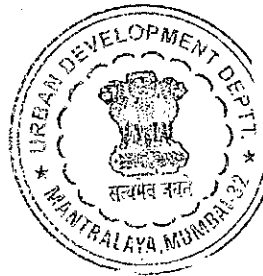


NASIK DC Rules

**DEVELOPMENT CONTROL AND PROMOTION REGULATIONS
For
NASIK MUNICIPAL CORPORATION – 2017**

**DEVELOPMENT CONTROL AND
PROMOTION REGULATIONS FOR
NASHIK MUNICIPAL CORPORATION – 2017**



**Section Officer
Urban Development Department
Mantralaya, Mumbai - 2**

(Sanctioned under section 31(1) of the Maharashtra Regional And Town Planning Act 1966 vide Government Notification TPS-1116/C.R. 140(A)/2016/UD-9, dated 09th January, 2017 at M-78)



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

PART - I. ADMINISTRATION

1.0 SHORT TITLE, EXTENT AND COMMENCEMENT

- 1.1** These Regulations shall be called as "Development Control and Promotion Regulations Nashik - 2015"
- 1.2** These Regulations shall apply to the building activities and development works on lands within the jurisdiction of Nashik Municipal Corporation excluding certain final plots in TPS No.1 of Nashik (First Varied) where Arbitrator has framed special regulation for such plots.
- 1.3** These Regulations shall come into force only when these are sanctioned by the Government under section 31 of the Act by publishing a notice to that effect in the Government Gazette and these shall replace all existing building bye-laws and Development Control Rules.
- 1.4 Savings:** Notwithstanding anything contained herein, any permission granted or any action taken under the Regulations in force prior to these Regulations shall be valid and continue to be so valid, unless otherwise specified.

Provided that the words 'action taken' in this regulation shall also include the issuance of demand note for granting development permission.

2.0 DEFINITIONS

2.1 General

- 2.1.1** In these Regulations, unless the context otherwise requires, the definitions given hereunder shall have meaning indicated against each of them.
- 2.1.2** Words and expressions which are not defined in these Regulations shall have the same meaning or sense as in the -
- i) Maharashtra Municipal Corporation Act, 1949,
ii) The Maharashtra Regional and Town Planning Act, 1966 and
iii) National Building Code 2005 or amended from time to time
- 2.2 Act :Act in these Regulations means -**
The Maharashtra Regional and Town Planning Act, 1966;
- 2.3 Authority -** Authority means Municipal Commissioner of Nashik Municipal Corporation or an officer authorised by him.
- 2.4 Alteration -** Any change in existing authorized building or change from one occupancy to another, or a structural change, such as an addition to the area or height, or the removal of part of a building, or any change to the structure, such as the construction of, cutting into or removal of any wall, column, beam, joist, floor, roof or other support or a change to or closing of any required means of ingress or egress as provided under these regulations. However modification in respect of gardening, white washing, painting, plastering, pointing, paving and retiling shall not be deemed to be alteration.
- 2.5 Advertising Sign -** Any surface or structure with characters, letters or illustrations applied thereto

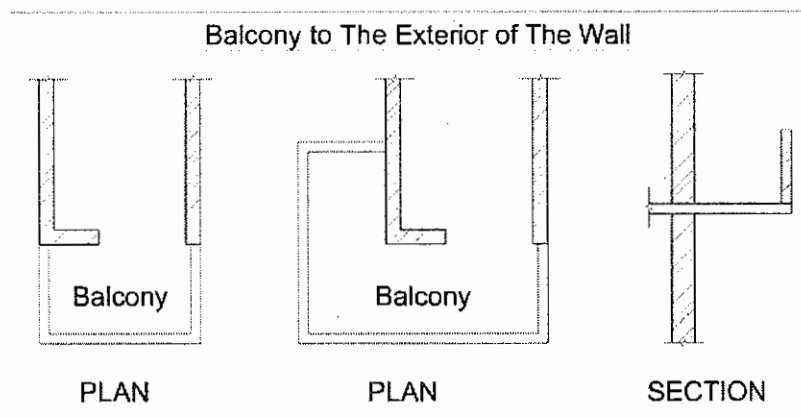


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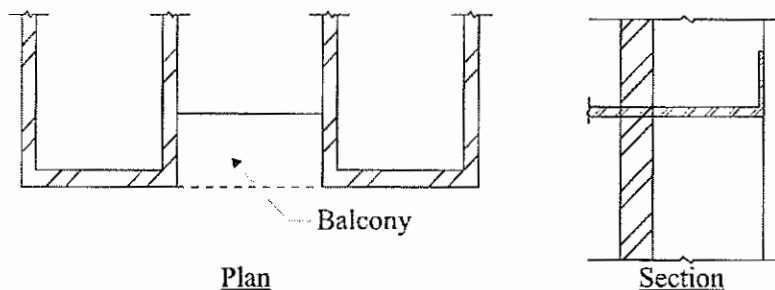
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and displayed in any manner whatsoever out door for purposes of advertising or to give information regarding or to attract the public to any place for public performance, article or merchandise whatsoever, or is attached to, or forms a part of building, or is connected with any building or is fixed to a tree or to the ground or to any pole, screen, fence or hoarding or displayed in space.

- 2.6 **Air-conditioning** -The process of treating air so as to control simultaneously its temperature, humidity, cleanliness and distribution to meet the requirement of conditioned space.
- 2.7 **Accessory Building** -A building separate from the main building on a plot and containing one or more rooms for accessory use such as servant quarters, garage, store rooms etc.
- 2.8 **Accessory / Ancillary Use** -Any use of the premises subordinate to the principal use and incidental to the principal use.
- 2.9 **Amenity Space** - For the purpose of these Regulations, amenity space means a statutory space kept in any layout to be used for any of the amenities such as parks, gardens, recreational grounds, playgrounds, sports complex, auditorium, cultural / community center, convenience shopping, municipal market, shopping mall, vegetable market, parking lots, nursery, primary and secondary schools, junior college, clinics, dispensaries, hospitals, veterinary hospital, health club, sub post-office, police station, electric substation, banks, ATM of Banks, library, electronic cyber library, open market, hawkers zone, garbage bin, arogya kothi, night shelter, Government offices, public housing by Municipal Corporation/Mhada, bus stand, water supply installation, electricity supply installation, sewage treatment plant and includes other utilities, services and conveniences.
- 2.10 **Access**-A clear approach to a plot or a building.
- 2.11 **Architect** - An Architect is a person registered with Council of Architecture as per Architects Act, 1972 as an Architect.
- 2.12 **Atrium** - Atrium means a sky lighted naturally/mechanically ventilated area in buildings, with no intermediate floors, used as circulation space or entrance foyer.
- 2.13 **Balcony** - A Horizontal cantilever projection shown in the figure below, including parapet and handrail balustrade to serve as a passage or sitting out place with at least one side fully open, except being provided with railing or parapet wall for safety.



Open Balcony permissible but not entitled for enclosure



- 2.14 Basement** - The lower storey of a building below or partly below the ground level.
- 2.15 Building**- Any structure for whatsoever purpose and of whatsoever materials constructed and every part thereof whether used as human habitation or not and includes foundation, plinth, walls, floors, roofs, chimneys, wells, door steps, fencing, plumbing and building services, fixed -platforms, verandahs, balcony; cornice or projection, part of a building or anything affixed thereto or any wall fence enclosing or intended to enclose any land or space and signs and outdoor display structures. However, tents, shamianas and the tarpaulin shelters erected for temporary and ceremonial occasions with the permission of the Municipal Commissioner shall not be considered as building.
- 2.16 Built up Area**- The area covered by a building on all floors including cantilevered portion, mezzanine floors if any but excepting the areas excluded specifically from FSI under these Regulations.
- 2.17 Building Line**- The line upto which the plinth of a building adjoining a street or an extension of a street or on a future street may lawfully extend.
- 2.18 Building Height** - The vertical distance measured in the case of flat roofs, from the average level of the ground around and contiguous to the building to the terrace of last floor of the building adjacent to the external walls; to the highest point of the building and in the case of pitched roofs, up to the point where the external surface of the outer wall intersects the finished surface of the sloping roof; and in the case of gable facing road, the mid-point between the eaves level and the ridge. Architectural features serving no other function except that of decoration shall be excluded for the purpose of measuring heights.
- 2.19 Carpet Area** - The net usable floor area of an apartment, excluding the area covered by the external walls, areas under services shafts, exclusive balcony or verandah area and exclusive open terrace area, but includes the area covered by the internal partition walls of the apartment.
- Explanation** - For the purpose of this clause, the expression "exclusive balcony or verandah area" means the area of the balcony or verandah as the case may be which is appurtenant to the net usable floor area of an apartment meant for the exclusive use of the allottee and "exclusive open terrace area" means the area of open terrace which is appurtenant to the net usable floor area of an apartment, meant for the exclusive use of the allottee.
- 2.20 Chajja** -A sloping or horizontal structural overhang usually provided over openings on external walls to provide protection from sun and rain and for purpose of architectural appearance.
- 2.21 Chimney** - An upright shaft containing one or more flues provided for the conveyance to the outer air of any product of combustion resulting from the operation of heat producing appliance or equipment employing solid, liquid or gaseous fuel.
- 2.22 Cluster** - A cluster is any defined area with proper access.



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- 2.23 Combustible Material** - A material, if it burns or adds heat to a fire when tested for combustibility in accordance with IS - 3808 - 1966 Method of Test for combustibility of building materials, given in the National Building Code.
- 2.24 Control Line** -A line on either side of a highway or part of highway beyond the building line fixed in respect of such highway by the Highway Authority from time to time.
- 2.25 Courtyard or Chowk**-A space permanently open to sky enclosed on sides fully or partially by buildings and may be at ground level or any other level within or adjacent to a building.
- 2.26 Canopy** -A projection over any entrance.
- 2.27 Core Area** - A Core Area means the core area as shown on the Development Plan.
- 2.28 Convenience Shopping**-Means shops for domestic needs having area upto 20.00sq.m.
- 2.29 Corridor** -A common passage or circulation space including a common entrance hall.
- 2.30 Detached Building** - A building whose walls and roofs are independent of any other building with marginal distances on all sides as specified.
- 2.31 Development** - Development with its grammatical variations means the carrying out of buildings, engineering, mining or other operations in, or over, or under land or the making of any material change, in any building or land or in the use of any building or land or any material or structural change in any Heritage building or its precinct and includes demolition of any existing building, structure or erection of part of such building, structure of erection and reclamation, redevelopment and layout or sub-division of any land and to develop shall be construed accordingly.
- 2.32 Development Plan** -“Development Plan” means a plan for the development of the area within the jurisdiction of a Planning Authority and includes the revised development plan.
- 2.33 Drain** -The word “Drain” shall have the same meaning assigned thereto as under Bombay Provincial Municipal Corporation Act, 1949,
- 2.34 Dwelling Unit /Tenement** -An independent housing unit with separate facilities for living, cooking and sanitary requirements.
- 2.35 Enclosed Stair- case** - A stair case separated by fire resistant walls and door (s) from the rest of the building.
- 2.36 Existing Building or Use**- A building, structure or its use existing authorisedly.
- 2.37 Exit** - A passage, channel or means of egress from any building, storey or floor area to a street or other open space of safety.
- 2.37.1 Vertical Exit** -A vertical exit is a means of exit used for ascension or descension between two or more levels including stairways, smoke proof towers, ramps, escalators and fire escapes.
- 2.37.2 Horizontal Exit**- A horizontal exit is a protected opening through or around a firewall or a bridge connecting two buildings.
- 2.37.3 Outside Exit** - An outside exit is an exit from the building to a public way, to an open area leading to a public way, to an enclosed fire resistive passage to a public way.
- 2.38 External Wall** - External Wall means an outer wall of a building, not being a party wall even though adjoining to a wall of another building and also means a wall abutting on an interior open space of any building.



- 2.39 **Escalator** - A power driven, inclined, continuous stairway used for raising or lowering passengers.
- 2.40 **Fire and/ or Emergency Alarm System** - An arrangement of call points or detectors, sounders and other equipments for the transmission and indication of alarm signals, for testing of circuits and, whenever required, for the operation of auxiliary services. This device may be workable automatically or manually to alert the occupants in the event of fire or other emergency.
- 2.41 **Fire lift** - One of the lifts specially designed for use by fire service personnel in the event of fire.
- 2.42 **Fire Proof Door** - A door or shutter fitted to a wall opening, and constructed and erected with the requirement to check the transmission of heat and fire for a specified period.
- 2.43 **Fire Resisting Material**- Material which has certain degree of fire resistance.
- 2.44 **Fire Resistance** - The time during which a material fulfills its function of contributing to the fire safety of a building when subjected to prescribed conditions of heat and load or restraint. The fire resistance test of structures shall be done in accordance with "IS -3809 - 1966 Fire Resistance Test of Structures".
- 2.45 **Fire Separation** - The distance in meters measured from any other building on the site, or from other site, or from the opposite side of a street or other public space to the building.
- 2.46 **Fire Service Inlets** - A connection provided at the base of a building for pumping up water through in-built fire-fighting arrangements by fire service pumps in accordance with the recommendations of the Fire Services Authority.
- 2.47 **Fire Tower** - An enclosed staircase which can only be approached from the various floors through landings or lobbies separated from both, the floor areas and the staircase by fire resisting doors and open to the outer air.
- 2.48 **Floor** - The lower surface in a storey on which one normally walks in a building. The general term floor unless otherwise specifically mentioned shall not refer to a mezzanine floor.
- Note** - The sequential numbering of floor shall be determined by its relation to the determining entrance level. For floor at or above ground level, with direct entrance from / to road or street shall be termed as ground floor. The other floors above ground floor shall be numbered in sequence as Floor 1, Floor 2, etc., with the number increasing upwards. The stilt shall be termed as stilt floor or Stilt floor 1, Stilt floor 2 etc. and floors above shall be numbered as Floor 1, Floor 2, etc.,
- 2.49 **Floor space index (F. S. I)** - The quotient obtained by dividing the total built-up area on all floors, excluding exempted areas as given in Regulation no.15.8.2 by the area of the plot.

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

Plot area

- 2.49.1 **Premium FSI** – Premium FSI is FSI granted by the Municipal Commissioner on payment at prescribed rates.
- 2.50 **Footing**-A foundation unit constructed in brick work, masonry or concrete under the base of a wall or column for the purpose of distributing the load over a large area.
- 2.51 **Foundation** -That part of the structure which is in direct contact with and transmitting loads to the ground.
- 2.52 **Front** - The distance between the boundary line of plot abutting the means of access / road / street and the building. In case of plots facing two or more means of accesses / roads / streets, the plot



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shall be deemed to front on all such means of access / road / streets.

- 2.53 Future Urbanizable Zone** –Future urbanizable zone is a residential zone wherein development is allowed, subject to fulfillment of certain requirements as mentioned in this DCPR.
- 2.54 Gallery** - An intermediate floor or platform projecting from a wall of an auditorium or a hall providing extra floor area, additional seating accommodation etc. These shall also include the structures provided for seating in stadia.
- 2.55 Garage Private**- A building or portion thereof, designed and used for parking of privately owned motor driven or other vehicles.
- 2.56 Garage Public** -A building or portion thereof, designed as other than a private garage, operated for gain, designed or used for repairing, servicing, hiring, selling or storing or parking motor driven or other vehicles.
- 2.57 Group Housing Scheme**- Group Housing Scheme means a building or a group of buildings constructed or to be constructed with one or more floors, consisting of more than one dwelling units and having common service facilities. Common service facilities means facilities like stair case, balcony, corridor, and verandah, lift, etc.
- 2.58 Ground Level** - The average level of ground in a plot (site).
- 2.59 Habitable Room** - Habitable room or living room means, a room constructed or intended for human habitation.
- 2.60 Home Occupation** - Home occupation means occupation, other than an eating or a drinking place, offering services to the general public, customarily carried out by a member of the family residing on the premises without employing hired labour, and for which there is no display to indicate from the exterior of the building that it is being utilized in whole or in part for any purpose other than a residential or dwelling use, and in connection with which no article or service is sold or exhibited for sale except that which is produced therein, which shall be non-hazardous and not affecting the safety of the inhabitants of the building and the neighborhood and provided that no mechanical equipment is used except for what is customarily used for purely domestic or household purposes and / or employing licensable goods. 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 with the approval of Divisional Head of Town Planning and subject to such terms and conditions as may be prescribed.
- 2.61 Information Technology Establishment (ITE)** - ITE means an establishment which is in the business of developing either software or hardware relating to computers or computer technology as approved by Director of Industries.
- 2.62 Ledge or Tand** - A shelf like projection, supported in any manner whatsoever, except by vertical supports within a room itself but not having projection wider than 0.60 meter.
- 2.63 Licensed Engineer / Structural Engineer / Supervisor** -A qualified Engineer/Structural Engineer / Supervisor licensed by the Municipal Commissioner, Nashik Municipal Corporation.
- 2.64 Lift** - An appliance designed to transport persons or materials between two or more levels in a vertical or substantially, vertical direction, by means of a guided car platform.
- 2.64.1 Lift Machine** - Part of the lift equipment comprising the motor(s) and the control gear there with, reduction gear (if any), brakes and winding drum or sheave, by which the lift car is raised or lowered.



- 2.64.2 **Lift Well** - Unobstructed space within an enclosure provided for the vertical movement of the lift car(s) and any counter weights, including the lift pit and the space for top clearance.
- 2.65 **Loft** -Loft means, an intermediate floor between two floors, with a maximum height of 1.5 m., which is constructed and used for storage purpose.
- 2.66 **Laying out of New Street** -It includes provision of road for leveling, formation, metalling or paving of a road and footpaths, etc. including laying out of the services such as water supply, drainage, etc.
- 2.67 **Mall**- A large enclosed shopping area.
- 2.68 **Marginal distance / Set back** -Minimum distance required to be left open to sky between the boundary of the building plot and the building excluding court yard/chowk, which is an integral part of the plot.
- 2.69 **Masonry** - An assemblage of masonry units properly bound together with mortar.
- 2.70 **Mezzanine floor** - An intermediate floor between two floors of any story, forming an integral part of floor below, overhanging or overlooking a floor beneath, not being a loft between the floor and the ceiling of any storey.
- 2.71 **Means of Access** -These shall include the road/street/vehicular access way, pathway upto the plot and to the building within a plot.
- 2.72 **Net plot area**- The net plot area shall be as per Regulation no. 13.9.
- 2.73 **Non-Combustible Material** - A material which does not burn nor add heat to a fire when tested for combustibility in accordance with IS: 3808 - 1966 'Method of Test for Combustibility of Building Materials'.
- 2.74 **Non-conforming User** - Any lawful use / building existed on the site but which does not conform to the zoning shown on the Development Plan.
- 2.75 **Occupancy or Use Group** - The principal occupancy or use for which a building or a part of a building is used, or intended to be used, for the purposes of classification of a building according to the occupancy. Occupancy shall be deemed to include subsidiary occupancies which are contingent upon it. Buildings with mixed occupancies are those buildings in which more than one occupancy are present in different portions of the building. The occupancy classification shall have the meaning given from 2.75.1 to 2.75.12 unless otherwise spelt out in Development Plan.
- 2.75.1 **Residential Buildings**- These shall include any building in which sleeping accommodation is provided for normal residential purposes with or without cooking or dining or both facilities. It includes one or two or multi-family dwellings, lodging or rooming houses, residential hotels, hostels, dormitories, dharmshalas, apartment houses, flats, service apartment, studio apartment and private garages incidental thereto.
- 2.75.2 **Educational Buildings** -A building exclusively used for a school or college recognized by the appropriate Board or University, or any other competent authority involving assembly for instruction, education or recreation incidental to educational use, and including a building for such other users incidental thereto such as library, a research institution. It shall also include quarters for essential staff required to reside in the premises and a building used as a hostel whether attached or not to an educational institution whether situated in its campus or not and, also includes buildings used for daycare purposes more than 8 hours per week.



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- 2.75.3 Institutional Buildings** - A building constructed or used by Government, Semi-Government organization or registered trusts or persons and used for medical or other treatment, or an auditorium or complex for cultural and allied activities or for an Hospice care of persons suffering from physical or mental illness, handicap, disease or infirmity, care of orphans, abandoned women, children and infants, convalescents, destitute or aged persons and for penal or correctional detention with restricted liberty of the inmates ordinarily providing sleeping accommodation, and includes hospitals, sanatoria, custodial and penal institutions such as jails, prisons, mental hospitals, houses of correctional detention and reformatories.
- 2.75.4 Assembly Buildings** - These shall include any building or part of building where groups of people congregate or gather for amusement, recreation or social, religious, patriotic, civil, travel and similar purposes, e.g. theatres, motion picture house, drive-in-theatres, multiplexes, assembly halls, city halls, town halls, auditoria, exhibition halls, museums, mangalkaryalaya, cultural center, skating rinks, places of worship, dance theatres, club & gymkhana, passenger stations and terminals of air, surface and other public transportation services, recreation piers and stadia having built up area more than 1000 sq.m.
- 2.75.5 Business Buildings**- These shall include any building or part of building, which is used for transaction of business for the keeping of accounts and records for similar purposes; offices, banks, professional establishments, I.T. establishments, call center, offices for private entrepreneurs, court houses, libraries shall be classified in this group in so far as principal function of these is transaction of public business and the keeping of books and records.
- 2.75.6 Office Building / Premises** - The premises whose sole or principal use is to be used as an office or for office purpose; "office purposes" shall include the purpose of administration, clerical work, handling money, telephone/ telegraph/ computer operations and "clerical work" shall include writing, book-keeping, sorting papers, typing, filing, duplicating, drawing of matter for publication and the editorial preparation of matter for publication.
- 2.75.7 Mercantile (Commercial) Buildings**-These shall mean and include any building or part of a building, which is used as shops, stores, market, malls for display and sale of merchandise either wholesale or retail Office, storage and service facilities incidental to the sale of merchandise and located in the same building shall be included under this group.
- 2.75.8 Public-Semipublic Building** – A building constructed or used by Government, Semi Government Organization, Government Undertaking, Local Authorities, for conducting public semipublic use like municipal office, post office, telephone office, etc.
- 2.75.9 Wholesale Establishments** -These shall mean and include establishments wholly or partly engaged in wholesale trade, manufactures, wholesale outlets including related storage facilities, A.P.M.C. establishments, warehouses and establishments engaged in truck transport including truck transport booking agencies.
- 2.75.10 Industrial Buildings** - These shall mean and include any building or part of a building or structure, in which products or materials of all kinds and properties are fabricated, assembled or processed like assembling plants, laboratories, power plants, smoke houses, refineries, gas plants, mills, dairies, factories etc.
- 2.75.11 Storage Buildings** - These shall mean and include any building or part of a building used primarily for the storage or sheltering of goods, wares or merchandise, like ware houses, cold storage, freight depots, transit sheds, godowns, store houses, public garages, hangars, truck terminals, grain elevators, barns and stables.



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- 2.75.12 Hazardous Buildings** - These shall mean and include any building or part of a building which is used for the storage, handling, manufacture or processing of highly combustible or explosive materials or products which are liable to burn with extreme rapidity and / or which may produce poisonous gases or explosions during storage, handling, manufacturing or processing, which involve highly corrosive, toxic or noxious alkalis, acids or other liquids or chemicals producing flames, fumes and explosive, mixtures of dust or which result in the division of matter into fine particles subject to spontaneous ignition.
- 2.75.13 Special Buildings**— These shall mean buildings as specified in regulation no 6.2.6.1.
- 2.76 Owner** - The person who has legal title for land or building.
- 2.77 Parapet** - A low wall or railing built along the edge of a roof, terraces, balcony, verandah etc.
- 2.78 Parking Space** - An enclosed or unenclosed, covered or open area sufficient in size to park vehicles. Parking space shall be served by a driveway connecting them with a street or alley and permitting ingress or egress of vehicles.
- 2.79 Permit / Permission** - A permission or authorisation in writing by the Authority to carry out the work regulated by these Regulations.
- 2.80 Plinth** - The portion of a structure between the surface of the surrounding ground and surface of the floor immediately above the ground.
- 2.81 Plot / Site**-A parcel or piece of land enclosed by definite boundaries and approved by an authority as a building site, under these Regulations.
- 2.82 Porch** -A covered surface supported on pillars or otherwise for the purpose of pedestrian or vehicular approach to a building.
- 2.83 Podium**—A continuous projecting base or pedestal under or around a building, generally used for parking and movement of vehicles, within the permissible area as specified in these regulations.
- 2.84 Recreational Open Space / Layout open space** – Recreational open space means a statutory common open space kept in any layout or group housing scheme or campus planning, exclusive of margins and approaches, on ground only.
- 2.85 Road / Street** - Any highway, street, lane, pathway, alley, stairway, passageway, carriageway, footway, square place or bridge, whether a thoroughfare or not, over which the public have a right of passage or access or have passed and had access uninterruptedly for a specified period, whether existing or proposed in any scheme, and includes all bunds, channels, ditches, storm-water drains, culverts, sidewalks, traffic islands, roadside trees and hedges, retaining walls, fences, barriers and railings within the street lines.
- 2.86 Road / Street Line** - The line defining the side limit of a road / street.
- 2.87 Room Height** - The vertical distance measured from the finished floor surface to the finished ceiling/ slab surface. In case of pitched roofs, the room height shall be the average height between bottom of the eaves and bottom of ridge.
- 2.88 Row Housing** -A row of houses with front and rear marginal distances.
- 2.89 Semi Detached Building** - A building detached on three sides with marginal distances as specified.
- 2.90 Site corner** - The site at the junctions of and fronting on two or more intersecting streets.



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- 2.91 Site, Depth of** - The mean horizontal distance between the front and rear side boundaries.
- 2.92 Site, Double Frontage** - A site, having a frontage on two streets other than a corner plot.
- 2.93 Site, Interior or Tandem** - A site, access to which is by a passage from a street whether such passage forms part of the site or not.
- 2.94 Smoke Stop Door** - A door for preventing or checking the spread of smoke from one area to another.
- 2.95 Stair Cover** - A structure with a covering roof over a stair case and its landing built to enclose only the stair for the purpose of providing protection from weather and not used for human habitation.
- 2.96 Stilts or Stilt Floors** - Stilts or stilt floors means portion of a building above ground level consisting of structural column supporting the super structure with at least two sides open for the purpose of parking vehicles, scooters, cycles, etc.
- 2.97 Storage** - A place where goods are stored.
- 2.98 Store Room** - A room used as storage space.
- 2.99 Storey** - The portion of a building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between any floor and the ceiling next above it.
- 2.100 Telecommunication Cell Site/Base Station (TCS/BS)** - Telecommunication Cell Site/Base Station (TCS/BS) for any Telecom Operator shall mean and include tower of requisite height and dimensions, delta, single pole antennae, microwave antenna, cabin of requisite dimensions for housing equipment, telecom transceiver machinery, related civil work, requisite wires and cables, power supply equipment, Diesel Generator (DG) Set/ Alternate power supply mechanism, cabin /cupboard for housing any or all of the aforesaid items as necessary.
- 2.101 Tenement** - An independent dwelling unit with a kitchen or cooking alcove.
- 2.102 Terrace** - A flat, open to sky roof of a building or a part of a building having parapet.
- 2.102.1 Supported double Height Terrace** - Open terraces with railing having minimum height equal to two floors within building line.
- 2.103 To Erect** - To erect a building means
- to erect a new building on any site whether previously built upon or not;
 - to re-erect any building of which portions above the plinth level have been pulled down, burnt or destroyed; and
 - conversion from one occupancy to another.
- 2.104 Travel Distance** - The distance from the remotest point on a floor of a building to a place of safety, be it a vertical exit, horizontal exit or an outside exit measured along the line of travel.
- 2.105 Tower like structure** - A structure in which the height of the tower like portion is at least twice the width of the broader base.
- 2.106 Unsafe Building** - Unsafe buildings are those which are structurally unsafe, unsanitary or not provided with adequate means of ingress or egress which constitute a fire hazard or are otherwise dangerous to human life or which in relation to existing use constitute a hazard to safety or health or public welfare, by reason of inadequate maintenance, dilapidation or abandonment.



- 2.107 **Verandah** - A covered area with at least one side open to the outside with the exception of 1 m. high parapet on the ground floor to be provided on the open side.
- 2.108 **Water Closet (WC)** -A privy with arrangement for flushing the pan with water. It does not include a bathroom.
- 2.109 **Water Course** - A natural channel or an artificial one formed by draining or diversion of a natural channel meant for carrying storm water and waste water.
- 2.110 **Width of Road** - The whole extent of space within the boundaries of road when applied to a new road, as laid down in the city surveys map or development plan or prescribed road lines by any Act or Law and measured at right angles to the course or intended course of direction of such road whichever is more.
- 2.111 **Window** -An opening to the outside other than the door which provides all or part of the required natural light, ventilation or both, to the interior space.

3.0 APPLICABILITY OF REGULATIONS

- 3.1 These regulations shall apply to all development, redevelopment, erection and/or re-erection of a building, change of user etc. as well as to the design, construction or reconstruction of, and additions and alteration to a building. These regulations shall also apply to any revision of the development permissions/building permissions granted earlier under any Development Control Regulations. Further, these Regulations shall apply to development work defined in Regulation No. 3.2 to 3.6. However, features approved by earlier permission shall remain intact unless it contradicts the provisions of FSI under these regulations.
- 3.2 **Construction /Part Construction** - Where the whole or part of a building is demolished or altered or reconstructed, removed, except where otherwise specifically stipulated, these Regulations apply only to the extent of the work involved.
- 3.3 **Change of Occupancy / User:** -Where the occupancy or the user of a building is changed, except where otherwise specifically stipulated, these Regulations shall apply to all parts of the building affected by the change.
- 3.4 **Reconstruction** - The reconstruction, in whole or part of a building which has ceased to exist due to an accidental fire, natural collapse or demolition, having been declared unsafe, or which is likely to be demolished by or under an order of the Municipal Corporation and for which the necessary certificate has been given by the said Municipal Corporation, shall be allowed subject to the provisions in these Regulations.
- 3.5 **Revised permission** – Any development permission granted earlier may be revised provided that, third party interest established in pursuance of such permission, if any, are not adversely affected. In such case, consent of the adversely affected persons shall be necessary. While granting the revised permission, the approved plans and commencement certificate of the earlier permission with the owner and office, shall be stamped as 'CANCELLED' by the Authority.
- 3.6 **Development of sites or land sub-division or amalgamation of land** –Where land is to be developed, sub-divided or two or more plot are to be amalgamated or a layout is to be prepared , these Regulations shall apply to the entire area under development, sub-division, amalgamation and layout.

Provided that, where a part of an existing layout is being altered, these regulations shall apply only to that part which is being altered, without adversely affecting the requirement of layout roads, recreational open space, etc. of earlier sanctioned layout.



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4.0 INTERPRETATION

- 4.1 In these Regulations, the use of present tense includes the future tense, the masculine gender includes the feminine and the neutral, the singular number includes the plural and the plural includes the singular. The word "person" includes a corporation/company, "writing" includes "printing and typing" and "signature" includes thumb impression made by a person who cannot write if his name is written near such thumb impression or digital signature in case of e submissions.
- 4.2 Whenever sizes and dimensions of rooms and spaces within buildings are specified, they shall mean clear dimensions unless otherwise specified in these Regulations. However, sizes and dimensions may not be disputed with reference to finished/unfinished surfaces unless it differ overall dimensions of the building.

5.0 DEVELOPMENT PERMISSION AND COMMENCEMENT CERTIFICATE

- 5.1 No person shall carry out any development, in contravention of the Development Plan proposals.
- 5.2 No person shall carry out any development work including development of land by laying out into suitable plots or amalgamation of plots or development of any land as group housing scheme or to erect, re-erect or make alterations or demolish any building or cause the same to be done without first obtaining a separate building permit / commencement certificate for each such development work / building from the Municipal Commissioner.
- 5.3 No temporary construction shall be carried out without obtaining prior approval of the Municipal Commissioner, which may be granted subject to such conditions as may be deemed necessary by him. However, temporary site office/watchman cabin/labour-material shed/toilet may be constructed without permission after the development permission is granted. These temporary constructions shall be removed after the completion of construction under development permission.

5.4 Development undertaken on behalf of Government -

As per the provisions of Section 58 of The Maharashtra Regional and Town Planning Act, 1966, the office in-charge of the Government Department shall inform in writing to the Municipal Commissioner of the intention to carry out its purpose along with details of such development or construction as specified below :-

- i) An official letter by the authorised officer of Government Department addressed to the Municipal Commissioner, giving full particulars of the development work or any operational construction.
- ii) Ownership documents and measurement plan issued by the Competent Authority of Land Records Department.
- iii) Development / building plans conforming to the provisions of Development Plan and these Regulations for the proposed development work to the scale specified in these Regulations.
- iv) The proposals of the Development Plan or Town Planning Scheme affecting the land.
- v) A Site Plan (with required number of copies) of the area proposed to be developed to the scale.
- vi) Detailed plan (with required number of copies) showing the plan, sections and elevations of the proposed development work to the scale, including existing building specified either to be retained or to be demolished.

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



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- i) Railways;
- ii) National Highways;
- iii) National Waterways;
- iv) Airways and Aerodromes;
- v) Major Ports;
- vi) Posts and Telegraphs, telephones, wireless, broadcasting and other like forms of communication, excluding mobile towers;
- vii) Regional grid for 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 connection, drains, etc.

5.4.2 However the following constructions of the Government Departments do not come under the purview of operational construction for the purpose of exemption under Regulation No.5.4.1.

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

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

- i) The carrying out of any works by the Central or State Government or any local authority-
 - (a) required for the maintenance or improvement of highway, road or public street, being works carried out on land within the boundaries of such highway, road or public street; or
 - (b) required for the purpose of inspecting, repairing or renewing any drains, sewers mains, pipes, cable; telephone or cables, or other apparatus including the breaking open of any street, or other land for the purpose.

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

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

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

6.1 Notice - Every person who intends to carry out development and erect, re-erect or make alterations in any place in a building or demolish any building, shall give notice in writing to the Authority of his said intention in the prescribed form (See Appendix A1 or A2) and such notice shall be accompanied by the payment receipt of required scrutiny fee and any other fee/ charges prescribed by the Municipal Commissioner from time to time and the plans and statements in sufficient copies



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(See Regulation No. 6.1.1), as required under Regulation No.6.2 and 6.3. The plans may be ordinary prints on Ferro paper or any other type (prints only).One set of plans shall be retained in the office of the Municipal Commissioner for record after the issue of permission or refusal. The plans may be submitted in the form of soft copy as may be specified by the Municipal Commissioner from time to time.

6.1.1 Copies of Plans and Statements - Minimum four copies of plans and statements shall be made available along with the notice. In case of building schemes, where clearance is required from other agencies like Fire Services, number of copies of plans required shall be as decided by the Authority.

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

6.2.1 Size of drawing sheets and colouring of plans.

6.2.1.1 The size of drawing sheets shall be any of those specified in Table No 1.

Table No 1
DRAWING SHEET SIZES

Sr. No.	Designation	Trimmed Size (In mm)
(1)	(2)	(3)
1	AO	841 x 1189
2	A1	594 x 841
3	A2	420 x 594
4	A3	297 x 420
5	A4	210 x 297

If necessary, submission of plans on sheets bigger than A0 size is also permissible.

6.2.1.2 Colouring Notations for Plans: - The Plans shall be coloured as specified in Table No. 2 herein under. Prints of plans shall be on one side of paper only.

6.2.1.3 Dimensions: All dimensions shall be indicated in metric units.

Table No -2
COLOURING OF PLANS

Sr. No.	Item	Site Plan		Building Plan	
		White Plan	Ammonia Print	White Plan	Ammonia Print
(1)	(2)	(3)	(4)	(5)	(6)
1.	Plot lines	Thick Black	Thick Black	Thick Black	Thick Black
2.	Existing Street	Black	Blue
3.	Future street if any	Black dotted	Blue dotted
4.	Permissible Building lines	Thick dotted black	Thick dotted blue
5.	Existing work	Black (outline)	Blue	Black	Blue
6.	Work proposed to be demolished	Yellow hatched	Yellow hatched	Yellow hatched	Yellow hatched
7.	Proposed work	Red filled in	Red	Red	Red
8.	Drainage & sewerage work	Red dotted	Red dotted	Red dotted	Red dotted
9.	Water supply work	Black dotted	Black	Black	Black dotted



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		thin	dotted thin	dotted thin	thin
10.	Deviations from the sanctioned plan	Red hatched	Red hatched	Red hatched	Red hatched
Note:-	For land development/sub-division/layout/building plan, suitable colouring notations shall be used which shall be indexed.				

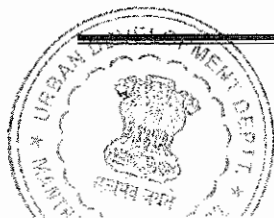
6.2.2 Ownership title and area - Every application for development permission and commencement certificate shall be accompanied by the following documents for verifying the ownership and area etc. of the land:-

- (a) Attested copy of original registered sale / lease - deed /power of attorney, wherever applicable.
- (b) V.F.No.7/12 extracts or property register card of a date not more than six months prior to the date of submission and a certified copy of the Measurement Plan of the property under development proposal.
- (c) Statement of area of the holding by triangulation method /CAD (computer added designs and draftings) based softwares from the qualified licensed technical personnel or architect with an affidavit from the owner with regard to the area in the form prescribed by the Municipal Commissioner.
- (d) Any other document prescribed by the Municipal Commissioner.
- (e) Wherever third party interest is created by way of agreement to sale or mortgage etc. the registered consent of such interested persons shall be submitted with the application.
- (f) A certified copy of approved sub-division / amalgamation / layout of land from the concerned authority.
- (g) In the case of land leased by the Government or local authorities, no objection certificate of Government or such authorities shall be obtained if there is deviation from lease conditions and shall be attached to the application for development permission in respect of such land.

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

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

- a) The boundaries of the site and of any contiguous land belonging to the neighbouring owners;
- b) The position of the site in relation to neighbouring streets ;
- c) The name of the street, if any, from which the building is proposed to derive access;
- d) All existing buildings contained in the site with their names (where the buildings are given names) and their property numbers;
- e) The position of the building and of other buildings, if any, which the applicant intends to erect, upon his contiguous land referred to in (a) above in relation to;
 - (i) The boundaries of the site and, in a case where the site has been partitioned, the boundaries of the portions owned by others;
 - (ii) All adjacent streets, buildings (with number of storeys and height) and premises within a distance of 12 m. of the work site and of the contiguous land (if any) referred to in (a), and



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- f) The means of access from the street to the building and to all other buildings (if any) which the applicant intends to erect upon.
- g) The space to be left around the building to secure free circulation of air, admission of light and access;
- h) The width of the street (if any) in front and the street (if any) at the side of or near the building, including the proposed roads;
- i) The direction of the north line relative to the plan of the building;
- j) Any existing physical features, such as wells, tanks, drains, pipe lines, high tension line, railway line, trees, etc.;
- k) The ground area of the whole property and the break-up of the built-up area on each floor;
- l) A plan indicating parking spaces as required and provided under these regulations;
- m) Overhead electric supply lines, if any, including space for electrical transformer / sub-station according to these regulations or as per the requirements of the electric distribution company.
- n) Any water course existing on site;
- o) Existing alignments of water supply and drainage line;
- p) Such other particulars as may be prescribed by the Municipal Commissioner.

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

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

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

- (a) include floor plans of all floors together with the built-up area, clearly indicating the sizes of rooms and the position and width of staircases, ramps and other exit ways, lift-wells, lift machine rooms and lift pit details. It shall also include ground floor plan as well as basement plans and shall indicate the details of parking spaces, loading and unloading spaces provided around and within building as also the access ways and the appurtenant open spaces with projections in dotted lines, distance from any building existing on the plot in figured



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dimensions along with accessory building;

- (b) show the statement of built-up area of every flat or shop or any unit along with proportionate common built-up area and carpet area attached to it and area of balcony / enclosed balcony and double height terraces, if any attached to the said unit;
- (c) show the use or occupancy of all parts of the building;
- (d) show exact location of essential services e.g. wc, sink, bath and the like;
- (e) include sectional drawings of the building showing all sectional details;
- (f) show all street elevations;
- (g) give dimensions of the projected portions beyond the permissible building line;
- (h) include terrace plan indicating the drainage and the slopes of the roof;
- (i) give indications of the north point relative to the plans; and
- (j) give dimensions and details of doors, windows and ventilators;

6.2.6.1 Building Plans for Special Buildings :- For

- (i) multistoried buildings which are more than 24.00m. height; or
- (ii) special buildings like educational, assembly, mercantile, institutional, public and semipublic, industrial, storage and hazardous buildings having built-up area more than 500 sq. m. on each floor; or
- (iii) mixed occupancies with any of the aforesaid occupancies mentioned in (ii) above, having built-up area more than 500 sq. m. on each floor;

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

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



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service inlets for mobile pump and water storage tank;

- (p) location and details of fixed fire protection installations such as sprinklers, wet risers, hose reels, drenchers, CO₂ installation etc.;
- (q) location and details of first aid, firefighting equipment's / installations.

Provided further that, the provision of fire escape stair case shall be made as per Regulation No.17.4.4

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

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

6.2.8 No Objection Certificate - In case of development / construction of buildings requiring clearance from the authorities like Civil Aviation Authority, Railways, Directorate of Industries, Maharashtra Pollution Control Board, District Magistrate, Inspectorate of Boilers and Smoke Nuisance, Defence Authorities, Archeological Department etc., the relevant no objection certificates from these authorities, applicable to the occupancy, shall also accompany the application.

In case of a building identified in Regulation No.6.2.6.1, the building scheme shall also be cleared by the Chief Fire Officer of the Municipal Corporation.

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

6.2.10 Building/ Layout Permission Fee- The notice shall be accompanied by self attested copy of Receipt of payment of Building/ Layout Permission Fee. The building permission fee or layout /subdivision of land fees shall be as decided by the Municipal Commissioner from time to time, subject to Government orders, if any.

6.2.11 Development Charges- Development charges as required under Section 124A of the Maharashtra Regional and Town Planning Act, 1966 shall be deposited with the Planning Authority before issue of development permission/ commencement certificate. In case of revised permission where no development is carried out in pursuance of the earlier permission, amount of difference of development charges, if any, shall be levied and recovered. In case of revised permission, where development is commenced in pursuance of earlier permission, development charges shall be levied on the land and built-up area, over and above the area covered in the earlier permission.

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

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

6.3 Signing the Plan -

All the plans shall be duly signed by the owner, co-owner, if any, and the Architect or Licensed



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Engineer / Structural Engineer / Supervisor and shall indicate his name, address and license number allotted by the Authority.

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

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

6.5 Discretionary Powers:-

6.5.1 Interpretation.

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

- (i) decide on matters where there is doubt / error in interpretation of these Regulations in consultation with the Divisional Head of Town Planning, Nashik Division, Nashik;
- (ii) decide the extent of the proposal of development plan with respect to survey number, where boundaries of the survey number shown on development plan varies with the boundaries as per revenue record/ measurement plan/ city survey sheets.
- (iii) determine and establish the location of zonal boundaries in exceptional cases, or in cases of doubt or controversy;
- (iv) decide the alignment of development plan road, where the street layout actually on the ground varies from the street layout as shown on the Development Plan;
- (v) authorise erection of a building or use of premises for a public service undertaking for public utility purposes only, where he finds such authorisation to be reasonably necessary for the public convenience and welfare, even if it is not permitted in any Land Use Classification,
- (vi) modified the limit of a zone where the boundary line of the zone divide the plot, while deciding such boundary, the zone prevails over larger portion of the plot having area more than 50% shall be considered.

6.5.2 Relaxation.

In specific cases, where a clearly demonstrable hardship is caused, the Municipal Commissioner may permit any of the dimensions / provision prescribed by these regulations to be modified provided the relaxation sought does not violate the health safety, fire safety, structural safety and public safety of the inhabitants of the buildings and the neighborhood. However, no relaxation for the setback required from the road boundary or F.S.I. or parking requirements shall be granted under any circumstances, unless otherwise specified in these regulations.

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

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

- (i) Structures for protection from the rain or covering of the terraces during the monsoon only.
- (ii) Pandals for fairs, ceremonies, religious function, etc.



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

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

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

6.6 Grant or Refusal of permission

- 6.6.1 The Authority may either sanction or refuse the plans or may sanction them with such modifications or directions as it may deem necessary after having recovered the necessary charges and there upon shall communicate its decision to the person giving the notice in the prescribed form given in Appendix D1/D2/D3 and E1/E2 as the case may be.
- 6.6.2 (i) The building plans for buildings identified in Regulation No. 6.2.6.1 shall also be subject to the scrutiny of the Chief Fire Officer, Fire Brigade and the sanction / building permission shall be issued by the Authority after the clearance from the Chief Fire Officer.
- (ii) In case of land subdivision or plotted layout, tentative layout shall be recommended for demarcation at first instance. After having demarcated the layout by the Land Records Department, the owner shall submit the demarcated layout for final approval to the Authority and the Authority shall examine the provision laid down in Regulation No.6.8 and grant final approval if it is in accordance with the layout recommended for demarcation and confirming to the regulations. This shall also be mandatory to Group Housing Scheme where roads in the adjoining layouts/ Development Plan roads are to be coordinated and/or amenity space is to be earmarked.
- 6.6.3 If within sixty (60) days of receipt of the notice, along with necessary fees under 6.2.10 of the regulations, the Authority fails to intimate in writing to the person, who has given the notice; of its refusal or sanction or sanction with such modifications or directions, the notice with its plans and statements shall be deemed to have been sanctioned, provided nothing shall be construed to authorise any person to do anything on the site of the work in contravention or against the terms of lease or titles of the land.

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



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

Provided further that upon receipt of intimation of any claim for deemed permission, the Authority shall within fifteen days from the date of receipt of such claim, communicate its remarks, if any, regarding deemed permission to the applicant, failing which, the proposal shall be approved and commencement certificate and one set of duly approved plans for proposed development shall be issued to the applicant within fifteen days thereafter.

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

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

6.7 Commencement of work

The commencement certificate/development permission shall remain valid for 4 years in the aggregate but shall have to be renewed every year from the date of its issue. The application for renewal shall be made before expiry of one year if the work is not already commenced. Such renewal can be done for three consecutive terms of one year after which proposals shall have to be submitted to obtain development permission afresh. If application for renewal is made after expiry of the stipulated period during which commencement certificate is valid, then the Authority may condone the delay for submission of application for renewal by charging necessary fees; but in any case, commencement certificate shall not be renewed beyond 4 years from the date of commencement certificate/ development permission. Provided that no such renewal shall be necessary if the work is commenced within the period of valid permission and such permission shall remain valid till the work is completed.

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

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

- 6.8 In case of land subdivision / group housing schemes, it shall be the responsibility of the owner / developer to construct all infrastructure including roads with asphaltting, storm water drains, sewer lines, water supply lines, development of recreational open spaces etc. In case of land subdivision, these works shall generally be completed within two years and phase wise building permission shall be granted depending upon the percentage of infrastructure work completed. The layout plots should



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be released for construction in stages according to infrastructure work completed. The condition to that effect shall be incorporated in the commencement certificate. In case of group housing scheme, these works shall be completed before completion of the project and occupancy certificate shall be granted phase wise as per completion of infrastructure work.

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

7.0 PROCEDURE DURING CONSTRUCTION

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

7.2 Documents at site –

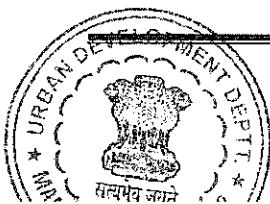
- (i) **Development Permission:** The person to whom a development permission is issued shall during construction, keep -
- posted at a conspicuous place on the site for which permission has been issued, a copy of a development permission; and
 - a copy of the approved drawings referred to in Regulation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

7.3 Deviation during constructions-If during construction of a building any departure of a substantial nature from the sanctioned plans is intended by way of internal or external additions, sanction of the Authority shall be necessary. A revised plan showing the deviation shall be submitted and the procedure laid down for the original plans shall apply to all such amended plans. Any work done in contravention of the sanctioned plans, without prior approval of the Authority shall be deemed as unauthorised. However, any changes made within the internal layout of a residential or commercial unit, which do not violate FSI or other regulations, shall not be treated as unauthorised.

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

7.5 Occupancy certificate - The Authority after inspection of the work and after satisfying himself that there is no deviation from the sanctioned plans, issue an occupancy certificate in the form in **Appendix- G** or refuse to sanction the occupancy certificate in **Appendix – H** within 21 days from the date of receipt of the said completion certificate, failing which the work shall be deemed to have been approved for occupation, provided the construction conforms to the sanctioned plans. One set of plans, certified by the Authority, shall be returned to the owner along with the occupancy certificate. Where the occupancy certificate is refused or rejected, the reasons for refusal or rejection shall be given in intimation of the rejection or the refusal.

In case of building identified in Regulation No.6.2.6.1, the occupancy certificate shall be issued by the Authority, only after the clearance from the Chief Fire Officer, regarding the



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completion of the work from fire protection point of view.

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

8.0 INSPECTION

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

9.0 UNSAFE BUILDINGS

All unsafe buildings shall be considered to constitute danger to public safety and hygiene and sanitation and shall be restored by repairs or demolished or dealt with as otherwise directed by the Authority. The redevelopment of such buildings shall be as per the provisions of the Regulation No. 23.13.

10.0 OFFENCES AND PENALTIES

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

- (a) be punished with a fine as fixed by the Municipal Commissioner and as stipulated in Section 52 of The Maharashtra Regional and Town Planning Act, 1966;
- (b) further the Authority may take suitable actions including demolition of unauthorised works, as stipulated under Section 53 of The Maharashtra Regional and Town Planning Act, 1966;
- (c) in case of Licensed Engineer / Structural Engineer / Supervisor, the Authority may take suitable action against him which may include cancellation of license and debarring him from further practice / business for a period as decided by the Authority;
- (d) in case of registered architects, the Municipal Commissioner may report to the Council of Architecture to take suitable action against the Registered Architect as per the provisions of Architects Act, 1972.

10.2. Revocation of Permission:-

- 1) Without prejudice to the powers of revocation conferred by Section 51 of the Maharashtra Regional and Town Planning Act, 1966, the Authority may, after giving the opportunity of being heard, revoke any development permission issued under these regulations where it is noticed by it that there had been any false statement or any misrepresentation of material fact in the application on the basis of which the development permission was issued and thereupon the whole work carried out in pursuance of such permission shall be treated as unauthorised.
- 2) In the case of revocation of the permission under sub- regulation (1), no compensation shall be paid.

10A Amendment to appendices

The Municipal Commissioner may amend the appendices A to J(except appendix C & J) in these regulations as and when necessary. Further, any error is observed in text of any



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regulation, it may be rectified by the Municipal Commissioner in consultation with the Director of Town Planning.



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PART II
GENERAL LAND DEVELOPMENT REQUIREMENTS

11.0 REQUIREMENTS OF SITE**11.1 SITES NOT ELIGIBLE FOR CONSTRUCTION OF BUILDING**

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

- (a) If the Authority considers that the site is insanitary, incapable of being well drained or it is dangerous to construct a building on it;
- (b) If the entire site is within a distance of 6 m. from the edge of water mark of a minor watercourse (like nalla) and 15 m. from the edge of water mark of a major water course (like river) shown on Development Plan or village/city survey map or otherwise, provided that where a minor water course passes through a low lying land without any well-defined banks, the owner of the property may be permitted by the Municipal Commissioner to restrict and or to realign the same within the same land along with cross section as determined by the Corporation; modified from time to time without changing the position of the inlet and outlet of the water course. In such case marginal open spaces shall be as required under these regulations subject to minimum 4.50 m. from the edge of the trained nala.

Notwithstanding anything contained hereinabove, the Municipal Commissioner shall be entitled to take cognizance of the existence of all water courses whether shown on the Development Plan or not, while sanctioning layouts and no person shall take any action without the permission of the Commissioner which results in reducing the water way or closing or filling up of any existing water course. If any watercourse, whether shown in the Development Plan/Revenue Record or not, but existing on the site/land, owned by private person, the area under such water course shall not be deducted for computation of FSI.

- (c) If the owner of the plot has not shown to the satisfaction of the Authority all the measures required to safeguard the construction from constantly getting damp;
- (d) If the proposed building is for assembly uses, for cinemas / theatres, as well as for public worship which has not been previously approved by the appropriate Authority;
- (e) If the building is proposed on any area filled up with carcasses, excreta, filth and offensive matter till the production of certificate from the Authority to the effect that it is safe from the health and sanitary point of view, to be built upon;
- (f) If the use of the site is for the purpose, which in the opinion of the Authority will be a source of annoyance to the health and comfort of the inhabitants of the neighbourhood;
- (g) If the proposed occupancy of the building on the site does not conform to the land use proposals in the development plans or Zoning Regulations,
- (h) If the level of the site is less than prescribed datum level depending on topography and drainage aspects;
- (i) If it doesn't derive access from an authorised street/means of access described in these Regulations;
- (j) If the site is not developable by virtue of restrictions imposed under any law or guidelines of any Government department and;
- (k) If the site is hilly and having gradient more than 1:5.

11.2 DISTANCE OF SITE FROM ELECTRIC LINES

No structure including verandah or balcony shall be allowed to be erected or re-erected or any



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additions or alterations made to a building on a site within the distance quoted in Table No. 3 below in accordance with the prevailing Indian Electricity Rules and its amendments from time to time between the building and any overhead electric supply line.

Table No. 3

Electric Lines	Vertically (m.)	Horizontally (m.)
(1)	(2)	(3)
(a) Low and medium voltage Lines and Service Lines.	2.5	1.2
(b) High voltage lines up to and including 33,000 V.	3.7	2.0
(c) Extra High voltage beyond 33,000 V.	3.7	2.0
	(Plus 0.3 m. for every additional 33,000 V. or part thereof)	(Plus 0.3 m. for every additional 33,000 V. or part thereof)
Note : The minimum clearance specified above shall be measured from maximum sag for vertical clearance and from maximum deflection due to wind pressure for horizontal clearance.		

11.3 CONSTRUCTION WITHIN FLOOD LINE

Construction within flood line of river Godavari, Darna, Waghadi, Nasardi and Waldevi

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

Provided further that redevelopment of the authorised existing properties within river bank and blue flood line, in core area, marked on development plan, may be permitted at a height of 0.45 m. above red flood line level, in consultation with Irrigation Department.

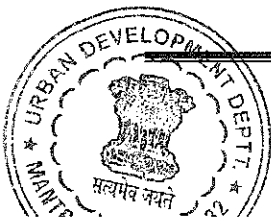
- ii) Area between blue flood line and red flood line shall be restrictive zone for the purposes of construction. The construction within this area may be permitted at a height of 0.45 m. above the red flood line level.
- iii) If the area between the river bank and blue flood line or red flood line forms the part of the entire plot in developable zone i.e. residential, commercial, public-semi-public, industrial, future urbanizable zone, then, FSI of this part of land may be allowed to be utilised on remaining land.
- iv) The blue and red flood line shown on the development plan shall stand modified as and when it is modified by the Irrigation Department.

11.4 DEVELOPMENT WITHIN 30 M. FROM RAILWAY BOUNDARY

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

11.5 ENVIRONMENTAL CLEARANCE

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



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11.6 RESTRICTIONS IN THE VICINITY GANDHI NAGAR AIRPORT

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

11.7 CONSERVATION LINE FOR PANDAV LENI

A conservation line around Pandav Leni has been earmarked by the Archeological Survey of India, which is upto 300 m. from the periphery of Pandav Leni. Development within this conservation zone shall be subject to following conditions;

- i) No construction activity is permissible within 100 meters distance from the periphery of leni.
- ii) Between 100 m. to 300 m. construction is permissible upto a height of 9.0 m. or as specified by Archeological Survey of India from time to time.
- iii) For every construction in this conservation zone, NOC from Archeological Survey of India is necessary.

11.8 DEVELOPMENT ALONG HIGHWAYS / CLASSIFIED ROADS

The development along the highways shall be subject to the provisions of State Highways Act, 1965 and National Highway Act, 1956 and orders issued by Public Works Department in this regards, from time to time.

A service road of 12 m. wide shall be provided along State and National Highways on both sides. These service road may not be provided where development / construction is already taken place without the provision of the service roads.

11.9 DEVELOPMENT WITHIN 500 M. FROM THE JAIL PREMISES

The developments around from the jail premises may be permitted with prior consent of the committee constituted in this regard vide government order no.UOR-81-2013-UD-11, Dated 4 December, 2013, & 6 August, 2015. This provision shall be subject to the orders issued by the Government from time to time.

11.10 DISTANCES FROM LAND FILL SITES

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

11.11 DEVELOPMENT OF CYCLE TRACK ALONG RIVER & NALLA

A cycle track shall be developed in green belt areas earmarked on Development Plan along the rivers. Also, cycle track proposal is shown on canal land in the Development Plan.

A distance of 6 m. from the edge of minor water course (nalla) is to be left as marginal distance for construction of any building. A 3 m. strip of land from the edge of such water course out of this 6 m. distance to be left, shall be available for use as cycle track for general public. The compound wall shall be constructed excluding this distance of 3 m. strip for cycle track. The owner shall be entitled for FSI of this strip of land for cycle track, in-situ. This 3m. wide strip shall be handed over to Municipal Corporation for which, owner shall be entitled for TDR or in-situ FSI equivalent to 35% of the area of 3m. wide strip. This regulation shall be applicable for development of land along nallas specified in **Plan-A** annexed with this DCPR. Where development is already taken place and it is not possible to make provision for such 3 m. wide cycle track, then Municipal Commissioner shall be empowered to decide not to apply this regulation for particular stretch of nalla. In such cases, normal marginal distances under these



regulations shall apply.

12.0 MEANS OF ACCESS

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

13.0 REGULATIONS FOR LAND SUB-DIVISION AND LAYOUT

13.1 OBLIGATION TO PREPARE LAYOUT

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

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

13.2 ROADS / STREETS IN LAND SUB-DIVISION OR LAYOUT

- A) For Residential Development -The plots shall abut on a existing public means of access like street / road. Minimum width of access / layout road / internal road in any development proposal / subdivision / group housing shall be as given in **Table No.4.**

Sr. No.	Length of Means of access in m.	Width of Means of access in m.
i	upto150	9.00
ii	above 150 and to upto300	12.00
iii	more than 300	15.00

- B) For Other than Residential Development -The minimum width of access / layout road / internal road in any development proposal other than residential (for commercial/industrial use) shall be as given in **Table No.4 (a).**

Sr. No.	Length of Mean of access in m.	Width of Means of access in m.
i	Upto 75	12
ii	Above 75 to 150	15
iii	Above 150	18 or more

NOTE - 1 The means of access shall be clear of required marginal distances from the existing building line. In no case, development on plots shall be permitted unless it is accessible by the authorized public street existing prior to coming in to force of these Regulations or road from the



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layout sanctioned prior to these Regulations.

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

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

Sr. no.	Length of Mean of access in m.	Width of Means of access in m.
i	Upto 150	7.50
ii	Above 150 to 300	9.00
iii	Above 300 to 600	12.00
iv	Above 600	15.00

NOTE – 1 In case of group housing scheme, building as mentioned in Regulation No.6.2.6.1 is proposed then such building shall be accessible from minimum road width of 12 m. and road network shall be planned accordingly.

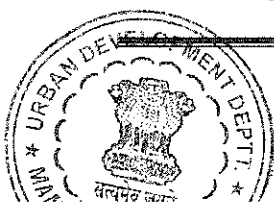
NOTE – 2 It shall be necessary to provide through roads, in group housing scheme of area more than 2 Hector, so as to coordinate the adjoining major road link (15 m. and above) or give way to new road link for adjoining area. The road width required for such road link shall be as per Table no.4. This shall not bar coordination of smaller width roads approaching from adjoining area, if owner so desires. Further the authority may insist on coordination of smaller width road from adjoining area, if required from planning point of view.

- 13.2.1 Pathways** -In case of group housing scheme / campus planning, a pedestrian approach to the buildings from road / street / internal means of access, wherever necessary, shall be through paved pathway of width not less than 3.0 m. & 6.0 m., provided its length measured from farthest building is not more than 60 m. and 100 m. respectively from the main / internal means of access. If the length is more than 100m., then regular street as provided in Table No.4b shall be necessary. The marginal distances shall not be required from such pathways, however, distance between two buildings shall be maintained. This provision shall not apply to development under Regulation No.23.10.
- 13.2.2** The length of means of access shall be determined by the distance from the farthest plot (building) to the public street. The length of the subsidiary access way shall be measured from the point of its origin to the next wider road on which it meets.
- 13.2.3** In the interest of general development of an area, the Authority may require the mean of access to be of larger width than that required under Regulation No. 13.2.
- 13.2.4** While granting the development permission for land sub-division or group housing/campus planning, it shall be necessary to coordinate the roads in the adjoining lands subject to provisions mentioned in Regulation No.13.2.C – NOTE - 2.
- 13.2.5** In case where a private passage is unrestrictedly used by public for more than 10 years as a means of access of width not less than 9 m. to a number of plots, the Authority may take steps including improvement under, the provision of relevant Act to declare it as a public street.



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- 13.2.6** In core areas in the case of plots facing street / means of access less than 4.5 m. in width, the plot boundary shall be shifted to be away by 2.25 m. from the central line of the street/ means of access way to give rise to a new street / means of access way of width of 4.5 m. clear from the structural projections.
- 13.2.7** Means of access shall be leveled, metalled, flagged, paved, sewered, drained, channeled, lighted, laid with water supply line and provided with trees for shade (wherever necessary) to the satisfaction of the Authority, free of encroachment and shall be maintained in a condition to the satisfaction of the Authority .
- 13.2.8** If any private street or any other means of access to a building is not constructed & maintained as specified above, the authority may by written notice require the owner or owners of the several premises fronting or adjoining the said street or other means of access or abutting thereon or to which access is obtained through such street or other means of access or which shall benefit by works executed to carry out any or more of the aforesaid requirements in such manner and within such time as the authority shall direct. If the owner or owners fail to comply with this direction, the authority may arrange for its execution and recover the expenses incurred from the owner/ owners.
- 13.2.9 Access from the Highways/classified roads:** Generally the plot / building along Highway and classified roads shall derive access from service road. However, highway amenities like petrol pump; hotel, etc. may have an access direct from Highways and such other roads having a width of 30 m. or more. The above shall be subject to the provisions of State Highways Act, 1965 and National Highway Act, 1956.
- 13.2.10** For building identified in Regulation No. 6.2.6.1, the following additional provisions of means of access shall be ensured;
- The width of the main street on which the plot abuts shall not be less than 12m. and one end of this street shall join another street of width not less than 12 m. in width subject to Regulation No.13.2.
 - The marginal distances on its all sides (see Regulation No. 15.0) shall be minimum 6 m. and the layout for the same shall be approved in consultation with the Chief Fire Officer, Nashik Municipal Corporation and the same shall be of hard surface capable of taking the weight of fire engine, weighing up to 45 tones. The said marginal distances shall be kept free of obstructions and shall be motorable.
 - Main entrances to the plot shall be of adequate width to allow easy access to the fire engine and in no case it shall measure less than 4.5 m. The entrance gate shall fold back against the compound wall of the premises, thus leaving the exterior access way within the plot free for movement of fire engine / fire service vehicles. If main entrance at boundary wall is built over, the minimum clearance shall be 4.5 m.
- 13.2.11** In addition to the provisions of Regulation No. 13.2, Cul-de-sacs giving access to plots and extending upto 150 m. normally and 275 m. maximum with an additional turning space at 150m. shall be allowed only in residential area, provided that Cul-de-sacs would be permissible only on straight roads and further provided that cul-de-sacs ends shall be higher in level than the level of starting point. The turning space, in any case shall be not less than 81 sq. m. in area with no dimension being less than 9 m.
- 13.2.12** Areas under roads shall be handed over to the Planning Authority by way of deed after development of the same to the satisfaction of the Authority, within such period as may be specified in commencement letter / development permission, for which nominal amount of Re 1/-



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shall be paid by the Planning Authority.

- 13.2.13 Intersection of Roads** - At junctions of roads meeting at right angles, the rounding off at the intersection shall be done, unless otherwise directed by the Authority, with the tangent length from the point of intersection to the curve being $1/2$ the road width across the direction of tangent as given below: The building shall also set back at required marginal distance from this rounding off.

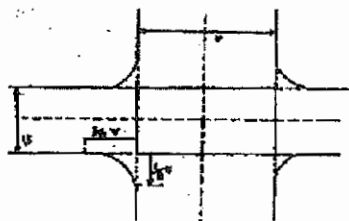


Fig. 1- Rounding off intersections at junctions

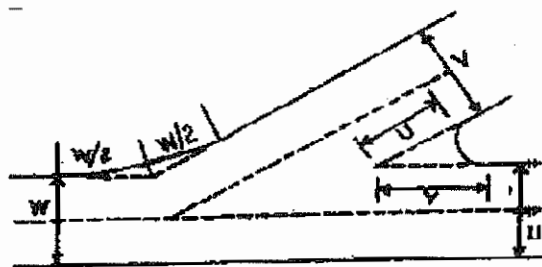


Fig.2. - Rounding off intersection at junctions.

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

13.2.15 Land Locked Plot :-

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

13.3 RECREATIONAL OPEN SPACES

- 13.3.1** In any layout or subdivision or any development of land for any use/zone admeasuring 0.40 Ha. or more after deducting D.P. road and reservation area, if any, 10%of the entire holding area shall be reserved as recreational open space which shall as far as possible be provided in one place. In case of land admeasuring more than 0.8 Ha., recreational open space may be allowed to be left at different locations in the same layout, provided that the size and other dimensions conform to the provisions herein below.

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



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Provided that, the above-mentioned area of 0.4 Ha. shall be measured with reference to original holding as on 11th January 1967 and not with reference to sub-divided holding in revenue / city survey record thereafter without the permission under the Maharashtra Regional & Town Planning Act, 1966. If such sub-divided holding in revenue/city survey record admeasures less than 0.4, then 10% open space shall be left which shall not be in any case less than 250 sq.mt., in such cases.

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

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

Provided further that, no such open space shall be necessary in case of layout or subdivision of plots from already sanctioned layout by the Authority where the requisite recreational open space has already been left in the sanctioned layout.

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

- 13.3.2** The owner shall have to give an undertaking that the recreational open space shall be for the common use of all the residents or occupants of the layout / building unit.
- On sanction of the development permission, the recreational open space shall deem to have vested in the society / association of the residents / occupants except otherwise specified. In case such society or association is to be formed, the owner shall give undertaking to the Municipal Commissioner that he will transfer the recreational open space to the society/ association whenever it is formed. The recreational open space shall not be sold to any other person and it shall not be put to any other user except for the common use of residents/ occupants as mentioned in Regulation No.13.3.8
 - If the authority is convinced that there is misuse of open spaces; in such case the authority shall take over the land of recreational open space.
- 13.3.3** No permission shall be granted to delete / reduce open spaces of the existing sanctioned layout / subdivision. However, while revising the layout, such recreational open space may be rearranged without decrease in area subject to minimum prescribed area under these Regulations with the consent of plot / tenement holders / co-owners; but such revision of recreational open space area shall ordinarily not be allowed after a period of 4 years from the first sanction.
- 13.3.4** The open spaces shall be exclusive of means of accesses / internal roads / designations or reservations in development plan roads and areas for road widening.
- 13.3.5** No such recreational open spaces shall admeasure less than 400 sq. m. and for sub-divided holding less than 0.4 hect. mentioned in Regulation No.13.3.1, it shall not be less than 250 sq.m.
- 13.3.6** Such recreational open space may be allowed to be left in green belt area shown on the development plan excluding 18 mt. width along Godavari river & 15 mt. along other rivers out of green belt area or out of goda park, provided, such recreational space meets the requirements as per these regulations. However, no construction as per Regulation No.13.3.8 shall be allowed in such open space except as provided in Regulation No.14.7.
- 13.3.7 Minimum dimensions** -The minimum dimensions of such recreational open space shall be not less than 10m. and if the average width of such recreational open space is less than 20m. the length



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thereof shall not exceed 2 ½ times the average width.

13.3.8 If required, structure and uses which can be permitted free of FSI in the recreational open spaces shall be as under:

- 1) There shall be two storeyed structure with maximum 15% built up area of recreational open space, out of which 10% built up area shall be allowed on ground floor and remaining 5% can be permitted on 1st floor. In case of stilt, additional floor may be allowed.
- 2) The structures used for the purpose of pavilion or gymnasium or club house or vipashyana and yoga center or crèche or kindergarten or library or water tank, health out post if required by the Authority or other structures for the purpose of sports and recreation activity may be permitted.
- 3) No detached toilet block shall be permitted.
- 4) A swimming pool may also be permitted in such a recreational open space. The ownership of such structures and other appurtenant users shall vest in all the owners on account of whose cumulative holdings, the recreational open space is required to be kept in the land.
- 5) The proposal for the construction of such structure should come as a proposal from the owner/s, owners' society / societies or federation of owners' societies and shall be meant for the beneficial use of the owners / members of such society / societies / federation of societies.
- 6) Such structure shall not be used for any other purpose, except for recreational activity.
- 7) The remaining area of the recreational open space shall be kept open to sky and properly accessible to all members as a place of recreation, garden or a playground.
- 8) The owners' society / societies, the federation of the owners' societies shall submit to the Authority, a registered undertaking agreeing to the conditions in (5) to (7) above while obtaining permission for the above said construction.

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

13.4 PROVISION FOR AMENITY SPACE

In any layout or development proposal, amenity space as given below shall be provided while granting permission to the layout / development proposal. This amenity space shall be handed over to the authority at the time of final approval to the layout / development permission.

Sr. No.	Area under permission	Area allocation for amenity space
1	0 to 1.0 hectare	12%
2	Above 1.0 to 5.0 hectare	10% subject to minimum of sr.no.1
3	Above 5.0 hectare	8% subject to minimum of sr.no.2

This amenity space shall be deemed to be a reservation in development plan and Floor Space Index (FSI) in lieu thereof may be made available in-situ (on remaining land). The calculation of this in-situ FSI shall be shown on the layout / building plan. If the owner desires to have TDR against it, instead of in-situ FSI, then he may be awarded TDR.

The generation of TDR or in-situ FSI shall be equivalent to the quantum mentioned in TDR Regulation No.22. Further, the utilisation of in-situ FSI only, may exceed the limits mentioned in Regulation No.15.4.



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Provided that, if there is any development plan reservation except D. P. road or road widening, then area of such reservations shall be adjusted against this amenity space and the owner of the said land shall not be required to part with the area for the amenity space to that extent. However, such area under reservation shall be handed over to the planning authority at the time of final approval of the development proposal.

Provided further that, the Commissioner shall ensure that amenity space shall be earmarked in the layout in such a way that after amalgamating the amenity spaces in the adjacent layouts, it becomes larger in area, and is approachable by minimum 12 m. wide road.

Provided further that, if the amenity space is less than 200 sq. m. in area and not suitable for creation of amenity, then, Municipal Commissioner may instead of open land insist for amenity space in the form of built up area equal to 50% of amenity space as mentioned in table under Regulation No. 13.4 this built up amenity space preferable on ground floor.

Provided further that, this regulation shall not be applicable to Regulation No 14.5.(v), wherein separate provision for land for public amenities / utilities is made.

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

Provided further that this regulation shall not be applicable for revision of earlier sanctioned development permissions granted under the regulation in force prior to these regulation where no such amenity space is provided in earlier sanctioned development permission.

13.4.1 Development of Amenity Spaces

Development of amenity space shall be carried out by the Authority, or the owner may be allowed to develop the same for the amenities as per priorities mentioned here in below, if allowed to do so by the Municipal Commissioner.

1. The priority for development of particular amenity may be decided by the Municipal Commissioner.
2. If the Municipal Commissioner is of the opinion that the amenity space is required for Playground, Garden, Park, Municipal Primary School, Municipal High School, Municipal Hospital/Dispensary, Fire Brigade Station, Police Station, Electric Sub Station and such other services, then, such amenity space shall be handed over to the Municipal Corporation & Municipal Corporation shall develop the same for the said purpose.

If the Municipal Commissioner is of the opinion that the amenity space is not required for above mentioned purposes then on satisfaction that the proposal is in public interest he may allow the owner to develop the same for the amenities mentioned in this regulation. However, building plan for development of such amenity shall be approved along with the regular proposal of development on the land and the development of such amenity shall be carried out simultaneously with of development on owner's land. At any point of time, if it is observed that there is breach of condition, the development permission of the entire land shall be revoked by the Municipal Commissioner. The agreement to above effect shall be executed and also condition to that effect shall be incorporated in commencement letter. The owner shall not be entitled for any FSI/TDR when he is allowed to develop the amenity space.

After construction of the amenity, it shall be the responsibility of the owner to maintain the amenity and make it available for the use by the public, on reasonable charges. This shall be the part of agreement to be executed between the Municipal Commissioner and the owner.

Wherever, after construction of amenity, if is to be handed over to the Municipal Corporation free of cost as per agreement, then, the owner shall be entitled for the TDR as mentioned in Regulation No.22.0.



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3. Any other use not mentioned in these regulations may be allowed to be developed by the Municipal Commissioner in consultation with the Joint Director, Town Planning, Nashik Division.

13.5 DEVELOPMENT OF AMENITY SPACES IN EARLIER SANCTIONED LAYOUT

The amenity spaces which are earmarked in the layout tentatively or finally sanctioned earlier and not developed so far, may also be allowed to be developed for any of the uses mentioned in these regulation.

13.6 PROVISION FOR ELECTRIC SUB-STATION

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

Sr. No.	Plot Area	Maximum requirements
1	Plot above 2000 sq.m.	One single transformer sub-station of the size of 5m.x5m. and height of not more than 5m.
2	Layout or sub-division of a plot measuring 2.0 ha. or more.	A suitable site for an electric sub-station (11kv/33kv/110kv.) as decided by the Commissioner.

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

13.7 PROVISION FOR INCLUSIVE HOUSING

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

i) either in the form of developed plots of 30 to 50 sq. mt. size for Economically Weaker Sections/Low Income Groups (EWS/LIG), (hereinafter referred to as "affordable plots") in which plots of 30 sq.mt. size shall be kept for EWS.

or

ii) in the form of equivalent 20% net plot area for constructing EWS/LIG tenements, which area shall be handed over to MHADA at the land rate prescribed in the Annual Statement of Rates prepared by the Inspector General of Registration, Maharashtra State, Pune (hereinafter referred to as ASR) of the year in which final approval is accorded to such sub-division or layout.

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

b) The Landowner/Developer shall sell the affordable plots to MHADA at one place in lieu of equivalent FSI to be utilized in the remaining plots. If MHADA declines to purchase the same within a reasonable time of six months, he can sell the affordable plots in the open market, in such case additional FSI of affordable plots shall not be admissible.

Provided that in case the Land Owner/Developer desires not to utilize such additional FSI in the same land, fully or partly, then he shall be awarded TDR in lieu of such unutilized additional FSI. The utilization of this TDR shall be subject to the prevailing provisions of DCR and as per the following formula :-



$$\text{Formula: } X = \frac{R_r}{R_g} \times Y$$

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

R_g = Land Rate in Rs. Per Sq. m. as per the Annual Schedule of Rates (hereinafter referred to as 'ASR') of generating plot in the year when project is sanctioned.

R_r = Land Rate in Rs. Per Sq.m. as per ASR of the receiving plot of the same year of generating plot.

Y = Unutilized additional FSI.

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

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

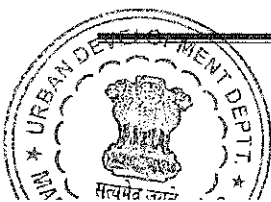
Provided further that the equivalent Affordable Housing tenements can also be provided at some other location(s) within the same Administrative Ward of the Municipal Corporation and such construction shall be free of FSI upto the limit of 50% of the admissible FSI of such alternative plot.

- c) The completion of the Affordable Housing tenements under the said Scheme, along with necessary particulars, including a copy of the Occupation Certificate granted by the Planning Authority in respect thereof, shall be immediately intimated by the Landowner / Developer to MHADA. Upon such intimation, MHADA, within a period of six months from the date of receipt of such intimation, shall either purchase such affordable housing tenements or allot such tenements to the allottees selected by MHADA through a system of lottery, drawn after such Affordable Housing tenements have been granted Occupation Certificate and thereafter, the Land Owner/Developer shall dispose of such tenements to MHADA or such allottees, as the case may be, at rates equal to 125% of the construction rates in the ASR applicable to the land under the Scheme, on the date of grant of Occupation Certificate to such Affordable Housing tenements.

Provided that there shall be no obligation to construct affordable Housing tenements in the redevelopment project of any co-operative Housing Society in which the carpet area of existing individual residential tenements does not exceed 80 sq. mtr.

Provided further that in case of individual bungalow Housing Scheme, these provisions shall not apply in case of redevelopment of individual bungalow. However, if redevelopment for total plot under layout is proposed, these provisions shall be applicable.

- d) The Landowner/Developer may also be permitted to utilize 1/4th of the total 20% FSI earmarked for Affordable Housing towards construction of Affordable Housing Tenements in the form of service quarters on the same plot but in a separate block which shall have to be sold as service quarters only to the purchasers of free sale flats under the said Scheme.
- e) There shall be no obligation to construct affordable housing tenements in accordance with these provisions in any Housing Scheme or residential development project wherein, owing to the relevant provisions of the Development Control Regulations, 20% or more of the basic



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zonal FSI is required to be utilized towards construction of residential tenements for the EWS / LIG and also for the development / redevelopment of any land owned by the Government or any Semi-Government organization, Provided such development / redevelopment is undertaken by the Government or such Semi-Government organization, by itself or through any other agency under BOT or PPP model.

Provided that in case of development of reservation for Public Housing, Housing the Dishoused, Public Housing/ High Density Housing and the EWS/LIG tenements constructed under the provisions of any other Act, these provisions shall not be applicable.

- 3) Amalgamation of affordable plots/affordable tenements shall not be allowed.
- 4) These provisions shall be applicable prospectively and shall not be applicable to any Housing Scheme or residential development project wherein Commencement Certificate had been issued prior to the date of coming into force of these provisions and was valid on such date.

13.8 PLOT AREA, PLOT WIDTH FOR VARIOUS USES:

Minimum plot areas and widths for various uses shall be as given below in the Table No. 5.

Table No 5				
MINIMUM PLOT AREA, MINIMUM WIDTH, FOR VARIOUS USES				
Sr. No.	Uses	Plot area (in sq.m.)	Min. Plot Width	Type of Development
(1)	(2)	(3)	(4)	(5)
1	Residential and Commercial (except those in 2,3 & 4 below)	i) 30 and above but upto 125	As per Table No. 7	Row
		ii) Above 100 but less than 250		Semi-detached/ Detached
		iii) 250 & above		Detached
2	Plots in EWS Housing / High Density Housing / Sites and Services / Slum Up gradation / Reconstruction Scheme by public authority.	20 and above but upto 125	As per Table No. 7	Row
3	Petrol Filling station-			
	(a) Without service bay	510	16.75 m	Detached
	(b) With service bay	1100	30.5 m	Detached.
4.	Industrial	300	10 m	Detached.
Note : in case of sr.no.1, pattern of development permissible within a plot shall be shown in dotted line while approving the layout. However change in pattern may be permitted in future, if it fits in to above pattern of development and does not disturb the overall pattern of development already approved.				

13.9 NET PLOT AREA AND COMPUTATION OF FSI

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

- i) In case of a plotted layout/sub-division /group housing scheme / any development, net area



shall be the gross plot area, after deducting, the area covered by amenity space under Regulation No 13.4, Development Plan proposals, if any.

- ii) For the purpose of computation of FSI/built up area the net area of the plot shall be considered.
- iii) In case of plotted layout, FSI of such net area shall be distributed on all plots on prorata basis.
- iv) In case of plots from already approved layouts, the plot area shall be treated as net plot area.
- v) The above regulations in respect of net plot area and computation of FSI shall apply to proposals in all land use zones.

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

a) Area Statement-

A	AREA STATEMENT	AREA
1.	Area of land (Minimum area of a, b, c to be considered)	30000
	a) As per ownership document (7/12, CTS extract)	30,000
	b) as per measurement sheet	30,050
	c) as per site	30,010
2.	Deductions for	
	(a) Proposed D.P. road / D.P. road widening area	4000
	(b) Any D.P. Reservation area	5000
	(Total a+b)	9000
3.	Gross Area of Plot (1-2)	21000
4.	Recreational Open space	
	(a) Required	2100
	(b) Proposed	2105
5.	Amenity Space -	
	(a) Required - (say 10%)	2100
	(b) Proposed -	2100
6.	Service road and Highway widening	--
7.	Internal Road area	3400
8.	Area under layout plots	13395
9.	Net area of plots for FSI Calculations = (3-5b) i.e.(21000-2100)	18900
10.	Pro-rata FSI factor for layout plots = (9/8)	1.410

b) Distribution of FSI on each plot

Plot no.	Plot area (sq.m.)	Roundin g area of Road (if any) (sq.m.)	Remaining Plot area (b-c) (sq.m.)	Built up area on pro-rata basis i.e. (d x Pro-rata FSI factor) i.e. d x 1.410	Front Road width (m.)	Permissibl e basic FSI	Permissible Built-up area on basic FSI (e x g) (sq.m.)
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)
1.	10 x 15	--	150	211.50	9	1.1	232.65



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

Note 2 : The area worked above on the basis of prorata calculations shall correspond to basic FSI of 1.10 for all other purposes like, limit of premium/ TDR, etc.

Note 3: The FSI against the plot(s) to be handed over against the inclusive housing required under Regulation No.13.7 shall be utilised as desired by the owner on plots in the same layout, subject to other stipulations mentioned in this DCPR.

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

If in any development proposal, owner desires to hand over the reserved site to the Planning Authority and the Commissioner agrees for taking over such reserved site, then FSI of such reserved site equivalent to the TDR may be allowed to be utilized on the remaining land. The utilisation of this in-situ FSI only, may exceed the maximum limit specified in Regulation No.15.4. Transfer deed to that effect shall be executed and FSI calculation shall be mentioned on the plans of development proposal. In case of plotted layout, distribution of FSI of plots in pursuance of such transfer shall be as desired by the owner and may differ from plot to plot. If some FSI remains unutilized, the owner shall be entitled for TDR against the remaining FSI.

13.11 RELOCATION OF DP SITES/DP PROPOSALS

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

- (a) If the reservation proposed to be relocated is in parts;
- (b) Beyond 300 mts. of the location in the Development Plan;
- (c) Beyond the same holding of the owner in which such reservation is located;
- (d) Unless the alternative location and size is at least similar to the location and size of the Development Plan as regards access, levels, etc.;
- (e) Unless the relocation is within area covered by the layout or development permission under sanction; and
- (f) If the land is reserved in view of its geographical location like Bio-Diversity Proposal, Nalla training reservation etc.
- (g) if the reservation is already shifted under these regulations.

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

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

Provided further that, the width of Development Plan roads shown along the Municipal Corporation Boundary shall be inclusive of road width, if available, in sanctioned layout or existed



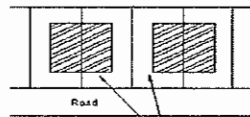
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on site in Regional Plan area. However, straight road alignment shall be achieved.

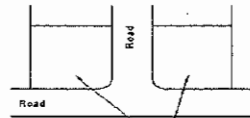
13.12 AMALGAMATION OF PLOTS

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

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



These plots shall not be amalgamated.



This plots shall not be amalgamated.



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PART III
LAND USE CLASSIFICATION AND PERMISSIBLE USES.

14.0 GENERAL

- (1) In case of Development / re-development of any land, building or premises, the intended use shall conform to the use of zones, purpose of designation, allocation or reservation, as the case may be, unless specified otherwise.
- (2) **Reservations lapsed under section 127 of the Act.** – If the reservation in the earlier sanctioned development plan is lapsed in pursuance of notice under section 127 of Maharashtra Regional and Town Planning Act, 1966, then the corresponding reservation shall stand lapsed in this revised development plan to the extent of area covered in the said notice. The Municipal Commissioner shall take decision on such matters.
- (3) **Lawful existing non-conforming uses** - Any lawful non-conforming use of premises existing prior to the date of enforcement of these regulations, shall continue and may be allowed to be expanded within the holding at the time of original sanction and that when a building, containing non-conforming use is pulled down or has fallen down, the use of the new building shall be in conformity with these Regulations or with lawful existing use.
- (4) **Discontinuance of zoning in pursuance of existing use** – If any land is shown in zone like Public Semi-public, public utility, because of the activity existed there-on; such lands shall be deemed to have been shown in the adjoining predominant zone after such activity ceases to exist.
- (5) **Existing features shown on development plan** – The existing features shown on development plan are indicative and stand modified on development plan as per actual position. Mention of particular use on development plan, shall not bar the owner from permission allowed in the zone shown for such land. Also, boundaries of s. no., alignment of existing road / nalla and other physical features of land shall be as per measurement plan of Land Records Department, and the land unaffected by such physical features shall be allowed to be developed for the uses permissible under the adjoining predominant land use zone.
- (6) **Development of Parking** – The Municipal Commissioner may develop any area for public parking underground or above ground irrespective of its existing use or proposed use in development plan.

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

14.1 PURELY RESIDENTIAL ZONE - R 1

(Plot abutting on roads below 9 m. in core area and below 12 m. width in outside core area.)

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

- (i) Any residences.
- (ii) Customary Home occupation, i.e. occupations customarily carried out by the members of household without employing hired labour and shall include stitching, embroidery, Beauty Parlour, etc, with or without motive power. If motive power is used, the total electricity load should not exceed 1 H. P.
- (iii) Medical and Dental Practitioner's Dispensaries including pathological laboratory, diagnostic clinics, polyclinics, to be permitted on any floor. However, in case of mixed use, maternity



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homes, clinics, nursing home with indoor patients with separate means of access of staircase from within the building or outside, but not within the prescribed marginal distances. The built up area for such use shall not exceed 500 sq.m.

- (iv) Professional Offices in residential tenement for own purpose not exceeding carpet area of 50 sq. m. each.
- (v) Community halls, welfare center, gymnasias (each not exceeding 100 sq.m.)
- (vi) Primary and nursery schools including students' hostels except trade schools.
- (vii) Religious buildings.
- (viii) Public Libraries and Museums in independent structures.
- (ix) Club Houses in residential complexes,
- (x) Parks and Playgrounds not being used for business purpose.
- (xi) Bus shelters, Taxi-Rickshaw stands.
- (xii) Convenience shops not more than 20 sq.m. each, up to 10% of permissible built up area, such as ration shops, chemist shop, pan shops, dhobi/ dry cleaning shops, darners, tailors, groceries, confectionary and other general provisions, hair dressing Saloon and beauty parlour, bicycle hire and repair; shoe repair, umbrella repair, vegetable & fruit stalls, milk shops, dispensaries, floweriest, bangles and other articles needed by women, small bakeries, newspaper stalls, tea and breakfast stalls, ATM, etc.
- (xiii) Police chowky, telephone exchanges, government and municipal sub -offices, post and telegraph offices, branch offices of banks with safe deposit vaults, electrical sub-stations, fire station, civil defence and home guard warden posts, first aid posts, municipal bit offices, pumping stations and water installations and ancillary structures thereof required to cater to the local area.
- (xiv) Information technology establishment (ITE) (pertaining to software only) on the plots/ premises fronting on roads having width 9.00 m. and above.
- (xv) Flour mill and wet / dry masala grinding / book binding subject to following conditions:
 - (a) It is located on ground floor.
 - (b) Adequate care has been taken in structural design.
 - (c) It does not cause any nuisance to the neighbour and residents of upper floor.
 - (d) Power requirement does not exceed 10 hp.
- (xvi) Roads, bridge, culverts and construction for any mode of transportation.
- (xvii) Burial grounds, cremation grounds and essential public utilities on a road having width 9 m. and above.
- (xviii) Raisin production.
- (xix) Agricultural, horticultural and allied uses (except agro-based industries).
- (xx) Public conveniences.

14.2 RESIDENTIAL ZONE R-2

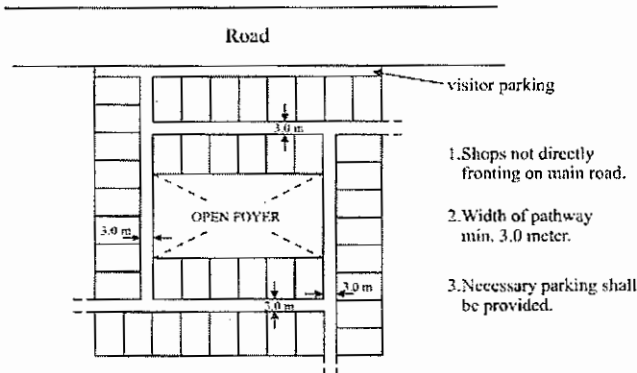
(Residential plots abutting on road having width 9 m. and above in core area and 12 m. and above in outside core area)

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

- (i) i) All Uses permitted in R1 zone shall be permitted in R 2 zone.



- ii) All uses or mix uses may be permitted irrespective of restriction on floor or area except uses at sr.no. 14.5(ii), 14.6(vii), 14.6(ix), 14.6(xix), 14.6(xxii), 14.6 (xxvii) to 14.6 (xxxii) and like.
- iii) A pedestrianised shopping precinct on ground floor only may be allowed subject to the condition that no shop in such pedestrianised precinct shall be allowed to open directly on the road in front. The minimum width of pedestrian way provided shall be 3 m. clear of all steps or projections and bollards shall be placed at the entrance of such pedestrian passage to prevent entry of vehicles provided further that satisfactory arrangements for natural or artificial ventilation are made as may be directed by the Municipal Commissioner.

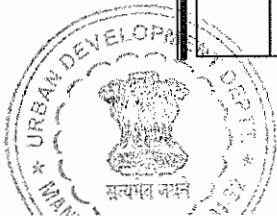


- iv) The following uses shall be permitted in independent premises / building:
- a) Bulk storage and sale of kerosene in separate godowns confirming to the existing regulations of Chief Controller of Explosives, Government of India provided further that the applicant shall make adequate fire-fighting arrangements at his cost in his plot to the entire satisfaction of the Municipal Commissioner.
- b) Storage and sale of LPG in cylinders in a separate godown confirming to the existing regulations of Chief Controller of Explosives, Government of India provided further that the applicant shall make adequate firefighting arrangements at his cost in his plot to the entire satisfaction of the Municipal Commissioner.
- c) **Service Industries** - The Service Industries may be permitted in one or more independent plot in R2 and Commercial zones along with the limitation of area, maximum number of persons to be employed, maximum permissible power requirement and the special conditions if any as given in **Table No. 6** for service industries.



Table No.6
SCHEDULE FOR SERVICE INDUSTRIES

Sr. No.	Category of Industry	Service Industry Class -A (Permitted in R2 and C) Criteria for Classification and special conditions.				Special Conditions if any
		Power requirement (in H.P.)	Employment (in persons)	Floor area (in sq. m.)	Maximum Permissible	
(1)	(2)	(3)	(4)	(5)	(6)	
I. Food Product						
1.	Preservation of meat, canning preserving and processing of fish crust aces and similar foods	-	-	-	Not permissible	
2.	Manufacture of milk and dairy products such as butter, ghee, etc.	10	9	50	-	
3.	Canning & preservation of Fruits & Vegetables including production of Jam, Jelly, Sauce, etc.	-	-	-	-	
4.	(a) Rice huller (b) Groundnut decorticators (c) Grain Mill for production of flour (d) Manufacture of supari and Masala grindings. (e) Baby oil expellers	10 10 10 10 10	9 9 9 9 9	50 50 50 50 50	-	
5.	Manufacture of bakery products with no Floor above	10	9	75	(i) Operation shall be permitted only between 8.00 hrs. to 20.00 hrs. (ii) Fuel used shall be electricity, gas or smokeless coal.	
6.	Manufacture of cocoa, chocolate, Sugar confectionary	-	-	-	Not permissible	



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7.	Coffee, curing roasting and grinding	2	9	50	-
8.	Cashew nut processing like drying, shelling, roasting, salting etc.	-	-	-	Not permissible
9.	Manufacture of Ice	45	20	250	-
10.	Sugarcane crushing & Fruit Juice	2	9	25	-
II. BEVERAGES & TOBACCO					
11.	Manufacture of soft drinks and carbonated water	-	-	-	Not permissible
12.	Manufacture of bidi	No Power to be used	as permitted	250	May also be permitted in R-1 zone
III. TEXTILE & TEXTILE PRODUCTS					
13.	Handloom / power-loom of yarn for a maximum of 4 looms.	5	9	50	May also be permitted in R-1 zone in areas designated by the Municipal Commissioner.
14.	Printing dyeing & bleaching cotton, woolen & silk textiles	-	-	-	Not permissible
15.	Embroidery & making of crape laces and fringes	5	9	50	-
16.	Manufacture of all types of textile garments including wearing apparel.	3	9	50	-
17.	Manufacture of made up textiles goods such as curtains, mosquito net, mattresses, bedding material pillow cases, textile bags, etc.	3	9	50	-
IV. WOOD PRODUCTS AND FURNITURE					
18.	Manufacture of wooden & cane boxes & packing cases.	-	-	-	Not permissible
19.	Manufacture of structural wooden goods such as beams, posts, doors and windows	-	-	-	Not permissible
20.	Manufacture of wooden furniture and fixtures	1	9	50	i) Shall not be permitted adjoining a dwelling unit.



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							ii) Operation shall be permitted only between 8.00 hrs. to 20.00 hrs.
21.	Manufacture of bamboo and cane furniture and fixtures	1	9	50			
22.	Manufacture of wooden products such as utensils, toys, art wares etc	-	-	-			Not permissible
V. PAPER PRODUCTS AND PRINTING PUBLISHING							
23.	Manufacture of cartons and boxes from papers and paper board, paper pulp,	5	9	50			Manufacture with paper pulp not permissible.
24.	Printing & Publishing newspaper.	5	9	50			-
25.	Printing & Publishing periodicals, books journals, atlases, maps, envelope, printing picture, post-card, embossing						i) Operation shall be permitted only between 8.00 hrs. and 20.00 hrs. ii) No restrictions of power, number of employees, area of hours of operation shall apply if located in a building, in separate plot not less than 500 sq. m. and if special permission of the Municipal Commissioner is obtained
26.	Engraving etching block making etc.	10	9	120			Operation shall be permitted only between 8.00 hrs. to 20.00 hrs.
27.	Book binding	10	9	120			-
VI. LEATHER PRODUCTS							
28.	Manufacture of leather footwear	-	-	-			Not permissible
29.	Manufacture of wearing apparel like coats, gloves etc.	-	-	-			Not permissible
30.	Manufacture of leather consumers goods such as upholstery suitcases, pocket books, cigarette and key cases, purses etc.	-	-	-			Not permissible
31.	Repair of footwear and other leather	5	9	50			



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VII. RUBBER AND PLASTIC :						
32.	Re-treading and vulcanizing works	2	9	50		
33.	Manufacture of rubber balloons, hand gloves and allied products	2	9	50		
VIII. NON-METALLIC MINERAL PRODUCTS						
34.	Manufacture of structural stone goods, stone dressing, stone crushing and polishing	-	-	-		Not permissible
35.	Manufacture of earthen & plaster states and images, toys and art wares.	-	-	-		Not permissible
36.	Manufacture of cement concrete building components, concrete jellies, septic tank, plaster or paris work lime mortar etc.	-	-	-		Not permissible
IX. METAL PRODUCTS :						
37.	Manufacture of furniture and fixtures primarily of metal.	-	-	-		Not permissible
38.	Plating & Polishing and buffing of metal products	-	-	-		Not permissible
39.	Manufacture of metal building components such as grills, gates. Doors and window frames, water tanks, wire nets, etc.	5	9	50		
40.	Manufacture and repair of sundry ferrous engineering products done by jobbing concerns such as mechanical works, shops with lathes, drills, grinders, welding equipment etc	-	-	-		Not permissible
41.	Total sharpening and razor sharpening works	1	6	25		Operation shall be permitted only between 8.00 hrs. to 20.00 hrs.



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X	ELECTRICAL GOODS :	3	9	50	(i) Operation shall be permitted only between 8.00 hrs. to 20.00 hrs. (ii) No spray painting permitted.
42.	Repairs of household electrical appliances such as radio set. Television set, tape recorders, heaters, irons, shavers, vacuum cleaners, refrigerators, air-conditioners, washing machines, electric cooking ranges, motor rewinding works etc.	3	9	50	
XI TRANSPORT EQUIPMENT					
43.	Manufacturing of push cart, hand cart, etc.	10	9	50	
44.	(a) Servicing and repairing of bicycle, rickshaws, motor cycle and motor vehicles (b) Battery charging and repairs.	10 5	9 6	50 25	Operation shall be permitted only between 8.00 hrs. to 20.00 hrs. No spray painting permitted
XII. OTHER MANUFACTURING AND REPAIR INDUSTRIES AND SERVICES					
46.	Manufacture of jewellery and related articles	3	9	50	Operation shall be permitted only between 8.00 hrs. to 20.00 hrs.
47.	Repair of watch, clock and jewellery	3	9	50	Operation shall be permitted only between 8.00 hrs. to 20.00 hrs.
48.	Manufacture of sports and athletic goods	-	-	-	Not permissible
49.	Manufacture of Musical instruments and its repair.	3	9	50	Operation shall be permitted only between 8.00 hrs. to 20.00 hrs.
50	Mass manufacture of miscellaneous Products such as costume, jewellery, costume novelties, feather, plumes, artificial flowers, brooms, brushes, lamp shades, tobacco, pipes, cigarette holders, ivory goods, bandages, wigs and similar articles.	-	-	-	Not permissible
51.	(a)Repairs of locks, stoves, umbrellas, sewing machines, gas burners, buckets & other sundry household equipment.	3	9	50	Operation shall be permitted only between 8.00 hrs. to 20.00 hrs.



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52.	(b) Optical glass grinding and repairs	3	9	50	Plot size - without service bay Plot size - with service bay
53.	Laundries, Laundry service and cleaning, dyeing, bleaching and dry cleaning.	10	9	(i) 30.5x16.75m. (ii) 36.5x30.5m	(i) Cleaning & dyeing fluid used shall not have flash point lower than 138° F. (ii) Operation shall be permitted between 8.00 hrs. to 20.00 hrs. (iii) Machinery having day load capacity of 20 kg and above.
54.	Photo processing laboratories.	5	9	50	Operation shall be permitted between 8.00 hrs. to 20.00 hrs.
55.	Electronic Industry of assembly type (and not of manufacturing type including heating load).	10	20	250	In independent structure on independent plot with special permission of the Municipal Commissioner
56.	Bio-technology Unit	--	--	--	As per Regulation no.23.8
57.	Information Technology Unit	--	--	--	As per Regulation no.23.9

Note:- The service industries which are specified as 'Not Permissible' in column of Special Conditions, may be permitted subject to restriction on power requirement, employment, floor area as may be decided by the district authorities of the Industries Department.



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14.3 FUTURE URBANIZABLE ZONE

In this zone, all uses permissible in residential zone may be allowed subject to fulfillment of following requirements

- i) For extending offsite infrastructure like road, water supply, sewage line, electricity, to the land, the expenses shall be borne by the owner and shall be deposited with the Municipal Corporation as per the expenses communicated by it. The owner shall have liberty to construct such infrastructure at his own cost, as per the drawing, design and specification approved by the Municipal Commissioner.
- ii) If the land is located on development plan road of width more than 18 m. then construction of road of width upto 18 m. to his land, shall be the liability of the owner. Else 12m. wide road with asphaltting, shall be necessary.

14.4 COMMERCIAL ZONE

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

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

14.5 INDUSTRIAL ZONE

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

The following users shall be permissible in Industrial Zone.

- i) The service industries as given in Table No.6
- ii) Any industry / industries may be permitted only with the special permission of the Municipal Commissioner who may grant it after such scrutiny as may be necessary to ensure that the location is appropriate and is not likely to cause nuisance and hazard to adjoining owners. Before granting any such permission, the Municipal Commissioner may prescribe special conditions about minimum size of plot and minimum buffer open distance from the industrial building/ industrial use to residential or habitable zone/ use, which shall not however be less than 23 m.
- iii) Building or premises in industrial zone may be used for any industrial as well as accessory uses like banks, canteens, welfare centre and such other common purposes considered necessary for the industrial workers, quarters of watchmen, caretakers or other essential staff required to be maintained on the premises. Such residential/commercial/other uses may be permitted up to 25% of the permissible FSI.
- iv) Following uses may also be permitted:
 - (a) Parking lots.
 - (b) Building of public utility concerns.
 - (c) The branches of Scheduled Banks.



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- (d) Residential Hotels, Restaurants.
- (e) Shopping center, malls.
- (f) Storage Buildings.
- (g) Drive-in -Theaters, cinema or theaters, subject to provision of provision of the Bombay Cinemas (Regulation) Act, 1953.
- (h) Highway amenities as permitted in Agriculture zone with full FSI.

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

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

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

i) Such user shall be allowed only on payments of **Premium** at the rate **20 %** of the land value arrived as per Annual Statement of rates (without considering the guidelines therein) of the respective year.

ii) The Residential/ Commercial user in respect of industries which are not in operation shall not be permitted unless NOC from Labour Commissioner, Maharashtra State, Mumbai stating that all legal dues have been paid to the workers or satisfactory arrangement between management and workers have been made, is obtained. However, in respect of any open land in the Industrial Zone where industry never existed, NOC from Labour Commissioner shall not be required.

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

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

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

vi) With the special written permission of the Municipal Commissioner, The land having area up to 0.20 hectare in size which are allocated for industrial use may be permitted to be used for Residential purpose or any other permissible users in Residential Zone. Provided that, in such case the owner / developer shall require to provide either by providing 10% amenity space in the form of open land or 5% built up space in the proposed construction at appropriate location preferably on ground floor. Provided that, amenity TDR as per regulation containing provisions of TDR, shall be permissible.

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

Provided that, at least 50% of total land provided for public amenity/ utility space shall be



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reserved for unbuildable purposes such as garden, recreational ground, etc.

Provided also that irrespective of land use zone, where the provisions of Development Control Regulations provide for amenity Space in Residential area which is more than what is stipulated in these regulations, then Amenity Space which is more shall only be provided.

c) The required segregating distance between Industrial Zone and the area over which Residential use is permitted under this regulation, shall be provided within such land intended to be used for residential or commercial purpose.

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

e) Provision for Amenity Spaces shall be considered to be reservations in the Development Plan and Transferable Development Rights against such amenity as per Regulation No.22 may be given or FSI of the same equivalent to the TDR quantum shall be available for utilisation on the remaining land. Moreover, the owner shall be entitled to develop remaining land with permissible TDR potential including the land under amenity space subject to maximum permissible limit of FSI (Maximum Building Potential) as mentioned in Regulation No.15.4.

provided that,

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

ii) If Development Plan Reservations (excluding DP Road/Road widening) are in the land under I to R conversions, then such reservation may be adjusted in amenity space as mention in following manner.

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

b) If the area under development plan reservation is more than the required area of public amenity spaces as per the said regulation, then the area for public amenity spaces shall be provided equal to Development Plan reservation area.

iii) Out of the total area proposed to be utilised for residential development, 20% of the same shall be built for residential tenements having built up area 30 sq.mt and upto 50 sq.m. or in the plotted development, 20 % area shall be of plots upto 150 sq.m.

iv) While allowing such conversion minimum 20 % built up area shall be used for offices and commercial purpose.

v) The provision of inclusive housing as mentioned in regulation no. 13.7 shall not be applicable while allowing such conversion.

14.6 AGRICULTURAL ZONE / NO DEVELOPMENT ZONE

The following uses shall be permissible:-

- (i) All agricultural uses.
- (ii) Agriculture research and agriculture education.
- (iii) Garden, forestry, nursery, public parks, private parks; play fields, summer camps for recreation of all types.
- (iv) Golf Course and Links, Race tracks, and shooting ranges.
- (v) L.P.G. Godown subject to the following conditions-
 - a) Minimum area of the plot shall be 2000sq. m.
 - b) Maximum permissible F.S.I. shall be 0.2 of gross plot area.



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- c) Only ground floor structure shall be permitted.
- d) No Objection Certificate from the Controller of Explosives and the Chief Fire Officer shall be submitted along with the proposal.
- e) Any additional condition as may be imposed by the Municipal Commissioner.
- (vi) Pottery manufacture.
- (vii) Storage and drying of fertilizer.
- (viii) Public utility establishments such as electric sub-stations, receiving stations, sewage disposal, water works alongwith residential quarters for essential staff for such works.
- (ix) Farm houses subject to following conditions:-
- (a) The land in which it is to be constructed is actually put under agricultural use.
- (b) Minimum plot area under above use shall be 0.4 Ha.
- (c) Farm house shall be permitted in accordance with the provisions of Maharashtra Land Revenue Code, 1966.
- (d) The FSI shall not exceed 0.0375 of gross plot area subject to a maximum built up area of 400 sq.m. in any case.
- (e) Only ground floor structure with or without stilt shall be permissible with 12m. margin from the boundary of land.
- (x) Swimming pools / sports and games, health clubs, cafeteria, canteen, tennis courts, etc.
- (xi) **Amusement park**, in a plot of not less than 5 ha. in area, with recreational and amusement devices like a giant wheel, roller coaster, merry-go-round or similar rides both indoor and outdoor, oceanic -park, swimming pool, magic mountain and lake, ethnic village, shops for souvenirs/citations, toys, goods, refreshments and beverages on the following conditions with the special permission of the Municipal Commissioner.
- a. The required infrastructure, like proper and adequate access to the park, water supply, sanitation, conservancy services, sewage disposal and adequate off-street parking will have to be provided and maintained by the promoters of the project at their cost and to the satisfaction of the Planning Authority Municipal Commissioner.
- b. The promoters of the project shall provide adequate facilities for collection and disposal of garbage at their cost, and to the satisfaction of the Municipal Commissioner and will keep, at all times, the entire environment clean, neat and hygienic.
- c. Structures for indoor rides and ancillary activities, such as administrative offices, exhibition hall or auditorium, restaurant, hotels, open air theatre, essential staff quarters, store buildings, fast food shops, museum, souvenir and small shops, ancillary structures to swimming pool, may be permitted subject to a maximum floor space index not exceeding 0.20; i.e. FSI of 0.15 for principal activity and 0.05 for ancillary activities.
- d. Structures permitted in the amusement park (except those intended for park apparatus, entertainment such as magic mountain etc. and other equipment) should be ground floor structures, with the construction blending with the surrounding environment and landscape.
- e. Except for minor dressing, hills and natural features, if any, shall be maintained in their natural condition and beautified with planting of trees etc.
- f. All trees already growing on the land shall be preserved to the extent possible, except that if it becomes necessary to cut any tree, the required permission of the Municipal Commissioner should be obtained under the law relevant Act. At least 5 trees per 100 sq. m. shall be planted and grown within the area of the park.
- g. Sufficient parking facilities and ancillary facilities for cars, buses, transport vehicles etc. shall be provided on site as prescribed by and to the satisfaction of the Municipal



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

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

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

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

(xii) Tourism activities as specified in Regulation No.39

(xiii) Mobile Phone Towers with ancillary equipments as specified in Regulation No.36

(xiv) ITE with ancillary development subject to following conditions:

- a) Total FSI shall not exceed 0.2.
- b) Ancillary residential development shall not have FSI of more than 50%.
- c) On 50% of plot area, trees shall be planted at the rate of 500 trees per hect.
- d) Plot shall front on 12 m. wide road.

This provision shall be subject to change as per the policies decided by the Government from time to time.

(xv) Automobile Showrooms and workshops with FSI of 0.20 free of premium and further FSI upto 0.30 with the payment of premium at the rate of 30% of land rate in ASR, so that total FSI shall not exceed 0.50.

(xvi) Bus Terminus and any use related to transportation and communication.

(xvii) Research and Development Centers on following conditions:-

1. The area of land shall be minimum 10 hectare.
2. FSI permissible shall be maximum 0.20.
3. Out of the total allowable FSI, FSI for staff Quarters shall not exceed 50%.
4. Total strength of the employees shall be limited to 10 per hect.
5. On 50% of plot area, trees shall be planted at the rate of 500 trees per hect.

This provision shall be subject to change as per the policies decided by the Government from time to time.

xviii) Ancillary service industries for agriculture produce marketing and management, Ancillary service uses for agro related products like flowers, fruits, vegetables, poultry products, marine products, related collection centers, auction hall, godowns, grading services and packing units, knowledge parks, cold storages, utility services (like banking, insurance, post office services) as service industries for agriculture produce marketing on the land owned by individuals / organizations with FSI of 0.20. Additional FSI above 0.20 and up to 0.50 shall be subject to payment of premium at the rate of 30% of rate of ASR.

xix) Bio-technology unit as per stipulations given in Regulation No. 23.8 with maximum permissible FSI of 0.20.

xx) Petrol Pump/LPG Pump/CNG Pump: Petrol Pump, LPG Pump, CNG Pump shall be permissible in No Development Zone subject to following conditions:-

- a) The minimum size of plot shall be,
 - i) 30.50 m. x 16.75 m. in the case of Petrol/LPG/CNG Filling Station with kiosk without service bay;



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- ii) 36.50 m. x 30.50 m. in the case of Petrol/LPG/CNG Filling Station with service bay.
- b) Plot shall be located /fronting on National Highway, State Highway, Major District Road, Other District Road or Village Road or other road with a minimum width of 12.00 m. or more.
- c) Permission from Government of India, Petroleum Ministry and Chief Controller of Explosives shall be necessary.
- d) NOC from Public Works Department and other related departments shall be obtained as per the prevailing rules. As regards service road / building line / control line, the Government Resolution, Public Works Department, No. RBD-1081/ 871/Raste-7, dated 09 March 2001 and the circulars issued in this regard from time to time shall be observed. Instructions contained in Government of India, Ministry of Road Transport and Highways letters dated 25/09/2003 and 17/10/2003 and its enclosures as amended from time to time shall be observed.
- e) Petrol/LPG/CNG station shall not be permitted within a distance of 90 meter from junction of roads having minimum width of 12 m. each.
- f) In the case of kiosks and other buildings for sales office, snack bars etc. within the plot for Petrol/LPG/CNG filling stations, the setbacks from the boundaries shall be 4.50 m. Further the other clearances for the installations shall be as per the Petroleum Rules of 1937.
- xxi) Land fill sites, bio-gas plants, power generation from waste.
- xxi-A) Solid waste management.
- (xxii) Power generation from non-conventional sources of energy. Area covered under solar panels shall not be counted in FSI.
- (xxiii) Any educational use with FSI of 0.20 free of premium and further FSI upto 0.80 with the payment of premium at the rate of 30% of land rate in ASR, so that total FSI shall not exceed 1.0.
- xxiv) Mangal karyalaya / lawns.
- a) Minimum area for mangal karyalaya shall be 0.40 hect. with FSI of 0.50. It may be permitted along with essential guest rooms not exceeding 30% of the area of mangal karyalaya. Area for parking shall be 40% of gross area which shall be properly earmarked and bounded by bifurcating wall. FSI above 0.20 shall be subject to payment of premium at the rate 30% of land rate in ASR.
- b) Lawns for ceremony shall be 0.80 hect. with FSI of 0.20. Covered area (pandal) open on three sides shall not be counted for FSI. Area for parking shall be 40% of gross area.
- (xxv) Brick, tile manufacture.
- (xxvi) Fish Farming.
- (xxvii) Sand clay or gravel quarries.
- (xxviii) Scrap Market with FSI of Residential zone with FSI of 0.20 free of premium and further FSI upto 0.30 with the payment of premium at the rate of 30% of land rate in ASR, so that total FSI shall not exceed 0.50.
- (xxix) Mining and quarrying operations subject to stipulations mentioned in Regulation No.35.0.
- (xxx) Any industry / industries may be permitted only with the special permission of the Municipal Commissioner who may grant it after such scrutiny as may be necessary to ensure that the location is appropriate and is not likely to cause nuisance and hazard to adjoining owners. Before granting any such permission, the Municipal Commissioner may prescribe special conditions about minimum size of plot and minimum buffer open distance from the industrial



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building/ industrial use to residential or habitable zone / use, which shall not however be less than 23 m. such industrial use shall be allowed FSI of 0.20 free of premium and further FSI upto 0.30 with payment of premium at the rate of 30% of land rate in ASR, so that total FSI shall not exceed 0.50.

- (xxx) Town planning scheme for minimum 20 hector area, with proper road network subject to condition that entire cost of scheme shall be borne by the owners. After sanction of preliminary scheme under section 86 of the act. all uses as that of residential zone, shall be permitted.

However, if the owners come together for development on aforesaid concept of town planning scheme instead of undertaking town planning scheme under the Act, the Municipal Commissioner may allow such development subject to availability of existing approach road of minimum 15.0 m. width and earmarking 40% of the land for roads, park, playground, garden, social infrastructure, sale by the Corporation, which shall be handed over to the Corporation, in lieu of FSI equivalent to such area handed over to the Corporation. and the plot within such scheme shall be allowed to be developed with the development potential as given in the table under Regulation No. 15.4. However, development permission for uses permissible in residential zone, shall be granted phase wise after completion of physical infrastructure works including off site infrastructure and handing over of land to the Corporation.

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

- a. The minimum plot area (necessarily under one ownership) shall not be less than 2 hectares.
- b. The total permissible FSI shall not exceed 0.2 on gross plot area after deducting Development Plan Road/ Reservation area if any.
- c. Out of the permissible built up area equivalent to 0.2 FSI, built up areas for ancillary and supporting users shall not exceed 1/3rd of permissible FSI
- d. The construction shall be confined to 10% of the plot and the remaining plot (excluding areas required for parking, roads etc.) shall be planted with trees at the rate of 500 trees per hectare.

- (xxxiii) Pradhan Mantri Aawas Yojna Regulation - This entire regulation shall be as per the final decision of the Govt. in regard to the notice No. TPS-1716/VIP/76/CR 596/16/UD-13, dated 10.11.2016 under sec. 37(1AA) of M.R. & T.P. Act. in respect of stanardised DCPR for D Class Municipal Corporations.

- (xxxiv) Residential and Institutional use subject to following conditions.

- (i) Minimum area of land shall be 10.0 hect.
- (ii) Land shall front on minimum 12 m. wide existing road.
- (iii) Basic FSI shall be 1.1
- (iv) The offsite infrastructure like road, water supply, sewerage treatment plant having zero discharge shall be developed by land owner at his own cost, unless this infrastructure is provided by Municipal Corporation or any appropriate authority.
- (v) 10% of the entire holding area shall be handed over to the Planning Authority free of cost, without any FSI/TDR and free of all encumbrances for sale by Planning Authority for residential, commercial or industrial use depending upon the nature of development. This 10% area shall be over and above recreational open space and amenity space to be provided as per regulation. This 10% area shall front on minimum 12 m. wide road.
- (vi) Premium for the gross area at the rate of 5% of the value of the land as given in the Annual statement of rates shall be paid to the Planning Authority.

Note – 1) The permissible FSI for uses mentioned above shall be 0.20, if not specified.



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- 2) The buildings of Government/ Semi Government / Government Institutions bodies shall be permissible with permissible basic FSI of the Residential zone.

14.7 GREEN BELT

Following uses shall be permissible

- i) Agriculture,
- ii) Tree Plantation, Gardens, River front development, Landscaping, Recreational open space etc.
- iii) Development of pedestrian pathways, Jogging track, Cycle track, Boat club etc.
- iv) Swimming pool, club house, recreational facilities excluding 18 m. belt along river bank and subject to other provisions in these regulations.
- v) Public Toilet
- vi) Recreational open space

14.8 PUBLIC /SEMI PUBLIC ZONE.

The following uses shall be permissible:

- (i) Pre-primary Schools, Primary Schools, High Schools, Technical / Trade Schools, Colleges, Educational Complex, Hostels for students and essential staff quarters.
- (ii) Hospital, Sanatoria, Dispensary, Maternity Homes, Health Centre, Complex of such uses, Dharmashala for the visitors to patients, pilgrims and like, essential staff quarters, veterinary hospital, auditorium exhibition hall and gallery.
- (iii) Training institutions, Home for the aged, essential quarters.
- (iv) Government/ Semi -Government/ Local Self-Government offices, Court buildings, essential staff quarters and public housing by Government /Government bodies.
- (v) Post Office, Telegraph office, Telephone Exchange, Radio Station, Complex of such uses, Staff quarters and similar public /Semi-public uses.
- (vi) Library, Mangal Karyalaya, Gymnasium, Gymkhana, Water tanks, Stadium, Community hall, Religious Structures, etc.
- (vii) Commercial use upto 15% shall be permissible subject to following conditions:
 - (a) Convenience shopping, Branch of Bank, hotels etc. shall be permissible. However, shops for liquor, pan, cigarette, tobacco, lottery tickets and such other uses which do not serve public purpose, and outlets / godowns for domestic gas, kerosene shops, godowns which are dangerous to public health shall not be permitted.
 - (b) The Municipal Commissioner shall not allow sub - division of land on which such a commercial development has taken place/ would take place.
 - (c) The landowner / developer / institution shall give guarantee in writing to the Municipal Commissioner for following the stipulated conditions scrupulously.
- (viii) Petrol/LPG/CNG Pumps as per Regulation no. 15.2.2.
- (ix) Fire Station
- (x) Traffic & Transportation activities

14.9 USES PERMISSIBLE IN PROPOSED RESERVATIONS-

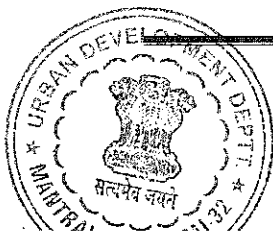
- 1) The uses permissible in a reserved site shall be conforming to the use for which it is reserved unless and otherwise specified. The required parking, public toilets and separate place for



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garbage bins shall also be provided in the reserved site itself. Such uses may also be permitted in existing sites.

- 2) Where the Authority or the Appropriate Authority proposes to use land / building / premises reserved for one specific public purpose / purposes, partly for different public purpose / purposes, it may do so, provided that such partial use shall not exceed 40% of the reserved area and such combination shall not be of incompatible uses. However, area upto 300 sq.m. from any reserved land may be allowed to be developed for construction of **arogya kothi** i.e. waste segregation center at ward level with allied use.
- 3) Any site reserved for specific purpose in the development plan may be allowed to be developed for any other public purpose with the permission of the Government.
- 4) Municipal Corporation may acquire and develop any of the reservation proposed in the development plan, partly or fully, for multistory public parking, irrespective of its designation, if amenity of parking is direly needed in the area.
- 5) Combination of uses as mentioned below may be permissible even if the reservation is for a specific purpose.
 - a) **Playground** – In playground reservation, minimum 90% area shall be kept open for open play activities. In remaining 10% of area, covered swimming pool & allied construction, gymnasium, covered badminton court, pavilion, watchman quarter, small restaurant or food stalls to the extent of 20 sq.m. (for every 4000 sq.m. reservation area) may be permitted. The FSI permissible shall be 0.15.
 - b) **Stadium / sports complex** - In addition to the uses permissible in playground mentioned above, shops below the spectators' tiered gallery may be permitted. The FSI permissible shall be 0.25.
 - c) **Garden / park / Goda park** – In addition to the main use of garden, open swimming pool & allied construction, water tank, rain water harvesting system, gardener / watchman quarter, small restaurant or food stalls to the extent of 20 sq.m. (for every 4000 sq.m. reservation area) may be permitted. Total FSI used for such constructions shall not exceed 0.04 of the garden area.
 - d) **Weekly Market** – Weekly vegetable market with open ottas, cattle market and ancillary petty convenience shops.
 - e) **Vegetable Market** – Open or covered ottas, alongwith petty convenient shops, fruit stalls may be permitted.
 - f) **Municipal Market** – Shopping, vegetable market, hawkers place, etc and departmental stores, offices, banks / community hall on upper floors.
 - g) **Auditorium/Drama Theatre**-In addition to Auditorium, Drama theatre / natyagriha, art gallery, exhibition hall, library, small restaurant to the extent of 20 sq.m. (for every 4000 sq.m. reservation area) and allied users such as guest rooms for the artists may be permitted.
 - h) **Educational amenity** – all types of educational activities along with canteen.
 - i) **Medical amenity** – Any sort of medical facilities alongwith ancillary construction such as staff quarters, chemist shop, restaurant, ATM, PCO, cyber café of not more than 20 sq.m., etc. and sleeping accommodation for guests in case of bigger hospitals of built up area not less than 2000 sq.m. may be permitted.
 - j) **Truck Terminus** – In addition to minimum 60% area for parking of trucks, ancillary office restaurant, hotel, motel, lodging facility for drivers, petrol pump, auto repair centre, auto service centre, shops for auto spare parts, shops for daily needs, ATM, PCO, primary health centre / first aid centre and provision for loading-unloading may be permitted. Moreover,



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these reservation may also be developed for bus stand, bus-MRT interchange with mall.

- k) **Bus Stand**-In addition to Bus Stand, bus-MRT interchange with mall.
- l) **Fire Brigade Station** – fire brigade station along with allied activities.
- n) **Parking** – parking, public convenience, bus-MRT interchange with mall and allied activities. However, 15% area may be utilized for other public purpose as may be decided by the Municipal Commissioner.
- n) **Sadhu gram/ Pilgrim centre** – any activity related to Kumbh mela during the period of Kumbh mela, public meeting, exhibition, sports activities, open parking, recreation, playground, open weekly bazar, other open uses.
The lands owned by registered Public trusts in sadhu gram reservation, on or before the date of publication of Development Plan under section 26, shall be entitled for development for sadhu gram.
- o) **Public Amenity** – any amenity, along with ancillary use on the lines mentioned above.
- p) **Sewage Treatment Plant** – principal use with allied activities.
- q) **Municipal Solid Waste Facility** – principal use with allied activities.
- r) **Water Works**– principal use with allied activities.
- s) **Cremation Ground/ Burial Ground** - principal use with allied activities and interchangeability among one another.
- t) **Other reservations** – other reservations may be developed for the respective purposes along with ancillary use on the line mentioned above.

Note:-

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

14.10 ADDITIONAL USES:

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



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

15.0 GENERAL

Following regulations for core area shall be applicable for the lands included in core area as shown on the Development Plan. For the areas outside core area in the Development Plan, regulation for non-core area shall apply. However, in Core area, if the original land holding is more than 0.40 Hect., then regulations of non-core area except FSI shall apply FSI in such cases shall be as per Regulation No. 15.1.

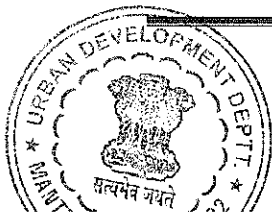
15.1 REGULATIONS FOR CORE AREA**15.1.1 Residential Buildings****(a) Floor Space Index.**

The maximum permissible basic floor space index, permissible TDR loading and additional FSI on payment of premium shall be as per the following table.

Table					
Sr.no.	Road width in meter	Basic FSI	Additional FSI on payment of premium	Maximum permissible TDR loading	Maximum building potential on plot
1	Below 9.0 meter	1.50	--	--	1.50
2	9.00 meter and upto 12.00 meter	2.00	--	--	2.00
3	12.00 meter and upto 18.00 meter	2.00	0.25	--	2.25
4	18.00 meter and upto 24.00 meter	2.00	0.25	0.25	2.50
5	24.00 meter and upto 30.00 meter	2.00	0.25	0.50	2.75
6	30.00 meter and above	2.00	0.25	0.75	3.00

(b) Setback (Road side margin/s) - The minimum front setback from the existing or proposed road/roads shall be as under:-

Sr. No.	Road width	For Purely Residential	For commercial or mixed Users
(i)	For streets more than 4.5 but upto 6.0 m. in width.	1.00 m.	2.00 m.
(ii)	For streets above 6 m.	1.50 m	2.00m.
(iii)	For streets below 12 m.	1.50 m.	2.00 m.
(iv)	For streets 12 m. and above.	1.50 m.	3.00 m.
(v)	For streets 18 m. and above.	2.00 m.	4.50 m.



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

Residential Plot Area	Side	Rear
Upto 250 sq. m	0.00	0.00
Above 250 & upto 500 sq. m	1.00 m.	1.00 m.
Above 500 sq. m.	2.00 m.	2.00 m.
Special building	as per regulations of Special building	
NOTE :- For light and ventilation, provisions in Regulation No.15.11 shall apply.		

- d) For streets less than 4.5 m. in width, no setback shall be prescribed subject to condition that no lane shall be less than 4.5 m. in width clear of structural projection. For lanes less than 4.5 m. in width, a setback of 2.25 m. shall be prescribed from the center line of such lane. Streets less than 4.5 m. shall be treated as lanes only when they serve as access to the properties fronting on them.
- e) Above set back and marginal distances shall be applicable for buildings with ground + 3storey or parking + 4storey structures. For buildings having height more than this but less than 15 m., marginal distances shall be increased by 1 m. For buildings having height more than this, marginal distances shall be as per regulations of non-core area.
- f) Structural projections such as balconies, cornices, weather sheds, roof projections etc. shall be allowed in the setback distance prescribed above as per Regulation No. 15.8.
- g) Height- The height of the building shall be governed by Regulation No. 15.9.
- h) Steps may be allowed within marginal distance.
- i) Parking – parking shall be provided as per the provisions in Regulation No.20.0.

15.1.2 Public semipublic, Educational, Medical, Institutional, Mercantile, and Other Buildings

- (a) Floor Space Index - Maximum FSI permissible shall be as per table under Regulation No. 15.1.1, and subject to payment of premium as would be decided by Government from time to time.
- (b) Marginal Distance - For these buildings marginal distances shall be 3 m. on all sides.

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

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

- 15.1.3 Pathway for access to the internal building or interior part of the building shall not be less than 3.6m. (12 ft) in width.
- 15.1.4 If the width of property is less than 3.6 m. (12 ft), the entire ground floor shall be on stilts.
- 15.1.5 Front setback (marginal distances) as prescribed by the Highway or any other rules shall be applicable if they are over and above as prescribed in these regulations.

15.2 REGULATIONS FOR OUTSIDE CORE AREA.

15.2.1 Residential Buildings

The provisions as given in Table 7 shall apply for the residential buildings, mix use building permissible in areas outside core areas and residential buildings permissible in industrial areas.



Table No. 7
PLOT SIZE/WIDTH OF PLOT/MARGINS/HEIGHTS AND FSI BUILDINGS IN RESIDENTIAL ZONE IN NON-CORE AREA
 (having height 15.0 m. and below)

Sr. No.	Description of Road / housing pattern	Minimum Required						Remarks
		Plot Size	Width Of Plot	Set Back from road front	Side marginal distance	Rear marginal distance	(8)	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	
1.	National/ State Highway	450	15	6.0 m. from road line or as specified by Highway rules, whichever is more.	3.0	3.0		
2.	M.D.R./O.D.R.	450	15	6.0 m. from road line or as specified by Highway rules whichever is more	3.0	3.0		
3.	Other roads 24 m. wide and above	300	12	6.0 m.	3.0	3.0		
4.	Roads of width below 24m. wide and up to 18m.	250	12	4.5m.	3.00	3.00		
5.	Roads of width below 18m. wide and up to 15m.	250	10	4.5m.	2.25	2.25		Margins only for G + 2 or stilt + 2 structure
6.	Road of width below 15 m. and above 9 m.	150	8	3.0 m	2.25	2.25		Margins only for G + 2 or stilt + 2 structure



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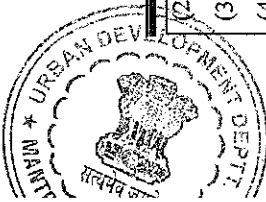
Sr. No.	Description of Road / housing pattern	Minimum Required					Remarks
		Plot Size	Width Of Plot	Set Back from road front	Side marginal distance	Rear marginal distance	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
7.	Road of width upto 9 m.	100	7	3.0 m.	1.5	1.5	Margins only for G + 1 or stilt + 1 structure
8.	Row housing on roads of width 12m. and below	30 to 125	3.50	2.25 m.	0.00 (in case of corner plot, 1.5 or building line of the adjoining road whichever is more)	1.5	Margins only for G+1 or Stilt+1 structure
9.	Row housing for L.I.G. EWS/High Density Housing, Slum Up-gradation etc. by public authority	20 to 50	3.00	0.90 m. from pathway 2.25 m. from road boundary	-do-	0.90	Only G+1 or Stilt+1 structure.
10.	36 m. wide D. P. Road from Gangapur S. No. 12 to Ambad S. No. 199.	300	12	3.00 (for commercial use also)	3.00	3.00	
11.	30 m. wide D.P. road along canal in Dasak shivar.	250	10	4.5m.	2.25	2.25	Margins only for G + 2 or stilt + 2 structure

Notes :

- (1) Marginal distances mentioned in above table shall be subject to distances mentioned in Regulation no. 15.6. In case of sr.no. 5 to 9, and 11, structures having higher height may be permitted subject to marginal distance mentioned in Regulation no. 15.6.



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- (2) The minimum area of plots fronting on service roads along highways, shall be with reference to the width of service road.
- (3) For semidetached buildings, side margin shall be on one side only. Plots for semidetached buildings shall be in pairs.
- (4) Row-housing plots at the junction of two roads shall be larger to maintain the setback from both roads. Not more than 12 and not less than 43 plots shall be allowed in each block of row housing. Each block shall be separated from the other by 6 m. road or 6 m. side marginal distance of the plot or space including side marginal distance of the plot.
- (5) No garage shall be permitted in a building having stilt or basement provided for parking.
- (6) Subsidiary structure such as garage (limited to one), outhouse, independent sanitary block may be permitted only in plots having area more than 250 sq.m. or more.
- (7) Construction of ottas, railings, barricades or supporting columns for canopy or porch shall not be allowed in front marginal distances. However, steps may be permitted within 1.2 m. from the building line. Also supporting columns for canopy or porch may be allowed within building line.
- (8) Ribbon development rules may be relaxed with the consent of the Highway Authority only.
- (9) In case of special building as specified in Regulation no 6.2.6.1, marginal distances shall be as per said regulations.
- (10) The plot width to depth ratio shall be 1: 1.5 to 1: 2.5; as far as possible in case of plotted layout development permission.
- (11) In Public Housing Schemes for E.W.S. undertaken by government or semi-government organisations, marginal distances shall be as per their respective schemes and rules.
- (12) The front setback set-out in already approved and partially developed layouts / schemes, may be retained as per said approval, so as to maintain the building line.
- (13) The pattern of development like semi-detached, row housing, etc. in already approved layout shall be as per said approved layout.
- (14) Where commencement certificate is granted prior to publication of draft development plan and the said plot is affected by new road proposed in the development plan, then front margin stand relaxed to that extent.
- (15) Rear or side marginal distances for development along nalla or water courses shall be subject to Regulation No.11.1(b),11.3 and 11.11.

15.2.2 Other Buildings : The Provision as given in Table No.8 below shall apply for different categories of other buildings in non-core area.				
Table No. 8				
Sr. No.	Type of Building	Min. road width required	Minimum marginal distances	Other Stipulations
(1)	(2)	(3)	(4)	(5)
1.	i) Hospital, Maternity Homes, Health Club, Public-Semipublic buildings not being special buildings	12 m.	Front margin as per table no. 7 remaining sides 4.5 m.	Basic FSI, Additional FSI, rate of Premium and the conditions, if any, shall be as per Regulation No. 23.1
	ii) Clinics on plot upto area 300 sq.m.	9 m.	Front margin as per table no. 7 other all sides 3.0 m.	-----
1A	i) Hospital, Maternity Homes, Health Club, Public-Semipublic buildings being special buildings	12 m.	6 m. on all sides	Basic FSI, Additional FSI, rate of Premium and the conditions, if any, shall be as per Regulation No. 23.1
2.	Educational buildings	6m.& not more than 24 m.	As per Table No.7	Basic FSI, Additional FSI, rate of Premium and the conditions, if any, shall be as per Regulation No. 23.1
	i) Pre-primary School			
	ii) Primary School	9m.& not more than 24 m.	6 m. on all sides	Basic FSI, Additional FSI, rate of Premium and the conditions, if any, shall be as per Regulation No. 23.1
	iii) Other Educational Buildings	15 m.	--do--	Basic FSI, Additional FSI, rate of Premium and the conditions, if any, shall be as per Regulation No. 23.1
3.	Cinema Theatre/ Drama Theatre/ Assembly Hall/ Multiplex / Shopping Malls	15 m.	Front - 12 m. (only on one major road) Remaining front and/or all sides - 6 m.	-----



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Sr. No.	Type of Building	Min. road width required	Minimum marginal distances	Other Stipulations
(1)	(2)	(3)	(4)	(5)
4.	MangalKaryalaya like buildings	15 m.	--do--	
5.	Petrol/Fuel Filling Stations with or without service bays	12 m.	4.5 m. on all sides	i) Plot should not be located within the distance of 90 m. from any junction of roads having min. width 12 m. each. In case of 'T' junction, this restriction of 90 m. shall apply on a side where perpendicular road meets the junction.. ii) Restrictions imposed by Ribbon Development Rules, IRC, MoRTH shall apply. iii) Petrol filling station shall not be sited on the convex side of a road curve. In case the curve is not very sharp and cars moving out of the station are completely visible to the traffic from a distance of at least 90 m. and vice versa, a petrol station may be permitted on such a convex curve.
6.	Mercantile/ Business/ hotel/ Commercial/ mix use with residential buildings.	12	Front 4.5 m. Side & rear 3.0 m.	Shops may also be allowed fronting side and rear margins.
7.	Stadium / Pavilion	12	6 m. on all sides	Covered portion shall not exceed 20% of plot area. The spectators' gallery of the stadium shall not be counted towards FSI. Shops below spectator's gallery may be permissible.

NOTE:

- In case of plots fronting on National Highway, State Highway and Major District Roads, the building line shall be as per Ribbon Development Rules as given in Table above, whichever is more.
- Side and rear marginal distances mentioned in above Table shall be subject to Regulation no. 15.6 and 15.7, whichever is more.
- Rear or side marginal distances for development along nalla or water courses shall be subject to Regulation No. 11.1(b), 11.3 and 11.11.
- In case of special building as specified in Regulation no. 6.2.6.1, marginal distances shall be as per said regulations.



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15.2.3 INDUSTRIAL BUILDINGS

Minimum plot area, marginal space, Permissible FSI, Additional FSI with payment of premium for industrial building shall be as per the Table No. 9 given below:-

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

Table No. 9						
Sr. No.	Min. road width	Plot Size in sq.m.	Basic Permissible FSI	Additional FSI on payment of premium	Min. Front Margins	Min. Side & Rear Margins
1	2	3	4	5	6	7
1	12 m.	Upto1000	1.10	0.30	4.50	3.00
2	12 m.	1001 to 5000	1.10	0.30	9.00	6.00
3	12 m.	5000 and above	1.10	0.30	12.00	9.00

Note-

- i) In case of plots fronting on National Highway, State Highway and Major District Roads, the building line / control line shall be as per Ribbon Development Rules as given in Table above, whichever is more.
- ii) Front, side and rear marginal open spaces shall be as per above Table.
- iii) Minimum and maximum height shall be 3.60 m. & 4.2 m. respectively for industrial buildings. The greater height may be permitted as per the requirement.
- iv) In addition of provisions of these regulations, regulations prescribed under Factory Act shall be applicable.
- v) **Premium** - Rate of premium for the additional FSI as mentioned in column no 5 above shall be decided by Government from time to time. The premium collected shall be shared 50:50 between State Government & Corporation respectively. The premium of the Government shall be deposited by the planning authority in a Government head account
- vi) **Buffer zone**-For construction of industrial building, buffer zone of 23 m. wide shall be left from residential or incompatible zone, wherever necessary. Such buffer zone shall be part of sizable required recreational open space. Roads and marginal distance is may also be treated as a part of Buffer Zone. However, area of such buffer zone shall be counted in gross area for computation of FSI. Where green belt is shown in development plan between residential and industrial zone, area of such green belt shall be counted in gross area for calculation of FSI. Provided also that marginal distance for a building shall not be exclusive of buffer zone. The floor height for industrial building shall be as per requirement.



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15.3 CHARGES FOR PREMIUM FSI

The premium FSI mentioned in above regulations shall be available on payment of charges to the Corporation as mentioned below at the rate of land mentioned in ASR prepared by Inspector General of Registration, Maharashtra State for the respective year.

Charges for Premium FSI	as may be decided by the Government from time to time
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The premium collected shall be shared 50:50 between State Government & Planning Authority respectively. The premium of the Government shall be deposited by the Planning Authority in a Government head account.

15.4 MAXIMUM PERMISSIBLE FSI / TDR ON A PLOT

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

Sr. No.	Road width in m.	Basic FSI	Additional FSI on payment of premium	Maximum Permissible TDR loading	Maximum Building potential on plot
1	2	3	4	5	6
1	Below 9 m.	1.10	--	--	1.10
2	9 m. and up to 12 m.	1.10	0.30	0.40	1.80
3	12 m. and up to 18 m.	1.10	0.50	0.65	2.25
4	18 m. and up to 24 m.	1.10	0.50	0.90	2.50
5	24 m. and up to 30 m.	1.10	0.50	1.15	2.75
6	30 m. and above	1.10	0.50	1.40	3.00

Notes

1. For commercial use, additional 0.15 basic FSI shall be allowed, over and above maximum building potential on plot.
2. Additional FSI upto 0.20 on payment of premium shall be allowed for the redevelopment of Authorised Residential buildings on roads having width below 9 m., subject to condition that the construction/redevelopment shall be allowed only if the building is more than 30 years old.
3. Maximum permissible building potential on plot mentioned at column no. 6 shall be exclusive of FSI allowed for Inclusive Housing regulation.

Provided that, the restrictions of road width mentioned above shall not be applicable in cases where, the permissible FSI is more than the basic FSI in various schemes such as, slum rehabilitation scheme, redevelopment of dangerous buildings, cluster development for core area, redevelopment of MHADA buildings etc.

Provided further that, the maximum limits of FSI prescribed above shall be applicable to fresh permission and also to an existing building which has not been granted full occupation certificate but subject to production of stability certificate from structural engineer in respect of such existing building. However, in no case the rights of the flat owner / unit holders shall be adversely affected.



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15.5 FSI OF GREEN BELT

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

Provided that such cycle track shall be kept open for the public use.

Provided further that such FSI shall not be allowed if such green belt area is included in recreational open space to be left as per Regulation No. 13.3.6.

15.6 REQUIREMENTS OF MARGINAL DISTANCES

(a) Side or rear marginal distance in relation to the height of the building for light and ventilations:

- i) The marginal distance on all sides shall be as per Table No.7 for building height 15.0 m. and below. For height more than 15.0 m., the marginal distance on all sides except the front side of a building shall be minimum H/4 (Where H = Height of the building above ground level) subject to a minimum of 3.0 m. for residential building, 4.5 m. for commercial building and 6.0 m. for special building mentioned in Regulation No. 6.2.6.1

Provided that, such marginal distance shall be subject to maximum of 16.0 m. Such marginal distance over and above 6.0 m. in core area and 9.0 m. in non core area (on ground) may be allowed to be left on upper floor/s to achieve required marginal distance (stepped marginal distances).

Provided further that, the building height for the purposes of this regulation shall be exclusive of height of parking floors upto 6.0 m. However, this shall be applicable for calculating the height for the purposes of marginal distances only.

- (b) **Front margin** – Front margin shall be as per Regulation No.15.2.1 or as given below with reference to height of building.

i)	Height above 15 m. & upto 18 m.	6.00 m.
ii)	Height above 18 m. & upto 24 m.	6.00 m.
iii)	Height above 24 m. & upto 36 m.	7.50 m.
iv)	Height above 36 m. & upto 48 m.	9.00 m.
v)	Height above 48 m. & upto 60 m.	12.00 m.
vi)	Height above 60 m.	15.00 m.

Provided that, in case of group housing scheme where building abuts on internal road, the minimum 3.0 m. set back from internal road or distance between two buildings whichever is more shall be provided. For Development plan road or classified road or through road, passing through Group Housing Scheme, the setback as prescribed in the regulations shall be provided.

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

15.7 BUILDINGS ABUTTING TWO OR MORE STREETS

When a Building abuts two or more streets, the setbacks from the streets shall be such as if the building is fronting on each such street.



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15.8 PERMISSIBLE STRUCTURES / PROJECTIONS IN MARGINAL DISTANCES**15.8.1** The following projections shall be permissible in marginal distances:

- (a) Projections into marginal distances:- Every marginal distances provided either interior or exterior shall be kept free from any erection thereon and shall be open to the sky and no cornice, chajja, roof or weather shade more than 0.75 m. wide shall overhang or project over the said marginal distances so as to reduce the width to less than the minimum required. However, sloping/horizontal chajja provided over balcony/ gallery etc. may be permitted upto balcony projections at horizontal level.
- (b) A canopy not exceeding 5m. in length and 2.5 m. in width in the form of cantilever and unenclosed over the main entrance providing a minimum clear height of 2.40 m. below the beam bottom of canopy. The canopy shall not have access from upper floors (above floors), for using as sitting out place. There shall be a minimum clearance of 1.5 m. between the plot boundaries and canopy.

Provided that more than one canopy may be allowed in case of special buildings, as per requirement.

- (c) **Balcony** :- Balcony or balconies of a minimum width 1.00 m. and maximum of 2.00 m. may be permitted at any floor except ground floor, not more than 15 % of the built up area of the same floor and such balcony projection shall be subject to the following conditions
- (i) In non-core area, no balcony shall reduce the marginal open space to less than 3 m. In core area balcony may be permitted on upper floors projecting in front setbacks except over lanes having width 4.50 m. or less and in marginal distances subject to 1.0 m. clear marginal distance from the plot boundary to the external face of the balcony.
- (ii) No balcony shall be allowed on ground floor which shall reduce minimum required front setback or marginal distance.
- (iii) The width of the balcony shall be measured perpendicular to the building upto the outermost edge of balcony.
- (iv) The balcony should not be enclosed and declaration regarding this shall be submitted by the owner/developer/Architect at the time of approval of building permission and the same shall be mention in the agreement or sale deed.
- (v) Nothing shall be allowed beyond the outer edge of balcony.

- (d) A projection of maximum 30 cm. on roof top terrace level may be allowed throughout the periphery of the building. In case of pitched roof projection of maximum 45 cm. at roof top terrace level throughout periphery of the building shall be allowed.
- (e) **Accessory buildings**:- The following accessory buildings may be permitted in the marginal distances -
- (i) In an existing building where toilet is not provided, a single storeyed toilet subject to a maximum area of 4.0 sq. m. in the rear or side marginal distance and at a distance of 7.5 m. from the road line or the front boundary and 1.5 m. from other boundaries may be permissible. The Municipal Commissioner may reduce 1.5 m. margin in exceptional cases to avoid hardship.
- (ii) Parking lock up garage not exceeding 2.4 m. in height shall be permissible in the rear corner of the plot with independent bungalow. Parking lock up garage when attached to main building shall be 7.5 m. away from the road line and shall be of such constructions giving fire resistance of 2 hours. The area of parking lock up garage shall be taken into



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account for the calculation of FSI.

(iii) Suction tanks, soak pits, pump room, electric cabin of substation or gen-set area, electric meter room as per requirement, garbage shaft for wet and dry garbage separately with collection chamber, space required for fire hydrants, electrical and water-fittings, water tanks, dustbins, etc.

(iv) One watchman's cabin / booth not more than 5 sq. m. in built up area having min. 1.80 m. width or diameter of cabin / booth for each entrance to the campus.

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

- (f) "Ramp" for basement, in side and rear marginal distances. In case of special buildings, ramps may be allowed, subject to 6.0 m. clear marginal distance for movement of fire fighting vehicle
- (g) Staircase mid-landing of 1.2 m. width with clear minimum headway of 2.1 m. below the mid-landing. However, clear distance from edge of landing to the plot boundary shall not be less than 1.8 m. In case of special buildings, this shall be subject to 6.0 m. clear marginal distance.
- (h) Architectural projections upto 1.00 m. which will not reduce the marginal space more than 2.00 m.

15.8.2 Exclusion of structures / projections for FSI calculation

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

- (a) Structures/ Projections mentioned in Regulation 15.8.1 (a), (b), (c), (d), (e)(iii), (f), (g),
- (b) Stilt / Multi-storeyed floor/podium / basement used as parking.
- (c) Areas covered by (i) Lofts (ii) Service floor of height not exceeding 1.8 m. for hotels rating with three stars and above and hospitals .
- (d) Area of structure for an effluent treatment plant as required as per the requirements of the Maharashtra Pollution Control Board or other relevant authorities.
- (e) Areas covered by service ducts, stilt. Area of lifts on all floors excluding any one floor.
- (f) Rockery, well and well structures, plant, nursery, water pool, swimming pool (if uncovered), platform around a tree, fountain bench, chabutara with top and unenclosed sides, ramps, compound wall, gate slide / swing, steps outside the buildings, domestic working place (open to sky), overhead water tank on top of the building and refuge area for high rise buildings.
- (g) Area covered by new lift in an existing building with height upto 15m., in core area.
- (h) Telecommunication tower, antenna and allied activities.
- (i) Structure permissible in recreational open space in layout or group housing scheme.
- (j) Atrium in any building. Atrium may be allowed to be covered on top with transparent sheets.
- (k) Escalators as provided in Regulation No.17.4.9.2.
- (l) Staircases and fire escape staircases, Entrance lobby / lobbies, lift wells with machine rooms.
- (m) Supported double height terraces (within the building line)-

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



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15.9 HEIGHT OF BUILDING –

- (a) Height of building is allowed to the extent that is required to consume the maximum building potential on plot as given in the table under regulation no. 15.4, subject to other restrictions as per these regulations, and prior approval of Chief Fire Officer, Nashik Municipal Corporation, if required under this regulation.

Provided that, for the building having height equal to or more than 24.0 m. the minimum road width shall be 12.0 m.

For the scrutiny of buildings having heights 70 m. and more, High-rise Committee shall be constituted by the Municipal Commissioner. The structure of the committee is shall be as under.

Constitution of the committee.

Sr. No.	Member	Post
1.	Divisional Commissioner	Chairman
2.	Joint Director of Town Planning, Nashik Division Nashik	Member
3.	Head of Department, Soil Mechanics, College of Engineering.	Member
4.	Head of Department, Structural Engineering, College of Engineering.	Member
5.	City Engineer, Nashik Municipal Corporation	Member
6.	Chief Fire Officer, Nashik Municipal Corporation	Member
7.	Environmental Expert, Nominated by the Government	Member
8.	Deputy Director / Assistant Director, Town planning, Nashik Municipal Corporation	Member secretary

- i) The committee shall be of advisory in nature and it will advise the Municipal Commissioner regarding the feasibility of the development proposal considering the opinion of the expert members of the committee.
- ii) In specific case, if the chairman desires, any experts from other fields may be invited for the meeting of the committee.
- iii) The non-official members shall be paid honorarium as may be decided by the Commissioner.
- iv) The Commissioner may levy additional scrutiny fees for such building proposals.
- (b) For buildings in the vicinity of aerodromes, the maximum height of such buildings shall be subject to values framed by the Civil Aviation Authorities or the development permission shall be considered only after applicant produces NOC from Air Port Authority.
- (c) In addition to (b) for Industrial Chimneys coming in the vicinity of aerodromes, it shall be of such height and character as prescribed by Civil Aviation Authorities and all Industrial Chimneys shall be of such character as prescribed by the Chief Inspector of Steam Boilers and Smoke Nuisance, and
- (d) Buildings intended for hazardous godowns storage of inflammable materials and storage of explosives shall be single storied structures only.
- (e) The above regulation for height of building shall apply to all land use zones.

Note : For the purpose of Regulation No. 15.9 (a), the width of the street may be prescribed width of the street, shown on Development Plan or width resulting from the prescription of a regular line of street under the relevant act whichever is more.



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15.10 HEIGHT EXEMPTIONS -

The appurtenant structures such as roof tanks and their supports, ventilating, air-conditioning, lift rooms and similar service equipment, stair cover, chimneys and parapet walls and architectural features not exceeding 1 m. in height shall not be included in computation of height of building for marginal distance only.

15.11 INTERIOR & EXTERIOR CHOWK

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

(b) Exterior chowk: The minimum width of the exterior chowk for the purpose of light and ventilation, shall not be less than 2.4 m. and depth shall not exceed 2 times the width, for buildings upto 17m. height and for height more than 17m., the exterior open space shall not be less than H/7 m. x H/7 m. where H = height of highest wall of the chowk. If the width of the exterior chowk is less than 2.4 m. it shall be treated as a notch and shall not be considered for deriving ventilation.

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

15.11.2 Where only water closet, bathroom, combined bathroom and water closet are abutting on the interior open space, the size of the interior open space shall be in line with the provision for ventilation shaft as given in Regulation No.16.13.4.

15.12 TRANSIT ORIENTED DEVELOPMENT (TOD)**15.12.1 Definitions**

(i) TOD zone:- It is the area along/around the proposed MRTS/Metro corridor as will be delineated by Nashik Municipal Corporation with approval of the State Government.

(ii) Base permissible FSI:- It is the FSI that is otherwise permissible on any land with respect to zone shown as per the sanctioned development plan and the relevant provision of the Principal DCR excluding the TDR and the premium FSI, redevelopment incentive FSI that can be received.

(iii) Gross plot area:- Gross Plot Area means total area of land after deducting area under reservation or deemed reservation like amenity space if any, area under D.P. Road and Road widening.

(iv) Principal DCPR:- Principal DCPR means these DC Regulations excluding the provisions regarding TOD zone.

15.12.2 Date of coming into force:- The date of coming into force of these regulations shall be the date on which construction work of Metro Rail /MRTS actually commences.

15.12.2.1 Maximum Permissible FSI :- The maximum permissible total FSI in TOD zone shall be 4.00 including the base permissible FSI, subject to condition that, the additional FSI over and above the base permissible FSI shall be allowed within the overall limit of maximum permissible FSI, as given in the Table below-



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Sr. No.	Road width in m.	Min .Plot Area in sqm.	Maximum Permissible FSI
1	2	3	4
1	9 m. and up to 12 m.	Below 1000	2.00
2	12 m. and up to 18 m.	1000 or above	2.50
3	18 m. and up to 24 m.	2000 or above	3.00
4	24 m. and up to 30 m.	3000 or above	3.50
5	30 m. and above	4000 or above	4.00

Explanation:-

- 1) The maximum permissible FSI as per the above Table shall be determined by satisfaction of both the criterias viz. Minimum Road width as well as plot area, simultaneously. However in case, both these criterias are not satisfied simultaneously, the maximum permissible FSI shall be the minimum of that permissible against each of these two criterias, as illustrated below ;

Illustrations: -**Utilization of FSI**

Plot Area in sqm	Road width					
	Less than 9mt.	9 m. and up to 12 m	12 m. and up to 18 m	18 m. and up to 24 m.	24 m. and up to 30 m.	30 m. and above
Below 1000	Principal DCPR	2	2	2	2	2
1000 to below 2000	Principal DCPR	2	2.5	2.5	2.5	2.5
2000 to below 3000	Principal DCPR	2	2.5	3.0	3.0	3.0
3000 to below 4000	Principal DCPR	2	2.5	3.0	3.5	3.5
4000 or above	Principal DCPR	2	2.5	3.0	3.5	4.0

- 15.12.2.2 Premium to be Paid** - Additional FSI over and above base permissible FSI of respective land use zones as per principal DCPR, may be permitted on the payment of premium equivalent as would be decided by Government from time to time.
- 15.12.2.3 Integrated Mobility Plan:-** There shall be an Integrated Mobility Plan envisaging inter-linkages between different modes of mass transport, parking management, traffic management and pedestrianisation.
- 15.12.2.4** The maximum permissible FSI as given in Table under Regulation No. 15.12.2.1 shall be calculated on the gross plot area.
- 15.12.2.5** In case of plot / plots falling partly within the TOD zone, the FSI permissible shall be as follows, provided that the total area of the plot (plot falling within TOD zone plus plot falling outside TOD zone) shall be as prescribed in the table in Regulation No. 15.12.2.1 :-
- (i) Where 50% or more area of such plot / plots falls within TOD zone, these regulations including FSI shall apply to the total area of such plot / plots.
- (ii) Where less than 50% area of such plot / plots falls within TOD zone, these regulations



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including FSI shall be applicable to the part of plot / plots falling within TOD zone, whereas for the part of plot / plots falling outside TOD zone, these regulations except provisions regarding FSI shall be applicable. The FSI permissible for the part falling outside TOD zone shall be as per Principal Development Control Regulations.

15.12.2.6 Notwithstanding anything contained in any other provision of this DCPR the Parking, Double height terraces up to 20% and 15% balconies not enclosed, Stair cases, Lift wells with machine rooms, Refuge areas, Voids, Service Floor & Entrance lobbies of the building in TOD zone shall be free of FSI.

15.12.2.7 Notwithstanding anything contained in any other provisions of these regulations, TDR shall not be allowed to be received on the plots within TOD zone, irrespective of its location in congested area / non congested area as per the Development Plan of Nashik.

15.12.3 Tenement Size

For any development or redevelopment within TOD zone, size of tenement shall be minimum 25 sq. m. and maximum 120 sq. m. of built-up area and out of total proposed tenements, the tenements equivalent to at least 50% of total FSI shall be of a size equal to or less than 60 sq. m. These tenements shall not be allowed to be clubbed/amalgamated in any case.

15.12.4 Permissible mixed use in TOD zone:

Mixed use in the form of residential and commercial may be permissible on the residential plot in TOD zone fronting on the road width of 12 m. and above. And mix use on plot / plots in commercial zone in Nashik Municipal Corporation shall be permissible as per the principal DCPR and the maximum permissible FSI under these regulations shall be allowed on the payment of premium.

15.12.5 Other provisions regarding marginal open spaces shall be governed by the proposed height of structure, as given in the Regulation No. 15.12.6 below and should conform to the Maharashtra Fire Prevention and Life Safety Measures Act, 2006 (Maharashtra Act no. III of 2007) as amended from time to time. No building permission shall be issued without NOC of the Fire Officer. Other regulations regarding room sizes, apertures for light and ventilation shall be as per the principal DCPR in force.

15.12.6 Marginal Spaces

Sr. No.	Building Height	Side and Rear Margins	Remark
a	15.0 m. and below	H/2-4	Minimum 3.0 m. for Residential minimum 4.5 m. for Commercial and Minimum 6.0 m. for Special Buildings.
b	Above 15.0 m. and upto 18.0 m.	H/4	Minimum 6.0 m. for all Buildings.
c	18.0 m. and above	H/5 subject to Maximum 12.0 m.	Minimum 6.0 m.

Note- However if Developer / Owner provide more than 12.00 m. side and rear margins, it shall be permissible.

12.12.6.1 No projections shall be allowed in marginal spaces so that minimum 6 m. marginal spaces remain free from all encumbrances for the movement of fire tenders. In case if ramp is necessary from accessibility, such ramp may be allowed after living 6 m. clear margin,

15.12.6.2 For calculation of marginal distances the height of the parking floors (Maximum two floors above the Ground Level) shall not be taken in account, However height of such parking floors will be counted towards the total height of the building for deciding the building as high rise building



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and for civil Aviation purpose.

15.12.6.3 Car lift / mechanical parking shall be permissible, as per Principal DCPR as amended from time to time.

15.12.7 Parking

Parking in the TOD zone shall be provided as per the table given below.

Sr. No.	Occupancy	One parking space for every	Transit Oriented Development Influence Zone		
			Car	Scooter / Motorcycle	Cycle
1	Residential	For 4 units having carpet area From 25 and upto 40 sq. m.	0	1	2
		For 2 units above 40 and upto 60 sq. m.	1	1	2
		For every unit above 60 and upto 80 sq.m.	1	2	2
		For every unit above 80 sq.m.	1	1	1
2	Govt. & Semi Govt. Private business buildings	100 sq. m. carpet area or fraction thereof	1	2	2

Note: i) Parking spaces for differently – abled persons shall be provided as per Indian Road Congress Code No. IRC 103:2012 in each new construction / development / re-development in the TOD zone.

ii) No on street parking shall be permissible, unless specifically allowed in the integrated mobility plan report.

15.12.7.1 Incentive for providing Public Parking in the area falling within the radius of 200 m. from the Metro/MRTS Station.

If the owner / developer of the plot falling within the radius of 200 m. from the Metro Station/MRTS, is willing to provide Public Parking space over and above the parking spaces required as per the table given in Regulation No.15.12.7 of these regulations, the same shall be allowed and in that case the premium to be paid by such developer / owner as per Regulation No.15.12.2.2 shall be reduced by the amount equal to the premium worked out for 25% of the area earmarked for such additional Public Parking space, subject to following conditions:-

- Such parking area shall be in the built-up form and shall be handed over to Planning Authority free of cost before granting the Occupation Certificate to the project. The Planning Authority should enter into an agreement with owner / developer for such parking space at the time of granting Commencement Certificate to the project. Such Public Parking area shall be clearly shown on the proposed building plan / layout and a condition to above effect shall be incorporated in the Commencement Certificate.
- The parking area shall have independent access from major road adjacent to the plot and with proper entry and exits.
- The parking area to be made available at individual site shall be at minimum 100 sq. m. at one



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place either at Ground floor / Stilt floor or first floor.

- d) The maximum parking area that can be provided shall be decided by the Commissioner, Nashik Municipal Corporation, as the case may be, on considering the location of such site and the parking requirement.
- e) A board showing the location of such public parking space should be displayed at suitable places by the Planning Authority.
- f) Area covered under such parking shall not be counted towards FSI consumption.
- g) Concerned land owner / developer / society / public company shall not be allowed to operate the public parking.
- h) The proposed development shall be further subject to such conditions as may be decided by the Municipal Commissioner.

15.12.8 In case of metro rail, development or redevelopment, proposed by the Authority / individual applicant / any other Planning Authority, from the edge of the Metro Rail, within 20 m. distance from the Metro Rail, on its either side, the concerned Planning Authority i.e. Nashik Municipal Corporation before granting such permission for development / redevelopment shall seek prior NOC from the concerned Metro Railway Authority as required under the Metro Railways (Construction of Works) Act, 1978 from the point of view of safety of the Metro Railway and such other related matters.

15.12.9 In case of any conflict between these Regulations and any other Regulation/s of the DCR, these Regulations shall prevail for the TOD zone.

15.12.10 No Compound wall / fencing shall be permissible on the boundary of plot fronting on road and 50% front marginal distance (subject to minimum of 3.0 m.) shall be kept accessible and to be used as foot paths, for pedestrians. However, it shall be permissible for the applicant to construct / erect fencing, on the boundary, after leaving the space for pedestrians as specified above.

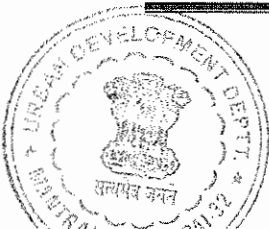
However for the plots situated on 9mt. and 12mt. wide Roads having 100% residential use therefore above rule shall not be made applicable.

15.12.10.1 Large wholesale stores, car dealer showrooms, warehouses/storages, auto service centers, Garages etc. shall not be permissible in TOD zone.

15.12.10.2 Provision of Inclusive housing shall not be applicable in TOD zone.

15.12.10.3 For Gunthewari development regularized under the provisions of Maharashtra Gunthewari Development Act, 2001 and falling in TOD zone, seeking provisions for redevelopment, these regulations shall apply.

15.12.10.4 The width of passage shall be minimum 1.5 m. for residential use & 2.0 m. for commercial use.



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PART V
REQUIREMENTS OF PARTS OF BUILDINGS

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

16.1 Plinth

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

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

16.2 Habitable Rooms

16.2.1 Size - A habitable room shall have a carpet area of minimum, 7.20 sq.m. except those in the hostels attached to recognised educational institutions, the minimum size of a habitable room for the residence of a single person shall be 5.76 sq. m; the minimum width of a habitable room shall be 2.4 m. Where there is more than one room, one shall be not less than 7.20 sq. m., and other 5.76 sq. m. Where enclosed balcony area is to be counted in minimum dimensions required for a room, then such enclosed width shall not be more than 1/3 of the dimension of that room.

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

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

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

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

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

16.3 Kitchen

16.3.1 Kitchen size - The area of the kitchen shall not be less than 3.3 sq. m. with a minimum width of 1.5 m.

16.3.1.1 In the case of single room tenement as given in Regulation no. 16.2.1.1, no provision for kitchen is necessary. Where alcoves (a cooking space having direct access from the main room without any inter communicating door) are provided, the size shall not be less than 2.4 sq. m. with a minimum



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width of 1.2 m.

16.3.2 Height: The room height of a kitchen measured from the surface of the floor to the lowest point in the ceiling (bottom of slab) shall not be less than 2.75 m., subject to provisions of Regulation No.16.2.2.1.

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

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

16.4 Bath Rooms, Water Closets, Combined bath room and water closet

16.4.1 Size - The minimum size shall be as under-

- (a) Independent Bathroom 1.00 x 1.20 m.
- (b) Independent Water closet 0.9 m. x 1.10 m.
- (c) Combined bath room and water closet. 1.80 sq. m. with minimum width of 1.00 m.

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

16.4.3 Other Requirements - Every bathroom or water closet shall -

- (a) be so situated that at least one of its wall shall open to external air with the size of opening (windows, ventilators, louvers) not less than 0.3 sq. m. in area and side not less than 0.3 m. (See Regulation No. 16.13.3)
- (b) have the platform or seat made of water tight non-absorbent material,
- (c) be enclosed by walls or partitions and the surface of every such wall or partitions shall be finished with a smooth impervious material to a height of not less than 1 m. above the floor of such a room; and
- (d) be provided with an impervious floor covering, sloping towards the drain with a suitable grade and not towards verandah or any other room.

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

16.5 Loft

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

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

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



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16.6 Mezzanine floor

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

Note :- Mezzanine floor area shall be counted towards F. S. I.

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

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

16.7 Store Room :-

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

Prayer/pooja room may be allowed in same manner.

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

16.8 Garage

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

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

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

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

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

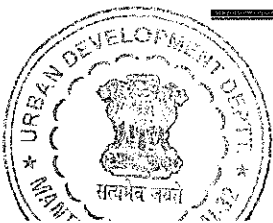
16.9 Roofs

16.9.1 The roof of a building shall be so constructed or framed as to permit effective drainage of the rain water there from by means of sufficient rain water pipes of adequate size, wherever required, so arranged, jointed and fixed as to ensure that the rain water is carried away from the building without causing dampness in any part of the walls or foundations of the building or those of an adjacent building.

16.9.2 The Municipal Commissioner may require rain water pipes to be connected to a storm water drain through a covered channel formed beneath the public footpath or in any other approved manner, if not used for rain water harvesting

16.9.3 Rainwater pipes shall be affixed to the outside of the walls of the building or in such other manner as may be approved by the Municipal Commissioner.

16.9.4 Top Terrace of a building shall not be sub-divided and it shall have only common access. However,



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intermediate terraces may be allowed to be attached with flat and shall not be counted in balcony area. In no case, such area shall be allowed to be enclosed.

16.10 Basement

16.10.1 Basement shall generally be constructed within the prescribed setbacks and prescribed building line in one or two level and may be put to only following uses:

Following user shall be permissible free of FSI.

- (i) Air conditioning equipment and other machines used for services and utilities of the building;
- (ii) Parking spaces,
- (iii) DG set room, meter room and electric sub-station, effluent treatment plant, suction tank, pump room.

Following user shall be permissible and counted in FSI.

- (i) Storage incidental to principle use
- (ii) Bank locker, strong room, safe deposit vault, radio/laser therapy unit and mortuary.

Provided that if the basement is constructed below ground level and only for parking, then such basement can be extended in side and rear margins upto 3 m. form the plot boundary.

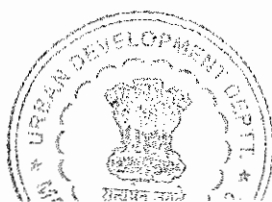
16.10.2 The basement shall not be used for any other user than mentioned above.

16.10.3 Multilevel basements may be permitted if the basement is used for parking. The ramps of minimum 3.0 m. width for entry and exit of vehicle separately shall be provided. In case of bona-fide hardship, the Municipal Commissioner may allow only one ramp with not less than 6.0 m. in width.

16.10.4 If the basement is proposed to be constructed below podium then marginal distances shall be as that of podium.

16.10.5 The basement shall have the following requirements -

- (a) Every basement shall be in every part at least 2.4 m. in height from the floor to the soffit of beam.
- (b) Adequate ventilation shall be provided for the basement with a ventilation area not less than 2.5% of the area of the basement. Any deficiency may be met by providing additional adequate mechanical ventilation in the form of blowers, exhaust fans, air conditioning systems etc.
- (c) The minimum height of the ceiling of any basement shall ordinarily be 0.9 m. and maximum of 1.2 m. above the average surrounding ground level. However it does not apply to the mechanically ventilated basements. In such cases, basement may also be allowed flushing to the average ground level
- (d) Adequate arrangement shall be made such that surface drainage does not enter the basement.
- (e) The walls and floor of the basement shall be water-tight and be so designed that the effect of the surrounding soil and moisture, if any, are taken into account in design and adequate damp proofing treatment is given; and
- (f) The access to the basement shall be separate from the main and alternate staircase providing access and exit from higher floors. Where the staircase is continuous in case of building served by more than one staircase, the same shall be of enclosed type serving as a fire separation from the basement floor and higher floors [see Regulation No. 17.4.3 (m)] Open ramps shall be permitted if



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they are constructed within the building line subject to the provision of (d).

16.11 Podium

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

- i) Height of podium shall be at least 2.4 m. from the floor to the soffit of beam.
- ii) Podium shall not be provided in front setback space.
- iii) Minimum 6.0 m. distance shall be observed between plot boundary and podium subject to requirements of Fire Brigade Authority.
- iv) Podium shall only be used for parking and it shall be designed to take load of fire engine.
- v) Podium shall be permissible for plots having 2000sq.m. and above and may be in multilevel. However in core area the same shall be minimum 1000sq.m.
- vi) Podium shall be permissible for joining two or more buildings or wings of buildings.

16.12 Lighting and Ventilation of Rooms

16.12.1 The minimum aggregate area of opening of habitable rooms and kitchens excluding doors shall be not less than 1/10th of floor area.

16.12.2 No portion of a room shall be assumed to be lighted if it is more than 7.5 m. from the opening assumed for lighting / ventilation of the portion, provided additional depth of any room beyond 7.5 m. may be permitted subject to provision of proportionate increase in the opening.

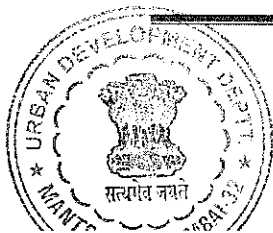
16.12.3 Where the lighting and ventilation requirements are not met through day lighting and natural ventilation, the same shall be ensured through artificial lighting and mechanical ventilation as per latest version of Part VIII - Building Services Section, Lighting and Ventilation of National Building Code of India published by the Bureau of Indian Standards. In the case of special types of buildings requiring artificial lighting and air-conditioning for special types of manufacturing or other process the requirements about natural day lighting and ventilation may be relaxed.

16.12.4. Ventilation Shaft:-

For ventilating the space for water closets and bath room or staircase if not opening on the exterior side of a building, open on the ventilation shaft, the size of which shall not be less than the values given below in Table No.10:

Table No.10		
Height of building in m.	Size of ventilation in sq. m	Minimum width of shaft in m.
Up to 10	1.2	0.90
Up to 12	3.0	1.50
Up to 18	4.5	1.80
Up to 24	5.4	1.80
Up to 30	8.0	2.40
Above 30	9.0	3.00

16.12.5 In residential lodging hotels where attached toilets are provided with mechanical ventilation system installed as per Regulation No. 16.12.3., the size of ventilation shaft stand relaxed



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16.13 Parapet

Parapet walls and handrails provided on the edges of roof terraces, balcony etc. shall not be less than 1.05 m. and not more than 1.20 m. in height. For elevational treatment, height may be allowed upto 2.4m.

16.14 Wells

Wells intended for supply of water for human consumption or domestic purposes may be permitted at suitable place.

16.14.1 Requirements: The well shall:

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

16.15 Septic Tanks

Where a septic tank is used for sewage disposal, the location, design and construction of the septic tank shall conform to requirements of Regulation No.16.15.1 and 16.15.2.

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

16.15.2 Requirements:

- (a) Dimensions of Septic Tanks: Septic tanks shall have minimum width of 75 cm., minimum depth of 1 m. below the water level and a minimum liquid capacity of 1 cu.m. Length of tanks shall be 2 to 4 times the width.
- (b) Septic tanks may be constructed of brick work, stone masonry, concrete or other suitable materials.
- (c) Under no circumstances should effluent from a septic tank be allowed into an open channel drain or body of water without adequate treatment.
- (d) Minimum nominal diameter of pipe shall be 100 mm. further, at junctions of pipes in manholes; direction of flow from a branch connection should not make an angle exceeding 45 degree with the direction of flow in the main pipe.
- (e) The gradients of land drains under drainage as well as the bottom of dispersion trenches and soak way should be between 1:300 and 1:400.
- (f) Every septic tank shall be provided with ventilating pipe of at least 50 mm diameter. The top of the pipe shall be provided with a suitable cage of mosquito proof wire mesh.

The ventilating pipe shall extend to a height, which would cause no smell nuisance to any building in the area. Generally, the ventilating pipe may extend to a height of about 2 m.



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when the septic tank is at least 15 m. away from the nearest building and to a height of 2 m. above the top of the building when it is located closer than 15 m.

- (g) When the disposal of septic tank effluent is to seepage pit, the seepage pit may be of any suitable shape with the least cross sectional dimension of 90 cm. and not less than 100 cm. in depth below the invert level of the inlet pipe. The pit may be lined with stone, brick or concrete blocks with dry open joints which should be backed with at least 7.5 cm. of clean coarse aggregate. The lining above the inlet level should be finished with mortar. In the case of pits of large dimensions, the top portion may be narrowed to reduce the size of the RCC cover slabs. Where no lining is used, especially near trees, the entire pit should be filled with loose stones. A masonry ring may be constructed at the top of pit to prevent damage by flooding of the pit by surface run off. The inlet pipe may be taken down to a depth of 90 cm. from the top as an anti-mosquito measure.
- (h) When the disposal of septic tank effluent is to a dispersion trench, the dispersion trench shall be 50 to 100 cm. deep and 30 to 100 cm. wide excavated to a slight gradient and shall be provided with 15 to 25 cm. of washed gravel of crushed stones. Open jointed pipes placed inside the trench shall be made of unglazed earthenware clay or concrete and shall have minimum internal diameter of 75 to 100 mm. Each dispersion trench should not be longer than 30 m. and trenches should not be placed closer than 1.8 m.

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

16.16 Boundary Wall

The requirements of the boundary wall are given below:

- (a) Except with the special permission of the Municipal Commissioner the maximum height of the compound wall shall be 1.5 m. above the center line of the front street. Compound wall upto 2.4 m. height may be permitted if the top 0.9m. is of open type construction (railings).
- (b) In case of corner plot the height of boundary wall shall be restricted to 0.75 m. for a length equal to fanning of the road on the front and side of the intersections and balance height of 0.75 m. if required in accordance with (a) may be made of open construction (railings),
- (c) However, the provisions of (a) and (b) are not applicable to boundary wall of jails. In industrial buildings, electric sub stations, transformer stations institutional buildings like sanatoria, hospitals, industrial buildings like workshops, factories and educational buildings like schools, colleges, including the hostels, and other uses of public utility undertakings. Height upto 2.4 m. to boundary walls of these types of building may be permitted by the Municipal Commissioner.
- (d) The compound gate should open entirely inside the property and shall not open on any access/pathway/ road/street.

16.17 Office-cum-Letter Box Room

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

16.18 Meter Rooms

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



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- 16.18.1** The spaces for provision of transformers shall be provided as given in Regulation no.13.6 or as per the requirements of M.S.E.D.C.L.

16.19 Chimneys

- 16.19.1** Chimneys, where provided shall conform the requirements of IS 145-1960 of latest version.
- 16.19.2** Notwithstanding the provisions of Regulation No. 16.19.1, the Chimneys shall be built at least 0.9m. above parapet wall. In the case of sloping roofs, the chimney top shall not be less than, 0:6 m. above the ridge of the roof in which the chimney penetrates.

17.0 EXIT REQUIREMENTS

- 17.1** General-The following general requirements shall apply to exits.
- (a) Every building meant for human occupancy shall be provided with exits sufficient to permit safe escape of occupants in case of fire or other emergency;
 - (b) In every building, exits shall comply with the minimum requirements of this part, except those not accessible for general public use;
 - (c) All exits shall be free of obstructions;
 - (d) No building shall be altered to reduce the number, width or protection of exits to less than that required;
 - (e) Exits shall be clearly visible and the routes to reach the exits shall be clearly marked and sign posted to guide the occupants to the floor concerned;
 - (f) All exit ways shall be properly illuminated;
 - (g) Fire-fighting equipment where provided along exits shall be suitably located and clearly marked but must not obstruct the exit way and yet there should be clear indication about its location from either side of the exit way;
 - (h) Alarm devices shall be installed for buildings above 15m. in height, to insure prompt evacuation of the occupants concerned through the exits;
 - (i) All exits shall provide continuous means of egress to the exterior of a building or to an exterior open space leading to a street and;
 - (j) Exits shall be so arranged that they shall be reached without passing through another occupied unit.

17.2 Types of exits -

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

17.3 Number and Size of Exits

The requisite number and size of various exits shall be provided, based on number of occupants in each room and floor based on the occupant load, capacity of exits; travel distance and height of building as per provisions of Regulation No. 17.3.1. to 17.3.5.



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17.3.1 The buildings specified in Regulation No.17.4.4 shall have two staircases out of which one shall be fire escape staircase. This shall be subject to the provisions mentioned in the said regulations.

17.3.2 Arrangement of Exits

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

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

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

17.3.3 Occupant Load -

For determining the exits required the number of persons within any floor area or the occupant load shall be based on the actual number of occupants but in no case, less than that specified in Table 11 below.

Table No -11 Occupant Load		
Sr. No.	Group of Occupancy	Occupant Load Gross Area*in sq. m. per person
(1)	(2)	(3)
1	Residential	12.5
2	Educational	04.00
3	Institutional	15 (see Note-1)
4	Assembly	
	(a) with fixed or loose seats and dance floors	0.6 (see Note-2)
	(b) without seating facilities including dining rooms	1.5 (see Note-2)
5	Mercantile	
	(a) Street floor and sales basement	3
	(b) Upper sale floors	6
6	Business and industrial	10
7	Storage	30
8	Hazardous	10

* The gross area shall mean plinth area or covered area

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

Note 2 - The gross area shall include, in addition to the main assembly room or space, any occupied connecting room or space in the same storey or in the storeys above or below where



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entrance is common to such rooms and spaces and they are available for use by the occupants of the assembly space. No deductions shall be made in the gross area for corridors, closets or other sub-divisions. The area shall include all space serving the particular assembly occupancy.

17.3.4 Capacity of Exits -

The capacity of exits (doors and stairways) indicating the number of persons that could be safely evacuated through a unit exit width of 50 cm. shall be as given in Table -12.

Table No -12 Occupants per Unit Exit Width				
Sr. No.	Group or Occupancy	Number of Occupants		
		Stairways	Ramps	Doors
1	Residential	25	50	75
2	Educational	25	50	75
3	Institutional	25	50	75
4	Assembly	40	50	60
5	Business	50	60	75
6	Mercantile	50	60	75
7	Industrial	50	60	75
8	Storage	50	60	75
9	Hazardous	25	30	40

17.3.5 Width of Stairways-

The following minimum width provisions shall be made for stairways;

- i) For Individual House & Row housing with G+2 storeys – minimum 0.75m.
- ii) For Housing scheme in Regulation No. 23.15– minimum 1.00m.
- iii) Other types –for building mentioned below, minimum width shall be as follows

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

17.4 Other Requirements of Individual Exits- The detailed requirements of individual exits are given in Regulation No. 17.4.1 to 17.4.6.

17.4.1 Doorways:

- (a) Every exit doorway shall open into an enclosed stairway, a horizontal exit or a corridor or



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passage way providing continuous and protected means of egress

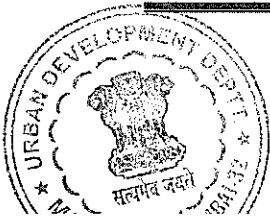
- (b) No exit doorway shall be less than 90 cm. in width in case of residential and 100 cm. in width in case of other buildings. Doorways shall be not less than 200 cm. in height. Doorways for bathrooms, water closet, stores etc. shall be not less than 75 cm. wide.
- (c) Exit doorways shall open outwards, that is away from the room but shall not obstruct the travel along any exit. No door, when open, shall reduce the required width of stairway or landing to less than 90 cm.
- (d) Exit door shall not open immediately upon a flight of stairs, a landing equal to at least the width of the door shall be provided in the stairway at each doorway. Level of landing shall be the same as that of the floor which it serves.

17.4.2 Revolving Doors :

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

17.4.3 Stairways:

- a) Interior stair shall be constructed of non-combustible materials throughout;
- b) Interior staircase shall be constructed as a self-contained unit with at least one side adjacent to an external wall and shall be completely enclosed;
- c) A staircase shall not be arranged around a lift shaft unless the latter is entirely enclosed by a material of required fire- resistance rating. For buildings more than 15m. in height, the staircase location shall be to the satisfaction of Fire Officer, Fire Brigade Authority, wherever necessary.
- d) Hollow combustible construction shall not be permitted.
- e) The minimum width of an internal staircase shall be as per the provisions of Regulation No. 17.3.5.
- f) The minimum width of treads without nosing shall be 25 cm. for an internal staircase for residential buildings. In the case of other buildings, the minimum treads shall be 30 cm. The treads shall be constructed and maintained in a manner to prevent slipping.
- g) The maximum height of riser shall be 20 cm. in the case of residential buildings and 15 cm. in the case of other buildings. They shall be limited to 12 per flight. For low income housing scheme in narrow plots, the riser may be provided in one flight.
- h) Handrails shall be provided with a minimum height of 90 cm. from the tread,
- i) The minimum unobstructed headroom in a passage under the landing of a staircase and under the staircase shall be 2.2 m.
- j) No living space, store or other fire risk spaces shall open directly into the external staircase or staircases.
- k) External exit door of staircase enclosure at ground level shall open directly to the open spaces or can be reached without passing through a large lobby.
- l) In the case of assembly, institutional, residential hotels, industrial and hazardous occupancies, the exit sign with arrow indicating the way to the escape route shall be provided on the wall / floor and shall be illuminated by electric light connected to corridor circuits. All exit way marking signs should be flush with the wall and so designed that no mechanical damage shall occur to them due to moving of furniture or other heavy equipments. Further all landings of



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floor shall have floor indication boards indicating the floor number. The floor indication board shall be placed on the wall immediately facing the flight of stairs and nearest to the landing. It shall be of appropriate size.

- m) In case of single staircase it shall terminate at the ground floor level and the access to the basement shall be by a separate staircase. Wherever the building is served by more than one staircase, one of the staircases may lead to basement levels, provided the same is separated at ground level by either a ventilated lobby or cut-off screen wall without opening, having a fire resistance of not less than 2 hours with discharge point at two different ends or through enclosures. It shall also be cut off from the basement areas at various basement levels by a protected and ventilated lobby / lobbies. The staircase shall be lighted and ventilated and the minimum size of openings on walls abutting to open spaces shall be 0.3 sq. m. per landing.

17.4.4. Fire escape or external stairs –

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

- 1) Residential buildings having height more than 24 m. and less than 70m., additional fire escape staircase shall be necessary.
Provided that, it will not be necessary if built-up area on any floor does not exceed 500 sq. m.
- 2) Building having height 70 m. or more shall be provided with additional fire escape staircase, having width not less than 2.00 m. irrespective of the built up area on the floor.
- 3) For buildings above 15m. in height specified in Regulation No. 6.2.6.1 but excluding 17.4.4.(1) and 17.4.4.(2) above, fire escape staircase shall be provided.

This shall be subject to following -

- (a) Fire escape shall not be taken into account in calculating the evacuation time of building;
- (b) All fire escapes shall be directly connected to the ground;
- (c) Entrance to fire escape shall be separate and remote from the internal staircase;
- (d) The route to fire escape shall be free of obstructions at all times, except a doorway leading to the fire escape; which shall have the required fire resistance;
- (e) Fire escape shall be constructed of non-combustible materials;
- (f) Fire escape stairs shall have straight flights not less than 75 cm. wide with 25 cm. treads and risers not more than 20 cm. The number of risers shall be limited to 16 per flight.
- (g) Handrail shall be of height not less than 90 cm.
- (h) Fire escape staircase shall be connected to other staircases through common passage at every floor.
- (i) Unprotected steel frame staircase will not be accepted as means of escape. However, steel staircase in an enclosed fire rated compartment of 2 h. will be accepted as means of access.

17.4.5 Spiral stairs (fire escape) -

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

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



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17.4.6 Ramps:

- (1) Ramps for pedestrians.-
 - (a) Ramps with a slope of not more than 1 in 10 may be substituted for and shall comply with all the applicable requirements of required stairways as to enclosure capacity and limiting dimensions. Ramps shall be surfaced with approved non-slipping material;
 - (b) The minimum width of the ramps in hospitals on a plot area upto 2000 sq. m. shall be 1.50m. and on a plot above 2000 sq. m. shall be 2.25 m.
 - (c) Handrails shall be provided on both sides of the ramp.
- (2) Ramps for basement or storeyed parking - For parking spaces in a basement and upper floors, at least two ramps of minimum 3 m. width and slope of not steeper than 1:8, shall be provided preferably to the opposite ends. Due to space restriction, one ramp may be allowed which shall not less than 6.0 m. in width. Such ramps may be permitted in the side and rear marginal distances. However, in case of special building mentioned in Regulation No.6.2.6.1, ramp may be permitted in the side and rear marginal distances after leaving 6.0 m. distance around building for movement of firefighting vehicles. In case of building as per Regulation No. 23.15, this shall not be applicable upto the height of 24 m. Provided that when a building abutting 3 or more roads, then ramps shall be allowed in front marginal distances facing the smaller road or less important road from traffic point of view.

17.4.7 Corridors:

- (a) The minimum width of a corridor other than internal passages shall be calculated based on the provisions of a Regulation No.17.3.3 to 17.3.5 as per the corresponding width of staircase;
- (b) In case of more than one main staircase of the building interconnected by a corridor or other enclosed space, there shall be at least one smoke stop door across the corridor or enclosed space between the doors in the enclosing walls of any two staircases.
- (c) The passages (covered or uncovered) including an arcade, a courtyard, a porch or portico, spaces to be left open to sky in accordance with these Regulations, in any premises shall not be used for any other purpose than the one permissible.

17.4.8 Refuge Area

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

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

- a) For floors above 24 m. and upto 39 m. – One refuge area on the floor immediately above 24 m.
- b) For floors above 39 m. – One refuge area on the floor immediately above 39 m and so on after every 15 m. Refuge area provided in excess of the requirements shall be counted towards FSI. However, area remained in excess because of planning constraints shall not be counted in FSI.

17.4.9 Lifts and Escalators:-

Provision of lift shall be made for all buildings more than 16m. in height

17.4.9.1 Lifts:

- (a) All the floors shall be accessible for 24 hours by the lifts. The lifts provided in the buildings



shall not be considered as a means of escape in case of emergency.

- (b) Grounding switch at ground floor level to enable the fire service to ground the lift cars in any emergency shall also be provided;
- (c) The lift machine room shall be separate and no other machinery shall be installed therein.

17.4.9.2 Escalators :

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

17.4.10 Fire Lift

Where applicable, fire lifts shall be provided with a minimum capacity for 8 passengers and fully automated with emergency switch on ground level. In general, buildings 15 m. in height or above shall be provided with fire lifts. In case of fire, only fireman shall operate the fire lift. In normal course, it may be used by other persons. Each fire lift shall be equipped with suitable inter-communication equipment for communicating with the control room on the ground floor of the building. The number and location of fire lifts in a building shall be decided after taking into consideration various factors like building population, floor area, compartmentation, etc.

17.4.11 Additional requirements in case of Housing Schemes

Following amenities shall be provided in any housing scheme and shall be counted in FSI

- i) Fitness Centre, Crèche, society office cum letter box room, admeasuring area of about 20 sq. m. in scheme having minimum 100 flats and thereafter additional 20 sq. m. area for every 300 flats.
- ii) Sanitary block for servants having maximum area of 3.00 sq.m. in schemes having minimum 100 flats and thereafter additional 3.00 sq.m. area for every 200 flats.
- iii) Drivers room of size 12 sq.m. with attached toilet in schemes having minimum 100 flats and thereafter additional 10 sq.m. area for every 300 flats.

In case of scheme having more than 1000 flats, the above amenities shall be reasonably provided keeping in view the above requirements.

18.0 FIRE PROTECTION REQUIREMENTS

All buildings shall be planned, designed and constructed to ensure fire safety and this shall be done in accordance with Part IV of Fire Protection of National Building Code of India and Maharashtra Fire Prevention and Life Safety Measures Act, 2006, as prescribed in Appendix 'J' In case of buildings identified in Regulation No. 6.2.6.1., the building schemes shall also be cleared by the Fire Officer, Fire Brigade Authority.

19.0 SPECIAL REQUIREMENTS OF OTHER BUILDINGS:-

19.1 Educational buildings.

19.1.1 Educational building shall only be permitted if area as mentioned below is available for playground.

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



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

19.1.2 No classroom shall admeasure less than 38 sq. m. with a min dimension of 5.50 m.

19.1.3 The height of any classroom shall not be less than 3.60 m.

19.2 Institutional Buildings

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

19.2.1 Hospitals and Sanatoria (special buildings), preferably, shall be constructed on independent plot.

19.2.2 Every building shall have a refuge collection area of minimum 7.50 sq. m. size. The same shall not be allowed in marginal distances. Modern method of incineration of the refuge may be adopted.

19.3 Cinema Theatre/Multiplex

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

19.4 Mercantile Buildings.

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

19.5 Industrial Building

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

19.5.2 For construction of industrial building, buffer zone of 23 m. wide shall be left from residential or incompatible zone, wherever necessary. Such buffer zone may be part of sizable required recreational open space. Roads and marginal distance may also be treated as part of buffer zone. However, area of such buffer zone shall be counted in gross area for computation of FSI. Where green belt is shown in development plan between residential and industrial zone, area of such green belt shall be counted in gross area for calculation of FSI.

Provided that marginal distance for a building shall not be exclusive of buffer zone.

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



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PART VI
PARKING, LOADING AND UNLOADING SPACES

20.0 PARKING, LOADING AND UNLOADING SPACES:-

20.1 Parking spaces –

Wherever a property is to be developed or redeveloped, parking spaces at the scale laid down in these Regulations shall be provided. When additions are made to an existing building, the new parking requirements will be reckoned with reference to the additional space only and not to the whole of building but this concession shall not apply where the use is changed. The provisions for parking of vehicles shall be as given in **Table No. 14**.

20.1.1 General space requirements

- (i) **Types:** The parking spaces mentioned below include parking spaces in basements or on a floor supported by stilts, podium or on upper floors, covered or uncovered spaces in the plot and / or lock up garages. The height of the stilt shall generally be allowed upto 3 m. and shall not be less than 2.4 m. from bottom of beam. More height may be allowed in case of shopping malls, hotels etc. as per requirements.
- (ii) **Size of parking space -** The minimum sizes of parking spaces to be provided shall be as shown below in **Table No.13**

Table No- 13		
Sr. No.	Type of Vehicle	Minimum Size/ area of parking space
(1)	(2)	(3)
(a)	Motor vehicle	2.5 m. X 5 m.
(b)	Scooter, Motor Cycle.	1.0 m. x 2.0 m.
(c)	Bicycle	0.50 m. x 1.4 m.
(d)	Transport vehicle	3.75 m. X 7.5 m.
Note:	In the case of parking spaces for motor vehicle, upto 50 percent of the prescribed space may be of the size of 2.3 m. X 4.5 m.	

- (iii) **Marking of parking spaces:** Parking space shall be paved and clearly marked for different types of vehicles.
- (iv) **Maneuvering and other ancillary spaces:** Off street parking space must have adequate vehicular access to a street and the area shall be exclusive of drives, aisles and such other provisions required for adequate maneuvering of vehicles.
- (v) **Ramps for Basement parking:-** Ramps for parking in basement should conform to the requirement of Regulation No.17.4.6.
- (vi) **Bus bay for schools / multiplex / assembly buildings/group housing:-** While granting development permission, a bus bay of required size shall be provided along main road on which plot abuts. This shall be applicable for housing scheme having more than 500 flats.



Sr. No.	Occupancy	One parking Space for every	Core Area			Outside Core Area		
			Car (4)	Scooter (5)	Cycle (6)	Car (7)	Scooter (8)	Cycle (9)
(1)	(2)	(3)						
1.	Residential i) Multi-family residential	(a) One Tenement having Carpet area equal to 120 sq. m. and above (b) One Tenement having Carpet area equal to or above 80 but less than 120 sq. m. (c) One tenement having Carpet area equal to or above 40 but less than 80 sq. m. (d) Four tenements having Carpet area upto 40 sq. m.	2 1 1 1	2 2 4 4	2 2 2 4	3 2 1 1	2 2 4 4	2 2 2 4
	ii) Lodging establishments tourist homes, hotels with lodging accommodation.	(a) For every five guest rooms	2	3	3	2	3	3
	iii) Restaurants	(a) For hotel, eating houses 40 sq. m. of Carpet area of restaurant including kitchen, pantry hall, dining rooms etc.	0	8	2	2	8	4
2.	iv) Three and above star hotels Institutional (Hospital, Medical Institutions)	For every five guest rooms For 80 sq. m. Carpet area or fraction thereof.	2 2	3 6	3 5	2 2	4 6	2 5
3.	Assembly (theatres, cinema houses, concert halls, auditoria, assembly halls including those of college and hostels)	For every 40 Seats.	4	12	8	4	12	8
4.	Mangal Karyalaya / Marriage Halls, Cultural Halls	For every 100 sq.m. Carpet up area / covered area or fraction thereof.	4	20	8	5	20	8



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5.	Educational – Schools and administrative as well as public service areas therein	100 sq. m. Carpet area of administrative as well as public service areas of the school For every 3 class rooms	2 2 (LCV/Mini bus/Tempo)	4 20	4 10	2 2	4 20	4 10
	iii) College	100 sq. m. Carpet area of administrative as well as public service areas of the college	2	15	10	2	20	10
6.	Government or semipublic or private business buildings.	For every 3 class rooms 100 sq. m. Carpet area or fraction thereof	2 2	75 12	30 4	2 3	90 15	30 4
7.	Mercantile (markets, department al stores, shops and other Commercial users) including wholesale markets	100 sq. m. Carpet area or fraction thereof	2	4	4	2	4	4
8.	Industrial	200 sq. m. Carpet area or fraction thereof	2	8	3	2	8	3
9.	Storage (any type)	200 sq. m. Carpet area or fraction thereof	0	2	4	1	4	8
10.	Plots less than 200 sq. m. (any use)		0	2	4	1	4	8

Note 1 :- For plots upto 100 sq. m. as in the case of shops, row houses parking space need not be insisted.

Note 2 :- Fraction of parking unit need not be provided. However, in case where proportional number of vehicles is less than 1 (i.e. fraction) it will be rounded to the next full number.

Note 3 :- In case of independent single family residential bungalows having plot area upto 300 sq. m., parking space need not be insisted separately.

Note 4 :- Further a garage shall be allowed in rear or side marginal distance at one corner having minimum dimension of 2.5 m. x 5.0 m. & maximum dimension 3 m. x 6 m. i.e. minimum 12.5 sq. m. and maximum 18.0 sq. m. Carpet area.

Note 5 :- Mechanical Parking shall be permissible in case of parking provided over and above the requisite parking requirements stipulated under these regulation.



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- 20.2 Off street parking space shall be provided with adequate vehicular access to a street, and the area of drives, aisles and such other provisions required for adequate maneuvering of vehicle shall be exclusive of the parking space stipulated in these regulations.
- 20.3 To meet the parking requirements as per these regulations, common parking area for group of buildings, open or multi-storeyed, may be allowed in the same premises.
- 20.4 In addition to the parking spaces provided for building of Mercantile (Commercial) like office, market, departmental store, shopping mall and building of industrial and storage, loading and unloading spaces shall be provided at the rate of one space for each 1000 sq. m. of floor area or fraction thereof exceeding the first 200 sq. m. of floor area, shall be provided. The space shall not be less than 3.75 m. x 7.5 m.
- 20.5 Parking lock up garages shall be included in the calculation for floor space for F.S.I. calculations.
- 20.6 The space to be left out for parking as given in Regulation No.20.1 to 20.5 shall be in addition to the marginal distances left out for lighting and ventilation purposes as given in Regulation no.15.6. Those spaces may be used for parking provided minimum distance of 3 m. (6.0 m. in case of special building mentioned in Regulation No.6.2.6.1) around the buildings is kept free of any parking or loading and unloading spaces excepting the buildings as mentioned in Regulation No.20.5. Such parking area may be allowed to cover on top by sheet roofing so as not to infringe the marginal distances to be kept open.
- 20.7 In case of parking spaces provided in basements, at least two separate ramps of adequate width and slope for entry and exit (as per Regulation No. 17.4.6) shall be provided preferably at opposite ends.
- 20.8 In addition to the regular parking area as per this regulation, provisions for visitors parking at 5% of the regular parking required under these regulations shall be made in respect of residential buildings.



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PART VII
ACQUISITION / DEVELOPMENT OF RESERVED SITES IN DEVELOPMENT PLAN

**21.0 MANNER OF DEVELOPMENT OF RESERVED SITES IN DEVELOPMENT PLAN
(ACCOMMODATION RESERVATION PRINCIPLE)**

The use of land situated within the Municipal Corporation limit which has been reserved for certain purpose in the Development Plan shall be regulated in regard to type and manner of development / redevelopment according to the provisions mentioned in following Table.

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

Reservation	Person/Authority who may acquire/develop	Principle For Development through Accommodation Reservation subject to which development is permissible
1	2	3
<p>1)Recreational - I.1) Open reservations like Garden, Play Ground, Children PG, Open Space, Recreation Ground Park, Park etc</p>	<p>Planning Authority/ Appropriate Authority /Owner</p>	<p>Planning Authority may acquire the land and develop the same for the purpose. The ancillary users like indoor games, public toilet, changing Rooms, gymnasium, canteen, sport shop, meditation, yoga hall, may be allowed at one corner/side of the reservation subject to condition that maximum built-up area for such user shall be 15%, out of which maximum 10% shall be allowed on ground floor& remaining on first floor. However, if the Land under reservation is owned by any Government agency / Authority, in such cases the Planning Authority may allow such Government agency / Authority to Develop full reservation for the said purpose subject to condition as may be decided by the Commissioner and such Developed Amenity shall be open to the general Public.</p> <p style="text-align: center;">OR</p> <p>The Commissioner may allow the owner to develop the reservation on 70 % of the land and after handing over it to the planning authority free of cost then remaining 30 % land may be allowed to be developed as per adjoining use subject to following terms /conditions:-</p> <p>i) The owner shall be entitled to develop remaining 30 % land for the uses permissible in adjoining zone with full permissible FSI of the entire Plot and permissible TDR potential of the entire Plot.</p> <p>ii) The Municipal Commissioner, if required, shall allow the TDR for the unutilised FSI if any (after</p>



		deducting in-situ FSI as mentioned in Sr. no (i) above) which shall be utilised as per the TDR utilisation regulations. iii) No reservation shall allow to be developed partly.
1.2) Stadium, Sport Complex, Recreational Centre etc.	Planning Authority/ Appropriate Authority	Planning Authority/ Appropriate Authority shall acquire the land and develop the same for the purpose.
1.3) Swimming Tank/ Swimming Pool	Planning Authority/ Appropriate Authority/ Owner	The Planning Authority/ Appropriate Authority may acquire and develop the site for the same purpose. OR The Planning Authority/ Appropriate Authority after acquiring the land or after acquiring and developing the same, as the case may be, lease out as per the provisions of the Municipal Corporations Act, to the Registered Public Institution for developing and running or only for running the same. OR The Owner may be allowed to develop according to the designs; specifications and conditions prescribed by the Municipal Commissioner and run the same.
2) Public Utilities a)Cremation Ground, b)Burial Ground, c)Slaughter House, d)Sewerage Treatment Plant, e)Water Treatment Plant, f)Water Tank	Planning Authority/ Appropriate Authority	The Planning Authority/ Appropriate Authority shall acquire the land and develop the reservation for the same purpose.
3) Commercial Utilities 3.1) Market and Mandies a)Weekly Market/ b)Vegetable Market c) Open Market. d)Hawkers Market 3.2) Shopping centres - a) Shopping Centre,	Planning Authority /Appropriate Authority / Owner	The Planning Authority/ Appropriate Authority shall acquire the land and develop the reservation for the same purpose. OR i) The Commissioner may allow the owner to develop the reservation, subject to handing over to the Planning Authority 40 %independent plot along with 50% constructed amenity of total area free of cost in lieu of construction amenity TDR as per general Regulation No (iii) mention below & as per norms prescribed by Municipal Commissioner. ii) The owner shall be entitled to develop remaining 60 % land for the uses permissible in adjoining zone



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<p>b) Commercial Complex, c) Municipal Market d) Fish Market etc.</p>		<p>with full permissible FSI of the entire Plot and permissible TDR potential of the entire Plot.</p> <p>iii) The Municipal Commissioner, if required, shall allow the TDR for the unutilised FSI if any (after deducting in-situ FSI as mentioned in sr.no (ii) above) which shall be utilised as per the TDR utilisation regulations.</p> <p>iv) Reservation shall allowed to be developed in parts.</p>
<p>4) Health Facility a) Health Centre b) Dispensary c) Maternity Home d) Veterinary Hospital/Clinic e) Urban Health Centre f) Rural Hospital and like</p>	<p>Planning Authority /Appropriate Authority / Owner</p>	<p>The Planning Authority / Appropriate Authority may acquire and develop the reservation site for the same purpose.</p> <p style="text-align: center;">OR</p> <p>i) The Commissioner may allow the owner to develop the reservation, subject to handing over to the Planning Authority 40 % independent plot along with 50% constructed amenity of total area free of cost in lieu of construction amenity TDR as per general Regulation No (iii) mention below & as per norms prescribed by Municipal Commissioner.</p> <p>ii) The owner shall be entitled to develop remaining 60 % land for the uses permissible in adjoining zone with full permissible FSI of the entire Plot and permissible TDR potential of the entire Plot.</p> <p>iii) The Municipal Commissioner, if required, shall allow the TDR for the unutilised FSI only (after deducting in-situ FSI as mentioned in sr. no (ii) above) which shall be utilised as per the TDR utilisation regulations.</p> <p>iv) Reservation shall be allowed to be developed in parts.</p>
<p>5) Transportation – 5.1) Depots and Stands- (a) Bus Stand (b) Bus Depot etc. (c) Metro Car Shed (d) MRTS Station (e) PMPML</p>	<p>Planning Authority /Appropriate Authority / Owner</p>	<p>The Planning Authority / Appropriate Authority may acquire and develop the reservation site for the same purpose.</p> <p style="text-align: center;">OR</p> <p>i) The Commissioner may allow the owner to develop the reservation, subject to handing over to the Planning Authority 50 % independent plot along with 50% constructed amenity of total area free of cost in lieu of construction amenity TDR as per general Regulation No. (iii) mention below & as per norms prescribed by Municipal Commissioner.</p> <p>ii) The owner shall be entitled to develop remaining 50 % land for the uses permissible in adjoining zone</p>



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		<p>with full permissible FSI of the entire Plot and permissible TDR potential of the entire Plot.</p> <p>iii) The Municipal Commissioner, if required, shall allow the TDR for the unutilised FSI only (after deducting in-situ FSI as mentioned in sr. no (ii) above) which shall be utilised as per the TDR utilisation regulations.</p> <p>iv) Reservation shall be allowed to be developed in parts.</p>
5.2) Roads- Proposed Development Plan Roads / Road widening.	Planning Authority/ Appropriate Authority.	The Planning Authority/ Appropriate Authority shall acquire the land and develop the reservation for the same purpose.
5.3) Parking -	Planning Authority /Appropriate Authority /Owner	<p>i) The Planning Authority/ Appropriate Authority may acquire and develop the site for the same purpose.</p> <p style="text-align: center;">OR</p> <p>ii) The Planning Authority/ Appropriate Authority after acquiring the land or after acquiring and developing the same, as the case may be, lease out as per the provisions of the Municipal Corporations Act, to the Registered Public Institution for developing and running or only for running the same.</p> <p style="text-align: center;">OR</p> <p>The Owner may be allowed to develop parking space according to the designs, specifications and conditions prescribed by the Municipal Commissioner subject to handing over of constructed parking area equal to double the reservation area, to Planning Authority free of cost subject to condition that,</p> <p>i) The operation and the maintenance of the facility will be decided by Municipal Commissioner.</p> <p>ii) Parking spaces may be in basement or on stilts or on first/second floor with separate entry & exit.</p> <p>After handing over the above said parking area to the Planning Authority, the owner shall be entitled to construct with full permissible FSI of the entire Plot and permissible TDR potential of the entire Plot for other permissible user in that zone .</p> <p>iii) The Municipal Commissioner, if required, shall allow the TDR for the unutilised FSI if any (after deducting in-situ FSI as mentioned in sr. no. (ii) above) which shall be utilised as per the TDR</p>



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		utilisation regulations.
6) Educational – (a) Primary School (b) High School (c) College	Planning Authority/ Appropriate Authority/ Registered Public Educational Institution Trust/Owner	<p>The Planning Authority/ Appropriate Authority may acquire and develop the site for the same purpose. The Planning Authority/ Appropriate Authority after acquiring land or after acquiring and constructing the building on it, as the case may be, lease out the same as per the provisions of the Municipal Corporations Act, to the Registered Public Educational Institution trust for developing and running or only for running the same.</p> <p style="text-align: center;">OR</p> <p>The owner may be allowed to develop the reservation for the same purpose. The Registered Public Educational Institution trust on behalf of owner may be allowed to be develop subject to terms /conditions as prescribed by the Planning Authority.</p> <p style="text-align: center;">OR</p> <p>i) The Commissioner may allow the owner to develop the reservation, subject to handing over to the Planning Authority 50 % independent plot along with 50% constructed amenity of total area free of cost in lieu of construction amenity TDR as per general Regulation No.(iii) mention below & as per norms prescribed by Municipal Commissioner.</p> <p>ii) The owner shall be entitled to develop remaining 50 % land for the uses permissible in adjoining zone with full permissible FSI of the entire Plot and permissible TDR potential of the entire Plot.</p> <p>iii) The Municipal Commissioner, if required, shall allow the TDR for the unutilised FSI if any (after deducting in-situ FSI as mentioned in sr. no. (ii) above) which shall be utilised as per the TDR utilisation regulations.</p> <p>Provided that the area of reservation to be handed over shall not be less than norms decided by the Education Department.</p> <p>iv) Reservation shall not be allowed to be developed in parts.</p>
(d) Educational Complex	Planning Authority/ Appropriate Authority/ Land Owner	<p>The Planning Authority/ Appropriate Authority may acquire and develop the site for the same purpose.</p> <p style="text-align: center;">OR</p> <p>The Planning Authority/ Appropriate Authority after acquiring land or after acquiring and constructing the building on it, as the case may be, lease out the same</p>



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		<p>as per the provisions of the Municipal Corporations Act, to the Registered Public Educational Institution Trust for developing and running or only for running the same.</p> <p style="text-align: center;">OR</p> <p>The owner may be allowed to develop the reservation for the same purpose. The Registered Public Educational Institution trust on behalf of owner may be allowed to be develop subject to terms /conditions as prescribed by the Planning Authority.</p> <p style="text-align: center;">OR</p> <p>If the area of the Educational Complex reservation is more than 3.00 Hect, then</p> <p>i) The Commissioner may allow the owner to develop the reservation, subject to handing over to the Planning Authority 50 %independent plot along with 50% constructed amenity of total area free of cost in lieu of construction amenity TDR as per general Regulation No.(iii) mention below & as per norms prescribed by Municipal Commissioner.</p> <p>ii) The Municipal Commissioner, if required, shall allow the TDR for the unutilised FSI if any (after deducting in-situ FSI as mentioned in sr. no (ii) above) which shall be utilised as per the TDR utilisation regulations.</p> <p>iii) The Planning Authority, if required, shall allow TDR to the owner after deducting in-situ FSI utilized on 50% land mentioned in (ii).</p>
<p>7) Residential(R)-</p> <p>(a)Public Housing EWS/LIG Housing.</p> <p>(b)High Density Housing.</p> <p>(c)Housing for Dis-housed.</p> <p>(d) Public Housing / Housing for Dis-housed.</p> <p>(e)Reservation similar as above.</p>	<p>Planning Authority/ Appropriate Authority/ Owner</p>	<p>Planning Authority / Appropriate Authority may acquire the reserved land and develop for the same purpose.</p> <p style="text-align: center;">OR</p> <p>i) The Municipal Commissioner may allow the owner to develop the reservation, subject to handing over of 40% land alongwith 50% built up area of basic FSI constructed tenements of 25 sq.m. to 30sq.mt carpet area to the Planning Authority free of cost in lieu of construction amenity TDR as per general Regulation No.(iii) mention below & as per norms prescribed by Municipal Commissioner.</p> <p>ii) The owner shall be entitled to develop remaining 60 % land for the uses permissible in adjoining zone with full permissible FSI of the entire Plot and permissible TDR potential of the entire Plot.</p>



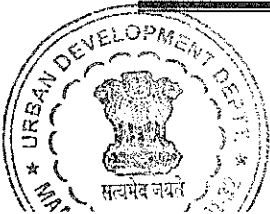
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		<p>iii) The Planning Authority, if required, shall allow TDR to the owner after deducting in-situ FSI utilized on 40% land mentioned in (i).</p> <p>iv) The Planning Authority / Appropriate Authority shall allot such tenement on priority to the persons dispossessed by implementation of Development Plan.</p> <p style="text-align: center;">OR</p> <p>The Municipal Commissioner may allow the owner to develop the reservation, subject to</p> <p>a) Handing over of 50 % land to Planning Authority, for laying out plots for EWS/LIG, The owner shall thereafter be entitled to develop remaining plot as per the uses permissible in residential zone with permissible FSI of entire plot on remaining plot without taking into account the area handed over to the Planning Authority.</p> <p>The Planning Authority / Appropriate Authority shall prepare layout for EWS/LIG plots and allot such plots on priority to the persons dispossessed by implementation of Development Plan. The Planning Authority may construct EWS/LIG tenements on such land.</p> <p>Owner can select any one option of the above, once the permission for that option is granted and work commenced then he cannot be permitted to shift for other option.</p>
<p>8) Assembly and Institutional- Town Hall, drama Theatre, Auditorium, Samaj Mandir, Community Hall, Multipurpose Hall etc.</p>	<p>Planning Authority/ Appropriate Authority/ Owner</p>	<p>i) The Planning Authority / Appropriate Authority may acquire and develop the site for the same purpose.</p> <p>ii) The Planning Authority / Appropriate Authority after acquiring the land or after acquiring and developing the same, as the case may be, lease out as per the provisions of the Municipal Corporations Act, to a Registered Public Institution to develop and running or only for running the same.</p> <p style="text-align: center;">OR</p> <p>i) The Commissioner may allow the owner to develop the reservation, subject to handing over to the Planning Authority 50 % independent plot along with 50% constructed amenity of total area free of cost in lieu of construction amenity TDR as per general Regulation No.(iii) mention below & as per norms prescribed by Municipal Commissioner.</p> <p>ii) The owner shall be entitled to develop remaining</p>



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		<p>50 % land for the uses permissible in adjoining zone with full permissible FSI of the entire Plot and permissible TDR potential of the entire Plot.</p> <p>iii) The Municipal Commissioner, if required, shall allow the TDR for the unutilised FSI if any (after deducting in-situ FSI as mentioned in sr. no. (ii) above) which shall be utilised as per the TDR utilisation regulations.</p> <p>iv) Reservation shall not be allowed to be developed in parts.</p>
9) Reservations of composite nature like Vegetable Market & Shopping Centre, Town Hall & Library, etc.	Planning Authority/ Appropriate Authority/ Owner	<p>i) The Planning Authority / Appropriate Authority may acquire and develop the site for the same purpose.</p> <p>Clarification-</p> <p>For the reservation of composite nature, proposed in Development Plan except Town Hall & Library, area of each user shall be considered equal i.e. 50-50% and such area shall be allowed to be developed as per the guidelines applicable for such reservation as mentioned in these regulations.</p> <p>For Town Hall & Library, area of Library shall be 10% of area of Town Hall.</p>
10) Reservations which are not included in these regulations but are compatible to other similar type of reservation.	Planning Authority/ Appropriate Authority/ Owner	<p>Planning Authority/ Appropriate Authority may acquire the reserved land and develop for the same purpose.</p> <p style="text-align: center;">OR</p> <p>The development permissions for such type of user under this Regulation may be granted by the Municipal Commissioner in consultation with the Divisional Joint Director of Town Planning, subject to verification of compatibility of both the users and allowed to be developed as per the guidelines applicable for such reservation as mentioned in these regulations.</p>
11) For other buildable reservations shown in Development Plan which are not covered above	Planning Authority/ Appropriate Authority Owner.	<p>The Planning Authority / Appropriate Authority may acquire and develop the reservation site for the same purpose.</p> <p style="text-align: center;">OR</p> <p>i) The Municipal Commissioner may allow the owner to develop the reservation, subject to handing over to the Planning Authority 40 % independent plot along with 50% constructed amenity of total area free of cost in lieu of construction amenity TDR as per general Regulation No.(iii) mention below & as per</p>



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		<p>norms prescribed by the Municipal Commissioner.</p> <p>ii) The owner shall be entitled to develop remaining 60 % land for the uses permissible in adjoining zone with full permissible FSI of the entire Plot and permissible TDR potential of the entire Plot.</p> <p>iii) The Municipal Commissioner, if required, shall allow the TDR for the unutilised FSI if any (after deducting in-situ FSI as mentioned in sr. no (ii) above) which shall be utilised as per the TDR utilisation regulations.</p> <p>iv) Reservation shall be allowed to be developed in parts.</p>
12) Reservations for the Appropriate Authority other than Municipal Corporation	Planning Authority/ Appropriate Authority/ Owner	<p>Planning Authority / Appropriate Authority may acquire the reserved land and develop for the same purpose.</p> <p style="text-align: center;">OR</p> <p>The Municipal Corporation may allow the owner to Develop the reservation subject to condition that;</p> <p>i) Wherever the reservation is to be developed by the Appropriate Authority other than Municipal Corporation, No Objection Certificate from the Appropriate Authority shall be obtained before granting development permission.</p> <p>ii) The concerned Appropriate Authority (other than the State Government Department) shall deposit cost of construction for the built-up area to be handed over to it, as per Annual Statement of Rates with the Planning Authority. However, the Municipal Commissioner shall handover such constructed area to the State Government / concerned State Government Department free of cost.</p>

General conditions to allow development under above regulations:-

- i) If the area of reservation is not adequate to construct independent building as mentioned above OR When it is not possible to handover individual plot along with public amenity, then in such cases Municipal Commissioner may allow composite building on said land subject to condition that the built up area mentioned as above may be allowed to be handed over to the Planning Authority or Appropriate Authority, as the case may be, preferably on ground floor and subject to premium as may be decided by Government from time to time. If ground floor is utilised for parking, then on stilt/first floor with separate entry & exit from public street. In such cases, built-up area along with proportionate undivided share of land shall be handed over to the Planning Authority or Appropriate Authority, as the case may be. In such cases no compensation of proportionate undivided land share shall be permissible.
- ii) In cases where not specifically mentioned in this regulation, if the area under the reservation is owned by more than one owners, then the owner/s may come forward jointly or the owners holding at least 50% or more area shall be allowed to develop the reservation on such land. It is mandatory for other owners to construct amenity contiguous to the earlier development.



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- iii) The owner/developer shall be entitled for construction amenity TDR as per the TDR regulations after handing over the constructed amenity free of cost on the land surrendered to the planning Authority under this Regulation. For specific reservation where construction amenity is not required by the Commissioner, in such cases Municipal Commissioner should not insist for such amenity.
- iv) It shall be obligatory on Planning Authority to make registered agreement with the developer /owner at the time of granting the development permission subject to terms and conditions as it deem fit. Occupancy Certificate shall be issued only after compliance of all terms & conditions and getting possession of the constructed amenity.
- v) The above permissions for development of reservations shall be granted by the Municipal Commissioner as per the norms mentioned in these regulations
- vi) The area / built-up area to be handed over to the Planning Authority under these Regulations shall be earmarked on the sanctioned building plan clearly mentioning the same, and registered agreement to that effect shall be executed. After completion of construction, the said amenity shall be handed over by executing the deed of transfer in this respect and expenses thereon shall be borne by the owner. The occupation certificate to the construction belonging to owner shall be granted only after handing over said amenity to the Planning Authority. The constructed amenity shall be made available to the general public by the Municipal Commissioner within 3 month from possession as per the condition as Municipal Commissioner deem fit.
- vii) In cases, where permission for development under accommodation reservation principle is already granted as per earlier regulations, the same shall continue to be valid till completion of construction.
- viii) Provisions of Regulations of Inclusive Housing, Amenity Space if any, shall not be applicable for development under this Regulation. Moreover Regulation of required recreational open space shall not be applicable for development of reservation other than Residential purpose as mention at sr. no 7.
- ix) Not withstanding anything contained in these regulations, there shall be no cap for utilization of available in-situ FSI/and TDR potential of the entire plot on the remaining plot provided that no relaxation in side margin shall be permissible.
- x) Once sanction is granted under this regulation, the owner /developer shall have to complete the development and hand over the developed reservation to Planning Authority within the period as specified by Municipal Commissioner. Thereafter Planning Authority may levy penalty for any delay.

22.0 TRANSFERABLE DEVELOPMENT RIGHTS:

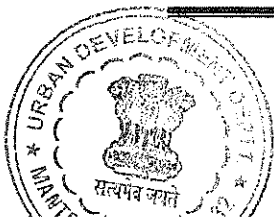
- 22.1 Transferable Development Rights (TDR) is compensation in the form of Floor Space Index (FSI) or Development Rights which shall entitle the owner for construction of built-up area subject to provisions in this regulation. This FSI credit shall be issued in a certificate which shall be called as Development Right Certificate (DRC).

Development Rights Certificate (DRC) shall be issued by Municipal Commissioner under his signature and endorse thereon in writing in figures and in words, the FSI credit in square meters of the built-up area to which the owner or lessee is entitled, the place from where it is generated and the rate of that plot as prescribed in the Annual Statement of Rates issued by the Registration Department for the concerned year.

22.2 CASES ELIGIBLE FOR TRANSFERABLE DEVELOPMENT RIGHTS (TDR):-

Compensation in terms of Transferable Development Rights (TDR) shall be permissible for

- lands under various reservations for public purposes, new roads, road widening etc. which are subjected to acquisition, proposed in Draft or Final Development Plan, prepared under the provisions of the Maharashtra Regional and Town Planning Act,1966;
- lands under any deemed reservations according to any regulations prepared as per the



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- provisions of Maharashtra Regional & Town Planning Act, 1966;
- iii) lands under any new road or road widening proposed under the provisions of Maharashtra Municipal Corporation Act ;
- iv) development or construction of the amenity on the reserved land;
- v) unutilized FSI of any structure or precinct which is declared as Heritage structure or Precinct under the provisions of Development Control Regulations, due to restrictions imposed in that regulation;
- vi) in lieu of constructing housing for slum-dwellers according to regulations prepared under the Maharashtra Regional & Town Planning Act, 1966;
- vii) The purposes as may be notified by the Government from time to time, by way of, modification to, new addition of, any of the provisions of sanctioned Development Control Regulations.

22.3 CASES NOT ELIGIBLE FOR TRANSFERABLE DEVELOPMENT RIGHTS (TDR):-

It shall not be permissible to grant Transferable Development Rights (TDR) in the following circumstances:-

- i) For earlier land acquisition or development for which compensation has been already paid partly or fully by any means;
- ii) where award of land has already been declared and which is valid under the Land Acquisition Act, 1894 or the Right to Fair Compensation & Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 unless lands are withdrawn from the award by the Appropriate Authority according to the provisions of the relevant Acts.
- iii) In cases where layout has already been sanctioned and layout roads are incorporated as Development Plan roads prior to these regulations.
- iv) in cases where layout is submitted along with proposed Development Plan Road, in such cases TDR shall not be permissible for the width of road that would be necessary according to the length as per Development Control Regulations;
- v) if the compensation in the form of FSI / or by any means has already been granted to the owner.
- vi) where lawful possession including by mutual agreement /or contract has been taken.
- vii) For an existing user or retention user or any required compulsory open space or recreational open space or recreational ground, in any layout.
- viii) For any designation, allocation of the use or zone which is not subjected to acquisition.

22.4 GENERATION OF THE TRANSFERABLE DEVELOPMENT RIGHTS (TDR)

22.4.1 Transferable Development Rights (TDR) against surrender of land :-

- 22.4.1.1 For Surrender of the gross area of the land which is subjected to acquisition, free of cost and free from all encumbrances, the owner shall be entitled for TDR or DR irrespective of the FSI permissible or development potential of the vary said land to be surrender and also that of land surrounding to such land at the rate as given below:-

Area Designated on DP	Entitlement for TDR/DR
Non-core Area	2 times the area of surrendered land.
Core Area	3 times the area of surrendered land.



(Explanation: Above entitlement may also be applicable to the compensation paid in the form of FSI to the owner to be utilised on unaffected part of same land parcel and in such cases the procedure of DRC shall not be insisted.)

Provided that, if leveling of land and construction/erection of the compound wall / fencing as per Clause No.22.4.1.2 to the land under surrender is not permissible as per the prevailing Development Control Regulations, the quantum of TDR shall be reduced to 1:1.85 and 1:2.85 in non-core area and core area respectively.

Provided also that Additional / incentive Transferable Development Rights (TDR) to the extent of 20 %, 15 % , 10 % and 5% of the surrendered land area shall also be allowed to the land owners who submit the proposal for grant of Transferable Development Rights (TDR) within 1, 2, 3 years and 5 years from this notification respectively.

Provided that the quantum of generation of TDR as prescribed above, shall not be applicable for TDR generated from construction of amenity or construction of reservation/roads, Slum TDR, and Heritage TDR. Also the quantum of Transferable Development Rights (TDR) generated for reservation in CRZ/BDP/HTHS areas or in areas which have some natural or legal constraint on development shall be as decided by the Government separately.

- 22.4.1.2** DRC shall be issued only after the land is surrendered to the Municipal Corporation, free of cost and free from encumbrances and after levelling the land to the surrounding ground level and after constructing / erecting a 1.5 m. high compound wall / fencing i.e. brick/stone wall up to 0.60 m. above ground level and fencing above that up to remaining height with a gate, at the cost of the owner and to the satisfaction of the Municipal Commissioner. Provided that, if on certain lands such construction / erection of compound wall / fencing is prohibited or restricted by any regulation, then quantum of Transferable Development Rights (TDR) shall be reduced as prescribed in proviso to Clause 22.4.1.1.

Provided further that, such construction / erection of compound wall/ fencing shall not be necessary for area under Development Plan roads. In such cases TDR equivalent to entitlement as mentioned in Regulation No. 22.4.1.1 shall be granted without any reduction.

- 22.4.1.3** If any contiguous land of the same owner/developer, in addition to the land under surrender for which Transferable Development Rights (TDR) is to be granted, remains unbuildable, the Municipal Commissioner may grant Transferable Development Rights (TDR) for such remaining unbuildable land also if the owner / developer hands it over free of cost and free from all encumbrance and encroachment. If such land is from the proposed roads then such land shall be utilised for road side parking, garden, open space or road side amenities including bus bays, public toilets or any compatible user as the Commissioner may decide and if the such land is from the proposed reservation then same shall be included in such proposed reservation and shall be developed for the same purpose. The Municipal Commissioner shall quarterly report such cases to Government.
- 22.4.1.4** In case of lessee, the award of Transferable Development Rights (TDR) shall be subject to lessee paying the lessor or depositing with the Planning Authority for payment to the lessor, an amount equivalent to the value of the lessors' interest to be determined by the Planning Authority on the basis of Land Acquisition Act, 1894 or the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 against the area of land surrendered free of cost and free from all encumbrances.

22.4.2 Transferable Development Rights (TDR) against Construction of Amenity-

When an owner or lessee with prior approval of Municipal Commissioner, may develop or



construct the amenity on the surrendered plot or on the land which is already vested in the Planning Authority, at his own cost subject to such stipulations as may be prescribed and to the satisfaction of the Municipal Commissioner and hands over the said developed/constructed amenity free of cost to the Municipal Commissioner then he may be granted a Transferable Development Rights (TDR) in the form of FSI as per the following formula:-

Construction Amenity TDR in sq.m. = A/B * 1.25

Where,

A= cost of construction of amenity in rupees as per the rates of construction mentioned in Annual Statement of Rates (ASR) prepared by the Inspector General of Registration for the year in which construction of amenity is commenced.

B = land rate per sq.m. as per the Annual Statement of Rates (ASR) prepared by the Inspector General of Registration for the year in which construction of amenity is commenced.

22.5 UTILISATION TRANSFERABLE DEVELOPMENT RIGHTS (TDR):-

22.5.1 A holder of DRC who desires to use FSI credit therein on a particular plot of land shall attach valid DRCs to the extent required with his application for development permission. Proposal for Transferable Development Rights (TDR) utilisation shall be submitted alongwith the documents as may be prescribed by the Municipal Commissioner or by the Government from time to time.

22.5.2 With an application for development permission, where an owner seeks utilisation of DRC, he shall submit the DRC to the Municipal Commissioner who shall endorse thereon in writing in figures and words, the quantum of the TDR proposed to be utilised, before granting development permission. Before issuance of Occupation Certificate, the Municipal Commissioner shall endorse on the DRC, in writing in figures and words, the quantum of TDR/DRs actually used and the balance remaining if any.

22.5.3 The Transferable Development Rights (TDR) generated from any land use zone shall be utilised on any receiving plot irrespective of the land use zone and anywhere in core or non-core area earmarked on Development Plan. The equivalent quantum of Transferable Development Rights (TDR) to be permitted on receiving plot shall be governed by the formula given below:-

Formula: X = (Rg / Rr) x Y

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

Rg = Rate for land in Rs. per sq. m. as per ASR of generating plots in generating year

Rr = Rate for land in Rs. per sq. m. as per ASR of receiving plot in generating year

Y = TDR debited from DRC in sq. m.

22.5.4 Utilisation of Transferable Development Rights (TDR) and Road Width Relation:-

22.5.4.1 Notwithstanding anything contained in any regulation, the total maximum permissible built-up area and utilisation of Transferable Development Rights (TDR) on receiving plot shall be, subject to the road width, as prescribed below:-

Sr. No.	Plots Fronting on Road width	Maximum permissible TDR Loading
1	2	3
1	9m. and above but less than 12m.	0.40
2	12m. and above but less than 18m.	0.65
3	18m. and above but less than 24m.	0.90
4	24m. and above but less than 30m.	1.15
5	30 m. and above	1.40



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Note:-

i) Column No.3 shows the maximum permissible TDR that can be utilised on any plot. Provided that specific area based restriction where TDR utilisation is not permissible by earlier regulations shall remain in force except for core areas.

Provided also that the above utilisation of TDR would be available to an existing road width of 9 m. and above so marked under the relevant Municipal Corporation Act.

ii) FSI loading limit on such plot (Maximum Building potential) shall be the basic FSI+TDR +Additional FSI on payment of premium if any +Road widening FSI of the very said plot if any.

However, the Municipal Commissioner shall not grant any relaxation due to such allowable loading potential unless he himself satisfied that there is constraint on development.

iii) Maximum permissible TDR loading as mentioned above on any plot shall be exclusive of FSI allowed for inclusive housing if any.

iv) The priority and quantum of maximum permissible TDR loading mentioned above shall include atleast 20 % slum TDR (wherever applicable) and DRC generated from the vary said land and/or DRC generated from other location up to the permissible limit mention above .

v) If a plot is situated on internal road having dead end within 50 m. from the main road, then such plot shall be treated as fronting on main road for the purpose of utilisation of TDR.

22.5.4.2 Provided that, the restrictions of total maximum permissible built up area in terms of FSI with respect to road width mentioned above shall not be applicable in cases where, the permissible FSI is more than the basic FSI in various schemes, like Slum Rehabilitation Scheme, Redevelopment of cess buildings, redevelopment of dangerous buildings, Urban Renewal Scheme, Redevelopment of MHADA buildings/Colonies, Metro Influence Zone BRTs, TODs etc. where specific provisions which are sanctioned by the Government shall apply.

22.5.4.3 Provided that, the additional FSI permissible in certain categories of buildings such as, Educational building, Registered Charitable Institutional/ Medical / Hospital Building, Star Category Hotel, Religious Building etc. as per prevailing Development Control Regulations, if any, can be availed either by full or part utilization of TDR or full or part utilization of additional FSI at the option of owner. However, the restriction of road width mentioned as above shall not be applicable when the owner exercises his option of availing utilization of additional FSI and in such cases limitation of maximum building potential as mentioned in Regulation No 15.4. shall not be applicable.

22.5.4.4 The utilisation of Transferable Development Rights (TDR) shall be permissible by considering Gross Plot Area excluding area affected by reservations or deemed reservation, if any. This principle shall also be applicable to the reservations to be developed under the provisions of Accommodation Reservation, by considering the total area of such reservation before surrender.

22.5.4.5 Areas Restricted from Utilisation of Transferable Development Rights (TDR) :-

Utilisation of Transferable Development Rights (TDR) shall not be permitted in following areas:-

- Agricultural / no development / Green zone / HTHS Zone and Bio Diversity Park reservation in the Development Plan.
- Area within the flood control line i.e. blue line (prohibitive zone) as specified by Irrigation Department.
- Coastal regulation zone.
- Where the permissible basic Zonal FSI is less than 0.75.



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e) Area having developmental prohibition or restrictions imposed by any notification issued under the provisions of any Central/State Act (like CRZ regulations, Defence restriction areas, etc.) or under these regulations.

22.6 GENERAL STIPULATION:-

22.6.1 Development Rights (DRs) will be granted to an owner or lessee, only for reserved lands which are retainable and not vested or handed over to the Government /Urban Local Bodies and not exempted under section 20 or 21 of the then Urban Land (Ceiling and Regulations) Act, 1976 and undertaking to that effect shall be obtained, before a Development Right is granted. In the case of schemes sanctioned under section 20 or 21 of the said Act, the grant of Development Rights (DRs) shall be to such extent and subject to the conditions mentioned in section-20 scheme and such conditions as the Government may prescribe. In case of non-retainable land, the grant of Development Rights shall be to such extent and subject to such conditions as the Government may specify. The provisions of this Regulation shall be subject to the orders issued by the Government from time to time in this regard.

Provided that, in case of lands having tenure other than Class-I, like Inam lands, tribal lands etc., N.O.C. from Competent Authority, mentioning i)share of Government and land holder ii)transfer of such land in the name of Planning / Appropriate Authority, shall be produced by the land holder at the time of submission of application for grant of TDR.

22.6.2 DRC shall be issued by the Municipal Commissioner as a certificate printed on bond paper in an appropriate form prescribed by him. Such a certificate shall be a "transferable and negotiable instrument" after the authentication by the Municipal Commissioner. The Municipal Commissioner shall maintain a register in a form considered appropriate by him of all transactions, etc. relating to grant of, or utilisation of, DRC.

22.6.3 The Municipal Commissioner shall issue DRC within 180 days from the date of application or reply from the applicant in respect of any requisition made by him, whichever is later.

22.6.4 Transfer of DRC-

22.6.4.1 The Municipal Commissioner shall allow transfer of DRC in the following manner

i) In case of death of holder of DRC, the DRC shall be transferred only on production of the documents as may be prescribed by him from time to time, after due verification and satisfaction regarding title and legal successor.

ii) If a holder of DRC intends to transfer it to any other person, he shall submit the original DRC to the Municipal Commissioner with an application alongwith relevant documents as may be prescribed by the Municipal Commissioner and a registered agreement which is duly signed by Transferor and Transferee, for seeking endorsement of the new holders name, i.e., the transferee, on the said certificate. The transfer shall not be valid without endorsement by the Municipal Commissioner and in such circumstances the Certificate shall be available for use only to the holder / transferor.

22.6.4.2 The utilisation of TDR from certificate under transfer procedure shall not be permissible, during transfer procedure.

22.6.5 The Municipal Commissioner may refrain the DRC holder from utilizing the DRC in the following circumstances:-

i. Under direction from a competent Court.

ii. Where the Municipal Commissioner has reason to believe that the DRC is obtained a) by producing fraudulent documents b) by misrepresentation,



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- 22.6.6** Any DRC may be utilised on one or more plots or lands whether vacant, or already developed fully or partly by erection of additional storeys, or in any other manner consistent with the prevailing Development Control Regulations,
- 22.6.7** DRC may be used on plots/land having Development Plan reservations of buildable nature, whether vacant or already developed for the same purpose, or on the lands under deemed reservations, if any, as per prevailing Regulations.
- 22.6.8** DRC may be used on plots/land available with the owner after surrendering the required land and construction to the Planning Authority under the provisions of Accommodation Reservation. In such circumstances, for the purpose of deciding Transferable Development Rights (TDR) receiving potential, the total area of the reservation before surrender, shall be considered.

22.6.9 Infrastructure Improvement Charges-

The utilizer shall pay to the Planning Authority, an infrastructure improvement charges, for a proposed quantum of TDR to be utilised, at the rate of 5% of construction cost as per the prevailing Annual Statement of Rates.

22.7 VESTING OF LAND :-

- 22.7.1** The Municipal Commissioner, before issuing DRC, shall verify and satisfy himself that the ownership and title of the land proposed for surrender is with the applicant, and get the Record of Right to be corrected in the name of Planning Authority.
- 22.7.2** In case the Appropriate Authority for reservation is other than Planning Authority, it shall be permissible for the Municipal Commissioner on the request of such authority to grant TDR under this regulation and hold such possession as a facilitator. Provided that, the Municipal Commissioner shall handover the possession of such land to concerned Appropriate Authority, after receipt of value of land, from such Appropriate Authority as per Annual Statement of Rates prevailing at the time of handing over possession of land under reservation.

Provided also that, if such Appropriate Authority is the State Government Department, the Municipal Commissioner shall handover the possession of such land to the concerned Department free of cost.

22.8 EFFECT OF THIS REGULATION:-

- a) Provision of Generation of TDR from these regulations shall not be applicable where DRC has been issued prior to date of publication these regulations

However DRCs issued under the old Regulations shall be allowed to be utilised as per TDR zones of old Regulations without indexation but subject to all other conditions of these regulations. Such utilisations shall be allowed for one year only.

Provided also that, old TDR purchased for utilisation on a specific plot with registered documents of sale and / or specific proposal for utilisation of such TDR pending in the ULBs prior to these regulations shall be allowed completely as per the old regulations.

22.9 PROVISION FOR "SINHASTHA TRANSFERABLE DEVELOPMENT RIGHTS" (SINHASTHA TDRS)

- a) The built up area for the purpose of F.S.I. credited in the form of "Sinhastha Transferable Development Rights" (Sinhastha TDRs) shall be equal to the 2.5 (Two and Half) times of the gross area of the Sadhugram reservation land and DRC's shall be issued only after the land is surrendered to the Nashik Municipal Corporation free of cost and free of encumbrances.
- b) Additional incentive TDR to the extent of 0.5 (Half) times of the gross area of the surrendered



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land of Sadhugram reservation shall also be allowed to the land owner who submit proposal of land surrender of the Sadhugram reservation to the Commissioner, Nashik Municipal Corporation within 15 days of sanction of Sinhashtha Transferable Development Rights regulation by the Government.

c) Utilisation of Sinhashtha TDR of Sadhugram reservation on receiving plot excluding zone A, shall be as per formula given below :

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

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

R_g = Rate in Rs. Per sq. m. as per ASR of generating plots in generating year.

Y = TDR debited form "DRC in sq. m.

d) In case of surrender of land affected by the "Sadhugram" reservation to the Nashik Municipal Corporation in lieu of "Sinhashtha TDR", owner shall be entitled for full quantum of TDR specified above if he pays the cost of construction of compound wall and gate to the Planning authority as specified by the Municipal Commissioner.

22A RESERVATION CREDIT BOND –

The reservation credit bond is a bond on paper specifying the amount of compensation in lieu of handing over of reserved land to the Corporation and shall be issued by the Municipal Commissioner. The amount mentioned in this credit bond shall be used for payment of charges to the Corporation from time to time in future till exhausting the amount mentioned therein. If the owner of reserved land desires to handover the reserved land to the Corporation and the Municipal Commissioner agrees to it, then Reservation Credit Bond shall be issued by the Municipal Commissioner, subject to the following.

- i) Such bond shall not bear any interest on the amount mentioned there in.
- ii) The amount of compensation to be paid to the owner shall be as per the provisions of The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act. 2013, amended from time to time.
- iii) The land to be handed over to the Corporation shall be free from all encumbrances and procedure laid down in TDR regulations shall be followed.
- iv) The Municipal Commissioner or an officer authorised by him, not below the rank of Assistant Director of Town Planning, shall endorse the entries of payment on such bond from time to time.



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PART VIII
ADDITIONAL FSI IN CERTAIN CATEGORIES
IN NON-CORE AREAS

23.0 GENERAL

Additional/higher Floor space index may be allowed in certain categories in non-core area, except as otherwise specified, as mentioned in Regulation No 23.1 and subject to following conditions:

- a) Permissible additional FSI for the buildings as mention in Table under Regulation No 23.1 shall be the maximum permissible building potential according to road width as mention in column 6 of Table under Regulation No. 15.4 minus Basic FSI. The percentage of additional FSI shall be applicable on basic FSI, permissible in the said area.
- b) Such additional FSI shall be available for use for which additional FSI is granted only and other permissible uses shall be allowed within the basic Permissible FSI.
- c) **Premium** – Premium for additional F.S.I. shall be per column 4 of the table. Rate of the premium is based on the land rate mentioned in ASR for respective S. No./CTS No. The premium collected shall be shared 50:50 between State Government & Corporation respectively. Premium to be paid to the Government shall be deposited in the concerned Account Head of Urban Development Department at Government Treasury by the Planning Authority. The following quantum of premium shall be subject to the orders of the Government from time to time.
- d) The additional FSI shall also be permissible to existing authorised users subject to structural stability.
- e) The other conditions as mentioned in the Government Directives issued under section 154 of the M.R.& T.P. Act 1966 vide Resolution no TPS-1815/2647/CR-13/15/UD 13/Dared 14/03/2016 shall also be applicable.
- f) If the owner / developer desire to avail such additional FSI in future for new buildings , then while seeking building permission at first instance, the building plan shall be submitted considering the Marginal distances as required for the height of buildings for such additional FSI. No condonation in the required open spaces, parking and other requirements in these regulations shall be allowed. However for the existing building proposals, such condition need not be insisted. But proposal shall be cleared only after strictly confirming structural and fire safety norms.
- g) Exit Requirements, Requirements of Water Supply, Drainage and Sanitation Parking spaces requirements, Fire provision requirements shall conform the provisions as mentioned in these regulations.



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23.1 Permissible basic FSI, Additional FSI for buildings in non-core area
Table

Categories of the other buildings	Basic FSI	Additional FSI	Rate of the Premium	Conditions if any,
1	2	3	4	5
A) Educational i) Pre-primary School and Special Educational Institute for Physically handicapped/Mentally ill.	As per Regulation No.15.4	Maximum building potential limit as per road width as mention in Column 6 of Table under Regulation No 15.4 minus Basic FSI	10 %	i) The Educational Institute shall be of Government/Semi Government public authorities, Charitable Institutions or Private Institutions ii) Educational buildings shall not be permissible within 60 m. from the existing assembly building and 90 m. from the existing petrol pump.
ii) Primary School	-- do --	-- do --	15 %	iii) Educational building shall only be permitted if 40% area is available for playground. However, this provision shall not be applicable to already approved existing building wherein construction of additional floor is proposed.
iii) Other Educational Buildings	-- do --	-- do --	25 %	iv) No classroom shall admeasure less than 38 sq. m. with a minimum dimension of 5.50 m. The height of any classroom shall not be less than 3.60 m. v) While granting Additional FSI to Educational Institutions offering primary and secondary education 5 % seats shall be reserved for admission for Government nominees. Deputy Director, Education Department shall be competent to decide such nominations. However, this condition shall not be applicable for Higher Education, Technical



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<p>Education and Medical Education.</p> <p>vi) As and when required, some rooms of Educational Buildings shall be made available to the Government by the concerned institutions.</p> <p>vii) The Educational Institution shall maintain records regarding free / concessional education rendered to the needy persons, which shall be made available to the Director of School Education, Higher and Technical Education on demand.</p> <p>viii) The Director of School Education, Government of Maharashtra shall be the competent authority to monitor as to whether the Educational Institution is observing the terms and conditions referred to at (i) ,(ii) and (iii) above and, in case of any breach thereof or in case the Education being rendered by the Educational Institution are not to the satisfaction of the said Department, the Director of School Education shall have the right to suitably penalise the Education Institution.</p> <p>ix) The Educational Institution shall file an undertaking that it shall abide by the above enumerated terms and conditions.</p> <p>x) Adequate Parking facilities as required per prevailing Development Control Regulation shall be provided.</p> <p>xi) While granting occupation certificate the Municipal Commissioner shall intimate to the Director of school Education for compliance of afore said condition along with copy of occupation certificate and plan.</p>			
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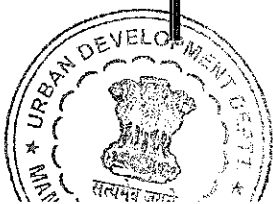
<p>B) Medical Institutions-Hospital, Maternity Homes, Health Club, buildings</p>	<p>As per Regulation No.15.4</p>	<p>Maximum building potential limit as per road width as mention in Column 6 of Table under Regulation No 15.4 minus Basic FSI</p>	<p>i) No premium for Government, Semi Government, public authorities' hospitals. ii) 25% for Charitable Institutions iii) 35% for private hospitals</p>	<p>xii) Maximum of height of Educational building shall be as per The Maharashtra Fire protection and Life Safety Measure, Act, 2006</p> <p>i) The Medical Institutions of Government, Semi Government, public authorities, Charitable Institutions or private owner.</p> <p>ii) Free medical treatment to the extent of atleast 20% of the total number of beds shall be given to persons from Economically Weaker Sections of society or to persons below the poverty line. In addition, 10% of the total number of patients in OPD shall be provided treatment at concessional rates, viz. rates that are being charged in government hospitals. The Medical Institution shall furnish the requisite periodical statements to the Director of Health Services in this regard.</p> <p>iii) The Medical Institution shall maintain records regarding free/concessional medical treatment rendered to the needy persons, which shall be made available to the Director of Health Services on demand.</p> <p>vi) Any Special ward in the hospital building shall not admeasure less than 9.0 sq. m. in area with no side less than 3 m.</p> <p>v) Area of the general wards shall not admeasure less than 40 sq. m. with no side less than 5.5 m.</p> <p>vi) Every building shall have a refuge collection area of minimum 7.50 sq. m. size with cover on top and enclosed on at least three sides. The same shall not be allowed in marginal open spaces. Modern method of incineration</p>
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				of the refuge may be adopted. vii) Minimum and maximum height shall be 3.00 m. & 4.2 m. respectively. The greater height may be permitted by the Authority as per the requirement. viii) The Director of Health Services, Government of Maharashtra shall be the Competent Authority to monitor as to whether the Medical Institution is observing the terms and conditions referred above and in case of any breach thereof or in case the medical services being rendered by the Medical Institution are not to the satisfaction of the Director of Health Services, the Director of Health Services shall have the right to suitably penalise the Medical Institution. ix) While granting occupation certificate the Municipal Commissioner shall intimate to the Director of Health Services, Government of Maharashtra for compliance of afore said condition along with copy of occupation certificate and plan. x) Maximum of height of building for hospitals, sanatorium and nursing homes, shall be as per The Maharashtra Fire protection and Life Safety Measure, Act, 2006.
C) Institutional buildings	-- do --	-- do --	as above	i) The institutional Buildings shall be of Government, Semi Government, public authorities or registered Charitable Institutions. ii) Minimum and maximum height shall be 3.60 m. & 4.2 m. respectively. The greater height may be permitted by the Authority as



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<p>D) Starred category hotels (three star and above)</p>	<p>-- do --</p>	<p>-- do --</p>	<p>35% (up to four star) 45 % (five star and above)</p>	<p>per the requirement.</p> <p>i) The star category hotels shall be constructed on independent plot. ii) Certificate from the Tourism Department, GOI shall be necessary. iii) Minimum and maximum height shall be 3.60 m. & 4.2 m. respectively. The greater height may be permitted by the Authority as per the requirement. iv) While granting Additional FSI to starred category Residential Hotels 5% of rooms shall be reserved for Government nominees free of cost. Provided that such rooms be reserved for a period of not exceeding thirty days in a calendar year in a particular hotel. The head of respective authorities shall be competent to decide and monitor whether the institution is observing the terms and conditions as mentioned. v) While granting occupation certificate the Municipal Commissioner shall intimate to the Competent Authority for compliance of aforesaid condition along with copy of occupation certificate and plan.</p>
<p>E) Buildings of Government and Semi-Government Offices and Public Sector Undertakings:</p>	<p>-- do --</p>	<p>-- do --</p>	<p>No Premium</p>	<p>i) The Municipal Commissioner with the previous approval of State Govt. may exceed the additional FSI. ii) Minimum and maximum height shall be 3.60 m. & 4.2 m. respectively. The greater height may be permitted by the Authority as per the requirement.</p>
<p>F) Religious Building:</p>	<p>-- do --</p>	<p>-- do --</p>	<p>15%</p>	<p>i) No Objection Certificate shall be obtained</p>



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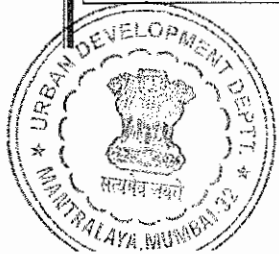
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				from concerned Police Authority and Collector before commencement of construction.
				ii) The additional FSI shall also be permissible to existing authorised religious users subject to structural stability.
				iii) The proposal shall be consistent with the Development Plan proposals.
				iv) Minimum and maximum height shall be 3.20 m. & 4.2 m. respectively. The greater height may be permitted by the Authority as per the requirement
G) Yatri Niwas, Youth Hostel:-	-- do --	-- do --	15%	i) The building shall be on independent plot having minimum plot area of 1000 sq.mt. ii) Minimum and maximum height shall be 3.00 m. & 4.2 m. respectively. The greater height may be permitted by the Authority as per the requirement.
H) The Land in possession of Maharashtra State Road Transport Corporation	-- do --	-- do --	No premium	Out of total FSI, maximum 1.00 FSI shall be allowed to be developed for commercial use and remaining FSI shall be for the self-use of the said Corporation permissible as per the Development Plan.
I) Basic shelter for urban poor	-- do --	-- do --	No premium	Any housing scheme undertaken by planning authority, government / semi government organisation, under the basic shelter for urban poor or similar programme / scheme of the Central / State Government, may be allowed FSI upto 2.5, or sum of column no.2+3, whichever is maximum subject to following condition. i) The said scheme shall be for EWS/LIG housing



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<p>ii) The scheme shall be implemented by the Municipal Corporation / Government/semi-Government Authority stipulated by the Government, from time to time.</p>			
<p>iii) The use of the land under the Scheme shall be in consonance with the proposals of the sanctioned development plan.</p>			
<p>iv) Total permissible floor space index for the scheme shall be 2.50 of the gross plot area (excluding the area affected by the D.P. Reservations)</p>			
<p>v) The entire 2.50 FSI as made permissible shall be utilised of the scheme only.</p>			
<p>vi) All the development plan reservations on the land under the scheme shall be developed by the said authority and the amenities thus created shall be handed over to the planning authority.</p>			



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23.2 ROAD WIDENING AND CONSTRUCTION OF NEW ROADS

The Municipal Commissioner may permit on the same plot, additional FSI of the area required for road widening or for construction of a new road proposed under the Development Plan, if the owner (including the lessee) of such land surrenders such land for road widening or construction of new road without claiming any monetary compensation in lieu thereof and hand over the same free of encumbrances to the satisfaction of the Municipal Commissioner. FSI generated against the surrender of land, shall be in proportion to the provisions mentioned in Regulation no. 22.3 of TDR and may be utilised on the remaining land. If desired by the owner, TDR may be granted against such surrendered land instead of utilizing FSI on remaining land. Such TDR shall be allowed to be utilised as a Development Rights in accordance with the rules regulating Transfer of Development Rights (TDR). Thereafter, the road shall be transferred in the city survey records/revenue records in the name of the Municipal Corporation and shall vest in it becoming part of a public street.

23.3 STAFF QUARTERS OF STATE GOVERNMENT OR ITS STATUTORY BODIES OR MUNICIPAL CORPORATIONS ON LANDS BELONGING TO SUCH PUBLIC AUTHORITIES

23.3.1.1 Regulation for staff quarters of the State Government or its statutory bodies or Municipal Corporation on land belonging to such Authorities situated in developable zones such as Residential / Public Semi-public / Commercial Zones etc. except restricted zone such as Green Belt, Agricultural Zone, No development Zone, CRZ, etc.

23.3.1.2 The basic FSI specified in these regulations may be allowed to be exceeded as per following table on the gross plot area solely for the project of construction of staff quarters (herein after referred to as —staff quarter project) for the employees of the Government, or its statutory bodies or the Municipal Corporation (hereinafter collectively referred to as —User Authority), on land belonging to such User Authority, by the PWD of the Government of Maharashtra or MHADA or Maharashtra Police Housing Corporation or Municipal Corporation or any other Public Agency nominated by the Government for this purpose, which also include any Special Purpose Vehicle, wherein the Government or a fully owned Company of the Government holds at least 51% equity share (hereinafter collectively referred to as —"implementing Public Authority")

23.3.1.3	Road width and plot area	Maximum permissible FSI including basic FSI
	15.0 m. or above minimum plot area 4000 sq. m. and above	3.00
	12.0 m. or above but below 15.0 m.	2.50

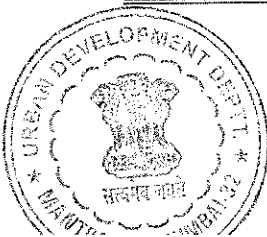
23.3.1.4 For the purpose of calculation the FSI, the entire area of the plot excluding area under Development Plan roads and Development Plan reservations, if any, shall be considered.

Provided that, the Development Plan reservations like Government Staff Quarters, Police Housing, Municipal Housing, Municipal Staff Quarters etc. on lands belonging to Government / Public Authorities / Local Authorities, shall not be excluded.

Provided further that, amalgamation of such Development Plan reservation/s with adjoining lands for the execution of project under this regulation, shall be permissible.

23.3.1.5 The total permissible FSI under this regulation shall be utilised for construction of staff quarters for the User Authority, subject to the following

i) The area of staff quarters for various categories of employees shall be as per the norms



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prescribed by the concerned User Authority and in no case shall the area of staff quarters exceed the maximum limit of carpet area as prescribed therein.

ii-a) Municipal Commissioner may also permit upto 1/3rd of the total permissible FSI under this regulation for construction of free sale area (hereinafter referred to as —free sale component) to be disposed of by the Implementing Public Authority as provided herein. The free sale component shall preferably be constructed in a separate block. Sub-division of plots shall be permissible on the basis of equitable distribution of FSI, in case construction of free sale component is permitted by the Municipal Commissioner.

The free sale component may be utilised for commercial use as per potential of plot as decided by the following committee. The extent of commercial use, if required shall be decided by the said committee strictly within the limits as specified in these regulations

- 1) Municipal Commissioner – Chairman
- 2) Police Commissioner – Member
- 3) Collector of Concerned District – Member
- 4) Superintendent Engineer (PWD) – Member

ii-b) If the User Authority required construction of staff quarters to the extent of full permissible FSI, then the User Authority shall pay full cost of construction + 5% of construction cost as establishment charges to the Implementing Public Authority.

ii-c) The flats constructed under the free sale component shall be first offered to the Central Government, its statutory bodies, Central /State PSUs for purchase as staff quarters and if the Central Government or its statutory Bodies or Central /State PSUs do not indicate willingness to purchase the same within the prescribed time limit, such flats shall be sold in open market.

23.3.1.6 i) Notwithstanding anything contained in these regulations, no amount shall be charged towards Premium, Scrutiny Fee etc., for the projects proposed under this regulation.

ii) The provisions of Inclusive Housing, mentioned in these regulations, shall not be applicable for development under this regulation.

23.3.1.7 For any staff quarters project under this regulations, a development agreement shall be executed between the User Authority and the Implementing Public Authority, which, inter alia, shall authorise the Implementing Authority to dispose of the flats constructed under the free sale component of the project, wherever applicable. Such development agreement shall contain the details regarding the modalities and conditions of transferring such quarters (whether free of cost or on payment/ receipt of certain amount by the User Authority) to the user authority and also conditions modalities of disposing of the flats under the free sale components by the Implementing Public Authority.

23.4 BIOTECHNOLOGY UNITS/ PARKS

The Municipal Commissioner may grant additional 100 percent FSI on basic permissible FSI for biotechnology units/ parks approved by Director of Industries, including those, located in Agriculture Zone proposed in the Development Plan subject to following condition:

- i) Out of total built up area minimum 90% shall be used for Biotechnology purpose and maximum 10% shall be used for ancillary users.
- ii) The additional FSI shall be granted on payment of premium. Such premium shall be recovered at the rate of 25% of the market value of the land as per the Annual Statement of Rate or as



decided by the Government from time to time.

- iii) Out of the total premium 75% shall be paid to the Municipal Corporation and 25% premium shall be paid to the Government.

23.5 INFORMATION TECHNOLOGY ESTABLISHMENT

Development of Information Technology Establishments shall be regulated as per the Information Technology & Information Technology Enabled Services (IT/ITES) Policy 2015 as declared by Industries Department vide Government Resolution No. ITP 2013/CR-265/IND-2 dated 25/08/2015, along with the special regulations sanctioned by the Government vide Notification No. TPB 4316/CR-167/2016/(3)/UD-11/dated 15th July, 2016 and amended time to time which are mention below.

1) The Commissioner may permit additional FSI upto 200 % over and above the basic permissible F.S.I. to all registered Public and Private IT/ITES Parks/AVGC Parks /IT SEZs or IT Parks in SEZs / Stand-alone IT/ITES units in public IT Park (including IT/ITES units located in Residential / Industrial/No Development/ Green/Agriculture Zone or any other land-use zone in which such users are permissible), which have been approved by the Directorate of Industries, proposed to be set up or already set up under present / previous IT/ITES policies, (hereinafter referred to as the "said unit") by charging premium of 30% of the land rate for the said land as prescribed in Annual Statement of Rates for the relevant year of granting such additional F.S.I. for Pune, Pimpri-Chinchwad, Navi Mumbai Notified Area, Municipal Corporations in Mumbai Metropolitan Region and 10% of the land rate for the said land as prescribed in Annual Statement of Rates for the relevant year of granting such additional F.S.I. for other Municipal Corporations.

In case of the Navi Mumbai Notified Area, the CIDCO as land owner may recover lease premium for additional F.S.I. if applicable under land disposal policy of CIDCO.

Provided that additional FSI above 100% and upto 200% shall be permissible only on plots having an access road of minimum 18 meters width.

Provided further that, the premium so collected shall be shared between the Planning Authority and the Government in the proportion of 50 : 50. The share of the Government shall be paid to the concerned Branch office of the Town Planning Department. (Explanation: - Premium charges shall be calculated on the value of lands under such zones, determined by considering the land rates of the said land as prescribed in Annual Statement of Rates (ASR). These charges shall be paid at the time of permitting additional F.S.I. by considering the ASR for the relevant year without applying the guidelines)

2) No premium shall be chargeable in Municipal Corporation areas, if they are covered under No Industry Districts and Naxalism affected areas of the State (as defined in the "Package Scheme of Incentives-2013" of the Industries, Energy & Labour Department of the State).

3) The total maximum permissible F.S.I. shall not exceed limit of 3.00.

4) Maximum 40% of total proposed Built-up area (excluding parking area) inclusive of such additional F.S.I. may be permitted for support services in IT Parks in Municipal Corporations which are not covered under Serial No. 4 above and remaining built-up area shall be utilized for IT/ITES.

5) New said unit shall allocate at least 2% of the total proposed built-up area, for providing incubation facilities for new units. This area would be treated as a part of the Park to be used for IT activities and eligible for additional FSI benefits accordingly.

6) Premium to be received by the Planning Authority as per provisions in this regulation shall be deposited in a separate fund viz. "Critical Infrastructure Fund for IT/ITES Industries" and this fund shall be utilized only for creation of Critical Infrastructure for IT/ITES Industries;



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Provided that in the event, the developer come forward for providing such off site infrastructure at his own cost, instead of paying premium as prescribed above, then the Planning Authority may determine the estimated cost of the work by using rates prescribed in District Schedule of Rates (DSR) of the relevant year, in which order for commencement of such work is issued. The Planning Authority shall also prescribe the standards for the work. After completion of the works, the Planning Authority shall verify and satisfy itself that the same is developed as per prescribed standards and thereafter, by deducting the cost of works, the balance amount of premium shall be recovered from such developer before issuing Occupancy Certificate.

Provided that, in case the cost of work is more than the premium to be recovered, such additional cost to be borne by such developer.

7) Permission for erecting towers and antenna upto height permitted by the Civil Aviation Department shall be granted by the Commissioner as per the procedure followed for development permission or otherwise as may be decided by the Government.

8) While developing site for IT/ITES with additional FSI, support services as defined in the IT Policy 2015, shall be allowed.

9) The sanctioned existing regulations in respect of I.T. Establishments are proposed to be replaced suitably and for the Planning Authorities, which have no provisions in respect of I.T. Establishments, these regulations shall be proposed to be inserted as new regulations.

10) Notwithstanding anything contained in the Development Control Regulations of Planning Authorities, no amenity space is required to be left for development of plot/land upto 2.00 Hect. for IT/ITES.

11) Notwithstanding anything mentioned in these Regulations, special provisions mentioned in the existing Regulations of respective Planning Authority, which areas are not covered under these regulations shall continue to prevail unless otherwise specified.

12) The Directorate of industries will develop a web portal on which the developer of every IT park will be bound to provide / update detailed information about names of the units in the park, utilization of built-up area and activities being carried out, manpower employed in the It Park for IT/ITES and support services on yearly basis.

If a private IT park has availed additional FSI as per the provisions of IT/ITES policy and subsequently it is found that the built-up space in the park is being used for non IT/ITES / commercial activities / any other activity not permitted as per the IT/ITES policy under which the said park was approved, a penal action as below will be taken, the payment shall be shared between the concerned Planning Authority and the Government in the ratio of 3:1.

a) The misuse shall be ascertained by physical site verification of the said private IT park by a team of officers from the Directorate of industries and the Planning Authority which has approved the building plans of the said private IT park.

b)) A per day penalty equal to 0.3% of the prevailing ready reckoner value of the built-up area that has been found to be used for non- IT/ITES activities.

c) The penalty will be recovered from the date of commencement of unauthorized use till the day non IT use continues.

After payment of the penalty to the concerned Planning Authority which has sanctioned the building plans of the concerned private IT park, the said private IT Park will restore the use of premises to the original purpose for which LOI/ Registration was granted. If the private IT Park fails to pay penalty and / or restore the use to its original intended use, the concerned Planning Authority will take suitable action under the Maharashtra Regional and Town Planning Act 1966, against the erring private IT Park under intimation to the Directorate of Industries. This provision



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will also be applicable to existing IT Parks.

23.6 DEVELOPMENT / REDEVELOPMENT OF HOUSING SCHEMES OF MAHARASHTRA HOUSING AND AREA DEVELOPMENT AUTHORITY

- 1) The FSI for a new scheme on vacant lands of low Cost Housing Scheme for Economically Weaker Section, Low Income Groups and Middle Income Groups of MHADA having at least 60 percent built-up area of the tenements under EWS, LIG and MIG categories, shall be 2.50
- 2) For redevelopment of any existing housing scheme of MHADA, undertaken by the MHADA departmentally or jointly with societies /occupiers of buildings or housing societies/ occupiers of building or by lessees of MHADA or by developer, the FSI shall be as under.-
 - a) Total permissible FSI shall be maximum 2.5 on gross plot area.
 - b) The incentive FSI admissible against the FSI required for rehab shall be as under:-
 - i) In congested area, for the area upto 4000 sq. m., the incentive FSI admissible will be 50 percent.
 - ii) In congested area, for the area above 4000 sq. m., the incentive FSI admissible will be 60 percent.
 - iii) In outside congested area, for the area upto 4000 sq. m., the incentive FSI admissible will be 60 percent.
 - iv) In outside congested area, for the area above 4000 sq. m., the incentive FSI will be 75 percent.
 - c) Difference between 2.5 FSI and the FSI required for "rehab + incentive" shall be shared between MHADA and Occupiers Society/ developer in the ratio of 2:1
 - d) In the scheme, for the land allotted for societies of MIG and HIG and developed plot allotted individually to MIG and HIG group, the permissible FSI shall be as per prevailing Development Control and Promotion Regulations
- 3) In case of grant of NOC with additional permissible built-up area outside congested area over and above the permissible FSI as per sanctioned DCR prevailing at the time of allotment by MHADA for the purpose of undertaking Redevelopment / Utilisation, MHADA shall charge premium at the rate decided by Government in Housing Department from time to time.
- 4) For the purpose of calculating the FSI, the entire area of the layout including development plan roads and internal roads but excluding the land under the reservation of public amenities shall be considered. Sub-division of plots will be permissible on the basis of compulsory recreational open space as in these Regulations. For low cost Housing Schemes of MHADA for EWS, LIG categories, the Regulations in the Schedule below shall apply.
- 5) For the purpose of this Regulation, the carpet areas for EWS, LIG or MIG tenements shall be as determined by the Government from time to time.
- 6) For the offsite infrastructure, MHADA shall pay to the municipal council 12.5 percent of the charges collected by MHADA for the grant of additional FSI (FSI over and above the normally permissible FSI) for the Redevelopment Schemes
- 7) 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



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MHADA thereby sanctioning additional balance FSI with a consent of 70 percent of its members and where such NOC holder has made provision for alternative accommodation in the proposed building (including transit accommodation) then it shall be obligatory for all the occupiers/ members to participate in the Redevelopment Scheme and vacate the existing tenements, for the purpose of redevelopment. In case of failure to vacate the existing tenements the provisions of Section 95-A of the MHADA Act mutatis mutandis shall apply for the purpose of getting the tenements vacated from the non-cooperative members

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

SCHEDULE

The following provisions shall be applicable only for Low Cost Housing Schemes i.e. Economically Weaker Sections and Low Income Group Housing Schemes only undertaken by Maharashtra Housing & Area Development Authority (MHADA)

1. Minimum Plot Size:-

- (a) In the case of a growing house for EWS and LIG category a plot of 25 sq. m., a room of minimum size of 5.57 sq.m. (60 sq.ft.) with toilet arrangement in the first phase shall be permitted. In the second phase, one room of 9.30 sq.m. (100 sq.ft.) may be allowed to be added. However, commencement and occupation certificates shall be granted initially to the first phase only and subsequent certificates for second phase issued as required.
- (b) **Multi-purpose rooms:-** A multi-purpose room shall be allowed with size upto 12.5 sq.m. with a minimum width of 2.4 m.
- (c) **Cooking space (alcove):-** Provision of separate kitchen shall not be necessary. However, cooking space shall be allowed with a minimum size of 2.4 sq.m. with minimum width of 1.2m.
- (d) **Combined toilet:-** A combined toilet shall be permitted for more than one tenement with a minimum area of 1.85 sq.m. with minimum width of one meter.
- (e) **Height:-** The average height for a habitable room with sloping roof shall be minimum 2.5 m. with minimum height of 2 m. at the eaves. In the case of a flat roof, minimum clear height shall be 2.6 m. for a habitable room. Kitchen areas shall have minimum clear height/average height of 2.4 m. and bath and water closet (without loft) shall have a clear minimum height of 2.2 m.
- (f) **Plinth:-** The minimum plinth height shall be 30 cm. and in areas subject to flooding the plinth shall be higher than the high flood level.

2. **External walls:-** 115 mm, thick external brick wall without plaster shall be permitted

3. **Staircases:-** Single flight staircases without landing between the two floors shall be permitted.

4. **Front marginal distance:-** The front marginal distance from roads having width of 9.14 m. and below shall be a minimum of 1.5 m for buildings with height of upto 10 m.

5. **Marginal Distance (side and rear):-** The distance between two ground floor structures shall be of a minimum of 4.5 m for purpose of light and ventilation of habitable rooms. In case of toilets deriving light and ventilation from open space, the distance between the two ground floor structures shall be a minimum of 1.5 m.



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6. Pathways:-

The widths of pathways shall be as follows :-

- (i) 1.5 m. width of pathways upto 20 m. in length;
- (ii) 2.0 m. width for pathways upto 30 m. in length;
- (iii) 2.5 m. width for pathways upto 40 m. in length;
- (iv) 3.0 m. width for pathways upto 50 m. in length

- 7. **Flushing cistern:-** In water closets, flushing cistern shall not be essential and toilets without this provision may be permitted
- 8. **Water closet pan size:-** The water closet seat shall be of a minimum of 0.46 m. (18 inches) in length.
- 9. **Septic tank and leaching pits (soak pits):-**A septic tank shall be provided with capacity of 141.6 litres (five cubic feet) per capita. Where the municipal services are likely to be available within four to five years or so, pour flush water seal latrines (NEERI type) shall be permitted where the municipal sewerage system is not available and the water table in the area is not high.
- 10. **Convenience shopping:-** Convenience Shopping as defined in these Regulations shall be permitted along layout roads with width of 12.2 m. to 18.49 m. provided that a minimum set-back of 1.5m and a minimum plot area of 25.2 sq.m is available and is provided.
- 11. **Recreation Ground:-** In the layouts, provision for recreation ground shall be on the lines prescribed in these Regulations
- 12. **Ancillary structures:-** Ancillary structures such as underground tank, overhead tank, substations etc. shall be permissible in the compulsory recreation open space subject to the condition that not more than 10 percent of such space shall be utilised for such purposes.
- 13. Other provisions of these regulations shall continue to be applicable for such schemes.

23.7 REDEVELOPMENT OF EXISTING BUILDINGS

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

23.8 REDEVELOPMENT OF DANGEROUS BUILDINGS

Reconstruction / Redevelopment in whole or in part of any tenanted building which existed prior to these regulations which has ceased to exist in consequence of accidental fire / natural collapse or demolition for the reasons of the same having been declared dangerous or dilapidated or Unsafe by or under a lawful order of the Municipal Commissioner, shall be allowed subject to following conditions.

a) Redevelopment of tenanted building undertaken by landlord and / or co-operative housing societies of landlord and / or occupiers shall be allowed, with an FSI equivalent to the Rehab Area plus 50% incentive FSI of the rehab area. Provided that Rehab Area will be the authorisedly utilised Area or 27.87 sq.m. per tenement whichever is more.

However as per the road width if the potential of the Plot is more than what is mention above, then the balance potential available on plot after deducting rehab and incentive FSI may be allowed to be utilized to that extent by the way of TDR or Additional FSI on payment of



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premium if any.

(b) All the certified tenants of the old building shall be re-accommodated in the redeveloped building. Each tenant shall be rehabilitated and given free of cost the carpet area occupied by him for residential purpose in the old building subject to the minimum carpet area of 27.87sq. m. or existing carpet area whichever is more subject to maximum carpet area upto 70 sq.m. (753 sq. ft.) In case of non-residential occupier the area to be given in the reconstructed building shall be equivalent to the area occupied in the old building.

Provided that if the carpet area under Residential use exceeds 70 sq. m., the cost of construction for Area exceeding 70 sq. m. shall be paid by tenant / occupant to the developer. The cost of construction shall be as per the ready reckoner rate of that year. The carpet area exceeding 70 sq. m. shall be considered for rehab FSI but shall not be consider for incentive FSI.

(c) In case of fire gutted buildings the conditions of more than 30 years age of buildings shall not be made applicable, provided the structural stability certificate from nearest Govt. Engineering College shall be necessary.

(d) The Committee comprises of Municipal Commissioner, Superintending Engineer, Public Works Department, State of Maharashtra, Joint Director, Town Planning, Chief Fire Officer, and the Head of department structural Engineering of Government Engineering College shall be set-up to decide whether the building is "dangerous or dilapidated or unsafe".

Notes:-

- (1) For the purpose of deciding authenticity of the structure if the approved plans of existing structure are not available, the Commissioner shall consider other evidences such as Assessment Record or City Survey Record or Sanad.
- (2) In case where there are number of buildings on plot, in such cases, equivalent land component of the buildings which is declared unsafe shall be worked out and incentive FSI shall be based on such land component.
- (3) Reconstruction of the building on the plot shall conform to the provisions of the sanctioned Development Plan and sanctioned Development Control Regulations.
- (4) The new building may be permitted to be reconstructed in pursuance of an agreement to be executed on stamp paper by at least 70 percent of the landlord / occupants in the original building, within the meaning of the Bombay Rents, Hotel and Lodging House Rents Control Act, 1947 or Apartment Act and its related provision and in such agreement provision for accommodation for all occupants in the new building on agreed terms shall be made and a copy of such agreement shall be deposited with the Municipal Corporation before commencement or undertaking reconstruction of the new buildings.
- (5) The carpet area of part or parts of the new building intended to be used as non-residential use shall not exceed the carpet area of part or parts of the original building so used
- (6) No new tenancy shall be created
- (7) An amount as may be decided by the Government shall be paid by the Owner /Developer / Society as additional Development Cess for the built up area over and above the Base FSI. A corpus fund as decided by the Municipal Commissioner is to be created by the Developer which will take care of the maintenance of the building for a period of 10 years.

23.9 DEVELOPMENT OF HOUSING FOR EWS/LIG

If the owner constructs the housing for EWS / LIG section of the society in the form of tenements of size upto 50 sq.mt carpet area on his plot, then he shall be exempted from payment of premium as to maximum permissible mentioned in table given in Regulation No.15.4. subject to



following conditions.

- i) Out of the total tenements, at least 40% tenements shall be of carpet area not more than 30 sq. m.
- ii) Only one tenement should be sold to a family. Adjoining tenement should not be sold to a close relative of such tenement owner. Affidavit to that effect shall be obtained from the land owner / developer and purchaser.
- iii) The size of tenement of 30 or 50 sq. m. shall be inclusive of common areas like staircases, passages etc. but exclusive of balcony, double height terraces.

Notwithstanding anything contained in these regulations, the development of such housing scheme shall be entitled for concession as given below

Marginal distances (except front margin), the room sizes, parking and other requirements shall be as per the Regulation No.23.6.

23.10 DEVELOPMENT OF PUBLIC TOILET

The owner if constructs public toilet in addition to the number of toilets required for his proposed development at the location required and as prescribed by the Municipal Commissioner, preferably on ground floor having separate access, he may be granted additional FSI equal to the built up area of such additional toilets. Provided such toilet shall be maintained by the owner at his own cost to the satisfaction of Municipal Commissioner.



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

24.0 STRUCTURAL DESIGN

24.1 The structural design of foundations, elements made of masonry, timber, plain concrete; reinforced concrete, pre-stressed concrete and structural steel shall be carried out in accordance with Part 6. Structural design Section 1-Loads, courses and effects, Section 2-Soils and Foundation, Section-3-Timber and Bamboo, Section 4-Masonry, Section5-Concrete, Section 6-Steel, Section-7-Prefabrication, systems building and mixed / composite construction of National Building Code of India, amended from time to time.

25.0 QUALITY OF MATERIALS AND WORKMANSHIP

25.1 All materials and workmanship shall be of good quality conforming generally to accepted standards of Public Works Department of Maharashtra and Indian Standard Specifications and Codes as included in Part 5 - Building Materials and Part 7 - Construction Practices and Safety of National Building Code of India, amended from time to time

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

26.0 ALTERNATIVE MATERIALS, METHODS OF DESIGN & CONSTRUCTION AND TESTS

26.1 The provision of the regulations are not intended to prevent the use of any material or method of design or construction, not specifically prescribed by the regulations, provided any such alternative has been approved.

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

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

26.3 **Tests:** Whenever there is insufficient evidence of compliance with the provisions of the regulations of evidence that any material or method of design or construction does not conform to the requirements of the rules or in order to substantiate claims for alternative materials, design or methods of construction, the Municipal Commissioner may require tests sufficient in advance as proof of compliance. These tests shall be made by an approved agency at the expense of the owner.

26.3.1 Test method shall be as specified by the regulations for the materials or design or construction in question. If there are no appropriate test methods specified in the regulations, the Authority shall determine the test procedure. For methods of tests for building materials; reference may be made to relevant Indian standards as given the National Building Code of India, published by the Bureau of



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Indian Standards. The latest version of the National building Code of India shall be taken into account at the time of enforcement of these rules.

- 26.3.2 Copies of the results of all such tests shall be retained by the authority for a period of not less than two year after the acceptance of the alternative material.

27.0 BUILDING SERVICES

27.1 The planning, design and installation of electrical installations, air-conditioning and heating work shall be carried out in accordance with Part 8 - Building Services, Section 2-Electrical and allied Installations, Section 3-Air Conditioning, heating and mechanical ventilation of National building Code of India, amended from time to time.

27.2 The planning design including the number of lifts, type of lifts, capacity of lifts depending on occupancy of building; population on each floor based on occupant load, height of building shall be in accordance with Section-5 installation of Lifts and Escalators of National Building Code of India, amended from time to time. In existing buildings, in case of proposal for one additional floor, existing lift may not be raised to the additional floor.

- 27.2.1 The lifts shall be maintained in working order properly.

28.0 WATER SUPPLY, DRAINAGE AND SANITARY REQUIREMENTS.

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

- 28.2 Requirements of water supply in building.

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

Occupancy	Basis
Residential Building	5 persons per tenement
Other Buildings	No. of persons on occupant load and area of floors given in Table No.11.

- 28.2.1 The requirements of water supply for various occupancies shall be as given in Table 16 and 17 or as specified by the Municipal Commissioner from time to time.

Table No. 16

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



3	Institutional (Medical Hospitals):	
	(a) No. of beds not exceeding 100	340
	(b) No. of beds exceeding 100	450
	(c) Medical quarters and hostels	135
4	Assembly-Cinema theatres, auditorium etc. (per seat of accommodation).	15
5	Government and Semi-public business.	45
6	Mercantile (Commercial)	
	(a) Restaurants (per seat)	70
	(b) Other business buildings.	45
7	Industrial	
	(a) Factories where bathrooms are to be provided	45
	(b) Factories where no bath-rooms are required to be provided.	30
8	Storage (including warehousing)	30
9	Hazardous	30
10	Intermediate / Stations (excluding mail and express stops).	45 (25)*
11	Junction Stations	70 (45)*
12	Terminal / Stations.	45
13	International and domestic Airports.	70

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

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

Table No. 17

FLUSHING STORAGE CAPACITIES		
Sr.No.	Classification of building	Storage capacity.
(1)	(2)	(3)
1	For tenements having common convenience	900 liters net per w. c. seat.
2	For residential premises other than tenements having common convenience	270 liters net for one w. c. seat and 180 liters for each additional seat in the same flat.
3	For Factories and Workshops	900 liters per w. c. seat and 180 liters per urinal seat.
4	For cinemas, public assembly halls, etc.	900 liters per w. c. seat and 350 liters per urinal seat.



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29.0 DRAINAGE AND SANITATION REQUIREMENTS

29.1 General

There should be at least one water tap and arrangement for drainage in the vicinity of each water-closet or group of water-closets in all the buildings.

29.1.1 Each family dwelling unit on premises (abutting on a sewer or with a private sewage disposal system) shall have, at least, one water-closet and one kitchen type sink. A bath or shower shall also be installed to meet the basic requirement of sanitation and personal hygiene.

29.1.2 All other structures for human occupancy or use on premises, abutting on a sewer or with a private sewage disposal system, shall have adequate sanitary facilities, but in no case less than one water-closet and one other fixture for cleaning purposes.

29.1.2 For Residences

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

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

29.2.2 Dwelling without individual conveniences shall have the following fitments:

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

29.3 For Buildings Other than Residences

29.3.1 The requirements for fitments for drainage and sanitation in the case of buildings other than residences shall be in accordance with **Table 18 to Table 31**. The following shall be, in addition, taken into consideration:

- a) The figures shown are based upon one (1) fixture being the minimum required for the number of persons indicated or part thereof.
- b) Building categories not included in the tables shall be considered separately by the Municipal Commissioner.
- c) Drinking fountains shall not be installed in the toilets.
- d) Where there is the danger of exposure to skin contamination with poisonous, infectious or irritating material, washbasin with eye wash jet and an emergency shower located in an area accessible at all times with the passage / right of way suitable for access to a wheel chair, shall be provided.
- e) When applying the provision of these tables for providing the number of fixtures, consideration shall be given to the accessibility of the fixtures. Using purely numerical basis may not result in an installation suited to the need of a specific building. For example, schools should be provided with toilet facilities on each floor. Similarly toilet facilities shall be provided for temporary workmen employed in any establishment according to the needs; and in any case one WC and one washbasin shall be provided.
- f) All buildings used for human habitation for dwelling work, occupation, medical care or any purpose detailed in the various tables, abutting a public sewer or a private sewage disposal system, shall be provided with minimum sanitary facilities as per the schedule in the tables. In



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case the disposal facilities are not available, they shall be provided as a part of the building design for ensuring high standards of sanitary conditions in accordance with this section.

- g) Workplaces where crèches are provided, they shall be provided with one WC for 10 persons or part thereof, one washbasin for 15 persons or part thereof, one kitchen sink with floor tap for preparing food / milk preparations. The sink provided shall be with a drinking water tap.
- h) In all types of buildings, individual toilets and pantry should be provided for executives and for meeting / seminar / conference rooms, etc. as per the user requirement.
- i) Where food is consumed indoors, water stations may be provided in place of drinking water fountains.

30.0 SIGNS AND OUTDOOR DISPLAY STRUCTURES

- 30.1 The display of advertising signs on buildings and land, shall be in accordance with Part 10, Section 2 "Signs and outdoor display structures" of National Building Code of India as amended from time to time.
- 30.2 Prohibition of advertising signs and outdoor display structure in certain cases - Notwithstanding the provisions of sub-regulations no advertising sign or outdoor display structures shall be permitted on buildings of architectural, aesthetical, historical or heritage importance as may be decided by the Municipal Commissioner or on Government Buildings save that in the case of Government buildings only advertising signs or outdoor display structure may be permitted if they relate to the activities for the said buildings' own purposes or related programmes.



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Table 18 - Office Buildings

Sr. No.	Fixtures	Public Toilets		Staff Toilets	
		Male	Female	Male	Female
(1)	(2)	(3)	(4)	(5)	(6)
i)	Executive Rooms and Conference Halls in Office Buildings Toilet suite comprising one WC, one washbasin (with optional shower stall if building is used round the clock at user's option) Pantry optional as per user requirement	Unit could be common for Male / Female or separate depending on the number of user of each facility		For individual officer rooms	
ii)	Main Office Toilets for Staff and Visitors				
	a) Water-closet	1 per 25	1 per 15	1 per 25	1 per 15
	b) Ablution tap with each water-closet	1 in each water-closet			
	c) Urinals	Nil up to 6 1 for 7-20 2 for 21-45 3 for 46-70 4 for 71-100	-	Nil up to 6 1 for 7-20 2 for 21-45 3 for 46-70 4 for 71-100	-
		101-200		101-200	
	Add @ 3% for	Over 200		Over 200	
	Add @ 2.5 %	1 per 25	1 per 25	1 per 25	1 per 25
	d) Washbasins	1 per 100	1 per 100	1 per 100	1 per 100
	e) Drinking water fountain	1 per floor			
	f) Cleaner's sink	1 per floor			



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Table 19- Factories

Sr. No.	Fixtures	Offices/Visitors		Workers	
		Male (3)	Female (4)	Male (5)	Female (6)
(1)	(2)	(3)	(4)	(5)	(6)
i)	Water-closets (Workers & Staff)	1 for up to 25 2 for 16-35 3 for 36-65 4 for 66-100	1 for up to 15 2 for 16-25 3 for 26-40 4 for 41-57 5 for 58-77 6 for 78-100	1 for up to 15 2 for 16-35 3 for 36-65 4 for 66-100	1 for up to 12 2 for 13-25 3 for 26-40 4 for 41-57 5 for 58-77 6 for 78-100
	For persons 101-200 add	3 %	5 %	3 %	5 %
	For persons over 200 add	2.5 %	4 %	2.5 %	4 %
ii)	Ablution tap	1 in each WC	1 in each WC	1 in each WC	1 in each WC
iii)	Urinals	Nil up to 6 1 for 7-20 2 for 21-45 3 for 46-70 4 for 71-100	-	Nil up to 6 1 for 7-20 2 for 21-45 3 for 46-70 4 for 71-100	-
	For persons 101-200 add	3 %		3 %	
	For persons over 200 add	2.5 %		2.5 %	
iv)	Washbasins in rows or troughs and taps spaced 750 mm c/c	1 per 25 or part thereof	1 per 25 or part thereof	1 per 25 or part thereof	1 per 25 or part thereof
v)	Drinking water fountain	1 per every 100 or part thereof with minimum one on each floor			
vi)	Cleaner's sink	1 on each floor	1 on each floor	1 on each floor	1 on each floor
vii)	Showers/Bathing rooms	As per trade requirements			
viii)	Emergency shower and eye wash fountain	-	-		
	NOTE-- For factories requiring workers to be engaged in dirty and dangerous operations or requiring them to be extremely clean and sanitized conditions additional and separate (if required so) toilet facilities and if required by applicable Industrial and Safety Laws and the Factories Act must be provided in consultation with the user.				1 per every shop floor per 500 persons

Table 20 - Cinema, Multiplex Cinema, Concerts and Convention Halls, Theatres

Sr. No.	Fixtures	Public		Staff	
		Male	Female	Male	Female
(1)	(2)	(3)	(4)	(5)	(6)
i)	Water-closets	1 per 100 up to 400 Over 400, add at 1 per 250 or part thereof	3 per 100 up to 200 Over 200, add at 2 per 100 or part thereof	1 for up to 15 2 for 16 - 35	1 for up to 12 2 for 13 - 25
ii)	Ablution tap	1 in each water-closet	1 in each water-closet	1 in each water-closet	1 in each water-closet
iii)	Urinals	1 per 25 or part thereof	-	Nil up to 6 1 for 7-20 2 for 21-45	-
iv)	Washbasins	1 per 200 or part thereof		1 for up to 15 2 for 16-35	1 for up to 12 2 for 13-25
v)	Drinking water fountain	1 per 100 persons or part thereof			
vi)	Cleaner's sink	1 per floor			
vii)	Showers/Bathing rooms	As per trade requirements			

- NOTES - 1) Some WC's may be European style if desired
2) Male population may be assumed as two-third and female population as one-third.



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Table 21 - Art Galleries, Libraries and Museums

Sr. No.	Fixtures	Public		Staff	
		Male	Female	Male	Female
(1)	(2)	(3)	(4)	(5)	(6)
i)	Water-closets	1 per 200 up to 400 Over 400 add at 1 per 250 or part thereof	1 per 100 up to 200 Over 200 add at 1 per 150 or part thereof	1 for up to 15 2 for 16-35	1 for up to 12 2 for 13-25
ii)	Ablution tap	One in each water-closet 1 water tap with draining arrangements shall be provided for every 50 persons or part thereof in the vicinity of water-closets and urinals	One in each water-closet	One in each water-closet	One in each water-closet
iii)	Urinals	1 per 50	-	Nil up to 6 1 per 7-20 2 per 21-45	-
iv)	Washbasins	1 for every 200 or part thereof. For over 400, add at 1 per 250 persons or part thereof	1 for every 200 or part thereof. For over 200, add at 1 per 150 persons or part thereof	1 for up to 15 2 for 16-35	1 for up to 12 2 for 13-25
v)	Drinking water fountain	1 per 100 persons or part thereof			
vi)	Cleaner's sink	1 per floor, Min			
vii)	Showers/Bathing rooms	As per trade requirements			
NOTES -		1) Some WC's may be European style if desired.			
		2) Male population may be assumed as two-third and female population as one-third.			

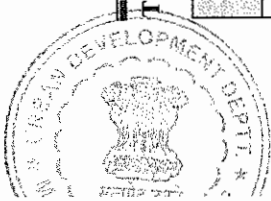


Table 22 - Hospitals with Indoor Patient Wards

Sr. No.	Fixtures	Patient Toilets		Staff Toilets	
		Male	Female	Male	Female
(1)	(2)	(3)	(4)	(5)	(6)
i)	Toilet suite comprising one WC and one washbasin and shower stall	Private room with up to 4 patients		For individual doctor's / officer's rooms	
For General Wards, Hospital Staff and Visitors					
ii)	Water-closets	1 per 8 beds or part thereof	1 per 8 beds or part thereof	1 for up to 15 2 for 16-35	1 for up to 12 2 for 13-25
iii)	Ablution tap	1 in each WC	1 in each WC	1 in each WC	1 in each WC
iv)	Urinals	1 per 30 beds	-	Nil up to 6 1 for 7 to 20 2 for 21-45	-
v)	Washbasins	2 for every 30 beds or part thereof. Add 1 per additional 30 beds or part thereof	1 per 100 persons or part thereof	1 for up to 15 2 for 16-35	1 for up to 12 2 for 13-25
vi)	Drinking water fountain	1 per ward	-	-	-
vii)	Cleaner's sink	1 per ward	-	-	-
viii)	Bed pan sink	1 per ward	-	-	-
ix)	Kitchen sink	1 per ward	-	-	-

NOTES - 1) Some WC's may be European style if desired.

2) Male population may be assumed as two-third and female population as one-third.

3) Provision for additional and special hospital fittings where required shall be made.



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Table 23 - Hospitals - Outdoor Patient Department

Sr. No.	Fixtures	Patient Toilets		Staff Toilets	
		Male	Female	Male	Female
(1)	(2)	(3)	(4)	(5)	(6)
i)	Toilet suite comprising one WC and one washbasin (with optional shower stall if building used for 24 h)	For up to 4 patients		For individual doctor's/officer's rooms	
ii)	Water-closets	1 per 100 persons or part thereof	2 per 100 persons or part thereof	1 for up to 15 2 for 16-35	1 for up to 12 2 for 13-25
iii)	Ablution tap	1 in each WC	1 in each WC	1 in each WC	1 in each WC
iv)	Urinals	1 per 50 persons or part thereof	-	Nil up to 6 1 per 7 to 20 2 per 21-45	-
v)	Washbasins	1 per 100 persons or part thereof	2 per 100 persons or part thereof	1 for up to 15 2 for 16-35	1 for up to 12 2 for 13-25
vi)	Drinking water fountain	1 per 500 persons or part thereof	1 per 500 persons or part thereof	1 per 100 persons or part thereof	

notes - 1) Some WC's may be European style if desired.

2) Male population may be assumed as two-third and female population as one-third.

3) Provision for additional and special hospital fittings where required shall be made.

Table 24 - Hospitals' Administrative Buildings

Sr. No.	Fixtures	Staff Toilets	
		Male	Female
(1)	(2)	(3)	(4)
i)	Toilet suite comprising one WC and one washbasin (with optional shower stall if building used for 24 h)	For individual doctor's/officer's rooms	
ii)	Water-closets	1 per 25 persons or part thereof	1 per 15 persons or part thereof
iii)	Ablution tap	One in each water-closet	One in each water-closet
iv)	Urinals	1 water tap with draining arrangements shall be provided for every 50 persons or part thereof in the vicinity of water-closets and urinals	
		Nil up to 6	
		1 per 7 to 20	
		2 per 21-45	
v)	Washbasins	1 per 25 persons or part thereof	1 per 25 persons or part thereof
vi)	Drinking water fountain	1 per 100 persons or part thereof	
vii)	Cleaner's sink	1 per floor, Min	
viii)	Kitchen sink	1 per floor, Min	

note - Some WC's may be European style if desired.

Table 25 - Hospitals' Staff Quarters and Nurses Homes

Sr. No.	Fixtures	Staff Quarters		Nurses Homes	
		Male	Female	Male	Female
(1)	(2)	(3)	(4)	(5)	(6)
i)	Water-closets	1 per 4 persons or part thereof	1 per 4 persons or part thereof	1 per 4 persons or part thereof 2 for 16-35	1 per 4 persons or part thereof 2 for 16-35
ii)	Ablution tap	One in each water-closet	One in each water-closet	One in each water-closet	One in each water-closet
iii)	Washbasins	1 per 8 persons or part thereof	1 per 8 persons or part thereof	1 per 8 persons or part thereof	1 per 8 persons or part thereof
iv)	Bath (Showers)	1 per 4 persons or part thereof	1 per 4 persons or part thereof	1 per 4 persons or part thereof	1 per 4 persons or part thereof
v)	Drinking water fountain	1 per 100 persons or part thereof, minimum 1 per floor	1 per 100 persons or part thereof, minimum 1 per floor	1 per 100 persons or part thereof, minimum 1 per floor	1 per 100 persons or part thereof, minimum 1 per floor
vi)	Cleaner's sink	1 per Floor	1 per Floor	1 per Floor	1 per Floor

NOTES - 1) Some WC's may be European style if desired.

2) For independent housing units fixtures shall be provided as for residences.



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Table 26-Hotels

Sr. No.	Fixtures	Public Rooms		Non-Residential Staff	
		Male	Female	Male	Female
(1)	(2)	(3)	(4)	(5)	(6)
i)	Toilet suite comprising one WC, washbasin with shower or a bath tub	Individual guest rooms with attached toilets	-	-	-
Guest Rooms with Common Facilities					
ii)	Water-closets	1 per 100 persons up to 400 Over 400 add at 1 per 250 or part thereof	2 per 100 persons up to 200 Over 200 add at 1 per 100 or part thereof	1 for up to 15 2 for 16-35 3 for 36-65 4 for 66-100	1 for up to 12 2 for 13-25 3 for 26-40 4 for 41-57 5 for 58-77 6 for 78-100
iii)	Ablution tap	1 in each WC	1 in each WC	1 in each WC	1 in each WC
1 water tap with draining arrangements shall be provided for every 50 persons or part thereof in the vicinity of water-closets and urinals					
iv)	Urinals	1 per 50 persons or part thereof	Nil, upto 6 persons 1 for 7-20 persons 2 for 21-45 persons 3 for 46-70 persons	Nil up to 6 1 for 7 to 20 2 for 21-45 3 for 46-70	-



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		4 for 71-100 persons	4 for 71-100	
v)	Washbasins	1 per WC/Urinal	1 per WC 1 for up to 15 2 for 16-35 3 for 36-65 4 for 66-100	1 for up to 12 2 for 13-25 3 for 26-40 4 for 41-57
vi)	Bath (Showers)	1 per 10 persons or part thereof	-	-
vii)	Cleaner's sink	1 per 30 rooms, minimum 1 per floor		
viii)	Kitchen sink	1 per kitchen		
NOTES	1) Some WC's may be European style if desired. 2) Male population may be assumed as two-third and female population as one-third. 3) Provision for additional and special hospital fittings where required shall be made.			



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Table 27 - Restaurants

Sr. No.	Fixtures	Public Rooms		Non-Residential Staff	
		Male	Female	Male	Female
(1)	(2)	(3)	(4)	(5)	(6)
i)	Water-closets	1 per 50 seats up to 200 Over 200 add at 1 per 100 or part thereof	2 per 50 seats up to 200 Over 200 add at 1 per 100 or part thereof	1 for up to 15 2 for 16-35 3 for 36-65 4 for 66-100	1 for up to 12 2 for 13-25 3 for 26-40 4 for 41-57 5 for 58-77 6 for 78-100
ii)	Ablution tap	1 in each WC	1 in each WC	1 in each WC	1 in each WC
iii)	Urinals	1 per 50 persons or part thereof	1 water tap with draining arrangements shall be provided for every 50 persons or part thereof in the vicinity of water-closets and urinals.	Nil up to 6 1 for 7-20 2 for 21-45 3 for 46-70 4 for 71-100	----
iv)	Washbasins	1 per WC	1 per WC	1 per WC	1 per WC
v)	Cleaner's sink	1 per restaurant			
vi)	Kitchen sink /Dish washer	1 per kitchen			

NOTES: 1) Some WC's may be European style if desired.

2) Male population may be assumed as two-third and female population as one-third.

3) Provision for additional and special fittings where required shall be made.



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Table 28 - Schools and Educational Institutions

Sr. No.	Fixtures	Nursery School	Non-Residential		Residential	
			Boys (4)	Girls (5)	Boys (6)	Girls (7)
(1)	(2)	(3)				
i)	Water-closets	1 per 15 pupils or part thereof	1 for 40 pupils or part thereof	1 per 25 pupils or part thereof	1 per 8 pupils or part thereof	1 per 6 pupils or part thereof
ii)	Ablution tap	1 in each WC	1 in each WC	1 in each WC	1 in each WC	1 in each WC
		1 water tap with draining arrangements shall be provided for every 50 persons or part thereof in the vicinity of water-closets and urinals.				
iii)	Urinals	----	1 per 20 pupils or part thereof	----	1 per 25 pupils or part thereof	----
iv)	Washbasins	1 per 15 pupils or part thereof	1 per 60 pupils or part thereof	1 per 40 pupils or part thereof	1 per 8 pupils or part thereof	1 per 6 pupils or part thereof
v)	Bath/Showers	1 per 40 pupils or part thereof	----	----	1 per 8 pupils or part thereof	1 per 6 pupils or part thereof
vi)	Drinking water fountain or taps	1 per 50 pupils or part thereof	1 per 50 pupils or part thereof	1 per 50 pupils or part thereof	1 per 50 pupils or part thereof	1 per 50 pupils or part thereof
vi)	Cleaner's Sink	1 per floor				

NOTES:

1) Some WC's may be European style if desired. 2) For teaching staff, the schedule of fixtures to be provided shall be the same as in case of office building.

Table 29 - Hostels

Sr. No.	Fixtures	Resident		Non-Resident		Visitor/Common Rooms	
		Male	Female	Male	Female	Male	Female
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
i)	Water-closet	1 per 8 or part thereof	1 per 6 or part thereof	1 for upto 15 2 for 16-35 3 for 36-65 4 for 66-100	1 for upto 12 2 for 13-25 3 for 26-40 4 for 41-57 5 for 58-77 6 for 78-100	1 per 100 up to 400 Over 400 add at 1 per 250	1 per 200 up to 200 Over 200 add at 1 per 100
ii)	Ablution tap	1 in each WC	1 in each WC	1 in each WC	1 in each WC	1 in each WC	1 in each WC
		1 water tap with draining arrangements shall be provided for every 50 persons or part thereof in the vicinity of water-closets and urinals.					
iii)	Urinals	1 per 25 or part thereof	----	Nil up to 6 1 for 7-20 2 for 21-45 3 for 46-70 4 for 71-100	----	1 per 50 or part thereof	----
iv)	Washbasins	1 per 8 persons or part thereof	1 per 6 persons or part thereof	----	----	----	----
v)	Bath/Showers	1 per 8 persons or part thereof	1 per 6 persons or part thereof	----	----	----	----
vi)	Cleaner's Sink	1 per floor					

NOTE: Some WC's may be European style if desired.

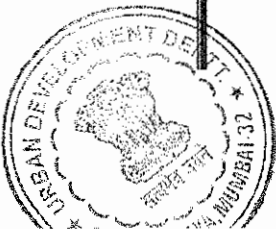


Table 30- Mercantile Buildings, Commercial Complexes, Shopping Malls, Fruit & Vegetable Markets

Sr. No.	Fixtures	Shop Owners		Common Toilets in Market/ Mall Building		Public Toilet for Floating Population	
		Male	Female	Male	Female	Male	Female
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
i)	Water-closets	1 per 8 persons or part thereof	1 in each WC	1 for up to 15 2 for 16-35 3 for 36-65 4 for 66-100	1 for up to 12 2 for 13-25 3 for 26-40 4 for 41-57 5 for 58-77 6 for 78-100	1 per 50 (Minimum 2)	1 per 50 (Minimum 2)
ii)	Ablution tap	1 in each WC	1 in each WC	1 in each WC	1 in each WC	1 in each WC	1 in each WC
		1 water tap with draining arrangements shall be provided in receiving / sale area of each shop and for every 50 persons or part thereof in the vicinity of water-closets and urinals.					
iii)	Urinals	----	----	Nil up to 6 1 for 7-20 2 for 21-45 3 for 46-70 4 for 71-100	----	1 per 50	----
iv)	Washbasins	1 per 8 persons or part thereof		1 for up to 15 2 for 16-35 3 for 36-65 4 for 66-100	1 for up to 12 2 for 13-25 3 for 26-40 4 for 41-57	----	----
v)	Bath / Showers	1 per 8 persons or part thereof	1 per 6 persons or part thereof	----	----	1 per 50 persons	1 per 50 persons

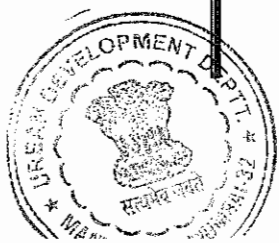
NOTES: 1) Toilet facilities for individual buildings in a market should be taken same as that for office buildings.

2) Common toilets in the market buildings provide facilities for persons working in shops and their regular visitors.

Table 31 - Airports and Railway Stations

Sr. No.	Fixtures	Junction Stations, Intermediate Stations and Bus Stations		Terminal Railway and Bus Stations		Domestic and International Airports	
		Male (3)	Female (4)	Male (5)	Female (6)	Male (7)	Female (8)
i)	Water-closet	3 for up to 1000 Add 1 per additional 1000 or part thereof	4 for up to 1000 Add 1 per additional 1000 or part thereof	4 for up to 1000 Add 1 per additional 1000 or part thereof	5 for up to 1000 Add 1 per additional 1000 or part thereof	Minimum 2 For 200 2 For 400 9 For 600 12 For 800 16 For 1000 18	Minimum 2 For 200 2 For 400 9 For 600 12 For 800 16 For 1000 18
ii)	Ablution tap	1 in each WC	1 in each WC	1 in each WC	1 in each WC	1 in each WC	1 in each WC
iii)	Urinals	4 for up to 1000 Add 1 per additional 1000	----	6 for up to 1000 Add 1 per additional 1000	----	1 per 40 or part thereof	----
iv)	Washbasins	1 per WC / Urinal	1 per WC	1 per WC / Urinal	1 per WC	1 per WC / Urinal	1 per WC
v)	Bath/Showers	2 per 1000	2 per 1000	3 per 1000	3 per 1000	4 per 1000	4 per 1000
vi)	Drinking water fountain or taps (in common lobby)	2 per 1000 or part thereof	2 per 1000 or part thereof	3 per 1000 or part thereof	3 per 1000 or part thereof	4 per 1000 or part thereof	4 per 1000 or part thereof

1 water tap with draining arrangements shall be provided for every 50 persons or part thereof in the vicinity of water-closets and urinals.



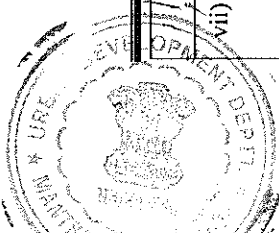
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for male/ female)		1 per toilet compartment with 3 WC's	1 per toilet compartment with 3 WC's	1 per toilet compartment with 3 WC's	1 per toilet compartment with 3 WC's	1 per toilet compartment with 3 WC's
vii)	Cleaner's sink	1 per toilet compartment with 3 WC's	1 per toilet compartment with 3 WC's	1 per toilet compartment with 3 WC's	1 per toilet compartment with 3 WC's	1 per toilet compartment with 3 WC's
viii)	Toilet for Disabled	1 per 4000	1 per 4000	1 per 4000	1 per 4000 (Minimum 1)	1 per 4000 (Minimum 1)

NOTES:

1) Some WC's may be European style if desired. 2) Male population may be assumed as three-fifth and female population as two-fifth. 3) Separate provision shall be made for staff and workers.



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PART X
SPECIAL PROVISIONS IN CERTAIN BUILDINGS

31.0 PROVISION OF FACILITIES FOR DIFFERENTLY ABLED PERSONS:

31.1 Definitions

- 1.1 Non-ambulatory Disabilities:** – Impairments that, regardless of cause or manifestation, for all practical purposes, confine individuals to wheelchairs.
- 1.2 Semi - ambulatory Disabilities:** - Impairments that cause individuals to walk with difficulty or insecurity, individuals using braces or crutches, amputees, arthritics, spastics, and those with pulmonary and cardiac ills may be semi-ambulatory.
- 1.3 Hearing Disabilities:-** Deafness or hearing handicaps that might make an individual insecure in public areas because he is unable to communicate or hear warning signals.
- 1.4 Sight Disabilities:** - Total blindness or impairments, which affect sight to the extent that the individual, functioning in public areas, is insecure or exposed to danger.
- 1.5 Wheel Chair:** - Chair used by disabled people for mobility. The standard size of wheel chair shall be taken as 1050 mm x 750 mm.

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

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

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

31.3.2 Parking: For parking of vehicles of differently abled people, the following provisions shall be made-

- i) Surface parking for two car spaces shall be provided near entrance, with maximum travel distance of 30.0 m. from building entrance.
- ii) The width of parking bay shall be minimum 3.6 m.
- iii) The information stating that the space is reserved for wheel chair users shall be conspicuously displayed.
- iv) Guiding floor materials shall be provided or a device, which guides visually impaired persons with audible signals, or other devices, which serves the same purpose, shall be provided.



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31.4 Building requirements

The specified facilities for the buildings for differently abled persons shall be as follows:

- i) Approach to plinth level
- ii) Corridor connecting the entrance/exit for the differently abled.
- iii) Stair-ways
- iv) Lift
- v) Toilet
- vi) Drinking Water

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

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

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

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

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

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

- a) ‘Guiding floor materials’ shall be provided or device that emits sound to guide visually impaired persons.
- b) The minimum width shall be 1500mm.
- c) In case there is a difference of level, slope ways shall be provided with a slope of 1:12.
- d) Hand rails shall be provided for ramps/slope ways.

31.4.3 Stair-ways - One of the stair-ways near the entrance / exit for the differently abled shall have the following provisions:

- a) The minimum width shall be 1350 mm.



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- b) Height of the riser shall not be more than 150 mm and width of the tread 300mm. The steps shall not have abrupt (square) nosing.
- c) Maximum number of risers on a flight shall be limited to 12.
- d) Hand rails shall be provided on both sides and shall extend 300 mm on the top and bottom of each flight of steps.

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

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

- a) A hand rail not less than 600mm long at 1000mm above floor level shall be fixed adjacent to the control panel.
- b) The lift lobby shall be of an inside measurement of 1800 mm x 1800 mm or more.
- c) The time of an automatically closing door should be minimum 5 seconds and the closing speed should not exceed 0.25 m/ sec.
- d) The interior of the cage shall be provided with a device that audibly indicates the floor, the cage has reached indicates that the door of the cage of entrance/exit is either open or closed.

31.4.5 Toilets - One special W.C. in a set of toilets shall be provided for the use of differently abled with essential provision of washbasin near the entrance for them.

- a) The minimum size shall be 1500 mm x 1750 mm.
- b) Minimum clear opening of the door shall be 900mm and the door shall swing out.
- c) Suitable arrangement of vertical/horizontal handrails with 50mm clearance from wall shall be made in the toilet.
- d) The W.C. seat shall be 500mm from the floor.

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

31.4.7 Designing for Children - In the buildings meant for the pre-dominant use of the children, it will be necessary to suitably alter the height of the handrail and other fittings & fixtures, etc.

Explanatory notes:

Guiding / Warning Floor Material:

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

- a) The access path to the building and to the parking area.
- b) The landing lobby towards the information board, reception, lifts, staircases and toilets.



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- c) Immediately at the beginning/end of walkway where there is a vehicular traffic.
- d) At the location abruptly changing in level or beginning/end of a ramp.
- e) Immediately in front of an entrance/exit and the landing.

Proper signage:

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

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

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

32.0 INSTALLATION OF SOLAR ASSISTED WATER HEATING SYSTEM:

1. Solar water heating systems shall be installed in the building for hospitals, hotels, hostels, guest houses, police men/ army barracks, canteens, laboratories and research institutions, schools and colleges and other institutes, and housing schemes having more than 50 flats.
2. The hospitals and hotels, where the hot water requirements are of continuous nature, must be provided with auxiliary back-up system.
3. The installation of Gas instantaneous water heaters or electrical back-up in all such water heating system shall be optional depending on the nature of requirement of hot water.
4. This shall not be applicable for housing scheme mentioned in regulation no. 23.15.

32.1 Guidelines for design of new buildings

In order to facilitate the installation of Solar Water Heating System, the new buildings shall have the following provisions:

- i) All such buildings where solar water heating systems are to be installed will have open sunny roof area available for the installation of Solar Water Heating System.
- ii) The roof loading adopted in the design of such building should be atleast 50 kg per sq.m. for the installation of solar water heating system.
- iii) An Open area of 3 sq.m. would be required for installation of a collector which supplies about 100 liters of water per day. At least 60% of the roof area may be utilized for installation of the system.
- iv) Precaution should be taken that architectural elevation treatment should not cast shadow on terrace space. As far as possible, parapet of south, east and west sides of the terrace shall be of railing type (above 1 feet) such that it will not cast shadow on the solar collectors and maximum terrace space can be utilized.
- v) Solar Water Heating System can also be integrated with the building design. These can either be put on the south side sloping parapet. As far as possible the solar collectors shall be installed at an inclination of latitude + 15 degree to the south.



- vi) The capacity of the Solar Water Heating System to be installed on the building shall be decided on the basis of the average occupancy of the building. The norms for hospitals, hotels and other functional buildings are given below.

Type of Building	Per capita capacity recommended (litre per day)
Residential – Homes/Flats/etc.	25
Hospitals	100
Hotels Five Star	150
Hotels other than Five Star	100
Guest House	25
Policemen / Army Barrack	25
Hostels, Schools, Colleges and other institutions where hot water is needed	25
Laboratory and Research Institutions	As required

- vii) All the new buildings to be constructed shall have an installed hot water line from the rooftop and insulated distribution pipelines to each of the points where hot water is required in the building.
- viii) Whenever the hot water is utilized for cooking or for hospital purpose stainless steel storage tank & pipelines should be used.
- ix) If shadow free area is not available for installation of Solar Hot Water systems due to nearby high-rise buildings or structures or trees, in such cases solar water heating system may not be installed.

34.2 Guidelines for selection of Solar Water Heating Systems for all buildings.

Developers should follow the following guidelines for selection/installation of Water heating system.

- i) As far as possible, use of electrical storage type water heater should be discouraged and instant electrical water heater (4 and 5 star labeled) may be used.
- ii) In case control mechanism is not provided, at least 30% higher capacity system may be installed.
- iii) All renewable energy water heating systems/practices shall conform to relevant Bureau of Indian Standards (IS 12933 Part (1&2)) and/or be obtained from Ministry of New and Renewable Energy, New Delhi, approved Manufacturers and their authorized dealers.
- iv) Both flat plate collector (FPC) type and Evacuated Tube Collector(ETC) type systems are eligible for installation. The installation of ETC type Solar Water Heating system shall be carried out as per the specifications / guidelines of MNRE, GoI .
- v) All products/practices adopted for generating hot water with renewable energy shall confirm to relevant Indian Standards or products from Manufacturers approved by Ministry of New and Renewable Energy, New Delhi.

32.3 Piping and insulation

The Solar Water Heater system piping can be done using medium class (B class) GI pipe as per IS1239 with proper insulation and cladding.



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Any other pipe that can withstand high temperature upto 100 degrees C having less heat loss character can be considered.

32.4 Other Requirements

- a) Vertical pipe risers serving storage water heaters and storage tanks not having integral heat traps and serving a non-recalculating system shall have heat traps on both, the inlet and outlet piping as close as practical to the storage tank.
- b) At least 50% of the heating requirement shall be met from solar heat/heat recovery.

32.5 Concession in House Tax

The building having solar assisted water heating system installed as per above norms shall be entitled for concession in house tax as decided by the Municipal Corporation subject to condition that the said system is in operation.

33.0 RAIN WATER HARVESTING

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

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

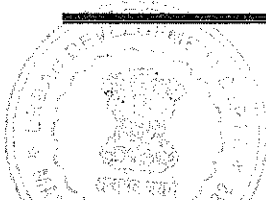
Provided that the Municipal Commissioner may approve the Rain Water Harvesting structures of specifications different from those in Schedule, subject to the minimum capacity of Rain Water Harvesting being ensured in each case.

- b) The owner/society of every building mentioned in the (a) above shall ensure that the Rain Water Harvesting structure is maintained in good condition for storage of water for non-potable purposes or recharge of groundwater at all times.
- c) The Authority may impose a levy of not exceeding Rs.1000/- per annum for every 100 sq.m. of built-up area for the failure of the owner of any building mentioned in the (a) above to provide or to maintain Rain Water Harvesting structures as required under these regulations

SCHEDULE

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

1. The following systems may be adopted for harvesting the rainwater drawn from terrace and the paved surface.
 - i) Open well of a minimum 1m dia. and 6m in depth into which rain water may be channeled and allowed to filter for removing silt and floating material. The well shall be provided with ventilating covers. The water from the open well may be used for non-potable domestic purposes such as washing, flushing and for watering the garden etc.
 - ii) Rain Water Harvesting for recharge of groundwater may be done through a bore-well around which a pit of 1m width may be excavated upto a depth of at least 3m and refilled with stone aggregate and sand. The filtered rain water may be channeled to the refilled pit for recharging the bore-well.
 - iii) An impressive surface/underground storage tank of required capacity may be constructed in the setback or other open spaces and the rain water may be channeled to the storage tank. The storage tank shall always be provided with ventilating covers and shall have draw-off taps suitably placed so that rain water may be drawn off for domestic, washing, gardening and such other purposes. The storage tank shall be provided with an overflow.
 - iv) The surplus rain water after storage may be recharged in to ground through percolation pits or trenches or combination of pits and trenches. Depending on the geo-morphological and topographical conditions, the pits may be of the size of 1.20 m width X 1.20 m length X 2 m to 2.50 m depth. The trenches can be of 0.60 m width X 2 to 6 m length X 1.50 to 2 m depth.



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Terrace water shall be channeled to pits or trenches. Such pits or trenches shall be back filled with filter media comprising the following materials :-

- a) 40 mm stone aggregate as bottom layer upto 50% of the depth.
 - b) 20 mm stone aggregate as lower middle layer upto 20% of the depth.
 - c) Coarse sand as upper middle layer upto 20% of the depth.
 - d) A thin layer of fine sand as top layer.
 - e) Top 10% of the pits/trenches will be empty and a splash is to be provided in this portion in such a way that roof top water falls on the splash pad.
 - f) Brick masonry wall is to be constructed on the exposed surface of pits/trenches and the cement mortar plastered. The depth of wall below ground shall be such that the wall prevents loose soil entering into pits/ trenches. The projection of the wall above ground shall at least be 15 cm.
 - g) Perforated concrete slabs shall be provided on the pits/trenches.
 - h) If the marginal distances surrounding the building is not paved, the top layer up to a sufficient depth shall be removed and refilled with coarse sand to allow percolation of rain water into ground
- 2) The terrace shall be connected to the open well/bore-well/storage tank/ recharge pit/trench by means of HDPE / PVC pipes through filter media. A valve system shall be provided to enable the first washing from roof or terrace catchment, as they would contain undesirable dirt. The mouth of all pipes and opening shall be covered with mosquito (insect) proof wire net. For the efficient discharge of rain water, there shall be at least two rain water pipes of 100 mm dia. for a roof area of 100 sq.m.
 - 3) Rain Water Harvesting structures shall be sited as not to endanger the stability of building or earthwork. The structure shall be designed such that no dampness is caused in any part of the walls or foundation of the building or those of an adjacent building.
 - 4) The water so collected/recharged shall as far as possible be used for non-drinking and non-cooking purpose. Provided that when the rain water in exceptional circumstances will be utilised for drinking and/or cooking purpose, it shall be ensured that proper filter arrangement and the separate outlet for bypassing the first rain water has been provided.

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

34.0 GREY WATER REUSE

Regulations for Waste Water Treatment & Recycling :

A. TYPES OF WASTE WATER

- 1) **Black Water:** It means waste water from W.C. urinals and M.S.W.
- 2) **Grey Water:** It means waste water from bathrooms, sinks and wash areas
- 3) Apart from residential waste water, waste water generated from industrial, medical, commercial usage shall also be treated as per guidelines given by the Pollution Control Board.

B. APPLICABILITY

These regulations shall be applicable to all developments/ redevelopments, part developments on plots having an area of 4,000 sq. m. or more as well those mentioned under (C-2) to (C-6) shall have the provision for treatment, recycling and reuse of waste water. The applicant shall along with his application for obtaining necessary layout approval/building permission shall submit a plan showing the location of waste water treatment plant, furnishing details of calculations, references, implementation, etc. This plan shall accompany with the applicant's commitment to monitor the system periodically from the date of occupation of the respective building.



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C. REGULATIONS

(C-1) For layout approval/building permission

- I. In case of residential layouts, area admeasuring 4000 sq. m. (1 acre) or more, in addition to the open space prescribed in the bye-laws, a separate space for waste water treatment & recycling plant should be earmarked in the layout.
- II. The recycled water shall be used for gardening, car washing, toilet flushing, irrigation, etc and in no case for drinking, bathing, washing utensils, clothes, etc
- III. On the layout plan, all chambers, plumbing lines which are a part of waste water treatment should be marked an different colour while submitting the layout for approval to the Municipal Corporation.
- IV. Only provision for basic civil work and required machinery will be proposed by the concerned Municipal Corporation. Other than this provision for additional machinery, pipes, tanks, landscape should be provided by owner/developer at his own cost.
- V. A clause must be included by the owner/developer in the purchase agreement that the purchaser, owner of the premises /organization or society of the purchasers shall ensure that.
 - a. The recycled water is tested every six months either in Municipal Laboratory or in the laboratory approved by Municipal Corporation or by State Government and the result of which shall be made accessible to the competent Authority /EHO of the respective Ward Office.
 - b. Any recommendation from testing laboratory for any form of corrective measures that are needed to be adopted shall be compiled, Copy of any such recommendation and necessary action taken shall also be sent by the testing laboratories to the Competent Authority/EHO of respective wards

(C-2) Group Housing/Apartment Building

In case of group housing if the built-up area is 2000 sq. m. or above or if consumption of water is 20,000 lit/day or more, or if a multi-storied building which has 50 tenements or more, then waste water treatment and recycling plant as mentioned in (C-1) should be constructed

(C-3) Educational, Industrial, Commercial, Government, Semi-government organization, hotels, lodging, etc.

For all buildings in this category having a build-up area of 1500 sq. m. or more and if water consumption is 20,000 lit/day or more, then provision for waste water treatment and recycling plant as mentioned in (C-1) is mandatory.

(C-4) Hospitals

All hospitals having 40 or more beds, must provide a waste water treatment and recycling plant as mentioned in (C-1)

(C-5) Vehicle Servicing Garages

All vehicle servicing garages shall ensure that the waste water generated through washing of vehicles is treated and recycled back for the same use as mentioned in (C-1)

(C-6) Other hazardous uses

All other establishments/buildings where chances of waste water generated containing harmful chemicals, toxins are likely and where such water cannot be directly led into municipal sewers, the concerned competent authority may direct the owners, users of such establishments, buildings to treat their waste water as per the directions laid in (C-1)



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D. PENALTY

- i Any owner/developer/organization /society violating the provisions of these bye-laws, shall be fined Rs. 2500/- on the day of detection and if the violation continues, than shall be fined Rs.100 for every day as concrete action after written notice from the concerned competent authority.
- ii. If the results of test as mentioned in (C-1 v. a. b.) are not satisfactory, then the concerned owner/developer/organization/society shall be charged a penalty of Rs. 300/- per day till the necessary preventive action is taken and disconnection of water connection also.



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PART XII
REGULATIONS FOR SPECIAL ACTIVITIES

35.0 MINING OR QUARRYING OPERATIONS:-

The Municipal Commissioner, may grant permission for Mining or Quarrying operations in agriculture zone on following conditions:

- i) Pits and holes created in the process of mining and quarrying should be appropriately filled up and not left open.
- ii) The site shall be restored so as to make it safe either by developing a garden or by planting fruit growing trees around it or by making it a water reservoir.
- iii) Mining & quarrying operation should be in a controlled manner, so that it would not cause nuisance to other.
- iv) Hill tops and hill slopes from which rain water flows should not be allowed to be used for mining and quarrying.
- v) The natural landscape and environment should not affect adversely.
- vi) Quarrying shall be regulated in accordance with the method to be prescribed by the District Collector.
- vii) Regulations prescribed by the Revenue authorities regarding, settlement and restoration of environment shall be strictly followed.
- viii) Quarrying shall not be permitted within 500m from the Core area (gaothan) / village settlements/ residential zone / existing development and from the national highway / state highway, rivers, water reservoir, lakes, forts, archeological sites, historical places and places of tourist interest.
- ix) The conditions prescribed under Maharashtra Minor Mineral Extraction Rules and Regulations shall be observed.

36.0. ERECTION OF MOBILE TOWERS:

Regulation for setting up of Telecommunication Cell Site(s)/Base Station(s) and installation of the equipments for Telecommunication Network in Municipal Corporation area.

36.1 Applicability:

This Regulation, shall apply to all existing and/or proposed Telecommunication Cell Sites/Base Stations installed or to be installed in Municipal Corporation area.

36.2 Control Over Development

No Telecommunication Cell Site/Base Station shall be setup or installed without the previous permission in writing of the Municipal Commissioner. The permission shall be granted in the same manner as prescribed under Sections 44 to 47 of the Maharashtra Regional and Town Planning Act, 1966.

If the Municipal Commissioner does not dispose of the application within a period of 60 days from the date of submission, the said application by the Telecom Service Provider/Infrastructure Provider (TSP/IP) shall be deemed to have been approved as per the provisions under Section 45 of the



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Maharashtra Regional and Town Planning Act, 1966.

36.3 Procedure for Obtaining Development Permission

- A** All the applications for setting up or installation of any Telecommunication Cell Site/ Base Station (TCS/BS) or erection of a part thereof, shall be made to the Municipal Commissioner by the concerned Telecom Service Provider (TSP) or the concerned Infrastructure Provider (IP), in such form and containing such particulars as may be prescribed by the Municipal Commissioner.
- B** The application to the Municipal Commissioner for obtaining the aforesaid development permission shall be accompanied by the following documents-
- (a) All the documents as otherwise required to be attached for any development permission under the sanctioned Development Control Regulations for the area in which the site under application is located.
 - (b) Plans showing Location Map, Key Plan, Site Plan, Block Plan and Plans of the proposed work. In case of roof-top tower, the copy of Occupation Certificate or copy of sanctioned building plans or copy of Commencement Certificate issued by the Municipal Commissioner or any other valid proof, in respect of the building on which the erection of roof-top tower is proposed, showing that such building is authorised.
 - (c) Notarised consent of the Owner of premises, which shall mean and include consent of the owner of property or no-objection certificate of the concerned registered Co-op Housing Society or notarised consent of 70% of the total number legal occupants in case of Apartments or Condominium or no-objection certificate of the lessor in case of a lease -hold property.
 - (d) Copy of agreement between the TSP/IP and the Owner of premises.
 - (e) Copy of Access Service License/ Infrastructure Provider (IP) Registration Certificate, granted to the TSP/IP by the Department of Telecommunications (DoT), Government of India (GoI).
 - (f) Copy of clearance from the Standing Advisory Committee for Frequency Allocations (SACFA) or copy of application made to SACFA for the said Location submitted to Wireless Planning Commission (WPC) wing of the Department of Telecommunications (DoT), with registration number as WPC Acknowledgement, along with an undertaking that in case of any objection/ rejection, TSPs/IPs will take corrective actions or remove the TCS/BS.
 - (g) Acknowledgement receipt issued by Telecom Enforcement Resource and Monitoring (TERM) Cells in respect of the self-certificate submitted by TSP/IP regarding mobile towers/Base Transceiver Station (BTS) (Ground-based or Roof-Top or Pole/wall-mounted) in the format as prescribed by Telecom Engineering Centre (TEC), DoT, establishing/certifying that all General Public areas around the TCS/BS will be within safe Electro-Magnetic Radiation (EMR) exposure limit as per peak traffic measurement after the antennae starts radiating.
 - (h) Copy of Structural Stability Certificate for any ground-based Base Transceiver Station (BTS).

OR

In case of any roof-top BTS tower, Structural Stability Certificate for the building, based on written approval of any authorized Structural Engineer of the State/local Body/Central Building Research Institute (CBRT), Roorkee/ IIT/ NIT or any other Agency, authorized by the Municipal Commissioner.

Provided that such NOC shall not be required for the single pole antennae or cellular signal boosters.

- (i) Copy of the type test certificate issued by Automotive Research Association of India (ARAI)



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to the manufacturers of the Diesel Generator (DG) Sets.

- (j) Notarised undertaking from the Applicant/Owner of premises :-
- (i) That the cabin will not be utilized for any purpose other than the Telecommunication Cell Site/Base Station.
- (ii) That if the said activity is discontinued by the Applicant, the said cabin will be demolished forthwith by the Applicant /Owner of premises.
- (k) No objection certificate from the Authority concerned under the Civil Aviation Ministry (hereinafter referred to as the said Authority) in case of any building falling in any area where such no objection certificate of the said Authority is required under the relevant rules or law.
- (l) No objection certificate of the Maharashtra Pollution Control Board regarding compliance with the norms prescribed for noise levels and smoke levels for the power generating sets having capacity above 100 kw, to be provided for Base Transceiver Stations.
- (m) No objection certificate of the Chief Fire Officer of the Municipal Corporation only in case of High Rise buildings having height of 15 mtr. or more measured from ground level.
- (n) Copy of clearance from the State Environment Department as well as the Forest Department, in case of forest, protected areas, if applicable.
- (o) Data Sheet containing the information regarding –
- (a) Name of Telecom Service Provider/ Infrastructure Provider,
- (b) Location,
- (c) Tower Reference-
- (i) Height and Weight of Tower,
- (ii) Ground Based Tower/Roof Top Tower,
- (iii) Number of Antennae planned on Tower,
- (iv) Permissible maximum EMF Radiation Level,
- (v) Proposed maximum EMF Radiation Level.
- (p) Requisite fees, charges, as applicable.

C In case of a listed Heritage building/ Heritage precinct and/or in case of cessed buildings and/or in case of area under Environmentally Sensitive Zone (ESZ), notified by the Ministry of Environment and Forest (MoEF), Government of India (GoI), all the applications for installation of any TCS/BS or erection of a part thereof, shall be made to the concerned Municipal Commissioner, which will forward it to the Heritage Conservation Committee concerned and/or High Level Monitoring Committee (HLMC) appointed/constituted by MoEF respectively.

D The erection of the Base Station including tower, shall be commenced within 90 days from the date of receipt of permission from the Municipal Commissioner and report of erection shall be made to the Municipal Commissioner.

36.4 Leviable charges

The Municipal Commissioner, while granting permission under sub regulation (3) hereinabove, shall levy and collect the following charges:-

- (a) Development Charge.-Development charge shall be levied and collected by the Municipal Commissioner as per the provisions under section L24-B of The Maharashtra Regional and Town Planning Act, 1966. For the purpose of assessing the development charge, the setting up of Base Station on land and on roof-tops shall be classified under commercial category,



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calculated over the foot print area occupied by the Telecommunication Cell Site/Base Station.

- (b) Administrative Fee.-Over and above the development charge as stipulated in clause 4 (a) above, TSP/IP shall pay to the Municipal Corporation, a one time non-refundable Administrative fee of Rs.30000, or as per the rates revised from time to time by the Government.

36.5 Planning Norms For Erection of TCS /BS

- (a) Notwithstanding the land use provisions under these regulations, subject to the compliance of other provisions of these Regulations, it shall be permissible to install TCB/BS, on
- (i) all land uses as earmarked in development plan,
 - (ii) all lands which are designated for non-buildable reservations in development plan, subject to the condition that the maximum permissible area for installation of such TCS/BS shall not be more than 5% of the area of the reserved site or 100 sq. m., whichever is less, and shall be located in one corner of the reserved site.
 - (iii) all lands which are designated as open spaces/recreational open spaces/recreational grounds in a sanctioned layout, where such installation shall be permissible only with the no-objection certificate of the concerned registered co-operative housing society or consent of 70% of the total number of legal occupants/plot holders of such layout, subject to the condition that the maximum permissible area for installation of such TCS/BS shall not be more than 5% of such area or 100 sq. m, whichever is less, and the same shall be located in one corner of such area.
 - (iv) all buildable reservations in development plan, except for buildings of uses mentioned in Regulation no.36.5(f), where such installation shall be permissible on the roof top, but only after development of the said reservation.
 - (v) all open lands in slum areas belonging to the Government/public Authority planning Authority, where only ground-based TCS/BS shall be permissible and no Roof-Top Tower shall be permissible, save as provided in Regulation no.36.5(a)(vi) herein below.
 - (vi) public buildings in slum areas, like public toilets, community centers etc., constructed by any Public Authority or to be constructed by the TSP/IP, where construction of Roof Top Towers shall be permissible, subject to maintenance and compliance of other terms and conditions specified by the Municipal Commissioner.
- (b) No permission for installation of TCS/BS shall be granted in ecologically important areas, without ecological impact assessment and review of installation site. The Forest Department should be consulted before installation of TCS/BS in and-around protected areas and Zoos.
- (c) The TCS/BS must have clear access by means of an existing road having minimum width of 6 mtr. for locations falling in Core area as earmarked on DP and 9 m., for locations falling outside such Core area. However, in exceptional circumstances, the Municipal Commissioner may relax such road width suitably, but in no case, shall it be less than 5 m.
- (d) In case of both ground-based towers and roof-top towers, there shall be no nearby buildings right in front of the antenna(e) of equivalent height, taking into account the tilt of the lowest antenna on tower, as per the details in the Table No.32 below:-



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Table No.32

Sr. No.	Number of Antenna(e) Pointed in the Same Direction	Building/ Structure Safe Distance from the Antenna(e) at the Same Height (in m.)
(1)	(2)	(3)
1	1	20
2	2	35
3	4	45
4	6	55

Provided that the antennae at the same height only are to be counted, as the beam width of mobile antennae, in the vertical direction, is very narrow.

(Explanation.-The distance figures in the above Table are based on empirical estimation considering that all the antennae are emitting at their maximum RF power of 20 Watts and exactly in the same direction with the same height.)

Provided further that above norms shall automatically stand revised as per the latest guidelines, issued by the DoT from time to time.

- (e) In case of Wall Mounted/Pole Mounted Antenna(e) :-
- (i) Wherever the antennae are mounted on the wall of a building or pole or along the road, their height should be atleast 5 mtr., above ground level/road level. Provided that such installations shall have to comply with the prescribed radiation limits.
 - (ii) As far as safe distance of buildings from antenna(e) is concerned, guidelines as in Regulation No.36.5 (d) above shall apply.
- (f) Installation of Base Station antenna(e) shall not be permissible within the premises of schools, colleges, and hospitals as well as on the adjoining land /building within 3 m., from the boundary of premises of schools, colleges and hospitals. Also antenna(e) shall not be directed/ positioned towards any school/college/ hospital building.
- (g) The existing Base Station antenna(e) approved earlier on any school/college/ hospital, building shall not be renewed further after the expiry of period of approval and the same shall be removed immediately thereafter, subject to the provisions of Regulation no.36.7 (d).
- (h) Access to Base Station Antenna site shall be prohibited for the general public, by putting in place suitable measures such as wire-fencing, locking of the door to the roof, etc.
- (i) The roof-top TCS, IBS towers shall be put only on buildings which are declared structurally strong enough to bear the load of such installation. The base connection to the building should be got designed from a qualified structural engineer. Structural safety certificate of the composite structure [Building + Tower(s)] shall have to be obtained from any of the recognized Government Institutes.
- (j) While according permission for installation of TCS/BS, permissible for erection of a cabin at ground level may be granted. However, the same shall not be allowed in the prescribed marginal distances. The area of such cabin shall not be more than 20 sq. mt. for each TSP/IP, subject to the



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certificate of structural safety. Built-up area of such cabin(s) shall not be counted towards built-up area or FSI.

- (k) No permission for installation of TCS/BS shall be granted on buildings which are unauthorized and structurally unsafe. If permission for installation of such structures is granted on a building, which is declared as unauthorized at a later point of time, the Municipal Commissioner shall first take recourse to the provisions of sections 52, 53, 54 and 55 of the Maharashtra Regional and Town Planning Act, 1966 or other relevant laws, as the case may be, against such unauthorized building and in case the Municipal Commissioner, after completing the due process of law, decides to undertake any action of demolition against such unauthorised building then such decision shall also be conveyed to the concerned TSP/IP with a direction to relocate the TCS/BS within a period of 90 days, after which the Municipal Commissioner shall not be under any obligation to send any further intimation to the TSP/IP concerned before demolishing such unauthorised building, and it shall not be liable to pay compensation for the loss of the Base Station as a consequence of the demolition of the unauthorised building. The TSP/IP shall indemnify the Municipal Commissioner to this effect, while seeking permission for installation of TCS/BS.
- (l) Permission for installation of TCS/BS, once granted shall remain valid for next 5 years. The TSP/IP shall apply for renewal of permission to the Municipal Commissioner. The Municipal Commissioner, while considering renewal, shall insist upon submission of fresh structural stability certificate for buildings more than 30 years of age. Administrative fee shall be levied and collected as prescribed in Regulation no.36.4 (b) hereinabove, for every such renewal. If TSP/IP fails to apply for renewal along with all necessary documents before the expiry of earlier permission, then such TSP/IP shall be liable for action under the provisions of the Maharashtra Regional and Town Planning Act, 1966.
- (m) In case of any existing TCS/BS on a slum structure, every effort shall be made to relocate such TCS/BS on a nearby suitable public building or any other authorised structure or open land in the slum. If such relocation is not possible, then such TCS/BS may be allowed to be continued on such slum structure subject to its structural suitability, till the TCS/BS is shifted to any other authorised structure or till the redevelopment of the slum, whichever is earlier.
- (n) While granting permission for TCS/BS, the Municipal Commissioner shall stipulate that TSP/IP shall conduct regular audit in accordance with the directions/guidelines issued by TERM Cell or DoT from time to time.

36.6 Electro-Magnetic Field (EMF) Radiation Norms

- (a) Prior to installation of TCS/BS, the TSP/IP shall have to obtain Site clearance from the Standing Advisory Committee on Frequency Allocation (SACFA) of the Department of Telecommunication (DoT) for every site from the point of view of interference with other wireless users, aviation hazards and obstruction to any other existing microwave links.
- (b) The Electro-Magnetic Field (EMF) radiation from BTS towers shall be subject to the regulations framed by the DoT from time to time. The TSP/IP shall periodically conduct audit and monitor EMF radiation in Urban localities, hospitals and educational/industrial /residential / recreational premises, especially around the Protected Areas (PAs) and ecologically sensitive areas, in accordance with the guidelines issued by DoT in this regard. It shall be binding on TSP/ IP to follow the mechanism prescribed by the DoT/TERM Cell at local level for ensuring control on the EMF radiation and for notifying on continual basis the radiation level at critical location. For all the existing as well as new BTSs/Towers, TSPs are required to submit self-certificates periodically in the format prescribed by TEC, DoT, in order to ensure that normally all general public areas around



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the TCS/BS site are within the safe EMR exposure limits. Audit of the self-certification furnished by the TSPs shall be done by the TERM Cell periodically. TERM Cell shall carry out test audit of the BTS sites on random basis as per the guidelines received from DoT and also in respect of all cases where there is a public complaint. The TERM Cell shall have due regard to the instructions issued by DoT regarding technical audit of TCS/BS, including radiation of towers within safe limits. These shall include Roof Top/Ground Based./Pole Mounted/Wall Mounted Towers. The TERM Cell shall also verify antenna orientation, safe distance from the Tower (exclusion zone) etc. For non-compliance of EMF standards, Telecom Service Provider shall be liable for penal action by the TERM Cell and/or Department of Telecommunication (DoT). Any violation noticed may attract heavy penalties on TSPs and may also lead to shut down of TCS/ BS, in case the violation persists.

36.7 Miscellaneous Provisions

- (a) Any complaint concerning illegal installation of TCS/BS on any building or any query of any nature regarding the installation of telecommunication equipment, shall be addressed to the Municipal Commissioner which shall intimate the concerned TSP/IP about the same with a direction to resolve the issue under intimation to the Municipal Commissioner, within such period as may be prescribed by the Municipal Commissioner.
- (b) The TSP/IP, who has erected TCS/BS without due permission, shall apply to the concerned Municipal Commissioner for regularization within 180 days from the date of coming into force of this Regulation. In case such application is made within the prescribed period, then the offence, if any, registered against the TSP/IP may be compounded by the Municipal Commissioner under section 143 of the Maharashtra Regional and Town Planning Act, 1966, subject to the provisions of these regulations.
- (c) The TSPs/IPs who have earlier erected TCS/BS with due permission, shall apply afresh, for validation of the previous permission, to the Municipal Commissioner within a period of 90 days from the date of commencement of this Regulation, in order to ensure due compliance of this Regulation. However Administrative fee in such cases shall not be leviable if appropriate fee/ Development charge, not less than the amount prescribed under Regulation No.36.4 (b) above, has already been paid. In case the amount paid is less than what is prescribed hereinabove, the difference in amount shall be recovered from the TSP/IP.
- (d) Any existing TCS/BS not conforming to any of the above provisions shall have to be removed within one year from the date of commencement of this Regulation, unless the same is specifically regularized by the Municipal Commissioner following due compliance by TSP/IP. However, operation of such non-conforming Telecommunication Cell Site/Base station shall be discontinued within a period of 30 days from the date of receipt of notice from the Municipal Commissioner to that effect, which shall however be issued only after obtaining the consent of the TERM Cell of DoT.
- (e) The Licensees shall try to share the tower for fixing their respective antennae provided the prescribed conditions are duly fulfilled, so as to ensure curtailing of multiple towers and optimizing the use of the existing ones.
- (f) Sign boards and Warning signs ("Danger", "RF Radiation", "Restricted Area", "Don't Enter" etc.) shall be provided at TCS/BS antenna sites which are clearly visible and identifiable.
- (g) The TSP/IP shall display the details of the following on a board (minimum size 24" x 48") separately or prominently on the cabin, for the perusal of general public in such a way that the same shall be clearly visible and identifiable.



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- i. Name of TSP/IP :-
- ii. Location :-
- iii. Tower Reference :-
 - (a) Height, (b) Weight (c) Number of antennae planned on tower, (d) Permissible EMF radiation level (e) Proposed EMF radiation level.
- iv. Due date for next renewal.
- v. Contact Person's name, address and Telephone Number
- vi. Address of Complaint Redressing Authority with Telephone Numbers
- vii. Police Control Room- 100
- viii. Fire Control Room – 101
- ix. Ambulance – 102
- x. Other important information, if any.

Provided that in case of Telecommunication Cell Site/Base station on roof-top, the aforesaid information shall be displayed on the ground floor of the building.

- (h) The Municipal Commissioner shall display the list of authorized TCS/BS on their official web site, along with the date of permission and due date for renewal of permission.
- (i) TCS/BS Tower shall be inspected for distortion of members, torques of nuts and bolts at least once in five years. However, in case of areas affected by any natural calamity, such as cyclone, earthquake, flood, etc., such inspection shall be carried out immediately after such incident suo-moto or on being directed by the Municipal Commissioner. Such inspection shall be carried out only by a qualified structural engineer and a certificate to that effect shall be submitted to the Municipal Commissioner.
- (j) TCS/BS Towers located in highly corrosive environment shall be painted every year. Other towers shall be painted at least once in five years to give additional protection.
- (k) The Municipal Commissioner shall make efforts to provide Single Window clearance to TSP/ IP for disposal of their applications in a time bound manner.

36.8 Notwithstanding anything contained hereinabove, all the Regulations/Bye-Laws/ Memorandum / Directions /Guidelines in this regard, issued or to be issued from time to time, by the Department of Telecommunications, Government of India, shall prevail and be binding on TSP/IP and also on the Municipal Corporation, in which case, this Regulation shall stand modified to that extent.

36.9 Powers of Interpretation and Removal of Doubt-

If any interpretation is required regarding the clauses of this Regulation, then the matter shall be referred to the Urban Development Department, Government of Maharashtra, whose decision shall be final.



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PART XII
SPECIAL SCHEMES

37.0 SPECIAL TOWNSHIP PROJECTS

This regulation is kept in abeyance.

38.0 CONSERVATION OF HERITAGE BUILDINGS / PRECINCTS / NATURAL FEATURES

38.1 Applicability:

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

38.2 Preparation of list of Heritage Buildings, Heritage Precincts and Natural Features.

The Municipal Commissioner in consultation with Heritage Conservation Committee, shall prepare list of buildings, artifacts, areas and precincts of historic and /or cultural significance and the list of those natural features of environmental significance including sacred graves, hills, hillocks, water bodies (and areas adjoining the same) etc. to which this regulation applies. Whenever such list is to be prepared independently or required to be amended, it shall not be necessary to follow the procedure under Section 37 of Maharashtra Regional and Town Planning Act of 1966. The procedure as laid down in this regulation shall be followed.

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

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

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

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

Provided further that, any draft list published as above, shall be the part these regulations after sanction by the Government.

38.3 Restriction on development, Redevelopment/repairs etc.

No development or redevelopment or engineering operations or addition, repairs renovation including the painting of buildings, replacement of special features or plastering or demolition of any part thereof of the said listed buildings, or listed precincts or listed natural features shall be allowed except with the prior written permission of the Municipal Commissioner. Before granting any such permissions, the Municipal Commissioner shall consult the Heritage Conservation Committee to be appointed by the State Government (hereinafter referred to as 'the said Heritage



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Conservation Committee') and shall act on the advice of the Heritage Conservation Committee.

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

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

Provided further that, the power to overrule the advice of the Heritage Conservation Committee, shall not be delegated by the Municipal Commissioner to any other officer.

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

38.4 Incentive uses for Heritage Buildings.

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

38.5 Grant of Transferable Development Rights to owners/lessees of heritage buildings/heritage precincts.

If the owner is deprived of using FSI on the said plot or development permission is granted to him with conditions which deprives him of use of FSI, then he shall be entitled for TDR as decided by the Commissioner in consultation of Heritage Conservation Committee. The utilisation of this TDR shall be as per TDR Regulation No.22

38.6 Maintaining Skyline

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

38.7 Restrictive Covenants

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

38.8 Grading of the listed buildings/Listed Precincts.

The Municipal Commissioner shall classify the Heritage Precincts, Heritage Buildings in "Grades" such as (i), (ii), (iii). The meaning of these grades and basic guidelines for development permissions are as follows:



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



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	detract from) the existing heritage buildings or precincts especially in terms of height, and facade.	
(D) Procedure		
Development permission for the changes would be given by the Commissioner on the advice of the Heritage Conservation Committee.	Development permission for the changes / additional construction would be given by the Commissioner on the advice of Heritage Conservation Committee.	Development permission for the changes / additional construction would be given by the Commissioner on the advice of the Heritage Conservation Committee.
(E) Vistas/ Surrounding Development		
All developments in areas surrounding Heritage Grade-I shall be regulated and controlled by ensuring that it does not mark the grandeur of or view from Heritage Grade-I		

38.9 Signs and outdoor display structures

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

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

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

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

38.10 Composition of Heritage Conservation Committee.

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

Member having knowledge of architecture, art, conservation as

i)	Nominated by the Government of Maharashtra	Chairman
ii)	Architects having 10 years of experience and membership of the Council of Architecture and he should be (i) Urban Designer : or (ii) Heritage Conservation Architect (architects shall be those having experience in conservation architecture)	Member
iii)	Environmentalist having in-depth knowledge and experience of 10 years of the subject matter.	1 Member



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iv)	Expert in the field of history having 10 years of experience	Member
v)	Deputy / Assistant Director of Town Planning, Nashik Municipal Corporation	Member
vi)	Eminent structural engineer having experience of 10 years in the field of conservation.	Member
vii)	Representative of the Department of Archaeology, Govt. of Maharashtra.	Member
viii)	Representative of Archaeological Survey of India.	Member

The Committee shall have the powers to co-opt five additional members who may have lesser experience, but who have special knowledge of the subject matter.

Provided that, the additional members may be co-opted, for special purposes or on sub-committees of the Heritage Conservation Committee.

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

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

No act of the Committee done in good faith, shall be deemed to be invalid by reason only of some defect subsequently discovered in the organisation of the Committee or in the Constitution of the Committee or in the appointment of the Member or on the ground that such member was disqualified for being appointed.

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

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

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



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height and essential façade characteristics such as maintenance of the buildings and to suggest suitable design adopting new materials for replacements keeping the old form intact to the extent possible.

- (xii) To prepare guideline relating to design elements and conservation principles to be adhered to and to prepare other guideline for the purpose of this regulation.

To advice the Municipal Commissioner on any other issue as may be required from time to time during course of scrutiny of development permissions and in overall interest of heritage/environmental conservation.

39.0 TOURISM DEVELOPMENT ACTIVITIES

The Municipal Commissioner may allow the development of tourism activities in Agriculture Zone, as per following terms & conditions-

General Conditions –

Where the lands are located in unique/picturesque area, particularly suitable for development of tourism in view of existing water body, scenic beauty, tree plantation or geological formation etc. such area can be specified as Tourism Development Zone on request of land owner. The minimum area of such site, however, shall not be less than 1.00 Ha.

Tourism Development Zone can be developed by individual or company or partnership firm or Government / Semi-government Organizations / Corporations.

On the request of owner/applicant, Tourism Development Zone shall be identified by the following Committee taking into consideration the location of area and its surrounding –

Constitution of committee -

Sr.No.	Name	Position
(i)	Municipal Commissioner	Chairman
(ii)	Regional officer MTDC	Member
(iii)	Environmentalist to be appointed by Municipal Commissioner	Member
(iv)	Deputy Director /Assistant Director, town Planning, Municipal Corporation.	Member Secretary

This Committee may be called "Tourism Development Zone Committee" (TDZC). The tenure of the member at Sr.No.3 shall be of 3 years, however, the same person shall be eligible for reappointment as a member.

4) Condition for development

- i) Maximum permissible FSI in this zone shall be 0.25 of net plot area.
- ii) The uses like resort, Holiday camp, recreational activities, amusement park, may be permitted in this zone.
- iii) If the site is located adjacent to forts, archeological and historical monuments, the development shall be governed by the rules prescribed by the archeological department.
- iv) No development shall be permissible within 500 m. from full reservoir level (FRL) of the irrigation projects on the upstream side and within such distance as may be prescribed under river zone management guidelines on the down-stream side, except for existing core area (gaathan) and its 100 m. Periphery and except for the purpose of restoration, conservation, improvement, maintenance and management of the places of recreational and tourism value



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and projects.

- v) If the site is located near natural lakes, then, development shall be governed by the following

Distance from high flood line (HFL) / full storage level (FSL)	Development to be allowed
Upto 100 m.	Not permissible
Above 100 m. to 300 m.	Ground floor structure with maximum height of 5 m.
Above 300 m. to 500 m.	G+1 storey structure with maximum height of 9 m.
Above 500 m..	Within permissible FSI and subject to other regulations

- vi) No subdivision of land shall be allowed and structure to be constructed shall not allowed to be sold and condition to that effect shall be stamped on the approved plan.
- vii) the land should have approach of minimum 9 m. wide road.
- viii) the land having slope steeper than 1:5, shall not be eligible for development.
- 5) **Infrastructural Facilities** – All the infrastructural facilities required in site as specified by Municipal Commissioner and also as suggested by Tourism Development Zone Committee shall be provided by the developer at his own cost on the site. Proper arrangement for treatment and disposal of sewage and solid waste shall be made to the satisfaction of Municipal Commissioner & Maharashtra Pollution Control Board. No untreated effluent shall be allowed to pass into any watercourse. However, no effluent shall be allowed to pass into natural water body.
- 6) **Environment & Education** – Places where rare species of migratory birds are known to visit and where there is a heritage of flora & fauna shall be given preference for development as Tourism Development Zone. Efforts should be made for creating environmental awareness among the local population & especially among school going children in nearby area.

40.0 CLUSTER DEVELOPMENT FOR CORE AREA

This regulation is kept in abeyance.

41.0 SLUM REHABILITATION SCHEME

This regulation is kept in abeyance.

42.0 INNOVATIVE DEVELOPMENT PROPOSALS

If any development proposal is submitted by the owner or developer, consisting of new concepts, innovative ideas, then such proposal may be approved by the Authority in consultation with the Director of Town Planning, Maharashtra State, Pune, if it is, otherwise, in accordance with the spirit of these regulations.



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APPENDIX A-1
FORM FOR CONSTRUCTION OF BUILDING OR LAYOUT OF BUILDING / GROUP HOUSING

Application for permission for development under Section 44 / 58 of The Maharashtra Regional and Town Planning Act, 1966 read with Section 253 of the BPMC Act, 1949.

From _____
 (Name of the owner)

To,
 The Municipal Commissioner,
 Municipal Corporation, Nashik
 Sir,

I intend to carry out the under mentioned development in the site/plot of land, on Plot No..... Town and Revenue S.No.....City Survey No.....Maujesituated at Road / Street Societyin accordance with Section 44 / 58 of the Maharashtra Regional and Town Planning Act, 1966 read with Section 253 of the BPMC Act, 1949.

I forward herewith the following plans and statements (Item i to ix) wherever applicable, in quadruplicate, signed by me (Name in block letters)and the Architect / Licensed Engineer / Structural Engineer / Supervisor, (License No.....), who has prepared the plans, designs and a copy of other statements /documents as applicable

- i) Key Plan (Location Plan), (to be shown on first copy of the set of plans)
- ii) Site Plan showing the surrounding land and existing access to the land proposed to be developed; (to be shown on first copy of the set of plans)
- iii) A detailed building plan showing the plan, section and elevations of the proposed development work along with existing structure to be retained/ to be demolished, if any;
- iv) Particulars of development in Form enclosed (to be submitted for development other than individual buildings);
- v) Copy of sanctioned layout plan if any;
- vi) An extract of record of rights, property register card (any other document showing ownership of land to be specified) alongwith consent of co-owners where third party interest is created;
- vii) Attested copy of receipt of payment of scrutiny fees;
- viii) Latest property tax receipt;
- ix) No Objection Certificate(s), wherever required.

I request that the proposed development/ construction may be approved and permission be accorded to me to execute the work.

Signature of the Licensed /
 Surveyor/Architect
 Name
 License No.
 Contact No.
 Dated

Signature of Owner
 Name of Owner
 Address of Owner
 Contact No.
 Dated



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FORM GIVING PARTICULARS OF DEVELOPMENT
(Itemiv of Appendix A-1)

1.	(a) (i) Full Name of Applicant	-----
	(ii) Address of applicant	-----
	(iii) e-mail ID	-----
	(iv) Contact / Mobile No.	-----
	(b)(i) Name and address of Architect/ licensed Engineer/ Structural Engineer/ Supervisor employed.	-----
	(ii) No. and date of issue of License	-----
2.	(a) Is the plot of, a City Triangulation Survey Number, Revenue Survey Number or Hissa Number of a Survey Number or a Final Plot Number of a Town Planning Scheme or a plot of an approved layout?	
	(b) Please state Sanction Number and Date of Sub-division / Layout	
	(c) Whether the land is situated in Core Area or Outside Core Area?	
3.	(a) What is the total area of the plot according to the ownership document and measurement plan?	-----
	(b) Does it tally with the Revenue/CTS Record	-----
	(c) What is the actual area available on site measured by Architect/licensed Engineer/Structural Engineer / Supervisor? (The permission shall be based on the area whichever is minimum.)	-----
	(d) Is there any deduction in the original area of the plot on account of D.P. roads, or reservation(s). If so, are they correctly marked on the site plan? Please state the total area of such deductions?	-----
	(e) Is there any water stream in the land? State the area of such land.	-----
	(e) What is the area remained for development after above deduction(s)?	-----
	(f) What is the area proposed for recreational open space? (in case of land having original holding more than 0.4 hector) Please mention the area.	-----
	(g) Whether amenity space as required under Regulation no.13.4 is left? Please mention the area.	-----
	(f) What is the net plot area as per Regulation no.13.8? (excluding (g) above)	-----
	4.	Are all plans as required under Regulation no.6.2 enclosed?
5.	(a) In what zone does the plot fall?	-----
	(b) For what purpose the building is proposed? Is it permissible according to the land use classification?	



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6.	(a) Is road available as an approach to the land? What is the average existing width of the road? (If the plot abuts on two or more roads, the above information in respect of all roads should be given)	
	(b) Is the land fronting on D.P. road? If so, width of the D.P. road	
	(c) Is the land fronting on National or State highway? If so, is the Building line / control line maintained? Please state the distance.	
	(c) What is the height of the building above the average ground level of the plot?	
	(d) Is it within permissible limit of height specified in Regulation no. 15.9 i.e. 1.5 times of the road width plus front margin?	
	(e) Does height exceed the limit specified in (d) above? If so, is height approved by Director of Fire Services, M.S.?	
7.	Is the land subject to restrictions of blue / red flood line, airport, railway, electric line, land fill sites, archeology, etc.? Please state the details along with 'No objection certificate' if any.	
8.	(a) If there are existing structures on the plot	
	(i) Are they correctly marked and numbered on the site plan?	
	(ii) Are those proposed to be demolished immediately and hatched in yellow colour?	
	(iii) What is the plinth area and total floor area of all existing structures to be retained? (Please give details confirming to the plan submitted)	
9.	Is balcony area within the permissible limit of 15 % ? State said balcony area and area counted in FSI.	
10.	Are double height terrace within the limit of 20%? Are they of supported type? State said double height terrace area and area counted in FSI.	
11.	(a) Please state the total built up area, (existing + proposed + extra balconies + extra double height terraces.)	
	(b) What is the basic permissible F.S.I. of the zone according to front road width?	
	(c) What is the premium FSI proposed to be consumed?	
	(d) What is the area of TDR proposed to be consumed?	
	(e) What is the additional FSI proposed to be consumed?	
	(f) Please state the overall F.S.I. utilised in the proposal?	
	(g) Is built-up area of each flat / unit mentioned on the plan?	
12.	Whether area for inclusive housing is required	



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	as per Regulation no.13.7? Please state the details.		
13.	(a) What is the width of the front marginal distance (s)? If the building abuts two or more roads, does the front marginal distance comply with Regulation?		
14.	(a) What is :	Permissible	Proposed
	(i) the side marginal distance (s)?		
	(ii) the rear marginal distance (s)?		
	(iii) the distance between buildings?		
15.	(a) What are the dimensions of the inner or outer chowk?		
	(b) Is / are room (s) dependent for its light and ventilation on the chowk? If so, are the dimensions of the chowk as required?		
16.	(a) Whether sizes of the rooms comply with the dimensions mentioned in the regulations?		
	(b) Whether use of every room / part mentioned on the plan?		
	(c) Whether every room derives light and ventilation required under the regulations?		
17.	If the height of the building is more than 15 meter above the average ground level, is provision for lifts made?		
	(a) If so, give details of lift.	Passenger Capacity	No. of Lifts
	(b) Details of Fire Lift.	Passenger Capacity	No. of Lifts
18.	(a) Does the building fall under purview of Regulation No.6.2.6.1?		
	(b) If so, is fire escape staircase provided in addition to regular staircase?		
	(c) Whether the ramps to the basement are provided leaving 6 m marginal distance for movement of fire fighting vehicle?		
	(d) If podiums are proposed; does it allow the movement of fire fighting vehicle properly?		
19.	(a) What are the requirements of parking spaces under the Regulation no.20? How many are proposed?	Required	Proposed
		Car	
		Scooter	
	(b) (i) Are loading-unloading spaces necessary?		
		(ii) If so, what is the requirement?	
(iii) How many are proposed?			
20.	Is the sanitary arrangement provided as per the regulation?		
21.	Details of the source of water to be used in the construction		



DCPR-2015 FOR NASHIK MUNICIPAL CORPORATION

22.	Distance from the sewer.	
23.	Please explain in detail in what respect the proposal does not comply with the Development Control and Promotion Regulations and the reasons there for, attaching a separate sheet if necessary.	

I hereby declare that I am the Architect/ licensed Engineer/ Structural Engineer/ Supervisor employed for the proposed work and that the statements made in this form are true and correct to the best of my knowledge.

Date : / /

Signature of the Architect/ licensed Engineer/ Structural Engineer/ Supervisor employed.

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Handwritten signature

FORM OF STATEMENT 1 (to be printed on plan) [Sr. No. 8 (a) (iii)] Existing Building to be retained				
Existing Building No.	Floor No.	Plinth Area	Total Floor Area of Existing Building	Use / Occupancy of Floors.
(1)	(2)	(3)	(4)	(5)

FORM OF STATEMENT 2 (to be printed on plan) [Sr. No. 11 (a)] Proposed Building							
Building No.	Floor No.	Total Built-up Area of floor.	Balcony area within 15%	Excess balcony area counted in FSI.	Double height terrace area within 20%	Excess Double height terrace area counted in FSI.	Total FSI (3+5+7)
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

FORM OF STATEMENT 2 (to be printed on plan) [Sr. No. 11 (h)] Area details of Flat / unit						
Building No.	Floor No.	Flat / unit No.	Built up area of flat / unit along with Share of Common areas like staircase / passages	Area of Balcony attached to flat / unit	Area of Double height terraces attached to flat / unit	Total area of flat / unit (4 + 5 + 6)
1	2	3	4	5	6	7

Note :

- 1) Built up area of all flats / units on the respective floor shall tally with the total built up of that floor.
- 2) Above statements may vary, wherever required.



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PROFORMA - I	
(At Right Hand top Corner of Plans)	
PROPOSED ----- COMPLEX ON C.T.S. NO./PLOT NO. / S.NO. / F.P.NO.----- OF VILLAGE MAUJE ----	Drawing Sheet No. X/Y
Stamps of Approval of Plans:	
A	AREA STATEMENTS
1.	Area of plot (Minimum area of a, b, c to be considered)
	a) As per ownership document (7/12, CTS extract)
	b) as per measurement sheet
	c) as per site
2.	Deductions for
	(a) Proposed D.P./ D.P. Road widening Area
	(b) Any D.P. Reservation area
	(Total a+b)
3.	Gross Area of Plot (1-2)
4.	Recreational Open space
	(a) Required
	(b) Proposed
5.	Amenity Space -
	(a) Required -
	(b) Proposed -
6.	Service road and Highway widening
7.	Internal Road area
8.	Net Area of Plot = [3 - 5(b)]
9.	Built up area with reference to Basic F.S.I. as per front road width (sr. no. 8 X 1.1)
10.	Addition of area for F.S.I.
	(a) In-situ area against D.P. road [1.85x sr. no. 2 (a)], if any
	(b) In-situ area against Amenity Space [2.00 or 1.85 x sr. no. 5 (b)],
	(c) Premium FSI area (subject to maximum of 0.3 of sr. no. 8)
	(d) TDR area
	(e) Additional FSI area under chapter VIII
	(Total of a+b+c+d+e)
11.	Total area available (9+10)
12.	Maximum utilization of F.S.I. Permissible as per Road width (as per Regulation no. 15.4)
13.	Total Built-up Area in proposal. (excluding area at Sr.No.15.b)
	a) Existing Built-up Area.
	b) Proposed Built-up Area
	c) Excess Balcony area counted in F.S.I.
	d) Excess Double Height terraces area counted in F.S.I.
	Total (a+b+c+d)
14.	F.S.I. Consumed (13/8) (should not be more than serial no.12 above.)
15.	Area for Inclusive Housing, if any
	a) Required (20% of sr.no.9)
	b) Proposed
Certificate of Area:	
Certified that the plot under reference was surveyed by me on _____ and the dimensions of sides etc. of plot stated on plan are as measured on site and the area so worked out tallies with the area stated in document of Ownership/ T.P. Scheme Records/ Land Records Department/City Survey records.	
Signature (Name of Architect/Licensed Engineer/Supervisor.)	



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<p>Owner's declaration – <i>I/We undersigned hereby confirm that I/We would abide by plans sanctioned by Nashik Municipal Corporation. I/We would execute the structure as per sanctioned plans. Also I/We would execute the work under supervision of proper technical person so as to ensure the quality and safety at the work site.</i></p>					
<p>Owner (s) name and signature</p>					
<p>Architect/ Licensed Engineer/ Supervisor name and signature</p>					
Job No.	Drawing No.	Scale	Drawn by	Checked by	Registration / License no. of Arch./ Lic. Eng./ Supervisor



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APPENDIX A-2

FORM FOR SUB-DIVISION OF LAND AS PLOTTED LAYOUT

Application for permission for development under Section 44 / 58 of The Maharashtra Regional and Town Planning Act, 1966 read with Section 253 of the BPMC Act, 1949.

From

(Name of the owner)

To,

The Municipal Commissioner,
Municipal Corporation, Nashik.

Sir,

I intend to carry out the under mentioned development in the site/plot of land, bearing S.No./Gut No. City Survey No....., Mouje, situated at Road/ Street in accordance with Section 44/58 of The Maharashtra Regional and Town Planning Act, 1966 read with Section 253 of the BPMC Act, 1949.

I forward herewith the following plans and statements (Item 1 to 6) wherever applicable, in quadruplicate, signed by me (Name in block letters) and the Architect / Licensed Engineer / Structural Engineer / Supervisor (License No.....), who has prepared the plans, designs and a copy of other statements /documents as applicable (Items 7 to 10).

- (1) Key Plan (Location Plan);(to be shown on first copy of the set of plans)
- (2) Site Plan showing the surrounding land and existing access to the land included in the layout;(to be shown on first copy of the set of plans)
- (3) A layout plan showing,
 - (i) sub-divisions of the land or plot with dimensions and area of each of the proposed sub-divisions and its use according to prescribed regulations;
 - (ii) width of the proposed streets; and
 - (iii) dimensions and area of recreational open spaces provided in the layout.
 - (iv) dimensions and area of amenity space provided in the layout.
- (4) An extract of record of rights property register card (any other document showing ownership of land to be specified) alongwith consent of co-owners where third party interest is created.
- (5) Particulars of development in Form enclosed.
- (6) Attested copy of Receipt for payment of scrutiny fees.
- (7) No Objection Certificate, wherever required.

I request that the proposed layout may please be approved and permission accorded to me to execute the work.

Signature of the Licensed /
Surveyor/Architect

Name

License No.

Contact No.

Dated

Signature of Owner

Name of Owner

Address of Owner

Contact No.

Dated



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**FORM GIVING PARTICULARS OF DEVELOPMENT
(PART OF APPENDIX 1.....ITEM 5)**

1.	(a) (i) Full Name of Applicant	
	(ii) Address of applicant	
	(iii) e-mail ID	
	(iv) Mobile No.	
	(b) (i) Name and address of Architect/ Engineer employed.	licensed
	(ii) No. and date of issue of License	
2.	(a) Is the plot of, a City Triangulation Survey Number, Revenue Survey Number or Hissa Number of a Survey Number or a Final Plot Number of a Town Planning Scheme?	
	(b) Whether the land is situated in Core Area or Outside Core Area?	
3.	(a) What is the total area of the plot according to the ownership document and measurement plan?	
	(b) Does it tally with the Revenue/CTS Record	
	(c) What is the actual area available on site measured by Architect/ licensed Engineer/ Structural Engineer / Supervisor? (The permission shall be based on the area whichever is minimum.)	
	(d) Is there any deduction in the original area of the plot on account of D.P. roads, or reservation(s). If so, are they correctly marked on the site plan? Please state the total area of such deductions?	
	(e) Is there any water stream in the land? State the area of such land and state whether it is excluded?	
	(e) What is the area remained for development after above deduction(s)?	
	(f) What is the area proposed for recreational open space? (in case of land having original holding more than 0.4 hecter) Please mention the area.	
	(g) Whether amenity space as required under Regulation no.13.4 is left? Please mention the area.	
	(f) What is the net plot area as per Regulation no.13.9? (excluding (g) above)	
	5.	Are all plans as required under Regulation no.6.2 enclosed?
6.	(a) In what zone does the plot fall?	
	(b) For what purpose the layout is proposed? Is it permissible according to the land use classification?	
7.	(a) Is road available as an approach to the land? What is the average existing width of the road? (If the plot abuts on two or more roads, the above information in respect of all roads should be given)	
	(b) Is the land fronting on D.P. road? If so, width of the D.P. road	
	(c) Is the land fronting on National or State highway? If so, is the Building line / control line maintained? Please state the distance.	
8.	Is the land subject to restrictions of blue / red flood line,	



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	airport, railway, electric line, land fill sites, archeology, etc? Please state the details along with 'No objection certificate' if any.	
9.	Whether the internal roads proposed in the layout conform to the Regulation no.12.	
10	Whether roads in the layout are co-ordinated with the roads in the surrounding layout?	
11	Whether the area and dimensions of plots are proposed as per prescribed regulations?	
11.	Whether area for inclusive housing is required as per Regulation no. 13.7? Please state the details.	

I hereby declare that I am the Architect/ licensed Engineer employed for the proposed work and that the statements made in this form are true and correct to the best of my knowledge.

Date : / /

Signature of the Architect/ licensed Engineer/
Structural Engineer/ Supervisor employed.

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PROFORMA - I

(At Right Hand top Corner of Plans)

PROPOSED ----- **LAYOUT ON C.T.S. NO./PLOT NO. / S.NO. / Drawing Sheet**
F.P.NO.----- OF VILLAGE MAUJE ---- **No.**

XV

Stamps of Approval of Plans:**A AREA STATEMENTS**

1. Area of land
(Minimum area of a, b, c to be considered)
 - a) As per ownership document (7/12, CTS extract)
 - b) as per measurement sheet
 - c) as per site
2. Deductions for
 - (a) Proposed D.P./ D.P. Road widening Area
 - (b) Any D.P. Reservation area

(Total a+b)
3. Gross Area of Plot (1-2)
4. Recreational Open space
 - (a) Required -
 - (b) Proposed -
5. Amenity Space
 - (a) Required -
 - (b) Proposed -
6. Service road and Highway widening
7. Internal Road area
8. Area under layout plots
9. Net area of plots for FSI Calculations = (3-5b)
10. Permissible FSI factor for layout plots = (9/8)
11. Area for inclusive housing
 - (a) Required -
 - (b) Proposed -

Certificate of Area:

Certified that the plot under reference was surveyed by me on _____ and the dimensions of sides etc. of plot stated on plan are as measured on site and the area so worked out tallies with the area stated in document of Ownership/ T.P. Scheme Records/ Land Records Department/City Survey records.

Signature

(Name of Architect/Licensed Engineer/Supervisor.)

Owner (s) name and signature**Architect/ Licensed Engineer/ Supervisor name and signature**

**Job No. Drawing No. Scale Drawn by Checked by Registration / License no. of
 Arch./ Lic.Eng./ Supervisor**



Statement of distribution of FSI on each plot (to be printed at suitable place on plan)							
Plot no.	Plot area (sq.m.)	Rounding area of Road (if any) (sq.m.)	Remaining Plot area (b-c) (sq.m.)	Built up area on pro-rata basis i.e. (d x Pro-rata FSI factor)	Front Road width (m.)	basic FSI	Permissible Built-up area on Basic FSI (e x g) (sq.m.)
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)

APPENDIX 'B'

FORM OF SUPERVISION

To,
The Municipal Commissioner,
Municipal Corporation, Nashik.

Sir,

I hereby certify that the development/erection/re-erection/demolition or material alteration in/ or Building No _____ on / in Plot No. _____ in Block No. _____ situated at Road / street _____ City Survey No. _____ shall be carried out under my supervision and I certify that all the materials (types and grade) and the workmanship of the work shall be generally in accordance with the general specifications and that the work shall be carried out according to the sanctioned plans. I shall be responsible for the execution of the work in all respects.

Signature and name of the Architect or Licensed _____
Engineer/Structural Engineer/ Supervisor

License No. _____

Date :



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APPENDIX 'C'

**QUALIFICATION, COMPETENCE, DUTIES AND RESPONSIBILITIES ETC. OF LICENSED
TECHNICAL PERSONNEL OR ARCHITECT FOR PREPARATION OF SCHEMES FOR
DEVELOPMENT PERMISSION AND SUPERVISION**

C-1	General
C-1.1	The qualifications of the technical personnel and their competence to carry out different jobs for building permit and supervision for the purpose of licensing by the Authority shall be as given in Regulation no. C-2 to C-6. The procedures for licensing the technical personnel is given in Regulation no.C-6.
C-2	ARCHITECT
C-2.1	Qualifications- The minimum qualifications for an architect shall be the qualifications as provided for in the Architects Act, 1972 for registration with the Council of Architecture. Such registered Architects shall not be required to again register their names with the Corporation. However, he shall submit the registration certificate to the Corporation.
*C-2.2	Competence of Architect: To carry out work related to development permission as given below and shall be entitled to submit - (a) All plans and information connected with development permission. (b) Structural details and calculations for building on plot upto 500 sq. m. and upto 3 storeys or 11 m. height and (c) Certificate of supervision and completion for all buildings.
C-3	A) ENGINEER
C-3.1	Qualifications- 1) The qualifications for Licensing Engineer will be the corporate membership (Civil) of the Institution of Engineers or such Degree or Diploma in Civil or Structural Engineering or equivalent; 2) Diploma in Civil Engineering or equivalent, having experience of 10 years in the field of land and building planning.
*C-3.2	Competence- To carry out work related to development permission as given below and shall be entitled to submit- (a) All plans and related information connected with development permission. (b) Structural details and calculations for building on plot upto 500 sq.m. and upto 3 storeys or 11 mt. height, and (c) Certificate of supervision and completion for all building.
C-4	STRUCTURAL ENGINEER
C-4.1	Qualifications- Qualifications for Licensing of structural engineers shall be as given below, with minimum 3 years experience of structural engineering practice in designing and field work; (a) Graduate in Civil Engineering of recognised Indian or Foreign University and Chartered Engineer or Associated Member in Civil Engineering Division of Institution of Engineers (India)



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	or equivalent Overseas Institution; and (b) Shall have post graduate degree in structural engineering. In the case of doctorate in structural engineering the experience shall not be required.						
* C-4.2	Competence —he shall be entitled to submit the structural details and calculations for all buildings and supervision.						
*C-4.2.1.	Complicated buildings and sophisticated structures, as decided by the Municipal Commissioner, which are not within the horizontal areas and vertical limits under C-2.2 (b), C-3.2 (b), C-5.2 (a) (i)& C-5.2 (b) (i) shall be designed only by Structural Engineer.						
C-5	SUPERVISOR:						
C-5.1	Qualification (a) For Supervisor 1 :- (i) Three years architectural assistantship or intermediate in architecture with two years' experience, or (ii) Diploma in Civil engineering or equivalent qualifications with two years' experience. (iii) Draftsman in Civil Engineering from ITI or equivalent qualifications with Ten years' experience out of which five year shall be under Architect/Engineer. (b) For Supervisor - 2:- (i) Draftsman in Civil Engineering from ITI or equivalent qualifications with five years' experience under Architect / Engineer.						
C-5.2	Competence (a) For Supervisor-1: he shall be entitled to submit - (i) All plans and related information connected with development permission on plot upto 500sq. m.; and (ii) Certificate of supervision of buildings on plot upto 500 sq. m. and completion thereof. (b) For Supervisor-2 : he shall be entitled to submit - (i) All Plans and related information upto 200 sq. m. built up area and (ii) Certificate of supervision for limits at (i) above and completion thereof.						
C-6.	LICENSING-						
* C-6.1	Technical Personnel to be licensed:- The Qualified technical personnel or group as given in regulations; No C-3, C-4, C-5 shall be licensed with the authority and the license shall be valid for three calendar years ending 31 st December after which it shall be renewed annually or every three years.						
* C-6.2	Fees for Licensing- The annual licensing fees shall be as follows:- <table border="1" style="margin-left: 20px;"> <tr> <td>For Engineer and structural Engineer</td> <td>1000 p.a.</td> </tr> <tr> <td>For supervisor (1)</td> <td>500 p. a.</td> </tr> <tr> <td>For supervisor (2)</td> <td>300 p. a</td> </tr> </table>	For Engineer and structural Engineer	1000 p.a.	For supervisor (1)	500 p. a.	For supervisor (2)	300 p. a
For Engineer and structural Engineer	1000 p.a.						
For supervisor (1)	500 p. a.						
For supervisor (2)	300 p. a						
	The Municipal Commissioner may revise above fees from time to time, if necessary.						



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*** C-6.3 Duties and Responsibilities of Architects / Licensed Technical Personnel:**

The duties and responsibilities of architects / licensed technical personnel shall be as follows:-

- (1) It will be incumbent on every architect / licensed technical personnel, in all matters in which he may be professionally consulted or engaged, to assist and co-operate with the Municipal Commissioner and other Officers in carrying out and enforcing the provisions of Maharashtra Regional & Town Planning Act, 1966 and of any regulations for the time being in force under the same.
- (2) Every architect / licensed technical personnel shall be responsible for due compliance with the provisions of Maharashtra Regional & Town Planning Act, 1966 and the BPMP Act, 1949 and of any regulations for the time being in force under the said Act. It shall be obligatory on him to satisfy himself that a qualified and competent Maistry or Inspector of Works is constantly employed and present on the work to supervise the execution of all work and to prevent the use of any defective material therein and the improper execution of any such work.
- (3) Every architect / licensed technical personnel shall be responsible for carrying out work according to sanctioned plan.
- (4) Every architect / licensed technical personnel shall be responsible for correctness of the calculations and dimensions mentioned on the plan and shall be liable for consequences arising thereof.
- (5) Architect / licensed technical personnel shall not involve himself in any unauthorised development. He shall also make aware the client about legal provisions in respect of proposed development and consequences thereof.
- (6) When an architect / licensed technical personnel cease to be in the employment for the development work, he shall report the fact forthwith to the Municipal Commissioner.



APPENDIX 'D-1'

FORM FOR SANCTION OF BUILDING PERMISSION AND
COMMENCEMENT CERTIFICATE

To,

Sir,

With reference to your application No _____, dated _____ for the grant of sanction of Commencement Certificate under Section 44 of The Maharashtra Regional and Town Planning Act, 1966 read with Section 253 of the BPMC Act, 1949 to carry out development work / Building on Plot No _____ Revenue Survey No _____, City Survey No _____, mauja _____ situated at Road /Street _____, Society _____ the Commencement Certificate/Building Permit is granted under Section 45 of the said Act, subject to the following conditions:

1. The land vacated in consequence of the enforcement of the set-back rule shall form part of the public street.
2. No new building or part thereof shall be occupied or allowed to be occupied or used or permitted to be used by any person until occupancy permission has been granted.
3. You will have to handover the amenity space to the Corporation before approval of final layout as per Regulation no.13.4. (wherever applicable)
4. You will have to submit an undertaking in respect of recreational open spaces as stipulated in Regulation.(wherever applicable)
5. The Commencement Certificate/ Building permit shall remain valid for a period of one year commencing from the date of its issue unless the work is not commenced within the valid period.
6. This permission does not entitle you to develop the land which does not vest in you.
7. -----
8. -----
9. -----

Office No.

Office Stamp

Date :

Yours faithfully,

Municipal Commissioner, Nashik
 or an officer appointed by him



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APPENDIX 'D-2'

FORM FOR TENTATIVE APPROVAL FOR DEMARCATION OF LAND / SUB-DIVISION LAYOUT

To,

Sir,

With reference to your application No _____, dated _____ for the land sub-division approval, under Section 44 of The Maharashtra Regional and Town Planning Act, 1966 read with Section 253 of the BMC Act, 1949 to carry out development work in respect of land bearing Revenue Survey No _____, City Survey No _____, mauje _____ situated at Road /Street _____, Society _____, it is to inform you that, land sub-division layout is hereby tentatively approved and recommended for demarcation, subject to the following conditions:

1. You will get the land sub-division layout demarcated on the site by the Land Records Department and submit the certified copy to that effect for final approval.
2. It shall be the responsibility of the owner to carry out all the development work including construction of roads, sewer lines, water supply lines, culverts, bridges, street lighting, etc. and hand it over to the Municipal Corporation after developing them to the satisfaction of the Municipal Commissioner.
3. If you wish that the Municipal Corporation has to carry out these development works, then you will have to deposit the estimated expenses to the Municipal Corporation in advance, as decided by the Municipal Commissioner.
4. You will have to handover the amenity space to the Corporation before approval of final layout as per Regulation no.13.4. (applicable in case where owner is not allowed to develop)
5. You will have to submit an undertaking in respect of recreational open spaces as stipulated in Regulation.
6. This permission does not entitle you to develop the land which does not vest in you.
7. -----
8. -----

Office No.

Office Stamp

Yours faithfully,

Municipal Commissioner, Nashik
 or an officer appointed by him



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APPENDIX 'D-3'

FORM FOR FINAL APPROVAL TO THE LAND SUB-DIVISION / LAYOUT

To,

Sir,

With reference to your application No. _____, dated _____ for the land sub-division approval, under Section 44 of The Maharashtra Regional and Town Planning Act, 1966 read with Section 253 of the BMC Act, 1949 to carry out development work in respect of land bearing Revenue Survey No _____, City Survey No _____, mauje _____ situated at Road /Street _____, Society _____, the land sub-division layout is finally approved as demarcated under Section 45 of the Maharashtra Regional & Town Planning Act, 1966, subject to the following conditions:

1.	It shall be the responsibility of the owner to carry out all the development work including construction of roads, sewer lines, water supply lines, culverts, bridges, street lighting, etc. and hand it over to the Municipal Council after developing them to the satisfaction of the Municipal Commissioner.
2.	If you wish that the Municipal Council should carry out these development works, then you will have to deposit the estimated expenses to the Municipal Council in advance, as decided by the Municipal Commissioner.
3.	As per the undertaking submitted by you in respect of recreational open space as stipulated in Regulation no.13.3, the said open space admeasuring ----- sq.m. stand vested in the name of plot holders of the layout or society of the plot holders and you have no right of ownership or interest in the said recreational open space.
	Since you have handed over the amenity space to the Corporation, you shall be entitled for FSI equivalent to TDR, on the remaining land. (wherever applicable)
4.	This permission does not entitle you to develop the land which does not vest in you.
5.	-----
6.	-----
7.	-----
8.	-----

Office No. -----Office Stamp

-----Date : -----

Yours faithfully,

Municipal Commissioner, Nashik
or an officer appointed by him

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APPENDIX 'E-1'

FORM FOR REFUSAL OF BUILDING PERMIT / COMMENCEMENT CERTIFICATE

To,

Sir,

With reference to your application No. _____ dated _____ for the grant of sanction for the development work / the erection of a building / execution of work on Plot No. _____, Revenue Survey No. _____, City Survey No. _____, mauje _____, I regret to inform you that the proposal has been refused under Section 45 of the Maharashtra Regional and Town Planning Act, 1966, on the following grounds.

1. -----
2. -----
3. -----
4. -----
5. -----
6. -----

Office Stamp

Yours faithfully,

Municipal Commissioner, Nashik
or an officer appointed by him



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APPENDIX 'E-2'

FORM FOR REFUSAL OF LAND SUB-DIVISION / LAYOUT

To,

Sir,

With reference to your application No. _____ dated _____ for the grant of sanction for the development work bearing Revenue Survey No.____, City Survey No._____, mauje _____, I regret to inform you that the proposal has been refused under Section 45 of the Maharashtra Regional and Town Planning Act, 1966, on the following grounds.

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____

Office Stamp

Yours faithfully,

Municipal Commissioner, Nashik
or an officer appointed by him



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APPENDIX 'F'

FORM FOR COMPLETION CERTIFICATE

To,

The Municipal Commissioner,
NashikMunicipal Corporation

Sir,

I hereby certify that the erection / re-erection or part/ full development work in / on building / part building No _____ Plot No _____, Revenue Survey No. _____, City Survey No. _____, mauje _____, has been supervised by me and has been completed on _____ according to the plans sanctioned, vide office communication No _____ dated _____. The work has been completed to the best of my satisfaction. The workmanship and all the materials (type and grade) have been strictly in accordance with general and detailed specifications. No provisions of the Act or the building Regulations, no requisitions made, conditions prescribed or orders issued there under have been transgressed in the course of the work. I am enclosing three copies of the completion plans. The building is fit for occupancy for which it has been erected/ re-erected or altered, constructed and enlarged.

I have to request you to arrange for the inspection & grant permission for the occupation of the building.

Yours faithfully

Signature and name of Architect /Licensed Engineer/
Structural Engineer/Supervisor

Encl : As above.

Date :

(Signature of Owner)

Name of Owner (in Block Letters)



APPENDIX 'G'

FORM FOR OCCUPANCY CERTIFICATE

To,

i) Owner:

ii) Architect, Licensed Engineer Structural Engineer / Supervisor

Sir,

The part / full development work / erection re-erection / or alteration in of building / part building No _____ Plot No _____, Revenue Survey No. _____, City Survey No. _____, mauje _____, completed under the supervision of _____ Architect, Licensed Engineer/ Structural Engineer / Supervisor, / License No _____ may be occupied on the following conditions-

- 1. _____
- 2. _____
- 3. _____
- 4. _____

A set of certified completion plans is returned herewith.

Encl : As above.

Yours faithfully,

Municipal Commissioner, Nashik
or an officer appointed by him



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APPENDIX 'H'

FORM FOR REFUSAL OF OCCUPANCY CERTIFICATE

To,

i) Owner:

ii) Architect, Licensed Engineer Structural Engineer / Supervisor

Sir,

The part / full development work / erection re-erection / or alteration in of building / part building No _____ Plot No _____, Revenue Survey No. _____, City Survey No. _____, mauje _____, completed under the supervision of _____ Architect, Licensed Engineer/ Structural Engineer / Supervisor, / License No _____ is not allowed to be occupied because of the following reasons -

1. The construction carried out by you does not conform to the sanctioned plans.

2. -----

3. -----

A set of completion plan is retained with the Municipal Council and remaining sets are regretfully returned herewith.

Encl : As above.

Yours faithfully,

Municipal Commissioner, Nashik
or an officer appointed by him



APPENDIX 'I'

FORM OF INDEMNITY FOR PART OCCUPANCY CERTIFICATE

(On Stamp Paper)

(Of such value as decided by the Municipal Commissioner.)

To,
Municipal Commissioner,
NashikMunicipal Corporation.

Subject:-

Sir,

While thanking you for letting me occupy a portion of the above building before acceptance of the Completion Certificate of the whole building for the plans approved in communication No _____, dated _____ I hereby indemnify the Municipal Corporation against any risk, damage and danger which may occur to occupants and users of the said portion of the building and also undertake to take necessary security measures for their safety. This undertaking will be binding on me /us, our heirs, administrators and our assignees.

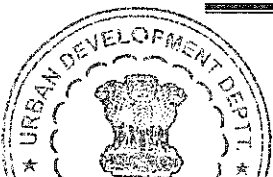
Yours faithfully,

Signature and name of Owner

Witness:

Address:

Date:



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APPENDIX 'J'
FIRE PROTECTION REQUIREMENTS

1 All buildings shall be planned, designed and constructed to ensure fire safety and this shall be done in accordance with Part IV of Fire Protection of National Building Code of India and Maharashtra Fire Prevention and Life Safety Measures Act, 2006. as amended from time to time, and Part IV of Fire Protection of National Building Code of India (for the provisions which are not covered in these regulations.) In case of building identified in Regulation No.6.2.2.g, the building schemes shall also be cleared by the Fire Officer, Fire Brigade Department of the Corporation.

1.1 Construction materials

All materials of constructions in load bearing elements, stairways and corridors and facades shall be non-combustible.

The interior finish materials shall not have a flame spread ability rating exceeding Class I (see 3.4.15.2 of Part 4 of National Building Code)

The internal walls or staircase shall be of brick or reinforced concrete with a minimum of 2 h. fire rating.

The staircase shall be ventilated to the atmosphere at each landing and a vent at the top; the vent openings shall be of 0.5sq.m in the external wall and the top. If the staircase cannot be ventilated, because of location or other reasons, a positive pressure 50 Pa shall be maintained inside. The mechanism for pressurizing the staircase shall operate automatically with the fire alarm. The roof of the shaft shall be 1 m. above the surrounding roof. Glazing or glass bricks, if used in staircase, shall have fire resistance rating of minimum 2 h.

1.2 Lifts

General requirements of lifts shall be as follows:

- a) Walls of lift enclosures shall have a fire rating of 2 h; lifts shall have a vent at the top of area not less than 0.2 sq.m.
- b) Lift motor room shall be located preferably on top of the shaft and separated from the shaft by the floor of the room.
- c) Landing doors in lift enclosures shall have a fire resistance of not less than 1 h.
- d) The number of lifts in one row for a lift bank shall not exceed 4 and the total number of lifts in the bank (of two rows) shall not exceed 8. A wall of 2 h. fire rating shall separate individual shafts in a bank.
- e) Lift car door shall have a fire resistance rating of half an hour.
- f) Collapsible gates shall not be permitted for lifts and shall have solid doors with fire resistance of at least 1 h.
- g) If the lift shaft and lobby is in the core of the building, a positive pressure between 25 and 30 Pa shall be maintained in the lobby and a positive pressure of 50 Pa shall be maintained in the lift shaft. The mechanism for pressurization shall act automatically with the fire alarm; it shall be possible to operate this mechanically also.
- h) Exit from the lift lobby, if located in the core of the building, shall be through a self closing smoke stop door of half an hour fire resistance.
- i) Lifts shall not normally communicate with the basement; if, however, lifts are in communication, the lift lobby of the basements shall be pressurized as in (g), with self-closing door as in (h)
- j) Grounding switch(es), at ground floor level, shall be provided on all the lifts to enable the fire service to ground the lifts.



- k) Telephone or other communication facilities shall be provided in lift cars for building of 30 m. in height and above. Communication system for lifts shall be connected to fire control room for the building.
- l) Suitable arrangements such as providing slope in the floor of lift lobby, shall be made to prevent water used during fire-fighting, etc., at any landing from entering the lift shafts.
- m) A sign shall be posted and maintained on every floor at or near the lift indicating that in case of fire, occupants shall use the stairs unless instructed otherwise. The sign shall also contain a plan for each floor showing the locations of the stairways. Alternate source of power supply shall be provided for all the lifts through a manually operated changeover switch.
- n) **Fire Lifts** -Following details shall apply for a fire lift :
- i) To enable fire services personnel to reach the upper floors with the minimum delay, one fire lift per 1200 sq.m. of floor area shall be provided and shall be available for the exclusive use of the firemen in an emergency.
 - ii) The lift shall have a floor area of not less than 1.4 sq.m. It shall have loading capacity of not less than 545 kg (8 persons lift) with automatic closing doors of minimum 0.8 m. width.
 - iii) The electric supply shall be on a separate service from electric supply mains in a building and the cables run in a route safe from fire, that is, within the lift shaft. Lights and fans in the elevators having wooden panelling or sheet steel construction shall be operated on 24 V supply.
 - iv) Fire-fighting lift should be provided with a ceiling hatch for use in case of emergency, so that when the car gets stuck up, it shall be easily openable.
 - v) In case of failure of normal electric supply, it shall automatically trip over to alternate supply. For apartment houses, this changeover of supply could be done through manually operated changeover switch. Alternatively, the lift shall be so wired that in case of power failure, it comes down at the ground level and comes to stand-still with door open.
 - vi) The operation of a fire lift is by a simple toggle or two-button switch situated in a glass-fronted box adjacent to the lift at the entrance level. When the switch is on, landing call-points will become inoperative and the lift will be on car control only or on a priority control device. When the switch is off, the lift will return to normal working. This lift can be used by the occupants in normal times.
 - vii) The words 'Fire Lift' shall be conspicuously displayed in fluorescent paint on the lift landing doors at each floor level.
 - viii) The speed of the fire lift shall be such that it can reach the top floor from ground level within 1 minute.

1.3

Basements -

- i) Each basement shall be separately ventilated. Vents with cross-sectional area (aggregate) not less than 2.5 percent of the floor area spread evenly round the perimeter of the basement shall be provided in the form of grills or breakable stall board lights or pavement lights or by way of shafts. Alternatively, a system of air inlets shall be provided at basement floor level and smoke outlets at basement ceiling level. Inlets and extracts may be terminated at ground level with stall board or pavement lights as before, but ducts to convey fresh air to the basement floor level have to be laid. Stall board and pavement lights should be in positions easily accessible to the fire brigade and clearly marked 'SMOKE OUTLET' or 'AIR INLET' with an indication of area served at or near the opening.
- ii) The staircase of basements shall be of enclosed type having fire resistance of not less than 2 h and shall be situated at the periphery of the basement to be entered at ground level only from the open air and in such positions that smoke from any fire in the basement shall not obstruct any exit serving the ground and upper storeys of the building and shall communicate with basement through



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a lobby provided with fire resisting self-closing doors of 1 h resistance. For travel distance, if the travel distance exceeds as given therein, additional staircases shall be provided at proper places.

iii) In multi-storey basements, intake ducts may serve all basement levels, but each basement levels and basement compartment shall have separate smoke outlet duct or ducts. Ducts so provided shall have the same fire resistance rating as the compartment itself. Fire rating may be taken as the required smoke extraction time for smoke extraction ducts.

iv) Mechanical extractors for smoke venting system from lower basement levels shall also be provided. The system shall be of such design as to operate on actuation of heat / smoke sensitive detectors or sprinklers, if installed, and shall have a considerably superior performance compared to the standard units. It shall also have an arrangement to start it manually.

v) Mechanical extractors shall have an internal locking arrangement, so that extractors shall continue to operate and supply fans shall stop automatically with the actuation of fire detectors.

vi) Mechanical extractors shall be designed to permit 30 air changes per hour in case of fire or distress call. However, for normal operation, air changes schedule shall be as given in Part 8, Building Services, Section 3, Air-conditioning, Heating and Mechanical Ventilation of National Building Code.

vii) Mechanical extractors shall have an alternative source of supply.

viii) Ventilating ducts shall be integrated with the structure and made out of brick masonry or reinforced cement concrete as far as possible and when this duct crosses the transformer area or electrical switchboard, fire dampers shall be provided.

ix) Use of basements for kitchens working on gas fuel shall not be permitted, unless air conditioned. The basement shall not be permitted below the ward block of a hospital/nursing home unless it is fully sprinkled. Building services such as electrical sub-stations, boiler rooms in basements shall comply with the provisions of the Indian Electricity Act / Rules.

x) If cut-outs are provided from basements to the upper floors or to the atmospheres, all sides cut-out openings in the basements shall be protected by sprinkler head at close spacing so as to form a water curtain in the event of a fire.

xi) Openable windows on external wall shall be fitted with such locks that can be opened by a fireman's axe.

xii) All floors shall be compartmented with area not exceeding 750 sq.m. by a separation wall with 2 h fire rating, for floors with sprinklers the area may be increased by 50 percent. In long building, the fire separation walls shall be at distances not exceeding 40 m. For departmental stores, shopping centres and basements, the area may be reduced to 500 sq.m. for compartmentation. Where this is not possible, the spacing of the sprinklers, care should be taken to prevent spray from one sprinkler impeding the performance of an adjacent sprinkler head.

1.4 Service Ducts/Shafts

a) Service ducts and shafts shall be enclosed by walls of 2 h and doors of 1 h. fire rating. All such ducts/shafts shall be properly sealed and fire stopped at all floor levels.

b) A vent opening at the top of the service shaft shall be provided having between one-fourth and one-half of the area of the shaft.

1.5 Refuse chutes

shall have opening at least 1 m. above roof level for venting purpose and they shall have an enclosure wall of non-combustible material with fire resistance of not less than 2 h. They shall not be located within the staircase enclosure or service shafts, or air-conditioning shafts inspection panel and doors shall be tight fitting with 1 h fire resistance; the chutes should be as far away as possible from exit.

1.6 Refuge Area

Provisions contained in Regulation No shall apply for all buildings -

1.7 Electrical services shall conform to the following :

(a) The electric distribution cables / wiring shall be laid in a separate duct. The duct shall be



sealed at every floor with non-combustible materials having the same fire resistance as that of the duct. Low and medium voltage wiring running in shaft and in false ceiling shall run in separate conduits;

- (b) Water mains, telephone lines, intercom lines, gas pipes or any other service line shall not be laid in the duct for electrical cables; use of bus ducts / solid rising mains instead of cables is preferred;
- (c) Separate circuits for fire-fighting pumps, lifts, staircases and corridor lighting and blowers for pressurizing system shall be provided directly from the main switch gear panel and these circuits shall be laid in separate conduit pipes, so that fire in one circuit will not affect the others. Such circuits shall be protected at origin by an automatic circuit breaker with its no-volt coil removed. Master switches controlling essential service circuits shall be clearly labelled;
- (d) The inspection panel doors and any other opening in the shaft shall be provided with air-tight fire doors having fire resistance of not less than 2 h;
- (e) Medium and low voltage wiring running in shafts and within false ceiling shall run in metal conduit. Any 230 V wiring for lighting or other services above false ceiling shall have 660 V grade insulation. The false ceiling including all fixtures used for its suspension, shall be of non-combustible material and shall provide adequate fire resistance to the ceiling in order to prevent spread of fire across ceiling. Reference may be made to good practice;
- (f) An independent and well ventilated service room shall be provided on the ground level or first basement with direct access from outside or from the corridor for the purpose of termination of electric supply from the licensees' service and alternative supply cables. The doors provided for the service room shall have fire resistance of not less than 2 h.

Note : If service room is located at the first basement, it should have automatic fire extinguishing system.

- (g) If the licensees agree to provide meters on upper floors, the licensees' cable shall be segregated from consumers' cable by providing a partition in the duct. Meter rooms on upper floors shall not open into staircase enclosures and shall be ventilated directly to open air outside; and
- (h) Suitable circuit breakers shall be provided at the appropriate points.

1.8 Gas supply shall conform to the following:-

- a) Town Gas / L.P. Gas Supply Pipes – Where gas pipes are run in buildings, the same shall be run in separate shafts exclusively for this purpose and these shall be on external walls, away from the staircases. There shall be no interconnection of this shaft with the rest of the floors. LPG distribution pipes shall always be below the false ceiling. The length of these pipes shall be as short as possible. In the case of kitchen cooking range area, apart from providing hood, covering the entire cooking range, the exhaust system should be designed to take care of 30 cu.m. per minute per sq.m. of hood protected area. It should have grease filters using metallic grill to trap oil vapours escaping into the fume hood.

Note:- For detailed information on gas pipe installations, reference may be made to Para.9 'Plumbing Services, Section 3 Gas Supply', of National Building Code of India.

- b) All wiring in fume hoods shall be of fibre glass insulation. Thermal detectors shall be installed into fume hoods of large kitchens for hotels, hospitals and similar areas located in high rise buildings. Arrangements shall be made for automatic tripping of the exhaust fan in case of fire. If LPG is used, the same shall be shut off. The voltage shall be of 24 V or 100 V dc operated with the external rectifier. The valve shall be of the hand re-set type and shall be located in an area segregated from cooking ranges. Valves shall be easily accessible. The hood shall have



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manual facility for steam or carbon dioxide gas injection, depending on duty condition; and

c) Gas meters shall be housed in a suitably constructed metal cupboard located in a well ventilated space, keeping in view the fact that LPG is heavier than air and town gas is lighter than air.

1.9 Illumination of means of exit

Staircase and corridor lights shall conform to the following:

- a) The staircase and corridor lighting shall be on separate circuits and shall be independently connected so as it could be operated by one switch installation on the ground floor easily accessible to fire-fighting staff at any time irrespective of the position of the individual control of the light points, if any. It should be of miniature circuit breaker type of switch so as to avoid replacement of fuse in case of crisis;
- b) Staircase and corridor lighting shall also be connected to alternative supply. The alternative source of supply may be provided by battery continuously trickle charged from the electric mains;
- c) Suitable arrangements shall be made by installing double throw switches to ensure that the lighting installed in the staircase and the corridor does not get connected to two sources of supply simultaneously. Double throw switch shall be installed in the service room for terminating the stand-by supply.
- d) Emergency lights shall be provided in the staircase and corridor; and
- e) All wires and other accessories used for emergency light shall have fire retardant property.

1.10 A stand-by electric generator shall be installed to supply power to staircase and corridor lighting circuits, fire lifts, the stand-by fire pump, pressurisation fans and blowers, smoke extraction and damper systems in case of failure of normal electric supply. The generator shall be capable of taking starting current of all the machines and circuits stated above simultaneously. If the stand-by pump is driven by diesel engine, the generator supply need not be connected to the stand-by pump. Where parallel HV / LV supply from a separate sub-station is provided with appropriate transformer for emergency, the provision of generator may be waived in consultation with the Authority.

1.11 Transformers shall conform to the following:-

- a) A sub-station or a switch-station with oil filled equipment shall not be located in the building. The sub-station structure shall have separate fire resisting walls/surroundings and shall necessarily be located at the periphery of the floor having separate access from fire escape staircase. The outside walls, ceiling, floor, openings including doors and windows to the sub-station area shall be provided with a fire resisting door of 2 h fire rating. Direct access to the transformer room shall be provided, preferably from outside fire escape staircase.
- b) The sub-station area needs to be maintained at negative air pressures and area in sub-station shall not be used as storage / dump areas.
- c) When housed inside the building, the transformer shall be of dry type and shall be cut off from the other portion of premises by walls/ doors / cut-outs having fire resistance rating of 4 h.

1.12 Air-conditioning shall conform to the following:

- a) Escape routes like staircases, common corridors, lift lobbies, etc. shall not be used as return air passage.
- b) The ducting shall be constructed of substantial gauge metal in accordance with good practice.
- c) Wherever the ducts pass through fire walls or floors, the opening around the ducts shall be sealed with materials having fire resistance rating of the compartment.
- d) Where duct crosses a compartment which is fire rated, the ducts shall be fire rated for same fire rating. Further depending on services passing around the duct work, which may get affected in case of fire temperature rising, the ducts shall be insulated.
- e) As far as possible, metallic ducts shall be used even for the return air instead of space above



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the false ceiling.

- f) Where plenum is used for return air passage, ceiling and its fixtures shall be of non-combustible material.
 - g) The materials used for insulating the duct system (inside or outside) shall be of non-combustible material, glass wool shall not be wrapped or secured by any material of combustible nature.
 - h) Area more than 750 sq.m. on individual floor shall be segregated by a fire wall and automatic fire dampers for isolation shall be provided.
 - i) Air ducts serving main floor areas, corridors, etc. shall not pass through the staircase enclosure.
 - j) The air-handling units shall be separate for each floor and air ducts for every floor shall be separated and in no way inter-connected with the ducting of any other floor.
 - k) If the air-handling unit serves more than one floor, the recommendations given above shall be compiled with in addition to the conditions given below:
 - i) Proper arrangements by way of automatic fire dampers working on smoke detector / or fusible link for isolating all ducting at every floor from the main riser shall be made.
 - ii) When the automatic fire alarm operates, the respective air-handling units of the air-conditioning system shall automatically be switched off.
 - l) The vertical shaft for treated fresh air shall be of masonry construction.
 - m) The air filters of the air-handling units shall be of non-combustible materials.
 - n) The air-handling unit room shall not be used for storage of any combustible materials.
 - o) Inspection panels shall be provided in the main trunking to facilitate the cleaning of ducts of accumulated dust and to obtain access for maintenance of fire dampers.
 - p) No combustible material shall be fixed nearer than 150 mm to any duct unless such duct is properly enclosed and protected with non-combustible material (glass wool or spyglass with neoprene facing enclosed and wrapped with aluminium sheeting) at least 3.2 mm thick and which would not readily conduct heat.
 - q) Fire Dampers:-**
 - 1) These shall be located in conditioned air ducts and return air ducts/ passages at the following points:
 - i. At the fire separation wall.
 - ii. Where ducts/passages enter the central vertical shaft.
 - iii. Where the ducts pass through floors.
 - iv. At the inlet of supply air duct and the return air duct of each compartment on every floor.
 - 2) The dampers shall operate automatically and shall simultaneously switch off the air-handling fans. Manual operation facilities shall also be provided.(Note- For blowers, where extraction system and duct accumulators are used, dampers shall be provided).
 - 3) Fire/smoke dampers (for smoke extraction shafts) for buildings more than 24 m. in height.
 - a) For apartment houses in non-ventilated lobbies / corridors operated by fusible link / smoke detectors and with manual control.
 - b) For other buildings on operation of smoke detection system and with manual control.
 - 4) Automatic fire dampers shall be so arranged as to close by gravity in the direction of air movement and to remain tightly closed on operation of a fusible link / smoke detector.
- 1.13 Provisions of boiler and boiler rooms shall conform to Indian Boiler Act. Further, the following additional aspects may be taken into account in the location of boiler room:**
- a) The boilers shall not be allowed in sub-basement, may be allowed in the basements away from



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the escape routes.

- b) The boilers shall be installed in a fire resisting room of 4 h fire resistance rating and this room shall be situated on the periphery of the basement. Catch-pits shall be provided at the low level.
- c) Entry to this room shall be provided with a composite door of 2 h fire resistance.
- d) The boiler room shall be provided with fresh air inlets and smoke exhausts directly to the atmosphere.
- e) The furnace oil tank for the boiler, if located in the adjoining room shall be separated by fire resisting wall of 4 h rating. The entrance to this room shall be provided with double composite doors. A curb of suitable height shall be provided at the entrance in order to prevent the flow of oil into the boiler room in case of tank rupture.
- f) Foam inlets shall be provided on the external walls of the building near the ground level to enable the fire services to use foam in case of fire.

1.14 Provision of first-aid and fire-fighting appliances.

The first-aid fire-fighting equipment shall be provided on all floors, including basements, lift rooms, etc. in accordance with good practice in consultation with the Authority.

1.15 Fire alarm system :

i) All buildings with heights of 15 m. or above shall be equipped with manually operated electrical fire alarm (MOEFA) system automatic fire alarm system in accordance with good practice. However, apartment buildings between 15 m. and 30 m. in height may be exempted from the installation of automatic fire alarm system provided the local fire brigade is suitably equipped for dealing with fire in a building of 15 m. in height or above and in the opinion of the Authority, such building does not constitute a hazard to the safety of the adjacent property or occupants of the building itself.

ii) Manually operated electrical fire alarm system shall be installed in a building with one or more call boxes located at each floor. The call boxes shall conform of good practice.

iii) The installation of call boxes in hostels and such other places where these are likely to be misused shall as far as possible be provided. Location of call boxes in dwelling units shall preferably be inside the building.

1.16 Lightening protection of buildings:-

The lightning protection for buildings shall be provided as given in Para.8 'Building Services, Section 2, Electrical Installations' of National Building Code of India.

1.17 Fire control room:-

For all buildings 15 m. in height or above and apartment buildings with a height of 30 m. and above, there shall be a control room on the entrance floor of the building with communication system (suitable public address system) to all floors and facilities for receiving the message from different floors. Details of all floor plans along with the details of fire-fighting equipment and installations shall be maintained in the fire control room. The fire control room shall also have facilities to detect the fire on any floor through indicator board connections; fire detection and alarm systems on all floors. The fire staff in-charge of the fire control room shall be responsible for the maintenance of the various services and fire-fighting equipment and installations in co-ordination with security, electrical and civil staff of the building.

1.18 Housekeeping:-

To eliminate fire hazards, good housekeeping, both inside and outside the building, shall be strictly maintained by the occupants and / or the owner of the building.

1.19 Fire drills and fire orders:-

Fire notices/orders shall be prepared to fulfil the requirements of fire-fighting and evacuation from the buildings in the event of fire and other emergency. The occupants shall be made thoroughly conversant with their actions in the event of emergency, by displaying fire notices at vantage points and through regular training. Such notices should be displayed prominently in broad lettering.



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For guidelines for fire drills and evacuation procedures for high-rise buildings, Annexure E of National Building Code of India may be referred.

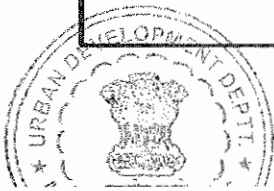
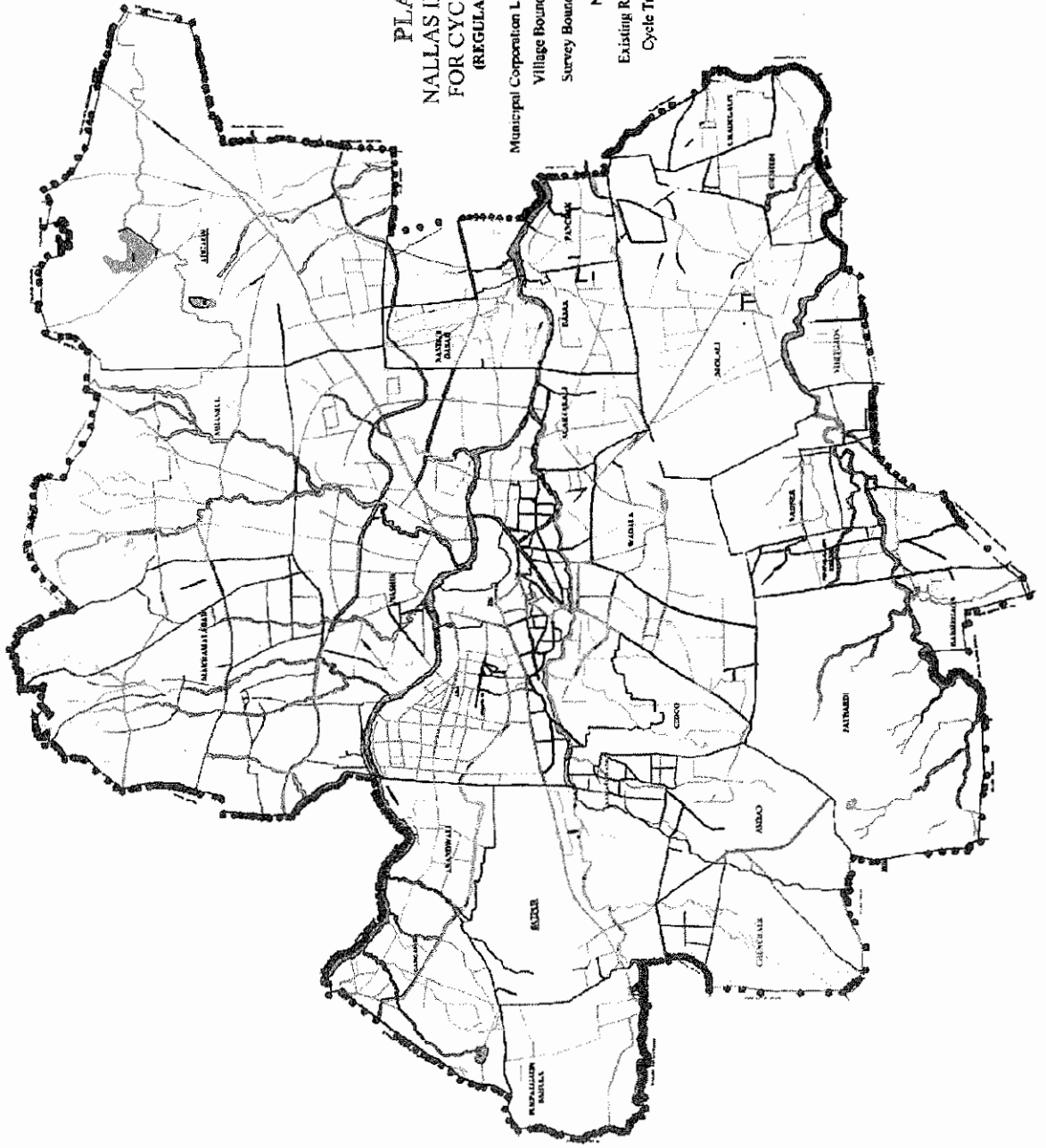
- 1.20 Compartmentation:-**
The building shall be suitably compartmentalized so that fire/smoke remain confined to the area where fire incident has occurred and does not spread to the remaining part of the building.
- 1.21 Materials for interior decoration / furnishing**
The use of materials, which are combustible in nature and may spread toxic fume / gases should not be used for interior decoration / furnishing, etc.
For various types of occupancies, requirements given in National Building Code, Part IV shall be followed.
- 1.22 Fire Escape Chutes/ Controlled Lowering Device for evacuation :-**
(A) High rise building having height more than 70 m., shall necessarily be provided with ;
(i) fire escape chute shaft/s for every wing adjacent to staircase.
(ii) Walls of the shaft shall have 4 hours fire resistance.
(iii) One side of the shaft shall be at external face of the building with proper ventilation. (iv) The dimension of the shaft shall not be less than 2.5 m X 1.5m.
(v) The access to the fire escape chute's shaft shall be made at alternate floor level from staircase mid-landing with self-closing door having fire resistance of at least one hour.
(vi) The fire chute shall be of staggered type with landing of each section at the vertical height of not more than 21 m.
Alternatively,
(B) For High rise building having height more than 70 m., "Controlled Lowering Device for evacuation" or "External Evacuation System" as approved by Chief Fire Officer of Corporation, shall be provided.
- 1.23** Fire Check Floor A high rise building having height more than 70 m, shall be provided with fire check floor (entire floor) at every 70 m. level. Height of the fire check floor shall not be more than 1.8 m. The fire check floor shall not be used for any purpose and it shall be the responsibility of the owner/occupier to maintain the same clean and free of encumbrances and encroachments at all times. Periphery of the Fire Check floor shall not be enclosed. Fire Drenchers shall be provided at the periphery of the each fire check floor externally.
- 1.24** Municipal Corporation shall charge Fire Infrastructure charges as may be decided by Municipal Commissioner with the approval of the Government, such charges shall be deposited in the separate account under the head of Fire Infrastructure charges and such amount shall only be used for establishment and expansion of Fire Infrastructure facilities.



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PLAN A NALLAS IDENTIFIED FOR CYCLE TRACK (REGULATION 11.11)

- Municipal Corporation Limit
- Village Boundary
- Survey Boundary
- Nalla
- Existing Road
- Cycle Track



Boch

