.m. and more, minimum 20% area shall be provided in the form of 30 to 50 sq.m. developed plots for EWS/LIG (affordable plots).

For the layout of land admeasuring 2000 sq.m. and more, minimum 20% of the built-up area shall be provided for EWS/LIG housing (27.88 to 45 sq.m.) (affordable tenements).

The following conditions shall be applicable:

- a)The developer shall sell the affordable tenements to MHADA on priority in lieu of the cost of construction of such tenements. The FSI of such affordable tenements may be allowed to be utilized in the same layout over and above the maximum permissible FSI limits including TDR loading. If MHADA declines to purchase the affordable tenements within a reasonable time of three months, he can sell the affordable tenements in the open market, in such case additional FSI of affordable tenements shall not be eligible.
- b)The developer shall sell the affordable plots to MHADA in lieu of equivalent FSI to be utilized in the remaining plots. If MHADA declines to purchase the same within a reasonable time of three months, he can sell the affordable plots in the open market, in such case additional FSI of affordable plots shall not be eligible.
- c)MHADA may designate any other public authority for the purpose of procuring the affordable tenements/ affordable plots as mentioned in (i) and (ii) above.
- d)Amalgamation of affordable plots/ affordable tenements shall not be allowed.
- e)**The above Regulations shall be applicable after it is finally sanctioned by the Government under Section 37(1AA)(C) of the said Act.**

APPENDIX C-XXI**FORMS OF NOTICE AND FIRST APPLICATION FOR DEVELOPMENT**

[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 Section 254 of Bombay Provincial Municipal Corporation Act, 1949)

To,
The Municipal Commissioner/ Other Competent Municipal Officer,
Vasai- Virar City 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. /F.P. No.....of Ward/village/town planning Scheme No....., Municipal Corporation No. I/II. Situated on Road/Street and in accordance with section 44, 45, 58, 69 of the Maharashtra Regional and Town Planning Act, 1966 and provisions of the Maharashtra Development Plan Rules, 1970 and Section 254 of Bombay Provincial Municipal Corporation Act, 1949.

I enclose the following plans and statements (Items 1 to 6) wherever applicable, in quadruplicate, signed by (Name in block letters),
....., Engineer / Structural engineer / Supervisor, License No.or Architect, who has prepared the plans and designs son 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. Particulars 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 personnel 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/TILR, owner's affidavit regarding area of the plot and Architects' certificate for plot area along with area calculations by triangulation method.

Please approve the proposed development/construction and permit me to execute the work.

Yours faithfully,

Date :

Signature of Owner.....

Name of Owner.....
(In block letters)

Address of Owner.....

(Note: Documents list will be as decided by Municipal Commissioner from time to time)

ANNEXURE – I**(Part of Appendix C-XXI – Item 5)****Particulars of Development**

1. a) (i) Applicant's Full Name :.....
(In block letters)
- (ii) Applicant's address :
- b) Name and address of Engineer/Structural Engineer or Supervisor/Architect employed
- c) No. and date of issue of license.:
valid upto :.....
2. Is the plot affected by any reservation or road lines? If so, are these correctly and clearly 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 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?

(Permission will be based on the minimum of areas in (a), (b) or (c) above).
(Note: INDICATE DETAILS ON THE SITE/BUILDING PLAN AS IN FORM-I)
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 plot number (City survey number) or a Final Plot of 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 hectare 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(20) (m)?
ii) Multi-storeyed building or high rise building as defined in Regulation No. 2 (20) (i) and Regulation no. 2 (20) (j)?
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 per 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, a copy of the "No Objection Certificate" from the Department of Industries shall be enclosed. (see Regulation No. 24 (i) wherever applicable).
 - f) Will the building be away from the boundary of a residential or commercial zone?
 - g) Is the proposal for a service industrial estate on a plot reserved for service industries or in General or Special Industrial Zone?
 - h) Nature and quantum of industrial waste/effluents and methods of disposal be stated.
9. a) What is the average-
- i) Prescribed 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 37 ?
- 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?
- c) What is the number of tenements proposed?

Note – INDICATE DETAILS OF THE BUILDING PLAN AS IN FORM-I.

- 11.a) Please state the plinth area and total floor 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-I.

- 12 .a) What is the width of the front open space? If the building abut two or more streets, does the front open space comply with Regulation 34 (a) ?

- b) Please state which of the sub-regulation of regulation 35 and/or any other regulation is applicable for the open space?
Does the front open space comply with the Regulations?
13. What is the distance from the centre line of the street?
Does it comply with Table 13 in Regulation 35.
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 –
i) Regulation no. 35(1)(a)?
ii) Regulation no. 35(1)(b)?
iii) Regulation no. 35(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 no. 34(b) ?
15. If the plot is narrow, which clause under Regulation 35(6)(a) or Regulation no. 35(6)(b), do you propose to take advantage of (whatever applicable)?
16. a) What are the dimensions 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 are 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 35(3)(a)?
17. If the height of the building is greater than 15 M., above the average ground level, is provision of lift(s) made? If so.
Give the following details of the lift(s):-
Type –
Passenger Capacity-
No. of lifts. –
Types of doors –
Details of fire lift -
18. a) Does the building fall under the purview of clause (i) or (j) or (m) of (20) of sub-regulation (3) of Regulation no. 2 ?
b) If so, do the proposed fire protection requirements conform to those in Appendix A-XVIII?
c) If not, give reasons.
19. a) i) What is the requirement of parking spaces under Regulation nos. 38(2), 38(3) and 33(4)?
ii) How many are proposed?
iii) How many lock-up garages are proposed?

- b) i) Are parking spaces for transport vehicles provided (Regulation 33(4)?
- ii) If so, what is the requirement?
- iii) How many are proposed?

Note – INDICATE DETAILS ON BUILDING PLAN AS IN FORM-I.

- 20. a) i) What are maximum widths 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 proposed?
 - ii) Do they comply with requirements of Regulation 36?
- 21. 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?
- 22. Is the Recreational Garden provided as required under Regulation no. 32 (1), 32(2)?
- 23. 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?
- 24. a) What is the proposed height of the compound wall?
Is it at a junction?
 - b) Does it comply with Regulation 40 (29)?
- 25. a) Is the proposal in the airport zone?
 - b) Is a 'No objection Certificate' for height and character of smoke from chimneys obtained from Civil Aviation Authorities (Attach copy).
 - c) Does the proposal fall in the category of tower-like structure vide Regulation no. 2(3)(125) and 35(1)(e)? If so, does it comply with the requirement thereof?
- 26. Indicate provision for Common conventional antenna for receipt of television transmission in residential building with more than ten tenements (Regulation no.36).
- 27. Does the proposal fall in any of the areas/zones such as those of Regional Plan /Maharashtra Housing and Area Development Authority/Railway/Highway/Power Transmission Line/CRZ/Green Zone, Hilly or Horticultural Zone of DP/Communication Authorities, etc?
- 28. a) Does any natural water course pass through the land under development?
 - b) Is the necessary set back provided according to Regulation 24(b)?
- 29. Is the plinth level proposed to be above the level of the surrounding grounding level?
- 30. The details of the materials to be used in construction with specifications are as follows.

- Roofs
- Floors.....
- Walls.....
- Columns.....
- Beams.....
- Any other Material.....

31. The number of water closets, urinals, kitchens, baths to be provided are as follows:-

	WaterClosets	Baths	Urinals	Kitchens
Existing				
Proposed				

32. Details of the source of water to be used in the construction.

33. Distance from the sewer.

34. How much municipal land, if any will be used for stacking building material?

35. Please explain, in detail, in what respect the proposal does not comply with these Regulations and the reasons therefore, attaching separate sheets for this information, if necessary.

I am 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 Personnel

Engineer/Structural Engineer/Supervisor or Architect employed by the Applicant.

I (Name)

employed by the applicant as his Engineer/Structural Engineer/Supervisor or Architect. I have carefully pursued 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/lessee/mortgagee in possession of the plot as in the above Form and the attached Statements A and B and found them to be correct.

Date

Address:

Signature of Engineer/ Structural Engineer/ Supervisor or Architect

Note – INDICATE IN BUILDING PLAN AS IN FORM I

**STATEMENT `A`
(Sr. No. 10 (a)(iii) in ANNEXURE- 1)
Existing Building to be retained**

Existing No. of Building.	Floor Area	Plinth Area	Total floor area of the Existing building	Use of Occupancy of Floors.
1.	2.	3.	4.	5.

**STATEMENT `B`
(Sr. No. 10(b) in ANNEXURE- 1)
Proposed Work/Building**

No. of Building	Floor No.	Area of proposed work	Total floor area of proposed work	Use or Occupancy
1.	2.	3.	4.	5.

FORM I

(Sr. No. 2, 9, 10, 11, 19 in ANNEXURE -1).
(At right top corner of site/building plan at Ground Floor Level).

A.	Area Statement	Square Metres	
1.	Gross Plot Area		
2.	Deductions for		
	a) Road Set-back area
	b) Proposed road
	c) Any reservation
	Total (a + b +c)		
3.	Net Plot area (item 1 minus item 2)
4.	Buildable Plot Area (as per Reg.no.12)		
5.	Additions for floor space index		
	100% of items 2(a) and 2(b) subject to 75% of item 4.		

6. Total Area (item 4 plus item 5)
7. Floor Space Index permissible
8. Floor Space Index credit available by Development Rights (Restricted to 75% of the item 4 above).
9. Permissible Floor Area (item 6 x item 7) plus item 8 above.
10. Existing floor Area.
11. Proposed area.
12. Excess balcony area taken in floor space index (as per B(iii) below).
13. Total built-up area proposed (item 10+ item 11+ item 12).

B. Balcony Area Statement.

- i) Permissible balcony area per floor.
 - ii) Proposed balcony area per floor.
 - iii) Excess balcony area per floor.
- Total excess balcony area for all floors.

C. RG Area Statement.

- i) Net Plot area as per Item 3 above
- ii) RG required as per Regulation no. 32
- iii) RG proposed as per computation

D. CFC Area Statement

- i) Net Plot area as per Item 3 above
- ii) CFC required as per Regulation no. 14
- iii) CFC proposed as per computation

E. Parking Statements on the Plot.

- 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

F. 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 bottom corner of plans/below Form I)

Contents of Sheet

Stamp of date of receipt of plans

Stamp of approval of plans

Revision	Description	Date	Signature
----------	-------------	------	-----------

Certificate of Area ----- sq.m

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 Architect/ Engineer

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
Engineer/Structural Engineer/
Supervisor or Architect.

Area to be stated in figures and also in words.

APPENDIX C-XXII

FORM FOR SUPERVISION

(Regulation 5 (3) (ix))

To,

The Municipal Commissioner/Other Competent Municipal Officer
Vasai Virar City Municipal Corporation

Sir,

The development/erection./re-erection/demolition or material alternation of the buildingon Plot/No..S.No./C.T.S.No.----- of Village , F.P. No.-----of Town Planning Scheme No.----- situated at Road/StreetPart ----- ward will be carried out under my supervision. All the materials (type and grade) and the workmanship of the work will generally tally with the general specifications submitted alongwith 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 faithfully,

Signature of Engineer/ Structural
Engineer/Supervisor/ Architect

Name
(In Block Letters)

License No.
Address

Date.....

APPENDIX C-XXIII

FORM OF SANCTION OF DEVELOPMENT BUILDING PERMISSION AND COMMENCEMENT CERTIFICATE

[Regulation 5.(5)(i)]

To,

.....
.....
.....
.....

Sir,

With reference to your application No.datedfor Development Permission and Commencement Certificate under Section 45 and 69 of the Maharashtra Regional and Town Planning Act, 1966, to carry out development and building permission under Section 189 of the Maharashtra Municipal Corporations, Nagar Panchayats and Industrial Townships Act, 1965 to erect a building/buildings no.

on Plot No. .S. No./C.T.S. No.of. Village/ F.P. No.....of Town Planning Scheme No. ----- Situated at Road/Street Wardthe Building permission and Commencement Certificate are 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 or 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.

Office No.
Office Stamp
Date

Municipal Commissioner/Other
Competent Municipal Officer

Vasai- Virar City Municipal Corporation

APPENDIX C-XXIV

FORM OF REFUSAL OF DEVELOPMENT PERMISSION, BUILDING PERMISSION AND COMMENCEMENT CERTIFICATE

[Regulation 5(5)(i)]

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 village/ F.P. No.of 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,

Municipal Commissioner/Other
Competent Municipal Officer

Vasai Virar City Municipal Corporation

Office No.
Office Stamp
Date

APPENDIX C-XXV
FORM OF NOTICE FOR START OF WORK
(Regulation No. 6(2))

To
The Municipal Commissioner/Other Competent Municipal Officer
Municipal Corporation

Sir,

The development work/erection/re-erection/demolition or material alternation in/of Building No on/in Plot No. .S.No./C.T.S.No.of Village/ F.P.No.....of Town Planning Scheme No. situated at Street/Road Ward Will start on in accordance with your permission No. dated..... Under the supervision of Engineer/Structural Engineer/Supervisor, or Architect License No. And in accordance with the plans sanctioned and as per NA permission No.....dated.....

Yours faithfully,

Signature of owner

Name of the owner

(In Block Letters)

Address of owner

Date:

APPENDIX C-XXVI

FORM FOR INTIMATION OF COMPLETION OF WORK UPTO PLINTH /STILT LEVEL
(Regulation No. 6 (4))

To,

The Municipal Commissioner/Other Competent Municipal Officer,
Vasai Virar City Municipal Corporation

Sir,

The construction upto plinth/column upto plinth/stilt level has been completed in Building No..... on/in Plot No./S.No./C.T.S.No. of Village/ F.P. No. of Town Planning Scheme No. Road/Street Ward In accordance with your permission No. dated and as per NA permission under No.....dated.....under my supervision and in accordance with the sanctioned plan .

Please check the completed work and permit me to proceed with the rest of the work.

Yours faithfully,

Signature of
Engineer/Structural/Engineer/
Supervisor or Architect.

Name
(In Block letters)

Address

Date

APPENDIX C-XXVII

FORM OF APPROVAL / REFUSAL OF DEVELOPMENT WORK UPTO PLINTH / STILT LEVEL

[Regulation No. 6 (4)]

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. .S.No./C.T.S. No. of Village/F.P. No. of Town Planning Scheme No.situated at Road/Street, Ward you may/may not proceed with the further work as per sanctioned plans/ as the construction upto plinth level does/does not conform to the sanctioned plans.

Yours faithfully,

Municipal Commissioner/Other
Competent Municipal Officer

Vasai Virar City Municipal Corporation

Office No.
Office Stamp
Date:

APPENDIX C-XXVIII

FORM FOR DEVELOPMENT COMPLETION CERTIFICATE-I

[Regulation No. 6(6)]

To,

The Municipal Commissioner/Other Competent Municipal Officer,
Vasai Virar 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./S.No. / C.T.S. No. of Village/ F.P.No. of Town Planning Scheme No. ...situated at Road/Street, Ward has been supervised by me and has been completed onaccording to the plans sanctioned (office communication No.dated-----). The work has been completed to my best satisfaction, the workmanship and all the material (type and grade) have been used strictly in accordance with general and detailed specifications. No provision of the Act or Development Control and Promotion 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 Architect/
Engineer/Structural
Engineer/Supervisor

Name : (Name Block Letters)
Address :
Date :
License No.:

APPENDIX C-XXIX

FORM FOR PLUMBING WORK COMPLETION CERTIFICATE-II
[Regulation No. 6 (6)]

To,
Municipal Commissioner/Other Competent Municipal Officer,
Vasai Virar City Municipal Corporation

Sir,
The following work (insert full particulars 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 and Promotion Regulations or Building Bye-laws and no requisition made, condition prescribed or order thereunder, has been transgressed in the course of the works.

Yours faithfully

(Signature of Licensed Plumber)

Name (In Block Letters)
Address
.....
Date :
License No.:-

APPENDIX C-XXX

STRUCTURAL STABILITY CERTIFICATE
[Regulation No. 6(6)]

To,
Municipal Commissioner/Other Competent Municipal Officer,
Vasai Virar City Municipal Corporation

- 1. PROPOSAL :

- 2. NAME AND ADDRESS OF THE OWNER :

- 3. NAME AND ADDRESS OF THE STRUCTURAL ENGINEER :

I hereby certify that the structural work of the above proposal has been carried out as per my structural design and details under my supervision and that the said structure is safe and stable for the purpose for which it is intended. the construction work carried out is of good quality. The earthquake forces have been considered while designing the structure and accordingly the structure is safe to withstand the earthquake forces in Seismic Zone III.

Yours faithfully,

Signature of Structural Engineer

Name (in Block Letters)

Address :-

Date :-

License No.

APPENDIX C-XXXI

**FORM OF ACCEPTANCE OF COMPLETION CERTIFICATE BY
MUNICIPAL CORPORATION**
[Regulation 6(7)]

No.

To,

.....
.....
.....

Subject:-----

Reference:----- :

Sir,

The Completion Certificate submitted by you on for the above work, is hereby accepted.

Yours faithfully,

Municipal Commissioner/Other
Competent Municipal Officer

Vasai Virar City Municipal Corporation

Date :

Office Stamp :

Copy forwarded to :

APPENDIX C-XXXII

FORM FOR OCCUPANCY CERTIFICATE
[Regulation 6(7)]

To,.....
.....
.....

Sir,
The part/full development work/erection/re-erection or alteration in/of building/part building
No.On/in Final Plot No. Block
No. Situated at Road/ Street
..... City S.No. Completed under
the supervision of Engineer/ Structural
Engineer/Supervisor, Architect/License No. would be
occupied on the following conditions.

- 1.
- 2.
- 3.
- 4.

A set of certified completion plans is returned herewith.

Yours faithfully,

Municipal Commissioner/Other
Competent Municipal Officer

Vasai Virar City Municipal Corporation

Office No.

Office Stamp

Date:

APPENDIX C-XXXIII

FORM OF INDEMNITY FOR PART OCCUPANCY CERTIFICATE
[Regulation 6(8)]

To,
Municipal Commissioner/Other Competent Municipal Officer,
Vasai Virar 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 Vasai-Virar City 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 assigners.

Yours faithfully

Signature of Owner

Name of the Owner

Witness

(Signature& name in Block Letters)

Address :

.....

Date :

APPENDIX A-XXXIV

REGULATIONS FOR BASE STATIONS, CELLULAR SITES AND INSTALLATION OF THE EQUIPMENTS FOR TELE COMMUNICATION NETWORK

[Regulation 17(1)f)]

- a) “Telecommunication cell site/Base station”:-
 “Telecommunication cell site/base station” shall for each telecom operator mean and include tower of requisite height and dimensions, delta, single pole antennae, microwave antenna, cabin of requisite dimension for housing equipment, telecom transceiver machinery, related civil work, requisite wires and cables, power supply equipment, Diesel Generator Set/alternate power supply mechanism, cabins/cupboard for housing any/all of the aforesaid items as necessary.
- b) Application for Installation of Telecommunication Cell Site/Base Station
1. All applications shall be made to the Municipal Commissioner/Other Competent Municipal Officer through a duly authorized Architect who is registered with the Council of architecture, engaged by the Telecom Service Provider.
 2. Documentation: The application to the Local Body/Bodies shall be made along with the following documents:
 - a. Property owner/lessee/Occupant/society agreement.
 - b. Design parameters/necessary drawing of installation.
 - c. Structural Safety Stability Certificate of tower from a Licensed Structural Engineer.
 - d. Appointment letter of the Architect.
 - e. Requisite fees by way of Cheque in favour of the Local Body.
 - f. Proof of license from DOT (Department of Telecommunications) along with compliance report of the instructions pertaining to Self Certification regarding the adherence to prescribed Base Stations Emissions.
 - g. Certificate from the Maharashtra Pollution Control Board regarding compliance with the prescribed norms for noise levels and smoke levels for the power generating sets provided for base stations.
- c) Fees structure
 Telecom Service Providers shall pay to the Municipal Corporation time, all-inclusive, single fee as processing fee. In addition to the Development charges payable, of Rs. 30,000 (Rupees Thirty Thousand only). Other than these fees, no other charges, levies, taxes, non-agriculture fees, Municipal Taxes etc. of any nature should be charged for the Cellular Sites except property taxes for the tower and appurtenant uses.
- d) Other conditions
- i) The approvals shall be granted in the same manner prescribed under sections 44 to 47 of Maharashtra Regional and Town Planning Act, 1966.
 - ii) If the Local Body does not give any response to the applications within a period of 60 days from the date of submission, the said application by the Telecom Operators shall be deemed to have been approved as per section 45 of the MR & TP Act 1966.
 - iii) The Telecom Operators shall file a fresh Structural Stability Certificate at the end of every three years from the date of first application by the Telecom operators.
 - iv) No permission for installation of Telecommunication Cell Site/Base Station shall be granted on buildings, which are unauthorized and/or structurally unsafe. If permission for installation of such structures are granted on buildings, which may be declared as unauthorized at a later point of time, the local Authority shall have every

right to demolish the said building through the due process of law. While undertaking such a demolition, the local Authority will not be under any obligation to send prior intimation to the owner of the tower, nor will it be liable for loss of the tower as a consequence of demolition of the unauthorized building. The operators shall indemnify Local Authority of this effect.

- v) Notwithstanding anything, Local Authority may require demolition/removal of Telecommunication Cell Site put on such illegal buildings and structures after ISSUING an advance notice of 30 days to the concerned Telecom Service Provider.
- vi) Any complaint concerning ILLEGAL USE OR CONSTRUCTION of the building, location of the tower or other complaints/queries of any nature regarding the installation of telecommunication equipment, the Local Body shall intimate the concerned Telecom Operator of the same with a direction to resolve the matter under intimation to the Local Body.
- vii) The licensees shall try to share the towers for fixing their respective antennas provided that the prescribed conditions are duly fulfilled so as to ensure curtailment of multiple towers and optimizing the use of the existing ones.
- viii) The existing mobile towers not conforming to any of the above Regulations, should be removed within two years of these instructions. However, operation of mobile tower shall be discontinued within a period of twenty four hours from receipt of notice to that effect.
- ix) The conditions for DG sets used for mobile towers shall be as per the provisions under Environment (Protection) Act, 1986 and the, Noise Pollution (Regulation and Control) Rules, 2000 and as amended from time to time.

APPENDIX C-XXXV

RELAXATION IN BUILDING AND OTHER REQUIREMENTS IN URBAN RENEWAL SCHEME

[Regulation no. 20(13)]

In case of tenement of 27.88 sq. mt. area for rehabilitation / additional tenement to be given to MHADA/ Municipal Corporation following components are included.

- (i) The calculation of FSI for all purposes shall be on gross area i.e. without deducting any percentage for recreation open space. This shall not affect the requirement of physical open space keeping aside the said recreational open space on site as per the prevailing D.C. Regulations.
- (ii) The provisions in the Regulation no. 40(10) relating to balcony will apply to the scheme with following modifications. There shall be no restriction on zone and balcony shall not reduce the marginal open space to less than 3.0m. However, at ground level minimum 4.5 m. clear margin shall be maintained. In the calculation of area of 27.88 sq.m. the area of the enclosed balcony shall not be included.
- (iii) Areas of common passages not exceeding 2.00 mt. in width, provided in rehabilitation component and MHADA/ Municipal Corporation component to give access shall not be counted towards FSI.
- (iv) Front and marginal open spaces, for a building having height upto 24.0 mt. in the rehab component or composite building, shall be 4.5 mt. for these buildings.
- (v) Notwithstanding the provisions in DC Regulation no. 35(4) in Table-13 where the location of the plot abuts DP Road having width of 18.3 mt. and above, the front marginal open space shall not be insisted upon beyond 4.5 mt. provided, it is not an express highway of road wider than 52 mt.
- (vi) Where the location of the plot abuts a trained nallah, the marginal open space along the nallah shall not be insisted upon beyond 4.5 mt. from the edge of the trained nallah. Or as per requirement of SWD department of Municipal Corporation, whichever is greater.
- (vii) The distance between any two rehabilitated buildings shall not be less than 6.00 mt.
- (viii) If the height of building is more than 24 mt., 6 mt. wide marginal open space or as per the requirement of CFO whichever is greater shall be considered.
- (ix) A composite building shall contain at least 50 percent of the built up area as rehabilitation component.
- (x) Wherever more than the minimum front and marginal spaces have been provided, such additional area provided may be considered as part of the Recreational Garden in the project comprising both rehabilitation and free sale components, and without charging any premium, in relaxation of the stipulations in Regulation No.32, wherever necessary.
- (xi) Pathways and means of access – The ratio between the length of the pathway and the width thereof shall be as follows.

Length	Width
Upto 20 meters	1.5 meters
21 to 30 meters	2.0 meters
31 to 40 meters	2.5 meters
41 to 50 meters	3.0 meters

- (xii) Between the dimensions prescribed for the pathway and marginal distances, the larger of the two shall prevail. The pathway shall act as access wherever necessary. The building shall be permitted to touch pathways.
- (xiii) Even if the recreational open space is reduced to make the project viable, a minimum of at least 10 percent of plot area shall be provided as recreational open space. In addition to this 10 percent of plot area shall be earmarked for amenity space which can be adjusted against the DP reservation if any.
- (xiv) The means of access shall be normally governed by provisions of Regulation no. 31. However, in the project, wherever the design of the buildings up to 24 m. height in the same land requires relaxation, it may be given. High rise building shall be permitted only on access having width of 9m.
- (xv) Premium shall not be charged for exclusion of staircase and lift well etc. as covered under the provisions of DC Regulation 17(2)(d).
- (xvi) In order to make the urban renewal scheme viable, the Municipal Commissioner/Other Competent Municipal Officer shall be competent to sanction any relaxation in marginal open spaces except front marginal open spaces and parking requirement wherever necessary due to bonafide hardship, for reasons to be recorded in writing which shall not affect general and fire safety requirements.
- (xvii) All relaxation outlined hereinabove shall be given in the rehabilitation component and also to the composite buildings in the Project Premium shall not be charged for all or any of the relaxation's given hereinabove or for any other mentioned in DC Regulation 17(2).
- (xviii) The parking in the scheme shall be provided as per Regulation no.38 or one car park per tenement of sale component, whichever is higher.
2. The approving /sanctioning authority for the building plans under the scheme will be the Municipal Commissioner as per the BPMC Act & MR&TP Act even if the scheme partly consists of declared slums/slums on Municipal lands prior to 1.1.1995 or such other reference date notified by the government.
 3. Religious structures existing prior to redevelopment if allowed in accordance with the guidelines issued by government from time to time as part of redevelopment, shall not exceed the area that existed prior to redevelopment.
 4. Restriction on transfer of tenements shall be governed by provision of Rent Control Act till Coop. Society is formed and after that the same shall be governed by the provision of Maharashtra Co-op. Society's Act. Tenements constructed for slum rehabilitation shall not be transferred for the period of 10 years.
-

APPENDIX A-XXXVI

TERMS AND CONDITIONS IMPOSED BY THE GOVERNMENT ON VARIOUS BUILDINGS FOR ALLOWING ADDITIONAL FSI

(In addition to provisions in Appendix B-XXXVII)

[Regulation no. 20 (3)]

(A) For Medical Institution:

- i) Free medical treatment to the extent of atleast 10% of the total number of beds shall be given to persons from economically weaker sections of society or to persons below the poverty line. In addition, 10% of the total number of patients in OPD shall be provided treatment at concessional rates, viz. rates that are being charged in Government Hospitals.
- ii) The Director of Health Services, Government of Maharashtra shall be the Competent Authority to monitor as to whether the Medical Institutions is observing the terms and conditions referred to at (c) in Regulation no. 20(3) & clause (i) above and, in case of any breach thereof or in case the medical services being rendered by the Medical Institution are not to the satisfaction of the Director of Health Services, the Director of Health Services shall have the right to suitably penalise the Medical Institution.
- iii) The Medical Institution shall maintain records regarding free/ concessional medical treatment rendered to the needy persons, which shall be made available to the Director of Health Services on demand.
- iv) The trustees of Medical Institution shall furnish the requisite periodical statements to the Director of Health Services in regard to (c) in Regulation no. 20(3) & (i) above.
- v) A building for a Medical Institution containing mixed users (area under non-medical users not exceeding 10% of the permissible built-up area as per Table No. 4 shall also be eligible for further additional FSI to be considered on the entire plot area.
- vi) The Medical Institution shall file an undertaking that it shall abide by the above enumerated terms and conditions.

(B) For Educational Institution:

- i) As and when required, some rooms of Educational Buildings shall be made available to the Government by the concerned institutions.

10% seats, out of the total capacity, shall be reserved for Government nominees as may be recommended by the Department of Education, Department of Higher and Technical Education, Government of Maharashtra.
- ii) The Director of School Education, Government of Maharashtra and Director of Higher and Technical Education, Government of Maharashtra shall be the Competent Authority to monitor as to whether the Educational Institution is observing the terms and conditions referred to at (c) in Regulation no. 20(3) and clauses (i) and (ii) above and, in case of any breach thereof or in case the Education being rendered by the Educational Institution are not to the satisfaction of the said Department, the Director of School

Education and the Director of Higher and Technical Education shall have the right to suitably penalize the Education Institution.

- iii) The Educational Institution shall maintain records regarding free/ concessional education rendered to the needy persons, which shall be made available to the Director of School Education, Higher and Technical Education on demand.
- iv) The trustees of the Educational Institution shall furnish the requisite periodical statements to the Director of School Education, Higher and Technical Education in regard to (c) in Regulation no. 20(3) and clauses (i) and (ii) above.
- vi) A building for a Educational Institution containing mixed users (area under non-education users not exceeding 20% of the permissible built-up area as per Table No. 4 shall also be eligible for further additional FSI, to be considered on the total net plot area.
- vii) The Educational Institution shall file an undertaking that it shall abide by the above enumerated terms and conditions.
- viii) Existing Playgrounds in the Educational Institution shall not be reduced in any circumstances.
- ix) Adequate Parking facilities as required under these Regulations shall be provided.

APPENDIX B-XXXVII**TERMS AND CONDITIONS IMPOSED BY THE MUNICIPAL CORPORATION ON VARIOUS BUILDINGS FOR ALLOWING ADDITIONAL FSI**

(In addition to provisions in Appendix A-XXXVI)

[Regulation no. 20 (3), 20(4)]

(A) For Medical Institution:

- i) Medical treatment to the extent of atleast 10% of the total number of beds and 10% of the total number of patients in OPD shall be given to persons referred by Municipal Hospitals/Dispensaries/Maternity Homes, etc. at rates decided by Municipal Corporation.
- ii) The Health Officer appointed by Municipal Corporation shall be the Competent Authority to monitor as to whether the Medical Institutions is observing the terms and conditions referred to at (c) mentioned in Regulation no. 20(3) & clause (i) above. In case of any breach thereof or in case the medical services being rendered by the Medical Institution are not to the satisfaction of the Health Officer appointed by Municipal Corporation, the Municipal Corporation will acquire the Medical Institution proportionate to additional FSI without compensating the Owner of the Institution.
- iii) The Medical Institution shall maintain records regarding medical treatment rendered to the persons as per clause (i) above and submit weekly report to Municipal Corporation through the Health Officer.
- iv) The trustees of Medical Institution shall furnish the requisite periodical Statements, not more than quarter of a year, to Municipal Corporation through the Health Officer in regard to (c) mentioned in Regulation no. 20(3).
- v) A building for a Medical Institution containing mixed users (area under non-medical users) not exceeding 10% of the permissible built-up area as per Table No. 4 shall also be eligible for further additional FSI to be considered on the entire plot area.
- vi) The Medical Institution shall give a registered undertaking before submitting plans for additional FSI, that it shall abide by the terms and conditions already mentioned in these Regulations and those as may be imposed by Municipal Commissioner/Other Competent Municipal Officer.

(B) For Educational Institution:

- i) As and when demanded, some rooms of Educational Buildings shall be made available to the Municipal Corporation by the concerned Institution.
- ii) 10% seats, out of the total capacity, shall be reserved for nominees of Municipal Corporation as may be recommended by the Department of Education, Municipal Corporation
- iii) The Department of Education of Municipal Corporation shall be the Competent Authority to monitor as to whether the Educational Institution is observing the terms and conditions referred to at (c) mentioned in Regulation no. 20(3) and clauses (i) and (ii) above and, in case of any breach thereof according to the Department of Education of

Municipal Corporation, the Municipal Corporation will acquire the Educational Institution proportionate to additional FSI without compensating the Owner of the Institute.

- iv) The Education Institution shall maintain records regarding (i) and (ii) above and submit weekly report to Municipal Corporation through the Department of Education.
- v) The trustees of the Educational Institution shall furnish the yearly statement in the month of September, to the Department of Education. in regard to (c) mentioned in Regulation no. 20(3) and (i) & (ii) above.
- vi) A building for a Educational Institution containing mixed users (area under non-education users not exceeding 20% of the permissible built-up area as per Table No. 4 shall also be eligible for further additional FSI, to be considered on the total net plot area.
- vii) The Educational Institution shall give a registered undertaking before submitting plans for additional FSI, that it shall abide by the terms and conditions already mentioned in these Regulations and those may be imposed by Municipal Commissioner/Other Competent Municipal Officer.
- viii) Existing Playgrounds in the Educational Institution shall not be reduced in any circumstances.
- ix) Adequate Parking facilities as required under these Regulations shall be provided.

(B) For Hotels :

- i) As and when demanded, Conference Halls, Residential rooms including suites, Restaurant and Food shall be made available to Municipal Corporation at 25% discount rates for its guests/functions.
- ii) The number of rooms to the extent of 10% of their type shall be made available at any time when demanded.
- iii) The Public Relation Officer of Municipal Corporation shall be the Competent Authority to monitor as to whether the Hotel is observing the terms and conditions referred at clauses (i) and (ii) above. In case of any breach thereof or in case the services provided are not to the satisfaction the Public Relation Officer of Municipal Corporation, the Municipal Corporation will penalize the hotel or suspend the license of the Hotel for a period not less than 3 months.
- iv) Adequate Parking facilities as required under these Regulations shall be provided.
- v) There shall not be any deficiency in the requirement of Setbacks, Marginal Open Spaces, Recreational Ground and/or Fire Requirements as mentioned in these Regulations.

APPENDIX C-XXXVIII

REGULATIONS FOR ADDITIONAL FSI FOR PAP TENEMENTS

[Regulation no. 20 (7)]

(a) Location:

The Municipal Commissioner/Other Competent Municipal Officer after considering the requirement and preference from the affected persons due to projects undertaken by Municipal Corporation, The Municipal Commissioner/Other Competent Municipal Officer will decide the locations where the PAP development shall be permitted. The locations shall be thereafter published from time to time and thereafter Owner/Developer can come forward for the development of the PAP tenement on their plot. The location can be changed if there is no proposal within location is received for PAP tenements in time limit which may be decided by the Municipal Commissioner/Other Competent Municipal Officer.

(b) Extent:

The Owner/Developer shall construct the tenements for purpose of accommodating PAPs as per the requirement of Municipal Commissioner/Other Competent Municipal Officer. The tenement will include residence, shops, commercial areas, office spaces, industrial galas, etc.

(c) Details of FSI:

The Owner/Developer shall submit the plans proposing PAP area. In the first phase, whole of the PAP area will be counted towards base FSI of the plot, not exceeding 0.6 for PAP. After handing over the PAP area in the form of complete tenement, built up area to the extent of 150 % of the area of the PAP handed over shall be admissible. In second phase, after handing over the PAPs in the manner described below, plans for additional FSI along with remaining base FSI shall be approved by the Municipal Commissioner/Other Competent Municipal Officer.

(d) Details of PAP tenements:

The Owner/Developer will construct tenements as per the requirement of the Municipal Commissioner/Other Competent Municipal Officer. If Owner/Developer proposes non-residential user in the plot, then he has to construct non-residential tenements for the proportionate built-up area for the PAP.

For residential tenements, the minimum carpet area for multi-purpose single room of 100 sq.ft. and a combined W.C. and bathroom as specified in Regulation no. 40 (2) shall be provided. The tenement shall include a Cooking alcove of a minimum length of 1.5 m and a minimum width of 1.2 m. A window of at least 1.5 sq.m. opening to external face or courtyard should also be provided.

All non-residential and industrial tenements should conform to relevant provisions of these Regulations and as specified by the Municipal Commissioner/Other Competent Municipal Officer.

(e) Details of handing over:

After having the PAP tenements constructed to the satisfaction of the Municipal Commissioner/Other Competent Municipal Officer, the Owner/developer in consultation with Law Department/Lawyers of the Corporation prepare the Gift Deed. All the charges, fees, expenses etc. for the preparation of the Gift Deed shall be borne by the Owner/Developer. After approval of The Municipal Commissioner, the deed shall be duly registered. Municipal Commissioner shall retain such documents securely in the Treasury of the Municipal Corporation.

APPENDIX A-XXXIX

FIRE PROTECTION REQUIREMENTS FOR BUILDING HAVING HEIGHT ABOVE 24 M.

Requirements of fire protection for buildings having height above 24 m:

- 1) Refuge area (for buildings above 30 m. height). For buildings above 24 m. but below 30 m., the terrace of the building shall act as Refuge Area.
- 2) Wet riser/ riser-cum-down comer
Wet riser/ riser-cum-down comer shall be provided as per Table-47 and as described in clause 13 of Appendix A-XVIII
- 3) Under ground Static tank shall be provided as per Table-47 and as described in clause 13. of Appendix A-XVIII
- 4) Terrace water tank shall be provided as per Table-47 and as described in clause 13. of Appendix A-XVIII
- 5) Staircase
Staircase shall be enclosed type and having one of the sides abutting exterior of the building and shall be conformin requirements as described in clause 3. of Appendix A-XVIII
- 6) Smoke duct conform to the requirements as described in clause 9. of Appendix A-XVIII
- 7) Lift shall conform to the requirements as described in clause 4. of Appendix A-XVIII.
- 8) Any other requirements as specified by Government of Maharashtra and/or Chief Fire Officer/Director of Fire Services from time to time.

APPENDIX C-XXXX

SETBACK FOR CONVENIENCE SHOPPING IN BUILDING ON STREET WIDTH LESS THAN 6.0 M.

[Regulation no. 10. A.1)]

- (1) The plot outside compound wall shall be merged with road.
- (2) The land between compound wall and plot booundary which is merged with the road, remains in the ownership of the land owner.
- (3) This land is to be used permanently for the road even if convenience shop is removed.
- (4) The land owner shall be entitled for TDR and premium FSI to be utilized for portion of land merged with the road.

APPENDIX A-XXXXI**TERMS AND CONDITIONS BY GOVERNMENT FOR ADDITIONAL FSI IN LIEU OF DEVELOPED PARKING LOTS**

(In addition to Regulations in Appendix B-XXXXII)

[Regulation no. 20(14)]

- (i) The locations for Parking Lots shall be identified by Municipal Corporation and published.
 - (ii) A committee under the Chairmanship of Municipal Commissioner shall earmark/select the plots for public parking, on the basis of their suitability and seek approval of Municipal Corporation for it. The Committee shall comprise of (i) Joint Commissioner of Police (Traffic) or his representative, (ii) Metropolitan Commissioner, Mumbai Metropolitan Region Development Authority or his representative, (iii) Deputy Director of Town Planning, VVCMC, (iv) Chief Engineer (Road), VVCMC (Member, Member Secretary).
 - (iii) The incentive FSI given on this account will be over and above the FSI permissible under any other provisions of DCR. This incentive FSI shall be allowed to be used on the same plot in conformity with DCR/DP within the overall cap/limit of total maximum permissible FSI as given (vii) below.
 - (iv) The proposed development shall be further subject to conditions as mentioned/prescribed by the Municipal Commissioner/Other Competent Municipal Officer and as per Appendix B-XXXXII.
 - (v) Concerned land owner/developer/society/company shall not be allowed to operate the public parking
 - (vi) Area covered under parking shall not be counted towards FSI consumption.
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APPENDIX B-XXXXII

TERMS AND CONDITIONS BY MUNICIPAL CORPORATION FOR ADDITIONAL FSI IN LIEU OF DEVELOPED PARKING LOTS

(In addition to Regulations in Appendix A-XXXXI)

[Regulation no. 20(14)]

- (i) The minimum area of plot shall be
 - (b) 2000sq.mt. The minimum number of public parking spaces provided shall not be less than 25 subject to minimum parking space of 700 sq.mt. for L.M.V.
 - (c) 3000sq.mt. The minimum number of public parking spaces provided shall not be less than 15 subject to minimum parking space of 1200 sq.mt. for M.C.V.
 - (d) 4000sq.mt. The minimum number of public parking spaces provided shall not be less than 10 subject to minimum parking space of 1700 sq.mt. for Heavy Motor Vehicles.
- (ii) The location of parking spaces can be in basement, ground floor or upper floors, with access through ramps and lift subject to clearance from Chief Fire Officer with special emphasis on fire hazard, if parking is proposed in the basement and design as finalized by Municipal Commissioner.
- (iii) The area of parking space, manoeuvring space, rest rooms and sanitary provisions for drivers, ramps, lift, staircase and passages area will be considered for incentive FSI, provided these are used exclusively for public parking purposes.
- (iv) Car lifts shall not be permitted as an alternative to ramp.
- (v) At entry/exit an electrically operated barrier and a cabin for person controlling movement of the vehicles shall be provided and a lay-bye of 3m. wide in the front open space shall be provided to avoid the blocking of vehicles on the road.
- (vi) Water and Sanitation requirements shall conform to the provisions as per Appendix C-XIV and Appendix C-XV respectively considering atleast one person per parking place for L.M.V. and two persons for other vehicle.
- (vii) In case such a Parking Lot is to be used for Central Bus Station (State-owned or Private Buses), Taxi/Tourist Car Terminus for operating in locations outside Municipal limits, provision shall be made for facilities like control room, passenger waiting area, baby feeding room, ladies rest room, restaurants, booking offices of travel agents/operators, platforms for boarding the bus, Information kiosks, cloak rooms, Communication Centre, ATM, first aid room, . However, total enclosed area for these purposes shall not exceed 10% of the total Parking lot area. Such parking lots are to be provided on ground and first floor. The clear height of such parking lot shall be not less than 4.5 m. and the enclosed areas of above mentioned facilities shall not have clear height more than 2.2 m. in addition to stairs, escalators shall also be provided for convenience of passengers.
