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Regulations for Grey Water Recycle System (Municipal Corporation of Nanded Waghala) (Draft), 2010

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DRAFT
DEVELOPMENT CONTROL REGULATIONS, 2010
FOR
NANDED WAGHALA CITY MUNICIPAL CORPORATION,
NANDED.

**DRAFT DEVELOPMENT CONTROL REGULATIONS FOR
NANDED WAGHALA CITY MUNICIPAL CORPORATION, NANDED.**

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PART – I

ADMINISTRATION

1. SHORT TITLE, EXTENT AND COMMENCEMENT:

1.1 Title:

These regulations shall be called as the “**Development Control Regulations for Nanded Waghala City Municipal Corporation, Nanded 2010**” (Hereinafter called as “**These Regulations**”)

1.2 Date of coming into force:

These shall come into force from the date of publication of notification in official Gazette, being the date on which they are sanctioned by the State Government under sub-section (2) of section 31 of the Maharashtra Regional and Town Planning Act, 1966 and would replace the existing Development Control Rules for Nanded Waghala City Municipal Corporation sanctioned by the State Government vide No, TPS-3200/2043/CR-164 (A)/2000/UD-30, dated 18th August, 2004 as per E.P. No. 33

1.3 Jurisdiction:

These shall apply to all building activities and development works in the areas under the entire jurisdiction of the Nanded Waghala City Municipal Corporation, Nanded (hereinafter called “the Corporation”) excluding the area within the jurisdiction of M.I.D.C. and extended limits of Nanded Waghala City Municipal Corporation vide Notification No. GEN. 1596/354/CR-225/UD-24 dated 26th March 1997, vide Notification No. NWNC-1307/1052/CR-395/07/UD-24 dated 1st July 2009 and NVMC-1005/1374/CR-158/08/UD-24 dated 28th August 2009.

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

1.5 Jurisdiction of these Regulations shall extend upto 10 km. beyond the present limit of the Corporation as detailed in Appendix “Z”.

2. APPLICABILITY OF REGULATIONS:

In addition to the provisions contained in Section 44,45, 58 and 69 of Maharashtra Regional & Town Planning Act, 1966 and 253 to 269 of Bombay Provincial Municipal Corporation Act 1949 and Maharashtra Apartment Act, 1963, as amended from time to time these regulations shall apply to the building regulation activities given under 2.1 to 2.5.

These Regulations shall apply to all “development”. Further these regulations shall apply to development word defined in Regulation No.2.1 to 2.5.

2.1 Development & Construction:

Except as hereinafter otherwise provided, these Regulations shall apply to all development, re-development, erection and / or re-erection of building, change of user, as well as to the design, construction or reconstruction of and additions and alterations to the building.

2.1.1 Where a building is erected, these Regulations shall apply to the design and construction of the building,

2.2 **Part Construction:**

Where the whole or part of a building is demolished or altered or reconstructed / removed except where otherwise specifically stipulated, these regulations apply only to the extent of work involved.

2.3 **Change of occupancy:**

Where the occupancy of a building is changed, except where otherwise specifically stipulated these regulations apply to all parts of building affected by change.

2.4 **Reconstruction:**

The reconstruction in whole or part of a building which has ceased to exist due to an accidental fire, natural collapse, demolition, having been declared unsafe or which is likely to be demolished by or under an order of the Corporation shall be allowed subject to the Regulations in Appendix- “G”.

2.5 **Exclusions:**

Nothing in these regulations shall require the removal, alteration or abandonment, nor prevent continuance of lawfully established use or occupancy of an existing building or its use, unless in the opinion of the Commissioner, such a building is unsafe or constitutes a hazard to the safety of adjacent property.

3. **MEANINGS AS IN THE ACTS, RULES, ETC :**

- 3.1 Terms and expressions not defined in these Regulations shall have the same meaning or sense as in the Maharashtra Regional and Town Planning Act, 1966 (Maharashtra Act No. XXXVII of 1966) or the Bombay Provincial Municipal Corporation Act, 1949 and the rules or bye-laws framed there under, as the case may be, unless the context otherwise requires.
- 3.2 All mandatory Development Plan Regulations regarding use, coverage, FSI, setback, open spaces, height, number of storeys, number of dwelling units, parking standards etc. for various categories of buildings thereon made from time to time shall be applicable *mutatis mutandis* in the building regulations under this clause. All directions issued and amendments / modifications made by Government in these regulations from time to time will automatically be included as part of these Regulations after following the procedure as laid down in Regulation 37 of Maharashtra Regional and Town Planning Act, 1966.
- 3.3 Whenever sizes and dimensions of rooms and spaces within buildings are specified, they shall mean clear dimensions unless otherwise specified in these regulations.

4. **DEFINITIONS:**

For the purpose of this part, the following definitions shall apply:

4.1. **General:**

- 4.1.1 In these regulations, unless the context otherwise requires, the definitions given under 4.2 to 4.209 shall have meaning indicated against each of them.
- 4.2 “**Access**” means a clear aligned means of passage from the public road to the plot or land or a building.
- 4.3 “**Accessory Building**” means a building separated from the main building on plot, and put to one or more accessory uses.
- 4.4 “**Accessory Use**” means any use of the premises subordinate to the principal use and customarily incidental to the principal use.

4.5 “Act”* shall means:

- i) The Bombay Provincial Municipal Corporation Act, 1949,
- ii) The Maharashtra Regional and Town Planning Act, 1966 (Maharashtra Act No. XXXVII of 1966) as stated in the text.

**As amended and up-to-dated from time to time by the Government.*

4.6 “**Advertising Sign**” means surface or structure with characters; letters or illustrations applied thereto and displayed in any manner whatsoever out of doors for the purpose of advertising or giving information regarding or to attract the public to any place, person, public performance, article or merchandise, and which surface or structure is attached to, forms part of or is connected with any building or is fixed to a tree or to the ground or to any pole, screen, fence or hoarding or displayed in space, or in or over any water body included in the limits of the Corporation.

4.7 “**Addition And/or Alteration**” means a 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 building, or a change to the structure, such as the construction or cutting into or removal of any wall or part of a wall, partition, column, beam, joist, floor including a mezzanine floor or other support, or a change to or closing of any required means of ingress or egress, or a change to fixtures or equipment, as provided in these Regulations. However modifications in regards to gardening, white washing, painting, plastering, pointing, paving and refilling shall not be deemed to be alteration.

4.8 “**Air Conditioning**” means the process of treating air so as to control simultaneously its temperature, humidity, cleanliness and distribution to meet the requirement of an enclosed space.

4.9 “**Alteration**” means a change from one occupancy to another or a structural change such as addition to the area or height or removal of part of a building, or any change to the structure, such as the construction of, cutting into or removal of any wall, partition, column, beam, joist, floor or other support, or a change to or closing of any required means of ingress or egress or a change to the fixtures or equipment.

4.10 “**Amalgamation of Land**” means amalgamation of two or more plots, or two or more portions of lands into one building plot.

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

4.12 “**Approved**” means approved by the Authority having jurisdiction.

4.13 “**Architect**” means an Architect who is registered member of Council of Architecture New Delhi under Architects Act, 1972.

4.14 “**Authority Having Jurisdiction**” means the Authority which has been created by a statute and which for the purpose of administering these regulations may authorize a Technical Committee or an Official having a professional skill to act on its behalf; hereinafter called the ‘Authority’.

4.15 “**Automatic Sprinkler System**” means a system of water pipes fitted with sprinklers heads at suitable intervals and heights and designed to actuate automatically, control and extinguish a fire by discharge of water.

4.16 “**Back-to-Back Cluster**” means a cluster when joined back to back and/or sides. (Ref. Fig.1).

- 4.17 **“Balcony”** means a horizontal projection, including a parapet, handrail balustrade, to serve as a passage or sitting out place.
- 4.18 **“Barsatis”** means habitable room/rooms on the roof of the building with or without toilet/kitchen.
- 4.19 **“Basement or Cellar”** means the lower storey of a building below, or partly below the ground level.
- 4.20 **“Building”** means any structure for whatsoever purpose and of whatsoever materials constructed and every part thereof whether used for human habitation or not, and includes:
- i) Foundation, plinth, walls, floors, roofs, chimneys, plumbing and building services, fixed platforms;
 - ii) Verandas, balcony, cornices, or projections;
 - iii) Part of a building or anything affixed thereto;
 - iv) Any wall enclosing or intended to enclose any land or space, signs and outdoor display structures;
 - v) Monuments, memorial or contrivance of permanent nature / stability built under or over ground.
 - vi) Tanks constructed for storage of chemicals or chemicals in liquid form;
 - vii) All types of buildings defined in 4.131.1 to 4.131.15 below, but tents, Shamiyanas and tarpaulin shelters erected for temporary purposes for ceremonial occasions, with the previous permission of the Commissioner, shall not be considered to be “buildings”.
- 4.21 **“Builder”** means a member of Confederation of Real Estate Development Association of India (CREDA) and registered in the office of Corporation, who is employed to build or execute work on a building / structure and also sell the same or where no person is employed the by owner of the building or structure and duly registered in the office of the Corporation.
- 4.22 **“Building Envelope”** means the horizontal spatial limits up to which a building may be permitted to be constructed on a plot.
- 4.23 **“Building Height”** means the vertical distance measured in the case of flat roofs, from the average level of the ground around and contiguous to the building or as decided by the Commissioner to the terrace of last liveable floor of the building adjacent to the external walls; 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 gables facing the road, the mid-point between eaves level and the ridge. Architectural features serving no other function except that of decoration shall be excluded for the purpose of ascertaining heights. If the building dose not abuts on a street, the height shall be measured above the average level of the ground and contiguous to the building.
- 4.24 **“Building Line”** means the line up to which the plinth of a building adjoining a street or an extension of a street or on a future street may lawfully extend and includes the lines prescribed, if any, in any scheme and / or development plan, or under any other law in force.
- 4.25 **“Building Unit”** means a land / plot or part of a land / plot or combination of more than one land/plot as approved by the Competent Authority. Provided however where an alignment has been fixed on any road by any Competent Authority, the building unit shall mean and refer to the land excluding the portion falling in alignment.
- 4.26 **“Built - up Area”** means the area covered by a building on all floors including cantilevered portion, if any, but except the areas excluded specifically under these Regulations

- 4.27 **“Cabin”** means a non-residential enclosure constructed of non-load bearing partitions.
- 4.28 **“Canopy”** means a projection over any entrance.
- 4.29 **“Carpet Area”** means the net usable floor area within a building excluding that covered by walls or any other areas specifically exempted from floor space index computation in these Regulations and the half area of balconies.
- 4.30 **“Chajja”** means a sloping or horizontal structural overhang usually provided over openings on external walls to provide protection from sun and rain.
- 4.31 **“Chawl”** means a building so constructed as to be suitable for letting in separate tenements each consisting of a single room, or of two rooms, but not of more than two rooms, and with common sanitary arrangements.
- 4.32 **“Chimney”** means an upright shaft containing one or more flues provided for the conveyance to the outer air of any product of combustion resulting from the operation of heat producing appliance or equipment employing solid, liquid or gaseous fuel.
- 4.33 **“Chowk or Courtyard”** means a space permanently open to the sky, enclosed fully or partially by building and may be at ground level or any other level within or adjacent to a building.
- 4.34 **“Chowk, Inner”** means a chowk enclosed on all sides.
- 4.35 **“Chowk, Outer”** means a chowk one of whose side is not enclosed.
- 4.36 **“Closed Cluster”** means Clusters with only one common entry into cluster open space (Ref.Fig.2).
- 4.37 **“Cluster”** means Plots or dwelling units or housing grouped around open space (Ref. Fig.3).
- Ideally housing cluster should not be very large. In ground and one storeyed structure not more than 20 houses should be grouped in a cluster. Clusters with more dwelling units will create problems in identity, encroachments and maintenance.
- 4.38 **“Cluster Planning”** provisions given in **Appendix-S** shall apply for size of open cluster and open space, setbacks, vehicular access and pedestrian paths.
- 4.39 **“Cluster Plot”** means Plot in cluster.
- 4.40 **“Cooking Alcove”** means a cooking space having direct access from the main room without any intercommunicating door.
- 4.41 **“Combustible Material”** means that material which either burns itself or adds heat to a fire, when tested for non-combustibility in accordance with the IS: 3808-1966 Method of Test for Combustibility of Building Materials, National Building Code.
- 4.42 **“Commissioner”** means Commissioner of Nanded Waghala City Municipal Corporation.
- 4.43 **“Competent Authority”** means any person or persons or Authority or Authorities authorised by the Nanded Waghala City Municipal Corporation to perform such functions as may be specified. Different persons or Authorities may be authorised to perform different functions.
- 4.44 **“Contiguous Holding”** means a contiguous piece of land in one ownership irrespective of separate property register cards.
- 4.45 **“Congested Area”** means the area indicated as such on the Development Plan.

- 4.46 **“Convenience Shopping”** means shops, each with a carpet area not exceeding 20 Sqm except where otherwise indicated and comprising those dealing with day to day requirements and as distinguished from wholesale trade or shopping. It includes:
- i) Food grain or ration shops each with a carpet area not exceeding 50 sqm.
 - ii) Pan shops.
 - iii) Tobacconists.
 - iv) Shops for collecting and distribution of cloths and other materials for cleaning and dyeing establishments.
 - v) Tailor or danner shops.
 - vi) Groceries, confectioneries, wine and general provision shops each with a carpet area not exceeding 50 Sqm.
 - vii) Hair dressing saloons and beauty parlours.
 - viii) Bicycle hires and repair shops.
 - ix) Vegetable, fruit, flower, frozen fish, frozen meat or frozen food shops.
 - x) Milk and milk products shops.
 - xi) Medical and Dental Practitioners, Dispensaries or clinics, Pathological or Diagnostic clinics and Pharmacies each with a carpet area not exceeding 50 Sqm.
 - xii) Florists.
 - xiii) Shops dealing in ladies ornaments such as bangles etc.
 - xv) Bakeries and shops selling bakery products.
 - xvi) Newspaper, magazine stalls and circulating libraries.
 - xvii) Wood, coal and fuel shops each with a carpet area not exceeding 30 Sqm.
 - xviii) Books and stationery shops or stores.
 - xix) Cloth and garment shops.
 - xx) Plumbers, electricians, radio, television and video equipment repair shops and video shops and libraries and repairs shops connected therewith.
 - xxi) Restaurants, eating houses, cafeterias, ice cream, milk bars, beer and wine Shoppe.
 - xxii) Shoes and sports shops each not exceeding 75 Sqm.
 - xxiii) Shops for goldsmiths, lock-smiths, watch and clock shops and their repairs, optician shops and optical glass grinding and repairs shops, musical instruments shops and their repairs, picture framing, radio, television and household appliance shops and their repairs, umbrella shops and their repairs and upholstery work, each employing not more than 9 persons.
 - xxiv) Coffee selling shops and grinding establishments each with electric motive power not exceeding 0.75 KW individual motors each.

- xxv) Bakeries with no floor above, not occupying for production an area in excess of 75 Sqm. and not employing more than 9 persons, if the power requirement does not exceed 4 KW where only electrical ovens are used and additional heating load up to 12 KW permitted.
- xxvi) Confectioneries and establishments for the preparation and sale of eatables not occupying for production, an area in excess of 75 sqm per establishment and not employing more than 9 persons, or motive power exceeding 1.12 K.W. as well as sugarcane and fruit crushers, each not employing more than 6 persons with motive power not exceeding 1.12 K.W.; to an area not more than 25 Sqm.
- xxvii) Photographic studios with laboratories, Xeroxing, photocopying, video and videotaping establishments etc. and their laboratories, each with an area not exceeding 50 Sqm., and not employing more than 9 persons and not using power more than 3.75 KW.
- xxviii) Data processing unit with use of computers.
- xxix) Travel agencies, ticket booking and selling for air, surface or water travel or transport or other modes of travel or transport.
- xxx) Other uses permitted in the residential zone with shop line with permission of the Commissioner.

With the special approval of the Corporation, the Commissioner may from time to time add to, alter or amend the above list.

- 4.47 **“Conversion”** means the change of occupancy to other occupancy or change in building structure or part thereof resulting into change of space or use requiring additional occupancy certificates.
- 4.48 **“Corridor”** means a common passage or circulation space including a common entrance hall.
- 4.49 **“Courtyard”** means a space permanently open to the sky within the site around a structure and paved / concreted.
- 4.50 **“Covered Area”** means ground area covered by the building immediately above the plinth level. The areas covered by the following in the open spaces are excluded from covered area.
 - a) Garden, rockery, well and well structures, plant nursery, water pool, swimming pool (if uncovered), platforms around a tree, tank, fountain, bench, *CHABUTARA* with open top and unenclosed on sides by walls and like.
 - b) Drainage culvert, conduits, catch-pits, gully-pit, chamber, gutter and the like.
 - c) Compound wall, gate, unstoried porch and portico, slide, swing, canopy, uncovered staircase, ramps areas covered by chajja and the like.
 - d) Watchmen’s booth, pump house, garbage shaft, electric cabin or sub-stations, and such other utility structures meant for the services of the building under consideration.
- Note: For the purpose of this Part, covered area equals the plot area minus the area due for open spaces in the plot.*
- 4.51 **“Cupboard”** means a cantilevered projection at floor level permitted in a required open space except on ground floor at plinth level, but not in required open space.

- 4.52 **“Cul-de-Sac Cluster”** means Plots / dwelling units when located along a pedestrianised or vehicular ‘cul-de-sac’ road (Ref.Fig.4).
- 4.53 **“Damp Proof Course”** means a course consisting of some appropriate water-proofing material provided to prevent penetration of dampness or moisture.
- 4.54 **“Density”** means the residential density expressed in terms of the number of dwelling units per hectare.
- Note: Where such densities are expressed exclusive of community facilities and provision of open spaces and major roads (excluding incidental open spaces), these will be net residential densities. Where these densities are expressed taking into consideration the required open space provision and community facilities and major roads, these would be gross residential densities at neighbourhood level, sector level or town level, as the case may be. The provision of open spaces and community facilities will depend on the size of the residential community.*
- Incidental open spaces are mainly open spaces required to be left around and in between two buildings to provide lighting and ventilation.*
- 4.55 **“Depth of Site”** means the mean horizontal distance between the front and the rear side boundaries.
- 4.56 **“Detached Building”** means a building with walls and roofs independent of any other building and with open spaces on all sides.
- 4.57 **“Developer”** means the person who is legally empowered to construct or to execute work on a building unit, building or structure, or where no person is empowered, the owner of the building unit, building or structure and who is also registered with Confederation of Real Estate Development Association of India (CREDAI).
- 4.58 **“Development”** means Development with its grammatical variations means the carrying out of building, engineering, mining or other operations in, or over, or under, land or making of any material change, in any building or land or in the use of any building or land or 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.
- 4.59 **“Development Plan”** means the Development Plan of area under jurisdiction of Nanded Waghala City Municipal Corporation sanctioned under the Maharashtra Regional and Town Planning Act, 1966 and amendments, if any, made from time to time including revised Development Plan.
- 4.60 **“Dharmashalas”** means a building used as a place of religious assembly, a rest house, a place in which charity is exercised with religious or social motives, or a place where in a certain section of people have a right of, or are granted, residence without payment or on nominal payment.
- 4.61 **“Double Frontage Site”** means a site having a frontage on two streets other than a corner plot.
- 4.62 **“Down-Comer”** means an arrangement of fire fighting within the building by means of down-comer pipe connected to terrace tank through terrace pump, gate valve and non-return valve and having mains not less than 100 mm. internal diameter with landing valves on each floor/landing. It is also fitted with inlet connections at ground level for charging with water by pumping from fire service appliances and air release valve at roof level to release trapped air inside.
- 4.63 **“Drain”** means a system or a line of pipes, with their fittings and accessories, such as manholes, inspection chambers, traps, gullies, floor traps used for the drainage of building, or a number of building or yards appurtenant to the buildings within the same cartilage.

A drain shall also include open channel for conveying surface water or a system for the removal of any liquid.

- 4.64 **“Drainage”** means a system for removal of any liquid by system constructed for this purpose.
- 4.65 **“Dry Riser”** means an arrangement of fire fighting within the building by means of vertical rising mains not less than 100 mm internal diameter with landing valves on each floor/landing which is normally dry but is capable of being charged with water usually by pumping from fire service appliances.
- 4.66 **“Dwelling Unit/Tenement”** means an independent housing unit with separate facilities for living, cooking and sanitary requirements.
- 4.67 **“Emergency Lighting”** means lighting provided for use when the supply to normal lighting fails.
- 4.68 **“Emergency Lighting System”** means a complete but discrete emergency lighting installation from the standby power source to the emergency lighting lamp(s), for example, self-contained emergency luminaries or a circuit from central battery generator connected through wiring to several escape luminaries.
- 4.69 **“Escape Lighting”** means that part of emergency lighting which is provided to ensure that the escape route is illuminated at all material times, for example, at all times when persons are on the premises, or at times the main lighting is not available, either for the whole building or for the escape routes.
- 4.70 **“Enclosed Staircase”** means a staircase separated by fire resistant walls and doors from the rest of the building.
- 4.71 **“Escape Route”** means any well-ventilated corridor, staircase or other circulation space, or any combination of the same, by means of which a safe place in the open air at ground level can be reached.
- 4.72 **“Escalator”** means a power driven, inclined continuous stairway used for raising or lowering passengers.
- 4.73 **“Existing Building”** means a building or structure existing authorisedly before the commencement of these Regulations.
- 4.74 **“Existing Use”** means use of a building or a structure existing authorisedly before the commencement of these Regulations.
- 4.75 **“Exit”** means a passage, channel or means of egress from any building, storey or floor area to a street or other open space of safety; horizontal, outside and vertical exists having meanings at (i),(ii) and (iii) respectively as under.
- i) **“Horizontal Exit”** means an exit which is a protected opening through or around a fire wall or a bridge connecting two or more buildings.
 - ii) **“Outside Exit”** means an exit from a building to a public way, to an open area leading to a public way or to an enclosed fire resistant passage leading to a public way.
 - iii) **“Vertical Exit”** means an exit used for ascending or descending between two or more levels, including stairways, smoke-proof towers, ramps escalators and fire escapes.
- 4.76 **“External Faces of Cluster”** means building edges facing the cluster open spaces.

- 4.77 **“External Wall”** means an outer wall of a building not being a party wall even though adjoining a wall of another building and also means a wall abutting on an interior open space of any building.
- 4.78 **“Fire Door”** means a fire resisting door approved for openings in fire separation.
- 4.79 **“Fire And/or Emergency alarm System”** means an arrangement of call points or detectors, sounders and other equipment for the transmission and indication of alarm signals working automatically or manually in the case of fire or other emergency.
- 4.80 **“Fire Exit”** means a way out leading to an escape route having panic bar hardware provided on the door.
- 4.81 **“Fire Lift”** means a special lift designed for the use of fire service personnel in the event of fire or other emergency.
- i) **“Fire Pump”** means a machine, driven by external power for transmitting energy to fluids by coupling the pump to a suitable engine or motor, which may have varying outputs/capacity but shall be capable of having a pressure of 3.2 kg/cm^2 at the topmost level of a multi-storeyed or high-rise building.
- ii) **“Booster Fire Pump”** means a mechanical/electrical device which boosts up the water pressure at the top level of a multi-storeyed/high rise building and which is capable of a pressure of 3.2 kg/cm^2 at the nearest point.
- 4.82 **“Fire Load”** means calorific energy, of the whole contained in a space, including the facing of the walls, partitions, floors and ceilings.
- 4.83 **“Fire Load Density”** means fire load divided by floor area.
- 4.84 **“Fire Proof door”** means a door or shutter fitted to a wall opening, and constructed and erected with the requirement to check the transmission of heat and fire for a specified period.
- 4.85 **“Fire resistance Rating”** means the time during which a fire resistant material i.e. material having a certain degree of fire resistance, fulfils its function of contributing to the fire safety of a building when subjected to prescribed conditions of heat and load or restraint. The fire resistance test of structures shall be done in accordance with IS: 3809-1966 Fire Resistance Test of Structure.
- 4.86 **“Fire Resisting Material”** means material which has certain degree of fire resistance.
- 4.87 **“Fire Resistance”** means Fire resistance is a property of an element of building construction and is the measure of its ability for a stated period some or all of the following criteria.
- a) Resistance to collapse,
b) Resistance to penetration of flame and hot gases and
c) Resistance to temperature rise on the unexposed face up to a maximum 180°C and /or average temperature of 150°C .
- 4.88 **“Fire Separation”** means the distance in meters measured from the external wall of the building concerned to the external wall of any other building on the site, or from the opposite side of street or other public space for the purpose of preventing the spread of fire.
- 4.89 **“Fire Separating Wall”** means the wall which provides complete separation of one building from another or part of a building from another part of the same building to prevent any communication of fire or heat transmission to wall itself which may cause or assist in the combustion of materials on the side opposite to that portion which may be on fire.

- 4.90 **“Fire Stop”** means a fire resistant material, or construction, having a fire resistance rating of not less than the fire separating elements, installed in concealed spaces or between structural elements of a building to prevent the spread/propagation of fire and smoke through walls, ceilings and like as per the laid down criteria.
- 4.91 **“Fire Service Inlet”** means a connection provided at the base of a building for pumping up water through in-built fire fighting arrangements by fire service pumps in accordance with the recommendations of the chief fire officer.
- 4.92 **“Fire Tower”** means an enclosed staircase which can only be approached from the various floors through landings or lobbies separated from both the floor area and the staircase by fire-resisting doors, and open to the outer air.
- 4.93 **“Fire Resisting Wall”** means a fire resistance rated wall, having protected openings, which restricts the spread of fire and extends continuously from the foundation to at least 1 m above the roof.
- 4.94 **“Fitness Centre”** in a building means and includes the built up premises including toilet facilities provided in the building including gymnasium for the benefit of its inmates and for the purpose of fitness, physical exercise, yoga and such other activities as may be permitted by the Commissioner from time to time.
- 4.95 **“Floor”** means the lower surface in a storey on which one normally walks in a building. The general term, floor, unless otherwise specifically mentioned, shall not refer to a mezzanine floor.

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

4. 96 **“Floor Area”** means covered area of a building at any floor level.
- 4.97 **“Floor Space Index (FSI or FAR)”** means the quotient of the ratio of the combined gross floor area of all floors excepting areas specifically exempted under these Regulations, to the total area of the plot/building unit.

$$\text{Floor space Index (FSI/FAR)} = \frac{\text{Total covered area on all floors}}{\text{Plot Area /Building Unit.}}$$

***Note:** The term, F.A.R. is synonymous with Floor Space Index (FSI).*

Provided that the following shall not be counted towards computation of FSI.

- i. Parking spaces without any enclosures and partitions of any kind, with clear height of 2.4 mts. and in case of slabs with beams, height should not exceed 2.8m same is relaxed in these regulations.
- ii. Interior open spaces and ducts required under these regulations subject to maximum 4 % of the Built up Area.
- iii. Basement exclusively used for required parking with maximum clear height of 2.4 m excluding beams.
- iv. Security Cabin up to 4 sqm.
- v. Weather shed up to 0.60 m width
- vi. Staircase with maximum intermediate landing width equal to the width of stair, maximum landing width at floor level shall be twice the width of stair.
- vii. Lift, lift well with lift cabin, stair cabin, lift landing of lift well and water tank.
- viii. Open air space/chowk required under this regulations.
- ix. Electric room as specified by Maharashtra State Electric Distribution Company.

- x. 10% of total basement area used for safe deposit vault & A.C. Plant after fulfilling parking requirements.
- 4.98 **“Footing”** means a foundation unit constructed in brick work, stone masonry or concrete under the base the base of a wall or column for the purpose of distributing the load over a large area.
- 4.99 **“Foundation”** means that part of the structure which is in direct contact with and transmitting loads to the ground.
- 4.100 **“Front”** means the space between the boundary line of a plot abutting the means of access/ road/ streets and the building line. Plots facing two or more means of access/roads/streets shall be deemed to front on all such means of accesses/ roads/streets.
- 4.101 **“Foyer”** means a lobby for waiting.
- 4.102 **“Gallery”** means an intermediate floor or platform projecting from a wall of an auditorium or as hall, providing extra floor area, and / or additional seating accommodation. These shall also include the structures provided for seating in stadia.
- 4.103 **“Gaothan”** relates to the tenure of the land and means an area free of assessment and entered as Gaothan land in the property Registry Card on the date of publication of the revised Development Plan. It shall not include ex-inam or Khalsa or Sarkari or any other tenure lands.
- 4.104 **“Garage, Private”** means a building or a portion thereof designed and used for the parking of private owned motor driven or other vehicles.
- 4.105 **“Garage, Public”** means a building or portion thereof, designed other than as a private garage, operated for gain, designed and / or used for repairing, servicing, hiring, selling or storing or parking motor-driven or other vehicles.
- 4.106 **“Group Housing Scheme”** means Group of multi-storeyed housing for more than one dwelling unit where land is owned by jointly (as in the case of co-operative societies or public agencies such as local authorities or housing boards etc.) and the construction is undertaken by one authority.
- 4.107 **“Group Open Space”** means Open Space within a cluster:-Group open space is neither public open space nor private open space. Each dwelling unit around the cluster open space has a share and right of use in it. The responsibility for maintenance of same is to be collectively shared by all the dwelling units around.
- 4.108 **“Habitable Room”** means a room occupied or designed for occupancy for human habitation and uses incidental thereto, including a Kitchen if used as a living room, but excluding a bathroom, water closet compartment, laundry, serving and storing pantry, corridor, cellar, attic, store room, Pooja room and spaces not frequently used.
- 4.109 **“Hawker’s Zone”** means a space/area specifically designated/reserved in Development Plan to carry out their activities on daily basis and as based on the policy of Government of Maharashtra vide Standardised Bye-laws, 2009 for regulating business of Hawkers.
- 4.110 **“Hazardous material”** means:
- i) Radioactive substances.
 - ii) Material which is highly combustible or explosive and / or which may produce poisonous fumes or explosive emanations, or storage, handling, processing, or manufacturing of which may involve highly corrosive, toxic or noxious alkali or acids or other liquids.

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

4.111 **“Height of A Building”** means the vertical distance measured in the case of flat roofs, from the average level of the developed ground around and contiguous to the building to the highest finished roof level 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 case of gables facing the road, the mid-point between the eaves level and the ridge.

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

Explanation: Architectural features serving no other functions except that of decoration shall be excluded for the purpose of taking heights under this clause.

4.113 **“Heritage Building/Precincts”** means all such buildings/precincts as notified by the Government from time to time.

4.114 **“High Rise Building”** means for the purpose of this Part, all buildings 15 m and above in height shall be considered as high rise building. However, chimneys, cooling towers, boiler rooms/ lift machine rooms, cold storage and other non-working areas in case of industrial buildings and water tanks, and architectural features in respect of other buildings may be permitted as a non-High Rise building. Buildings less than 15 m including stilt floor/parking floor stand excluded from the definition of high-rise buildings.

4.115 **“Holding, Contiguous”** means a contiguous piece of land in one ownership irrespective of separate property register card.

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

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

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

4.119 **“Licensed Technical Persons”** means a qualified Engineer, Structural Engineer, and Supervisor etc., licensed by the Commissioner.

4.120 **“Lift”** means a mechanically guided car, platform or transport for persons and materials between two or more levels in a vertical or substantially vertical direction.

4.121 **“Loft”** means an intermediate floor between two floors or a residual space in a pitched roof above normal level constructed for storage purposes.

- 4.122 **“Masonry”** means an assemblage of masonry units properly bound together by mortar.
- 4.123 **“Masonry Unit”** means a unit whose net cross sectional area in every plane parallel to the bearing surface is 75 per cent or more of its gross cross sectional area measured in the same plane. It may be clay, brick, stone, concrete block or sand –lime- brick.
- 4.124 **“Mezzanine Floor”** means an intermediate floor, not being a loft, between the floor and ceiling of any storey.
- 4.125 **“Multi-Storeyed Building or High-Rise Building”** means a building of a height of 15 m. or more above the average surrounding ground level.
- 4.126 **“Mumti”** means a small structure erected on the roof a building at the head of staircase to protect such staircase from weather;
- 4.127 **“Neighbourhood Centre And Civic Centre”** means and include following activities such as sectoral shopping centre, market, office building, cinema, small hospital, playground, swimming pool, Town hall, open air theatre, civic and cultural facilities, library, higher secondary school, parking plots, public utility and service building such as post office, fire station, police station, religious building and building of public uses.
- 4.128 **“Natural Hazard”** means the probability of occurrence, within a specific period of time in a given area, of a potentially damaging natural phenomenon.
- 4.129 **“Natural Hazard Prone Areas”** means areas likely to have moderate to high intensity of earthquake, or cyclonic storm, or significant flood flow or inundation, or landslides/mud flows/avalanches, or one or more of these hazards.

***Note:** Moderate to very high damage risk zones of earthquakes are as shown in Seismic Zones III, IV and V specified in IS: 1893; moderate to very high damage risk zones of cyclones are those areas along the sea coast of India prone to having wind velocities of 39 m/s or more as specified in IS: 875 (Part3) and flood prone areas in river plains (unprotected and protected) are indicated in the Flood Atlas of India prepared by the Central Water Commission.*

- 4.130 **“Non-Combustible”** means not liable to burn or add heat to a fire when tested for combustibility in accordance with the IS: 3808-1966 Method of test for Combustibility of Building materials.
- 4.131 **“Occupancy or use Groups”** means the principal occupancy or use for which a building or a part of it is used or intended to be used, for the purpose of classification of a building according to the occupancy, an occupancy, shall be deemed to include subsidiary occupancies which are contingent upon it.

***Note:** The occupancy classification shall have the meaning given from 4.131.1 to 4.131.15 unless otherwise spelt out on development plan*

- 4.131.1 **“Assembly Building”** means building or part thereof where groups of people congregate or gather for amusement, recreation, social, religious, patriotic, civil, travel and similar purposes such as theatres, motion picture houses, drive-in-theatres, assembly halls, museums, mangal karyalayas, skating rinks, gymnasium, restaurants, eating houses or boarding houses, places of worship, dance hall, clubs rooms, gymkhanas, passenger stations and terminals of air, surface and other public transportation services, recreation piers and stadia.
- 4.131.2 **“Business Building”** means any building or part thereof which is used for transaction of business and/or keeping of accounts and records and also, offices, banks or professional establishments, court house or library if the principal use of any of them is transaction of public business and/or keeping of books and records.

- 4.131.3 **“Educational Building”** means any building exclusively used for a school, college or day-care purposes for more than 8 hours per week, recognized by the appropriate Board or University, or any Other Competent Authority involving, assemble for instruction, education or recreation incidental to educational use, and including a building for such other users incidental thereto such as a library or a research institution. It shall also include quarters for essential staff required to reside in the premises, and a building used as a hostel captive to an educational institution whether situated in its campus or not.
- 4.131.4 **“Family Entertainment Centre (FEC) or Multiplex Theatre Complex”** means a place where various entertainment facilities for the entire family under single roof is offered and which may include commercial complex, health centre / health club, restaurant etc. and are viewed as cultural or entertainment centres, which would not attract all the restrictions spelt-out exclusively for a Cinema or exclusively for new shopping.
- 4.131.5 **“Hazardous Building”** means any building or part thereof which is used for:
- i) Storage, handling, manufacturing or processing of radioactive substances or of highly combustible or explosive materials or products which are liable to burn with extreme rapidity and / or producing poisonous fumes or explosive emanations;
 - ii) Storage, handling, manufacturing or processing of which involves highly corrosive, toxic or noxious alkalis, acids, or other liquids, gases or chemicals producing flame, fumes and explosive or mixtures of dust which result in division of matter into fine particles capable of spontaneous ignition.
- 4.131.6 **“Industrial Building”** means any building or structure or part thereof, in which products or materials of all kinds are fabricated, assembled or processed like assembly plants, laboratories, power plants, mills, dairies or factories;
- 4.131.7 **“Information Technology Establishment (ITE)”** means an establishment which is in the business of development of IT Software, IT Hardware, IT services, and IT enabled services as defined in Appendix-P.
- 4.131.8 **“Institutional Building”** means a building constructed by Government, Semi-Government organizations or registered Trusts and used for medical or other treatment, a hostel for working women or for an auditorium or complex for cultural and allied activities or for an hospice, care of persons suffering from physical or mental illness, handicap, disease or infirmity, care of orphans, abandoned women, children and infants, convalescents, destitute or aged persons and for penal or correctional detention with restricted liberty of the inmates ordinarily providing sleeping accommodation, and includes Dharmashalas, hospitals, sanatoria, custodial and penal institutions such as jails, prisons, mental hospitals, houses of correction, detention and reformatories.
- 4.131.9 **“Mercantile Building”** means a building or part thereof used as shops, stores or markets for display and sale of wholesale or retail goods or merchandise, including office, storage and service facilities incidental sale of merchandise and located in the same building.
- 4.131.10 **“Office Building or Premises”** means a building or premises or part thereof whose sole or principal use is for an office or for office purposes or clerical work. “Office purposes” includes the purpose of administration, clerical work, handling money, telephone, telegraph and computer operation; and “clerical work” includes writing, book-keeping, sorting papers, typing, filing, duplicating, punching cards or tapes, machine calculations, drawing of matter for publication and editorial preparation of matter for publication.
- 4.131.11 **“Public Building”** Except where otherwise defined means a building owned and used by Government or Semi-Government Authority, Public Registered Trust or such other public agency, for public purposes such as public worship, education, health and public offices of Government or Semi-Government Authorities and also those as defined in 4.149 below.

- 4.131.12 **“Residential Building”** means any building in which sleeping accommodation is provided for normal purposes, with or without cooking or dining facilities and includes one or more family dwellings, lodging or rooming houses, hostels, dormitories, apartment houses, flats and hotels and private garages of such buildings.
- 4.131.13 **“Research and Development Centre”** means a construction of such type which will be used only for the purpose of carrying out research to achieve the better standards for manufacturing process.
- 4.131.14 **“Storage Building”** means a building or part there of used primarily for storage or shelter of goods, wares, merchandise and includes a building used as a warehouse, cold storage, freight depot, transit shed, store house, public garage, hangar, truck terminal, grain elevator, barn and stable.
- 4.131.15 **“Wholesale Establishment”** means an establishment wholly or partly engaged in wholesale trade and manufacturers’ wholesale outlets, including related storage facilities, warehouse and establishments engaged in truck transport, including truck transport booking agencies.
- 4.132 **“Open Space”** means an area, forming an integral part of the plot, left open to the sky.
- Note: The open space shall be the minimum distance measured between the front, rear and side of the building and respective plot boundaries.*
- 4.133 **“Owner”:** Owner, in relation to any property, includes any person who is for the time being, receiving or entitled to receive, whether on his account or on account of or on behalf, or for the benefit of, any other person or as an agent, trustee, guardian, manager or receiver for any other person or for any religious or charitable institution, the rents or profits of the property and also includes a mortgaging possession thereof and includes:
- i) A person or body having a legal interest in land and/or building thereon. This includes free holders, leaseholders or those holding a sub-lease which both bestows a legal right to occupation and gives rise to liabilities in respect of safety or building condition.
 - ii) In case of lease or sub-lease holders, as far as ownership with respect to the structure is concerned, the structure of a flat or structure on a plot belongs to the allottee / lessee till the allotment/lease subsists.
- Note: The term ‘owner’ is synonymous with the term ‘Applicant’.*
- 4.134 **“Open Space, Front”** means an open space across the front of the plot between the building line and the front boundary of the plot.
- 4.135 **“Open Space, Rear”** means an open space across the rear of the plot between the building line and the rear boundary of the plot.
- 4.136 **“Open Space, Side”** means an open space across the side of the plot between the building line and the side boundary of the plot.
- 4.137 **“Parapet”** means a low wall or railing built along the edge of a roof or a floor.
- 4.138 **“Parking Space”** means an enclosed or unenclosed covered or open area sufficient in size to park vehicles. Parking spaces shall be served by a driveway connecting them with a street or alley and permitting ingress or egress of vehicles.
- 4.139 **“Parking Complex/Parking Lot”** mean premises either built or open which is utilized purely for parking of vehicles and where parking fees is collected by the owner and permitted in specific areas. The minimum site shall be 300 square meters.

- 4.140 **“PARTITION”** means an interior non - load bearing barrier, one storey or part-storey in height.
- 4.141 **“Party Wall”** means:
- i) A wall forming part of a building, and being used or constructed to be used in any part of the height or length of such wall for separation of adjoining buildings belonging to different owners or occupied or constructed or adopted to be occupied by different persons; or
 - ii) A wall forming part of a building and standing in any part of the length of such wall to a greater extent than the projection of the footing on one side on grounds of different.
- 4.142 **“Pandals/Shamiyanas”** means a temporary structure with roof or walls made of straw, hay, grass, mat, and canvas, cloth other like material which is not adopted for permanent or continuous occupancy.
- 4.143 **“Permanent Open Air Space”** means air space:
- i) Which is a street or not encroached upon by any structure.
 - ii) Its freedom from encroachment is protected by any law or contract ensuring that the ground below it is either a street or is permanently and irrevocably appropriated as open space.
- Provided that, in determining the open air space required in connection with construction work on a building any space occupied by an existing structure may if it is ultimately to become a permanently open air space, be treated as if it were already a permanently open space.
- 4.144 **“Permission”** means a valid permission or authorization in writing by the competent authority to carry out development or a work regulated by the regulations.
- 4.145 **“Plinth”** means the portion of a structure between the surface of the surrounding ground and surface of the floor immediately above the ground.
- 4.146 **“Plinth Area”** means the built-up covered area measured at the floor level of the basement or of any storey.
- 4.147 **“Plot”** means a parcel or piece of land enclosed by definite boundaries.
- 4.148 **“Podium”** means an open to sky platform, may be built at floor one or two levels, but not over 7.5 m from the road level in Residential development of large building of 20,000 Sqm or above, subject to providing adequate open spaces from the boundary of the plot and clearance from Chief Fire Officer.
- 4.149 **“Public Building”** means a building used or constructed or adopted to be used; either ordinarily or occasionally as place of public worship or as a hospital, college, school, hotel, restaurant, theatre, public hall, public concert room/hall, public lecture room, public exhibition or as a public place of assembly or entertainment for person admitted thereto by tickets or occasionally for any similar public purpose.
- 4.150 **“Public Purpose”** includes:
- i) The provision of village sites, or the extension, planned development or improvement of existing village sites.
 - ii) The provision of land for town rural planning.

- iii) The provision of land for planned development of the land from public funds in pursuance of any scheme or policy of Government and subsequent disposal thereof in whole or in part by lease, assignment or outright sale with object of securing further development as planned.
 - iv) The provision of land for a Corporation owned or controlled by the State.
 - v) The provision of land for residential purposes to the poor or landless or to persons residing in areas affected by natural calamities, or to persons displaced or affected by reason of the implementation of any scheme undertaken by Government, any local Authority or a corporation owned or controlled by the state.
 - vi) The provision of land for carrying out any educational, housing, health or slum clearance scheme sponsored by Government or by any Authority established by the Government for carrying out any such scheme or with the prior approval of the appropriate Government by a Local Authority or a society registered under the society Registration Act, 1860 or under any corresponding law for the time being in force in State, or a co-operative society within the meaning of any law relating to co-operative society for the time being in the force in the State.
 - vii) The provision of land for any other scheme of development sponsored by Government or with the prior approval of appropriate Government, by a local Authority.
 - viii) The provision of any premises or building for locating a public office, but does not include acquisition of land for Companies.
- 4.151 **“Pollution Control”** means and includes Noise Pollution, Air Pollution and Water Pollution.
- 4.152 **“Porch”** means a covered surface supported on pillars or otherwise for the purpose of a pedestrian or vehicular approach to a building.
- 4.153 **“Public Sewer”** means a sewer constructed by Government or a local authority or a coloniser.
- 4.154 **“Rain Water Pipe”** means a pipe or drain situated wholly above ground and used or constructed to be used solely for carrying off rain water directly from roof surfaces.
- 4.155 **“Real Estate Development”** means development undertaken for sale to persons other than the one undertaking the development.
- 4.156 **“Rear”** as applied to a building means that portion which is on the opposite side of the front.
- 4.157 **“Residential Zone (R-1)”** means a purely residential zone having plots on road less than 6 m width in Gaothan/ Congested area and on roads less than 9 m width in non-gaothan area.
- 4.158 **“Residential Zone (R-2)”** means all properties fronting on 9 m and more width in congested area and on roads 12 m and more width in non-congested area.
- 4.159 **“Revas Projection”** means a part of room or rooms’ projection in open space beyond building line.
- 4.160 **“Retention Activity”** means an activity or use which is allowed to continue, notwithstanding its non-conforming nature in relation to the use permitted in the adjoining or surrounding area.
- 4.161 **“Road or Street”** means any means of access namely 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, drains, culverts, sidewalks, traffic islands, road-side trees and hedges, retaining walls, fences, barriers and railings within the street lines.

- 4.162 **“Road/Street-Level or Grade”** means the officially established elevation or grade of the centre line of the street upon which plot fronts, and if there is not officially established grade, the existing grade of the street at its mid-point.
- 4.163 **“Road /Street Line”** means the line defining the side limits of a road / street.
- 4.164 **“Road Width or Width of Road/Street”** means the whole extent of space within the boundaries of a road when applied to a new road / street, as laid down in the city survey or development plan or prescribed road lines by any Act or law and measured at right angles to the course or intended course of direction of such road.
- 4.165 **“Room Height”** means 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 vertical distance measured from the finished floor surface up to the mid-point of the sloping roof.
- 4.166 **“Row Housing/Row type Housing”** means a row of building, with only front, rear and interior open spaces.
- 4.167 **“Self Use Development”** means Development undertaken by an owner for his use.
- 4.168 **“Semi-Detached Building”** means a building detached on three sides with open space as specified in these Regulations.
- 4.169 **“Similar/Parallel Congested Area”** means plots not included in Congested and Gaathan Area and which confirms to following any of the criteria shall be considered as plots located in Similar /Parallel Congested Area.
- a) All areas shown in Development Plan in Pink Verge are to be treated as similar / parallel congested areas.
 - b) Plots located in the area which has population density more than 700 persons/ Hecter.
- 4.170 **“Service Floor”** means a floor generally provided in multi-storied buildings and especially in starred hotels wherefrom services like water supply, sewerage disposal system, electricity etc. are co-ordinated /maintained. Height of such floor shall not be more than 1.8 m. from floor level to soffit of outer beam and shall not be counted in FSI.
- 4.171 **“Service Road/Line”** means a road / lane provided at the front, rear or side of a plot for service purposes.
- 4.172 **“Setback Line”** means a line usually parallel to the plot boundaries and laid down in each case by the Authority or as per recommendations of Development Plan, beyond which nothing can be constructed towards the plot boundaries.
- 4.173 **“Shopping Centre or Commercial Centre”** means a group of shops, offices and/or stalls designed to form market-office complex.
- 4.174 **“Site or Plot”** means a parcel or piece of land enclosed by definite boundaries.
- 4.175 **“Site, Corner”** means a site at the junctions of and fronting on two or more intersecting roads or streets.
- 4.176 **“Site, Depth of”** means the mean horizontal distance between the front and rear site boundaries.

- 4.177 **“Site With Double Frontage”** means a site having frontage on two streets other than a corner plot.
- 4.178 **“Smoke-Stop Door”** means a door for preventing or checking the spread of smoke from one area to another.
- 4.179 **“Special Building”** means:
- i) a building solely used for the purpose of a drama or cinema theatre, a drive-in-theatre, an assembly hall or auditorium, an exhibition hall, theatre, museum, a stadium, Mangal Karyalayas or where the built-up area of such a user exceeds 600 Sqm in the case of mixed occupancies.
 - ii) An industrial building.
 - iii) A hazardous building.
 - iv) A building of a wholesale establishment.
 - v) A residential hotel building or centrally air-conditioned building which exceeds:
 - a) 15 m in height or
 - b) Total built-up area of 600 Sqm.
- 4.180 **“Stair Cover (or Mumti)”** means a structure with a covering roof over a staircase and its landing built to enclose only the stairs for the purpose of providing protection from the weather, and not used for human habitation.
- 4.181 **“Stall”** means a small shop, floor area of which does not exceed 5.0 Sqm.
- 4.182 **“Stilts or Stilt Floor”** means ground level portion of a building consisting of structural column supporting the super structure done without any enclosures and not more than 2.5 m in the height from the ground level and used for the purpose of parking vehicles, scooters, cycles, etc and as described in Regulation 134.
- 4.183 **“Storage”** means a place where goods are stored.
- 4.184 **“Store Room”** means a room used as storage space.
- 4.185 **“Storey”** means the portion of a building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between any floor and the ceiling next above it but shall not include mezzanine floor.
- 4.186 **“Subsoil Drain”** mean a drain used or constructed to be used solely for conveying to any sewer (either directly or through another drain) any water that may percolate the subsoil
- 4.187 **“Temporary Building”** mean a building built of un-burnt bricks, burnt bricks without mortar, corrugated iron, bamboo, thatch, wood boarding or plywood but shall not include a building built of burnt bricks, cement blocks or stones laid in mortar.
- 4.188 **“Tenement”** means an independent dwelling unit with a kitchen or a cooking alcove.
- 4.189 **“Tenement Building and Ownership Flats”** means residential building constructed in a semi-detached manner in a building unit, each dwelling unit is being designed and constructed for separate occupation with independent provision of bath, w.c.
- 4.190 **“Top-Most Storey”** mean the uppermost storey in a building whether constructed wholly or partly in the roof or not and whether used or constructed or adapted for human habitation or not, but shall not include a Barasati or Mumti.

- 4.191 **“To Abut”** means to about on a road such that any portion of the building is fronting on the road.
- 4.192 **“To Erect”** means:
- i) To erect a new building on any site, whether previously built upon or not;
 - ii) To re-erect any building of which portions above the plinth level have been pulled down, burnt or destroyed; and
 - iii) Conversion from one occupancy to another occupancy.
- 4.193 **“Theatre”** means a place of public entertainment for the purpose of exhibition of motion pictures and / or dramas and other social or cultural programmes.
- 4.194 **“Tower like Structure”** means a structure shall be deemed to be tower-like structure when the height of the tower like portion is at least twice the height of the broader base at ground level.
- 4.195 **“Travel Distance”** means the distance from the remotest point on a floor of a building to place of safety be a vertical exit, horizontal exit or an outside exit measured along the line of travel.
- 4.196 **“Transferable Development Right”** means an award specifying the built up area an owner of a site or plot can sell or dispose or utilise elsewhere, whose site or plot is required to be set apart or affected for a community amenity or development for public purpose in the Development Plan or in road widening or covered in recreational use zone, etc and applicable only after such lands are vested with the Corporation/ appropriate authority as the case may be in the form of a TDR Certificate issued by the Corporation.
- 4.197 **“Unsafe Building”** means a building which is structurally unsafe, is insanitary or not provided with adequate mean of egress, constitutes of fire hazard otherwise dangerous to human life or which in relation to its existing use and constitute a hazard to safety or health or public welfare, by reason of inadequate maintenance, dilapidation or abandonment.
- 4.198 **“Veranda”** means a covered area with at least one side open to outside with the exception of 1m high parapet on the upper floors to be provided on the open side.
- 4.199 **“Volume to Plot Ratio (V.P.R.)”** means the ratio expressed in meters of the volume of a building measured in cubic meters to the area to the plot measured in square meters.
- 4.200 **“Warehouse and Industrial Building”** includes a factory, a workshop or a motor garage; a storehouse for goods and merchandise.
- 4.201 **“Warehouse or Godown”** means a building the whole or part of which is used or intended to be used for the storage of goods whether for storing or for sale or for any similar purpose. It is neither a domestic nor a public building, nor did merely a shop if so use not a store attached to and used for the proper functioning of a shop.
- 4.202 **“Water Closet (W.C.)”** means a privy with an arrangement for flushing the pan with water but does not include a bathroom.
- 4.203 **“Water Course”** means a natural channel or an artificial channel formed by training or diversion of natural channel meant for carrying storm and waste water.
- 4.204 **“Water Course, Major”** means a water course which carries storm water discharging from a contributing area of not less 160 hectares.

***Note:** The decision of the Commissioner on the extent of the contributing area shall be final.*

- 4.205 **“Water Course, Minor”** means a minor water course is one which is not a major one.
- 4.206 **“Water Tanks or Talav or Pond or Lake”** means a natural existing low laying grounds forming a natural water body or wherein rain water gets collected and/or plots designated as Talav under the Development Plan or any other legitimate records.
- 4.207 **“Width of Road”** means the whole extent of space within the boundaries of road when applied to a new road, as laid down in the surveys of the city or development plans 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.
- 4.208 **“Window”** means an opening, other than a door, to the outside of a building, which provides all or part of the required natural light, ventilation or both to interior space.
- 4.209 **“Zone Plan”** means the detailed layout plan of the sector or a part thereof maintained in the office of the Commissioner showing the sub-division of plots, open spaces, streets, position of protected trees and other features and in respect of each plot, permitted ‘land use, building lines and restrictions with regard to the use and development of each plot in addition to those laid down in the building rules.

PART – II

PERMISSION FOR DEVELOPMENT, PROCEDURE FOR OBTAINING SUCH PERMISSION AND REQUIREMENTS TO BE FULFILLED FOR SUCH PERMISSION

5. DEVELOPMENT PERMISSION AND COMMENCEMENT CERTIFICATE:

5.1 Necessity of obtaining permission:

No person shall carry out any development or redevelopment, erect, re-erect or make alteration or demolish in any building/plot/land or cause the same to be done without first obtaining a separate development permission and commencement certificate from the Commissioner.

5.2 Items of operational construction by some authorities excluded:

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

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

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

5.3 Operational Constructions excluded:

The following constructions for operational purposes of the organisations, authorities or departments listed above are exempted from the purview of these Regulations except those relating to floor space index and fire precautions:

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

- iii) For store sheds, when ancillary to operational requirement only. Provided that, for the construction of new railway lines or tracks the approval of the State Government shall be necessary. Similarly for construction of new buildings, goods stores, sheds or platforms, parcel offices and workshops or for purposes of major remodelling the approval of the Commissioner shall be necessary.

Further provided that, the following constructions by the organizations, authorities or departments listed in sub-Regulation (5.2) herein shall not be deemed to be operational for the purpose of exemption under the said Regulations, namely:

- i) New Residential buildings, Commercial buildings, Office buildings. Industrial buildings (other than gate lodges, essential operational staff quarters and the like), roads and drains, hospitals, clubs, institutes and schools in residential, commercial or industrial areas of the colonies of such organizations, authorities or departments.
- ii) A new building, new construction or new installation or any extension of any building in the case of any services other than those mentioned in this Regulation.

6. PRE-CODE BUILDING PERMIT:

i) Validity of Development Permission:

If any development permission has been issued before the date of commencement of these Regulations, but the development is not started within a year from the date of issue of such permission, the said development permission shall be deemed to have lapsed.

ii) Applicability to partially completed works:

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

7. NOTICE OF INTENTION TO CARRYOUT DEVELOPMENT:

Every person who intends to carry out a development or redevelopment, erect, re-erect or make alterations in any place in a building or demolish any building shall make an application in writing to the Commissioner in the **FORM – ‘I’**.

8. DOCUMENTS REQUIRED BEING SBMITTED ALONG WITH APPLICATION UNDER REGULATION-7:

Every application made under **Regulation-7** shall be accompanied by the following documents, namely:

- i. Copies of plans and statements and where in respect of any building scheme clearance is required from agencies like Corporation Fire Brigade and others, such number of copies of such plans and statements as may be required by the Commissioner.
- ii. The key (location) plan.
- iii. The site plan.
- iv. Sub-Division layout plan / plan for amalgamation where the property comprises of two or more different lands belonging to the owner or different owners.
- v. Building plan.
- vi. Particulars of development in the form specified in accompaniment to **FORM – I**.
- vii. Services plan.
- viii. Specifications and certificate of supervision.
- ix. Documents for proving ownership title.
- x. An attested copy of clearance certificate from the Assessment Department of the Corporation for payment of tax arrears, where applicable.
- xi. Appointment of Architect / Licensed Technical person in the prescribed Proforma.

- xii. Appointment of Structural / Consulting Engineer in the prescribed Proforma (where necessary).
- xiii. Payment of development permission fee (True copy of challan).

Six sets of plans to be sent with the application may be of ordinary prints on Ferro paper or of any other type or computer drawings. One set of such plans shall be retained in the office of the Corporation for record after the issue of the permit or a refusal.

9. SIZES OF DRAWING SHEETS:

The size of drawing shall be any of these specified in Table 1 as given below:

TABLE NO. 1		
DRAWING SHEET SIZES		
Sr. No.	Designation	Trimmed size in mm
1	A0	841 x 1189
2	A1	594 x 841
3	A2	420 x 594
4	A3	297 x 420
5	A4	210 x 297
6	A5	148 x 210

10. COLOURING NOTATION FOR PLANS:

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

TABLE NO. 2							
COLOURING OF PLANS							
Sr. No.	Item	Site Plan			Building Plan		
		White Plan	Blue Print	Ammonia Print	White Plan	Blue Print	Ammonia Print
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1	Plot lines	Thick Black	Thick Black	Thick Black	Thick Black	Thick Black	Thick Black
2	Existing street	Green	Green	Green	.....	.....	.....
3	Future street, if any	Green dotted	Green dotted	Green dotted	.....	.....	.....
4	Permissible building lines	Thick dotted black	Thick dotted black	Thick dotted black	.....	.....	.....
5	Open space	No colour	.....	No colour	.....	.....	.....
6	Existing work	Black (Outline)	White	Blue	Black	White	Blue
7	Work proposed to be demolished	Yellow Hatched	Yellow Hatched	Yellow Hatched	Yellow Hatched	Yellow Hatched	Yellow Hatched

Sr. No.	Item	Site Plan			Building Plan		
		White Plan	Blue Print	Ammonia Print	White Plan	Blue Print	Ammonia Print
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
8	Proposed work	Red filled in	Red	Red	Red	Red	Red
9	Drainage & Sewerage work	Red dotted	Red dotted	Red dotted	Red dotted	Red dotted	Red dotted
10	Water supply work	Black dotted thin	Black dotted thin	Black dotted thin	Black dotted thin	Black dotted thin	Black dotted thin
11	Deviations	Red hatched	Red hatched	Red hatched	Red hatched	Red hatched	Red hatched
12	Recreation ground	Green wash	Green wash	Green wash	Green wash	Green wash	Green wash

Note: - For land development / sub-division / lay-out suitable colouring notations shall be used duly indexed.

11. DIMENSION:

All dimensions shall be indicated only in metric units.

12. OWNERSHIP TITLE AND AREA:

The documents for proving ownership title to be sent with the application under Regulation -7 shall be the following:

- a) Attested copy of original sale/lease deed/power of attorney/enabling ownership document wherever applicable accompanied by an site plan giving the physical description of the plot/property;
- b) Property register card, 7/12 extract, mutation entry and gut book sketch of a date not earlier than six months of the date of submission of the development proposal;
- c) Housing Society/Authority allotment letter along with its NOC.
- d) Statement of area of the holding by triangulation method from the qualified licensed technical personnel or Architect with an affidavit from the owner in regard to the area in the form prescribed by the Commissioner.
- e) Latest certified measurement plan / gut book sketch / city survey sheet of the land or land under project obtained from the Revenue Authorities.
- f) Any other document prescribed by the Commissioner.
- g) In the case of land leased by the Government or local authorities, clearance of Government or such authorities regarding observance of the lease conditions shall be obtained and attached to the application for development permission in respect of such land
- h) Latest surveyed plan of the land showing all details of structures, shrubs, trees, etc., as per actual survey carried out by the Architect / Engineer or Revenue Authority, mentioning dimensions of all sides of land under project.
- i) Clearance certificate obtained from tax and assessment department of the Corporation. N.O.C's. from the various Authorities such as Railways, Civil Aviation Department, Directorate of Industries, Maharashtra Water Pollution Board, M.S.E.B. and such other authority as may be specified by the Commissioner.
- j) Approval from the Chief Controller of Explosives, Nagpur and Chief Fire Officer of the Corporation where required.
- k) Approval from the Chief Inspector of Factories in case of Industrial Buildings as required.
- l) D. P. Remarks.
- m) Zoning Demarcation.
- n) Copy of sanctioned layout.
- o) Any other document prescribed by the Commissioner.

Note: *If the ownership of a plot changes after a Building Permit has been issued or granted, such Building Permit shall lapse, regardless of whether building has commenced or not. A Revalidated Building Permit may be applied for. Procedure for obtaining a Revalidated Building Permit, which has lapsed due to change of ownership, will be same as for fresh building permission.*

13. KEY PLAN or LOCATION PLAN:

The key plan drawn to a scale of not less than 1:10000 shall be submitted along with the application for a building permit and Commencement Certificate showing the boundary locations of the site with respect to neighbourhood landmarks.

14. SITE PLAN:

The site plan to be sent along with the application under Regulation 7 shall be drawn to a scale of 1:500 and shall be duly authenticated by the appropriate Officer of Department of Land Records showing in addition the following details;

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

***Note:** To indicate details on site / building plan in Proforma II of **FORM - I**.*

- b) The position of the site in relation to neighbouring street;
- c) The name of the street in which the building is proposed to be situated, if any;
- d) All existing buildings standing on over or under the site with their names (where the buildings are given names) and their numbers;
- e) The position of building and all other buildings, if any, which the applicant intends to erect upon his contiguous land referred to in clause (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 portion owned by the applicant and also of the portions owned by others,
 - ii) All adjacent street, 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 clause (a), and
 - iii) If there is no street within a distance of 12 m. of the site; the nearest existing street; with its name
- f) The means of access from the street to the building (if any) which the applicant intends to erect upon his contiguous land referred to in clause (a);
- g) The space to be left around the building to secure a free circulation of air, admission of light and access for scavenging purposes;
- h) The width of the street (if any) in front and of the street (if any) at the side or near the building;
- i) The direction of north line relative to the plan of the buildings;
- j) Any existing physical feature, such as well, drain, trees, etc.,
- k) The ground area of the whole property and the break-up of covered area on each floor with the calculations for percentage covered in each floor in terms of the total area of the plot as required under these Regulations governing the coverage of area ;
- l) Overhead electric supply line including space for electrical transforming substation according to the requirements of electric distribution licenses, water supply and drainage line;
- m) Such other particulars as may be prescribed by the Commissioner.

- n) Site plan shall show all the existing trees, their location, species, actual girth, average age and height.
- o) The schedule mentioning the details as given in (n) above with number of trees that are proposed to be cut.
- p) The number of trees proposed to be cut shall be minimal considering the various alternatives for proposed development. The certificate from registered Architect/ Engineer shall be submitted along with the proposal.
- q) If site has more than 10 trees per 150 Sqm. Permission shall be granted by the Commissioner himself after his satisfaction regarding minimal tree cutting. But in any case verification and certification of Tree Authority regarding minimum tree cutting proposed shall be insisted upon. In absence of such clearance no piece of land shall be used as site for the construction of the building.

15. (A) AMALGMATION:

In case of the properties comprising of two or different holdings belonging to the same or different owners, provided the developer is same then the plans for amalgamation of the holdings shall be got approved from the Corporation.

(B) SUB-DEVISION/LAYOUT PLAN:

In the case of development work, sub-division/layout plan to be sent along with the application under Regulation 7 shall be drawn on a scale of not less than 1:500, however, for layout having areas 4.0 Ha and above the plan shall be drawn at a scale of not less than 1:1000, containing the following:

- a) Scale used and North Point;
- b) The location of all proposed and existing roads with their existing / proposed / prescribed widths within the land;
- c) Dimensions of plot along with building lines showing the setbacks with dimensions in each plot;
- d) The location of drains, sewers, public facilities and services and electrical lines etc.:
- e) Table indicating size, area and use of all the plots in the sub-division / layout plan;
- f) A statement indicating the total area of the site, area utilized under roads, open spaces for parks, playgrounds, recreation spaces and development plan reservations, schools, shopping and other public places along with their percentage with reference to the total area of the site proposed to be sub-divided;
- 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.

16. BUILDING PLAN:

The plans of the buildings and elevation and section to be sent with the application under Regulation-7 shall be drawn to a scale of 1: 100. The building plan shall:

Include floor plans of all floors together with the covered area (*) clearly indicating the sizes of rooms and the position and width of staircase, ramps and other exit ways, lift wells, lift

machine room and lift pit details, meter room and electric sub-station and also include ground floor plan as well as basement plan and shall indicate the details of parking space and loading and unloading spaces provided around and within the building as also the access ways and the appurtenant open spaces with projections in dotted lines, distance from any building existing on the plot in figured dimensions along with accessory building;

Note: (*) To indicate in Proforma I in **FORM – I**.

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

17. BUILDING PLANS FOR MULTI-STOREYED OR SPECIAL BUILDING:

For multi-storeyed building which are more than 15 m in height above plinth excluding height of stilt/parking floor if any and for special buildings like public, semi-public building, educational, assembly, institutional, industrial, storage and hazardous and mixed occupancies with any of the aforesaid occupancies having area more than 250 Sqm the following additional information as specifically mentioned in **Appendix-J** shall be furnished in the building plans in addition to the items (a) to (m) of Regulation-16 namely.

- a) Access to fire appliances / vehicles with details of vehicular turning circle and clear motor able access way around the buildings.
- b) Width of main and alternative staircases along with balcony approach, corridor ventilated lobby approach.

- c) Location and details of lift enclosures.
- d) Location and size of fire lift.
- e) Smoke stops lobby / door, where provided.
- f) Refuse chutes, refuse chamber and service duct.
- g) Vehicular parking spaces & loading and unloading 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. where provided.
- j) Location of generator, transformer and switch gear room.
- k) Smoke exhaust system, if any.
- l) Details of fire alarm system network.
- m) Location of centralized control connecting all fire alarm systems, built in fire protection arrangements and public address system etc. where required.
- n) Location and dimensions of static water storage tank and pump room along with fire service inlets for mobile pump and water storage tank.
- o) Location and details of fixed fire protection installations such as sprinklers, wet riser, house reels, drenchers, CO2 installation etc.
- p) Location and details of first aid fire fighting equipment / installations.
- q) Details of exits including provision of ramps, etc. for hospitals and special risks.
- r) Location for electric transformer.

17.1 Construction of Multi-tenement buildings:

Construction of Multi-tenements residential or commercial buildings other than owners personal use in detached or semi-detached manner on a plinth or on pillars by a society, a public trust, a builder, an authority established by law in India, an Institution or a corporation, in building plot of 250 Sqm. or more in area or minimum 6 (six) nos. of tenement units each being designed and constructed on different floor for separate ownership and with provision of an independent bath, W.C. and common staircase and as per the provision of Maharashtra Ownership Apartment Act, shall be constructed by the Licensed Builder only. All other regulations of the dwelling house shall apply to the construction of these building.

18. RECEIPT OF CAPITATION FEE FOR FIRE PROTECTION TO BE SUBMITTED WITH BUILDING PLAN IN CERTAIN CASES:

In the case of buildings more than 24 m in height, the receipt showing payment of capitation fees for fire protection as provided in (i), (ii) & (iii) below shall be sent along with the building plans referred in Regulation 17.

(i) For New Buildings:

At the time of application to the Chief Fire Officer for approval under these regulations, the owner shall pay an amount calculated at the rate of Rs. 10/- per Sqm of sanctioned built- up area of each building subject to minimum of Rs. 25,000/- or as prescribed by

the Government directives into Fire Precaution Fund in the prescribed procedure of the Fire Brigade. The entire amount shall be refundable in case the building proposal is subsequently dropped.

(ii) **For all old buildings:**

Wherein complete fire fighting system as per the present rules (in force before these rules come into force) has been provided and is in order, the rate shall be Rs. 5/- per Sqm.

(iii) **Buildings under construction:**

In the cases where the plans are approved by the Commissioner or by the officer to whom the powers to grant development permission have been delegated, after obtaining the requirements for fire precaution and fire fighting equipment from the Chief Fire Officer of the Corporation before these rules are brought into force and where the buildings is / are under construction, and or where the requirements as specified by Chief of Fire Officer has been provided by the Developer (except for standby pump, generator for the lift and sprinklers), such cases shall be considered on the same basis as existing buildings, provided the wet-riser system provided by the Developer is so modified to suit the use of mobile pump.

- (iv) A further cess of Rs.1/- per Sqm per year shall also be payable by the owner of the property from the date of occupation certificate granted by the Corporation to the same Fund, which shall be collected by the Assessor and Collector of Tax along with the general tax for providing the amount to defray the expenses for regular check inspection and other incidental expenses etc., so as to check and cause the owners / occupiers to keep the necessary installations in fit condition.

19. SERVICE PLANS AND ETC, TO BE MADE AVAILABLE:

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

20. SPECIFICATION:

The specifications of the proposed construction to be sent with application under Regulation- 7 shall be in the form as mentioned in **PROFORMA-I** of **FORM-I** and shall be duly signed by Architect or Licensed Engineer / Structural Engineer / Supervisor as the case may be.

21. STRUCTURAL SUFFICIENCY CERTIFICATE:

- a) The application made under **Regulation-7** shall be accompanied by structural sufficiency certificate in **FORM-II** signed by the Architect and /or Engineer / Structural Engineer licensed by the Corporation and owner jointly to the effect that the building is safe against various loads, forces and effects including due to natural disasters, such as, earthquake, landslides, cyclones, floods, etc. as per Part 6 'Structural Design' and other relevant Codes. The Engineer / Structural Engineer shall also have the details to substantiate his design.
- b) It will be mandatory on the part of every owner or occupier of a building in respect of which a period of thirty years, as provided in Section 265A of Bombay Provincial Act, 1949, has expired shall submit Structural Stability Report as stipulated in said Section. Failure to act accordingly will attract the provisions of 398A of B. P. M. C. Act, 1949.

22. CERTIFICATE OF SUPERVISION:

The certificate of supervision to be sent with the application under **Regulation-7** shall be in the **FORM-III** and shall be duly signed by the Architect or licensed Engineer / Structural Engineer / Supervisor, as the case may be. In the event of the said licensed technical personnel ceasing to be employed for the development work, the further development work

shall stand suspended till a new licensed technical personnel is appointed and his certificate of supervision along with a certificate for the previous work erected is accepted by Commissioner.

23. EXECUTION OF DRAINAGE/SANITARY WORK:

Notice shall be further accompanied by a certificate of supervision/execution of water supply and drainage works etc. in the prescribed **FORM-XIII** and duly signed by licensed Plumber/Engineer.

24. DEVELOPMENT/BUILDING PERMISSSION FEE/FECEIPT:

The application under Regulation-7 shall be accompanied by an attested copy of receipt of payment of development / building permission application fee as given in Table No.3 & Table No. 4 and as detailed in sub-regulation 24.1 to 24.8;

24.1 Rules for Fixation of Fees:

The following rules shall apply:

- 1) The total plinth area on all floors shall be taken as the basis for calculation of fees including the basement floor and accessory buildings.
- 2) No notice under Section 253 to 269 of B.P.M.C. Act,1949 or under Section 44, 45 & 58 of M.R.& T.P. Act,1966 shall be deemed valid unless and until the person giving notice has paid the fees to the Municipal Corporation along with dues, if any, and attested copy of the receipt of such payment is attached with the notice.
- 3) In case the proposal is finally rejected, 10 % of the fees shall be deducted and balance shall be refunded to the applicant within one month of the date of rejection.

24.2 Schedule of Fees:

The Commissioner shall, with the previous permission of Corporation, decide the schedule of fees from to time.

24.3 Development of Land / Sub-Division / Layout of land/ Amalgamation of land:

The fees for submitting proposals for development of land / sub-division / layout of land shall be as follows:

TABLE NO. 3.		
SCALE OF FEE TO BE CHARGED FOR SUB-DIVISION AND AMALGAMATION OF LAND		
Sr. No.	Area to be developed	Scale of Fee
1	Up to 0.30 Ha.	Rs. 250/-
2	0.30 to 1.00 Ha.	Rs. 400/-
3	1.00 to 2.50 Ha.	Rs. 1,000/-
4	2.50 to 5.00 Ha.	Rs. 1,200/-
5	Above 5.00 Ha.	Rs. 1,200/- plus Rs.100/- per Ha. or part thereof area above 5 Ha.

24.4 Buildings:

The following Scales of fees shall be applicable for building permission for Residential buildings.

TABLE NO. 4.		
SCALE OF FEE TO BE CHARGED FOR RESIDENTIAL BUILDINGS		
Sr. No.	Purpose	Scale of fees
1	To construct or reconstruct a building covered under section 253 to 269 of the B.P.M.C. Act, 1949 and Section 44, 45 & 58 of M.R. & T.P. Act 1966.	Rs. 20/- per 10 sq. m. of built over area or part thereof with a minimum of Rs. 1000/- and maximum of Rs. 20,000/- per proposal. Nominal fee Rs. 10/- for constructions restricted to 30 sq. m. built over area.
2	For alternation and / or additions to the existing building covered under section 253 to 269 of B.P.M.C. Act 1949, & under section 44, 45& 58 of M.R. & T.P. Act, 1966.	Same as above for additional built-up area plus Rs.500/- for alterations.
3	For alternations covered under section 253 to 269 of the B.P.M.C. Act, 1949 & under sections 44, 45 & 58 of M.R. & T.P. Act, 1966.	Rs. 1000/- per proposal
4	In case of amended plans for sanctioned proposal.	With the every amended proposal a fee of Rs. 2000/- wherein no extra floor area is proposed. Otherwise as for the additional area proposed Rs. 20/- per 10 sq. m. or part thereof with a minimum of Rs. 1000/- and a maximum of Rs. 20,000/- per proposal.
5	For revalidation of a sanctioned proposal, plans remaining the same before the end of each year from the date of Commencement Certificate / Building Permission.	Rs, 1000/- per proposal
6	Application for renewal of a sanctioned proposal, plans remaining the same after the end of each year from the date of Commencement Certificate / Building Permission.	Rs.200/- per month or part thereof, the number of months bring calculated for delayed period.

24.5 In case of proposals from medical, dispensaries, educational or a place of worship, Dharmashalas, hostel etc. Constructed by a public charitable trust registered under Public Charitable Trust Act, 1950 or for any other purpose which the Authority may specify by general or special order shall be charged at one-fourth of basic scale subject to a minimum of Rs.500/- and a maximum of Rs. 5,000/- per proposal.

24.6 In case of proposals for industrial, business and commercial buildings, cinema theatres and entertainment halls, auditoria, hotels and lodging houses shall be charged at double the basic scale subject to a minimum of Rs. 1000/- and a maximum of Rs. 50,000/- per proposal.

For the purpose of this bye-law a residential building with even a single shop will be treated as commercial building. Also fees shall be charged according to the use of area as commercial or residential or industrial use. Similarly, watchmen's quarters in industrial premises shall be considered as an industrial building.

24.7 Development Permission for Mining, Quarrying and Brick Kiln operation:

In case of mining, quarrying and brick kiln operations, the scrutiny fees will be as under;

- (i) Mining, quarrying and brick kiln operation with Chimney.
Rs. 1000.00 per 0.4 hectare or part thereof and a maximum of Rs. 5,000.00
- (ii) Brick kiln without Chimney.
Rs. 50.00 per 0.1 hectare or part thereof and maximum of Rs. 1,000.00
- (iii) Processing of lime sagol etc. without construction.

- Rs. 50.00 per 0.1 hectare or part thereof and maximum of Rs. 500.00
- (iv) Renewal of permission for mining, quarrying.
Rs. 100.00 for one year.
- (v) Renewal of permission for brick without chimney.
Rs. 50.00 for one year.
- (vi) Renewal of permission for processing of sagol. Lime etc. without construction.
Rs. 20.00 for one year.

Fees shall be decided by Competent Authority from time to time.

24.8 Boundary / Compound wall:

The fee for a proposal for constructing a compound wall shall be Rs. 100/- per Rmt. subject to maximum of Rs.10000/-

24.9 Fees for Depositing Building Material/Temporary Erection on Public Streets:

FEES FOR DEPOSITING MATERIAL/TEMPORARY ERECTION ON PUBLIC STREETS		
Sr. No.	Total covered area on all floors	Scale of fees
(1)	(2)	(3)
1	For construction of residential building	Rs.10 % of Development charges
2	For construction of non-residential building	Rs. 15% of Development charges
3	Temporary erection on public land / streets including welcome gates.	Rs. 500/- per Sqm. of total covered area per week

Note: 1. The stacking of materials would be permitted till the completion of the building, if after completion of the building, in the opinion of the Commissioner, certain material has not been cleared or left in a stage causing annoyance or inconvenience, the Commissioner shall take necessary action against the owner and any expenditure incurred in the removal of such material, which has been carried out by the Appropriate Authority shall be recovered from the owner.

Note: 2. In case of plots where the services are being maintained by the respective co-operative societies and are still not handed over to Planning Authority/ Competent Authority no stacking charges are liveable and only certificate from the Secretary of the Society shall be submitted that all damages etc. to the services shall be made good by the Society before handing over services to the Planning Authority.

- The mulba during construction will be removed on weekly basis. If the same is not done, in that case the Planning Authority shall remove the mulba and the cost shall be borne by the owner of the plot.
- During construction, it is mandatory on the part of the owner to properly screen the construction site off the main road by means of erecting a screen wall not less than 2.4 m in height from the ground level which is to be painted to avoid unpleasant look from the road side. In addition to this, a net or some other protective material shall be hoisted at the facades of the building to ensure that any falling material remains within the protective area.
- Noise related activities will not be taken up for construction at night after 10 P.M.

Note: 3. Affidavit / Undertaking for Non-Stacking shall be obtained from owner of plot where required in FORM –“XVI”.

24.10 Commissioner may refuse or a Deemed Building Permit may be revoked

if all outstanding dues liveable by the Corporation on the plot on which building is proposed are not paid in full.

25. NO DUES CERTIFICATE FROM CONCERNED DEPARTMENT:

Every application of development made under **Regulation 7** shall accompany with copy of no due certificates from all concerned departments of Corporation.

26. NO OBJECTION CERTIFICATE:

For occupancies requiring clearance from authorities like the Civil Aviation Authority, Railways, Directorate of Industries, Maharashtra Pollution Control Board, Inspectorate of Boilers and Smoke Nuisances, electrical distribution licensers' regarding requirements of electrical transforming stations, the no objection certificate from these authorities, applicable to the occupancy, shall also accompany with the application.

27. OTHER FACILITIES TO BE PROVIDED DURING CONSTRUCTION:

Specifically, if any building coming under category of Special Building or High Rise Building then the application shall also be accompanied by an undertaking from the owner / developer / contractor to the effect that during the period of construction, facilities will be made available for day-care centre, crèche, adult-literacy and non-formal education programmes for the construction workers, directly by him or through a voluntary agency.

28. EXEMPTION FROM PAYMENT OF FEES:

Building schemes for Economically Weaker Sections of society and Low Income Group and Slum Clearance Schemes undertaken by public agencies or subsidized by the State Government with plinth area of each tenement not more than 30 sq. m. will be exempted from paying the development permission fee.

29. SECURITY DEPOSIT:

To ensure compliance with these Regulations and the directions given in the sanctioned plan and other conditions, a security deposit which may be in the form of an irrevocable nationalized bank guarantee, shall be charged at 20% of Development & Betterment charges. It shall be returned to the owner one year after the issue of the full occupancy certificate after the Commissioner is fully satisfied with the compliance of various conditions stipulated in the said full occupancy certificate. In case if it is found that owner/developer is not adhering to conditions while granting permission then entire amount of Security Deposit would be confiscated by the Corporation and then Corporation would be free to demolish such construction.

30. SIGNING PLANS:

All the plans at the time of sanction and completion are required to be duly signed by the owner and the Architect or Licensed Engineer /Structural Engineer or Supervisor as the case may be, and where they are signed by the Architect, Licensed Engineer, Structural engineer or Supervisor, shall indicate his name, address and licence number allotted by the Commissioner.

Note: To indicate on plan as in Proforma II in FORM - I.

31. QUALIFICATION AND COMPETENCE OF ARCHITECT/LICENSED ENGINEERS, STRUCTURAL ENGINEER, AND SUPERVISORS ETC. FOR BUILDING LICENCE:

The Commissioner shall give licence for the purpose of these regulations only to those Architect / Engineers / Structural Engineers / Supervisors etc., who possess the qualification respectively laid down for them in **Appendix-A**. The procedure for licensing Engineers/ Structural Engineers / Supervisors, etc., their duties and the type of works they are competent to carry out and the fees for giving such licences shall be as provided in **Appendix-A**.

31.1 Listing of Persons on Record :(Appendix-“A-1”)

The Corporation shall list Advocates, Architects, Structural Engineers and Construction Engineers as Advocate on Record (AdOR), Architects on Record (AOR), Structural Engineers on Record (SEOR) and Construction Engineers on Record (CEOR) respectively of the Corporation. Applications for same shall be made in the prescribed format along with fee as decided by the Corporation (**Appendix “A-1”**).

32. DISCRETIONARY POWERS OF COMMISSIONER:

(1) In conformity with intent and spirit of these Regulations, the Commissioner may:

- a) Decide on matters, where it is alleged that there is an error in any order, requirement, decision, determination or interpretation made by him in the application of these Regulations;

- b) Determine and establish the location of zone boundaries in exceptional cases, or in case of doubt or controversy;
 - c) Interpret the provisions of these regulations where the street layout and layout open spaces actually on the ground varies from the street layout and layout open spaces as shown on the Development plan ;
 - d) Modify the limit of a zone with the previous approval of the Government where the boundary line of the zone divides a plot; and
 - e) Authorize the erection of a building or use of premises for a public utility purposes only, where he finds such as authorization to be reasonably necessary for the public convenience and welfare even if it is not permitted in land use classification.
- (2) In specific cases where a clearly demonstrable hardship is caused, the Commissioner may for the reasons to be recorded in writing by special written permission:

Permit any of the dimensions prescribed by these regulations to be modified except those relating to FSI unless otherwise permitted under these regulations provided the relaxation sought does not violate the health safety, fire safety, structural safety and public safety of the inhabitants, the buildings and the neighbourhood, and premium for same shall be charged as per **Regulation No-198** and **Appendix-X**.

(3) Temporary Construction:

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

- a) Structures for protection from the rain or covering of the terraces during the monsoon only.
- b) Pandals/Shamiyanas for fairs, ceremonies, and religious function etc.:
- c) Structures for godowns / storage of construction materials within the site.
- d) Temporary site offices and watchmen chowkies within the site only during the phase of construction the main building.
- e) Structure for exhibitions / circuses etc.
- f) Structures for storage of machinery, before installation, for factories in industrial lands within the site.
- g) Structures for ancillary works for quarrying operation in conforming zones.
- h) MAFCO stalls, milk booths and telephone booths.
- i) Transit accommodation for persons to be rehabilitated in a new construction.
- j) Structures for educational and medical facilities within the site of the proposed building during the phase of planning and constructing the said permanent buildings.

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

Provided further that for structures accommodating more than 50 persons, no objection certificate from the Chief Fire Officer of Corporation shall be obtained prior to issuing permission.

- (4) While granting permission under sub-Regulation-2 and 3 conditions may be imposed on size, cost or duration of the structure, abrogation of claim of compensation, payment of deposit and its forfeiture for non-compliance and payment of premium.
- (5) Except where the same is prescribed in the B.P.M.C. Act, 1949 or Maharashtra Regional and Town Planning Act, 1966 and the rules or bye-laws framed there under the Commissioner may from time to time add to, alter or amend Appendices "A" to "Z".
- (6) The premium at the rate based on Regulation 101 and Guidelines A and calculated by the Commissioner shall be charged in following cases-
 - i. Where any sort of relaxation is granted under the sub-regulation (2) and
 - ii. Where additional benefit is accruable under these regulations over and above provisions of the earlier sanctioned development plan and development control regulations there under as amended from time to time.

33. COMMUNICATION OF SANCTION OR REFUSAL OF PLANS:

The Commissioner may either sanction or refuse the plans and specifications or may sanction them with such modifications or directions as it may deem necessary. The sanction shall be communicated to the applicant in the form in **FORM-IV** and the refusal shall be communicated to him in the form in **FORM -V** before sanctioning the building/development plans. The applicant is required to pay total development charges as stipulated under section 124-A of the Maharashtra Regional and Town Planning Act, 1966 as amended from time to time and no instalments shall be permitted in any case.

34. WHEN PLANS DEEMED TO HAVE BEEN SANCTIONED:

If within 60 days of the receipt of the application under **Regulations No.7**, the Commissioner fails to intimate in writing to the applicant his refusal or sanction, the application with its plans and statement shall be deemed to have been sanctioned.

Provided that, nothing in this regulation shall be construed to authorise any person to do anything on the site, any work in contravention of or against the terms of lease of or titles in the lands, the Development Plan or these Regulations, or against any law in force.

Provided further that, the development proposal, for which the permission was applied for, is strictly in conformity with the requirements of all relevant Development Control Regulations framed under the Act or by regulations framed in this behalf under any law for the time being in force and same in no way violates either provisions of any draft or final plan or proposals published by means of notice, submitted for sanction under the Acts.

Provided further that any development carried out in pursuance of such deemed permission which in contravention of the provisions of the above provision, shall be deemed to be unauthorised development for purposes of sections, 52 to 57 of Maharashtra Regional and Town Planning Act, 1966 and other relevant Act.

35. APPLICANT TO MODIFY PLANS IN CERTAIN CASES:

If the plan has been scrutinized and objections thereof have been pointed out, the applicant 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 Commissioner shall grant or refuse the Commencement Certificate / Building Permission within 60 days from the date of resubmission. No new objection shall generally be raised when they are re-submitted after compliance of earlier objections. The Commissioner shall scrutinize the re-submitted plan and if there be further objections, the plan shall be rejected.

36. BOARD OF APPEALS:

- i) Any applicant aggrieved by an order granting on conditions or refusing permission may, within thirty days of the date of receipt of communication of the order to him, may prefer appeal to the Board of Appeals set up by the State Government as stipulated under section 47 of M.R. & T.P. Act, 1966. The Board of Appeals shall consist of Director of

Town Planning. Such appeal shall be made in such a manner and accompanied by such fees (if any) as may be prescribed.

- ii) The Board of Appeals may, after giving a reasonable opportunity to the appellant and the Planning Authority to be heard, by order may dismiss the appeal, or may allow the appeal by granting permission unconditionally or subject to the conditions as modified.

The appeal shall be cleared within 60 (sixty) days of the receipt of appeal.

37. DURATION OF SANCTION:

Commencement certificate / development permission shall remain valid for till the work is completed, however applicant/owner shall have to renew the same before the expiry of one year from the date of its issue by giving the proper reasoning.

38. EXTENSION OF PERIOD OF PREMISSION TO BE SUBJECT TO DEVELOPMENT PLAN PROVISIONS, BUILDING REGULATION ETC.:

Any extension of the period of permission sought for under section 48 of the Maharashtra Regional and Town planning Act, 1966 shall be subject to Development Plan provisions and these Regulations as in force in on the date on which such extension is applied for.

39. PLANS OF BUILDING HAVING MORE THAN 15 M. IN HEIGHT TOBE CCRUTINIZED ALSO BY THE CHIEF FIRE OFFICER:

Plans regarding building having 15 m. or more height shall be scrutinized also by the Chief Fire Officer of Corporation's Fire Brigade and no such plans shall be sanctioned by the Commissioner unless a clearance is given by the Chief Fire Officer of the Corporation.

40. COMMENCEMENT OF WORK:

For the purpose of this Regulation, 'Commencement' shall mean as under;

a)	For a building work including addition and alterations.	Up to plinth level.
b)	For bridges and overhead tanks	Foundation and construction wok up to the base floor.
c)	For underground works of underground floor	Foundation and construction work up to floor.
d)	For layout, sub-division / amalgamation proposals.	Final demarcation and provision of infrastructure and services up to the flowing stages. i) Roads: Water bound macadam complete. ii) Sewerage, drainage and water supply excavation and base concreting

41. REVOCATION OF DEVELOPMENT PREMISSION:

- 1) Without prejudice to the power of revocation conferred by section 51 of the Maharashtra Regional & Town Planning Act, 1966 the Commissioner may revoke any development permission issued under these regulations where it is noticed by him that there had been any false statement or any misrepresentations of material fact in the application on the basis of which the development permission was issued and thereupon whole work carried out in pursuance of such permission shall be treated as unauthorized and necessary action shall be taken in such cases as per provisions of Maharashtra Regional & Town Planning Act, 1966.
- 2) In the case of revocation of the permission under sub-regulation (1) no compensation shall be paid.

42. OWNER / ARCHITECT / DEVELOPER / ENGINEER / STRUCTURAL ENGINEER / SUPERVISOR OR ANY LICENSED TECHNICAL PERSON NOT ABSOLVED FROM RESPONSIBILITY BECAUSE OF GRATING DEVELOPMENT PERMISSION ETC.:

Neither the granting of the development permission nor the approval of the drawings and specifications, nor the inspections, made by the Commissioner during erection of the building shall, in any way relieve the Owner / Architect / Developer / Engineer / Structural Engineer / Supervisor or any licensed technical person, of such building from full responsibility for carrying out the work in accordance with the requirements of these regulations. Undertaking an unauthorised construction is a cognizable offence to which the Code of Criminal Procedure, 1973 shall apply, and an Owner undertaking such construction may face prosecution(s) under provisions of section 349 A of the said Code.

Every owner shall:

- a) Permit the Authority to enter the building or premises for which the permission has been granted at any reasonable time for the purpose of enforcing these Regulations.
- b) Submit the certificate for execution of work as per structural safety requirements in FORM-II and give written notice to the Authority regarding completion of work described in the permission vide FORM-IX.
- c) Give written notice to the Authority in case of termination of services of a Technical professional engaged by him.

43. NOTICE FOR COMMENCEMENT OF WORK:

The Owner shall give notice to the Commissioner of his intention to start work on the building site in **FORM- VI**. The Owner may start the work after expiry of 7 (Seven) days from the date of receiving of such notice by the Corporation.

43.1 Notice for Covering up Underground Drain and Sanitary Work:

The owner/owner who has been granted building permission shall serve a notice in the **FORM-XIII-A** duly signed by a licensed Plumber/ Engineer along with fee of Rs.100 for inspection of such work by the officer deputed by the authority at least 15 days prior to the covering of underground drain and sanitary work.

43.2 Notice for Completion of Drain, Sanitary and Water Supply Work:

The owner /applicant who has been granted building permission shall serve a notice in the form as given in the FORM XIII duly signed by a licensed Plumber/ Engineer along with a fee of Rs. 100 for inspection of such work by the officer deputed by the authority at least 15 days prior to the covering of underground drain and sanitary work.

43.3 Approval/Refusal of Drain, Sanitary and Water Supply Works:

Within 15 days from the receipt of respective notices as referred in 40.1 and 40.3 the site shall be inspected by officer deputed by the authority. Approval / refusal of such work under respective notice shall be conveyed within 15 days from the date of such notice.

43.4 Permission for connection to the Public Sewer:

No connection of any drain or sewer line to any public sewer or any drain /sewer line to any existing private line already connected to the public sewer shall be made without the prior permission of the concerned Department.

44. DOCUMENT TO BE MADE AVAILABLE AT SITE:

- 1) Results of tests: For Multi-Storied & Special Buildings, where tests of any materials are made to ensure conformity with the requirements of these regulations, records of the test data shall be kept available for inspection during the construction of the building and for such period thereafter as may be required by the Commissioner,

- 2) Development Permission: The Person to whom development permission is issued shall, during construction, keep;
 - a) Posted in a conspicuous place, on the site in respect of which the permission is issued, a copy of the Development permissions and
 - b) A copy of the approved drawings and specifications referred to in Regulation 7 on the site in respect of which the development permission was issued.

45. CHECKING OF PLINTH OR COLUMNS AT PLINTH LEVEL:

- 1) The Owner shall give notice in the FORM-VII to the Commissioner after the completion of work up to plinth level with a view to enabling the Commissioner to ensure that the work is carried out in accordance with the sanctioned plans. The Commissioner within seven working days from the receipt of such notice shall carry out inspection and give approval to the work up to plinth level and permission for carrying out further construction work as per sanctioned plans in FORM-VIII.

Provided that, before giving such approval Commissioner shall require the applicant to fix a metal, wooden or plastic board of the size of 1.5 m x 1m at the conspicuous place at the site indicating there on the following particulars and no such approval and permission shall be given unless the board so fixed is inspected by the Commissioner.

Particulars to be shown on the board:

- a) Name of the Owner of the land and his address,
 - b) Name of the Architect / Engineer / Surveyor and their address,
 - c) License No. of the Engineer / Structural Engineer or Surveyor,
 - d) Name of the builder and his address, where the builder is firm, the name of the firm and its address,
 - e) C.S.No. / C.T.S.No. / S.No. and name of the village,
 - f) Number and date of development permission and commencement certificate granted by the Commissioner,
 - g) i) Area under building project
ii) F.S.I. consumed
- 2) If within the statutory period, the permission is not refused, the permission shall be deemed to have been given, provided the applicant fixes a board as provided in sub-Regulation (1) except that instead of giving number and date of development permission or commencement certificate, indication shall be given on the board that the permission is deemed to have been given under this regulation, but the construction shall be strictly as per development control rules.

46. DEVIATION DURING CONSTRUCTION:

If during the construction of a building any departure from the sanctioned plan is intended to be made by way of internal alternations or external additions which violate any provisions regarding general building requirements, structural stability or fire safety requirements of these regulations, sanction of the Commissioner shall be obtained. Any work carried out in contravention of the sanctioned plan, without prior approval of the Commissioner shall be deemed to be unauthorized. The Municipal Commissioner shall take appropriate action u/s 52 to 54 of the Maharashtra Regional and Town Planning Act, 1966 in such cases.

47. BUILDING COMPLETION CERTIFICATE / ACCEPTANCE OF THE COMPLETION CERTIFICATE:

The Owner through the Architect / licensed Engineer, Structural engineer, or supervisor, as the case may be; who has supervised the construction shall give notice to the Commissioner regarding completion of work described in the development in the development permission. The completion certificate shall be submitted in FORM - IX and shall be accompanied by six set of completion plan, one of which shall be cloth mounted along with the following documents;

- a) A Building Completion certificate issued by the Architect/licensed Engineer/Structural Engineer/Site Supervisor, who has supervised the construction in the FORM-VII.
- b) A Structural Stability Certificate issued by the Registered Structural Engineer.

The six sets mentioned above are for following purposes:-

1. Cloth mounted for office record
2. D.M.C. of concerned zone
3. Executive Engineer (Water Works), Nanded Waghala City Municipal Corporation.
4. Assessment Department, Nanded Waghala City Municipal Corporation, Nanded.
5. Collector of the Nanded District
6. Owner

The Commissioner shall, inspect the work and after satisfying himself that there is no deviation from the approved plans, issue a certificate of acceptance of the completion of work in the **FORM – X**.

48. OCCUPANCY CERTIFICATE:

The Commissioner, on acceptance of the completion certificate shall sanction an occupation certificate, in the **FORM - XI** within 21 days from the date of receipt of the Building completion certificate, after which period it shall be deemed to have been approved by the Commissioner for occupation, provided the building has been constructed as per the sanctioned plans. Where the occupation certificate is refused, the reasons for such refusal shall be communicated to the Owner.

49. PART OCCUPANCY CERTIFICATE:

Upon the request of the holder of the development permission, the Commissioner may issue a part occupation certificate for a building or part thereof, before completion of the entire work as per the development permission provided sufficient precautionary measures are taken by the holder of the development permission to ensure public safety and health safety. The part occupation certificate shall be given by the Commissioner subject to the owner indemnifying the Corporation by giving an Indemnity Bond in FORM -XII.

50. OCCUPANCY CERTIFICATE TO BE GIVEN ONLY AFTER CLEARANCE FROM THE CHIEF FIRE OFFICER IN RESPECT OF BUILDING HAVING MORE THAN 15 M. HEIGHT AND SPECIAL BUILDINGS:

The work of construction of building having more than 15 m. height and special buildings shall be subject to inspection also of the Chief Fire Officer, Fire Brigade of the Corporation, and unless a clearance regarding completion of the work from the fire protection point of view is given by him and all necessary fees paid by the Builder / Developer, no occupancy certificate shall be issued by the Commissioner in respect of such building.

51. INSPECTION:

1) Inspection at various stages:

The Commissioner may at any time during erection of a building or the execution of any work or development make an inspection thereof without giving previous notice of his intention to do so.

2) Inspection by Fire Department:

For all multi-storied, high – rise and special buildings shall also be subject to inspection by the Chief Fire Officer, and the Commissioner shall issue the occupancy certificate only

52. UNSAFE BUILDINGS:

All unsafe buildings shall be considered to constitute a danger to public safety, hygiene and sanitation and shall be restored by repairs or demolished or dealt with as otherwise directed by the Commissioner. The provisions of section 264 of the B.P.M.C. Act, 1949 shall apply for procedure of action to be taken by the Commissioner in respect of such building.

53. UNAUTHORIZED DEVELOPMENT/ LIABILITY FOR OFFENCES AND PENALTIES:

Any person who contravene any of the provisions of these regulations or 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 liable to be prosecuted for an offence under section 52 of the Maharashtra Regional and Town Planning Act, 1966. The Commissioner may also;

- a) Be punishable by fine as fixed by the Authority and as stipulated in Section 52 of Maharashtra Regional & Town Planning Act, 1966 and B.P.M.C. Act, 1949
- b) Take suitable actions including demolition of unauthorized works under section 53 of the Maharashtra Regional & Town Planning Act, 1966 or section 267 of the B.P.M.C. Act, 1949 and,
- c) Take suitable action against the licensed technical personnel which may include cancellation of the license and debarring him further practice for a period extending up to five years.

53.1 Architectural Control:

For the buildings coming up in the important areas or in case of important monumental buildings in proximity of buildings of historical importance, the building schemes may be cleared from the Architectural aesthetic point of view. The Commissioner shall have powers to frame suitable rules for ensuring the above.

For this the Commissioner may seek the following information through detailed drawings or models showing the exterior of the building indicating the details on the following;

- i) Projections, architraves on windows, doors and other openings, weather frames, sun-breakers, galleries, balconies and porches;
- ii) Exterior material / finishes used with texture;
- iii) Stair rooms and such other constructions on the top of the building which affect the sky line;
- iv) Details of gates and boundary walls.

54. REQUIREMENT OF SITES:

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

- a) If the Commissioner considers that the site is insanitary or that it is dangerous to construct a building on it;
- b) If the site is within a distance of 9 m. from the edge of water mark of minor water course and 15 m. from the edge of water mark of a major water course and if the owner of the property, channelizes and / or diverts the water course to an alignment and the cross section as determined by and to the satisfaction of the Municipal Commissioner without changing the position of existing inlet and outlet of the water course, the width of minor and major water course shall not be less than 3 m, and 5 m. respectively;
- c) If the site is not drained properly or is incapable of being well drained;
- d) If the owner of the building has not taken to the satisfaction of the Commissioner all the measures required to safeguard the construction from constantly getting damp;
- e) If the building is proposed on any area filled up with carcasses, excreta, filthy and offensive matter, till the production of certificates, of the Health Officer and the City Engineer of the Corporation to the effect that it is fit to be built upon from the health and sanitary point of view;
- f) If the use of the site for the purpose which, in the opinion of the Commissioner, be a source of annoyance to the health and comfort of inhabitants of the neighbourhood;
- g) If the plot has not been approved as a building site by the Commissioner;
- h) If the level of the site is less than prescribed level depending on topography and drainage aspects.

- i) Area within the Lowest Flood Level and Highest Flood Level is allowed for Development in limited sense. Development permission will be given within the Residential area and the structure constructed should be on a stilt.
- j) If the building is nearer to the centre line of a National Highway, State Highway or Major District Road than 25 m. in case of residential buildings and 40 m. in case of other buildings.
- k) If the building is situated:
 - i) Within 2438 m from an International Civil Airport unless the application for development permission is accompanied by a N.O.C. from Civil Aviation Authorities.
 - ii) Within 1929 m from a Domestic Civil Airport unless the application for development permission is accompanied by a N.O.C. from Civil Aviation Authorities.
- l) For assembly use for cinemas, theatres, places of worship, residential hotels, lodging and boarding houses, shopping malls, mercantile buildings unless the site has been previously approved by the Commissioner and the Superintendent of Police;
- m) Unless it derives access from an authorised street / means of access described in these Regulations;
- n) For industrial use other than a service industry unless application is accompanied by a No Objection Certificate from appropriate officer of the Industries Department of Government of Maharashtra according to the prevailing Industrial Location Policy.
- o) If the proposed development is likely to involve damage to or have deleterious impact on or is against urban aesthetics or environment or ecology and / or historical / architectural / aesthetical buildings and precincts or is not in public interest.
- p) If the occupancy of the building on the site does not conform to the land use proposals in the Development Plans or Zoning regulations.

55. ADDITIONAL RESTRICTION ON CONSTRUCTION/RECONSTRUCTION:

a) Distance from electric lines:

No portion of building including Veranda, Balcony or the like shall be allowed to be erected or re-erected or any additions or alterations made to a building on a site within the distance mentioned below in accordance with the current *Indian Electricity Rules* or within the distance which may be laid down by the said rules as amended from time to time between the building and any overhead electric supply line;

		Vertically (in m.)	Horizontally (in m.)
A	Low and medium voltage lines and service lines.	2.5	1.2
B	High voltage line up to and including 11000 V.	3.7	2.0
C	High voltage line above 11000V. and up to and including 33000V	3.7 (plus 0.3 m for every additional 33,000 V., or part thereof)	2.0 (plus 0.3 for every additional 33,000 V., or part thereof)

Explanation: For the purpose of this regulation the minimum clearance of distance shall be measured from maximum sag for vertical clearance and from maximum due to wind pressure for horizontal clearance.

b) Distance from Railway Boundary:

No Objection Certificate from the concerned Railway Authority shall be insisted before granting permission for the building plans / development between the railway boundary and the distance of 30 meter from it. The development of such plot shall be carried out as per terms and conditions stipulated by the Railway Authority.

56. ACCESS TO OTHER BUILDING NOT TO BE AFFECTED:

No building shall be erected so as to deprive any other building of the means of access.

57. AREA OF ACCESS NOT TO BE DIMINISHED:

No person who erects a building shall at any time erect or re-erect or cause or permit to be erected or re-erected any building which may in any way encroach upon or diminish the area set apart as means of access.

58. MEANS OF ACCESS TO BE CONTRUCTED AND MAINTAINED:

Means of access shall be levelled, metalled, tarred, flagged, paved, and severed, drained, channelized, provided with lights and water supply line and with trees for shade to the satisfaction of the Commissioner. They shall be free of encroachment by any structure or fixture that may reduce their width below the minimum required by Regulation 59 and shall be maintained in condition considered satisfactory by the Commissioner.

59. INTERNAL MEANS OF ACCESS TO EACH PLOT:

1. Minimum road width vis-a-vis the area served:

The plots shall abut on a public means of access like street or road. Plots which do not abut on a street or road shall abut or front on a means of access, the width and other requirements of which shall be as given in Table No. 5 hereunder for residential and commercial zones and as given in Table 6 hereunder for an industrial zone.

T A B L E N O. 5.				
WIDTH OF ACCESS FOR RESIDENTIAL AND COMMERCIAL ZONES.				
Access Length in meters (m)	Area Served (Sq. m.)			
	Less than 1500	1500 - 4000	4000 - 10000	Over 10000
Width in meter (m)				
1	2	3	4	5
Less than 75	6.0	7.5	9.0	12.0
Above 75 to 150	7.5	7.5	9.0	12.0
Above 150 to 300	9.0	9.0	9.0	12.0
Over 300	12.0	12.0	12.0	12.0

2. Cul-de-sacs:

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

3. a) The Commissioner shall permit access from streets having width of not less than 6 m through land over which the public have a customary right of access or have used it or passed over it uninterruptedly for a period of 20 years.
b) In congested area width of the right of way may be permitted to reduce to 4.5 m up to a length of 150 m.

Provided that permission may be granted on plots facing on proposed Development Plan road provided owner undertakes responsibility to construct partial D.P. road and/or, alternative means of access with prior permission of the Commissioner.

4. Industrial Zone and other Special type of building: Table No.6

T A B L E N O. 6	
WIDTH OF ACCESS FOR INDUSTRIAL ZONE AND SPECIALTYPE OF BUILDINGS.	
Access Length in Meters	Width of Means of Access in Meters
Up to 100	9.00
Above 100 up to 300	12.00

Above 300	15.00
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5. Access for residential, commercial and industrial zones as in Tables 5 and 6 above.
 - i) Shall be clear of marginal open spaces but not less than 3 m. from the building line;
 - ii) May be reduced by 1 m. in their prescribed widths if the plots are on only one side of the access;
 - iii) Shall be measured in length from the point of its origin to the next wider public street it meets.
6. In the interest of the general development of any area, the Commissioner may require the means of access to be of larger width than that required under these Regulations.
7. Notwithstanding the above, in partially built-up plots where the area still to be built upon does not exceed 5,000 sq. m. access of 3.6 m. width may be considered adequate. If such an access is through a built over arch, this arch shall have a height of not less than 4.5 m. If such access is at least 3 m. in width, it shall be considered as adequate means of access for areas to be built upon not exceeding 5,000 sq. m. provided such area is used for low income group housing and the F.S.I. would be 75 % of the F.S.I. permissible in the zone.
8. In the case of a plot, surrounded on all sides by other plots, i.e. a landlocked plot which has no access to any street or road, the Commissioner may require access through an adjoining plot or plots which shall, as far as possible be nearest to the street or road, to the Land-locked plot, at the cost of owner of the land-locked plot and such other conditions as the Commissioner may specify.
9. In no case shall the means of access be lesser in width than the internal access way in layouts and sub-division.
10. The approach to every building from roads, street or internal means of access shall be through paved pathway of width not less than 1.5 m provided its length is not more than 20 m from the main or internal means of access;
11. In the case of special housing scheme for low income groups and economically weaker sections of society development up to two storied Row Hosing Scheme, the pathway width shall be 3 m which shall not serve more than 50 m and 8 plots on each side of the pathway.
12. The length of the 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 subsidiary access way shall be measured from the point of its origin to the next wider road on which it meets.
13. Where a private passage is unrestrictedly used by the public for more than 20 years as a means of access to a number of plots and the width of such means of access is not less than 9 m. the Commissioner may (with the sanction of the Standing Committee) improve the passage at Municipal cost and thereafter take steps under the Act to declare it to be public street, subject to the provisions of section 223 and 224 of the B.P.M.C. Act, 1949.
14. In congested areas, in the case of plots facing street or means of access less than 4.5m in width the plots boundary shall be shifted to be away by 2.25 m. from the central line of the street or means of access way to give rise to a street or means of access way width of 4.5 m.
15. Means of access shall be free of encroachment by any structure or fixtures so as not to reduce its width below the minimum required under Sub-Regulation (1) and shall be maintained in a condition to the satisfaction of the Commissioner.
16. **Private Street:** If any private street or other means of access is not constructed or maintained as specified in Sub-Regulation (1) above or if structures or fixtures arise thereon in contravention of that sub-rule, the Commissioner may, by written notice, direct

the owner or owners of the several premises fronting 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 be benefited by works executed, to carry out any or all of the aforesaid requirements in such manner and within such time as he shall direct. If the owner or owners fail to comply with his direction, the Commissioner may arrange for its execution and recover the expenses incurred from the owner or owners.

17. If any structure or fixture is set upon a means of access so as to reduce its width below the minimum required, the Commissioner may remove the same and recover the expenses so incurred from the owner.

60. ACCESS FROM HIGHWAYS, CLASSIFIED ROAD AND WIDER ROADS:

- 1) No site excepting one proposed to be used for highway amenities like petrol pumps or motels shall have direct access from a highway or specified road 30 m. or more in width, and the portion of these roads on which such amenity sites may have direct access will be identified in the development plan.

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

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

- 2) Access to the essential highway amenities stated in these regulation and private properties along the National Highway shall be permitted in accordance with the guidelines issued by the Ministry of Road Transport and Highways (MORTH) by its Circular letter No. RW/NH33023/19/990-DO-III, dated 31/8/2000 and any modification or revision thereof from time to time.
 - i) No building shall be constructed within the set back distance.
 - ii) Directions given by the Maharashtra Government through the Public Works Department's Resolution No. RBD/1081/871/Roads-7, dated 09/03/2001, RBD-1001/72/Roads-7, dated 21/09/2001 and RBD-1001/72/Roads-7, dated 07/01/2002 (all in Marathi) and any modification or revision thereof from time to time shall be followed strictly.

61. ADDITIONAL PROVISION REGARDING MEANS OF ACCESS TO APPLY TO CERTAIN BUILDINGS:

The following additional provisions regarding means of access shall apply to buildings referred to in Regulation-17.

- a) The width of the main street on which the building abuts shall not be less than 12 m and one end of this street shall join another street of width not less than 12 m in width.
- b) The approach to the special building and open spaces on all of its all sides up to 6 m width and the layout for the same shall be done in consultation with the Chief Fire Officer of Corporation and the same shall be on hard surface capable of taking the weight of fire engine, weighing up to 18 tonnes. The said open space shall be kept free of obstruction and shall be motor-able.
- c) Main entrance to the plot shall be of adequate width to allow easy access to the fire engine and in no case it shall measure less than 4.5 m. The entrance gate shall fold back against the compound wall of the premises, thus leaving the exterior access way within the plot free for movement of fire service vehicles. If main entrance at boundary wall is built over, the minimum clearance shall be 4.5 m.

PART – III

DEVELOPMENT OF LAND INTO LAND SUB-DIVISION AND LAYOUT

62. LAYOUT OF LAND AND LAND SUB-DIVISION:

Circumstances warranting preparation of a lay-out or sub-division:

1) A layout or sub-division shall be submitted for the following:

- a) When more than one building (except for buildings accessory to the main building) is proposed on any land the owner shall submit proposal for proper layout of buildings or sub-division of his entire contiguous holding.
- b) When development or redevelopment of any tract of land includes its division or sub-division into plots for various land uses within colony.
- c) When the land under development admeasures 1000 Sqm. or more in a residential or commercial or in an industrial zone irrespective of whether the land is located in Gaothan/congested area or outside.

2) Contents:

Every sub-division/layout shall contain sub-plots being formed after sub- division, access thereto, recreational open space, if any required under Regulation 62 and 66 as also all the reservations, designations, allocations, road or road-widening proposals of the development plan and the regular lines of streets prescribed under the Bombay Provincial Municipal Corporation Act, 1949. Where there is a conflict between the widths or widening lines proposed in the development plan and those under the regular line of a street, the wider of the two shall prevail.

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

3) Minimum Plot areas:

The minimum plot area permissible for different categories of use types of development permissible and the minimum dimensions shall be as in Table No.7 hereunder:

TABLE NO. 7			
MINIMUM PLOT AREAS FOR VARIOUS USES			
Sr. No.	Land use	Plot Area (Sqm.)	Type of Development
1	2	3	4
1)	Residential and Commercial (Except those in 2,3 and 4 below)	i) 25 & above but less than 40 ii) 40 & above but less than 125 iii) 125 & above with no dimension less than 9 m. iv) 250 and above	i) Row housing ii) Row/Semi-detached iii) Row/Semi-detached/ Detached iv) Detached
2)	Plot in Public Housing / High Density housing / Sites & Service / Slum Up gradation/ Reconstruction Scheme.	21 with minimum width of 3.6 m. or the size as prescribed by Govt. From time to time.	Row housing

Sr. No.	Land use	Plot Area (Sqm.)	Type of Development
1	2	3	4
3)	Petrol filling Station *		i) Detached
	a) without service bay	i) 545 (with one dimension not less than 16.75m.)	ii) Detached
	b) with service bay	ii) 1100 (with one dimension not less than 30.5m.)	
4)	Cinema/Theatre/ Assembly hall	3 Sqm. per seat including parking requirements.	Detached
5)	Mangal Karyalayas	1000	Detached
6)	4 and 5 Star Hotel in independent plot.	2500	Detached
7)	3 Star Hotel when in independent plot.	1000	Detached
8)	Industrial	200 -500 (with width not less than 15 m) 501-1000 (with width not less than 20 m) 1001-2500 (with width not less than 25 m) 2501-5000 (with width not less than 35 m) 5001& above(with width not less than 50 m)	Detached Detached Detached Detached Detached

Note: * Provided that in the development of sites of existing filling and servicing station of Petrol, Diesel, Compressed Natural Gas or any other Motor Vehicle fuel change of user shall not be permitted.

Note: 1. Plots abutting 6 m wide road and other Govt. Schemes, marginal open spaces will be as per their respective schemes and rules.

Note: 2. The Front setback for already existing layouts / roads shall be as per existing schemes by these rules, provided it is more than what is prescribed by these rules.

- 4) For the sub-division of the land admeasuring 3000 Sqm and more, following provision shall be compulsorily provided;
- a) 10% area in the form of 30 to 50 Sqm. plots for EWS/LIG.
 - b) 10% area in the form of 50 to 100 Sqm. plots for MIG group.
- 5) For the layout of land, admeasuring 4000 Sqm. and more, following provision shall be compulsorily provided;
- a) 10% tenements shall be proposed for each EWS/LIG Group (30 to 40 Sqm.) and MIG Group (41 to 60 Sqm.)

63. ROADS OF STREETS IN LAND SUB-DEVISION OR LAYOUT:

- (a) (i) The width of roads or streets or public and internal access way including pathway shall conform to provision of Table No. 5 and 6 under Regulation No. 59.
- (ii) For 0.3 Ha. or more, layout roads shall be designed in such a manner, that the main road shall be accessible to adjacent lands.
- (iii) No layout shall be given occupation certificate unless the on-site infrastructure is fully developed by the developer. The on-site infrastructure shall includes:
- 1. Construction of roads;
 - 2. Construction of Storm Water Drains;
 - 3. Laying of sewer lines;
 - 4. Laying of water mains;

5. Providing street lights;

However, in case of layouts more than 2 hectares above stated infrastructure shall be done in two Phases as indicated below;

1. Construction of roads up to water bound macadam road before grant of commencement certificate, and
2. Provisions of Storm Water Drains, Sewer lines, Street lights, Water mains and Asphaltting of roads before grant of occupation permission.

(b) Service Roads:

While approving layouts fronting along Express Highway, National Highways, Major State Highways, State Highways and Major District Road a 12 M. wide Service Road shall be provided on both sides of such existing or proposed roads.

Provisions of ribbon development as per Public Works Department, as amended from time to time, in respect Building Line and Control Lines will remain in force and shall not be relaxed without approval from Competent Authority of Public Works Department.

64. INTERSECTION OF ROADS:

- (1) At the junctions of roads meeting at right angles, the rounding off of intersection shall be done, unless otherwise directed by the Commissioner, with the tangent length from the point of intersection to the curve being $\frac{1}{2}$ the road width across the direction of tangent as hereinafter shall be provided (Refer Figure No.5A & 5B).

(2) Rounding of Intersection at junctions:

For junctions of roads meeting at other than right angles, the rounding off or cut off or similar treatment shall be done, to the approval of the Commissioner, depending upon the widths of roads, the traffic generated and the sighting angle etc.

Note: All intersections having provision of roundabout / rotary shall be free from any structure, except fountain, which may not obstruct vision or cause hindrance to traffic.

65. BUILDING LINE/CONTROL LINE:

Building line shall be set back subject to stipulations in Table No.19-A, 19-B of **Appendix-D**.

Provided whenever diversion road constructed for National Highway, State Highway and Major District road passes through Urban / Industrial or Rural areas then "Building Line" shall be restricted to 40 m from centre of diversion road and "Control Line" shall be restricted to 75 m from centre of diversion road and banded according to following Resolution of Government of Maharashtra, Public Works Department shall be applicable while fixing building line / building control line.

- i) No. R.B.W. – 1081/871/ Roads – 7, dated 09/03 / 2001,
- ii) No. R.B.W. – 1001/ 72 / Roads – 7, dated 21/09 / 2001,
- iii) No. R.B.W. – 1001/ 72 / Roads – 7, dated 09/03 / 2001,
- iv) Corrigendum No. RBD- 1001/72/ Roads – 7, dated 7th January 2002.

Or any modification / revision made by Government of Maharashtra shall be applicable.

- 1) While sanctioning layout in undeveloped area of existing or extended city limit, it is necessary to provide 12 m wide service road on both side of existing or proposed boundary of Express way, National Highway, State Highway / Major State Highway, Major District roads.
- 2) In developed area where service road is not provided along P.W.D. roads, the building permission shall be allowed along these roads as per above Regulation. The relaxation should not be given in any case without approval from P.W.D.

- 3) In the layout the building line shall be at least 3 m away from the boundary of recreational Open space.

66. RECREATIONAL / AMENITY OPEN SPACES:

1) Open Spaces in Residential and Commercial layouts:

- a) **Extent:** In any layout of sub-division of vacant land in a residential and commercial zone open spaces shall be provided as under;

- | | |
|------------------------------|-----|
| i) Area less than 3000 Sqm. | Nil |
| ii) Area more than 3001 Sqm. | 10% |

These open spaces shall be exclusive of area of access internal roads / designations or reservations, development plan roads and area for road widening and shall as far as possible be provided in one place and shall be not less than 300 Sqm. in size. Such recreational spaces will not necessary in the case of land used for educational institutions with attached independent playgrounds. In addition to this an area admeasuring about 100 Sqm. with minimum width of 6 m. shall be kept for Solid Waste Management purpose and it should part of open space and it would be a public amenity and TDR of it would be receivable to its authorised owner. Admissibility of F.S.I. shall be as indicated in Sub Regulation (3) below,

b) **Minimum area:**

No such recreational space shall be measured less than 300 Sqm.

c) **Minimum dimensions:**

The minimum dimensions of such recreational space shall not be less than 7.5 m. and if the average width of such recreational space is less than 24 m. maximum length thereof shall not exceed 2.5 times the average width. The Commissioner may relax minimum dimensions prescribed taking into consideration, plot size, area and site conditions.

d) **Access:**

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

e) **Ownership:**

The ownership of such recreational space shall vest, by provision in a deed of conveyance in all the property owners on account of whose cumulative holdings, the recreational open- space is required to be kept as recreational open-space or ground in the layout or sub-division of land. The vesting of recreational space to the property owners shall be in the nature of trustee and they will not have any right to dispose of it by sale / mortgage / lease / transfer and shall be used for the open users as playground, garden, children's playground, Gymnasium and alike. Provided whenever called upon by the Plot holders either through their Co-operative Society or federation of societies, the Planning Authority shall allow such Co-operative Societies for development and maintenance of their recreational space free of cost subject to such terms and conditions as may be prescribed by the Commissioner.

f) **Tree growth:**

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

- i) At the rate of 5 trees per 100 Sqm. or part there of the said recreational space and to be grown within the entire plot.

- ii) At the rate of one tree per 80 Sqm. or part thereof to be grown in a plot for which sub-division or layout is not necessary.
- iii) 1.5 m wide strip of land along with boundaries is to be provided for planting trees.

g) Structures / uses permitted in recreational open spaces:

- i) In a Recreational Open Space of 300 Sqm. to 1000 Sqm in area (at one place). Following users are permitted, free of FSI, subject to its area shall not exceed more than 10% of the open space in which they are located.
 - a) Elevated / Under Ground Water Storage Tank.
 - b) Electric Sub- stations.
 - c) Pump-room.
- ii) In a Recreational Open Space of 1000 Sqm. or more in area (in one piece and in one place)

Following structures / users are permitted, free of FSI.

- a) Pavilions.
- b) Gymnasias.
- c) Crèche.
- d) Club House/s.
- e) Swimming Pool / Filtration plant (not to be computed in plinth coverage)
- f) Structures proposed for Sports and Recreation activities.
- g) Library.
- h) Cultural Centre.

The above structures may be permitted, with built up area not exceeding 15% of the total Recreational open spaces in one place. The area of the plinth of such structure shall be restricted to 10% of the areas of the total recreational open space. Such structure may be a Ground + storeyed structure and its height shall not exceed 8 m and such structures shall confirm to the following conditions:

- a) The ownership of such a structures and other appurtenant user shall vest, by provision in deed of conveyance, in all the owners on account of whose cumulative holdings, the recreational open space is required to be kept as recreational open space or ground viz. 'R.G.' in the layout or sub-division of the land.
- b) The proposal for construction of such structure should come as a proposal from the owner/ owners / society or federation of societies without any profit motive and shall be meant for the beneficial use of the owner/ owners/ members of such society / societies / federation of societies.
- c) Such structures shall not be used for any other purpose, except for recreational activities, for which a security deposit as decided by the Commissioner will have to be paid to the Corporation.
- d) 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.
- e) The owner/ owners or society or societies or federation of the societies shall submit to the Commissioner a registered undertaking agreeing to the conditions in (a) to (d) in (g) (ii) above.

Note: Those open spaces from sanctioned layout that are earmarked as existing open spaces (in green colour) on Development Plan are subject to change if respective layout is revised. If the layout is revised and if open spaces are shown elsewhere on Development Plan to be treated as residential zone with prior approval of the Director of Town Planning, Maharashtra State, Pune subject to following condition;

Condition: Open space areas shall be unencumbered and functionable.

2) Open spaces in Industrial plots/ layout of Industrial plots:

- a) In any Industrial plot admeasuring 8000 Sqm. or more in area 10 % of the total area shall be provided as an amenity open space and its area shall be deducted from the permissible FSI. Further this amenity open space shall have a proper means of access and shall be so located that it could be conveniently utilised as such by the persons working in the industry.

(In case of plots admeasuring 900 Sqm. to 1000 Sqm. development shall be restricted / permitted to 900 Sqm.)

- i) Such open space shall have proper means of access and shall be so located that it can be conveniently utilized by the persons working in the industry,
ii) The parking and loading and unloading spaces as required under these regulations shall be clearly shown on the plans,
iii) Such open spaces shall be kept permanently open to sky and accessible to all the owners and occupants and trees shall be grown thereon at the rate of 5 trees for every 100 Sqm. of the said open space to be grown within the entire plot or at the rate of 1 tree for every 80 Sqm. to be grown in a plot for which a sub-division layout is not necessary.
- b) In case of sub-division of land admeasuring 8000 Sqm. or more in area in an industrial zone, 5% of the total area in addition to 10% in (a) above shall be reserved as Amenity Open Space, which shall also serve as general parking space. When such Amenity Open Space exceeds 1500 Sqm. the excess area may be used for construction of buildings for Banks, Canteens, welfare centres, offices, crèches and other common purposes considered necessary for industrial user as may be approved by the Commissioner.

Note: Those open spaces from sanctioned layout that are earmarked as existing open spaces (in green colour) on Development Plan are subject to change if respective layout is revised. If the layout is revised and if open spaces are shown elsewhere on Development Plan to be treated as residential zone with prior approval of the Director of Town Planning, Maharashtra State, Pune subject to following condition;

Condition: Open space areas shall be unencumbered and functionable.

(3) Floor Space Index / Built-up Area Calculations:

The total area of a plot shall be reckoned in floor space index / built-up area calculations applicable only to new development to be undertaken hereinafter as under;

Sr. No.	Plot size in Sqm.	Area in Sqm. for F.S.I. Computation
1	2	3
Residential & Commercial Zones		
1	Up to 2125 Sqm.	Total plot area
2	2125 to 3000 Sqm.	Maximum 2125.
3	Above 3000 to 20,000 Sqm.	Total area excluding 10% out of the area for recreational/amenity open space
4	Above 20,001 Sqm.	Total area excluding 10% of the area for recreational open space under item (iii) of clause (a) of sub-regulation (1) of Regulation No. 66. However, the area for FSI computation shall be 90% of net area (after deducting amenity area) in case of change of Industrial user to Residential user as specified in Regulation No.78 and Appendix "D"
Industrial Zones		

Industrial Plots		
1	Up to 900 Sqm.	Total Area
2	901 Sqm. to 1000 Sqm.	900
3	1001 Sqm. to 7999 Sqm.	Total area excluding 10% out of the area for recreational/amenity open space vide item (iii) of clause (a) of sub-regulation (2) of Regulation 66.
Industrial Layout		
1	Plots of 8000 Sqm. and more	Total area excluding area of construction permissible in open space over 1500 Sqm. according to clauses (b) of sub-regulation (2) of regulation 63 and excluding 10% out of the area for recreational / amenity open space vide clause (a) of sub-regulation (2) of Regulation 63.

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

2. For the purpose of F.A.R./Built-up area calculations, the net area of the plot shall be considered in the case of layouts, such net area shall be calculated after deducting from the gross area of plot, the area covered by the means of access, recreational and amenity open space.

- (4) Lands below High Tension Lines shown as Green Belt in the said plan can be utilised for provision of compulsory open spaces / Recreation Grounds as required to be provided under the said Regulations, subject to following condition;

- Such lands are physically vacant,
- No construction of any type even otherwise permissible to some specified extent in such open spaces, shall be allowed,
- The above referred clarification would be in operation prospectively.

Note: Those open spaces from sanctioned layout that are earmarked as existing open spaces (in green colour) on Development Plan are subject to change if respective layout is revised and if open spaces are shown elsewhere on Development Plan be treated as residential zone with prior approval of the Director of Town Planning, Maharashtra State, Pune subject to following conditions.

Condition: Open Space areas shall be unencumbered and functionable.

67. SIZES OF PLOTS IN RESIDENTIAL AND COMMERCIAL ZONES:

The plot sizes and manner of development in residential and commercial layouts shall be as follows:

S.No.	Plots Area	Manner of Development
1	25 to 40 Sqm.	Row housing
2	Above 40 to 125 Sqm.	Row / Semi Detached
3	Above 125 to 250 Sqm.	Semi Detached
4	Above 250 Sqm.	Detached

- Note:** 1. Plots which are 4.50 to 8.00 m. in width shall be developed as Row Housing Scheme. Row Housing Scheme developed as a block shall not have more than 8 plots in a row and the separation between blocks in row shall not be less than 6 m.
2. Plots which are 8 m to 12 m in width shall be developed as Semi-detached Building Scheme.
3. Plots which are above 12 m in width shall be developed as Detached Building Schemes. Further no dimensions shall be less than 12 m.

68. SIZE OF PLOTS FOR SPECIAL HOUSING SCHEME:

For Special Housing Schemes, undertaken by Public Agencies for Low Income Group (LIG), Economically Weaker Section (EWS) of society and slum clearance schemes, the minimum plot size shall be 25 Sqm. with a minimum width of 3.6 m.

69. SIZE OF PLOTS IN INDUSTRIAL ZONE:

(a) Minimum plot area, height limitation for industrial building shall be as per the Table given below;

AREA, HEIGHT LIMITATION FOR INDUSTRIAL BUILDINGS						
Sr. No.	Plot size in Sqm.	Max. Built-up Area (%)	Min. marginal front open spaces in Meters	Min. Side & rear marginal open spaces in Meters	Min. Width of plot in Meters	Max F.S.I.
1	300 to 500	50	5	3	12	1
2	501 to 1000	50	6	4.5	20	1
3	1000 to 2500	50	6	4.5	25	1
4	2501 to 5000	50	6	6	35	1
5	5001 and above	50	6	9	50	1

(b) In Industrial Zone, actual factory or workshop Building and storage or godown shall not be constructed within a distance of 10 m., 25 m. from the boundary of industrial zone and special zone respectively, such distance shall be measured from the opposite edge of the road where the zone abuts on an existing or proposed road. Provided further that ancillary building such as essential staff quarters, canteen, garages, electricity stations, water tanks etc. may be permitted in such open spaces provided a minimum distance of 10 m. is left free from the boundaries.

(c) FAR Permissible shall be 1.00 for purely Industrial user.

70. SIZE OF PLOTS FOR CINEMA THEATRES AND ASSEMBLE HALLS:

Minimum size of plot for Cinema theatres or Assembly buildings shall be on the basis of seating capacity of the building at the rate of 3 Sqm. per seat including parking spaces as per Regulation.

71. RE-DEVELOPMENT OF CINEMA/THEATRE:

Re-development of Cinema / Theatre shall be as per **Appendix-“R”**.

72. SIZE OF PLOTS FOR PUBLIC ENTERTAINMENT HALL OR MANGAL KARYALAYAS AND LIKE BUILDINGS:

Minimum size of plot shall be 1000 Sqm.

73. SIZE OF PLOTS FOR PETROL FILLING STATION:

The minimum size of plot shall be:

- i) 30.50 m x 16.75 m in case of petrol filling station with kiosk, without service bay.
- ii) 30.50 m x 36.50 m in the case of a petrol filling station with service bay.

Provided that in the redevelopment of sites of existing filling and service station of Petrol, Diesel, Compressed Natural Gas or any other Motor Vehicle fuel, change of user shall not be permitted.

Proposals of any such changes shall be submitted to the Government for sanction after completing all formalities as stipulated under Section 37 of M.R. & T.P. Act, 1966.

74. PROVISIONS FOR SHOPPING CENTRE/DEPARTMENT STORES:

In the case of layouts or sub-divisions of areas in excess of 2 Ha. in residential and commercial zones, plots shall be provided for shopping centres. Such area may have an area up to 5% of the area under layout. In industrial zones, the provisions of sub-regulation (2) (b) of Regulation 66 shall apply.

- (i) The shopping centre area of 5% may be distributed within the layout for making it available within accessible distance from the different part of the layout.
- (ii) These shops shall not abut on roads more than 12 m. in width.
- (iii) Within a layout, the shopping centre shall be provided on ground floor and upper floor may be utilized for residential purpose and conveniences like banks, places for doctors and medical practitioners.
- (v) Convenience shops as defined under Regulation No. 4.46 shall ordinarily be permitted.

75. PROVISIONS FOR ELECTRIC SUB-STATION:

In every case of development/ redevelopment of any land, building or premises provision for electric sub-stations may be permitted subject to Regulations under Electricity Act and per requirements of M.S.E.D.C.L.

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

76. ADDITIONAL AMENITIES AND FACILITIES IN LAYOUTS EXCEEDING 2 HACTORS:

- i) In any layout exceeding two hectares in area in residential and commercial zones, where the development plan has not provided for amenities and services or facilities, or if provided they are inadequate, 5 % of the total area shall be designated / reserved as amenity space for provision of primary schools, sub-post offices, police posts etc. as directed and approved by the Commissioner, and such amenities or facilities shall be deemed to be designations or reservations in the development plan thereafter and for which TDR will be available or can be developed by owner. In deciding the requirements for additional amenities the Commissioner will generally be guided by the planning standards used for preparation of the Development Plan and Table No.8 given below;

TABLE NO. 8.				
COMMUNITY FACILITIES AND OTHER SUB-DIVISION REQUIREMENTS				
Sr. No.	Facility Required		Scale of provision (Not Required)	Minimum land area required
	Main Type	Main Type		
1	2	3	4	5
1	Educational facilities	Nursery School (+ 3 to 5 age group)	1 for 4000 population	0.10 Ha.
		Primary School (+5 to 11 age group)	1 for 4000 population	0.60 Ha for density Upto 250 p / Ha
		High School (+11 to 16 age group)	1 for 16000 population	2.00 Ha for density upto 250 p / Ha 1.80 Ha. for 251 to 500 p / Ha. 1.60 Ha. for 501 p / Ha and above
		Degree College	1 for 80000 to 100000	4.00 to 6.00 Ha.

			Population	
2	Health facilities	Health Centre	1 for every 16000 population	1.00 Ha. with residential staff quarters.
		General Hospital	1 for every 80000 to 100000 population	4.00 Ha. for 200 beds with ancillaries and staff quarters
		General Hospital	1 for every 80000 to 100000 population	4.00 Ha. for 200 beds with ancillaries & staff quarters.
Sr. No.	Facility Required		Scale of provision (Not Required)	Minimum land area required
	Main Type	Main Type		
1	2	3	4	5
3	Commercial facilities including shopping facilities	Convenience shopping centre	Up to 10 shops for 4000 population	0.05 to 0.10 Ha.
		Local shopping centre	Up to 20 shops for 16000 population	0.40 Ha.
		Zonal shopping centre	Up to 80 to 100 shops for 80000 population	2.50 Ha.
4	Communication facilities and essential services	Sub- Post Office	1 for 10000 population	40 Sqm.
		Post and Telegraph-cum-Delivery including Telephone Exchange of 10000 lines.	1 for 100000 population	1.00 Ha.
		Electric Sub- station.	1 in all shopping centre	12 m. x 12 m.
		Police station with staff quarters.	1 for every 50000 population	0.80 Ha.
		Post with staff quarters	1 for every 20000 population	0.40 Ha.
		Fire station with staff quarters	1 for every 5 Km. radial distance	0.80 Ha.
5	Social and Cultural facilities	Religious building	1 for every 15000 population	0.80 Ha. Location not at intersection of roads and 60 m. away from junctions.
		Community Hall & Library	1 for every 15000 population	0.30 Ha.
		Cinemas	1 for every 25000 population	0.30 Ha. with parking location in Zonal Shopping Centre business and commercial area not in residential zone.
6	Facilities for Industrial Zone	Labour Welfare Centre, Convenience Shops,	1 for every 40 Ha.	0.20 Ha.
		Bus station,		5 shops of 10 Sqm. each
		Health Centre,		0.20 Ha.
		Post office		0.60 Ha.
		Telephone Exchange	For every 200 Ha.	0.04 Ha.
		Banks		0.04 Ha.
		Petrol pump-cum-service station		200 Sqm.
		Police Station with staff quarters		30 m. x 45 m.
		Fire Station with staff quarters		0.40 Ha.
				0.80 Ha.

PART-IV
LAND USE CLASSIFICATION, USES PERMITTED AND
MANNER OF DEVELOPMENT

77. LAND USE CLASSIFICATION:

The various land use classification shall be in the following zones:

- i) Residential (R) : Purely Residential (R-1).Residential with Shop
Lines at Ground Floor only (R-2)
- ii Commercial (C) : Commercial Zone (C-1) & (C-2).
- iii) Industrial (I) : Industrial Zone (I-1), (I-2), (I-3).
- iv) Green / No Development Zone : 1) Green Zone (G-1)
2) No Development Zone (NDZ)

78. LAND USE CLASSIFICATION AND USES PERMITTED IN DIFFERENT ZONES:

The uses to be permitted in the various zones shall be as given in Appendix – “B”.

79. BOUNDARIES OF LAND USE ZONE:

The boundaries of land use zones shall be as shown on the development plan.

80. CHANGE IN USE OF BUILDING NOT PERMITTED:

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

81. USES AS SPECIFICALLY DESIGNATED ON DEVELOPMENT PLAN:

- i) Where the use of a site is specially designated in the Development plan it shall be used only for the purpose so designated.
- ii) Combination of public purpose uses in reserved sites- Where the Corporation or the appropriate authority proposes to use land / building / premises reserved for one specific public purpose / purposes, for different public purpose / purposes it may do so, with the previous approval of the Government, provided that the combination of such second user conforms to these Regulations and the permissible use in the zone in which the site falls. Provided that this shall not apply (a) to any site being developed for an educational or medical purpose or club / gymkhana wherein a branch of a bank may be allowed, (b) to any site being developed for medical purposes wherein shops of pharmacists or chemists may be permitted and (c) to any site encumbered by another non-educational user and being redeveloped for educational purposes, in which case the existing non-educational uses may be allowed to continue without any increase in the net floor area covered by them and (d) to any site being developed for recreational use, such as garden, playground, recreation ground, park etc. each measuring not less than 400 Sqm. at one place, wherein electric sub-station, which may utilize not more than 10% of the site in which they are located, is proposed.

- iii) Where the use of plots is especially designated for open markets, the Commissioner may, in particular case, permit development work on upper floors which shall be in conformity with the zone in which the plot falls.
- (iv) Construction of multi-storeyed garages may be permitted on parking lots.
- (v) Land uses and manner of development shall be as per Appendix -C

82. SHIFTING AND/OR INTERCHANGING THE PURPOSE OF DESIGNATIONS/RESERVATIONS:

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

83. USES TO BE IN CONFORMITY WITH THE ZONE:

Where the use of the buildings or premises is not specifically designated in the Development Plan it shall be in conformity with the zones in which they fall;

Provided that, any lawful use of premises, existing prior to the date of commencement of these regulations shall continue;

Provided further that, a non-conforming use shall not be extended or enlarged except as provided in regulations 85 and 86 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.

Provided further a non-confirming industrial use for which permission is not obtained under the Development Control Regulation, existing prior to the date of publication of the revised draft Development Plan of Nanded Waghala City Municipal Corporation but the same is fitting in the requirements of Development Control Regulations of the revised Development Plan and is non polluting shall be allowed to continue subject to the payment of premium as will be decided by the Commissioner with prior approval of Government.

84. WIDTH OF ROADS IN THE DEVELOPMENT PLAN:

Notwithstanding anything contained in the Development Plan or in these regulations the Commissioner may, from time to time, prescribe regular lines of streets of widths more than those shown in the Development Plan. Such regular lines of the street will have the same effect of road lines in the Development Plan.

85. NON-CONFORMING USER FOR INDUSTRIES:

Where a non-conforming industry has been granted a written permission without a condition for its shifting to a conforming zone at the end of specified period additions thereto for the manufacture of new articles or for starting new process may be permitted by the Commissioner, when;

- (i) Such schemes form an integral part of, and are directly connected with the process carried on in the existing unit;
- (ii) Such scheme of additions does not envisage appreciable increase in the employment and undue increase in traffic loads;
- (iii) Such addition is for preventing undue loss or for improving the working efficiency or the condition of existing unit or for balancing the existing production units of the industry;

- (iv) Open spaces of 6 m. are maintained from the boundaries of the plot as well as between two buildings;
- (v) Satisfactory means of access as required under these regulations for industrial zones is provided and maintained, and
- (vi) Parking and loading and unloading spaces are provided according to these regulations.

Provided that before permitting any such additions, the Commissioner shall first satisfy himself that the degrees of nuisance from the existing unit will in no way be increased by such additions.

86. NON-CONFORMING USERS OTHER THAN FOR INDUSTRIES:

Where non-conforming user existing prior to the date of commencement of these regulations is allowed to be continued in the development plan any additions to such non-conforming use (other than those provided in Regulations-85) not exceeding the permissible floor area ratio or total permissible built-up area for the zone or normal floor space index for the non-conforming user, whichever is less, may be permitted subject to the following terms & conditions namely:

- i) The whole building is owned and occupied by one establishment only;
- ii) The proposed additions are for preventing undue loss or for improving working efficiency or conditions of existing user;
- iii) The additions and alternations are meant for the existing user and not proposed to be let out;
- iv) Open spaces and parking spaces required under these regulations shall be provided; and
- v) The change in ownership of the establishment shall be permissible provided there is no change of user.

PART-V

OPEN SPACES, AREA, FLOOR SPACE INDEX (FSI) AND HEIGHT LIMITATIONS

87. SETBACKS AND OPEN SPACES WITHIN BUILDING PLOTS:

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

(i) **Building abutting more than one street:**

When a building abuts two or more streets, the setbacks from each of them shall be such as if the building were fronting each such street.

(ii) **Open spaces separate for each building or wing:**

The open spaces required under these Regulations shall be separate or distinct for each building, and where a building has two or more wings, each wing shall have separate or distinct open space as required under these Regulations.

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

(iii) **Open spaces to be provided for the full consumption of FSI:**

The open spaces to be left at the sides and rear shall relate to the height necessary to consume the full FSI permissible for the occupancy in the zone.

(iv) **Manner of computing front open space / setback where the street is to be widened:**

If the building plot abuts any road which is proposed to be widened under the development plan or because of the prescription of regular lines of streets under the Bombay Provincial Municipal Corporation Act, 1949 the front open space / road-side set back shall be measured from the resulting road widening line or the centre line of the widened road as the case may be. Where there is any conflict between the width provided in the development plan and the width resulting from the prescription of a regular line of a street under the B.P.M.C. Act, 1949, the larger of the two shall prevail.

88. OPEN SPACE REQUIREMENT (APPLICABLE FOR CONGESTED & NON-CONGESTED):

The open space requirements shall be as per Appendix –“D”. However for Residential /Commercial Zone following provisions shall be observed in addition.

a) **Building having length / depth up to 40 m.:**

The open spaces on all sides except the front side of a building shall be of width not less than one third of the height of that building 3.00m above the ground level, rounded to the nearest decimetre subject to maximum of 20m. the minimum being 3.00m. for a Residential buildings without any projection thereon and 4.5m. For Commercial buildings.

b) **Building with length / depth exceeding 40 m.:**

If the length or depth of a building exceeds 40 m. an additional width of 10% of the dimension in excess of 40 m. shall be required on the side or rear open spaces as the case may be i.e. perpendicular to longer dimensions.

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

Provided further that:

- i) The open space for separation between any building and single storied accessory building need not exceed 1.5 m.
 - ii) The minimum distance between any two ground floor structures in public housing / high density housing shall be 4.5 m. If habitable rooms derive light and ventilation from the intervening space & if not the distance may be reduce to 1.5 m.
 - iii) Except where the plot size is less than 2500 Sqm. the marginal open space in a plot abutting amenity/recreational open space in the same layout shall not be less than 3 m.
 - iv) Where the amenity open space being accessible from all the layout plots does not have an exclusive means of access, the rear marginal open space shall not be less than 3 m.
- c) **Building existing on 1st January 1975 and those constructed thereafter:**
- (i) In respect of buildings existing on 1st January 1975, upper floors may be permitted with set-back at upper level in the case of new development to make up for deficiencies in the open space as required under these Regulations.
 - (ii) With the permission of the Commissioner, set-backs as in the clause (i) above may be allowed for the buildings constructed after 1st January 1975 to avail of additional FSI that may become available due to road set back, Transfer of Development Rights as in Appendix "H", FSI in lieu of staircase room / lift wells or any change in regulations whereby additional FSI may become available.
- d) **Setback at upper level:**
- The Commissioner may permit smaller setbacks at upper levels and also permit additional floor area up to a limit of 10 Sqm. over the permissible FSI to avoid structural difficulties or hardship but so as not to affect adversely the light and ventilation of adjoining building or part thereof.
- e) **Tower like structures:**
- Notwithstanding any provision to the contrary, a tower-like structure may be permitted only with 6 m. open space at the ground level and one setback at the upper levels provided that the total height does not exceed 25 m. if it exceed but does not exceed 28 m. the minimum open space at ground level shall be 9 m. Beyond 28 m. the minimum open space at ground level shall be 12 m. with two setbacks at upper levels. The terrace created by the set back shall be accessible through the common passage and / or common staircase only.
- f) **Where a room does not derive light and ventilation from an exterior open space:**
- The width of the open space as given in this Regulation may be reduced to 3 m. up to a height of 25 m. and 6 m. to a height above 25 m.
- g) The open spaces for the above purposes would be deemed to be sufficient if their widths are not less than one-fourth of each dimension of the site of the building and the percentage of the building area does not exceed 25% of the area of the site, when the least dimension of site is less than specified in the following table for different floor space indices.

Floor Space Index	Least Dimension of site in Meters
1.00	18
2.00	24

- h) Building shall be set-back at least 3 m. from internal means of access in layout of buildings.
- i) No basement shall be constructed within prescribed building lines & shall not exceed the permissible plinth area.

89. REVAS PROJECTION:

- i) Revas projection is a projected Building Line from first floor onwards in front open space subject to that such projection should not exceed 1.2 m. in width.
- ii) Revas Projection is permitted in the front open space where such building is abutting a street 12 m. or more in width.
- iii) To facilitate the construction of a stair-case, such Revas projection may be permitted in the side or rear open space provided that such a open space is at least 4.5 m. and the Revas Projection is limited to a width of 0.75 m. and shall be at a height less than 2.1 m. above finished ground level.
- iv) Revas projection shall not be permissible in the side or rear open spaces.
- v) The areas of all Revas projections shall be taken into account for the computation of F.S.I.
- vi) Revas Projection will not be permitted in a Tower Like structure.

90. OPEN SPACES (CHOWKS):

a) Inner Chowk:

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

Provided that when any room (excluding the stair-way bay, the bathroom and water closet) depends for its light and ventilation on an inner chowk, the dimension shall be such as is required for each wing of the building. The building where the provision for air circulation is provided for bathrooms / W.C. through the interior open space (Chowk) the area of chowk shall not be less than the $1/5^{\text{th}}$ of the square of the height of adjacent wall to the chowk. The minimum width of this chowk shall be at least 1.2 m.

b) Outer Chowk:

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

91. OPEN SPACES TO BE UNENCUMBERED:

Every open space whether interior or exterior shall be kept free from any erection thereon and shall remain open to the sky except the features permitted under these regulations.

92. AREA & HEIGHT LIMITATION:

The area & height limitations through covered area height of building and number of storeys, tenement density and floor area ratio for various occupancies, facing different road widths shall be as given in **Appendix-“D”**.

93. FEATURES PERMITTED IN THE OPEN SPACE:

Certain features may be permitted in the prescribed open spaces as enumerated below:

i) Features permitted in the side and rear marginal open spaces:

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

ii) Other Features permitted in open spaces:

- a) Projection into open spaces – Every open space provided either interior or exterior shall be kept free from any erection thereon and shall be open to the sky and no a chajja, cornice, roof or weather shade, sun-breaker and other ornamental projection not more than 0.75 m. from the face of the building subject to condition that it will not reduce the width of the required open space less than minimum required. Rockery, well and well structures, plant nursery, water pool, or swimming pool (uncovered) platform around a tree, tank, bench, gate, slide, swing, ramp, compound wall shall be allowed;
- b) A canopy / porch not exceeding 5.5 m. in length and 2.5 m. in width in the form of cantilever and unclosed, over the main entrance and each common staircase, providing a minimum clear height of 2.2 m. below the canopy. The canopy shall not have access from upper floor (above floors), for using as a sitting place. There shall be a minimum clearance of 1.5 m between the plot boundaries and canopy.
- c) Balcony – In any residential zone (R – 1) and residential zone with shop line (R- 2), or a purely residential building in any other zone, balconies may be permitted free of FSI at each floor, excluding the grounds and the terrace floors, of an area not more than 10% of the area of that floor from which such balcony projects subject to following conditions-
 - i) No balcony shall reduce the minimum marginal open space to less than 3 m., the rear and sides and 1.5 m. in the front. The width of the balcony will be measured perpendicular to the building line and reckoned from that line to the balcony's outermost edge.
- ii) Balconies may be allowed to be enclosed subject to payment of premium. When balconies are enclosed one-third of area of their faces shall have louvers glass shutters or grills on the top and the rest of the area except the parapet shall have glazed shutters.

94. ACCESSORY BUILDING:

The following accessory building may be permitted in the marginal open spaces:

- i) In existing building, sanitary block (i) not exceeding 3 m. in height and 4 Sqm. in carpet area,(ii) at least 7.5 m from the road line or the front boundary and 1.5 m. from other boundaries may be permitted, in the rear and side open space where facilities are not adequate. Provided that, the Commissioner may reduce the 1.5 m. margin in rare cases to avoid hardship.
- ii) Parking lock-up garages not exceeding 2.4 m. in height shall be permitted in the side or rear open spaces at a distance of 7.5 m from any road line or the front boundary of the plot. Parking lock-up garages when located within the main building shall be 7.5 m. away from the road line and shall be of such construction as will give fire resistance of 2 hours.
- iii) An unenclosed porch opens to three sides, not more than 5.5m. in length parallel to the main building in front of common entrance only and except rear open space. No part of such porch shall be less than 1.5 m. from the boundary
- iv) Watchman's booth not over 3.0 sq. m. in area or less than 1.2 m. width or diameter.

- v) "Ramp" in basement or upper floor parking shall be allowed with a minimum clear distance of 2.25 m. or set back distance whichever is less from road boundary.
- vi) Steps of maximum 1.5 m. width including otta.
- vii) A servant room not exceeding 9 Sqm. with a latrine of 2 Sqm. in area with a maximum height of 2.75 m. will be permitted in the rear open marginal distance only in case of plots having an area of 450 Sqm. and above.
- viii) For plots above 300 Sqm. only one servant quarter and plots above 500 Sqm. two servants' quarter shall be permitted in addition to the F.S.I. stipulated. The size of one servant quarter shall not be more than 20 Sqm. which shall include one dwelling room having floor area not less than 11 Sqm. and the remaining 9 Sqm. may be used for cooking veranda and one toilet.

95. ADDITIONAL FLOOR AREA TO BE EXCLUDED FROM FSI COMPUTATION:

The following shall not be counted towards FSI,

- i) Structures permitted in recreational open spaces.
- ii) All the features permitted in open spaces.
- iii) Area covered by stair-case rooms for stair flights, mid landing & floor landing, stair case passages irrespective width of staircase, corridors, passages, lift rooms, lift wells, lift lobbies, covered garden excluded from FSI subject to payment of premium to be decided by the Municipal Commissioner and without any premium for Government, Semi-government buildings, Educational and Hospital buildings of Charitable Trusts, Architectural features, chimneys and elevated tanks, area of fire escape stairways and lifts with cantilevered fire escape passages.
- iv) Area of fire escape stairways and fire escape passages.
- v) Area of the basement, used only for storage, A.C. plant, meter room, Electric sub-station or Parking.
- vi) Area of unenclosed but covered parking spaces which may be on stilts or on upper levels.
- vii) Area of one office room of prescribed size of a co-operative housing society of apartment owners association.
- viii) Area of the sanitary block consisting of bath-room and water closet at each floor level of prescribed dimensions for the use of domestic servants engaged on the premises accessible from mid-landing or located on common access.
- ix) Refuge area
- x) Area covered by-
 - a) Lofts
 - b) Meter rooms
 - c) Air-conditioning plant rooms
 - d) Porches

- e) Canopies
 - f) Service floor of height not exceeding 1.5 m. (below Beam bottom) for hotels rating with three and above with the special permission of the Commissioner.
 - g) Video room of size 5 sq. m.
 - h) Watchman's cabin of size 5.00 Sqm.
 - i) Atrium with or without glazed cover.
- xi) Area of balconies as per regulation 93 (c).
- xii) Area of structures for an effluent treatment plant as required to be provided by industries as per the requirements of the Maharashtra Pollution Control Board or other relevant authorities.
- Provided, however in case of an existing industry, if on vacant land is available, the Commissioner may permit structures for such effluent treatment plant on 10 % amenity open space.
- xiii) Areas covered by service ducts, pump rooms, electric substations corridors passages and additional amenity of lift and / of staircase beyond those required under the rules with the permission of the Commissioner.
- xiv) Area covered by additional lift and staircases, including passage to be provided in a building with the permission of Commissioner.
- xv) Area of one milk booth under the public distribution system with the permission of the Commissioner
- xvi) Area of one public telephone booth and one telephone exchange (PBX type) per building with the permission of the Commissioner.
- xvii) Parking on upper floors provided in a building.
- xviii) Area of one room not exceeding 20 Sqm. for installation of telephone concentrators as per requirements of Telephone Authority and also Cellular operator who has been licensed by Department of Telecommunication of Government of India for implementation of cellular mobile telecommunication system.
- xix) Area of separate letter box on the ground floor of residential and commercial buildings of the satisfaction of the Commissioner.
- xx) Area covered by new lift and passage thereto in an existing building with a height up to 15m.
- xxi) Area of covered passage leading to a lift exit at terrace level to the existing stair case so as to enable to descend to lower floor in building to reach tenements not having access to a "New lift" in a building without an existing lift.
- xxii) Entrance foyer:
- a) The area between external face of the building up to staircase / lift.
 - b) The width of foyer shall not be more than lift and stair width.
- xxiii) Cupboards to the extent of 0.6 x 2.4 m shall be permitted in required open space and on one side of room. However, cupboards may be permitted on ground floor within the building line.

- xxiv) Any covered antenna / dish antenna communication tower will be allowed to be erected free of FSI if used for Telecom (basic cellular or satellite telephone) or ITE purposes, which shall include the equipment relating to earth station, V-Sat., Routes, Transponders and similar Information Technology related structures or equipments.
- Note: -** *This Rule shall not be applicable for the building proposals where occupancy certificates have been granted prior to issue of these Regulations. Provided further that where a permissible FSI has not been exhausted in the case of existing building and cases decided by the Corporation prior to coming into force of these modified regulations, provision about the exclusion from FSI computation as in these regulations will be available for construction of remaining balance FSI on site. Also provided further that this rule shall not be applicable for the change in occupancy in the existing building after issue of this regulation. Also provided that the extent of exemption under this rule shall not in any case exceed 30% of permissible FSI. All building which is having width of staircase 1.5 m. entitled for permissible for free of FSI.*
- xxv) Area of one fitness centre for a Co-operative Housing Society, Apartment / Owners Association as provided in Regulation No.147.
- xxvi) Cellar and space under a building constructed on stilts and used as parking space or used as accessory to the principal use.
- xxvii) Projections specially exempted under these regulations.
- xxviii) Areas covered by service ducts, pump rooms, electric sub-station, stilts, verandah of minimum width limited to 10% of the floor area and additional amenity of lift, Drainage culvert, conduit, catch-pit, gully pit, chamber, gutter, culvert on Municipal drains.
- xxix) In residential buildings, the area of one garage of size 2.5 x 5.5 m. plus one garage for every 400 Sqm. of plot area.
- xxx) Multi-storied stilt floor space constructed under a building shall be allowed to be used as parking space subject to the height restrictions in that area.
- xxxi) Ramp leading to cellar or upper floor.
- xxxii) A basement in one or two tiers construction under a building and used for storage of household or other non-hazardous goods, an air conditioning plant, meter room, safe deposit vault, electric sub-station and parking spaces.
- xxxiii) Areas covered by staircase rooms for stair flight of width 1.2 m. and above in case of residential (row house, pent house, duplex) & commercial buildings and 2 m. and above in case of assembly halls, commercial complex, the area of staircase flights, mid landings, corridors, internal passages and floor-landings, staircase passages irrespective of width of staircase and Mumti (stair cover top).
- xxxiv) Area covered by additional lift and passage there to in an existing building with height more than 15 m.
- xxxv) Minimum area required as an entrance lobby or corridor, under this regulation.
- xxxvi) Area of covered passage of clear width not more than 1.52 m. (5 Ft.) leading from a lift exist at terrace level to existing staircase so as to enable descend to lower floor in a building to reach tenements not having direct access to a new lift in a building without an existing lift.
- xxxvii) Washing area not less than 1.2 m. in width and not more than 3.00 Sqm.
- xxxviii) Atrium or entrance of any size, habitable rooms in upper floor of double height of terraced pent house and passages/corridors for residential buildings, shopping centres, commercial complexes and other buildings.
- xxxix) One set of Toilet of size 1.2 m. x 2 m. separately for ladies and gents shall be provided in stilt floor.

96. HEIGHT OF BUILDING:

1) Height vis-a-vis the road width:

The height of a building shall not exceed one and half times the total of the width of the street on which it abuts and plus the required front open space. For this purpose, the width of the street may be prescribed width of the street, provided the height of the building does not exceed twice the sum of the width of the existing street and the width of the prescribed and required open space between the existing street and the building.

Provided however, above restrictions on height of building will not be applicable for buildings erected on a plot which fronts on road having width of 18 m. and above and if front marginal open spaces are not less than 12 m. However these provisions shall not be applicable for development / redevelopment in congested area and reconstruction and redevelopment of old buildings undertaken under any scheme.

Explanation–

- i) “Prescribed width” here means the width prescribed in the Development Plan or the width resulting from the prescription of a regular line of the street under the Bombay Provincial Municipal Corporation act, 1949, whichever is larger.
 - ii) If a building abuts on two or more street of different widths, the building shall be deemed to face upon the street that has the greater width and the height of the buildings shall be regulated by the width of that street and may be permitted to this height to a depth of 25 m. along the narrower street subject to the conformity of Regulation 83.
- 2) For building in the vicinity of aerodromes, the maximum height of buildings shall be subject to values framed by the Civil Aviation Authorities.
 - 3) Industrial Chimneys coming near airport zone 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 Boiler and Smoke Nuisance.
 - 4) Building intended for hazardous godowns, storage of inflammable material or storage of explosives shall be single storied structures only.

97. HEIGHT RESTRICTIONS IN THE VICINITY OF AERODROMES:

For structures, installations or buildings in the vicinity of aerodromes the height shall be as shown in Table No. 9 hereunder or such greater height as may be permitted by the Civil Aviation Authorities. Developers shall adopt the procedures and formalities as laid down in Appendix-“E” if their lands are in the vicinity of Airport.

TABLE NO. 9.			
BUILDING HEIGHT RESTRICTIONS IN THE VICINITY OF AERODROMES			
Sr. No,	Permissible height of building, structure or installation from Aerodromes reference point	Permissible height of building, structure or installation from Aerodromes reference point.	Remarks
	Other Civil Airports & Civil Aerodromes		
1	3	4	5
1	Between 7925 m. and 22,000 m.	152 m.	No Tree shall be planted within the limits of the distance indicated.
2	Between 6706 m. and 7925 m.	122 m.	
3	Between 5486 m. and 6706 m.	91 m.	
4	Between 4267 m. and 5486 m.	61 m.	
5	Between 3658 m. and 4267 m.	45 m.*	
6	Between 3048 m. and 3658 m.	36 m.*	
7	Between 2438 m. and 3048 m.	24 m.*	
8	Between 1829 m. and 2438 m.	12 m.*	
9	Less than. 1829 m.	Nil except with the concurrence of the Civil Aviation Authority.	

Note: * Height limits shall also be applicable for tree heights.

Explanations:

1. Irrespective of their distance from the aerodromes, even beyond the 22 km. limit from the Aerodrome reference point, no radio mast or similar type of installations exceeding 152 m. in height should be erected without the prior permission of the Director General of Civil Aviation.
2. The location of a slaughter house / abattoir / butcher house or areas for activities like depositing of garbage which may encourage the collection of high flying birds, like eagles and hawks, shall not be permitted within 10 km. from the aerodrome reference point.
3. Within a 5 km. radius of the aerodrome reference point, every structure / installation / building shall be so designed as to meet the pigeon / bird proofing requirements of the Civil Aviation Authority. Such requirements may stipulate the prohibition of any cavity, niche or, other opening on the exterior of such building / installation / structure so as to prevent the nesting and habitation of pigeons or other birds,
4. Notwithstanding anything contend in Table No.9 and Notes 1 to 3, the Commissioner shall arrange for No Objection Certificate from concerned Civil Aviation Authority for the buildings / structures falling under Sr.No.8 of Table No.9.
5. Commissioner in consultation with concerned Civil Aviation Authority shall clearly mark on Development Plan the restrictive Zones as mentioned in Table No. 9. If any survey number is partly falling in particular zone then it shall be totally included in the next lower zone.
6. Also refer Appendix "E" under Regulation No.186.

98. HEIGHT EXEMPTION:

The following appurtenant structures shall not be included in the height of buildings;

Roof tanks and their support, ventilating, air-conditioning plant, lift rooms and similar service equipment, parking, stilt floor, Terrace Pent house, roof structures other than barsatis, stair cover (Mumti), Chimneys and parapet wall and architectural feature not exceeding 2.4 m. in height.

For the purpose of operational requirements of building, structures or installation or for the purpose of telecommunication or other forms of communication of any authorised mobile company the authority for the reasons to be recorded in writing, restrict the height of the any structure in the vicinity of such building, structures installation, and may also permit the prescribed heights to be exceed for such buildings, structures or installations themselves or for any statutory communication requirements.

99. OTHER RESTRICTIONS ON HEIGHT:

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

100. SPECIAL REQUIREMENTS FOR BUILDINGS ABOVE 15 M. AND BELOW 35 M.:

High-rise buildings, which can be permitted only in non-congested areas, and irrespective of road widening FSI for all types to buildings except industrial buildings.

Height of Building in m	Open Space around building except front margin in m
Above 15 up to 18	6.00
Above 18 up to 21	7.00
Above 21 up to 24	8.00
Above 24 up to 35	9.00

Note :

- 1) *For Building above 24m in height there shall be minimum front open space shall be 6 m.*
- 2) *Maximum ground coverage shall be 1/3rd of the plot.*
- 3) *Minimum width of access road shall be 9.00 m.*
- 4) *Fire protection measures shall as per Appendix-"J" and subject to provisions of the Maharashtra Fire Prevention and Life Safety Measures Act, 2006.*

101. ADDITIONAL FLOOR SPACE INDEX WHICH MAY BE ALLOWED IN CERTAIN CATEGORIES:

With the previous approval of the Government, the Commissioner may allow additional FSI in following cases on certain terms and conditions and after payment of premium, as laid down in each case.

1) Road Widening & construction of new road:

The Commissioner may permit additional floor space index on 100 percent of the area required for road widening or for construction of new roads proposed under the Development Plan, if the owner (including the lessee) of such land surrenders such land for road widening or new road construction without claiming any compensation in lieu thereof and hands over the same free of encumbrances to the satisfaction of the Commissioner. Such 100 per cent of the F.S.I. on land so surrendered to the Corporation will be utilizable up to a limit of 80 per cent of the area of the plot remaining after such surrender and the balance F.S.I. remaining thereafter shall be allowed to be utilized as a Development Right in accordance with the rules regulating Transfer of Development Rights (TDRs) as in Regulation No. 102. Thereafter, the road land shall be transferred in the city survey records in the name of the Corporation and shall vest in it becoming part of a public street.

2) Buildings of Medical, Educational Institutions and Other Institutional Buildings:

For Educational, Medical Institutions recognised by the Department of Education / Medical of Government of India or Government of Maharashtra, an additional FSI to the maximum extent of 100% over and above the original permissible FSI in the area in which such Institute is situated, may be permitted that such extra FSI should be on payment of such premium as per prevailing Ready Reckoner and conditions as detailed in guidelines and on the conditions as specified below-

- i) Existing Playgrounds in the Educational Institution shall not be reduced in any circumstances.
- ii) Adequate Parking facilities as per this D.C. Regulations shall be provided.
- iii) Out of the sanctioned FSI 30% of same can be used for commercial purpose in case of Medical and Educational Institutions, which have received ISO certification on following terms and conditions.

Commercial use to be allowed shall be for Banking, Financial Institutions and Commercial Offices. Out of permissible commercial user minimum 0.10 FSI shall be permissible for ancillary use to principal use of educational / medical institutions.

In relation with Medical Institutions, ancillary use may be as follows:

“Chemist Shop, Bookstall, Fruit Stall, Florist Stall, Diagnostic Centre, Medical Research Centre Office, Medicare Insurance Office and ATM Centre.”

In relation with Educational Institutions, ancillary use may be as follows:

“Sports Shop, Education Stationary shop, Uniform/ Tailor Shop and Bank with ATM Centre”

3) Public Libraries having completed 100 years and above:

The Commissioner may permit the prescribed FSI to be exceeded upto 2.50 for the Public Libraries which falls under “A” category as per Rule No. 10 of the Maharashtra Public Library Rules, 1970 framed under the Maharashtra Public Libraries Act, 1967. Out of the

2.50 FSI, FSI to the extent of 1 (one) may be permitted to be used for commercial purpose on the following terms and conditions:

- i) Conveyance shopping, branches of banks, small restaurants etc., may be permitted. However, wine shops, hotels, tobacco shops, pan thelas, lottery shops and likewise uses which cause nuisance to the public life shall not be permitted. Also hazardous uses like gas godown etc. shall not be permitted.
- ii) Income received from commercial use shall be used for development of library.
- iii) The authority shall ensure that adequate parking facilities are provided for such user.
- iv) If total FSI consumed is less than 2.5, then the FSI for the commercial purpose shall be proportionally reduced.
- v) Additional FSI so sanctioned shall be subject to other Development Control Regulations.

No condonation in the required open space, parking and other requirements as in these Regulations shall be allowed in the case of grant of such additional floor space index.

4) Building Of Government / Semi-Government Offices , Public Sector Undertakings, Municipal Corporation, Zilla Parishad, Panchayat Samiti, Gram Panchayat or any Institute registered with Charity Commissioner:

The Commissioner, in the case of building of Government, semi-Government offices and public sector undertakings which includes **Municipal Corporation**, Zilla Parishad, Panchayat Samiti, Gram Panchayat or any Institute registered with Charity Commissioner, may permit an additional FSI to the maximum extent of 100% over and above the original permissible FSI in the area in which such land is situated, may be permitted that such extra FSI should be subject to payment of such premium as per prevailing Ready Reckoner and as detailed in guidelines, below this Regulation and subject to such other terms and conditions as laid down in these guidelines.

Notwithstanding anything contain in this Regulation the lands of Govt./Semi-Govt./Public Institutions and like bodies which are included in Public/Semi-Public Zone, Commercial use shall be allowed subject to following conditions:

- 1) Maximum 33 % of permissible built up area may be allowed for a commercial purpose. Commercial use shall be permitted along the road side.
- 2) Separate access shall be required for both the uses (Public/Semi-public use and commercial use)
- 3) Basement shall be permitted only for parking purpose.
- 4) Openings on rear side facing towards remaining premises shall not be allowed (closed by dead wall).
- 5) The lands must be owned by such institutes.
- 6) These lands are not reserved for any other Appropriate Authority in Development Plan.
- 7) Parking requirement as prescribed for each type of user shall have to be provided.

5) Buildings of Nationalised Banks, District Central Co-operative Banks:

With previous approval of Government, the Commissioner may permit additional FSI upto 1.00 may be permitted over and above the permissible FSI provided that such a Bank or Office building is located on an independent plot in non-congested area and entire building is used for its own purpose and such additional FSI is utilised only for the area restricted for staff training.

Such additional FSI shall be subject to premium at the rate as may be determined from time to time by the Municipal Commissioner in consultation with the Director of Town Planning, Maharashtra State; Pune for the additional built up area in excess of normally permissible FSI to 1.00.

6) Building of Star Category Residential Hotels:

With previous approval of Government, the Commissioner may permit additional FSI for 2 to 5 starred category starred luxury hotels in independent plot under one establishment with rating of 2 to 5 starred category hotels and approved by the Department of Tourism of Government of India or Government of Maharashtra, and additional FSI in the area in which such hotel plot is situated, may be permitted that such extra FSI should be subject to payment of such premium as per Ready Reckoner and as detailed in guidelines, below, of this Regulation and subject to such other terms and conditions as laid down in these guidelines.

No condonation in the required open spaces, parking and any other requirements as per these Regulations except the height shall be allowed in the case of such additional FSI.

7) Low Cost Housing Schemes of the Maharashtra Housing And Area Development Authority for Economically Weaker Sections and Low Income Groups:

The floor space index for low cost housing schemes, for economically weaker sections and low income groups, of the Maharashtra Housing and Area Development Authority, having at least 60 per cent of the tenements under Economically weaker Sections (EWS) and low income Group (LIG) categories, shall be allowed to increased by 33 per cent over and above the normally permissible FSI. For the purpose of calculating the F.S.I. the entire area of the layout shall be considered and under – utilized FSI of the economically weaker section and low income group (HIG) + Middle income group (MIG) and other amenities in the scheme. Sub-division of plots will permissible on the basis of compulsory open spaces as in these regulations. This FSI will be subject to the regulations in Appendix – “F” hereto;

8) Reconstruction/redevelopment of schemes undertaken by the owners for the authorised existing tenants of building which are dilapidated or destroyed by fire, collapsed in natural disaster or which have been demolished etc:

Reconstruction in whole or in part of a building (not being a building wholly occupied by warehousing user and also not being a ground floor structure), which existed before Sanction of Development Plan of Nanded which has ceased to exist in consequence of an accidental fire, natural collapse or demolition for the reason of the same having been declared unsafe by or under lawful order of the Corporation or Maharashtra Housing and Area Development Authority or is likely to be demolished for the reason of the same having been declared unsafe by or under a lawful order of the Corporation or the said Authority and duly certified by them, shall be allowed with an FSI in the new building not exceeding that of the original building (or the FSI permissible under these Regulations, whichever is more). This FSI will be subject to the Regulations in **Appendix “G”**.

9) Schemes undertaken by MHADA exclusively with World Bank Assistance.

This shall be according to Regulation No. **190** of these regulations.

10) Construction for Housing the Dishoused:

For the construction of buildings by the Corporation or Owner, the Category of Housing the Dishoused for the purpose of Housing those who are displaced by projects by the Corporation for implementation of proposals of the Development Plan, the F.S.I. shall be 1.5 times of the permissible F.S.I. the balance F.S.I. after re-housing the persons living on the same plot shall be used for the rehabilitation and accommodation of the displaced persons only. Such additional F.S.I. will not be available when an owner undertakes development as in S.No. I (c) of **Appendix –“C”**.

11) Extra F.S.I. for Redevelopment of Tenant Occupied Property:

In case where tenant occupied property is to be redeveloped, additional F.S.I. equal to the area occupied by the tenants subject to the maximum limit of 25 per cent above the

permissible F.S.I. will be allowed by paying premium to Corporation and subject to condition specified by the Commissioner. For the rest, conditions, as stipulated in these regulations shall prevail.

12) Additional Floor Space Index which may be allowed to Religious Buildings:

The Corporation may permit the floor space indices to be exceeded in respect of buildings in dependent plots of religious purpose of registered Public Trust by 0.50 FSI subject to following terms and conditions.

- i) The religious building shall be on independent plot.
- ii) No objection certificate shall be obtained from concerned Police Authority and Collector before applying for permission.
- iii) Additional FSI shall be used for religious purpose only. Ancillary residential user may be permissible within 10% of total area. No commercial user shall be permissible.
- iv) The additional FSI shall be permissible to existing authorized religious user subject to structural stability.
- v) No condonation in required marginal open spaces and parking shall be allowed in of grant of such additional FSI.
- vi) The additional FSI shall be permissible subject to payment of premium of 25% of ready Reckoner value of respective year. Out of which 50% shall be paid to Government and balance 50% to the Corporation.
- vii) The minimum area of plot shall be 500 Sqm.
- viii) The proposal shall be consistent with the Development Plan proposal.

13) Housing for Department of Police, Police Housing Corporation, Jail and Home Guard of Government of Maharashtra for use as their Staff Quarters.

- 1) The Commissioner may permit the Floor Space Index to be exceeded up to 2.5.

Note:- It shall be permissible to submit a composite scheme for the development or redevelopment of land of Department of Police, Police Housing Corporation, Jail and Home Guard for the utilisation of permissible commercial user under D. C. Regulation; so that commercial potential of one plot can be shifted to other plot, provided the aggregate FSI on any plot shall not exceed 2.5.

- 2) For reconstruction / redevelopment of the buildings of Department of Police, Police Housing Corporation, Jail and Home Guard of Government of Maharashtra, constructed prior to 1940, the FSI shall be 2.5 or consumed floor space index of existing old building plus 50% incentive FSI, whichever is more.
- 3) In the cases of development or redevelopment of land of Department of Police, Police Housing Corporation, Jail and Home Guard, commercial user permissible under D.C. Regulation, may be permitted upto 25% of the total permissible built up area.

14) Commercial user to be permissible in Public, Semi Public Zone.

Commercial use shall be permitted as given in the table below –

Area of Plot	Permissible Commercial use in percentage
Upto 1000 Sqm.	7.50%
1001 to 2500 Sqm.	10.00%
2501 to 4000 Sqm.	12.00%
4001Sqm & above	15.00%

Commercial use shall be allowed on following conditions –

- i. Convenient shopping, branch of bank, small hotels etc. shall be permitted but shops / hotels for wine, pan, cigarette, tobacco, lottery tickets and such others which do not serve public purpose similarly domestic gas shops / godowns which are dangerous to public health shall not be permitted.
- ii. The income from such a commercial uses shall utilised for main users for which the development has taken place or would take place.
- iii. Such a commercial development shall take place in such a way that it shall not affect the view of the main development on the land; similarly such a commercial user shall be permitted up to 50% length of the plot.
- iv. The Planning Authority shall ascertain that for parking places and for traffic, sufficient area is kept in the plot.
- v. Additional F.S.I. shall be allowed only on the plot area remained after deducting the plot area utilised for commercial user.
- vi. The Planning Authority shall not allow sub division of Survey No., Gut No., Plot No. On which such a development which may cause / has take place / would take place.
- vii. In such layouts or sub-divisions having area more than 2 ha. but less than 5 ha., 20% land for public utilities and amenities like electric sub-station, bus station, sub post office, police out post, garden, playground, school, dispensary and such other amenities shall be provided.
- viii. The commercial user is permitted upto a depth of 12.00 m.
- ix. The land owner / developer / Institution shall give guarantee in writing to the Planning Authority for following all the stipulated conditions scrupulously.
- x. The plots in which there is an existing development, such commercial use shall be restricted to maximum 20% of the balance potential.

15) Additional FSI to Public Entertainment Hall, Mangal Karyalayas and like buildings (Community Centres, Social Facility Building).

- 1) The Commissioner may permit an extra Floor Space Index up to 0.5 with approval of Government exclusively for Public Entertainment Hall, Mangal Karyalayas and like buildings (Community Centres, Social Facility Buildings) of Charitable/Public Institution on premium. However with the previous approval of Commissioner, maximum 40% of the total FSI thus received can be utilised for complementary commercial use.
- 2) Subject to condition that, premium if any, as may be determined by Government shall be paid to Government shall be paid to Government out of which 50% shall be payable to Corporation. Provided further that no condonation in the required open spaces, parking spaces and other requirements as per Regulations shall be allowed while granting such additional F.S.I.

16) Additional FSI for Vegetable / Fruit / Fish / Mutton Market / Slaughter House.

The Commissioner may permit additional FSI to the persons who will hand over constructed such facility free of cost to the Corporation. Such facility shall be constructed only after approval of the Commissioner and on such terms and conditions as approved by him. Such facility provider would be entitled to receive 2.0 FSI of land put under such

facility, however for providing such facility; plot shall abut on road having width not less than 12.00 m.

17) Additional FSI for Dharmashalas / Bhakt Niwas buildings of Registered Charitable Trust.

The Corporation may permit the floor space indices to be exceeded in respect of Dharmashalas / Bhakt Niwas buildings in independent plots of Registered Charitable Trust by 0.5 FSI with prior approval from Government and subject to following terms and conditions,

- i) Dharmashalas / Bhakt Niwas building shall be on independent plot.
- ii) No commercial user shall be permitted in this building.
- iii) The additional FSI shall be permissible to the existing authorised user subject to structural stability.
- iv) No condonation in the required marginal distances, open spaces and parking shall be allowed in case of grant of such additional FSI.
- v) The minimum area of plot shall be 4000 Sqm.
- vi) This provision of permitting additional FSI shall be made applicable only to the Dharmashalas / Bhakt Niwas providing residential amenities to the devotees at nominal rates.
- vii) The additional FSI shall be permissible subject to the payment of premium of 25% of market value as per Ready Reckoner of respective year. Out of which 50% shall be paid to Government and the Corporation each.

Guidelines for Levy of Premium:

Sr. No.	Type of user / building	Percentage of market value of land for the additional FSI granted
1	<u>Educational:</u> i) Primary School, Secondary School	5%
	ii) College / Educational Institutes	10%
	iii) Special Educational Institute for Physically handicapped / Mentally ill	5%
2	<u>Medical:</u> i) Government Hospital/Municipal Hospital	15%
	ii) Hospital of registered Medical Public Trust or Medical Institutions runs on co-operative basis established for charitable purpose and registered under Income Tax Act & Maharashtra Co-operative Societies Act.	15%
3	<u>Commercial:</u> <i>A-1) Two to Four Starred Category Hotels:</i> i) for first 50% additional FSI.	15%
	ii) for next 50% additional FSI.	30%
	<i>B-1) Five Starred Category Hotels:</i> i) for first 50% additional FSI.	20%
	ii) for next 50% additional FSI.	40%
4	<u>Institutional Buildings</u>	
	Working Women's Hostel, Hospital and Medical Centres for care of physically handicap/Mentally ill/deceased, Infirmarys, Orphanages, and Homes for destitute/home for aged, convalescents.	5%
5	Dharmashalas	10%
6	Auditorium or complex for allied cultural activities, Public Entertainment Hall, Mangal Karyalayas and like Buildings (Community Centres, Social Facility Building)	10%
7	Religious Buildings	10%
8	Govt./Semi Govt., Public Sector Undertakings, Municipal Corporation, Zilla Parishad, Panchayat Samiti,	25%

	Gram Panchayat or any Institute registered with Charity Commissioner.	
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A) Conditions;

- (1) Premium amount as calculated as above by shall be paid by the applicant/owner within THREE (3) months from the date of letter of Intent issued by Commissioner of Nanded Waghala City Municipal Corporation.
- (2) In case owner fails to pay the Premium amount within the time limit prescribed above at condition (1) Government shall work out the revised amount of premium at the time of issue of new letter of intent.
- (3) Market value of the additional FSI shall be worked out as per the rates of land given in the Ready Reckoner published by the Registration Department every year.
- (4) After the amount of total premium is decided, 50% of the total amount of the Premium shall be paid to the Nanded Waghala City Municipal Corporation through Demand Draft payable to the Commissioner, Nanded Waghala City Municipal Corporation, Nanded and remaining 50% to the Government through demand draft payable to the Under Secretary, Urban Development Department, Mantralaya, Mumbai.
- (5) While granting additional FSI to starred category Residential Hotel two rooms shall be reserved for Government nominees free of cost on such terms and conditions as may be decided by Government.
- (6) FSI receivable from TDR shall not be utilised where additional FSI is to be granted on the plot as per above rules.
- (7) Provided further that no condonance in the required open spaces, parking and other requirements as in these regulations shall be allowed in the case of grant of such additional floor space index.

- B)** In order to make the construction of Educational and Medical Institute viable, 15% of the basic permissible FSI may be allowed for commercial use, and in case of ISO recognised Educational and Medical Institute, 30% of the basic permissible FSI may be allowed for commercial use, subject to following conditions.

Condition (1) - The commercial user permitted as per above should be subordinate user and the main user should be Educational or Medical as the case may be.

Condition (2) - The commercial user as per above shall be permitted only on plot having frontage of minimum 12.00 mt. wide road.

18) Additional FSI to Buildings except Gaothan area.

Additional FSI to the extent of 80% over and above the permissible FSI on buildings in particular zone shall be allowed by the Commissioner subject to payment of premium and following terms and conditions;

- a) Additional FSI would be limited to the extent of 80% of permissible FSI.
- b) Premium shall be charged at the rate of the Ready Reckoner of prevailing year.
- c) Premium amount calculated as above shall be paid within Three (3) months from the date of letter of intent issued by the Commissioner.
- d) In case owner failed to pay the premium within the time limit prescribed above at condition (e) the Commissioner shall work out the revised amount of premium at the time of issue of new letter of intent.
- e) Market value of additional FSI shall be worked out as per the rates of land given in

the Ready Reckoner published by the Registration Department every year.

- f) Funds generated under this Head shall be only be used for implementation of Development Plan proposals only.

Note : Above Regulation will be applicable when all the D.P. Reservation have developed and then hence no site to be acquisition then this additional F.S.I. would be applicable.

102. TRANSFER OF DEVELOPMENT RIGHTS (TDRs):

In certain circumstances, the development potential of a plot of land may be separated from the land itself and may be made available to the owner of the land in the form of Transferable Development Rights (TDR). These Rights may be made available and be subject to the Regulations in Appendix – “H”.

103. PARKING SPACE, CAR PARKING, LOADING & UNLOADING:

Whenever a property is developed or redeveloped, parking spaces at the scale laid down in these Regulations shall be provided. Similarly no Development Permission shall be granted to any one unless appropriate provision for parking within said premises is provided by developer. If the 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. Parking Spaces where provided shall be paved and clearly marked for different types of vehicles.

1) General space Requirements:

a) Types:

The parking spaces mentioned below include parking spaces in basements or on a floor supported by stilts, or on upper floors, covered or uncovered spaces in the plot and lock-up garages.

b) Size of parking space:

The minimum sizes of parking spaces to be provided shall be as per Table No. 10 below;

TABLE NO. 10.		
SIZE OF PARKING SPACES		
Sr. No.	Type Of Vehicle	Minimum Size / Area Of Parking Space
1	2	3
1	Car/ Motor Vehicle	2.5 m. x 5.5 m. = 13.75 Sqm.
2	Scooter, Motor -Cycle	2.5 m. x 1.2 m. = 3.00 Sqm.
3	Bicycle	2.0 m. x 0.7 m. = 1.40 Sqm.
4	Transport Vehicle/Truck	3.75 m. x 10.0 m. = 37.50 Sqm.

Note: - i) In the case of parking spaces for motor vehicles, up to 50% of the prescribed space may be of the size of 2.3 x 4.5m.

ii) Parking Area required for each Car-

- a) In Basement 35 Sqm.
- b) In Stilt 30 Sqm.
- c) In Open Space 25 Sqm.
- d) Off Street Parking 13.75 Sqm. (Off street parking in Commercial and Residential area shall not be permissible)

Areas provided in a, b, c above includes space required for vehicle manoeuvring.

c) Marking of parking spaces:

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

d) **Manoeuvring and other ancillary space:**

Off street parking space must have adequate vehicular access to street, and the area shall be exclusive of drives, aisles and such other provisions required for adequate manoeuvring of vehicles.

e) **Ramps for Basement Parking:**

Ramps for parking in basements should also conform to the requirements of Regulation No. “111”and“163”.

2) **Quantitative Requirements:**

Parking spaces for various vehicles shall be provided as in Table No.11 below, any fractional space of more than half resulting from the ratios in column (3) thereof being rounded off upward to the nearest integer.

TABLE NO. 11.								
OFF STREET PARKING SPACE								
Sr. No.	Occupancy	One parking space for every	Congested Area			Non congested		
			Car	Scooter	Cycle	Car	Scooter	Cycle
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
1	Residential							
1	(i) Multi family residence	(a) Tenement having carpet area more than 101 to 200 Sqm,	1	2	2	1	2	2
		(b) 1/2 tenement exceeding 201 Sqm.	..	2	4	1	4	4
	(ii) Lodging establishments, tourist homes, hotels with lodging accommodation	(d) Every 3 guest room	2	2	3	2	2	3
2	Educational	50 Sqm. or fraction thereof of the administrative area and public service area.	1	1	2	2	4	4
3	Institutional (Hospitals, Medical Institutions)	Every 10 Beds	2	1	2	2	4	4
4	Assembly (theatres, Cinema houses, Concert halls, Assembly halls including those of colleges and Hostels, stadia, clubs and Auditorium for Educational buildings)	20 Seats	2	5	5	3	10	10
5	Government or semi public or private business buildings & Auditorium for Educational buildings	50 Sqm. carpet area or fraction thereof	1	1	4	2	4	4
6	(a) Mercantile (markets, departmental stores, restaurants, shops, and other Commercial users)	50 Sqm. carpet area or fraction thereof	1	1	2	2	4	4
	(b) Wholesale	125 Sqm. carpet area or fraction thereof	2	2	4	2	4	4

	(c) Hazardous building	100 Sqm. carpet area or fraction thereof	1	2	4	1	4	4
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Sr. No.	Occupancy	One parking space for every	Congested Area			Non congested		
			Car	Scooter	Cycle	Car	Scooter	Cycle
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
7	Industrial	100 Sqm. or fraction thereof	1	2	4	1	4	8
8	Storage Type	125 Sqm. upto 250 Sqm. area and every 150 Sqm. of additional spaces above 250 Sqm.	1	2	4	1	4	8
9	Plot less, than 200 Sqm. (any use)		..	2	4	..	2	4
10	Plot less, than 100 Sqm.		..	2	4	..	2	4

- Notes:**
1. In the case of auditoria for educational buildings, parking space shall be provided as per Sl. No. 4.
 2. For plots up to 100 Sqm. as in the case of shops, parking space need not be insisted.
 3. 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.
 4. Parking for Mangal Karyalayas should be calculated as per Sr. No. 3 of above table. However for calculating number of users / seats for free seating and lawns shall be calculated at the rate of 1 person per 1.2 Sqm. of seating area or & 1 Sqm. of lawn area where provide respectively, provided for fixed seating, parking shall be provided as per Sr. No. 3 directly.
 5. For Plots up to 300 Sqm. parking space need not be insisted separately and shall be allowed in marginal space only in case of independent single family residential bungalows only.
 6. Further a garage shall be allowed in rear marginal distance at one corner having dimension 3 m. x 6 m. areas.
 7. In case of Residential Buildings and Mixed Residential cum Commercial Buildings, maximum 50% of Front, Side and Rear marginal open space around the building may be permitted to be used for parking spaces as above, provided minimum 3.0 m. set back is left as front, side & rear margins respectively.
 8. To accommodate the requisite parking for cycles the provision of cycle stand will be permitted hence reducing the required cycle parking to 0.70 Sqm. per cycle.
 9. The coverage of building shall be calculated at the level where the habitable use starts i.e. the parking floor may be increased beyond the permissible coverage subject to required side margins being provided for this parking floor as per relevant D.C. rules.
 10. The provision of PODIUM shall be allowed as under and in accordance with sketch enclosed in **Appendix "Z"**
 - i) Front margin to be maintained as per D.C. rules.
 - ii) The PODIUM FLOOR may extend upto 1.5 m. from plot boundary except for margin.
 - iii) The PODIUM FLOOR roof shall be used for the parking accessed by requisite ramp.
 - iv) The requisite side margin shall be measured at PODIUM ROOF level i.e. 1.5 m. + the statutory side margins.
 - v) The structural design of the PODIUM slab shall include the loading due to vehicular load of the fire engine.
 - vi) The height of the PODIUM shall be 2.4 m. below beam bottom.
 - vii) Provision of the PODIUM will be allowed for plot having area 1000 Sqm. and above.
 11. In reconstruction schemes under the Maharashtra Housing and Area Development Act, 1976, not involving change of use in congested areas, on narrow plots up to 9m. in width, the requirement of parking spaces shall not be insisted upon.
 12. In addition to the parking provided for building of Mercantile (Commercial) like office, markets, departmental store, industrial and storage, loading and unloading spaces shall be provided at the rate of One space for each 1000 Sqm. of floor area or fraction thereof exceeding 200 Sqm. of floor area, shall be provided. The loading / unloading space shall be 3.75m. x 7.5 m.
 13. off street parking space shall be provided with adequate vehicular access to the street, and the area of drives, aisles and such other provisions required for adequate manoeuvring of vehicles shall be exclusive of the parking space stipulated in these regulations.

14. If the total parking space is required by these regulations is provided by a group of owners for their mutual benefits, such use of this space may be construed as meeting the off street parking requirements under these regulations subject to the approval of the Commissioner. In such cases, the details of requirements for total development should be submitted. If common parking space is proposed for the group of buildings, and owners, of such buildings shall submit the layout showing such reservation of parking space and also a registered undertaking that the area earmarked for the parking space will not be built upon and will be developed as parking lot.
15. Parking lock up garages shall be included in calculation for FSI unless they are provided in the building constructed on stilts with no external wall.
16. The space to be left out for parking as given in this regulation shall be in addition to the open spaces left out for lighting and ventilation purposes as given in Regulation No. 88 & 90. These open spaces may be used for parking provided minimum distance of 3 m., or as required by Chief Fire Officer in case of high rise building, around the building is kept free of any parking or loading & unloading spaces.
17. In case of parking spaces are provided in basement / cellar, at least 2 ramps of adequate width and slope (see Regulation No. 111) shall be provided, located, preferably, at opposite ends.
18. Visitors Parking: It shall be 10% of the total parking area required.
19. In addition to the regular parking area as per rule, a space of 3 m. wide strip along the road on front / side shall be provided as visitors parking on the roads designated by the Corporation for mixed user buildings as prescribed and directed by the Commissioner provided further that no compound or any other enclosure shall be allowed between plot boundary and front of the building line.

3) Other type of vehicles:

For all non-residential, and assembly and non-assembly occupation, 25 per cent additional parking spaces, subject to a minimum of two spaces shall be provided in additions to what is prescribed in these rules.

4) Transport Vehicles:

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

5) Parking spaces:

Where to be accommodated: The Parking Spaces may be provided;

- a) Underneath the building, in basements within its stilted portion, or on upper floors;
- b) In the side and rear open spaces, but not in the amenity open spaces, if -
 - i) They are unenclosed but uncovered except as provided in (d) below
 - ii) They do not consume more than 50 per cent of the open space;
 - iii) A minimum distance of 3.60 m. around the building is kept free of parking for proper manoeuvrability of vehicles;
 - iv) They are at least 7.5 m. from the road boundary in case of detached covered garages.
- v) The Parking layouts meet the requirements of the Chief Fire Officer in the case of multi storied, high-rise and special buildings.

- c) In a residential zone, beyond the compulsory side and rear open spaces stipulated in Appendix “D” if other conditions under sub rule (b) above are satisfied. The parking spaces may be an unenclosed covered space.
- d) In a residential zone and a residential zone with shop line, with covered parking spaces garages of a size of 2.5 m. x 5.5 m. with a height of one covered garage for every 400 Sqm. of plot area, in side or rear open space, at a distance of 7.5 m. from any street line or the front boundary of the plot.

Provided that the same is 1.5 m. from the building and the condition in (b) (v) above is complied with.

- e) Basement below RG and Parking below podium RG for parking of vehicles as provided under Regulation No.66 provided that 1.5 m. strips of land along with boundaries is provided for planting trees.

6) Cinemas, Theatres and Assembly Halls:

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

7) Common Parking spaces:

If the total parking space required by these regulations is provided by a group of property owners for their mutual benefits, such use of this space may be constructed as meeting the off street parking requirements under these Regulations subject to the approval of the Commissioner. If such common parking space is proposed for a group of buildings, the owners of such buildings shall submit a layout therefore and also a registered undertaking stating that the area earmarked for the parking space will not be built upon.

- 8) Subject to Conditions as may be prescribed by the Commissioner UNDER GROUND PARKING shall be allowed below existing or proposed Development Plan roads and below Land Reserved for Recreational Ground / Play Ground, Gardens, Parks and Open Spaces both existing and proposed land to be used at one or two level below the ground. This provision will not be applicable to the Heritage buildings / precincts, notified under any category.
- 9) Before granting building permission to Commercial Complex, Shopping Malls, Multiplex, I. T. Parks, Multi-storeyed Mixed user buildings etc. developer should obtain and submit NOC from Traffic Department.
- 10) Where the parking area is provided on the portion of the ground floor, then height of such parking area may be maintained as per floor height of the construction on the remaining portion of the ground floor.

11) Design of Parking for Cars:

Parking layout for cars in all buildings shall conform to the following specifications:

- 1. Minimum dimension of a space provided for parking a car shall be 2.5 m x 4.5 m.
- 2. Each car parking space should be connected to the street providing access to the plot by means of an access / exit lane. Minimum width of the access / exist lane shall be 3.0 m provided that the lane does not provide access / exit to more than 10 cars.
- 3. Minimum width of access / exist lane shall be 3.0 m for one-way movement of cars and 6.0 m for two-way movement in case the lane provides access / exist to more than 10 car parking spaces. The minimum turning radius along the centre of the lane shall be 5.0 m.
- 4. The maximum slope of access / exist lane at any point along lane shall be 1:7.

5. Minimum clear height of 2.4 m shall be maintained at all points in the parking space and access / exist lanes.

12) Design of Parking for Two-Wheelers:

Parking layout for two-wheelers in all buildings shall conform to the following specifications:

1. Minimum dimension of a space provided for parking a two-wheeler shall be 0.90m x 1.75m.
2. Each two-wheeler parking space should be connected to the street providing access to the plot by means of an access / exist lane. Minimum width of the access / exist lane shall be 2.0 m provided that the lane does not provide access / exist to more than 10 two-wheelers.
3. Minimum width of access / exist lane shall be 2.0 m for one-way movement of two-wheelers and 4.0 m for two-way movement in case the lane provides access / exist to more than 10 two-wheeler parking spaces. The minimum turning radius along the centre of the lane shall be 4.5 m.
4. The maximum slope of access / exist lane at any point along lane shall be 1:7.
5. Minimum clear height of 2.4 m shall be maintained at all points in the parking space and access / exist lanes.

13) Multi Level Parking:

Multi level parking should be developed in the designated parking spaces or in residential, public-semi-public facilities, commercial, transport node, Municipal Transport Depot, etc. with following Development Controls.

- (i) Minimum Plot Size – 1000 Sqm.
- (ii) In order to compensate the cost of Multi-level parking and also to fulfil the growing need of parking spaces within urban area, a minimum of 25% of gross floor area may be utilised as commercial / office space.
- (iii) In addition to the permissible parking spaces on maximum FAR 3 times additional space for parking component shall be provided.
- (iv) Number of basements – No Limit, subject to adequate safety measures.
- (v) For development of Multi-level Parking, models should be worked out to encourage the private sector initiative with restricted commercial component not exceeding 10% limited to FAR 40 on the plot.
- (vi) Specific proposals requiring relaxation in above-mentioned norms would be referred to the Commissioner.

14) Incentive for providing Parking Complexes:

To encourage Parking Complexes, Parking lots and enclaves, owners who develop parking complexes /Parking lots, the following incentives would be considered:

- a) equivalent built up area of such Parking Complex / or area of Parking lot as the case may be would be considered as Transferable Development Right by the Commissioner.
- b) In an existing area / locality where an owner or two or more owners come together and develop combined or common parking Complex, pedestrian plaza / subway, or improve / facilitate additional access by linking with surrounding roads etc for public

usage are provided, as part of their premises / land development / improving the urban design aspects, additional bonus built up area / TDR would be considered by the Commissioner.

- c) No concession in marginal open spaces would be allowed.
- d) No fees and other charges shall be charged by the Corporation for the area / floors developed as Parking Complex / Parking lot.
- e) A moratorium on property tax for 5 years would be considered.
- f) For the next 5 years Property tax shall be levied on the lowest slab of residential category.
- g) Such parking facility enclaves may be permitted along or off main commercial roads, city centre, close to Bus Stations, Railway Stations and any public transport system so as to encourage use of public transport, etc. Access to these parking spaces in such Complexes may be accomplished through provision of mechanical lifts. Such areas may be identified by the Commissioner and notified to public every year by 1st April.

104. PROVISION FOR LOADING AND UNLOADING IN CERTAIN CASES:

In The case of buildings of mercantile (commercial) nature like office markets, departmental stores and industrial and storage building spaces for loading and unloading shall be provided at the rate of one space for each 1000 Sqm. of the floor area or fraction thereof exceeding the first 200 Sqm. floor area. In addition to the parking spaces provided as laid down in these Regulations. The spaces for loading and unloading shall not be less than 3.6 x 7.5 m.

105. PARKING LOCK-UP GARAGES TO BE INCLUDED IN CALCULATION FOR FLOOR SPACE INDEX:

Parking lock – up garages shall be included in the calculation for floor space for FSI calculations unless they are provided in the basement of a building or under a building constructed on stilts with on external wall.

106. PARKING SPACE FOR ASSEMBLY BUILDING SUCH AS CINEMA ETC.:

The parking spaces in cinemas, theatres and places of public assembly shall be provided as given below,

Type of vehicles	Number of vehicles for which parking space shall be provided Seating capacity
Cars	2.5%
Scooters / Motorcycles	10%
Cycles	25%

107. PARKING SPACES TO BE LEFT OUT IN ADDITION TO OPEN SPACE FOR LIGHTING AND VENTILATION:

The spaces to be left out for parking as provided in regulations 103 to 106 both inclusive shall be in addition to the open space left out for lighting and ventilation purposes as provided in these Regulations and subject Regulation 108.

Provided that, one row of car parking may be provide in the front open space of 12 m. without reducing the clear vehicular access way to loss than 6 m.

108. CERTAIN OPEN SPACES ALLOWED TO BE USED FOR PARKING OR LOADING AND UNLOADING;

Further 50 % of the open space required under Regulations 87 to 98 (both inclusive) around buildings except those in front and the recreational or amenity open space required under Regulations 66 may be allowed to be utilized for parking or loading or unloading spaces, provided a minimum distance of 3.6 m. around the building is kept free from any parking loading, unloading spaces.

109. PARKING SPACES FOR BUILDINGS MORE THAN 15 M. IN HEIGHT:

Parking spaces shall be provided in basement, under the stilt, upper floor and spaces other than minimum marginal open spaces subject to Regulation 103.

110. PARKING SPACES TO BE PAVED:

Parking spaces shall be paved and clearly marked for different type of vehicles

111. PROVISION FOR RAMPS:

In the case of parking space provided in basement at least 2 ramps of adequate width and slope shall be provided at opposite ends.

PART – VI

REQUIREMENTS OF PARTS OF BUILDINGS.

112. PLINTH:

The plinth or any part of a building or outhouse shall be so located with respect to the surrounding ground level that adequate drainage of site is assured.

i) **Main Building:**

The height of plinth shall not be less than 45 cm. above the surrounding ground level. In areas subject to flooding the height of the plinth shall be at least 60 cm. above the high flood level or greater than 60 cm. as may be decided by the Commissioner in deserving cases.

ii) In the case of special housing schemes put up by public agencies for low income group and economically weaker section of the society, the minimum height of plinth shall not be less than 30 cm.

iii) **Interior Courtyards, Covered parking spaces and garages:**

These shall be raised at least 15 cm. above the surrounding ground level and shall be satisfactorily drained. In case of shops plinth height may be 30 cm.

113. SIZES OF HABITABLE ROOMS:

The minimum size and width shall be as given in the Table No.12 hereunder:

TABLE NO. 12.			
MINIMUM SIZE AND WIDTH OF HABITABLE ROOMS			
Sr. No.	Occupancy	Minimum size in Sqm.	Minimum width in m.
1	2	3	4
1	Any habitable room except kitchen	9.5	2.4
2	Pooja Room (one per tenement)	1.5	1.0
3	Room in a single room tenement in High Density Housing	12.5	2.4
4	Rooms in a two – room tenements-		
	a) one of the rooms	9.6	2.4
	b) other room	7.5	2.4
5	Rooms in a two - room tenement of a site and services project-		
	a) One of the rooms	9.3	2.4
	b) Other room	5.6	2.3
6	Single bedded room in a hostel of a recognized educational institutions	7.5	2.4
7	Shop in R1 zone	6.0	1.8
8	Shop in any zone other than R 1	10.0	2.0
9	Class room in an educational building	38.0	5.5 or area at 0.8 sq. m. per student whichever is more
10	Institutional building		
	a) Special Room	9.5	3.0
	b) General Ward	40.0	5.5
11	Cinema hall, auditorium, assembly hall etc.	Inconformity with the Maharashtra Cinema Rules	

- i) Provided that in sites and services projects, a room of 5.6 sq. m. with a toilet arrangement may be allowed in the first phase and in the second phase, another room of 9.3 sq. m. may be added. Provided further that an additional bed room (for occupancy of single person) with a size of 5.5 Sq. M. with a minimum width of 1.8 m may be permitted.
- ii) In case of special housing scheme put up by public agencies for low income group, economically weaker section of society the size of single room tenement shall not be less than 12.5 Sqm. with a minimum width of 2.4 m.

114. Height of Habitable Rooms;

The minimum and maximum height of a habitable room shall be as given in the Table No.13 hereunder.

TABLE NO. 13.			
HEIGHT OF HABITABLE ROOMS			
Sr. No.	Occupancy	Minimum Heights (in meters)	Maximum heights (in meters)
1	2	3	4
1	Flat roof :		
	a) Any habitable room	2.75	4.2
	b) Habitable room in High Density Housing	2.6	4.2
	c) Air Conditioned habitable room	2.4	4.2
	d) Assembly hall, residential hotels of 3 star categories and above, rooms in institutional industrial, hazardous or storage occupancies, department stores, entrance halls and lobbies to departmental stores and assembly halls.	3.6	4.2
		Subject to the written permission of the Commissioner, greater height may be permitted.	
2	Pitched roof:		
	a) Any habitable room	2.75 (average with 2.1 m. at the lowest point)	4.2 (average with 3.2 m. at the lowest point)
	b) Habitable room in high Density Housing	2.6 (average with 2.0 m. at the lowest point)	4.2 (average with 3.2 m. at the lowest point)

Provided that:

- i) The minimum head – way under any beam shall be 2.4 m.
- ii) In all occupancies, except those included in serial No.1(d) in the Table above, any height in excess of 4.2 m. shall be deemed to have consumed on additional FSI of 50 % of the relevant floor area.
- iii) Other requirements – one full side of habitable room must abut or have entry in open space save as provided in Regulation 90.
- iv) Notwithstanding the above restrictions as stated in Table No. 13, any telemetric equipment storage erection facility can have a height as required for effective functioning of that system.

115. KITCHEN:

a) Size:

- i) The area of the kitchen shall be not less than 5.5 sq. m. with a minimum width of 1.8 m. but in a two room tenement the minimum area of the room to be used as a kitchen shall be 7.5 sq. m. with minimum width for 2.1 m.
- ii) In the case of special housing scheme, put up by public agencies for low income group and economically weaker section of the society, no provision for kitchen shall be necessary. In the case of double room tenements, the size of a kitchen shall be not less than 4.0 sq. m. with a minimum width of 1.5 m.

b) Height of Kitchen:

The room height of kitchen measured from the surface of the floor, the lowest point in the ceiling (bottom of slab) shall not be less than 2.75 m. subject to provisions of Regulation 114.

c) Other requirements of kitchen:

Every room to be used as a kitchen shall have;

- i) Unless separately provided in a pantry, means for the washing of kitchen utensils which shall lead directly or through a sink to grated and trapped connection to the waste pipes;
- ii) An impermeable floor;
- iii) at least a window of not less than 1 sq. m. in area, opening directly on to an interior or exterior open space, but not into any shaft.
- iv) In case of multi-storeyed residential buildings more than 15 m. height, refuse chutes.
- v) A chimney not less than 500 Sqm. in area after par getting if fire wood, coal or like material is used which will generate smoke.

116. REQUIREMENTS REGARDING PANTRIES:

A pantry shall have;

- i) A floor area of not less than 3 Sqm. with the smaller side not less than 1.4 m.
- ii) A sink for the cleaning of kitchen's utensils which shall drain through a grated and trapped connection to the waste water pipe where waterborne sewerage system is not available and the grated connection shall be made to the puce surface drain leading to soak pit, or other approved system of disposal and
- iii) An impermeable floor and an impermeable dado 0.9 m. high.

117. BATH ROOMS AND WATER CLOSETS:

a) Size:

- i) The size of a Bathroom shall not be less than 1.8 Sqm. with a minimum width of 1.2 m. The minimum size of water closet shall be not less than 1.1 Sqm. with a minimum width of 0.9 m. The minimum area of a combined bathroom and water - closet shall be 2.6 Sqm. with a minimum width of 1.2 m.
- ii) In the case of Special Housing Scheme the sizes of bath – room and water closets shall be as following:

a)	Independent water closet	....	1.1 x 0.9 M.
b)	Independent bath room	....	1.3 x 1.1 M.
c)	Combined bath room and Water – closet	....	2.0 Sq. M. with minimum width of 1.2 M.

b) Height of Bath-room and Water-Closets:

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 2.2 M.

c) Other requirements of Bath–Room and Water-Closets:

Every bathroom or water closet shall.

- i) Be so situated that at least one of its walls shall open to external air
- ii) Not be directly over or under any room other than water – closet washing place, bath or terrace, unless it has water – tight floor
- iii) Have platform or seat made of water – tight non - absorbent material;
- iv) Be enclosed by walls or partitions and the surface of every such wall or partition shall be finished with a smooth impervious material to a height of not less than 1 m. above the floor of such a room,

- v) Every water closet and / or a set of urinals shall have a flushing cistern of adequate capacity attached to it. In High Density Housing, however, no such flushing cistern needs to be provided.
- vi) Be provided with an impervious floor covering sloping toward the drain with a suitable grade and not towards veranda or any other room,
- vii) In High Density housing, pour flush water seal latrines (NEERI type) may be permitted when the Corporation sewerage system is not available and the water table in the area is not high,
- viii) All the sewerage outlets shall be connected to the municipal sewerage system. Where no such system exists, a septic tank shall be provided within the plot conforming to the requirements of Regulations No. 144.

d) Restriction on use of room containing Water-Closet:

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

118. LOFT:

Location and extent –Lofts may be provided over kitchen, habitable rooms, bathrooms, water closet and corridor within a tenement in residential buildings, over shops and in industrial buildings, subject to the following restrictions.

Sr. No.	Rooms over which permitted	Coverage (Percentage to area or room below).
1	Kitchen / habitable room	25
2	Bathroom, water closet, corridor	100
3	Shops with width up to 3 m.	33.33
4	Shops with width exceeding 3 m.	50
5	Industrial	33. 33

- Note:**
- i) The clear head room under the loft shall not be less than 2.2 m. and that above it shall not be more than 1.5 m. in depth, if it exceeds 1.5 m. it shall be counted towards FSI.
 - ii) Loft in commercial areas and industrial building shall be located 2 m. away from the entrance and loft area shall not be counted towards FSI subject to (i) above.
 - iii) Loft shall not be allowed where mezzanine floor is provided.

119. LEDGE OR TAND:

- a) A ledge or tand in a habitable room not cover more than 25 percent of the area of the floor on which it is constructed and shall not interfere with the ventilation of the room under any circumstances.

b) Height of ledge or tand:

The ledge or tand shall be provided at minimum height of 2.2 m.

120. PROJECTIONS (CANTILEVER) OF CUP-BOARDS ETC.:

The projections (cantilever) of cupboards and shelves may be permitted and shall be exempted from covered area calculations. Such projections may project up to 60 cm. in the set-backs for residential buildings provided the width of such cupboards or shelves does not exceed 2.4 m. and there are not more than one such a cupboards or shelves in each room. However, cupboards on ground floor may be permitted within the building line.

Provided that, continuous cupboards and shelves with 60 cm. projection may be permitted, provided the same is constructed underneath the sill portion of the window (not exceeding 90 cm. from the floor) and over the lintel of windows (at heights above 2.10 M. above the floor level).

121. MEZZANINE FLOOR:

a) Size:

The aggregate area of a mezzanine floor in any room shall not exceed 50% of the built up area of that room. The size of Mezzanine floor shall not be less than 9.5 Sqm. if it is used as a living room. The area of mezzanine floor shall be counted towards F.S.I.

Provided, however, that in existing authorised buildings having no balance FSI, area of the mezzanine floors constructed prior to 31th December, 2009 without approval may be exempted from FSI with special permission of the Commissioner subject to terms and conditions and payment of premium as may be specified by the Commissioner.

Note: -Lofts having head room more than 1.5 m. above, it shall be treated as mezzanine floor.

b) Height of Mezzanine Floor:

The minimum height of a mezzanine floor shall be 2.2 m. The head room under mezzanine floor shall not be less than 2.10 m.

c) Other Requirement of Mezzanine floor:

A mezzanine floor may be permitted over a room or a compartment provided;

- i) It conforms to the standards of living rooms as regards lighting and ventilation in case the size of mezzanine floor is 9.5 Sqm. or more.
- ii) It is so constructed as not to interfere, under any circumstances, with the ventilation of the space over and under it.
- iii) Such mezzanine floor or any part thereof will not be used as a kitchen.
- iv) The mezzanine floor is not closed so as to make it possible to be converted into compartment.
- v) It is at least 1.8 m. away from front wall of such rooms.
- vi) No objection certificate from the Director of Industries is obtained for additional floor area in case such mezzanine floor is constructed industrial zone.
- vii) Access to the mezzanine floor is from the respective room only.

122. STORE ROOM:

a) Size:

The area of a store room, if provided in a residential building, shall not be more than 3 Sqm.

b) Height:

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

123. SIZE OF PRIVATE GARAGE:

The size of a private garage in residential building shall not be less than 2.5 m. x 5.5 m. or as provided in clause (ii) and the note under it below Table No.10 in sub-regulation (i) (b) of regulation No.103.

The garage, if located in the side open space, shall not be constructed within 3.0 m. from the main building, but at least 7.5 m. away from any access road.

124. SIZE OF PUBLIC GARAGE:

The size of a public garage shall be calculated based on the number of vehicles to be parked as specified in Regulation No.103.

125. HEIGHT OF GARAGE:

The minimum head room in a garage shall be 2.4 m.

126. PLINTH OF GARAGE:

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

127. SET-BACK OF GARAGE:

The garage shall be set - back behind the building line for a street or road on which the plot abuts and shall not be located affecting the access ways to the building. If the garage is not set - back as aforesaid, the Commissioner may require the owner or occupier of the garage to discontinue use of premises or to take such other measures as the Commissioner may consider necessary in order to prevent danger or obstruction to traffic along the street.

128. GARAGE IN CORNER SITE:

When the site fronts on two streets, the frontage shall be as on the street having the large width. In cases where two streets are of the same width, then the larger depth of the site will decide the frontage and open spaces. In such case, the location of a garage in a corner plot is provided within the open spaces, shall be located diagonally opposite the point of intersection.

129. CORNER SITE:

When the site fronts on two streets, the frontage shall be as on the street having the larger width. In cases where two streets are of same width, then larger depth of the site will decide the frontage and open spaces.

130. ROOFS:

The roof of a building shall be so constructed or framed as to permit effectual drainage of the rainwater there from by means of sufficient rainwater pipes of adequate size wherever required, so arranged, jointed and fixed as to ensure that the 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.

131. TERRACE:

Terraces of building shall not be sub-divided and shall be accessible by a common staircase. However, for Pent Houses sub-divisions of terrace shall be permitted.

132. RAIN WATER PIPES:

- i) The Commissioner may require rainwater pipes to be connected to a drain or sewer through a covered channel formed beneath the public footpath to connect the rainwater pipe to the road gutter or in any other approved manner.
- ii) Rainwater pipes shall be affixed to the outside of the walls of the buildings or in recesses or chases cut or formed in such walls or in such other manner as may be approved by the Commissioner.

133. BASEMENT / CELLAR:
Area & Extent:

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

- ii) The basement shall be put only to the following uses and shall be constructed within set-back and prescribed building lines and subject to maximum coverage on floor 1 (entrance floor). The basement in the congested area shall only be allowed after structural engineer's report and provisions for safety measures to be taken for the adjoining property.
 - a) Storage of household or other goods or ordinarily non – combustible material.
 - b) Strong rooms, bank lockers, safe deposit vaults, etc.
 - c) Air - conditioning equipments and other machines used for services and utilities of the building.
 - d) Parking spaces.
 - e) Dark room.
 - f) Stock room of libraries.
 - g) Users strictly ancillary to the principal user.
- iii) Following user in Basement /Cellar shall be computed in FSI.
 - i) Underground shopping centre.
 - ii) Office of commercial or professional.
 - iii) The basement shall not used for residential purpose.
- iv) 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 underside of the roof slab or ceiling;
 - b) Adequate ventilation shall be provided for the basement. The standard of ventilation shall be the same as required by the particular occupancy according to these regulations. Any deficiency may be met by providing adequate mechanical ventilation in the form of blowers, exhaust fans (one exhaust fan for 50sq.mtrs. of basement area) or air-conditioning systems.
 - c) The minimum height of the ceiling of any basement shall be 0.9 m. and the maximum shall be 1.2 m. above the average surrounding ground level. However, it does not apply to the lower tier of the basement when two tiers are proposed.
 - d) Adequate arrangements shall be made so as to ensure that surface drainage does not enter the basement;
 - e) The walls and floors of the basement shall be water-tight and be so designed that the effect of the surrounding solid and moisture, if any, is taken into account in design and adequate damp proofing treatment is given.
 - f) The access to the basement shall be separate from the main and alternate staircase providing access and exit from higher floors. Where the staircase is continuous, the same shall be enclosed type serving as a fire separation from the basement floor and higher floors. Open ramps shall be permitted if they are constructed within the building line subject to the provision of clause (d).
 - g) The use of basement would be permissible for any purpose for which the rest of the building may be used subject to condition that if use is different than those are exempted then area actually put to use would be counted toward FSI. Before granting such permission the Commissioner should satisfy himself about fulfilment of all

requirement regarding access, safety (including fire safety), ventilation etc, All planning standards (particularly as regards parking) should be strictly adhered to.

- h) Kitchen, bathroom and toilet shall not be permitted in the basement.
- i) Basement may be allowed for hyper market / shopping malls by counting in FSI and subject to following conditions.
 - i) Basement shall not be allowed for storage and sale of combustible materials even if it is counted in FSI.
 - ii) Users to be permitted by counting its area in FSI and uses to be permitted free of FSI shall be segregated by providing RCC wall of minimum 15 cm. thickness. These uses will be necessarily accessible by way of ramp or staircase or lift as the case may be.
 - iii) Commissioner shall be satisfied about the fulfilment of all requirements regarding access, fire protection, ventilation and proper drainage system for disposal of waste water in accordance with the provisions of National Building Code and requirements of these Development Control Regulations.
 - iv) No condonation of parking spaces shall be entertained.
- J) Considering huge requirement of parking due to increase in vehicular ownership, if developer proposes multilevel basements up to two or more level within building line, should also be permitted free of FSI subject to confirmation of other regulations including structural stability, fire safety, artificial light and ventilation etc. However, total area of basement shall not exceed twice the plinth area of building or the area of plot whichever is less.
- k) Owner shall furnish Indemnity Bond on non judicial stamp paper of Rs.100/- in Form-“XV” and/or “XVI”.

134. STILT:

A stilt portion shall be permitted on ground floor only, constructed below first floor level. The minimum height between average ground level and ceiling of the stilt portion shall be 2.4 m from the plinth of stilt up to the bottom of beam and at least two sides of the stilt portion shall be open. Shear walls, if any, taken to safeguard building from earthquake same may be permitted by the Commissioner, after taking undertaking from the developer in appropriate form on non-judicial stamp paper of appropriate value decided by the Municipal Commissioner.

The stilt portion shall not be used for any purpose other than for vehicles parking or for play field. Plinth of stilt shall not be more than 15 cm from surrounding ground level. If parking is provided in multi level stilt then the Commissioner shall charge premium as stipulated in these Regulations but at half the rate.

Provided further that if the Commissioner finds that the stilt portion is used for the purpose other than permissible user he shall require to forfeit, discontinue of such use and shall charge penalty as may be decided by him for causing such use.

135. CHIMNEY:

Chimneys, where provided, shall conform to the requirements of IS: 1646 -1960 Indian Standard Code or Practice for Fire safety of building.

General: Chimneys, Fuel, Flue pipes, and Hearths;

Provided that, the Chimneys shall be built at least 0.9 m. above flat roof if the top of the chimneys be mellow the tops of adjacent parapet wall and in the case of sloping roofs, the Chimney top shall be less than 0.6 m. above the ridge of the roof in which the chimney penetrates.

136. LETTER BOX:

A letter box of appropriate dimensions shall be provided on the ground floor of residential and commercial buildings with five and more storeys.

137. METER ROOM:

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

138. COMMON ANTENNA FOR TELEVISION TRANSMISSION / RECEPTION:

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

139. LIGHTING AND VENTILATION OF ROOMS:

- i) Adequacy and manner of provision-All parts of any room shall be adequately lighted and ventilated. For this purpose every room shall have,
 - a) One or more apertures, excluding doors, with area not less than one seventh of the floor area of the room, with on part of any habitable room being more than 7.5 away from the source of light and ventilation being more than 7.5 m away from the source of light and ventilation. However, a staircase shall be deemed to be adequately lighted and ventilation, if it has one or more openings their area taken together measuring not less than 1 Sq. M. per landing on the external wall.
 - b) An opening with a minimum area of 1 sq. m. in any habitable room including a kitchen and 0.3 Sq. M. with one dimension of 0.3 m. for any bathroom, water closet or store.
 - c) all the walls, containing the openings for light and ventilation fully exposed to an exterior open space either directly or through a veranda not exceeding 2.4 m. in width provided that a room meant for non-residential user shall be considered as adequately lighted and ventilated if its depth from the side abutting the required open space does not exceed 12 m.
- ii) Artificial ventilation shaft –A bathroom, water closet, staircase or store may abut on the ventilation shaft, the size of which shall not be less than the values given below.

Height of Building in. m.	Cross– section of shaft in sq. m.	Side of shaft in m.
1	2	3
Up to 12	2.8	1.2
Up to 18	4.0	1.5
Up to 24	5.4	1.8
Up to 30	8.0	2.4
Above 30*	9.0	3.0

(*) For buildings above 30 m. mechanical ventilation system shall be installed besides the provisions of minimum ventilation shaft.

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

- iii) Artificial lighting and mechanical ventilation:- where lighting and ventilation requirements are not met through day lighting and natural ventilation, they shall be ensured through artificial lighting and ventilation in accordance with the provisions of Part - VIII, Building Service Section - I, Lighting and Ventilation, National Building Code.
- iv) In any residential hotel where toilets are provided with a mechanical ventilation system, the size of the ventilation shaft prescribed in this Regulation may suitably be relaxed by the Commissioner.

140. OVERHEAD TANKS:

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

141. PARAPET:

Parapet walls and handrails provided on the edges of roof terraces or balcony shall not be less than 1.05 m. above the finished floor level and not more than 1.20 m. in height.

142. CABIN:

The size of cabins shall not be less than 3.00 Sqm. The clear passages with the divided space of any floor shall not be less than 0.9 m. and the distance from the farthest space in cabin to any exit shall not be more than 18.5m. In case the sub-divided cabin does not derive direct lighting and ventilation from any open space or mechanical means, the maximum height of the cabin shall be 2.2 m.

143. WELLS:

- i) Wells intended to supply water for human consumption or domestic purpose, where provided, shall comply with requirements of sub-regulations (ii) and (iii) of this regulation.
- ii) The well shall be located.
 - a) Not less than 15 m. from any ash pit, refuse pit, earth closet or privy and shall be located on a site upwards from the earth closet or privy.
 - b) Not less than 18 m. from any cess pit, soak way or borehole latrine and shall be located on a site upwards from the earth closet or privy.
 - c) Not such place as to ensure that contamination by the movement of sub-soil or other water is unlikely.
 - d) The interior surface of the well shall have lining or of walls of well shall be rendered impervious for a depth of not less than 1.8 m. measured from the level of ground immediately adjoining the well-head. It shall not be located under a tree and if it is so located at a place under a tree, the well shall have a canopy over it so that leaves and wings of the tree may not fall into the well and rot.
- iii) The well shall.
 - (a) Have a minimum internal diameter of not less than 1m.

- (b) Be constructed to a height of not less than 1 m. above the surrounding ground level, to form a parapet or kerb and to prevent surface, water flowing into a well, and shall be surrounded with a paving constructed of impervious material which shall extend for distance of not less than 1.8 m. in every direction from the parapet or from the kerb forming the well head and the upper surface of such a paving shall be sloped away from the well.
- (c) Be of sound and permanent construction (pucca) throughout. Temporary exposed (Kutchha) wells shall only be permitted in fields or gardens for purposes of irrigation.
- (d) The interior surface of the lining or of 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.

144. SEPTIC TANKS:

- i) Where a septic tank is used for sewage disposal, the location, design and construction of the septic tank shall conform to requirements of sub-regulations (ii) to (x) of these regulations.
- ii) A sub-soil dispersion system shall not be closer than 12 m. from any source of drinking water such as well, to mitigate the possibility of bacterial pollution of water supply. It shall also be as far removed from the nearest habitable building as economically feasible but not closer than 2 m. to avoid damage to the structure.
- iii) Septic tank shall have minimum internal width of 75 cm. minimum depth of one meter below the water level and a minimum liquid capacity of one cubic meter. Length of a tank shall be 2 to 4 times the width.
- iv) Septic tank may be constructed of brick work, stone, concrete or other suitable materials as approved by the Commissioner.
- v) Under no circumstances should effluent from a septic tank be allowed into an open channel, drain or body of water without adequate treatment.
- vi) Minimum nominal diameter of pipe shall be 100 mm. Further at junctions of pipes in manholes, direction of flow from a branch connection shall not make an angle exceeding 45 degree with the direction of flow in the main pipe.
- vii) The gradients of land drains, under drainage as well as the bottom of dispersion trenches and soak ways shall be between 1:300 and 1:400.
- viii) 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 wires mesh. The ventilating pipe shall extend to a height which would cause no smell nuisance to any building in the areas. Generally, the ventilating pipe may extend to a height of about 2 m. when the septic tank is at least 15 m. away from the nearest building and to height of 2 m. above the top of the building when it is located closer than 15 meters.
- ix) When the disposal of septic tank effluent is to seepage pit, the seepage pit shall be of any suitable shape with the least cross – sectional dimension of 90 cm. and shall be 50 to 100 cm. deep and 30 to 100 cm. wide excavated to a slight gradient, and shall be provided with 15 to 25 cm. of washed gravel or crushed stones. Open jointed pipes placed inside the trench shall be made of unglazed earthen clay or concrete and shall have minimum internal diameter of 75 to 100 mm. Each dispersion trench shall not be longer than 30 m. and trenches shall not be placed closer than 1.8 m.

Where no lining is used specially near trees, the entire pit shall be filled with loose stones. A masonry ring shall be constructed at the top of the pit to prevent damage by

flooding of the pit by surface run off. The inlet pipe shall be taken down to a depth of 90cm. from the top as an ant - mosquito measure.

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

145. BOUNDARY / COMPOUND WALL AND MAIN ENTRANCE:

The requirement of the boundary wall as given below;

- i) Unless with special permission of the Commissioner, the maximum height of the front compound wall shall be 1.5 m. above the central line of the front street. Compound wall up to 2.4 m. height may be permitted if the top 0.9 m is of open type construction.
- ii) In the case of a corner plot, the height of the boundary wall shall be restricted to 0.75 m. for a length of 10 m. on the front and side of the inter-sections and the remaining height of 0.75 m. if required in accordance with sub-regulation (i) may be made up of open type construction (through railings).
- iii) The provision of sub-regulations (i) and (ii) shall not be applicable to boundary walls of Institutional buildings like jails. 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 use of public utility undertaking the height up to 2.4 m. may be permitted by the Commissioner.
- iv) The main entrance to a plot accommodating a multi-storeyed, high rise or a special building shall be at least 4.5 m. wide and shall be so designed as not to obstruct easy movement of fire-engine or truck. The entrance gate to it shall open inside and fold back against the compound wall.

146. OFFICE ROOM:

In the case of multi storied multi family dwelling apartments constructed by co-operative housing societies or apartment owner's co-operative societies, an office room of dimension of 3.6 m. x 3 m. shall be provided on the ground floor or uppermost floor. If the numbers of flats are more than 20, the maximum size of the office rooms shall be of area of 20 Sqm. In already developed property it may be on an upper floor. Built up area of such office shall not be included in FSI.

147. FITNESS CENTRE:

In every residential building, either existing or constructed or proposed to be constructed for the use of a existing or proposed Co-operative Housing Society or an Apartment Owners Association, a fitness centre room including toilet facilities, will be permitted subject to following conditions:

- (i) The application for the proposed fitness centre shall be made by the Registered Co-operative Housing Society / Apartment Owners Association of the building which are given occupation certificate / Building Completion Certificate.
- (ii) The area of such centre shall be allowed Free of FSI equivalent to 2 (two) percent of the total built up area for every building subject to condition that, it shall not be less than 20 Sqm. whichever is more. It shall not be used for any other purpose, except for fitness activities and its ownership shall vest with society or association.

- (iii) The proposed Fitness Centre should be properly shown and users proposed should be shown on the plans. The users permissible may be steam, sauna, changing room, pantry, toilets for the purpose of fitness, physical exercise, yoga and other such related activities.
- (iv) The fitness centre activities shall be confined to the members of the concerned housing society or an Apartment Owners Association only.
- (v) The benefits of these provisions shall be applicable prospectively and shall not be extended for the purpose of regularisation of already built up structures constructed without permission.
- (vi) In case of larger layout where there is existing / proposed Gymnasium in layout RG under Regulation 191 of this regulation, then the fitness centre in the individual building shall not be permissible.
- (vii) The location of proposed fitness centre shall be necessarily within the building line and preferably same shall not be on ground floor.
- (viii) Built up area of such Fitness Centre shall not be included in FSI.

148. PROVISION OF LIFTS AND FIRE LIFTS:

i) Planning and design:

The planning and design of lifts including their number, type and capacity depending on the occupancy of the building, the population of each floor based on the occupant load and the building height shall be in accordance with Section 5 – Installation of Lifts and Escalators, National Building Code of India and subject to provisions of The Bombay Lifts Act, 1939 (as modified from time to time). However, at least one lift shall be provided in every building more than 15 m. in height. In case of building 25 m. high at least two lifts shall be provided.

ii) Maintenance:

- a) The lift installation should receive regular cleaning, lubrication adjustment and adequate servicing by authorized competent persons at such intervals as the type of equipment and frequency of service demand. In order that the lift installation is maintained at all times in a safe condition, a proper maintenance schedule shall be drawn up in consultation with the lift manufacturer and rigidly followed. A log book to record all items relating to general servicing and inspection shall be maintained. The electrical circuit diagram of the lift with the sequence of operation of different components and parts shall be kept readily available for reference by persons responsible for the maintenance and replacement, where necessary, to the satisfaction of the Competent Authority i.e. Lift Inspector of the Government of Maharashtra.
- b) Developer shall be responsible for maintenance and repairs including all items specified in (a) above of Lift structures at least for the 10 years from the date of issuance of license from Competent Authority i.e. Lift Inspector of the Government of Maharashtra.
- c) Any accident arising out of operation or maintenance of the lifts shall be duly reported to the Competent Authority i.e. Lift Inspector of the Government of Maharashtra.
- iii) 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.

- iv) Grounding switch at ground floor level to enable the fire service to ground the lift cars in an emergency shall also be provided.
- v) The lift machine rooms shall be separate and no other machinery shall be installed therein.
- vi) The number of each floor shall be conspicuously painted in figures at least 15 cm. large on the wall opposite the lift / lifts opening or on other suitable surface so as to be distinctly visible from the lift cage.
- vii) In multi-storied high rise residential buildings one of the lifts installed shall be a freight lift.
- viii) Telephone communication facility in the lift car/cars with speaker/telephone assembly shall be provided in every lift.

In the case of an existing building, for construction of one additional floor, the existing lift may not be raised to additional floor.

- ix) Public address system in the lift car with speaker's assembly shall be provided.
- x) Provision for a fire lift shall be made as per the following details:
 - (a) To enable Fire Services personnel to reach to the upper floors with the minimum delay, one of the lifts shall be so designated so as to be available for exclusive use of the Firemen in an emergency and be directly accessible to every dwelling lettable floor space on each floor.
 - (b) The lift shall have a floor area of not less than 1.5 Sqm. It shall have loading capacity of not less than 500 kg. (8 person lift) with automatic closing doors.
 - (c) The electric supply shall be on a separate service from electric supply mains in a building and cables run in route safe from fire, that is, within the lift shaft. In case of failure of normal electric supply it shall automatically trip over to alternate supply.
 - (d) The operation of fire lift is 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 return to normal working. This lift can be used by the occupants in normal times.
 - (e) The words "FIRE LIFT" shall be conspicuously displayed in fluorescent paint on the lift landing doors at each floor level.
 - (f) For buildings above 15 m. In height collapsible gates shall not be permitted for lifts and shall have solid doors with fire resistance of 2 hours.
- xi) Owner / Architect of a place where lift is a mandatory requirement under the Bombay Lift Act, 1939 must submit licence in the prescribed format from Chief Engineer (Electrical), Public Works Department Mumbai before putting lift in operation, failing which Occupancy Certificate shall not be issued for such building.

148.1 Lift Details; refer APPENDIX-"Z-1"

149. PROVISION FOR EXIT AND GENERAL REQUIREMENTS TO BE FULFILLED IN RESPECT OF SUCH EXIT:

General: The following general requirements shall apply to exist;

- 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 exit shall comply with the requirements of this regulation except those not accessible for general public use.
- c) All exits shall be free of obstruction.
- d) No building shall be altered so as to reduce the number, width or protection of exit to less than that required.
- e) Exit shall be clearly visible and the routes to reach the exit shall be clearly marked and signs posted to guide the public to the floor concerned.

- f) All exit way shall be properly illuminated.
- g) fire fighting equipments, 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 25m. in height, to ensure prompt evacuation of the inmates of the building through the exits.
- i) All exits shall provide continuous means of egress to the to the exterior of a building or to an exterior open space leading to a street.
- j) Exits shall be so arranged that they may be reached without passing through another occupied unit, except in case of residential buildings.

150. TYPE OF EXITS:

Exits shall be either of horizontal or vertical type. An exits may be doorway, corridor, passage way to an internal or external staircase, ramp or to a veranda or terrace which have access to the street or to roof of a building. An exit or a veranda may also include a horizontal exits leading at the same level.

Explanation: - For the purpose of this Regulation, lifts and escalators shall not be considered as exits.

151. NUMBER AND SIZE OF EXITS TO BE PROVIDED:

Exits in requisite numbers and of requisite size in accordance with **Regulations 152 to 154** (both inclusive) shall be provided, based on population in each room area on the floor, the occupant load, capacity of exits, travel distance and height of building.

152. ARRANGEMENT OF EXITS:

Exits shall be so located that the travel distance on the floor shall not exceed 22.5m. for residential, educational, institutional and hazardous occupancies and 30m. for assembly, business, mercantile, industrial and storage occupancies. Whenever more than one exit is required for a floor of a building, exits shall be placed at remote from each other as possible. All the exits shall be accessible from the entire floor area at all floor levels.

153. OCCUPANT LOAD:

The population in rooms' area of floors shall be calculated on the basis of occupant load as given in Table No. 14 below:

TABLE NO. 14.		
OCCUPANT LOAD		
Sr. No.	Group of Occupancy	Occupant Load Gross Area* in M./ person
(1)	(2)	(3)
1	Residential	12.5
2	Educational	4
3	Institutional	15+
4	Assembly	
	a) With fixed or loose seat and dance floors	0.6++
	b) Without seating facilities including dining rooms	1.5++
5	Mercantile	
	a) Street floor & 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.

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

++ The gross area shall include, in addition to the main assembly rooms or space, any occupied connecting room or space in the same storey or in the storeys above or below where entrance is common to such rooms and spaces and they are available for use by the occupants of assembly place. No deductions shall be made in the area for corridors, closets or other sub-divisions. One area shall include all space serving the particular assembly occupancy.

154. 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 No.15 given below-

TABLE NO. 15.			
OCCUPANTS PER UNIT EXIT WIDTH			
Sr. No.	Group of Occupancy	Number of Occupants	
		Stairways	Doors
1	2	3	4
1	Residential	25	75
2	Educational	25	75
3	Institutional	25	75
4	Assembly	60	90
5	Business	50	75
6	Mercantile	50	75
7	Industrial	50	75
8	Storage	50	75
9	Hazardous	25	40

155. PROVISIONS FOR STAIRCASE:

For all non-residential buildings accepting single and multi-family dwellings below 15 m. in height, there shall be minimum two staircases. One of them shall be an enclosed stairway and the other shall be on external walls of buildings and shall open directly to the exterior or interior open space or to any place of safety.

156. WIDTH PROVISION FOR STAIRCASE:

Notwithstanding anything contained in **Regulations 152 to155** minimum width provision shall be made for staircases flight / corridor as per Table No.16.

TABLE NO.16.		
MINIMUM WIDTH OF COMMON STAIRWAYS / CORRIDORS FOR VARIOUS OCCUPANCIES.		
Sr. No.	Type of Occupancy	Minimum width of Staircase / Stairway / Corridor (In meters)
1	Residential Building	
	a) General	1.2
	b) Row Housing (2 Storeys)	0.75
	c) Residential Hotels	1.5
2	Educational Buildings:	2.0
3	Institutional Building (i.e. Hospitals)	
	a) Up to 10 beds	1.5
	b) Over 10 beds	2.0
4	Assembly Buildings, Auditorium Theatres & Cinema	2.0
5	All other buildings like Mercantile, Business, Industrial Storage, Hazardous buildings.	1.5

Provided that the width of mid-landing/ quarter landing should not be more than 1.5 times and the floor landing should not be more than two times of the width of the stair flight.

157. REQUIREMENTS OF INDIVIDUAL EXITS AT EACH FLOOR:

The detailed requirements in respect of exits shall be provided as in Regulations 158 to 168 (both inclusive).

158. DOORWAYS:

- i) Every exit doorway shall open into enclosed stairways a horizontal exit or a corridor or passage way providing continuous and protected means of egress.
- ii) No exit doorway shall be less than 1.00m. in width. Doorway shall be not less than 2.00m. in height. Doorways for the bathrooms, water-closets or stores shall not be less than 0.75m. wide.
- iii) Exit doorways of non-residential buildings shall open outwards, that is to say, away from the room but shall not obstruct the travel along any exit. No door, when opened shall reduce the required width of stairways or landing to less than 0.90m. Overheads or sliding doors shall not be installed.
- iv) Exit door shall not open immediately upon a flight or stair. A landing equal to at least the width of the door shall be provided in the stairway at each doorway. Level of landing shall be same as that of the floor which it serves.
- v) Exit doorway shall be open able from the side which they serve without the use of key.

159. REVOLVING DOORS:

- i) Revolving doors shall not be used as required exits except in residential, business and mercantile occupancies; they shall not constitute more than half the total required door width.
- ii) When revolving doors are considered as required exit way, the following assumptions shall be made.
 - a) Each revolving door shall be credited one-half a unit width and
 - b) Revolving doors shall not be located at the foot of stairway; any stairway served by revolving door shall discharge through a lobby or foyer.

160. STAIRWAYS:

- i) Interior staircase shall be constructed of non-combustible materials throughout.
- ii) Interior staircase shall be constructed as a self contained unit with at least one side adjacent to an external wall and shall be completely enclosed. For buildings more than 15 m. in height, all staircases shall be enclosed.
- iii) A staircase shall not be arranged around a lift shaft unless the latter is entirely enclosed by a material of fire-resistant rating as that for type of constructions itself. For building more than 15 m. in height the staircase location shall be to the satisfaction of the Chief Fire Officer, of Municipal Corporation.
- iv) Hollow combustible construction shall not be permitted.
- v) The minimum width of the tread without nosing shall be 25 cm. for an internal staircase for residential building. In the case other occupancies, the minimum width of the tread shall be 30 cm. It shall have a non – slippery finish and shall be maintained in that fashion.

- vi) The minimum width of internal staircase shall be 120 cm. subject to provision of Regulation No.156.
- vii) The maximum height of a riser shall be 19 cm. in a residential building and 16 cm. in any other occupancy. They shall be limited to 12 per flight. In narrow plots and in high density housing single flight staircase may be permitted and also in case of internal staircase the single flight may be allowed.
- viii) Hand rails with a minimum height of 90 cm. from the centre of the treads shall be provided.
- ix) Floor indicator-The number of each floor shall be conspicuously painted in figures at least 15 cm. large on the wall facing the flights of a stairway or at such suitable place as is distinctly visible from the flights.
- x) The minimum headroom in a passage under the landing of a staircase and under the stairway shall be 2.2 m.
- xi) For buildings more than 15 m. in height, higher access to main staircase shall be gained through at least half an hour fire resistance automatic closing doors placed in the enclosing walls of the staircase. It shall be a swing type door opening in the direction of escape.
- xii) No living space, store or other space including fire risk shall open directly into the staircase.
- xiii) External exit door of staircase enclosure at ground level shall open directly to the open spaces or should be reached without passing through any door other than a door provided to form draught lobby.
- xiv) In the case of assembly, institutional, residential hotels and business buildings the exit sign with arrow indicating the way to the escape route shall be provided at a height of 0.5 m. from the floor level on the wall and shall be illuminated by electric light connected to corridor circuits. All exit way marking signs should be 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 floor shall have floor indication boards, indicating the number of floor. The floor indication board shall be placed on the wall immediately facing the flight of stairs and nearest to the landing. It shall be of size not less than 0.5 x 0.5 m.
- xv) 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 level provided the same is separated at ground level by either a ventilated lobby with the discharge points at two different ends or through enclosures. It shall also be cut-off from the basement areas at various basement levels by protected and ventilated lobby or lobbies.
- xvi) The minimum width of a stair-case other than a fire escape shall be as given in Table No.16.
- xvii) The staircase shall be constructed as self – contained unit with at least one side adjacent to an external wall and shall be well ventilated.

- xviii) 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 level provided the same is separated at ground level by either a ventilated lobby with the discharge points at two different ends or through enclosures. It shall also be cut-off from the basement areas at various basement levels by protected and ventilated lobby or lobbies.
- xix) No winding shall be provided in a public building except in the case of emergency exits.
- xx) The staircase shall be lighted and ventilated and minimum size of opening on walls abutting to open space shall be 1.5 Sqm. per landing.

161. FIRE ESCAPE OR EXTERNAL STAIRS:

Multi-storeyed, High rise and Special Buildings shall be provided with the fire escape stairs which will be free of F.S.I. and they should conform to the following.

- i) They shall not be taken into account in calculating the evacuation time of a building.
- ii) All of them shall be directly connected to the ground.
- iii) Entrance to them shall be separate and remote from the internal staircase.
- iv) Routes to the Fire escape shall be free of obstruction at all times except for a doorway leading to the fire escape which shall have the required fire resistance.
- v) They shall be constructed of non-combustible materials.
- vi) They shall have a straight flight not less than 25 cm. wide with 15 cm. treads and risers not more than 19 cm. The No. of risers shall be limited to 16 per flight.
- vii) They shall be provided with handrails at height not less than 90 cm. above the tread.

162. SPIRAL STAIRS (FIRE ESCAPE):

The use of spiral staircase shall be limited to low occupant load and to a building of height of 9 m. unless they are connected to platform, such as balconies and terraces to allow escapes to pause. A spiral fire escape shall be not less than 150 cm. in diameter and shall be designed to give adequate headroom.

163. RAMPS:

- i) **Ramps for pedestrians**
 - (a) **General** : The provision applicable to stairways shall generally apply to ramps. A ramp in a hospital shall not be less than 2.25 m. wide;
 - (b) **Slope** : 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 enclosed capacity and limiting dimensions. Ramps shall be surfaced with approved non-slippery material;
 - (c) **Handrail** : A handrail shall be provided on both the sides of the ramp;
- ii) **Ramps for basement or storied parking;**

For parking spaces in a basement and upper floors, at least two ramps of adequate width and slope shall be provided preferably at the opposite ends. Such ramps may be permitted in the side and rear marginal open spaces after leaving sufficient space for movement of fire fighting vehicles:

Provided that when a building abuts 3 or more roads, then ramps shall be allowed to front marginal open spaces facing the smaller road or less important road from traffic point of view.

- iii) Ramps shall lead directly to outside open space at ground level or courtyards or safe place;
- iv) For building above 15 m. in height, access to ramps from any floor of the building shall be through smoke stop door.

164. CORRIDORS:

- i) The minimum width of a corridor shall be as shown in Table No. 16, as in Regulation No.156. Provided that any corridor identified as an exit, vide Regulation 152 to 154 (both inclusive), shall also conform to the requirements therein.
- ii) In the 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.
- iii) a) Exit corridors shall be of a width not less than the total required width of exit doorways leading from them in the direction of travel of the exterior / stairway
b) Where stairways discharge through corridors, the height of the corridors shall not be less than 2.4 m.

165. REFUSE AREA:

For buildings exceeding 15m. in height, refuse areas shall be provided as follows:

- a) For floors above 15m. : One refuse area on the floor immediately above 15m. and up to 24m.
- b) For floors above 24m. : One refuse area on the floor immediately above 24m. and up to 36m.
- c) For floors above 36m. : One refuse area per every five floors above 36m.
 - (i) It shall have minimum area of 15 Sqm. and minimum width of 3 m.
 - (ii) It shall not be counted in FSI
 - (iii) It shall be on external walls, as cantilevered projection or in any other manner.

166. PORCH:

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

167. CANOPY:

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

168. BALCONY:

Balcony or Balconies of a maximum width of 1.2 m. shall be permitted free of F.S.I. at any floor excluding ground and Terrace floor not more than 10 percent of the total F.S.I. and such balcony projection shall be subject to following conditions.

- (i) In non-congested area no balcony shall reduce the marginal open space to less than 3.00 m. In congested area balcony may be permitted on upper floors projecting in front setbacks except over lanes having width of 4.5 m. or less. No balcony shall be allowed on ground floor which shall reduce minimum required front set back or marginal open space. The width of the balcony will be measured perpendicular to the building line and measured from that line to the balcony's outmost edge.
- (ii) Balconies may be allowed to be enclosed subject to payment of premium as decided by the Commissioner. When enclosed one-third of the area of their faces shall have glass shutters or grills on the top and the louvers rest of the area, except the parapet, shall have glazed shutters.
- (iii) The dividing wall between the balcony and the room may be permitted to be removed on payment of premium as prescribed by the Municipal Commissioner from time to time.
- (iv) In addition to the Residential buildings, balconies are permitted free of FSI. to the extent of 10% of the floor area for buildings of Residential Hotel Buildings, in Residential Zone.
- (v) Fire Escape balconies are permitted free of FSI as per requirement of Chief Fire Officer.
- (vi) For Hospitals, regardless of zoning and wherever permissible as per planning proposal, balconies may be permitted free of FSI, in terms of this Regulation only for the rooms where patients are admitted to stay. Such concession should not be extended to educational buildings.

169. PROVISION FOR CRÈCHE:

A crèche of minimum 40 Sqm. built-up areas shall be provided for Institutional, Assembly and Business, Mercantile or Industrial buildings where total number of female employees are 500 and more.

170. SPECIAL REQUIREMENTS FOR EDUCATIONAL BUILDINGS/ INSTITUTIONAL BUILDINGS/ HOSPITAL, MATERNITY HOME, HEALTH CENTRE, SANITARIA ETC. CINEMA THEATRES (ASSEMBLY HALLS)/ MERCANTILE BUILDINGS:

- i) Size of the Classroom : Refer Table No. 12, Regulation No.113.
- ii) Height of the Classroom : Refer Table No. 13, Regulation No.114.
- iii) Exit Requirements : Refer Table No. 14, 15, 16 &17, Regulation Nos.153, 154, 156 and 178.
- iv) Parking Requirements : Refer Table No. 10 & 11, Regulation No.103.

In addition to above every educational building shall be provided with;

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

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

In addition to the provisions made in Regulation No. 172 and Appendix "I" and subject to provisions of Maharashtra Fire Prevention and Life Safety Measures Act, 2006, following directives shall be scrupulously be complied with by all educational institutions. This Regulation would have retrospective effect.

1. General Measures:

A. Fire safety measures:

1. Adequate capacity and numbers of fire extinguishers of ISI marks at easily visible spots in each block of the school.
2. First Aid kits and necessary medicines should be readily available.
3. Water tank and separate piping from the tank with hose reel to ground floor and first floor.
4. Fire fighting training to all teachers and students from Standards X to XII.
5. Fire Task Force in every school comprising of Head of the Institution, two teachers / staff members and one member and one member from Fire and Rescue Department.
6. Fire and Rescue Department member to monitor and make fire safety plan and conduct inspections once in three months.
7. Display of emergency telephone numbers and list of persons to be contacted on notice board.
8. Mock drills to be conducted regularly.
9. Fire alarm in each floor and for rural schools separate long bell arrangement in case of emergency.
10. All old electrical wiring and equipment to be replaced with ISI mark equipments and routine maintenance conducted by school management in consultation with Fire and Rescue Department.
11. No High Tension lines should run inside or in close proximity to the school. Steps must be taken to shift them if they are already there.

B. School building specifications:

1. School buildings shall preferably be a 'A' Class construction with brick/stone masonry walls with RCC roofing. If it is not possible to provide RCC roofing, only non-combustible fireproof heat resistance materials should be used.
2. Nursery and elementary schools to be housed in single storied buildings and maximum number of floors in school buildings to be restricted to three including ground floor.
3. School building shall be free of inflammable and toxic material, which if necessary, should be stored away from school building.
4. Staircases, which act as exists or escape routes, shall adhere to provisions specified in National Building Code of India, 2005, to ensure quick evacuation of children.
5. Proper air circulation and lighting with open space all around the building.
6. Existing school buildings shall be provided with additional doors in main entrance as well as class rooms, if required.
7. School buildings have to be insured against fire and natural calamities with Group Insurance of school pupils.
8. Kitchen and other activities involving use of fire to be carried out in secure and safe location away from the main school building.

C. All schools shall have fire fighting equipment as stipulated under Maharashtra Fire Prevention and Life Safety Measures Act, 2006 besides following measures.

1. All escape routes shall be kept clear of any obstruction and that all the gates shall be kept unlocked during the occupancy of the school building.
2. School chowkidar / caretaker shall switch off all electrical equipment/installations after school hours or after closing of school, whichever is later.
3. There shall be proper facilities for storage of LPG cylinders in the labs; preferably, these cylinders shall be kept in a separate enclosure away from the classrooms so that there is no threat of fire spreading in the building in case of leakage of gas from LPG cylinder. Wherever LPG is issued for laboratories etc. normal precaution for use of LPG must be observed e.g. LPG stove should be kept away from the electrical wiring which may cause sparks. Similarly, LPG cylinder should be kept at a place where

adequate ventilation is available. The rubber tube carrying gas from the LPG cylinder to the stove should be checked regularly and replaced, if so required. In case smell of gas (indication of leakage of gas) is observed, match sticks should not be used and none of the electrical points should either be switched on or switched off. In case of leakage of gas, windows and doors should be opened. Under no circumstances, the electrical heater should be operated near the LPG installation. At the place where LPG cylinders are stored, necessary water spray system shall be provided through a manual control valve located about 1.5 m. away from such place of storage of the cylinders.

4. NWCMC's Fire Services would be providing various types of posters for educating students and teachers on the issue of fire safety and that shall be displayed prominently in the school premises. In some cases, it might even be desirable to keep permanent boards prepared on issues related to fire safety.
5. The electrical wirings in the school building shall be laid in conduit or shall be concealed type. Wherever, there is external wiring, the concerned school shall take steps to get it laid in metal conduits or shall be concealed within a period of one year from the date of these Regulation coming in to force.
6. The electrical circuit should be overloaded. MCB and HCB shall be provided in electrical installation.
7. As far as possible the electrical meter should not be installed in staircase and wherever already installed, it shall be enclosed in a metallic box.
8. Non-combustible material and/or material with surface flame spread of Class 'A' rating shall be used for erection of false ceiling, wall panelling etc.
9. Basement, if any, shall not be used for conduct of classes under any circumstances. The occupancy and use of the basement shall be as per Regulation No. 133.
10. The emergency telephone numbers i.e. 100, as well as the telephone numbers of nearest fire station and nearest police station shall be displayed prominently in the school building.
11. Fire/ evacuation Drill should be conducted at least once in 3 months. Request in this regard may be sent to Commissioner at least one month in advance so that the NWCMC's Fire Services can depute its personnel to supervise and advise on the Fire/Evacuation Drill.
12. Whatever generator set is used in the school premises, apart from necessary precautions to take care of noise or air pollution, it should be ensured that this generator set is located either on a separate floor or in a separate part of the building with direct access from outside.
13. All furniture of the school including chairs and tables must be got painted with fire retardant paints that are approved by Central Building Research Institute (C.B.R.I.), Roorkee. As the fire retardant paint is likely to be costly, the schools are hereby allowed 3 years time to get this job completed. However, while purchasing new furniture for school the management shall ensure that the new furniture is either painted with fire retardant paint or fabricated out of fire resistant material.
14. Every room with a capacity of over 45 persons in area shall have minimum 2 door ways (clause 10.4.2 of NBC).
15. Upper floor shall have minimum 2 Exit ways/Stair ways and away from each other as far as possible (clause 10.4.2 of NBC).

D. Specific Measure:

a. For schools having only Ground Floor:

1. One carbon di-oxide type fire extinguisher 2.5 Kgs. capacity and ISI marked or one ABC type fire extinguisher with ISI mark shall be provided for every 300 Sqm. of covered area or part thereof subject to a minimum of 2 such extinguishers for every floor. In addition, one fire extinguisher each in Laboratory near the electrical installation and/or generator room shall also be provided.
2. The basement, if any, in the building shall be provided with sprinkler system.
3. In case of buildings having basement, a fire pump having 150 liters per minute output at 40 meters head (4Kgf/sqcm) and a jockey pump of 180 liters per minute output at 40 meters head (4Kgf/sqcm) shall be provided at the terrace. All the pumps shall be automatic in operation.
4. One overhead water storage tank of 5000 liters shall be provided exclusively for feeding water to the sprinkler system.

b. For school buildings above ground floor and up to two floors:

1. One carbon di-oxide type fire extinguisher 2.5 Kgs. capacity, ISI marked or one ABC type fire extinguisher with ISI mark shall be provided for every 300 Sqm. of covered area or part thereof subject to a minimum of 2 such extinguishers for every floor. In addition, one fire extinguisher each in Laboratory near the electrical installation and/or generator room shall also be provided.
2. A hose reel, 30 meter long and fitted with 6.5 mm diameter nozzle at the end of the hose reel shall be provided for every 1000 Sqm. of covered area subject to minimum of one hose per floor of the building.
3. In case of buildings that are comprised of more than ground plus one floor, down comer shall be provided along with internal hydrant and a hose box on every floor containing two lengths (15 meters each) having 50 mm diameter delivery hose complete with 63mm instantaneous couplings and a 12 mm diameter nozzle.
4. An overhead water tank having 2500 liters capacity (500 liters in case of sprinkler system and/ or down comer system) shall be provided exclusively for fire fighting systems.
5. The basement, if any, in the building, shall be provided with sprinkler system.
6. A fire pump having 220 liters per minute output at 40 meters head (4Kgf/sqm) at terrace for hose reel (450 liters per minute output at 40 meters head if the building is provided with sprinkler and/or down comer system and a jockey pump having 180 liters output at 40 meters) shall be installed at the terrace. All the pumps shall be automatic in operation.
7. For such type of building, if total covered area is more than 5000 Sqm. and upto 10000 Sqm. an additional underground water storage tank of 25000 liters capacity shall be provided. The capacity of this underground water storage tank shall be 50000 liters in case the total covered area exceeds 10000 Sqm.

c. For schools above ground plus two floors but below 15 meters in height.

1. One carbon di-oxide type fire extinguisher 2.5 Kgs. capacity, ISI marked or one ABC type fire extinguisher with ISI mark shall be provided for every 300 Sqm. of covered area or part thereof subject to a minimum of 2 such extinguishers for every floor. In addition, one fire extinguisher each in Laboratory near the electrical installation and/or generator room shall also be provided.

2. The basement, if any, in the building, shall be provided with sprinkler system.
3. A hose reel, 30 meter long and fitted with 6.5 mm diameter nozzle at the end of the hose reel shall be provided for every 1000 Sqm. of covered area subject to minimum of one hose per floor of the building.
4. In case of buildings that are comprised of more than ground plus one floor, down comer shall be provided along with internal hydrant and a hose box on every floor containing two lengths (15 meters each) having 50 mm diameter delivery hose complete with 63mm instantaneous couplings and a 12 mm diameter nozzle.
5. An overhead water tank having 5000 liters capacity shall be provided exclusively for fire fighting systems.
6. A fire pump having 450 liters per minute output at 40 meters head and a joky pump having 180 liters output at 40 meters head shall be installed at the terrace. All the pumps shall be automatic in operation.
7. For such type of building, if total covered area is more than 5000 Sqm. and upto 10000 Sqm. an additional underground water storage tank of 25000 liters capacity shall be provided. The capacity of this underground water storage tank shall be 50000 liters in case the total covered area exceeds 10000 Sqm.

d. Auditorium

1. One exit having 1.5 meters clear width for every 150 seating capacity subject to a minimum of two such exits located as remote as possible shall be provided in the Auditorium. The exit gates must always open outwards.
2. First aid & hose reel shall be provided in the auditorium on either side of the stage.
3. In case stage is made of wood and/or curtains are provided at the stage, automatic sprinkler system shall be provided to protect the stage only.
4. The basement, if any, in the building, shall be provided with sprinkler system.
5. Emergency lights shall be provided.
6. Illuminated exit signs shall be provided in each exit door.
7. Sufficient number of exhaust fans shall also be provided near the ceiling level for ventilation of smoke in case of fire.
8. In case of auditorium or building having basements, a fire pump having 450 liters per minute output at 40 meters head (4 Kgf/sqcm) and a jokey pump having 180 liters output at 40 meters head (4 Kgf/sqcm) shall be provided at the terrace. All the pumps shall be automatic in operation.
9. One overhead water storage tank of 5000 liters shall be provided exclusively for feeding water to the sprinkler system.

E. Suggested Measures:

1. As a part of good housekeeping, it must be ensured that no combustible materials are allowed to accumulate or any space is left un-cleaned. The combustible material shall be so contained in the collectors that they do not spread by wind lest it becomes a fire hazard.
2. The above measures/precautions are not sufficient for buildings where the original occupancy allowed as per law is altered or where the buildings are partly or fully air

conditioned. In such buildings, the schools must get the building inspected by officers of Corporation's Fire Service and obtain detailed recommendations about the fire safety measures.

3. In the cases of fresh institutions/up gradation, the applicant schools must comply with guidelines issued by the District Deputy Director of Education and enclose clearance from Corporation's Fire Service with their application for occupancy certificate.

171. SPECIAL REQUIREMENTS OF INDUSTRIAL BUILDINGS:

- i) In addition to the provision of these regulations, regulations prescribed under the Factories Act, 1948 shall be applicable to the Industrial buildings.
- ii) In the case of Industrial buildings with different operations or processes, the different (gaseous, solid, liquid) effluents shall be so treated, subject to the approval of Maharashtra Pollution Prevention Board and Chief Inspector of Steam Boilers and Smoke Nuisance, before letting it out on the air, ground or water course.
- iii) Requirements for exit shall conform to fire protection requirement regulations.
- iv) Requirements as in respect of parking, loading and un-loadings: Space shall conform to Regulations No.103 & 104 and Table No.10 and 11.
- v) Proposal shall conform to the Maharashtra Fire Prevention and Life Safety Measures Act, 2006.

172. SPECIAL REQUIREMENTS FOR PLANNING OF PUBLIC BUILDINGS MEANT FOR PHYSICALLY CHALLENGED:

Special amenities and facilities for physically handicapped persons shall be provided as per **Appendix-“I”**.

173. FIRE PROTECTION REQUIREMENTS:

1) General:

The planning design and construction of any building shall be such as to ensure safety from fire. For this purpose, unless otherwise specified in these Regulations, the provisions of Part IV: Fire Protection Chapter, National Building Code 2005 and Maharashtra Fire Prevention and Life Safety Measures Act, 2006 shall apply for multi-storied, high rise and special buildings, additional provisions relating to fire protection contained in Appendix-“J” shall also apply. The approach to the building and open spaces on all sides up to 6 m. widths and their layout shall conform to the requirements of the Chief Fire Officer. They shall be capable of taking the weight of a fire engine weighing up to 18 tonnes. These open spaces shall be free of any obstruction and shall be motor able.

In the case of buildings referred to in Regulation 17 the building schemes shall also be cleared by the Chief Fire Officer of Corporation.

2) Exits:

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

i) Types:

Exits should be horizontal or vertical. A horizontal exit may be a door-way, a corridor, a passage – way to internal or external stairways or to an adjoining building, a ramp, a veranda, or a terrace which has access to the street or to the roof of building. A vertical exit may be a staircase or a ramp, but not a lift.

ii) **General requirements:**

Exits from all the parts of the building, except those not accessible for general public use, shall-

- a) Provided continuous egress to the exterior of the building or to an exterior open space leading to the street.
- b) Be so arranged that, except in a residential building, they can be reached without having to cross another occupied unit.
- c) Be free of obstruction.
- d) Be adequately illuminated.
- e) Be clearly visible, with the routes reaching them clearly marked and signs posted to guide any person to the floor concerned.
- f) Be fitted, if necessary, with fire fighting equipment suitably located but not as to obstruct the passage, clearly marked and with its location clearly indicated on both sides of the exit way.
- g) Be fitted with a fire alarm device, if it is either a multi storied, high-rise or a special building so as to ensure its prompt evacuation.
- h) Remain unaffected by any alteration of any part of the building so far as their number, width, capacity and protection thereof is concerned.
- i) Be so located that the travel distance on the floor does not exceed the following limits:
 - 1) Residential, educational, institutional and hazardous occupancies: 22.5 m.
 - 2) Assembly, business, mercantile, industrial and storage buildings: 30 m.

Note: a. *The travel distance to an exit from the dead end of a corridor shall not exceed half the distance specified above.*
b. *When more than one exit is required on a floor; the exits shall be as remote from each other as possible,*
c. *Provided that for all multi- storied, high rise and special buildings, a minimum of two enclosed type staircases shall be provided at least one of them opening directly to the exterior open space or to any open space or place of safety.*

i) **Number and width of exits:**

The width of an exit, stairway / corridor and exit door to be provided at each floor in occupancies of various types shall be as shown in columns 3 and 5 of Table No. 17 hereunder. Their number shall be calculated by applying to every 100 sq. m. of the plinth or covered area of the floor.

ii) **Occupancy:**

The relevant multiplier in columns 4 and 6 of the Table No.17, fractions being rounded off upward to the nearest whole number.

TABLE NO. – 17.					
WIDTH AND NUMBER OF EXITS FOR VARIOUS OCCUPANCIES					
Sr. No.	Type of Occupancy	Stairway/ Minimum width in meters	Corridor Multiplier	Door Minimum width in meters	Exit Multiplier
1	2	3	4	5	6
1	Residential Dwelling	1.10	0.145	----	0.053
	-Row housing (2 storied)	0.75	0.213	----	0.053
	-Hostels	1.50	0.107	----	0.053
2	Educational –				
	Up to 24 m. high	1.5	0.333	----	0.667
	Over 24 m. high	2.0	0.250	----	0.667
3	Institutional i.e.				
	Hospitals up to 10 beds	1.5	0.089*	----	0.044
	over 10 beds	2.0	0.067*	----	0.044
4	Assembly **			1.0	
	- fixed seats or loose seats and dance floor...	2.0	0.694	----	0.926
	- no seating facilities and dining rooms ...	2.0	0.278	----	0.370
5	Mercantile –				
	- street floor and basement	1.5	0.222	----	0.222
	- Upper sales floors...	1.5	0.111	----	0.111
6	Business, Industrial ...	1.5	0.067	----	0.067
7	Storage ...	1.5	0.022	----	0.022
8	Hazardous...	1.5	0.133	----	0.125

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

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

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

174. ADDITIONAL PROVISIONS RELATING TO FIRE PROTECTION APPLICABLE TO CERTAIN BUILDINGS:

The additional provisions contained in **Appendix “J”** relating to fire protection along with the provisions of the Maharashtra Fire Prevention and Life Safety Measures Act, 2006 shall apply to buildings more than 15 m. in height referred to in Regulation 17.

175. SPECIAL PROVISIONS FOR INSTALLATION OF SOLAR ASSISTED WATER HEATING SYSTEM:

Solar water heating systems should be made in the buildings for residential use having built-up area 150 Sqm. and more and for Hospitals, Hotels, Guest houses, Policemen / Army barracks, Canteens, Laboratories and Research Institutions, Hostels of Schools and Colleges and other Institutes.

- 1) The solar water heating system should be mandatory in the hospitals and hotels, where the hot water requirement is continuous nature. In these buildings the system must be provided with auxiliary back-up.
- 2) The use of solar water heating system is recommended for following type of buildings in the Government / Semi- Government and Institutional buildings where the hot water requirement may not be continuous / permanent.

i) Guest Houses.

- ii) Police men / Armed forces, Paramilitary forces barracks.
- iii) Canteens.
- iv) Laboratory and Research Institutions where hot water is needed.
- v) Hostels, Schools, Colleges, Training Centres and other Institutes.
- vi) Functional Buildings of Railway Station like waiting rooms, retiring rooms, rest rooms and inspection bungalows and catering units including canteens.
- vii) Community Centres, Banquet Halls, Marriage Halls, Reception Halls, Kalyan Mandaps and buildings for similar uses.

3) Definitions:

i)	“Solar Assisted Water Heating System”	A devise to heat water using solar energy as heat source.
ii)	“Auxiliary Backup”	Electrically operated or fuel fired boilers/systems to heat water coming out from solar water heating system to meet continuous requirement of hot water.
iii)	“New Building”	Such buildings of above said categories for which construction plans have been submitted to competent authority for clearance/sanction.
	“Existing Building”	Such buildings which are licensed to perform their respective business.

4) Installation of Solar Water Heating Systems.

- a) **New Buildings:** Clearance of plan for construction of new buildings of the aforesaid categories shall only be given if they have a provision in the building design itself for an insulated pipeline from the rooftop in the building to various distribution points where hot water is required. The building must have a provision for continuous water supply to the solar water heating system. The building should also have open space on the roof top which receives direct sun light. The load bearing capacity of roof should be at least 50 kg. Per Sqm. All new buildings of above categories must complete installation of solar water heating systems before obtaining necessary license to commence their business.
- b) **Existing Buildings:** Installation of Solar Assisted Water Heating Systems in the existing building shall be made mandatory at the time of change of use to above said category provided there is a system or installation for supplying hot water.
- c) **Capacity:** The capacity of solar water heating system to be installed on the building of different categories shall be decided in consultation with the local bodies. The recommended minimum capacity shall not be less than 25 litres per day for each bathroom and kitchen subject to the condition that maximum of 50% of the total roof area is provided with the system.
- d) **Specification:** Installation of Solar Assisted Water Heating System shall conform to BIS (Bureau of Indian Standards) specification IS 12933. The solar connectors used in the system shall have the BIS certification mark.
- e) **Auxiliary System:** Wherever hot water requirement is continuous, auxiliary heating arrangement either with electric elements or oil of adequate capacity can be provided,

The Installation of the electrical back-up in all such water heating system shall be optional depending upon the nature of requirement of the hot water.

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

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

- i) All such buildings where solar water heating systems are to be installed will have open sunny roof area available for installation of solar water heating system.
- ii) The roof loading adopted in the design of such buildings should be at least 50Kg. per Sqm. for the installation of solar water heating system.
- iii) Solar water heating system can also be integrated with the building design. These can earlier be put on the parapet or could be integrated with the south facing vertical wall of the building. The best inclination of the collector for regular use throughout the year is equal to the local latitude of the place. The collectors should be facing south. However, for only winter use the optimum inclinations of the collector would be (latitude + 15 degrees of the south). Even if the collector are built in the south facing vertical wall of the building the output from such collectors during winter month is expected to be within 32% outputs from the optimum inclined collector.
- iv) All the new buildings to be constructed shall have an installed hot water line from the roof top and also insulated distribution pipelines to each of the points where hot water is required in the building.
- v) The capacity of the solar water heating system to be installed on the building shall be described on the basis of average occupancy of the buildings. The norms for hospitals, hotels and other functional buildings are given below:

Sr. No.	Type of Building	Per capita capacity recommended Liters per day
1	2	3
1	Hospitals	100
2	Hotels	150
3	Hostels and other such buildings	35
4	Canteen	As required
5	Laboratory and Research Institutions	As required

- vi) An open area of 3 Sqm. would be required for installation of collector which supply about 100 liters of water per day. At least 60% of the roof area may be utilized for installation of the system.
 - vii) The specification for the solar water heating system laid down by the Ministry of Non- Conventional Energy Sources can be followed. Flat plate collector conforming to IS No. 12933 shall be used in all such solar water heating system.
- So far no collector has been tested by the B.I.S. approved Test Houses / Centres and it is recommended mandatory orders should be made only after the B.I.S. confirms availability of I.S.I. mark solar collectors.
- viii) Auxiliary System: Whenever hot water requirement is continuous, auxiliary heating arrangement either with electric elements or oil of adequate capacity shall be provided.
- 5) The following incentives in terms of rebate in Property tax will be given by the Corporation for owners or their successors-in-interest who:

Install and use solar heating and lighting system: 10% rebate.

176. PROVISION FOR BIOTECHNOLOGY UNIT:

1) Definition:

The Biotechnology Unit / Parks shall mean and include Biotechnology units/parks which are certified by the Development Commissioner (Industries) or any other officer authorised by him in this behalf.

The Biotechnology Park and unit/units outside park shall have minimum land area of 2 acres or 20000 Sq.Ft. built up area. The said requirement of 20000 Sq.Ft. shall be as per normal permissible FSI and without considering permissible additional FSI / TDR / Free of FSI area.

2) Biotechnology Units / Park to be allowed in Service Industries Zone (I-1):

Biotechnology Units / Parks shall be permitted in 'I-1' Zone and Service Industrial Estates on plots fronting on roads having width more than 15 mts.

3) Biotechnology Units / Park to be allowed in General Industries Zone (I-2) and Special Industrial Zone (I-3):

Biotechnology Units / Parks shall be permitted on all plot fronting on roads having width more than 15 mts.

4) Biotechnology Units / Park to be allowed in No Development Zone / Green Zone earmarked in the Development Plan.:

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

- (i) Maximum FSI limit shall be 0.20 and as far as possible the development shall be at one place of the total land.
- (ii) The ground floor coverage shall not exceed 10% of the plot area.
- (iii) Tree plantation shall be done at the rate of 500 Trees / Ha. on the remaining land excluding the built up area and the surrounding open space / utility space.
- (iv) The maximum height of buildings shall not exceed 24 mt.
- (v) Essential residential development for the staff / officer's accommodation shall be permitted up to the extent of 33% of the permissible built up area.
- (vi) These users shall be permitted in No Development Zone, within a distance of 3 km. from the adjoining developable zone.

5) Additional FSI to Biotechnology Units / Park:

Subject to approval by Director of Industries, Commissioner may permit the floor space indices specified in these regulations to be exceeded to the extent of 100% over and above the permissible FSI (including for Biotechnology Units / Park located in NDZ / Green Zone/Agriculture Zone proposed in the Development Plan) for Biotechnology units/parks subject to following conditions;

- (i) Out of total built up area minimum 90% shall be used for Biotechnology purpose and maximum 10% (by deducting parking spaces) shall be used for ancillary users such as specified in the Govt. Resolution of Industry, Energy and Labour Deptt. No. BTP 2008 / CR-1608 / Ind-2, dated 10 / 02 / 2009.
- (ii) Additional FSI to Biotechnology units would be available to Biotechnology Parks duly approved by the Directorate of Industries and after observance of all the regulation of environment.
- (iii) Parking spaces, as per the provision of Development Control Regulations shall be provided subject to minimum requirement of one parking space per 100 Sqm. built up area.
- (iv) The additional FSI shall be granted upon payment of premium which shall be paid in the manner as may be determined by the Government. Such premium shall be recovered at the rate of 25% of the present day market value of the land under reference as indicated in the Ready Reckoner.
- (v) 25% of total premium shall be paid to the Govt. and remaining 75% amount shall be paid to the Corporation.

- (vi) The premium so collected by the Corporation shall be primarily used for development / up gradation of offsite infrastructure required for the Biotechnology Parks.
- (vii) In the event, the developer comes forward for provision of such off site infrastructure at his own cost, then the Corporation shall determine the estimated cost of the works and shall also prescribe the standards for the work. After completion of the works the said Planning Authority shall verify as to whether the same is as per prescribed standards and thereafter, by deducting the cost of works, the balance amount of premium shall be recovered by the said Planning Authority.
- (viii) No condonation in the required open spaces, parking and other requirement prescribed in the regulations shall be allowed in case of additional FSI.
- (ix) Development of biotechnology park shall be done as per the guidelines issued by Industries Department vide the said resolution.

177. COMMERCIAL USE OF LANDS IN POSSESSION OF THE MAHARASHTRA STATE ROAD TRANSPORT CORPORATION (MSRTC):

Notwithstanding anything to contrary contains in these Regulations or the Development Plan/ Planning proposals land in the possession of the M.S.R.T.C. shall be allowed to be developed for commercial use to the extent of 50% of the admissible Floor Space Index (FSI) subject, however to the general restriction otherwise applicable to such development, and also accordance with the Government of Maharashtra, Home Department, Resolution No. STC 3400/CR 148/TRA-1, dated 1st February 2001 as may be modified from time to time.

178. REGULATION FOR DEVELOPMENT OF SPECIAL TOWNSHIP IN AREAS WITHIN NANDED WAGHALA CITY MUNICIPAL CORPORATION LIMITS:

Regulations for development of Special Township shall be in accordance of guidelines given in Appendix -“K”.

179. REGULATION FOR RAIN WATER HARVESTING:

No new building permissions shall be granted unless there is provision for Rain Water Harvesting. Regulations for Rain Water Harvesting in plots having area 150 Sq.mt. or above shall be in accordance of guidelines given in Appendix- “L”.

180. ADDITIONAL PROVISIONS FOR SAFETY IN NATURAL HAZARD PRONE AREAS:

Provisions for safety in natural hazard prone areas shall be in accordance of guidelines given in Appendix-“M”.

181. SPECIAL GUIDELINES FOR DEVELOPMENT OF TOURISM WITHIN CORPORATION LIMITS:

Development of Tourism shall be in accordance of guidelines given in Appendix – “N”.

182. REGULATION FOR HERITAGE BUILDINGS / PRECINCTS / NATURAL FEATURES:

Conservation of buildings, artefacts, structures, areas and precincts of historic and/or aesthetic and/or architectural and/or cultural significance and/or natural features of environmental significance along with list separately published by State Government. For details refer Appendix-“O”.

183. REGULATIONS FOR INFORMATION TECHNOLOGY ESTABLISHMENTS:

Guidelines for Information Technology shall be as per Appendix-“P”.

184. CONVERSION OF INDUSTRIALLY ZONED LANDS FOR RESIDENTIAL AND COMMERCIAL DEVELOPMENT (EXCEPT TEXTILE MILL LANDS):

Guidelines given in Appendix -“Q” shall be followed.

185. GUIDELINES FOR REDEVELOPMENT OF CINEMA / THEATRE:

Same shall be as per **Appendix-“R”**.

186. GUIDELINES AND PROCEDURE FOR OBTAINING NO OBJECTION CERTIFICATE FROM CIVIL AVIATION DEPARTMENT ETC.:

General guidelines and procedure for obtaining Civil Aviation Departments No Objection Certificate including list of documents to be provided along with the application for shall be as per **Appendix-“E”**

187. USER PERMITTED BELOW FLYOVER OR IN SUBWAY:

Space underneath the flyover or in new subways shall be allowed to use as commercial users subject to following conditions.

- i. The shops / offices shall face the internal passage of adequate width.
- ii. Adequate area under flyover/in subway shall be earmarked and used for parking.
- iii. Sufficient area under the flyovers/ subways shall be developed as green lots, so as to make the surrounding aesthetically beautiful.
- iv. Exposed walls can be used for advertisement purpose for such advertisement which will not cause hindrance to the traffic.
- v. The entry and exit points shall be conveniently located, considering the use, and the traffic by providing a subway or an over bridge. In no case the pedestrians be allowed to cross the main roads.
- vi. The plans of the flyovers/ subways shall be got approved from the Director of Town Planning in consultation with the Deputy Director of Town Planning, Traffic & Transportation Cell.
- vii. The Corporation may prescribe any other suitable conditions as deemed necessary without violating the spirit mentioned in Clause No. 1 to 6 above.

188. SPECIAL REQUIREMENTS OF CLUSTER PLANNING FOR HOUSING:

As per sub-regulation same shall be as per guidelines given in Appendix “S”

189. REGULATION FOR GRANT OF TDR TO THE OWNERS / LESSEES OF HERITAGE BUILDINGS / PRECINCTS AND CONDITIONS FOR GRANT OF SUCH RIGHTS:

Same shall be as per guidelines given in as per **Appendix-“T”**

190. REGULATION FOR SCHEME UNDERTAKEN BY MHADA EXCLUSIVELY WITH WORLD BANK ASSISTANCE.

The following Regulations in addition to the Regulations in Appendix-F shall be applicable to the schemes to be undertaken by the Maharashtra Housing and Area Development Authority.

1. Recreational Open Spaces:

The proportion of recreational open spaces to net area of plot shall be 10 percent, provided that the proportion of such open spaces together with the areas under school and playground, where provided shall be 8.5 percent of the total gross area of project. However, the percentage shall not be less than 9.5 percent exclusive of the areas of development plan roads, and other facilities such as schools, hospitals, markets etc.

2. Roads:

- a) Arterial network of roads, according to the development plan will be retained in sites and services project.
- b) Internal layout roads shall have a right of way of 9 m. out of 4.75 m. shall be the of paved width.
- c) The access pathways serving plots of less than 50 Sqm. shall have a minimum right of way of 3m. Alternately, if such plots are arranged in cluster, a paved access of at least one meter width serving the plots only on one side shall be sufficient, but in such a case an open space of minimum width of 4 m. shall be provided. In both of the above cases, the maximum length of the access pathway should not exceed 50 m.

191. REGULATION RELATING TO DEVELOPMENT IN LARGE HOLDINGS IN THE RESIDENTIAL ZONE.

The following facilities will be available for residential development undertaken by a single developer as one scheme in a single plot of 20000 Sqm. in area.

1. A platform or podium may be built at floor 1 or 2 level but not over 7.5 m. from the level of approach road to join residential building towers (subject to the lighting and ventilation requirements being fulfilled) and to cross over public roads adjoining this development with the clearance of the Chief Fire Officer.
2. The recreational open space prescribed in these Regulations may be provided either at ground level or as an open sky podium to be developed as lawn / garden.
3. A shopping centre may be provided exclusively within the building towers with no access or frontage on any public road. Such shopping centre shall be limited in area to 5% of the total FSI.
4. If a public amenity like a kinder-garden school, milk centre, electric sub-station, bus shelter, etc is provided within the project the area of such facility not exceeding 5% of the total area shall be allowed free of FSI.
5. Pathways upto 2.5 m. wide connecting the residential tower buildings may be provided covered by a roof with clear height not exceeding 2.4 m, such pathways shall be exclusively for pedestrian use and will be free of FSI.
6. The required open space from the boundary of the holding shall not be reduced but construction of a podium.

192. SHIFTING OF CATTLE SHEDS OUTSIDE CORPORATION LIMITS.

Following Guidelines shall be followed while shifting Cattle Sheds existing prior to the sanction of Development Plan of Nanded Town.

- 1) For development of lands becoming vacant consequent upon shifting of cattle shades existing thereon, to places outside Corporation limit, additional FSI to the extent of 33% over and above the normal permissible FSI, shall be allowed on land occupied by the cattle sheds and subject to the following conditions:

- 2) Such additional FSI shall be available for authorised/tolerated (existing prior to 18th August 2004) cattle sheds existing in the jurisdiction of then Nanded Municipal Council only;
- 3) The development of such lands that have become vacant consequent upon shifting of cattle shed shall be regulated by the zoning regulations of the zone in which such lands are situated;
- 4) The additional FSI shall be worked out case by case by a Committee comprising of following members and approved by Government in Urban Development Department.

i)	The Municipal Commissioner, NWCMC, Nanded	Chairman
ii)	The Deputy Director of Town Planning, Aurangabad Division, Aurangabad.	Member
iii)	The District Animal Husbandry Officer, Nanded	Member
iv)	The District Superintendent of Land Records, Nanded	Member
v)	The Chief Medical Officer of Corporation	Member

The proposed development shall further be subject to such conditions as may be prescribed by the Committee and payment of such amount of premium as may be fixed by Government in Urban Development Department.

193. REQUIREMENTS OF PETROL PUMPS ON HIGHWAYS.

- i) Minimum plot area shall be 2000 Sqm.
- ii) Maximum permissible FSI would be 0.2.
- iii) Only ground floor construction is permissible.
- iv) Proposed plot shall front on National Highway, State Highway, Major District Road or Road having minimum 18.00m. width.
- v) NOC of Petroleum Department and Chief Controller of Explosives of Government of India.
- vi) NOCs from Public Works Department and other Departments as required under prevailing D.C. Regulations. Similarly as per Public Work Departments Circular No. RBD-1081/871/ Road-7, date 9 March, 2001 and any other circulars issued by it from time to time in respect of Service Road / Building line, Control line would be binding.
- iii) It would be obligatory to follow instructions issued Central Government's Ministry of Road Transport and Highways letter dated 25 September 2003 / dated 17 October 2003 and its accompaniments.

194. SPECIAL REGULATIONS FOR BUILDINGS VULNERABLE TO MANMADE DISASTERS:

Same shall be as per **Appendix -"U"**

195. POLLUTION CONTROL:

195.1 Noise Pollution:

THE NOISE POLLUTION (REGULATION AND CONTROL) RULES, 2000.

1. Short Title and Commencement

- (1) These rules may be called the Noise Pollution (Regulation and Control) Rules, 2000.
- (2) They shall come into force on the date of their sanction by the Government and publication along with revised Development Control Regulations of Nanded Waghala City Municipal Corporation in the Official Gazette.

2. Definitions – In these rules, unless the context otherwise requires, -

- (a) “**Act**” means the Environment (Protection) Act, 1986 (29 of 1986);
- (b) “**Area/zone**” means all areas which fall in either of the four categories given in the Schedule annexed to these rules.
- (c) “**Authority**” means any authority or officer authorised by the Central Government, or as the case may be, the State Government in accordance with the laws in force and includes a District Magistrate, Police Commissioner, or any other officer designated for the maintenance of the ambient air quality standards in respect of noise under any law for the time being in force;
- (d) “**Person**” in relation to any factory or premises means a person or occupier or his agent, who has control over the affairs of the factory or premises.
- (e) “**State Government**” in relation to a Union territory means the Administrator thereof appointed under article 239 of the Constitution.

3. Ambient air quality standards in respect of noise for different areas/zones.

- (1) The ambient air quality standards in respect of noise for different areas/zones shall be such as specified in the Schedule annexed to these rules.
- (2) The State Government may categorized the areas into industrial, commercial, residential or silence areas/zones for the purpose of implementation of noise standards for different areas.
- (3) The State Government shall take measures for abatement of noise including noise emanating from vehicular movements and ensure that the existing noise levels do not exceed the ambient air quality standards specified under these rules.
- (4) All development authorities, local bodies and concerned authorities while planning developmental activity or carrying out functions relating to town and country planning shall take into consideration all aspects of noise pollution as a parameter of quality of life to avoid noise menace and achieve the objective of maintain the ambient air quality standards in respect of noise.
- (5) An area comprising not less than 100 meters around hospitals, educational institutions and courts may be declared as silence area/zone for the purpose of these rules.

5. Responsibility as to enforcement of noise pollution control measures.

- (1) The noise levels in any area/zone shall not exceed the ambient air quality standards in respect of noise as specified in the Schedule.
- (2) The authority shall be responsible for enforcement of noise pollution control measures and due compliance of the ambient air quality standard in respect of noise.

6. Restrictions on the use of loud speakers/public address system.

- (1) A loud speaker or a public address system shall not be used except after obtaining written permission from the authority.
- (2) A loud speaker or a public address system shall not be used at night (between 10.00 p.m. to 6.00 a.m.) except in closed premises for communication within, e.g. auditoria, conference rooms, community halls and banquet halls.

7. Consequences of any violation in silence zone/area.

Whoever, in any place covered under the silence zone/area commits any of the following offence, he shall be liable for penalty under the provisions of the Act:-

- (i) whoever, plays any music or uses any sound amplifiers,
- (ii) whoever, beats a drum or tom-tom or blows a horn either musical or pressure, or trumpet or beats or sounds any instrument, or

- (iii) whoever exhibits any mimetic, musical or other performances of a nature to attract crowds.

8. Complaints to be made to the authority.

- (1) A person may, if noise level exceeds the ambient noise standards by 10 dB(A) or more given in the corresponding columns against any area/zone, make a complaint to the authority.
- (2) The authority shall act on the complaint and take action against the violator in accordance with the provisions of these rules and any other law in force.

9. Power to prohibit etc. continuance of music sound or noise.

- (1) If the authority is satisfied from the report of an officer in charge of a police station or other information received by him that it is necessary to do so in order to prevent annoyance, disturbance, discomfort or injury or risk of annoyance, disturbance, discomfort or injury to the public or to any person who dwell or occupy property on the vicinity, he may, by a written order issue such directions as he may consider necessary to any-

(a) The incidence or continuance in or upon any premises of –

- i) Any vocal or instrumental music,
- ii) Sounds cause by playing, beating, clashing, blowing or use in any manner whatsoever of any instrument including loudspeakers, public address system, appliance or apparatus or contrivance which is capable of producing or re-producing sound, or

(b) The carrying on in or upon, any premises of any trade, avocation or operation or process resulting in or attended with noise.

- (2) The authority empowered under sub-rule (1) may, either on its own motion, or on the application of any person aggrieved by an order made under sub-rule (1), either rescind, modify or alter any such order:

Provided that before any such application is disposed of, the said authority shall afford to the applicant an opportunity of appearing before it either in person or by a person representing him and showing cause against the order and shall, if it reject any such application either wholly or in part, record its reasons for such rejection.

SCHEDULE
[See Rule 3(1) and 4(1)]

AMBIENT AIR QUALITY STANDARDS IN RESPECT OF NOISE

Area Code	Category of Area/Zone	Limits in dB(A) Leg*	
		Day Time	Night Time
(A)	Industrial Area	75	70
(B)	Commercial Area	65	55
(C)	Residential Area	55	45
(D)	Silence Zone	50	40

Note:

1. Day time shall mean from 6.00 a.m. to 10.00 p.m.
2. Night time shall mean from 10.00 p.m. to 6.00 a.m.
3. Silence zone is defined as an area comprising not less than 100 meters around hospitals, educational institutions and courts. The silence zones are zones which are declared as such by the Competent Authority.

4. *Mixed categories of areas may be declared as one of the four above mentioned categories by the Competent Authority.*

**dB(A) Leg denotes the time weighted average of the level of sound in decibels on Scale A which is relatable to human hearing.*

A “decibel” is a unit in which noise is measured.

“A”, in dB(A) Leg, denotes the frequency weighting in the measurement of noise and corresponds to frequency response characteristics of the human ear.

Leg: It is an energy mean of the noise level over a specified period.

Noise standards for automobiles, domestic appliances and construction equipments have been notified in Part ‘E’, Schedule-VI of Environment (Protection) Rules, 1986, as amended on 19th May, 1993, as given in the Tables below.

	Category of Vehicle	Noise limit in
(a)	Motorcycle, scooters and three wheelers	80
(b)	Passenger Cars	82
(c)	Passenger or commercial vehicles upto 4 MT	85
(d)	Passenger or commercial vehicles above 4 MT upto 12 MT	89
(e)	Passenger or commercial vehicles exceeding 12 MT	91
	Category of Domestic Appliances /Construction Equipments	
(a)	Window air conditioners of 1 tonne to 1.5 tonne	68
(b)	Air Coolers	60
(c)	Refrigerators	46
(d)	Diesel Generator for domestic purposes	85 - 90
(e)	Compactors (rollers), Front loaders, Concrete mixers, Cranes (movable), Vibrators and Saws	75

The Noise Pollution Control Committee also prescribed code of practice for controlling noise from sources other than industries and automobiles, as given below;

CODE OF PRACTICE FOR CONTROLLING NOISE FROM SOURCES OTHER THAN INDUSTRIES AND AUTOMOBILES

PUBLIC ADDRESS SYSTEM:

- License must be obtained by all parties intending to use loudspeakers or public address system for any occasion.
- Public address system and loudspeakers should not be used at night between 9 p.m. to 6 a.m. except in closed premises.
- Loudspeakers should be directed at the audiences and not away from audience (i.e. not towards the neighbourhood).
- Loudspeakers should not be allowed for advertisement and commercial activities.
- The permitted strength of power amplifier should be just adequate to cover the audience, and noise level beyond the boundary limit of noise source premises should not be increased by more than 5 dB(A) above the ambient noise level.

AIRCRAFT OPERATION:

- Aerodrome should be located away from the city and growth of the city should not be allowed to extend up to the Aerodrome.
- Aeroplanes should take off in direction radially away from the city.
- During boarding and un boarding operations the plane should be sufficiently away from the airport buildings.
- Night-time operations should be minimised.

- (e) During maintenance and repairs of the aeroplane, workers should use ear muffs.
- (f) Portable silencers should be used in the plane intake as well as exhaust during idling period at the airport.

RAILWAY OPERATIONS:

- (a) Erection of acoustic barrier, reducing speed and avoiding whistling within and along the municipal limits and habitation zones are recommended for adoption to the extent possible.

CONSTRUCTION ACTIVITIES:

- (a) Acoustic barriers should be placed near construction sites.
- (b) The maximum noise levels near the construction site should be limited to 75 dB(A) Leg (5 min.) in industrial areas and to 65 dB(A) Leg (5 min.) in other areas.
- (c) There should be fencing around the construction site to prevent people coming near the site.
- (d) Materials need not be stock piled and unused equipment to be placed between noisy operating equipments and other areas.
- (e) Constructing temporary earth bund around the site using soil etc. which normally is hauled away from the construction site.

BURNING OF CRACKERS:

- (a) Manufacture and sale of crackers having an impulsive noise of more than 90 dB at 5 meters distance from the site of bursting should be banned.
- (b) Manufacture and bursting of joined crackers should be banned.
- (c) Bursting of crackers during night between 9 p.m. and 6 p.m. should be banned.
- (d) Bursting of crackers may be permitted only during public festivals.

The permissible levels for noise exposure for work zone area have been prescribed under the Model Rules of the Factories Act, 1948, as given in the Tables below.

Peak sound pressure level in dB	Permitted number of impulses or impact/day
140	100
135	315
130	1000
125	3160
120	10000

Notes:

1. No exposure in excess of 140 dB peak sound pressure level is permitted.
2. For any peak sound pressure level falling in between any figure and the next higher or lower figure as indicated in column 1, the permitted number of impulses or impacts per day is to be determined by extrapolation on a proportionate basis.

Total time of exposure (continuous or a number of short term exposures) per day, in hr.	Sound pressure level in dB(A)
8	90
6	92
4	95
3	97
2	100
1-1/2	102
1	105
1/2	107
1/4	110
1/8	115

Note: 1. No exposure in excess of 115 dB (A) is to be permitted.

2. For any period of exposure falling in between any figure and the next higher or lower figure as indicated in column 1, the permissible sound pressure level is to be determined by extrapolation on a proportionate basis.

Directions for Owners/Users of Generator Sets:

- (1) The generator sets above the capacity of 5 KVA shall not be operated in residential areas between the hours of 10.00 p.m. to 6.00 a.m.
- (2) The generator sets above the capacity of 5 KVA in all areas residential /commercial / industrial shall operate only with the mandatory acoustic enclosures and other standards prescribed in the Environment (Protection) Rules, 1986.
- (3) Mobile generator sets used in social gathering and public functions shall be permitted only if they have installed mandatory acoustic enclosures and adhere to the prescribed standards for noise and emission as laid down in the Environment (Protection) Rules, 1986.

The contravention of the above directions shall make the offender liable for prosecution under section 15 of the Environment (Protection) Rules, 1986 which stipulates punishment of imprisonment for a term which may extend to five years with fine which may extend to one lakh rupees, or with both, and in case the failure or contravention continues, with a additional fine which may extend to five thousand rupees for everyday during which such failure or contravention continues after the conviction for the first such failure or contravention and if still the failure or contravention continues beyond a period of one year after the date of contravention, the offender shall be punishable with imprisonment for a term which may extend to seven years.

195.2 Air Pollution:

All buildings shall conform to provisions of Air Pollution Control Act, 1981.

195.3 Water Pollution:

All buildings shall conform to provisions of Water (Prevention and Control of Pollution) Act, 1974.

196. GUIDELINES FOR PROVIDING HOUSING ACCOMMODATION TO SWEEPERS (CORPORATION EMPLOYEES) UNDER DR. BABASAHEB AMBEDKAR SHRAMSAFALYA AWAS YOJANA.

Same shall be as per **Appendix – “V”**.

197. REGULATIONS FOR GREY WATER RECYCLE SYSTEM.

Same shall be as per **Appendix – “W”**.

198. GUIDELINE FOR HARDSHIP PREMIUM AND COMPOUNDING.

Same shall be as per **Appendix – “X”**

199. REGULATIONS FOR LAND USE IN DIFFERENT FLOOD ZONES.

Same shall be as per **Appendix – “Y”**

200. DEVELOPMENT CONTROL REGULATIONS BEYOND CORPORATION LIMIT UP TO 10 KM.

Same shall be as per **Appendix – “Z”**

201. NUMBER AND TYPES OF LIFTS FOR DIFFERENT OCCUPANCIES.

Same shall be as per **Appendix – “Z-1”**

P A R T – VII

STRUCTRURAL SAFETY AND SERVICES

202. ALTERNATIVE MATERIALS, METHODS OF DESIGN & CONSTRUCTION:

- (i) The provisions of these regulations are not intended to prevent the use of any material or method of design or construction not specifically prescribed by these regulations provided any such alternative has been approved by the Commissioner.
- (ii) The provisions of these regulations are also not intended to prevent the adoption for architectural planning and layout conceived as an integrated development scheme.
- (iii) The Commissioner may approve any such alternative provided it is found that the proposed alternative is satisfactory and conforms 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 these regulations in quality, strength compatibility, effectiveness, fire and water resistance, durability and safety.

203. BRICK KILN, MINING AND QUARRYING:

The following regulations shall govern the brick kiln, mining and quarrying operations.

- 1. No brick kiln, mining and quarrying operations where no blasting is involved shall be permitted within a distance of 50 Mts. from the boundary of any public road, railway line, canal, transmission line or any other building. No brick kiln, mining and quarrying operations which involves blasting shall be permitted within a distance of 200 Mts. from any public road, railway line, canal, transmission line or any other building.
- 2. No building operations shall be permitted on the plot on which brick kiln, mining and quarrying operations have been permitted without the prior approval of the Competent Authority.
- 3. The brick kiln, mining and quarrying operations shall be permitted for a stipulated period not exceeding three years from the date of development permission at a time and shall be so prescribed in the development permission..
- 4. The following shall govern the brick kiln, mining and quarrying operations and shall form conditions of the development permission:
 - a) The brick kiln, mining and quarrying operations shall not cause any nuisance to people in the vicinity.
 - b) The brick kiln, mining and quarrying operations below the average ground level shall be permitted only for extraction.

204. BUILDING SERVICES:

- (i) The planning, design and installation of electrical installations, air-conditioning and heating work shall be carried out in accordance with Part VIII – Building Service Section 2 – Electrical Installations, Section 3 Air conditioning and Heating of National Building Code of India.
- (ii) The planning, design including the number of lifts, type of lifts, capacity of lifts, depending on occupancy of building, population of each floor based on occupant load and height of building shall be in accordance with Section 5 – Installation of Lifts and Escalators of National Building Code of India.

205. CONTROL OF AIR AND WATER POLLUTION: (also refer Regulation 195)

1. No industrial effluent shall be disposed or exposed so as to cause nuisance and endanger to public health.
2. Without prejudice to the generally of the above provisions, the Competent Authority may stipulate certain conditions or measures to control the air borne emissions and liquid effluents from industrial units. These measures shall be stipulated as conditions of the development permission.
3. Industries in the special industrial zone which emits liquid and gaseous effluents shall not be allowed to emit such effluent unless they are purified and rendered harmless from the public health point of view by provision of purification plants, as may be prescribed by the Competent Authority and/or Maharashtra Pollution Control Board.
4. Controls as prescribed from time to time by the Pollution Control Board / Competent Authority shall be applicable to all development and redevelopment.

206. CONTROL OF DRAINS, SEWERS, DRAINAGE AND SEWAGE WORKS:

Regulations for regulating the construction, maintenance and control of drains, sewers, drainage and sewage works of any description within Corporation Limit.

1. Definitions:

In these regulations unless the content specifically indicates otherwise, the meaning of the terms used shall be as under:

- 1) "Sewer System" shall mean the sewage disposal system.
- 2) "Engineer" shall mean the Engineer of Authority or the authorised person or its deputy or representative duly authorised from time to time to act on its behalf.
- 3) "Person" shall mean any individual firm, company, association, society, corporation or group.
- 4) "Sewer" shall mean a pipe, or other construction provided for carrying sewage.
- 5) "Building Sewer" shall mean the sewer under the control of the property owner and extending from the building to the first inspection chamber or manhole.
- 6) "Public Sewer" shall mean a sewer in which all owners of abutting properties may discharge, and which is controlled by the Corporation.
- 7) "Sanitary Sewer" shall mean a sewer which carries sewage and to which storm, surface and ground water are not admitted.
- 8) "Storm Sewer" shall mean sewer which carries storm and surface water and drainage but excludes sewage and industrial wastes, other than un polluted cooling water.
- 9) "Combined Sewer" shall mean a sewer receiving both sewage and surface run off.
- 10) "Sewage" shall mean a combination of waters carried from residences, business buildings, institutions and industrial establishments; to go there with such ground surface and storm waters as may be present.
- 11) "Industrial waters" shall mean the liquid wastes from industrial manufacturing process, trade, business or form of any development, recovery or processing operation, as distinct from sanitary sewage.
- 12) "Garbage" shall mean solid wastes from the domestic and commercial preparation, cooking and dispensing of food and from the handling storage, and sale of produce.
- 13) "Properly Shredded Garbage" shall mean the waste from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particle will be of 1 cm. Carried freely under the flow conditions normally prevailing in sewers with no particle greater than 1 cm. In any dimension.
- 14) "Sewage Treatment Plant" shall mean any arrangement or devices and structures used for treating sewage.

- 15) "Sewage works" shall mean all facilities for collecting, pumping, treating and dispensing of sewage.
- 16) "Water Course" shall mean a channel in which a flow of ground water occurs continuously or intermittently.
- 17) "Natural Outlet" shall mean a channel in which a flow of ground water occurs continuously.
- 18) "Sludge" shall mean any discharge of water sewage, industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any duration longer than 15 minutes, five times the average 24 hour concentration or flow during normal operation.
- 19) "pH" shall mean the logarithm of the reciprocal of the weight of hydrogenous in grams per litre of solution as determined by procedures outlined in standard methods.
- 20) "Biochemical Oxygen Demand" (abbreviated as B.O.D.) shall mean the quantity of oxygen utilised in the biochemical oxidation of organic matter in five days at 20 degree centigrade expressed in milligrams per litre, as determined by procedures outlined in standard methods.
- 21) "Suspended Solids" shall mean solids that either float on the surface or are in suspension in water sewage or other liquids or which are removable by a laboratory filtering device quantitative determination shall be done in accordance with methods.
- 22) "Gallon" shall mean Imperial Gallon.
- 23) "Control Manhole" shall be the manhole so designed for the express purpose of collecting waste effluent samples and facilitating observation and measurement of waste as necessary from property. It shall be the manhole at the junction of the building sewer with public sewer or nearest manhole on the public sewer downstream of the junction of the building sewer with the public sewer as may be decided by the Engineer.
- 24) "Standard Methods" shall mean the examination and analytical procedures set forth in the most recent edition of Standard Methods for the examination of water, sewage and Industrial wastes published jointly by the American Public Health Association, the American Water Works Association and the Water Pollution Control Federation. However, the use of identical analytical procedure outlined by the World Health Organisation or the Indian Standards Institution of the Government of India from time to time, whenever such procedures exist will be permitted.

2. Regulations:

1. It shall be unlawful for any person to place, deposit, or permit to be deposited in any incinerate manner on public or private property within the jurisdiction of Competent Authority any human or animal excrement, garbage or other objectionable waste.
2. It shall be unlawful for any person to discharge to any natural outlet or any where, within the area under the jurisdiction of Competent Authority any sewage or pollute waters except where suitable treatment has been provided in accordance with subsequent provisions of these regulations.
3. For permission to discharge into the sewage system from establishments producing industrial wastes, the owner or his authorised agent shall make application on a special form furnished by the Competent Authority as the case may be. The permit application shall be supplemented by any plans, specifications, sample test reports or other information considered pertinent in the judgement of the Engineer. An inspection fee of Rs.500/- for an industrial building sewer permit shall be paid at the time application is filled. All industrial and trade establishments existing and discharging industrial waste into the sewer system at the time of enactment of these

regulations shall also require permission to discharge into the sewer under these regulations.

4. No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof run-off, or subsurface drainage to any sanitary sewer, uncontaminated cooling water or unpolluted industrial process water be permitted to be discharged to any sanitary sewer by the Engineer if storm sewer is not available
5. Storm water and all other unpolluted drainage shall be discharged to such sewer as are specifically designated as storm sewers or to a natural outlet approved by the Engineer. Industrial cooling water or unpolluted process waters may be discharged with prior approval of the Engineer to a storm sewer or natural outlet.
6. Grease, oil and sand interceptors of approved type and capacity shall be provided when in the opinion of the Engineer, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts or any inflammable wastes, sand or other harmful ingredients, such interceptors shall be so located as to be readily accessible for cleaning and inspection.
7. No storage rooms where acids, cyanide, cyanogens compound or other dangerous substances are stored, shall be connected directly to the public sewers or to any natural outlet, curing holding pit, or other approved arrangement may be required to be provided so that accidental discharge can be caught and disposed off in a safe manner.
8. All permits granted under Regulation 2(3) shall be valid for a period of 3 years and it shall be incumbent on the owner or his authorised agent to make an application for renewal with payment of renewal fee of Rs.100/- three months before the 'expiry' of the permit period furnishing sample test reports and any other information considered pertinent in the judgement of the Engineer.
9. No person shall discharge or cause to be discharged any of the following described kinds of sewage, industrial or factory waste into any sewer or body of water within or entering the area:
 - i. Any liquid or vapour having a temperature higher than 110Deg.F. (45Deg.C.)
 - ii. Any water or waste having a pH Lower than 5.5 or higher than 9.5.
 - iii. Any water containing fats, wax, grease, tars or oils whether emulsified or not, in excess of 100 MG/L or containing substance which may solidify or become viscous at temperatures between 32 degree F. and 150 degree F.(O degree C. and 65 degree C.)
 - iv. Any petroleum products, fuel oil, calcium carbide, benzene, napthane, cleaning solvents or other inflammable or explosive materials in liquid, or gaseous form and having a flash point lower than 187 degree F>
 - v. Any solid or viscous substances in quantities or of such size or specific gravity as would be capable of causing obstruction to flow in sewer or other interference with the proper operation of sewage work such as, but not limited to, ashes, cinders, sand stone dust, mud, straw, shaving metal, glass, rags, feathers, tar, plastics, wood fuller's earth, lime slurries and residues, pulp and paper mill wastes, ungrounded garbage, paper dishes, cups, food containers, etc. either whole or grounded by garbage grinders.
 - vi. Any paunch manure or intestinal contents from animals, grease oil, hooves, toenails, bees, bristles, whole blood, fleshing and hair resulting from slaughtering, tanning and other operations, which may cause difficulty to the sewer system.
 - vii. Any garbage that has not been properly shredded as defined in definition 1(13). The installation and operation of any garbage grinder equipped with a motor of 3/4 H.P. (0.76 H.P.) metric or greater shall be subject review and approval of the Engineer.
 - viii. Any soluble substances in such concentration as to increase the viscosity of the water or greater than 1:10 specific viscosity.

- ix. Any water or water containing toxic, poisonous, solids, liquid or gases in sufficient quantity either singly or by interaction with other wastes likely to injure or interfere with any sewage treatment process, constitute a hazard to human or animals, create a public nuisance or create any hazard in the receiving waters of the sewage treatment plant, including but not limited to;
 - a) Cyanides in excess of 2 Mg./L as CN;
 - b) Hexavalent chromium in excess of 3 Mg./L as GO;
 - c) Total iron excess of MG./L as Fe.
- x. Any waters or wastes containing constituents such as but not limited to the following objectionable limit which in the opinion of the Engineer are likely to interfere with sewage treatment or exceed limits after treatment of the sewage to meet the requirements of the State, or other public or local authorities for discharge to the receiving water:

Copper	UPTO	3 Mg/L
Zinc	UPTO	15 Mg/L
Lead	UPTO	1Mg/L
Nickel	UPTO	2 Mg/L
- xi. Any waters or waste containing phenols or other tastes or odour producing substances in concentrations exceeding 0.005 Mg/L.
- xii. Any radioactive waste should not exceed following limits:

Radio active material:		
i) Alpha		-7
Emitters Max		1-0 mc/ml
ii) Beta		-6
Emitters Max		1-0 mc/ml
- xiii. Any malodorous gases and acetylene generation sludge.
- xiv. Any waters or waste containing sulphides, sulphur dioxide, nitrous oxide or any of the halogens exceeding 10 Mg/L in concentration.
- xv. Any waters or waste containing sulphates in excess of 1000 Mg/L concentration.
- xvi. Any waters or waste having B.O.D. more than 300 Mg/L.
- xvii. Any waters or waste having average suspended solids more than 600 Mg/L.
- xviii. Any waters or waste having dissolved solids in excess of 2100 Mg/L concentration.
- xix. Any waters or waste containing following elements in excess of respective proportion mentioned against them:

Parameters	Standard- Mg/Lit.
Chloride (as Cl.) max	600
Fluoride	15
Ammonia Nitrogen (as N) max	50
Boron (as B) max	2
% Sodium max	60
Free Ammonia (as NH)	5
Pesticide	Absent
Arsenic (as As)	0.2
Mercury (as Hg)	0.01
Cadnuyn (as cd)	2.0

- xx. No person shall discharge or caused to be discharged any of the following kinds of sewerage, industrial or factory waste into any river or creeks, exceeding respective levels as shown in Appendix attached, at the end of this Regulation.
10. No person shall discharge or caused to be discharged substances, materials, waters or wastes, if appears likely in the opinion of the Engineer that such wastes are not amenable to satisfactory treatment or can harm either sewers, sewage treatment process or equipment have an adverse effect on the reviving stream or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming his opinion

as to the acceptability of such wastes the Engineer will give consideration to such factors as the quantities of wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, degree of treatability of wastes and other pertinent factors.

11. At such time as the sewage works are not overloaded, the Engineer may at his discretion permit greater degree of pollution than set out in this Regulation No.9(xvii) but in no case exceeding the following:
 - a) B.O.D. of 600 Mg/L. And
 - b) Average suspended solids 1200 Mg/L.
12. The permission mentioned in these regulations will be given only upon payment of surcharge in addition to the usual sewer charges, and it will be liable to the withdrawn on 3 months' notice. The rates for surcharge will be decided by the Competent Authority from time to time.
13. If any waters or wastes which are discharged, or are proposed to be discharged to the public sewers, contain the substances or process characteristics enumerated in these regulations and which in the judgment of the Engineer may have a deleterious effect upon the sewage works, processes, equipments or reviving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Engineer may:
 - a. Reject the wastes.
 - b. Require pre-treatment in a private waste treatment system to an acceptable condition for discharge to the public sewers.
 - c. Require provision of floe equalizing facilities for control over the quantities and rates of discharge to avoid unusual volumes or flow or concentration of waste constituting slugs as defined.
 - d. Require payment of surcharge as detailed in regulation 12 above.
14. The owner shall operate and maintain continuously and effectively at his expense the private treatment of flow equalisation system in a sanitary and safe manner at all times.
15. When required by the Engineer, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary appurtenances in the building sewer to facilitate observation sampling and measurement of the wastes. Such manhole when required shall be accessible at all times. In a default of the owner to install and maintain a control manhole and required appurtenance within 1 month of a written notice from the Engineer to do so, the latter shall be entitled to estimate the quantity and quality in any manner or method practicable for computing the amount of surcharge and presence of the objectionable constituents laid down in Regulation No. 9, 10 and 11 above.
16. In the event that no special manhole required, the control manhole shall be connected to the nearest downstream manhole in the public sewer to the point at which the building sewer is connected.
17. Sampling shall be carried out to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb and property. The particular analysis involved will at the discretion of the Engineer be done either on basis of a 24 hours composite of all discharge of a property or as a grade sample or samples. Normally B.O.D. and suspended solids analysis are determined from 24 hours a composite whereas pH is determined by grade samplings.
18. All tests and analysis's of the characteristics of water and waste to wastes to which reference is made in these Regulations shall be determined in accordance with Standard Methods as mentioned in definition 24 and shall be determined at the said

control manhole in the presence of representatives of all parties concerned, and tested at a Municipal or any other laboratory approved by the Engineer.

19. The Engineer may at any time before or after issue of permit or grant of connection, run additional tests of the sewage or wastes being discharged by any trade or industry over such period as it may deem necessary, cost of such test shall be borne by the Competent Authority.
20. In the event of taste showing greater degree of pollution than permissible under the Regulation at No.24; above the surcharge, if any to be paid, shall be computed on the basis of the latest test and shall be levied from the billing period in which the tests are carried out. If any such testing by the Competent Authority shall show reduced degree of pollution in the wastes sufficient to exempt from payment of surcharge the same shall become effective from the next billing period.
21. If the owner is of the opinion that for the reason the nature of the sewage presently being discharged into the sewer has a substantially lessened degree of pollution than as shown by prior tests, he may request the Competent Authority to make new test more than once in each billing period to be made at his expense. Such test will be taken by the Engineer at his discretion within three months from the date of application. If the Engineer is satisfied that such tests were made when the plant was operating under normal conditions, the results of the latest tests shall be used in computing or exempting from the surcharge.
22. The Engineer or other duly authorised employees of the Competent Authority shall be permitted to enter all properties for the purposes of inspection, observations of these regulations and having a direct bearing on the nature and source of discharge.
23. Any person found to be violating any provision of these regulations shall be served by the Competent Authority with written notice stating the violation and providing a reasonable time limit not less than one month for the satisfactory correction thereof. The offender shall within the period of time stated in such notice, permanently cease all violations.
24. Any person who shall continue any violation beyond the time limit, provided for in regulation 24.2.(23) above, shall be liable for prosecution and be punished with a fine which may extend to Rs. 500/- for each violation and in case of a continuing breach to Rs. 50/- per day after the date of first conviction.
25. Any person violating any of the provisions of these regulations shall become liable to the Competent Authority for any expenses; loss or damage occasioned to the Competent Authority by the reason of such violation and shall be liable to suspension, revocation or cancellation, if any permission were granted under the regulations.
26. Should any court of competent jurisdiction declare any provision of this regulation ultravires then the decision shall effect only such provision so declared to be ultravires and shall not affect any other provisions.
27. The above mentioned Regulations shall be subject to modification from time to time as required by Gujarat Pollution Control Board and Competent Authority.

207. DEMOLITION:

Following bye-laws shall apply for any demolition work within the municipal corporation area;

- (a) Before commencing any work of demolition, a careful and detailed study shall be made of the structure to be demolished including its surroundings. While working out the plan of demolition, safety of the adjoining structures shall be ensured and a certificate to that effect by the Licensed Technical Personnel shall be produced. The final plan of sequence of operations shall have to be approved by the Authority.
- (b) Before commencing any demolition work, specific permission shall be obtained from the Authority, and shall be pasted prominently at the site.
- (c) If the structure to be demolished is one which may have hidden damage caused by fire, flood or earthquake, measures necessary to prevent accidental collapse, such as bracing, shoring, etc. shall be provided to the satisfaction of the Authority.
- (d) Prominent danger signs shall be pasted all around the property and all openings giving access to the structures shall be barricaded and closed to all except the workmen. During night, warning light shall be placed on or above all barricades.
- (e) All gas, water, electricity, steam and other service lines shall be shut off outside the property line after notifying the service companies and authorities concerned while obtaining their approval. Any temporary service connection required for the demolition work shall be separately taken and arranged in such manner as to afford safety to the workmen.
- (f) When work is not in progress watchmen shall be provided to prevent unauthorized entry of the public into the danger zone.
- (g) All necessary safety appliances shall be issued to workers before starting of work.
- (h) Safety distances to ensure the safety of the public shall be clearly marked and indicated by signs. All main roads shall be kept open Divisions for pedestrians shall be constructed, where necessary for safety.

208. EARTHQUAKE ZONE, DEVELOPMENT AND SAFETY MEASURES:

A) Earthquake Zone is distinguishly marked on Development Plan.

All development activities in Earthquake Zone shall be in conformity with the guidelines laid down by Indian Institute Standards which are detailed under;

- 1. IS: 1893-2002“Criteria for Earthquake Resistance Design of Structures” (Fifth Revision).
- 2. IS: 4326-1993“Earthquake Resistant Design and Construction of Buildings”- Code of Practice (Second Revision).
- 3. IS: 13827-1993“Improving Earthquake Resistance of Earthen Building”- Guidelines
- 4. IS: 13828-1993“Improving Earthquake Resistance of Low Strength Masonry Buildings”-Guidelines.
- 5. IS: 13920-1993“Ductile Detailing of Reinforced Concrete Structures Subjected to Seismic Forces”- Code of Practice.

6. IS: 13935-1993“Repair and Seismic Strengthening of Buildings” - Guidelines

All development proposals, except ground floor that too of simple nature, submitted for permission shall accompany with undertaking from owner and/or Technical Person from particular category, in prescribed form, that he has personally satisfied with structural stability with relation to Earthquake Stability.

In case of a complicated or multi-storeyed building, if Commissioner considers that structural design needs to be verified by independent expert person/body/Institution, then shall send it to them and obtain his/it's opinion within a stipulated time. Thereupon developer shall carry out necessary corrections in the Structural Designs accordingly only after that Commencement Certificate shall be granted by the Commissioner. Fees required to be paid for this purpose will be paid by the developer only. For this purpose the Commissioner shall in advance prepare a panel of expert and fix fees chargeable.

- B)** In addition to above, guidelines given in Appendix “L” shall also be followed strictly.
- C)** In case of structures falling in multi-storied categories, special buildings, the owner has to submit structural stability certificate from registered structural engineer or firm after 10 years from the date of issuance of commencement certificate and then after every 5 years.
- D)** In other cases the owner shall submit structural stability certificate from registered structural engineer or firm after 20 years from the date of issuance of commencement certificate and then after every 10 years.
- E)** In case of failure of submission of such structural stability certificate as stipulated in (C) and (D) above the Commissioner shall impose a fine of Rs. 20000/- and Rs. 10000/- respectively and shall get such report from any structural engineer or firm registered with Corporation and shall recover any expenditure incurred in this behalf from the building owner.

209. PLUMBING SERVICES:

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 the water supply and drainage requirements of the Nanded Waghala City Municipal Corporation, Nanded and Part – IX Plumbing services, Section 1-Water Supply, Section 2-Drainage and sanitation, Section 3-Gas Supply of National Building Code of India.
2. **Requirements of Water Supply in Buildings** – The requirements of water supply for various occupancies shall be as given Tables 24A, 24, 25 and 26.
3. **Requirements of Sanitary Fittings** – The sanitary fitting and installations for different occupancies shall be as given in Tables 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37 and 38.

210. QUALITY OF MATERIALS AND WORKMANSHIP:

- (i) All materials and workmanship shall be of good quality conforming generally to accepted standards of Public Works Department of Government of Maharashtra and Indian Standard Specifications and Codes as included in Part-V Building Materials and Part-VII Constructional Practices and Safety of National Building Code of India.
- (ii) For housing schemes put up for EWS and LIG groups the quality of materials to be used shall be relaxed subject to the approval of the Authority, provided the housing units constructed of combustible materials are properly segregated from fire propagation point of view.
- (iii) Used Materials: The use of old building materials shall be allowed in construction provided that these conform to the standards of new materials as specified above.

- (iv) Storage of Materials: All building materials shall be stored on the building site in such a way as to prevent deterioration or impairment of their structural and other essential properties. Further, the storage of materials shall be done exclusively within a building plot. If in congested area or in gaothan, where it is not possible to store, within building plot, temporary storage of materials like sand, stone etc. shall be permitted on the public roads by Authority provided that such storage does not cause traffic nuisance, both pedestrian and vehicular.
- (v) All borrow pits dug in the course of construction and repair of buildings, roads or embankments, shall be deep and connected with each other in the formation of a drain directed towards the lowest level and properly sloped 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.

211. SIGNS AND OUTDOOR DISPLAY STRUCTURES:

- (i) The display of advertising signs on buildings and lands shall be in accordance with Part-X- Signs and Outdoor Display Structures of National Building Code of India.
- (ii) In addition to provisions of sub-regulations (i), the following provisions shall be complied with for permitting advertising signs in different land use zones:-
 - (a) Residential Zone R-1: The following non-flashing and non-neon signs with illumination not exceeding 40 watt.
 - (1) One name plate with an area not exceeding 0.1 sq. m. for each dwelling unit.
 - (2) For other users permissible in the zones, one identification sign or bulletin board with an area not exceeding 1.6 sq. m.
 - (3) "For Sale" or "For Rent" signs for real estate not exceeding 2 sq. m. in area provided they are located on the premises offered for sale or rent.
 - (b) Residential: zones with shop lines : R-2 non flashing business signs placed parallel to the wall and not exceeding 1.0 m. in height per establishment.
 - (c) Commercial Zones: Flashing or non- flashing business signs placed parallel the wall, not exceeding 1.0 m. height.
- (iii) Provided that such signs shall not face residential building.

Prohibition of advertising signs and outdoor display structures in certain cases.

Notwithstanding the provision of sub-regulations (i) & (ii), no advertising sign or outdoor display structures shall be permitted on buildings of architectural, aesthetical, historical or heritage importance as may be decided by the Commissioner, or on Government buildings, save that in the case of Government buildings only advertising signs or outdoor display structure may be permitted if they relate to the activities for the said buildings own purposes or related programmes.

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

212. STRUCTURAL DESIGN:

The structural design of foundations, elements made of masonry, timber, plain concrete, reinforced concrete, pre-stressed concrete and structural steel shall be carried out in accordance with Part-VI Structural Design, Section -1 Loads, Section-2 Foundation, Section-3 Wood, Section-4 Masonry, Section-5 Concrete, Section-6 Steel of National Building Code of India.

213. TESTS:

- (i) Whenever there is insufficient evidence of compliance with the provisions of these regulations or evidence that any material or method of design or construction does not conform to the requirements of these regulations, in order to sub-satiate claims for alternative materials, designs or methods of construction, the Commissioner may require tests sufficiently in advance as proof of compliance. These tests shall be made by an approved agency at the expense of the owner.
- (ii) Test methods shall be as specified by the regulations for the materials or design or construction in question. If there are no appropriate test methods specified in such regulations, the Commissioner shall determine the test procedure. For methods of tests for building materials, reference may be made to relevant Indian standards as given in the National Building Code of India, published by the Indian Standards Institutions. The latest version of the National Building Code of India shall be taken into account at the time of enforcement of these regulations.
- (iii) Copies of the results of all tests shall be retained by the Commissioner for a period of not less than two years after the acceptance of the alternative materials.

PART – VIII

SUPPLEMENT AND MISCELLANEOUS PROVISIONS

214. DELEGATION OF POWERS:

Except where the Commissioner's special permission is expressly stipulated, the powers or functions vested in him by these Regulations may be delegated to any municipal official under his control, subject to his revision if necessary and to such conditions and limitations, if any, as he may prescribe. In each of the said Regulations, the word, Commissioner shall, to the extent to which any municipal official is so empowered, be deemed to include such official.

215. INTERPRETATION:

- 1) In these Regulations, the use of the present tense includes the future tense, the masculine gender includes the feminine and neuter gender, the singular number includes the plural number and plural number includes the singular number. The word "Person" includes a Corporation as well as an individual; "Writing" includes printing and typing and "signature" includes thumb impression of a person unable to sign, provided that his name is written below such impression.
- 2) If any question or dispute arises with regards to interpretation of any of the above Regulations / Policies, the matter shall be referred to the State Government, which after considering the matter and, if necessary, after giving hearing to the parties, shall give a decision on the interpretation of the provisions of such Regulations/ Policies. The decision of the Government on the interpretation of such Regulations/ Policies shall be final and binding on the concerned party or parties.
- 3) Sizes and dimensions - Whenever sizes and dimensions of rooms and spaces within buildings are specified, they shall mean the clear dimensions, unless otherwise specified in these Regulations.

216. POWERS TO DELEGATE:

The State Government may, by notification in the Official Gazette delegate by a general or special order any of its powers under these Regulations, subject to such conditions as it may consider appropriate, to any officer of the State Government not below the rank of Deputy Secretary except those relating to any matter which is required to be dealt with under the special permission of the Commissioner.

**ASSISTANT DIRECTOR OF TOWN PLANNING
NANDED WAGHALA CITY
MUNICIPAL CORPORATION,
NANDED**

**COMMISSIONER
NANDED WAGHALA CITY
MUNICIPAL CORPORATION,
NANDED**

**MAYOR
NANDED WAGHALA CITY
MUNICIPAL CORPORATION,
NANDED**

**APPENDIX - “A”
(Regulation No.31)**

**QUALIFICATION, COMPETENCE, DUTIES AND RESPONSIBILITIES OF ARCHITECT /
LICENSED TECHNICAL PERSONAL FOR PREPARATION OF SCHEMES FOR
DEVELOPMENT PERMISSION AND SUPERVISION.**

1. GENERAL:

- 1.1 The qualification of the technical personnel and their competence to carry out different jobs for development permission and supervision for the purpose of licensing by the Commissioner shall be as given in Clause-2 to 9. The procedures for licensing the technical personal are given in Clause-10.

2. ARCHITECT:

2.1 Qualification:

The minimum qualifications for an Architect will be the Associate Membership of Indian Institute of Architect or such Degree or Diploma which makes him eligible for membership or such qualification listed in Schedule XIV of Architects Act, 1972 and shall be registered with the Council of Architecture as per Architects Act, 1972.

2.2 Competence:

The registered Architect shall be competent to carry out work related to Building / Development Permission as given below and shall be entitled to submit:

- a) All plans and information connected with building permission;
- b) Structural details and calculations for building on plots up to 500 Sqm. and up to 3 storeys or 11m. in height and;
- c) Issuing certificate of supervision and completion of all buildings pertaining to architectural aspects.
- d) Preparation of sub-division / layout plans and related information connected with development permission.

3. ENGINEER:

3.1 Qualification:

The minimum qualification for licensing of Engineer will be the Corporate Membership (Civil) of Institution of Engineers (India) or such Degree or Diploma in Civil which makes him eligible for such membership.

3.2 Competence:

The registered engineer shall be competent to carry out the work related to Building / Development Permission as given below:

- a) All plans and related information connected with building/development permission;
- b) Structural details and calculations of such buildings on plots up to 500 Sqm and up to 5 storeys (15 m. in height).
- c) Issuing certificate of supervision for all such buildings.
- d) Sanitary /water supply works for all type of buildings.

4. STRUCTURAL ENGINEER:

4.1 Qualification:

The minimum qualification for Structural Engineer shall be a graduate in Civil Engineering of recognised Indian or Foreign University, or Corporate Member of Civil Engineer Division of Institute of Engineers (India), and with minimum 3 years experience in Structural Engineering practice with designing with field work.

Note : The 3 years experience shall be relaxed to 2 years in case of post-graduate degree of recognised Indian or Foreign University in the branch of Structural Engineering. In case of doctorate in Structural Engineering, the experience required would be one year.

4.2 Competence:

All plans and related information connected with building/development permission.

The registered Structural Engineer shall be competent to submit the structural design, calculations and details for all buildings and supervision over it.

- 4.3 In case of complicated buildings or buildings having special structural features, as decided by the Commissioner, which are within the horizontal areas and vertical limits specified in 2.2 and 3.2 shall be designed only by Structural Engineers if necessary in association of registered Architect.

5. TOWN PLANNER:

5.1 Qualification:

The minimum qualification for Town Planner shall be the Associate Membership of Institute of Town Planners New or graduate or post graduate degree in Town and Country Planning.

5.2 Competence:

The registered Town Planner shall be competent to carry out the work related to the development permit as given below.

- a) Preparation of plans for land sub-division / layout and related information including services connected with development permission for all areas and size.
- b) Issuing of certificate of supervision and completion for development of land of all areas.

Note: However, for land layouts for development permission above 5 hectare in area, Landscape Architect shall also be associated, and for land development infrastructural services for roads, water supply, sewerage / drainage, electrification, etc. the registered engineers for utility services shall be associated.

6. LANDSCAPE ARCHITECT:

6.1 Qualification:

The minimum qualification for Landscape Architect shall be Bachelor or Master's Degree in Landscape Architecture or equivalent from recognised Indian or Foreign University.

6.2 Competence:

The registered Landscape Architect shall be competent to carry out the work related to landscape design for building / development permission for land area 5 hectares and above.

7. URBAN DESIGNER:

7.1 Qualification:

The minimum qualification for Urban Designer shall be the Master's Degree in Urban Design or equivalent from recognised Indian or Foreign University.

7.2 Competence:

The registered Urban Designer shall be competent to carry out the work related to the building permission for Urban Design for land areas more than 5 hectares and campus area more than 2Ha. He / She shall also be competent to carry out the work of urban renewal for all areas.

8. ENGINEERS FOR UTILITY SERVICES:

For buildings identified in Regulation 17 (Multi-storeyed/special buildings) the work of building electrical, plumbing, etc. services which includes planning, design and supervision shall be executed under the competent personnel.

8.1 Qualification:

The qualification for registered Mechanical Engineer (including HVAC), Electrical Engineer and Plumbing Engineer for carrying out the work of Air Conditioning, Heating and Mechanical Ventilation, Electrical Installations, Lifts and Escalators, Water Supply, Drainage, Sanitation and Gas Supply Installation respectively.

9. CLERK OF WORKS / SITE SUPERVISOR:

9.1 Qualification:

A Degree in Civil Engineering or its equivalent qualification recognised by All India Board of Technical Education or Diploma In Civil Engineering recognised by State Board of Technical Examination of any state in India. A degree in Architecture or diploma in Architecture equivalent qualification to degree.

In addition to the above qualifications, the applicant should have at least three years experience in professional work if he is holder of Diploma in Civil Engineering and must have at least one year experience if he is a holder of Degree in Civil Engineering or degree in Architecture OR

Diploma in Building construction technology from a recognised institute and at least five years experience in building construction line OR

Bachelor's degree with specialised training in building construction and technology at Bachelor's level from a recognised institute and at least two years experience in construction work.

9.2 Scope of Work:

Execution of all framed structure high rise buildings, public buildings, buildings with basement/cellar, and irrespective of above type buildings / construction in all building units having built-up area more than 1000 Sqm.

10. SUPERVISOR:

10.1 Qualification:

The qualification for licensing of supervisor is:

a) For Supervisor-I

- i) Three years architectural assistantship or intermediate in Architecture with two years experience; or
- ii) Diploma in Civil Engineering with two years experience.

b) For Supervisor-II

- i) Draftsman in Civil Engineering from I.T.I. with five years experience under Architect/Engineer.

10.2 Competence :

- a) For Supervisor-I
 - i) All plans and related information connected with Building Permit on plots up to 200 Sqm and up to two storeys; and
 - ii) Certificate of Supervision for limits at (i) above.
- b) For Supervisor-II
 - i) All plans and related information connected with Building Permit on plots up to 100 Sqm and up to two storeys; and
 - ii) Certificate of Supervision for limits at (i) above.

11. GROUP OR AGENCY:

When an agency or group comprising of qualified architect/engineer is practicing the qualifications and competence, given under Bye-law 2, 3 and 4 and the agency shall be licensed by the Corporation and head of the Group or Agency will be responsible for all Acts and Deeds done under these regulations.

12. DEVELOPER / BUILDER:

12.1 Qualification and Experience:

- (a) Indian Nationality, and
- (b) Company, Society, Partnership firm / person who may be the member of Association which were affiliated with National association like Confederation of Real Estate Development Association of India (CREDAI), Indian Institute of Architects (IIA / CA). Institution of Engineers, Institute of Town Planners, Builders Association of India (BAI) etc. and shall be preferable.
- (c) The person who has skill to employ and build or to execute work on building / structure and also to sell the same or where no person is employed the owner of the building or structure, and
- (d) The experience of 3 years required in building construction Industries and
- (e) Furnishes Solvency Certificate of Rs.5, 00,000/- for members of associations as mentioned in (b) above or Furnishes Bank Guarantee of Rs.5, 00,000/- for non members of above associations.
- (f) Income Tax Return with computation of last three years.

12.2 Duties and Responsibilities:

The responsibilities of developers shall be:

1. To obtain and submit to the Commissioner/Competent Authority, along with application for development permission, each progress report and application for occupation certificate,
2. To appoint a Registered Architect / Engineer and Structural Designer.
3. To obtain at relevant stages certificates from them, for submission to the Competent Authority, that in designing the real estate development and providing detailed drawings and specifications for it they have complied with requirements as laid down in these Regulations.
4. To appoint a registered site supervisor.
5. To obtain and adhere to the quality assurance procedure prepared by the site supervisor.
6. To adequately enable the site supervisor to carry out his responsibility.

7. To certify along with the site supervisor that construction of the real estate development has been carried out as per the design, detailed drawings and specifications provided by the Architect / Engineer and Structural Designer.
8. To obtain development permission from the Competent Authority prior to commencement of construction of the real estate development.
9. To regularly submit progress reports and certificates as required by the Competent Authority.
10. To inform in writing the Competent Authority within 7 days, if for any reason he ceases to be the developer or is relieved of his responsibilities as the developer of real estate development.
11. To inform in writing the Competent Authority within 7 days, if for any reason any of the registered professional appointed by him have been relieved of their responsibilities.
12. The appointment of the registered Architect / Engineer shall mean that he has authorised the Architect/Engineer to do all things necessary and to take all adequate measures for preparing the design, drawings, and specifications for the project and to appoint on his behalf appropriate persons to act as registered, clerk of works, site supervisor, required for the proper execution of the project and to retain on behalf of the owner any other specialist or expert required on the work of the project.
13. He shall not cause or allow any deviations from the approved drawings in the course of the execution of the project against the instructions of Architect / Engineer / Site Supervisor / Clerk of Work / Structural Engineer and shall bear all responsibility for any irregularity committed in the use and function of the building or its parts for which the approval has been obtained.
14. When no registered construction contractor or site supervisor is required to be appointed and not appointed he shall be responsible for their duties and responsibilities under the Regulations.
15. He shall not commence the use of building or shall not give the possession to occupy the building to any one before obtaining the occupancy certificate from the Competent Authority.
16. He shall provide adequate safety measures for structural stability and protection against fire hazards likely from installation of services like electrical installations, plumbing, drainage, sanitation, water supply etc. wherever required under the regulations.
17. He shall exhibit the names of registered persons only, on site and no additional names will be exhibited / displayed.
18. He shall explain the construction design and its intended use as per approved plan only, to the prospective purchaser of the premises under construction.

13. PLUMBER:

Plumbers shall be licensed by the Corporation having the following qualifications.

- a) Certificate of training from I.T.I. for the trade with minimum two years experience of execution of sanitary and plumbing works under any Govt. Department/ Local Bodies or Architect/licensed Engineer.

13.1 Competence:

A licensed plumber shall be competent to do the following jobs independently.

- a) Submission of sanitary plans up to 500 Sqm. plot size and four storeyed buildings.
- b) Execution/supervision of sanitary works up to 500 Sqm. plot size and four storeyed buildings.
- c) Execution of sanitary works for all kind of buildings under the supervision of Architect /all licensed Engineer.

14. LICENSING:

14.1 Technical personnel to be licensed:

The qualified Technical Personnel or Group as given in paragraphs 2,3,4,5,6,7,8 and 9 shall be licensed by the Commissioner and the license shall be valid for one calendar year ending 31st December after which it shall be renewed annually.

14.2 Fees for licensing:

The annual licensing fees shall be as follows:

- | | | |
|---|-------|-----------------------|
| i) For Engineers / Structural Designers /
Town Planners / Landscape Architects /
Urban Designers / Engineers for Utility
Services. | | Rs. 1500/- per annum. |
| ii) Developers/ Builder | ..... | Rs. 5000/- per annum. |
| iii) For Clerk of Works/ Site Supervisors | ..... | Rs. 1000/- per annum. |
| iv) For Plumbers | ..... | Rs. 500/- per annum. |

Above licensing fee, if any, shall be payable as prescribed by the Corporation from time to time.

Note: *No fee shall be charged for granting license to the Technical Persons if they are registered with any Institute which is created under Statues, such as Council of Architecture, Institution of Engineers and like.*

15. DUTIES AND RESPONSIBILITIES OF LICENSED TECHNICAL PERSONS:

The duties and responsibilities of licensed technical person's shall be as follows;

It will be incumbent on every licensed technical person in all matters in which he may be professionally consulted or engaged to assist and co-operate with the Municipal Commissioner of Nanded and other Municipal Officers in carrying out and enforcing the provisions of the Act, and of any bye-laws for the time being in force under the same.

- 1) Every licensed technical person shall be in every case in which he may be professionally consulted or engaged, be responsible, so far as his professional connection with such case extends, for the compliance with the provisions of Chapters XII, XIV, and XV of the B.P.M.C. Act, 1949, Maharashtra Regional and Town Planning Act, 1966 and of any rules, regulations or bye-laws for the time being in force under the said Acts or such of them as may respectively be applicable to the circumstances of the particular case and in particular it will be obligatory on him to satisfy himself that a qualified and competent site supervisor with prescribed qualifications is constantly employed and present on the work to supervise the execution of all works and to prevent the use of any defective material therein and improper execution of any such work.
- 2) In every case in which a licensed technical personal is professionally concerned in connection with any building or work upon any premises in respect of which a right of require a set- back has occurred or is about to occur to the Commissioner under the provisions of sections 210 and 211 of B.P.M.C. Act. 1949 or any of them, it will be

incumbent on such licensed personal to ascertain whether “The regular line of the street” has been prescribed under section 210 and whether any portion of the said premises is required for the street and no licensed technical personal must, on any account or under any pretext whatever, be a party to any evasion or attempted evasion of attempted evasion of the set-back (if any) any that may be required.

- 3) In every case in which a licensed technical personnel is professionally concerned in connection with any building or work upon any premises designed or intended to be used for any purpose in respect of with the written permission or license of the Commissioner, is prescribed by the said Act as a necessary condition to the establishment or use of such premises for such purpose, it shall be incumbent on such licensed technical personnel, so far as his professional connection with such case extends, to see the all conditions prescribed by the said Act, or by any bye-law or rules/regulations for the same being in force there under are duly fulfilled or provided for.
- 4) Licensed technical personnel shall not carry out any work in connection with any building or other erection on a plot of land leased or agreed to be leased by the Corporation in contravention of any term or condition of the lease or agreement for lease.
- 5) They shall immediately intimate to the owners the corrections and other changes they make on the plans, documents and details as per requisitions/queries from the Commissioner/Competent Authority.
- 6) They shall clearly indicate on every plan, document & submission, the details of their designation such as registered Engineer, registered Structural Designer etc. with registration number with date, full name and their address below the signature for identification.
- 7) They or their authorised agent or employee, shall not accept the employment for preparation and submission of plans-documents and supervision of any work if the same is intended or proposed to be or being executed or already executed in contravention of provisions of Maharashtra Regional and Town Planning Act, 1966 and rules and regulations made under it and any regulations or rules for the time being in force under the Act.
- 8) They shall compulsorily appoint a clerk of works irrespective of type of building/construction in all building units having proposed built-up areas more than 1000 Sqm. for over all constant supervision of construction work on site and such person appointed shall not be allowed to supervise more than one such site at a time.
- 9) When licensed technical personnel cease to be in the employment for the development work, he shall report the fact forthwith to the Commissioner.
- 10) Every technical personnel must certify on the plan that, the plans prepared by him are in accordance with the norms as specified by Indian Standards Institute and he will be held responsible for any harm caused in earthquake due to negligence of the standards. If it is not possible for him to certify, then same should be obtained from Indian Structural Institute and accordingly be noted on plan.

**APPENDIX – “A-1”
(Regulation No.31.1)**

1. RESPONSIBILITIES OF PERSONS ON RECORD.

1.1 Advocate on record (abbreviated as AdOR)

The Advocate on Record shall:

1. Verify ownership records of the plot on which building is proposed.
2. Certify that the applicant for the Building Permit is the Owner of the plot for which the Building Permit is applied for in a prescribed format.

1.2 Architect on Record (abbreviated as AOR)

The Architect on Record shall:

1. Be the Person on Record responsible for ensuring compliance with all procedural requirements of these Regulations.
2. Scrutinised and verify the architectural design and specifications of the proposed building.
3. Certify that architectural designs and specifications of the proposed building comply with these Building Regulations using the format prescribed by the Corporation.
4. Immediately inform the Commissioner in writing, if in his opinion, the construction of the building is not being undertaken in accordance with the sanctioned design and specifications using the format prescribed by the Corporation.
5. Inform the Commissioner in writing, within 7 working days, if for any reason he is relieved of his responsibilities as the Architect on Record for the building using the format prescribed by the Corporation.

1.3 Structural Engineer on Record (abbreviated as SEOR):

The Structural Engineer on Record shall:

1. Scrutinize and verify the structural design and specifications of the proposed building.
2. Certify, that the structural design and specifications of the proposed building comply with these Building Regulations, using the format prescribed by the Corporation.
3. Immediately inform the Commissioner in writing, if in his opinion, construction of the building is not being undertaken in accordance with the structural design and specifications stipulated by him, using the format prescribed by the Corporation.
4. Inform the Commissioner in writing, within 7 working days, if any reason he is relieved of his responsibilities as the Structural Engineer on Record for the building using the format prescribed by the Corporation.

1.4 Construction Engineer on Record (abbreviated as CEOR):

The Construction Engineer on Record shall:

1. Undertake all necessary measures, including but not limited to, adequate inspection during construction to ensure that the construction of the building is undertaken as per detail design and specifications stipulated by the Architect on Record and by the Structural Engineer on Record.

2. Provide and undertaking to the Commissioner, along with the Notice of Commencement of Construction, that the construction of the building shall be undertaken as per detailed designs and specifications stipulated by the Architect on Record and by the Structural Engineer on Record, using the format prescribed by the Corporation.
 3. Certify to the Commissioner, at stages prescribed in these Regulations, that the construction of the building has been carried out as per detailed design and specifications provided by the Architect on Record and Structural Engineer on Record, using the format prescribed by the Corporation.
 4. Immediately inform the Commissioner in writing, if construction of the building is not being undertaken in accordance with the design and specifications stipulated by the AOR and the SEOR, using the format prescribed by the Corporation.
 5. Inform the Commissioner in writing, within 7 working days, if any reason he is relieved of his responsibilities as the Construction Engineer on Record for the building using the format prescribed by the Corporation.
- 1.5** Minimum Qualification and Competence shall be same as given in Appendix-A respectively in case of Technical persons and Advocate shall be registered with Bar Council of India.

APPENDIX – “B”
(Regulation No.78)

LAND USE CLASSIFICATION AND USES PERMITTED.

B- 1 Power of Granting Permission:

Where it is specified that a particular use is to be allowed only with the special permission of the Commissioner, the power of granting such permission shall be exercised by the Commissioner or Assistant Director of Town Planning or such officer designated by the Commissioner.

B- 2 Purely Residential Zone (R-1 zone): The Plots abutting on roads below 9 m width in non-congested area and 6 m in congested area:

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

- i) Customary home occupations with motive power total load not to exceed 1 H.P.
- ii) Medical and dental practitioner's dispensaries, including pathological laboratory, diagnostic clinics, polyclinics to be permitted on any floor above with restriction of one dispensary or clinic per building. However, maternity homes, clinics, nursing home on stilt floor or on first floor with separate means of access of staircase from within the building or outside but not within the prescribed marginal open spaces in any case with the special permission of Municipal Commissioner.
- iii) Nursing homes, polyclinics, maternity homes and medical practitioners / consultants in different disciplines of medical sciences in independent buildings or independent parts of buildings on the ground floor, floor 1 and floor 2 with separate means of access /staircase from within the building or outside, out not within the prescribed marginal open spaces in any case, and with the special permission of the Commissioner.
- iv) Professional offices and studies of a resident of the premises and incidental to such residential use, or medical and dental practitioner's dispensaries or clinics of a resident of the building with only outpatient treatment facilities without any indoor work, each not occupying a floor area exceeding 30 Sqm.
- v)(1) Educational building, excluding building of trade schools but including students' hostels in independent buildings, religious buildings, community halls, welfare centres and gymnasia;

Provided that the Commissioner may, by order, permit Montessori Schools, kindergarten Classes or balak mandir in a part of residential building on the ground floor or on the floor above the stilts if the area thereof is not less than 40 Sqm. and no nuisance is likely to be caused to the residents of the building:

- (2) In the lands belonging to educational institutions while constructing buildings for educational and related purpose at least 40% of total holding shall be reserved at one place for playground.

Provided further that in congested localities where it is not possible to provide a separate building for a school, the Commissioner may allow a primary school in any part of or on any separate floor of a residential building. In doing so, he shall take into account the location, room sizes, means of access, water and sanitary arrangements and there relevant factors. He shall also ensure that a staircase is easily accessible from the entrance and serves the classrooms. The school shall also conform to other requirements of educational buildings stipulated in Regulation 170.

- vi) Public libraries on the ground floor and floor one or on two consecutive floors immediately above the stilts in a building constructed on stilts, and museums in part or entire building.
- vii) Club houses, or gymkhanas not conducted as a business, and on independent plot which may have an extension counter of only branch of a bank, in such club- houses or gymkhanas.
- viii) Public or private parks, gardens and playfield in independent plots not utilized for business purposes, but not amusement parks.
- ix) Bus shelters, bus stations, bus depots, railway stations, taxi – stands and heliports, on independent plots.
- x) Radio broadcasting and television studios and sound recording and dubbing studios in independent buildings or part of, building or in independent plots, with the permission of the Commissioner.
- xi) Places for the disposal of human bodies, subject to the Corporation's approval.
- xii) Police stations, telephone exchanges, Government sub-office, municipal sub-office, sub-offices of Electric supply and transport undertaking or the concerned electric company, consulate offices, post and telegraph offices, branches of banks including safe deposit vaults, electrical sub-stations, receiving stations, fire stations, civil defence warden posts and first aid posts, home guards and civil defence centres, water purification and packaged drinking water unit, pumping stations, sewage disposal works and water supply installations and ancillary structures thereof required to cater to the local area on roads of width of not less than 12 m. however, a branch of a bank with a safe deposit vault may be permitted on roads of less than 12 m except that the area of such bank including the vault shall not exceed 400 Sqm.
- xiii) Storage of liquefied petroleum gas cylinders (bottled gas) for domestic consumption not exceeding 300 kg. In a residential building and not exceeding 8000 kg in an independent ground floor structure (except a garage) at any one time, with the special permission of the Commissioner and subject to compliance with statutory safety requirements.
- xiv) General agriculture, horticulture and poultry farming (but not dairy farming) in the areas other than congested area, poultry farming being permitted at the rate of 0.25 Sqm. built up area per bird in an independent plot measuring not less than 1 ha.

Provided that no offensive odours, dirt and / or dust are created, that there is on sale of product not produced on the premises, and the accessory buildings are not located within of 9 m. the boundaries or 6 m. from the main buildings on the plot.

Provided further that the above restriction on space shall not apply to any poultry kept for domestic consumption only.

- xv) Where the commercial zone boundary or a street of and between 12.00 m. and 25.00 m. width is at least 400 m. away, convenience shops at the rate of one shop per 15 tenements on ground floor or in semidetached ground floor building, with no other use over it, may be permitted provided that the remaining area on the ground floor is used for parking purposes in conformity with these Regulations. Such shopping uses will not be permissible in more than two adjoining plots in any locality and shall not cover more than 5 per cent of the plot area.
- xvi) Flour mills, (with the special permission of the Commissioner) if (a) they are in a single storied detached or semi-detached structure, and (b) their power requirement does not exceed 7.5 K.W. each.
- xvii) Research, experimental and testing laboratories not involving any danger of fire or explosion or of any obnoxious nature and located on plot not less than 4 ha. in area,

provided that the laboratory is at least 30 m from any of the boundaries of the site and the accessory residential building 30m from the laboratory.

- xviii) Petrol filling and service stations not employing more than 9 persons on sites not more than 1100 Sqm. on roads 9 m and above with the special written permission of the Authority and with minimum clearance of 6m. from all boundaries excepting road side for structure above and below ground and subject to all other regulations applicable to petrol filling stations.
- xix) The lodging house use may be permitted, provided plot is situated on 18 m width or more and area in the nearby vicinity is predominantly non-residential. Lodges may be allowed on separate floor with a separate staircase.

B - 3 Residential Zone with Shop Line (R-2 Zone):

- 1) The residential zone with shop line (R-2 zone) in which shopping will be permissible as indicated herein, will comprise of ; -
 - a) Plots in a residential zone along roads having existing or prescribed width of 12 m and between 25 m

Provided that above restrictions on shopping will not apply to the reconstruction or redevelopment of an existing building having existing shopping users.

 - b) All uses permitted in R-1 Zone shall be permitted in R-2 Zone.
- 2) Notwithstanding anything contained in this Regulation, for reasons of congestion, traffic or nuisance, new shopping or convenience shopping, even if otherwise permissible, the Commissioner may not, for reasons to be recorded in writing, permit such shopping.
 - 3) Uses permitted in the Residential zone with shop live (R-Zone);

The following uses shall be permitted in buildings, premises or plots in the residential zone with shop line:-

- i) All uses permitted in the purely residential zone (R-1 zone)
- ii) Stores or shops for conduct of retails business, including departmental stores. There will, however, be no storage or sale of combustible material except with the Commissioner's special permission.
- iii) Personal services establishments, only in the areas other than congested areas.
- iv) Hair dressing saloons and beauty parlours.
- v) Frozen food stores.
- vi) Shoe repair and sports shops.
- vii) Professional offices each not exceeding 100 sq. m. in area only in the area other than congested areas.
- viii) Shops for the collection and distribution of clothes and other materials for cleaning, pressing and dyeing establishments.
- ix) Tailoring, embroidery and button – hole making shops, each employing not more than 9 persons.
- x) Cleaning and pressing establishments for clothes, each occupying a floor area not more than 200 sq. m. and not employing solvents with a flash point lower than 59 degree centigrade, machine with dry load capacity not exceeding 30 kg. And employing not more than 9 people.

Provided that the total power requirement does not exceed 4 KW.

- xi) Shops for goldsmiths, lock – smiths, watches and clocks and their repairs, bicycles and their rental and repairs, optical glass grinding and repairs, musical instruments and their repairs, picture – framing, radio, television and household appliances and their repairs, umbrellas and their repairs and upholstery work, each employing not more than 9 persons.
- xii) Coffee grinding establishments with electric motive power not exceeding 0.75 K.W. (0.025 K.W. individual motor each.)
- xiii) Restaurants, eating houses, cafeterias, ice cream and milk bars under one establishment with total area not exceeding 200 sq. M. on the ground and / or on first floor of a building with the special permission of the Commissioner.
- xiv) Bakeries, with no floor above, each not occupying for production an area more than 75 sq. m. and not employing more than 9 persons if the power requirement does not exceed 4 K.W where only electrical ovens are used, an additional heating load upto 112 KVA being permitted.
- xv) Confectioneries and establishments for the preparation and sale of eatables each not occupying for production an area more than 75 sq. m. per establishment and employing not more than 9 persons, motive power not exceeding 1.12 KW as well as sugarcane and fruit motive power not exceeding 1.12 KW as well as sugarcane and fruit juice crusher each employing not more than 6 persons with motive power not exceeding 1.12 KW and area not more than 25 sq. m.
- xvi) Printing presses with aggregate motive power each not exceeding 3.75 KW and not employing more than 9 persons and individual electric motors of not more than 1.5 KW.
- xvii) Trade and other similar schools, not involving any danger of fire or explosion, or offensive noise, vibration, smoke, dust, odour, glare, heat or other objectionable features.
- xviii) Vegetable, fruit, flower, frozen fish, frozen meat or frozen food shops.
- xix) Battery charging and repairing establishments each not employing more than 6 persons with an area not more than 25 sq. m. and not more than 2 charges with power not exceeding 5 KW.
- xx) Photographic studios with laboratories, Xeroxing, photo – copying, video – taping establishments etc. and their laboratories, each with an area not exceeding 50 sq. m. and employing not more than 9 persons and not using power more than 3.75 K.W.
- xxi) Coal or fire – wood shops.
- xxii) Local sub-offices of any public utility
- xxiii) Electronic industry of assembly, but not of manufacturing type, with the Commissioner's special permission, subject to following restrictions:
 - a) Only on the ground floor each with an area not exceeding 50 sq. m.
 - b) Total electric power inclusive of motive power and heating load not to exceed 3.75 KW.
 - c) Employing not more than 9 persons each.
- xxiv) Pan shops.

- xxv) Art galleries i.e. display shops under one establishment with total area not exceeding 200 Sqm. on the Ground floor and / or floor 1 internally connected.
 - xxvi) Undertaker's premises.
 - xxvii) Establishments using power only for heating, refrigeration or Air-conditioning purposes.
 - xxviii) Private lockers in the congested area. The total area shall not exceed 400sq.m. each.
 - xxvix) Data – processing unit, with use of computers.
 - xxx) Repairing garages, without activities of body – building and spray painting, each employing not more than 9 persons or using 1.5 KW. Motive power with no floor above, with the permission of the Commissioner to be allowed to function only between 08 and 20 hours.
 - xxxi) Motor driving schools, with the permission of the Commissioner.
 - xxxii) Travel agencies, ticket booking and selling agencies for air, surface or water travel or transport of any other modes of travel or transport.
 - xxxiii) Accessory uses customarily incidental to any permitted principal use, including storage up to 50 per cent of the total floor area of the principal use.
 - xxxiv) Notwithstanding anything contained in these Regularities, Information Technology Establishment (pertaining to software only) on the plots / premises fronting on roads having width more than 12 m.
 - xxxv) Telecom shop, Telecom Maintenance Centre, Cyber Cafe on the ground floor duly conducted by the agencies licensed by public organisations like BSNL, etc. in accordance with conditions prescribed by the Commissioner.
- 4) **Conditions governing additional uses permitted in the R – 2 zones:** the uses permissible in the R-2 zones shall be restricted and subject to the conditions below:
- i) A depth of 12 m. measured from the building line along the front portion abutting the only shall be provided.
 - ii) All goods offered for sale or display should be within the premises comprising the shop and should not be kept in the passages or open spaces.
 - iii) Commercial user shall be permitted to the full capacity of plot.
 - iv) Motive power, unless otherwise specifically indicated, shall not exceed 2.25 KW per shop, with on individual motor exceeding 0.75 KW on power being allowed to be sub-let.
 - v) Power may be discontinued if the Commissioner is satisfied that the particular use is a nuisance to the residents.
 - vi) No relaxation in parking and marginal open spaces shall be allowed.
- 5) With the special permission of the Commissioner, shopping uses and departmental stores may be fully in the building, subject to the following conditions:-
- i) The side and rear marginal open spaces shall not be less than 6 m. in width.
 - ii) No back – to – back shops would be permitted unless they are separated by a corridor at least 2.00m. in width which shall be properly lighted and ventilated.

- iii) All goods offered for sale or displayed should be within the premises comprising the shop and should not be kept in the passages or open spaces.

Provided that such shopping users and department stores may be permitted in the entire building where the whole building is in occupation of one establishment or of a co-operative society only and subject to the above conditions.

- 6) Notwithstanding anything contained in these Regulations convenience shops as defined in Regulation No.4.41 may be permitted on all roads, having width of 9 m. or more only.
- 7) Service industry as specified in Table No. 18 may be permitted.
- 8) Uses permitted in independent premises / building in the Residential zone with shop line (R-2 zone): The following uses may be permitted in independent premises/ building / plots in the R-2 Zone:

- i) Drive – in – theatres, theatres, cinemas, club – houses, assembly or concert halls, dance and music studios and such other places of entertainment. These uses may be permitted in combination with permissible non-residential uses except that of petrol pump, with the special permission of the Commissioner.

Provided, however, in the case of a cinema / theatre the front open shall be minimum 12m. and the side and the rear open spaces shall not be less than 6 m.

Provided further that in the case of development and / or re-development of a cinema / theatre, the user for a cinema / theatre may be permitted in combination with the permissible users in a residential zone with a shop line (R – 2 zone) excluding the users bakery, confectionary, trade and other similar schools and coal or fire wood shops, with a cinema / theatre being permitted underneath or above any building subject to compliance with fire and safety requirements specified by and to the satisfaction of the Chief Fire Officer. However, residential user in combination with that of a cinema / theatre may not be allowed in the same building.

Provided further that the redevelopment of a plot allocated for a cinema / theatre shall be subject to such conditions as may be prescribed by the Government from time to time.

On plot / lands where there is existing Cinema Theatres, redevelopment of the plots shall be allowed subject to the condition that at least 1/3rd of the existing seats shall be, which shall not be below 150 seats, subject to the following.

A) Users Permitted:

Residential user may be permitted provided redevelopment conforms to the measures including any special measures prescribed by Municipal Commissioner in regard to Fire prevention. Protection and safety, means of escape in the case of emergency provided to the satisfaction of the Municipal Authority.

Effective vertical separation against the spread of fire between Cinema and residential development.

Separate entry and exists shall be provided for the residential users, and parking requirements as prescribed for such type of user shall have to be provided.

- 9) On redevelopment, the F.S.I. shall be as otherwise admissible for the permissible users under the Development Control Regulations.

All other provisions in the Development Control Regulations will be applicable in these cases.

In the event of any dispute arising about the interpretation of these provisions it shall be referred to the State Government in Urban Development Department and its decision shall be final.

- i) Petrol / Gas / C. N. G. filling and service stations each employing not more than 9 persons in combination with other permissible uses in the zone subject to clearance by the Controller of Explosives and Chief Fire Officer, and observance of such conditions as they may prescribe and with the permission of the Commissioner.
- ii) Trade or other similar schools.
- iii) Bulk storage of kerosene and bottled gas for domestic consumption with the special permission of the Commissioner.
- iv) Parking of automobiles and other light vehicles on open plots as a business or otherwise.
- v) Fish or meat shops.
- vi) Residential hotels or lodging houses in independent building or parts of buildings or on upper floors thereof with special written permission of the Commissioner, who will take into account the suitability of the size and shape of the plot, means of access, water and sanitary arrangements etc., before granting the permission. The Commissioner shall not permit such use unless he is satisfied about the provision of these arrangements.

Provided further that development of residential hotels of 4 & 5 star categories may be allowed only in an independent plot of size not less than 2500 Sqm. and on roads of 18 m. width or more. A hotel of lower star category being also allowed on a separate floor of a premises or a building with separate access.

Provided further that development of residential hotels of the star categories shall be permitted by the Commissioner, only after the approval of the Superintendent of Police (from Law, Order and Traffics point of view) and the Managing Director, Maharashtra Tourism Development Corporation Ltd.

- vii) General agriculture, horticulture and domestic poultry, with limitation of keeping of upto 20 birds at the rate of 0.25 Sqm. per bird.
- viii) Repairing garages not employing nor more than 9 persons or 1.5 KW. Motive power with no floor above, with the permission of the Commissioner.
- ix) Business offices on roads of 18 m. width and more subject to the fulfilment of parking and other requirements except that balconies if any of such building shall not be free of F.S.I.
- x) Correctional and mental institutions, institutions for children, the aged or widows, sanatoria and hospitals (except veterinary hospitals) with the special permission of the commissioner, provided that those principally for contagious diseases shall be located not less than 36 m. from any boundaries.
- xi) Stadia.

B- 4 Commercial Zone / Local Commercial Zone: (C-1 Zone);

1) Uses permitted in commercial zone – the following uses are permissible in the C-1 Zone.

- i) Any uses permitted in a residential zone with a shop line (R-2 zones)
- ii) Confectioneries, bakeries and establishments for the preparation and sale of eatable each not occupying for production an area in excess of 250 sq. m. per establishment and employing not more than 25 persons or using power exceeding

10 KW with no upper floors, over the furnace portion. If only electrical ovens are used, an additional load of up to 24 KVA may permit.

- iii) Auto part stores and show room for motor vehicles and machinery.
- iv) Sale of used of second hand goods for merchandise, excepting for Junk, cotton and other waste rags or other materials of an offensive nature.
- v) Club houses or other recreational activities conducted as business (with an extension counter or branch of a bank).
- vi) Storage of furniture and housed hold goods.
- vii) Retailing of building materials, open or enclosed with not more than 500 sq. m. of area per establishment.
- viii) Pasteurizing and milk processing plants each employing not more than 9 persons and 7.5 KW motive power within an area not more than 50 sq. m.
- ix) Printing, book – binding, engraving and block – making, each with an area not exceeding 120 sq. m. and motive power not exceeding 7.5 KW per establishment.
- x) Veterinary dispensaries and hospitals and kennels in the area other than congested areas.
- xi) Supari and masala grinding / pounding using motive power not exceeding 7.5 KW or occupying more than 25 sq. m. area, with the special permission of the Commissioner.
- xii) Prisons and animal pounds only in areas other than congested areas from extended corporation limits.
- xiii) Repair, cleaning shops and analytical experimental or testing laboratories each employing not more than 15 persons (but not including cleaning and dyeing establishments, using a cleaning or dyeing fluid having a flash point lower than 59 Degree centigrade and machines with dry – load capacity not exceeding 30 kg. Or any establishment carving on activities that are offensive because of emission of odours dust, smoke, gas, noise or vibration or otherwise dangerous to public health and safety), provided that the motive power requirement of each such establishment does not exceed 7.5 KW.
- xiv) Paper – box manufacturing, including paper - cutting, each employing not more than 9 persons with motive power not exceeding 3.75 KW and area not more than 50 Sqm.
- xv) Mattress making and cotton cleaning, each employing not more than 9 persons with motive power, not exceeding 2.25 KW and is not more than 50 Sqm. per establishment.
- xvi) Establishments requiring power for sealing tins, packages, etc, each employing not more than 9 persons with motive power not exceeding 2.25 KW.
- xvii) Ice factories in independent buildings, each with an area of not more than 250 Sqm. and power not more than 34 KW.
- xviii) Business offices, including trade exchanges.
- xix) Accessory use, customarily incidental to any permitted principal use including storage space up to 50 per cent of the total floor area occupied for the principal use.
- xx) Aquariums.

- xxi) Travel agencies ticket booking and selling offices for air, surface of water travel or transport or other mode of travel or transport.
 - xxii) Service industries listed in Table No.18.
- 2) General conditions governing the uses permitted in 'C'-1 zone:
In buildings, premises or plots in commercial zone, the uses permitted shall be subject to the following conditions;
- a) All goods offered for sale shall be displayed within the building, and not in passages and open spaces.
 - b) When the commercial zone boundary falls short of street, the frontage along such street shall not be developed for uses which would not be permissible.
 - c) When the uses other than those permissible in the R – 1 zone, have an access from the side or rear open space, the width of such open space shall not be less than 7 m.

B - 5 District Commercial Area / Zone: (C -2 Zones):-

1) Uses permitted in District Commercial Zone. (C-2):-

The following uses are permissible in C-2 Zone

- a) Any uses permitted in a Local Commercial area/zone (C-1 Zone); except residential use other than ancillary to the said commercial user.
- b) Area to the extent of 40% of permissible floor area shall be developed for following users, as per the specification of the Municipal Corporation.
 - i) Wholesale establishments, each with storage; capacity not exceeding 200 Sqm. for commodities other than those prohibited by any statute or rule. (This will be applicable to non-congested area only).
 - ii) Printing, book – binding, engraving and block making if they are in an independent building, subject to any special conditions the Commissioner may prescribe in the interest of the adjoining developments.
 - iii) Public utility building.
 - iv) Head quarters of a commercial organizations.

On the remaining 60% of the permissible floor area, uses permissible in a local commercial (C-1) shall be permissible provided that, the extent of residential use shall not exceed 30% of the permissible floor area.

2) General Conditions governing the users permitted in the C-2 zone:-

In a building premises in a District Commercial zone (C-2 Zone) the uses permitted in sub-regulation (1) above shall be permitted subject to the following conditions:

- a) All goods offered for sale shall be displayed within the building and not in passages and open spaces.
- b) When the commercial zone boundary falls short of a street, the frontage along such street shall not be developed for uses which would not be permissible along such street.
- c) If he uses, excepting those permissible in the R – 1 zone derives access from the side or rear open space, the width of such open space shall not be less than 7 m.

- d) Following uses shall be permitted subject conditions mentioned hereunder;
- A composite proposal of development of land for residential use and commercial use shall be submitted by the Owner / Developer.
 - The extent of residential use shall not exceed 30% of the permissible floor area.
 - Occupation certificate for residential development shall be granted only after grant of occupation certificate in regard to corresponding proportionate work in commercial user.
 - A crèche of minimum 40 Sqm. built-up areas shall be provided where total numbers of female employees are 500 and more.

B – 6 Service Industries Zone- (I-1 Zone):

6.1 Uses permissible in 'I' – zone

- Uses permissible in industrial zone shall be as per the industrial location policy of the Govt. as may be amended from time to time.
- Service industries (1.1) zone – As specified in Table No. 18 given hereinafter.
- Information Technology Establishment shall be permitted in I- Zone and Service Industrial Estates on all plots fronting on roads having width 12 meter or more.
- Business office may be permitted on roads of width 18m. and above in non congested areas.

Table No. 18.					
SCHEDULE FOR SERVICE INDUSTRIES					
(Paragraph B-3, B-4 & B-6.1 (ii))					
Sr. No.	Category of Industry	Service of industry (permitted in R 2 , C1 & C2 Criteria for Classification & special condition if any			
		Maximum permissible power requirement (HP)	Maximum Permissible Employment	Maximum permissible floor area (Sqm.)	Special Conditions if any
1	2	3	4	5	6
I. Food Products-					
1	Manufacture of milk and dairy products such as butter and ghee.	10	9 Persons	50	
2	a)Rice huller	10	9 persons	50	
3	b)Grain mill for production of flour	10	9 Persons	50	
4	c)Manufacture of Supari and masala grinding (in a separate building)	10			
5	d)Groundnut decorticator	10	9 Persons	50	
6	e)Baby oil expellers	10	9 Persons	50	
7	Manufacture of bakery products with no floor above.	10	9 Persons	50	i) Shall not be permitted under or above dwelling unit. ii) Operation shall be permitted only between 8 hrs to 20 hrs. iii) Fuel used shall be electricity, gas or smokeless coal. iv) Where only electric oven is used, an additional heating load of 24 KVA permitted per establishment

1	2	3	4	5	6
8	Coffee curing roasting and grinding	2	9 Persons	50	
9	a) Manufacture of ice	45	20 Persons	50	
	b) Manufacture of ice-cream and ice candy	10	9 Persons	50	
10	Sugar – cane and fruit juice crusher	2	9 Persons	25	
II. Beverages and Tobacco-					
11	Manufacture of bidis	No power to be use	No limit	250	To be permitted in R 1 Zone only.
III. Textile and Textile Products-					
12	Handloom / power loom subject to a maximum of 4 looms	5	9 Persons	50	To be permitted in R1 Zone in area designated by the Commissioner
13	Embroidery & making of crape laces & fringes.	5	9 persons	50	
14	Manufacture of all types of textile, garments, including wearing apparel	3	9 persons	50	
15	Manufacture of textile goods, such as wearing, apparel, curtains, mosquito nets, mattresses, bedding materials, pillow cases, textile bags etc.	3	9 Persons	50	
16	Mattress making and cotton cleaning	3	9 Persons	50	
IV. Wood Products & Furniture-					
17	Manufacture of wooden furniture and fixtures.	3	9 Persons	50	i) Shall not be permitted under or adjoining a dwelling unit. ii) Operation shall be permitted only between 8 hrs to 20 hrs,
18	Manufacture of bamboo and cane furniture and fixtures.	3	9 Persons	50	i) Shall not be permitted under or adjoining a dwelling unit. ii) Operation shall be permitted only between 8 hrs to 20 hrs,
V. Paper Products & Printing-					
19	Manufactures of containers & boxes from paper boards.	5	9 Persons	50	i) Manufacture with paper pulp not permitted. ii) No restrictions on power, number of employees, area or hours of operation shall apply if located in a building on a separate plot not less than 500 Sqm. in area if special permission of Commissioner is obtained.
20	Printing & publishing periodicals, books, journals, atlases, maps, envelop, picture postcards and embossing	10	9 Persons	120	i) Manufacture with paper pulp not permitted. ii) No restrictions on power, on power, no of employees, area or hours of operations shall apply if located in a building in separate plot not less than 500 Sqm. & if special permission of the Commissioner is obtained.
21	Engraving, etching, block making etc.	10	9 Persons	120	Operation shall be permitted only between 8 hrs to 20 hrs.
22	Book Binding	10	9 Persons	120	

1	2	3	4	5	6
VI. Leather Products-					
23	Manufacture of leather foot ware	5	9 Persons	50	Manufacture of leather or leather processing not permitted
24	Manufacture of wearing apparel like coats, gloves etc.	5	9 Persons	50	
25	Manufacture of leather consumer goods, such as upholstery, suitcases, pocket book, cigarette and key cases, purses etc	5	9 Persons	50	
26	Repair of footwear and other leather goods.	5	9 Persons	50	
VII. Rubber and Plastic Products-					
27	Retreading, recapping and vulcanizing work	2	9 Persons	50	
28	Manufacture of rubber balloons, hand-gloves & allied products.	2	9 Persons	50	
VIII. Metal Product-					
29	Tool sharpening & razor sharpening works	1	9 Persons	25	
30	Umbrella assembly works	1	9 Persons	50	
IX. Electrical Goods-					
31	Repairs of household electrical appliances, such as radio set, television set, tape-recorders, video sets, heaters, irons, shavers, vacuum cleaners, refrigerators, air-conditioners, washing machines, electric cooking ranges, motor rewinding works etc	3	9 Persons	50	i) Operation shall be permitted only between 8 hrs to 20 hrs. ii) No spray painting permitted.
32	Electronic industry of assembly type	5	9	50	Only permitted on Ground Floor
X. Transport Equipment-					
33	a) Service of motor vehicles and motor cycles.	5	9 Persons	100	i) Operation shall be permitted only between 8 to 20 hrs. & on Ground Floor . ii) No spray painting permitted.
34	b) Repair of motor vehicles and motor cycles	5	9 Persons	50	i) No floor above. ii) No spray painting permitted.
35	c) Battery charging and repair.	5	6 Persons	25	
36	d) Repair of bicycles & cycle rickshaws.	5	6 Persons	50	i) No floor above. ii) No spray painting permitted.
XI. Other Manufacturing & Repairs, Industries and Services-					
37	Manufacturing of jewellery and related articles.	3	9 Persons	50	Operation shall be permitted only between 8 hrs. to 20 hrs.
38	Repair of watches, clocks and jewellery.	3	9 Persons	50	Operation shall be permitted only between 8 hrs. to 20 hrs.
39	Manufacture of musical instruments & its repair.	3	9 Persons	50	Operation shall be permitted only between 8 hrs. to 20 hrs.
40	a) Repairs of locks, stoves, umbrellas, sewing machines, gas burners, buckets and other sundry household equipments. optical glass grinding and repairs.	3	9 Persons	50	Operation shall be permitted only between 8 hrs. to 20 hrs.
	b) Optical glass grinding and repairs.	3	9 Persons	50	

1	2	3	4	5	6
41	Petrol filling stations in plot size of 30.5 m. X 16.75 m. and petrol filling & service station in plot size of 36.5 m. X 30.5 m.	10	9 Persons	No limit	Plot size to be in line with IRC recommendations
42	Filling of stations of Petrol, Diesel, Compressed Natural Gas stations and/or any other motor vehicle fuel in plot size of 30.5 m. x 16.75 m. and filling and service stations Petrol, Diesel, Compressed Natural Gas stations and/or any other motor vehicle fuel in plot size of 36.5m.x 30.5m. & Filling stations of only Compressed Natural Gas. Minimum area of plot 300 Sqm.	(a) 15 (b) 30 Per Compressor (not more than 3 compressors) (c) 150 per compressor(not more than 3 compressors)	9 Persons 6 Persons 6 Persons	No limit	(i) Quantities in (b) or (c) will be permitted for daughter booster pumping station and on line pumping station respective over (a). (ii) Permissible power mentioned in (b) and (c) will be used exclusively for compressing and filling gas in vehicles. (iii) Special permission from Commissioner is necessary after clearance by Maharashtra Pollution Control Board from noise pollution point of view and Controller of Explosive and Chief Fire Officer and observance of such conditions as they may prescribe.
43	Audio taping, recording, manufacture of equipment for the same & recording studio.	5	9 Persons	50	
44	Laundries, laundry services, and cleaning dyeing, bleaching & dry cleaning.	5	9 Persons	50	i) Cleaning & dyeing fluid shall not have flash point lower than a 59 C. ii) Machinery having dry load capacity of 20 kg. and above.
45	Photo- processing laboratories, Xeroxing, photo copy, video-taping and their laboratories.	5	9 Persons	50	Operation shall be permitted between 8 hrs. to 20 hrs.
46	Data processing units with use of Computer	5	9 Persons	50	Operation shall be permitted between 8 hrs. to 20 hrs.
47	Repacking and mixing of liquids, powder, paste, etc. not involving any chemical reaction, which is non-hazardous in nature.	3	9 Persons	50	Operation shall be permitted between 8 hrs. to 20 hrs.
48	Diamond cutting and polishing.	15	30 Persons	120	Operation shall be permitted between 8 hrs. to 20 hrs.

Note 1: In the R-2 and C-1, C-2 Zones, the hours of operation for the concerned industry shall be from 08 to 20 hours only.

Note2: With the approval of the Corporation, the Commissioner may from time to time add to alter or amend the above table.

Note3: Notwithstanding anything contained in these Regulations CNG and any other motor vehicle fuel stations may be permitted in existing authorised petrol, diesel filling stations subject to any other conditions which the Commissioner may prescribe.

Note 4: For service industries maximum FSI of 1.5 shall be permitted.

Note 5: Essential staff quarters, watchmen's quarters, canteens, banks;

Note6: Uses permissible in 'C1' and 'C2' Zones;

Note7: Slaughter House and similar users which are not permissible in residential zone with approval of the Commissioner

6.2 General Industries zone: (I-2 zone)

1) General conditions governing the uses permitted in an I-2 zone:

The General Industries zone (I-2) includes any building or part of a building or structure in which products or materials of all kinds and properties are fabricated, assembled or

processed e.g. assembly plants, laboratories, dry-cleaning plants, power plants, pumping stations, smoke houses, laundries, gas plants, refineries, dairies and saw-mills.

2) Uses permitted in a General Industries zone (I-2 zone):

Buildings or premises in the General Industries Zone (I-2) may be used for any industrial and accessory uses except the following:

- i) Any dwelling other than dwelling quarters of watchmen, caretakers or essential staff required to be maintained on the premises;
- ii) Acetone manufacture;
- iii) Acetylene gas manufacture and storage;
- iv) Acid manufacture;
- v) Aircraft parts manufacture;
- vi) Alcohol manufacture;
- vii) Ammonia manufacture;
- viii) Aniline dyes manufacture;
- ix) Arsenol manufacture;
- x) Asphalt manufacture or refining;
- xi) Automobiles, truck and trailers (including parts) manufacture or engine re-building or motor body-building employing pneumatic riveting;
- xii) Blast furnace;
- xiii) Bleaching powder manufacture;
- xiv) Boiler works manufacture or repairs, except repairs to boilers with heating surface not exceeding 5 Sqm.
- xv) Bricks tile or terra-cotta manufacture;
- xvi) Carbide manufacture;
- xvii) Caustic Soda and compound manufacture;
- xviii) Celluloid or cellulose manufacture or treatment and articles manufacture;
- xix) Cement manufacture;
- xx) Charcoal and fuel briquettes manufacture;
- xxi) Coke manufacturing ovens;
- xxii) Chlorine manufacture;
- xxiii) Concrete product manufacturing including concrete central mixing and proportioning plants;

- xxiv) Cotton ginning, cleaning, refining or pressing and manufacture of cotton wadding or lint, except cotton processing for the purpose of preparing mattresses;
- xxv) Creosote manufacture or treatment;
- xxvi) Disinfectant manufacture, except mixing of prepared dried liquid ingredients;
- xxvii) Distillation of bones, coal or weed;
- xxviii) Dye-stuff manufacture, except mixing of dry powders and wet mixing;
- xxix) Exterminator or pest poison manufacture except mixing of prepared ingredients;
- xxx) Emery cloth and sand-paper manufacture;
- xxxi) Explosive or firework's manufacture or storage, except storage in connection with retail sale;
- xxxii) Fat rendering;
- xxxiii) Fertiliser manufacture;
- xxxiv) Photographic film manufacture;
- xxxv) Flour mill with motive power exceeding 18.75 KW, grain crushing or processing mill with motive power exceeding 37.5 KW, masala grinding mill with motive power exceeding 11.25 KW or a combination of more than one of the above mills with aggregate motive power exceeding 45 KW and any one mill using motive power in excess of the above limits;
- xxxvi) Forges, hydraulic or mechanically operated;
- xxxvii) Garbage, offal or dead animal's reduction, dumping or incineration;
- xxxviii) Gas manufacture and storage in cylinders, except manufacture of gas as an accessory to a permissible industry;
- xxxix) Glass manufacture, except manufacturing of glass products from manufactured glass;
- xl) Glue, sizing material or gelatine manufacture;
- xli) Graphite and graphite products manufacture;
- xlii) Gypsum or plaster of Paris manufacture;
- xliii) Hair, felt, fur and feather-bulk-processing, washing, curing and dyeing;
- xliv) Hydrogen and oxygen manufacture;
- xlvi) Industrial alcohol manufacture;
- xlvi) Printing ink manufacture;
- xlvi) Junk (iron, aluminium, magnesium or zinc) cotton-waster or rags storage and bailing;
- xlvi) Jute, hemp, sisal, coir and kokum product products manufacture;
- xlvi) Lime manufacture;

- l) Match manufacture;
- li) Lamp, black, carbon black or bone black manufacture;
- lii) Metal foundries with an aggregate capacity exceeding 10 tonnes a day;
- liii) Metal processing (including fabrication and machinery manufacture), factories employing such machine tools or process as a power hammer forging machine, pneumatic drilling or riveting, sheet working with heavy sledge hammers, or processes expressly prohibited herein;
- liv) Metal finishing, enamelling, anodizing, japanning, plating, galvanising, lacquering, grinding, polishing, rust-proofing and heat treatment;
- lv) Paint oil, shellac, turpentine or varnish manufacture, except manufacture of edible oils;
- lvi) Oil-cloth or linoleum manufacture, except water-proofing of paper or cloth;
- lvii) Paper, card-board or pulp manufacture;
- lviii) Petroleum or its products, refining or wholesale storage;
- lix) Plastic materials and synthetic resins manufacture;
- lx) Pottery and ceramic manufacture, other than the manufacture of handicraft products;
- lxi) Potash works;
- lxii) Pyrexilin manufacture or products;
- lxiii) Rolling mills;
- lxiv) Rubber (natural or synthetic) or gutta-percha manufacture, except manufacture of latex goods and small rubber products and synthetic-treated fabrics, such as washers, gloves, footwear, bathing caps, atomizers, hoses tubing, wire-insulation, toys and balls, but including manufacture of tyres and tubes;
- lxv) Salt works, except manufacture of common salt from sea water;
- lxvi) Sand, clay or gravel quarrying;
- lxvii) Smelting, reduction, refining and alloying of metal and metal ores except of rare and precious metals;
- lxviii) Soap manufacture, other than cold mix;
- lxix) Soda and compound manufacture;
- lxx) Starch, glucose or dextrose manufacture;
- lxxi) Stock-yard or slaughter of animals or fowls, except the slaughter of fowls incidental to retail business;
- lxxii) Stone crushing and quarrying;
- lxxiii) Shoe polish manufacturing;

- lxxiv) Sugar manufacture or refining;
- lxxv) Tallow, grease or lard manufacture;
- lxxvi) Tar fining, curing or storage of raw hides or skins;
- lxxvii) Tar distillation or manufacture;
- lxxviii) Tar products manufacture;
- lxxix) Textile manufacture, excepting manufacture of rope, bandage, net and embroidery using electric power up to 37.5 KW.;
- lxxx) Vegetable oil manufacturing and processing plants;
- lxxxi) Wood and timber, bulk processing and wood working including saw-mills and planning mills, excelsior plywood and veneer and wood preserving treatment, except the manufacture of wooden articles with saw or planning machines;
- lxxxii) Wax products manufacture from paraffin;
- lxxxiii) Wool-pulling or scouring;
- lxxxiv) Yeast plant;
- lxxxv) In general, those uses which may be offensive by reason of emission of odour liquid effluvia, dust, smoke, gas, noise, vibration or fire hazards.
- lxxxvi) Information Technology Establishment shall be permitted in I-2 Zone on all plots fronting on roads having width more than 15 mts.

3) Notwithstanding anything contained above;

- a) Service industries and Service Industrial Estates shall be permissible in the General Industrial Zone (I-2);
- b) With the previous approval of Commissioner and on such conditions as deemed appropriate by him, the existing or newly built-up area of unit in the General Industrial Zone (Zone I-2) (including industrial estate) excluding that of cotton textile mills, may be permitted to be utilised for an office or commercial purposes in the other areas of the Corporation or for commercial purposes (excluding offices) in the congested area of erstwhile Nanded Municipal Council as a part of a package of measures recommended by the Board of Industrial and Financial Reconstruction (BIFR). Financial Institutions and Commissioner of Industries for the revival/ rehabilitation of potentially viable sick industrial units;
- c) With previous approval of the Commissioner, any open land or lands or industrial lands in the General Industrial Zone (I-2 Zone) (including industrial estates), excluding lands of cotton textile mills, may be permitted to be utilised for any of the permissible users in the Residential Zone (R-1 Zone) or the Residential Zone with shop line (R-2 Zone) or for those in the local commercial zone (C-1 Zone) subject to following;
 - i) The conversion of Industrial Zone to Residential / Commercial Zone in respect of closed industries shall not be permitted unless NOC from Labour Commissioner, Maharashtra State, Mumbai stating that all legal dues have been paid to the workers or satisfactory arrangement between management and workers have been made, is obtained.
Provided that where conversion has been permitted on the basis of this certificate, occupation certificate will not be given unless a no dues certificate is granted by Labour Commissioner. However, in respect of any open land in the

industrial zone, where industry never existed, NOC from Labour Commissioner is not required.

- ii) The layout or sub division of such land shall be approved by the Commissioner, who will ensure that 5% land for public utilities and amenities like electric sub-station, bus-station, sub-post office, police out post and such other amenities, as may be considered necessary, will be provided therein.
- iii) In such lay- out or sub- divisions each more than 2 Ha. but less than 5 Ha., 20% land for public utilities and amenities like electric sub-station, bus-station, sub-post office, police out post, garden, playground, school, dispensary and such other amenities, as may be considered necessary, shall be provided.
- iv) In such lay- out or sub- divisions each more than 5 Ha. 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, as may be considered necessary, will be provided.

Provided that at least 50% of the amenity space shall be designated as open space reservation.

These areas will be in addition to the recreational space as required to be provided under Regulation No.66.

- v) The required segregating distance as prescribed under these regulations shall be provided within such land intended to be used for residential or commercial purposes.
- vi) Such residential or local commercial development shall be allowed within the permissible FSI of the nearby residential or commercial zone.
- vii) If the development is already in progress and if occupation certificate has not been granted, then the land owners / developer may convert the proposal in accordance these regulations subject to the following conditions-

Conditions:

- 1) The revised provisions will be applicable in toto. The benefit of both old and revised regulations shall not be allowed.
- 2) The benefit of revised regulations will be applicable only in the cases where (a) full occupation certificate has not been granted and (b) required amenity space or D.P. reservations, if any, has not been handed over to the Corporation.
- 3) Provision for public utilities, amenities and open space shall be considered to be reservations in the development plan and Transferable Development Rights as in Appendix "H" or FSI of the same shall be available for utilisation on remaining land. Provided that public utility amenity plots shall not be developed as per Regulation No.78.

Note:

- 1. *Conversion from industrial zone to residential / commercial zone shall be applicable to the part area of land holding subject to the condition that total area of the entire land holding shall be considered for deciding the percentage of land to be reserved of the said part area of land for public amenity spaces, as per the said Regulation. However, necessary segregating distance shall be provided from industrial use.*
- 2. *In the layout, where Development Plan has provided any reservations,*
 - A. *If the area under Development Plan reservation is less than the area 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 provision for public amenity spaces is not necessary.*
3. *Out of the total floor area proposed to be utilised for residential development, 20% of same shall be built for residential tenements having built up area upto 50 Sqm.*

4. Other uses in the General Industrial Zone (I-2 Zone):

If a plot in the General Industrial Zone (I-2 Zone) becomes unbuildable for industrial uses because of any restriction in the industrial Location Policy or restrictions regarding segregating distances as provided under these Regulations, the following uses may be permitted on such plot, with written permission of the Commissioner;

- i) Petrol pumps and service stations;
- ii) Parking lots;
- iii) Electric sub-stations;
- iv) Non-residential buildings, offices for public utility concerns or organisations in old and new areas;
- v) Branches of banks, including safe deposit vaults (except that their area in each case shall not exceed 400 Sqm. in the congested area), telephone exchanges, police station, Government and semi-Government offices, only in the uncongested area, municipal sub-offices, fire stations, post and telegraph offices,
- vi) Hotels each not more than 50 rooms;
- vii) Convenience shops, department stores, tea stalls etc.;
- viii) Restaurants, Warehouses in other areas of the Corporation (excluding congested area) only. With prior approval of the Government, the Commissioner may alter, amend or add to the list of above users.
- ix) If the development is already in progress and if occupation certificate has not been granted, then the land owner/ developer may convert the proposal in accordance with the provisions of these regulations subject to the following conditions:

Conditions:

- 1) The revised provisions will be applicable in toto. The benefit of both old and revised regulations shall not be allowed.
- 2) The benefit of revised regulations will be applicable only in the cases where (a) full occupation certificate has not been granted and (b) required amenity space or D.P. reservations, if any, has not been handed over to the Corporation.
- 3) A crèche of minimum 40 Sqm. built-up areas shall be provided where total numbers of female employees are 500 and more.

6.3. Non-viable plots in Industrial zone:

If a plot in industrial zone becomes undeletable for industrial use because of any restrictions in the industrial location policy or restrictions of segregation distance as provided under these regulations, the following uses may be permitted on a plot with the special permission of the Commissioner.

- i) Petrol pumps and service station.
- ii) Parking lots.
- iii) Electric sub – station
- iv) Non-residential building, offices for public utility concerns or organization
- v) Branches of Banks including safe deposit vaults, Telephone Exchanges, police stations, Government and Semi-Government Offices, Municipal Offices, Fire Stations and Post & Telegraph Offices.
- vi) Hotels with not more than 50 rooms.
- vii) Convenience shops, departmental stores, tea stall etc.
- viii) Restaurants.
- ix) Ware houses.

With the prior approval of the Government, the Commissioner may alter, amend or add to the list of the above users.

B-7 GREEN ZONE:

7.1 G-Zone is classified into following categories viz;

- a) G-1 zone;
- b) G-2 zone for forest area;
- c) Buffer zone;

7.2 Following regulations would be commonly applicable for the holiday homes / weekend cottages or Rest Houses permissible in G-1 zone.

- 1) The facilities provided shall be used by the holiday makers for temporary occupation only. The structures shall not be used for regular and permanent residence.
- 2) Necessary and adequate infrastructure i.e. access road, water supply, sanitation etc. shall be provided by the developers in the scheme at his own cost. The developer shall provide adequate garbage collection and disposal facilities so as to leave the entire area clean and hygienic.
- 3) Existing trees shall be preserved and if trees are cut with due permission of Tree Officer then, five times the number shall be planted and grown to their full height. The structure shall blend with the surrounding landscape.
- 4) The owner of land shall prepare a suitable layout for the site including landscape plan, building plans and a project report and duly approved with the written permission of the Commissioner.
- 5) Necessary setback shall be provided from the classified roads as per prevailing Ribbon Development Restriction Rules,

7.3 The following uses are permissible in Green Zone G-1, G-2 provided, however, no services of any kind will be provided by the Corporation.

- i) Agriculture, horticulture and animal husbandry (except for keeping animals providing necessary building, pig sties, stables and storage buildings.
- ii) The Developer / Registered Societies or Company registered under relevant Act with previous approval of Municipal Commissioner may develop Ancillary Service Industries to develop premises for Collection Centre, Auction Hall, Godowns, Grading Services and Packing Units, Knowledge Parks, Cold Storages, Utility Services like Banking, Insurance Service, Post Office Services for transaction in Agricultural and related produce such as Flowers, Fruits, Vegetables, Poultry products, Fisheries etc.

Out of total area designated or proposed to be used for such Ancillary Service Industry after deducting area reserved for Development Plan proposals only 20% of remaining area would be available for such development i.e. 0.20 FSI would be permissible.

- iii) Gardens and poultry farms
- iv) Forestry
- v) Golf clubs and links.
- vi) Public parks, private parks, playfields, stadia, gymkhanas, swimming pools, gliding facilities, temporary camps for recreation of all types.
- vii) Amusement park, in a plot of not less than 5 ha. in area with recreational and amusement devices like a giant wheel, roller coaster, merry – go – round or similar rides, ocean park, swimming plot, magic mountain and lake, ethnic village, shops, for souvenirs, toys, goods, refreshments and beverages on the following conditions with the special permission of the Commissioner.
 - a) The entire land for the amusement park shall vest in a single ownership and the land shall not be sub – divided at any time.
 - b) structures for the amusement park shall not be sold at any time to any other person.
 - c) The required infrastructure, like proper and adequate access to the park, water supply, sanitation, conservancy services, sewage disposal and adequate off – street parking will have to be provided and maintained by the promoters of the project at their cost and the satisfaction of the Commissioner.
 - d) the promoters of the project shall provide adequate facilities for collection and disposal of garbage at their cost and to the satisfaction of the Commissioner and will keep, at all times the entire environment clean, neat and hygienic.
 - e) Structures for ancillary activities, such as administrative offices, exhibition hall or auditorium, restaurant, open air theatre, essential staff quarters, store buildings, fast food, shops, museum, souvenir and small shops, ancillary structures to swimming pool, may be permitted subject to a maximum floor space index not exceeding 0.04 i.e. F.S.I. 0.025 for principal activity and 0.015 for ancillary activities.
 - f) structures permitted in the amusement park (except those intended for park apparatus, entertainment such as magic mountain etc. and other equipment) should be ground floor structures, with the constructions blending with the surrounding environment and landscape.
 - g) Except for minor dressing, hills and natural features, if any, shall be maintained in their natural condition and beautified with planting of trees etc.
 - h) All trees already growing on the land shall be preserved to the extent possible except that if it becomes necessary to cut any tree, the required permission of the Competent

Authority should be obtained under the law. At least 5 trees per 100 sq. m. shall be planted and grown within the area of the park.

- i) Structures, buildings or monuments of historical, aesthetical, architectural, or heritage importance, if any, shall be preserved and maintained properly.
- j) Sufficient parking facilities and ancillary facilities for cars, buses, transport vehicles etc. shall be provide onsite as prescribed by and to the satisfaction of the Commissioner and Commissioner of Police.
- k) The promoters of the project will prepare a suitable layout with appropriate landscaping of the recreational and other facilities and obtain approval of the Commissioner.
- l) No objection certificate of the Tourism Department shall be obtained.
- m) The development shall be regulated according to other requirements of these and all applicable rules and regulations and subject to all other clearances as may be required.
- n) Proper arrangements for safety, regulation of traffic approaches to the park etc. shall be made to the satisfaction of the Commissioner of Police from the point of view of the law and order and traffic aspects.
- viii) Race tracks and shooting ranges.
- ix) Fish curing on open land / fish farming.
- x) Public utility establishment such as electric sub – stations, receiving stations, switch yards, over – head line corridor, radio and television stations, receiving stations. Main stations for public gas distribution, sewage treatment and disposal work, water works, along with residential quarters for essential staff for such works, with the special permission of the Commissioner.
- xi) Cemetery's & Crematoria & structures incidental thereto.
- xii) Structures for watchman's quarters not exceeding 20 Sqm. Numbers of such structures shall be decided by the Commissioner.
- xiii) Slaughter House or the similar users to be developed by the Corporation which are not permissible in residential zone with the approval of the Commissioner (permissible only in G-1).
- xiv) L.P. Gas godown shall be permissible subject to following conditions:
 - 1) Plot areas should not be less than 2000 Sqm.
 - 2) FSI permissible should be upto 0.20.
 - 3) Only ground floor should be permitted
 - 4) NOC from controller of Explosive and Fire Brigade Authority should be obtained.
 - 5) Conditions imposed by Municipal Commissioner should be strictly followed.
- xv) : Research and Development work subject to following conditions:
 - 1) Plot area should not be less than 10 Ha.
 - 2) Permissible plinth area shall be 10% of total plot/land area.
 - 3) Maximum 1% built-up area for office use and maximum of 1% built-up area for servant quarters shall be permissible form total built-up.

- 4) The permissible number of employee will be at rate of one for 30 Sqm. of plinth area.
 - 5) Research and Development of dangerous chemical industries and explosive work shall not be permissible.
 - 6) Maximum two storied (Ground and one floor) building shall be permitted. Height of floor shall be depending upon the type of Research and Development as decided by the Commissioner.
 - 7) Trees at the rate of 500 trees per hectare should be planted.
 - 8) Even after getting approval, the permission can be treated as cancelled if any of the above conditions is not followed strictly.
- xvi) Development of Information Technology Establishment (pertaining to software only) with ancillary residential development shall be allowed in Green Zone (G-1) subject to following conditions:
- a) The total FSI shall not exceed 0.5
 - b) Residential Development shall not have FSI of more than 0.15
 - c) Construction of ITE/ancillary residential use may be permitted (in a suitable location so as to keep as much of remaining space open) upto 15% on 50% of area of the plot. On remaining 50% of plot, trees shall be planted at the rate of 500 trees per ha.
 - d) Subdivision of land shall be permitted with area of plot so subdivided being not less than 4000 Sqm.
 - e) Plot shall abut to 15 m. wide road.
 - f) Building of Information Technology Establishment:

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

- a) All IT and ITES units in Public IT parks.
- b) All registered IT and ITES Units located in Private IT parks, approved by Director of Industries in the State. However, in case of green zone (G-1) No such additional FSI shall be allowed.

Conditions:

- 1) Additional FSI to IT/ITES units would be available only upon full utilisation of basic admissible FSI.
- 2) Additional FSI to IT/ITES units would be available to IT/ITES Parks duly approved by the Director of Industries.
- 3) The additional FSI shall be granted upon payment of premium which shall be paid in the manner as may be determined by the Government. Such premium shall be recovered at the rate of 25% of the present day market value of the land under reference as indicated in the Ready Reckoner.
- 4) 25% of the total premium shall be paid to the Government and remaining 75% amount shall be paid to the Corporation.
- 5) The premium so collected by the Corporation shall be primarily used for development / up gradation of offsite infrastructure required for the IT/ITES Park and the utilisation of this premium shall be monitored by the empowered committee.

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

Users/Services ancillary to the IT/ITES:

While developing site for IT/ITES with additional FSI, users' ancillary to the principal user, as may be approved by the Directorate of Industries shall also be allowed.

- xvii) Petrol pumps fronting on highways in sites approved by Indian Oil Corporation/Oil Companies.
- xviii) Sand, clay or gravel quarrying with the previous approval of the Commissioner.
- xviii) Storage & drying of fertilizers.

7.4 Regulation for G-1 zone:

- 1) To permit the residential buildings on the lands which are actually under cultivation and holiday homes for weekend stay and the Rest houses subject to following conditions:
 - a) The plot to be permitted for such development shall not be less than 4000 Sqm. with the maximum permissible built over area of 100 Sqm. with FSI of 0.025.
 - b) The construction shall be only on ground floor or over stilt or partly on ground floor and partly on stilt with the total height above plinth not to exceed 5 m.
 - c) Single dwelling units on plots of 2000Sqm. restricted to plinth area of 100 Sqm. with FSI 0.05 inclusive of ancillary users in ground floor structure or single floor in stilt with total height above plinth not exceeding 5 m. provided the owners / occupants makes his own arrangement for water supply and waste disposal and for any other services.
- 2) Public / Private playgrounds, sports, clubs, amusement parks, holiday homes, weekend cottages and Rest houses provided the area of the site is not less than 2 Ha., subject to the condition that structures are restricted to ground floor or one floor above stilts and plinth area of roofed structures restricted to 5% (1/20th) of the of the total site. The club houses may be permitted to a height of 8.0m.
- 3) Petrol pumps, serving shops, transport godowns for goods and parking sheds for roads operators and other responsible roadside amenities including way-side and restaurants, in conformity with the current regulations in this respect.

B-8 USES PERMITTED IN PUBLIC / SEMI PUBLIC ZONE:

- 1) Primary School, High School all sort of Educational College, Technical School / College, Educational Complex, Hostel for students, essential Staff Quarters.
- 2) Hospital, Dispensary, Maternity Homes, Health Centre, Complex of such uses, Dharmashalas for the visitors to patients, essential staff quarters, Veternity Hospital, Auditorium Exhibition hall and Gallery.
- 3) Training institutions, Home for aged. Essential quarters.
- 4) Government / Semi-Government / Local Self Government offices, Court buildings, essential Staff Quarters.

- 5) Post office, Telegraph Office, Telephone Exchange, Road Station, Complex of such uses, Staff Quarters and similar Public / Semi public uses.
- 6) Library, Mangal Karyalayas, Gymnasium, Gymkhana, Water Tanks, Stadium, Community Hall.
- 7) Religious Temples, Mosques, Churches etc. with previous Government sanction.
- 8) The private or rental premises designated in Public / Semi-public Zone will continue to be in this zone as long as public or semi-public user exists, otherwise these lands shall be considered to be included in the adjoining major use zone.

Note:- i) *In the educational complex, Primary School, High School, all type of Colleges, Technical School, Colleges / all types of Medical education and students hostels and essential staff quarter shall be permitted.*

In the lands belonging to educational institutions while constructing buildings for educational and related purpose at least 40% of total holding shall be reserved at one place.

ii) *With the prior approval of Director of Town Planning, Maharashtra State, Pune, the Commissioner shall include other items of public interest in the list which are not covered in the above list.*

iii) *Maximum 33% of the allowable built up area may be allowed for the commercial purpose*

Commercial user shall be allowed on the following conditions:-

- a) Convenient shopping, branch of bank, small hotels etc., shall be permitted but shops/ hotels for wine, pan, cigarette, tobacco, lottery tickets and such other uses which do not serve public purpose, similarly domestic gas shops / godowns which are dangerous to public health shall not be permitted.
- b) The income from such commercial uses shall be utilised for main users for which the Development has taken place or would take place.
- c) Such a commercial development shall take in such a way that it shall not affect the view of main development on the land; similarly such a commercial user shall be permitted up to 50% length of the plot.
- d) The Commissioner shall ascertain that for parking places and for traffic, sufficient area is kept in the plot.
- e) Additional FSI shall be allowed only on the plot, area remained after deducting the plot area utilised for commercial user.
- f) The Commissioner shall not allow sub-division of S.N. /Gat. No. / Plot No. on which such a Development which may cause / has taken place / would take place.
- g) The Commercial user is permitted up to a depth of 12 m.
- h) The land owner / developer / institution shall give undertaking in writing to the Commissioner for following all the stipulated conditions scrupulously.
- i) The plots in which there is an existing development, such commercial use shall be restricted to maximum 20% of the balance potential.

APPENDIX – “C”.
[Regulation No. 81 (v)]

LAND USES AND THE MANNER OF DEVELOPMENT.

Land uses and manner of development: The uses of all lands situated within the municipal limits of Nanded Waghala City Municipal Corporation, which have been allocated, designated or reserved for certain purpose in the Development Plan, shall be regulated in regard to type and manner of development/ re-development, according to the Table hereunder:

Sr. No.	Use (Allocation, designation or reservation)	Person / Authority Who may develop	Conditions subject to which development is permissible.
1	2	3	4
I.	RESIDENTIAL (R)		
(a)	i) Residential (R-1) ii) Residential with shop-line (R-2)	i) Owner ii) Owner	
(b)	Public Housing (PH)	Public/Semi-Public authority or owner	A public, Semi-public authority may develop the land after acquiring it in accordance with law, OR The owner may develop the land subject to condition that: i) While laying out the land, 50% plots shall be minimum carpet area of size 27.88 Sqm as prescribed in these regulations and plots of such minimum areas equivalent to 10% of the area of the total land under layout shall be handed over free of cost to the Municipal Corporation. ii) If owner proposes to construct multi-storey building, at least 50% of the tenements shall be of carpet area of 27.88 Sqm in area. The owner shall surrender free of cost, 10% of the tenements out of these tenements having area of 27.88 Sq.mt. to the Corporation. iii) Owner can avail only one of the above alternatives. FSI equivalent to the land/built-up area to be surrendered free of cost as aforesaid, shall be available to the owner, on the remaining plot, over and above the normal permissible FSI. The Municipal Corporation may allot these 10% plots/tenements for the purpose of rehabilitation of persons displaced from sites reserved for public purpose or amenities in the Development Plan.
(c)	Housing for the Dishoused.(HD)	Corporation /Public Authority or Owner	The owner may develop the land as such terms as are agreed between him and the Commissioner, and further subject to following conditions: (1) The minimum tenement density shall be 275 units per hectare with not less than 50 % of tenements having a carpet area of carpet area of 27.88 Sqm each. (2) The owner shall handover 40% of the total permissible built up area in terms of tenements each having carpet area of 27.88 Sqm to Municipal Corporation, free of charge for allotment of persons affected by project undertaking by Municipal Corporation. Thereafter the owner will be entitled to have the full permissible F.S.I. of plot for the residential development without taking into account the area of tenement handed over to Municipal Corporation. For the additional built up area over the permissible FSI, the above norms of density will not apply. While working out 40% built-up area to be handed over to the Corporation free of following areas shall not be taken into account.
(d)	Zopadpatti Rehabilitation	Corporation/ Public Authority or Owner	Owner may develop the land on following terms and conditions; a) 50% plots shall be of minimum area as permissible under this DCR and out of these 10% plots shall be given to the Corporation free of cost. b) If owner proposes to construct multi-storey building, at least 50% of the tenements shall be of 27.88 Sqm. in area. The owner shall surrender free of cost, 10% of the tenements out of these tenements having area of 30 Sq.mt. to the Corporation. The Corporation shall allot these plots / flats to Zopadpattiwalas affected by other D. P. Reservations. c) These directives shall be applicable only when land is not under coming under “Zopadpatti Rehabilitation” reservation. Owner can avail only one option of either to prepare lay-out plan of land or construct multi-storey building. No change of any sort in sanctioned proposal will be permissible.

1	2	3	4
I.	RESIDENTIAL (R)		
(e)	Redevelopment of Slum	Corporation/ Public Authority or Owner	<p>The owner may develop the land, provided land to be developed is not reserved for redevelopment of Slum, subject to condition that –</p> <p>i) While laying out the land, 50% plots shall be minimum size as prescribed in these regulations and plots of such minimum areas equivalent to 10% of the area of the total land under layout shall be handed over free of cost to the Municipal Corporation.</p> <p>ii) If owner proposes to construct multi-storey building, at least 50% of the tenements of carpet area shall be of 27.88 Sqm. in area. The owner shall surrender free of cost, 10% of the tenements out of these tenements having carpet area of 27.88 Sq.mt. to the Corporation. Thereafter the owner will be entitled to have full permissible F.S.I. of plot without taking into account the area to be handed over to the Corporation. The Municipal Corporation may allot these 10% plots/tenements for the purpose of rehabilitation of persons displaced from other sites reserved for public purpose or amenities in the Development Plan. While working out 20% built-up area to be handed over to the Corporation free of following areas shall not be taken into account.</p> <p>a) Area of land set aside as R.G. @ 15% of plot area as required by Regulation 63 of these Regulation.</p> <p>b) Area of land under set back / D.P. Roads passing through such land.</p> <p>c) Area used for re-accommodation of existing occupants not exceeding existing authorised occupied area or 27.88 Sqm. carpet area whichever is more.</p> <p>d) Area constructed by utilisation of TDR.</p>
(f)	Municipal Staff Quarters / Housing	Corporation	Corporation may develop the land after acquiring in accordance with law.
(g)	i) State Government Offices and / or Central Government Offices / Semi Government Offices	State Government / Central Government / Semi Government or Owner.	<p>(A) For lands not owned by Appropriate Authority:-</p> <p>(i) The owner shall construct designated amenity on 25% of the land under reservations with 0.25 of permissible FSI of area under reservations according to norms prescribed by the said concerned department (inclusive of provision for required parking spaces) for the designated amenity.</p> <p>(ii) Building thus constructed shall be handed over along with 25% land to the concerned department, free of cost. Thereafter, the owner shall develop the remaining 75% site to the full permissible FSI of the plot without taking into account the FSI utilised for this construction of amenity building.</p> <p>(B) For land owned by Appropriate Authority:-</p> <p>Development of reserved plot shall be subject to such conditions as may be prescribed by the Government.</p>
(h)	ii) Municipal purpose	Corporation	Corporation may develop it after acquiring it in accordance with law .
(i)	Govt. Housing (GH)	Govt./Semi Govt.	Govt. or Semi Govt. or Corporation may develop the land after acquiring in accordance with law.
(j)	Transit Camp	Corporation	Corporation may develop the land after acquiring in accordance with law.

1	2	3	4
II.	<u>COMMERCIAL (C)</u>		
(a)	Local Commercial (C)	Owner	
(b)	District Commercial Centre / Town Centre Town Sub Centre (C-1)	Corporation /Public Semi-Public Authority or Owner.	<p>a) The Corporation / Public, Semi-Public Authority may acquire the land and develop it for District Commercial Centre / Town Centre / Town Sub- Centre. OR the Owner may develop the District Commercial Centre / Town Centre / Town Sub Centre on his agreeing to give 30 percent of the permissible built up area along with appurtenant land for the District Commercial Centre / Town Centre / Town Sub Centre as per requirement of the Municipal Commissioner to Corporation free of cost, for users permissible in C-1 /C -2 Zone. The owner thereafter will be entitled to have the permissible FSI of the plot for other permissible uses of C- 1 / C- 2 Zone without taking into account the built up area of District Commercial Centre / Town Centre / Town Sub Centre to be handed over to Corporation.</p> <p>Owner / Developer shall be allowed to use TDR / Additional FSI (0.33) on 70% land, subject to FSI consumption limit of 2.00 (two), on the entire plot.</p> <p>b) <u>Uses permitted in a District Commercial Zone (C-2 Zone)</u> The following uses are permissible in C – 2 Zone –</p> <p>(i) Area to the extent of 40% of permissible floor area, shall be developed for following users, as per the specification of Corporation.</p> <p>a) Wholesale Establishment not exceeding 200 Sqm. for commodities other than those prohibited by any statute or rule. This will be applicable to non-congested area only.</p> <p>b) Public utility building.</p> <p>c) Head quarters of a Commercial Organization or firm.</p> <p>d) Printing, book binding, engraving and block making.</p> <p>(ii) On the remaining 60% of the permissible floor area, uses permissible in a local Commercial Zone (C-1 Zone) shall be permissible provided that, the extent of residential use shall not exceed 30% of the permissible floor area.</p>
(c)	Vegetable Market / Meat Market / Fish Market (MM/FM)	Corporation or Owner	<p>The Corporation may acquire and develop the market OR The owner may be permitted to develop the market with type, number and size of stalls prescribed by the Commissioner and further subject to his agreeing to hand over the built-up area to the Corporation free of charge. Thereafter, the owner will be entitled to have the full permissible FSI of plot without taking into account the area utilized for the market.</p>
(d)	Shopping Centre,(SC)	Corporation or Owner	<p>The Corporation may acquire and develop it for shopping Centre OR The owner may develop the shopping centre on his agreeing to give 25% of the shops to the Corporation on payment of cost of construction plus 15% of the cost of construction or subject to his agreeing to hand over the aforesaid 25% built-up shop area to the Corporation free of charge. Thereafter, the owner will be entitled to have the full permissible FSI of the plot without taking into the built-up area handed over to the Corporation.</p>
(e)	Hawker Zone	Corporation	The Corporation may acquire and develop it
(f)	Timber Depot	Corporation	The Corporation may acquire and develop it
III.	<u>INDUSTRIAL (I)</u>		
(a)	Service Industries Zone (I – 1)	Owner	With prior permission of the Commissioner and such terms and conditions he laid down the Owner may develop such site.
(b)	General Industries Zone (I – 2)	Owner	With prior permission of the Commissioner and such terms and conditions he laid down the Owner may develop such site.
(c)	Special Industrial (I-3)	Owner	With prior permission of the Commissioner and such terms and conditions he laid down the Owner may develop such site.
(d)	Industrial Estate (IE)	Owner or Public Authority or Corporation. Or Co-operative Industrial Estate.	Public Authority or Corporation .may acquire the land and develop the Industrial Estate or the Owner may develop the Industrial Estate. agreeing to give up to 25 % of the galas to the Corporation for the purpose of rehabilitation of such industries which are to be rehabilitated from non- conforming areas or zones or who are displaced from sites reserved for public purposes or amenities in the Development Plan or other projects on payment of cost of construction plus 15 % of the cost of construction. In case the owner agrees to hand over 25% of the galas free of cost. He shall be entitled for full permissible F.S.I. of the plot without taking into consideration the area of galas so handed over.
(e)	Godown /Warehousing / Cold Storage	Owner or Public Authority or Co-op. Society	With prior permission of the Commissioner and such terms and conditions he laid down the Owner or Public Authority or Co-op. Society may develop such amenity.

1	2	3	4
(f)	Municipal Workshop / Store.	Corporation.	Corporation may develop the land after acquiring in accordance with law.
(g)	Railway siding, workshop and other railway uses.	Indian Railways.	Indian Railway may develop the land after acquiring in accordance with law.
IV.	<u>TRANSPORTATION</u>		
(a)	Proposed road/ street	Corporation.	The Corporation may acquire and develop it.
(b)	Proposed widening of existing road/ street envisaged either in the development plan or by prescription of regular line of street under the Bombay Provincial Municipal Corporation Act 1949.	Corporation	The Corporation may acquire and develop it.
(c)	Corporation's Bus Station	Corporation	The Corporation may acquire and develop it.
(d)	Municipal Store/ Shed.	Corporation	The site shall be acquired & developed by Corporation.
(e)	Truck Terminal (TT)/Transport Nagar	Corporation	The site shall be acquired & developed by Corporation.
(f)	Parking (P)	Corporation / Public Organisation / Owner	Corporation, may acquire the land and develop, operate and maintain the parking space. OR Public organization or Owner may be allowed to develop parking space according to the design, specifications and conditions prescribed by the Commissioner. The operation and maintenance of the facility will be decided by the Commissioner, irrespective of the authority or organization, who develops the facility:- (1) Parking spaces may be in the basement or open spaces or under the stilts or on upper floors. (2) Full permissible F.S.I. of the plot, excluding that utilized for providing the parking spaces, would be available to the person, authority or organization.
V.	<u>PUBLIC/SEMI PUBLIC</u>		
	(1) Institutional-		
(a)	Dispensary (D)	Corporation. Or Owner	The Corporation may acquire and develop the amenity as a reservation. OR The owner may be permitted to develop the amenity subject to his handing over to the Corporation free of charge the built – up space for the amenity constructed according to norms prescribed by the Commissioner. Thereafter, he will be entitled to have the full permissible F.S.I. of the plot for other permissible user of the plot without taking into account the area utilized for constructing the amenity. The Commissioner may hand over the amenity space for a dispensary/ maternity home to a public organization or a Charitable trust for operation and maintenance on terms decided by the Commissioner. Explanation – Welfare centre also includes homes, shelters or institutions for homeless or street children waifs, destitute children (but not beggars, strays – delinquents, abandoned or destitute women, homes for the destitute or dying destitute, drug addicts and alcoholics, crèches or day-care centre for children, or working parents, sevaghars, mobile crèches and for physically disabled or handicapped provided they are all run by registered public trusts.)
(b)	Maternity Homes (MH)		
(c)	Health/Welfare Centre (H/WC)		
(d)	Women welfare Centre (WWC)		
(e)	Maternity Home (MH)		
(f)	General Hospital (GH)	Public Authority or Organization / Trust or Owner (Legal Person)	When owner develop the facilities at (f) to (i), it will be in accordance with the specifications and conditions approved by the Commissioner.
(g)	Leprosarium		
(h)	Veterinary Dispensary (VD)		
(i)	Home for mentally handicapped		
(j)	Government Hospital		

1	2	3	4
VI.	EDUCATIONAL		
(a)	Primary School (PS)	Corporation/ Owner / Public Institution	<p>(i) Where the designated site is fully encumbered: Owners of the lands and properties may be allowed to redevelop their properties jointly subject to handing over built up area to the extent as may be decided by the Commissioner either in separate building or on ground and first floor to the Corporation for the purpose of Primary School. The construction of the school should be to the satisfaction of the Commissioner. The cost of construction of the school building alone shall be borne by the owners and the Corporation in the ratio of 60:40. In lieu of built up area of school the owners may avail additional F.S.I. for other permissible use.</p> <p>(ii) Where existing Primary School is in rented Premises: - Owner may be allowed to develop his property subject to handing over to the Corporation built – up area equivalent to existing area occupied by the Primary School. The construction should be to the satisfaction of the Commissioner. The cost of construction as may be certified by the City Engineer shall be borne by the owner and the Corporation in the ratio 60:40. Owner may avail additional FSI to the extent of area occupied by the rented School for other permissible use.</p> <p>(iii) Sites designated for Primary School:- The corporation may acquire and develop the site for Primary School. OR The land for the Primary School may be acquired for or on behalf of a public authority, a public trust or a registered society which may develop the facility or lease it to another institution or trust for running the same.</p>
(b)	Secondary School (SS)	Owner or Public Institution.	<p>The Corporation may acquire and develop the site OR The Corporation may acquire the land and hand over to a recognized Public Institution / Trust for development and running after recovering the cost of acquisition OR The Corporation may allow the sites to be developed by the owner and operate it himself or entrust to a recognized Public Institution / Trust for running the same.</p>
(c)	Collage/ Educational Institute	Owner or Public Institution	- Do - (as per (b) above)
(d)	Polytechnic / Industrial Training Institute (ITI) with staff quarter	Public Authority / Owner	- Do - (as per (b) above)
VII	GOVERNMENT/ SEMI - PUBLIC		
(a)	Central and State Government purpose	Central/State Govt.	Central/ State Govt. may develop the land after acquiring in accordance with law.
(b)	Municipal purpose	Corporation	Site shall be acquired and developed by Corporation.
(c)	Zilla Parishad purpose	Zilla – Parishad	Zilla Parishad may develop the land after acquiring in accordance with law.
(d)	Municipal Rest House.	Corporation / Owner	Site shall be acquired and developed by Corporation OR The owner shall develop and hand over such area as may be prescribed by Corporation free of cost. Thereafter he is entitled for full permissible F. S. I. The owner shall also be entitled for 50% of area so handed over.
VIII	ASSEMBLY and RECREATION		
(a)	Cinema Theatre	Owner	As per V (2) (b) above
(b)	Drama Theatre	Owner	As per V (2) (b) above
(c)	Open Air Theatre	Owner	As per V (2) (b) above
(d)	Children's Theatre	Owner	As per V (2) (b) above
(e)	Museum	Owner	As per V (2) (b) above
(f)	Public Hall	Owner	As per V (2) (b) above
(g)	Club	Owner	As per V (2) (b) above
(h)	Gymnasium / Gymkhana	Owner	As per V (2) (b) above
(i)	Stadium	Corporation or Owner	The Commissioner may entrust the development and maintenance of the facility to a suitable agency on terms to be decided by him after acquiring land.
(j)	Swimming Pool	Corporation or Owner	The Commissioner may entrust the development and maintenance of the facility to a suitable agency on terms to be decided by him after acquiring land.

1	2	3	4
(k)	Recreation Ground (RG)	Owner	The Commissioner may entrust the development and maintenance of the facility to a suitable agency on terms to be decided by him after acquiring land.
(l)	Play Ground (PG)	Owner	The Commissioner may entrust the development and maintenance of the facility to a suitable agency on terms to be decided by him after acquiring land.
(m)	Garden (G)	Owner	The Commissioner may entrust the development and maintenance of the facility to a suitable agency on terms to be decided by him after acquiring land.
(n)	Park (P)	Owner	The Commissioner may entrust the development and maintenance of the facility to a suitable agency on terms to be decided by him after acquiring land.
(o)	Sports Complex-cum-Shopping	Corporation or Owner	The Commissioner may entrust the development and maintenance of the facility to a suitable agency on terms to be decided by him after acquiring land.
(p)	Library	Corporation or Owner	Corporation may acquire and develop if necessary or owner may develop the site as per terms and conditions laid down by the Commissioner.
(q)	Tourist Complex / Centre	Maharashtra State Tourism Development Corporation	MSTDC may acquire and develop if necessary OR The owner shall develop such Tourist Complex/Centre on such terms and conditions as laid down by the Commissioner and maintain them properly. Thereafter the owner shall be entitled for the F.S.I. of such land to be utilized in the remaining area of the land according to permissible user.
(r)	Art Gallery	Corporation or Owner	The Corporation may acquire, develop and maintain the library space as a reservation. OR The owner may be permitted to develop the library subject to his handing over to the Corporation the built- up space for library constructed according to norms prescribed by the Commissioner. The owner will be entitled to have full permissible FSI of the plot without taking into account the area utilized for constructing the library The Commissioner may hand over the library space to a public organization
IX.	PUBLIC-UTILITIES		
(a)	Fire Brigade Station (FB)	Corporation	Corporation may develop the site after acquiring in accordance with law.
(b)	Sewage Purification Plant (SPP)	Corporation	Corporation may develop the site after acquiring in accordance with law.
(c)	Reservoir (R)	Corporation	Corporation may develop the site after acquiring in accordance with law.
(d)	Pumping Station (Ppg. Stn.)	Corporation	Corporation may develop the site after acquiring in accordance with law.
(e)	Sanitary Refuse Shed (SRS)	Corporation	Corporation may develop the site after acquiring in accordance with law.
(f)	Refuse Transport Station (RTS)	Corporation	Corporation may develop the site after acquiring in accordance with law.
(g)	Cattle Pond	Corporation	Corporation may develop the site after acquiring in accordance with law.
(h)	Slaughter House	Corporation	Corporation may develop the site after acquiring in accordance with law.
(i)	Cemetery / Cremation Ground (C)	Corporation	Corporation may develop the site after acquiring in accordance with law.
(j)	Burial Ground (BG)	Corporation	Corporation may develop the site after acquiring in accordance with law.
(k)	1) Post Office (PO) Post and Telegraph Office (PT) / Service Centre. 2)Receiving Station Telephone exchange	Central Govt.	1. Central Government may develop the site after acquiring in accordance with law. 2. Central Government may develop the site after acquiring in accordance with law.
(l)	Police Chowky / Station/ Parade Ground.	Central/ State Govt.	State Government may develop the facility after acquiring in accordance with law.
(m)	M.S.E.D.C.	M.S.E.D.C.	Maharashtra State Electric Distribution Company Ltd. may acquire the land develop the facility.

Explanation:

- 1) Even where an owner, in terms of column (3) in Appendix 'C' above is permitted to develop certain categories of reservations, allocations or designations, the Corporation or concerned authority may at any time acquire land there under.

- 2) An owner who may in terms of column (3) in Appendix 'C' is permitted to develop certain categories of allocations or reservations shall provide the required parking space for the same in addition to those required for the development he is permitted to undertake.
- 3) In case of development of lands for Swimming Pools, Recreation Grounds and Playgrounds, construction for ancillary uses only may be permitted (in a suitable location so as to keep as much of the remaining space open) upto 15% on 10% of the land for the said amenities.
- 4) In case of the development of lands for Gymnasia, Gymkhana, Clubs, Stadium, Swimming pools, Recreation grounds and playgrounds, constructions for ancillary uses only may be permitted. (In a suitable locations so as to keep as much of the remaining space open) up to 15 percent of 10 percent of the land for the said amenities.
- 5) In case of development of lands for Gymnasia, Gymkhana, Clubs, Stadium on sites reserved / designated / earmarked / nominated as such (existing or proposed) FSI of one shall be allowed on 50% of the area of land for the said amenities subject to terms and conditions as stipulated by the Municipal Commissioner.
- 6) Sites reserved for Corporation Bus Services such as Bus Depot, Bus Station etc. may developed by the Corporation for the specified purpose coupled with commercial use subject to the following conditions:
 - (a) The floor area of such commercial user shall not exceed 15% of the total permissible floor area.
 - (b) Out of such permissible commercial user 50% floor area not exceeding of the total permissible commercial user may be permitted on the ground floor. While remaining floor area for commercial user may be permitted on the upper floor.
 - (c) Extent of floor area proposed to be used for commercial purpose shall be such that it does not severally affect the principal user.
 - (d) The proposal for such composite user shall be cleared by Superintendent of Police.
 - (e) Considering the strategic location of reserved sites with reference to the volume and nature of the traffic in the vicinity of the reserved site, the Municipal Commissioner shall have right to prescribe additional conditions as deemed fit and also restrict the commercial area to the justifiable extent.
- 7) Permission for use of Playground shall inter alia contain following conditions:
 - (i) Commercial exploitation of Playground will not be permitted.
 - (ii) Permission will be given to collect entry fees, donations, and contributions only to cover the expenses on the functions on "No Profit No Loss" basis that too by registered religious bodies for religious functions as provided in the impugned section.
 - (iii) All statutory rules, regulations, orders, Court orders including orders issued under Bombay Police Act will be strictly enforced.
 - (iv) Use of loud speakers beyond 11.30 p.m. will not be permitted.
- 8) In case of single reservations namely Public Hall, Community Hall, Community Centre, Cultural Centre, Cultural Hall, out of the total permissible built up area of such reserved sites, 1/3rd of the built up area shall be exclusively kept for designated user, while the remaining 2/3rd area can be utilised by the land owner for any user permissible in the zone in which the reserved land is situated. Provided that:
 - i) The minimum built up area to be allocated to the designated user shall not be less than 300 Sqm. in any case.
 - ii) The designated amenity shall be constructed by the owner and it shall be kept open for use of public, the Corporation shall execute an undertaking with the owner to the effect that in case of breach of any of the condition as may be laid down by the Commissioner, the structure will treated as unauthorised one and further action will be taken accordingly.
- 9) In case of Composite reservations namely:
 - (i) Public Hall and Library, (ii) Public Hall and Welfare Centre, (iii) Community Hall and Home for Aged, (iv) Community Centre and Health Centre, (v) Public Hall and Library and (vi) Housing for Dishoused, such lands can be allowed to be developed by the owner subject to following conditions:
 - i) One third of the total permissible built up shall be kept for the use of Public Hall or Community Hall or Community Centre or Cultural Centre or Cultural Hall as the case may be and same shall be developed as per Sr. No. 6(ii) above.
 - ii) Remaining two-third built up area shall be earmarked for other designated user (other than those mentioned at (i) above) which shall be allowed to be developed in accordance with the provisions contained in Appendix "C" and as per the guidelines / clarifications issued by the Government from time to time in this respect.
- 10) In the case of development or redevelopment of Land of Department of Police, Police Housing Corporation, Jail and Home Guard, commercial user under D.C. Regulation; may be permitted up to 40% of the basic permissible FSI in accordance with Regulation 63 of this DCR.

APPENDIX – “D”
(Regulation No. 88 & 92)

OPEN SPACES AREAS AND HEIGHT LIMITATIONS.

1. AS APPLICABLE IN THE CONGESTED AREAS (GAOTHAN).

1.1 FSI. / Marginal Distances:

Generally congested area shall be intended mainly for residential purpose excepting areas reserved for public purposes or municipal purposes in the Development Plan and areas in which it could be expedient to acquire for the said purposes but not so designated. All other users as listed out under residential use in land use classification order shall be permitted in the Congested Areas which shown on Development Plan.

1.2 Residential:

a) Floor Space Index:

In R-1 zone, permissible FSI shall be 1.5 for purely Residential use and additional FSI to the extent of 0.5 only shall be permissible for commercial use only subject to condition that, marginal and parking spaces as required under these regulations are provided within said plot and separate access for residential and commercial users are provided.

b) Front Open Space:

The minimum set back from existing or proposed road shall be as under:

(i)	For streets 7.5 m. to less than 12.0 m. in width	1.0m
(ii)	For streets 12.0 m. and above in width	1.5m.

- (i) For lanes less than 4.5 m. in width in congested area, set back of 2.25m. from the centre line of such lane shall be provided. For street more than 4.5 m. in width and less than 9 m. in width set back of 4.5 m. from centre line of the street shall be provided clear of structural projections. Where such streets despite their narrowness, from part of traffic circulation system widening shall be proposed and normal set back of 1.5 m. from the edge of existing street shall be provided.
- (ii) Structural projections such as balconies, cornices, cantilever cupboards, weather sheds, roof projections etc. shall be allowed in the set back distance prescribed above. However, no balcony shall reduce the minimum marginal open space, to less than 1.5 m at rear, sides and front. Excepting balconies none of such projection shall be taken into consideration for calculation of built over area.

c) Side and Rear open space:

i)	For plots 7.5 and less in width	Nil
ii)	For plots 7.5 and less in depth	Nil
iii)	Width more than 7.5 m. and up to 15 m.	1 m. on either sides or 2 m. on one side and 1 m. on rear side
iv)	Depth more than 7.5 m. and up to 15 m.	1 m. on either sides or 2 m. on one side and 1 m. on rear side
v)	Width / depth above 15 m.	1.5m on both side and rear side

d) Notwithstanding anything contained in these regulations the basement shall not be permissible in the congested areas on roads below 9 m. width.

1.3 Other buildings such as fully commercial, offices and like fronting on 12m and above roads:

a) Floor Area Ratio: Maximum Floor Area Ratio shall be 2.25.

b) Open Space : A clear open space of 3.0 m. all around the building shall be provided.

2. AS APPLICABLE IN AREAS OUTSIDE THE CONGESTED AREA (GAOTHAN):

A) Residential Buildings:

(i) Floor Space Index:
The permissible FSI shall be 1.00 subject to marginal open spaces and provisions in Regulation No.66.

(iii) The provisions as given in Table No.19-A & B, hereunder, shall apply for residential buildings, residential-cum-office or shop buildings permissible in non-gaothan areas and residential buildings permissible in industrial areas.

(iv) Minimum distance between main and subsidiary building:

A clear distance of at least 3.00 m subject to the open space required for the taller building shall be left between the main building and any subsidiary building such as an outhouse, garage etc. constructed in one building plot.

(v) Number of main and subsidiary buildings in a plot:

Only one main building either a tenement house or a block of flats or a dwelling house together with such out-houses, garages, etc. as are reasonably required for the bonafide use and enjoyment of the occupants of such main building and their domestic servants and which shall not be separately let out, shall be permitted to be erected in any plot. These provisions are not applicable to Group Housing Schemes.

Provided that this restriction shall not prevent erection of two or more main buildings on the same plot, if the minimum size of building plot as laid down under the Table No.12 is up to a plot admeasuring 900 sqm in area.

TABLE NO. 19-A. (Paragraph 2-A in Appendix-D)					
Sr. No.	Category and road width and Description or housing	Minimum size of the plot fronting on the road in Sqm.	Frontage minimum in M.	Min. set back from the road in front in M.	Maximum Tenement destiny
1	2	3	4	5	6
1	National Highway/ State Highways or roads as specified by the Municipal Commissioner.	750	18.0	Residential buildings 25 m. from the centre line of existing or proposed road, or 4.5 m from plot boundary, whichever is more.	250 / Ha.
2	M.D.R./ O.D.R. & Other roads 24 m wide and above	600	18.0	6.0	250 /Ha.
3	Roads of width below 24 m and above 15 m	500	15.0	4.5	250 /Ha.
4	Roads of width below 15 m and above 12 m	Above 250-500 (With provision to develop two semi-detached buildings)	12.0	4.5	250 /Ha.
5	Roads of width below 12 m.	Above 125-250	8 to 12	3.0	250 /Ha.
6	Row Housing on roads of width 12 m. and below.	Above 25-125	4 to 8	2.25/ 1 m from pathway.	300 /Ha.
7	Row housing for EWS/LIG for public housing	As per Appendix "B"			

TABLE NO. 19-B. (Paragraph 2-A in Appendix-D)							
Sr. No.	Min. size of the plot fronting on the road in Sqm.	Minimum set back from the road in front in M.	Minimum Set back at the rear in M.	Minimum Side set back in M.	Maximum permissible Built up Area	Floor Space Index	Maximum Tenement Destiny
1	2	3	4	5	6	7	8
1	750	Residential Bldg. 25 m. from the centre line of existing or proposed road, or 4.5 m from plot boundary. Whichever is more.	3.0	3.0	1/3rd of plot area	1	250T/Ha.
2	600	6.0	3.0	3.0	1/3 rd of plot area.	1	300T/Ha.
3	Above 500	4.5	3.0	3.0	1/3 rd of plot area	1	300T/Ha.
4	Above 250-500 (With provision to develop two semi detached bldg)	4.5	3.0	2.25	1/2 of plot	1	300T/Ha.
5	Above 125-250	3.0	2.25	1.5 only on one side	1/2 of plot area	1	300T/Ha.
6	Above 25-125	2.25/ 1 m. from pathway.	2.25 (Gr+2 upper floors	Nil	1/2 of plot area	1	300 T/Ha.

Note 1: For ensuring total built-up area under column 6, the ground coverage may be increased subject to marginal distances and F.S.I. of 1.

Note 2: Subject to the condition that a row housing plot at the junction of two roads shall be larger to enable setbacks from both roads being left, and subject further to the condition that not more than 8 and less

than 4 plots shall be allowed in each block of the row. Each block shall be separated from the other by 6 m. and building shall conform to a type design prescribed by the Municipal Corporation.

Note 3: In case of group housing scheme net plot area shall be $\frac{3}{4}$ th of the gross area and number of permissible tenements shall be calculated accordingly. If plot which is put to use for Group Housing is from sanctioned layout then irrespective of its area net plot area will be full plot area. If there are two or more buildings minimum marginal distance between them shall be 4.5m.

Note 4: Subsidiary structures such as car park, garage, outhouse, independent sanitary block, Gotha-shed etc. shall not be permitted in plot having area less than 450 Sq. M. No garage shall be permitted in a building having stilt or basement provided for parking.

Note 5: Development as per Sr. No. 7 is permissible only for the persons from EWS of the community. Certificate from Social Welfare Department to that effect shall be produced.

Note 6: For the sake of calculation, area of plot less than 2125 sq. m. including specified area shall be treated as net plot area. For plots with area more than 2125 sq. m., the net area shall be as per the Regulation-66(3).

Note 7: Residential layouts prepared by any Public Authority, prior to the date of commencement of these regulations shall be governed by regulations on the basis of which they were sanctioned or approved as prior commitment.

Note 8: All the plot sizes mentioned in the table for categories 1 to 5 are minimum. In cases where actual size of the plot is more, then the provisions for the respective plot sizes would be made applicable irrespective of road widths on which the plot fronts.

Note 9: Tenement density is prescribed for 1.00 FSI and it shall be increased in proportion to FSI permissible.

2.1 Specific Development Control Rules for Characteristic Specified Areas within Corporation Limit.

Notwithstanding the provisions of the forgoing Regulations the Specific Areas in Nanded Waghala City Municipal Corporation as listed below shall have open spaces and rules for Area and Marginal open spaces as given in Table No.19-C below;

Table No. 19-C							
Sr. No.	Particulars of Area	Minimum Area of plot in Sqm.	Marginal distances to be observed in meters.			Permissible Built-up area	Maximum Number of Storey
			Front	Rear	Side		
1	New Abadi	100	3.00	0.60	1.50	$\frac{1}{2}$ of plot area	Ground + Two floors.
2	Vishnu Nagar	100	3.00	1.50	1.50	$\frac{1}{2}$ of plot area	Ground + Two floors.
3	Khadak Pura	100	3.00	0.60	1.50	$\frac{1}{2}$ of plot area	Ground + Two floors.
4	Mill Gate	100	3.00	0.60	1.50	$\frac{1}{2}$ of plot area	Ground + Two floors.
5	Gavali pura	100	3.00	0.60	0.60	$\frac{1}{2}$ of plot area	Ground + Two floors.
6	Venkatesh Nagar	100	3.00	0.60	0.60	$\frac{1}{2}$ of plot area	Ground + Two floors.
7	Pakki Chawl	100	3.00	0.60	0.60	$\frac{1}{2}$ of plot area	Ground + Two floors.
8	Nalla Gutta, Degaon Chawl	100	3.00	0.60	0.60	$\frac{1}{2}$ of plot area	Ground + Two floors.
9	Hamal pura, Mastan pura	100	3.00	1.50	1.50	$\frac{1}{2}$ of plot area	Ground + Two floors.
10	The Nanded Town Market Area House Building Co.-Op. Society Ltd. Nanded	100	3.00	1.50	0.00	$\frac{1}{2}$ of plot area	Ground + Three floors.

Note 1: Maximum permissible F.A.R. shall be 1.5 for residential areas and 2.0 for commercial or residential cum-commercial buildings.

Note 2: For the purpose of this Table the term ground floor has been retained. With the pervious approval of Government F.A.R. specified above, may be permitted to be exceeded in respect of building used exclusively for education, a medical relief, sports and recreation and cultural activities or other activities of public nature where they are conducted in separate building by charitable and public intuitions of public trusts and Government and semi Government officers and Luxury Hotels.

Note 3: The Municipal Commissioner shall permit additional F.A.R. on 100% of the area required for road widening or for constructing new roads proposed under the Development plan, or those proposed under any provision of the Bombay Provincial Municipal Corporation Act, 1949, if the owner (including a lessee) of such land is prepared to release such area for road widening or for constructing new roads without claiming any compensation plot remaining after release of the land required for such road widening or road construction. Such extra F.A.R. shall be permitted only within the gaathan area.

3) EDUCATIONAL BUILDINGS:

- a) **Built-up area** : The maximum permissible Built up area shall not be more than $\frac{1}{3}^{\text{rd}}$ of the plot area.
- b) **Floor Space Index:** The maximum FSI shall be 1.00
- c) There shall be a minimum open space of 6 m. on all sides from boundaries of the plot.
- d) No educational building shall be constructed if the distance between the perimeter of the site of the proposed building and cinema theatre/ assembly hall is less than 60 m.
- e) In every educational institute with the previous approval of the Commissioner at least 40% area of its holding shall be kept for playground, that too at one place and of appropriate size and shape.

4) INSTITUTIONAL BUILDINGS (HOSPITALS, MATERNITY HOMES & HEALTH CENTERS)/ GOVT./SEMI-GOVT./PUBLIC SECTOR UNDERTAKINGS AND ALIKE BUILDINGS

- a) **Built -up area:** The built area shall not be more than $\frac{1}{3}^{\text{rd}}$ of the area of the plot.
- b) **Floor Space Index:** The maximum F.S.I. shall be 1.00
- c) There shall be a minimum open space of 6 m on all sides.
- d) No building shall be constructed if the distance between the perimeter of the site of the proposed building and cinema theatre/ assembly halls is less than 60 m.

5) CINEMA THEATRE/ ASSEMBLY HALLS:

(a) Open spaces:

- i) Front set back of 12 m from road shall be left.

Note: Further in the case of plots facing National Highway, State Highway and Major District Roads or City Bye pass having width more than 60 m. the Building line shall be 40 m. from the centre line of existing or proposed road or 12 m. from plot boundary whichever is more.

- ii) Side and Rear Open space: Side and Rear marginal distances to be left open shall be 6 m. minimum. The above shall be exclusive of parking spaces, subject to Regulation No.103.
- (b) The minimum distance between boundary of the site for cinema / theatre / assembly hall and boundary of Educational, Institutional and other Government Buildings shall not be less than 60 m.
- (c) The provisions of Maharashtra Cinema (Regulations / Rules) 1966 as amended from time to time shall be applicable.

6) FAMILY ENTERTAINMENT CENTRE (FEC) OR MULTIPLEX THEATRE COMPLEX (MTC):

These being primarily an establishment which is combination of compatible recreational activities, such centres could set up on:

- 1) a) Plots fronting on roads having width more than 18 metres and in R-2 & C-1 Zone.

- b) Plots on which an FEC / MTC is to be constructed shall necessarily have a point access and shops if provided, shall not derive direct access from front space.
 - c) Floor Space Index: The maximum FSI shall be 1.00
 - d) Minimum front marginal open space shall not be less than 12 m or as per Highway rules whichever is more. Side and rear marginal open spaces shall not be less than 6 m.
 - e) Built up Area in any case shall not be more than 1/3 of plot area.
 - f) No concessions, whatsoever, shall be granted in respect of parking spaces, marginal open spaces.
 - g) The pedestrian movement in FEC / MTC shall be regulated properly.
 - h) All kinds of permissions, No objection certificates otherwise required for construction of a Cinema under any other rules and regulations shall also be applicable to FEC / MTC.
 - i) Shopping user and other ancillary user including FEC in MTC shall be integral part of entire project.
 - j) Adequate onsite parking only shall be provided in the parking.
- 2) Besides above Multiplex Theatre Complex it shall have following components;
- a) Have the state of art, sound system like Dolby-DTS/Dolby-Digital, and projection system like xenon light and illumination system;
 - b) Be centrally air-conditioned;
 - c) Have comfortable seating arrangement (minimum width of every seat from centre to centre shall be twenty-one inches);
 - d) Have one of the theatres compatible for the stage performance;
 - e) Have art gallery (minimum area of which shall be 50 Sqm. with facilities as display panels, lights, stands, counters etc.), exhibition centre (minimum area of which shall be 50 Sqm. with facilities for exhibition of work of arts, traditional garments, handicrafts etc.) and family entertainment centre such as video game parlour having electronic games, slot machines, prize-redeeming machines (not amounting to gambling) virtual reality games, computer games or any other gadgets which can be installed for entertainment etc. with a minimum area 50 Sqm., bowling alley, pool parlour (containing minimum 2 tables), cyber café. The art gallery, exhibition centre can be a designated part of the foyer area or such other centres which may be prescribed by general or special order issued in this behalf by Government from time to time;
 - f) Restaurant;
 - g) Adequate parking facility; and
 - h) Such other facilities, as may be specified by general or special order by Government, from time to time.
- 3) The complex may also provide any of the following facilities, namely:
- a) Commercial complex;
 - b) Health centre / health Club;
 - c) Small apartment hotel.

7) PUBLIC ENTERTAINMENT HALL / MANGAL KARYALAYAS AND LIKE BUILDINGS:

- (a) Built-up area : The maximum permissible built- up area shall be 1/3.
- (b) Floor Space Index: The maximum FSI shall be 1.00
- (c) Access road : The minimum width of access road shall be 15 m and the plot shall abut on this road.
- (d) Open spaces:
 - i) Front Open space : 12 m.
 - ii) From all the three boundaries : 6 m.

8) PETROL FILLING STATIONS WITH OR WITHOUT SERVICE BAYS.

- (a) The plot on which a petrol filling station with or without service bays is proposed shall be an independent plot on which no other structures shall be constructed.
- (b) Petrol station shall not be permitted within a distance of 91.5 m. from any junction of road.
- (c) Petrol 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 91.5 m. and vice versa a petrol station may be permitted on such a convex curve.
- (d) Petrol station shall not be sited within a distance of 91.5 m. from the nearest gate of a school, hospital, theatre, place of assembly or stadium.

9) BUILDING IN COMMERCIAL ZONE:

- (a) **Means of access:** When two or more buildings are constructed in the same plot, every building shall be provided with independent means of access of not less than 6 m. width.

The means of access shall not be considered as part of marginal open spaces required to be left around the buildings.

- (b) **Built-up area:** Maximum Built up Area shall be half of the plot size.
- (c) **Floor Space Index:** Maximum permissible FSI shall be 1.5 for commercial cum residential user and 1.33 for purely commercial user. For the purpose of FSI net area of land excluding open space and areas covered by internal roads shall only be considered.
- (d) **Open spaces:** Marginal open spaces along periphery of land or plot shall be 4.5 m. minimum, provided that in case of land of land / plots fronting on classified roads, set back prescribed under Ribbon Development Rules or 4.5 m. whichever is more shall be observed excluding congested area where marginal distance shall be as per sub-regulation 1 of this regulation and Ribbon Development.

***Note:** The provisions of note under 5 (a) of Cinema shall apply for front and side open space in case of storage building.*

10) INDUSTRIAL BUILDINGS:

Minimum size of plot, minimum built up area, minimum marginal open spaces to be left in a plot, minimum width of plot and maximum number of storeys to be permitted in a plot shall be given in Table No. 20 hereunder;

TABLE NO. 20						
PLOT SIZE, FSI, MARGINAL DISTANCES ETC. FOR INDUSTRIAL BUILDINGS						
(Sub-Regulation 10-A above)						
Sr. No.	Plot size in Sqm.	Maximum Built up area in %	Maximum Marginal Front open Space in meter	Maximum Marginal open spaces on Rear & Sides in meter	Minimum width of plot in meter	Maximum Floor Space Index
1	2	3	4	5	6	7
1	Up to 800	50	6.0	3.0	12	1
2	Above 800 -1200	50	6.0	4.5	20	1
3	Above 1200 – 2500	50	6.0	4.5	25	1
4	Above 2500	50	12.0	6.0	35	1
5	5001 - & above	50	12.0	9.0	50	1

Note-1: In cases of plots facing National, Highway Station Highway and Major district roads, the building line shall be 40 m. from the centre line of existing or proposed road or front open space given in column (4) above, whichever is more.

Note-2: The maximum built-up area shall be either achieved through 50% ground coverage and two storied construction or F.S.I. of 1.00 with maximum 2 storied construction.

- i) The F.S.I. specified above may be permitted to be exceeded in respect of building used exclusively for educational, medical relief, sports and recreational and cultural activities or other activities of public nature, where they are conducted in separate building by charitable and public institutions or public trusts and Government and Semi-Government office and luxury hotels.
- ii) In industrial zone, actual factory or workshop building and storage or godown shall not be constructed within a distance of 10 m./ 25 m. from the boundary of Service and other Industrial zone from any other use, except a large open space and vis-a-vis for residential building in Industrial Zone, if permitted by the Commissioner.

Provided that, such distance shall be measured from the opposite edge of the road, where the zone abuts on an existing or proposed road.

Provided further that ancillary building such as essential staff quarters, canteen, garage, electricity stations, water tank etc., may be permitted in such open spaces provided a minimum distance of 6 m., 10 m. and 25 m. respectively is left from the boundaries.

11) NO DEVELOPMENT ZONE:

Development in 'G' zone shall be allowed as per stipulations in Appendix– B, Regulations B-7.

12) SETBACKS FROM STATE/NATIONAL HIGHWAYS AND ROADS MORE THAN 60 M. IN WIDTH:

Set back from certain roads:

No construction work of building shall be undertaken within 7.5 m. from the boundary of the State/National Highway and other roads 60 m. or more in prescribed width.

13) NARROW PLOTS (APPLICABLE ONLY TO THE AREAS OTHER THAN CONGESTED AREA):

(A) Residential / Commercial zone:

Narrow plots are those of which width and depth is less than 14 m. The provision of Table No. 21 given hereunder shall be applicable in such cases.

(B) Industrial zone:

Narrow plots are those of which having one dimension smaller than 15 m. The provisions of Table No. 22 given hereunder shall be applicable in such cases.

14) HEIGHT OF BUILDING / MARGINAL DISTANCES:

Residential / Commercial:

- (i) (a) The maximum height of the building shall be 1.5 times (abutting road width plus front open space).
- (b) The side and rear marginal distances prescribed in Table No. 19-B are the minimum provisions.
- (ii) For marginal distances of the building the provisions of Regulation No.88 shall be applicable in addition.

TABLE NO. 21.			
OPEN SPACE RELAXATION IN NARROW PLOTS IN RESIDENTIAL AND COMMERCIAL ZONES.			
(Paragraph 13-A above)			
Sr. No.	Plot Size	Relaxation	Restrictions on Building.
1.	2.	3.	4.
1.	Depth less than 14 m. but more than 11 m.	Rear Open space to be reduced to 1.8 m.	i. Depth not to exceed 6 m. ii. Height not to exceed 3 storeys or 10 m.
2.	Width less than 14 m. but more than 11 m.	One side open space any be reduced to 1.8 m.	i. Depth not to exceed 6 m. ii. Height not to exceed 3 storeys or 10 m.
3.	Two adjoining plots each less than 14 m. but more than 11 m. wide.	Semi- detached structure permitted subject to table No.19.	Height not to exceed 3 storeys or 10 m.
4.	Depth or width less than 11m.	Open space on all sides 1.5 m.	Ground floor structure
5.	Two adjoining plots each less than 11 m. wide.	Semi - detached structure with open space 1.5 m. wide all around.	Ground floor structure. Height not be exceed 4 m.

- Note:**
- i) No dimensions of any building in a narrow plot shall exceed 30 m.
 - ii) In areas where the majority of the plots are less than in width or depth, the Commissioner may prescribe building lines in which Row houses would be permissible.

TABLE NO. 22.					
OPEN SPACE RELAXATION IN NARROW PLOTS IN INDUSTRIAL ZONES					
(Paragraph 13-B above)					
Sr. No.	Relaxation granted in or condition imposed on	Width less than 9 m	Depth less than 9 m	Width between 9 m and 15m	Depth between 9 m and 15 m
1	2	3	4	5	6
1.	Open space	Side open space may be reduced to 1.5 m	Rear open space may be reduced to 1.5 m	May be reduced on one side only but to not less than 1.8 m	May be reduced at the rear but to less than 1.8 m
2.	Building a)Dimensions.				
	i. Maximum width	6 m	30 m	6 m	30 m
	ii. Maximum depth	30 m	6 m	30 m	6 m
	iii.Maximum height	1.5 m (One storey)	4.5 m (One Storey)	8 m (Two storey)	8 m (Two storey)
	b) Walls	Dead walls 40 cm. thick on both sides	Dead walls 40 cm. thick on the near sides	Dead walls 40 cm. thick faces the reduced open spaces.	Dead wall 40 cm. thick faces the rear side.
	c) Use	Storage only	Storage only	As permissible	As permissible

APPENDIX – “E”
(Regulation No. 97 & 186)

**GENERAL GUIDELINES AND PROCEDURES FOR OBTAINING CIVIL
AVIATION N.O.C. INCLUDING LIST OF DOCUMENTS TO BE PROVIDED
ALONG WITH THE APPLICATION FOR N.O.C. PURPOSE AND
UNDERTAKINGS TO BE GIVEN.**

It is essential for proposals affected by Air Influence Zone of Airport to obtain No Objection Certificate from Regional Director of Civil Aviation Department of the Region. Therefore Developer/ Architect or professional Technical person registered with the Corporation should obtain it before applying for permission for development to the Corporation to avoid any inconvenience, in future. N.O.C. granted by the Regional Director, Civil Aviation Department remains valid for 3 years as per present policy from the date of its issue and thereafter it is to be revalidated till project is completed.

PROCEDURE:

An application to the Civil Aviation Authorities should be made with following accompaniments:

1. Covering letter, addressed to the Regional Director, Civil Aviation Department.
2. An application in prescribed Proforma in triplicate (Format enclosed).
3. An undertaking on Rs.100/- Non Judicial Stamp Paper for not complaining against noise, vibration, nuisance or damage etc. in triplicate i.e. 1 Original and 2 copies. (Format enclosed).
4. An undertaking on Rs.100/- Non Judicial Stamp Paper agreeing to restrict height of the structure up to its top projection within height permissible in triplicate i.e. 1 Original and 2 copies. (Format enclosed)
5. Vertical Sectional Plan of proposed building or structure to be provided in quadruplicate showing the total height above ground duly signed by Architect or professional Technical person registered with the Corporation.
6. Site Elevation Plan duly certified by Assistant Engineer (Survey) of the Corporation in quadruplicate.(1 Original and 3 copies)
7. Location Plan of Site (Zonal Plan) to the scale of 1 to 10000 (Aerodrome Plan) showing distance of site from Aerodrome Reference Point in triplicate duly attested by the Architect or professional Technical person registered with Corporation.
8. Certificate of Reduced Level of site issued by the Assistant Engineer (Survey) in quadruplicate (1 original and 3 True copies).

PROFOMA OF DETAILS FOR CONSTRUCTION OF BUILDING AROUND AIRPORT

1	Name of the Airport	
2	Name of the Owner applying for permission	
3	Type of structure (brief description of structure, residential/ commercial/ factory tower & type construction indicating the maximum proposed height of the topmost point of building) 4 copies of section plans of structure showing height applied for, to be attached.	
4	Location of the proposed building site, copies of the layout plans of the Scheme/locality indicating the plot number and roads in the locality duly attested by the Corporation Authorities.	

5	Location of the proposed building with reference to the Aerodrome, 4 copies of land plan with scale of 1000:1 showing position of site in relation to the runway to be supplied. The site marked should be signed by the Architect or professional Technical person registered with the Corporation.	
6	Reduced level of the where the building is proposed (details how the same has been arrived at the given so that it can be checked from contours), if contour copies of New Land Survey Sheet showing the contours to be attached. The reference number of the New Land Survey Sheet to be indicated.	
7	Reduced level of height point of the building proposed.	
8	If the structure proposed is of factory, type of Fuel is proposed to be used in the furnace be given.	
9	Distance from the Aerodrome Reference Point horizontally measured from proposed building/ structure/ installation.	

CERTIFIED that the information given above is correct to be best of my knowledge and I have not applied earlier for permission of constructing the proposed building.

Signature of Applicant _____

Signature of Architect _____

or professional Technical

Person registered with the

Corporation.

UNDERTAKING
On Rs.100/- Non-Judicial Stamp Paper
(For Civil Aviation N.O.C.)

I/We*_____ residing
at _____ Nanded _____ the applicant for the issue of
“No Objection Certificate” for the proposed construction on site
bearing**_____ of _____ am/are aware that the
operation of various types of aircrafts from or to or through, Nanded Airport is bound to cause
noise, vibration nuisance and may also cause damages to the buildings and or properties and or
individuals. However in consideration of the issue of the No Objection Certificate I/We hereby
agree not to complain against the said noise, vibration, nuisance or damage etc. to me/us or
other occupants and to my/our property/house or part thereof and also agree not to claim any
compensation for any noise, vibration, nuisance or damage caused to me/us or other occupants
or to the property or house or part thereof to be constructed by me/us.

** Name of the Applicant*

Signature

***Address of the Applicant*

Name _____
(Signed and delivered by the applicant for
the issue of No Objection Certificate for the
proposed construction)

Signature of professional Technical person
or the Architect Name & Address
Dated:

****Full description of the proposed site for the construction**

UNDERTAKING
On Rs.100/- Non-Judicial Stamp Paper
(For Civil Aviation N.O.C.)

I/We *_____ the applicant for the issue of the No Objection Certificate for the proposed construction on site **_____ hereby undertake that no radio/television aerial mast, lighting arresters, staircases room, vent pipes, overhead water tanks and attachments or super structure of any description will project above _____MSL.

*Name of the Owner

Signature _____

**Address of the Applicant

Name _____

(Signed and delivered by the applicant for the issue of No Objection Certificate for the proposed construction)

Signature _____

Name _____

& Address of the Architect or professional
Technical person

**Full description of the proposed site for the construction

UNDERTAKING
On Rs.100/- Non-Judicial Stamp Paper
(For Civil Aviation N.O.C.)

I/We _____ (Owner's) hereby undertake that oil fired of electric furnace or any other fuel used in the factory chimney at _____ will not cause smoke hazard,

Signature of the Applicant.

APPENDIX –“F”
[Regulation 101(7)]

**REGULATIONS FOR LOW COST HOUSING SCHEMES OF THE MAHARASHTRA HOUSING AND
AREA DEVELOPMENT AUTHORITY FOR ECONOMICALLY WEAKER SECTION (EWS)
AND LOW INCOME GROUPS (LIG).**

SCHEDULE – “A”

1. The floor space index for low cost housing schemes for economically weaker sections and low income groups of the Maharashtra Housing and Area Development Authority, having at least 60% of the tenements under economically weaker section (EWS) and Low Income Group (LIG) categories shall be allowed to be increased by 33% over and above the normally permissible FSI. For the purpose of calculating the FSI, the entire area of the layout shall be considered and underutilized FSI of economically weaker section and low income group schemes areas may be permitted to be utilised for Higher Income Group (HIG), Middle Income Group (MIG) and other amenities in the Schemes. Sub-division of plots will be permissible on the basis of compulsory open spaces as in these Regulations.

2. DENSITY:

- (a) Density shall be up to 450 tenements per net hectare having at least 60 per cent tenements for EWS / LIG housing.
- (b) Extra density of 33 per cent over and above the normally permissible density will apply for such housing schemes, with 60 per cent tenement under the E.W.S. and L.I.G. categories.

2.1 Size of Tenements:

Sr. No.	Income Group	Permissible carpet area (not more than this)
1.	Economically weaker	27.88 Sqm. (300 Sq.Ft.)
2.	Low Income Group	45.00 Sqm. (485 Sq.Ft.)
3.	Medium Income Group	80.00 Sqm. (862 Sq.Ft.)

3. MINIMUM PLOT SIZE:

- (a) In case of a growing house on a plot of 25 sq. m. a room of minimum size of 5.57 sq. m. (60 sq. ft.) with toilet arrangement in the first phase shall be permitted. In the second phase, one room of 9.30 sq. m. (100 sq. ft.) may be allowed to be added. However, commencement and occupation certificates shall be granted initially to the first phase only and subsequent certificate for second phase issued as required.
- (b) **Multi-purpose rooms:**
One multipurpose room shall be allowed with size up to 12.5 Sqm. 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 minimum width of 1.2 m.
- (d) **Combined toilet:**
A combined toilet shall be permitted for more than one tenement with a minimum area of 1.85 Sqm. with minimum width of one meter.
- (e) **Height:**
The average height for a habitable room with sloping roof shall be minimum 2.6m. 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 roof. 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.

4. EXTERNAL WALL:

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

5. STAIRCASES:

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

6. FRONT OPEN:

The front open space from roads having width of 9.14 m and below shall be of a minimum of 1.5m for building with height of up to 10 m.

7. OPEN SPACE (SIDE AND RAER):

The distance between ground floor structures shall be of a minimum of 4.5 m. for purposes of light and ventilation of habitable rooms. In case of toilets deriving light and ventilation from an open space, the distance between the two ground floor structures shall be a minimum of 1.5. m.

8. 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 of pathways upto 30 m. in length;
- iii) 2.5 m. width of pathways upto 40 m. in length;
- iv) 3.0 m. width of pathways upto 50 m. in length;

9. FLUSHING CISTERN:

In water closets, flushing cistern shall not be essential and toilets without this provision may be permitted.

10. WATER CLOSET PAN SIZE:

The water closet seat shall be of a minimum of 0.46 m. (18 inches) in length

11. SEPTIC TANK AND LEACHING PITS (SOAK PITS):

A septic tank shall be provided with capacity of 141.6 liters (five cubic feet) per capita. Where the municipal services are likely to be available within four to five years or so, pour flush water seal latrines (NEERI type) shall be permitted where the municipal sewerage system is not available and the water table in the area is not high.

12. 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 a minimum set. Back of 1.5 m. and a minimum plot area of 25. 2 m. is available and is provided.

13. RECREATION GROUND:

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

14. ANCILLARY STRUCTURES:

Ancillary structures such as underground tank, overhead tank, substations etc. shall be permissible in the compulsory recreation open space subject to the condition that not more than 10 per cent of such space shall be utilized for such purposes.

SCHEDULE – “B”

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

1. The FSI for a new scheme on vacant lands of Low Cost Housing Schemes for Economically Weaker Section, Low Income Groups & Middle Income Group of the MHADA having at least 60% built up area in the form of tenements under EWS, LIG & MIG categories shall be 2.50.
2. For redevelopment of existing housing schemes of MHADA, undertaken by the MHADA departmentally or jointly with societies / occupiers of buildings or by housing societies / occupiers of building or by lessees of MHADA or by the developer, the FSI shall be as under:-
 - a) Total permissible FSI shall be 2.5 on gross plot area.
 - b) The incentive FSI admissible against the FSI required for rehab shall be as under:-
 - i) In congested area as shown on sanctioned D.P. of Nanded for the area upto 4000 Sqm. the incentive FSI admissible will be 50%.
 - ii) In congested area as shown on sanctioned D.P. of Nanded for the area above 4000 Sqm. the incentive FSI admissible will be 60%.
 - iii) In outside congested area as shown on sanctioned D.P. of Nanded for the area upto 4000 Sqm. the incentive FSI admissible will be 60%.
 - iii) In outside congested area, as shown on sanctioned D.P. of Nanded for the area above 4000 Sqm. the incentive FSI admissible will be 75%.
 - c) Difference between 2.5 FSI and the FSI required for “rehab + incentive” shall be shared between MHADA & Society / Developer in the ratio of 2:1.
 - d) In the scheme, for the land allotted for societies for MIG and HIG and developed plot allotted individually to MIG and HIG group, the permissible FSI shall be as per prevailing Development Control Regulations.
3. In case of grant of NOC with additional permissible Built-up area 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 reservation of public amenities shall be considered. Sub-division of plots will be permissible on the basis of compulsory open spaces as in these Regulations. For low cost housing schemes of MHADA for EWS, LIG categories, the Regulations in Appendix “1” appended herewith 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 Nanded Waghala City Municipal Corporation 12.5% of the charges collected by MHADA for the grant of additional FSI (FSI over and above the normally permissible FSI) for the Redevelopment Schemes.
7. In any Redevelopment Scheme where the Co-operative Housing Society / Developer appointed by the Co-operative Housing Society has obtained No Objection Certificate from MHADA / Nanded Board thereby sanctioning additional balance FSI with consent of 70% of its members and where such NOC holder has made provision for alternative accommodation in the proposed building (including transit accommodation) then it shall be obligatory for all the occupiers / members to participate in the Redevelopment Scheme and vacate the existing tenement for the purpose of redevelopment. In case of failure to vacate the existing tenements, the provisions of section 95A of the MHADA Act mutatis mutandis shall apply for the purpose of getting the tenements vacated from non co-operative members.
8. A corpus fund, as may be decided by MHADA, shall be created by the Developer which will remain with the societies for its maintenance.
9. 2% area of lay-out under these schemes will be kept for Electric DP / Dust Bin / Waste Material Collection Centre.

Appendix – “1” (Under Schedule-B)

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

1. Density:

- a) Density shall be upto 450 tenements per net hectare having at least 60 percent tenements for EWS / LIG housing.
- b) Extra density of 20 percent over and above the normally permissible density will apply for such housing schemes, with 60 percent tenements under EWS and LIG categories.

2. Minimum Plot Size:

- a) In the case of a growing house on a plot of 25 Sqm. a room of minimum size of 5.57 Sqm. (60 Sq.Ft.) with toilet arrangement in the first phase shall be permitted. In the second phase, one room of 9.30 Sqm. (100 Sq.Ft.) may be allowed to be added. However commencement and occupation certificates shall be granted initially to the first phase only and subsequent certificate for second phase issued as required.
- b) **Multi-purpose rooms:**
A multipurpose room shall be allowed with size upto 12.5 Sqm. with a minimum width of 2.4m.
- c) **Cooking space (alcove):**
Provision of separate kitchen shall not be necessary. However, cooking space shall be allowed with minimum use of 2.4 Sqm. with minimum width of 1.2 m.
- d) **Combined toilet:**
A combined toilet shall be permitted for more than one tenement with a minimum area of 1.85 Sqm. with minimum width of one meter.

- e) Height:**
The average height for a habitable room with sloping roof shall be minimum 2.6 m. with minimum height of 2 m. at the eaves. In the case of flat roof minimum clear height shall be 2.6 m. for 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.
- 3. External wall:**
115 mm. Thick external brick wall without plaster shall be permitted
- 4. Staircases:**
Single flight staircases without landing between the two floors shall be permitted.
- 5. Front open space:**
The front open space from roads having width of 9.14 m and below shall be of a minimum of 1.5m for building with height of up to 10 m.
- 6. Open space (side and rear):**
The distance between ground floor structures shall be of a minimum of 4.5 m. for purposes of light and ventilation of habitable rooms. In case of toilets deriving light and ventilation from an open space, the distance between the two ground floor structures shall be a minimum of 1.5. m.
- 7. Pathways:**
The widths of pathways shall be as follows:
- i) 1.5 m. width of pathways upto 20 m. in length;
 - ii) 2.0 m. width of pathways upto 30 m. in length;
 - iii) 2.5 m. width of pathways upto 40 m. in length;
 - iv) 3.0 m. width of pathways upto 50 m. in length.
- 8. Flushing cistern:**
In water closets, flushing cistern shall not be essential and toilets without this provision may be permitted.
- 9. Water closet pan size:**
The water closet seat shall be of a minimum of 0.46 m. (18 inches) in length.
- 10. Septic tank and leaching pits (sock pits):**
A septic tank shall be provided with capacity of 141.6 liters (five cubic feet) per capita. Where the municipal services are likely to be available within four to five years or so, pour flush water seal latrines (NEERI type) shall be permitted where the municipal sewerage system is not available and the water table in the area is not high.
- 11. Convenience Shopping:**
Convenience Shopping as defined in these Regulations shall be permitted along layout roads with width of 12.2 m to 18.49 m. provided a minimum set. Back of 1.5 m. and a minimum plot area of 25. 0 m. is available and is provided.
- 12. Recreation ground:**
In the layouts, provision for recreation ground shall be on the lines prescribed in these Regulations.

13. Ancillary Structures:

Ancillary structures such as underground tank, overhead tank, substations etc. shall be permissible in the compulsory recreation open space subject to the condition that not more than 10 per cent of such space shall be utilized for such purposes.

SCHEDULE – “C”

1. These directives will be for implementation of Integrated Housing and Slum Development Programme (IHSDP), Basic Services to Urban Poor (BSUP), Economically Weaker Section (EWS), Low Income Group (LIG), and Transit Camps.
2. These schemes shall be implemented by Corporation itself.
3. 15% of the permissible 2.5 FSI shall be permissible for sale. However if this 15% is not sufficient for implementation of IHSDP or BSUP scheme then with the previous scrutiny and approval of the Vice-President of Maharashtra Housing and Development Authority, Mumbai additional 10% shall be made for sale.
4. Component available for sale on account of 3 above shall be permitted to be sold or lease out as per the terms and conditions of Mumbai Provincial Corporation Act, 1949.
5. All reservations coming under above proposal shall be developed compulsorily. But buildable reservations (excepting open type) shall be developed on the basis of Accommodation Reservation and on its principals laid down for it.
6. While granting 2.5 FSI for implementation of IHSDP or BSUP, for granting concession in Open Spaces, Side Marginal Spaces etc. shall be taken by the Commissioner as per need.

APPENDIX – “G”
[Regulation No. 101 (8)]

**REGULATION FOR RE-CONSTRUCTION /REDEVELOPMENT OF SCHEMES
UNDERTAKEN BY THE OWNER IN RESPECT OF EXISTING AUTHORISED TENTED
RESIDENTIAL BUILDING WHICH IS DILAPIDATED, DESTROYED BY FIRE, COLLAPSED,
DEMOLISHED ETC.**

- 1) These provisions shall be applicable to the following proposals only:
 - A) Reconstruction / Redevelopment schemes undertaken by the Corporation / Owners for existing residential development.

The FSI to be allowed for such proposal shall be FSI permissible under these regulations or the FSI consumed by the existing authorised building whichever is more. In addition to this 15% additional FSI shall be allowed as an incentive to the owner.
 - B) Reconstruction / Redevelopment of buildings destroyed by fire, collapsed, demolished, etc. Reconstruction in whole or in part of a building (not being a building wholly occupied by warehousing user) on or before reference date i.e. those buildings existing prior to the date of sanctioned Development Plan of Nanded Waghala City Municipal Corporation i.e. 3rd August 2006 and which has ceased to exist in consequence of accidental fire, natural collapse or demolition for the reason of the same having been declared unsafe by or under a lawful order of the Commissioner.
 - (a) Redevelopment outside congested area shall be allowed with FSI equivalent to that already utilised plus 50% of permissible FSI or 2.00 whichever is more.
 - (b) Redevelopment in congested area shall be allowed with an FSI equivalent to that already utilised plus 50% of the permissible FSI whichever is more.

Provided FSI in (a) & (b) above cases shall not exceed in new structure.
 - C) The Dilapidated Committee shall be headed by the Commissioner of Corporation, and shall consist of Superintending Engineer of Public Works Department, Nanded; Deputy Director of Town Planning, Aurangabad Division and Assistant Director of Town Planning, Branch Nanded and the said committee shall decide the buildings which are dangerous and dilapidated.

Note: i) *For the purpose of deciding authenticity of the structure if the approved plans of existing structure are not available, the Commissioner shall consider other evidence such as Assessment Record or City Survey Record or Sanad.*

ii) *In cases where there are number of buildings on plot in such cases, equivalent land component of the building which is declared unsafe shall be worked out and incentive FSI shall be based on such land component.*
- 2) Reconstruction of the new building on the plot should conform to the provisions of the development plan and these regulations. Reconstruction on the said plot not so affected by the development plan is permissible.
- 3) The new building may be permitted to be reconstructed in pursuance of an agreement to be executed on stamp paper of appropriate value, as decided by the Commissioner, by at least 70 percent of the landlord/occupants (if any) in original building, within the meaning of Bombay Rents, Hotel and Lodging House Rents Control Act, 1947 and such agreement shall make a provision for accommodation for the said landlords / all occupants in the new building on agreed terms and copy of such agreement shall be deposited with the Corporation before commencement or undertaking reconstruction of the new buildings.

- 4) The carpet area of part or parts of new building intended to be used as office premises shall not exceed the carpet area of part or parts of the original building so used as office premises or for commercial use or 0.5 FSI whichever is more.
- 5) The new building shall be reconstructed in accordance with these Regulations and all other Regulations and orders as applicable from time to time. The Commissioner may exercise his powers under Regulation 32 for condonation of minor variations in respect of such reconstruction.
- 6) The maximum area of a residential tenement in the reconstructed building shall not exceed 70 Sqm. or such larger area as may be decided by the State Government in deserving cases.
- 7) The landlords/occupants of the original building shall furnish a duly stamped undertaking that he/they shall allot to all the occupants in the original building accommodation in the new building in accordance with Regulation in this Appendix.
- 8) No construction or reconstruction shall be permitted in set-back areas. Areas required for road widening and such areas shall be handed over to the Corporation.
- 9) Reconstruction of collapsed / gutted / demolished portion of buildings (provided such collapsed / gutted / demolished portion is not more than 25% of the whole building, excluding sanitary portions and common facilities, passages and usages such as lift portion and lift wells, staircases, etc.) will be permitted subject to these Regulations with the use of conventional materials only except for repairs to the aforesaid sanitary portion and common facilities which will be permitted in R.C.C. with existing FSI irrespective of permissible FSI.
- 10) The development charges for these buildings shall be as per prevailing provisions of M.R. & T.P. Act, 1966.
- 11) In redevelopment scheme, rules of Slum Improvement Boards will not be applicable.
- 12) Other than above rules and conditions mentioned above, the remaining rules and conditions framed by Corporation are applicable.
- 13) If the landholders are intended to take benefit of these regulations, shall fulfil the conditions and the provisions of the prevailing Development Control Regulations.

**“APPENDIX – “H”
(Regulation No. 102)**

TRANSFERABLE DEVELOPMENT RIGHTS.

**REGULATIONS FOR THE GRANT OF TRANSFERABLE DEVELOPMENT RIGHTS (TDR’S) TO
THE OWNERS / DEVELOPERS AND CONDITIONS FOR GRANT OF SUCH RIGHTS:**

In certain circumstances, the development potential of a plot of land may be separated from the land itself and may be made available to the owner of the land in the form of Transferable Development Rights (TDR). These rights may be made available and subject to the Regulation, mentioned below.

- 1) The owner or lessee of a plot of land which is reserved for a Public Purpose or construction of new road or for widening of existing road in the Development Plan and for additional amenities deemed to be reservation provided in accordance with these Regulations, excepting in the case of an existing or retention user or any required compulsory or recreational open space shall be eligible for the award of Transferable Development Rights (TDRs) in the form of Floor Space Index (FSI) to the extent and on the conditions set out below. Such award will entitle the owner of the land to FSI in the form of a Development Right Certificate (DRC) which he may use for himself or transfer to any other person.
- 2) In case small plots (below the category of narrow plot) original or after road construction or road widening or after giving reservation land to the Corporation/Authority, as per D.C. rules, after deducting front, rear and side margin, the remaining space is less than what is required for minimum sizes of rooms, or the sites which are falling in requirement of sites as per regulation 54 shall also be eligible for the award of Transferable Development Rights (TDRs) in the form of Floor Space Index (FSI) to the extent and on the conditions set out below.
- 3) Subject to the Regulation - 1 above, where a plot of land is reserved for any purpose specified in Section 22 of Maharashtra Regional and Town Planning Act, 1966, which also includes designated parking areas/parking complexes/parking lots, the owner will be eligible for Development Rights Certificate (DRCs) to the extent stipulated in Regulations 8 & 9 given below and after the said land is surrendered free of cost as stipulated in Regulations 8 & 9 in this Appendix and after completion of the Development or Construction as per these rules, if he undertakes the same.
- 4) Development Rights Certificates (DRCs) are available only in cases where development of reservation has not been implemented or land under reservation has not been acquired and possession taken subject to Regulation 16 below.
- 5) Development Rights Certificates (DRCs) shall not be permissible once an award has been declared under land acquisition process and or the possession has already been delivered to the Municipal Corporation under any Act.
- 6) Transfer of Development Rights will be also granted to the owner of the plot which is under occupation of slum dweller. Where the plot is occupied by Slum Dweller and area is notified as slum. The Competent Authority shall be entitled to redevelop the said plot by preparation of a scheme as contemplated under Maharashtra Slum Area (Clearance and Development), Act 1971. The owner of the plot shall surrender the plot to the Corporation free of cost and against that, the Commissioner shall issue a certificate for F.S.I. of the said plot to the owner of the said plot as per the procedure. The owner will be able to use said T.D.R. certificate for the respective zones. After surrender of the plot, the Slum Rehabilitation Authority (S.R.A.) shall either grant the lease for 30 years on nominal rent to the Promoter or Co-operative Society as per the scheme for construction of tenements for slum dwellers on such conditions, as they deem for as per Scheme.
- 7) Development Rights Certificates (DRCs) will be issued by the Municipal Commissioner himself. It will state, in figures and in words, the FSI credit in Square Meters of the built up area to which the owner or lessee of the said reserved plot is entitled, the place under user zone in which DRCs are earned, and the areas in which such credit may be utilized.

- 8) The built up area for the purpose of FSI credit in the form of a DRC shall be equal to be gross area of the reserved plot to be surrendered and will proportionately increase or decrease according to the permissible FSI of the zone where from the TDR has originated.
- 9) When an owner or lessee also develops or constructs the built up area on the surrendered plot at his cost subject to such stipulation as may be prescribed by the Commissioner, to his satisfaction and hands over the said developed / constructed amenity, free of cost or as the case may be to the Commissioner / Appropriate authority, he may be granted by the Commissioner a further DRCs in the form of FSI equivalent to the area of construction / development done by him, utilization of which etc. will be subject to the Regulation contained in this Appendix.
- 10) A DRC will be issued only on the satisfactory compliance of the conditions prescribed in this Appendix.
- 11) If a holder of DRCs intends to transfer it to any other person, he will have to submit the DRC to the Commissioner along with an appropriate application for an endorsement of the new holder's name, i.e. transferee on this said certificate. Without such an endorsement by the Commissioner himself, the transfer shall not be valid and the Certificate will be available for use only by the earlier original holder.
- 12) A holder of DRC who desires to use the FSI Credit Certificate therein on a particular plot of land shall attach to his application for development permission valid (DRCs) to the extent required.
- 13) DRC shall not be valid for use on receivable plots in the areas listed below, (Identified in the limits of Nanded Waghala City Municipal Corporation)
 - (a) In areas included in congested area / Gaothan areas as shown in the Development Plan.
 - (b) Area in Green Zone / No Development Zone / Agricultural Zone and blue zone (prohibitive zone) and red zone (restrictive zone) as specified in the Development Plan or as specified by Irrigation Department where the same has not been shown in the Development Plan.
 - (c) On the plots for housing schemes of slum dwellers for which additional F.S.I. is permissible.
- 14) The DRC's in the Nanded Waghala City Municipal Corporation area shall be issued as below:
 - (1) Area under Nanded Waghala City Municipal Corporation is divided in 3 Sectors i.e. A, B & C.
 - (a) **Sector-"A"** shall include all congested areas as shown distinguishly on sanctioned Development Plan of Nanded Waghala City Municipal Corporation and village Gaothan within original city limits of NWCMC. In case any disputes regarding the boundaries of Zones the decision of the Commissioner will be final and binding upon all the parties. Part Sector A deleted & included in Sector B as shown on map (Page No. 327). Deleted areas Shivaji Nagar, Doctor lane, Dilip sing Colony, NTC Mill etc. the area are deleted reason are most of area road widening in JNNURM Projects. Hence the above area achieved the potential commercial development status & also NTC Mill area proposed to be deleted since taken after in BSUP area & is not likely to be congested area.
 - (b) **Sector-"B"** shall include all remaining areas of sanctioned development plan of Nanded Waghala City Municipal Corporation. Included area as above
 - (c) **Sector-"C"** shall include new extended areas of Nanded Waghala City Municipal Corporation and T.D.R. shall be applicable only after the publication of Development Plan of the said area under Section 26 of Maharashtra Regional and Town Planning Act, 1966. Similarly areas defined officially as Congested/Gaothan in Sector "C" will attract the provisions of Sector "A". The development plan finalizing process is long aggression process & the construction process is given this area existing land use. Hence it is proposed to allow TDR in the Zone to avoid irregular unplanned construction. However TDR generation & loading be permitted of road development under various scheme
 - (2) TDR generated in Sector "A" due to Road widening shall only be permitted on the same plot subject to limitation of FSI permissible. However TDR generated in Sector "A" due to Road widening and by any other reservations may be allowed to be used in any other zones

however same shall be factored in proportionate to the value of land generating & receiving TDR on the basis of prevailing rates of Ready Reckoner

- (3) T.D.R. loading in Sector “B” & “C” shall be factored in proportionate to the value of TDR generating land on the basis of prevailing Ready Reckoner rates in TDR generating zone and receiving zone.

Note1: Plan showing proposed zones is enclosed herewith.

Note2: All receiving plots shall front on minimum 6 m. wide road.

- 15) DRC's shall not be valid for use on receivable plots in the areas listed below;

- In the congested area and the specified areas shown on Development Plan.
- In areas developed by Maharashtra Housing and Area Development Authority.
- On plots for housing schemes of slum dwellers for which additional F.S.I. is permissible and the areas where the permissible F.S.I. is less than one.
- In case of specified areas where allowable FSI is 2.00, DRC's shall be allowed to be used to such an extent so that the total F.S.I. does not exceed 2.5
- Areas restricted by Air Strip Zone as per Regulation No.97.
- Areas affected by High Flood Zone.
- Areas falling in Building line / Control line as per Ribbon Development Rules of concerned State Highway or National Highway Authority.
- Lands designated as Open Space in layouts.
- Green Zone as shown in Development Plan.
- Areas where Corporation thinks fit to acquire than to issue Development Rights Certificates.
- While granting TDR no relaxation will be given in marginal open spaces, tenement density, height, parking spaces and relevant provisions as applicable under sanctioned Development Control Regulation, however this will not be applicable to the buildings constructed before 31st December 2009.

- 16) The user that will be permitted for utilization of the DRCs on account of Transfer of Development Rights will be as under:

PERMITTED LAND USE IN RECEIVING AREA		
Sr. No.	Predominant zone proposed in Development Plan in which reserved site is situated	Land user to be permitted in receiving areas.
(1)	(2)	(3)
1	Residential	Only Residential users and in residential zone only.
2	Commercial (C-1)	Only Commercial user in commercial zone & Residential only in Residential Zones.
3	Industrial	As per Industrial location policy in Industrial zone Residential only in Residential zones
4	Public / Semi public	Residential only in Residential zones

- 17) DRCs may be used on one or more plots of land whether vacant or already developed or by the erection of additional storeys or in any other manner consistent with these Regulations, but not so as to exceed in any plot a total built up FSI higher than that prescribed hereinafter.
- 18) a) The FSI on receiving plot shall not exceed more than 0.80 earned either by way of DR in respect of reserved plot by way of DR in respect of land surrender for road widening or construction of new roads.
- b) In the matter of cases wherein the vacant (open) areas under Acquisition for road or road widening out of the plots, wherein the entire potential of the plot is already consumed, the TDR's as per sanctioned DCR would not be permissible.

- 19)** Notwithstanding anything contained in these Regulations the utilisation of TDR on receivable plot shall be as given below (any one of the following combination as the case may be).
- i) Only reservation TDR = 0.80
 - ii) Only slum TDR = 0.80
 - iii) Only Road TDR of the very said plot = 0.80
- or combination of any above subject to maximum @ 0.80 for eg.
- 1) Reservation TDR + Slum TDR = 0.80
 - 2) Reservation TDR + Slum TDR + Road TDR of the very said plot = 0.80
 - 3) Road TDR + Slum TDR = 0.80
 - 4) Road TDR + Reservation TDR = 0.80
- 20)** TDR will be granted and DRCs will be issued only after the reserved land is surrendered to the Corporation where it is Appropriate Authority, otherwise to the State Government as the case may be, free of cost and free of encumbrances, after the owner or lessee has levelled the land to the surrounding ground level at the cost of the owner and to the satisfaction of the Commissioner, or the State Government (where Corporation is not appropriate authority). The cost of any transaction involved shall be borne by the owner or the lessee.
- 21)** The Commissioner may permit additional FSI on 100 percent of the area required for the widening or construction of new roads proposed under the development plan or those proposed under the Bombay Provincial Municipal Corporation Act, 1949, excluding areas of internal means of access, if the owner (including the lessee) of such land surrenders such land for road widening or new road construction without claiming any compensation in lieu thereof and hands over the same to the Corporation free of encumbrances and after the owner or lessee has levelled the land to the surrounding ground level at the cost of the owner, and to the satisfaction of the Commissioner.

When an owner or lessee or Power of Attorney Holder/Authority Holder also develops or constructs the road on surrendered land at his cost subject to such stipulations as may be prescribed by the Commissioner to his satisfaction and hands over the said developed/constructed road to the Commissioner free of cost, he may be granted by the Commissioner additional FSI equal to 25% of the area of this construction/development done by him (this modification will not apply in cases where road FSI is utilised and also full occupation certificate is granted).

Such 100% FSI on land so surrendered to the Corporation and/or FSI towards road area constructed, will be utilised on the remainder of the land up to a limit of 40% in respect of plots situated in Congested area of the Corporation and 60% in respect of plots situated in outside congested area of the plot remaining after such surrender and the balance FSI remaining thereafter shall be utilised as a Development Rights in accordance with regulations governing Transfer of Development Rights (TDRs) in Appendix-H, or the full FSI of land surrendered to the Corporation may be allowed to be used as Development Right in accordance with the Regulations governing Transfer of Development Rights (TDRs) in this Appendix. Thereafter the road land shall be transferred in the City survey records in the name of the Corporation and shall vest it in becoming part of Public Street as defined in Chapter XIV- ROADS, of the Bombay Provincial Corporation Act, 1949.

However, such FSI on receiving plots, prescribed in Regulation No.184, shall be allowed to be exceeded by 100% of the gross plot area without deducting the required public amenity/utility space.

- 22)** With the application of development permission where the owner seeks utilization of DRCs, he shall submit the DRC to the Commissioner who shall endorse thereon in writing, in figures and words the quantum of the DRC proposed to be utilized, before granting development permission and when the development is complete the Commissioner shall endorse on the DRC in writing, in figures and words, the quantum of the DRs actually utilised and the balance remaining thereafter if any, before issue of Occupation Certificate.
- 23)** The DRC shall be issued by the Commissioner himself as a certificate printed on a bond paper in an appropriate form prescribed by Commissioner. Such a certificate will be a "Transferable and

negotiable instrument” after due authentication by the Commissioner. The Commissioner shall maintain a register in a form considered appropriate by him of all transaction, etc. relating to grant of utilization of DR’s.

- 24) The surrendered reserved land for which a DRC is to be issued shall vest in the Corporation or the State Government, if the Appropriate Authority is other than the Corporation, and such land shall be transferred in City Survey Records in the name of the Corporation or the State Government as the case may be and shall vest absolutely in the Corporation or the State Government. The surrendered land so transferred to the State Government in respect of which the Corporation is not the appropriate authority, may on application thereafter be allotted by the State Government in favour of the concerned authority which may be State or Central Government Department, Authority or Municipal Corporation or any other Public Authority or Organization on appropriate terms as may be decided by the State Government.
- 25) Whenever, the Appropriate Authority submit their demand for land reserved for them in the Development Plan or the land owner serves the purchase notice for such land the Municipal Corporation can grant the TDR for such reservation and take possession of such land subject to condition that the concern Appropriate Authority (other than the Govt. Department) shall deposit at least 75% of land cost as per prevailing rates of ready Reckoner and subsequently take possession of such reserved land after payment of 100% land cost as per the prevailing rates of ready Reckoner. However, for the sites reserved for State Government the Municipal Corporation shall hand over the served land free of cost to concern State Govt. Department.
- 26) In specific cases considering the merits, where Development Plan roads/reservations are proposed in No Development Zone and adjoining the residential or commercial zone, the Commissioner with prior approval of the Government shall grant FSI for such road land / reserved land equivalent to that of the adjoining zone.
- 27) The Commissioner / Appropriate Authority shall draw up in advance and make public from time to time in respect of a phased annual program (allowing a 10 % variation to deal with emergency development) for utilization of TDRs in the form of Development Rights prioritising revised (draft or sanctioned) development plan reservations to be allowed to be surrendered and indicating the areas for their utilization on receiving plots. Notwithstanding this, in urgent cases, the Commissioner / Appropriate Authority may for reasons to be recorded in writing grant DRs, as and when considered appropriate and necessary.
- 28) If any contiguous land in addition to the land under reservation for which TDR is given remains un-build-able the Corporation may grant TDR for such land also. The Commissioner will take care that such land are utilised for open space, public toilet etc.
- 29) The Development Rights cannot be utilised within the areas falling under belt of 250 m around the hazardous industries.
- 30) TDR will be allowed for road lands surrendered, without any encumbrance, free of cost to the Corporation under JNNURM project / Nagarothan / any project where in road widening is under Taken/any other development project undertaken by the Planning Authority.
- 31) As Per Government Gazette dated 3rd August 2006, Appendix “I -I, Rule No. 9(e), D.R.C.s shall not be allowed on the plot facing major six roads up to depth of 40 mt. is deleted & TDR loading be allowed since this road widening under JNNURM/MSRDC Road Projects
- 32) The TDR is applicable for NWCMC as Per Government Gazette dated 3rd August 2006, Appendix “I -I, at the time of preparation of this revised DCR, the whole Appendix is changed as per the Nanded City conditions. & same are incorporated as above.

**APPENDIX – “I”
(Regulation No.172)**

**SPECIAL REQUIREMENTS FOR PLANNING OF PUBLIC BUILDINGS
MEANT FOR USE OF PHYSICALLY CHALLENGED.**

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, arthritis, spastics and those with pulmonary and cardiac ills may be semi-ambulatory.

1.3 Sight disabilities:

Total blindness or impairments affecting sight to the extent that the individual functioning in public areas is insecure or exposed to danger.

1.4 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.

1.5 Wheel Chair:

Chair used by Disabled people for mobility. The standard size of wheel chair shall be taken as 1050 mm. x 750 mm.

2. SCOPE:

These bye laws are applicable to all existing and proposed buildings and facilities used by the public. It does not apply to private and public residences.

3. SITE DEVELOPMENT:

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

3.1 Access path/ Walk way:

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

Parking Space:

For parking of vehicles of handicapped people the following provisions shall be made;

- a) Surface parking for two car spaces shall be provided near entrance for the physically handicapped persons with maximum travel distance of 30 meter from building entrance.
- b) The width of parking bay shall be minimum 3.60 meter.
- c) The information stating that the space is reserved for wheel chair users shall be conspicuously displayed.
- d) Guiding floor materials shall be provided or a device, which guides Visually Impaired persons with audible signals or other device, which serves the same purpose, shall be provided.

4. BUILDING REQUIREMENTS:

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

- a) Approach to plinth level.
- b) Corridor connecting the entrance/ exit for the handicapped.
- c) Stairways.
- d) Lift.
- e) Toilet.
- f) Drinking Water.

Braille signage shall be provided at the above specified facilities.

4.1 Approach to Plinth Level:

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

4.1.1 Ramped Approach:

- i) Ramp shall be finished with no slip material to enter the building. Minimum width of ramp shall be 1800 mm. with maximum gradient 1:12. Length of ramp shall not exceed 9.0 m. having 800 mm. high handrails on both sides extending 300 mm. beyond the top and bottom of the ramp. Where major traffic is predominantly of children, the handrails should be placed at 760 mm high. Minimum gap from the adjacent wall to hand rail shall be 50 mm.

Note:

1. *Where handrails are specified to be of heights other than 800 mm, it is recommended that two sets of handrails be installed to serve all people. Where major traffic is predominantly children, particularly physically disabled children, extra care should be exercised in the placement of handrails, in accordance with the nature of the facility and the age group or groups being served.*
2. *Care should be taken that the extension of the handrails is not in itself a hazard. Extension up to 300 mm. may be made on the side of a continuing wall.*

4.1.2 Stepped Approach:

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

4.1.3 **Exit/Entrance Door:**

Minimum clear opening of the entrance door shall be 900 mm. and it shall not be provided with a step that obstructs the passage of wheel chair user. Threshold shall not be raised more than 12 mm.

4.1.4 **Entrance Landing:**

Entrance landing shall be provided adjacent to ramp with the minimum dimension 1800 mm. x 2000 mm. The entrance landing that adjoin the top end of a slope shall be provided with floor materials to attract the attention of visually impaired persons, limited to coloured floor material whose colour and brightness is conspicuously different from that of surrounding floor material or the material that emit different sound to guide visually impaired persons hereinafter referred to as “guiding floor material” (Annexure-1). Finishes shall have a non-slip surface with a texture traversable by wheel chair. Curbs wherever provided should blend to a common level.

4.2 **Corridor Connecting the Entrance/Exit for the Handicapped:**

The corridor connecting the outdoors to a place where information concerning the overall use of the specified building can be provided to visually impaired persons either by person or by signs, shall be provided as follows:

- a. Guiding floor materials shall be provided or devices that emit sound to guide visually impaired persons.
- b. The minimum width shall be 1500 mm.
- 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.

4.3 **Stair Ways:**

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

- a) The minimum width shall be 1350 mm.
- b) Height of the riser shall not be more than 150 mm. and width of the tread 300 mm. The steps shall not have abrupt (square) nosing.
- c) Maximum number of risers on a flight shall be 12.
- d) Hand rails shall be provided on both sides and shall extend 300 mm. on both sides and shall extend 300 mm. on the top and bottom of each flight of steps.

4.4 **Lifts:**

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

Clear internal depth	:	1100 mm.
Clear internal width	:	2000 mm.
Entrance door width	:	900 mm.

- a) A hand rail not less than 600 mm. long at 1000 mm. above floor level shall be fixed adjacent to the control panel. Also, switch control shall be at an operating height equal to that of hand rails.
- 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 second and the closing speed should not exceed 0.25 M/sec.
- d) The interior of the case shall be provided with a device that audibly indicates the floor the cage has reached and indicates that the door of cage for entrance/exit is either open or closed.

Braille signage shall be provided outside the lifts.

4.5 Toilets:

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

- a) The minimum size shall be 1500 x 1700 mm.
- b) Minimum clear opening of the door shall be 900 mm. and door shall swing out.
- c) Suitable arrangement of vertical / horizontal handrails with 50 mm. clearance from wall shall be made in the toilet.
- d) The W.C. seat shall be at 500 mm. above the floor level.

4.6 Drinking Water:

Suitable provision of drinking water shall be made for the handicapped near the special toilet provided for them.

4.7 Designing for Children:

In the building meant for the predominant use of the children, it will be necessary to suitably alter the height of the handrail and other fittings and fixtures etc.

ANNEXURE-1
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 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 meant to give the directional effect or warn a person at critical places. This floor material shall be provided in the following areas:

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

PROPER SIGNAGE:

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

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

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

APPENDIX –“J”
(Regulation No. 17 and 173)

ADDITIONAL FIRE PROTECTION REQUIREMENTS FOR BUILDINGS MORE THAN 15 M. IN HEIGHT AND BUILDINGS COVERED BY REGULATION 17.

1. GENERAL:

In addition to the provisions of part IV fire Protection of National Building code of India the Chief Fire Officer, of Corporation Fire Brigade under the provisions of the Maharashtra Fire Prevention and Life Safety Measures Act, 2006, may insist on suitable provisions in building from fire safety and fire fighting point of view depending on the occupancy and height of building.

2. CONSTRUCTION:

2.1 Building Materials;

2.1.1 Load bearing elements of construction and elements of construction for which the required fire resistance is one hour or more shall be of non-combustible material. Interior finish materials (Wall panelling, floor covering etc.) may be permitted of materials having their rating for flame spread and smoke developed not exceeding a very low flame spread limit in accordance with IS : 1642 – 1960 (Class I) Ceiling linings shall be of non – combustible or of plasterboard.

2.1.2 Stairways and Corridors shall not contain combustible materials.

2.2 Structural members such as supports and bearing walls shall have fire resistance rating of 3 hours, transoms and ceilings 2 hours to 4 hours.

2.3 Internal walls and partitions separating corridors from areas of floor that are used for any purpose other than circulation shall have a fire resistance of not less than one hour. There shall be no opening in such walls other than doors or delivery hatches with fire resistance not less than half an hour to one hour. Fire sections (fire walls) sub-dividing the building to prevent fire spread, shall have a fire resistance rating not less than two hours.

2.4 Facades shall consist of non – combustible building materials. A fire must bridge a distance of non – combustible building materials. A fire must bridge a distance of at least 0.9 meters between storeys.

3. STAIRCASE ENCLOSURE:

3.1 The internal enclosing walls of staircase shall be brick or R.C.C. construction having fire resistance of not less than two hours. All enclosed staircases shall be reached via ventilated lobby and shall have access through self closing doors of at least half hour fire resistance. These shall be single swing doors opening in the direction of the escape. The door shall be fitted with check action doors closers.

3.2 The staircase enclosure on external wall of the building shall be ventilated to atmosphere at each landing.

3.3 Permanent vent at the top equal to 5 per cent of the cross sectional area of the enclosure and open able sashes at each floor level with area equal to 15% of the cross sectional area of the enclosure on the external wall shall be provided. The roof of the shaft shall be at least 1 m. above the surrounding roof. There shall be no glazing or glass bricks in any internal enclosing wall of a staircase. If the staircase is in the core of the buildings and cannot be ventilated at each landing a positive pressure of 5 mm. water gauge by an electrically operated blower / blowers shall be maintained.

- 3.4 The mechanism for pressurizing the staircase shaft shall be so installed that the same shall operate automatically and also with manual operation facilities, when the automatic fire alarm operates.

4. LIFT ENCLOSURES:

- 4.1 The walls enclosing lift shafts shall have a fire resistance of not less than two hours. Shafts shall have permanent vents at the top not less than 1800 mm. (0.2 Sqm.) in clear area. Lift motor rooms shall preferably be cited at the top of shaft shall be separated from lift shafts by the enclosing wall of the shaft or by the floor of the motor rooms.
- 4.2 Landing doors in lift enclosures shall open in the ventilated or pressurized corridor / lobby and shall have fire resistance of not less than one hour (for buildings above 16 m. in height)
- 4.3 The number of lifts in one lift bank shall not exceed four. Shaft for fire lift in a lift bank shall be separated from each other by a brick masonry or R.C.C. wall of fire resistance of not less than two hours. For buildings above 16 m. in height lift car doors shall have fire resistance of not less than one hour.
- 4.4 If the lift shaft and lift lobby are in the core of the building, a positive pressure of not less than 2.5 mm. And not more than 3 mm. Water gauge by an electrically operated blower / blowers shall be maintained in the lift lobby and positive pressure of not less than 5 mm. Water gauge shall be maintained in the lift shaft. The mechanism for pressurizing the lift shaft and lift lobby shall be so installed that they shall operate automatically when the automatic fire alarm operates. The mechanism shall have facilities to operate manually. (For buildings more than 24 m. in height)
- 4.5 Exist from the lift lobby if located in the core of the building, shall be through a self closing smoke stop door of half hour fire resistance.
- 4.6 The lift machine room shall be separate and no other machinery shall be installed therein.
- 4.7 Lifts shall not normally communicate with the basement. However, one of the lift may be permitted to reach the basement levels provided the lift lobby at each basement level is pressurized and separated from the rest of the basement areas, by smoke actuated fire resisting door of two hours fire resistance. These doors can also be kept in hold open position by an electro magnet device to be linked with smoke detector.
- 4.8 Grounding switch / switches at the ground floor level to enable the fire service to ground the lift car / cars in an emergency shall be provided. (For buildings more than 15 m. In height)

5. EXTERNAL WINDOWS:

- 5.1 Areas of the open able external windows on a floor shall be not less than 2.5% of the floor area. The locks of these windows shall be fitted with budget lock of the carriage key type (which can be opened with the point of a fireman's axe)

6. FIRE LIFTS (FOR BUILDINGS MORE THAN 15 M. IN HEIGHT):

The following provisions shall be made for a fire lift:

- 6.1 Telephone communication system in the lift car / cars with speaker / telephone assembly shall be provided for buildings more than 15 m. in height.
- 6.2 Provisions for a fire lift shall be made as per the following details:
- a) To enable Fire Services personnel to reach to the upper floors with the minimum delay, one or more of the lifts shall be so designed as to be available for the exclusive use of the Fireman in an emergency and be directly accessible to every dwelling / let table floor space on each floor.

- b) The lift shall have a floor area of not less than 1.4 Sqm. It shall have loading capacity of not less than 545 Kg. (8 persons lift) with automatic closing doors.
- c) 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. In case of failure of normal electric supply; it shall automatically trip over to alternate supply. For apartment buildings, this change over of supply could be done through manually operated change over switch.
- d) 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.
- e) The words “FIRE LIFT” shall be conspicuously displayed in fluorescent paint on the lift landing doors at each floor level.
- f) For building above 15 m. in height, collapsible gates shall not be permitted for lifts and shall have solid doors with fire resistance of at least one hour.
- g) The speed of the fire lift shall be such that it can reach the top floor from ground level within one minute or 91.5 m. per minute whichever is less.

7. BASEMENT:

- 7.1 Each basement shall be separately ventilated. Vents with cross sectional area (aggregate) not less than 2.5% 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. Inlet and extracts may be terminated at ground level with stall boards or pavement lights as before but ducts to convey fresh air to the basement floor level have to be laid. Stall boards 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.
- 7.2 The stair-case of basement shall be of enclosed type having fire resistance of not less than two hours and shall be situated at the periphery of the basement to be entered at ground level only from the open air and in the basement shall not obstruct any exit serving the ground and upper storeys of the building and shall communicate with basement through a lobby provided with fire resisting self closing doors of one hour fire resistance. If the travel distance exceeds 18.50 m. additional stair-cases at proper places shall be provided.
- 7.3 In multi- storey basements, intake ducts may serve all basement level but each basement and basement compartment shall have separate smoke outlet duct or ducts.
- 7.4 Mechanical extractor for smoke venting system from lower basement levels also be provided. The system shall be of such design as to operate on actuation of heat sensitive detectors or sprinklers if installed and shall have considerable higher performance than the standard units. It should also have an arrangement to start if manually and shall be designed to function at a temperature not less than 550 degree centigrade.
- 7.5 Kitchens working on gas fuel, departmental stores, and shops shall not be permitted in basement / sub – basement.

8. COMPARTMENTATION (FIRE SECTIONS):

If the unpartitioned floor exceeds 750 Sqm. it shall be separated in compartments each not exceeding 750 Sqm. by means of fire walls of not less than two hours fire resistance. In

extended buildings, fire walls should be erected at distances not exceeding 40 meters. For floors with sprinklers, the area mentioned above may be increased by 50 per cent.

9. SERVICE DUCTS, REFUSE CHUTES AND REFUSE CHAMBERS:

- 9.1 Service ducts shall be enclosed by walls having a fire resistance of not less than two hours. Doors for inspection or access shall also have a fire resistance not less than two hours.
- 9.2 If the cross sectional area exceeds 1 Sqm. it shall be sealed where it passes a floor by carrying the floor through the duct. The floor within the duct shall be pierced for any service pipe or ventilation trunk and shall fit as closely as possible around any such pipe or trunk.
- 9.3 A permanent vent shall be provided at the top of the service shaft of cross sectional area not less than 460 Sqm. or 6.25Sqm. for each 900 Sqm. of the area of the shaft whichever is more.
- 9.4 Hoppers to refuse chutes shall be situated in well ventilated positions and the chutes shall be continued upwards with an outlet above roof level and with an enclosure wall of non – combustible material with fire resistance not less than two hours. The hopper shall not be located within the stair-case enclosure.
- 9.5 Inspection panel and hopper (charging station) opening shall be fitted with tight fitting metal doors, covers, having a fire resistance of not less than one hour.
- 9.6 Refuse chutes shall not be provided in stair-case wells, air –conditioning shafts etc.
- 9.7 Refuse chambers shall have walls and floors or roofs constructed of non-combustible and impervious material and shall have a fire resistance of not less than two hours. They shall be located at a safe distance from exist routes.

10. BUILDING SERVICES:

10.1 Electrical services:

- a) The electric distribution cables / wiring shall be laid in separate duct. The duct shall be sealed at every alternative floor with non – combustible materials having same fire resistance as that of the duct.
- b) Water mains, telephone lines, inter-com lines, gas pipes or any other service line shall not be laid in the duct for electric cables.
- c) Separate circuits for water pumps, lifts, stair-cases 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 conduct pipes so that fire in one circuit will not affect the others. Master switches controlling essential services circuits shall be clearly labelled.
- d) The inspection panel doors and any other openings in the shaft shall be provided with air tight fire doors having the fire resistance of not less than two hours.
- e) Medium and low voltage wiring running in shafts and within false ceiling shall run in metal conduct.
- f) An independent and well ventilated service room shall be provided on the ground floor with direct access from outside or from, the corridor for the purpose of termination of electric supply from the licensee's service and alternate supply cables. The doors provided for the service room shall have fire resistance of not less than two hours.
- g) If the licensees agree to provide meters on upper floors, the licensee's cables shall be segregated from consumer's cable by providing a partition in the duct. Meter rooms on upper floors shall not open into stair-case enclosure and shall be ventilated directly to open air outside.
- h) PVC cables should have an additional sheathing or protection provided by compounds sprayed on after installation because of the notorious secondary damage in case of fire.

10.2 **Town Gas / L. P. Gas supply pipes:**

Where gas pipes are run in the building, the same shall be run in separate shafts exclusively for this purpose and these shall be on external walls, away from the stair-cases. There shall be no inter connection of this shaft with the rest of the floors. Gas, meters shall be housed in a suitably constructed metal cupboard located at well ventilated space at ground level.

10.3 **Stair-case and Corridor Lightings:**

- a) The stair-case and corridor lighting shall be on separate circuits and shall be independently connected so that it could be operated by one switch at any time on the ground floor easily accessible to fire fighting staff at any time irrespective of the position of the individual of the light points if any.
- b) Staircase and corridor lighting shall be also be connected to alternative supply as provided in paragraph 10. 4 below;
- c) Suitable arrangements shall be made by installing double throw switches to ensure that the lighting installed in the staircase and the corridor do 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 / corridor for assembly and institutional buildings.

10.4 **Alternate source of Electric Supply:**

A stand by electric generator shall installed to supply power to staircase and corridor lighting circuits, fire lifts, the stand by fire pumps, pressurization fans and blowers, smoke extraction and damper systems in case of failure of normal electric supply. The generator shall be capable of taking starting current of all the machines and circuits stated above simultaneously. If the stand –by pump is driven by diesel engine, the generator supply need not be connected to the stand by pump where parallel HV / LV supply from a separate sub-station provided with appropriate transformer for emergency. The provisions of generator may be waived in consultation with the Chief Fire Officer, of Corporation Fire Brigade.

10.5 **Transformers:-**

- a) If transformers are housed in the building below the ground level it shall be necessarily in the first basement in separate fire resisting room of 4 hours rating. The room shall necessarily be at the periphery of the basement. The entrance to the room shall be provided with a steel door of 2 hours fire rating. A kerb (stilt) of a stable height is provided at the entrance in order to prevent the flow of oil from ruptured transformer into other parts of the basement. The direct access to the transformer room shall be provided preferably from outside. The switch gears shall be housed in a separate room separated from the transformer bays by a fire resisting wall with fire resistance not less than 4 hours.
- b) Transformer, if housed in basement, shall be provided an automatic high pressure water spray system (Emulsifier system).
- c) In case the transformers housed in the basements are totally segregated from other areas of the basements by 4 hours fire resisting wall / walls with an access directly from outside, it may be protected by carbon – dioxide or B.C.F. fixed installation system.
- d) When housed at ground floor level, if / they shall be cut off from the other protection of premises by fire resisting walls of 4 hours fire resistance.
- e) They shall not be housed no upper floors.

- f) A tank of RCC construction of capacity of accommodating entire oil of the transformers shall be provided at lower level to collect the oil from the catch- pit in case of emergency. The pipe connecting the catch- pit to the tank shall be of non-combustible instruction and shall be provided with a flame arrester.

10. 6 Air conditioning:

- 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 ISI / 655 – 1963 metal air ducts pass through fire walls or floors, the opening around the ducts shall be sealed with fire resisting materials such as asbestos rope, vermiculite concrete glass wool etc.
- c) As far as possible metallic ducts shall be used even for the return air instead of space above the false ceiling.
- d) As far as possible metallic ducts shall be used even for the return air instead of space above the false ceiling.
- e) The material used for insulating the duct system (inside or outside) shall be of non – combustible material such as glass wool, spongers with neoprene facing.
- f) Area more than 750 Sqm. on individual floor shall be segregated by a fire wall and automatic fire wall and automatic fire dampers for isolation shall be provided where the ducts pass through fire walls. The fire dampers shall be capable of operating manually.
- g) Air ducts serving main floor areas, corridors, etc., shall not pass through the staircase enclosure.
- h) The air handling units, shall, as far as possible, be separated for each floor and air ducts for every floor shall be separate and in no way interconnected with the ducting of any other floor.
- i) If the air handling unit serves more than one floor the recommendations given above shall be compiled with in addition the conditions given below:-
 - a) Proper arrangements by way of automatic fire dampers working on smoke detectors for isolating all ducting at every floor from the main riser shall be made.
 - b) When the automatic fire alarm operates, the respective air handling units of the air conditioning system shall automatically be switched off.
- j) Automatic fire dampers shall be provided at the inlet of the fresh air duct and the return air duct of each compartment on every floor.
- k) Automatic fire dampers shall be so arranged as to close by gravity in the direction of the air movement and to remain tightly closed upon operation of a smoke detector.
- l) The air filters of the air – handling units shall be of non – combustible materials.
- m) The air handling unit room shall not be used for storage of any combustible materials.
- n) Inspection panels shall be provided in main trucking to facilitate the cleaning of ducts of accumulated dust and to obtain access for maintenance of fire dampers.
- o) No combustible material shall be fixed nearer than 15 cm. to any duct unless such duct is properly enclosed and protected with non – combustible material (Glass wool

or spun glass with neoprene facing enclosed and wrapped with aluminium sheeting) at least 3.2 mm. Thick and which would not readily conduct heat.

10.7 Boiler Room:

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 / boiler room.

- a) The boilers shall be not allowed in sub-basement but may be allowed in the basements away from the escape routes.
- b) The boilers shall be installed in a fire resisting room of 4 hours 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 hours 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 hours 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 nearer the ground level to enable the fire services of use foam in case of fire.

11. PROVISIONS OF FIRST –AID, FIRE FIGHTING APPLIANCES:-

- 11.1 The first-aid fire fighting equipments shall be provided on all floors including basements. Lift room, etc. in accordance with IS : 2217 – 1963 recommendation for providing first aid fire fighting arrangements in public buildings in consultation with the Chief Fire Officer, of Corporation's Fire Brigade.
- 11.2 The fire fighting appliances shall be distributed over the building in accordance with IS: 2190 – 71 code of practice for selection, installation and maintenance of portable fire – aid fire appliances.

12. FIXED FIRE FIGHTING INSTALLATIONS:

- 12.1 Buildings above 16 m. in height depending upon the occupancy use shall be protected by wet riser, wet riser – cum down comer, automatic sprinkler installation, high pressure water spray or foam generating system etc. as per details in paragraphs 12.2 to 12.7.
- 12.2 The wet riser / wet riser – cum – down comers installations with capacity of water storage tanks and fire pumps shall conform to the requirements as specified in Table No.23.
- 12.3 The wet riser installations shall conform to IS: 3844-1966 Code of Practices for Installations of Internal Fire Hydrants in multi-storey buildings or high-rise buildings.

In addition, wet riser shall be designed for zonal distribution ensuring that unduly high pressure, are not developed in riser and hose pipes.

In addition to wet riser, wet riser cum down comer, first – aid hose reels shall be installed as shown in figure II to VII enclosed with this appendix on all the floors of the buildings above 24 m. and shall conform to IS : 884 – 1966 Specification for First – Aid Reel for Fire Fighting (Fixed Installation). The first aid hose reel shall be connected to one of the female couplings of twin couplings of landing valves directly to the wet riser in case of single outlet of wet rise installations by means of adapter:

i) **Static Water Storage Tank:**

A satisfactory supply of water for the purpose of fire – fighting shall always be available in the form of underground static storage tank with capacity specified in Table No. 16 for each building by the local fire Authority with arrangements of replenishment by town's main or alternative source of supply @ 1000 litres per minute. The static storage water supply required for the above mentioned purposes should entirely be accessible to the fire engines of the local fire service. Provision of suitable number of manholes shall be made available for inspection, repairs and inspection of section hose, etc. The covering slab shall be able to withstand the vehicular load of 18 tons.

The domestic suction tank connected to the static water storage tank shall have and over – flow capable of discharging 2250 litres per minute to a visible drain point from which by a separate conducts, the overflow shall be conveyed to a storm water drain.

To prevent stagnation of water in the static water storage tank the suction tank of the domestic water supply shall be fed only through an overflow arrangement to maintain the level therein at the minimum specified capacity. (See Fig.6)

TABLE NO. 23.						
THE WET RISER / WET RISER – CUM – DOWN COMMERS INSTALLATIONS WITH CAPACITY OF WATER STORAGE TANKS AND FIRE PUMPS						
Sr. No.	Type of the building/ occupancy	Requirement No.				
		Type of installation	WATER SUPPLY		PUMP CAPCITY	
			Under ground Static Tank	Terrace Tank	Near the underground Static Tank	At the Terrace Level
1	2	3	4	5	6	7
1.	Apartment building below 15 m. in height	Nil	Nil	Nil	Nil	Nil
2.	Apartment building (a) Exceeding 15 m. but not exceeding 25 m,	Wet riser cum down comer	50,000 Ltrs.	20,000 Ltrs.	1,400 ltrs. per minute giving a pressure not less than 3.2 kg/sqcm. at the top most hydrant.	450 ltrs. per minute giving a pressure not less than 2.1kg /sqcm. at the top most hydrant
	(b) Above 25 m and not exceeding 35m. Shopping area up to 250 restricting the shopping areas to the ground floor only.	Wet riser-cum down comer	50,000 Ltrs.	20,000 Ltrs.	1,400 ltrs. per minute giving a pressure not less than 3.2 kg/sqcm. at the top most hydrant.	900 ltrs. per minute giving a pressure not less than 2.1kg /sqcm. at the top most hydrant
	c) above 25m. and not exceeding 35 m. with shopping area exceeding 250 sq. m	Wet riser – cum – down comer	1,00,000 Ltrs.	20,000 Ltrs.	2400 ltrs. per minute giving a pressure not less than 3.2 kg/sqcm. at the top hydrant	900 ltrs. per minute giving a pressure not less than 2.1kg /sqcm. at the top most hydrant
3.	Non residential buildings.					
	a) up to 15 m, in height	Nil	50,000 Ltrs.	Nil	Nil	Nil
	b) Above 15 m in height but not exceeding 25 m. excepting educational building.	Wet riser – cum – down comer.	50,000 Ltrs.	10,000 Ltrs.	1350 litres per minute giving a pressure not less than 3.2 kg/ sqcm. at the top most hydrant.	450 liters per minute giving a pressure not less than 2.1 kg / sqcm. at the top most hydrant.

Sr. No.	Type of the building/ occupancy	Requirement No.				
		Type of installation	WATER SUPPLY		PUMP CAPACITY	
			Under ground Static Tank	Terrace Tank	Near the underground Static Tank	At the Terrace Level
1	2	3	4	5	6	7
	c) Educational building above 15 m. but not exceeding 25 m. in height.	Wet riser – cum – down comer.	Nil	10,000 Ltrs.	Nil	Nil
	d) Above 25 m. but not exceeding 35m.	Wet riser – cum – down comer.	75,000 Ltrs.	20,000 Ltrs.	2400 litres. Per minute giving a pressure not exceeding 3.2 kg / sqcm. the pump provided will be of multistage type with suction and delivery size not less than 15mm.diameter with low level riser upto 10 storeys and high level riser deliver of upper floors	450 ltrs. per minute giving a pressure not less than 2.1 kg. /sqcm. at the top most hydrant

Notes: 1) Any of the above category may incorporate an automatic sprinkler / drencher system. If the risk is such that it requires installation of such protective methods.

2) Minimum of two hydrants shall be provided within the courtyard.

3) Wet riser – cum – down comer is an arrangement for fire fighting within the building by means of vertical rising mains not less than 10 cm internal diameter with hydrant outlets and hose reel on floor landing connected to an overhead water / storage tank for fire fighting purpose, through a booster pump, check valve and non – return valve near the tank, end and a fire pump, gate and non-return valve over the underground static tank. A fire service inlet at ground level fitted with non return valve shall also be provided to the rising main for charging it by fire services pump in case of failure of static fire pumps over the underground static tanks. (See Fig. 7)

4) The performance of pumps specified above shall be at R.P.M. not exceeding 2000.

5) The above quantities of water shall be exclusively for fire fighting and shall not be utilised for domestic or other use. The layout of underground water static tank shall be as per figures Fig. 8.

6) Size of the riser shall be as under (internal diameter)

a) Apartment buildings;-

- i) Up to 10 cm. with single hydrant outlets and reel on each floor
- ii) Above 60 m 15cm. with twin hydrant outlets and hose reel on each floor

b) Non – apartment building

- i) Up to 24 m. 10 cm with single hydrant outlets and hose reel on each floor
- ii) Above 24 m. 15 cm. with twin hydrant outlets and hose reel on each floor .

7) A facility to boost up water pressure in the riser directly from the mobile pumps shall also be provided to the wet riser system with a suitable fire service inlets (collecting breaching with 2 numbers of 63 mm. Inlets for 10 cm. diameter rising main) and non-return valve and gage valve.

8) House Real – Internal diameter of rubber hose for hose reel shall be minimum 19 mm. A shut-off branch with nozzle of 4.8 mm. Size shall be provided.

12.3.3 The static water storage tank shall be provided with a fire brigade collecting breaching with 4 Nos. 65 mm. Diameter instantaneous male inlets arranged in a value box at a suitable point at street level and connected to the static tank by a suitable fixed pipe not less than 15 mm. diameters to discharge water into the tank when required at a rate of 2250 liters per minute.

12.4 Automatic Sprinklers – Automatic sprinklers shall be installed:

- a) in basements used as car parks, if the area exceeds 500 sq. m.
- b) in basements used as car parks, multi – storeyed basements and for housing essentials service ancillary to a particular occupancy.
- c) In any room or there compartment of a building exceeding 750 sq. m.
- d) In departmental stores or shops which totally exceed 750 Sqm.
- e) In all non-domestic floors of mixed occupancy considered to constitute a hazard and not provided with staircases independents of the remainder of a building;
- f) In godown and warehouses as considered necessary.
- g) In dressing rooms, scenery docks, stages and stage basements of theatres.

12.5 Automatic High Pressure Water Spray (emulsifier) systems:

This system shall be provided for protection of indoor transformers of sub-station in basement area.

12.6 Foam Generating System:

This system shall be provided for protection of boiler rooms with its ancillary storage of furnace oils in basement.

12.7 Carbon – dioxide (CO₂) fire extinguishing system;

Fixed carbon – dioxide fire extinguishing installation shall be provided as per IS : 6382 – 1971 code of practice for design and installation of fixed carbon – die oxide fire extinguishing system on premises where water or foam cannot be used for fire extinguishments because of the special nature of the contents of the buildings / areas to be protected. Where possible, BCF (Bromochlorodifluoromethan) installation may be provided instead of carbon – dioxide installation.

13. FIRE ALARM SYSTEM:

13.1 All buildings with heights mentioned against each shall be equipped with fire alarm system as given in paragraphs 13.1.1 and 13. 1.2

13.1.1 Residential Buildings (Dwelling House and Hostels) above 25 m. and Educational Buildings, Institution buildings above 25 m. in height.

- a) Such building shall be equipped with manually operated electrical fire alarm systems with one or more call boxes located at each floor. The location of the call boxes shall be decided after taking into consideration the floor plan with a view to ensure that one or the other call box shall be readily occupants of the floor without having to travel more than 22.5 m.
- b) The call boxes shall be of the break – glass type without any moving parts, where the call is transmitted automatically to the control room without any other action on the part of person operating the call box
- c) All call boxes shall be wired in a close circuit to a control panel in the control room, located as per paragraph 14 so that the floor number where the call box is actuated is clearly indicated on the control panel. The circuit shall also include one or more batteries with a capacity of 48 continuously tricked – charge form the electric mains. The circuit may be connected to alternate source of electric supply as defined in paragraph 10 .4
- d) The call boxes shall be arranged to sound one or more sounders so as to ensure that all occupants of the building shall be warned whenever any call box is activated.

- e) The call boxes shall be so installed that they do not obstruct the exit ways and yet third location can easily be noticed from either direction the base of the call box shall be at height of 1 m. from the floor level.

13.1.2 Business and Industrial buildings above 15 m. but not exceeding 30 m.

- a) Such buildings shall be equipped with manually operated electrical fire alarm system with manually operated electrical fire alarm system with one or more call boxes located at each floor. The location of call boxes shall be decided after taking into consideration the floor plan with a view to ensuring that one or the other call box shall be readily accessible to all occupants of the floor without having to travel more than 22.5
- b) The call boxes shall be of the break – glass without any moving parts, where the call is transmitted automatically to the control room without any other action on the part on the person operating the call box.
- c) All call boxes shall be wired in a close circuit to a contrail panel in the room located as per paragraph 14. 1 so that floor number from where the call box is actuated is clearly indicated on the control panel. The circuit shall also include one or more batteries with a capacity of
- d) 48 hours normal working at full load. The battery shall be continuously trickle – charge from the electric mains. The circuitry may be connected to alternate source of electric apply as defied in 10. 4.
- e) The call boxes shall be arranged to sound one or more sounders so as to ensure that all occupants of the building shall be warned whenever any call box is actuated.
- f) The call boxes shall be so installed that they do not obstruct the exit way and yet their location can easily be noticed from either direction the base of the call box shall be at a height of 1 m. from the floor level.

13.1.3 All other buildings exceeding 15 m. height excluding those mentioned in paragraphs 13.1 and 13.1.2. These buildings shall, in addition to the manually operated electrical fire alarm system be equipped with an automatic fire alarm system. The latter shall be in addition to the alarm which may be sounded by the actuation of any automatic fire extinguishing system, which may be installed in any particular occupancy in accordance with these by – laws. The detectors for the automatic fire alarm shall conform the relevant ARE specification Heat / Smoke Sensitive type fire Detector and the system shall be in accordance with IS 2189 – 1976 code of practice for automatic fire alarm system or any other relevant Indian standards prescribed from time to time.

Note (1):- Several types of fire detectors are available in the market but the application of such type is limited and has to be carefully considered in relation to the of risk and the structural features of the building where they are to be installed.

Note (2):- No automatic detector shall be required in any room or portion of a building which is equipped with an approved installation of automatic sprinklers.

14. CONTROL ROOM:

For all buildings mentioned in paragraphs 13.1.1, 13.1. 2 and 13.1.3 there shall be 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 message from different floor. Details of all floor plans along with the details of fire fighting equipment and installations shall be maintained in the control room. The control room shall also have facilities to detect to fire on any floor through indicator boards connection fire detection and alarm system on all floors. The staff in charge of control room shall be responsible for the maintenance of the various services and fire fighting equipment and installations.

15. CARETAKER FOR RESIDENTIAL HOTELS, BUSINESS, MERCANTILE, INDUSTRIAL, STORAGE AND HAZARDOUS BUILDINGS WITH HEIGHT MORE THAN 15 M.

15.1 A qualified fire officer with experience of not less than 3 years (in city fire brigade) shall be appointed as a caretaker who will be available on the premises at all times.
The lighting protection for buildings shall be provided based on the provisions of part III of the National Building Code of India 1970.

15.2 The Fire Officer shall;

- i) maintain the fire fighting equipment in good condition at all times,
- ii) layout fire orders and fire operational plans,
- iii) impart training to the occupants of the buildings in the use of fire fighting equipments provided on the premises and keep them informed about the fire emergency evaluation plan, and
- iv) keep proper liaison with city fire Brigade

16. HOUSE KEEPING:

To eliminate fire hazards a good housekeeping inside the building and outside the buildings shall be strictly maintained by the occupants and / or the owner of the building. For all buildings mentioned in paragraphs 13.1.1, 13.1.2 and 13.1.3 there shall be a control room on the entrance of the building with communication system (suitable public address system) to all floors.

12. FIRE DRILLS AND FIRE ORDERS:

17.1 Fire notice / orders shall be prepared to fulfil the requirements of the fire fighting and evacuation from the buildings in the event of fire and other emergency. The occupants shall be made thoroughly conversant with their action in event of the emergency, by displaying fire notices at vantage points. Such notices should be displayed prominently and broad lettering.

APPENDIX –“K”
(Regulation No.178)

**REGULATION FOR DEVELOPMENT OF SPECIAL TOWNSHIP IN AREAS
WITHIN NANDED-WAGHALA CITY MUNICIPAL CORPORATION LIMIT.**

A. GENERAL GUIDELINES:

1. APPLICABILITY:

These Regulations would be applicable to the area within sanctioned Development Plan area of Nanded-Waghala City Municipal Corporation.

2. AREA REQUIREMENT:

Any suitable area free from all encumbrances having sufficiently wide means of access not less than 18 m. wide shall only be identified for the purpose of development as “Special Township”. The area under the Special Township shall not be less than 40 Ha. (i.e.100 acres) at one place, contiguous, unbroken and uninterrupted which shall not include the area under forest, hill top, hill slope, water bodies like river, 100 m. from the HFL of major lakes, dams and its surrounding restricted area, lands in the command area of irrigation projects, land falling within the belt of 200 m. from the historical places of Archaeological importance and Archaeological monuments, Heritage precincts and places, any restricted areas, notified National parks, existing and proposed industrial zone, gaathan areas or congested areas.

2.1 MANNER OF DECLARATION:

Any area identified above and if found suitable can be Notified by Government in Urban Development Department by following procedure under section 37 of the Maharashtra Regional and Town Planning Act 1966 and also in such other manner as may be determined by it for the purpose of development as “Special Township Project”.

However, in cases where the proposal of “Special Township” is submitted by the land owners by themselves or by the Developer who holds rights to develop the whole land under the Special Township, the procedure under section 37 of the said Act shall not be necessary.

3. INFRASTRUCTURE FACILITIES:

The entire Township should be an integrated one with all facilities within the boundaries of declared townships. All the onsite infrastructures, i.e. roads, including D. P. roads, approach road, street lights, water supply, drainage system shall be provided and maintained in future by the owner/developer and the developer shall also carry out development of sites reserved in the Development Plan, if any, in accordance with the prevailing regulations. Developer, however, will have the freedom to relocate the reservation in consultation with Planning Authority.

- a) **Water Supply:** The developer shall be required to develop the source for drinking water (excluding the groundwater source) or secure firm commitment from any water supply authority for meeting the daily water requirement of minimum 140 liters per capita per day exclusive of requirement of water for fire fighting and gardening and beautification and shall have the right to use the stored water for habitable use, for irrigation use and others. The storage capacity of the same shall be at least 1.5 times of the actual required quantity, as determined by expected population (resident and floating) and other uses. The developer may obtain from the Corporation the required water supply. The Developer would be required to develop proper internal distribution and maintenance system and should specially undertake rainwater harvesting, groundwater recharge and waste water recycling projects within the Township.
- b) **Drainage and Garbage disposal:** The developer shall make suitable and environment friendly arrangements for the disposal and treatment of sewage and solid waste as per

requirement of Maharashtra Pollution Control Board & Nanded Waghala City Municipal Corporation. Recycling sewage for gardening shall be undertaken by the developer.

The developer shall also develop eco-friendly garbage disposal system by adopting the recycling and bio-degradation system in consultation with Maharashtra Pollution Control Board & Nanded Waghala City Municipal Corporation.

- c) **Power:** The developer shall ensure continuous and good quality power supply to township area. The public sector enterprises or joint venture promoted by the Developer can establish Independent Power Producers (IPP) which will be permitted to establish dedicated provision of power to the township including generation, transmission and distribution or the developer may draw the power from existing supply system.

4. ENVIRONMENT:

The development contemplated in township shall not cause damage to ecology. Environmental clearance shall be obtained from the Ministry of Environmental and Forest, Government of India as per directions issued by the MOEF's notification dated 7th July 2004 and as amended from time to time. The township shall provide at least 20% of the total area as park/ garden/ open spaces / play ground as mentioned in 7 (f) with proper landscaping and open users designated in the Township shall be duly developed by owner / developer. Eco – friendly amenities like Solar Water Heating/Street Lighting for the Township shall be encouraged.

5. SPECIAL CONCESSION:

a) N. A. Permission:

Non-agriculture permission will be automatic. As soon as the scheme is notified, lands notified under Special Township area as per Regulation No. 2.1 will be deemed to have been converted into non-agricultural and no separate permission is required. Non-agricultural assessment will commence from the date of sanction of final scheme as per Regulation No.10 (c).

b) Stamp Duty:

The stamp duty rates applicable in Notified Special Township area shall be 50% of the prevailing rates of the Mumbai Stamp Act.

c) Development Charges:

A Special Township Projects shall be exempted from payment of Development Charges to the extent of 50%.

d) Grant of Government Land:

Any Government land falling under township area shall be leased out to the developer at the prevailing market rate on usual terms and conditions, without any subsidy.

e) Exemption from Mumbai Tenancy and Agriculture Land Act:

The condition that only the agriculturist will be eligible to buy the agriculture land will be exempted in Special Township Area.

f) Ceiling of agriculture land:

There shall be no ceiling limit for holding agriculture land to be purchased by the owner / developer for such project.

g) Scrutiny fee:

A Special Township Project shall be partially exempted from payment of scrutiny fee being levied by the Nanded Waghala City Municipal Corporation for processing the development proposal on certain terms and conditions as may be decided by the Nanded Waghala City Municipal Corporation from time to time.

h) Floating FSI:

There will be floating FSI in the township. Unused FSI of one plot can be used anywhere in the whole township.

i) Special benefits:

Concessions in respect of Star Category Hotels, Hospitals and Multiplexes in Property Tax shall be provided.

6. PLANNING CONSIDERATIONS:

The Township project has to be an integrated township project incorporating all the prescribed land users as prescribed under section 22 of the Maharashtra Regional and Town Planning Act, 1966. The project should necessarily provide land for following users:

- a) Residential
- b) Commercial
- c) Educational
- d) Amenity Spaces.
- e) Health Facilities
- f) Parks, Gardens & Play grounds.
- g) Public Utilities

7. GENERAL NORMS FOR DIFFERENT LAND USES:

The overall planning of special townships shall be such that the project shall meet with the specifications spelt out in the prevailing planning standards approved by Government. Further, the planning of Special Township shall take care of following land uses in particular.

a) Residential:

The residential area should be well defined in clusters or neighbourhoods or in plotted development with proper road grid. Out of the total built-up-area proposed to be utilized which is permissible as proportionate to zoning of area under such township at least 60% of the area shall be used for purely residential development and further out of the total built-up-area proposed to be utilized for residential development 10% shall be built for residential tenements having built up area up to 40 sq.mt.

b) Commercial:

The commercial area shall be properly distributed in hierarchical manner such as convenient shopping centre etc.

c) Educational:

Comprehensive educational system providing education from primary to secondary should be provided as per the requirement. The area allocation should be on projected population base and as far as possible the educational complex should not be concentrated at one place. All such complexes should have adequate allocation area for playground. Minimum area required for educational purpose shall be as per prevailing planning standards.

d) Amenity Spaces:

The area allocation for amenity space providing amenities like market, essential shopping area, recreation centres, town hall, library etc. should not be less than 5% of gross area and should be evenly placed.

e) Health Facilities:

Adequate area allocation for health facilities for primary health shall be provided. Minimum area required for facilities shall be as per prevailing planning standards.

f) Parks, Gardens & Play grounds:

The Township shall also provide at least 20% of the gross area of township as parks/ gardens/ play grounds without changing the topography. This should be exclusive of the statutory open spaces to be kept in smaller layout and should be distributed in all residential clusters. This 20% area should be developed by the developer for such purpose and kept open to general public without any restriction or discrimination.

g) Public Utilities:

Appropriate area allocation should be provided for (a) power receiving station/ substation, (b) water supply system, (c) sewerage and garbage disposal system, (d) police station, (e) public parking, (f) cemetery/ cremation ground, (g) bus station, fire brigade station, and other public utilities as per requirements.

h) Transport and Communication:

The entire area of township shall be well knitted with proper road pattern, taking into consideration the linkages with existing roads within the township and outside area as well. All such roads shall be developed by the developer as per standards and road widths shall be as given below.

Classified Roads: as prescribed: Main road/ Ring road: Minimum 18 to 24 meters wide.

Internal roads as per prevailing bye laws applicable to Development Plan subject to minimum road width 9 m.

i) Service Industries:

In the Special Township area, lands required for commercial uses, industrial uses, permissible in residential user, may also be earmarked. However, the predominant land use shall be residential use.

Notes:

- i) All the amenities referred to above shall be inclusive of Development Plan reservations, if any, located in the Township area.
- ii) Location of Development Plan reservation can be shifted anywhere in the Township Area with the approval of the Municipal Commissioner.
- iii) Development Plan reservations in the Township area, shall not be handed over to the Planning Authority but the same shall be developed by the developer for the designated amenity.
- iv) Development Plan roads in the township area shall be developed and maintained by developer and the same shall be always open for general public without any restrictions there upon.

- a. Minimum parking shall be provided as per D.C.R. of Nanded Waghala City Municipal Corporation provided for hotels, restaurant, college, school, educational institutes, hospitals, polyclinics and diagnostic centres, offices, Mangal

Karyalayas, town hall, clubs, etc. onsite parking shall be provided for buildings having mixed users, regular parking area of 3.0 m. wide strip within the area along the road on front side shall be provided for visitor's parking.

B. REGULATIONS:

8. DEVELOPMENT CONTROL REGULATIONS:

Prevailing Development Control Regulations of sanctioned Development Plan and amended from time to time shall be applicable mutadis muntadis except those expressly provided in these Special Regulations.

8.1 Special Township in Residential with Agricultural Zone/ Green Zone/ No Development Zone:

- (i) The total built up area / FSI of entire gross area of the Special Township declared as per Regulation No. 2.1 excluding the area under Agriculture Zone, if any, included in the project shall be 1.00. The FSI for Agriculture Zone/ Green Zone/ No Development Zone if any included in Special Township Zone shall be 0.20 only in proportion to area of the zone. There will be no limits of total built up area/ FSI for the development of individual plots. Height of building shall be as per prevailing Development Control Regulations for Nanded Waghala City Municipal Corporation.

However, it may be increased subject to provisions of fire fighting arrangements with prior approval of Chief Fire Officer, Nanded Waghala City Municipal Corporation, utilization of DRC's originated from any other area i.e. outside Special Township area shall not be permissible in Special Township area.

- (ii) In case area Notified under Special Township falls in Residential zone and partly in Agricultural zone the provisions applicable to such scheme shall be proportionate to the area under the respective zoning as per sanctioned Development Plan.

8.2 Special Township in Agricultural Zone/ Green Zone/ No Development Zone:

- (i) Development of Special Township Project in Agriculture/ Green Zone/ No Development Zone, contained in the Development Plan shall be permissible subject to conditions that 50% of the gross area of the project shall be kept open while the project of Special Township shall be executed on the remaining 50% land with gross built up area/ FSI of 0.20 worked out on the entire gross area of the project. Further, while developing such projects, it would be obligatory on the part of the developer to provide and develop all the infrastructure facilities including sites required for public purposes as per the prescribed planning norms. As regards 50% of the land, which is required to be kept open, the same shall be made free of encumbrances and on development except town level open amenities shall be permissible therein.
- (ii) All provisions of Regulations except 4 (f) shall apply to the development of Township in Agriculture Zone/ Green Zone/ No Development Zone.

8.3 General Regulations:

- (i) In the event the special township project contains sites reserved for public purpose (buildable reservations) in Development Plan, for which the Appropriate Authority is any departments of State Govt./ Central Govt. or any Government undertaking, the developer shall construct the amenity as per requirement of the concerned department and handover the constructed amenity free of cost to that Development. Upon such handing over the constructed amenity the developer would be entitled additional floor space over and above the FSI permissible within the township (equivalent to the built up area of the constructed amenity) anywhere within the special township project.

- (ii) In every Special Township proposal the structural designer of developer has to submit declaration with project report to Nanded Waghala City Municipal Corporation, about the construction of building as below:

'I have confirmed that the proposed construction in the scheme is as per norms as specified by Indian Standard Institute, for the resistance of earthquake fire safety & natural calamities.'

- (iii) Upper and lower ground floor type construction shall not be allowed.
- (iv) In Special Township scheme under Residential zone and Agricultural zone trees at the rate of minimum 150 trees per ha. And 400 tree per ha. Respectively shall be planted and maintained by the developer.
- (v) Once the location clearance to the proposal for Township is granted by the Government under Regulation No. 7(a) no change of zone proposal in such Township area shall be considered by Government.

9. SALE PERMISSION:

It would be obligatory on the part of the developer firstly to provide for basic infrastructure and as such no permission for sale of plot/ flat shall be allowed unless the basic infrastructure as per Regulation 3 is completed by the developer to the satisfaction of the Municipal Commissioner, Nanded Waghala City Municipal Corporation. In case the development is proposed in phases & sale permission is expected after completion of Phase wise basic infrastructure, such permission may be granted by the Nanded Waghala City Municipal Corporation. Before granting such sale permission, Developer has to submit undertaking about the basic infrastructure to be provided & utilities shall be also simultaneously developed phase wise along with residential / commercial development.

10. PROCEDURE:

a) Location Clearance:

The proposal for development of Special Township, along with details of ownership of land or Development rights of lands in the proposed scheme, site plan, part plan of sanction development plan, shall be submitted to Government in Urban Development Department and a copy to the Director of Town Planning Maharashtra State, Pune and Environment Department of Maharashtra State, for grant of locational clearance. Upon receipt of such proposal, depending upon the merits of the case, locational clearance shall be granted by Government u/s 45 of M.R. & T.P. Act, 1966 in consultation with the Director of Town Planning and Environment Department and other respective departments of the State Government within a period of 90 days from the date of receipt of the proposal and after completion of any such documents as may be required by Government. This locational clearance will be valid for one year from the date of issue and if within such period the letter of intent and final approval is not taken or not applied for, such clearance/ approval Application for renewal has to make to Govt. before expiry of one year. These special Regulations shall not be applicable to the area on which clearance / approval has lapsed.

b) Letter of intent:

Upon receipt of locational clearance from the Government, the developer shall submit the proposal in respect of Special Township to Municipal Commissioner, Nanded Waghala City Municipal Corporation along with the environmental clearance as mentioned in Regulation No. 4 for issue of letter of intent. The proposal shall contain ownership rights / development rights, document in respect of at least 50% of area under scheme and other particulars as decided and directed by Municipal Commissioner, Nanded Waghala City Municipal Corporation. Details of qualified technical staff and consultant in technical and law field. Letter of intent shall be issued within a period of 45 days from the date of receipt

of the final proposal, complete in all respect. The letter of intent shall be valid for six months unless renewed.

c) (i) Final Approval:

The developer shall submit the layout plan of the entire township area, sector-wise detailed of phasing, for final sanction to the Municipal Commissioner, Nanded Waghala City Municipal Corporation. The developer shall also submit an undertaking and execute an agreement about development and maintenance of basic infrastructure amenities in future with bank guarantee of 15 % of its development costs. The Municipal Commissioner, Nanded Waghala City Municipal Corporation, shall conduct proper enquiry and ensure the correctness of title and ownership etc. only after such verification, Municipal Commissioner, Nanded Waghala City Municipal Corporation, shall grant approval to layout plan and sector- wise detailed building plan in consultation with Divisional Deputy Director of Town Planning, within the stipulated period on terms and conditions as may be determined by Municipal Commissioner, Nanded Waghala City Municipal Corporation.

The period required for Technical consultation with Deputy Director of Town Planning, Aurangabad Division, Aurangabad shall not be computed.

Any one aggrieved by an order passed under prevailing Development Control Regulations may within forty days of the date of communication of the order prefer an appeal to the State Government.

ii) Every application shall be accompanied by:

(a)	Ownership Documents	:	7/12 extract / Property Card, Ownership right documents in original with list of such documents.
(b)	Extent of Areas	:	Village maps showing the extent of area and authenticated measurement plan / gut book of the land in original and list of such documents.
(c)	Authenticated copies of locational clearance and letter of intent.	:	
(d)	Layout & building plan (Prepared & signed by experts in respective field and team headed by an Architect / Town Planner.	:	(i) Layout plan showing all details of area utilised under roads, open spaces, parks, gardens, playground and other amenities.
			(ii) Detail layout plan, building plans of all development with area of all sector and individual plots and built up area / FSI proposed on each sector and plot.
			(iii) Detail Report comprising of expected population, requirement of amenity, proposed amenities with reference to prevailing planning standards approved by Government. Sources of all basic amenities and details of implementation maintenance, Taxation etc.
			(iv) Details of zoning and area under such zone.
			(v) Details of FSI / Total built up area proposed to be utilised in scheme. Details of Eco friendly amenities provided.
			(vi) Plan showing road hierarchy and road widths, pedestrian facility, street furniture, plantation, sidewalks with details.
			(vii) Details of solid waste management plan.
			(viii) Plan showing HFL of major lakes, river if any certified by Irrigation Department.

		(ix) Details of Eco-friendly amenities.
		(x) Plan showing details of distribution of total built up area / space.
		(xi) Plan showing water supply distribution system, including reservoirs, recycling system, details of rainwater harvesting system.
		(xii) Details of storm water drainage scheme.
		(xiii) Details of fire fighting mechanism, fire brigade station.
		(xiv) All other documents as determined and directed by Municipal Commissioner of Nanded Waghala City Municipal Corporation, Nanded

11. **IMPLEMENTATION & COMPLETION:**

- b. Development of basic infrastructure & amenity shall be completed by the developer to the satisfaction of Municipal Commissioner, Nanded Waghala City Municipal Corporation, as per phases of scheme. Development of the scheme shall be completed within 10 years from the date of final sanction to the layout plan of scheme.
- c. No building in the scheme is permitted to be occupied in any manner unless occupancy's certificate is issued by Municipal Commissioner, Nanded Waghala City Municipal Corporation.
- iii) Final completion certificate for the scheme is to be issued by Municipal Commissioner, Nanded Waghala City Municipal Corporation, in consultation with Maharashtra Pollution Board, Tree Authority as far as tree plantation is concerned and Chief Fire Officer of Nanded Waghala City Municipal Corporation.
- v) Application for occupation certificate or final completion certificate shall be submitted along with a declaration and undertaking by the developer and his structural consultant, Architect/ Town Planner as follows:
 - a. We confirm that all buildings constructed in the scheme area are as per norms as specified by Indian Standard Institute for the resistance of earthquake, fire safety and natural calamities.
 - b. Work is done as per sanctioned plan.
 - c. Built up area and FSI consumed in scheme is as per sanctioned plan of the scheme.
 - d. If it is found that extra built up area/ FSI is consumed in the scheme at any time, it shall be demolished by the developer at his own cost as directed by Commissioner, Nanded Waghala City Municipal Corporation, Nanded within one month.

12. **Interpretation:**

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

APPENDIX –“L”
(Regulation No.179)

**REGULATION FOR INSTALATION OF RAIN WATER HARVESTING
STRUCTURERS AND WATER CONSERVATION.**

- A. All the layout open spaces/amenity spaces of housing societies **Existing** and new constructions/reconstructions/additions on all plots in non gaothan areas of town shall have one or more Rain Water Harvesting structures having a minimum total capacity as detailed in **Schedule** below;
- Provided that the Commissioner may approve the Rain Water Harvesting Structures of different specifications from those in this Schedule below, subject to minimum capacity of Rain Water Harvesting being ensured in each case.
- B. The owner / society of every building mentioned in the (A) above shall ensure that the Rain Water Harvesting Structure is maintained in good repair for storage of water for non potable purposes or recharge of groundwater at all times.
- C. The Authority may impose levy on existing structure equivalent to the cost **for providing the same shall be recover from the owner and in case of new construction levy of** not exceeding Rs. 1000/- per annum for every 100 Sq. mt. of built up area for the failure of the owner of any building mentioned in the (A) above to provide or to maintain Rain Water Harvesting structures as required under these byelaws.

SCHEDULE

RAIN WATER HARVESTING / WATER CONSERVATION

General:

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

1. The following systems may be adopted for harvesting the rain water drawn from terrace and the paved surface.
 - (i) Open well of a minimum of 1.00 mt. diameter and 6 mt. in depth into which rain water may be channelled and allowed after filtration for removing silt and floating material. The well shall be provided with ventilation covers. The water from the open well may be used for non potable domestic purposes such as washing, flushing and for watering the garden etc.
 - (ii) Rain water harvesting for recharge of ground water may be done through a bore well around which a pit of one meter width may be excavated up to a depth of at least 3.00 mt. And refilled with stone aggregate and sand. The filtered rain water may be channelled to the refilled pit for recharging the bore well.
 - (iii) An impervious surface / underground storage tank of required capacity may be constructed in the setback or other open space and the rain water may be channelled to the storage tank. The storage tank shall always be provided with ventilating covers and shall have draw-off-taps suitably placed so that the rain water may be drawn off for domestic, washing gardening and such other purposes. The storage tanks shall be provided with an overflow.
 - iv) The surplus rain water after storage may be recharged into ground through percolation pits or trenches or combination of pits and trenches. Depending on the geomorphologic and topographical condition, the pits may be of the size of 1.20 m. width x 1.20 m. length x 2.00 m. to 2.50 m. depth. The trenches can be of 0.60 m. width X 2.00 to 6.00 m. lengths x 1.50 to 2.00 m. depths. Terrace water shall be channelled to pits or trenches. Such pits or trenches shall be back filled with filter media comprising the following materials.

- a) 40 mm stone aggregate as bottom layer up to 50 % of the depth;
 - b) 20 mm stone aggregate as lower middle layer up to 20% of the depth;
 - c) Coarse sand as upper middle layer up to 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 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 cms.
 - g) Perforated concrete slabs shall be provided on the pits / trenches.
 - v) If the open space surrounding the building is not paved, the top layer 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 washings from roof or terrace catchment, as they would contain undesirable dirt. The mouths 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 diameter for a roof area of 100 Sq.mt.
 3. Rain water harvesting structures shall be sited as not to endanger the stability of building or earthwork. The structures shall be designed such that no dampness is caused in any part of the walls or foundation of the building or those of an adjacent building.
 4. The water so collected / recharged shall as far as possible be used for non-drinking and non-cooking purpose.

Provided that when the rain water in exceptional circumstances will be utilized for drinking and / or cooking purpose, it shall be ensured that proper filter arrangement and the separate outlet for passing the first rainwater has been provided.

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

- D.** In case plots having area less than 150 Sq.mt. and with Ground + 1 Floor then following guidelines shall be followed;

Percolation pits of 30 centimetre dia. and 3 m. depth may be made and filled with broken with broken half bricks (or pebbles) for 2.85 m. from bottom and coarse sand for the top 15 centimetre may be filled up and the top covered with perforated Reinforced Concrete Cement (R.C.C.) slab. These percolation pits may be made at intervals of 3 m. centre to centre along the plinth boundary. The rain water collected in the open terrace may be collected through a 150 mm. PVC pipe laid on the ground and may be allowed to fall in the percolation pits or into a open well through a seepage filter of 60cm.x60cm. (Filter media broken bricks) provided before the open well which will improve the ground water level. A dwarf wall of 7.5cm. height shall be built across the entry and exit gates to retain water and allow it to percolate within.

- E.** Special Buildings, Group Developments, Multi-Storeyed Buildings (as defined in Development Control Rules), Industries and Institutional Buildings:-

There shall be a pebble bed of 1 meter width, 1.5 meter depth all around the building and filled with rounded pebbles of 5 cm. to 7.5 cm. Size. The concrete paving around the building has to be sloped at about 1 in 20 towards the pebble bed, so that rain water from terrace and side open spaces flow over this pavement and spread into the pebble bed around. Dwarf walls in masonry of 7.5 cm. in height shall be constructed at the entrance and exit gates to retain rain water collected into the compound from draining out to the road.

F. Additional Regulations for all Buildings:-

In the ground floor, floor level of water closets shall be at least 0.9m. above the road level to ensure free flow. All centrally air-conditioned buildings shall have their own waste water reclamation plant and use reclaimed waste water for cooling purposes. A separate sump shall be constructed for storing potable water supplied by the Corporation, the volume of sump not exceeding 1000 liters per dwelling shall be provided. This sump shall be independent of other tanks which may be constructed for storing water obtained from other sources.

G. The following incentive in terms of rebate in Property tax will be given by the Corporation for owners or their successors-in-interest who:

Undertake both recycling of waste water and rain water harvesting structures: 10% rebate.

APPENDIX – “M”
(Regulation No.180)

ADDITIONAL PROVISIONS FOR SAFETY IN NATURAL HAZARD PRONE AREAS.

1. To regulate development within the framework of a development plan regulation, known as development permission regulation prescribed as a part of the development plan. The basic purpose of such regulations is to promote quality of life of the people by organizing the most appropriate development of land in accordance with the developmental policies and the land use proposals contained therein.
 - Registration preferred – Registration, qualification and duties of professional defined.
 - In order to bring professionalism in all development and construction work, specially with respect to safety against natural hazards, registration of the following professionals have been recommended mandatory requirement.
 - i. Structural Engineer – Qualification and experience defined on the basis of types and importance of structure.
 - ii. Engineers
 - iii. Construction Engineer on Record (RCE)
 - iv. Construction Management Agency – Owner shall be a RCE
 - v. Quality Auditor
 - vi. Architect
 - vii. Geotechnical Agency
 - viii. Town Planner
 - ix. Developer
 - The owner /developer shall appoint the professionals from the registered professionals and will submit a list of professionals on record with the application for development permission to the Commissioner.
 - Indication of designation and registration number of each professional on every plan, documents prepared by him/her made compulsory.
 - Structural Engineer on Record and Architect on Record shall be responsible for adhering to the provision of the relevant and prevailing Indian Standards.
 - Procedure for securing Development Permission requires certificate of undertaking in the prescribed form by the Owner, Developer, Structural Engineer on Record and Architect and Construction Engineer on Record regarding the mandatory application of all structural safety from natural hazards in both design and construction of the buildings.
 - Adequate protection clause for land liable to liquefaction, storm surge and landslide.
 - For adequate record and checking compulsory submission of detailed working drawing along with soil investigation report before the commencement of the work.
 - For Structural Design details of various National Standards/Codes relating to structural safety from natural hazards as listed below and Regulation 177 have been included for guidance of the professionals to design the structures/buildings, keeping in view the provision of such codes against different hazards.

Indian Standards/Codes relating to Structural Safety from Natural Hazards	
For General Structural Safety	
1.	IS: 456:2000 “Code of Practice for Plain and Reinforced Concrete” (Fourth Revision)
2.	IS:800:1984 “Code of Practice for General Construction in Steel” (Second Revision)
3.	IS:801:1975 “Code of Practice for Use of Cold Format Light Gauge Steel Structural Members in General Building Construction” (Second Revision)

4.	IS:875:(Part 2): 1987 Design loads (other than earthquake) for buildings and structures Part 2 Imposed loads (Second Revision)
5.	IS:875:(Part 3): 1987 Design loads (other than earthquake) for buildings and structures Part 3 Wind Loads (Second Revision)
6.	IS:875:(Part 4): 1987 Design loads (other than earthquake) for buildings and structures Part 4 special loads (Second Revision)
7.	IS:875:(Part 5): 1987 Design loads (other than earthquake) for buildings and structures Part 5 special loads and load combination (Second Revision)
8.	IS:883:1966 “Code of Practice for Design of Structural Timber in Building” (Fourth Revision)
9.	IS:1904:1987 “Code of Practice for Structural Safety of Buildings : Foundation” (Third Revision)
10.	IS:1905:1987 “Code of Practice for Structural Safety of buildings: Masonry Walls” (Third Revision)
11.	IS:2911:(Part 1): Section 1: 1979 “Code of Practice for Design and Construction of Pile Foundation” (First Revision) Part 1: Section 2 Based Cast-in situ Piles Part 1: Section 3 Driven Precast Concrete Piles Part 2: Timber Piles Part 3: Under Reamed Piles Part 4: Load Test Piles
For Cyclone/Wind Storm Protection	
12.	IS:875 (3) – “Code of Practice for Design Loads (other than Earthquake) for Buildings and Structures, Part 3, Wind Loads” (Second Revision)
13.	IS:15498 Guidelines for improving the Cyclonic Resistance of Low rise houses and other buildings
For Earthquake Protection (Seismic Safety)	
14.	IS:1893-2002 “Criteria for Earthquake Resistant Design of Structures (Fifth Revision)
15.	IS:4326-1993 “Earthquake Resistant Design and Construction of Buildings – Code of Practice” (Fifth Revision)
16.	IS:13828 –1993 “Improving Earthquake Resistance of Low Strength Masonry Building – Guidelines”
17.	IS:13827 - 1993 “Improving Earthquake Resistance of Earthen Building – Guidelines”
18.	IS:13920 – 1993 “Ductile Detailing of Reinforced Concrete Structures subjected to Seismic Forces – Code of Practice”
19.	IS:13935 – 1993 “Repair and Seismic Strengthening of Buildings – Guidelines”
For Protection from Landslides	
20.	IS: 14458 (Part 1): 1998 Guidelines for retaining wall for hill area: Part 1 Selection of type of wall.
21.	IS: 14458 (Part 2): 1997 Guidelines for retaining wall for hill area: Part 2 Design of retaining/breast wall.
22.	IS: 14458 (Part 3): 1998 Guidelines for retaining wall for hill area: Part 3 Construction of dry stone wall.
23.	IS: 14496 (Part 2): 1998 Guidelines for preparation of landslide – Hazard zonation maps in mountainous terrain: Part 2 Macro - zonation
<i>Note: Whenever an Indian Standard including those referred in the National Building Code or National Building Code is referred, the latest revision of same shall be followed except criteria, if any, mentioned above against that code.</i>	

Note: Whenever an Indian Standard including those referred to in the National Building Code or the National Building Code is referred, the latest revision of the same shall be followed except specific criteria, if any, mentioned above against that code.

2. STRUCTURAL DESIGN BASIS REPORT:

To ensure the compliance of various codes, Structural Engineer on Record is required to submit Structural Design Basis Report (SDBR) in prescribed Proforma for applicable type of structure. Design Basis Report format for Load Bearing Buildings, Reinforced concrete framed building and structural steel, interalia, include essential elements of design required for safety against hazard.

In compliance of design with above Indian Standard, the Structural Engineer on record will submit a Structural Design Basis Report in the prescribed Proforma covering the essential safety requirements specified in the Standard.

- i) The “Structural Design Basis Report (SDBR) consists of four parts;

Part -1 – General information / Data

Part -2 – Load Bearing Masonry Buildings
 Part -3 – Reinforced Concrete Buildings
 Part -4 – Steel Buildings

ii) Drawings and Documents to be submitted for approval of Corporation shall include SDBR as detailed below;

Part -1 - Completed

Part -2 - (if applicable) – completed

Part -3 - (if applicable) – undertaking that completed Part 3 will be submitted before commencement of construction.

Part -4 - (if applicable) – undertaking that completed Part 4 will be submitted before commencement of construction.

iii) SDBR as detailed below shall be submitted to the to the Corporation as soon as design of foundation is completed, but not later than one month prior to commencement of construction.

Part -1 - Completed

Part -2, Part-3 or Part-4 (if applicable) completed.

3. SEISMIC STRENGTHENING OF EXISTING BUILDING:

Prior to seismic strengthening / retrofitting of any existing structure, evaluation of the existing structure as regards structural vulnerability in the specific wind / seismic hazard zone shall be carried out by a Registered Structural Engineer (RSE) / Registered Structural Design Agency (RSDA). If as per the evaluation of the RSE/RSDA the seismic resistance is assessed to be less than the specified minimum seismic resistance in the note below, action will be initiated to carry out the upgrading of the seismic resistance of the building as per applicable guidelines.

PROOF CHECKING REQUIREMENTS FOR STRUCTURAL DESIGN

PROOF CHECKING REQUIREMENTS FOR STRUCTURAL DESIGN			
S.No.	TYPE OF STRUCTURE	SUBMISSION FROM SER or SDAR	TO BE PROOF-CHEKED
1	LOAD BEARING BUILDINGS UPTO THREE STOREYS	SDBR*	NOT TO BE CHECKED
2	BUILDING UPTO SEVEN STOREYS (R.C.C./STEEL FRAMED STRUCTURE)	SDBR PRELIMINARY DESIGN	TO BE CHECKED TO BE CHECKED
3	BUILDING GREATER THAN SEVEN STORYES (R.C.C./STEEL FRAMED STRUCTURE)	SDBR PRELIMINARY DESIGN DETAIL STRUCTURAL DESIGN AND STRUTURAL DRAWINGS	TO BE CHECKED
4	SPECIAL STRUCTURES	SDBR PRELIMINARY DESIGN DETAILED STRUCTURAL DESIGN AND STRUCTURAL DRAWINGS	TO BE CHECKED TO BE CHECKED TO BE CHECKED

*SDBR – Structural Design Basis Report.

Notes: i) *Public building means assembly of large number of people including school, hospitals, courts etc.*

ii) *Special structure means large span structures such as stadium, assembly halls, or tall structures such as water tanks, TV tower, chimney, etc.*

4. REVIEW OF STRUCTURAL DESIGN:

Provision for proof checking of design by a Senior Structural Engineer selected from the Structural Design Review Panel registered with the Corporation has also been introduced.

5. SUPERVISION:

All construction except load bearing buildings up to 3 storeys shall be carried out under the supervision of the Construction Engineer or Construction Management Agency on Record.

6. QUALITY CONTROL AND INSPECTION:

To ensure proper quality, it is recommended that all the construction for high rise buildings higher than seven storeys, public buildings and special structures shall be carried out under quality inspection programme prepared and implemented under Quality Auditor Agency on Record in seismic zone IV and V.

7. CONTROL OF SIGNS (HOARDINGS) AND OUTDOOR DISPLAY STRUCTURE AND PAGING TOWER AND TELEPHONE TOWER AND OUTDOOR DISPLAY STRUCTURES:

Adequate provisions have been made for safety of above structures.

8. INSPECTION:

Generally all development work for which permission is required shall be subject to the inspection by Competent Authority as deemed fit.

The applicant shall keep a board at site of development mentioning the Survey No., City Survey No., Block No., and Plot No. etc. with names of Owner, the Architect, the Structural Engineer, the Construction Engineer as Recorded with the Corporation for the project.

Progress certificate to be submitted by owner/developer/builder at plinth, first storey, middle storey in case of high rise building and last storey stage.

Submission of Completion Report in prescribed format. No completion Report shall be accepted unless completion plan is approved by the Commissioner.

Occupancy certificate to be issued only after ensuring all essential information from the Owner and Architect / Engineer on Record.

9. MAINTENANCE OF BUILDING:

Adequate provisions have been made for safety of buildings older than fifty years. It shall be duty of the owner of a building, to get his building inspected by a Registered Structural Engineer. The Structural Inspection report shall be produced by the owner to the Corporation. Within five years, action as required will have to be taken to rectify / strengthen as recommended in the report.

10. CAPACITY BUILDING:

Elaborate planning has to be made for capacity building by Architect/Engineers to deal with the design and construction of safe structures.

**APPENDIX – “N”
(Regulation No. 181)**

**SPECIAL GUIDELINES FOR TOURISM DEVELOPMENT WITHIN
CORPORATION LIMITS.**

1) GENERAL CONDITIONS:

- (a) Tourism Development Zone can be developed by individual or company or partnership firm or Government / Semi Government Organisation / Corporation.
- (b) These guidelines shall be applicable for Tourism Development Zone in No Development Zone, and other zones, too as set out herein below.

2) TOURISM DEVELOPMENT ZONE COMMITTEE:

Proposals for lands to be specified as Tourism Development Zone shall be recommended for consideration of Government in Urban Development Department by a Committee consisting of:

- | | |
|---|----------|
| i) Secretary, Tourism Development, Mantralaya, Mumbai. | Chairman |
| ii) Divisional Commissioner, | Member |
| iii) Municipal Commissioner, | Member |
| iv) Divisional Deputy Director of Town Planning, | Member |
| v) Representative of Hotel Industries, Mumbai, | Member |
| vi) Environmentalist, | Member |
| vii) Architect, having 20 years experience in Architectural practices | Member |

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

3) SIZE OF PLOT AND FSI:

Minimum requirements regarding the size of the plot for Tourism Development Zone and other features shall be as follows:

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

Note: 1) After deducting the area of Tourism Development Zone, FSI will be available for rest of the land in No Development Zone as provided for No Development Zone under Development Control Regulations.

2) For plots more than 2 Ha. in area in No Development Zone no sub-division of plots shall permitted.

4) SMALLER PLOTS:

For existing landholders having smaller plots in No Development Zone, the provisions of promotion of Tourism through bed-and –breakfast type of arrangements for tourists shall be permissible as recommended by Tourism Development Zone Committee, and approved by Government in Urban Development Department. There shall be the same FSI as in No Development Zone for plots, according to Development Control Regulation.

5) PROHIBITION FOR INCLUSION IN TDZ:

Lands falling in categories specified below shall not be included in Tourism Development Zone and hence shall not be considered for the purpose –

- a) Lands affected beyond permissible levels by pollution in land, water or air as may be decided and certified by the Maharashtra Pollution Control Board.
- b) Areas from No Development Zone directly abutting the Residential Zone without being separated by road having width not less than 24 m

6) INFRASTRUCTURAL FACILITIES:

All infrastructural facilities required on site as specified by Municipal Corporation and also as suggested by Tourism Development Zone Committee shall be provided by the developer at his own cost on site. Proper arrangement for treatment and disposal of sewage and sullage and solid wastes shall be made to the satisfaction of the Commissioner and Maharashtra Pollution Control Board. No untreated effluent shall be allowed to pass into any water body.

7) RESERVED SITES FOR TDZ:

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

Sites reserved/designated as “Play Ground” in the Development Plan can be developed for TDZ with an FSI of 0.20 subject to terms and conditions mentioned in clause 7 and further subject to the following conditions:

- i) Built up area on ground floor shall not exceed 10% of the total area of reserved/designated site.
- ii) The Corporation shall formulate precise guidelines for overall developments of sites reserved/designated for Playground and get the same approved by the Government.
- iii) Playground excluding the permissible built up portion apartment land as may be prescribed in the guidelines referred at Sr. No.(ii) above, shall be cleared of the encroachments and shall be made open to public or Appropriate Authority for appropriate use.

Provided that, with the previous approval of the Government the permissible FSI in park/ garden / recreation ground / private garden / private recreation ground may be permitted to exceed by maximum 100% and subject to following conditions.

- 1. Premium shall be recovered at the rate of 25% of the Ready Reckoner for additional FSI out of which 50% shall be payable to the said Corporation.

2. The remaining area of the park / garden / recreation ground / private garden / private recreation ground after leaving appurtenant space shall be rendered open for the public.

8) ENVIRONMENT AND EDUCATION:

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

GUIDELINES FOR THE PROPOSALS FOR THE CHANGE OF LAND FROM NO DEVELOPMENT ZONE TO TOURISM DEVELOPMENT ZONE

FORMAT FOR FURNISHING ADDITIONAL INFORMATION ALONGWITH THE REQUEST FOR CHANGE OF NO DEVELOPMENT ZONE TO TOURISM ZONE

1. Name and Address of the Applicant. a. Telephone Number	
2. Name and address of the main promoter. a. Telephone Number	
3. Status:- Proprietary / Partnership / Company / Co-operative Society / Government Undertaking / any other. a. Registration No. and date of Registration	
4. Type of the proposed tourism project. (Hotel / Resort / Health Farm / Motel / Apartment Hotel / Water Sports / Water Parks / Arts and Crafts Village / Golf Course / Camping and Tent facilities / Amusement Park / Aerial Ropeway / Heritage Hotel and any other)	
5. Does it meet the criteria of a tourism project defined by MTDC and Tourism Department of Government of India.	
6. Location of the proposed tourism project. (a) City Survey Number / Survey Number / Gat Number (b) Plot Number (c) Village (d) Taluka (e) District	
7. Under which zone site is situated (a) No-development Zone (b) Green Zone (c) Industrial Zone (d) Residential Zone (e) Other Zone	
8. Size of the plot of proposed tourism project.	
9. Whether the land (a) Is affected beyond permissible levels by pollution in land. (b) Is covered by mangroves. (c) Is directly abutting the residential zone without being separated by road if road exist what is the width of the road.	
10. How the proposed tourism project will attract the Domestic Tourist / Foreign Tourist.	

11. Why do you feel this right location for your project and no other location can be thought of.	
12. Will this project become the burden on civil amenities like water supply, power supply, disposal of effluents, road development etc.	
13. Indicate whether proposed project will attract lot of vehicular traffic.	
14. Proposed project cost (Estimated) a. Land b. Site development c. Building d. Plant and Machinery e. Furniture and Fixtures f. Other Assets g. Preliminary and Pre. Op. Expenditure. h. Working Capital Margin Total	(Rs. in Lakh)
15. Proposed means of finance a. Promoters contribution b. Term Loan c. Unsecured Loan d. Other Sources Total	
16. Employment expected.	

Introduction.

- (a) **Bio-data of developers, status** – Whether individual, company, partnership firm etc., along with the experience in tourism industry.
- (b) Proposal for exclusive clubs or to restricted membership groups will not be considered. The proposed tourist facilities should be open to all without any reservation of sex, religion race or caste.
- (c) Nature of proposed development in brief.

Size of the plot.

The plot size less than 0.04 hectares will not be considered for such a change.

Location.

- (a) Brief information about the location, its future tourism potential, existing tourist facilities nearby, and its proximity to scenic spots along with the quality of the lake, river or any tourist place of importance.
- (b) Distance from the nearest airport, railway station, national highway, state highways, etc.

Land Details.

- (a) Total area of the project.
- (b) Extract of 7/12 with relevant title documents.
- (c) The site plan/location plan with approach road along with a copy of development plan clearly marking the proposed site along with its reservation in the development plan.
- (d) Land use plan of the project as per Development Control Regulations.

Some Photographs of the Site.

Transport.

- (a) Mode of transport for tourists to reach the proposed project site
- (b) Availability of parking space within the premises along with number of vehicles that can be parked as per the Municipal local law. In absence of any relevant law applicable to

the site, the provision should be made to make parking space available within the premises to vehicles arriving during the peak tourist season.

- (c) Availability of parking space near River, Tanks etc., if boats/ferries are to be used for transportation.

Infrastructure.

- (a) **Approach roads** – length and condition whether the developer would such facilities.
- (b) Availability and source of potable water and electricity along with the projected demand during the next 20 years.
- (c) To what extent non-conventional sources of energy will be utilised.

Environmental Factors.

- (a) Environmental impact assessment report should accompany project report.
- (b) Out of total project area at least 3.3% of the area should be afforested or should have lawns or green cover or Horticultural important trees.
- (c) Quarrying separations will not be allowed to this area.
- (d) In case of forests in the proposed area there would be no construction of buildings or destruction of any forests area whatsoever. The advantage of forests could be taken as mere tourist attraction such as nature trails, wildlife, to be viewed by tourists etc.

Sewerage treatment and disposal.

- (a) Availability of infrastructure facilities for solid and waste disposal.
- (b) Details of solid and liquid waste to be generated due to the proposed project and proposed measures for disposal.
- (c) It must be ensured that untreated effluent and solid waste are not discharged into the water and recycling of the sewerage is resorted to.
- (d) The quantity of the treated effluents, solid waste, emissions and noise level etc., from the project area must confirm to the standard laid down by the competent authority including the Central Stag Pollution Board and Environmental Protection Act, 1986.

Construction.

- (a) The construction should be consistent and blend with surroundings, landscape and local architectural style.
- (b) The construction should strictly adhere to local laws and regulations.

Finance.

- (a) Total cost of the project.
- (b) Financial sources.
- (c) Proposed traffic along with the viability report.

Job Potential.

Generation of Direct and Indirect employment.

Other amenities and facilities.

- (a) Indoor and outdoor recreational facilities.
- (b) Other amenities like health farm, amusement park, etc.,
- (c) Any other special facilities.

Facilities for the convenience of tourists.

- (a) The provisions of free counter for the use of MTDC to promote tourism.
- (b) Issue permits/parking lots for parking and other facilities for the buses/vehicles operated or sponsored by MTDC for the convenience of tourists.

APPENDIX - "O"
(Regulation No.182)

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

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

1. APPLICABILITY:

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

2. RESTRICTION ON DEVELOPMENT , REDEVELOPMENT / REPAIRS, ETC.:

- 2.1 No development or redevelopment or engineering operations or additions, alterations, repairs, renovation including painting of building, replacement of special features or plastering or demolition of any part thereof of the said listed buildings or listed precincts or listed heritage streets or listed natural features shall be allowed except with prior written permission of the Municipal Commissioner. Before granting any such permission, the Municipal Commissioner shall consult the Heritage Conservation Committee to be appointed by the State Government (hereinafter referred to as the said Heritage Conservation Committee) and shall act on the advice of the Heritage Conservation Committee.
- 2.2 In relations to religious buildings in the said list, the changes, repairs, additions, alterations an renovations required on religious grounds mentioned in sacred texts, or as a part of holy practices laid down in the religious codes may be treated as permissible, subject to their being in accordance and in consonance with the original structure and architecture, designs, aesthetics and other special features thereof. Provided that while considering applications for such changes, repairs, additions, alterations and renovations, the Municipal Commissioner shall act on the advice of the Heritage Conservation Committee.
- 2.3 Provided that before granting any permission for demolition or major alterations / additions to listed buildings (or buildings within listed precincts) streets or construction of any listed natural features or alterations of boundaries of any listed features objections and suggestions from public shall be invited and duly considered by the Heritage Conservation Committee.
- 2.4 Provided that in exceptional cases, for reasons to be recorded in writing, the Municipal Commissioner may overrule the advice of the Heritage Conservation Committee. Provided further that power to overrule the advice of the Heritage Conservation Committee shall not be delegated by Municipal Commissioner to any other officer, provided further the Municipal Commissioner shall take the prior approval of Government before overriding the advice of Heritage Conservation Committee.

3. PREPARATION OF LIST OF HERITAGE BUILDINGS, HERITAGE PRECINCTS, LISTED NATURAL FEATURES:

- 3.1 The Municipal Commissioner shall prepare list of buildings, artefacts, areas and precincts and historic and / or cultural significance and the list of those natural features of environmental significance including sacred groves, hills, hillocks, water bodies (and areas adjoining the

same), open areas, wooded areas, sthalariksha etc. to which this regulation applies shall not form part of this Regulation for the purpose of section 37, of Maharashtra Regional & Town Planning Act, 1966.

- 3.2 The Municipal Commissioner shall issue public notice in the local news paper declaring his intention to include the buildings, artefacts, areas and precincts of historic and / or cultural significance and the list of natural features of environmental significance, including sacred groves, hills, hillocks, water bodies, land and areas etc. and invite objections and suggestions from any persons in respect of the proposed inclusion within a period of thirty days from the date of such notice.
- 3.2.1 The Municipal Commissioner shall issue notice to the owners of the buildings, artefacts, areas and precincts of historic and / or cultural significance etc., and invite objection or suggestions from such person in respect of proposed inclusion within 60 days from the date of such notice.
- 3.3 The Municipal Commissioner on receipt of any objection or suggestion 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 motto or on the advice of the Heritage Conservation Committee after following the procedure Clause 3.1 and 3.2.

4. SPECIAL REGULATIONS FOR HERITAGE PRECINCTS IN CONSULTATION WITH THE HERITAGE CONSERVATION COMMITTEE:

- 4.1 The Municipal Commissioner shall frame special Regulation for the Heritage precincts or listed buildings.
- 4.2 Before finalising the special separate regulations for precincts, the draft of the same shall be published in the official gazette and in leading newspapers for the purpose of inviting suggestions from the public. All suggestions and objections received within a period of 60 days from the date of publication in the official gazette and or news papers shall be considered by the Municipal Commissioner.
- 4.3 (i) After consideration of the above suggestions and objections, the Municipal Commissioner shall modify the aforesaid draft regulations for precincts, and forward the same to the Government for sanction.

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

- 4.3 (ii) The Municipal Commissioner while framing the Development Control Rules or the Bye-laws shall prescribe the Road widening line so as to protect and not to detract from the said Heritage Precincts or listed natural features.
- 4.3(iii) If there are any new roads or road widening lines proposed in the Draft or Sanctioned Regional Plan / Revised Draft / Sanctioned Development Plan of City, the Municipal Commissioner shall consider the heritage provisions and environmental aspects while considering applications for development permissions in these precincts.
- 4.3(iv) If there are any Development Plan / Regional Plan reservations shown on heritage buildings, or on listed natural features the same shall not be implemented. If required, the Municipal Commissioner on the advice of the Heritage Conservation Committee shall move Government to get these reservations deleted / modifying the said reservation, the Municipal Commissioner shall cause notice to be published in local newspaper inviting objections for such deletion or modification.

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

5. POWER TO ALTER, MODIFY OR RELAX REGULATIONS:

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

6. RESTRICTION ON DEVELOPMENT OF HERITAGE PRECINCTS OR LISTED BUILDINGS:

- 6.1 No permission for Development, alteration, modification etc., shall be granted to any person in respect of any Heritage precincts or Listed Building, except with the advice of the Heritage Conservation Committee.
- 6.2 The Municipal Commissioner may grant permission for development, alteration, modification etc. subject to provisions made under special Regulations framed for Heritage Precincts of the listed buildings.
- 6.3(i). If application for development, alteration, modification of the Heritage precincts or listed buildings is rejected under this regulation or under the Special Regulation or while granting such permission, any conditions are imposed on the owner which deprives him to use the FSI, the said owner shall be compensated by grant of Development Right Certificate.
- 6.3(ii).The owner of the Heritage / Listed Buildings shall be entitled to use the said Development Right anywhere in the city subject to conditions in the Development Right Certificate and the regulations as may be prescribed by the Government from time to time.

7. GRANT OF TRANSFERABLE DEVELOPMENT RIGHTS IN CASES OF LOSS OF DEVELOPMENT RIGHTS:

- 7.1 After the commencement of this Regulation, the Heritage Precincts or Listed Buildings shall not be permitted to be used for any commercial or office purpose except with the permission of the Heritage Conservation Committee. However, in cases of buildings included in the Heritage Conservation List, if the owner / owners agree to maintain the listed Heritage building as it is in the existing stage and to preserve its heritage with due repairs, the owner / owners may be allowed, with the approval of the Heritage Conservation Committee to convert part or the whole of the non-commercial to commercial / office use. Provided that if the heritage building is not maintained suitably or if the heritage value of the building is allowed to be spoiled in any manner, the Municipal Commissioner shall withdraw the permission forthwith.
- 7.2 Regulation for grant of Transferable Development Rights to owners / lessees of heritage buildings / heritage precincts and conditions for grant of such T.D.R. shall be as stipulated in Appendix “T”.

8. MARINATING SKYLINE:

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

9. RESTRICTIVE COVENANTS:

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

10. REPAIR FUND:

No cessed building included in the said list shall be repaired by the owners of the said buildings themselves or if they are cessed buildings, those can be repaired by the Housing Repair Board or by the owner or by the Co-operative society of the owner and occupiers of the old building. With a view to give monetary help for such repairs separate fund may be created which would be kept at disposal of the Municipal Commissioner, who will make disbursement from the funds on the advice of the Heritage Conservation Committee. Provisions for such fund may be made through District Planning and Development Council's Budget.

11. GRADING OF LISTED BUILDINGS / LISTED PRECINCTS:

The Municipal Commissioner shall classify the Heritage Precincts, Heritage Buildings in "Grades" such as i, ii, iii. The meaning of these grades and basic guidelines for development permissions are as follows:

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

GRADE I	GRADE II	GRADE III
A) DEFINITION		
Heritage Grade I - comprises buildings and precincts of national / historic importance, embodying excellence in architectural style, design technology and material usage; they may be associated with a great historical event, personality movement or institution. They have been, and are the prime landmarks of the region. All natural features shall fall within Grade I.	Heritage Grade II- (A&B) – comprises buildings & precincts of local importance possessing special architectural or aesthetic merits or cultural or historical value, though of lower order than that of Heritage Grade-I. They are local landmarks contributing to the image and identity of the region. They may be the work of master craftsman or may be models of proportion and ornamentation or design to suit particular climate.	Heritage Grade III- comprises building and precincts of importance for townscape; they evoke architectural aesthetic or sociological interest though not as much as in Heritage Grade-II. These contribute to determine the character of the locality and can be representative of lifestyle of a particular community or region and may also be distinguished by setting on a street line or special character of the facade and uniformity of height, width and scale.
B) OBJECTIVE		
Heritage Grade-I richly deserves careful preservation.	Heritage Grade-II deserves intelligent conservation.	Heritage Grade-III deserves intelligent conservation (though on lesser scale than Grade-II) protection of unique features and attributes.
C) SCOPE FOR CHANGES		
No interventions would be permitted either on the exterior or interior unless it is necessary in the interest of strengthening and prolonging the life of the buildings or precincts or any part or features thereof. For this purpose, absolutely essential and minimum changes would be allowed and the must be in accordance with the original.	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.	External and 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 are in harmony with and should be such that they do not detract from the existing heritage building precinct.

	GRADE-II(B)	
	In addition to the above, extension or additional building(s) in the same plot or compound may, in certain circumstances, be allowed; provided that, such extension /additional building is in harmony with (shall not detract) the existing heritage building(s) or precincts, especially in terms of height and/or facade.	
D) PROCEDURE		
Development Permission for changes would be given by the Commissioner on the advice of the Heritage Conservation Committee to be appointment by the State Government.	Development Permission for changes would be given by the Commissioner on the advice of the Heritage Conservation Committee to be appointed by the State Government.	Development Permission for changes would be given by the Commissioner on the advice of the Heritage Conservation Committee to be appointed by the State Government.
E) VISTA / SURROUNDING DEVELOPMENT		
All developments in areas surrounding Heritage Grade-I shall be regulated and controlled, ensuring that it does not mar the grandeur of or view from, Heritage Grade-I		

12. SIGNS AND OUTDOOR DISPLAY STRUCTURES:

12.1 No display or advertising signs and outdoor display structures on listed buildings and / or the Heritage Precincts shall be permitted except in accordance with Part X (Signs and outdoor display structure) of National Building Code of India.

12.2 Additional Conditions:-

In addition to above, the following provisions shall apply to advertising signs in different land use zones:-

(i) Residential Zone (R-1):- The following non-flashing neon signs with illumination not are exceeding 40 watts light.

a) one name plate with an area not exceeding 0.1 Sqm. for each dwelling unit.

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

c) “FOR SALE” or “FOR RENT” signs for real estate, not exceeding 2 Sqm. in area provided same are located in the premises offered for sale or rent.

(ii) Residential Zones with shop lines (R-2):

Non-flashing business signs placed parallel to wall and not exceeding 1 m. in height for establishment.

(iii) Commercial Zones:

Flashing or non-flashing business sings placed parallel to the wall not exceeding 1 m. in height provided such signs do not face residential buildings.

12.3 Prohibition of advertising signs and outdoor display structures in certain cases:-

Notwithstanding the provisions of 12.1 and 12.2 no advertising sign or outdoor display structures shall be permitted on buildings of architectural, aesthetic, historical or heritage importance as may be decided by the Municipal Commissioner, Committee or on Government buildings, so 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 building's own purposes or related programmes.

Provided that if the Heritage Conservation Committee so advises, the Municipal Commissioner shall refuse permission for any sign or outdoor display structure.

The Municipal Commissioner may on the advice of the Heritage Conservation Committee, to add, alter or amend the provisions of sub-regulations 12.1, 12.2 and 12.3 above.

13. COMPOSITION OF HERITAGE CONSERVATION COMMITTEE:

13.1 There shall be a Heritage Conservation Committee for the area under jurisdiction of Corporation. The Committee shall comprise of the following members:-

- | | | |
|--------|---|---------------|
| (i) | Retired Secretary to the Government of Maharashtra with relevant experience nominated by Government of Maharashtra | Chairman |
| (ii) | The Deputy Municipal Commissioner of Nanded Waghala City Corporation. | Vice-Chairman |
| (iii) | Structural Engineer having experience of 10 years in the field and membership of the Institute of Engineers. | 1 Member |
| (iv) | Architects having 10 years experience and membership of the Council of Architecture.
(a) Urban Designer,
(b) Heritage Conservation Architect, | 2 Members |
| | <i>Architects shall be those having experience in Conservation Architecture.</i> | |
| (v) | Director of Museum | 1 Member |
| (vi) | Environmentalist having in-depth knowledge and experience of 10 years of subject matter. | 1 Member |
| (vii) | City Historians having 10 years experience in the field. | 1 Member |
| (viii) | Assistant Director of Town Planning, Branch Office, Nanded | 1 Member |
| (ix) | City Engineer of the Municipal Corporation Secretary | 1 Member |

13.2 The Committee shall have the powers to co-opt up to three additional members who may have lesser experience, but who have special knowledge of the subject. Provided that additional members may be co-opted for special purpose or on sub-committees of the Heritage Conservation Committee.

13.2.1 The tenure of the Members of Category (i), (iii), (iv), (vi), (vii) above shall change after three years, provided however that the same person shall be eligible for reappointment as Member.

13.3 The Heritage Committee shall come into existence with effect from the date of its publication in the Official Gazette.

- 13.4 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 appointment of the Member or on the ground that such member was disqualified for being appointed.
- 13.5 The Chairman and in his absence the Vice-Chairman of the Committee shall preside over the meetings of the Committee.
- 13.6 The terms of reference of the Committee shall be, inter alia,
- i) to advise the Municipal Commissioner whether Development permission should be granted under this Regulation and the conditions of such permission.
 - ii) to prepare supplementary list of buildings, artefacts structures, areas precincts of historic aesthetic, architectural or cultural significance and a supplementary list of natural features of environmental significance including sacred groves, hills, hillocks, water bodies (and the areas adjoining the same), open areas, wooded areas, sthalariksha etc. to which this Regulation would apply.
 - iii) to advise whether any relaxation modification, alteration or variance of any of the Development Control Regulations / Building Bye-laws, is called for.
 - iv) to suggest amendments, changes or special regulations or modifications to special regulations and to advise the Municipal Commissioner regarding the same.
 - v) to advise on the extent of Development Rights Certificates to be granted to the owners of listed Buildings or Heritage Precincts.
 - vi) to advise whether Development Rights Certificates may be allowed to be consumed in a heritage precinct.
 - viii) to advise whether to allow commercial / office user of any listed building of Heritage Precincts, and when to terminate the same.
 - ix) to advise the Commissioner to regulate erection of outside advertisement / bill boards.
 - x) to recommend to the Commissioner guidelines to be adopted by those private parties who sponsor beautification schemes at Public intersections and elsewhere.
 - xi) to advise the Municipal Commissioner to evaluate the cost of repairs to be given to the owners to bring the existing buildings back to the original condition. For this purpose the Committee may also try to help the Municipal Commissioner to raise funds through private resources.
 - xii) to prepare special designs and guidelines for listed buildings and control of height and essential facade characteristics such as maintenance of the buildings and to suggest suitable design adopting new materials for replacement keeping the old form intact to the extent possible.
 - xiii) to prepare guidelines relating to design elements and conservation principles to be adhered to and to prepare other guidelines for the purpose of this regulation.
 - xiv) To advise the Municipal Commissioner on any other issue as may be required from time to time during course of scrutiny of development permissions and in overall interest of heritage / environmental conservation.
 - xv) to prepare special regulations for heritage precincts / and to advise the Municipal Commissioner regarding the same.

14. APPEAL:

Any person aggrieved by any decision of Municipal Commissioner or Heritage Conservation Committee may prefer an appeal to the State Government within 40 days of such decision. The Heritage Conservation Committee shall appear before Government either independently or through its representative in such appeals.

**APPENDIX-“P”
(Regulation No.183)**

REGULATIONS FOR INFORMATION TECHNOLOGY ESTABLISHMENTS.

1. Notwithstanding anything contained in this regulation following regulations shall apply to the building to be used for I.T. Establishments.

1.1 Definition:

Information Technology Establishment (ITE) means an establishment which is in business development either Software or Hardware.

1.2 Height of Room for I.T.E.:

Any telemetric equipment storage erection facility can have a height as required for effective functioning of that system.

1.3 Covered Antenna to be Free of FSI:

Any covered Antenna / Dish Antenna / Communication / Mobile Tower will be allowed to be erected free of FSI, however on payment of premium as detailed in sub clause 1.3. (a) and 1.3.(b) below, if it is used for Telecom (basic Cellular or Satellite Telephone) or ITE purpose which shall include equipment relating to Earth Station, V-Sat, Routes, Transponders and similar ITE related structures or equipment.

- (a) Deposit of Rs.50, 000/- shall be charged. Premium shall be charged at the rate of the land value as per Ready Reckoner of the area occupied by the cabin.
- (b) Tower Height premium shall be Rs. 10,000/- per running metre.

1.4 ITEs to be allowed in Residential Zone:

ITE (pertaining to Software only) may be permitted in R-1 Zone on the plots / premises fronting on the roads having width more than 12.00 m.

1.5 ITEs to be allowed in Industrial Zone:

ITEs shall be permitted in Service Industrial Zone & Industrial Zone on all roads having width more than 12.00 m.

1.6 ITEs to be allowed in No Development Zone:

ITEs (pertaining to Software only) with ancillary residential development shall be allowed in No Development Zone subject to the following conditions-

- a) The total FSI shall not exceed 0.50.
- b) Residential Development shall not have FSI more than 0.15.
- c) Construction of ITE / Ancillary residential use may be permitted (in suitable location to as to keep as much as remaining space open) up to 15% on 50% of the area of plot. On remaining 50% plot, trees shall be planted at the rate of 500 trees per hectare.
- d) Sub-division of land shall be permitted with the area of plot to be sub-divided being not less than 400 Sqm.

1.7 Additional FSI for ITE:

The Commissioner may permit the floor space index specified in these Regulations to be exceeded to the extent of 100% (excluding No Development Zone) in respect of Building in

independent plot of ITE set up by public bodies like MHADA, SEEPZ, SICOM, STP or their joint venture companies having more than 51% stake of these bodies having plots exclusively used for ITE in congested area and non congested area subject to following conditions, in respect of –

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

Provided that maximum of 80% of the total FSI may be used for IT/ITES/IT supported Financial Services with the prior approval of the State Govt. and remaining 20% may be used for commercial services.

- c) The IT supported financial services shall be restricted to the users specified by the Industry Deptt. In its Government Resolution IMC/2008/CR-46/IND-2 dated 13/8/08 and as may be amended from time to time by the High Power Committee and Industries Department.
- d) The additional FSI shall be granted upon the payment of premium. Such premium shall be recovered at the rate of 25% for IT/ITES users, 40% for the IT supported financial services and 100% for commercial users of the present market value of the land under reference as indicated in the Ready Reckoner.

Provided that 40% of the present market value of land under reference as indicated in the Ready Reckoner will be liable to be paid even if only a part of 80% of the total area is used for IT supported Financial Services.

- e) 25% the total premium so charged shall be paid to the Govt. and remaining 75% shall be paid to the said Authority.
- f) The premium so collected by the Planning Authorities shall be primarily used for development/up gradation of off-site infrastructure.
- g) In the event, the developer comes forward for provision of such off-site infrastructure at his own cost, then the said Planning Authority shall determine the estimated cost of the works and shall also prescribe the standards for the works. After completion of the works the said Planning Authority shall verify as to whether the same is as per prescribed standards and thereafter, by deducting the cost of works, the balance amount of premium shall be recovered by the said Planning Authority.
- h) Additional FSI for IT supported Financial Services to 20% commercial users will be applicable in those zones where the Development Control Regulation permits such use.
- i) No condonation in the required open spaces, parking and other requirements prescribed in these regulations shall be allowed in case of such additional FSI. However, in case of demonstrable hardship, the Municipal Commissioner of Municipal Corporation of NWCMC may relax any of these provisions.

General Terms / Conditions Applicable for Development of IT / ITES Units:

- i) Additional FSI to IT / ITES units would be available only upon full utilization of basic admissible FSI.
- ii) Additional FSI to IT / ITES units would be available to IT / ITES Parks duly approved by the Directorate of Industries.
- iii) Additional FSI shall be granted upon payment of premium which shall be paid in the manner as may be determined by the Government. Such premium shall be recovered at the rate of 25% of the present day market value of the land under reference as indicated in Ready Reckoner.

- iv) 25% of the total premium shall be paid to the Government and remaining 75% shall be paid to Corporation.
- vi) Premium so collected by the Corporation shall be primarily used for development / up gradation of offsite infrastructure required for IT / ITEs Parks and utilization of this premium shall be monitored by the Commissioner.
- vi) In the event, the developers comes forward for provisions of such offside infrastructure at his own cost, then Commissioner shall determine the estimated cost of the works and shall also prescribe the standards for the work. After completion of the works the Commissioner shall verify as to whether the same is as per prescribed standards and thereafter, by deducting the cost of works, the balance amount of premium, if any, shall be recovered by the Commissioner.

1.8 Users / Services Ancillary to the IT / ITEs:

While developing site for IT / ITEs with additional FSI, users ancillary to the principal user, as may be approved by the Directorate of Industries shall also be allowed.

- 1.10** No condonation in the required open spaces, parking and other requirements prescribed in these Regulations shall be allowed in case of such additional FSI.

**APPENDIX – “Q”
(Regulation No.184)**

**CONVERSION OF INDUSTRIALLY ZONED LANDS FOR RESIDENTIAL
AND COMMERCIAL DEVELOPMENT (EXCEPT TEXTILE MILL LANDS).**

- A. With the previous approval of the Municipal Commissioner and on such conditions as deemed appropriate by him, the existing or newly built-up area of unit, in the Industrial Zone may be permitted to be utilised for Residential or Commercial purposes.
- B. With the previous approval of the Commissioner, any open land or lands or industrial lands in the Industrial Zone may be permitted to be utilised for any of the permissible users in Residential Zone (R-1 zone) or Residential Zone with shop line (R-2 zone) or for those in the Commercial Zone (C-1 & C-2 zone) subject to the following conditions:-

- (i) The conversion of Industrial Zone to Residential / Commercial Zone in respect of industries which are not in operation shall not be permitted unless No Objection Certificate from Labour Commissioner, Maharashtra State, Mumbai stating that all legal dues have been paid to the workers or satisfactory arrangement between Management and Workers have been made, is obtained.

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

- (ii) The layout or sub-division of such land admeasuring up to 2 hectare shall be approved by the Commissioner, who will ensure that 5% of 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, is provided therein.
- (iii) In such layouts of sub-divisions having area more than 2 Ha. but less than 5Ha. 20% of land shall be provided for public utilities and amenities, like electric sub-station, bus-station, sub-post office, police out post, garden, playground, school, dispensary and such other amenities/utilities as may be considered necessary.
- (iv) In such layouts of sub-divisions having area more than 5 Ha. 25% 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.

The land under public utility/amenity shall be handed over to the Planning Authority with proper access, basic land development, & shall always be open for general public without any restriction.

These areas will be in addition to the recreational open space as required to be provided under these regulations. Provided that at least 50% of land out of the total provided public amenity/ utility space shall be reserved for unbuildable purposes such as garden, recreational ground etc.

- C. The required segregating distance between industrial zone & residential use as prescribed under these regulations shall be provided within such land intended to be used for Residential or Commercial purpose.
- D. Such residential or local commercial development shall be allowed within the permissible FSI of the nearby Residential or Commercial Zone.
- E. Provision for public utilities and amenities shall be considered to be reserved in the Development Plan and Transferable Development Rights as per Regulation No. 102 (Appendix-H) or FSI of the same shall be available for utilization on the remaining land.

Note:

- i) Conversion from industrial zone to Residential/Commercial Zone shall be applicable to the part area of the land holding subject to the condition that total area of entire land holding shall be considered for deciding the percentage of the land to be reserved for public amenity/utility spaces, as per the said regulation.
- ii) The area under reservation if any shall be treated in the area of required amenity/utility space & TDR/insitu FSI for this area will be allowed.
- iii) Out of the total area proposed to be utilised for Residential Development, 20% of the same shall be built for residential tenements having built up area up to 50 Sqm.
- iv) Converted land would be entitled for receiving 1.5 FSI for exclusively residential / commercial use & 2.00 FSI would be permissible for mixed residential & commercial use subject to payment of premium to be decided by the Municipal Commissioner.

**APPLICATION FORMAT FOR CHANGE OF USE FROM
INDUSTRIAL TO RESIDENTIAL/COMMERCIAL USE**

1.	Name of the applicant	
	Address of the applicant	
	Status of applicant	
	Whether Owner or Constituted Attorney	
2.	Whether documents of ownership etc. submitted and if so, give details of documents	
3.	Name of the Architect & Address	
4.	(a) C.S./C.T.S. No./ Hissa No./ Division / Village etc.	
	(b) Area of the property in Sqm.	
	(c) Whether any contiguous land in possession of the same owner not included in the present proposal- details of the land & reason for non-inclusion in the present proposal?	
	(d) Whether layout/sub-division is approved?	
	(e) Whether P.R. Card for land under reference is obtained and enclosed?	
	(f) Whether P.R. Card for contiguous land is obtained and enclosed?	
	(g) Whether D.P. remarks & relevant plan enclosed?	
	(h) In case there are reservations whether same have been got demarcated? Whether the areas of different reservations including D.P. roads furnished?	
5.	The balance area of the plot available excluding areas of reservations mentioned above, for Residential / Commercial developments.	
(NOTE: For this purpose the land shall not be deemed to be sub-divided by D.P. Road)		
6.	What is the user proposed on the land under reference?	
7.	a) Whether amenity space as specified in D-6 of Appendix-"D" under Regulation 74 is provided as per following norms in case of land admeasuring 5000 Sqm. & above.	
	b) 25% in congested areas	
	c) 30% in non-congested area. If so. Its area	
8.	a) If land is 2 ha. & above (Net Area) whether 5% amenity space under D.C. Regulation No.76 is provided? If so, its area.	
	b) Whether 50% of this area is reserved for repairing garages? If so, its area.	
9.	Whether the open space amenity required as per D.C. Regulation No.63 is provided? If so, its area.	
10.	Whether marginal distance required for Residential / Commercial development as provided in Table No.19.	
11.	If land is 2 ha. & above whether 10% area is separately earmarked for S.I.E. (This shall be adjacent to existing/retained industrial development).	
12.	If the Residential development is proposed, whether the same is within 1 km. travel distance from the existing residential development.	

Signature of the Architect /
Licensed Surveyor

Signature of Owner / Applicant

APPENDIX – “R”
(Regulation No.71 & 185)

GUIDELINES FOR RE-DEVELOPMENT OF CINEMA / THEATRE.

(Ref. Govt. Notification under No.TPB/4391/1103/CR-53/92/UD-11 (RDP), dated. 10.3.1992)

1. SEATING CAPACITY:

In case of redevelopment of an existing cinema / theatre on a designated / allocated plot in addition to the other users which are to be permitted, a cinema / theatre having capacity as specified below shall have to be provided:-

Seating capacity of old or existing Cinema /Theatre	Seating capacity to be provided in redevelopment of Cinema / Theatre
a) Cinema / Theatre with 1001 seats and above.	40% of the number of seats in the old / existing cinema / theatre.
b) Cinema / Theatre with 1000 seats or less	33% of the number of seats in the old / existing cinema / theatre and in any case not less than 150 seats.
c) Twin cinema / Theatre on one plot.	Seating capacity in redevelopment of cinema / theatre shall be based on percentages in (a) or (b) above to be calculated on the basis of only the cinema / theatre which has larger capacity.

Provided that where in a redevelopment proposal, seating capacity, according to percentage above, cannot be provided on account of size of the plot, the seating capacity of redevelopment of the cinema / theatre shall be @ 3 Sqm. per seat including parking requirement as prescribed in Regulation No.70.

2. CLOSED CINEMA / THEATRE:

- i) Development of an existing cinema / theatre which is authorisedly closed prior to date of this notification for which redevelopment permission has not been granted and no work started shall be allowed with a cinema / theatre user, with reduced seating capacity in accordance with condition (1) above, in addition to other permissible users,
- ii) Where the redevelopment permission, for an existing cinema / theatre on plot allocated or designated for a cinema / theatre which is authorisedly closed has been already granted retaining existing capacity of the old cinema / theatre, along with other permitted mixed users, but no redevelopment has commenced or where the redevelopment has commenced but not completed, the redevelopment may be allowed subject to the conditions specified in this notification.
- iii) Where the change of user of an existing cinema / theatre on a plot allocated or designated for a cinema / theatre which is authorisedly closed, has been granted by Planning Authority prior to the date of this notification with other authorised permissible users exclusive of cinema / theatre user, the conditions in this notification shall not be applicable.

3. REDEVELOPMENT PERMISSION FOR AN EXISTING CINEMA / THEATRE ON A PLOT ALLOCATED / DESIGNATED FOR CINEMA / THEATRE, GRANTED BY GOVERNMENT BUT WHERE NO SUCH REDEVELOPMENT COMMENCED TILL THE DATE OF NOTIFICATION:

In such cases, where orders of Govt. in the Urban Development Department have already been issued allowing redevelopment of an existing cinema / theatre on a plot allocated / designated for a cinema / theatre for other permissible users, according to the said Regulation without providing for a cinema / theatre users, and where redevelopment permission has not been granted or where redevelopment has not commenced, provision shall have to be made in redevelopment for cinema / theatre users, with a seating capacity of not less than 150 seats irrespective of provisions in clause (1) above.

4. LAND USE CLASSIFICATION AND MIX USES PERMITTED:

- (i) Irrespective of the zone in which the designated plot, where the cinema / theatre is existing, redevelopment shall be allowed, assuming that the said plot is in the Local Commercial Area / Zone (C-1 zone), and the provisions of Appendix – “D” of D.C.R. shall be applicable subject to conditions as prescribed in this Notification.
- (ii) Residential user in combination with that of cinema / theatre in a redevelopment proposal of an existing cinema / theatre shall be permissible even in the same building subject to the following:-
 - (a) Redevelopment shall have to conform to such measures (including any special measures) as prescribed by the Municipal Commissioner in regard to fire prevention, protection and safety.
 - (b) Means of escape in the case of an emergency shall have to be provided to the satisfaction of the Municipal Commissioner;
 - (c) Between cinema / theatre development and residential development there shall be effective vertical separation against spread of fire.
 - (d) Separate entry and exit shall be provided for Residential users;
 - (e) Parking requirements for each type of user as prescribed in the D.C. Regulations shall have to be provided.

5. NON-PERMITTED MIX USERS:

The following users shall not be permitted in combination with that of a cinema / theatre in the same building:

- a) Maternity Home and Hospital;
- b) Municipal Primary School;
- c) Secondary School, College, Polytechnic, Technical School;
- d) Bakery, Confectionery, Coal and Firewood shops; and
- e) Any other user as may be deemed fit by the Commissioner.

6. FLOOR SPACE INDEX:

Irrespective of the zone in which the plot of the existing cinema / theatre is situated, the floor space index for development of the plot of the cinema / theatre and of other permissible users taken together shall be as per Appendix-“D”.

NOTES:

- i) In case of redevelopment by demolition of an existing cinema / theatre permissible user according to the said Regulation shall be allowed within the permissible floor space index, even if the floor space index consumed by the existing cinema / theatre was more than what is stipulated above.
- ii) The floor area earlier authorisedly permitted for office shall be allowed as part of the development.

7. FIRE FIGHTING PROVISIONS:

In case of redevelopment of an existing cinema / theatre on the plot designated / allocated in the Development Plan, the provision in the Regulation No, 172 & 173, and Appendix “J” of these Development Control Regulations shall be strictly followed. In addition a separate No Objection Certificate shall be obtained from the Chief Fire Officer of Corporation under Maharashtra Fire Prevention and Life Safety Measures Act, 2006, for following purposes.

- a) Provision of effective vertical separation against spread of fire:
- b) Provision of proper means of escape in case of emergency:
- c) Provision of measure for fire prevention and fire protection.
- d) Provision of separate entry and exit for cinema / theatre and other occupancies.

**APPENDIX – “S”
(Regulation 4.38 & 188)**

SPECIAL REQUIREMENTS OF CLUSTER PLANNING FOR HOUSING.

1. GENERAL:

- 1.1** These guidelines cover planning and building requirements of housing developed as clusters. These requirements are applicable to all housing projects taken up by public, private or co-operative agencies.

2. PLANNING:

2.1 Plot Size

The minimum plot size permissible shall be 15 sqm with 100 percent ground coverage and an FSI of 2 Hundred percent ground coverage and FSI of 2 will be applicable up to plot size of 25sqm

2.2 Plot/ Plinth Area for Slum Resettlement on Same Site

In case of slum resettlement on the same site, minimum area may be reduced to 12.5sqm with potential for adding another 12.5 sqm on first floor with an internal staircase.

2.3 Group Housing

Group housing may be permitted within cluster housing concept. However, dwelling units with plinth areas up to 20 sqm should have scope for adding a habitable room. Group housing in a cluster should not be more than 15 m in height.

2.4 Size of Cluster

In ground and one storeyed structure not more than 20 houses should be grouped in a cluster. Clusters with more dwelling units may create problems relating to identity, encroachment and maintenance.

2.5 Size of Cluster Open Space

Minimum dimensions of open spaces shall be not less than 6 m or 3/4th of the height of buildings along the cluster open space, whichever is higher. The area of such cluster court shall not be less than 36 m². Group housing around a cluster open space should not be normally more than 15 m in height. Maximum cluster courtyard width breadth shall be 13 m.

2.6 Setbacks

No setbacks are needed from the edges of cluster as pedestrian/ vehicular access roads surrounding the cluster.

2.7 Right to Build in Sky

Pedestrian paths and vehicular access roads to clusters separating two adjacent clusters may be bridged to provide additional dwelling units. While bridging the pedestrian path way minimum clearance should be not more than two dwelling units. While bridging the vehicular access roads minimum clearance should be 6 m.

2.8 Vehicular Access

A right of way of at least 6m width should be provided up to the entrance to the cluster to facilitate emergency vehicle movement up to cluster.

2.9 Pedestrian Paths

Minimum width of pedestrian paths shall be 3 m.

2.10 Width of Access between Two Clusters

Built up area of dwelling unit within cluster shall have no setbacks from the path or road, space. Hence, the height of the building along the pathway or roads shall be not less than 60 percent of the height of the adjacent building subject to minimum of 3 m in case of pathway and 6 m in case of vehicular access.

2.11 Density

Cluster planning methodologies result in higher densities with low rise structures. With per dwelling unit covered area of 15 m² densities of 500 dwelling units per hectare (net) shall be permissible. Densities higher than this should not allowed.

2.12 Group Toilet

Cluster housing for economically weaker section families can have group toilets at the rate of one water closet, one bath and a washing place for three families. These shall not be community toilets, as keys to these toilets shall be only with these families, making them solely responsible for the maintenance and upkeep of these toilets.

3. OTHER REQUIREMENTS:

3.1 Requirements of Building Design

With the exception of clauses mentioned above, requirements of building will be governed by the provision of this Regulation.

3.2 Requirements of fire safety, structural design, building services and plumbing services shall be as specified in this Regulation.

3.3 Standards laid down for Economically Weaker Section and Low Income Group shall be strictly be followed while implementing project under these Regulations.

APPENDIX – “T”
(Regulation No.189)

Regulations for the Grant of Transferable Development Rights (TDR) to the Owners / Lessees of Heritage Buildings / Heritage Precincts and conditions for grant of such rights.

1. As provided in Regulation 189 and sub-regulation 7 of Appendix “O” Development Rights of the owner /or lessee of any Heritage Building who suffers loss of Development Rights due to any restrictions imposed by the Commissioner under Regulation 182 Appendix “O” shall be eligible for award of Transferable Development Rights (TDR) in the form of Floor Space Index (F.S.I.) to the extent and on the conditions set out below. Such award will entitle the owner of the Heritage Building to F.S.I. in the form of a Development Right Certificate (D.R.C.) which he may use for himself or transfer to any other person.
2. A D.R.C. will be issued only on the satisfactory compliance of the conditions prescribed in this Appendix.
3. If a holder of a D.C.R. intends to transfer it to any other person, he will have to submit the D.C.R. to the Commissioner along with an appropriate application for an endorsement of the new holder’s name, i.e. transferee on the said certificate. Without such endorsement by the Commissioner himself, the transfer shall not be valid and the Certificate will be available for use only by the earlier original holder.
4. A holder of DRC who desires to use the F.S.I. credit certified therein on a particular plot of land shall attach to his application for development permission valid D.R.C.s to the extent required.
5. D.C.R. may be used on any plot in the same ward as that in which they have originated or any ward in the Corporation limit except as specified in clause (6) below
6. A DRC shall not be valid for the use on receivable plots in the areas listed below:
 - a) in the congested area and the specified areas shown on Development Plan.
 - b) in areas developed by MHADA.
 - c) on plots for housing schemes of slum dwellers for which additional F.S.I. is permissible and the areas where the permissible F.S.I. is less than one.
 - d) in case of specified areas where allowable FSI is 2.00, DRC’s shall be allowed to be used to such an extent so that the total F.S.I. does not exceed 2.5
 - e) areas restricted by Air Strip Zone as per Regulation No.94.
 - f) areas affected by High Flood Zone.
 - g) areas falling in Building line / Control line as per Ribbon Development Rules of concerned State or National Highway Authority which is usually 20/40 m. from the centre of such roads depending upon uses permissible.
 - h) lands designated as Open Space in layouts.
 - i) Green Zone.
7. The user that will be permitted for utilization of the DCR on account of Transfer of Development Rights will be as under:

Sr. No.	Zone in which designated Reserved plot is situated	User to be permitted in Receiving area
1	Residential	Only residential users in R1 & R2 zones only.
2	Commercial (C-2)	Commercial (C-2) users if the plot where the FSI is to be utilised is situated in C-2 Zone. Commercial (C-1) users if the plot where the FSI is to be utilised is situated in C-1 Zone. Residential only in Residential Zones.
3	Commercial (C-1)	Commercial (C-1) users if the pot where the FSI is to be utilised is situated in C-1 Zone.
3	Industrial (I-1),(I-2),(I-3)	Residential only in Residential Zones.

8. DRC's may be used on one or more plots of land whether vacant or already developed or by the erection of additional storeys, or in any other manner consistent with these Regulations, but not so as to exceed in any plot a total built up / FSI higher than that prescribed in Regulation 9 below.
9. The F.S.I. of receiving plot shall be allowed to be exceeded by not more than 40% in respect a DR available in respect of a Heritage Building and upto a further 40% in respect of a DR available in respect of land surrendered for road widening or construction of new roads [according to sub-regulation (1) of Regulation 102], where the said road is shown as passing through the receiving plot itself.
10. With the application of development permission, where an owner/lessee seeks utilization of DRs, he shall submit the DRC, to the Commissioner who shall endorse thereon in writing, in figures and words the quantum of the DRC proposed to be utilized, before granting development permission and when the development is complete, the Commissioner shall endorse on the DRC in writing, in figures and words, the quantum of the DRs actually utilized and the balance remaining thereafter, if any, before issue of Occupation Certificate.
11. A DRC shall be issued by the Commissioner himself as a certificate printed on a bond paper in an appropriate form prescribed by Commissioner. Such a certificate will be a "Transferable and negotiable instrument" after due authentication by the Commissioner. The Commissioner shall maintain a register in a form considered appropriate by him of all transaction, etc, relating to grant of utilization of DRCs.

**APPENDIX – “U”
(Regulation No.194)**

**SPECIAL REGULATIONS FOR BUILDINGS VULNERABLE TO MANMADE
DISASTERS.**

1. APPLICABILITY

- (a) These Special Regulations shall be applicable to Buildings vulnerable to terrorist attack within the area under Nanded Waghala City Municipal Corporation.
- (b) Prevailing D. C. Regulations of sanctioned Development Plan as amended from time to time shall be applicable mutatis mutandis except those expressly provided in these Special Regulations.

2. DEFINITIONS

- 2.1 Buildings enlisted below shall be “The Buildings Vulnerable to manmade Disaster” like terrorist attack etc.

- (a) All buildings that have been specifically identified by the Appropriate Authority of State Government.
- (b) All Assembly Buildings.
- (c) Institutional Buildings of Govt., Semi Govt. Organisations, Prisons, Courts, (having built up area exceeding 10,000 sq.mt. or occupancy over 1,000).
- (d) Institutional Buildings of Registered Trusts which are used for Medical or other treatment, Hospitals, (having built up area exceeding 10,000 sq.mt. or occupancy over 1,000).
- (e) Educational Buildings of Schools / Colleges (having built up area exceeding 10,000 sq.mt. or occupancy over 1,000).
- (f) Buildings which attract or are likely to attract large number of people / public, such as Shopping Malls, Markets, Religious Buildings, Large Intercontinental Hotels, Monuments, Places of Tourist importance, Exclusive Business Buildings (like World Trade Centre, Stock Exchange) etc.
- (g) Hazardous Buildings as defined in these Regulations and in National Building Code.
- (h) Any other Building specifically categorised by the Government.

- 2.2 “Appropriate” or “Competent Authority” of Police Department as mentioned in these regulations shall mean District Superintendent of Police.

- 2.3 “Building Security Advisory Committee” shall mean such a Committee of officials and experts specially appointed for purpose of security and general advice to the head of the Planning Authority on any Security proposals for new buildings or for existing buildings vulnerable to terrorist attack.

3. REQUIREMENT OF SITE.

- 3.1 Open Spaces for “The Buildings Vulnerable to Terrorist Attack” shall be provided with a safe perimeter or blast standoff distance delineated with positive barriers axis, a system that prevents any attackers approaching—within that zone.

- 3.2 Marginal Distances required are as follows: As per building line prescribed for National Highway / State Highway / Major Road or 9m. from the boundary of the road, whichever is more.

- 3.3 Compound wall shall be of 2.0 m. in height or as specified in these regulations. (The height may be reduced to 0.75 m. if line of sight gets affected in which case the balance height shall be made up of vertical strong steel rods).
- 3.4 At corner plot the boundary wall for length of 10 m. on the front and side of the intersection shall be constructed of masonry / Concrete upto a height of 0.75 m. and balance height shall be made of iron; mesh or a railing of suitable size and thickness. However, this provision shall not be applicable to the boundary wall of jails.
- 3.5 The approach to the building shall be provided with sufficient restraints to prevent any direct movement of vehicles towards the structures. There shall not be ordinarily more than two entry points, one for persons & other for materials. The outer perimeter except porch entrance area of the structure shall be protected with on KCC kerb of height not less than 600 mm thickness not less than 450 mm.
- 3.6 An additional standoff shall be provided to reduce the effect of an explosion at closer distance of not less than that approved by the competent authority of the Police Department.
- 3.7 Parking shall not be provided in the minimum marginal open space.
- 3.8 In case of buildings requiring security control measures, a Security outpost shall be provided near the entry control as stipulated in these regulations. It shall be mandatory to provide a Security outpost while constructing the above mentioned public buildings.
- 3.9 The area of Control room / Security outpost provided in such buildings not exceeding the area as per requirements of the Appropriate Authority appointed for this purpose (but not more than 45 sq. m) shall be excluded from computation of FSI.
- 3.10 The detailed requirements of the Security outpost are as below;
- (a) There shall be one security post not less than 45 sq.mt. built up area if the plot area of such a public building is more than 5,000 sq.mt. and 30 sq.mt. built up area, if the plot area of such a public building is less than 5,000 sq.mt. and shall be located near the entrance gate.
 - (b) Fire resistant material shall be used for construction (two hour fire rating).
 - (c) The security outpost shall have minimum one store room along with the toilet block and two doors. Windows shall be made using bulletproof glass with shatterproof membranes on either side.
 - (d) Latest electronic system for surveillance purpose shall be provided in consultation with Appropriate Authority of Police department.

Note:

- (i) *The area of such type of security outpost shall not be counted in the FSI of the building, upto maximum of 45 sq.mt.*
- (ii) *Such type of construction may be used as the normal security post of the owner for entry control but shall be handed over free of cost for use to Police Department whenever demanded / required during emergencies or monitoring visits.*
- (iii) *Minimum clear distance between the main building and security post shall be 4.50 m.*

- 3.11 It is mandatory that a Control room be provided for use by the owner / occupier for controlling and monitoring various Security and Surveillance operations.
- 3.12 The requirements for the Control room shall be as given below;
- (a) The Control room shall be centrally located but shall be away from main entrance of the building.
 - (b) Control rooms shall be provided with escape routes at suitable locations.
 - (c) Control rooms shall be designed as blast resistant strong rooms and shall be self sustaining with full independent provisions for water, electricity and communications. These rooms shall be provided with essential survival kits for at least a 72 hours period.
 - (d) The walls of Control rooms shall be made of either 60 cm. thick reinforced masonry using bricks or PCC Blocks of strength not less than 50 Kgs/sq.m. or 45 cm. thick R.C.C. with minimum reinforcement of 0.2% or normal walls armoured with 12 mm. thick steel sheets or fibre wrapping of equivalent strength.
 - (e) The doors shall be provided with steel guard bars or grills. The main entry into the room or the control area shall be provided with steel armoured gates having a minimum thickness of 12mm.
 - (f) The control should also house the centralised control system of the building. Any window for ventilation shall be suitably protected with bullet proof glass and shatter proof membranes.
 - (g) The control room shall be suitably ventilated and care taken to ensure foolproof safety of this ventilation arrangement.
- 3.13 Adequate water discharging capacity and provisions shall be made to prevent flooding in case of damage to overhead water tanks, water supply lines etc.
- 3.14 A proper access control from the terrace to the building shall be provided in the form of locked door with proximity control to be activated and deactivated from the Control room.

4. REQUIREMENTS FOR ELECTRICAL AND ELECTRONIC SYSTEMS

- 4.1 Electronic Surveillance System shall be installed at various locations in and out of the building as may be required and with previous approval of the Appropriate Authority of Police Department having regard to the degree of perceived risk. A suitable control room shall be provided within the premises for monitoring, as mentioned earlier in 3.11 above.
- 4.2 CCTV coverage of all important locations and vital installations shall be done including main gate, reception, utility areas and common areas on floors, lifts, lobbies and the compound. Perimeter lighting outside the building shall be adequate with focus at critical areas and movable search lights at corners.
- 4.3 All electronic systems, electrical systems, security systems and minimum services to the Control Room shall be provided with three tier system arrangement, consisting of (1) main supply, (2) standby generating system, (3) inverter or UPS system, so as to have continuous

and interrupted supply and shall comply with the provisions of IS codes, Indian Electricity Rules, 1956 and National Building Code.

4.4 All provisions of National Building Code in respect of electrification shall be applicable. In addition, the following requirement shall also apply regarding the illumination level etc. in different areas in respect of security.

- (a) Maximum to average ratio of luminance should not be more than 3:1.
- (b) Luminance level for vertical illumination at 1.5 m. above ground should be equal to horizontal luminance level at that point to enable clear detection.
- (c) The design should be such that uniform lux level is maintained considering the utility of the area which is dependent on the following points and is to be decided by its previous history and the environment;
 - Crime status of area.
 - Nature of site (business, malls, restaurants).
 - Degree of obstructions (Landscape design, building configuration).
 - Ambient brightness of surrounding area.
 - Impacts on, surrounding area (stray light from security lighting, trespass).
- (d) In controlled sites, public spaces, important places, the illumination level for different areas may be maintained as per Table No.4 in Section 1 of part 8 (building services) of National Building Code.
- (e) Light Controls: These should be of timer clock, photo control, dimmers and motion detectors. Lighting control should be energized lighting when ambient natural light level is less than 1.6 times the minimum horizontal security luminance value of 15 lux whichever is higher.
- (f) For facade lighting the illumination level on building faces should be kept as required with an arrangement to increase or reduce this whenever essential depending on the situation and vital nature of the building. There should be rotating search / flood lights for very important buildings.
- (g) For vital buildings, on the compound wall or on fence, electrical fencing of lower voltage (below 30 volts) can be proposed with sensor arrangement.
- (h) In addition to main supply to the licensee through a transformer and / or a standby generating system to fulfil minimum basic requirements in case of failure of the main supply, an inverter or UPS system for the centralised security system and for access control shall be provided. The generating system and transformer should preferably be provided outside the building with necessary security and electrical cables should be underground / metallic covered.
- (i) The usual provisions for maintenance of the Power Supply System and luminaries shall be properly scheduled for periodical servicing, tests, inspections, repairs, security audits for electrical installations etc.

5. FIRE REQUIREMENTS.

All provisions of fire in the National Building Code and the existing D.C.Regulation shall be complied. In addition the following provisions shall be made against fire:

- (a) Provisions for automatic dampers to the main fresh air duct at individual.
- (b) Protection of entire area with sprinkler system.
- (c) Provision of micro processor based wireless addressable detector system with connectivity to the nearest Police Station and Fire Station including basements and mezzanine floors.
- (d) Florescent signage showing directions of escape routes / staircases.
- (e) Wet risers and sprinkler systems shall always be kept on automatic mode.
- (f) Provision for 10/15 Kg. capacity water based mist system 300 bar operating pressure portable extinguisher near the staircase or lift lobby on every alternate floor.
- (g) Cooking below or within the building shall be disallowed and provision only made for heating with oven, hotplate, tea/ coffee machine etc. in the pantry. However, this restriction shall not apply to star hotels, hospitals and other buildings with core functions requiring food service, in which case the kitchen shall be provided with adequate precautions as directed by the Fire Officer and designed for 4 hour fire resistance. It is preferable to carry out cooking in a detached building.
- (h) Fire retardant coat shall be applied to all combustible partitions.
- (i) Provision of minimum two open able windows shall be made on each face of the building.
- (j) All windows and glazing on outer walls shall be provided with shatter proof protection film.
- (k) In addition any more stringent provision in existing D.C. Regulations and the guidelines issued by Fire Officer under Maharashtra Fire Prevention Act and Life Safety Measures Act, 2006 shall be followed.

6. REQUIREMENTS FOR REVALUATION DURING EMERGENCIES.

- 6.1 Adequate provision within the building for quick and safe excavation shall be made in accordance with standards of National Building Code including number and width of exit doors, passages, to be used as escape routes, staircases, longitudinal and cross-aisle and passages in the office with built up furniture.
- 6.1 All external cladding shall be provided with shatter proof membranes to the glass walls and open able shutters at intervals for access to rescue teams and to release air pressure due to any blast.
- 6.2 Maps of exist routes shall be displayed at various spots within the building.
- 6.3 A separate entry and separate exit are to be provided for each wing of a building having different activities i.e. Malls, Multiplexes, and Offices etc.
- 6.4 Emergency light operation on UPS or inverters lasting for 48 hours shall be provided.
- 6.5 A trained safety squad shall be provided for monitoring quick and safe evacuation in case of emergency. Every building shall have a building specific safety manual to be got approved from the Fire Officer and Police Department containing the duties and responsibilities of various squad member, floor marshals etc.
- 6.6 The following provisions shall be made in respect of quick and safe evacuation during emergencies outside the building and within the compound of premises;
 - (a) Additional exit/ exit routes in case of emergencies to be provided on the rear side, which could be normally kept closed and used only during emergencies.

- (b) Provision of direct outlets for tall buildings by way of Skywalks across the open areas discharging the persons outside.
- (c) Every, tall building should store canvas vertical chutes for vertical descent from upper floors.
- (d) In addition any special provisions required by Fire Authorities shall be made.

7 BLAST RESISTANT DESIGN OF BUILDINGS.

7.1 The buildings shall be designed for blast resistance in accordance with the guidelines in I.S. 4991-1968.

7.2 The following requirements should be taken into account in planning and design;

- (a) Provision of optimal combination of mass and stiffness in the building structure, enough structural redundancy in the buildings, member strength proportioned as per capacity design concept, consideration of removal of loading, strong connections, etc.
- (b) The building should be designed with at least one corner / critical column removed, without collapse. For critical and complex structures, progressive collapse shall be examined by detailed non-linear and dynamic analysis under the application of blast loading in order to demonstrate the robustness of the design chosen.
- (c) Important building shall be not provided with open stilts. All the exposed columns shall be armoured with 12 mm steel plates upto 2m. height starting from 15 cm below ground level or wrapping of suitable fibre material of equivalent strength to prevent column collapse when shattered.
- (d) The wall facing a direct vehicular approach shall be of R.C.C. 45 cm. thick suitably reinforced.
- (e) The main grid beams at the first floor level shall be provided with equal reinforcement at top and bottom to cater to any stress reversal.
- (f) The minimum thickness of stilt members in the ground floor and floors below shall be of fire resistance of 3 hours as specified in I.S. 456.
- (g) The various architectural controls shall be so provided that the building is away from hub activities. Roads should not lead straight into building in question. The number of roads to the building must be minimum. Provision for effective entry control for persons, vehicles and materials, provision of spikes to puncture tyres preventing inbound vehicle from using outbound lanes, provision of positive and active barriers, etc. shall be made.
- (h) The parking lot should be located away from a high-rise building with proper entry control and away from the standoff zone.
- (i) Parking under the building and in the basement within its internal courtyard is to be prohibited to the extent possible and where unavoidable visibility in and out of the garages must be maximised and entry should be strictly controlled as it is for approaches / entry in to building. It shall be ensured that the ramps for the basement shall not start directly from the front open space of the building.
- (j) Orientation of building should be such that walls with glazing are perpendicular to street side facade. Re-entrant corners must be avoided on building exterior.
- (k) Provision shall be made for a separate depository room away from the main building, for depositing the personal baggage of visitors.

- 7.3 The various other provisions detailed in the site and building envelope mitigation measures in FEMA-426 and other FEMA design standards should also be given due consideration as may be feasible and applicable for particular site.

8 OTHER PROVISIONS.

- 8.1 All existing building considered vulnerable to terrorist attack shall also make provisions for compliance with these regulations except those which are not applicable or feasible or possible to be complied with the opinion of the Planning Authority and the Competent Authority of Police Department. This includes retrofitting as may be required to comply with these provisions.
- 8.2 Owner / Occupier of the premises shall have his own security management administration with trained personnel, execution procedures, fire and evacuation drills, security audits & a manual containing various requirements and procedures for security control with properly defined duties and line of control and directions which shall be got approved from the Police Department.
- 8.3 Proper monitoring and periodical security audit of S & SS system shall be done and its report be submitted to the Specified Authority of the Police Department.
- 8.4 Pending standardisation of Reference Manuals and procedures for Maharashtra, the provisions in FEMA-426 shall be used as a guide and security arrangements made accordingly.
- 8.5 The owners / occupiers of such specified buildings shall assist the Police or State authorities in arranging and carrying out third party security Audits at specified intervals as directed.
- 8.6 For Hazardous buildings, the provisions of D.C. Regulations and National Building Code, whichever are stringent, shall apply. In addition, these special Regulations shall also apply to such buildings as may be found feasible and necessary in the opinion of the Planning Authority and live Competent Authority of the Police Department.
- 8.7 No relaxation from these Security Regulations is permissible.
- 8.8 The developer shall furnish 3 copies of approved digital maps of the building with all approved modifications before issue of occupation certificate.

**APPENDIX – “V”
(Regulation No.196)**

**GUIDELINES FOR PROVIDING FREE HOUSING ACCOMMODATION TO SWEEPERS
(CORPORATION EMPLOYEE) UNDER DR. BABASAHEB AMBEDKAR SHRAMSAFALYA
AWAS YOJANA.**

It is proposed to provide free Tenements / Service Housing to the Sweepers after their retirement or those died in service on the guidelines issued by the Government of Maharashtra, Urban Development Department's Resolution No. SKANI-2007/C.R.176/2007/UD-6, dated 22nd October 2008.

1. Area of Tenement/Service Housing shall be 27.88 Sqm.
2. These Tenement/Service Housing shall be granted on Non – Transferable basis.
3. Required Tenements/Service Housing can be made available either from Slum Rehabilitation Scheme, Integrated Housing and Slum Development Programme or Basic Services for Urban Poor and by making 15% reservation in Schemes undertaken by Maharashtra Housing and Area Development Authority for Low Income Group.

MHADA would act as Nodal Agency for implementation of this scheme; and it will be solely responsible for proper implementation of this scheme.

4. To implement this scheme if no land is available with the Corporation, then Government would make it available Government land in its possession on priority basis at nominal cost. For this purpose the District Collector at District level and the Divisional Commissioner at Division level will be Nodal Officer.
5. The Corporation shall make provision in its Budget for payment of 5% to Weaker Section Scheme. The Commissioner shall take necessary steps in this direction.
6. The State Government shall make necessary provision in its Budget under Special Package Scheme for construction and providing free Tenements to Sweepers as Special Assistance and needy Corporation shall be funded from it. Each District Planning Committee shall also keep aside sufficient fund for this purpose.
7. Lands which are reserved for providing Tenements/ Service Housing to Sweepers in Sanctioned Development Plan and if there is no reservation in Sanctioned Development Plan but on lands, Govt./ Corporation, selected for construction of Tenements for Sweepers, maximum 4 FSI would be made available. To become this scheme viable as per condition of city Urban Development Department with the of the Government may fix the limit of FSI within range of 4 and accordingly Development Control Regulations would be modified.

Corporation may allow private Developers to implement this scheme. If Developer dose so then he will get, in general, 50% of constructed area as incentive FSI. However for viable implementation of scheme for granting 50% less/more incentive FSI to Developer, depending upon local condition of Town respective Corporation shall forward proposals modifications in their Development Control Regulations to Government through the Director of Town Planning. Accordingly necessary modifications will be made in Development Control Regulations.

8. If any land owner is ready to construct on his own independent land Tenements/Service Homes at his own cost and after transfer the same to the Corporation free of cost then the Developer will be entitle to get T.D.R. of land and construction on the same land. The corporation shall submit proposal for this through Director of Town Planning.

**APPENDIX – “W”
(Regulation No.197)**

REGULATIONS FOR GREY WATER RECYCLE SYSTEM.

1. DEFINITIONS:

1. “Access Point” means a place where access may be made to a private sewer for inspection (including sampling or measurement), cleaning or maintenance that meets the requirements of the Municipal norms in that respect and also termed as an opening before “discharge”.
2. “Approved” means approved in writing by an authorised officer of NWCMC.
3. “Authorised Officer” means any person appointed by the Municipal Commissioner of the NWCMC for the purposes of acting as an authorised officer under this bylaws.
4. “Characteristics” means any of the physical or chemical characteristics of an commercial waste or / domestic waste referred to in Schedule “B”.
5. “Discharge Management Plan” means a plan for the monitoring, programming and controlling of effluent from recycling water treatment plant and discharges in to the municipal sewage system.
6. “Discharge” or “Discharge of wastes” means the removal of wastes from premises into the Grey Water System or by means of the system.
7. “Disconnection” means the physical cutting and / or sealing of the private sewer from the waste water system.
8. “Domestic Waste Water” means either waste water that is typically discharged from premises that are used solely for residential activities or waste water of the same character discharged from other premises.
9. “Grey Water” means involving water from sinks, tubs, showers and washing.
10. “Industrial / Commercial Premises” means any premises which is being used or intended to be used (whether for profit or not) for carrying on any trade, business, education, research or industry.
11. “Commercial Waste” or “Wastes” are the waste removed from industrial plant or other premises by way of discharge any liquid, with or without matter in suspension or solution therein, that is or may be discharged from trade premises in the course of any activity or operation of a like nature.
12. “Inspector” includes whomever the Municipal Commissioner has appointed in writing for the purpose of this Bylaw.
13. “ISO5667” means the latest edition complete with any amendments, of International Standard ISO 5667:1994 Water Quality Sampling.
 - 1) Part 1 : 1980 Guidance on the design of Sampling programmes,
 - Part 2 : 1991 Guidance on Sampling techniques.
 - Part 3 : 1994 Guidance on the preservation and handling of samples.
 - Part10: 1992 Guidance on sampling of Grey Waters.
14. “ISO TR 9824” means the latest edition complete with any amendments, of International Standard ISO TR 9824: Measurement of liquid flow in open channels:

Part 1 : 1990 Measurements of free flow in closed conduits – Methods.

Part 1: 1990 Measurements of free flow in closed conduits – Methods.

Part 2: 1990 Measurements of free surface flow in close conduits – Equipments.

15. “Laboratory” means the agency permitted to test the samples of industrial wastes or waste.
16. “License” means the license, issued and renewed annually for discharge of industrial wastes or other waste, given in writing by the Municipal Commissioner for purpose of this bylaw.
17. “Mass limit” means the total mass of any characteristic that is allowed to be discharged to the waste water system over any twenty-four hour period from any single point of discharge or collectively from several points of discharge.
18. “Maximum concentration” means the peak concentration, in the wastewater, of any characteristic that may not be exceeded.
19. “Occupier” for the purpose of an industrial plants / housing complexes or premises whoever in fact occupies a industry / premises or part of one, either as an owner, on rent or on lease in any other way.
20. “Person” includes a corporation sole and a also a body persons whether corporate or incorporate or partnership firm.
21. “Points of discharge” is the physical point where an industrial waste or waste discharge enters the waste water system.
22. “Pre-treatment” means any processing of industrial waste or waste designed to reduce any characteristic in waste, before discharge to the waste water system.
23. “Notice” means a written communication issued by the Municipal Commissioner or his authorised officer to the ‘occupier’ of ‘property’ to provide the recycle facility within the premises.
24. “Premises” means either,
 - (a) a property which is held under a separate card of title or for which a separate title card may be issued and in respect to which a building plans have been or may be issued, or
 - (b) a building which is in possession as an individual unit by a cross-lease, unit title or company lease and for which a certificate of title is available. Or
 - (c) land held in public ownership, for particular purpose, or
 - (d) separately assessed to Municipal taxes, individual unit within building.
25. “Private sewer” means that section of a sewer between the premises and the sewerage system.
26. “Prohibited industrial waste” means a industrial waste having physical and chemical characteristics in excess of what is defined in Schedule “B” of this Bylaw.
27. “Publicly notified” means a industrial published on at least one occasion in news paper circulating in NWCM’s territory, or under emergency conditions by the most practical means available at that time.
28. “Receiving waters” means coastal waters or any natural waters which will receive treated wastes.
29. “Sewerage System” means all types of sewer, appurtenances, pumping stations, storage tanks, waste water treatment facility plants, marine outfalls and other related structures owned by the

Municipal Corporation and used for reception, treatment and disposal of waste water and also termed as “waste water system”

30. “Standard methods for the examination of water and waste water” means the latest edition complete with any amendments and supplements as published by Pollution Control Board.
31. “Storm water” means all surface water run-offs resulting from precipitation.
32. “Temporary discharge” any discharge of an intermittent or short duration. Such discharges include the short-term discharge of an unusual waste from premises subject to an existing permit and the and the discharge if tinkered wastes.
33. “Urban Local Authority” means a local municipal authority of a town, regional council, or a union of towns conforming to Article 234Q of the Constitution of India.
34. “Waste” means any water with matter in solution or suspension, domestic waste water, or liquid waste and includes sewage for the purpose of this bylaw.
35. “Waste minimization” means the implementation on trade premises, of operations and restrictions, appropriate to the goal of reducing or eliminating the quantity and toxicity of wastes.
36. “Waste water system” means all types of sewer, appurtenances, pumping stations, storage tanks, waste water treatment facility plant, marine outfalls and other related structure owned by the Municipal Corporation and used for reception, treatment and disposal of waste water and also termed as “sewage system”
37. “Zones” means the drainage catchments areas of a City that are served by separate wastewater / sewage treatment plants.

2) SECTION A: GREY WATER REUSE BYLAWS:

1. Applicability of the Bylaws:

- 1.1. These bylaws are applicable to all housing, commercial and industrial premises fall in following categories:

Category 1: Whose plot area is more than 2000 Sqm.

Category 2: Water quota is more than 60,000 lits/day. If the ‘occupier’/owner/ ‘cooperative society’ has more than one water connection in their name, then the water quota of all connections will be taken into account for the purpose of this bylaw.

Category 3: Premises which has more than 80 dwelling units of any kind.

- 1.2. Exemptions could be accorded under following circumstances, as decided by the authority;
 - a) In case the existing premises cannot permit the provision of additional overhead tank for the purpose of the use of treated water.
 - b) If, in the existing structure, there is no space for installation of treatment facility and collection chamber.

2. Discharge of waste.

- 2.1. The owner or occupier of premises shall discharge waste / sewage into the sewerage system and / or shall allow any person to discharge the same from his premises into the system.
- 2.2. Only in a manner, quantity, or quality that shall not cause damage to the sewerage system or to the flow of the sewage or to the treatment process thereof or not in excess of Municipal water supply received.

- 2.3. Only with a valid permission in accordance with the provisions of this bylaw will allow the occupier to connect the waste water / sewage to the municipal sewer and claim the benefits arising out of recycling of Grey water.
- 2.4. In a nature or manner or in a way that shall not constitute a nuisance of foul gases or cause a public hazard or otherwise in compliance of this bylaw.
- 2.5. The recycled water shall be used for non potable, no contact purposes within premises and shall not be connected to sewage / waste water system of NWCMC. However the waste generated by the recycle plant can be connected to NWCMC sewer network if it of the accepted quality.

3. Enforcement of Bylaws:

- 3.1. In case of existing properties, Municipal Commissioner or his authorised officer will issue a notice to the occupier for making arrangements of Reuse of Grey Water within specified time.
- 3.2. In case of proposed / intending / under redevelopment properties, the occupier / developer / builder will submit an application directly or through his authorised consultant to the Municipal Commissioner with details of proposed "Discharge Management Plan" along with the application for demand of water permission to connect the Grey Water / sewage to municipal sewage system.

4. Granting a Permission:

- 4.1. Every premises will be granted permission for the discharge of industrial wastes or wastes to the municipal sewerage system only if the recycling measures for Grey Water and conditions set fourth in Schedules to this Bylaw are fulfilled.

5. Waste tests and their results:

- 5.1. An occupier of an industrial plant or premises requiring a license shall provide to the Municipal Commissioner or an authorised officer once a year for the purpose of receiving a license, test results of the industrial wastes discharged from the plant or premises.
- 5.2. Without derogating the provisions specified in the clause of bylaw 4, the occupier of a premises requiring a license or the occupier of a controlled plant or premises, shall provide to Municipal Commissioner test results of the industrial wastes or waste discharged from the plant or premises at any time he is requested in writing to do so by Municipal Commissioner.
- 5.3. The testing of wastes and the submission of the results shall be done in a manner in accordance with the terms and conditions prescribed by the Municipal Commissioner or an authorised officer in this regard.

This bylaw accords the authority of Municipal Commissioner, his agent or an authorised officer of their authority to visit the plant premises at all reasonable time.

6. Notice for testing of discharge:

- 6.1. The Municipal Commissioner may order the testing of sample of industrial waste or wastes as described in clause of bylaw 5 if he feels that the circumstances so demand and he may, by written notice, direct the plant or premises occupier to pay the expenses of performing such tests.
- 6.2. A controlled plant whose occupier received notice as stated in clause of bylaw 5 shall comply the provisions of bylaws (4) prescribed above for that purpose.

7. Operational Permission for the Grey Water Recycling Treatment Plant:

- 7.1. Municipal Commissioner may determine on the basis of test results of the wastes that were provided to him or that were performed at his instance or behalf, that a recycled water plant is

fulfilling the requirements and will issue permission in writing to put the plant on permanent to the occupier.

- 7.2. The occupier shall operate the plant as specified.

8. Separation of grey water:

- 8.1. The wastes from toilets in the premises will be separated from grey water that is bath room and kitchen wastes by means of separate down take discharge system. The grey water shall be recycled by providing recycling plant and shall be reused for non-public purposes after storing the same in distinctly separate tank by means of purple coloured down take pipes. The water quality shall conform to standards of non potable water. The recycled water shall be tested once in six months and results shall be made available to Municipal Commissioner or his authorised officer whenever demanded.

The make-up connection to the system will be done at the collection tank of the treated water, through a free fall if from Municipal water connection, but preferable from a local source like bore well.

9. Conditional Waste Discharge Permission

- 9.1 Waste discharges of the conditional type plant will be allowed on the issue of a conditional permission provided the conditional type plant has recycling and reuse of water facility and not exceeding limits given in as per MPCB norms.

10. Mandatory notice regarding changes

- 10.1 An occupier of premises shall inform the Municipal Commissioner or his authorised officer of any change in the quality, nature or quantity of the wastes discharged from his plant or premises, the manner of their discharge or extra requirement of external supply of water immediately if change is likely to cause discharge of water in variation or violation of license under these Bylaws.

11. Authority to change license / notice conditions

- 11.1 The Municipal Commissioner or his authorised officer, having given a license or a notice in writing by the authority vested in him by this bylaws, may revoke, modify or stipulate conditions to the license or notice if satisfied on inspection of the plant, premises or test reports.

12. Interference with the Authority

- 12.1 Interference with the authority of Municipal Commissioner or his agent or with the authorised officer is strictly prohibited.

13. Delivery of Notice / Permission

- 13.1 Notice /Permission required by this Bylaws shall be deemed to have been delivered lawfully if it is given into the hand of their intended receiver with acknowledgement, or delivered to his place of residence or his place of occupation or place known to be so with acknowledgement or to adult member of his family or to an adult employee with acknowledgement, or if sent by registered mail to the same person according to his place of residence, of normal place of employment recently known to be so. If it is not possible to make the delivery as stated, the notice will be assumed to have been delivered lawfully if the notice is pasted in conspicuous place in one of the above stated locations.

14. Corrective action.

- 14.1 Any person violating the provisions of these bylaws shall be fined Rs.5, 000/- only on the day of detection and if the violation continues shall be fined Rs. 100/- only for every day as a

corrective action after a written notice from the Municipal Commissioner or his authorised officer is delivered to him.

- 14.2 Failure to operate (as determined by the Inspector or authorised officer of NWCMC from the observation of test results and / or physical verification) the recycling plant will attract a penalty of Rs.500/- per day and / or disconnection of water connection.

15. Authorisation of officers.

- 15.1 Municipal Commissioner will authorise his officers / inspectors and will delegate the necessary powers for carrying various duties under this Bylaw.

2) SECTION B: WATER INCENTIVE BYLAWS:

16. Separate plumbing for grey water and provision of recycling for new building.

- 16.1. Every developer/builder shall provide the newly constructed building with the provision of down take plumbing for grey water, recycling water plant, storage and reuse fitting before selling the building.

17. Separate plumbing for grey water and provision of recycling for existing building.

- 17.1. Every existing building / residential structure shall provide with the provision of recycled water plant and relevant adequate separate plumbing for grey water and reuse fitting.

18. Reuse of water strictly for not potable noncontact use.

- 18.1 The reuse of water will be strictly for not potable use by means of providing a distinctly separate reuse system coloured in purple. The non-contact uses shall be restricted to toilet flushing, drip irrigation of trees/shrubs, sub surface irrigation of lawns and recharge of ground water.

19. No cross-connection of potable and not potable water.

- 19.1 There shall not be cross-connection of fitting of the potable and non potable water at any point. The recycled water system shall be maintained at a lower operating pressure than of the potable water system. Precaution should be taken at the make-up connection to prevent cross contamination.

20. Recycled water measurement.

- 20.1 The recycled water will be measured by means of flow meter/water meter before storing the same in a separate tank. The flow meter/water meter will be sealed by NWCMC, The flow meter/water meter shall be read monthly by the occupier and shall make available the results whenever demanded.

21. Rebate in water tax.

- 21.1 If the recycled quantity of water is observed to be more than the prescribed percent of the total quantity received by the structure or residential building, then the building / residential structure would be eligible for prescribed rebate in water taxes on reducing their potable water consumption by prescribed percent. The rebate shall be reviewed every year.

22. Rebate in Sewerage tax.

- 22.1 If the Municipal Commissioner or his authorised officer satisfies that the building or residential structure has successfully reduced their potable water consumption by specific percent, the sewerage tax of structure / residential building would be eligible for separately decided rebate in the relevant period, save the extra quantity used by an commercial or residential premises.

23. Dispute Resolution

- 23.1 All the disputes arising in the enforcement of this Bylaw shall be referred to Municipal Commissioner, who in turn will resolve the disputes in consultation with his authorised officer / Technical committee and intimate to the occupier / builder / developer. The decision of the Municipal Commissioner will be final and binding on the occupier.

24. Additional Byelaws for recycling and reuse of waste water

1. The use of potable domestic water for non potable uses like car washing, gardening, construction purposes, landscaping is forbidden by virtue of powers vested with government.
2. Unless otherwise stipulated, arrangement shall be provided as an integral part of all new layouts, having tenements more than 300 and wherever 0.5 MLD of water is supplied to commercial establishments provision for reuse of recycled water for purposes such as toilet flushing, gardening, car washing, construction purposes.
3. Any builder/individual applying for approval for construction of new set of buildings should make provision for reuse of recycled water.
4. The essential parts of a recycling system will be separate pipes for collecting Grey water. The term grey water refers to the waste water generated from bathroom, laundry and kitchen.
5. Treated grey water is pumped to a separate tank on the roof from where grey water will be supplied to toilets, garden taps, car washing taps etc.
6. Only water from toilets should be let into sewerage system.
7. Where ever arrangements from reuse of recycled water is provided additional arrangement for carrying the excess grey water to the sewerage system may be provided.
8. The Commissioner may in exceptional cases due to dearth of land or water logged areas exempt from providing facility for recycling the grey water.
9. The agency engaged for installation of system for reuse of recycled water should be in conformity with national standards.

**APPENDIX – “X”
(Regulation No.198)**

GUIDELINES FOR HARDSHIP PREMIUM AND COMPOUNDING FEE

COMPOUNDING FEE / HARDSHIP PREMIUM

The Commissioner NWCM Corporation has approved the following guideline / rule of regularising the unauthorised construction by levying compounding charges.

A. Residential and Commercial buildings upto 10 m. height

TABLE NO. 39

COMPOUNDING FEE

Sr. No.	Description	Compounding charges in Sqm.	
		Residential (Rs.)	Commercial (Rs.)
1	Marginal infringement in side & rear margins upto 50% of required marginal space. (Common wall / touching construction may be entitled for regularisation, if it consented with adjoining owner)	600/- per Sqm.	900/- per Sqm.
2	Marginal infringement in front margins upto 0.75m. of required marginal space. (Excluding National and State Highways)	700/- per Sqm.	1000/- per Sqm.

B. Residential and Commercial buildings having height more than 10 m. and above and public, semi-public, educational, institutional buildings.

Sr. No.	Description	Compounding charges in Sqm.	
		Residential (Rs.)	Commercial (Rs.)
1	Marginal infringement in side & rear margins upto 33% of required marginal space.	600/- per Sqm.	900/- per Sqm.
2	Marginal infringement in front margins upto 0.60m. of required marginal space. (Excluding National and State Highways)	700/- per Sqm.	1000/- per Sqm.

C. General regulations in respect of all buildings.

Sr. No.	Description	Compounding charges in Sqm.	
		Residential (Rs.)	Commercial (Rs.)
1	Construction of extra balcony	600/- per Sqm.	850/- per Sqm.
2	Use of construction in basement for shop	.....	300/- per Sqm.
3	To include balcony / corridor area in room by providing Full window or full glass shutter on exposed / outer side	500/- per Sqm.	750/- per Sqm.
4	To include corridor / passages only for circulation purpose	350/- per Sqm.	600/- per Sqm.
5	Extra construction of porch canopy	700/- per Sqm.	900/- per Sqm.
6	To Sanction the construction which is carried out without permission of NWCMC or in violation of NWCMC Permission	35/- per Sqm.	55/- per Sqm.
7	To regularize the extra height of compound wall (if light & ventilation of the same and adjoining construction is not affected)	35/- per Sqm.	55/- per Sqm.

D. Regulations in respect of Industrial buildings.

Regulation of Industrial Building may be done by imposing 1.10 times charges than that of residential building as above.

Note:

1. In case where public safety, health etc. is likely to be affected, the decision shall be taken by the Commissioner.
2. If there is any doubt in interpretation of the above rules, guidelines, the decision of the Commissioner shall be final.
3. The compounding will be done for the uses permissible as per Development Plan.
4. No relaxation shall be granted in required parking spaces because of above compounding.
5. Compounding charges in case of marginal infringement shall be levied on infringed plot area & floor wise.
6. D. P. Reservation Violation should not be condoned.

APPENDIX- “Y”
(Regulation No.199)

REGULATIONS FOR LAND USES IN DIFFERENT FLOOD ZONES.

The different types of buildings and utility services can be grouped under different flood zone indicated below from point of view of the damages likely to occur and safety of human life and property.

a) Prohibited zone (i.e. Low Flood Line):

Only parks play grounds, or short term crops are permitted within river bank and Low Flood Lines.

b) Restrictive zone (i.e. High Flood Line):

Public Institutions, Government Offices, Universities, Public Libraries, Commercial and Residential areas are permitted between area of Low Flood Line and High Flood Line provided that, the following conditions are imposed on development works.

a) Constructions shall be allowed on stilt floor only.

b) In the area liable to floods, all the buildings should preferably be double/multi-storied.

c) Wherever there are single storey building, a stair ways, should in variably be provided to the roofs so that temporary shelter can be taken there, the roof level of single storey building and first floor level in double storage building should be above flood level of 1 to 100 frequency so that the human lives and movable can be saved during flood care should be taken while permitting development in this areas so to unable peoples, animals and movable properties can be shifted with short notice.

**APPENDIX- “Z”
(Regulation No. 1.5 & 200)**

**DEVELOPMENT CONTROL REGULATIONS BEYOND CORPORATION
LIMITS UPTO 10 KM.**

For proper and coordinated development in the fringe areas around Nanded Waghala City Municipal Corporation limits, following Development Control Regulations are proposed.

Development Control Regulations of Nanded Waghala City Municipal Corporation shall be applicable mutatis mutandis to the area situated outside the Nanded Waghala City Municipal Corporation limits within 10 km from Nanded Waghala City Municipal Corporation limits except area of Special Planning Authority / Special Township Project, if any. The Development Control Regulation of Nanded Waghala City Municipal Corporation shall be applicable along with existing regulations except following regulations and additional Rules mentioned as in Schedule- ‘A’

Regulations of Nanded Waghala City Municipal Corporation.

- 1) Rule No. 32 – Discretionary Powers of the Commissioner.
- 2) Rule No. 102 – Transfer of Development Rights (TDR).
- 3) Rule No. 81(v) - Appendix-‘C’- Regarding accommodation of Reservations (Land uses and the manner of development).
- 4) Rule No. 66 - Recreational / Amenity open Space.

SCHEDULE “A”

Following special regulations shall apply to the area excluding area of special planning authority / special township projects, if any, within 10 km. distance from the boundary of Nanded Waghala City Municipal Corporation.

Prevailing Development Control Regulations sanctioned Regional Plan / Special Township, if any, shall be applicable mutatis mutandis except those expressly provided in these special Regulations.

- (1) The Assistant Director of Town Planning, Nanded Branch, Nanded shall prepare proper Road Network Plan for future population considering the existing roads and proposed regional plan proposals for the lands within the 10 km. distance within the stipulated time of 6 months from the date of sanction of these regulations and take preliminary approval from the Director of Town Planning, Maharashtra State, Pune and submit the same to the State Government for modification to the Regional Plan, if any, under Section 20 of the Maharashtra Regional and Town Planning Act, 1966. The developers / land owners shall incorporate this Road Network in their development proposals as a public road. However the sanctioning process of plans shall not be stopped during the course of preparation of road network plan. FSI of such area of the road shall be permissible at the stage of sanctioning of plans.
 - (a) In any layout or sub-division of land more than 0.4 ha. in area or subdivision under Group Housing Scheme, an area admeasuring not less than 15% of the total area of the land, shall be reserved, in addition to user 10% area required as open space in layout or subdivision, for Amenity Space.
 - (b) Following users shall be permissible in the Amenity Space, 1) Education facilities, 2) Recreational facilities like play ground, garden, park, children’s play ground, Sports complex, Stadium, Club House etc. 3) Multipurpose hall, 4) Convention Centres, 5) Cultural Centres, 6) Post offices, 7) Library, 8) Dispensary, Maternity Home, Hospital, 9) Police Station, 10) Fire Brigade, etc. 11) Additional Public utility users with permission of the Director of Town Planning, Maharashtra State, Pune.

- (c) User of particular amenity shall be decided with the prior permission of the Director of Town Planning, Maharashtra State, Pune from among the users mentioned in clause (b) considering the local requirement.
 - (d) 25% of the area under Amenity space shall be kept for open uses like play ground, garden, parking for the use of general public & if owner / developer develop this type of amenity for the general public purpose he can consume FSI of total amenity space on remaining 75% amenity spaces land. Provided further that if amenity space is below 2000 Sqm., total plot can be used for construction without allocating 25% area as open space.
 - (e) Amenity spaces may be developed by the Collector / Future Planning Authority / Land owner / Developer subject to condition that the area under open users like Play ground, parking in amenity space shall be allowed on this area.
- (2) Lands under Regional Plan Roads and Amenity spaces (If not developed by land owner/ developer) shall be transferred in the name of the Collector / Planning Authority free of cost and free from encumbrances through registered sale deed along with the certified measurement plan. The Collector / Planning Authority shall permit additional FSI on 100% of the area required for the D.P. road, amenity space; however FSI on such 100% of area going under R.P. road, amenity space shall be limited to 40% of the area of plot remaining after surrender of R.P. road, amenity space.
 - (3) With the previous approval of the Government the permissible FSI for Educational, Medical Institutions of Charitable trust, three, four and above starred category Hotels, IT/ITES, BT and any other use (for which additional FSI is permissible in Municipal Corporation limits), may be allowed to be exceeded by 100% subject to payment of premium as per Guidelines given in Regulation 101.
 - (4) Regulation No. 32, Discretionary Powers of Commissioner, will be applicable with the change that these powers shall be exercised by the Collector, Nanded with prior approval of the Director of Town Planning, Maharashtra State instead of Municipal Commissioner.
 - (5) Amount of premium for different provisions in these Regulations shall be decided by the Director of Town Planning, Maharashtra State, Pune and shall be paid to Government through the Assistant Director of Town Planning, Nanded Branch, Nanded under separate Budget Head.
 - (6) Scrutiny fees shall be charged as per the rates charged by the Nanded Municipal Corporation.

Such fees shall be paid to the Assistant Director of Town Planning, Nanded Branch, Nanded under separate Budget Head.

APPENDIX –“Z-1”
(Regulation No. 148.1)

NUMBER AND TYPE OF LIFTS FOR DIFFERNT OCCUPANCIES.

L-1.NUMBER AND TYPE OF LIFTS FOR NON-RESIDENTIAL MULTISTRIED BUILDING

TABLE- A.

Sr. No.	No. Of floors	Capacity of lifts in persons	Speed in mts.	No. Of persons that can be	
				in 6 Min.	
				Manually Operated	Automatic
1	7	6	0.6 – 0.75	17	-
2	7	8	0.6 – 0.75	22	-
3	7	10	0.6 – 0.75	26	-
4	7	10	1	30	-
5	7	13	1	37	-
6	11	6	0.6 – 0.75	11	-
7	11	8	0.6 – 0.75	15	-
8	11	10	0.6 – 0.75	18	-
9	11	13	0.6 – 0.75	22	-
10	11	10	1	21	-
11	10	10	1.5	24	-
12	11	13	1.5	28	-
13	11	13	1.5	32	-
14	16	10	1	17	-
15	16	13	1	20	24
16	16	13	1.5	23	30
17	16	16	1.5	25	33
18	21	10	1.5	18	32
19	21	13	1.5	21	26
20	21	16	1.5	23	28

No. of persons that can be carried by a lift					
In 30 Min		In 50 Min		In 60 Min	
Manually operated	Automatic	Manually operated	Automatic	Manually operated	Automatic
102	-	170	-	204	-
132	-	220	-	264	-
156	-	260	-	312	-
180	-	300	-	360	-
122		370		444	
70		115		140	
90		150		180	
108		180		216	
132		220		264	
126		210		252	
144		240		288	
156		260		312	
180		300		360	
100	126	170	210	204	252
120	145	200	240	240	280
138	180	230	300	276	360
150	198	250	330	300	356
108	132	180	220	216	264
126	156	210	250	252	312
138	168	230	280	276	336

Note1: (a) For all non-residential buildings, the traffic cleared in 50 min. Is considered adequate and is approved by Authority. As such for calculating the No. of lifts required, the rate of the clearance of traffic in Col. 9 & 10 and the population may be taken into consideration.

(b) In addition to total number of lifts required as above, provision of one lift of the same capacity may be considered to serve as standby.

Note 2: The population may be worked out on the basis of the useful carpet area which the persons occupy (excluding area of verandah, lobbies, halls, passages, lavatory blocks etc.)

Note 3: The population on ground and first floor may not be taken into consideration since these floors are not generally served by lifts.

Note 4. 0.75 metre per sec. equivalent to 150 ft. per min.

1.00 metre per sec. equivalent to 200 ft. per min.

1.50 metre per sec. equivalent to 300 ft. per min.

Note 5: The height of building for lift installation i.e. the travel on the lift presumed in the above statements as below:

(1) 7 Floors 21.0 m.

(2) 11 Floors 33.0 m.

(3) 16 Floors 48.0 m.

(4) 21 Floors 64.0 m.

TABLE- B

NUMBER AND TYPE OF LIFTS FOR RESIDENTIAL BUILDING

Sr. No.	No. of floors	Passenger Lift		Speed in m/s	Landing Gate Type	Central System
		No.	Capacity Persons			
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.	5 to 8	2	6	0.0 to 0.5	*	Automatic push button operating both from car and landing.
2.	9 to 11	2	8	0.6 to 1	*	Automatic push button operating both from car and landing.
3.	11 to 13	2	8	0.6 to 0.74	*	Automatic push button operating both from car and landing.
		1	6	1	Power operated doors	Automatic push button operating both from car and landing.
4.	13 to 19	2	8	1	*	Automatic push button operating both from car and landing.
		2	8	1	Power operated doors	Automatic push button operating both from car and landing.

Service Lifts No.	Capacity of Persons	Type of Gate	Central System
(8)	(9)	(10)	(11)
-	-	*	-
1	8	*	Push button car handles switch controls
1	8	*	Push button car handles switch controls
1	8	*	Push button car handles switch controls

- For buildings more than 15 m. In height collapsible gates shall not be permitted (See Regulation 148 (x).

L-2. The dimensions and relevant information for lift installation like lift well, pit depth, machine room, clearance from top floor landing to machine room flooring is given in Table – C.

DIMENSIONS AND REQUIRED INFORMATION FOR LIFT INSTALLATION IN BUILDING

Carrying capacity of lift		In lift Speeds	Dimensions of Lift-Well		Leading Pit		Dimension of machine room		
In ft (Persons)	Load (kg)		Front cm	Depth cm	Entrance cm	Depth cm	Height cm	Front cm	Depth cm
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
4	272	Upto & Including 1m/sec.	175	115	70	140	230	275	245
6	408	Upto & Including 1m/sec	195	135	80	140	230	335	275
8	544	Upto & Including 1m/sec	200	170	80	150	245	395	275
10	680	Upto & Including 1.5 m/sec.	225	170	90	150	245	395	305
13	884	Upto & Including 1.5 m/sec	235	180	90	150	245	425	335
16	1088	Upto & Including 1.5 m/sec	235	205	105	150	245	420	335
20	1360	Upto & Including 1.5 m/sec	235	220	105	150	245	420	335
Clearance from top floor landing to machine room flooring cm.				Imposed loads in tonnes on top of lift well due to lift well to lift installation. It may be noted that figures do not include weight of the machine from floors and walls etc.					
(11)				(12)					
450				6.5					
450				7.0					
450				8.5					
470				10.5					
470				13.0					
480				14.0					
480				15.0					

- Note: (i) All lift well dimensions are minimum clear finished plumb requirements.
(ii) Where more than one lift is located in lift well, extra width for 10 cm. Separator beam should be provided.
(iii) 1 m/sec. = 200 ft./min.
(iv) The height of the landing entrance shall be 210 cm. (about 7 ft.) for all lifts.

TABLE NO. 24 (A)		
POPULATION FOR WATER REQUIREMENTS FOR VARIOUS OCCUPANCIES / USES		
S.No.	Occupancy	Basis
1	2	3
1	Residential Buildings	5 persons tenement
2	Other Buildings	No. of persons on occupant Load & area of floors given in Table No. 14.

TABLE NO 24		
PER CAPITA WATER REQUIREMENT FOR VARIOUS OCCUPANCIES / USES		
S. No.	Type of Occupancy	Consumption per head per day (liters)
1	2	3
1	Residential	
	(a) In living units	135
	i. 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 or Semi- public business	45
6	Mercantile (Commercial)	
	(a) Restaurants (per seat)	70
	(b) Other business buildings	45
7	Industrial	
	(a) Factories where bath-rooms are to be provided	45
	(a) Factories where no bath-rooms are required to be provided	30
8	Storage (including warehousing)	30
9	Hazardous	30
10	Intermediate / Stations (excluding mail & express stops)	45 (25)*
11	Junction Stations	70 (45)*
12	Terminal / Stations	45
13	International & 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 No. of passengers handled by the station daily, due consideration may be given to the staff & workers likely to use the localities.

TABLE NO. 25		
FLUSHING STORAGE CAPACITY		
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 per w. c. seat & 180 liters per urinal seat
3	For Factories & workshops	900 liters per w. c. seat & 180 liters per urinal seat
4	For cinemas, public assembly halls, etc.	900 liters per w. c. seat & 350 liters per urinal seat

TABLE NO.26			
DOMESTIC STORAGE CAPACITIES			
Sr. No.	No. of Floors	Storage Capacity	Remarks
1	2	3	4
1.	Premises occupied as Tenements with Common conveniences		
	a) Floor 1 (Ground)	Nil	Provided no down take fittings are installed.
	b) Floor 2, 3, 4, 5 and upper floors	500* liters per tenement	...
2.	For premises occupied as Flats or Blocks		
	a) Floor (Ground)	Nil	Provided no down take fittings are installed.
	b) Floor 2, 3, 4, 5 and upper floors	500* liters per tenement	...

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

Note 2: The above storage may be permitted to be installed provided that the total domestic storage calculated on the above basis is not less than the storage calculation on the number of down take fittings according to the scales given in Table No. 26 (A).

TABLE NO. 26 (A)		
STORAGE CAPACITY OF EACH DOWN TAKE FITTINGS		
Sr. No.	Fitments	For each fittings
1	2	3
1	Down take taps	70 liters each
2	Showers	135 liters each
3	Bathtub	200 liters each

* Subject to provisions of water supply and drainage rules.

TABLE NO. 27		
SANITATION REQUIREMENTS FOR SHOPS AND COMMERCIAL OFFICES		
Sr. No.	Fitments	For personal
1	2	3
1.	Water – closet	One for every 25 persons or part thereof exceeding 15 (including employees and customers). For female personnel 1 per every 15 persons or part thereof exceeding.
2.	Drinking Water Fountain	One for every 100 persons with a minimum of one on each floor
3.	Wash Basin	One for every 25 persons or part thereof
4.	Urinals	Same as Serial No. 3 of Table No. 32.
5.	Cleaner's Sink	One per floor minimum, preferably in or adjacent to sanitary rooms

Note: Number of customers for the purpose of the above calculation shall be the average number of persons in the premises for a time interval of one hour during the peak period for male female calculations, a ratio of 1:1 may be assumed. One sanitary block, containing one water closet, one wash basin in and two urinals shall be provided minimum up to 5 shops.

TABLE No. 28.						
SANITATION REQUIREMENTS FOR HOTELS						
Sr. No.	Fitments	For Residential Public & Staff	For public rooms		For Non-residential staff	
			For Males	For Females	For Males	For Females
1	2	3	4	5	6	7
1	Water-closets	1 per 8 persons committing occupants of the room with attached water-closet minimum of 2 in both sexes lodged.	1 per 100 persons upto 400 persons; for over 400 add at the rate of 1 per 250 persons or part thereof.	2 for 100 persons upto 400 persons; for over 400 add at the rate of 100 persons or part thereof.	1 for 1-15 persons 2 for 16-35 persons 3 for 36-65 persons 4 for 66-100 persons.	1 for 1-12 persons 2 for 13-25 persons 3 for 26-40 persons 4 for 41-57 persons.
2	Ablution taps	1 in each water-closet	1 in each water-closet	1 in each water-closet	1 in each water-closet	1 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-closet and urinals.						
3	Urinals	.. ..	1 for 50 persons or part.	.. ..	Nil upto 6 persons 1 for 7-20 persons, 2 for 21-45 persons, 3 for 46-70 persons, 4 for 71-100 persons.	.. ..
4	Wash basins *	1 for 100 persons omitting the wash basins installed in the room suite.	1 per water-closet and urinal provided.	1 per water-closet provided.	1 for 1-15 persons, 2 for 16-35 persons, 3 for 36-65 persons, 4 for 66-100 persons.	1 for 1-12 persons, 2 for 13-25 persons, 3 for 26-40 persons, 4 for 41-57 persons, 5 for 58- 77 persons, 6 for 78-100 persons.
	Baths	1 for 10 persons omitting occupants of the room with bath suite.	.. ..	.. ..	.. ..	.. ..
6	Slope sinks	1 per 30 bed rooms (one per floor minimum).	.. ..	.. ..	.. ..	.. ..
7	Kitchen sinks and dish washers	1 in each kitchen	1 in each kitchen	1 in each kitchen	1 in each kitchen	1 in each kitchen

Note: It may be assumed that two-thirds of the numbers are males and one-third females.

* One of such wash basins on each floor shall be fixed at height of 80 cms. with tap at 100 cms. above finished floor level for the use of handicapped, disable, old and infirm persons.

TABLE No. 29						
SANITATION REQUIREMENTS FOR EDUCATIONAL OCCUPANCY						
Sr. No.	Fitments	Nursery Schools	Boarding Institutions		Other Educational Institutions	
			For Boys	For Girls	For Boys	For Girls
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1	Water-closet	1 per 30 pupils or part thereof	1 for every 6 pupils or part thereof	1 for every 6 pupils or part thereof	1 for every 80 pupils or part thereof	1 for every 50 pupils or part thereof
2	Ablution taps	1 in each water-closet	1 in each water-closet	1 in each water-closet	1 in each water-closet	1 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-closet and urinals.						
3	Urinals	.. ..	1 for every 25 pupils or part thereof	.. ..	1 for every 20 pupils or part thereof	.. ..
4	Wash basins *	1 per 30 pupils or part thereof	1 for every 8 pupils or part thereof.	1 for every 6 pupils or part thereof.	1 for every 80 pupils or part thereof.	1 for every 80 pupils or part thereof.
5	Baths	One bath sink per 40 pupils.	One for every 8 pupils or part thereof.	One for every 6 pupils or part thereof.	.. ..	.. ..
6	Cleaner's sinks	1 per floor minimum.	1 per floor minimum.	1 per floor minimum.	1 per floor minimum.	1 per floor minimum.
7	Drinking water fountain or taps.	1 for every 50 pupils or part thereof.	1 for every 50 pupils or part thereof.	1 for every 50 pupils or part thereof.	1 for every 50 pupils or part thereof.	1 for every 50 pupils or part thereof.

Note: For teaching staff, the schedule of fitments to be provided shall be the same as in the case of office buildings (Table 32)

* One of such wash basins on each floor shall be fixed at height of 80 cms. with tap at 100 cms. above finished floor level for the use of handicapped, disable, old and infirm persons.

TABLE No. 30						
SANITATION REQUIREMENTS FOR INSTITUTIONAL (MEDICAL) OCCUPANCY- HOSPITALS						
Sr. No.	Fitments	Hospitals with indoor patients wards. For Males & for Females	Hospital with outdoor patients wards		Administrative Buildings	
			For Males	For Females	For Males personnel	For Females personnel
1	2	3	4	5	6	7
1	Water-closets	1 for every 8 beds or part thereof	1 for every 100 beds or part thereof	2 for every 100 beds or part thereof	1 for every 25 persons or part thereof	1 for every 15 persons or part thereof
2	Ablution taps	1 in each water-closet	1 in each water-closet	1 in each water-closet	1 in each water-closet	1 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-closet and urinals.						
3	Wash basins *	2 upto 30 beds, add 1 for every additional 30 beds or part thereof.	1 for every 100 persons or part thereof.	1 for every 100 persons or part thereof.	1 for every 100 persons or part thereof.	1 for every 100 persons or part thereof.
4	Baths	One bath with shower for every 8 beds or part thereof.	.. ..	.. ..	1 on each floor	1 on each floor
5	Bed pan, washing sinks	1 for each ward	.. ..	.. ..	.. ..	.. ..
6	Cleaner's sinks	1 for each ward	1 per floor minimum	1 per floor minimum	1 per floor minimum	1 per floor minimum
7	Kitchen sinks and dish washers (where kitchen is provided)					
8	Urinals	.. ..	One per every 50 persons or part thereof	.. ..	1 upto 20 persons 2 for 21-45 persons 3 for 46-70 persons 4 for 71-100 persons From 101-200 persons add at the rate of 3%. For over 200 persons add at the rate of 2.5 %	.. ..
9	Drinking water fountains .	1 per 100 persons or part thereof with a number of 1 on each floor.				

* One of such wash basins on each floor shall be fixed at height of 80 cms. with tap at 100 cms. above finished floor level for the use of handicapped, disable, old and infirm persons.

TABLE No. 31				
SANITATION REQUIREMENTS FOR INSTITUTIONAL (MEDICAL) OCCUPANCY (STAFF QUARTERS AND HOSTELS)				
Sr. No.	Fitments	Doctors Dormitories		Nurses Hostel
(1)	(2)	(3)	(4)	(5)
1	Water-closets	1 for 4 persons	1 for 4 persons	1 for 4 persons or part thereof
2	Ablution taps	1 in each water-closet	1 in each water-closet	1 in each water-closet
3	Wash basins *	1 for every 8 persons or part thereof.	1 for every 8 persons or part thereof.	1 for every 8 persons or part thereof.
4	Baths (with shower)	1 for 4 persons or part thereof	1 for 4 persons or part thereof	1 for 4 persons or part thereof
5	Cleaner's sinks	1 per floor minimum	1 per floor minimum	1 per floor minimum
6	Drinking	1 per 100 persons or part thereof with a minimum of 1 on each floor.		

* One of such wash basins on each floor shall be fixed at height of 80 cms. with tap at 100 cms. above finished floor level for the use of handicapped, disable, old and infirm persons.

TABLE No.32			
SANITATION REQUIREMENTS FOR GOVERNMENT AND PUBLIC OCCUPANCIES AND OFFICES			
Sr. No.	Fitments	For Male Personnel	For Female Personnel
(1)	(2)	(3)	(4)
1	Water-closets	1 for every 25 persons or part thereof	1 for every 15 persons or part thereof
2	Ablution taps	1 in each water-closet	1 in each water-closet
1 water tap with draining arrangements shall be provided for every 50 persons or part thereof in the vicinity or water-closet and urinals			
3	Urinals	Nil upto 6 persons 1 for 7-20 persons 2 for 21-45 persons 3 for 46-70 persons 4 for 71-100 persons From 101 to 200 persons add at the rate of 3% For over 200 persons add at the rate of 2.5 %	
4	Wash basins *	1 for every 25 persons or part thereof.	
5	Drinking water fountains	1 for every 100 persons with a minimum of 1 for each floor.	
6	Baths	Preferably one on each floor.	
7	Cleaner's sinks	1 per floor minimum preferably in or adjacent to sanitary rooms.	

* One of such wash basins on each floor shall be fixed at height of 80 cms. with tap at 100 cms. above finished floor level for the use of handicapped, disable, old and infirm persons.

TABLE No. 33			
SANITATION FOR RESIDENCES			
Sr. No.	Fitments	Dwellings with Individual Conveniences	Dwellings without Individual Conveniences
(1)	(2)	(3)	(4)
1	Bath Room	1 provided with water tap	1 for every two tenements
2	Water-closet	1 provided with water tap	1 for every two tenements
3	Sink (NAHANI) in the floor	1 provided with water tap	.. ..
4	Water Tap		1 with draining arrangements in each tenement. 1 in common bathrooms and common water- closet.

Note: Where only one water-closet is provided in a dwelling, the bath and the water-closet shall be separately accommodated.

TABLE No. 34					
SANITATION REQUIREMENTS FOR ASSEMBLY OCCUPANCY BUILDINGS (CINEMAS, THEATRES AND AUDITORIA)					
Sr. No.	Fitments	For Public		For Staff	
		Male	Female	Male	Female
(1)	(2)	(3)	(4)	(5)	(6)
1	Water-closets	1 for 100 persons upto 400 persons. For over 400 persons add at the rate of 1 per 250 persons or part thereof	3 per 100 persons upto 200 persons. For over 200 persons add at the rate of 2 for 100 persons or part thereof	1 for 1-15 persons 2 for 16-35 persons	1 for 1-12 persons 2 for 13-25 persons
2	Ablution taps	1 in each water-closet	1 in each water-closet	1 in each water- closet	1 in each water-closet
1 water tap with draining arrangements shall be provided for every 50 persons or part thereof in the vicinity or water-closet and urinals					
3	Urinals	1 for 25 persons or part thereof	.. ..	Nil upto 6 persons 1 for 7-20 persons 2 for 21-45 persons	.. ..
4	Wash basins *	1 for every 200 persons or part thereof	1 for every 200 persons or part thereof	1 for 1-15 persons 2 for 16-35 persons	1 for 1-12 persons 2 for 13-25 persons
5	Drinking water	1 per 100 persons or part thereof.			

Note: It may be assumed that two-thirds of the numbers are males and one-third females.

* One of such wash basins on each floor shall be fixed at height of 80 cms. with tap at 100 cms. above finished floor level for the use of handicapped, disable, old and infirm persons.

TABLE No. 35					
SANITARY REQUIREMENTS FOR ASSEMBLY OCCUPANCY BUILDINGS (ART GALLERIES, LIBRARIES AND MUSEUMS)					
Sr. No.	Fitments	For Public		For Staff	
		Male	Female	Male	Female
(1)	(2)	(3)	(4)	(5)	(6)
1	Water-closets	1 per 200 persons upto 400 persons. For over 200 persons add at the rate of 1 per 250 persons or part thereof.	1 per 100 persons upto 200 persons. For over 200 persons add at the rate of 1 per 150 persons or part thereof.	1 for 1-15 persons 2 for 16-35 persons	1 for 1-12 persons 2 for 13-25 persons
2	Ablution taps	1 in each water-closet	1 in each water-closet	1 in each water-closet	1 in each water-closet
1 water tap with draining arrangements shall be provided for every 50 persons or part thereof in the vicinity or water-closet and urinals					
3	Urinals	1 for 50 seats	.. ..	Nil upto 6 persons 1 for 7-20 persons 2 for 21-45 persons	.. ..
4	Wash basins *	1 for every 200 persons or part thereof. For over 400 persons add at the rate of 1 per 250 persons or part thereof.	1 for every 200 persons or part thereof. For over 200 persons add at the rate of 1 per 150 persons or part thereof.	1 for 1-15 persons 2 for 16-35 persons	1 for 1-12 persons 2 for 13-25 persons
5	Cleaner's sinks	1 per floor minimum			
6	Drinking water fountains	1 for 100 persons or part thereof			

Note: It may be assumed that two-thirds of the numbers are males and one-third females.

* One of such wash basins on each floor shall be fixed at height of 80 cms. with tap at 100 cms. above finished floor level for the use of handicapped, disable, old and infirm persons.

TABLE No. 36					
SANITARY REQUIREMENTS FOR RESTAURANTS					
Sr. No.	Fitments	For Public		For Staff	
		Male	Female	Male	Female
(1)	(2)	(3)	(4)	(5)	(6)
1	Water-closets	1 for 50 seats upto 200 seats. For over 200 seats add at the rate of 1 per 100 seats or part thereof.	1 for 50 seats upto 200 seats. For over 200 seats add at the rate of 1 per 100 seats or part thereof.	1 for 1-15 seats 2 for 16-35 seats 3 for 36-65 seats 4 for 66-100 seats	1 for 1-12 seats 2 for 13-25 seats 3 for 26-40 seats 4 for 41-57 seats 5 for 58-77 seats 6 for 78-100 seats
2	Ablution taps	1 in each water-closet	1 in each water-closet	1 in each water-closet	1 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-closet and urinals					
3	Urinals	1 for 50 seats	.. ..	Nil upto 6 seats 1 for 7-20 seats 2 for 21-45 seats 3 for 46-70 seats 4 for 71-100 seats	.. ..
4	Wash basin	One for every water-closet provided			
5	Kitchen sink and Dish washers	One in each kitchen			
6	Slope or service sink	One in the restaurant			

Note: It may be assumed that two-thirds of the numbers are males and one-third females.

TABLE No. 37			
SANITATION REQUIREMENTS FOR FACTORIES			
Sr. No.	Fitments	For Male Personnel	For Female Personnel
(1)	(2)	(3)	(4)
1	Water-closets	1 for 1-15 persons 2 for 16-35 persons 3 for 36-65 persons 4 for 66-100 persons From 101 to 200 persons add at the rate of 3%. From over 200 persons add at the rate of 2.5%	1 for 1-12 persons 2 for 13-25 persons 3 for 26-40 persons 4 for 41-57 persons 5 for 58-77 persons 6 for 78-100 persons. From 101 to 200 persons add at the rate of 5%. From over 200 persons add at the rate of 4%
2	Ablutions taps	One in each water-closets	One in each water-closets
1 water tap with draining arrangements shall be provided for every 50 persons or part thereof in the vicinity or water-closet and urinals			
3	Urinals	Nil upto 6 persons 1 for 7-20 persons 2 for 21-45 persons 3 for 46-70 persons 4 for 71-100 persons For 101 to 200 persons add at the rate of 3%. From over 200 persons add at the rate of 2.5%.	.. ..
4	Washing taps with draining arrangements	1 for every 25 persons with a minimum of 1 on each floor.	1 for every 25 persons or part thereof
5	Drinking water fountains	1 for every 100 persons with a minimum of 1 on each floor	
6	Baths (preferably showers)	As required for particular trades or occupations.	

Note 1 : For many trades of a dirty or dangerous character, more extensive provisions are required.

Note 2: Crèches, where provided shall be fitted with water-closet (1 for 10 persons or part thereof) and wash basins (one for 15 persons or part thereof and drinking water tap with draining arrangements (1 for 50 persons or part thereof).

TABLE No. 38				
SANITARY ARRANGMENTS FOR LARGE STATIONS AND AIRPORTS				
Sr. No.	Place	W.C. for males	W.C. for Females	Urinals for Males only
(1)	(2)	(3)	(4)	(5)
1	Junction stations, Intermediate station and bus stations	3 for first 1000 persons and 1 for every subsequent 1000 persons or part thereof.	4 for first 1000 persons and 1 for every additional 1000 persons or part thereof.	4 for 1000 persons and 1 for every additional 1000 persons or part thereof.
2	Terminal stations and bus terminals	4 for first 1000 persons and 1 for every subsequent 1000 persons or part thereof.	5 for first 1000 persons and 1 for every additional 1000 persons or part thereof.	6 for 1000 persons and 1 for every additional 1000 persons or part thereof.
3	Domestic airport* minimum. 200 persons For 400 persons For 600 persons For 800 persons For 1000 persons	2* 5 9 12 16 18	4* 8 15 20 26 29	2* 6 12 16 20 22
4	Inter National airport For 200 persons For 600 persons For 1000 persons	 6 12 18	 10 20 29	 8 16 22

* At least one Indian style water-closet shall be provided in each toilet. Assume 60 males to 40 females in any area.

Note: Provision for wash basins, baths including shower stalls, shall be in accordance with Part IX Section 2 Drainage and Sanitation of National Building Code of India.

FORM- "I"
(Regulation No. 7)

**FORM OF NOTICE AND FIRST APPLICATION TO DEVELOP, ERECT,
RE-ERECT OR TO MAKE MATERIAL ADDITIONS/ALTERATIONS IN ANY
PLACE IN BUILDING UNDER SECTIONS 44, 45, AND 58 OF MAHARASHTRA
REGIONAL AND TOWN PLANNING ACT, 1966.**

To,

The Commissioner/Assistant Director of Town Planning;
Nanded Waghala City Municipal Corporation, Nanded,

Sir,

I/We intend to carry out development in the site, to erect, to re-erect/ to demolish/ to make material alteration in the building, bearing M.C. House / Plot No. _____ in Sector No. _____ Ward No. _____ situated on Road / Street _____ Survey No. / C. T. S. No. _____ in _____ Village in accordance with the provisions of the Maharashtra Regional and Town Planning Act, 1966. I/We, therefore, apply for permission under section 44 of the Act.

I/We submit herewith the following plans and statements (items 1 to 6) wherever applicable, in quadruplicate or as directed by you duly signed by me/us and (Name in Block letters) _____ the Architect or licensed Engineer / Structural Engineer/ Supervisor having License No. _____ who has prepared the plans, designs and a copy of other statements / documents, as applicable (items 7 to 13).

1. Key Plan (Location) plan as mentioned in Regulation 13.
2. Site Plan as mentioned in Regulation 14.
3. Sub division / layout plan as mentioned in Regulation 15.
4. Building Plan as mentioned in Regulation 16.
5. Service Plan as mentioned in Regulation 19.
6. Particulars of Development in the Form as prescribed in Annexure-1 of FORM - I of Regulations.
7. Ownership title as mentioned in clauses (i), (ii), (iii) and (iv) of by Regulation 12.
8. Attested copy of receipt for payment of development permission fee as per Regulation 24.
9. Clearance Certificate of Tax arrears as mentioned in Regulation 25.
10. Attested copy of receipt for payment of development charges as per Section 124A of Act.
11. Appointment letter in favour of License Technical Person / Architect by the Owner.
12. Acceptance letter from the Licensed Technical Person or Architect.
13. No objection certificate from the various authorities as may be required under these Regulations.
14. Property register card, and city survey plan in original signed by the Competent City Survey Authority, owner's affidavit regarding area of the plot and Architect's certificate for plot area along with area calculations by triangulation method.

I/We have confirmed that, the proposed construction is as per the norms specified by Indian Standards Institute for the resistance of Earthquake.

I/We request that proposed development / construction may please be approved and permission accorded to me/us under the Maharashtra Regional and Town Planning Act, 1966 to execute the said work.

Yours faithfully,

Signature of Owner(s),
Name of owner(s) _____
in block letters)
Address of Owner(s) _____
Date :

ANNEXURE – 1 (PART OF FORM –‘I’, ITEM 6) Particulars of Development		
1.	(a)(i)	Full Name of the Applicant(s) (In block letters)
	(ii)	Address of Applicant (s)
	(b)	Name and address of Architect or Licensed Engineer / Structural Engineer/ Supervisor employed.
	(c)	Number and Date of Issue of the license valid up to
2.		Is the plot affected by any reservations or road lines?
		If yes, are these correctly and clearly marked on the block plan?
3.	*(a)	What is the total area of the plot according to the document?
	*(b)	Does it tally with the Collector's record?
	*(c)	What is the actual area available on site measured by licensed surveyor/engineer/structural engineer/ supervisor or Architect.
	(d)	If there is any deduction in the original area of the plot on account of road lines or reservation? Please state the total area of such deductions
	(e)	If so, what is net area?
*Permission will be based on the minimum areas in (a), (b) or (c) above		
NOTE: INDICATE DETAILS ON THE SITE / BUILDING PLAN AS IN PROFORMA –I		
4.		Are all plans as required under Regulation No. 7 enclosed?
5.	(a)	Is the plot part of a City Triangulation Survey Number, Revenue Survey Number or Hissa Number or a part of an approved layout.
	(b)	Please state Sanction Number and Date of Sub – division/ layout?
6	(a)	In what zone does the plot fall?
	(b)	What is the permissible F.S.I. of the zone?
	(c)	What is the number of tenements per hectare permissible in the zone?
7	(a)	Is the use of every room in the proposed work marked on the plans?
	(b)	Is it in accordance with regulations?
	(c)	Does the use of the building, fall in the category of Special types of buildings like Cinema halls, theatres, Assembly halls, Stadium, Buildings for Religious purpose, Hospital buildings, Educational buildings, Markets and Exhibition halls etc.?
	(d)	If the nature of building proposed is of Cinema theatre, Auditorium whether no objection certificate from the Collector & Superintendent of Police, Nanded are obtained? If so whether the same are attached with the proposal?
8		If the work is in connection with an Industry
	(a)	Please briefly describe the main and accessory process.
	(b)	Please state the maximum number of workmen and the total horse power likely to be employed per shift in the factory.
	(c)	Under what Industrial Classification does it fall? (Reference to relevant Regulation should be given)
	(d)	Is the proposal for re-location of an existing industry? If so give the name and address of the existing industry.
Note:- The permission will be based on the area which is minimum.		
	(e)	If the proposal is for the establishment of a new industry or for the expansion of an existing industry, is a copy of the No Objection Certificate from the Director of Industries enclosed?
	(f)	If the proposal is for the establishment of a new industry or for the expansion of an existing industry, is a copy of the No Objection Certificate from the Director of Industries enclosed?
	(g)	Is the building away from the boundary of residential or commercial zone or as per Table No. 20 in Appendix –“D”?
	(i)	Is the proposal for a service Industrial Estate on a plot reserved for service industries or in Industrial Zone.
	(j)	Nature and quantum of industrial waste effluents and methods of disposal be stated.
	(k)	Will the building be at 10 m. away from the boundary of a Residential/ Commercial zone?
	(l)	Is the proposal for scenic industrial estate on a plot reserved for service industry?
	(m)	Nature & quantum, of industrial waste / effluents and method of disposal
9	(a)	What is the average
	(i)	Prescribed width of street?
	(ii)	Existing width of the street?
(If the plot abuts two or more streets, the above information in respect of all streets should be given.)		
	(b)	What is the height of the building?
	i)	above the centre of the street ?
	ii)	above the average ground level of the plot?
10	(a)	If there are existing structures on the plot

		i) Are they correctly marked and numbered on the site plan?	
		ii) Are those proposed to be demolished? Immediately and if so marked in colour yellow?	
		iii) What is the plinth area and total floor area of all existing structures to be retained? (Please append statement as in statement- I enclosed herewith giving details)	
		iv) What is the number of existing tenements in structure(s) to be retained?	
	(b)	What is the plinth area and total floor area of the proposed work? Please append statement as per statement 2 (enclosed herewith) giving details	
	(c)	What is the No. of tenements proposed?	
		NOTE: Indicate details on the building plan as in Proforma-I.	
11.	(a)	Please state the plinth area and total floor area, existing and proposed (i.e. totals of items 10 (a) (iii) and 10 (b))	
	(b)	Please state the Development Rights, if any proposed to be used and floor space index credit available there under.	
	(c)	Please state the overall floor space index (Item 11(a) divided by Item 3(e) plus the Floor space index available due Development Rights.	
	(d)	Does the work consume the full FSI of plot, as given in item 6(b)? If not, why not?	
	(e)	Is the building proposed with setbacks on upper floors?	
	(f)	What is the total number of tenements [Item 10(a) (iv) plus Item 10(c)]?	
	(g)	What is carpet area of each tenement (give this on separate sheet where necessary)	
		NOTE: Indicate details on the building plan as in FORM-I	
12.	(a)	What is the width of the front open space? If the building abuts two or more streets does the front open space comply with regulation 87?	
	(b)	Please state which of the provision in Appendix-“D” is applicable for the front open space and does the front open space comply with that provision.	
13		What is the distance from the centre line of street? Does it comply with the provisions of Appendix “D”.	
14	(a)	What is :	
		i) the width of side open space (s)?	
		ii) the width of rear open space (s) ?	
		iii) the distance between buildings ?	
	(b)	Are there two or more wings to the building?	
	(c)	If so, are the open spaces separate or distinct for each wing as required under Regulations 90?	
15.		If the plot is narrow, which provision under Table- “21” you propose to take advantage of?	
16	(a)	What are the dimensions of the inner or outer chowk?	
	(b)	i) is any room dependant for its light and ventilation on the chowk ?	
		ii) if so, are the dimensions such as required for each wing of the building?	
		iii) if not, is the area at least equal to square of one fifth of the height as per Regulation 90.	
17	(a)	If the height of the building is greater than 15 m. above the average ground level, is provision for lifts (s) made? If so. Give the following details of lift (s)	
		Type	Passenger Capacity
		No. of Lifts	Type of Doors
	(b)	i) Details of Lift	
		ii) Details of Fire Lift	
18	(a)	Does the building fall under the purview of Regulation 17?	
	(b)	If so, do the proposed fire protection requirements conform to Appendix-“J”?	
	(c)	If not give reasons for non conformity	
	(i)		
	(ii)		
	(iii)		
	(iv)		
19	(a)	(i) What are the requirements for parking space under regulations?	
		(ii) How many are proposed?	
		(iii) How many lock – up garages are proposed?	
	(b)	(i) Are loading and unloading spaces necessary Regulation 104?	
		(ii) If so, what is the requirement	
		(iii) How many are proposed?	
		NOTE : INDICATE DETAILS ON BUILDING PLAN AS IN PERFORMA – I	
20	(a)	(i) What are the minimum widths of balconies?	
		(ii) Will they reduce the required open space to less than that required?	
		(iii) Do they serve as a passage to any part of the building	
		(iv) What is their total area?	
	(b)	What is the maximum width of weather-frames, sun - sheds (chajja), sun breakers, cornice, eave or other projection?	
	(c)	(i) Are any porches / canopies proposed?	

		(ii) Are they in compliance with Regulation 93?	
21	(a)	What is the width of the means of access?	
	(b)	(i) If there is no access, whether there is right of way ?	
		(ii) If yes, attached necessary plans and documents in support of right of way	
	(c)	What is its clear height?	
	(d)	Will it be paved, drained and kept free of encroachment?	
22		Is recreational or amenity open space provided as required under Regulation 66?	
23	(a)	Are any accessory building proposed ? If so, for what purpose?	
	(b)	What are their heights?	
	(c)	Are they 7.5 m. away from the street or front boundary and 1.5 m. from other boundary?	
	(d)	Is their area calculated in F.S.I.?	
24	(a)	What is the proposed height of the Compound Wall? Is it at the junction?	
	(b)	Is it in compliance with Regulation 145?	
25	(a)	Does the proposal fall under the category of tower like structure vide Regulation 96 and or 100.If so, does it comply with the requirements thereof?	
	(b)	(i) Is the proposal in the Air Port Zone ?	
		(ii) Is No Objection certificate for height from Civil Aviation Authorities obtained?	
26		Indicate provision for common conventional antenna for receipt of television transmission in residential building with more than 10 tenements, Regulation – 136.	
27	(a)	Does any natural water course pass through land under development	
	(b)	Is the necessary set-back provided as per Regulation 54 (b)?	
28		Please explain in detail in what respect: the proposal does not Comply with D.C. Rules and the reasons, thereof, attaching a separate sheet if necessary.	
29	(a)	Is the plinth level proposed to be above the level of the surrounding ground level?	
30		The materials to be used in construction with specifications.	
		Roofs	
		Floors	
		Walls	
		Columns	
		Any other item	
31		The number of water closets, urinals, Kitchens, baths to be provided are as follows	
		Water Closet	Baths
	Existing		Urinals
	Proposed		Kitchen
32		The source of water to be used in the construction.	
33		Distance from the sever	
34		How much Municipal land will be used for stacking building material?	
35		Whether provision for Grey Water Recycle System is provided.	
36		Whether provision for installation of Solar Assisted Water Heating System is made.	
37		Whether Rain Water Harvesting System is adopted.	
38		What steps for Control of Air/Water/ Noise Pollution are taken. Explain in details.	
39		Please explain in detail in what respect the proposal does not comply with the Development Control Regulations and reasons therefore, attaching a separate sheet if necessary.	

I hereby declare that, I am the owner / lessee / mortgagee in possession/..... of the plot on which the work is proposed and that the statement made in this Form are true and correct to the best of my knowledge.

Name and Signature of the Applicant
Address _____

FORM OF CERTIFICATE
(Regulation No. 8)

**(To be signed by Architect / Licensed Engineer / Structural Engineer / Supervisor
employed by the Applicant.)**

I (Name) _____ have been employed by the applicant as his Architect / licensed Engineer / Structural Engineer / Supervisor. I have carefully perused covenants of conveyance in respects of this plot and examined the boundaries and the area of the plot and I do hereby certify that I have personally verified and checked all the statements made by the applicant who is the owner / lessee / mortgagee in possession of the plot in the above form and the attached statements 1 and 2 and found them to be correct.

Date: -

Signature of the Architect / Licensed
Engineer / Structural Engineer / Supervisor

Address: _____

NOTE: - INDICATE IN BUILDING PLAN AS IN PROFORMA – II

- ii) Quantitative Requirements – For wheeled auto-vehicles- Parking spaces for four wheeled auto vehicles shall be provided as in Table 11, under Regulation No. 103, any fractional space of more than half resulting from the ratio in column (3) thereof being rounded off upward to the nearest integer.

STATEMENT NO. 1
(Sr. No. 10(a) (iii))

Existing building to be retained.

Existing Building No.	Floor No.	Plinth Area in Sqm.	Total Plinth area of existing Building in Sqm.	Use or Occupancy of floor
1	2	3	4	5

STATEMENT NO. 2
(Sr. No. 10(b))

Proposed works / Buildings.

Building No.	Floor No.	Plinth Area in Sqm.	Total floor area of proposed works in Sqm.	Use or Occupancy of floor
1	2	3	4	5

PROFORMA – I			
(Sr. No. 3, 10, 11, & 19 in Annexure –“I”)			
(At right top corner of site / building plan at Ground Floor Level)			
A.		AREA STATEMENT	Square Meters
	1.	Area of plot	
	2.	Deduction for	
	(a)	Road Acquisition Area (Set – back area)	
	(b)	Proposed Road	
	(c)	Any Reservation	
		Total (a +b + c)	
	3.	Net Gross Area of Plot (1 minus 2)	
	4.	Deductions for	
	(a)	Recreation Ground as per Rule No,	
	(b)	Internal Roads	
	(c)	Total (a+b)	
	5.	Net Area of Plots (3 minus 4c)	
	6.	Addition for Floor Space Index.	
		2(a) 200%	
		2(b) 100%	
	7.	Total Area (5 plus 6)	
	*8.	Floor Space Index Permissible	
	9.	Floor Space Index credit available by Development Rights (Restricted to 100% of Net Gross area vide Item No.3)	
	10.	Permissible Floor Area (7 plus 8 plus 9 above).	
	11.	Existing Floor Area	
	12.	Proposed Built up Area	
	*13	Excess Balcony Area taken in Floor Space Index (As per B (c) below)	
	*14	Total Built up Area (11 + 12 + 13)	
	*15	F.S.I. Consumed (14/7)	
B		BALCONY AREA STATEMENT	
	(a)	Permissible Balcony Area per Floor	
	(b)	Proposed Balcony Area per Floor	
	(c)	Excess Balcony Area (Total) (a minus b)	
C		TENEMENTS STATEMENT	
	(a)	Net Area of Plot (Item A (7) Above)	
	(b)	Less Deduction of Non-residential Area of (Shops etc.)	
	(c)	Area of Tenements (a minus b)	
	(d)	Tenements Permissible	
	(e)	Tenements Proposed	
	(f)	Tenements Existing	
	(g)	Carpet Area of Each Tenement (Attach separate sheet)	
		Total Tenements (e plus f)	
D		PARKING STATEMENTS	
	(a)	Parking Required	
		Car	
		Scooter/ Motor Cycle	
		Cycle	
		Outsider (Visitors)	
	(b)	Garages Permissible	
	(c)	Garages Proposed	
		Car	
		Scooter/ Motor Cycle	
		Cycle	
		Outsider (Visitors)	
	(d)	Total Parking provided	
E		LOADING / UNLOADING SPACES	
		Loading / Unloading Required	
		Loading / Unloading Provided	

PROFORMA – II
(At Right Bottom corner of plans / Below Proforma – I)

Contents of Sheets

Stamp of date of receipt of plans

Stamp of approval of plans

Revision	Description	Date	Signature
----------	-------------	------	-----------

CERTIFICATE OF AREA

CERTIFIED that I have surveyed the plot under reference on _____ and that the dimensions of the sides, etc. of the plot stated on the plan are as measured on site and the area so worked out is * _____ square meters and tallies with the area stated in the document of ownership / town planning scheme records.

Date :
/

Signature of Architect or licensed Engineer
Structural Engineer / Supervisor.

Description of proposal and property

Name of Owner

Job No.	Drawing. No.	Scale	Checked by	Drawn by
North line : <div style="border: 1px solid black; width: 30px; height: 20px; margin-left: 10px;"></div>	Signature, Name (in block letters) and address of Architect or licensed Engineer / Structural Engineer. / Supervisor.			

*Area to be stated in figures and also in words.

FORM – “II”
(Regulation 21)

FORM FOR CERTIFICATE FOR STRUCTURAL DESIGN SUFFICIENCY.

To,
The Assistant Director of Town Planning,
Nanded Waghala City Municipal Corporation, Nanded.

Sir,

The development / erection / re – erection / demolition or material alteration of the building _____ on S. No. / C.T.S. No. _____ of village / situated at Road / Street _____ ward _____ Sector No. _____ we certify that the structural plans and details of the building submitted for approval satisfy the structural safety requirements for all situations including natural disasters, as applicable, as stipulated under Part 6 ‘Structural Design’ of the National Building Code of India and other relevant Codes; and the information given therein is factually correct to the best of our knowledge and understanding.

Signature of the Licensed Engineer/
owner _____
Structural Engineer with Date and
Registration No.
Address _____
Name _____
Address: _____

Signature of owner with date
Name of _____

FORM – “III”
(Regulation 22)

FORM FOR SUPERVISION.

To,
The Assistant Director of Town Planning,
Nanded Waghala City Municipal Corporation, Nanded.

Sir,

The development / erection / re – erection / demolition or material addition/alteration of the on Plot No. / Municipal House No. _____ /S. No. / C.T.S. No. _____ of village / situated at Road / Street _____ ward No. _____ Sector No. _____ will be carried out under my supervision. All the materials (type and grade) and the workmanship of the work will generally tally with the general specifications submitted along with the plans and the work will be carried out according to the sanctioned plans. I shall be responsible for the execution of the work in all respects.

Yours faithfully

Signature of Architect or licensed Engineer /
Structural Engineer / Supervisor

Name _____

(In block letters)

C. A. No. /License

No _____

Address: _____

Date: _____

FORM – III-A
(Regulation No.20)

FORM FOR SPECIFICATIONS OF PROPOSED BUILDINGS.

- (a) The purpose (Residence, Office, Godown, Restaurant, Hotel, Dharmashalas, School, Hostel, Cinema, Shop, Factory, Stable) for which it is intended to be used.
- (b) Details of Coverage on respective floors given below:
- | | Existing | Proposed | Total |
|--------------------|----------|----------|-------|
| 1. Basement Floor | | | |
| 2. Ground Floor | | | |
| 3. Mezzanine Floor | | | |
| 4. First Floor | | | |
| 5. Second Floor | | | |
| 6. Third Floor | | | |
| 7. | | | |
| 8. | | | |
| 9. | | | |
| 10. | | | |
- (c) Approximate number of inhabitants proposed to be accommodated.
- (d) The number of latrines, urinals, kitchens, baths to be provided.
- (e) The source of water to be used in the construction.
- (f) Distance from public sewer.
- (g) The material to be used in construction.
Walls/Columns/Foundations
Roof
Floors

Signature of Architect or licensed Engineer /
Structural Engineer / Supervisor
Name _____
(In block letters)
C. A. No./License No. _____
Address: _____
Date: _____

FORM – III-B
(Regulation No.33)

INSPECTION REPORT.

I.....working as a
with..... have carried out the inspection of Building No. on/in
Plot No..... Survey No. CTS No.
Road/Street Ward The following deviation from the
sanctioned plans have been noticed which are against the provisions of Development Control
Regulations and are of non-compoundable nature.

Description of deviations notices:

.....
.....
.....
.....
.....
.....

You may not proceed with further work till such time the deviations made
are rectified and construction brought in conformity to sanction plans.

Yours faithfully,

For.....

.....

.....
NWCM Corporation, Nanded.

Office No.

Office Stamp

Date

FORM – “IV”
(Regulation No. 33)

**FORM FOR SANCTION OF DEVELOPMENT PERMISSION / BUILDING
PERMISSION AND COMMENCEMENT CERTIFICATE.**

To,

Sir,

With reference to your application No. _____ dated ____/____/____ for Development Permission / Building Permission and grant of Commencement Certificate under sections 44/45/58 of the Maharashtra Regional and Town Planning Act, 1966 to carry out development work and or to erect building on Plot No. / Municipal House No. _____ Village _____ Sector No. _____ Ward No. _____ situated on Road / Street _____ Survey No./ C.T.S.No. _____. The development permission / Building Permission / the Commencement Certificate is granted subject to the following conditions.

- 1) The land vacated in consequence of the enforcement of the set back line shall form part of the public street.
- 2) No new building or part thereof shall be occupied or allowed to be occupied or permitted to be used by any person until occupancy permission has been granted.
- 3) The development permission / Commencement Certificate shall remain valid for a period of one year commencing from the date of its issue.
- 4) This permission does not entitle you to develop the land which does not vest in you.
- 5) _____
- 6) _____
- 7) _____
- 8) _____
- 9) _____
- 10) _____

Warning: - Please note that the development in contravention of the approved plans amounts to cognizable offence punishable under the Maharashtra Regional and Town Planning Act, 1966

Yours faithfully

Assistant Director of Town Planning,
Nanded Waghala City Municipal Corporation,
Nanded

Office No. _____
Office Stamp. _____
Date: _____

FORM – “V”
(Regulation 33)

**FORM OF REFUSAL OF DEVELOPMENT PERMISSION / BUILDING
PERMISSION AND COMMENCEMENT CERTIFICATE.**

To,

Sir,

With reference to your application No. _____ dated ____/____/____ for the grant of sanction for the development work / the erection of a building / execution of work in Building No. _____ Plot No. / C.T.S.No. _____. In village _____ Sector No. _____ Ward No. _____ Street _____. I have to inform you that the sanction has been refused on following grounds under section 45 of the Maharashtra Regional and Town planning Act, 1966.

- 1) _____
- 2) _____
- 3) _____
- 4) _____
- 5) _____
- 6) _____

Yours Faithfully,

Assistant Director of Town Planning,
Nanded Waghala City Municipal Corporation,
Nanded

Office No. _____
Office Stamp _____
Date _____

**FORM – “VI”
(Regulation 43)**

FORM FOR NOTICE FOR COMMENCEMENT OF WORK.

To,
The Commissioner / Assistant Director of Town Planning,
Nanded-Waghala City Municipal Corporation, Nanded,

Sir,

I hereby certify that the development work / erection / re-erection / demolition or material alteration in / of Building No. _____ on/in Plot No _____ S.No. / C.S.No. / _____ Village _____ Sector No. _____ Ward No. _____ situated at _____ Road / Street _____ will commenced on ____/____/____ as per your permission No. _____ dated _____ under the supervision of _____ Architect / licensed Engineer / Structural Engineer / Supervisor license no. _____ and in accordance with the plans sanctioned.

Yours faithfully,

Date: _____

Signature of Owner _____
Name of Owner _____
(In Block Letters)
Address of _____

owner _____

**FORM – “VII”
(Regulation 45)**

**FORM FOR INTIMATION OF COMPLETION OF WORK UPTO PLINTH
LEVEL.**

To,
The Assistant Director of Town Planning,
Nanded-Waghala City Municipal Corporation, Nanded,

Sir,

The construction upto plinth / column upto plinth level has been completed in
Building
No. _____/in Plot No. /S.No./C.T.S.No. / _____ Sector Division No. _____ Village
Road/Street _____ Ward _____ in accordance with your permission No.
_____ dated ____/____/____ under my supervision and in accordance with the
sanctioned plan.

Please check the completed work and permit me to proceed with the rest of the work.

Yours faithfully,

Date: _____

Signature of Architect or licensed
Engineer / Structural Engineer /
Supervisor _____
Name (in block letters) _____
Address _____

**FORM – “VIII”
(Regulation 45)**

**FORM OF APPROVAL / DISAPPROVAL OF DEVELOPMENT WORK UP
TO PLINTH LEVEL.**

To,

Sir,

Please refer to your intimation No _____ date _____ regarding the completion of construction work up to plinth / columns up to plinth level in Building No. _____ on / in Plot No. /S. No./ C.T.S. No. _____ Sector No. / Division _____ Village _____ at Road / Street _____ Ward No. _____. You may / may not proceed with the further work as per sanctioned plans / as the construction upto plinth level does / does not conform to the sanctioned plans.

Yours faithfully,

Assistant Director of Town Planning,
Nanded Waghala City Municipal Co Corporation,
Nanded

Office No. _____
Office Stamp _____
Date: _____

**FORM – “IX”
(Regulation 47)**

FORM FOR DEVELOPMENT/BUILDING COMPLETION CERTIFICATE.

To,

The Assistant Director of Town Planning,
Nanded Waghala City Municipal Corporation, Nanded,

Sir,

I hereby certify that the erection / re-erection of part / full development work in / on building / part building No. _____ in plot No. ____ S. No. / C.T.S. No. _____ Village / Sector No. _____ Road / Street / Ward No. _____ has been supervised by me and has been completed on ____/____/____ in accordance with the plans sanctioned vide your office communication No. _____ dated ____/____/____ the work has been completed to my best satisfaction. The workmanship and all the materials (type and grade) have been used strictly in accordance with general and detailed specification. No provisions of the Act or the Building Regulations, no requisitions made, conditions prescribed or orders issued there under have been transgressed in the course of the work. No objection certificate from various departments of the Corporation such as Water Supply and Drainage Department, Fire Department, Tree Authority etc. in this respect are enclosed. Further I am enclosing herewith six copies of the completion of plans one of which is cloth mounted. The building is fit for occupancy for with it has been erected / re – erected or altered, constructed and enlarged.

I have to request you to arrange for the inspection and give permission for the occupation of the building.

Yours faithfully,

Date:

Signature of Architect or licensed
Engineer / Structural Engineer / Supervisor.
Name _____
(In block letter)
Address _____
Licence No. _____

FORM – “X”
(Regulation 47)

FORM OF ACCEPTANCE / REFUSAL OF COMPLETION CERTIFICATE.

To,

Subject : _____

Reference: _____

Sir,

The Completion Certificate submitted by you No _____ for the above work, is hereby accepted / refused for following reasons.

1) _____

2) _____

3) _____

Yours faithfully,

Date:

Assistant Director of Town Planning,
Nanded Waghala City Municipal Corporation,
Nanded

Office No. _____

Office Stamp _____

FORM – “XI”
(Regulation No. 48)

FORM OF OCCUPANCY CERTIFICATE.

To,

Sir,

The part / full development work / erection / re-creation or alteration in / of building part
Building No. _____ situated at _____ Road / Street _____ Ward No. _____ Sector No.
_____ S. No. /C. T. S. No. _____ Village _____ completed under the supervision of
_____ Architect / licensed Engineer / Structural Engineer / Supervisor Licence
No. _____ may be occupied on the following conditions:

- 1) _____
- 2) _____
- 3) _____
- 4) _____

A set of certified completion plan is returned herewith.

Yours faithfully,

Assistant Director of Town Planning,
Nanded Waghala City Municipal
Corporation,
Nanded

Office No. _____

Office Stamp _____

Date:

Copy to:

Collector, Nanded.

Dy. Commissioner, zone ... NWC Municipal Corporation.

Ex. Engineer (Water works) NWC Municipal Corporation.

Assessor, Tax Department, NWC Municipal Corporation.

**FORM – “XII”
(Regulation No. 49)**

**FORM OF INDEMNITY FOR PART OCCUPANCY CERTIFICATE ON
STAMP PAPER OF SUCH VALUE AS DECIDED BY THE
COMMISSIONER.**

To,

The Commissioner/ The Assistant Director of Town Planning,
Nanded-Waghala City Municipal Corporation, Nanded,

Subject:

Sir,

While thanking you to allow me to occupy a portion of the above mentioned building before acceptance of the completion certificate of the whole building for the plans approved under communication No. _____ dated _____. I hereby indemnify the Nanded Waghala City Municipal Corporation, Nanded against any risk, damage and danger which may occur to occupants and users of the said portion of building and also undertake to take necessary security measures for their safety. I say that this undertaking will be binding on me / us our heirs administrators and to our assignees.

Yours Faithfully,

OWNER _____

Name _____

(in block letters)

Address _____

Witness _____

(Signature & name
in block letters) _____

Address _____

Date: _____

**FORM – “XIII”
(Regulation 23)**

FORM FOR DRAINAGE/SANITARY COMPLETION CERTIFICATE.

To,
The Assistant Director of Town Planning,
Nanded Waghala City Municipal Corporation,
Nanded.

Subject :

Reference:

Sir,

The following work _____
(insert full particulars of the work) has been completed to my satisfaction; the workmanship and the whole of the materials used are good; and no provision of the Act or the Development Control Regulations or Building Bye-laws and no requisition made, condition prescribed or order issued there under has been transgressed in the course of the work,

Yours faithfully,

Date: _____

Signature of Licensed _____

Plumber/Engineer

(Name in block letters)

Address

**FORM – “XIII-A”
(Regulation 23)**

**FOR THE INSPECTION OF UNDERGROUND DRAINAGE/ SANITARY &
OTHER PIPE LINES BEFORE COVERING THE LINES.**

To,
The Assistant Director of Town Planning,
Nanded Waghala City Municipal Corporation,
Nanded.

R/Sir,

I/We undersigned hereby give you Notice of/our intention to cover up the drainage work on request on (date) at (time) in the premises of plot No. S. No. CTS No. and request inspection and approval of the same.

The work was sanctioned by Nanded Waghala City Municipal Council, Nanded vide letter No. dated

The fees of Rs.100/- has been deposited under cash receipt No.....

Signature of the owner.....
Name of the owner.....
Address.....
.....

Certified that the drainage/sanitary work has been executed under my supervision and is as per Development Control Regulations/sanctioned plan.

Signature of the Plumber.....
Name of the Plumber.....
Licence No.
Address.....
.....

Note: This notice must reach the building section, fifteen clear days before the work intended to be covered up.

Nanded Waghala City Municipal Corporation, Building Section.

File No.

Dated

Certified that the above works have been inspected and approved.

For Assistant Director of Town Planning
Nanded Waghala City Municipal
Nanded.

**FORM – “XIV”
(Regulation 23)**

Form for Approval / Disapproval of Drainage Work.

To,

Sub.:-

Ref.:-

Sir,

Your application for approval of drainage work is hereby,

Yours faithfully,

Office No. _____

Nanded Waghala City Municipal Corporation,
Nanded

**FORM – “XV”
(Regulation No.133)**

INDEMNITY BOND FOR BASEMENT.

(To be submitted on non judicial stamp paper Rs. 100/- duly attested by Oath)

This Indemnity bond is executed by Shree _____ and Shree _____
S/o _____ R/o _____
hereinafter called the owner of Plot No. _____ in _____ of Nanded Waghala
City Municipal Corporation in favour of NWCMC, its successors or entitled.

WHEREAS the owner have submitted the plan of basement under and whereas the owner have represented to the NWCMC that if the sanction is granted for the construction the said basement the owners shall indemnify the NWCMC of any loss at any time of digging of foundation of the said basement or in the course of construction of basement or even thereafter.

AND WHEREAS the said owners have further agreed to indemnify the NWCMC of any claims put up against the NWCMC either by way of damage, compensation or in any other way in case the NWCMC is required to pay any such amount to any person or the owner or the NWCMC to pay the full extent of amount the NWCMC may require to pay in the extent hereinabove mentioned.

The owners further undertake and agree to indemnify the NWCMC for any such amount the NWCMC may require to pay by way of compensation or damage or any other amount and further undertake to indemnify the NWCMC of all cost and expenses that the NWCMC may require to defend any such action in any court of law. The owners undertake that no excavation shall be carried out beyond the permissible limits of basement as sanctioned. Any damage occurring during or due to the excavation made at site to public sewers, water and drains shall have to be made good by the owners.

In consideration of the above matter, undertaking and indemnity given by the said owners, the NWCMC hereby under in this behalf grant sanction of building plan to the said owners.

IN WITNESS HEREOF the owners above-mentioned put their hands and seal to the said indemnity bond on thisday of.....

Witness:

1.....	1
2.....	2

**FORM – “XVI”
(Regulation No. 133)**

INDEMNITY BOND.

(To be submitted on Non-Judicial stamp paper of Rs. 100/- duly attested by Oath)

This Indemnity Bond is executed by Shri/Smt.....
S/o, W/o, D/o, Shri/Smt.....
R/o..... in favour of
Nanded Waghala City Municipal Corporation, Nanded (hereinafter called the Corporation).

Whereas the executants has submitted to the Corporation plans for sanction of basement over Plot No. under the provisions of the Development Control Regulations and whereas the Corporation has agreed to sanction the aforesaid construction subject to the conditions that the owner shall indemnify the Corporation in the event of the any loss or damage being caused to the adjoining building on account of the construction of the said basement either at the time of digging of its foundations or in course of its construction or even thereafter and also against any claim of any concern thereto.

And whereas the executants has agreed to execute an indemnity bond to the above effect and also to abide by the terms imposed by the Corporation to the grant of sanction for construction of the basement.

Now this deed witnesseth;

1. That in consideration of the sanction of the plans of the owner for construction of the basement the executants undertakes that he/she shall at all times keep Corporation harmless and free from any liability, loss or damages following from any injury or damage caused to adjoining built-up properties or to any person as a consequence of construction of at the time of digging of its foundations or during the course of its construction or at any time thereafter.
2. The owner agrees and undertakes that in the event of any claim being made by any person or persons against the Corporation either in respect of the sanction granted by the Corporation to the owner for construction of basement or in respect of construction or manner of construction or manner of construction of basement by the owner or the consequences flowing from the said sanction the executants shall be responsible and liable and not the Corporation.
3. The executants agrees and undertakes to indemnify the Corporation fully in respect of any amount which the Corporation may be required to pay to any person either by way of compensation or damages or on any other account as a result of any claim or suit or any other proceedings concerning the sanctioning of the construction of the basement or the making thereof and also in respect of the costs and expenses which the Corporation may incur on defending any action.
4. Without prejudice to the above undertaking the executants hereby binds itself to pay to the Corporation to the full extent any amount which the Corporation may be required to pay to any person in connection with, relating to or concerning the sanctioning the sanctioning of the basement or the making thereof.

5. The owner further agrees and undertakes that this bond shall remain in full force and affect till the executants faithfully observes/performs the undertaking herein before contained.

IN WITNESS WHEREOF the executants above named has agreed this bond on this..... day of at NANDED.

.....

INDEMNIFIER

Witness:

Signatures.....

1. Name.....
Full Address.....
.....

Signatures.....

2. Name.....
Full Address.....
.....

Date.

**FORM – “XVII”
(Regulation No. 24.9)**

AFFIDAVIT / UNDERTAKING FOR NON-STACKING.

(To be submitted on Non-Judicial stamp paper of Rs. 100/- duly attested by Oath)

That I/we have submitted building plans for construction of building on Plot No.
Survey
No. of village , CTS No..... to the Nanded Waghala City
Municipal Corporation, Nanded under Regulation 7 of Development Control Regulation for favour of
sanction.

That I/we hereby give an undertaking that during the course of construction of my/our building as per
sanction given by the Nanded Waghala City Municipal Corporation, Nanded, I/we shall not stack building
material/mulba on Corporation land/road.

That in case, I/we am/are found stacking the building material/mulba stacking on Corporation land/
road then the Corporation shall be at liberty to charge the stacking charges as detailed in Regulation No. 24.9
besides any other action which the Nanded Waghala City Municipal Corporation, Nanded, might like to take
as per the rules including payment of the penalty of Rs. 1000/-.

DEPONENT

VERIFICATION

I/we the above named deponent do hereby solemnly affirm and verify that I/we have
voluntarily made the above affidavit and its contents are true to the best of my/our knowledge.

Verified at Nanded on this day of.....

DEPONENT

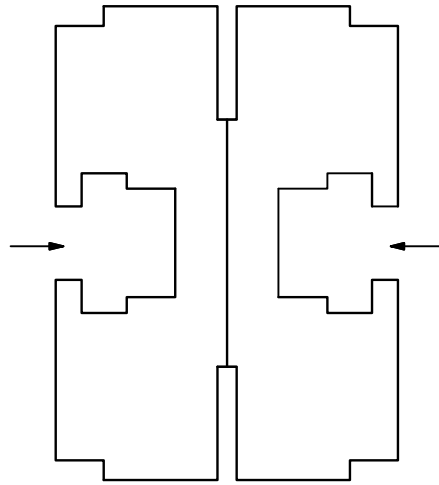


FIG. NO. 1 BACK-TO-BACK CLUSTER

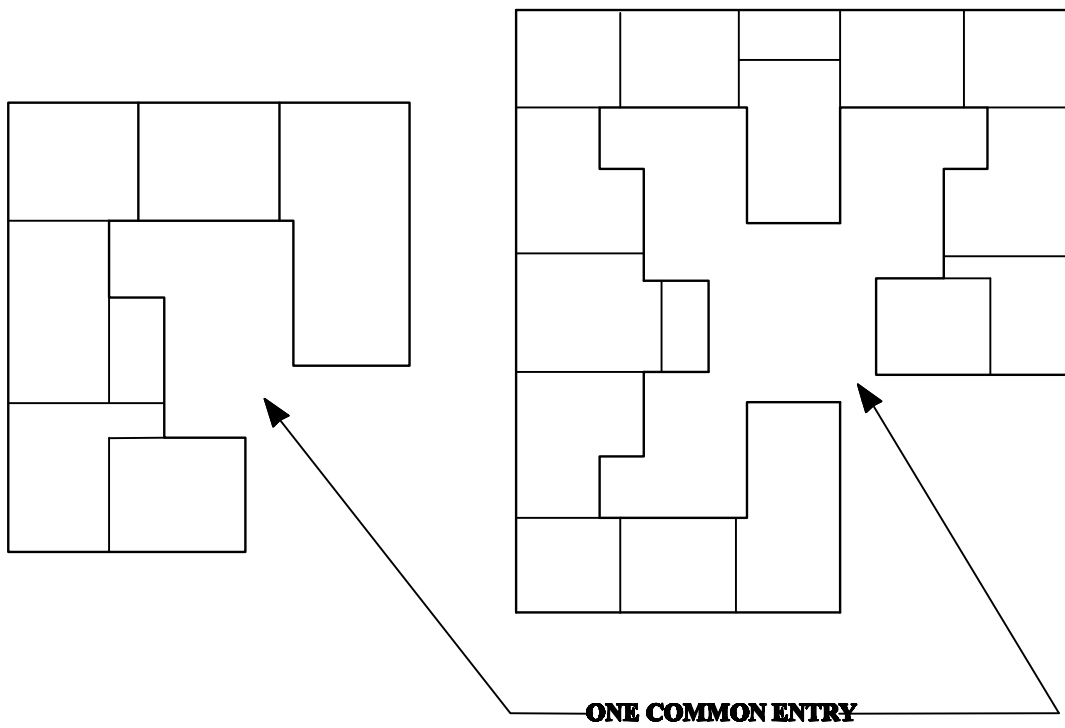


FIG. NO. 2 CLOSED CLUSTER

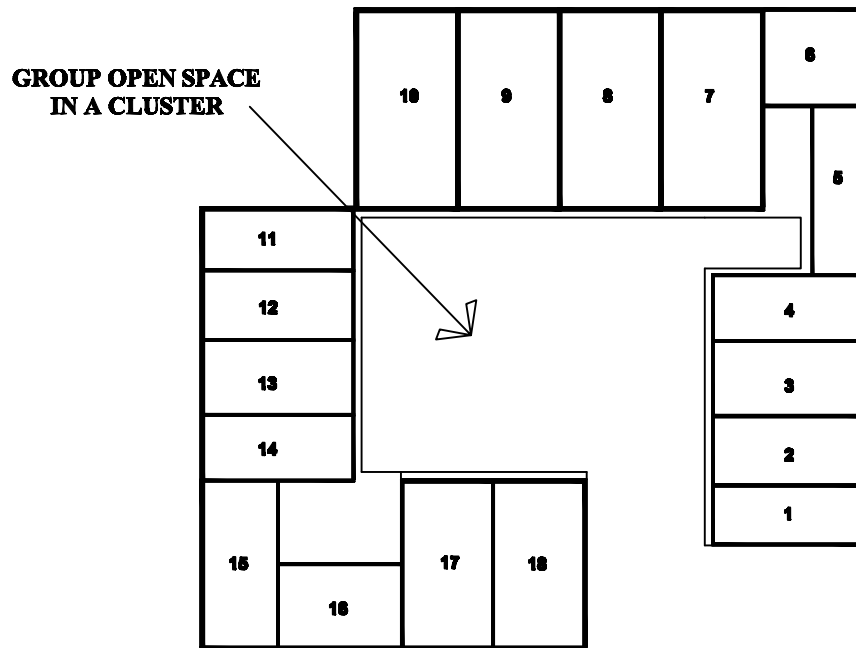


FIG. NO. 3 CULSTER

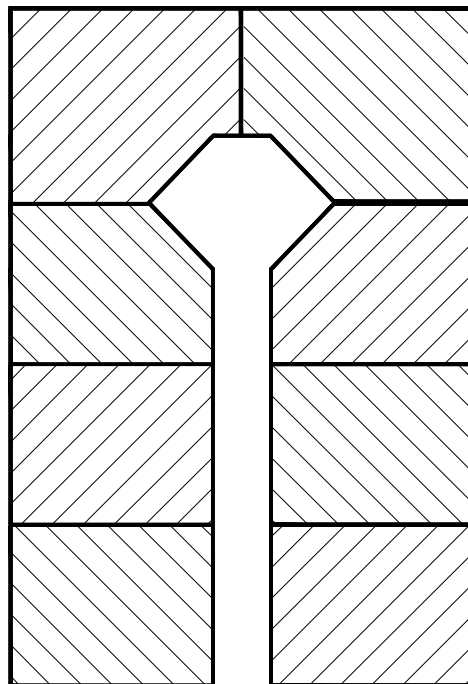
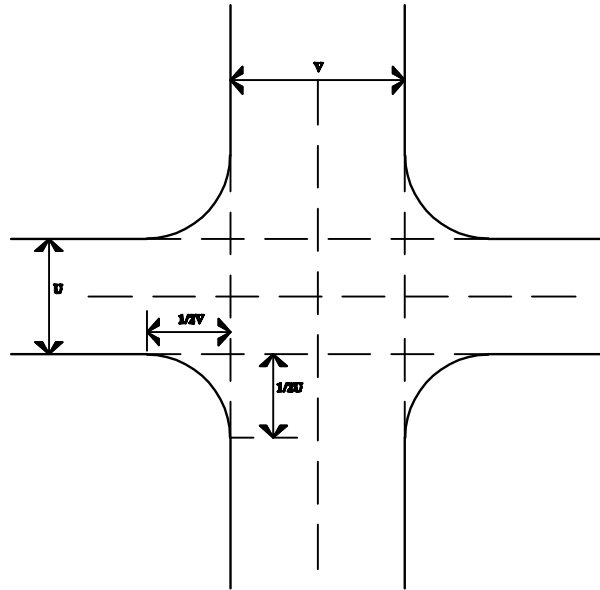
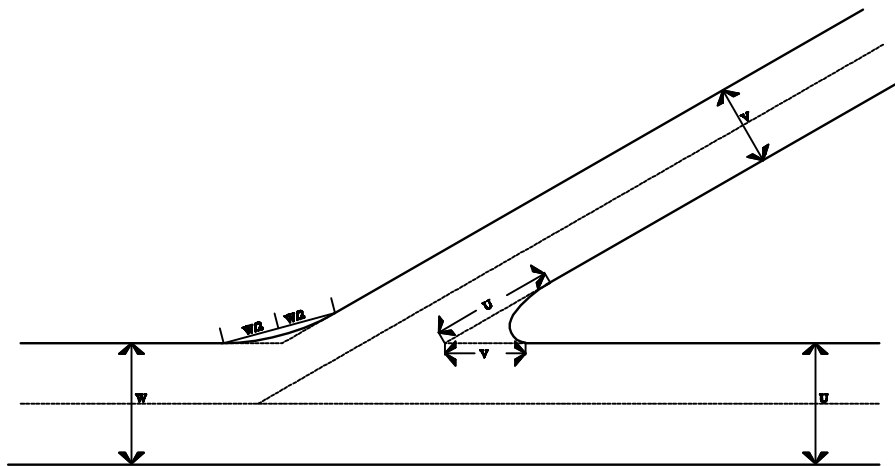


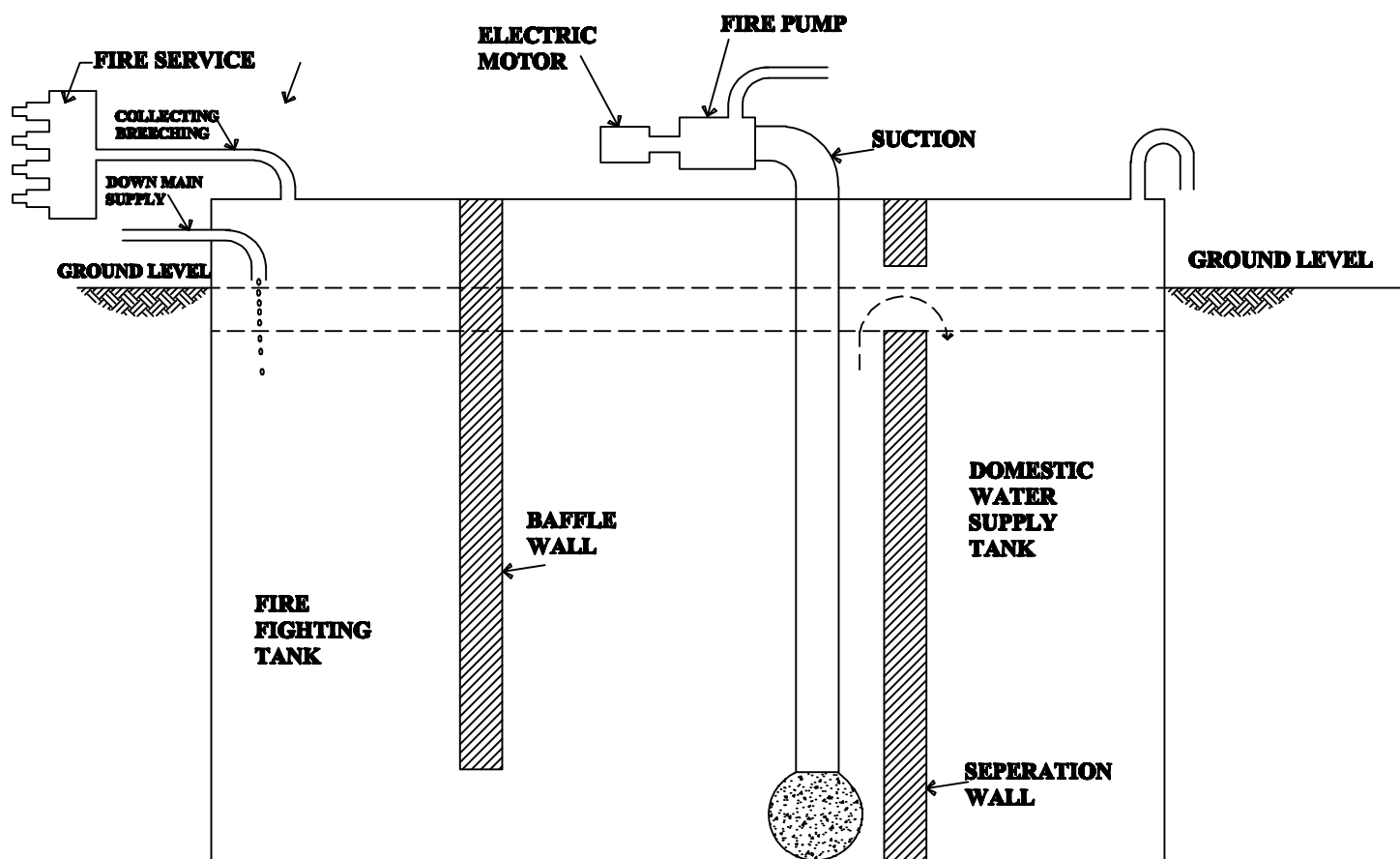
FIG. NO.4 CUL-DE-SAC CLUSTER



**FIG. NO.5A- ROUNDING OFF INTERSECTIONS
AT JUNCTIONS**



**FIG. NO.5B- ROUNDING OFF INTERSECTIONS
AT JUNCTIONS**



**FIG. 6 - ARRANGEMENT FOR PROVIDING COMBINED
FIRE FIGHTING AND DOMESTIC WATER TANK**

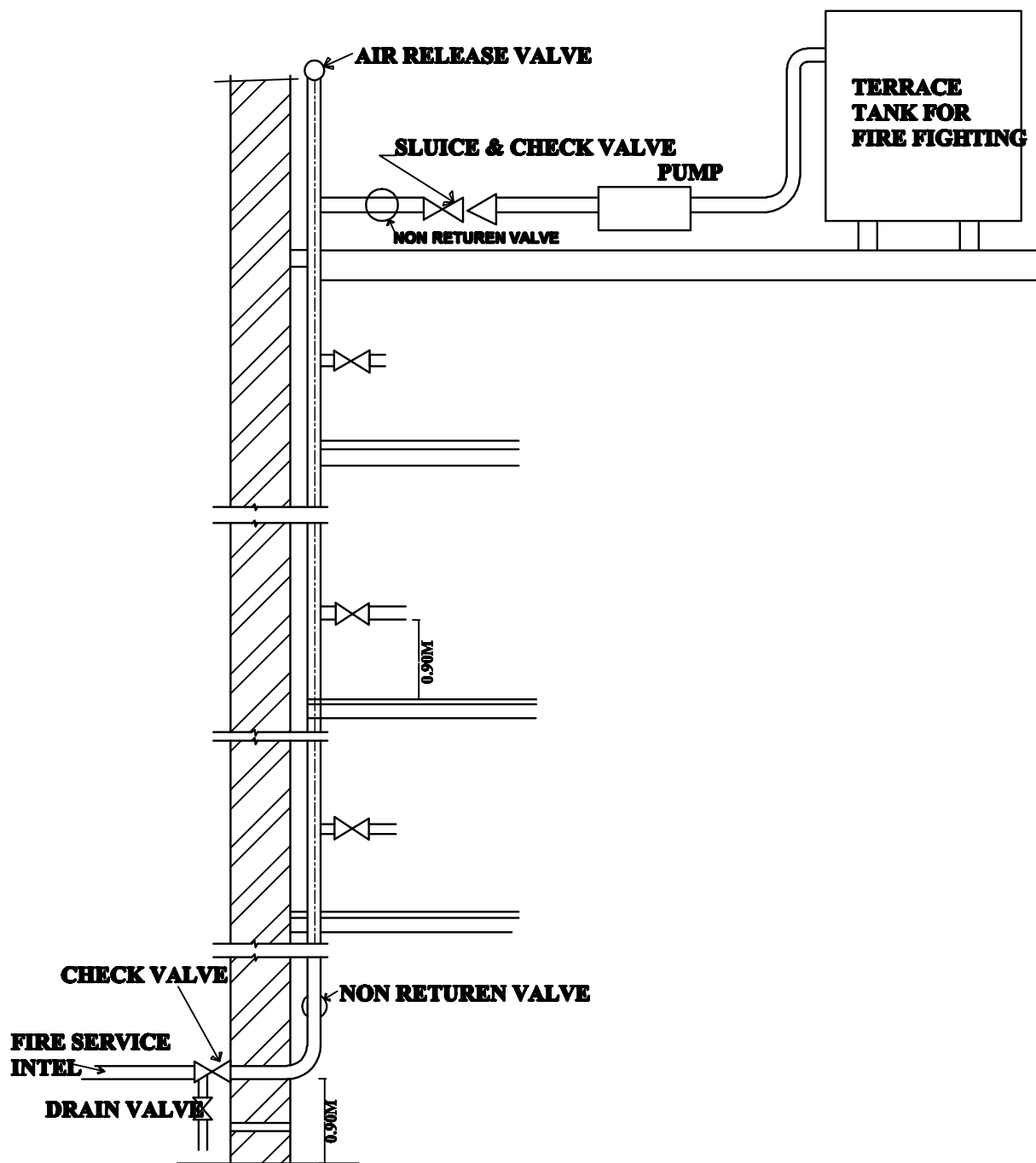


FIG. 7-APARTMENT BUILDING NOT EXCEEDING 25 M.

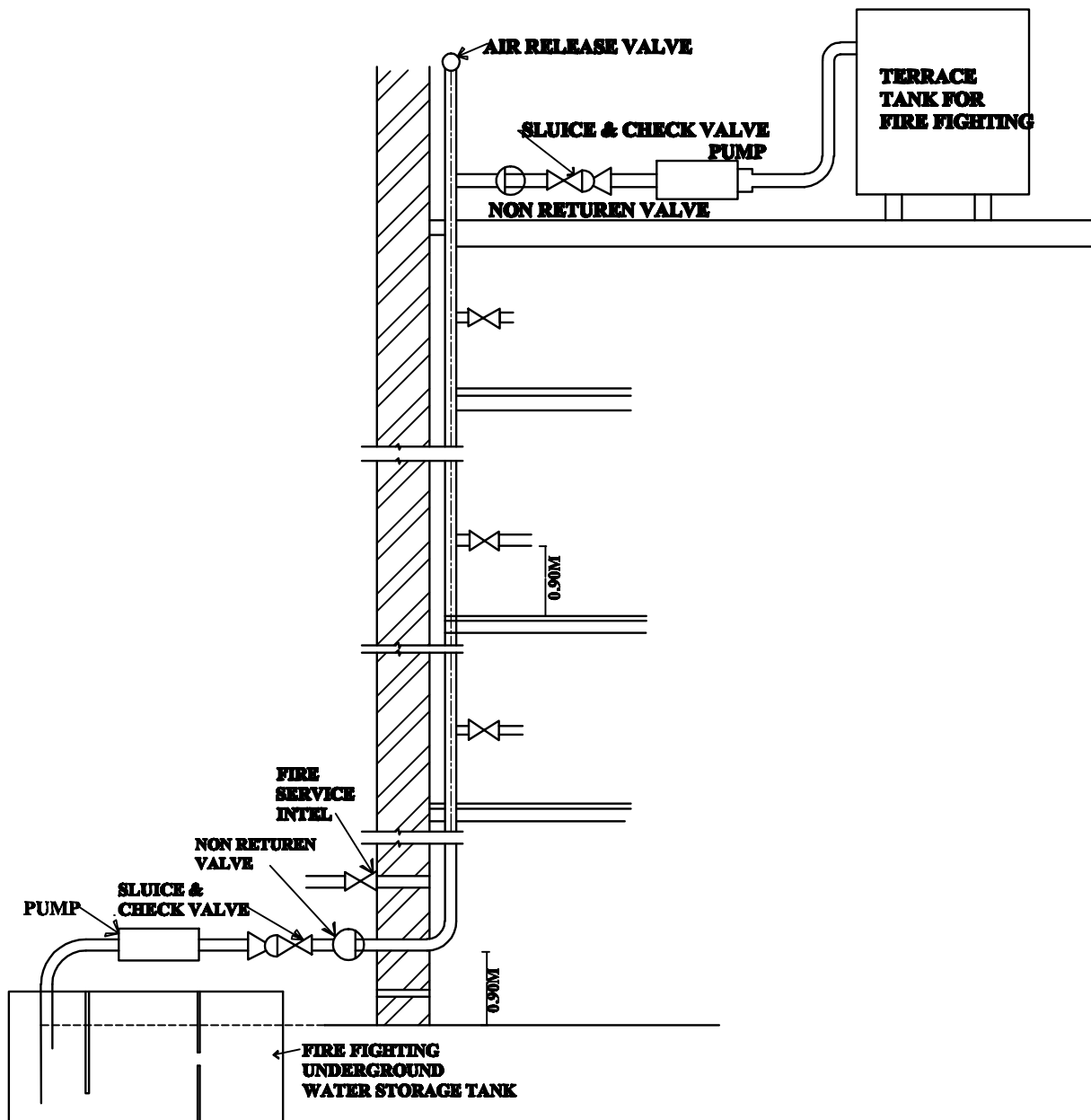
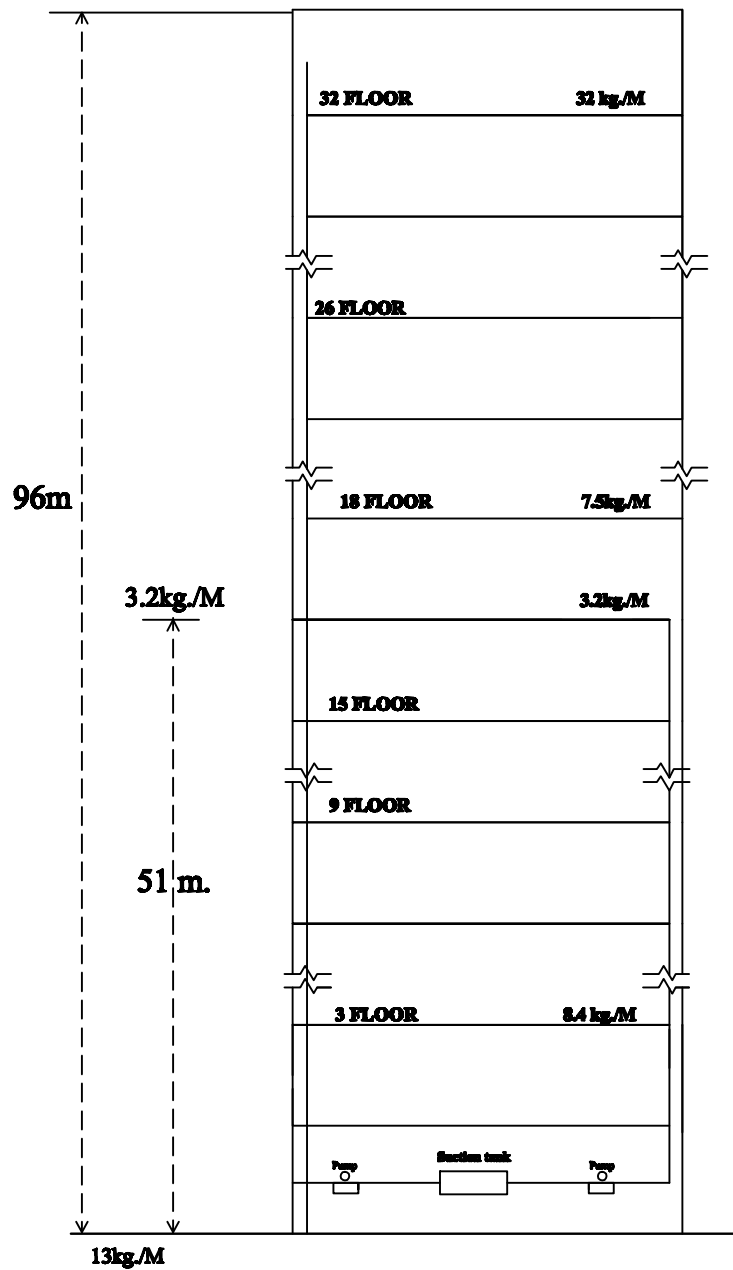
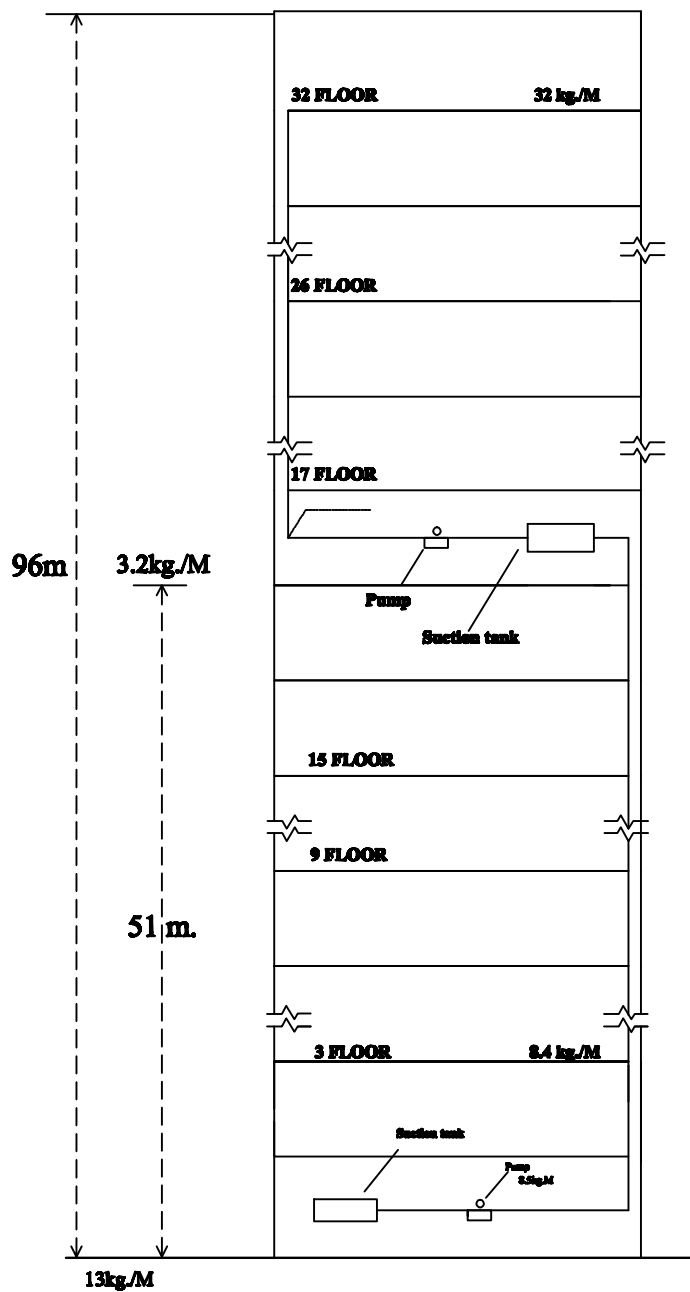


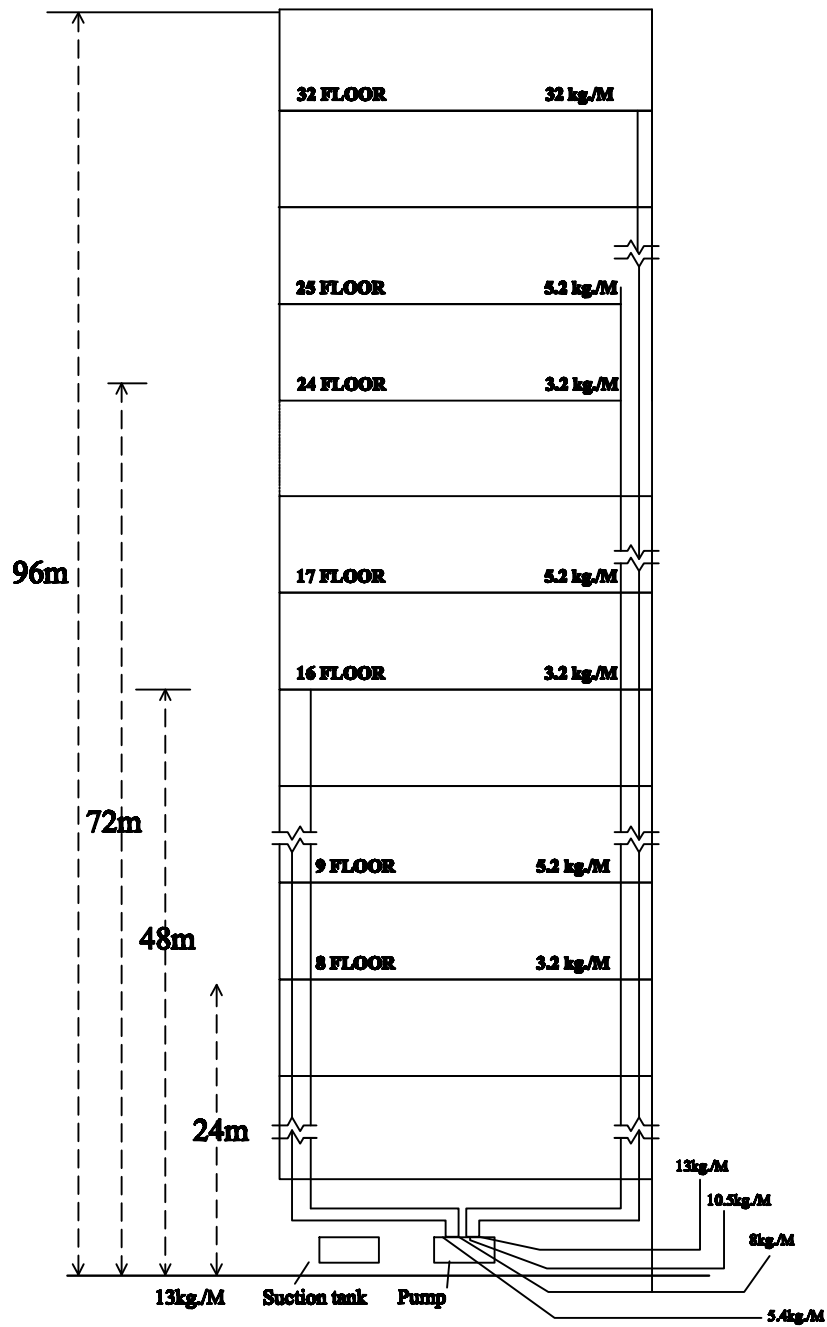
FIG. 8-APARTMENT BUILDING EXCEEDING 25 M.



**FIG.9: WET RISER SYSTEMS
FOR HIGH NON APARMENT
BUILDING (OVER 36M)**



**FIG.10:WET RISER SYSTEMS
FOR HIGH NONAPARMENT
BUILDING (OVER 35M)**



**FIG.11:WET RISER SYSTEMS
FOR HIGH NON APARMENT
BUILDING (OVER 35M)**

PLAN SHOWING TDR ZONES OF NANDED CITY

SCALE - 1:10,000

