



सत्यमेव जयते

महाराष्ट्र शासन राजपत्र

असाधारण भाग एक-मध्य उप-विभाग

वर्ष ९, अंक ५०]

गुरुवार, जुलै १३, २०२३/आषाढ २२, शके १९४५

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असाधारण क्रमांक ७७

प्राधिकृत प्रकाशन

नगरविकास विभाग

मंत्रालय, मुंबई ४०० ०३२, दिनांक ०५ जुलै, २०२३

अधिसूचना

महाराष्ट्र प्रादेशिक व नगररचना अधिनियम, १९६६.

क्रमांक टीपीबी- ४३२२/३१४/प्र.क्र.२५ / २०२२ /नवि-११.— ज्याअर्थी, महाराष्ट्र औद्योगिक विकास महामंडळ अधिनियम, १९६१ चे प्रकरण VI च्या तरतुदी लागू होणारे क्षेत्र किंवा इतर जमीन ज्या शासनाने महाराष्ट्र औद्योगिक विकास महामंडळास हस्तांतरीत केल्या आहेत, अशा जमिनीकरीता महाराष्ट्र प्रादेशिक व नगररचना अधिनियम, १९६६ च्या (यापुढे याचा उल्लेख “उक्त अधिनियम” असा केला आहे.) कलम ४० (१अ) अन्वये महाराष्ट्र औद्योगिक विकास महामंडळास (यापुढे याचा उल्लेख “उक्त प्राधिकरण” असा केला आहे.) विशेष नियोजन प्राधिकरण म्हणून नियुक्त केले आहे.

आणि ज्याअर्थी, शासन नगरविकास विभागाने अधिसूचना क्रमांक टीपीबी- ४३०८/४६५/प्र.क्र.६४/०८/नवि-११ दिनांक ३१ ऑगस्ट २००९ द्वारे उक्त प्राधिकरणाने सुधारित केलेल्या विकास नियंत्रण नियमावलीस (यापुढे याचा उल्लेख “उक्त नियमावली” असा केला आहे.) मंजूरी दिली असून उक्त नियमावली दिनांक २४ सप्टेंबर २००९ रोजी लागू झाली आहे.

आणि ज्याअर्थी, शासनाने उक्त अधिनियमाचे कलम ३७ चे पोट-कलम (१अअ) नुसार प्राप्त अधिकारांचा वापर करून शासन नगरविकास विभागाकडील अधिसूचना क्रमांक टीपीबी- ४३१४/२०/प्र.क्र.३२/२०१४/नवि-११ दिनांक १ ऑगस्ट २०१५ द्वारे उक्त नियमावलीमधील फेरबदलांना मंजूरी दिली आहे, जे उक्त अधिनियमाचे कलम ४० अन्वये उक्त प्राधिकरण विशेष नियोजन प्राधिकरण म्हणून असलेल्या एकात्मिक औद्योगिक क्षेत्रांना लागू आहेत;

आणि ज्याअर्थी, उक्त प्राधिकरणाचे अधिसूचित क्षेत्रामधील बदलत्या गरजा विचारात घेता उक्त प्राधिकरणाने उक्त नियमावलीमध्ये उक्त अधिनियमाचे कलम ३७ (१) अन्वये बदल करून एकत्रित विकास नियंत्रण व प्रोत्साहन नियमावलीच्या धर्तीवर विकास नियंत्रण व प्रोत्साहन नियमावलीचा नवीन संच तयार करण्याचा निर्णय घेतला आहे; आणि ज्याअर्थी, उक्त प्राधिकरणाने त्यांचे अधिसूचित क्षेत्रासाठी ‘सर्वसमावेशक विकास नियंत्रण व प्रोत्साहन नियमावली - २०२२’ तयार करून (यापुढे याचा उल्लेख “ प्रस्तावित फेरबदल” असा

केला आहे.) उक्त प्राधिकरण मंडळाचे सभा क्रमांक ३९१, दिनांक ३० नोव्हेंबर २०२१ रोजीचे ठरावाद्वारे मान्यता घेतल्यानंतर उक्त अधिनियमाचे कलम ३७ (१) नुसार सदर फेरबदलाची दिनांक ३० नोव्हेंबर २०२१ रोजीची सूचना (यापुढे याचा उल्लेख “उक्त सूचना” असा केला आहे.) सामान्य जनतेच्या सूचना / हरकतीकरिता प्रसिध्द केली आहे; आणि ज्याअर्थी, उक्त प्राधिकरणाने उक्त अधिनियमाचे कलम ३७ (१) अन्वये प्रस्तावित फेरबदलाची वैधानिक कार्यवाही पूर्ण करून दिनांक ७ जून २०२२ रोजीचे पत्रान्वये फेरबदल प्रस्ताव शासनाचे मान्यतेसाठी सादर केला आहे;

आणि ज्याअर्थी, संचालक, नगररचना, महाराष्ट्र राज्य, पुणे यांचेशी सल्लामसलत केल्यानंतर उक्त फेरबदल काही सुधारणांसह मंजूर करणे आवश्यक आहे, असे शासनाचे मत झाले आहे;

आणि त्याअर्थी, उक्त अधिनियमाच्या कलम ३७ (२) अन्वये प्रदत्त असलेल्या अधिकारांचा वापर करून शासन याद्वारे:-

(अ) उक्त प्रस्तावित फेरबदलास म्हणजेच ‘सर्वसमावेशक विकास नियंत्रण व प्रोत्साहन नियमावलीस’ सोबतच्या परिशिष्टात दर्शविल्याप्रमाणे सुधारणांसह मान्यता देत आहे.

(ब) सदरहू अधिसूचना **शासन राजपत्रात** प्रसिद्ध झाल्याचा दिनांकापासून सदर सुधारणा अंमलात येईल.

(क) महाराष्ट्र औद्योगिक विकास महामंडळ यांना निर्देशित करण्यात येते की, उक्त अधिसूचनेसोबत जोडलेल्या फेरबदलाच्या अनुसूचीमध्ये शेवटच्या नोंदीनंतर वर “अ” मधील नवीन नोंद समाविष्ट करावी.

प्रस्तुत अधिसूचनेची प्रत सर्वसमावेशक विकास नियंत्रण व प्रोत्साहन नियमावलीसह खाली उल्लेखिलेल्या कार्यालयामध्ये कार्यालयीन कामकाजाच्या दिवशी एक महिन्याच्या कालावधीसाठी कार्यालयीन वेळेत अवलोकनार्थ उपलब्ध राहील.

(१) मुख्य नियोजक, महाराष्ट्र औद्योगिक विकास महामंडळ, उद्योगसारथी, मरोल औद्योगिक क्षेत्र, महाकाली गुंफा मार्ग, अंधेरी (पूर्व), मुंबई ४०० ०९३.

(२) संचालक, नगररचना, महाराष्ट्र राज्य, मध्यवर्ती कार्यालय इमारत, पुणे.

सदर अधिसूचना शासनाच्या www.maharashtra.gov.in (Acts / Rules) वेबसाइटवर प्रसिद्ध करण्यात आली आहे.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने,

निर्मलकुमार चौधरी,
शासनाचे उप सचिव.

प्रतिभा भदाणे,
शासनाचे सहसचिव.

URBAN DEVELOPMENT DEPARTMENT

Mantralaya, Mumbai 400 032, Dated the 5th July, 2023.

NOTIFICATION

MAHARASHTRA REGIONAL AND TOWN PLANNING ACT, 1966.

No.TPB-4322/314/CR-25/2022/UD-11.— Whereas, the 'Maharashtra Industrial Development Corporation' is deemed to have been appointed as the 'Special Planning Authority' (hereinafter referred to as "the said Authority"), by virtue of the provisions of sub-section 1A of Section 40 of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as "the said Act") over any area where Chapter VI of the Maharashtra Industrial Development Corporation Act, 1961 applies or any other area comprising government land transferred to the Maharashtra Industrial Development Corporation (hereinafter referred to as "MIDC");

And whereas, the said Authority has revised the Development Control Regulations which have been sanctioned by the Government in the Urban Development Department *vide* Notification No.TPB4308/465/CR-64/08/UD-11, dated 31st August 2009 so as to take effect from 24th September 2009 (hereinafter referred to as "the said Regulations");

And whereas, the Government of Maharashtra, in exercise of the powers conferred under sub-section (1AA) of Section 37 of the said Act, has sanctioned modifications to the said DCR *vide* Urban Development Notification No.TPB 4314/20/R-32/2014/UD-11, dated 1st August 2015 which are applicable to Integrated Industrial Areas for which M.I.D.C. is SPA under section 40 of the said Act;

And whereas, considering the changing needs of the MIDC notified area, the said Authority has decided to prepare a new set of Development Control and Promotion Regulations on the basis of Unified Development Control and Promotion Regulations by modifying the said Regulations by carrying out a modification under sub section (1) of Section 37 of the said Act; And Whereas accordingly the said Authority has prepared 'Comprehensive Development Control and Promotion Regulations-2022' for the MIDC notified area (hereinafter referred to as "the Proposed Modification") and after obtaining sanction in its Board Meeting No.391, dated 30th November, 2021 *vide* resolution, the said Authority has published a Notice dated 3rd February 2022 (hereinafter referred to as "the said Notice") for inviting objections/suggestions from the general public as required under sub-section (1) of Section 37 of the said Act with regard to the Proposed Modification And Whereas, the said Authority has completed all the legal procedure stipulated under sub-section (1) of section 37 of the said Act and has submitted to the Govt, for its sanction the Proposed Modification proposal *vide* its letter dated the 7th June 2022.

And whereas, after consulting the Director of Town Planning, Maharashtra State, Pune, the Government is of the opinion that the Proposed Modification is required to be sanctioned with some changes;

Now, therefore, in exercise of the powers conferred by sub-section (2) of the Section 37 of the said Act, the Government hereby :—

(A) Sanctions the proposed modification *i.e.* Comprehensive Development Control and Promotion Regulations with some changes, as described more specifically in the Schedule appended hereto.

(B) Fixes the date of publication of this Notification in the *Official Gazette* as the date of coming into force of this modification.

(C) Directs the Maharashtra Industrial Development Corporation that in the Schedule of Modifications sanctioning the said Regulations, after the last entry, the Schedule referred to at (A) above shall be added.

A copy of this Notification along with Comprehensive Development Control & Promotion Regulations shall be made available for inspection for a period of one month on all working days at the following offices :—

(a) Chief Planner, MIDC, Udyog Sarathi, Marol Industrial Area, Mahakali Caves Road, Andheri (E), Mumbai 400 093.

(b) Director ,Town Planning, Maharashtra State, Central Building, Pune.

The Notification shall also be made available on the Government of Maharashtra website: *www.maharashtra.gov.in* (Acts/Rules).

By order and in the name of the Governor of Maharashtra,

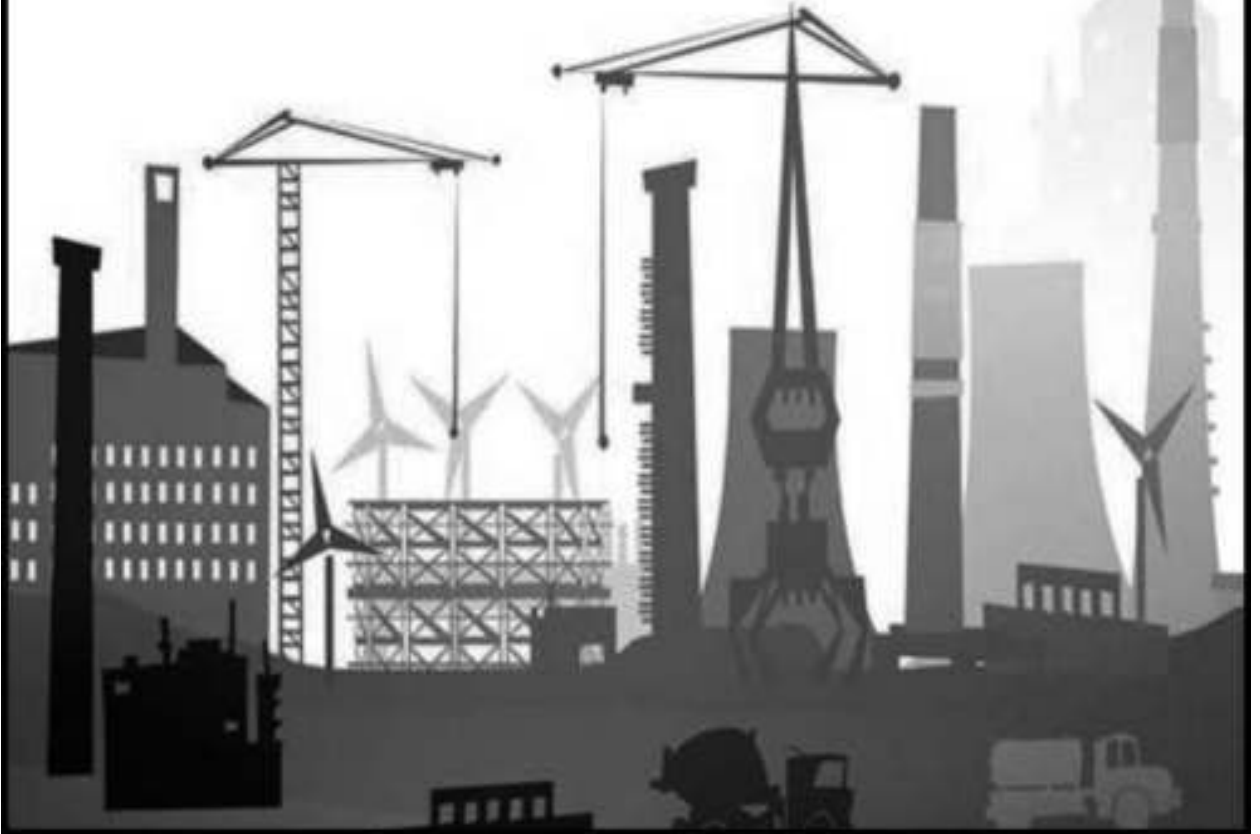
NIRMALKUMAR CHAUDHARI,
Deputy Secretary to Government.

PRATIBHA BHADANE,
Joint Secretary to Government.



Maharashtra Industrial Development Corporation

Comprehensive Development Control & Promotion Regulations 2023



(Comprehensive Development Control & Promotion Regulations sanctioned u/s 37(2) of Maharashtra Regional and Town Planning Act, 1966)

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CHAPTER – 1

ADMINISTRATION

1.0 SHORT TITLE, EXTENT & COMMENCEMENT

These regulations shall be called as “Comprehensive Development Control and Promotion Regulations for areas notified for Maharashtra Industrial Development Corporation” (hereinafter called “These Regulations” or “Comprehensive Development Control and Promotion Regulations” - CDCPR)

1.1 EXTENT AND JURISDICTION

These regulations shall apply to the building activities and development works on lands notified for Maharashtra Industrial Development Corporation (MIDC) to function as Special Planning Authority under the provisions of section 40 (1A) & 40 (1B) of Maharashtra Regional and Town Planning Act, 1966 and / or 43-1B of Maharashtra Industrial Development Act, 1961 and relevant provisions of Maharashtra Industrial Development Act, 1961. These regulations may also be used for granting development permission on lands acquired u/s 15 (b) of Maharashtra Industrial Development Act, 1961.

1.2 COMMENCEMENT OF REGULATIONS

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

1.3 DEFINITIONS

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

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

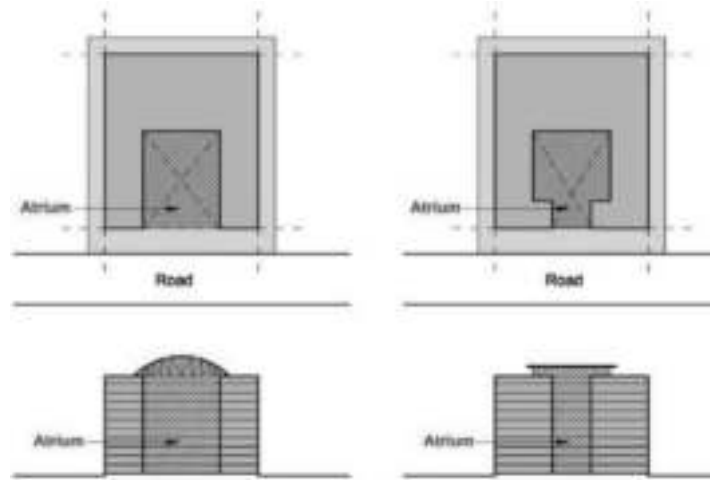
- i) Maharashtra Regional and Town Planning Act, 1966;
- ii) Maharashtra Industrial Development Act, 1961;
- iii) Maharashtra Land Revenue Code, 1966;
- iv) Real Estate (Regulation and Development) Act, 2016;
- v) National Building Code of India, 2016;
- vi) Maharashtra Housing and Area Development Act, 1976;
- vii) Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971;
- viii) Special Economic Zone Act, 2005.
- ix) Maharashtra Fire Prevention and life Safety Measures Act, 2006.

1. **Act** – means the Maharashtra Regional & Town Planning Act, 1966 as may be amended from time to time.
2. **Addition / Alteration** – means any change in existing authorized building or change from one occupancy to another, or a structural change, such as an addition to the area or height, or the removal of part of a building, or any change to the structure, such as the construction of, cutting into or

removal of any wall, partition, column, beam, joist, floor, roof or other support or a change to or closing of any required means of ingress or egress or a change to the fixtures of equipment as provided under these regulations. However, modification in regards to gardening, white washing, painting, plastering, pointing, paving and retiling shall not be deemed to be alteration.

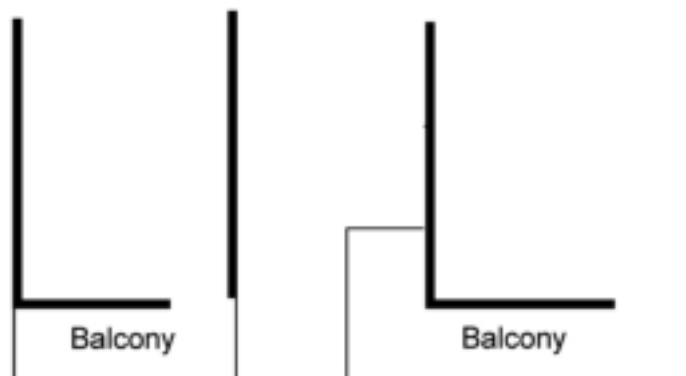
3. **Advertising Sign**– means any surface or structure with characters, letters or illustrations applied thereto and displayed outdoor in any manner whatsoever for purposes of advertising or to give information regarding or to attract the public to any place for public performance, article or merchandise whatsoever, or is attached to, or forms a part of building, or is connected with any building or is fixed to a tree or to the ground or to any pole, screen, fence or hoarding or displayed in space, or in or over any water body.
4. **Air-conditioning** – means the process of treating air so as to control simultaneously its temperature, humidity, cleanliness and distribution to meet the requirement of conditioned space.
5. **Accessory / Ancillary Building** – means a building separate from the main building on a plot and containing one or more rooms for accessory use such as servant quarters, garage, store rooms etc.
6. **Accessory / Ancillary Use** – means any use of the premises subordinate to the principal use and incidental to the principal use.
7. **Amenity Space** - for the purpose of these regulations, amenity space means a statutory space kept in any layout to be used for any of the amenity such as open spaces, parks recreational grounds, playgrounds, sports complex, gardens, convenience shopping, stall sites, parking lots, nursery, palnaghar, primary and secondary schools / colleges, educational institution, training centre, pollution control laboratories, health club, dispensary, nursing home, hospital, MIDC offices, local area offices, common facility centre / recreational centre, industries association offices, *administration offices*, post-office, police station, fire station, electric substation, ATM of banks, milk booth, communication centre, electronic cyber library, open market, garbage bin, assisted living and hospice together (, senior citizen housing and orphanage together, plots for project affected persons, auditorium, conventional centre, sulabh shauchalaya, transportation hubs, transport terminals, petrol pump / fuel filling / electric charging station, motels fronting on arterial roads, hotels and restaurant, water supply, electricity supply and other utilities, services and conveniences and other uses as may be allowed by CEO, MIDC.
8. **Annual Statements of Rates** – means the Annual Statements of Rates (ASR) published by the Inspector General of Registration and Controller of Stamps Maharashtra State, Pune.
9. **Architectural projection** –means a protrusion from the building facade or line of the building only for aesthetic purpose and not used for any habitable purpose.
10. **Access** – means a clear approach to a plot or a building.
11. **Architect** - An Architect who is duly registered with the Council of Architecture under the Architects Act, 1972.
12. **Apartment** - means whether called block, dwelling unit, flat, tenement, unit by any other name, means a separate and self-contained part of any immovable property, including one or more rooms or enclosed spaces, located on one or more floors or any part thereof, in a building or on a plot of land, used or intended to be used for residential use or for any other type of use ancillary to the purpose specified.
13. **Applicant** – means any person who is an owner / lessee or a person having an irrevocable registered Power of Attorney of an owner and any other document as acceptable to the Authority.

- 14. Atrium** – means a large-volume space created by a floor opening or series of floor openings connecting two or more stories that is covered at the top of the series of openings and is used for purposes other than an enclosed stairway; lifts hoist-way; an escalator opening; or as a utility shaft used for plumbing, electrical, air conditioning, or communications facilities.



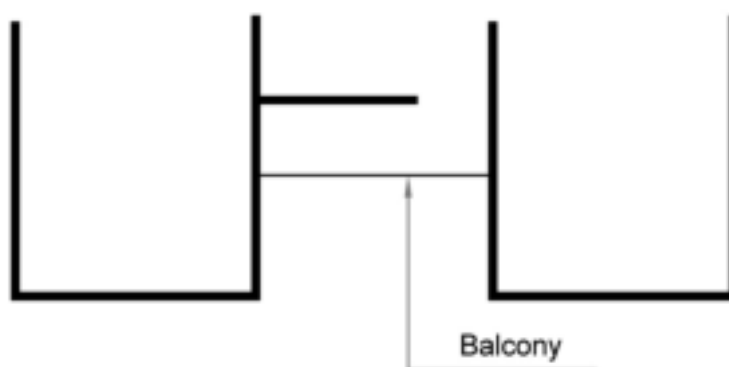
- 15. Authority** – means the Chief Executive Officer, MIDC or person exercising such powers under the Act.
- 16. Automatic Fire Detection & Alarm System** – means Fire alarm system comprising components for automatically detecting a fire, initiating an alarm of fire and initiating other actions as appropriate. The system may include manual fire alarm call points.
- 17. Automatic sprinkler system** - means a system of water pipes fitted with sprinkler heads at suitable intervals and heights and designed to actuate automatically control and extinguish a fire by the discharge of water.
- 18. Balcony** – means a horizontal cantilever projection, including parapet, handrail or balustrade to serve as a passage or sitting out place with at least one side open, except for the railing or parapet wall for safety.

Balcony to The Exterior of The Wall



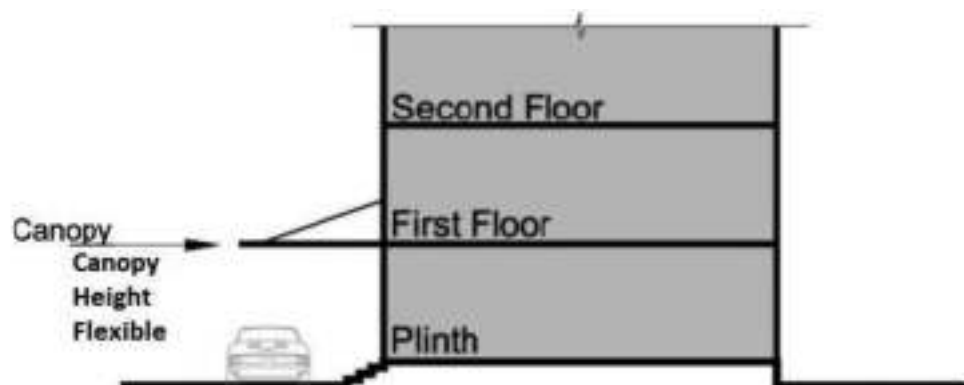
Also, non-cantilever balcony shown in the illustration below shall be treated as balcony.

Open Balcony Permissible



19. **Basic FSI** – means Floor Space Index permissible without levy of premium or loading of TDR on any parcel of land as per the provisions of these regulations.
20. **Basement/Cellar** – means the lower storey of a building below or partly below the ground level with one or more than one levels.
21. **Biotechnology Unit / Park** – means a Unit or a Park which is certified as such by the Development Commissioner (Industries).
22. **Booster fire pump** - means a mechanical/electrical device which boosts up the water pressure at the top level of a multi-storied/high rise building and which is capable of a pressure of 3.2 kg/cm² at the nearest point.
23. **Building** – means any structure for whatsoever purpose and of whatsoever materials constructed and every part thereof whether used as human habitation or not and includes foundation, plinth, walls, floors, roofs, chimneys, wells, door steps, fencing, plumbing and building services, fixed -platforms, veranda, balcony; cornice or projection, part of a building or anything affixed thereto or any wall fence enclosing or intended to enclose any land or space and signs and outdoor display structures. However, tents, shamiyanas and the tarpaulin shelters erected for temporary and ceremonial occasions with the permission of the Authority shall not be considered as building.
24. **Built up Area** – means the area covered by a building on all floors including cantilevered portion, mezzanine floors, if any, but excluding the areas specifically exempted from computation of Floor Space Index (F.S.I.) under these Regulations.
25. **Building Line** – means the line upto which the plinth of a building adjoining a street or an extension of a street or on a future street may lawfully extend. It includes the lines prescribed, if any, in any Statutory Plan or under any other law in force.
26. **Building Height** – means the vertical distance measured in the case of flat roofs, from the average level of the ground around and contiguous to the building or as decided by the Authority to the terrace of last floor of the building adjacent to the external walls; to the highest point of the building and in the case of pitched roofs, upto the point where the external surface of the outer wall intersects the finished surface of the sloping roof; and in the case of gable facing road, the mid-point between the eaves level and the ridge. Architectural features serving no other function except that of decoration, terrace water tank, staircase roof, parapet wall & solar panel on terrace shall be excluded for the purpose of measuring heights.
27. **Cabin** – means a non-residential enclosure constructed of non-load bearing, non-masonry partitions.

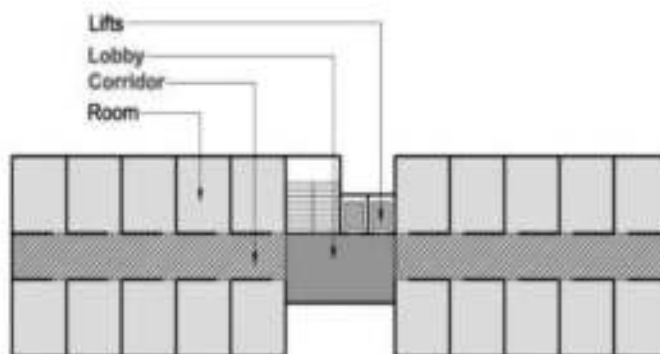
28. **Carpet area** – means the net usable floor area of an apartment, excluding the area covered by the external walls, areas under services shafts, exclusive balcony or veranda area and exclusive open terrace area, but includes the area covered by the internal partition walls of the apartment.
Explanation (1) -The expression "exclusive balcony or veranda area" means the area of the balcony or veranda, as the case may be, which is appurtenant to the net usable floor area of an apartment, meant for the exclusive use of the allottee; and "exclusive open terrace area" means the area of open terrace which is appurtenant to the net usable floor area of an apartment, meant for the exclusive use of the allottee.
Explanation (2) - If in any regulation of these regulations, carpet area is defined different than what is mentioned here, then carpet area as mentioned in that regulation, shall be applicable.
29. **Chajja** – means a sloping or horizontal structural overhang usually provided over openings on external walls to provide protection from sun and rain and / or for purpose of *aesthetic* appearance.
30. **Chief Executive Officer** – means the Chief Executive Officer appointed by the State Government under sub-section (1) of section (12) of the Maharashtra Industrial Development Act, 1961.
31. **Chief Fire Officer** – means a Chief Fire Officer as specified in the Maharashtra Fire Prevention and Life Safety Measures Act, 2006 and Rules there under as amended from time to time.
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.
33. **Cluster** – means any area of land so defined, under these regulations.
34. **Combustible Material** – means a material which when burnt adds heat to a fire when tested for combustibility in accordance with IS 3808-1979: Method of test for non-combustibility of building materials (first revision) given in the National Building Code.
35. **Control Line** – means a line on either side of a highway or part of highway beyond the building line fixed in respect of such highway by the Highway Authority from time to time.
36. **Courtyard or Chowk** – means a space permanently open to sky enclosed on sides fully or partially by buildings and may be at ground level or any other level within or adjacent to a building.
37. **Canopy** – means a cantilevered projection over any entrance to *any side of a* building.



38. **Convenience Shops** – means shops for day-to-day domestic needs, as distinguished from wholesale trade or departmental store.
39. **Contiguous Holding** - means a continuous piece of land in one ownership / lease irrespective of

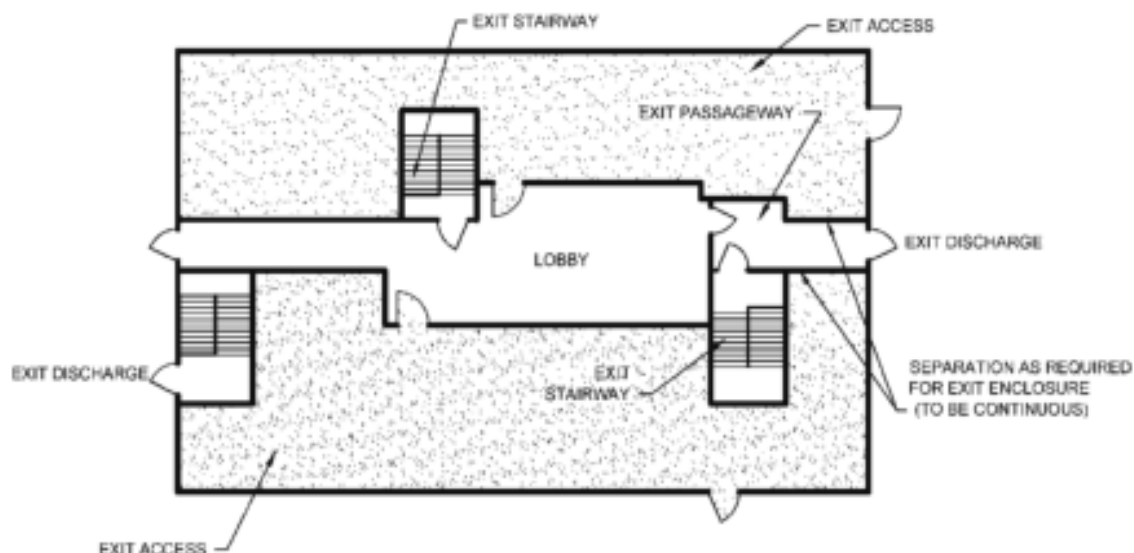
separate property register cards/possession receipts of plots.

40. **Corridor** – means a common passage or circulation space including a common entrance space *and also include corridor provided for approach to built spaces around the building.*



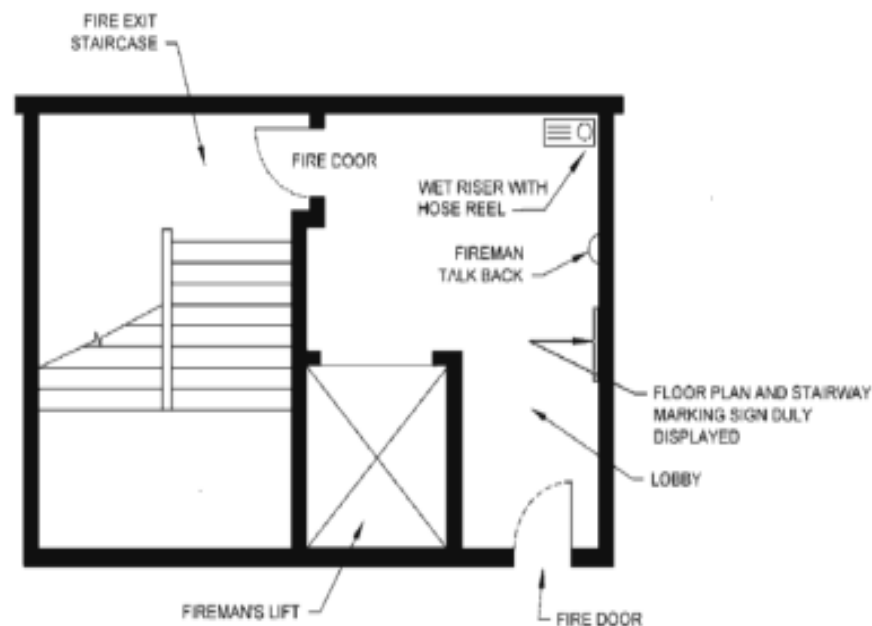
41. **Curb Cut** – means a small solid (usually concrete) ramp that slopes down from the top surface of a sidewalk or footpath to the surface of an adjoining street. It is designated for ease of access for pedestrians, bicyclists and differently abled people.
42. **Detached Building** – means a building whose walls and roofs are independent of any other building with marginal distances on all sides as may be specified.
43. **Development** – Development with its grammatical variations means the carrying out of buildings, engineering, mining or other operations in or over, or under land or the making of any material change, in any building or land or in the use of any building or land or any material or structural change in any Heritage building or its precinct and includes demolition of any existing building, structure or erection of part of such building, structure or erection and reclamation, redevelopment and layout or sub-division of any land and to develop shall be construed accordingly.
44. **Development Rights** – means right to carryout development or to develop the land or building or both and shall include the transferable development right in the form of right to utilize the floor space index of land utilizable either on the reminder of the land partially reserved for public purpose or elsewhere as the development control& promotion regulations in this behalf provide.
45. **Dharmashala** – means a building used as a place of religious assembly, rest house, a place in which charity is exercised with religious or social motives, or a place where in a certain section of people have a right of residence or are granted residence without payment or on nominal payment.
46. **Development Plan** – means a plan for the development or re-development of the area within the jurisdiction of a Planning Authority and includes revision of a Development Plan and Planning Proposals of a Special Planning Authority for development of land within its jurisdiction.
47. **Drain** – means a system or a line of pipes, with their fittings and accessories, such as manholes, inspection chambers, traps, gullies, floor traps used for the drainage of building, or number of building or land appurtenant to the buildings within the same cartilage. A drain shall also include open channel for conveying surface water or a system for the removal of any liquid.
48. **Down Comer** - means an arrangement of fire fighting with in a 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 valve on each floor / landing. It is also fitted with inlet connections at ground.
49. **Double Frontage** – means a site, having a frontage on two streets other than a corner plot.

50. **Dry Riser** – means an arrangement of the 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.
51. **Dwelling Unit / Tenement** – means an independent housing unit with separate facilities for living, cooking and sanitary requirements.
52. **Eating House** – means any premises where any kind of food is prepared or supplied for consumption by public for a profit or gain of any person owning or having an interest in or managing such premises.
53. **Emergency Lighting** – means lighting provided for use when the supply to the normal lighting fails.
54. **Emergency Lighting System** – means a complete but discrete emergency lighting installation from the stand by power source to the emergency lighting lamp(s) for e.g. self-contained emergency luminaire.
55. **Enclosed Stair case** – means a stair case separated by fire resistant walls and door(s) from the rest of the building.
56. **Energy Efficient Building** – means a building compliant with the provisions of Energy Conservation Building Code (ECBC).
57. **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.
58. **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.
59. **Escalator** – means a power-driven, inclined, continuous stairway used for ascending or descending between floors or bridge over a road/ railway line.
60. **Existing Building** – means a building, structure existing authorisedly.
61. **Existing use** – means use of a building or structure existing authorisedly.
62. **Exit** – means that unobstructed component of means of egress which is between the exit access and the exit discharge or public way. Exit components include exterior exit doors at the level of exit discharge, interior exit stairways, exit passageways, exterior exit stairways and exterior exit ramps
 - i) **Exit Access** - That portion of a means of egress that leads to an exit (for example, doorways, staircase lobby, ramps, Veranda, corridor or passageway leading to an exit)
 - ii) **Exit Access Corridor** - A corridor in exit access which may not necessarily have the requirement of exits being met.
 - iii) **Exit Discharge** - The component of a means of egress between the termination of an exit and a public way.



63. **External Wall** – means an outer wall of a building not being a party wall even though adjoining to a wall of another building and also means a wall abutting on an interior open space of any building.
64. **Fire and / or Emergency Alarm System** – means an arrangement of call points or detectors, sounders and other equipment's for the transmission and indication of alarm signals, for testing of circuits and, whenever required, for the operation of auxiliary services. This device may be workable automatically or manually to alert the occupants in the event of fire or other emergencies.
65. **Fire Exit** - means a way out leading to an escape route having panic bar hardware provided on the door.
66. **Fire Lift** – means the lift installed to enable fire service personnel to reach different floors with minimum delay, having such features as required in accordance with these regulations.
67. **Fire Proof Door** – means a door or shutter fitted to a wall opening made of fire-resistant material to prevent the transmission and spread of heat, smoke and fire for a specified period.
68. **Fire Pump** – means a machine driven by external power of transmitting energy to fluids by coupling the pump to a suitable engine or motor, which may have varying outputs/capacity but shall be capable of having a pressure of 3.5 kg/cm^2 at the topmost level of a multi-storied or high-rise building.
69. **Fire Resistance** – means a property of an element of building construction and is the measure of its ability to satisfy for a stated period, some or all of the following criteria:
 - i) Load bearing capacity (Stability) - The ability of a load bearing element to withstand fire exposure without any loss of structural stability.
 - ii) Integrity - Resistance to penetration of flame and hot gases.
 - iii) Insulation - Resistance to temperature rise on the unexposed face upto a maximum of 180°C at any single point and average temperature of 140°C .
70. **Fire Resistance Rating** – means the time that a material or construction will withstand the standard fire exposure as determined by fire test done in accordance with the standard methods of fire tests of materials/ structures as per the accepted standard.
71. **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.

72. **Fire Separation** – means the distance in meters measured from any other building on the site, or from other site, or from the opposite side of a street or other public space to the building.
73. **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 & Fire Advisor to MIDC.
74. **Firefighting Shaft (Fire Tower)** – means an enclosed shaft having protected area of 120 min fire resistance rating comprising protected lobby, staircase and fireman's lift, connected directly to exit discharge or through exit passageway with 120 min fire resistant wall at the level of exit discharge to exit discharge. These shall also serve the purpose of exit requirement/ strategy for the occupants. The respective floors shall be approachable from fire-fighting shaft enabling the fire fighters to access the floor and also enabling the fire fighters to assist in evacuation through fireman's lift. The firefighting shaft shall be equipped with 120 min fire doors. The firefighting shaft shall be equipped with firemen talk back, wet riser and landing valve in its lobby, to fight fire by fire fighters.



(LAYOUT TO BE PLANNED AS PER PROJECT BASIS MEETING ALL THE REQUIRED DETAILS)

NOTES

- 1 Where such lobbies and staircase in the firefighting shaft are naturally ventilated/cross-ventilated, the shaft may not be enclosed and fire door need not be provided.
- 2 For all enclosed firefighting shaft, the shaft's lobby should have floor plan duly displayed for the information of fire fighters.

75. **Floor** – means the lower surface in a storey on which one normally walks in a building. The general term floor, unless otherwise specifically mentioned, shall not refer to a mezzanine floor.
- Note** - The sequential numbering of floors shall be determined by its relation to the determining entrance level. For floor at or above ground level, with direct entrance from / to road or street shall be termed as ground floor. The other floors above ground floor shall be numbered in sequence as Floor 1, Floor 2, etc., with the number increasing upwards. The stilt shall be termed as stilt floor or Stilt floor 1, Stilt floor 2 etc. and floors above shall be numbered as Floor 1, Floor 2, etc.
76. **Floor space index (F. S. I)** – means the quotient obtained by dividing the area covered by P line as mentioned in Regulation No. 5.6 by the net area of the plot.

F.S.I. = Area covered by P-line as mentioned in Regulation No. 5.6 on all floors /Net Plot area

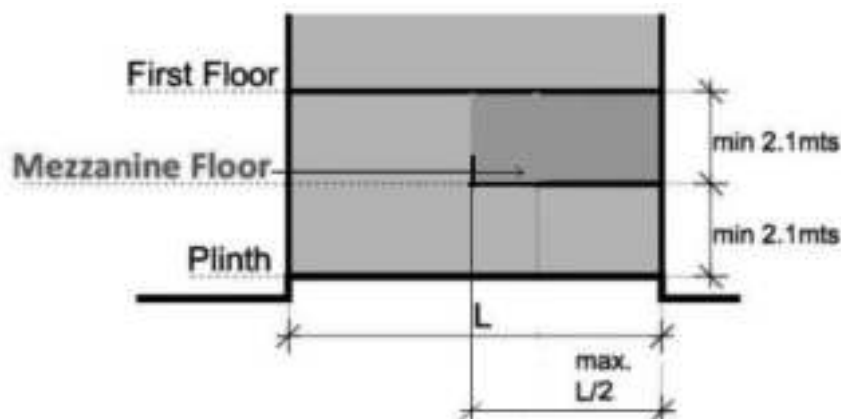
Premium FSI - means the FSI that may be available on payment of premium as may be prescribed under these regulations.

Ancillary FSI – means the FSI that may be available on payment of premium as may be prescribed under these regulations on the quantum of basic FSI and/or premium FSI that is proposed to be utilised in the development permission.

77. **Footing** – means a foundation unit constructed in brick work, masonry or concrete, steel or any other material permissible as per IS Code under the base of a wall or column for the purpose of distributing the load over a large area.
78. **Foundation** – means that part of the structure which is in direct contact with and transmitting loads to the ground.
79. **Front Open Space / Margin / Setback** – means the distance between the boundary line of plot abutting the means of access/ road/ street and the building line. In case of plots facing two or more means of accesses / roads / streets, the plot shall be deemed to front on all such means of accesses / roads / streets.
80. **Gallery** – means an intermediate floor or platform projecting from a wall of an auditorium of a hall providing extra floor area, additional seating accommodation etc. These shall also include the structures provided for seating in stadia.
81. **Garage -A) Private Garage** – means a building or portion thereof having a roof and walls on three sides, designed and used for parking of privately owned motor driven or other vehicles within a project. A private garage is not operated for gain and not designed or used for repairing, servicing, hiring, selling etc. of such vehicles. It does not include an unenclosed or uncovered parking space such as open parking areas.
B) Public Garage – means a building or portion thereof designed as a garage operated for gain, and used for repairing, servicing, hiring, selling or storing or parking of motor driven or other vehicles.
82. **Grey Water** – means waste water from kitchen sink, bathrooms, tubs, showers, wash basins, washing machines and dish washers excluding the waste water from water closets (W.C.).
83. **Group Housing Scheme** – means a building or a group of buildings constructed or to be constructed with one or more floors, consisting of more than one dwelling units and having common service facilities. Common service facilities mean facilities like stair case, balcony, corridor and verandah, lift, etc.
84. **Ground Level** – means the average level of the ground in a plot.
85. **Habitable Room** – means a room constructed or intended for human habitation and uses incidental thereto, including kitchen if used as a living room but excluding a bathroom, water closet compartment, laundry, serving and storing pantry, corridor, cellar, attic and spaces not frequently used.
86. **Hazardous Material** means -
 - i) Radioactive substances;
 - ii) Material which is highly combustible or explosive and/or which may produce poisonous fumes or explosive emanations or storage, handling, processing or manufacturing of which may involve highly corrosive, toxic or noxious alkalis or acids or other liquids;
 - iii) Other liquids or chemicals producing flame, explosives, poisonous irritant or corrosive gases or which may produce explosive mixtures of dust or fine particles capable of spontaneous ignition.

87. **High-rise Building** – means a building having a height of 24 m or more above the average surrounding ground level excluding chimneys, cooling towers, boiler, rooms / lift machine rooms, non-working areas in case of industrial buildings, and water tanks, and architectural features in respect of other buildings.
88. **Home Occupation** – means customary home occupation other than the conduct of an eating or a drinking place offering services to the general public, customarily carried out by a member of the family residing on the premises without employing hired labour, and for which there is no display to indicate from the exterior of the building that it is being utilised in whole or in part for any purpose other than a residential or dwelling use, and in connection with which no article or service is sold or exhibited for sale except that which is produced therein, which shall be non-hazardous and not affecting the safety of the inhabitants of the building and the neighbourhood, and provided that no mechanical equipment is used except that as is customarily used for purely domestic or household purposes and/or employing licensable goods. Home Occupation may also include such similar occupations as may be specified by the Authority.
89. **Hoarding** - means any surface or structure erected on ground or any portion of roof of a building or on or above the parapet, with characters, letters or illustrations applied thereto and displayed in any manner whatsoever out of doors for purpose of advertising or to give information regarding or to attract the public to any place, person, public performance, article of merchandise whatsoever.
90. **Layout Open Space / Recreational Open Space** – means a statutory common open space kept in any layout, sub-division or group housing scheme or campus planning exclusive of margins and approaches.
91. **Ledge or Tand** – means a shelf like projection, supported in any manner whatsoever, except by vertical supports within a room
92. **Licensed Engineer / Structural Engineer / Town Planner / Supervisor** – means a qualified Engineer / Structural Engineer / Town Planner / Supervisor licensed by the Municipal Corporation / Municipal Council / Town Planning Department.
93. **Lessor** in respect of “Notified Area” – means MIDC where MIDC has executed the Lease in favour of its allottee.
94. **Lessee** in respect of Area – means the allottee in favour of whom Lease has been granted by MIDC.
95. **Lift** – means an appliance designed to transport persons or materials between two or more levels in vertical or substantially vertical directions, by means of a guided car platform
96. **Lift Lobby** – means a space from which people directly enter lift car(s) and in to which people directly enter upon exiting lift car(s).
97. **Lift Machine** – means part of the lift equipment comprising the motor(s) and the control gear there with, reduction gear (if any), brakes and winding drum or sheave, by which the lift car is raised or lowered.
98. **Lift Well** – means unobstructed space within an enclosure provided for the vertical movement of the lift car(s) and any counter weights, including the lift pit and the space for top clearance and maintenance.
99. **Loft** – means a shelf like projection supported in any manner whatsoever, except by means of vertical supports within a room itself.

- 100. Mall** – means a large enclosed area comprising of shopping, entertainment and eating facilities and facilities incidental thereto.
- 101. Marginal Open Space / Marginal Distance - Side and Rear** – means a minimum distance required to be left open to sky between the boundary of the building plot and the building line on respective sides.
- 102. Masonry** – means an assemblage of masonry units properly bound together with mortar.
- 103. Mezzanine floor** – means an intermediate floor between two floors of any story, forming an integral part of floor below, overhanging or overlooking a floor beneath, not being a loft between the floor and ceiling of any storey.



- 104. Means of Access** – means the road/ street/ vehicular access way, pathway upto the plot and to the building within a plot.
- 105. Means of Egress** - means a continuous and unobstructed way of travel from any point in a building or structure to a place of comparative safety.
- 106. Multiplex/Multiplex Theatre Complex (MTC)** – means a place of public entertainment for the purpose of exhibition of motion pictures with multiple screens and/or dramas and other social or cultural programmes as described in Maharashtra Entertainment Duty Act, 1923.
- 107. Net Plot Area** – means area of the plot as defined in these regulations.
- 108. Non-Combustible** - means material which does not burn nor add heat to a fire when tested for combustibility in accordance with IS-3808-1966.
- 109. Non-conforming User** – means any lawful use/building existed on the site but which does not conform to the zoning shown on any Statutory Plan in force.
- 110. Noise Barrier** – means an exterior structure/part of structure designed to protect inhabitants of sensitive land use areas from noise pollution.
- 111. Occupancy or Use Group** – means the principal occupancy or use for which a building or a part of a building is used, or intended to be used. Occupancy shall be deemed to include subsidiary occupancies which are contingent upon principal occupancy or use. Buildings with mixed occupancies are those in which, more than one, occupancy is present in different portions of the building. The occupancy classification shall have the meaning given in this regulation, unless otherwise spelt out in any plan under the Act.
- i) Residential Building** means any building in which sleeping accommodation is provided for normal residential purposes with or without cooking or dining or both facilities. It includes one

or two or multi-family dwellings, lodging or rooming houses, residential hotels, hostels, dormitories, Dharmashala, apartment houses, flats, service apartments, studio apartments and private garages incidental thereto;

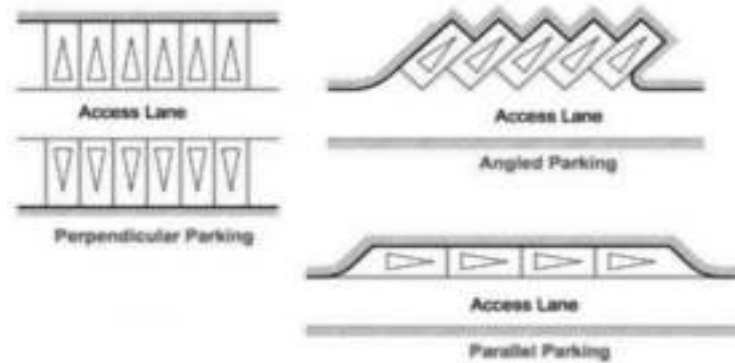
- ii) **Educational Building** means a building exclusively used for a school or college recognized by the appropriate Board or University, or any other competent authority involving assembly for instruction, education or recreation incidental to educational use, and including a building for such other uses incidental thereto such as library, multi-purpose hall, auditorium or a research institution. It shall also include quarters for essential staff required to reside on the premises and a building used as a hostel attached or independent to an educational institution whether situated on or off its campus and also includes buildings used for day-care purposes for more than 8 hours per week;
- iii) **Institutional Building** means a building constructed or used for research in education, health and other activities, for medical or other treatment, hostel for working women/ persons/ students but not for lodging, an auditorium or complex for cultural and allied activities or for an hospice, care of persons suffering from physical or mental illness, handicap, disease or infirmity, care of orphans, abandoned women, children and infants, convalescents, destitute or aged persons and for penal or correctional detention with restricted liberty of the inmates ordinarily providing sleeping accommodation, and includes hospitals, sanatoria, custodial and penal institutions such as jails, prisons, mental hospitals, houses for correctional detention and reformatories;
- iv) **Assembly Building** means any building or part of a building where groups of people congregate or gather for amusement, recreation or social, religious, patriotic, civil, travel and similar purposes, e.g. theatres, motion picture houses, drive-in-theatres, multiplexes, assembly halls, city halls, town halls, auditoria, exhibition halls, museums, mangal-karyalayas, cultural centres, skating rinks, places of worship, dance theatres, clubs & gymkhanas, malls, passenger stations and terminals of air, surface and other public transportation services, recreation piers and stadia;
- v) **Business Building** means any building or part thereof which is used for transaction of business for the keeping of accounts and records for similar purposes; offices, banks, professional establishments, I.T. establishments, call centres, offices for private entrepreneurs etc. shall be classified in this group in so far as principal function of these is transaction of public business and the keeping of books and records;
- vi) **Office Building / Premises** means the premises whose sole or principal use is to be used as an office or for office purpose; "office purposes" shall include the purpose of administration, clerical work, handling money, telephone/telegraph/ computer operations; and 'clerical work' shall include writing, book-keeping, sorting papers, typing, filing, duplicating, drawing of matter for publication and the editorial preparation of matter for publication and such other activities;
- vii) **Mercantile (Commercial) Building** means any building or part of a building which is used as shops, stores, market, malls for display and sale of merchandise, either wholesale or retail, including office, storage and service facilities incidental to the sale of merchandise and located in the same building;
- viii) **Public / Semi - public Building** means a building used or intended to be used, either ordinarily or occasionally by the public such as (a) offices of State or Central Government, any public sector undertaking or statutory or local Authority or Semi Government Organization (b) a place for public worship, etc.;

- ix) **Wholesale Establishment** means an establishment, wholly or partly engaged in wholesale trade, manufacturers' wholesale outlets including related storage facilities, A.P.M.C. establishments, warehouses and establishments engaged in truck transport including truck transport booking agencies;
- x) **Industrial Buildings** means any building or part of a building or structure, in which products or materials of all kinds and properties are fabricated, assembled or processed like assembling plants, laboratories, power plants, smoke houses, refineries, gas plants, mills, dairies, factories etc.;
- xi) **Storage Buildings** means any building or part of a building used primarily for the storage or sheltering of goods, wares or merchandise, like warehouses, *logistic park*, cold storages, freight depots, transit sheds, godowns, store houses, public garages, hangars, truck terminals, grain elevators, barns and stables;
- xii) **Hazardous Building** means any building or part of a building which is used for the storage, handling, manufacture or processing of radioactive, highly combustible or explosive materials or products which are liable to burn with extreme rapidity and / or which may produce poisonous fumes or explosive emanations during storage, handling, manufacturing or processing, which involve highly corrosive, toxic or noxious alkalis, acids or other liquids or chemicals producing flames, fumes and explosive mixtures of dust or which result in the division of matter into fine particles capable of spontaneous ignition;
- xiii) **Information Technology Building / Establishment (ITE)** means an establishment which is in the business of developing either software or hardware relating to computers or computer technology as approved by Director of Industries.
- xiv) **Special Building means-**
- any building having height 24 m or more and hazardous building having height more than 15 m, or
 - any building used for hotel, educational, institutional, business, mercantile, industrial, storage, hazardous and mixed occupancies, where any of these buildings have floor area more than 500 sqm on any one or more floors, or
 - all assembly buildings having floor area more than 500 sqm on any one or more floors, or
 - buildings with two basements or more, or with one basement of area more than 500 sqm
- Note** – Any building with mixed occupancies mentioned at (b) & (c) above with height upto 24m. but built-up area upto 750 sq m on any floor and sprinkler system is provided and travel distance is maintained as per these regulations, shall not be considered as special building, subject to fire NOC.
- xv) **Yatri Niwas** means a building used for accommodation of tourist, traveller etc.
- xvi) **Data Centre** means a building or group of buildings used to house computer systems and associated components, such as telecommunications and storage systems.

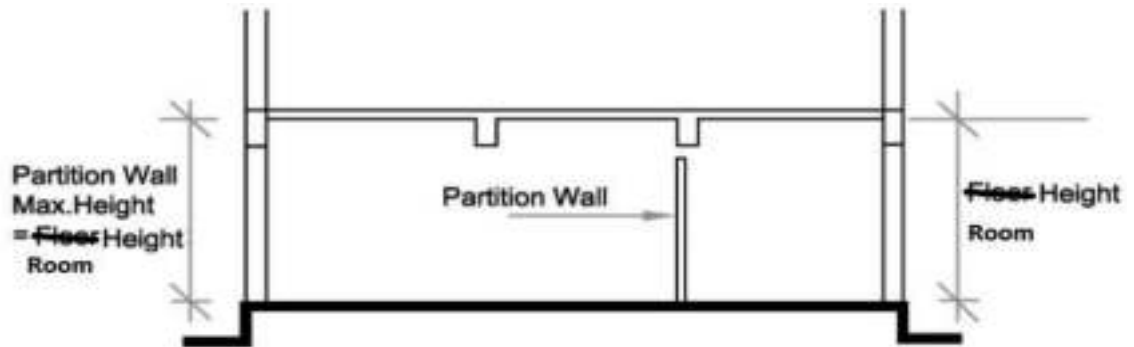
112. **Owner** – means a person who has legal title to land or building and includes any person for the time being receiving or entitled to receive, whether on his own account or as agent, trustee, guardian, manager or receiver for another person or for any religious or charitable purposes the rents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

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

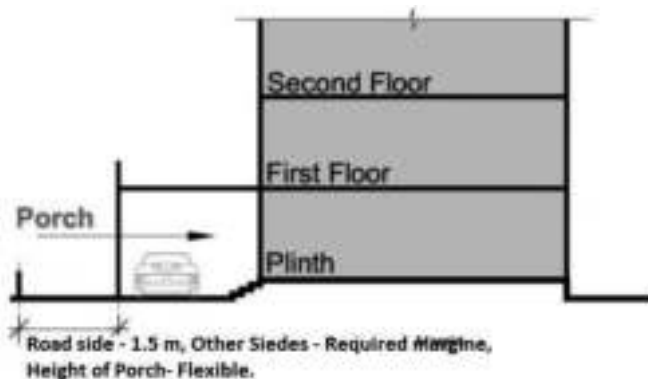
- 114. Parking Space** – means an enclosed or unenclosed, covered or open area or area provided by mechanical means sufficient in size to park vehicle. Parking spaces shall be served by a driveway connecting them with a street or alley and permitting ingress or egress of vehicles.



- 115. Partition**—means an interior non-load-bearing barrier, one storey or part-storey in height. (Drawing to be corrected about Partition Wall below)

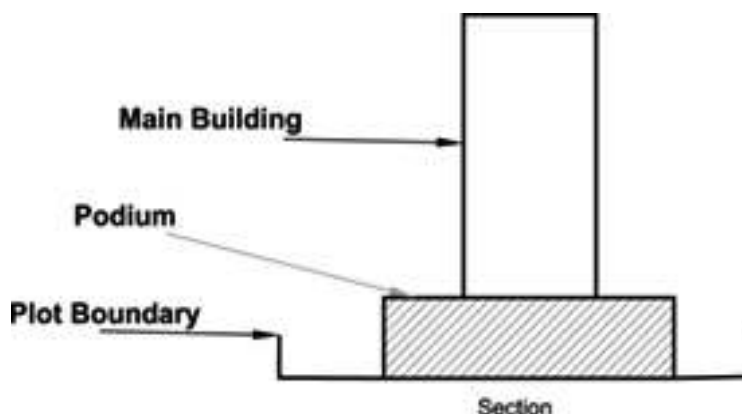


- 116. Permit / Permission** – means permission or authorization in writing by the Authority to carry out the work regulated by these regulations.
- 117. Plinth** – means the portion of a structure between the surface of the surrounding ground and surface of the floor immediately above the ground.
- 118. Plot / Site** – means a parcel or piece of land enclosed by definite boundaries.
- 119. Pandals / Shamiyanas** – means a temporary structure with roof or walls made of canvas, cloth, other like material which is not adopted for permanent or continuous occupancy.
- 120. Porch** – means a covered surface supported on pillars or otherwise, for the purpose of pedestrian or vehicular approach to an entrance in a building.



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

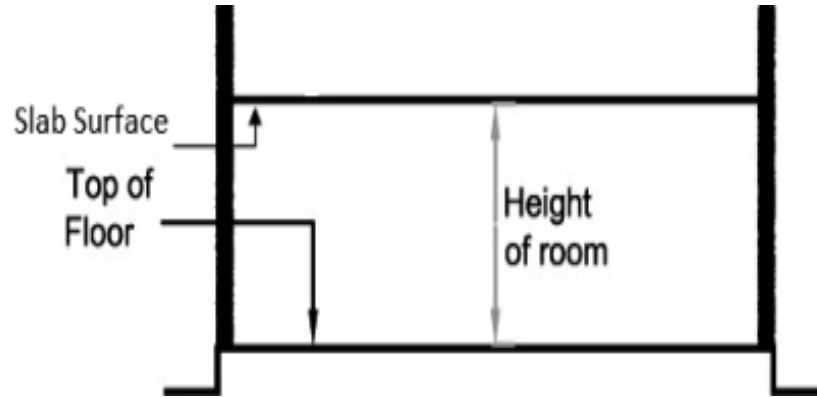


- 122. Pressurization** – means the establishment of a pressure difference across a barrier to project a stairway, lobby, escape route or room of a building from smoke penetration.
- 123. Reconstruction** – means a reconstruction in whole or part of a building which has ceased to exist due to an accidental fire, natural collapse or demolition after having been declared unsafe by the Authority, or which is likely to be demolished by or under the order of the Authority/ Other Competent Municipal Officer.
- 124. Refuge Area** – means an unenclosed space in a multi-storied building specifically provided to serve as fire-proof space to gather easily for evacuation of the occupants.



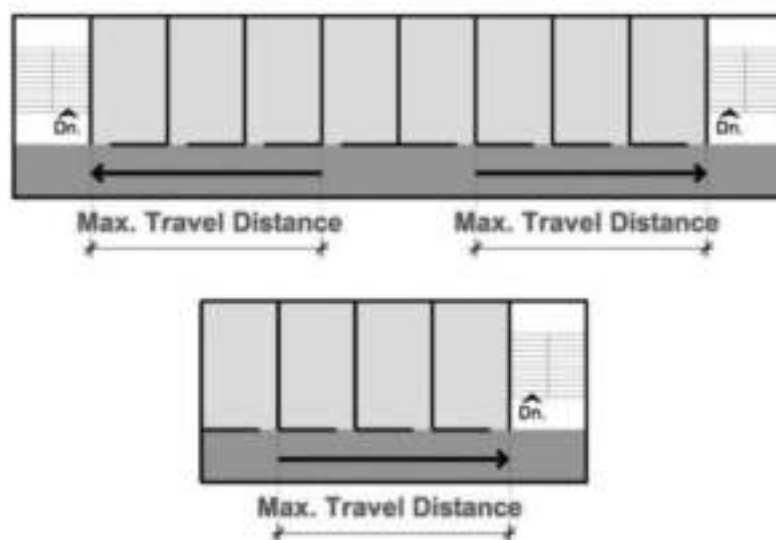
- 125. Refuse Chute** – means a vertical pipe system passing from floor to floor provided with ventilation and inlet openings for receiving refuse from successive flats and ending at ground floor on top of the collecting chamber.
- 126. Road / Street** – means any highway, street, lane, pathway, alley, stairway, passageway, carriageway, footway, square place or bridge, tunnel, underpass, elevated road, whether a thoroughfare or not, over which the public have a right of passage or access or have passed and had access uninterruptedly for a specified period, whether existing or proposed in any scheme, and includes all bunds, channels, ditches, storm-water drains, culverts, sidewalks, traffic islands, roadside trees, hedges, retaining walls, fences, barriers and railings within the street lines.
- 127. Road / Street Line** – means the line defining the side limit of a road / street.

- 128. Road width or Width of road/street** – means the whole extent of space within the boundaries of a road when applied to a new road/street, as laid down in the city survey or development plan or prescribed road lines by any act or law and measured at right angles to the course or intended course or direction of such road.
- 129. Room Height** – means the vertical distance measured from the finished floor surface to the finished slab surface of a room. In case of pitched roofs, the room height shall be the average height between bottom of the eaves and bottom of the ridge from the finished floor surface.



- 130. Roof Top Photovoltaic (RTPV) System** – means any of the two Photovoltaic Systems installed on the roof of any building, i.e. (i) RTPV System with storage facility using battery, and (ii) Grid Connected RTPV System
- 131. Row Housing** – means a row of houses with only front and rear open spaces except end houses which shall be with side open spaces.
- 132. Semi Detached Building** – means a building detached on three sides with marginal distances as specified and on the fourth side attached to a building in an adjoining plot.
- 133. Service Apartment** – means premises other than a lodge or hotel, in which furnished rooms or a suite of rooms are let out on short/long term basis.
- 134. Service Floor** – means a non-habitable floor with a height not more than 2.1 m from floor level to soffit of beam, generally provided in special buildings, wherefrom services like water supply, sewage disposal system, electricity etc. are co-coordinated/ maintained.
- 135. Service Road** – means a local road on a continuous alignment that normally runs adjacent and parallel to main roads like National or State Highways and provides access to properties bordering it.
- 136. Special Economic Zone** - means geographical area notified as Special Economic Zone by Govt. of India under the SEZ Act, 2005.
- 137. Site corner** – means the side at the junctions of and fronting on two or more intersecting streets.
- 138. Site, Depth of Site** – means the mean horizontal distance between the front and rear side boundaries.
- 139. Solar Assisted Water Heating (SWH) System** – means a device to heat water using solar energy as heat source.
- 141. Site, Interior or Tandem** – means a site, access to which is by a passage from a street whether such passage forms part of the site or not.
- 142. Smoke Stop Door** – means a door for preventing or checking the spread of smoke from one area to another.

- 143. Stair Cover/Staircase Room** – means a structure with a covering roof over a staircase and its landing built to enclose only the stair and its landings for the purpose of providing protection from weather which should not be used for human habitation.
- 144. Stall** – means a small shop, floor area of which does not exceed 5.0 sqm
- 145. Storage** – means a place where goods are stored.
- 146. Store Room** – means a room used as storage space.
- 147. 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.
- 148. Stilt or Stilt Floor** – means the portion of a building above ground level consisting of structural columns supporting the super-structure with at least two sides open and without any enclosures and used for the purpose of parking vehicles like cars, scooters, cycles, etc. and other services as may be permitted under these Regulations.
- 149. Sub-station (Electric)** – means a station for transforming or converting electricity for the transmission or distribution thereof and includes transformers, converters, switchgears, capacitors, synchronous condensers, structures, cables and other appurtenant equipment and any buildings used for that purpose and the site thereof.
- 150. Supported Double Height Terraces** – means open terraces, unenclosed on at-least one side with railing and lying wholly within building line with supports underneath and having minimum height of two floors.
- 151. Tenement** – means an independent dwelling unit with a kitchen or cooking alcove.
- 152. Terrace** – means an open-to-sky flat roof of a building or part of a building, provided with a parapet for safety and with or without any cantilevered portion.
- 153. Theatre** – means a place of public entertainment for the purposes of exhibition of motion picture and/or dramas and other social or cultural programs.
- 154. Travel Distance** – means the distance to be travelled from any point in a building to a protected exit or external escape route or final exit measured along the line of travel.



155. **Unsafe Building** – means buildings which are structurally unsafe, unsanitary or not provided with adequate means of ingress or egress which constitute a fire hazard or are otherwise dangerous to human life or which in relation to existing use constitute a hazard to safety or health or public welfare, by reason of inadequate maintenance, dilapidation or abandonment.
156. **Verandah** – means a covered area with at least one side open to the outside with the exception of 1 m high parapet on the upper floors to be provided on the open side.
157. **Ventilation** - means supply of outside air into or the removal of inside air from an enclosed space.
158. **Venting Fire** – means the process of including heat and smoke to level a building as quickly as possible by such paths that lateral spread of fire and heat is checked, fire fighting operations are facilitated and minimum fire damage is caused.
159. **Water Closet (WC)** – means a privy with arrangement for flushing the pan with water. It does not include a bathroom.
160. **Water Course** – means a natural channel meant for carrying storm water and includes an artificial one formed by training or diversion of a natural channel;
 - i) **“Major Water Course”** means a river.
 - ii) **“Minor Water Course”** means a nallah.
161. **Wet Riser** – means an arrangement for fire fighting within the building by means of vertical rising mains not less than 100 mm nominal diameter with landing valve on each floor /landing for fire fighting purposes, and permanently charged with water from a pressurized supply.
162. **Window** – means an opening to the outside other than the door which provides all or part of the required natural light, ventilation or both, to the interior space.
163. **Wing of a Building** – means a part of a building with independent access, staircase and lift connected to other parts with common basement / stilt / podium / terrace / common wall and connecting passages.

1.4 APPLICABILITY OF REGULATIONS

- i) **Development and Construction:** Except as hereinafter otherwise provided, these regulations shall apply to all development, redevelopment, erection and / or re-erection of a building, change of user etc. as well as to the design, construction or reconstruction, additions and alterations to a building.
- ii) **Part Construction:** Where the whole or part of a building is demolished or altered or reconstructed or removed, except where otherwise specifically stipulated, these Regulations shall apply only to the extent of the work involved.
- iii) **Change of Occupancy / Use:** Where the occupancy or the user of a building is changed, except where otherwise specifically stipulated, these regulations shall apply to all parts of the building affected by the change.
- iv) **Reconstruction:** The reconstruction in whole or part of a building which has ceased to exist due to an accidental fire, natural collapse or demolition, having been declared unsafe, or which is likely to be demolished by or under an order of the Authority and for which the necessary certificate has been given by the Authority shall be allowed subject to the provisions in these regulations.

- v) **Development of sites or / and subdivision or amalgamation of land** : Where land is to be developed, subdivided, or two or more plots are to be amalgamated, or a lay-out is to be prepared; these Regulations shall apply to the entire area under development, sub-division, amalgamation and layout. Provided that, where a developed land, an existing lay-out / sub-division plan is being altered, these Regulations shall apply only to that part which is being altered.
- vi) **Revised permission** : Any development permission granted earlier may be revised provided that, third party interest established in pursuance of such permissions, if any, are not adversely affected. In such case, consent of the adversely affected persons shall be necessary, if required under RERA. While granting the revised permission, the approved plans and commencement certificate of the earlier permission with office, shall be stamped as 'SUPERSEDED' by the Authority.
- vii) **Exclusions** : Nothing in these regulations shall require the removal, alteration or abandonment or prevent the continuance of the lawfully established use or occupancy of an existing building or its use, unless in the opinion of the Authority, such a building is unsafe or constitutes a hazard to the safety of adjacent property.

1.5 SAVINGS

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

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

Provided further that if any development permission has been issued before the date of coming into force of these regulations and if work is not commenced within validity period and such permission is not renewed, *in time i.e., before expiry of validity period of one year*, then the said development permission shall be deemed to have been lapsed. *However, there is no bar to further renew the valid permission from year to year; but such extended period shall in no case exceed three years.*

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

- a) Either continue to develop the project as approved under the erstwhile regulations in toto; and for that limited purpose erstwhile regulation shall remain in force, or
- b) Apply for grant of revised permission under the new regulations, if the project is on-going and the occupation certificate has not been granted fully. In such cases, charges/ premium etc. paid earlier *against the FSI sanctioned, exemptions granted in side margins, allowing Residential/Commercial use on the Industrial Zone as per erstwhile regulations shall be deemed to have been paid against such earlier sanctioned FSI/ exemptions/allowance of use. In such cases the charges / premium under these regulations shall be leviable against the revised permission and the charges / premium paid earlier shall be adjusted against the revised charges / premium under these regulations. Provided that no refund is permissible in any case.*
- c) In case the development is started with due permission before these regulations have come into force, and if the owner/developer, at his option, thereafter seeks further development of plot/layout/buildings as per these regulations, then the provision of these regulations shall apply to the balance development. The development potential of such entire plot shall be computed as per these regulations from which the sanctioned FSI of buildings/part of buildings which are proposed to be retained as per approved plan shall be deducted to arrive at the balance development potential of such plot *and ancillary FSI shall be*

permissible only on such balance potential. Such balance potential can be distributed on one or more existing, earlier/newly proposed building/s in a group of industrial buildings or group housing scheme.

In case of development permission with buildings having height between 15 m to 24 m, and complying with provisions mentioned in Regulation No. 1.3(111) (xiv), NOC from Chief Fire Officer shall not be necessary, if the applicant is applying for revised permission under these regulations.

- d) The existing marginal distances including front margin may be allowed for higher floor / floors subject to step margin as per these regulations.
- e) For the on-going buildings for which passages, stairs, lifts, lift rooms etc. are allowed as free of FSI by charging premium, in such cases these free of FSI items are allowed to that extent only and for the remaining balance potential, provisions for free of FSI items of these regulations shall be applicable.
- f) For the on-going buildings for which balconies are allowed to be enclosed as free of FSI by charging premium, these free of FSI items are allowed to that extent only and for the remaining balance potential balcony shall only be allowed as mentioned in these regulations.
- g) For the cases where occupation certificate is fully granted, revised permission as per these regulations, may be granted subject to provisions of Real Estate (Regulations and Development) Act, 2016, as may be applicable.

Provisions mentioned in (b) to (f) shall be applicable mutatis-mutandis to the proposals to be sanctioned under this provision.

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

1.6 APPLICABILITY OF OTHER REGULATIONS

- i) **CRZ Regulations** - Any development within CRZ areas shall be governed by the Coastal Regulation Zone Notification No. S.O.19(E) dt. 6th January, 2011 and No. G.S.R. 37(E), dated 18th January, 2019 as amended or replaced from time to time, wherever applicable.
- ii) **Restriction in Western Ghat Eco Sensitive Area** - The restrictions in the Western Ghat Eco Sensitive Area imposed by the notification issued from time to time by Ministry of Environment, Forest and Climate Change, Government of India, shall be followed.
- iii) **Other Regulations** - Any other Restrictions imposed under the relevant regulations/ Rules / Acts shall also be followed, wherever applicable.

1.7 POWER TO PRESCRIBE THE PROFORMAS

Notwithstanding anything contained in any Appendices / Proformas, provision in respective regulations shall prevail. The Authority, shall have the powers to prescribe proformas / appendices and / or make amendments in the contents of such proformas / appendices A to L attached with these regulations.

1.8 POWER TO DECIDE CHARGES

The charges mentioned in these regulations for additional FSI, premium FSI, rate of interest or for any other matter shall be subject to amendment by the Government from time to time. Wherever the

rate of premium is to be decided based on rates mentioned in MIDC Land Rates, current rates at the time of granting the permission shall be considered.

1.9 EFFECT OF POLICIES ISSUED BY INDUSTRIES DEPARTMENT, GOVERNMENT OF MAHARASHTRA

The policies issued by the Industries Department, Government of Maharashtra from time to time shall be the part of this CDCPR and regulations mentioned in this CDCPR in that regard, if any, shall stand modified to that extent.

1.10 MEANINGS AS IN ACTS, RULES & INTERPRETATIONS

- i) Terms and expressions not defined in these regulations shall have the same meaning or sense as in the Maharashtra Regional and Town Planning Act, 1966 (Maharashtra Act No. XXXVII of 1966) or the Maharashtra Industrial Development Act, 1961 or National Building Code 2016 as amended from time to time and the rules or bye-laws framed there under, as the case may be, unless the context otherwise requires.
- ii) The Maharashtra General Clauses Act, as amended from time to time shall be applicable in case of standard terms and phrases as defined and interpreted therein,
- iii) In these regulations, the use of the present tense includes the future tense, the masculine gender includes the feminine and neutral genders, the singular includes the plural and plural includes singular. The word "person" includes a corporation as well as an individual; "writing" includes printing, typing, e-communication and "signature" includes e-signature, digital signature and thumb impression of a person unable to sign, provided that his name is written below such impression.
- iv) Whenever sizes and dimensions of rooms and spaces within buildings are specified, they shall mean clear dimensions unless otherwise specified in these regulations. However, sizes and dimensions may not be disputed with reference to finished/unfinished surfaces unless they affect overall dimensions of the building.
- v) If any question or dispute arises with regard to interpretation of any of these regulations the matter shall be referred to the State Government, who, after considering the matter and, if necessary, after giving hearing to the parties, shall give a decision on the interpretation of the provisions of these regulations. The decision of the Government on the interpretation of these regulations shall be final and binding on the concerned party or parties.
- vi) In the case of provisions of other Acts/ Rules/ Regulations which are incorporated in these regulations, the amendments made subsequently in parent Acts/Rules/Regulations, will automatically be applicable, wherever applicable, to these regulations.
- vii) If a Marathi version of these Regulations exists and if there is a conflict in interpretation of any clause between English & Marathi versions of these Regulations, then the interpretation of English version shall prevail.

1.11 REMOVAL OF DIFFICULTIES.

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

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

**_*_*_*_*_

CHAPTER – 2**DEVELOPMENT PERMISSION AND COMMENCEMENT CERTIFICATE****2.1 PERMISSION FROM THE AUTHORITY IS MANDATORY**

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

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

- i) carrying out of works in compliance with any order or direction made by any Authority under any law for the time being in force.
- ii) carrying out of works by any Authority in exercise of its powers under any law for the time being in force.
- iii) the excavation (including excavation of wells) made in the ordinary course of agricultural operation.
- iv) the construction of a road intended to give access to land solely for agricultural purpose.
- v) normal use of land which has been used temporarily for other purposes like marriage pandals or for festive occasions etc. on private land;
- vi) provision of safety grills to window/ventilator,
- vii) distribution/receiving substation of the electric supply company.
- viii) installation of solar panels having base of solar panel at height upto 3 m from terrace, ensuring structural stability from the Licensed Structural Engineer.
- ix) providing internal lightweight partitions/cabins in the industrial or commercial building/ establishment with certificate of structural stability from the Licensed Structural Engineer.
- x) temporary structures for godowns / storage of construction materials within the site.
- xi) temporary site offices, sample flats and watchman chowkys within the site only during the phase of construction of the main building.
- xii) temporary structures for storage of machinery before installation for factories in industrial lands within the site.
- xiii) labour camps for construction sites, provided adequate water supply and sanitation facilities are provided and safety is ensured;
- xiv) construction of temporary sets for film / TV serial / advertisement shooting and like activities for a period not more than one year, subject to intimation to the authority.
- xv) *Ready mix concrete plant within the site till the completion of project.*

2.1.3 Permission Not Necessary - Operational Constructions

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

- i) Railways;
- ii) National & State Highway;
- iii) National Waterway;
- iv) Airway and Aerodromes and Major Ports;
- v) Posts and Telegraphs, Telephones, Wireless, Broadcasting and other like forms of Communication excluding Mobile Towers;
- vi) Regional grids, towers, gantries, switchyards, control room, relay room for transmission, distribution, etc. of electricity;
- vii) Defence Authorities;
- viii) Any other essential public service as may be notified by the State/ Central Government;
- ix) The following constructions for operational purposes of new railway lines or tracks by the Metro Rail Administration (MRA) / Project Implementing Agency designated by the Government for the Metro rail and Mono rail / light Rail Transit (LRT) Project.
 - a. "Operation Control Centre, Playback Training Room Administration Building, Stabling Yards, Maintenance Workshop and Training Centre, Auto Car Wash Plant and Auto Wash Plant, Auxiliary Rail Vehicle Building, Under Floor Wheel Lathe and Blow Down Plant, Cooling Tower, Generator Area, Auxiliary Sub-station, Traction Sub-station, Transformer Area, Water Treatment Plant, Waste Water Treatment Plant, Depot Control Centre, sump Area, Parking, Check Post, Loading and unloading areas, Fouling Points, DG set Rooms, Metro and Mono stations (underground and elevated), Viaduct and tunnel, Ventilation Shaft, Entry/ Exit Blocks, Passages, Underground passage to Station box, Lifts, Staircases, Escalators, Transit accommodation / Guest rooms, Metro Stations/ Depots on property owned by it in all Use Zones, Air Handling Unit, Fire staircase, Fire lift and fire passages, Refuge area, thereto."
- x) Facilities & services such as Roads, Water Supply, Sewerage, Storm Water Disposal and any other essential public services carried out by State/ Central Government or its undertakings / Bodies or the Local Bodies including: -
 - a) maintenance or improvement of highway, road or public street, being works carried out on land within the boundaries of such highway, road or public street; **or**
 - b) inspecting, repairing or renewing any drains, sewers mains, pipes including gas pipes, telephone and electric cables, or other apparatus including the breaking open of any street, or other land for the purpose.

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

2.1.3.1 Constructions Not Covered under the Operational Constructions

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

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

2.1.4 Temporary Constructions

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

- i) Structures of exhibitions/ circuses etc.
- ii) Structures for ancillary works for quarrying operations in conforming zones.
- iii) Government milk booths, telephone booths, MAFFCO stall and ATM Centres.
- iv) Transit accommodation for persons to be rehabilitated in a new construction.
- v) 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, necessary documents along with necessary scrutiny fees shall be submitted by the applicant along with the application for temporary construction.

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

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

2.1.5 Development Undertaken on Behalf of The Government

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

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

2.1.6 Repairs to Building

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

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

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

2.2.1 Notice/ Application

Every Owner / Authorised Person who intends to carry out development or redevelopment, erect or re-erect or make alterations in any place in a building or demolish any building, shall give notice / application in writing, through registered Architect, Town Planner or Licensed Engineer / Supervisor, to the Authority of his said intention in the prescribed form (See Appendix A1 or A2). It will be mandatory to submit complete information in the form accompanied with Appendix A1 and A2. Such notice shall be accompanied by the payment receipt of required scrutiny fee and any other fee/ charges prescribed by the Authority from time to time and the plans and statements in sufficient copies (See Regulation No. 2.2.2), and as per the requirements under Regulation No. 2.2.2 to 2.2.10. One set of plans shall be retained in the office of the Authority for record after the issue of permission or refusal. The plans may be submitted in electronic form as may be specified by the Authority from time to time.

2.2.2 Information Accompanying Notice / Application

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

2.2.3 Ownership Title and Area

- i) Every application for development permission and commencement certificate shall be accompanied by the following documents for verifying the ownership and area etc. of the land.
- ii) Copy of lease agreement, as applicable.
- iii) Latest 7/12 extracts or property register card of a date not earlier than six months prior to the date of submission of development proposal, as applicable; power of attorney, wherever applicable or attested copy of lease deed of the concerned lessor authority, enabling ownership of the *land / plot*.
- iv) Original measurement plan of the land or lands under development proposal issued by Land Record Department or demarcation plan issued by MIDC.
- v) Statement of area of the holding by triangulation method / CADD (Computer Aided Design and Drafting Software) from the qualified licensed technical personnel or architect with an affidavit from the owner in regard to the area in the form prescribed by the Authority.
- vi) Any other document prescribed by the Authority.
- vii) A self-attested copy of sub-division / amalgamation / layout of land approved by the concerned authority, if any.
- viii) In the case of land leased by the Government or its authorities, no objection certificate of Government or such authorities shall be obtained if there is deviation from lease conditions and shall be attached to the application for development permission in respect of such land. Such no objection certificate shall also be necessary, where, development proposal proposes to utilise FSI more than mentioned in the lease deed.

2.2.4 Key Plan or Location Plan

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

2.2.5 Site Plan

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

- i) Boundaries of the site and of any contiguous land belonging to the neighbouring owners;
- ii) Position of the site in relation to neighbouring streets;
- iii) Name of the street, if any, from which the building is proposed to derive access;
- iv) All existing buildings contained in the site with their names (where the buildings are given names) and their property numbers;
- v) Position of the building and of other buildings, if any, which the applicant intends to erect, upon his contiguous land referred to in (i) above;
- vi) Boundaries of the site and, in a case where the site has been partitioned, boundaries of the portions owned by others;

- vii) All adjacent streets and premises referred to in (i). If there is no street adjacent to the site, the nearest existing street with its name;
- viii) Means of access from the street to the building and to all other buildings (if any) which the applicant intends to erect upon;
- ix) Space to be left around the building to secure free circulation of air, admission of light and access;
- x) The width of the street (if any) in front and the street (if any) at the side or near of the building, including proposed roads;
- xi) The direction of north line relative to the plan of the building;
- xii) Any existing physical features, such as wells, tanks, drains, pipe lines, high tension line, railway line, trees, etc.;
- xiii) Overhead electric supply lines, if any, including space for electrical transformer / substation according to these Regulations or as per the requirements of the electric distribution company;
- xiv) Any water course existing on site or adjacent to site;
- xv) Existing alignments of water supply and drainage lines;
- xvi) Such other particulars as may be prescribed by the Authority.

2.2.6 Sub-Division / Amalgamation Plan

2.2.6.1 Sub-division / layout plan

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

- i) Scale including a graphical scale used and north point;
- ii) The location within the land of all proposed and existing roads with their existing/ proposed widths and all the proposals of the Planning Proposal / Regional Plan / Development Plan, if any;
- iii) Dimension of plots;
- iv) The location of drains, sewers, public facilities and services, electrical lines, Natural water courses, water bodies and streams etc.;
- v) Table indicating size, area and use of all plots in the sub-division / layout plan;
- vi) The statement indicating the total area of the site, area utilized under roads, recreational open spaces, playground, amenity space, and Planning / Regional Plan / Development Plan Proposal with their percentage with reference to the total area of the site proposed to be sub-divided / laid out;
- vii) In case of plots which are sub-divided in built-up areas in addition to the above, the means of access to each sub divided plot from existing streets.
- viii) Contour plan of site if gradient of site is more than 1:5.

Provided that, if sub-division of few plots of the already sanctioned layout is proposed along with building permission, then such sub-division may be allowed to be shown on building plan itself.

2.2.6.2 Amalgamation Plan

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

2.2.7 Building plan

The plans of the buildings and elevation and section to be sent with the application accompanying the notice shall be drawn to a scale of 1:100. The building plan shall:

- i) Include floor plans of all floors together with the built up area clearly indicating the sizes of industrial spaces, rooms and the position and width of staircase, ramps and other exit ways, lift wells, lift machine room and lift pit details, meter room and electric sub-station and also include ground floor plan as well as basement plan and shall indicate the details of parking space and loading and unloading spaces provided around and within the building as also the access ways and the appurtenant open spaces with projections in dotted lines, distance from any building existing on the plot in figured dimensions along with accessory building. These plans will also contain the details of FSI calculations;
- ii) Show the statement of carpet area of every industrial unit or apartment or any unit along with areas of balconies and double height terraces, if any, attached to the said unit;
- iii) Show the use or occupancy of all parts of the buildings;
- iv) Show exact location of essential services, such as water closet (W.C.), bath, sink and the like;
- v) Include sectional drawings showing clearly the thickness of basement wall, wall of construction, size and spacing of framing members, floors, slabs, roof slabs with the materials. The section shall indicate the height of the building, rooms and parapet, drainage and slope of the roof. At least one section should be taken through the staircase.
- vi) Show relative levels of street.
- vii) Give dimensions of the projected portion beyond the permissible building line
- viii) Include terrace plan indicating the drainage and the slope of the roof.
- ix) Give indication of the north line relative to the plan.
- x) Details of parking spaces provided.
- xi) Give dimensions and details of doors, windows and ventilators.
- xii) Give the area statement with detailed calculation chart of each floor of the building or area as per periphery line of construction (P-line) excluding ducts and voids.
- xiii) Show the pump rooms, rain water harvesting system, sewage treatment plant, if any;
- xiv) Certificate of Structural Engineer about structural and earthquake safety, wherever applicable.
- xv) Give such other particulars as may be required to explain the proposal clearly as prescribed by the Authority.

2.2.8 Building plans for Special Buildings

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

- i) Access to fire appliances / vehicles with details of vehicular turning circle and clear motorable access way on ground around the building of minimum 6 m width in case of special building; 9 m width in case of building having height 45 m and below 70 m; and 12m in case of building having height above 70 m and above, subject to Regulation No.5.4.
- ii) Size (width) of main and alternate staircases, wherever necessary, along with balcony approach, corridor, ventilated lobby approach;
- iii) Location and details of lift enclosures;
- iv) Location and size of fire lift;
- v) Smoke stop lobby / door, where provided;
- vi) Refuse chutes, refuse chamber, service duct, etc. if applicable;
- vii) Vehicular parking spaces;
- viii) Refuge area, if any;
- ix) Details of Building Services :- Air-conditioning system with position of fire dampers, mechanical ventilation system, electrical services, boilers, gas pipes etc.,
- x) Details of exits including provision of ramps, etc. for hospitals and buildings requiring special fire protection measures;
- xi) Location of generator, transformer and switch gear room;
- xii) Smoke exhaust system, if any;
- xiii) Details of fire alarm system network;
- xiv) Location of centralized control, connecting all fire alarm systems, built in fire protection arrangements and public address system etc.;
- xv) Location and dimensions of static water storage tank and pump room along with fire service inlets for mobile pump and water storage tank;
- xvi) Location and details of fixed fire protection installations such as sprinklers, wet risers, hose reels, drenchers, CO₂ installation etc. **as required by Chief Fire Officer, MIDC;**
- xvii) Location and details of first aid, fire-fighting equipment / installations;
- xviii) Certificate of structural engineer about structural and earthquake safety;
- xix) Clearance certificate from the Chief Fire Officer of the Authority.

2.2.9 Service plan

Plans of services i.e. water / grey-water supply, sewage disposal system pipelines and elevations, sections wherever required, shall be made available on a scale not less than 1:100 and for layouts 1:1000.

2.2.10 Landscape Plan

Landscape Plan (in quadruplicate) to a scale of 1:250 showing various landscape features such as trees hedges, paved areas, etc. The plan shall show, in particular, the type and number of existing trees, the trees to be felled, the trees to be transplanted and the proposal for planting of new trees.

2.2.11 Supervision

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

development work, a new licensed technical person shall be appointed and his name shall be communicated to the Authority.

2.2.12 Clearance from other Departments

In case of development / construction of buildings requiring clearance from the authorities like Civil Aviation Authority, Railways, Directorate of Industries, Maharashtra Pollution Control Board, District Magistrate, Inspectorate of Boilers and Smoke Nuisance, Defence Department, Maharashtra Coastal Zone Management Authority, Archaeological Department, Directorate of Industrial Safety and Health (DISH), Petroleum and Explosive Safety Organisation (PESO) etc., the relevant no objection certificates from these authorities, whichever applicable, shall also accompany the application.

In case of building identified in Regulation No.1.3 (111) (xiv), the building scheme shall also be cleared by the Fire Officer of the authority.

2.2.13 Building / Layout Permission Scrutiny Fee

The notice / **application** shall be accompanied by a self-attested copy of receipt of payment of building/ layout permission Scrutiny Fee. These fees shall be as mentioned below and shall be subject to orders of the Authority from time to time.

Provided that, such fees shall not be applicable for the development proposals implemented by Government / Government Departments or Public Authorities of State or Central Government.

| Table No. 2 A | | |
|---------------|--|--|
| Sr. No. | Type of Development | Scrutiny Fee |
| 1 | Scrutiny fee for plotted Layout | Rs. 5,000/- per ha or part thereof. |
| 2 | Scrutiny fee for Building Constructions. | Rs. 10/- Per sqm of built-up area, subject to Maximum Rs.3,00,000/- |
| 3 | In addition to Sr. No. 1 & 2 above Proposal Scrutiny fee for IIA, IITT, ILP <i>etc.</i> for private lands. | Rs. 5,000/- per ha or part thereof subject to minimum Rs. 25000/- |

Notes -

- No scrutiny fee shall be levied again if the proposal is received after compliance of the objections raised by the authority.
- In case of revised permission, the scrutiny fee shall be applicable.
- In case of revised permission, where additional development work is proposed without disturbing the already approved development work, then the scrutiny fee shall be levied for additional development work.

2.2.14 Development Charges

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

Provided that,

- i) in case of revised permission, where no development is carried out in pursuance of the earlier permission and permission is lapsed, amount of difference of development charges, if any, shall be levied and recovered;
- ii) in case of revised permission, where development is commenced in pursuance of earlier permission, development charges shall be levied on the land and built-up area, over and above the area covered in the earlier permission;
- iii) no such charges shall be levied for renewal of permission;
- iv) in case where minor amendment to the plotted layout approved prior to 10/8/1992 are proposed or where development charge for land development has already been collected in past, no development charge shall be levied for such amendment of plotted layout;
- v) construction of compound wall is meant for protection of property and as such no development charge shall be levied for construction of compound wall or for repairs of compound wall;
- vi) no development charge shall be recovered in respect of maintenance work, internal repairs of buildings, or for strengthening the existing building provided such works do not involve consumption of additional floor space;
- vii) for any reconstruction work, development charge shall be levied in full only on construction area.;
- viii) In case no development work is carried out in pursuance of permission and permission is lapsed or permission is cancelled on the request of the owner, the development charges paid, shall be adjusted in permission that may be granted in future.

Where development permission is granted and development charges are already collected by any Authority in their jurisdiction and thereafter such area is included in the jurisdiction of other Authority, in such cases, the provisions mentioned in Sr.No. (i) to (viii) above shall be applicable mutatis and mutandis, as the case may be.

2.2.15 Premium Charges

- i) **Premium Charges** - Premium charges as may be required to be recovered under these regulations shall be paid to the Authority before issue of development permission/commencement certificate. The 50% Premium share of the Government shall be deposited by the Authority in a specified head of account of the Government. The amount of premium collected by the Authority shall be kept in a separate account and it shall be utilized for development of civic amenities and infrastructure.

A) Option – 1

- a) Building below 70 m. height.

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

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

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

B) Option -2

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

Notes -

- The instalment shall be granted with the interest at the rate of 8.5% p.a. on reducing outstanding balance premium.
- The owner / developer shall deposit post-dated cheques for instalment amount with an interest due drawn on scheduled bank, as per the scheduled date of payment.
- Occupation Certificate shall be granted in proportion to the payments made.
- The first instalment shall not be less than 50 lakhs and the remaining amount shall be apportioned in remaining instalments.
- The aforesaid options shall be applicable for the period upto 02/12/2024.
- The rate of premium to be charged under these regulations shall be based on MIDC rates. Wherever, there is provision of sharing of premium between Government and MIDC, such sharing shall be 50% each i.e. Government share 50% and balance 50% to MIDC.

Structural Stability Certificate

- 2.2.16** In case of special buildings, the application shall be accompanied by structural stability certificate signed by the licensed Structural Engineer to the effect that the building is safe against various loads, forces and effects including due to natural disasters, such as, earthquake, landslides, cyclones, floods, etc. as per Part 11 'Structural Design' of National Building Code of India, 2016 and other relevant Codes.

In case of sub-division of plot having existing building, structural stability certificate shall be submitted, wherever necessary.

Signing the Plan

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

Size of Drawing sheets

- 2.2.18** The size of drawing sheets shall be any of those specified in **Table No. 2 C**.

| Table No. 2 C | | |
|---------------|-------------|------------------|
| Sr. No. | Designation | Trimmed Size, 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 |

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

Colouring Notations for Plans

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

| Table No. 2 D | | | | | | | |
|---------------|--------------------------------|--------------------|--------------------|--------------------|-------------------|-------------------|-------------------|
| Sr. No. | Item | Site Plan | | | Building Plan | | |
| | | White Plan | Blue Print | Ammonia Print | White Plan | Blue Print | Ammonia Print |
| 1 | Plot lines | Thick Black | Thick Black | Thick Black | Thick Black | Thick Black | Thick Black |
| 2 | Existing street | Green | Green | Green | | | |
| 3 | Future street, if any | Green dotted | Green dotted | Green dotted | | | |
| 4 | Permissible building lines | Thick dotted black | Thick dotted black | Thick dotted black | | | |
| 6 | Existing work | Black (Outline) | White | Blue | Black | White | Blue |
| 7 | Work proposed to be demolished | Yellow Hatched | Yellow Hatched | Yellow Hatched | Yellow Hatched | Yellow Hatched | Yellow Hatched |
| 8 | Proposed work | Red filled in | Red | Red | Red | Red | Red |
| 9 | Drainage & Sewerage work | Red dotted | Red dotted | Red dotted | Red dotted | Red dotted | Red dotted |
| 10 | Water supply work | Black dotted thin | Black dotted thin | Black dotted thin | Black dotted thin | Black dotted thin | Black dotted thin |
| 11 | Deviations | Red hatched | Red hatched | Red hatched | Red hatched | Red hatched | Red hatched |

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

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

2.2.20 Architect / Engineer / Town Planner / Supervisor referred to in Regulation No.2.2.18 shall be registered / licensed by the Authority as competent to plan and carry out various works as given in Appendix "C". The qualification and procedure for registration and licensing of the Engineer / Structural Engineer / Town Planner / Supervisor shall be as given in Appendix- "C". An Architect registered with the Council of Architecture shall not be required to register with the Authority, however, he shall submit registration certificate of the Council of Architecture to the Authority.

2.3 DISCRETIONARY POWERS - INTERPRETATION

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

- Decide on matters where it is observed that there is an error in any order, requirement decision, and determination of interpretation made by him or by an Officer authorized by him in the application of these Regulations.
- Decide the extent of the proposal of Development Plan / Regional plan with respect to S.No. / Gut No. / CTS No. / Block No. / Barrack No. / Unit No., where boundaries shown on any Statutory Plan varies with the boundaries as per revenue record / measurement plan etc.
- Determine and establish the location of zonal boundaries in cases of doubt or controversy;

- iv) Decide the alignment of road in any Statutory Plan where the street layout actually on the ground varies from the street layout as shown on the Development Plan / Regional plan;
- v) Correct the alignment of blue and red flood line on Planning Proposal / Regional plan / Development Plan where it varies with the said lines given by the Irrigation Department from time to time;
- vi) Authorize the erection of a building or use of premises for a public service undertaking for public utility propose only, where he finds such an authorization to be reasonably necessary for the public convenience and welfare even if it is not permitted in any Land Use Classification.
- vii) Interpret the provisions of these Regulations where there is clerical, grammatical mistake, if any.

2.4 DISCRETIONARY POWERS - RELAXATIONS IN SPECIFIC CASES

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

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

2.5 DRAFTING ERROR

Drafting errors in Planning Proposal or any Statutory Plan which are required to be corrected as per actual situation on site or as per revenue record or sanctioned layout etc. may be corrected by the Authority, after due verification.

2.6 GRANT OR REFUSAL OF PERMISSION

2.6.1 General

- i) After receipt of the notice/application as mentioned in Regulation No.2.2.1 above, the Authority may either sanction or refuse the plans or may sanction them with such modifications or directions as it may deem necessary after having recovered the necessary charges / fees and there upon shall communicate its decision to the person giving the notice in the prescribed form given in Appendix D1/D2/D3 and E1/E2, as the case may be.
- ii) In the case of special buildings, the building scheme shall also be subject to the scrutiny of the Chief Fire Officer (CFO) of MIDC and sanction to the development permission shall be issued by the Authority after the clearance from the CFO.
- iii) In the case of land subdivision or plotted layout, tentative layout shall be recommended for demarcation at first instance. After having demarcated the layout, the owner shall submit the layout as measured by the Land Records Department for final approval to the Authority. The Authority shall examine and grant final approval to the measured layout if it conforms to the regulations and is broadly in accordance with the tentative layout without any departures of substantial nature.
- iv) After the plan has been scrutinized and objections have been pointed out, the owner giving

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

After the development permission is granted by the Authority, it shall be displayed along with the plans on the website of the Authority.

2.6.2 Deemed Permission

If within sixty (60) days of receipt of the notice, along with necessary permission fees under the regulations, the Authority fails to intimate in writing to the person, who has given the notice; of its refusal or sanction or sanction with such modifications or directions, the notice with its plan and statements shall be deemed to have been sanctioned, provided nothing shall be construed to authorize any person to do anything on the site of the work in contravention or against the terms of lease or titles of the land.

Provided that, the development proposal, for which the permission was applied, is strictly in conformity with the requirements of these regulations or regulations framed in this behalf under any law for the time being in force and the same in no way violates either provisions of any draft or final Statutory Plan published by means of notice, submitted for sanction under the Act. Provided further that any development carried out in pursuance of such deemed permission which is in contravention of the above provisions, shall be deemed to be an unauthorized development for purposes of Section 52 to 57 of the Maharashtra Regional and Town Planning Act, 1966 and other relevant Acts.

Provided further that, upon receipt of intimation of any claim for deemed permission the Authority shall within 15 days from the date of receipt of such claim, communicate its remarks, if any, regarding deemed permission to the applicant, failing which, the proposal shall be approved and commencement certificate along with one set of duly approved plans for proposed development shall be issued to the applicant within fifteen days thereafter.

2.7 COMMENCEMENT OF WORK

2.7.1 Commencement

The commencement certificate / development permission, as approved, shall remain valid for 4 years in the aggregate but shall have to be renewed every year from the date of its issue. The application for renewal shall be made before expiry of one year if the work is not already commenced. Such renewal can be done for three consecutive terms of one year after which proposals shall have to be submitted to obtain development permission afresh. If application for renewal is made after expiry of the stipulated period during which commencement certificate is valid, then the Authority may condone the delay for submission of application for renewal by charging necessary fees *at the rate of 1/3 of amount as per Regulation No. 2.2.13 per year*, but in any case, commencement certificate shall not be renewed beyond 4 years from the date of commencement certificate / development permission.

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

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

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

2.7.2 Development of Land in Case of Industrial Cluster / Group Housing Schemes / Sub-division

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

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

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

After completion of scheme, roads and infrastructure shall be handed over to the Local Authority, whenever such Local Authority is formed. Thereafter, the responsibility of maintenance of such roads and infrastructure shall lie with the Local Authority. However, internal roads and infrastructure in the industrial cluster / group housing scheme shall be maintained by the entrepreneur / owner / society.

2.8 PROCEDURE DURING CONSTRUCTION

2.8.1 Owner/ Developer / Architect / Town Planner / Engineer / Structural Engineer / Supervisor or Any Licensed Technical Person's Responsibilities in Their Respective Domain.

- i) Neither granting of the development permission nor the approval of the drawings and specifications, nor the inspections, made by the Authority during erection of the building shall, in any way relieve the Owner / Developer / Architect / Town Planner / Engineer / Structural Engineer / Supervisor or any licensed technical person, of such building/ development from full responsibility for carrying out the work in accordance with the requirements of these regulations and safety norms as prescribed by the bureau of Indian Standards.
- ii) Every owner / developer shall:
 - a) permit the Authority or his representative to enter the building or premises for which the permission has been granted at any reasonable time for the purpose of enforcing these Regulations.
 - b) submit the certificate for execution of work as per structural safety requirements and give written notice to the Authority regarding completion of work.
 - c) give written notice to the Authority in case of termination of services of a Technical professional engaged by him.

2.8.2 Display Board

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

- i) Name and address of owner, developer, all concerned licensed persons.
- ii) Plot number / Survey number / City Survey number of land under reference.
- iii) Order number and date of grant of development / building permission / redevelopment permission issued by the Authority.
- iv) Built up area permitted.
- vi) *Software QR Code for the Project generated in online building permission.*

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

2.8.3 Plinth Checking

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

2.8.4 Deviation During Construction

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

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

2.9 COMPLETION CERTIFICATE

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

In case of special buildings, the Completion Certificate shall also be accompanied with the final fire NOC from Chief Fire Officer of the MIDC.

2.10 OCCUPANCY CERTIFICATE

The Authority after inspection of the work and after satisfying himself that there is no deviation from the sanctioned plans as mentioned in Regulation No. 2.8.4, issue an occupancy certificate in the form prescribed in Appendix-H or refuse to sanction the occupancy certificate prescribed in

Appendix-I within 21 days from the date of receipt of the said completion certificate, failing which the work shall be deemed to have been approved for occupation, provided the construction conforms to the sanctioned plans. One set of plans, certified by the Authority, shall be returned to the owner along with the occupancy certificate. Where the occupancy certificate is refused or rejected, the reasons for refusal or rejection shall be given in intimation of the rejection or the refusal. The applicant may request for Deemed Occupancy Certificate, if eligible, as above. The Authority shall issue the Deemed Occupancy Certificate within 15 (fifteen) days of the application.

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

2.11 PART OCCUPANCY CERTIFICATE

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

2.12 INSPECTION

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

2.13 UNSAFE BUILDINGS

All unsafe buildings shall be considered to constitute danger to public safety and hygiene and sanitation and shall be restored by repairs or demolished or dealt with as otherwise directed by the Authority.

2.14 FAST TRACK APPROVAL

2.14.1 Procedure

The Authority may permit to undertake development on fast track, without obtaining prior permission if the same is undertaken / supervised by an empanelled Architect / Town Planner subject to following :-

- i) Any person intending to undertake any construction on his land / plot shall inform in writing to Authority of the intension to carry out such development along with the following documents.
 - a) Document showing ownership of the land.
 - b) Undertaking to be given by the Architect / Town Planner / Licensed Engineer as may be prescribed by the Authority.
 - c) One set of drawing showing site plan, building plans and one cross section.
- ii) The applicant / owner may, thereafter, commence the work at site and carry out the work upto plinth level. However, under no circumstances, further work shall be undertaken by the applicant / owner without first obtaining formal development permission as required under these Regulations.

- iii) The works undertaken under this provision shall be in conformity with these Regulations and the Architect / Town Planner / Licensed Engineer shall be held personally responsible in case of any violation and shall be liable for such action as may be decided by Authority including termination from empanelment.

2.14.2 Empanelment of Accredited Architects / Town Planner / License Engineer.

Eligibility criteria for empanelment of Accredited Architects / Town Planner shall be as below :

i) Eligibility criteria for empanelment of Accredited Architects:

- a) The Architect shall have the minimum qualification as prescribed under the Architects Act, 1972.
- b) The applicant shall be a registered member of the Council of Architecture.
- c) He shall have at least 10 years' experience as a practicing Architect.
- d) He shall have an excellent track record in designing and supervising buildings and shall have executed projects worth Rs.5 crore per annum for the past three years.
- e) The applicant shall deposit and keep deposited an interest free amount of Rs. one lakh with MIDC throughout the period of empanelment. The deposit amount is liable to be revised from time to time.

ii) Eligibility criteria for empanelment of Accredited Town planners:

- a) The applicant shall *have a Post Graduate Degree in Urban Planning / Town Planning / Regional Planning or equivalent from the university recognized by the Government*. He shall have at least ten years' experience as a Professional Planner.
- b) He shall have an excellent track record in planning and supervising development projects and shall have executed projects worth Rs. 5 crore per annum for the past three years.
- c) The applicant shall deposit and keep deposited an interest free amount of Rs. One lakh with MIDC throughout the period of empanelment. The deposit amount is liable to be revised from time to time.

iii) Eligibility criteria for empanelment of Accredited License Engineer:

- a) *The applicant shall have the qualification as mentioned in Appendix-C, Clause No.C-3.1.*
- b) *He shall have at least ten years' experience as a License Engineer in addition to mentioned in Clause No.C-3.1 of Appendix-C.*
- c) *He shall have an excellent track record in planning and supervising development projects and shall have executed projects worth Rs. 5 crore per annum for the past three years.*
- d) *The applicant shall deposit and keep deposited an interest free amount of Rs. One lakh with MIDC throughout the period of empanelment. The deposit amount is liable to be revised from time to time.*

2.15 OFFENCES AND PENALTIES

- i) Any person who contravenes any of the provisions of these regulations, any requirements or obligations imposed on him by virtue of the Act or these regulations, shall: -
 - a) be guilty of an offence and upon conviction, shall be punished as stipulated in Section

52 of the Act;

- b) be subject to further suitable actions including demolition of unauthorised works, as stipulated under Section 53 and 54 of the Act;
 - c) where such person is a Licensed Engineer / Structural Engineer / Town Planner / Supervisor, be subject to suitable action against him which may include cancellation of license and debarring him from further practice/ business for a period as may be decided by the Authority; *Thereupon such Licensed Engineer / Structural Engineer / Town Planner / Supervisor shall be considered debarred.*
 - d) where such person is a registered Architect, be subject to action of the Council of Architecture as per the provisions of the Architects Act, 1972 based on the report of the Authority and debarring him from further practice/ business for a period as may be decided by the Authority.
- ii) Any person who neglects any requirements or obligations imposed on him by these regulations including the maintenance of fire protection services, appliances and lifts in working order or who interferes with or obstructs any person in the discharge of his duties shall be guilty of an offence as specified in Section 36 of the Maharashtra Fire Prevention and Life Safety Measures Act, 2006 and, upon conviction, shall be subject to penalties and other consequences spelt out in said Act.

2.16 REVOCATION OF PERMISSION

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

**_*_*_*_

CHAPTER-3**GENERAL LAND DEVELOPMENT REQUIREMENTS.****3.1 REQUIREMENTS OF SITE****3.1.1 Site Not Eligible for Construction of Building**

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

- i) If the Authority considers that the site is insanitary, incapable of being well drained or is dangerous to construct a building on it;
- ii) If the entire site is within a distance of 6 m from the edge of water mark of a minor water course (like nallahs, canal) and 15 m from the edge of water mark of a major water course (like river) shown on any statutory plan or village / city survey map or otherwise.

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

- iii) If the site is hilly and having gradient more than 1:5;
- iv) If the use of the site is for the purpose, which in the opinion of the Authority will be a source of annoyance to the health and comfort of the inhabitants of the neighbourhood;
- v) If the proposed occupancy of the building on the site does not conform to the land use proposals in any statutory plan or Zoning Regulations;
- vi) If the level of the site is less than prescribed datum level depending on topography and drainage aspects;
- vii) If it doesn't derive access from an authorized street/means of access of adequate width as described in these Regulations;
- viii) If it is within the river and blue flood line of the river (prohibitive zone), unless otherwise specified in these regulations;
- ix) If the site is within the boundary of Coastal Regulation Zone where CRZ Regulation does not allow development;
- x) If the site is not developable by virtue of restrictions imposed under any law or guidelines of any Government Department;
- xi) If the entire site is within a distance of 50 m from the mean high flood level of a wetland. The mean shall be calculated as per the provisions of Wetlands (Conservation and Management) Rules, 2017.

3.1.2 Distance of Site from Electric Lines

No structure including verandah or balcony shall be allowed to be erected or re-erected or any additions or alterations made to a building on a site within the distance quoted in Table No. 3A below in accordance with the prevailing Indian Electricity Rules and its amendments from time to time between the building and any overhead electric supply line.

| Table No. 3 A | | |
|--|--|---------------------|
| Electric Lines | Vertical (Meters) | Horizontal (Meters) |
| Low and medium voltage Lines | 2.50 | 1.20 |
| High voltage lines upto and including 33000 V, | 3.70 | 2.00 |
| Extra High voltage lines beyond 33,000 V | 3.70 | 2.00 |
| | (Plus 0.3 m for every additional 33,000 V or part thereof) | |
| Note - The minimum clearance specified above shall be measured from maximum sag for vertical clearance and from maximum deflection due to wind pressure for horizontal clearance. | | |

3.1.3 Construction within Blue and Red Flood Line

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

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

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

- b) Area between blue flood line and red flood line shall be restrictive zone for the purposes of construction. The construction within this area may be permitted at a height of 0.45 m above the red flood line level.
- c) If the area between the river bank and blue flood line forms part of the entire plot in Development Zone, then, FSI of such part of land may be allowed to be utilised on the remaining land.
- d) The red and blue flood line, if shown on the Planning Proposal / Regional Plan / Development Plan shall stand modified as and when it is modified by the Irrigation Department.

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

Where Blue and Red flood line is not marked on any statutory plan i.e. the Planning Proposal / Regional Plan / Development Plan or not received from the Irrigation Department, the tentative Blue line shall be earmarked taking into consideration maximum observed flood level records available locally and also interacting with the residence in the area. The plan showing such tentative Blue line shall be got approved from Chief Engineer, Irrigation Department. The distance of 50 m on landward side from this tentative Blue line shall be treated as no construction zone.

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

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

3.1.4 Development within 30 m Distance from Railway Boundary

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

3.1.5 Environmental Clearance

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

3.1.6 Development along Highways / Classified Roads

The development along the highways shall be subject to the provisions of State Highways Act, 1965 and National Highway Act, 1956 and orders issued by Public Works Department, directives issued by Urban Development Department vide Resolution No.TPS-1819/UOR-36/19/UD-13, dated 05/08/2019 in this regard, as amended from time to time. *All the classified roads* passing through the MIDC shall be treated as city roads.

A service road as specified in Regulation No. 3.3.6 shall be provided along State and National Highways on both sides. Where service road of 12 m width is already provided in adjoining land, such service road of the same width may be continued in the development permission. Such service roads may not be insisted if it has no continuity from junction to junction due to existing authorised development / construction.

3.1.7 Development within certain distance from the Prison Premises

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

3.1.8 Distances from Land Fill Sites

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

3.1.9 Restrictions In the Vicinity of Airport

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

- i) The height shall be restricted to permissible top elevation as mentioned on Colour Coded Zoning Maps (CCZM) prepared by the Airport Authority of India (AAI) published on its web site.
- ii) For any additional height beyond that mentioned in i) above, prior NOC from AAI shall be submitted.
- iii) For the areas depicted in red colour on CCZM, prior NOC from AAI shall be submitted.

Notes -

- i) The height permitted by CCZM is indicated Above Mean Sea Level i.e. AMSL.
- ii) Building height permitted i.e. Above Ground level (AGL) shall be calculated as CCZM height minus the site elevation of the plot.

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

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

Explanation

- i) Irrespective of their distance from the aerodrome, even beyond the 20 km limit from the aerodrome reference point, no building, radio masts or similar installation exceeding 150 m in height shall be erected without prior permission of the Civil Aviation Authorities.
- ii) The location of a slaughter house/abattoir/butcher house or other areas for activities like depositing of garbage which may encourage the collection of high-flying birds, like eagles and hawks, shall not be permitted within 10 km from the aerodrome reference point.

3.1.10 Restrictions in the Vicinity of Ancient Monuments

- i) The Restrictions for Development in the vicinity of the protected monuments of national importance as prescribed under the Ancient Monuments and Archaeological Sites and Remains Act, 1958 shall be observed.
- ii) The Restrictions for Development in the vicinity of the protected monuments of state importance as prescribed under Ancient Monuments and Archaeological Sites and Remains Act, 1960 shall be observed.

3.1.11 Restriction under the Works of Defence Act, 1903

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

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

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

3.1.12 Distance from Natural Lake and Dam

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

The regulation regarding clear distances from the High flood line while carrying out any development of any land around dam and foothill areas as notified and the norms regarding distance as prescribed in Government of Maharashtra, Water Resources Department Marathi Circular No.संकिर्ण-2012/(प्र.क्र.20/2012) सिं.व्य.(महसूल),dt.08/03/2018 and amendments therein, from time to time, will be applicable.

3.1.13 Other Authorities to Supply Complete Information about Restrictions to the Authority

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

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

3.2 MEANS OF ACCESS

3.2.1 Every plot / land, on which development permission is sought, shall have means of access like street / road irrespective of its width. However, for specific purposes mentioned in this Regulation, roads of required width shall be necessary as mentioned in the said Regulations.

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

- i) The width of such access ways for development of plot for Industrial purpose / buildings shall be as follows: -

| Table No. 3B | |
|-------------------------|---|
| Type of Building | Min. width of access ways / right of way |
| Non-Special Building | 9 m |
| Special Building | 12 m |

- ii) The width of such access ways for development of buildings other than Industrial shall be as follows :-

| Table No. 3C | |
|-------------------------|---|
| Type of Building | Min. width of access ways right of way |
| Non-Special Building | 9 m |
| Special Building | 12 m |

3.2.3 Every person who intends to erect a building shall not at any time erect or cause or permit to erect or re-erect any building which in any way encroaches upon or diminishes the area set apart as means of access.

3.3 REGULATIONS FOR LAND SUB-DIVISION AND LAYOUT**3.3.1 Necessity to Prepare Layout.**

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

- When more than one building, is proposed on any land, or plotted layout or sub-division of land is proposed.
- When development and / or redevelopment of any tract of land which includes division and sub-division or amalgamation of plots for various land uses is proposed.

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

3.3.2 Roads / streets in Land Sub-division or Plotted Layout

- i) **For Industrial & Commercial Development** - The minimum width of internal road in any plotted layout or subdivision of land shall be as given in **Table No.3D**

| Table No. 3D | | |
|--------------|--|---|
| Sr. No. | Length of Internal Road in Plotted Layout / Sub division (m) | Minimum width of Internal Road in Plotted Layout / Sub Division (m) |
| i | Upto 150 | 12.00 |
| ii | Above 150 and upto 300 | 15.00 |
| iii | Above 300 and upto 600 | 18.00 |
| iv | Above 600 | 24.00 |

Provided that, in case if schemes like IIA, ILP, IIT required road width shall be as follows-

| Table No. 3D-1 | | |
|----------------|--|---|
| Sr. No. | Length of Internal Road in Plotted Layout / Sub division (m) | Minimum width of Internal Road in Plotted Layout / Sub Division (m) |
| i | Upto 300 | 12.00 |
| ii | Above 300 and upto 600 | 15.00 |
| iv | Above 600 | 18.00 |

- ii) **For Development other than Industrial & Commercial** - The minimum width of internal road in any plotted layout or subdivision of land shall be as given in **Table No.3E**.

| Table No.3 E | | |
|--------------|--|---|
| Sr. No. | Length of Internal Road in Plotted Layout / Sub division (m) | Width of Internal Road in Plotted Layout / Sub Division (m) |
| i | Upto 150 | 9.00 |
| ii | Above 150 and upto 300 | 12.00 |
| iii | Above 300 | 15.00 |

Note - For layout or part of layout where plots of 100 sqm or less are proposed, 6 m wide road of length upto 60 m and 7.5 m wide road of length upto 100 m may be permitted so that these plots shall abut on both sides of such roads.

- iii) **For Group of Industrial / Commercial Buildings** - In case of group of industrial / commercial building in a plot / land, every building shall have approach by motorable road. The marginal distances not less than 4.5 m (6 m in case of special building) may also be treated as approach to a subsequent building.

- iv) **For Group Housing Scheme & Other uses** - In case of group housing schemes & group of building for other uses in a plot / land, minimum width of internal roads shall be as given in **Table No. 3F**

| Table No. 3F | | |
|--------------|-----------------------------|---------------------------------|
| Sr. No. | Length of Internal Road (m) | Min. Width of Internal Road (m) |
| i | Upto 150 | 7.50 |
| ii | Above 150 and upto 300 | 9.00 |
| iii | Above 300 and upto 600 | 12.00 |
| iv | Above 600 | 15.00 |

The marginal distances, not less than 4.5 m may also be treated as approach to a subsequent building upto 60.m

- v) **Pathways** - In case of Group Housing Scheme / Campus planning / Layout of Buildings, a pedestrian approach to the buildings from road / street / internal means of access, wherever necessary, shall be through paved pathway of width not less than 3.0 & 4.5m provided its length measured from exit way of the building is not more than 40 m & 60 m respectively from the main / internal means of access. No separate motorable road shall be required. If the length is more than 60 m, then width of the road as provided in Table No.3 D, **3D-1, 3E & 3F, as the case may be**, shall be necessary.

The marginal distances shall not be required from such pathways / driveways. However, distance between two buildings shall be maintained which shall include width of such pathways / driveways.

3.3.3 Length of Internal Roads, How to be Measured

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

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

3.3.4 Co-Ordination of Roads in Adjoining Lands

While granting the development permission for land sub-division or group housing/ campus planning, it shall be necessary to co-ordinate the roads in the adjoining lands as far as possible.

3.3.5 Development of Street

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

3.3.6 Access from the Highways/ Classified Roads

- i) Generally, plots/ buildings along Highways and classified roads shall derive access from service roads. However, highway amenities like petrol pump, fuel station, hotel, etc. may have a direct access from Highways and this shall be subject to the provisions of National Highway Act, 1956 and State Highways Act, 1955.

- ii) Width of roads to be considered while granting development permissions, unless indicated otherwise in any statutory plan shall be as mentioned in table below :-

| Table No. 3 G | | | |
|---------------|------------------|-----------------------------------|--|
| Sr. No. | Category of Road | Width of Right of Way of Road (m) | Remarks |
| 1 | National Highway | 60 | Width inclusive of 12m service roads on both sides |
| 2 | State Highway | 45 | Width inclusive of 9m service roads on both sides |
| 4 | Major Dist. Road | 24 | No Service Road required. |
| 5 | Other Dist. Road | 18 | No Service Road required. |
| 6 | Village Road | 15 | No Service Road required. |

Notes -

- i) If the width of any existing road or proposed road is more than what is specified in above table then the greater width shall prevail.
- ii) The above widths of roads may vary according to guidelines or circulars issued by the respective department.

3.3.7 Access Provisions for Special buildings in Regulation No.1.3 (111) (xiv)

For special buildings as mentioned in 111 (xiv) under Regulation No. 1.3, the following additional provisions of means of access shall be ensured;

- i) The width of the main street on which the plot abuts shall not be less than 12 m and one end of this street shall join another street of width not less than at least 12 m
- ii) The marginal distances on all its sides shall be as per Regulation No. 2.2.8 (a) and the layout for the same shall be approved taking into consideration the requirements of fire services, and the margins shall be of hard surface capable of taking the weight of fire engine, weighing upto 45 tonnes. The said marginal distances shall be kept free of obstructions and shall be motorable.
- iii) Main entrances to the plot shall be of adequate width to allow easy access to the fire engine and in no case it shall measure less than 6 m The entrance gate shall fold back against the compound wall of the premises, thus leaving the exterior access way within the plot free for movement of fire engine / fire service vehicles. If main entrance at boundary wall is built over, the minimum clearance (headroom) shall be 4.5 m

3.3.8 Cul-de-sacs

In addition to the provisions of Regulation No.3.3.2, Cul-de-sacs giving access to plots and extending upto 150m normally and 275m maximum with an additional turning space at 150m may be allowed only in residential area, provided that Cul-de-sacs would be permissible only on straight roads and provided further that cul-de-sac ends shall be higher in level than the level of starting point. The turning space, in any case shall be not less than 81 sqm in area (inclusive of road width) with no dimension being less than 9 m.

In case of Industrial area, such cul-de-sac may be allowed with turning space of 225 sqm.

For other areas, except Residential and Industrial, such turning space shall be 144 sqm.

3.3.9 Handing Over of Layout Roads

In case of privately owned land which are allowed to be developed under various schemes in these Regulations, areas under internal layout roads may be handed over to the Local Authority by way of deed after development of the same, whenever such Authority is formed, for which no compensation shall be paid by the said Authority. However, the owner / developer shall be at liberty to maintain such roads / infrastructure at his own cost, if he so desires. In such cases, the internal layout roads need not be transferred to the Local Authority.

3.3.10 Intersection of Roads

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

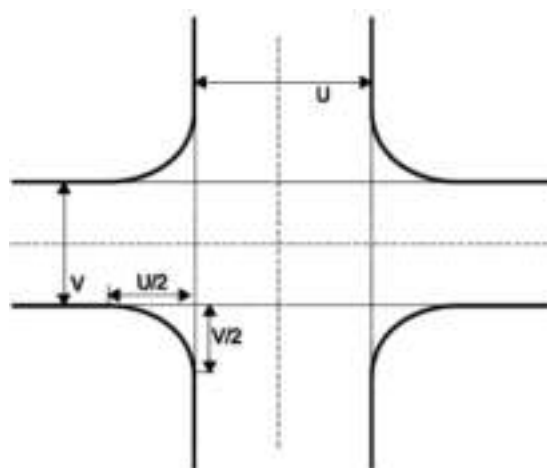


Figure 3A - Rounding off at junctions of right angled intersections

3.3.11 Acute Angled Junctions

For junctions of roads meeting at less than 60 degree, the rounding off or cut-off or similar treatment shall have tangent length of U and V from the intersection point as shown in Fig.3B. The tangent length at obtuse angle junction shall be equal to half the width of the road from which the vehicle enters as shown in Figure 3B. Provided, however, that the radius for the junction rounding shall not be less than 6m for both types.

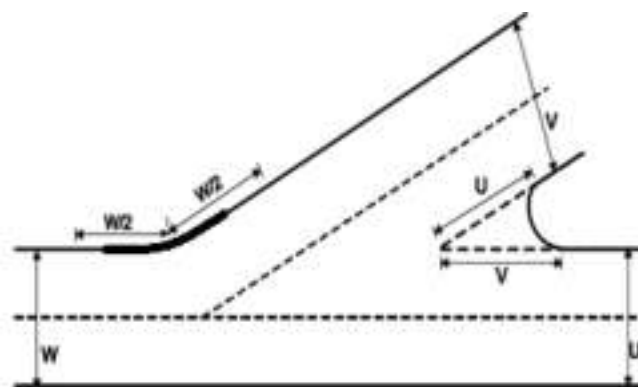


Figure 3B - Rounding off at junctions at acute/ obtuse intersections

3.3.12 Approach By Underpass or Over Bridge for Adjoining Properties.

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

3.4 RECREATIONAL OPEN SPACES**3.4.1 Recreational Open Space in Industrial Zone.**

For MIDC lands -

In any layout or subdivision or any development of land (after deducting area under Roads / Reservations in Statutory Plan, if any, from the total area under development), 10% recreational open space shall be earmarked *after deducting the area of plots admeasuring 1.00 ha and more.*

For plots admeasuring 1.00 ha and above, recreational open space of 10% of such area shall be earmarked at time of building / development permission.

The aforesaid provisions shall also be applicable to special schemes like IIA, IITT & ILP.

In case of MIDC layouts developed before August 2009 and where open spaces have been mentioned as per the earlier DCRs (i.e. 10% of area under layout excluding plot more than 4 ha), the same shall be continued as they are; and plot holders in such layouts having area above 1 ha and upto 4 ha shall be exempted from providing 10% open space.

Such recreational open spaces shall, as far as possible, be provided at one place. Such recreational open space may be allowed to be earmarked at different locations in the same layout, provided that minimum width of such open space shall be 15 m and area shall not be less than 750 sqm at one place. However, the owner shall be at liberty to provide recreational open space more than 10%.

The provisions of Regulation No. 3.4.2 (iii) & (iv) shall also be applicable for recreational open spaces in Industrial Zone.

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

3.4.2 Recreational Open Space in other Zones / Areas.

In any layout or subdivision or any development of land more than 0.50 ha (after deducting area under Roads / Reservations in Statutory Plan, if any, from the total area under development), 10% of the area under layout shall be earmarked as recreational open space which shall, as far as possible, be provided *at* one place. In case of land admeasuring more than 1 ha such recreational open space may be allowed to be earmarked at different locations in the same layout, provided that the size and other dimensions conform to the provisions herein below. However, the owner shall be at liberty to provide recreational open space more than 10%.

i) In case of lands declared surplus or retainable under Urban Land (C & R) Act, 1976, if the entire retainable holding or entire surplus holding independently admeasures 0.5 ha or more, then 10% recreational open space shall be necessary in respective holding.

ii) Such open space shall not be necessary :-

- a) In cases of layout or subdivision of plots from a layout already sanctioned by any Authority irrespective of percentage of open space left therein.
 - b) for development of the reservations in the Planning Proposal /Development Plans designated for the purpose other than residential.
- iii) Not more than 50% of such recreational open space may be provided on the terrace of a podium subject to Regulation No.8.13.
- Notwithstanding anything contained in the definition of “Recreational Open Space” in these regulations, such recreational open space to the extent of 100% may be allowed to be provided on the terrace of a podium if owner / developer provides 1.5 m strip of land along plot boundary, exclusive of marginal distances, for plantation of trees.
- iv) Such recreational open space shall not be entirely proposed in marginal distances / set back or major part of it shall not be proposed in marginal distances / set back. However, such recreational open space, bigger than marginal distances and confirming to the Regulation No.3.4.2.2, may include part of marginal distances/ set back area, if such recreational open space is proposed adjoining to plot boundary.

3.4.2.1 Recreational Open Space – Owner’s Undertaking *in case of Residential Development*

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

- i) On sanction of the development permission, the recreational open space shall be deemed to have been vested in the society / association of the residents / occupants of the layout/ building unit except as specified otherwise. In case such society or association is yet to be formed, the owner shall give undertaking to the Authority at the time of occupation certificate in case of Group Housing Scheme and at the time of final approval in case of plotted layout, that he shall transfer the recreational open space at a nominal cost of Re.1/- to the society/ association whenever it is formed. The recreational open space shall not be sold/ leased out / allotted/ transferred for any purpose, to any other person and it shall not be put to any other use except for the common use of society / association of the residents/ occupants as mentioned in Regulation No.3.4.3.
- ii) If the Authority is convinced that, either the owner has failed to abide by the undertaking or such open space is being used in violation of the provisions as prescribed in these regulations, then the Authority shall take over possession of such land of recreational open space for maintaining it for the uses permissible in these regulations, subject to condition that it shall not be further handed over or allotted to any person/ institute/ authority other than the society/ association of the residents/ occupants.

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

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

3.4.2.2 Minimum Dimensions and Area

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

space shall not be less than 200 sqm.

3.4.3 Structures Permitted in Open Space

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

- i) There may be maximum two storeyed structure with maximum 15% built-up area of recreational open space, out of which, built up area on ground floor shall not exceed 10%. In case of stilt, additional floor may be allowed.
- ii) The structures used for the purpose of pavilion, gymnasium, fitness centre, club house, Vipassana and yoga centre, crèche, kindergarten, library, or other structures for the purpose of sports and recreational activity (indoor or outdoor stadia, etc. as per availability of area) may be permitted. Utilities such as water tank (underground or elevated), electric substation, generator set, pump houses, garbage treatment, public health out post/ centre may be permitted only with the consent of the society of residents. Religious structure may be allowed with the permission of competent Authority as decided by Government from time to time.
- iii) A swimming pool may also be permitted in such a recreational open space. The ownership of such structures and other appurtenant users shall vest in all the owners on account of whose cumulative holdings the recreational open space is required to be kept in the land.
- iv) The remaining area of the recreational open space shall be kept open to sky and properly accessible as a place of recreation, garden or a playground.
- v) In case of Residential Development, the proposal for the construction of such structure should come as a proposal from the owner/s, owners' society / societies or federation of owners' societies and shall be meant for the beneficial use of the owners/ members of such society/ societies/ federation of societies.

3.4.4 Recreational Open Space and Means of Access

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

3.4.5 Play Ground for Educational Purpose

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

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

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

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

3.5 PROVISION FOR AMENITY SPACE

3.5.1

In any layout or subdivision or any development of land in Industrial Zone / area, 5% of the total area (after deducting area under Roads / Reservations in Statutory Plan, if any, from the total area under development), shall be earmarked as amenity space. No amenity space shall be required to be left in case of individual plots within such Industrial Layout.

In any layout or subdivision or any development of land for Residential layout admeasuring more than 2.00 ha, 5% of the total area (after deducting area under Roads / Reservations in Statutory Plan, if any, from the total area under development), shall be earmarked as amenity space. No amenity space shall be required to be left in case of individual plots within such Residential Layout.

These amenity spaces shall be developed by the owner for the uses mentioned in the definition of amenity.

Provided that: -

- amenity space shall be approachable by minimum 12m wide road except the cases where 12m approach road to the site is not available. Such amenity space may be located on 9 m road, however, in such case, special building on amenity plot shall not be allowed;
- this regulation shall not be applicable where entire development permission is for amenities specified in definition of amenity space in these Regulations. This regulation shall also not be applicable, if construction on entire plot is for hotel building or IT establishment / building;
- this regulation shall not be applicable for revision of earlier sanctioned development permissions granted under the regulations in force prior to these regulations and work is commenced, where no such amenity space has been provided in development permission sanctioned earlier;
- if some amenity space is provided in the earlier permission, then the quantum of such amenity space in the revised permission :-
 - shall be limited to the area provided in earlier permission.
 - shall not be reduced even though area of such amenity space is more than what is specified in this regulation.
- the development in amenity space shall be allowed upto building potential mentioned in

Regulation No. 5.5;

- vii) any other use, not mentioned in these regulations, may be allowed to be developed by the Authority.

3.6 MINIMUM PLOT AREA FOR VARIOUS USES

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

| Table No. 3 I | | | | |
|---------------|---|--------------------------------|------------------------|--|
| Sr. No. | Uses | Min. Plot area (in sqm) | Min. Plot Width (in m) | Type of Development |
| 1. | Industrial | | | |
| | i) High Hazard Industries. | 4000 | -- | Detached. |
| | ii) Moderate Hazard Industries. | 2000 | -- | Detached. |
| | iii) Light Hazard Industries / small scale industries / other industries. | 200 | 10 | Detached / Semi Detached. |
| | iv) Plot for project affected persons. | <i>As decided by Authority</i> | 7 | As per permissibility of the construction area taking into consideration the marginal distances. |
| | v) Plot for convenience shopping unit. | 50 | 5 | |
| | vi) Informal shopping, stall sites. | As per requirement | As per requirement | |
| | vii) Canteen, Transport Offices, Individual Shops for Industrial goods & services | 200 | 10 | |
| 2 | Residential and Commercial | Min 30 | As per Table No.5B | Row / Semi-detached / detached development as specified / anticipated in earlier approved layout or layout to be approved in future. In other cases, as per permissibility of the construction area taking into consideration the |

| | | | | |
|---|--|---|--|----------------------|
| | | | | marginal distances. |
| 3 | Plots in EWS Housing / High Density Housing / Sites and Services / Slum Upgradation / Reconstruction Scheme by Public Authority. | Min 20 sqm or as specified in the respective scheme. | | Row / Semi-detached. |
| 4 | Vehicle fuel Filling station including LPG / CNG / Ethanol /Public Charging Stations for Electric Vehicles- | | | |
| | (a) Without service bay | 545 sqm or as required by the concerned petroleum authority / company. | Any side at least 16.75 m or as required by the concerned petroleum authority / company. | Detached. |
| | (b) With service bay | 1100 sqm or as required by the concerned petroleum authority / company. | Any side at least 30.50 m or as required by the concerned petroleum authority / company. | Detached. |
| 5 | Other uses (other than 1 to 4 above) | Required plot size and development shall be governed by permissibility of construction under these regulations. | | |

Notes -

- i) In case of plotted layout, the plot width to depth ratio shall be 1:1.5 to 1:2.5; as far as possible.
- iii) In case of Sr. No. 2 above, pattern of development permissible within a plot shall be shown in dotted line while approving the layout. However, change in pattern may be permitted in future, if it fits into above pattern of development and does not disturb the overall pattern of development already approved.

3.7 NET PLOT AREA AND COMPUTATION OF FSI

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

- i) In case of a plotted layout / sub-division / group of industrial buildings / group housing scheme / any development, net area shall be the balance plot area after deducting the area

covered by amenity space under Regulation No.3.5 and Statutory Plan proposals including new roads and road widening, reservations, if any, from the total area of plot.

- ii) For the purpose of computation of FSI, the net area of the plot shall only be considered.
- iii) In case of plotted layout, the basic FSI of such net area may be distributed on all plots on pro-rata basis or on certain plots as land owner / developer desires, subject to maximum receiving potential prescribed in these regulations. However, such entitlement of FSI on certain plots shall be clearly mentioned on the layout plan.
- iv) In case of plots from already approved layouts, the plot area shall be treated as net plot area.
- v) The above regulations in respect of net plot area and computation of FSI shall apply to proposals in all land use zones.

3.8 RELOCATION OF RESERVED SITES / ROADS IN STATUTORY PLAN

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

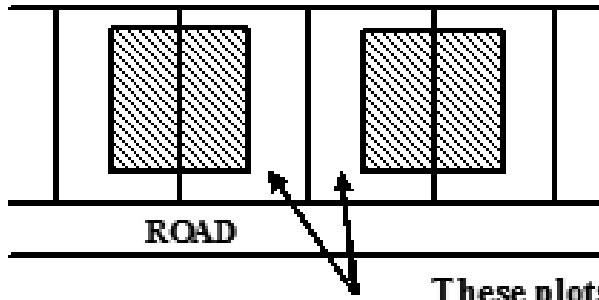
- i) if the reservation proposed to be relocated is in parts;
- ii) if the reservation proposed to be relocated is beyond 500 m from the original location in the Statutory Plan;
- iii) if the reservation proposed to be relocated is beyond the holding of the same owner;
- iv) unless the alternative location and size is at least similar to the location and size of the reservation in Statutory Plan as regards access, levels, etc.;
- v) if the reservation is already relocated under these regulations;
- vi) if the land is reserved considering its geographical location like Bio-Diversity Proposal, Nallahs training reservation etc. and;
- vii) unless the relocation is within area covered by the layout or development permission under sanction.

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

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

3.9 AMALGAMATION OF PLOTS

- i) Amalgamation of plots / lands shall be permissible if they form a sizable plot from planning point of view and are contiguous. Amenity and layout plot shall also be entitled for amalgamation provided amenity is developed on proportionate area.
- ii) The amalgamation of plots from approved layout which is not desirable from planning point of view (e.g. as shown in below) shall not be permitted.



These plots shall not be amalgamated.

- iii) Land separated by minor water course or nallahs or road may be entitled for amalgamation provided connecting over bridge or under pass of sufficient width and strength is constructed by the owner with the approval of the Authority.
- iv) Instead of amalgamation of plot, owner shall also be entitled for development permission on combined plots, if owners so desire.

**_*_*_*_

CHAPTER - 4

LAND USE CLASSIFICATION AND PERMISSIBLE USES

4.1 GENERAL

- i) In case of development / re-development of any land, building or premises, the intended use shall conform to the land use or, as the case may be, purpose of designation, allocation or reservation assigned to it in any Statutory Plan i.e. Planning Proposal / Regional Plan/ Development Plan, unless specified otherwise. The lands which are acquired by the MIDC under the provisions of MID Act, or MIDC is declared as Special Planning Authority, the uses permissible in industrial zone shall be permitted. In other cases, uses shall be permissible as per zone shown on statutory plan.
- ii) **Non-Conforming Uses Existing Lawfully** - Any lawful non-conforming use of premises existing prior to the date of coming in to force of the any statutory Plan, shall continue and may be allowed to be expanded within the holding in the original sanctioned permission and that when a building containing non-conforming use is pulled down or has fallen down, the use of the new building shall be in conformity with these regulations or with lawful existing use.
- iii) **Existing features shown on the plan** – The existing features shown on any statutory Plan, are indicative and shall stand modified on any such Plan, as per actual situation. Mention of particular use on such Plan, shall not bar the owner from permission to develop land as allowed in the zone shown for such land. Also, boundaries of S.No., alignment of existing road/ nallah and other physical features of land shall be as per measurement plan of Land Records Department and the land unaffected by such physical features shall be allowed to be developed for the uses permissible under the adjoining predominant land use zone.
- iv) **Discontinuance of Zoning in pursuance of existing use**– If any land is shown in Public Semi-Public zone or Public Utility Zone in any statutory Plan because of the activity that existed there or otherwise, such lands shall be deemed to have been shown in the adjacent predominant Zone after such activity ceases to exist or otherwise.

4.2 LAND USE CLASSIFICATION

The different land use classifications in any Statutory Plan and different uses permissible in that land use zone shall be as given below:-

- i) Industrial Zone
- ii) Residential Zone
- iii) Commercial Zone
- iv) Mixed use Zone.
- v) Public Semi-public Zone
- vi) Traffic and Transportation Zone
- vii) Forest Zone.
- viii) Public Utility Zone.
- ix) Special Economic Zone.

4.2.1 INDUSTRIAL ZONE

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

The following uses shall be permissible in Industrial Zone :-

- i) The service industries as listed in Regulation No. 4.2.2.2 (B) (iv) without restrictions on power requirement, employment, floor area and other restrictions.
- ii) Any industry / industries may be permitted. Minimum buffer open space / set back (which may include marginal distance and road width if any) from the boundary of industrial building / use to residential or habitable zone / use, shall not be less than 23 m. Such buffer open space shall be kept in the land falling in the industrial zone. In cases where construction has already taken place in Industrial Zone, then such Buffer open space may be kept in a Residential Zone.

Provided that, in case of chemical industries, such buffer zone shall be of minimum 30 m width from the adjoining industries / residential use.

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

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

Provided further that, industrial godowns / godowns shall also be permissible under this regulation, subject to approval of MIDC on the plots allotted by MIDC.

- iii) Building or premises in industrial zone may be used for any industrial as well as ancillary uses like banks, canteens, welfare centre, *fitness centre, creche, driver room*, and such other common purposes considered necessary for the industrial workers, quarters of watchmen, caretakers or other essential staff required to be maintained on the premises. Essential staff quarters, area in each plot admeasuring more than 0.4 ha in non-chemical industrial plot, shall not exceed 10% of the said plot area. Essential staff quarters shall not be allowed in industrial plot admeasuring less than 0.4 ha area and chemical industrial plots irrespective of plot size. Office spaces including tourism, travel, trading etc. may be allowed upto 10% and commercial display area upto 5% of the total built-up area of industrial building / use as a part of industrial activities, in addition to support services.

Provided that, if other schemes / policies provide for different percentage of uses mentioned above, then the percentage mentioned in such scheme / policies shall prevail.

- iv) Following uses may also be permitted -
 - a) Parking lots,
 - b) Buildings of public utility concerns,
 - c) Buildings of Banks,
 - d) Residential Hotels, Restaurants,
 - e) Storage Buildings,
 - f) Drive-in-Theatres, cinema or theatres, subject to provisions of the Maharashtra

Cinemas (Regulation) Act,

- g) Highway amenities.
 - h) Industrial training centre / institute,
 - i) Information Technology Establishments. (IT/ ITES), / **Data Centers.**
 - j) Bio-technology units,
 - k) Public Charging Stations for Electric Vehicle, Petrol pumps and Service Stations / Fuel Filling Stations including LPG / CNG / Ethanol etc. subject to provisions in Regulation No. 5.3. Sr. No. 6 of Table 5 C.
 - l) Hospitals and dispensaries.
 - m) Religious structures as per the policy decided by the Authority from time to time.
 - n) Weigh bridges subject to following. –
 - i. The size of plot for weigh bridge shall be as per requirement.
 - ii. The following activities may be permitted on the plots allotted by MIDC for weigh bridge,:
 - (a) Departmental Store
 - (b) Canteen Facility / Stationery / Grocery Shops etc.
 - (c) Telephone Booth / Communication Centre / ATM
 - (d) Commercial and other activities incidental to principal use for carrying out business etc.
- Provided that maximum area under the activities mentioned in (ii) above shall not exceed 50% of the plot area.
- o) Transport Hub and Logistic Park including warehousing, cold storage, multimodal transport, container depot, container freight stations etc.
- However, in case of MIDC layouts, percentage of such uses shall not exceed 15% of the industrial activities.***
- p) Special Economic Zone (SEZ)
 - q) Any other support activities required for industrial purpose, like Residential, Educational, Institutional, Assembly, Business, Mercantile.
 - r) Effluent treatment plant (ETP) / Sewage treatment plant (STP), water supply, electricity, other utilities / services and conveniences.

Provided that, the percentage of industrial activities shall not be less than 80% of the area of the total land and support uses shall not exceed 20% of the area of the total land. ***The percentage of uses to be allowed as support uses shall be as decided by the Authority.*** Recreational open space & amenity space, ***if applicable***, shall be earmarked proportionately for industrial and support activity area.

4.2.1.1 Allowing Change of Use of a Plot

Change of use of a plot for any other uses may be permitted in Industrial area with the approval of authority and subject to payment of differential premium as decided by MIDC, ***within the limit mentioned in proviso of Regulation No. 4.2.1.***

4.2.2 RESIDENTIAL ZONE**4.2.2.1 Residential Zone - R-1**

(Residential Zone R1 includes Residential plots abutting on roads below 9 m in width)

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

- i) Any residences, Slum Improvement / Rehabilitation.
- ii) Hostels for students / working men / women, lodging with or without boarding facilities.
- iii) Old age home, sanatorium, orphanage, night shelter dormitories.
- iv) Customary Home occupation i.e. occupations customarily carried out by the members of the household without employing hired labourer and shall include stitching, embroidery, beauty parlour, button making etc. with or without motive power. If motive power is used, the total electricity load should not exceed 1 HP (0.75kw).
- v) Medical and Dental Practitioner's Dispensaries including pathological laboratory, diagnostic clinics, polyclinics, counselling centres, clinics, to be permitted on any floor, however, Maternity homes, nursing homes with indoor patients with beds not exceeding 20 on any floor shall necessarily be provided with separate means of access i.e. staircase. Where only doctor's and/or paramedical staff residence is located on upper floor, then such separate means of access shall not be insisted.
- vi) Professional Offices in residential tenement for own purpose not exceeding carpet area of 50 sqm each.
- vii) Community halls, welfare centre, gymnasias (each not exceeding 100sqm)
- viii) Primary and nursery schools including students' hostels except trade schools
- ix) Crèche, Day-care centre upto 100sqm in an independent building or part of building.
- x) Private coaching classes, student's mess in an independent building or part of building upto 100 sqm subject to separate parking facility in the same premises.
- xi) Religious buildings.
- xii) Public / City Libraries and Museums in independent building or on ground or first floor of the composite building.
- xiii) Club Houses or gymkhanas in residential complexes.
- xiv) Public or Private Park (except an amusement park), garden and play field in independent plot not used for business purpose.
- xv) Bus shelters, Taxi-Rickshaw stands, trolley bus shelters, Railway Station, Metro station, BRT stand, cycle stand and like uses.
- xvi) Convenience shops only on ground floor.
- xvii) Police Station, Police chowky, Government and Municipal sub-offices, Post and Telegraph Offices, Branch offices of Banks with safe Deposit Vaults, Electric substations, Fire Aid posts, Home Guards and Civil Defence Centres, essential Public utilities, Pumping stations, water installations and ancillary structures thereof required to cater to the local area.
- xviii) Electronic Industry of the Assembly type (not of the manufacturing type) with the following restrictions :-
 - a) Motive Power shall not exceed 1 H.P.

- xix) Information technology establishment (ITE) (pertaining to software only) on the plots/ premises fronting on roads having width 9 m and above.
- xx) Flour mill and wet / dry masala grinding / subject to following conditions:-
 - a) Power requirement shall not exceed 10HP.
- xxi) Burial grounds, cremation grounds and essential public utilities, on a road having width of 9 m and above
- xxii) Agricultural, horticultural and allied uses (except agro-based industries).
- xxiii) Raisin production, book binding.
- xxiv) Public conveniences.
- xxv) Research, experimental and testing laboratories not involving any danger of fire or explosion or of any obnoxious nature.

4.2.2.2 Residential Zone R-2

(Residential Zone R2 includes Residential plots abutting on roads having existing or proposed width of 12 m and above).

A) In this zone, the following uses, mixed uses may be permitted

- i) All uses permissible in R-1 shall be permitted in R-2 zone, without any restriction of area,
- ii) All uses or mix uses may be permitted irrespective of restriction on floor or area, except uses like Industry, Storage and drying of fertilizer, Brick Tile Manufacture, Fish Farming, Manufacture of Fireworks / Explosives and storage or magazine, Mining and Quarrying.
- iii) All Uses permissible in Public Semi-public Zone.

B) Uses Permitted in Independent Premises / Buildings

- i) Vehicle Fuel filling Station including LPG / CNG / Ethanol with or without service stations subject to provisions of subject to provisions in Regulation No. 5.3. Sr. No. 6 of Table 5 C. (This station may include Electric Vehicle Charging Stations)
- ii) Trade or other similar schools.
- iii) LPG godown, Bulk storage and sale of kerosene subject to NOC of Chief Controller of Explosives, Government of India.
- iv) **Service Industries :-** The Service Industries may be permitted in independent building / Plot as given below :-
 - a) Following Industries may be permitted with power requirement not more than 20h.p., employment not more than 20 persons and floor area not exceeding 250 sqm.

D) FOOD PRODUCT

- i) Canning & preservation of Fruits & Vegetables, Meat and Fish including production of Jam, Jelly, Sauce, etc.
- ii) Manufacture of dairy products such as butter, ghee, etc.
- iii) Manufacture of bakery products with no Floor above.
- iv)
 - (a) Rice huller
 - (b) Groundnut decorticators
 - (c) Grain Mill for production of flour

(d) Supari and Masala grindings.

(e) Baby oil expellers

v) Coffee, curing roasting and grinding

vi) Cashew nut processing like drying, shelling, roasting, salting etc.

vii) Manufacture of Ice

viii) Sugarcane crushing & Fruit Juice

II) BEVERAGES & TOBACCO

i) Manufacture of soft drinks and carbonated water.

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

III) TEXTILE & TEXTILEPRODUCTS

i) Printing, dyeing and bleaching of cotton, woollen and silk textiles.

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

iii) Embroidery & making of crape laces & fringes

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

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

IV) WOOD PRODUCTS AND FURNITURE

i) Manufacture of wooden and cane boxes and packing cases.

ii) Manufacture of structural wooden goods such as beams, posts, doors and windows.

iii) Manufacture of wooden furniture and fixtures.

iv) Manufacture of bamboo and cane furniture and fixtures.

v) Manufacture of wooden products such as utensils, toys, art wares etc.

V) PAPER PRODUCTS AND PRINTING PUBLISHING

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

ii) Printing & Publishing newspaper.

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

iv) Engraving etching block making etc.

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

VI) LEATHER PRODUCTS

i) Manufacture leather foot ware.

ii) Manufacture of wearing apparel like coats, gloves etc.

iii) Manufacture of leather consumer goods such as upholstery, suit cases, pocket books, cigarette and key cases, purses etc.

iv) Repair of footwear and other leather.

VII) RUBBER AND PLASTIC

i) Re-treading and vulcanizing works.

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

VIII) NON-METALLIC MINERAL PRODUCTS

- i) Manufacture of structural stone, goods, stone dressing, crushing, and polishing.
- ii) Manufacture of earthen and plaster slates and images, toys and art wares.
- iii) Manufacture of cement concrete building components, concrete jallis, septic tank, plaster of paris work, lime mortar etc.

IX) METAL PRODUCTS

- i) Manufacture of furniture and fixture primarily of metal.
- ii) Plating and polishing of metal products.
- iii) Manufacture and repair of sundry ferrous engg. Products done by jobbing concerns such as mechanical.
- iv) Workshops with lathes, drills, grinders welding equipment etc.
- v) Manufacture of metal building components such as grills, gates. Doors and window frames, water tanks, wire nets, etc.
- vi) Tool sharpening and razor sharpening works.

X) ELECTRICAL GOODS

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

XI) TRANSPORT EQUIPMENT

- i) Manufacturing of push cart, hand cart, etc.
- ii) (a) Servicing and repairing of bicycle, rickshaws, motor cycle and motor Vehicles.
- (b) Battery charging and repairs.

XII) OTHER MANUFACTURING AND REPAIR INDUSTRIES AND SERVICES

- i) Manufacture of jewellery and related articles
- ii) Manufacture of sports athletic goods.
- iii) Repair of watch, clock and jewellery
- iv) Manufacture of Musical instruments and its repair.
- v) (a) Repairs of locks, stoves, umbrellas, sewing machines, gas burners, buckets & other sundry household equipment.
- (b) Optical glass grinding and repairs
- vi) Petrol/CNG/Ethanol/All fuel filling/Electric Vehicle Charging Stations) subject to provisions in Regulation No. 5.3. Sr. No. 6 of Table 5 C.
- vii) Laundries, Laundry service and cleaning, dyeing, bleaching and dry cleaning
- viii) Photo processing laboratories.
- ix) Electronic Industry of assembly type (and not of manufacturing type including heating load) ;

- x) *Manufacture of structural stone goods, stone dressing, stone crushing and polishing, Manufacture of earthen & plaster states and images, toys and art wares and Manufacture of cement concrete building components, concrete jallies, septic tank, plaster of paris work lime mortar etc.*

4.2.3 COMMERCIAL ZONE

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

- i) Any use permitted in residential R2 zone. However, residential use upto 40% and commercial use at 60% may be permitted. In specific cases where authority considers the abovesaid limits for Commercial use as extreme hardship then authority may relax the said requirement.
- ii) Any commercial use, wholesale establishments with or without storage area,
- iii) Uses permissible in Public Semi-public Zone.
- iv) Public utility buildings.
- v) Activities permissible in Service Industries.

4.2.4 MIXED USE ZONE

In mixed use zone, residential use upto 40% and commercial use not less than 60% may be permitted.

4.2.5 PUBLIC/ SEMI PUBLIC ZONE

The following uses shall be permissible:-

- i) Schools, Colleges, Educational Complexes, Training institutions, Hostels for students and essential staff quarters.
- ii) Home for the aged, Hospitals, Sanatoria, Dispensaries, Maternity Homes, Health Centres and related health facilities with ancillary structures like quarters, Dharmshalas, veterinary hospitals etc.
- iii) Offices and essential staff quarters of the Government / Semi Government and/or their authorities / Local Self-Government, Courts, **Data Centers** etc., Public Housing by Government / Government Bodies.
- iv) Public/semi-public sector utility and transport establishments/ institutions of research, education and health.
- v) Libraries, Mangal karyalayas, Gymnasia, Gymkhanas, Stadia, Community halls, Civic and Cultural Centres, Religious Structures, auditoria etc.
- vi) Commercial use upto 15% shall be permissible subject to following conditions: -
 - a) Shop/ permit rooms for liquor/ wine/ beer, pan, cigarette, tobacco, lottery tickets and such other uses which do not serve public purpose, similarly storage of domestic gas cylinders, kerosene etc., which are dangerous to public health, shall not be permitted.
 - b) The plots in which there is an existing development; such commercial use shall be restricted to a maximum of 15% of the existing and proposed development taken together.

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

- vii) Vehicle Fuel Filling Station including LPG/ CNG/ Public Charging Stations for Electric Vehicles as per Regulation No.5.3. Sr. No. 6 of Table 5 C.
- viii) Nursery, crèches, Spastic rehabilitation centres, orphanages, hostel for Autistic persons and Mentally Retarded persons.
- ix) Fire stations.
- x) Traffic and Transport related facilities.

4.2.6 TRAFFIC AND TRANSPORTATION ZONE

- i) All uses / activities related to surface, water and air traffic and transportation including Parking, ancillary uses shall be permissible.
- ii) Separable lands of Railways shall be allowed to be developed for uses permissible in Commercial Zone.

4.2.7 FOREST ZONE

The developments as may be required by the Ministry of Forest or its Authorities shall only be permissible on the lands owned and possessed by the Ministry/ Department of Forest or its Authorities.

4.2.8 PUBLIC UTILITY ZONE

The following users shall be permissible in this zone.

Water treatment plant, water reservoirs, pumping station, water storage tank, sewage /influent treatment plant, waste water recycling plant, electric substation, cemeteries, burial ground and cremation grounds, slaughter house, solid waste landfill / management site, fire station, post, telegram and communication office, telephone exchange, cattle pond, dairy farm, public urinals including all public utilities.

4.2.9 SPECIAL ECONOMIC ZONE

Following uses shall be permissible in this zone as per SEZ policy.

- i) Residential, Educational, Institutional, Assembly, Business, Mercantile, Industrial, Storage, information Technology, Recreational.
- ii) Any other land use as may be made permissible by the Government of India within SEZ.

4.3 ADDITIONAL USES

The lists of uses mentioned under various land use zones herein above may be amended by the Authority.

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CHAPTER – 5**GENERAL BUILDING REQUIREMENTS – SETBACK, MARGINAL DISTANCE, HEIGHT AND PERMISSIBLE FSI****5.0 GENERAL**

Following provisions shall be applicable for Industrial, Residential & other uses mentioned in these regulations.

5.1 REGULATIONS FOR INDUSTRIAL BUILDINGS

The provisions for minimum marginal distances as given in **Table No. 5 A** below shall apply for industrial building permissible in industrial or other zones.

| Table No. 5 A | | | | | |
|----------------------|---|-------------------------------|-------------------------------|-------------------------------|--|
| Sr. No. | Plot Size in sqm | Min. Front Margin in m | Min. Side Margins in m | Min. Rear Margin. in m | Maximum Permissible Height in m |
| 1 | 2 | 3 | 4 | 5 | 6 |
| 1 | Stall sites upto 25 sqm (desirable width of plot 4m and above) | 0.75 | 0.75 | 0.75 | 3.5 |
| 2 | For plots above 25 sqm to 60 sqm | 1.00 | 0.75 | 0.75 | 7.00 |
| 3 | For plots above 60 sqm to 100 sqm | 1.50 | 1.00 | 1.00 | 10.00 |
| 4 | For plots – above 100 sqm to 300 sqm (desirable width of plot 8 m and above) | 2.50 | 1.50 | 1.50 | 10.00 |
| 5 | Above 300 sqm and upto 500 sqm | 3.00 | 3.00 | 3.00 | Height permissible Subject to marginal distance, as per Regulation No.5.4 |
| 6 | Above 500 sqm and upto 1200 sqm not being Special Building. | 4.00 | 3.00 | 3.00 | -- do -- |
| 7 | Above 1200 sqm not being special building. | 5.00 | 4.00 | 4.00 | -- do -- |
| 8 | Any building in above categories mentioned in No.5 to8, being special building. | 6.00 | 6.00 | 6.00 | -- do -- |

Notes –

- i) In case of plots fronting on National Highways, State Highways and Major District Roads,

the building line shall be as per Ribbon Development Rules or as given in Table above, whichever is more.

- ii) Supporting columns for porch shall be allowed at minimum **1.5 m from road side and leaving required marginal distance on remaining sides.** Steps may be permitted within 1.2 m from the building line. The plot width to depth ratio shall be 1:1.5 to 1:2.5, as far as possible in plotted layout.
- iii) Maximum floor height shall be generally 6.0 m for industrial buildings. However, greater heights may be permitted as per the requirement, without accounting for additional FSI.
- iv) For requirement of manufacturing process, two or more buildings may be allowed to be connected by any industrial process requirement like conveyer belt etc. In such cases, requirement of light and ventilation shall be complied with instead of insisting for distance between two buildings.

5.2 REGULATIONS FOR RESIDENTIAL & MIX USE BUILDINGS.

5.2.1 Marginal Distances and set-back for Residential Buildings and mixed use with Height upto 15 m or as mentioned in the Table No. 5 B.

The provisions for minimum marginal distances as given in **Table No. 5 B** below shall apply for the Residential buildings, Residential with mixed uses permissible in Residential Zone and Residential buildings permissible in other zones.

| Table No. 5 - B | | | | | | | |
|-----------------|--|----------------------|-----------------------------|---|-----------------------------|-----------------------------|--|
| Sr. No | Description of the road | Min Plot Size in Sqm | Min width of plot in meters | Min setback from road side in meters | Min. side margins in meters | Min. rear margins in meters | Remarks |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| 1 | National Highway & State Highway | 450 | 15 | 4.5 m or as specified by Highway rules whichever is more. | 3.0 | 3.0 | Side and Rear Margins for building upto 15m height (excluding parking floor upto 6 m height) |
| 2 | Roads of width 30 m | 450 | 15 | 4.5 | 3.0 | 3.0 | Side and Rear Margins for building upto 15m height (excluding parking floor upto 6 m height) |
| 3 | Roads of width 18 m and above but below 30 m | 250 | 10 | 4.5 | 2.0 | 2.0 | Side and Rear Margins for building upto 10m height (excluding |

| | | | | | | | parking floor upto 6 m height) |
|---|---|-----|-----|---|--|-----|--|
| 4 | Roads of width 15 m and above but below 18m | 200 | 10 | 3.0 | 1.5 | 1.5 | Margins for buildings G+2 or stilt +3 structure |
| 5 | Roads of width less than 15m | 80 | 6 | 3.0 | 1.5 (in case of semi-detached building, only one side marginal distance shall be permissible) | 1.5 | Margins for buildings G+2 or stilt + 3 structure |
| 6 | Row Housing on roads of 12m and below | 30 | 3.5 | 2.25 | 0.0 (In case of corner plot, 1.50 or building line of adjoining road whichever is more) | 1.5 | --do-- |
| 7 | Row Housing for EWS/ LIG/ by public authority/ private individual / Slum Upgradation etc. by public authority | 20 | 3.0 | 0.9 from pathway or 2.25 from road boundary | 0.0 (In case of corner plot, 1.5 or building line of adjoining road whichever is more) | 0.9 | G+1 or stilt + 2 structure only |

Notes -

- The width of the road in above table shall govern the requirements in column 3 to 8.
- In case of Sr. No. 1 to 6 structures having higher height may be permitted subject to marginal distance mentioned in Regulation No. 5.4.
- The minimum area of plots fronting on service roads along highways shall be with reference to the actual width of the service road.
- For semi-detached buildings, side margin shall be on one side only. Plots for semi-detached buildings shall be in pairs.
- Row-housing plots at the junction of two roads shall be larger to maintain the setback from both roads. Not more than 8 and not less than 3 plots shall be allowed in each block of row housing. Each block shall be separated from the other by a 4.5 m wide road / pathway or 4.5m side marginal distance within the plot or space including side marginal distance of the plot.

-
- vi) No garage shall be permitted in a building having stilt or basement provided for parking
 - vii) Supporting columns for porch shall be allowed at minimum **1.5 m from road side and leaving required marginal distance on remaining sides.** Steps may be permitted within 1.2 m from the building line.
 - viii) In case of special building, marginal distances shall be as per regulations for such buildings.
 - ix) The plot width to depth ratio shall be 1:1.5 to 1:2.5, as far as possible in plotted layout.
 - x) The front setback set-out in already approved and partially developed layouts/ schemes, may be retained as per original approval, so as to maintain the building line.
 - xi) The pattern of development like semi-detached, row housing etc. in already approved layout shall be as per said approved layout.
 - xii) Where commencement certificate is granted prior to publication of draft development plan or sanction of Development Plan and the plot gets affected by new road / road widening, proposed in the development plan, the front margin shall stand relaxed to that extent.
 - xiii) Subsidiary structure such as garage (limited to one), outhouse and independent sanitary block may be permitted only in plots having area 250sqm or more.
 - xiv) Rear or side marginal distances for development along nallah or watercourses shall be subject to Regulation regarding "Sites Not Eligible for Construction of Building" and "Construction Within Flood Line". (Chapter 3)
 - xv) The plots which are substandard in area shall be developed as per marginal distances mentioned in the above table with reference to road width.
 - xvi) In case of plots having approach by dead-end road, (point access) front margin shall be limited to width of point access.
 - xvii) ***In case of Regional Plan Area, building Line along classified roads as mentioned in regulation no.3.1.6 shall be applicable for residential buildings defined in Regulation No.1.3 (111) (xiv) and Control Line along classified roads shall be applicable for other uses or for commercial uses as mentioned in Regulation No.3.1.6 or for mixed use buildings where non-residential uses are proposed 50 % or more of total proposed built-up area.***
 - xviii) **Buffer zone** - For construction of Residential building, minimum 23 m wide buffer zone shall be kept from Industrial building or zone, wherever necessary. Such buffer zone may form part of sizable required recreational open space. Roads and marginal distance may also be treated as a part of Buffer Zone. However, area of such buffer zone, falling within the plot, shall be counted in gross area for computation of FSI. Where green belt is shown in any Plan between residential and industrial zone, area of such green belt may be counted in gross area for calculation of FSI, if land under such green belt is owned by the applicant.
 Provided that, if the land under industrial zone is utilized entirely for non-polluting industries, IT/ ITES or like purposes, then such buffer zone / open space shall not be necessary.
 Provided further that, in case of chemical industries buffer zone shall be minimum 30 m wide from any building / zone.
-

5.3 Other Buildings

The provisions in respect of minimum road width, minimum marginal distances etc., as given in **Table No. 5 C** below shall apply for different categories of other buildings.

| Table No. 5 C | | | | |
|---------------|---|---|--|---|
| Sr. No | Type of building | Minimum road width required | Minimum marginal distances | Other stipulations |
| 1 | 2 | 3 | 4 | 5 |
| 1 | Medical buildings | | | |
| | a) Hospital, Maternity Homes, Health Club, Clinics etc. buildings not being special buildings | 7.5 m | Margins as per Table No. 5 B subject to side marginal distance of minimum 3m | NIL |
| | b) Hospital, Maternity Homes, Health Club etc. buildings under category of special building. | Road width as required for Special Buildings. (Regulation No. 3.3.7) | Front as per Table No. 5 B and 6 m on remaining sides. | Height of building subject to provisions of Maharashtra Fire Prevention and Life Safety Measures Act 2006. |
| 2. | Educational buildings | | | |
| | a) Pre-primary School | On any road. | Margins as per Table No. 5 B | Other parameters shall be as mentioned in the Table No.6A of Regulation No.6.0. Height of building subject to provisions of Maharashtra Fire Prevention and Life Safety Measures Act 2006. |
| | b) Primary School not being special building. | 6 m | --do-- | |
| | c) Other Educational Buildings not being special building. | 9 m | 3m on all sides | |
| | d) Any building of category a, b, c above being special building. | Road width as required for Special Buildings | Front as per Table No. 5 B and 6 m on remaining sides. | |
| 3. | Public-Semi Public Building | | | |
| | a) Public-Semi Public Building not being special building. | 12 m | Margins as per Table No. 5 B subject to side marginal distance of minimum 3m | -- |
| | a) Public-Semi Public Building being special building. | 12 m | Front as per Table No. 5 B and 6 m on remaining sides. | -- |
| 4. | Cinema Theatre | | | |

| | | | | |
|-----------|--|------|--|--|
| | Cinema Theatre / Drama Theatre / Assembly Hall / Multiplex / Shopping Malls | 12 m | Front – 12 m (only on one major road). 6m on all remaining sides. | Construction of Cinema Theatre / Multiplex shall conform to the provisions of Maharashtra Cinema (Regulations) Rules, 1966 and as amended from time to time. |
| 5. | Mangal Karyalaya | | | |
| | a) Mangal karyalaya and like buildings not under the category of special building. | 12 m | 3 m on all sides. | - |
| | b) Mangal karyalaya and like buildings under the category of special building. | 12 m | 6 m on all sides. | - |
| 6. | Fuel Stations | | | |
| | Fuel Filling Stations / including Petrol / Ethanol / LPG / CNG / etc., Public Charging Stations for Electric Vehicles with or without service bays | 12 m | 4.5 m on all sides (6.00 m in case of special building.) | <p>i) In case the plot is located on any Classified road, the distance from the junction of roads as may be specified by Indian Road Congress / Ministry of Road, Transport and Highway, shall be followed.</p> <p>(IRC guideline 2009 and MORTH Letter No.RW/ NH-33023/19/99-DOIII, Dated 25.09.2003 as amended from time to time)</p> <p>ii) NOC from Chief Controller of Explosives shall be necessary</p> <p>iii) In a plot of Fuel Filling Station, other building or</p> |

| | | | | |
|-----------|---|--------------------------------------|---|--|
| | | | | composite building for sales office, snack bars, restaurant, public conveniences or like activities may be permitted. |
| 7. | Mercantile Buildings. | | | |
| | a) Mercantile/ Business/ Hotel/ Commercial building under the category of special buildings. | 12 m | Front <i>as per Table No. 5 B</i> , Side & rear 6m. | i) Shops may also face on side and rear of a plot. ii) Minimum width and area of Shop shall be as per convenience of the owner / developer. |
| | b) Mercantile/ Business / Hotel / Commercial building not under category of special buildings | Road width as required for R-2 zone. | Margins as per Table No. 5 B subject to side marginal distance of minimum 3m. <i>(For Project Affected Persons as per Table No. 5 B)</i> | iii) In case of construction of shops / offices only on ground floor (not being special building) side and rear marginal distance shall be as per Table No.5 B. |
| | c) Convenience shopping in R-1 zone. | On any road. | Margins as per Table No. 5 B. | -- |
| 8. | Stadium | | | |
| | Stadium with Pavilion | 12m | 6 m on all sides | The covered portion of spectator's gallery shall not exceed 25% of plot area, which shall not be counted towards FSI. Shops below spectator's gallery may be permitted which shall not be counted towards FSI. In addition to this, ancillary office, sportspersons accommodation, public convenience like |
| | | | | structures may also be permitted which shall not consume more than 0.10 FSI on gross plot area. |

Notes -

- i) In case of plots fronting on National Highways, State Highways and Major District Roads, the building line shall be as per Ribbon Development Rules or as given in Table above, whichever is more.
- ii) Side and rear marginal distances mentioned in above Table shall be subject to Regulation No.5.4, whichever is more.
- iii) In case of special buildings, marginal distances shall be as per regulations for special buildings.
- iv) A stadium should desirably accommodate minimum 400 m running track.
- v) For above buildings, permissible FSI shall be as per Regulation No. 5.5, unless otherwise specified above.
- vi) Point access (approach by dead end road) to a plot shall be considered for the minimum road width requirement mentioned in above table. In such case, front margin shall be applicable for the width of point access road.

5.4 MARGINAL DISTANCES FOR BUILDINGS OF HEIGHTS MORE THAN MENTIONED IN TABLE NO. 5 A OF REGULATION NO. 5. AND TABLE 5 B OF REGULATION NO.5.2.

- i) **Front Margin** - Front margin shall be as given in **Table No. 5 A & 5 B** shall be applicable to height mentioned in the said table or for non-special building, as the case may be. For special building front margin of minimum 6.00 m shall be required irrespective of its height.

Provided that, in the case of group housing schemes where building abuts on internal road, the minimum 3 m set back from internal road or distance between two buildings, whichever is more, shall be provided. For roads in any statutory plan or classified roads passing through Group Housing Schemes, the setback as prescribed in these regulations shall be provided.

- ii) **Side or Rear Marginal Distance** - Side or rear marginal distance in relation to the height of the building for light and ventilation shall be as below: -

The marginal distance on all sides shall be as per Table No. 5 A, Table No. 5 B, & Table No. 5 C for building height or floors mentioned there in. For height more than stipulated in Table No. 5 A, Table No. 5 B, & Table No. 5 C, the marginal distance on all sides, except the front side of a building, shall be minimum $H/5$ (Where H = Height of the building above ground level).

Provided that, the building height for the purposes of this regulation and for calculating the marginal distances shall be exclusive of height of parking floors upto 6 m **and one service floor**.

Provided further that, in case of special buildings, these marginal distances shall be minimum 6 m in case of special building; 9 m in case of building having height 45 m and below 70 m; and 12m in case of building having height above 70 m and above.

Provided further that, such marginal distance shall be subject to a maximum of 12 m from the plot boundary and distance between two buildings shall be maximum 16 m. However the owner shall be at liberty to provide more distances than mentioned herein above.

Provided further that, in case of redevelopment of building which has ceased to exist in consequence of accidental fire / natural collapse / demolition for the reason of the same

having been declared dangerous or dilapidated or unsafe by or under a lawful order of the authority or building having an age of more than 30 years, such marginal distance may be allowed upto 6 m for height of building upto 45 m.

Provided further that, such marginal distance from recreational open space shall be 3 m in case of non-special buildings and in case of special buildings such distance shall be subject to provisions of Regulation No. 2.2.8 (i).

Provided further that, where rooms do not derive light and ventilation from the exterior open space, i.e. dead walls, such marginal distance may be reduced to 3.0 m in case of non-special buildings (if required marginal distance is more than 3 m) and 6 m in case of special building. However, such marginal distance is to be used for movement of fire fighting vehicle, then such marginal distance shall be subject to provisions of Regulation No. 2.2.8 (i). *Non-habitable spaces, such as staircase, lift lobby, passages, toilets, w.c., bath may be allowed to derive ventilation through such dead walls, subject to provisions in Regulation No. 2.21.3.*

- iii) **Provision for Step Margin:** - Step margins may be allowed to be provided on upper floors to achieve required side or rear marginal distances as mentioned in these regulations subject to minimum marginal distance of minimum 6 m in case of special building; 9 m in case of building having height 45 m and below 70 m; and 12m in case of building having height above 70 m and above.

5.4.1 Distance Between Two Buildings

In the cases of layouts of two or more buildings in a plot for any uses, the distance between two buildings shall be the side/ rear marginal distance required *as per Regulation No. 5.4* for the taller building between the two adjoining buildings.

Provided that, the pathway / internal road may be allowed to be proposed in such marginal distance, in case of residential development.

In case of group housing scheme where building abuts on internal road, the minimum 3m set back from internal road or distance between two buildings whichever is more shall be provided. For any statutory plan road or classified road or through road, passing through Group Housing Scheme, normal setback as prescribed in the regulations shall be provided.

5.4.2 Buildings Abutting Two or More Streets

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

5.4.3 Marginal Distances for Data Center.

Marginal distances, except front margin, shall be as if it does not derive light and ventilation from the exterior open space i.e. dead wall. The front marginal distance shall be as required according to width of road.

5.5 PERMISSIBLE FSI

Permissible basic FSI, FSI on payment of premium on a plot for all types of buildings (e.g. industrial, pharm industry, IT/ITES, bio-technology, nano-technology, *data center*, hotels, medical, educational, institutional, Government / semi-Government, flatted galas, residential, commercial etc.) shall be as given in **Table No. 5 D below** : -

| Table No. 5 D | | | | |
|---------------|--------------------------------------|-----------|---------------------------|--|
| Sr. No. | Road width in meters | Basic FSI | FSI on payment of premium | Maximum building potential on plot including in-situ FSI |
| 1 | 2 | 3 | 4 | 5 |
| 1 | Below 9 m | 1.00 | -- | 1.00 |
| 2 | 9 m and above but below 12 m | 1.00 | 1.00 | 2.00 |
| 3 | 12 m and above but below 15 m | 1.00 | 1.25 | 2.25 |
| 4 | 15 m and above but below 24 m | 1.00 | 1.50 | 2.50 |
| 5 | 24 <i>m</i> and above but below 30 m | 1.00 | 1.75 | 2.75 |
| 6 | 30 <i>m</i> and above | 1.00 | 2.00 | 3.00 |

Notes –

- i) In addition to what is mentioned in Table No. 5 D, ancillary area FSI upto the extent mentioned below of the proposed FSI in the development permission (including Basic FSI, Premium FSI) shall be allowed subject to payment of premium at the rate of 10% on the land rate as per MIDC land rates *and if MIDC land rates are not available, as per* Annual Statement of Rates, of the said land without considering the guidelines therein. This shall be applicable to all buildings in all zones.

Provided that in case of industrial and non-residential use, the extent of ancillary area FSI shall be upto 80%. In case of residential use, such ancillary area FSI shall be 60%. No separate calculation shall be required to be done for this ancillary area FSI. Entire FSI in the development permission shall be calculated and shall be measured with reference to permissible basic FSI, premium FSI, additional FSI including ancillary area FSI added therein.

Provided further that, the above mentioned rates shall not exceed the rate of premium mentioned in Column 4 of Table 6 A under Chapter-6 where the development permission is sought for the uses mentioned in the said table.

Provided further that, this ancillary area FSI shall be applicable to all other schemes like IIA, IITT, ILP, IT, *Flatted Gala, SEZ, TOD, PMAY, MHADA, etc. except rehabilitation component in SRA.*

- ii) The maximum permissible limits of FSI specified in the Table above, may be allowed to be exceeded in cases mentioned in Chapter - 6, *12 to the extent specified therein.*
- iii) In respect of service road, the width of highway or major road shall be considered for entitlement of building potential as per Column No. 5 of above table.
- iv) The restrictions of road width mentioned above shall not be applicable in cases where, the permissible FSI is more than the basic FSI in various schemes such as, redevelopment of MHADA buildings, TOD, SRA, URS etc. In such scheme, regulations of respective scheme shall be applicable.
- v) The maximum limits of FSI prescribed above shall be applicable to (a) fresh permission (viz., green-field development / building on a vacant plot of land and brown-field development (i.e., cases of addition to existing building where a permissible FSI has not

been exhausted.) and also to an existing building. The cases of existing buildings shall be subject to production of stability certificate from structural engineer.

- vi) **Premium** - Rate of premium for the premium F.S.I., as mentioned in Column No. 4 above shall be 25% for industrial use, 50% for commercial use and 35% for other uses; of the rate of said land mentioned in MIDC land rates *and if MIDC land rates are not available, as per* Annual Statement of Rates without considering the guidelines therein. Apportionment of such amount between Authority and Government shall be as decided by Government from time to time. The premium of the Government, if to be paid, shall be deposited by the Authority in the specified head of account of the Government.
- vii) In case plots having approach by dead end road, (point access) the potential of plot mentioned in above table shall be permissible if length of such access road does not exceed 100 m

5.6 CALCULATION OF BUILTUP AREA FOR THE PURPOSES OF FSI.

Outer periphery of the construction floor wise (P-line) including everything but excluding ducts, voids, and items in Regulation No. 5.8, shall be calculated for the purpose of computation of FSI. The open balcony, double height terraces and cupboard shall also be included in P-line of respective floor, irrespective of its use / function. If part of the stilt, podium or basement is proposed for habitation purpose or for the construction which is counted in FSI, then such construction shall also be measured in P-line in that respective floor.

5.7 PERMISSIBLE PROJECTIONS / STRUCTURES IN MARGINAL OPEN SPACES / DISTANCES.

The following projections shall be permissible in marginal open spaces:-

- i) **Projections into Marginal Open Spaces :-** Every open space provided either interior or exterior shall be kept free from any erection thereon and shall be open to the sky and no cornice, chajja, roof or weather shade more than 0.75 m wide shall overhang or project over the said marginal open spaces so as to reduce the width to less than the minimum required.
- ii) Open steps for plinth upto 1.2 m width.
- iii) **Balconies** - as specified in Regulation No 8.14
- iv) Ledge for Air conditioning unit as specified in Regulation No 8.5.
- v) **A canopy or porch** not exceeding **10 m** in length and 2.5 m in width in the form of cantilever and unenclosed over the main and subsidiary entrances providing a minimum clear height of 2.4 m below the beam bottom of canopy. The canopy shall not have access from upper floors (above floors), for using as sitting out place. There shall be a minimum clearance of 1.5 m between the plot boundaries and canopy.

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

Provided further that canopy irrespective of extent may be allowed if proposed within building line and shall not be counted in F.S.I.

- vi) **A projection** of maximum 30 cm on roof top terrace level may be allowed throughout the periphery of the building. However, this roof top projection may be allowed to be extended upto balcony edge only to cover balcony if balcony is provided at immediate floor below the roof top. In case of pitched roof projection of maximum 45cm at rooftop level throughout periphery of the building shall be allowed.

- vii) **Accessory / Ancillary buildings** :- The following accessory / ancillary buildings may be permitted in the marginal open spaces:-
- In an existing building where toilet is not provided, a single storeyed toilet subject to a maximum area of 4.0 sqm in the rear or side open space and at a distance of 7.5m from the road line or the front boundary and 1.5m from other boundaries may be permissible. The Authority may reduce 1.5m margin requirement in exceptional cases to avoid hardship.
 - Parking lock-up garage not exceeding 2.4 m in height shall be permissible in the rear corner of an independent bungalow plot. Parking lock-up garage when attached to main building shall be 7.5m away from the road line and shall be of such construction capable of giving fire resistance of 2 hours. The area of sanitary block and parking lock up garage shall be taken into account for the calculation of FSI.
 - Underground suction tanks, underground water tanks / any other underground tanks, ***pump room.***
 - Soak pits, collection chambers for collecting wet and dry garbage separately, space required for fire hydrants, electrical and water-fittings, generator set,, open transformer, meter room / electric sub-station as per requirement of the power supply company, landscaping features, water bodies as landscape features, swimming pool and filtration plant for residential use only, telephone distribution equipment, fire hydrants, platform around tree upto 2.00 m dia., cooling tower, loading-unloading platform, fork lift, effluent treatment plant etc.
 - Watchman's cabin/s / booth/s not more than 1% of the plot area upto 2000 sqm and 0.5% of the plot area or 20 sqm, whichever is more subject to maximum 100 sqm for plots above 2000 sqm
 - Electricity generator / transformer, Electric vehicles charging points, not more than 6 sqm built-up area.***

Note - When a building abuts three or more roads, the above mentioned uses, except (e), shall be permissible in front setback facing a smaller road of less importance from traffic point of view.

- Ramp for basement/upper floors** in side and rear marginal distances subject to provisions under Regulation No. 8.12 , open ramps to plinth.
- Staircase mid-landing** of 1.2m width with clear minimum headroom of 2.1m below the mid-landing. However, clear distance from edge of landing to the plot boundary shall not be less than 1.8m in case of non-special building and 6 m in case of special building.
- Architectural projections** - Architectural projections as specified in Regulations No. 8.31. Construction of ottas, railings, barricades or supporting columns for canopy or porch shall not be permitted within the minimum required front marginal distances. However, steps or steps along with otta may be permitted to project upto 1.2m from the building line.
- Cupboard** as specified in Regulation No.8.6.
- Open gantry** for loading and unloading in case of engineering industry.
- Effluent** treatment plant / Sewage treatment plant.

Provided that the projection / uses mentioned in 5.7 (v), (vii) a, b, d, e, ***f***, (viii), (ix) (xii) (xiii) shall not be permissible in marginal distance of 6 m required in case of special buildings, 9 m in case of building having height 45 m and below 70 m; and 12m in case of building having height

above 70m and above. These shall be permissible in remaining marginal distance excluding aforesaid distances.

5.8 EXCLUSION OF STRUCTURES/ PROJECTIONS FOR FSI CALCULATION

Following shall be excluded for the purpose of FSI calculations.

- i) Structures / Projections / features / ornamental projection of glass façade permitted in marginal open spaces as mentioned in Regulation No.5.7 (i), (ii), (iv), (v), (vi) (vii)c, (vii)d, (viii), (x), (xii) & (xiii).
- ii) Stilt / Multi-storeyed floors / Podium / Basement, if used for parking including staircases, passages, **lobby/ies in front of lift**, therein exclusively to be used for parking and **basement used for users mentioned in Regulation No.8.11.1 (i to iii)**.
- iii) Areas covered by Porches, Canopies, lofts, ledge or tand, shelves, Air Conditioning Plant Rooms, Lift Well, Lift-Machine Room and Service Floor of height not exceeding 2.1 m **or as permissible as per Regulation No. 8.33**, below the beam, for hospitals, shopping malls, plazas and Star category hotels (rating with three stars and above) and like buildings above 15 m in height D.G set as per regulation no. 8.35.
- iv) Area of structures for water, grey water, wet-waste or an effluent treatment plant, rain water harvesting Pump rooms, electric cabin of sub-stations / of generator set area, electric switch yard, electric meter rooms as per requirements, Refuse chutes/ garbage chutes /garbage shafts for wet and dry garbage separately with collection chambers.
- v) Rockery, Well and well structures, Plant Nursery, Water Pool, platform around a tree, Fountain, bench, Chabutara with open top and unenclosed sides, Ramps, Compound wall, Gate, slide/ swing, Steps outside the buildings, Domestic working place (open to sky), Overhead water tank on top of the building, Refuge area for high rise buildings as specified in Regulation No. 8.30.6, Solar panels.
- vi) Telecommunication tower, antenna and allied activities.
- vii) Atrium may be allowed in any type of building. Such atrium may be allowed to be enclosed on top by transparent or opaque sheet.
- viii) Open to sky terraces, top of podium, open to sky swimming pool on the top terrace and top of podium with plant room
- ix) Structures permissible in recreational open space as per Regulation No.3.4.3.
- x) Chimneys as mentioned in Regulation No. 8.18.
- xi) Non inhabited processing tower as mentioned in Regulation No. 8.34.

5.9 HEIGHT OF BUILDING

- i) The special buildings shall be allowed upto any height subject to approval of Chief Fire Officer of the Authority, depending upon the fire fighting capacity available in the vicinity.
- ii) The building height upto 24 m shall be allowed on roads less than 12 m subject to minimum road width required for special building. For a building having height more than 24 m, the minimum road width shall be 12 m.
- iii) For building in the vicinity of aerodromes, the maximum height of buildings shall be subject to parameters framed by the Civil Aviation Authorities or the development permission shall be considered only after applicant produces NOC from Airport Authority.
- iv) (a) In addition to (iii) above, height of Industrial Chimneys / Chimneys may be allowed

as per the requirements.

- (b) Buildings intended for hazardous godowns for storage of inflammable materials and storage of explosives shall be single storied structures only.
- (v) The buildings of height more than 70m, shall be allowed subject to fulfilment of the requirements mentioned in Regulation No.5.11.

5.10 HEIGHT EXEMPTIONS

The appurtenant structures such as roof tanks and their supports, two toilets on terrace not exceeding 10 sqm built-up area and height upto 3 m, ventilating, air-conditioning structures, lift rooms and similar service equipment, stair cover, chimneys, non-inhabited processing tower and parapet walls and architectural features not exceeding height allowed in these regulations, and height of Solar panels shall not be included in computation of height of building.

5.11 REQUIREMENTS IN CASE OF BUILDING MORE THAN 70 M HEIGHT

It is mandatory for all the high rise buildings to comply with the requirements of Structural Design and Stability, Geo-technical and other aspects; and Fire Safety norms as per provisions of CDCPR, Maharashtra Fire Prevention and life Safety Measures Act, 2006 and National Building Code of India, amended from time to time, for the aspects not covered in CDCPR. The certificates from structural and geo-technical engineers about the fulfilment of necessary requirements shall be attached with the application. The responsibility of structural and other stability and safety of such high-rise buildings shall lie with owner/ developer and concerned expert, consultant, executants appointed by owner/developer.

5.12 PROVISION OF RECREATIONAL FLOOR

In case of residential, **commercial, IT/ITES, Fintech** building having height more than 50 m, recreational floor may be allowed subject to following -

- i) the height of such floor shall be upto 4.5 m and shall be open on all sides,
- ii) such floor shall be used for recreational purpose / activities of open nature, including construction of swimming pool and shall be in addition to the recreational open space required as per CDCPR,
- iii) such floor shall not be counted in FSI, however, ancillary constructions like changing room, wash room, etc. shall be computed in FSI.
- iv) one such floor may be allowed at every 50 m height, however, first such recreational floor may be allowed after 30 m height and height difference between two such recreational floors shall not be less than 24 m

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CHAPTER – 6

HIGHER FSI FOR CERTAIN USES

6.0 GENERAL

Higher Floor Space Index / Additional FSI may be allowed for certain uses, except as otherwise specified and subject to following conditions:

- i) **Premium** – Premium for higher F.S.I. shall be as per column 4 of the Table No. 6A below. Rate of the premium is based on the land rate mentioned in ASR for respective S.No. / CTS No / MIDC land rate. The premium collected shall be shared 50:50 between State Government & the Authority respectively. Premium to be paid to the Government shall be deposited in the concerned Account Head of Urban Development Department at Government Treasury by the Authority. The quantum / rates of premium shall be subject to the orders of the Government from time to time.
- ii) In addition to above, ancillary area FSI shall also be applicable for these uses.
- iii) Higher / additional FSI shall also be permissible to existing authorised uses subject to structural stability.
- iv) No Amenity Spaces as per Regulation No. 3.5 shall be required to be provided for the uses mentioned in Table No.6A.

6.1 HIGHER / ADDITIONAL FSI WITH LESSER PREMIUM FOR CERTAIN USES.

For certain uses / categories of buildings, premium FSI at lesser rate of premium shall be permissible as mentioned in Table No. 6 A below.

MDC CDCPR

Table No. 6-A

| Categories of the other buildings | Basic FSI | Higher / Additional FSI | Rate of the Premium | Conditions if any, |
|--|--|--|---------------------|---|
| 1 | 2 | 3 | 4 | 5 |
| A) Educational i) Pre-primary School, nursery Kindergarten and Special Educational Institute for Physically challenged / Mentally ill. | As per Regulation No.5.5, whichever is relevant. | Maximum Building Potential limit as per road width as mentioned in Table No. 5D minus basic FSI. | 5 % | a) Provision of playground shall be complied with as specified in these regulations. Provided that, it shall not be necessary to increase area of existing playground, if any, when utilisation of higher F.S.I. as otherwise permissible in these regulations, is proposed on upper floor of existing building. Provided further that, in case of existing building wherein utilisation of higher F.S.I. is proposed on the vacant land, area of playground shall not be less than 40% or the existing area of playground whichever is minimum |
| ii) Primary School | --do-- | --do-- | 5% | Provided further that, in case of existing building wherein utilisation of higher F.S.I. on upper floors is not possible and it is necessary to expand the existing building to accommodate number of students, then in such exceptional circumstances, required area of playground (and not existing) may be permitted to be reduced, |
| iii) Other Educational Buildings including boys / girls / youth hostels within 500 m periphery from the recognised educational institutions. | --do-- | --do-- | 15%. | b) Maximum height of Educational building shall be as per The Maharashtra Fire protection and Life Safety Measures Act, 2006 |

MIDC CDCPR

| | | | | |
|--|--------|--|-------------------------|---|
| B) Medical Institutions - Hospital, Maternity Homes, buildings | --do-- | As per Sr. No. A (i) above. However, maximum building potential shall be considered as 3.00 subject to Road width 18m and above. | 15%. | Maximum height of building for hospitals, sanatorium and nursing homes, shall be as per The Maharashtra Fire protection and Life Safety Measure, Act, 2006. |
| C) Institutional buildings / Banks | --do-- | As per Sr. No. A (i) above. | As per Sr. No. B above. | |
| D) Starred category hotels (two star and above) Mega-Ultra Mega and Large Tourism Project / Unit as per Maharashtra Tourism Policy-2016 or as amended from time to time. | --do-- | --do-- | 20% | i) Certificate from the Tourism Department, GOI shall be necessary for type of category of hotels. ii) The maximum building potential limit mentioned in Table No. 5 D shall be allowed considering the road width one step below. e.g., for the roads as mentioned at Sr. No. 3 in Table No. 5D, the maximum building potential shall be considered as given at Sr. No. 4. iii) Mega / Ultra Mega / Large Tourism Project/Unit may also include Tourism support activities to the extent of 20% of the additional FSI consumed. |
| E) Buildings of Government and Semi-Government Offices / Staff Quarters, Local Authorities and Public Sector Undertakings Offices and Staff Quarters / the Land in possession of Maharashtra State Road | --do-- | As per Sr. No. A (i) above. However, maximum building potential shall be considered as 3.00 for Roads having width 18m and more. | Nil | The Authority may allow exceeding the limit of higher FSI mentioned in column 3. |

MIDC CDCPR

| | | | | |
|---|--------|--|------------|--|
| Transport Corporation / City Transport / Metro Stations and Depot including Guest Houses. | | | | |
| F) Religious Building | --do-- | As per Sr. No. A (i) above. | 15% | <p>i) It shall be necessary to obtain the No-Objection Certificate from concerned Police Authority and Collector (District Magistrate), before grant of permission.</p> <p>ii) Other ancillary user like, administration office, Dharmashala or Accommodation for devotees, eateries, convenience shops, etc. may be permitted.</p> |
| G) Yatri Niwas | --do-- | --do-- | 15% | |
| I) Basic shelter for urban poor and Housing schemes developed for EWS / LIG | --do-- | As per Sr. No. A (i) above or FSI upto 2.5, whichever is maximum | No premium | Any housing scheme for EWS/ LIG undertaken by the authority, government/ semi government organisation, under the basic shelter for urban poor or similar programme/ scheme of the Central / State Government, shall be eligible for higher FSI. |
| J) Students' Hostel / Working Women - Men Hostel / Dormitories / Hostel for Labourers. | --do-- | As per Sr. No. A (i) above | 10% | <p>i) Built-up area of the unit shall not exceed 17 Sqm with or without toilet, excluding common area.</p> <p>ii) Unit shall not be sold and shall be on rental basis. The condition to that effect shall be stamped on plans and be incorporated in permission letter.</p> <p>iii) Ancillary facilities such as kitchen, dining hall, common hall, common toilets may be permitted.</p> |
| Note : The above premium shall not be applicable for development under taken by Government, Semi-Government Departments, Local Authorities and Public Sector Undertakings. | | | | |

6.2 ENTITLEMENT OF FSI FOR ROAD WIDENING OR CONSTRUCTION OF NEW ROADS OR OTHER PUBLIC PURPOSES

The Authority may permit on the same plot, FSI of the area required for road widening or for construction of a new road proposed under any statutory plan or acquisition of land by MIDC for public purpose and also service road proposed to NH / SH / MDR / ODR whether shown on plan or not, laying of service line and such other public utility services, if the owner (including the lessee) of such land surrenders such land without claiming any monetary compensation in lieu thereof and hands over the same free from encumbrances to the satisfaction of the Authority, FSI generated against the surrender of land, shall be equal to twice the area surrendered and may be utilised on the remaining land without any cap. Thereafter, the road shall be transferred in the city survey records / revenue records in the name of the Authority and shall vest in it becoming part of a public street.

Provided that the lessee will pay to the lessor an amount equivalent to value of the lessor's interest, as determined by MIDC on the basis of principles laid down in the law relating to land acquisition which is in force for the time being against the area of land released by the lessee, free from all encumbrances.

6.3 PROTECTION OF FSI IN REDEVELOPMENT OF EXISTING BUILDINGS

For redevelopment or reconstruction of existing buildings, the FSI to be allowed shall be FSI permissible under Regulation No. 5.5, or the FSI consumed by the existing authorized building including premium FSI., whichever is more. (Such Premium FSI etc. utilised in existing building shall be treated as authorisedly consumed FSI entitled for redevelopment.)

6.4 REDEVELOPMENT OF OLD DILAPIDATED/ DANGEROUS BUILDINGS

Reconstruction / Redevelopment in whole or in part of any building which has ceased to exist in consequence of accidental fire / natural collapse or demolition for the reasons of the same having been declared dangerous or dilapidated or unsafe by or under a lawful order of any Authority or building having age of more than 30 years, shall be allowed subject to following conditions.

6.4.1 Redevelopment Of Multi-Dwelling Buildings of Co-op Housing Societies / Apartments.

- i) FSI allowed for redevelopment shall be FSI of existing authorized building and incentive FSI to the extent of 30% of existing built-up area or 15 sqm per tenement, whichever is more.

Provided that if the existing authorized built-up area and incentive thereon as stated above is less than minimum building potential mentioned in Regulation No. 5.5, then society may avail premium FSI upto maximum building potential.

Such incentive FSI shall not be applicable for redevelopment of existing bungalow.

- ii) In cases where carpet area occupied by residential tenement in the existing building is less than the carpet area of 27.87 sqm, then such tenement shall be entitled for minimum carpet area of 27.87 sqm and difference of these areas shall be allowed as additional FSI without any premium.

In case of non-residential occupier, the area to be given in the reconstructed building shall be equivalent to the area occupied in the old building.

- iii) This regulation shall be applicable only when existing members of the societies are proposed to be re-accommodated.

6.5 DEVELOPMENT OF HOUSING FOR EWS/ LIG

In Residential and Industrial Zone -

If the owner constructs the housing for EWS/ LIG in the form of tenements of size upto 50 sqm *carpet* area on his plot, then he shall be allowed FSI of maximum building potential mentioned in the column 5 of Table No. 5 D of Regulation No. 5.5, subject to following conditions.

- For the FSI availed over and above the basic FSI, the premium shall be charged at the rate of 15% of land rate in ASR, without considering guidelines therein. No such premium shall be applicable to Government or Government control bodies.
- Out of the total tenements, at least 40% tenements shall be of *carpet* area not more than 30 sqm.
- Only one tenement should be sold to a family. Adjoining tenement should not be sold to a close relative of such tenement owner. Affidavit to that effect shall be obtained from the land owner/ developer and purchaser.

Note - Out of the permissible FSI, 10% of the basic FSI shall be allowed for commercial use.

6.6 REGULATIONS FOR DEVELOPMENT OF INFORMATION TECHNOLOGY ESTABLISHMENT

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

- The Authority may permit additional FSI upto 200% over and above the basic permissible F.S.I. to all registered Public and Private IT/ ITES Parks/AVGC Parks /IT SEZs or IT Parks in SEZs / Stand-alone IT/ ITES units in public IT Park (including IT/ ITES units located in Residential / Industrial / No Development / Green / Agriculture Zone or any other land use zone in which such users are permissible), which have been approved by the Directorate of Industries, proposed to be set up or already set up under present / previous IT/ITES policies, (hereinafter referred to as the "said unit") by charging premium of 20% of the land rate for the said land as prescribed in Annual Statement of Rates for the relevant year of granting such additional F.S.I.

In the case of lessor authorities such as MIDC as land owner, such authorities may recover lease premium for additional F.S.I., if applicable, under their land disposal policy.

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

Provided further that, the premium so collected shall be shared between the Planning Authority and the Government in the proportion of 50 : 50. The share of the Government shall be paid to the concerned Branch office of the Town Planning Department.

(**Explanation:-** Premium charges shall be calculated on the value of lands under such zones, determined by considering the land rates of the said land as prescribed in Annual Statement of Rates (ASR) / MIDC land rate. These charges shall be paid at the time of permitting additional F.S.I. by considering the ASR for the relevant year without applying the guidelines / MIDC land rate.)

- ii) No premium shall be chargeable in areas of Planning Authorities, if they are covered under No Industry Districts and Naxalism affected areas of the State (as defined in the "Package Scheme of Incentives-2013" of the Industries, Energy & Labour Department of the State.)
- iii) Maximum 40% of total proposed built-up area (excluding parking area) inclusive of such additional F.S.I. may be permitted for support services in IT Parks including offices. Remaining built-up area shall be utilized for IT/ ITES.
- iv) Such new unit shall allocate at least 2% of the total proposed built-up area for providing incubation facilities for new units. This area would be treated as a part of the Park to be used for IT activities and eligible for additional FSI benefits accordingly.
- v) Premium to be received by the Authority as per provisions in this regulation shall be deposited in a separate fund viz. "Critical Infrastructure Fund for IT/ ITES Industries" and this fund shall be utilized only for creation of Critical Infrastructure for IT/ITES Industries;

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

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

- vi) Permission for erecting towers and antenna upto height permitted by the Civil Aviation Department shall be granted by the authority as per the procedure followed for development permission or otherwise as may be decided by the Government.
- vii) While developing site for IT/ITES with additional FSI, support services as defined in the IT Policy 2015 or amended from time to time, shall be allowed.
- viii) No amenity space shall be required to be left for development of IT/ITES buildings.
- ix) The Directorate of industries will develop a web portal on which the developer of every IT park will be bound to provide/ update detailed information about names of the units in the park, utilization of built-up area and activities being carried out, manpower employed in the IT Park for IT/ ITES and support services on yearly basis.

If a private IT park has availed additional FSI as per the provisions of IT/ ITES policy and subsequently it is found that the built-up space in the park is being used for non IT/ ITES / commercial activities/ any other activity not permitted as per the IT/ ITES policy

under which the said park was approved, a penal action as below will be taken, the payment shall be shared between the Authority and the Government in the ratio of 3:1.

- a) The misuse shall be ascertained by physical site verification of the said private IT park by a team of officers from the Directorate of industries and the Authority which has approved the building plans of the said private IT park.
- b) A per day penalty equal to 0.3% of the prevailing ASR value of the built-up area that has been found to be used for non- IT/ ITES activities.
- c) The penalty will be recovered from the date of commencement of unauthorized use till the day non-IT use continues.

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

6.7 REGULATION FOR DEVELOPMENT OF BIOTECHNOLOGY PARKS

6.7.1 Definition

The Biotechnology Units/ Parks shall mean Biotechnology units/ parks which are certified by the Development Commissioner (Industries) or any officer authorised by him in his behalf. The Biotechnology Park and unit/ units outside park shall have minimum land area of 0.80 ha or 1,858 sqm (20,000 sq.ft.) built up area.

6.7.2 Biotechnology Units/ Parks to be allowed in Industrial Zone

Biotechnology Units/ Parks shall be permitted in Industrial Zone on all plots fronting on roads having width more than 12 meter and all regulation of Industrial Zone shall apply.

6.7.3 Additional FSI to Biotechnology Units/ Park

The Authority may permit the floor space indices specified in these regulations to be exceeded to the extent of 100% over and above the permissible basic FSI for biotechnology units / parks subject to following conditions :-

- i) Out of total built up area minimum 90% shall be used for Biotechnology purpose and maximum 10% (by deducting parking space) shall be used for ancillary users such as specified in the Govt. Resolution of Industry, Energy and Labour Department No. BTP 2008/ CR-1608/ Ind-2, dated 10/2/2009 or as amended from time to time.
- ii) Additional FSI to Biotechnology units would be available to Biotechnology Parks duly approved by the Directorate of Industries and after observance of all the regulation of environment.
- iii) Parking spaces, as per the provision of Development Control and Promotion Regulation shall be provided.
- iv) The additional FSI shall be granted upon payment of premium which shall be as mentioned in Table No. 6 F.

| Table No. 6 F | |
|--|--|
| Location of the Biotechnology Park / Unit in the State. | % of Land Rate prescribed in Annual Statement of Rates / MIDC Land Rate for the relevant year of granting such additional FSI. |
| 1) Municipal Corporations & other Planning Authorities. i) Pune, Pimpri-Chinchwad, and Municipal Corporation in Mumbai Metropolitan Area and Navi Mumbai Notified Area. ii) Other Municipal Corporations in the State. | 30% 10% |
| 2) Municipal Councils & Nagar Panchayats. i) Ambarnath and Kulgaon-Badlapur Municipal Council. ii) Other Municipal Councils / Nagar Panchayats in the State. | 30% 10% |
| 3) No-industry Districts and Naxalism affected areas of the State as defined in the "Package Scheme of Incentives 2013" of the Industries, Energy & Labour Department of the State. | NIL |
| 4) Other areas of the State excepting the areas mentioned above. | 10% |

- v) 25% of the total premium shall be paid to the Government and remaining 75% amount shall be paid to the Authority.
- vi) No condo-nation in the required open spaces, parking and other requirement prescribed in the regulations shall be allowed in case of additional FSI.
- vii) Development of biotechnology park shall be done as per the guidelines issued by Industries Department vide the Government resolution dated 10th February, 2009 as amended from time to time.

6.8 INCENTIVE FOR GREEN BUILDINGS

The Authority shall strive to promote green building concepts within its area. In order to do so it may empanel agencies of repute as listed / recognised by the State / Central Government. The following incentives shall be provided for green rated buildings.

- i) Green buildings shall be entitled for incentive FSI as below.
GRIHA Three star/ IGBC Silver / LEED silver, *The ASSOCHAM GEM* or equivalent rating - 3% incentive FSI on basic FSI.

GRIHA Four star/IGBC Gold/LEED Gold, *The ASSOCHAM GEM* or equivalent rating - 5% incentive FSI on basic FSI.

GRIHA Five star/ IGBC Platinum/ LEED Platinum, *The ASSOCHAM GEM* or equivalent rating - 7% incentive FSI on basic FSI.

Provided, achieving minimum GRIHA Three star/ IGBC Silver / LEED silver, *The ASSOCHAM GEM* or equivalent rating for construction projects shall be mandatory for all buildings belonging to Government, Semi- Government, local bodies and public sector undertakings.

- ii) Incentive FSI will be awarded after pre-certification from the empanelled agency. This FSI shall be exclusive of the limits specified in this CDCPR.
- iii) In case that the developer fails to achieve committed rating as per pre-certification at the time of final occupancy, a penalty shall be imposed at the rate 2 times of the land cost as per ASR for the incentive FSI for the rating not achieved.

6.9 BUILDINGS OF SMART FINTECH CENTRE

- i) The Authority may permit additional FSI upto 200% over and above the basic permissible FSI to Smart Fin-Tech Centre located in Residential / Industrial / Commercial Zone, which have been approved by the Directorate of Information Technology, proposed to be set up (hereinafter referred to as the "said unit") by charging premium of 20% of the land rate for the said land as prescribed in Annual Statement of Rates / MIDC land rates for the relevant year of granting such additional FSI.

Provided that additional FSI of upto 300% over and above the basic permissible FSI will be admissible within the limits of Navi Mumbai Municipal Corporation subject to the condition that the minimum area requirement for availing of the additional FSI as above shall be at least 50 acres and the plot should have an access road with minimum width of 24 m.

Provided further that additional FSI shall be permissible only on plots having an access road of minimum 18m width and subject to approval by committee chaired by the Principal Secretary, Information Technology and comprising representatives of Industries, Finance and Urban Development Department (UD-1).

Provided further that, the premium so collected shall be shared between the Authority and the Government in the proportion of 50:50. The share of the Government shall be deposited in the Fin-Tech Corpus fund which is being set up by Director of Information Technology.

(Explanation:- Premium charges shall be calculated on the value of lands under such zones, determined by considering the land rates of the said land as prescribed in Annual Statement of Rates (ASR) / MIDC land rates. These charges shall be paid at the time of permitting additional FSI by considering the ASR for the relevant year without applying the guidelines / MIDC land rates.

- ii) The total maximum permissible FSI shall not exceed limit of 3.00. In case of plot fronting on roads having width of 24 m or more, the FSI may be permitted to be exceeded upto 4.00.
- iii) No amenity space is required to be left for development of plot/land upto 2.00 Hectare for Smart Fin-Tech Centre.

- iv) At least 85% of total proposed Built-up area (excluding parking area) shall be permitted for business of Fin-Tech (start-ups, incubators, and accelerators), banking and financial service including NBFC and insurance, and IT/ITES with focus on FinTech.
- v) The Directorate of Information Technology will develop a web portal on which the developer of every Smart Fin Tech Centre will be bound to provide / update detailed information about names of the units in the park, utilization of built-up area and activities being carried out, manpower employed in the Smart FinTech Centre on yearly basis.
- vi) If a Smart Fin Tech Centre has availed additional FSI as per the provisions of this regulation and subsequently it is found that the built-up space in the Smart Fin Tech Centre is being used for non-FinTech/ commercial activities/ any other activity, not permitted as per the Smart Fin Tech Centre policy under which the said Centre was approved, a penal action as below will be taken, the payment shall be shared between the Authority and the Government in the ratio of 3:1.
 - a) The misuse shall be ascertained by physical site verification of the said Smart Fin-Tech Centre policy by a team of officers from the Directorate of Information Technology and the Authority, which has approved the building plans of the said Smart Fin Tech Centre.
 - b) A per day penalty equal to 0.3% of the prevailing ready reckoner value of the built-up area that has been found to be used for non-Fin-Tech activities, shall be imposed.
 - c) The penalty will be recovered from the date of commencement of unauthorized use till the day non-Fin Tech activities.

After payment of the penalty to the Authority, the said Smart Fin-Tech Centre will restore the use of premises to the original purpose for which LOI/ Registration was granted. If the Smart Fin-Tech Centre fails to pay penalty and/ or restore the use to its original intended use, the Authority will take suitable action under the Maharashtra Regional and Town Planning Act 1966, against the erring Smart Fin-Tech Centre under intimation to the Directorate of Information Technology. These provisions will be over and above the penal provisions of the MR & TP Act, 1966.

- vii) In this regulation the terms and expression shall have the meaning specified in Fin-Tech Policy declared by Directorate of Information Technology vide Govt. Resolution No.DIT-2018/CR-17/D-1/39, dated 16th February, 2018. Notwithstanding anything contained in the existing regulation, the above provisions shall be applicable for Smart Fin-Tech Centre.

Other provisions of existing regulations, which are not specifically mentioned in this regulation, shall be applicable.

6.10 COMMERCIAL BUILDING IN CBD, COMMERCIAL, RESIDENTIAL & INDUSTRIAL ZONE OF MIDC INDUSTRIAL AREAS.

The Authority may allow FSI upto 5.0 including permissible FSI as per provision of Regulation No. 5.5, Table No. 5D in Chapter 5 for commercial user / development on plots in Industrial, Commercial or Residential zone subject to the condition that permissible FSI as per Table No.5D will be utilized first and the additional FSI under this Regulation shall be utilised

thereafter, on payment of premium subject to following conditions. :-

- i) Development for residential purpose to the extent of maximum 30% of the permissible FSI as per provisions of Regulation No. 5.5, Table No. 5 D may be allowed. Additional FSI as per this regulation shall not be permissible for residential user / development.
- ii) Premium for granting such additional FSI beyond permissible FSI as per Table No. 5D shall be charged at the rate of 50% of ASR for land and shall be equally shared between the government of Maharashtra and the Authority.
- iii) Such additional FSI shall be allowed subject to road width mentioned in Table No. 6H below.

| Table No. 6 H | | |
|---------------|---------|-------------------------|
| Sr. No. | Minimum | Maximum Permissible FSI |
| 1 | 12 m | 3 |
| 2 | 18 m | 4 |
| 3 | 27 m | 5 |

**_*_*_*_*

CHAPTER – 7

PARKING, LOADING AND UNLOADING SPACES

7.1 PARKING SPACES

Wherever a property is to be developed or redeveloped, parking spaces at the scale laid down in these Regulations shall be provided. A parking plan showing the parking spaces along with manoeuvring spaces / aisles shall be submitted as a part of building plan. When additions are made to an existing building, the new parking requirements will be reckoned with reference to the additional space only and not to the whole of building but this concession shall not apply where the use is changed.

7.1.1 General Space Requirements

i) Location of Parking Spaces

The parking spaces include parking spaces in basements or on a floor supported by stilts, podium or on upper floors, covered or uncovered spaces or in separate building in the plot and / or lock up garages. The height of the stilt shall not be less than 2.4 m from the bottom of beam. In case of stack parking, height upto 4.5 m or more may be allowed.

ii) Size of Parking Space

The minimum sizes of parking spaces to be provided shall be as shown in Table No.7A

| Table No.7A | | |
|-------------|-----------------------|-------------------------------------|
| Sr. No. | Type of Vehicle | Minimum size/ area of parking space |
| 1 | Motor vehicle | 2.50 m x 5.00 m |
| 2 | Scooter, Motor Cycle. | 1.00 m x 2.00 m |
| 3 | Transport vehicle | 3.75 m x 10.00 m |
| 4 | Trailer Truck | 5.00 m x 20.00 m |

Note –

- (a) In the case of parking spaces for motor vehicle, upto 50% of the prescribed space may be of the size of 2.3 m x 4.5 m.
- (b) *Minimum size of parking space in mechanized / puzzle parking system shall be 2.3 m. x 5.8 m. for big cars and 2.1 m. x 5.0 m. for small cars.*

iii) Marking of Parking Spaces

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

iv) Manoeuvring and Other Ancillary Spaces

Off street parking space must have adequate vehicular access to a street and the area shall be exclusive of drives, aisles and such other provisions required for adequate manoeuvring of vehicles. The width of drive for motor vehicles and scooter, motor cycle shall be minimum 3.00 m and 2.00 m respectively.

v) Composite Parking.

The composite parking of vehicles like one car with two scooters may be allowed. Also, six scooters' parking may be allowed to be converted in one car parking. In such cases, drives or aisles shall be required taking into consideration entire composite parking.

vi) Bus Bay for Schools / Multiplex / Malls / Assembly Buildings / Group Housing.

For these occupancies, being a special building, a bus bay of required size shall be provided within premise or along main road on which plot abuts. This shall be applicable for housing scheme having more than 500 flats.

vii) Ramps for Basement Parking:

Ramps for parking in basement should conform to the requirement of Regulation No.8.12

viii) Other Parking Requirements

- To meet the parking requirements as per these regulations, common parking area for group of buildings, open or multi-storeyed, may be allowed in the same premises.
- In addition to the parking spaces, loading and unloading spaces shall be provided as mentioned in Table No. 7 B below.

| Table No. 7 B | | | | |
|---------------|--|--------------------------------------|---|--|
| Sr. No. | Type of Use | Size of loading and unloading space. | Required spaces | Remarks. |
| 1 | Industrial and storage building | 3.75 m x 10.00 m | As above. | -- |
| 2 | Mercantile (Commercial) like market, departmental store and shopping mall. | 3.50 m x 7.50 m | i) For the first 1000 sqm of carpet area – Nil ii) Above 1000 sqm of carpet area for every 1000 sqm or part thereof–1. | such loading and unloading spaces may not exceed 6 numbers. |

Provided that, where loading / unloading of goods is directly shown on the plan at different locations of a building, then such separate loading and unloading spaces may not be necessary.

- Parking lock up garages shall be included in the calculation for F.S.I. calculations.
- The space to be left out for parking as given in this regulation shall be in addition to the marginal distances / open spaces left out for lighting and ventilation purposes as given in these regulations. These spaces may be used for Surface parking / Mechanical Parking such as puzzle & tower parking provided minimum distance of 3 m (6 m in case of special building mentioned in Regulation No. 2.2.8 and building having height below 45 m; 9 m width in case of building having height 45m and upto 70 m; 12 m in case of building having height more than 70 m) around the buildings is kept free of any parking or loading and unloading spaces, excepting the building as mentioned in Clause (c) above. Such parking area adjoining the plot boundary may be allowed to be covered on top by sheet roofing, so as not to infringe the marginal distance to be kept open as specified above. However, stack parking shall not be allowed in such marginal distances.
- In case of parking spaces provided in basements, at least two separate ramps of adequate width and slope for entry and exit shall be provided preferably at opposite ends. One ramp may be provided as specified in Regulation No.8.12.

7.2 OFF STREET PARKING REQUIREMENT**7.2.1 Off-Street Parking Requirement**

Off street parking means the parking to be provided within plot and the requirement shall be based on Table No. 7C below and factors mentioned in Table No.7D of Regulation No. 7.2.2 for various cities / areas. Total parking requirement for a building shall be worked out as per Table No. 7C, and then factor mentioned in Table No.7D shall be applied to arrive at required parking for a building.

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Table No. 7 C

| Sr. No | Occupancy | Size of tenement | Parking Spaces Required | | Remarks |
|--------|--|--|-------------------------|---------|---|
| | | | Car | Scooter | |
| 1 | Residential i) Multi- Family residential | For every tenement having built-up area of 150 sqm and above. | 2 | 1 | In addition, 5% visitor parking |
| | | For every tenement having built-up area equal to or above 80 sqm but less than 150 sqm. | 1 | 1 | In addition, 5% visitor parking |
| | | For every tenement with each tenement having built-up area equal to or above 40 sqm but less than 80 sqm | 1 | 2 | In addition, 5% visitor parking |
| | | For every two tenements with each tenement having built-up area less than 40 Sqm but more than 30 sqm. | 1 | 1 | In addition, 5% visitor parking |
| | | For every two tenements with each tenement having built-up area less than 30 Sqm. | 0 | 2 | In addition, 5% visitor parking |
| | | For every 100 sq. m of built-up area or part thereof. | 1 | 6 | -- |
| | ii) Star Category Hotels | For every 100 sq. m of built-up area or part thereof. | 1 | 3 | |
| | iii) Other Hotels | For every 100 sq. m of built-up area or part thereof. | 1 | 1 | |
| | iv) Lodging establishment's | For every 100 sq. m of built-up area or part thereof. | 1 | 8 | -- |
| | iii) Restaurants | For every 50 sq. m of carpet area of restaurant including kitchen, pantry hall, dining room etc. | 1 | 4 | For hospital (special building), space for 1 ambulance per hospital, shall be provided. |
| 2 | Institutional | For every 100 sq. m of built-up area or part thereof. | 2 | | |

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| | | | | | |
|---|--|---|---|----|----|
| 3 | Assembly (theatres, cinema houses, concert halls, auditoria, assembly halls including those of college and hostels) | For every 100 sq. m of built-up area or part thereof. | 3 | 12 | -- |
| | Multiplexes | For every 100 sq. m of built-up area or part thereof. | 5 | 10 | -- |
| | Mangal karyalaya / Marriage Halls, Cultural Halls and Banquet Hall | For every 100 sqm built-up area / lawn area of fraction thereof. | 1 | 5 | -- |
| | Community hall and club house in layout open space (applicable only for open spaces having area 4000 sqm and more) | For every 200 sqm built-up area or part thereof. | 1 | 2 | -- |
| | Educational | | | | |
| 4 | Schools and the administrative as well as public service areas therein | For every 100 sqm built-up area of the administrative as well as public service area of the school. | 1 | 4 | -- |
| | | For every 3 class rooms | <p>1. 5 two wheelers for every three class rooms.</p> <p>2. The number of mini bus parking shall be at the rate of 1 bus for every 40 numbers of students for 50% strength of students may be provided at</p> | | |

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| | | | <i>the option of owner / developer.</i> | | |
|---|--|---|---|------------------------|---------------------------------|
| | | | | | |
| | | | 3. Mini bus parking shall be permitted on playground except during school timings. | | |
| | College and administrative as well as public service area therein. | For every 100 sqm built-up area of the administrative as well as public service area of the school. | 2 | 17 | -- |
| | Coaching Classes / Tuition Classes / Hobby Classes. | For every 3 class rooms | 2 | 24 | -- |
| | | For every 100 sqm built-up area or part thereof. | 1 | 15 | -- |
| 5 | Government or semi public or private business buildings or offices. | For every 100 sqm built-up area or fraction thereof | 1 | 6 | In addition 20% visitor parking |
| 6 | Mercantile (markets, departmental stores, shops and other Commercial users) Whole sale shops not being used for retail trading. | For every 100 sqm built-up area or fraction thereof | 1 | 4 | -- |
| 7 | Information Technology, Nano Technology, Bio Technology building, | For every 100 sqm built-up area or fraction thereof | 1 | 1 | -- |
| 8 | Data Centres Administrative office | For 100 sqm built up area or fraction thereof | 1 <i>Nil</i> | 2 <i>Nil</i> | -- |

| Core building | | | | | |
|----------------------|---|---|---|---|---|
| 9 | Industrial | For every 200 sqm built-up area or fraction thereof | 1 | 2 | In case of plots of 1ha and above, minimum parking space shall be 10% of plot area. |
| 10 | Storage (any type) for office - Warehouse Facility - | For every 300 sqm built-up area or fraction thereof | 1 | 2 | -- |
| 11 | Hazardous building | For every 400 sqm built-up area or fraction thereof | 1 | 2 | -- |

Notes -

- After having calculated parking considering the provisions of Table No. 7 D, fraction of parking spaces more than 0.5 shall be rounded to next digit.
 - In case of independent single family residential bungalows having plot area upto 300 sq. m, parking space need not be insisted separately. Further a garage shall be allowed in rear or side marginal distance at one corner having minimum dimensions of 2.5 m x 5.0 m and maximum dimensions 3 m x 6 m i.e. minimum 12.5 sqm and maximum 18.0 sqm built up area.
 - In the case of shops, row houses on plots upto 100 sq. m, parking space need not be insisted.
 - Mechanical/Hydraulic / Stack parking / multi-storeyed parking with or without car lift may be allowed to meet the requirement.
 - Parking more than 50% over and above stipulated in table 8 B and 8C, shall be liable for payment of charges at the rate of 10% of land rate mentioned in the ASR without taking into account guidelines therein. Such charges shall be recovered on the area covered under car / scooter parking over and above the requirement. However, for public semi-public, hotel, hospital, educational buildings, such charges shall not be leviable.
- Parking requirement as stipulated in Table-8 B and Table- 8 C, may be permitted for full permissible potential of the plot even though Building permission is sought for and sanctioned for only part of the full potential. In such cases the difference between number of parking required for such part potential and full permissible potential shall be liable for payment of charges as above, at the time of final occupancy certificate for such sanctioned permission,

or

If the building permission proposal for the balance potential is not submitted before such final occupancy certificate, then such excess parking shall deemed to be treated as public parking and shall be handed over for the same purpose to the Authority free of cost.

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vi) In case of plan for additional built-up area on existing building and where existing built-up is to be retained as per earlier sanction – off-street parking requirement (number of units) shall be calculated only for the newly proposed additional built-up area as per this regulation and existing parking area shall be retained as per approved plan. If the additional built-up area is proposed to be revised as per these regulations (UDCPR) then total parking requirement shall be calculated as per this regulation and existing parking units are to be deducted to arrive the new number of parking units required.

vii) Multiplying Factor as per regulation 8.2.2 Table No.C shall not be applicable for Two Wheeler parking.

7.2.2 Off Street Parking Requirement for Various Areas.

Off street parking requirement for various Areas shall be worked out by applying multiplying factor given in Table No.7 D below. This multiplying factor shall be applied to the total quantum of parking spaces worked out as per Table No. 7 C.

| Table No. 7 D | | |
|----------------------|---|---------------------------|
| Sr. No. | Area | Multiplying Factor |
| 1 | Mumbai & Pune Metropolitan Region. | 1.00 |
| 2 | Nagpur, Nashik and Aurangabad Metropolitan Region and DMIC Nodes. | 0.8 |
| 3 | Other Areas | 0.6 |

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CHAPTER – 8

REQUIREMENTS OF PARTS OF BUILDING

8.0 STANDARD REQUIREMENTS OF VARIOUS PARTS OF BUILDINGS.

This part sets out the standard space requirements of various parts of building, light and ventilation, the building services, fire safety, etc. The following parts of a building, wherever present, shall conform to the requirements given herein:

8.1 PLINTH

- i) The plinth of building shall be so located with respect to the surrounding ground level that adequate drainage of the site is assured. The height of the plinth shall not be less than 30cm above the surrounding ground level. In areas subjected to flooding, the height of the plinth shall be at least 45cm above the high flood level.
- ii) Covered parking spaces and garages shall be raised at least 15 cm above the surrounding ground level and shall be satisfactory drained.

8.2 HABITABLE ROOMS

8.2.1 Size and Dimension of Habitable Rooms

Size and dimension of habitable rooms, shall be as per requirement and convenience of the owner.

8.2.2 Height of Habitable Rooms

The minimum and maximum height of a habitable room shall be given in Table No.8A hereunder:

| Table No. 8 A | | | |
|---------------|---|---|--|
| No. | Occupancy | Minimum Height (m) | Maximum Height (m) |
| (1) | (2) | (3) | (4) |
| 1 | Flat Roof - | | |
| | a) Any habitable room | 2.75 | 4.5 |
| | a1) Habitable room in EWS / LIG Housing. | 2.75 | 4.2 |
| | b) Air-conditioned habitable room | 2.4 | 4.5 |
| | c) Assembly Halls, Residential Hotels of 3 star category and above, Institutional, Educational, Industrial, Hazardous or storage occupancies, Departmental Stores, Malls, IT Buildings, <i>Data Centre Buildings</i> , Office Buildings, Exhibition Centre, Convention Hall, Theatre, Film Studio, Entrance Halls and Lobbies to these buildings. | 3.0 (2.40 m in case of Air-conditioned room) | According to the requirement of occupancy. |
| | d) Shops | 3.00 | 4.5 |

| | | | |
|---|---|--------------------------------------|------------------------------------|
| 2 | Pitched Roof- | | |
| | a) Any habitable room | 2.75 (Eave height minimum 2.00 m) | 4.5 (Eave height minimum 3.2 m) |
| | b) Industrial, godown or likes buildings. | As per requirement. | As per requirement. |
| | c) Habitable room in EWS / LIG Housing. | 2.6 (Eave height minimum 2.00 m) | 4.2 (Eave height minimum 3.0 m) |

Provided that the minimum head-way under any beam shall be 2.4 m

Provided further that height more than that specified above, if required for particular occupancy, shall not be counted towards calculation of FSI.

8.3 KITCHEN

8.3.1 Size of Kitchen

The size of kitchen or a cooking alcove serving as cooking space shall be as per requirement and convenience of the owner.

8.3.2 Height of Kitchen

The height of a kitchen measured from the surface of the floor, to the lowest point in the ceiling (bottom of slab) shall not be less than 2.75 m except for the portion to accommodate floor trap of the upper floor.

8.4 BATH ROOMS, WATER CLOSETS, COMBINED BATH ROOM AND WATER CLOSET

8.4.1 Size of bath room and water closet

Minimum size shall be as under

- Independent Bath room 1.00 m x 1.20 m
- Independent Water closet 0.9 m x 0.9 m
- Combined bath room and water closet 1.50 sqm with minimum width or 1.00m

8.4.2 Height of Bath Room and Water Closet

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

8.4.3 Other Requirements of Bath Room and Water Closet

Every bathroom or water-closet shall –

- be so situated that it derives ventilation from ventilation shaft or external air,
- have a window or ventilator, opening to a shaft or open space, of area not less than 0.3sqm with side not less than 0.3m,
- all the sewerage outlets shall be connected to the sewerage system. Where no such systems exist, a septic tank shall be provided within the plot conforming to the requirements of Regulation No. 8.26.

8.5 LEDGE OR TAND / LOFT**8.5.1 Location and extent**

Ledge or Tand may be provided at suitable places as per requirement. Lofts may be provided over kitchen, habitable rooms, bathrooms, water closets, and corridor within a tenement in residential buildings, over shops and in industrial building, as mentioned below in Table No. 8 B subject to the following restrictions-

- The clear head room under the Loft shall not be less than 2.1 m
- Loft in commercial areas and industrial building shall be located 2 m away from the entrance.
- Loft shall not interfere with the ventilation of the room under any circumstances.
- The maximum height of loft shall be 1.5m.

| Table No. 8 B | | |
|---------------|----------------------------------|--|
| Sr. No. | Rooms over which Permitted | Maximum Coverage (Percentage to area of room below) |
| (1) | (2) | (3) |
| 1 | Kitchen/Habitable room | 25 |
| 2 | Bathroom, water closet, corridor | 100 |
| 3 | Shops with width upto 3m | 33 |
| 4 | Shops with width exceeding 3m | 50 |
| 5 | Industrial | 33 |

8.5.2 Location and extent of Ledge for Air Conditioning unit

Ledge for Air Conditioning unit may be provided on the exterior of wall of the rooms of size not exceeding 0.5 m x 1.0 m at suitable location. *The length of the such ledge may be allowed to be extended beyond 1.0 m as per the requirements of the occupancy.* Width should be max 1.5m.

8.5.3 Racks and Cabinets for Data Centers.

Racks and cabinets for data centers with side mounting rails, side panels etc. shall be permissible within the floor of building as per requirement.

8.6 CUPBOARD – CAN BE INCLUDED AS PART OF ANCILIARY

8.6.1 In residential buildings, cantilever projections of cupboards, floor to floor level, may be permitted except on ground floor. Such projections excluding window area, may project upto 0.60 m in the setbacks for buildings. However, the window frame shall be placed on the inner side of the wall and such cupboard shall be allowed only on one wall of each room Moreover, such projection shall be at least 6m from plot boundary in case of special buildings.

8.6.2 For height 15 m and more no cupboard shall reduce the marginal open space to less than 6 m on first floor and 4.5 m on upper floor.

8.7 MEZZANINE FLOOR**8.7.1 Size of Mezzanine Floor**

The minimum size of the mezzanine floor shall be as per requirement and convenience of owner. The aggregate area of such mezzanine floor shall in no case exceed 50% of built-up area of that room, shops, etc. Where loft is provided in the room, the mezzanine floor shall not be allowed.

Note - Mezzanine floor area shall be counted towards FSI.

8.7.2 Height of Mezzanine Floor

The head room under mezzanine floor shall not be less than 2.1 m

8.7.3 Other requirements of mezzanine floor

A mezzanine floor may be permitted in a room or within a space, provided -

- i) it conforms to the standards of living rooms as regards lighting and ventilation in case the mezzanine floor is used as habitable room
- ii) it is so constructed as not to interfere, under any circumstances, with the ventilation of the space over & under it.
- iii) such mezzanine floor or any part thereof will not be used as a kitchen.
- iv) it is at least 1.8 m away from front wall of such rooms.
- v) access to the mezzanine floor is from within the respective room, shop etc.
- vi) in no case shall a mezzanine floor be closed so as to make it liable to be converted into unventilated compartments.

8.8 STORE ROOM

8.8.1 Size of Store Room

The area of a store room/ rooms, if provided in a residential building, where light, ventilation and height are provided at standards lower than as required for living room, shall be as per requirements and convenience of the owner.

8.9 GARAGE

8.9.1 Size of private Garage

The size of a garage in individual residential building shall not be less than 2.5 m x 5.0 m and not more than 3.0 m x 6.0 m. The garage, if located in the side open space, shall not be constructed within 3.0 m from the main building, but it shall be at least 7.5 m away from the any access road. The area of garage shall be including in FSI.

8.9.2 Height of private Garage

The minimum and maximum height of garage shall be 2.4 m and 2.75 m respectively.

8.9.3 Plinth of private Garage

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

8.9.4 Set Back of private Garage

The garage shall be set-back behind the building line for a street or road on which the plot abuts and shall not be located affecting the access ways to the building.

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

8.10 ROOFS

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

8.10.2 Top Terrace of a building shall not be sub-divided and it shall have only common access. However, intermediate terraces may be allowed to be attached with flat and shall not be counted in balcony area.

8.10.3 The Authority may require rainwater pipes to be connected to a drain or sewer through a covered channel formed beneath the public foot path to connect the rainwater pipe to the road gutter or in any other approved manner, if not used for rain water harvesting.

Rainwater pipes shall be affixed to the outside of the walls of the buildings or in recesses or chases cut or formed in such walls or in such other manner as may be necessary.

8.10.4 *Top terrace of a commercial, IT-ITES, Fintech, Biotech buildings may be permitted to be used for open air restaurant without any construction and such area shall not be counted for FSI.*

8.11 BASEMENTS

8.11.1 Basement shall generally be constructed within the prescribed setbacks / margins with one or more level.

Following uses shall be permissible free of FSI.

- i) Air-conditioning equipments and other machines used for services and utilities of the building;
- ii) Parking spaces;
- iii) D.G. set room, meter room and electric substation (which will conform to required safety requirements), Effluent Treatment Plant, suction tank, pump room;

Following uses shall be permissible and counted in FSI.

- a) Storage of household or other goods or ordinarily non-combustible material incidental to principal use;
- b) Strong rooms, bank lockers, safe deposit vaults, laundry room, Radio / laser therapy, post mortem room, mortuary, medical shop and cold storage for hospital building etc.
- c) Commercial use in first basement in case of shopping centre/ shopping malls.
- d) Uses strictly ancillary to the principal use.
- e) Nursing quarters as ancillary use to hospital in first basement, if it is 0.9 to 1.2 m above ground level with proper ventilation.

Provided that, if the basement is proposed flushing to average surrounding ground level, then such basement can be extended in side and rear margins upto 1.5 m from the plot boundary.

8.11.2 The basement shall have the following requirements -

- i) Every basement shall be in every part at least 2.4 m in height from the floor to the soffit of beam;
- ii) Adequate ventilation shall be provided for the basement with a ventilation area not less than 2.5% of the area of the basement. Any deficiency may be met by providing adequate mechanical ventilation in the form of blowers, exhaust fans or air-conditioning systems, etc.;

- iii) The minimum height of the ceiling of any basement shall be 0.9 m and the maximum shall be 1.2 m above the average surrounding ground level. However, it does not apply to the mechanically ventilated basements. In such cases, basement may also be allowed flushing to the average ground level;
- iv) Adequate arrangements shall be made so as to ensure that surface drainage does not enter the basement;
- v) The walls and floors of the basements shall be water-tight and be so designed that the effect of the surrounding solid and moisture, if any, is taken into account in design and adequate damp proofing treatment is given. In case of special building, where, movement of fire fighting vehicle is proposed on the basement flushing to the ground level, the slab of the basement shall be designed to withstand the pressure of fire fighting vehicle.
- vi) The access to the basement shall be separate from the main and alternate staircase providing access and exit from higher floors. Where the staircase is continuous, the same shall be enclosed type serving as a fire separation from the basement floor and higher floors. Open ramps shall be permitted subject to the provision of Regulation No. 8.12.

8.12 RAMP

8.12.1 Non-Vehicular Ramp

All the requirements of stairways in Regulation No. 8.29.8 shall apply mutatis mutandis to non-vehicular ramp. In addition, the following requirement shall be complied with.

- i) Ramps with a slope of not steeper than 1 in 10 may be substituted for and shall comply with all the applicable requirements of stairways regarding enclosure, capacity and dimensions. In certain cases, steeper slopes may be permitted but in no case greater than 1 in 8 shall be permitted. Ramps shall be surfaced with approved non-slipping material. Provided that in the case of public offices, hospitals, assembly halls, etc. the slope of the ramp shall not be more than 1:12.
- ii) The minimum width of the ramps in hospitals shall be 2.25 m
- iii) Handrails shall be provided on both sides of the ramp.
- iv) Ramps shall lead directly to outside open space at ground level or courtyards or safe place.
- v) For building above 24 m in height, access to ramps from any floor of the building shall be through smoke stop door.
- vi) When there is a difference in level between connected areas for horizontal exits, ramps not more than 1:10 slope shall be provided.
- vii) In case of non-special building, ramp may be permitted in side marginal distances. In case of special building, ramps may be permitted in side marginal distances, after leaving 6 m marginal distance for movement of fire fighting vehicle.

8.12.2 Ramp to Basements and Upper Storeys for Vehicles

- i) For parking spaces in a basement and upper floors, at least two ramps of minimum 3 m width with slope not more than 1:8 shall be provided, at the opposite ends. Instead of two ramps, one ramp of 6 m width may be allowed in case of plot having area upto 2000 sqm. In addition to these, the owner may provide car lifts, if he so desires.
- ii) If the ramp is proposed to be used only for two-wheeler, then at least two ramps of 2 m width with slope not more than 1:8 shall be provided, at the opposite ends. Instead of two

ramps one ramp of 4 m width may be allowed in case of plots having area upto 2000sqm. as per UDCPR.

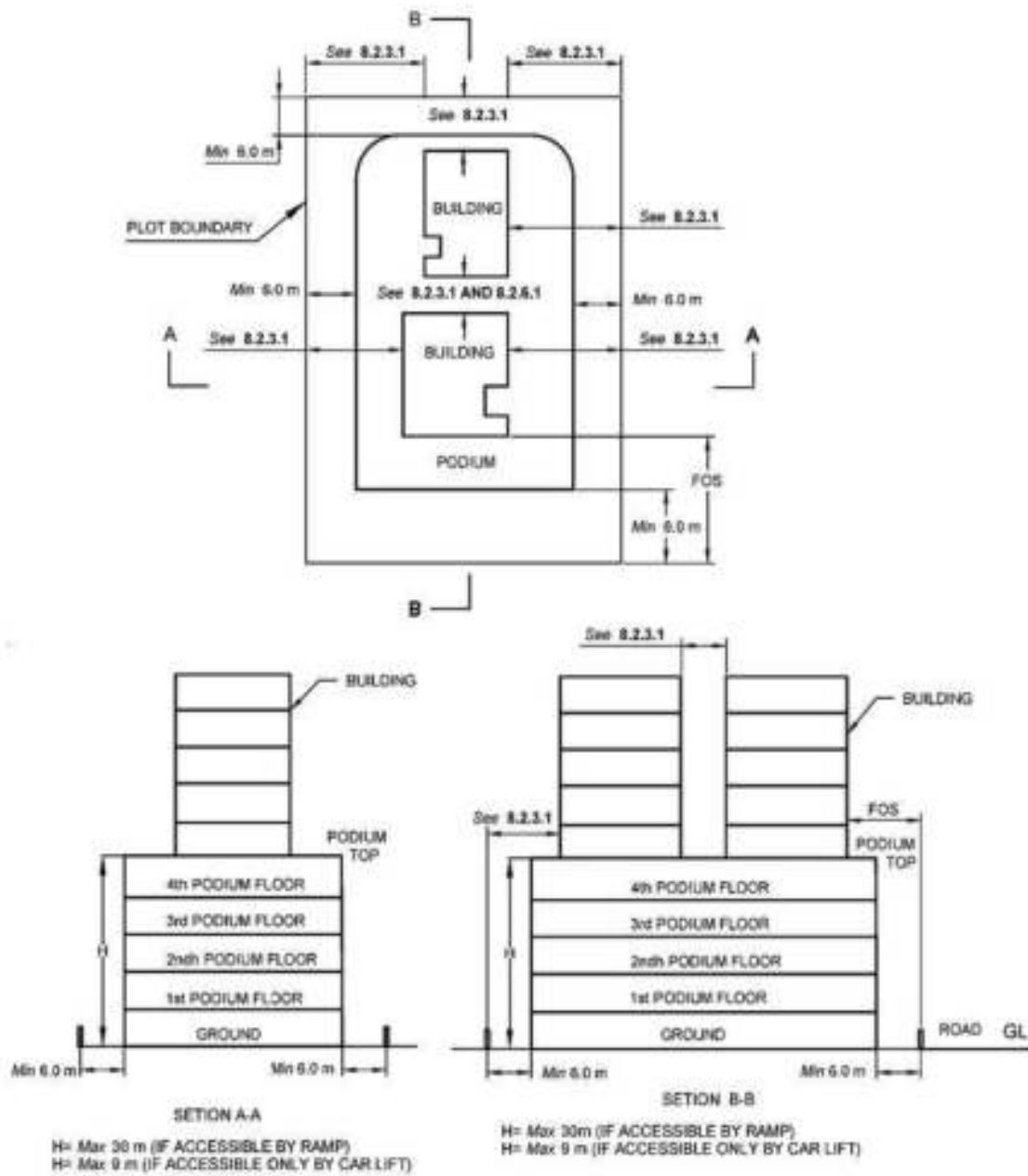
- iii) Notwithstanding anything contained in (i) & (ii) above, in case of plot admeasuring 1000sqm or less, only one ramp of 3 m may be provided for car parking or one ramp of 2 m may be provided for the two-wheeler parking, as the case may be. ***In case of plot admeasuring up to 2000 sq.m., the owner may provide minimum 2 Car lifts instead of Ramp.***
- iv) In case of non-special building, ramp may be permitted in side marginal distances. In case of special building, ramps may be permitted in side marginal distances, after leaving 6 m marginal distance for movement of fire fighting vehicle.

8.13 PODIUM

8.13.1 Podium for parking of the vehicles and other uses mentioned herein, may be permitted with following requirements / conditions:

- i) Height of the podium shall be at least 2.4 m from the floor to the soffit of beam
- ii) Podium maybe allowed at a ***front marginal and*** distance of 6 m from ~~front~~, side and rear of the plot boundary in case of special building, subject to provisions of Regulation No. 5.4 (c). In case of non-special building, such distance shall be 3 m.
- iii) Podium shall be designed to take load of fire engine, if required.
- iv) Recreational open space may be permitted on podium subject to Regulation No. 3.4.2 (iii). The structure mentioned in Regulation No.3.4.3 may be permitted over the podium on which recreational open space is provided, subject to 15% area of such recreational open space.
- v) Podium shall be permissible joining two or more buildings or wings of buildings, subject to availability of manoeuvring space for fire engine. In such case, the distance between two buildings/wings of the building shall be provided as otherwise required under these Regulations.
- vi) Part of the podium may be used for recreation or play area for schools.
- vii) Part of the podium may be used for club house subject to Regulation No. 3.4.3 (i).
- viii) The provision of podium and their projections shall be as shown in figure 8 A, 8 C, 8 D & 8E below. The provision of ramp to podium shall be preferably as shown in figure 8 B below.

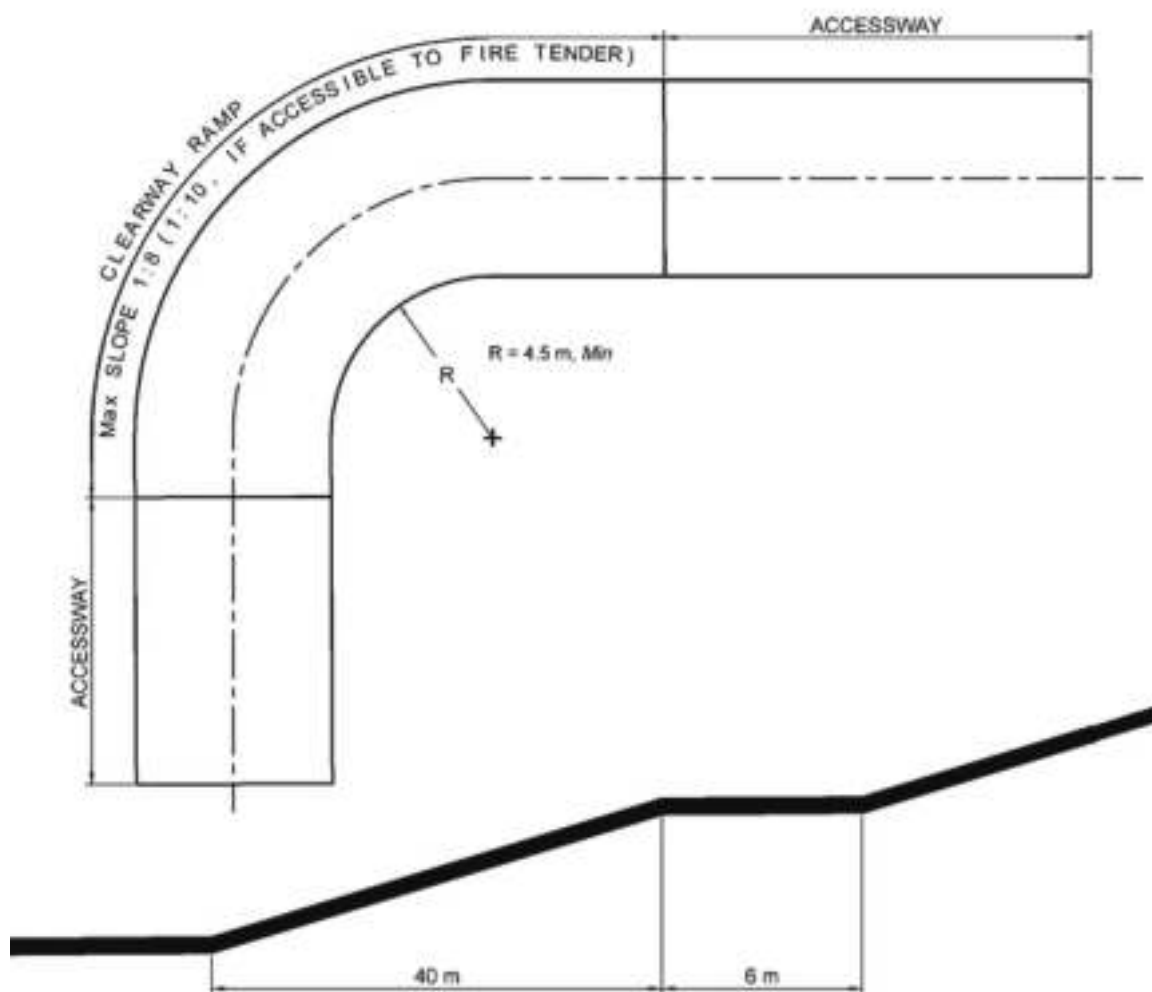
Figure No. 8 A



(Please refer above regulations mentioned in figure from NBC 2016 (Part 3).)

BUILDING ON PODIUM

Figure No. 8 B



MAXIMUM CONTINUOUS RAMP LENGTH AND
MINIMUM LENGTH OF THE RAMP LANDING

MINIMUM CLEAR RAMP WIDTH, m

| | ONE WAY | TWO WAY |
|-------------|---------|---------|
| LMV | 3.0 | 6.0 |
| LCV | 4.5 | 9.0 |
| HMV | 6.0 | 12.0 |
| FIRE TENDER | 7.5 | |

RAMPS FOR PODIUM
BUILDINGS ON PODIUM AND THEIR RAMS

Figure No. 8 C

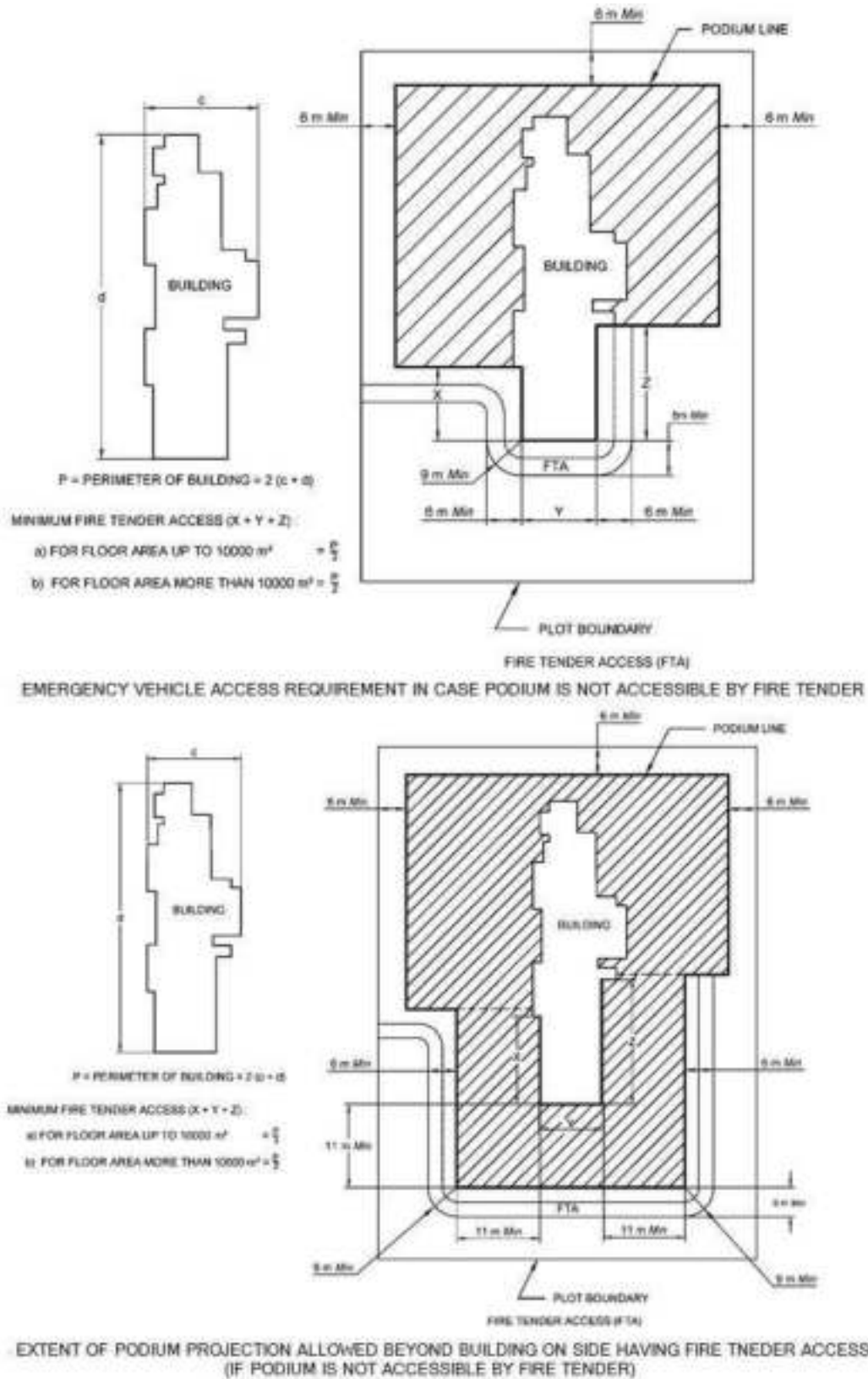


Figure No. 8 D

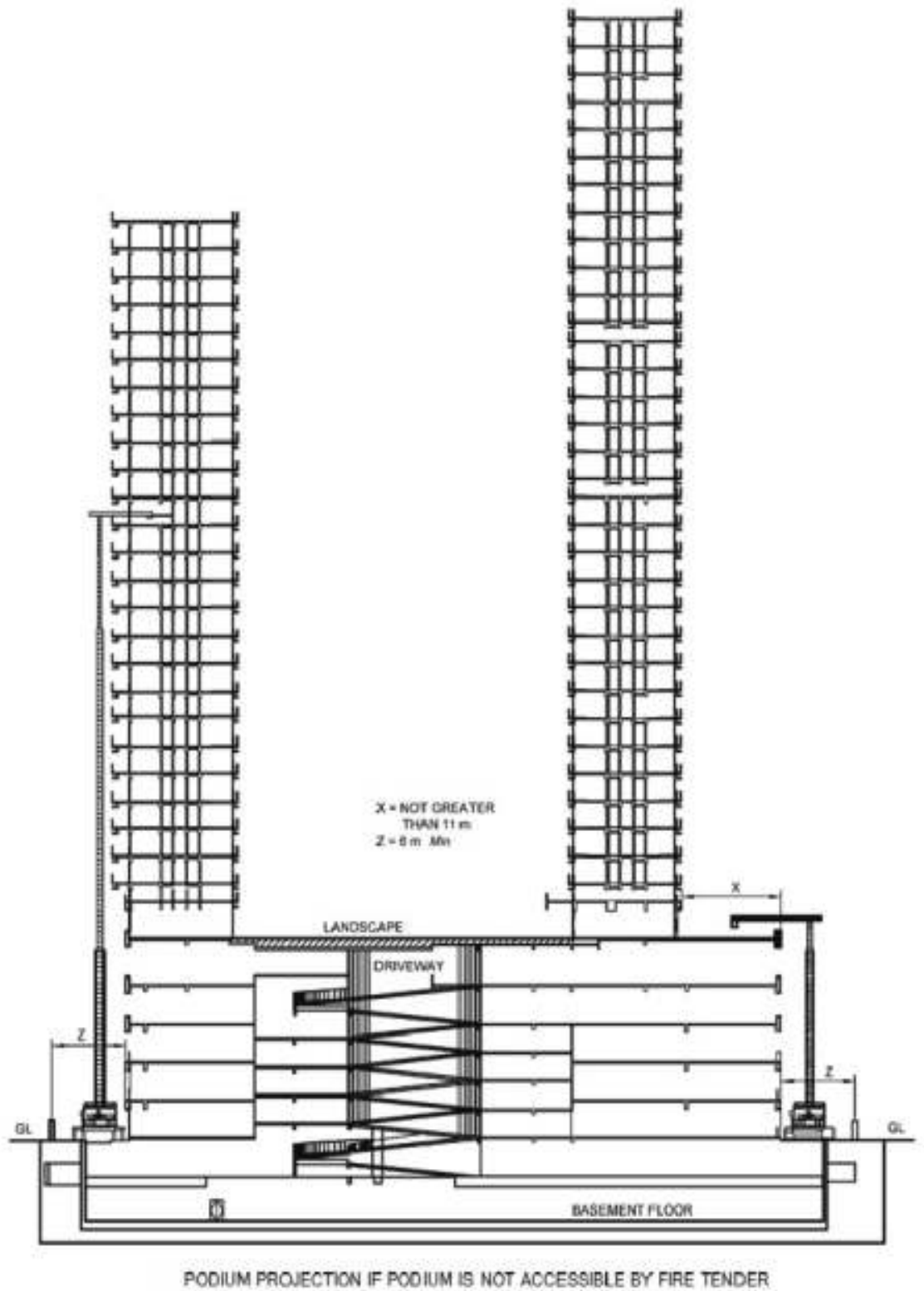
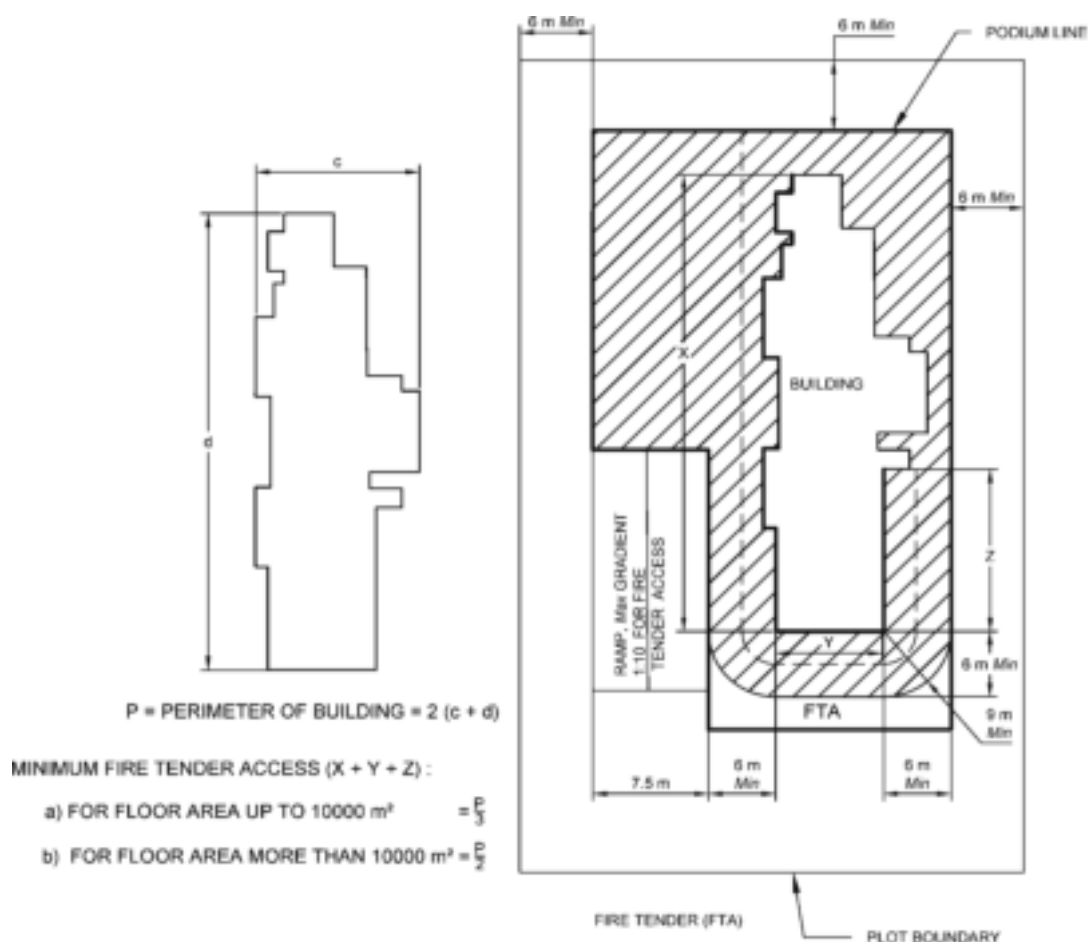


Figure No. 8 E



FIRE TENDER ACCESS REQUIREMENT IN CASE PODIUM IS ACCESSIBLE BY FIRE TENDER

8.13.2 *Instead of podium proposed in Regulation No. 8.13.1, podium for parking along with ramp may be permitted with side and rear marginal distance of 1.5m from plot boundary, subject to following conditions :-*

- Top of the Podium shall be accessible for Fire Engine by 7.5 m. Ramp with gradient 1:10.*
- Structural Stability Certificate regarding such Podium and Ramp shall be submitted with respect to Fire Engine movement over it & sustain load of Fire Engine.*
- Minimum 6 m. marginal distances with required turning circle over the Podium shall be provided for manoeuvring of Fire Engine.*
- Provisions mentioned in Regulation No.8.13 shall be applicable except (ii) & (viii).*

8.14 BALCONY

Balcony or balconies of a minimum width of 1m and maximum of 2 m may be permitted in residential and other buildings at any floor except ground floor, and such balcony projection shall be subject to the following conditions:-

- No balcony shall reduce the marginal open space (including front) to less than 2 m upto 15m building height. For height 15 m and more no balcony shall reduce the marginal open space to less than 6m on first floor and 4.5 m on upper floor.

- ii) Balcony, though not cantilever, shall be allowed on ground floor, after leaving required setback / marginal distances.
- iii) The width of the balcony shall be measured perpendicular to the building upto the outermost edge of balcony.
- iv) The balcony may be allowed to be enclosed in the room, at the time of development permission, if desired by the owner / developer. In such case depth of the enclosed balcony shall not exceed 1/3 of the depth of the room (including the depth of balcony). However, toilet shall not be allowed in enclosed balcony area .
- v) Nothing shall be allowed beyond the outer edge of balcony.

8.15 REVAS PROJECTION

Reva's projection i.e. part of a room or rooms projecting in marginal distance beyond the building line, may be permitted subject to limits applicable for balcony.

8.16 SUPPORTED DOUBLE HEIGHT TERRACES

Supported double height terraces shall be permitted (open terraces with railing and minimum height equal to two floors) within the building line.

8.17 STILT

A stilt with one or more levels may be permitted underneath a building. The height of the stilt floor below the soffit of the beam shall not be less than 2.4 m at least two sides of the stilt shall be open. In case of stack parking, clear height of 4.50 m shall be maintained. The open stilt portion shall not be used for any purpose other than for vehicles parking or play area for children. However, habitable use may be allowed in part of the stilt which shall be counted in F.S.I. In case of stilt at ground floor plinth of stilt shall not be more than 15 cm from surrounding ground level.

8.18 CHIMNEYS

Chimney, where provided, shall conform to the requirements of Indian Standard Code of Practice for Fire Safety of Building. Provided that the chimney shall be built at least 0.9 m above flat roof. In the case of sloping roofs, the chimney top shall not be less than, 0.6 m above the ridge of the roof in which the chimney penetrates.

In case of industrial building chimneys may be permitted upto the height required for industrial or any other process. If required staircase ancillary to such chimney may also be permitted. Height of such chimneys may not be counted for calculating the marginal distances required for building of principle use. Area of such chimneys along with staircase shall not be counted in FSI.

8.19 LETTER BOX

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

8.20 METER ROOM

Meter room shall be provided as per the requirement of M.S.E.D.C.L. or power supply company as per the number of tenements/ units.

8.21 LIGHTING AND VENTILATION OF ROOM**8.21.1 Adequacy and manner of provision**

- i) The minimum aggregate area of opening of habitable rooms and kitchens excluding doors shall be not less than $1/10^{\text{th}}$ of the floor area of the room
- ii) No portion of a room shall be assumed to be lighted, if it is more than 7.5 m away from the opening assumed for light and ventilation, provided additional depth of any room beyond 7.5 m may be permitted subject to provision of proportionate increase in the area of opening.
- iii) A staircase shall be deemed to be adequately lighted and ventilated, if it has one or more openings and area taken together admeasures not less than 1 sqm per landing on the external wall.
- iv) An opening with a minimum area of 1 sqm in a kitchen, and 0.30 sqm with one dimension of 0.30 m for any bathroom, water closet or store shall be treated as adequate.

8.21.2 Interior & Exterior Chowk

- i) **Interior chowk :** Wherever work spaces or habitable rooms or kitchen derive ventilation only from inner chowk or interior open space, the minimum size of such interior open space shall not be less than 3m x 3m. The size of such chowk shall increase with the height of building and shall not be less than $H/6\text{m} \times H/6\text{m}$, where H= Height of highest wall of the Chowk from ground level or from where the duct has originated above ground.

Provided that where provision of north light / ventilation through roof or any other manner is made then such spaces shall be considered independent of the inner chowk.

- ii) **Exterior chowk :** Wherever work spaces or habitable rooms or kitchen derive ventilation only from exterior chowk, the minimum width of the exterior chowk for the purpose of light and ventilation shall generally be not less than 2.4m. In such case, the depth shall not exceed 2 times the width. If the depth is upto 2.4m, then such notch / chowk shall be considered for ventilation irrespective of its width. If the width of the exterior chowk is less than 2.4m and depth is greater than 2.4m, it shall be treated as a notch and shall not be considered for deriving ventilation.

- iii) Where only water closet, bathroom, combined bathroom and water closet, staircase are abutting on the interior open space, the size of the interior open space shall be in line with the provision for ventilation shaft as given in Regulation No.8.21.3.

Provided that, for (i) and (ii) above maximum distance shall be subject to 16 m. If the owner wishes to provide chowk size more than what is prescribed above, it shall be allowed.

8.21.3 Ventilation Shaft

For ventilating the spaces for water closets & bathrooms, staircases, if not opening on front, side, rear & interior open spaces, these shall open on the ventilation shaft, the size of which shall not be less than the values given in Table No. 8 C below:-

| Table No. 8 C | | | |
|---------------|--------------------------|---|--|
| Sr. No. | Height of Buildings in m | Cross-section of Ventilation shaft in sqm | Minimum one every dimension of the shaft in m |

| (1) | (2) | (3) | (4) |
|-----|----------|-----|-----|
| 1 | Upto10 | 1.2 | 0.9 |
| 2 | Upto12 | 2.4 | 1.2 |
| 3 | Upto 18 | 4.0 | 1.5 |
| 4 | Upto 24 | 5.4 | 1.8 |
| 5 | Upto30 | 8.0 | 2.4 |
| 6 | Above 30 | 9.0 | 3.0 |

Note :- For fully air-conditioned residential / other buildings, the ventilation shaft need not be insisted upon, provided the air-conditioning system works in an uninterrupted manner, also provided; there is an alternative source of power supply.

8.21.4 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 8, Building Services- Section 1, Lighting and Ventilation, National Building Code of India.

8.22 OVERHEAD TANKS

Every overhead water storage tank, wherever provided, shall be maintained in a perfectly mosquito-proof condition by providing a properly fitting hinged cover.

8.23 PARAPET

Parapet walls and handrails provided on the edges of roof terraces, podium, balcony, verandah and recreational floor shall not be less than 1.0m and not more than 1.2m in height from the finished floor level. In case of occupancies like educational, health etc. such parapet may be permitted upto 2.00 m height.

8.24 CABIN

Where cabins are provided, the size of cabins shall be 3.0 sqm with a minimum width of 1m. The clear passages within the divided space of any floor shall not be less than 0.9 m and the distance from the farthest space in a cabin to any exit shall not be more than 18.5 m.

8.25 WELLS

Wells intended for supply of water for human consumption or domestic purposes may be permitted at suitable place in a plot excepting MIDC industrial areas.

8.26 SEPTIC TANKS

Every building or group of buildings together shall be either connected to a Drainage system or be provided with sub-soil dispersion system in the form of septic tank of suitable size and technical specifications. Modern methods of disposals, as may be specified by Government/ Government bodies such as NEERI etc. may also be permissible.

8.27 BOUNDARY / COMPOUND WALL

- The height of the compound wall shall be generally 1.5 m above the central line of the front street. However, compound wall of higher height may be permitted as per

requirement.

- ii) The gates in a compound wall shall not open on any public access/ pathway / road / street and shall open entirely inside the property.

8.28 PROVISION OF LIFT

8.28.1 Planning and Design

Atleast one lift shall be provided in every building more than 15m in height. In case of buildings more than 24m height, atleast two lifts shall be provided. However, in case of a proposal to add one additional floor to an existing building having a lift, it will not be necessary to raise the existing lift to the additional floor.

For building or floors of the building to be constructed for Retirement Home or Senior Citizen Housing, lift shall be provided irrespective of height of building.

The planning and design of lifts including their number, type and capacity depending on the occupancy of the building, the population of each floor based on the occupant load and the building height shall be in accordance with Section 5 - Installation of Lift & Escalators of Part VIII - Building Services of National Building Code of India.

All the floors shall be accessible for 24 hours by the lifts. The lifts provided in the buildings shall not be considered as a means of escape in case of emergency. Grounding switch at ground floor level to enable the fire service to ground the lift cars in an emergency shall also be provided.

The lift machine rooms shall be separate and no other machinery shall be installed therein.

8.28.2 Fire Lift

Fire lift shall be provided as mentioned in Regulation No. 8.30.8.

8.29 EXIT REQUIREMENTS

8.29.1 The following General requirements shall apply to exits

- i) In every building or structure, exits shall comply with the minimum requirements of this part, except those not accessible for general public use.
- ii) Every exit, exit access or exit discharge shall be continuously maintained free of all obstructions or impediments to full use in the case of fire or other emergency.
- iii) 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.
- iv) No building shall be so altered as to reduce the number, width or protection of exits to less than that required.
- v) Exits shall be clearly visible and the route to reach the exits shall be clearly marked and signs posted to guide the occupants of the floor concerned.
- vi) All exits shall provide continuous means of egress to the exterior of a building or to an exterior open space leading to a street and,
- vii) Exits shall be so arranged that they may be reached without passing through another occupied unit.

8.29.2 Type of Exits

An exit may be a doorway, a corridor, a passage or a way to an internal staircase or external staircase, ramp or to a varandah and / or terraces which have access to the street or to roof of a building. An exit may also include a horizontal exit leading to an adjoining building at the same level. Lifts and escalators shall not be considered as exits.

8.29.3 Number and Size of Exits

The requisite number and size of various exits shall be provided, based on number of occupants in each room and floor based on the occupant load, capacity of exits; travel distance and height of building as per provisions of Regulation No. 8.29.4.to Regulation No. 8.29.8.

8.29.4 Arrangement of Exits

Exits shall be so located that the travel distance on the floor shall not exceed as given in Table No.8D below :-

| Table No. 8 D | |
|---|------------------------|
| Type of Building | Travel Distance |
| Residential, Educational, institutional and Hazardous occupancies | 22.5 m |
| Assembly, business, mercantile, Industrial and Storage Occupancies. | 30.0 m |

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

Note:- Only for non-residential buildings where sprinkler system has been provided in entire building for firefighting, the travel distance may be increased by 50% of the value specified in above table.

8.29.5 Occupant Load

For determining the exits required, the number of persons within any floor area or the occupant load shall be based on the actual number of occupants, but in no case less than that specified in Table No. 8 E below :-

| Table No. 8 E | | |
|----------------------|--|---|
| Sr. No. | Group of Occupancy | Occupant Load Floor Area in sqm per person |
| (1) | (2) | (3) |
| 1 | Residential | 12.5 |
| 2 | Educational | 4.0 |
| 3 | Institutional | 15 (See Note i) |
| 4 | Assembly | |
| | a) With fixed or loose seat and dance floors | 0.6 (See Note ii) |
| | b) Without seating facilities including | 1.5(See Note ii) |

| | | |
|----|----------------------------------|-------------|
| | dining rooms | |
| 5 | Mercantile | |
| | a) Street floor & Sales basement | 3 |
| | b) Upper sale floors | 6 |
| 6) | Business and industrial | 10 |
| 7) | Storage | 30 |
| 8) | Hazardous | 10 |
| 9) | Data Center | |
| | a) For office area | 10 |
| | b) For remaining area | 1000 |

Notes :

- Occupant load in dormitory portions of homes for the aged, orphanages, insane, asylums etc. where sleeping accommodation provided, shall be calculated at not less than 7.5 sqm gross floor area per person.
- The gross floor area shall include, in addition to the main assembly rooms or space, any occupied connecting room or space in the same storey or in the storeys above or below where entrance is common to such rooms and spaces and they are available for use by the occupants of the assembly place. No deductions shall be made in the area for corridors, closets or other subdivisions, that area shall include all space serving the particular assembly occupancy.

8.29.6 Capacity of Exits

- The unit of exit width use to measure the capacity of any exit should be 50 cm. A clear width of 25 cm should be counted as additional half unit. Clear width less than 25 cm should not be computed for exit width.
- Occupants per unit exit width shall be in accordance with Table No.8 F.

| Table No.8 F | | | | |
|--------------|--------------------|---------------------|-------|-------|
| Sr. No. | Group of Occupancy | Number of Occupants | | |
| | | Stairways | Ramps | Doors |
| (1) | (2) | (3) | (4) | (5) |
| 1 | Residential | 25 | 50 | 75 |
| 2 | Educational | 25 | 50 | 75 |
| 3 | Institutional | 25 | 50 | 75 |
| 4 | Assembly | 40 | 50 | 60 |
| 5 | Business | 50 | 60 | 75 |
| 6 | Mercantile | 50 | 60 | 75 |
| 7 | Industrial | 50 | 60 | 75 |

| | | | | |
|---|-----------|----|----|----|
| 8 | Storage | 50 | 60 | 75 |
| 9 | Hazardous | 25 | 30 | 40 |

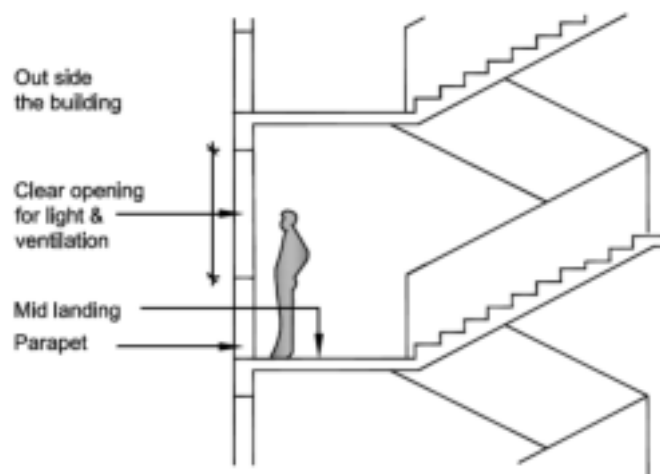
8.29.7 Provision for Staircase

All buildings having height more than ground floor shall have provision of one staircase. The special buildings specified in Regulations No. 1.3 (111) (xiv) shall have two staircases out of which one shall be fire escape staircase.

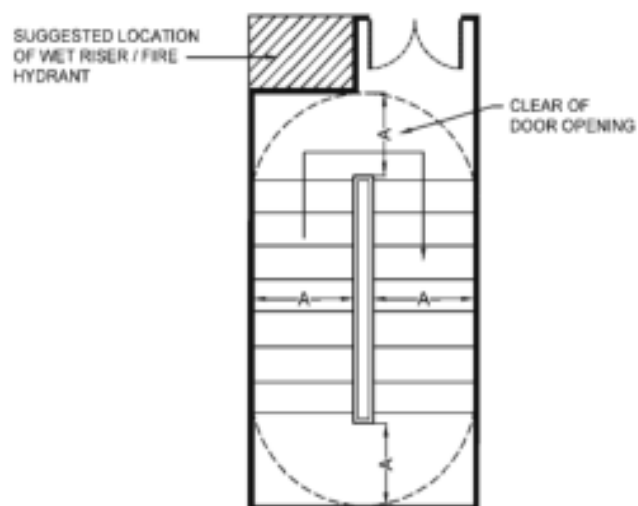
Fire escape staircase shall be of enclosed type. At least one of them shall be on external walls of buildings and shall open directly to the exterior, interior open space or to an open place of safety. Further, the provision or otherwise of alternative staircases shall be subject to the requirements of travel distance being complied with.

A staircase shall not be provided around the lift shaft.

Figure No. 8 F

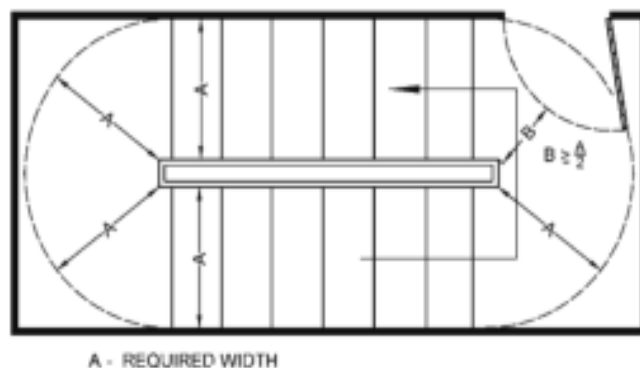


Section through Staircase.



NOTE — Door width shall be based on type of occupancy.

MINIMUM REQUIRED UNOBSTRUCTED CLEARANCE WITH DOOR LEAF ENCROACHING ON LANDING IN INSTITUTIONAL AND ASSEMBLY BUILDINGS



MINIMUM REQUIRED UNOBSTRUCTED CLEARANCE WITH DOOR LEAF ENCROACHING ON LANDING

Door location at landing in fire exits.

8.29.8 Width of Stair Case

The minimum width of staircases/ corridors for various buildings shall be as below.

| Table No. 8 G | | |
|---------------|---|------------------------------------|
| Sr. No | Use of Building | Minimum width of Stair Case (in m) |
| 1 | Residential Buildings | |
| | a) Individual Housing upto G + 2 storeys / Duplex tenements. | 0.75 |
| | b) Multi-storied Residential Building upto 15 m height / commercial building on plot upto 300 sqm with height upto 15 m. | 1.00 |
| | c) Multi-storied Residential Building above 15 m & upto 36 m height. | 1.20 |

| | | |
|---|--|-------------|
| | d) Multi-storied Residential Building above 36 m height. | 1.50 |
| 2 | Residential hotel buildings | 1.50 |
| 3 | Assembly Building likes auditorium, theatres, cinemas, multiplex, mangal karyalaya, marriage halls, etc. | 2.00 |
| 4 | Institutional & Educational Buildings. | 2.00 |
| 5 | Data center building | 1.20 |
| 6 | All other buildings excluding Sr. No. (1) to (5) above | 1.50 |

8.30 OTHER REQUIREMENTS OF INDIVIDUAL EXIT AT EACH FLOOR

The detailed requirements in respect of exits shall be as provided in Regulations No.8.30.1 to 8.30.8 given below.

8.30.1 Doorways

- Every exit doorway shall open into an enclosed stairway or a horizontal exit, or a corridor or passageway providing continuous and protected means of egress:
- No exit doorway shall be less than 90 cm in width except assembly buildings where door width shall be not less than 200 cm. Doorway shall be not less than 200 cm in height. Doorways for the bathrooms, water-closets or stores shall be not less than 75 cm wide.
- Exit doorways shall open outwards, that is away from the room but shall not obstruct the travel along any exit. No door, when opened shall reduce the required width of stairways or landing to less than 90 cm Overheads or sliding doors shall not be installed.
- Exit door shall not open immediately upon a flight of stair. A landing equal to at least the width of the door shall be provided in the stairway at each doorway. Level of landing shall be the same as that of the floor which it serves.
- Exit doorway shall be openable from the side which they serve without the use of a key.
- Mirrors shall not be placed in exit ways or exit doors to avoid confusion regarding the direction of exit.

8.30.2 Revolving doors

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

8.30.3 Stairways

- Interior staircase shall be constructed of non-combustible materials throughout.
- Interior staircase shall be constructed as a self-contained unit with at least one side to the extent of required opening adjacent to an external wall and shall be completely enclosed.
- Hollow combustible construction shall not be permitted.
- The minimum width of tread without nosing shall be 25 cm for an internal staircase for residential buildings. In the case of other buildings, the minimum tread shall be 30 cm The treads shall be constructed and maintained in a manner to prevent slipping.
- The maximum height of riser shall be 19 cm in the case of residential buildings and 15cm in the case of other buildings. They shall be limited to 15 per flight.

- vi) Handrails shall be provided with a minimum height of 100 cm from the centre of the tread to the top of the handrails. Balusters/ railing shall be provided such that the width of staircase does not reduce.
- vii) Floor indicator - The number of each floor shall be conspicuously painted in figures at least 15 cm large on the wall facing the flights of a stairway or at such suitable place as is distinctly visible from the flights.
- viii) The minimum headroom in a passage under the landing of a staircase shall be 2.2 m
- ix) For *Special* building, access to main staircase shall be gained through at least half an hour fire resisting automatic closing doors placed in the enclosing wall of the staircase. It shall be a swing type door opening in the direction of the escape.
- x) No living space, store or other space including fire risk shall open directly into the staircase.
- xi) External exit door of staircase enclosure at ground level shall open directly to the open spaces or should be reached without passing through any door other than a door provided to form a draught lobby.
- xii) In the case of assembly, institutional or residential occupancies or hotels or industrial and hazardous occupancies, the exit sign with arrow indicating the way to the escapes route shall be provided at a height of 0.5 m from the floor level on the wall and shall be illuminated by electric light connected to corridor circuits. All exit way marking signs should be flushed with the wall and so designed that no mechanical damage shall occur to them due to moving of furniture or other heavy equipment. Further all landings of floor shall have floor indicating boards prominently indicating the number of floor. The floor indication board shall be placed on the wall immediately facing the flight of stairs and nearest to the landing. It shall be of the size not less than 0.5 m x 0.5 m
- xiii) In case of a single staircase, it shall terminate at the ground floor level and the access to the basement shall be by a separate staircase. Whenever the building is served by more than one staircase one of the staircases may lead to basement level provided the same is separated at ground level by either a ventilated lobby or a cut-off screen wall without opening, having a fire resistance of not less than 2 hours with discharge point at two different ends or through enclosures. It shall also be cut-off from the basement areas at various basement levels by a protected and ventilated lobby or lobbies.

8.30.4 Fire escape or external stairs

A fire escape or external stair shall be provided as provided in Regulation No. 8.29.7 External stairs, when provided, shall comply the following :

- i) External stairs shall always be kept in sound operable conditions.
- ii) All external stairs shall be directly connected to the ground.
- iii) Entrance to the external stairs shall be separate and remote from the internal staircase.
- iv) Care shall be taken to ensure that no wall opening or window opens on to or close to an external stairs.
- v) The route to the external stairs shall be free of obstructions at all times.
- vi) The external stairs shall be constructed of non-combustible materials, and any doorway leading to it shall have the required fire resistance.

- vii) No external staircase, used as a fire escape, shall be inclined at an angle greater than 45 degree from the horizontal.
- viii) External stairs shall have straight flight not less than 1500 mm wide with 250 mm treads and risers not more than 190 mm. The number of risers shall be limited to 15 per flight.
- ix) Handrails shall be of a height not less than 1000 mm and not exceeding 1200 mm. There shall be provisions of balusters with maximum gap of 150 mm.
- x) The use of spiral staircase shall be limited to low occupant load and to a building not exceeding 9 m in height. A spiral stair case shall be not less than 1500 mm in diameter and shall be designed to give adequate headroom.
- xi) Unprotected steel frame staircase will not be accepted as means of escape. However, steel staircase in an enclosed fire rated compartment of 2 h will be accepted as means of escape.
- xii) Fire escape staircase shall be connected to other staircases through common passage at every floor.

8.30.5 Corridors and passageways

- i) The minimum width of a corridor shall not be less than 75 cm in the case of 2 storeys row housing residential buildings and 100cm in the case of other buildings and actual width shall be calculated based on the provision of Regulations No. 8.29.3 to 8.29.8.
- ii) Where there is more than one staircase serving a building, there shall be at least one smoke-stop door in the space between the staircases.
- iii) Exit corridors & passageways shall be of width not less than the aggregate required width of exit doorways leading from them in the direction of travel of the exterior/stairways.
- iv) Where stairways discharge through corridors & passageways the height of the corridors & passageways shall not be less than 2.4 m.
- v) All means of exit including staircases, lifts, lobbies & corridors shall be adequately ventilated.

8.30.6 Refuge Area

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

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

- i) **For floors above 24 m and upto 39m height**-One refuge area on the floor immediately above 24 m
- ii) **For floors above 39 m height**-One refuge area on the floor immediately above 39 m and so on after every 15 m

Refuge area provided in excess of the requirements shall be counted towards FSI. However, area remained in excess because of planning constraints, shall not be counted in FSI, provided, such excess area does not exceed 100% of the required refuge area.

8.30.7 Escalators

Escalators may be permitted in addition to required lifts. Such escalators may also be permitted in atrium area of the buildings.

8.30.8 Fire lift

Where applicable, fire lifts shall be provided with a minimum capacity for 8 passengers for building having height upto 60 m and 12 passengers for building having height above 60 m and fully automated with emergency switch on ground level. In general, special buildings shall be provided with fire lifts. In case of fire, only fireman shall operate the fire lift. In normal course, it may be used by other persons. Each fire lift shall be equipped with suitable inter-communication equipment for communicating with the control room on the ground floor of the building. The number and location of fire lifts in a building shall be decided after taking into consideration various factors like building population, floor area, compartmentation, etc.

8.30.9 Fire Tower

The buildings having height more than 24 m, shall be provided with fire tower at landing / mid-landing level with smoke check lobby with fireman lift being integral part of the fire escape staircase or fire evacuation lift (Hydro pneumatic / electrically operated) on the external face of the building having opening within the fire escape staircase at landing/ mid-landing level with smoke check lobby as approved by Chief Fire Officer shall be provided.

Note - Both the smoke check lobby with evacuation lift shall have positive level difference of minimum 75 mm with respect to staircase landing or mid-landing level to avoid ingress of water in fireman lift shaft.

8.30.10 Refuse Chute / Garbage Chute

In residential buildings, refuse chute / garbage chute may be provided with opening on each floor or on mid-landing. Design and specifications of refuse chute shall be in accordance with provisions of IS 6924.

8.31 ARCHITECTURAL PROJECTIONS

Architectural Projections may be allowed to the following extent.

| Horizontal | Vertical (above building) |
|---|---------------------------|
| H/20 subject to min 0.3 m and max 1 m exclusive of side and rear marginal distance of 6 m required for movement for fire fighting vehicle in case of special buildings. | H/20 subject to max 6 m |

Where H = Height of building from ground level.

The owner shall submit the undertaking to the authority that, such architectural projection shall not be converted to any habitable or other purpose.

8.32 ADDITIONAL REQUIREMENTS IN CASE OF HOUSING SCHEMES

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

- Fitness Centre, Crèche, society office cum letter box room, admeasuring area of about 20sqm in scheme having minimum 100 flats and thereafter additional 20 sqm area for every 300 flats.
- Sanitary block for servants having maximum area of 3 sqm in schemes having minimum 100 flats and thereafter additional 3 sqm area for every 200 flats.
- Drivers room of size 12 sqm with attached toilet in schemes having minimum 100 flats and thereafter additional 10 sqm area for every 300 flats.

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

- iv) Every Residential building having more than 6 flats / tenements shall have entrance lobby of minimum 9 sqm at ground floor. Minimum dimension of such lobby shall not be less than 2.50 m
- v) The requirements at (i) to (iii) above shall firstly be provided for the building having 30 **to 100** or more tenements i.e. first 30 to 100 tenements and thereafter the quantum mentioned in the said provisions shall be provided.

8.33 SERVICE FLOOR

A service floor of height not exceeding 2.1 m below soffit of beam, may be provided in a building exclusively for provision/diversion of services. ***In case of pharmaceutical buildings, service floors more than one may be allowed as per requirement.***

8.34 PROCESSING TOWER

Processing tower for industrial use shall be allowed of any height and shall not be taken into consideration for calculating the marginal distances. Moreover, such tower if, not inhabited, shall not be computed in FSI.

8.35 D.G.SETS

In case if D. G. Sets at multiple level are required for data center or other industrial uses, then the same may be allowed subject to compliances of all other provisions of these regulations, including Fire & Structural Safety etc.

**_*_*_*_

CHAPTER - 9

FIRE PROTECTION & LIFE SAFETY

9.0 APPLICABILITY

These regulations shall apply to special buildings as mentioned in Regulation no. 1.3(111)(xiv).

Note - The owner of the building and parties to agreement may however, decide to apply the provisions of this Part to buildings other than those given above.

9.1 POWERS TO GRANT CLEARANCE.

The following officers are empowered to grant fire clearance in respect of the buildings mentioned in Regulation No. 9.0 above.

- i) For plots upto 1000 sqm. having non-hazardous activities & buildings below 15 m height from any fire officer, duly Authorized by the CEO, who shall examine the building proposal as per the guidelines and checklist given by fire department of MIDC.
- ii) For all other buildings from Chief Fire Officer of MIDC.

The aforesaid powers shall be subject to orders of the Authority from time to time.

9.2 CONSTRUCTION

9.2.1 Building Materials

- i) 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, floors, coverings etc) may be permitted of materials having their rating for flame spread and smoke developed not exceeding a very low flame spread limit in accordance with IS 1642 – 1989 (Class-1). Ceiling linings shall be of non-combustible or of plaster - board.
- ii) Stairs and corridors shall not contain combustible materials. All main and fire escape staircases shall be of RCC only for easy evacuation of occupants and carrying out firefighting and rescue operations.
- iii) Structural members such as supports and bearing walls shall have fire resistance rating of 3 hours, transoms and ceilings 2 hours to 4 hours.
- iv) Internal walls and partitions (Fire Sections) walls separating corridor areas of floor that are used for any purpose other than circulation shall have a fire resistance of not less than two hours. There shall be no openings in such walls other than for doors or delivery batches with fire resistance not less than one hour.
- v) Facades shall consist of non-combustible building materials. A fire must bridge a distance of at least 0.9 meters between storeys.

9.2.2 Staircase Enclosure

One lift and one staircase shall be considered as 2 exits, required as fire exits as per these regulations, for buildings having height upto 15 meters. For the other buildings the number of exits shall be in accordance with the Clause 4.2 of Part 4 of NBC 2016.

The internal enclosing walls of staircase shall be of brick or RCC construction having fire resistance of not less than two hours. All enclosed staircases shall have access through self-

closing doors of at least one hour fire resistance. These shall be single swing doors opening in the direction of the escape. The door shall be fitted with check action door closures.

The staircase enclosure on external walls of the building shall be ventilated to atmosphere at each landing.

Permanent vent at the top equal to 5% of the cross-sectional area of the enclosure and openable sashes at each landing level with area not less than 0.5 sqm on the external walls shall be provided. The roof of the shaft shall be at least 1m above the surrounding roof. There shall be no glazing or glass bricks in any internal enclosing wall of a staircase. If the staircase is in the core of the building and cannot be ventilated at each landing, a positive pressure of 5 mm w.g. by an electrically operated blower / blowers shall be maintained.

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.

- i) The maximum travel distance that shall be permitted from the farthest exit on a floor to the staircase shall be as per Regulation No. 8.29.4.
- ii) For fully sprinkled building, the travel distance may be increased by 50% of the value specified,
- iii) Ramps shall be protected with automatic sprinkler system and shall be counted as one of the means of access,
- iv) Main staircases in buildings of all occupancies shall have a minimum width as specified in Regulation No. 8.29.8.

9.2.3 Lift Enclosures

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 sq.cm in clear area. Lift motor rooms shall preferably be sited at the top of the shaft and shall be separated from lift shafts by the enclosing wall of the shaft or by the floor of the motor rooms.

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.

The number of lifts in one lift bank shall not exceed four. Shafts for fire lift in a lift bank shall be separated from each other by a brick masonry or RCC wall of fire resistance of not less than two hours. Lift car doors shall have fire resistance of not less than one hour.

If the lift shaft and lift lobby are in the core of the building, a positive pressure of not less than 2.5mm and not more than 3 mm w.g. by an electrically operated blower / blowers shall be maintained in the lift lobby and positive pressure of not less than 5mm w.g. 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 building more than 24 m in height).

Exit from the lift lobby if located in the core of the building shall be through a self-closing smoke stop door of one hour fire resistance.

Lifts shall not normally communicate with basement. However, one of the lifts may be permitted to reach the basement levels provided the lift lobby at each basement level is separated from the rest of the basement areas, by fusible link operated fire resistance door of two hours fire

resistance. The lobby should be pressurized, to minimize the spread of heat and smoke on upper floors of the building.

Exit from lift lobby shall be through a self-closing smoke stop door.

Grounding switch / switches at ground floor level to enable the fire service to ground the lift / cars in an emergency shall be provided (for building more than 15 m in height).

9.2.4 External Windows

In case of centrally air-conditioned buildings area of the openable external windows on a floor shall be not less than 2.5% of the floor area. The locks for 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).

9.2.5 Lifts and Fire Lifts

Provisions for a fire lift shall be made as per the following details in all buildings more than 15 m only.

- i) To enable Fire Services personnel to reach to the upper floors with minimum delay, one of the lifts shall be so designed so as to be available for the exclusive use of the Fireman in emergency and be directly accessible to every dwelling / lettable floor space on each floor.
- ii) The lift shall have loading capacity of not less than 545 kgs (8 persons lift). The lift shall have a floor area of not less than 1.4 sqm
- iii) The electric supply shall be on a separate service from electric supply mains in a building and the cables run in a route safe from fire, that is, within the lift shafts. In case of failure of normal electric supply, it shall be capable of changing over to alternate supply manually through a changeover switch.
- iv) The operation of a fire lift is by simple toggle or two button switches situated in a glass fronted box adjacent to the lift at the entrance level. When the switch is on, landing call points will control only. When the switch is off, the lift will return to normal working.
- v) This lift can be used by the occupants in normal times.
- vi) The words "FIRE LIFT" shall be conspicuously displayed in fluorescent paint on the lift landing doors at each floor level.
- vii) For buildings above 24 m in height, collapsible gates shall not be permitted for lifts and shall be solid doors with fire resistance of one hour.
- viii) Lifts shall not be provided in the staircase well.
- ix) 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 meters per minute whichever is less.
- x) The lift machine room shall be separate and no other machinery shall be installed therein.
- xi) Firefighting lift should be provided with a ceiling hatch for use in case of emergency
- xii) Telephone or other communication facilities shall be provided in the lift cars which shall be connected to fire control room of the building.

9.2.6 Basements

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 boards 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 levels. Inlets 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 Bridge and clearly marked "SMOKE OUTLETS" or "AIR INLET" with an indication of area served at or near the opening.

The staircase 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 such positions that smoke from any fire in the basement shall not obstruct any exit serving the ground and upper storeys of the building and shall communicate with basement through a lobby provided with fire resisting self-closing doors of one hour fire resistance. If the travel distance exceeds 18.50 m, additional staircases at proper places shall be provided. For fully sprinkled basements the above travel distance may be increased by 50%.

In multi - storey basements, intake ducts may serve all basement levels but each basement and basement compartment shall have separate smoke outlet duct or ducts.

Mechanical extractors for smoke venting system from lower basement levels shall also be provided. The system shall be of such design as to operate on actuation of heat sensitive detectors and sprinklers and shall have a considerably higher performance than the standard units. It should also have an arrangement to start it manually & shall be designed to function at a temperature not less than 550 degrees Celsius.

Kitchens working on gas fuel, departmental stores and shops shall not be permitted in basement / sub-basement.

9.2.7 Service Ducts and Shafts

Openings in walls or floors which are necessary to be provided to allow passages of all building services like cables, electrical wirings, telephone cables, plumbing pipes, etc, shall be protected by enclosure in the form of ducts/shafts having a fire resistance not less than 120 min. The inspection door for electrical shafts/ducts shall also have fire resistance of not less than 120 min. Further, medium and low voltage wiring running in shafts/ducts shall either be armoured type or run through metal conduits.

The space between the electrical cables/conduits and the walls/slabs shall be filled in by a fire stop material having fire resistance rating of not less than 120 min. This shall exclude requirement of fire stop sealing for low voltage services shaft. For plumbing shafts in the core of the building, with shaft door opening inside the building, the shafts shall have inspection doors having fire resistance rating not less than 30 min.

For plumbing shafts doors which open in wet areas or in naturally ventilated areas or on external wall of the building, the shafts may not require doors having any specified fire rating.

Note - In the case of buildings where it is necessary to lower or lift heavy machinery or goods from one floor to the other, it may be necessary to provide larger openings in the floor. Such openings shall be provided with removable covers which shall have the same strength and fire resistance as the floor.

9.2.8 Refuse Chutes and Refuse Chambers

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 hoppers shall not be located within the

staircase enclosure.

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.

Refuse chutes shall not be provided in staircase walls, air-conditioning shafts etc.

Refuse-chambers shall have walls and floors or roofs constructed of non-combustible and impervious material and shall have a fire resistance of not less than two hours. They shall be located at a safe distance from exit routes.

9.2.9 Glazing

9.2.9.1 The glazing shall be in accordance with Part 6, “Structural Design, Section 8 Glass and Glazing” of NBC. The entire glazing assembly shall be rated to that type of construction as given in Table 1 of clauses 3.3.1 & 3.3.2 of NBC Part-4. This shall be applicable along with other provisions of this Part related to respective uses as specified therein. The use of glass shall not be permitted for enclosures of exits and exit passageway.

9.2.9.2 Glass facade shall be in accordance with the following:

- i) For fully sprinklered buildings having fire separation of 9 m or more, tempered glass in a non-combustible assembly, with ability to hold the glass in place, shall be provided. It shall be ensured that sprinklers are located within 600 mm of the glass facade providing full coverage to the glass.

Note - In case of all other buildings, fire resistance rating of glass facade shall be in accordance with Table 1 of clauses 3.3.1 & 3.3.2 of NBC Part-4.

- ii) All gaps between floor-slabs and façade assembly shall be sealed at all levels by approved fire resistant sealant material of equal fire rating as that of floor slab to prevent fire and smoke propagation from one floor to another.
- iii) Openable panels shall be provided on each floor and shall be spaced not more than 10 m apart measured along the external wall from centre-to-centre of the access openings. Such openings shall be operable at a height between 1.2 m and 1.5 m from the floor, and shall be in the form of openable panels (fire access panels) of size not less than 1 000 mm × 1 000 mm opening outwards. The wordings, “FIRE OPENABLE PANEL . OPEN IN CASE OF FIRE, DO NOT OBSTRUCT”. of at least 25 mm letter height shall be marked on the internal side. Such panels shall be suitably distributed on each floor based on occupant concentration. These shall not be limited to cubicle areas and shall be also located in common areas/corridors to facilitate access by the building occupants and fire personnel for smoke exhaust in times of distress.

9.3 BUILDING SERVICES

9.3.1 Electrical Services:

- i) 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 the same fire resistance as that of the duct.
- ii) Water mains, telephone lines, intercom lines, gas pipes or any other service line shall not be laid in the duct for electric cables.
- iii) Separate circuits for water pumps, lifts, staircases and corridor lighting shall be provided

directly from the main switch gear panel and these circuits shall be laid in separate conduit pipes so that fire in one circuit will not affect the others.

- iv) The inspection panel doors and any other opening in the shaft shall be provided with air tight fire doors having the fire resistance of not less than two hours.
- v) Medium and Low-Voltage wiring running in shafts and within false ceiling shall run in metal conduit.
- vi) 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 cable. The doors provided for the service room shall have fire resistance of not less than two hours.
- vii) 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.
- viii) PVC cables should have an additional sheeting or protection provided by compounds sprayed on after installation because of the notorious secondary damage in case of fire.

9.3.2 Staircase and Corridor Lighting:

- i) The staircase and corridor lighting shall be on separate service and shall be independently connected so as it could be operated by one switch installation on the ground floor easily accessible to fire fighting staff at any time irrespective of the position of the individual control of the light points, if any. The switch shall be of miniature circuit breaker type.
- ii) The staircase and corridor lighting shall also be connected to alternate supply for building exceeding 24 m in height. For assembly, institutional buildings of height less than 24 m the alternate source of supply may be provided by battery continuously trickle, charged from the electric mains.
- iii) Suitable arrangements shall be made by installation of double throw switches to ensure that the lighting installed in the staircase and the corridor does not get connected to two sources of supply simultaneously. Double throw switch shall be installed in the service room for terminating the stand-by supply.
- iv) Emergency lights shall be provided in the staircases / corridor for all buildings above 15m in height.

9.3.2.1 Alternate source of Electric Supply:

- i) A stand-by electric/ diesel generator for high hazard building shall be installed to supply power to staircase and corridor lighting circuits, fire lifts, the stand-by fire pump, 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 substation is provided with appropriate transformer for emergency, the provision of generator may be waived in consultation with competent Fire Officer authorized by the Chief Fire Officer and Fire Advisor, MIDC.
- ii) The provision of generator set as above shall not be applicable to residential buildings upto 24 m in height.

9.3.3 Substation / Transformers

Areas in substation shall not be used as storage/dump areas or for other utility purposes other than those required for the functioning of the substation.

The substation area should be adequately ventilated.

An independent, ventilated or air conditioned MV panel room shall be provided on the ground level or first basement. This room shall be provided with access from outside (or through exit passageway accessible from outside). The MV panel room shall be provided with fire resistant walls and doors of fire resistance of not less than 120 min.

If the licensees agree to provide meters on upper floors, the licensees' cables shall be segregated from consumers' cables by providing a partition in the shaft. Meter rooms on upper floors shall not open into staircase enclosures and should be ventilated directly to open air outside or in electrical room of 120 min fire resistant walls.

Electrical MV main distribution panel and lift panels shall be provided with CO2/inert gas flooding system for all panel compartments with a cylinder located beside the panel.

9.3.3.1 Oil Filled Substation

A substation or a switch-station with oil filled equipment shall be limited to be installed in utility building or in outdoor location. Such substation/utility building shall be at least 7 m away from the adjoining building(s).

Substation equipment (exceeding oil capacity of 2000 litre) in utility building shall have fire rated baffle walls of 240 min rating constructed between such equipment, raised to at least 600 mm above the height of the equipment (including height of oil conservators) and exceeding 300 mm on each side of the equipment.

All transformers where capacity exceeds 10 MVA shall be protected by high velocity water spray systems or nitrogen injection system.

9.3.3.2 Dry Type Substation

Transformers located inside a building shall be of dry type and all substation/switch room walls, ceiling, floor, opening including doors shall have a fire resistance rating of 120 min. Access to the substation shall be provided from the nearest fire exit/exit staircase for the purpose of electrical isolation.

9.3.3.3 Standby Supply

Diesel generator set(s) shall not be installed at any floor other than ground/first basement. If the same are installed indoors, proper ventilation and exhaust shall be planned. The DG set room shall be separated by 120 min fire resistance rated walls and doors.

The oil tank for the DG sets (if not in the base of the DG) shall be provided with a dyed enclosure having a volumetric capacity of at least 10 percent more than the volume of the oil tank. The enclosure shall be filled with sand for a height of 300 mm.

For detailed information regarding fire safety requirements for hazardous petroleum products, reference may be made to The Petroleum Act, 1934 and the Rules framed thereunder.

9.3.4 Air Conditioning:

- i) Escape routes like staircases, common corridors, lift lobbies etc. shall not be used as return air passage.

- ii) The ducting shall be constructed of substantial gauge metal in accordance with IS 655 - 1963 (Revised) and any revision thereof.
- iii) Wherever the ducts pass through firewalls or floors the opening around the ducts shall be sealed with fire resisting materials such as asbestos rope, vermiculite concrete, glass wool etc.
- iv) As far as possible, metallic ducts shall be used even for the return air instead of space above the false ceiling.
- v) The materials used for insulating the duct system (inside or outside) shall be of non-combustible material such as glass wool etc.
- vi) Area more than 750 sq. m on individual floor shall be segregated by a fire wall and automatic Fire Dampers for isolation shall be provided where the ducts pass through fire walls. The fire dampers shall be capable of operating manually.
- vii) Air ducts serving main floor areas, corridors etc. shall not pass through the stair wall.
- viii) The air handling units (AHU) shall as far as possible be separate for each floor and air ducts for every floor shall be separate and in no way inter-connected with the ducting of any other floor.
- ix) The inspection panels shall be provided in the main turning to facilitate the cleaning of the ducts of accumulated dust and to obtain access for maintenance of fire dampers.
- x) No combustible material shall be fixed near than 150 mm to any duct unless such duct is properly enclosed & protected with non-combustible material (glass wool or sunglass with neoprene facing enclosed & wrapped with aluminium sheeting) at least 3.2 mm thick and which would not readily conduct heat.
- xi) If the air handling unit serves more than one floor, the recommendations given above shall be complied with in addition to the conditions given from "xii to xvii" below.
- xii) 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.
- xiii) When the automatic fire alarm operates the respective air handling units of the air conditioning system shall automatically be switched off.
- xiv) Automatic fire dampers shall be provided at the inlet of the fresh air duct and the return air duct of each compartment / shop on every floor.
- xv) 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 operating of a smoke detectors.
- xvi) The air filters of the air-handling units shall be of non-combustible materials.
- xvii) The air handling unit room shall not be used for storage of any combustible materials.

9.3.5 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

- i) The boilers shall not be allowed in sub-basement but may be allowed in the basements away from the escape routes.
- ii) 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.
- iii) Entry to this room shall be provided with a composite door of 2 hours fire resistance.

- iv) The boiler room shall be provided with fresh air inlets and smoke exhausts directly to the atmosphere.
- v) 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.
- vi) Foam inlets shall be provided on the external walls of the building near the ground level to enable the fire service to use foam in case of fire.

9.3.6 Gas Supply

9.3.6.1 Town Gas / LPG Supply Pipes

Where gas pipes are run in buildings, the same shall be run in separate shafts exclusively for this purpose and these shall be on external walls, away from the staircases. Gas distribution pipes shall always be below the false ceiling. The length of these pipes shall be as short as possible. In the case of kitchen cooking range area, hood should have grease filters using metallic grill to trap oil vapours escaping into the fume hood.

Note - For detailed information on gas pipe installations, reference may be made to Part 9 'Plumbing Services', Section 4 'Gas Supply' of NBC.

9.3.6.2 Thermal Detectors

These shall be installed into fume hoods of large kitchens for hotels, hospitals, and similar areas located in high rise buildings. Arrangements shall be made for automatic tripping of the exhaust fan in case of fire. If gas is used, the same shall be shut off. The voltage shall be 24 V or 100 V d.c. operated with external rectifier. The valve shall be of the hand re-set type and shall be located in an area segregated from cooking ranges. Valves shall be easily accessible. The hood shall have manual facility for steam or suitable hood extinguishing gas released depending on duty condition.

9.3.6.3 Gas cylinders and manifold shall need to be housed in a detached location with no other occupancy within distances prescribed in good practice thereof. There shall be an enclosure suitably ventilated. It is desirable to provide medium velocity spray nozzles which can be operated by quick opening valve situated away from the enclosure.

9.3.6.4 In the case of gas cylinders, if manifold has to be installed on podium/close to podium, the same shall be away from any air intakes/smoke exhaust openings/ any windows.

9.3.6.5 Pressure regulating stations shall be designed and installed at critical locations for excess flow shut off valves. Seismic shut off valve at the main distribution point shall be installed for buildings in D-6 occupancy (as per NBC Part-4) and institutional occupancy above 15 m.

9.3.6.6 Gas meters shall be housed in a suitably constructed metal cupboard located in a well-ventilated space, keeping in view the fact that LPG is heavier than air and town gas is lighter than air.

9.3.6.7 Wherever LPG reticulation/cylinders are used in buildings above 100 m, gas leak detectors shall be provided at the usage points and monitored from fire command centre. The cables used for signalling shall be circuit integrity cables.

9.3.6.8 The gas lines shall not be installed through any electrical shafts, escape routes, refuge areas/refuge floors.

9.3.6.9 Kitchens working on LPG fuel shall not be permitted in basements.

9.4 HAZARDOUS OR INFLAMMABLE MATERIALS

- i) No hazardous materials shall be allowed to be stored or kept in any part of building having height 15 m and above, either as storage or for handling, processing or manufacturing etc.
- ii) Use of inflammable solvents for cleaning carpets etc. shall not be allowed inside the building.
- iii) No refuse dumps or storage places shall be permitted in the staircase wells.
- iv) Liquefied petroleum gas (LPG) shall not be stored or used in basement.
- v) Auto repairs and spray painting shall not be allowed in basement.
- vi) 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 staircase. There shall be no interconnection of this shaft with the rest of the floors.
- vii) Wooden or any other combustible materials shall not be used in staircases, lift lobby and such other places, which connect one floor to other.

9.5 PROVISIONS OF FIRST AID FIRE FIGHTING APPLIANCES

The first aid fire fighting equipment's shall be provided on all floors including basements, occupied terraces, lift rooms, meter rooms, transformer rooms in accordance with IS 2190 - 1992 or revision thereof and in accordance with PART 4 of NBC 2016. Recommendations for providing First-aid-Fire Fighting Arrangements in Public Buildings in consultation with the competent fire authority as designated or authorized by the MIDC.

The firefighting appliances shall be distributed over the building in accordance with prevailing IS: Code of practice for selection, installation and maintenance of portable first-aid fire appliances.

9.6 FIRE EXTINGUISHERS / FIXED FIREFIGHTING INSTALLATIONS

9.6.1 All buildings depending upon the occupancy use and height shall be protected by fire extinguishers, hose reels, wet riser, down-comer, yard hydrants, automatic sprinkler installation, deluge system, high/medium velocity water spray, foam, water mist systems, gaseous or dry powder system, manual/automatic fire alarm system, etc, in accordance with the provisions of various clauses given below, as applicable:

- i) These fire extinguishing equipment and their installation shall be in accordance with accepted standards. The extinguishers shall be mounted at a convenient height to enable its quick access and efficient use by all in the event of a fire incidence. The requirements of fire extinguishers/yard hydrant systems /wet riser/down-comer installation and capacity of water storage tanks and fire pumps, etc, shall be as specified in Table 7 of NBC Part - 4. The requirements regarding size of mains/risers shall be as given in Table 8 of NBC Part 4. The typical arrangements of down-comer and wet riser installations are shown in Fig. 13 of NBC Part - 4. The wet riser shall be designed for zonal distribution ensuring that unduly high pressures are not developed in risers and hose-pipes.
- ii) First-aid firefighting appliances shall be provided and installed in accordance with good practice. The firefighting equipment and accessories to be installed in buildings for use in fire fighting shall also be in accordance with the accepted standard and shall be maintained periodically so as to ensure their perfect serviceability at all times.
- iii) Valves in fixed fire fighting installations shall have supervisory switch with its signalling

to fire alarm panel or to have chain(s), pad lock(s), label and tamper-proof security tag(s) with serial number to prevent tampering/unauthorized operation. These valves shall be kept in their intended 'open' position.

- iv) In addition to wet riser or down-comer, first-aid hose reels shall be installed in buildings (where required under Table 7 of NBC Part - 4) on all the floors, in accordance with accepted standard. The first-aid hose reel shall be connected directly to the riser/down-comer main and diameter of the hose reel shall not be less than 19 mm.
- v) Wet risers shall be interconnected at terrace level to form a ring and cut-off shall be provided for each connection to enable repair/ maintenance without affecting rest of the system.
- vi) Pressure at the hydraulically remote hydrant and at the highest hydrant shall not be less than 3.5 bar. The pressure at the hydrants shall however not exceed 7.0 bar, considering the safety of operators. It may be planned to provide orifice plates for landing valves to control pressure to desired limit especially at lower levels; this could also be achieved through other suitable means of pressure reducing devices such as pressure controlled hydrant valves.
- vii) Hydrants for firefighting and hose reels shall be located in the lobby in firefighting shaft. Those hydrants planned to be provided near fire exit staircase on the floor shall be within 5m from exit door in exit access. Such hydrant cabinet may finish with doors to meet interior finishes with requirement of glass panel to provide visibility to the installations inside and inscribed with the word: 'FIRE HOSE CABINET' of letter size 75 mm in height and 12 mm in width. Such door of the fire hose cabinet need not be fire resistant rated. The location of such cabinets shall be shown on floor plan and duly displayed in the landing of the respective fire exit staircase.

9.6.2 Static Water Storage Tanks and Pump House

9.6.2.1 Static Water Storage Tanks

A satisfactory supply of water for the purpose of firefighting shall always be available in the form of underground/terrace level static storage tank with capacity specified for each building with arrangements or replenishment.

Water for the hydrant services shall be stored in an easily accessible surface/underground lined reservoir or above ground tanks of steel, concrete or masonry. The effective capacity of the reservoir above the top of the pump casing (flooded suction) for various types of occupancies shall be as indicated in Table 7 of NBC Part - 4.

Water for firefighting shall be stored in two or more interconnected compartments of equal size to facilitate cleaning and maintenance of the tanks without interrupting the water availability for firefighting.

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 from the fire water storage tanks to maintain the level therein at the minimum specified capacity.

Alternatively, domestic and fire water can be stored in two interconnected compartments as mentioned above. The suction inlet(s) for the domestic water pumps shall be so located at an elevation that minimum water requirements for firefighting as stated in Table 7 of NBC Part - 4 will be always available for fire pumps.

The static storage water supply required for the above mentioned purpose shall entirely be

accessible to the fire engines of the local fire service. Suitable number of manholes shall be provided for inspection, repairs, insertion of suction hose, etc. As an alternative to the arrangement of manholes to allow access from the top, suitable arrangement to enable efficient access to the tank by the firemen from the adjoining fire pump room having direct access from the ground level, shall be made. The underground fire water storage tank(s) shall not be more than 7 m in depth from the level having fire brigade draw-out connection, while the draw-out connection shall not be more than 5 m away from the tank wall.

The covering slab shall be able to withstand a total vehicular load of 45 t (or as applicable) equally divided as a four-point load when the slab forms a part of pathway/driveway.

The static water storage tank shall be provided with a fire brigade collecting head with 4 number 63 mm diameter (2 number 63 mm diameter for pump with capacity 1400 litre/min) instantaneous male inlets arranged in a valve box at a suitable point at street level. The same shall be connected to the static tank by a suitable fixed galvanized iron pipe not less than 150 mm in diameter to discharge water into the tank when required at the rate of 2250 litre/min, if tank is in the basement or not approachable for the fire engines.

Each of the static water storage tanks shall also be provided with a fire brigade draw out collecting head with 63 mm diameter instantaneous male draw out arranged in a valve box at a suitable point at street level. This draw out shall be connected to galvanized iron pipe of 100 mm diameter with foot valve arrangement in the tank.

9.6.2.2 Firefighting Pump House

The requirements shall be as given below:

- i) It is preferable to install the pump house at ground level. Pump house shall be situated so as to be directly accessible from the surrounding ground level.
- ii) Pump house shall be installed not lower than the second basement. When installed in the basement, staircase with direct accessibility (or through enclosed passageway with 120 min fire rating) from the ground, shall be provided. Access to the pump room shall not require to negotiate through other occupancies within the basement.
- iii) Pump house shall be separated by fire walls all around and doors shall be protected by fire doors (120 min rating).
- iv) Pump house shall be well ventilated and due care shall be taken to avoid water stagnation.
- v) No other utility equipment shall be installed inside fire pump room.
- vi) Insertions like flexible couplings, bellows, etc, in the suction and delivery piping shall be suitably planned and installed.
- vii) Installation of negative suction arrangement and submersible pumps shall not be allowed.
- viii) Pump house shall be sufficiently large to accommodate all pumps, and their accessories like PRVs, installation control valve, valves, diesel tank and electrical panel..
- ix) Battery of diesel engine operated fire pump shall have separate charger from emergency power supply circuit.
- x) Exhaust pipe of diesel engine shall be insulated as per best engineering practice and taken to a safe location at ground level, considering the back pressure.
- xi) Fire pumps shall be provided with soft starter or variable frequency drive starter.

9.6.2.3 Automatic Sprinkler Installation

- i) The requirements shall be as given below:
- ii) Automatic sprinklers shall be installed wherever required in terms of Table 7 of NBC Part – 4 throughout the building in accordance with good practice.
- iii) If selective sprinklering is adopted, there is a real danger of a fire starting in one of the unsprinklered area gathering momentum spreading to other areas and reaching the sprinklered areas as a fully developed fire. In such an event, the sprinklers can be rendered useless or ineffective.
- iv) Automatic sprinklers shall be installed in false ceiling voids exceeding 800 mm in height.
- v) Installation of sprinklers may be excluded in any area to be used for substation and DG set.
- vi) In areas having height 17 m or above such as in atria, sprinkler installations may be rendered ineffective and hence may be avoided.
- vii) Pressure in sprinkler system shall not exceed 12 bar or else high pressure sprinkler to be installed for above 12 bar operations.
- viii) The maximum floor area on any one floor to be protected by sprinklers supplied by any one sprinkler system riser from an installation control valve shall be based on system protection area limitations considering maximum floor area on any one floor to be 4500 m² for all occupancies except industrial and hazardous occupancies, where Authorities shall be consulted for advice based on type and nature of risk.
- ix) Sprinkler installation control valves, shall be installed inside the fire pump room.
- x) For industrial buildings, such installation control valves may be installed outside the building and Authorities shall be consulted in situations where it is not possible to locate them inside the buildings. It is advisable to provide electrically operated siren for each valve outside the buildings in addition to water gongs in such case.
- xi) The sprinkler flow switches provided shall be monitored by fire alarm panel.
- xii) It is essential to make provisions for avoiding water from sprinkler/hydrant operation entering lifts and electrical rooms.
- xiii) Ramps at all levels shall be protected with sprinklers.

9.6.2.4 Automatic High Velocity and Medium Velocity Water Spray Systems

Automatic high velocity water spray or emulsifying system shall be provided for protection of outdoor and/or indoor oil-cooled transformers as applicable in accordance with good practice where applicable (see Annex E of NBC Part - 4). Also, medium velocity water spray system shall be provided for tankage (where applicable), conveyors, cable galleries and other occupancies listed in good practice.

9.6.2.4 Fixed Foam Installation

Fixed foam generating system shall be provided for protection of oil storage area for boilers with its ancillary storage of furnace oils in basement. Fixed foam installations can be low, medium or high expansion types, which can be provided based on the type of fire hazards identified in the facility. High expansion foams are used for cable tunnels and other confined areas. Design and installation of foam systems shall be governed by good practice.

9.6.2.5 Gas Based Suppression System

Gas based fire extinguishing installation shall be provided in accordance with good practice on premises where water or foam cannot be used for fire extinguishing because of the special nature of the contents of the buildings/areas to be protected where either the building(s) have very limited manpower or unmanned. The protection design for fixed carbon dioxide fire extinguishing system shall conform to good practice in all respects. For some special fire risk/essential applications, carbon dioxide may not be suitable and alternate provisions shall be made as per relevant standards.

9.6.2.6 Firefighting equipment shall be suitably located and clearly marked by luminous signs.

9.6.2.7 Automatic Water Mist Systems

These systems involve the use of fine water sprays for the efficient extinguishment of fires. These systems may be provided to protect areas in buildings for the uses as specified in good practice.

9.6.2.8 Extinguishing Systems with Clean Agents

Alternative systems for halon gas protection systems shall be provided where necessary as prescribed in this Part. These shall be in accordance with the accepted standards.

9.7 FIRE DETECTION AND ALARM

- i) The requirements of fire detection and alarm systems are covered for each occupancy in Table 7 of NBC Part - 4 and under 6.1 to 6.9 of NBC Part – 4 for annunciation to occupants in view of the ensuing vulnerability and to warn occupants early of the existence of fire, so as to facilitate orderly and safe egress.
- ii) Fire detection and alarm systems in buildings shall be so planned and programmed so as to enable operations of various systems and equipment to facilitate requirements leading to life safety, compartmentation and fire protection. These systems and equipment may include electromechanical systems such as air handling units; pressurization systems; smoke management systems; creation of compartmentation through the release of fire barrier, hold-up fire doors, etc; and monitoring of fire water storage tanks and pumps, pressures in hydrant and sprinkler system, etc. These planning and requirements shall be based on building occupancy and other requirements on case to case basis.
- iii) Voice evacuation systems shall employ Hindi, English and vernacular language using pre-recorded messages and integrate with fire alarm panels for alerting the zone of fire and surrounding zones/floors as required for annunciation (see also Table 7 of NBC Part – 4 and its Note 1).
- iv) Appropriate visual warning arrangement through visual strobes/beacons may be considered in appropriate situations particularly in public buildings, at required locations to ensure visual as well as alarm for persons with hearing impairment.
- v) For assembly buildings, institutional buildings and all buildings above 30 m in height where fire alarm system is provided in accordance to Table 7 of NBC Part - 4, detectors shall also be provided inside the electrical shafts, and lift machine rooms, etc, besides occupancy areas.
- vi) Fire alarm panels shall be connected in peer to peer network or with redundant cables, run in different shafts. Each panel shall be able to work in standalone mode and master slave

architecture may be used where required.

- vii) The fire detection system shall be in accordance with accepted standard. Guidelines for selection of various types of fire detectors for different occupancies and their installation and maintenance shall be in accordance with good practice and the Part 12 'Asset and Facility Management' of NBC.
- viii) In buildings where automatic fire alarm system is provided, the following shall be monitored from fire alarm panel:
 - a) Water level in all tanks.
 - b) Hydrant and sprinkler pressures of respective zones as provided.
 - c) Pump ON/OFF status.
 - d) All isolation valves, wherever provided with supervisory switch (non-padlock valves).
 - e) Other requirements to meet electro-mechanical services interface.

9.8 LIGHTENING PROTECTION OF BUILDINGS

The lightening protection for the buildings shall be provided as given in Part – 8 "Building Services, Section 2, Electrical Installations" of National Building Code of India 2016.

9.9 FIRE CONTROL ROOM

For residential buildings with a height of 30 meter and above and for all other buildings with a height of 15 meter and above there shall be a control room on the entrance floor of the building with communication system (suitable public address system) to all floors and facilities for receiving the message from different floors. Details of all floor plans along with the details of the firefighting equipment and installations shall be maintained in the Control Room. The Control Room shall also have facilities to detect the fire on any floor through Indicator Boards connecting fire detecting and alarm system on all floors. The staff in charge of control room shall be responsible for the maintenance of the various services and firefighting equipment and installations.

9.10 REFUGE AREA

Refuge Area shall be provided as per Regulation No. 8.30.6.

9.11 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.

9.12 FIRE DRILLS AND FIRE ORDERS

Fire notices / 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 the event of the emergency, by displaying fire notices at vantage points and also through regular training as per the provisions specified in Annexure "D" of Part 4 of NBC 2016. Such notices should be displayed prominently in bold lettering.

9.13 FIRE PROTECTION FUND FEES AND ADDITIONAL FIRE PROTECTION FUND FEES FOR DEVELOPMENTS IN MIDC

The Fire Protection Fund Fees as applicable and amended from time to time are applicable to all new developments in MIDC as per the provisions of clause 11 and 25 of Maharashtra Fire

Prevention and Life Safety Measures Act 2006. The additional Fire Protection Fund Fees are applicable to all high rise buildings in addition to Fire Protection Fund Fees.

9.14 ADDITIONAL REQUIREMENTS FOR INDUSTRIAL BUILDINGS (GROUP G), STORAGE BUILDING (GROUP H) & BUILDINGS OF HAZARDOUS USE (GROUP J)

In addition to the general requirements specified above, the requirements given in Clause No. 6.7, 6.8 and 6.9 of Part IV of the National Building Code of India, 2016 shall be complied with for the above group of buildings. In addition, the Annexure A to M of the National Building Code of India, 2016 shall be referred for the respective occupancy.

9.15 COMPARTMENTATION

General

- It is important to limit the spread of a fire in any building. The usual method is to use fire barriers. In some instances, these barriers need to be penetrated for ductwork, plumbing and electrical systems, and in such cases, use of passive fire protection measures shall be done so that the integrity of these barriers is not compromised.
- Floor(s) shall be compartmented with area as given below **Table No. 9 A**.

All floors shall be compartmented/zoned with area of each compartment being not more than 750 m². The maximum size of the compartment shall be as follows, in case of sprinklered basement / building :

| Table No. 9 A | | |
|---------------|---|--------------------------------------|
| Sr. No. | Use | Compartmentation Area m ² |
| 1 | Basement car parking | 3000 |
| 2 | Basements (other than car parking) | 2000 |
| 3 | Institutional buildings: Subdivision C-1 | 1800 |
| 4 | Institutional buildings: Subdivision C-2 and C-3 | 1125 |
| 5 | Mercantile and assembly buildings | 2000 |
| 6 | Business buildings | 3000 |
| 7 | All other buildings (Excluding low hazard and moderate hazard industrial buildings and storage buildings) (*) | 750 |

(*) Compartmentation for low hazard and moderate hazard industrial buildings and storage buildings shall be done in consultation with local fire department.

In addition, there shall be requirement of a minimum of two compartments if the floor plate size is equal or less than the areas mentioned above. However, such requirement of minimum two compartments shall not be required, if the floor plate is less than 750 m².

Compartmentation shall be achieved by means of fire barrier having fire resistance rating of 120min.

9.16 PASSIVE FIRE PROTECTION

The passive Fire Protection Requirements shall be as per PART IV of National Building Code of India, 2016.

9.17 OTHER FIRE PROTECTION REQUIREMENT

All special buildings shall be planned, designed and constructed to ensure fire safety and this shall be done in accordance with the regulations of Maharashtra Fire Prevention and Life Safety Measures Act, 2006. For the provisions not included in these regulations and the said Act, provisions mentioned in Part IV of Fire Protection of National Building Code India, amended from time to time shall be referred.

**_*_*_*_

CHAPTER – 10**STRUCTURAL SAFETY, WATER SUPPLY, DRAINAGE AND SANITARY REQUIREMENTS, OUTDOOR DISPLAY AND OTHER SERVICES.****10.1 STRUCTURAL DESIGN**

The structural design of foundations, elements made of masonry, timber, plain concrete; reinforced concrete, pre-stressed concrete and structural steel shall be carried out in accordance with Part 6. Structural design Section 1-Loads, courses and effects, Section 2- Soils and Foundation, Section 3-Timber and Bamboo, Section 4-Masonry, Section 5-Concrete, Section 6-Steel, Section 7-Prefabrication, systems building and mixed/ composite construction of National Building Code of India, amended from time to time. Proposed construction shall be as per the norms as specified by Bureau of Indian Standard, for the resistance of earthquake, Fire Safety and natural calamities. Certificate to that effect shall be submitted by the Licensed Structural Engineer of the developer/ land owner, along with the proposal for development permission, as prescribed in these Regulations.

10.2 QUALITY OF MATERIALS AND WORKMANSHIP

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

10.3 ALTERNATIVE MATERIALS, METHODS OF DESIGN & CONSTRUCTION AND TESTS

- i) The provision of the regulations are not intended to prevent the use of any material or method of design or construction, not specifically prescribed by the regulations, provided any such alternative has been approved.
- ii) The provision of these regulations is also not intended to prevent the adoption for architectural planning and layout conceived as an integrated development scheme.
- iii) The authority may approve any such alternative provided it is found that the proposed alternative is satisfactory and conform to the provisions of relevant parts regarding material, design, and construction and that material, method or work offered is, for the purpose intended, at least equivalent to that prescribed in the rules in quality, strength, compatibility, effectiveness, fire rating and resistance, durability and safety.
- iv) Tests : Whenever there is insufficient evidence of compliance with the provisions of the regulations or evidence that any material or method of design or construction does not conform to the requirements of the rules or in order to substantiate claims for alternative materials, design or methods of construction, the Authority may require tests sufficient in advance as proof of compliance. These tests shall be made by an approved agency at the expense of the owner.
- v) Test method shall be as specified by the regulations for the materials or design or construction in question. If there are no appropriate test methods specified in the regulations, the Authority shall determine the test procedure. For methods of tests for building materials; reference may be made to relevant Indian standards as given in the

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

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

10.4 BUILDING SERVICES

- i) The planning, design and installation of electrical installations, air-conditioning and heating work shall be carried out in accordance with Part 8 - Building Services, Section 2-Electrical and allied Installations, Section 3-Air Conditioning, heating and mechanical ventilation of National building Code of India, amended from time to time.
- ii) The planning & design including the number of lifts, type of lifts, capacity of lifts depending on occupancy of building; population on each floor based on occupant load, height of building shall be in accordance with Section-5 installation of Lifts and Escalators of National Building Code of India, amended from time to time. In existing buildings, in case of proposal for one additional floor, existing lift may not be raised to the additional floor.
- iii) The lifts shall be maintained in working order properly.

10.5 WATER SUPPLY, DRAINAGE AND SANITARY REQUIREMENTS

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

All the parameters of water supply are indicative and may be provided as per availability and convenience. The total requirements of water supply may be calculated based on the population as given below:-

| Occupancy | Basis |
|----------------------|--|
| Residential Building | 5 persons per tenement |
| Other Buildings | Number of persons on occupant load and area of floors given in Table No.8 E. |

- iii) The requirements of water supply for various occupancies may be as given in Table No.10-A and Table No.10-B or as specified by the Authority from time to time.

| Table No.10 A | | |
|---|--|--|
| Per Capita Water Requirements for Various Occupancies/ Uses | | |
| Sr. No | Type of Occupancy | Consumption per head per day (in litres) |
| 1 | 2 | 3 |
| 1 | Industrial | |
| | (a) Factories where bathrooms are to be provided | 45 |

| | | |
|----|---|----------|
| | (b) Factories where no bath-rooms are required to be provided | 30 |
| 2 | Storage (including warehousing) | 30 |
| 3 | Hazardous | 30 |
| 4 | Residential | |
| | (a) In living units | 135 |
| | (b) Hotels with lodging accommodation (per bed) | 180 |
| 5 | Educational | |
| | (a) Day Schools | 45 |
| | (b) Boarding Schools | 135 |
| 6 | Institutional (Medical Hospitals) | |
| | (a) Number of beds not exceeding 100 | 340 |
| | (b) Number of beds exceeding 100 | 450 |
| | (c) Medical quarters and hostels | 135 |
| 7 | Assembly :- Cinema theatres, auditorium etc. (per seat of accommodation) | 15 |
| 8 | Government and Semi-public business | 45 |
| 9 | Mercantile (Commercial) | |
| | (a) Restaurants (per seat) | 70 |
| | (b) Other business buildings | 45 |
| 10 | Intermediate / Stations (excluding mail and express stops) | 45 (25)* |
| 11 | Junction Stations | 70 (45)* |
| 12 | Terminal / Stations | 45 |
| 13 | International and domestic Airports | 70 |

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

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

| Table No.10 B | | |
|-----------------------------|-----------------------------|--|
| FLUSHING STORAGE CAPACITIES | | |
| Sr. No. | Classification of building | Storage capacity. |
| (1) | (2) | (3) |
| 1 | For Factories and Workshops | 900 litres per w.c. seat and 180 litres per urinal seat. |

| | | |
|---|---|--|
| 2 | For tenements having common convenience | 900 litres net per w.c. seat. |
| 3 | For residential premises other than tenements having common convenience | 270 litres net for one w.c. seat and 180 litres for each additional seat in the same flat. |
| 4 | For cinemas, public assembly halls, etc. | 900 litres per w.c. seat and 350 litres per urinal seat. |

10.6 DRAINAGE AND SANITATION REQUIREMENTS

10.6.1 General

- All the parameters of sanitation are indicative and may be provided as per requirements and convenience.
- There should be at least one water tap and arrangement for drainage in the vicinity of each water-closet or group of water-closets in all the buildings.
- Each family dwelling unit on premises (abutting on a sewer or with a private sewage disposal system) shall have, at least, one water-closet and one kitchen type sink.
- All other structures for human occupancy or use on premises, abutting on a sewer or with a private sewage disposal system, shall have adequate sanitary facilities, but in no case less than one water-closet and one other fixture for cleaning purposes.

10.6.2 For Residences

- Dwelling with individual convenience shall have at least the following fitments:
 - One bathroom provided with a tap and a floor trap,
 - One water-closet with flushing apparatus with an ablution tap; and
 - One tap with a floor trap or a sink in kitchen or wash place.
- Dwelling without individual conveniences shall have the following fitments:
 - One water tap with floor trap in each tenement,
 - One water-closet with flushing apparatus and one ablution tap, bath for every two tenements, and
 - One bath with water tap and floor trap for every two tenements.

Such fitments shall not be necessary where there is no water supply scheme of the authority.

10.6.3 For Buildings other than Residences

The requirements for fitments for drainage and sanitation in the case of buildings other than residences shall be in accordance with Table No. 10-C to 10-P. The following shall be, in addition, taken into consideration:

- The figures shown are based upon one (1) fixture being the minimum required for the number of persons indicated or part thereof.
- Building categories not included in the tables shall be considered separately by the Authority.
- Drinking fountains shall not be installed in the toilets.

- iv) Where there is a danger of exposure to skin contamination with poisonous, infectious or irritating material, washbasin with eye wash jet and an emergency shower located in an area accessible at all times with the passage / right of way suitable for access to a wheel chair, shall be provided.
- v) When applying the provision of these tables for providing the number of fixtures, consideration shall be given to the accessibility of the fixtures. Using purely numerical basis may not result in an installation suited to the need of a specific building. For example, schools should be provided with toilet facilities on each floor. Similarly, toilet facilities shall be provided for temporary workmen employed in any establishment according to the needs; and in any case one WC and one washbasin shall be provided.
- vi) All buildings used for human habitation for dwelling work, occupation, medical care or any purpose detailed in the various tables, abutting a public sewer or a private sewage disposal system, shall be provided with minimum sanitary facilities as per the schedule in the tables. In case the disposal facilities are not available, they shall be provided as a part of the building design for ensuring high standards of sanitary conditions in accordance with this section.
- vii) Workplaces where crèches are provided, they shall be provided with one WC for 10 persons or part thereof, one washbasin for 15 persons or part thereof, one kitchen sink with floor tap for preparing food / milk preparations. The sink provided shall be with a drinking water tap.
- viii) In all types of buildings, individual toilets and pantry should be provided for executives and for meeting / seminar / conference rooms, etc. as per the user requirement.
- ix) Where food is consumed indoors, water stations may be provided in place of drinking water fountains.

| Table No. 10 C : Sanitation Requirements - Office Buildings | | | | | |
|---|---|--|-------------------------------|-------------------------------------|-------------------------------|
| Sr. No. | Fixtures | Public Toilets | | Staff Toilets | |
| | | Male | Female | Male | Female |
| (1) | (2) | (3) | (4) | (5) | (6) |
| i) | Executive Rooms and Conference Halls in Office Buildings. Toilet suite comprising one WC, one washbasin. | Unit could be common for Male/ Female or separate depending on the number of user of each facility | | For individual officer rooms | |
| ii) | Main Office Toilets for Staff and Visitors | | | | |
| | a) Water-closet | 1 for first 25, thereafter 1 for 50 | 1 for first 15, thereafter 2% | 1 for first 25, thereafter 1 for 50 | 1 for first 15, thereafter 3% |
| | b) Urinals | 1 upto 10 and thereafter 2% | - | 1 upto 10 and thereafter 2% | - |

Table No.10 D : Sanitation Requirements – Factories

| Sr. No. | Fixtures | Offices/Visitors | | Workers | |
|---------|------------------------------------|-------------------------------------|--------------------------------|-------------------------------------|--------------------------------|
| | | Male | Female | Male | Female |
| (1) | (2) | (3) | (4) | (5) | (6) |
| i) | Water-closets (Workers & Staff) | 1 for upto 25 Thereafter 2.5% | 1 for upto 15 Thereafter 3% | 1 for upto 20 Thereafter 2.5% | 1 for upto 15 Thereafter 4% |
| ii) | Urinals | 1 upto 10 and thereafter 2.5% | - | 1 upto 10 and thereafter 2.5% | - |

Table No. 10E : Sanitation Requirements - Cinema, Multiplex Cinema, Concerts and Convention Halls, Theatres

| Sr. No. | Fixtures | Public & Staff | | Staff | |
|---------|---------------|--|--|-------------------------------------|-------------------------------|
| | | Male | Female | Male | Female |
| (1) | (2) | (3) | (4) | (5) | (6) |
| i) | Water-closets | 1 per 100 upto 400 Over 400, add at 1 per 250 or part thereof | 3 per 100 upto 200 Over 200, add at 2 per 100 or part thereof | 1 for first 25, thereafter 1 for 50 | 1 for first 15, thereafter 3% |
| ii) | Urinals | 1 per 25 or part thereof | - | 1 upto 10 and thereafter 2% | - |

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

Table No. 10-F- Sanitation Requirements - Art Galleries, Libraries and Museums

| Sr. No. | Fixtures | Public | | Staff | |
|---------|---------------|---|---|-------------------------------------|-------------------------------|
| | | Male | Female | Male | Female |
| (1) | (2) | (3) | (4) | (5) | (6) |
| i) | Water-closets | 1 per 200 upto 400 Over 400 add at 1 per 250 or part thereof | 1 per 100 upto 200 Over 200 add at 1 per 150 or part thereof | 1 for first 25, thereafter 1 for 50 | 1 for first 15, thereafter 3% |
| ii) | Urinals | 1 per 50 | - | 1 upto 10 and thereafter 2% | |

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

Table No. 10-G- Sanitation Requirements - Hospitals with Indoor Patient Wards

| Sr. No. | Fixtures | Patient Toilets | | Staff Toilets | |
|--|--|-----------------------------------|-------------------------------|---|-------------------------------|
| | | Male | Female | Male | Female |
| (1) | (2) | (3) | (4) | (5) | (6) |
| i) | Toilet suite comprising one WC and one washbasin and shower stall | Private room with upto 4 patients | | For individual doctor's / officer's rooms | |
| For General Wards, Hospital Staff and Visitors | | | | | |
| ii) | Water-closets | 1 per 15 beds or part thereof | 1 per 10 beds or part thereof | 1 for first 25, thereafter 1 for 50 | 1 for first 15, thereafter 3% |
| iii) | Urinals | 1 per 30 beds | - | 1 upto 10 and thereafter 2% | - |
| | Note - Male population may be assumed as two-third and female population as one-third. | | | | |

Table No. 10-H- Sanitation Requirements - Hospitals - Outdoor Patient Department

| Sr. No. | Fixtures | Patient Toilets | | Staff Toilets | |
|---|---|-----------------------------------|----------------------------------|---|-------------------------------|
| | | Male | Female | Male | Female |
| (1) | (2) | (3) | (4) | (5) | (6) |
| i) | Toilet suite comprising one WC and one washbasin (with optional shower stall if building used for 24 h) | For upto 4 patients | | For individual doctor's/officer's rooms | |
| ii) | Water-closets | 1 per 100 persons or part thereof | 1 per 50 persons or part thereof | 1 for first 25, thereafter 1 for 50 | 1 for first 15, thereafter 3% |
| ii) | Urinals | 1 per 50 persons or part thereof | - | 1 upto 10 and thereafter 2% | - |
| Note - Male population may be assumed as two-third and female population as one-third. | | | | | |

Table No. 10-I - Sanitation Requirements - Hospitals' Administrative Buildings

| Sr. No. | Fixtures | Staff Toilets | |
|---------|---|---|-------------------------------|
| | | Male | Female |
| (1) | (2) | (3) | (4) |
| i) | Toilet suite comprising one WC and one washbasin (with optional shower stall if building used for 24 h) | For individual doctor's/officer's rooms | |
| ii) | Water-closets | 1 for first 25, thereafter 1 for 50 | 1 for first 15, thereafter 3% |
| iv) | Urinals | 1 upto 10 and thereafter 2% | - |

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

Table No. 10-J- Sanitation Requirements -Hospitals' Staff Quarters and Nurses Homes

| Sr. No. | Fixtures | Staff Quarters | | Nurses Homes | |
|---------|----------------------|---------------------------------|---------------------------------|--|--|
| | | Male | Female | Male | Female |
| (1) | (2) | (3) | (4) | (5) | (6) |
| i) | Water-closets | 1 per 8 persons or part thereof | 1 per 5 persons or part thereof | 1 per 8 persons or part thereof 2 for 16-35 | 1 per 5 persons or part thereof 2 for 16-35 |

Table No. 10- K -Sanitation Requirements -Hotels

| Sr. No. | Fixtures | Public Rooms | | Non-Residential Staff | |
|--|---|---|---|-------------------------------------|-------------------------------|
| | | Male | Female | Male | Female |
| (1) | (2) | (3) | (4) | (5) | (6) |
| i) | Toilet suite comprising one WC, washbasin with shower or a bath tub | Individual guest rooms with attached toilets | | - | |
| Guest Rooms with Common Facilities | | | | | |
| ii) | Water-closets | 1 per 100 persons upto 400 Over 400 add at 1 per 250 or part thereof | 2 per 100 persons upto 200 Over 200 add at 1 per 100 or part thereof | 1 for first 25, thereafter 1 for 50 | 1 for first 15, thereafter 3% |
| iv) | Urinals | 1 per 50 persons or part thereof | -- | 1 upto 10 and thereafter 2% | - |
| Note - Male population may be assumed as two-third and female population as one-third. | | | | | |

| Table No. 10-L-Sanitation Requirements –Restaurants | | | | | |
|---|----------------------|--|--|-------------------------------------|-------------------------------|
| Sr. No. | Fixtures | Public Rooms | | Non-Residential Staff | |
| | | Male | Female | Male | Female |
| (1) | (2) | (3) | (4) | (5) | (6) |
| i) | Water-closets | 1 per 50 seats upto 200 Over 200 add at 1 per 100 or part thereof | 2 per 50 seats upto 200 Over 200 add at 1 per 100 or part thereof | 1 for first 25, thereafter 1 for 50 | 1 for first 15, thereafter 3% |
| ii) | Urinals | 1 per 50 persons or part thereof | -- | 1 upto 10 and thereafter 2% | -- |
| Note - Male population may be assumed as two-third and female population as one-third. | | | | | |

| Table No. 10-M- Sanitation Requirements –Schools and Educational Institutions | | | | | | |
|---|----------------------|---------------------------------|---------------------------------|---------------------------------|---------------------------------|--------------------------------|
| Sr. No. | Fixtures | Nursery School | Non-Residential | | Residential | |
| | | | Boys | Girls | Boys | Girls |
| (1) | (2) | (3) | (4) | (5) | (6) | (7) |
| i) | Water-closets | 1 per 25 pupils or part thereof | 1 for 50 pupils or part thereof | 1 per 30 pupils or part thereof | 1 per 10 pupils or part thereof | 1 per 6 pupils or part thereof |
| ii) | Urinals | -- | 1 per 40 pupils or part thereof | -- | 1 per 30 pupils or part thereof | -- |

| Table No. 10-N- Sanitation Requirements –Hostels | | | | | | | |
|--|---------------------|--------------------------|-------------------------|---------------------------------|---------------------------------|---|---|
| Sr. No. | Fixtures | Resident | | Non-Resident | | Visitor/Common Rooms | |
| | | Male | Female | Male | Female | Male | Female |
| (1) | (2) | (3) | (4) | (5) | (6) | (7) | (8) |
| i) | Water-closet | 1 per 10 or part thereof | 1 per 7 or part thereof | 1 for upto 25 and thereafter 3% | 1 for upto 12 and thereafter 4% | 1 per 100 upto 400 Over 400 add at 1 per 250 | 1 per 200 upto 200 Over 200 add at 1 per 100 |
| iii) | Urinals | 1 per 25 or part thereof | -- | 1 for upto 10 and thereafter 3% | -- | 1 per 50 or part thereof | -- |

| Table No. 10-O-Sanitation Requirements – Mercantile Buildings, Commercial Complexes, Shopping Malls, Fruit & Vegetable Markets | | | | | |
|---|----------------------|---------------------------------|---------------|----------------------|----------------------|
| Sr. No. | Fixtures | Shop Owners | | Public Toilet | |
| | | Male | Female | Male | Female |
| (1) | (2) | (3) | (4) | (7) | (8) |
| i) | Water-closets | 1 per 8 persons or part thereof | | 1 per 50 (Minimum 2) | 1 per 50 (Minimum 2) |
| iii) | Urinals | ---- | ---- | 1 per 50 | ---- |

| Table No. 10-P-Sanitation Requirements – Airports and Railway Stations | | | | | | | |
|---|----------------------------|--|---|---|---|---|---|
| Sr. No. | Fixtures | Junction Stations, Intermediate Stations and Bus Stations | | Terminal Railway and Bus Stations | | Domestic and International Airports | |
| | | Male | Female | Male | Female | Male | Female |
| (1) | (2) | (3) | (4) | (5) | (6) | (7) | (8) |
| i) | Water-closet | 3 for upto 1000 Add 1 per additional 1000 or part thereof | 4 for upto 1000 Add 1 per additional 1000 or part thereof | 4 for upto 1000 Add 1 per additional 1000 or part thereof | 5 for upto 1000 Add 1 per additional 1000 or part thereof | Minimum-2 for 200-2 For 400-9 For 600-12 For 800-16 For 1000-18 | Minimum-2 For 200-2 For 400-9 For 600-12 For 800-16 For 1000-18 |
| ii) | Urinals | 4 for upto 1000. Add 1 per additional 1000 | -- | 6 for upto 1000. Add 1 per additional 1000 | -- | 1 per 40 or part thereof | -- |
| iii) | Toilet for Disabled | 1 per 4000 | 1 per 4000 | 1 per 4000 | 1 per 4000 | 1 per 4000 (Minimum 1) | 1 per 4000 (Minimum 1) |

10.7 SIGNS AND OUTDOOR DISPLAY STRUCTURES

10.7.1 The display of advertising signs on buildings and land, shall be in accordance with Part 10, Section-2 "Signs and outdoor display structures" of National Building Code of India as amended from time to time and, shall be in accordance with respective rules/by-laws, directive given by

Government, and also rules/by-laws framed by the Authority in this regard from time to time. However, Regulations for Erection of Hoardings shall be as mentioned in Regulation No. 10.7.2.

10.7.2 Erection of Hoardings

- i) Every hoarding shall be designed so as to withstand the wind, dead, seismic and other loads as per these CDCPR.
- ii) Sizes of hoardings : The sizes of hoardings along various roads shall be as mentioned in Table No. 10 Q.

| Table No. 10 Q | | |
|----------------------------|----------------------------|-------------------------|
| Road width range in Metres | Height of Hoarding (width) | Max. Length of Hoarding |
| 50 m & above | 3 m | 10.00 m |
| 20 m to less than 50 m | 3 m | 7.50 m |
| 10 m to less than 20 m | 2 m | 5.00 m |
| Less than 10 m | 1 m | 2.5 m |

- iii) **Maximum height of hoardings on ground :** No hoarding shall be erected to a height exceeding 9 m above the ground. The light reflectors may however extend beyond the top of the hoarding. The lower base or the bottom of the hoarding shall be at a height of not less than 2.25 m from surface of ground below.
- iv) **Distance from Road :** A minimum distance of 3 m shall be maintained between the edge of the existing or proposed street and hording, as stipulated by MIDC.
- v) **Distance from the junction of a road :** The Hoarding along roads shall not be permitted within a distance of 100 m from the junction of the intersection of a road. This distance being measured between hoarding and the centre line of a junction.
- vi) Any hoarding which in the opinion of MIDC is likely to be confused with an authorized traffic sign or signal, shall not be permitted.
- vii) Any hoarding containing the word 'stop', 'look' 'danger' or other similar word that might mislead or confuse the traveller shall not be permitted.
- viii) **Hoarding on roof:**
 - i. The size of hoarding on roof shall be 1 m x 2.5 m or in exact multiples thereof subject to maximum of 3 m x 10 m
 - ii. No hoarding on roof shall project beyond existing building line of any building on which it is erected and shall not extend beyond roof in any direction.
- ix) **Deposit and Fees:**
 - i. Fees for erection and maintenance of hoarding shall be charged as given Table No.10 R below :

| Table No. 10 R | |
|---------------------------------|--|
| Area details | Scale of Fees per annum per sqm of Hoarding Area |
| For a space upto 5.00 sqm | Rs. 1000.00 |
| For every additional 1.00 sq. m | Rs. 250.00 |

- ii. The fees for hoarding shall be paid by the applicant in advance, for a calendar year, or part thereof.

Note : Deposits / Fees for erecting hoarding shall be reviewed every five years and if required, be revised by MIDC.

10.7.3 Prohibition of Advertising Signs and Outdoor Display Structure in Certain Cases

Notwithstanding the provisions of sub-regulations, no advertising sign or outdoor display structures shall be permitted on buildings of architectural, aesthetical, historical or heritage importance as may be decided by the Authority or on Government Buildings save that in the case of Government buildings only advertising signs or outdoor display structure may be permitted if they relate to the activities for the said buildings' own purposes or related programmes.

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CHAPTER – 11

SPECIAL PROVISIONS FOR CERTAIN BUILDINGS

11.0 GENERAL

The following types of buildings shall have to make special provisions as mentioned below in Table No. 11 A. However, this provision shall stand superseded if new directions are issued by the Government.

| Table No. 11 A | | |
|----------------|--|--|
| Sr. No. | Type of Building / Plot Area on which special provisions are required. | Special Provisions to be made |
| 1 | Educational, Institutional, Assembly, Commercial, Business, Mercantile Buildings constructed on plot area more than 2000 sqm | Provisions of Barrier Free Access. |
| 2 | All type of buildings constructed on plot area more than 4000 sqm | Installation of Solar Assisted Water Heating (SWH) System/ Roof Top Photovoltaic (RTPV) System |
| 3 | Plot having area 500 sqm or more, layout open spaces / amenity spaces of housing societies. | Rain Water Harvesting. |
| 4 | Residential layout having area admeasuring 20000 sqm or more | Grey Water Recycling and Reuse. |
| | Multi sotried building having 100 or more tenements. | |
| | Educational / Industrial / Commercial / Government / Semi Government organisations / Hotels / Lodging buildings having built-up area 1500 sqm or more, or water consumption is 20000 lt. per day minimum | |
| | Hospital having 40 or more beds. | |
| | Vehicles servicing garages and other hazardous uses. | |
| 5 | Housing complexes, Commercial establishments, hostels, hospitals having aggregate built-up area more than 4,000 sqm or more. | Solid Waste Management |
| | All three star or higher category hotels. | |

11.1 PROVISIONS FOR BARRIER FREE ACCESS

Provisions for barrier free access in buildings for differently abled persons shall be as given below.

11.1.1 Definitions

- i) **Non-ambulatory Disabilities** :- Impairments that, regardless of cause or manifestation, for all practical purposes, confine individuals to wheelchairs.
- ii) **Semi-ambulatory Disabilities**:- Impairments that cause individuals to walk with difficulty or insecurity, individuals using braces or crutches, amputees, arthritics, spastics, and those with pulmonary and cardiac ills may be semi-ambulatory.
- iii) **Hearing Disabilities**:- Deafness or hearing handicaps that might make an individual insecure in public areas because he is unable to communicate or hear warning signals.
- iv) **Sight Disabilities**:- Total blindness or impairments, which affect sight to the extent that the individual, functioning in public areas, is insecure or exposed to danger.
- v) **Wheel Chair**:- Chair used by disabled people for mobility. The standard size of wheel chair shall be taken as 1050 mm x 750 mm

11.1.2 Scope

These regulations are applicable to all buildings and facilities used by the public such as educational, institutional, assembly, commercial, business, mercantile buildings constructed on plot having an area of more than 2000 sqm. It does not apply to private and public residences.

11.1.3 Site Development

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

1. **Access Path / Walk Way**:- Access path from plot entry and surface parking to building entrance shall be minimum of 1800 mm wide having even surface without any steps. Slope, if any, shall not have gradient greater than 5%. Selection of floor material shall be made suitably to attract or to guide visually impaired persons (limited to coloured floor material whose colour and brightness is conspicuously different from that of the surrounding floor material or the material that emits different sound to guide visually impaired persons; hereinafter referred to as “guiding floor material”. Finishes shall have a non-slip surface with a texture traversable by a wheel chair. Curbs wherever provided should blend to a common level.
2. **Parking**:- For parking of vehicles of handicapped people, the following provisions shall be made :-
 - a) Surface parking for two car spaces shall be provided near entrance for the physically handicapped persons with maximum travel distance of 30 m from building entrance.
 - b) The width of parking bay shall be minimum 3.6 meter.
 - c) The information stating that the space is reserved for wheel chair users shall be conspicuously displayed.
 - d) Guiding floor materials shall be provided or a device, which guides visually impaired persons with audible signals, or other devices, which serves the same purpose, shall be provided.

11.1.4 Building Requirements

The specified facilities for the buildings for differently abled persons shall be as follows:-

- i) Approach to plinth level

-
- ii) Corridor connecting the entrance / exit for the differently abled.
 - iii) Stair-ways
 - iv) Lift
 - v) Toilet
 - vi) Drinking Water.
 - i) **Approach to plinth level :-** Every building should have at least one entrance accessible to the differently abled and shall be indicated by proper signage. This entrance shall be approached through a ramp together with the stepped entry.
 - ii) **Ramped Approach :-** Ramp shall be finished with non-slip material to enter the building. Minimum width of ramp shall be 1800mm with maximum gradient 1:12. Length of ramp shall not exceed 9 m having 800mm high hand rail on both sides extending 300mm beyond top and bottom of the ramp. Minimum gap from the adjacent wall to the hand rail shall be 50mm
 - iii) **Stepped Approach:-** For stepped approach size of tread shall not be less than 300mm and maximum riser shall be 150mm Provision of 800mm high hand rail on both sides of the stepped approach similar to the ramped approach.
 - iv) **Exit/Entrance Door:-** Minimum & clear opening of the entrance door shall be 900mm and it shall not be provided with a step that obstructs the passage of a wheel chair user. Threshold shall not be raised more than 12mm
 - v) **Entrance Landing:-** Entrance landing shall be provided adjacent to ramp with the minimum dimension 1800mm x 2000mm The entrance landing that adjoins the top end of a slope shall be provided with floor materials to attract the attention of visually impaired persons (limited to coloured floor material whose colour and brightness is conspicuously different from that of the surrounding floor material or the material that emits different sound to guide visually impaired persons hereinafter referred to as “guiding floor material”). Finishes shall have a non-slip surface with a texture traversable by a wheel chair. Curbs, wherever provided, should blend to a common level.
 - vi) **Corridor connecting the entrance / exit for the differently abled:-** The corridor connecting the entrance / exit for differently abled, leading directly outdoors to a place where information concerning the overall use of the specified building can be provided to visually impaired persons either by a person or by signs, shall be provided as follows:-
 - a) Guiding floor materials or device that emits sound to guide visually impaired persons shall be provided.
 - b) The minimum width shall be 1500mm
 - c) In case there is a difference of level, slope ways shall be provided with a slope of 1:12.
 - d) Hand rails shall be provided for ramps/slope ways.
 - vii) **Stair-ways -** One of the stair-ways - near the entrance / exit for the differently abled shall have the following provisions:-
 - a) The minimum width shall be 1350 mm
 - b) Height of the riser shall not be more than 150 mm and width of the tread 300mm The steps shall not have abrupt (square) nosing.
-

- c) Maximum number of risers on a flight shall be limited to 12.
- d) Hand rails shall be provided on both sides and shall extend 300 mm on the top and bottom of each flight of steps.
- viii) **Lifts** -Wherever lift is required as per regulations, provision of at least one lift shall be made for the wheel chair user with the following cage dimensions of lift recommended for passenger lift of 13 persons capacity of Bureau of Indian Standards.

| | |
|----------------------|---------|
| Clear internal width | 1100 mm |
| Clear internal width | 2000 mm |
| Entrance door width | 900 mm |

- a) A hand rail not less than 600mm long at 1000mm above floor level shall be fixed adjacent to the control panel.
- b) The lift lobby shall be of an inside measurement of 1800 mm x 1800 mm or more.
- c) The time of an automatically closing door should be minimum 5 seconds and the closing speed should not exceed 0.25 m/sec.
- d) The interior of the cage shall be provided with a device that audibly indicates the floor, the cage has reached indicates that the door of the cage of entrance/exit is either open or closed.
- ix) **Toilets :-** One special W.C. in a set of toilets shall be provided for the use of differently abled with essential provision of washbasin near the entrance for the handicapped.
- a) The minimum size shall be 1500 mm x 1750 mm
- b) Minimum clear opening of the door shall be 900mm and the door shall swing out.
- c) Suitable arrangement of vertical/horizontal handrails with 50 mm clearance from wall shall be made in the toilet.
- d) The W.C. seat shall be 500mm from the floor.
- x) **Drinking Water:-** Suitable provision of drinking water shall be made for the differently abled near the special toilet provided for them
- xi) **Designing for Children:-** In the buildings meant for the pre-dominant use of the children, it will be necessary to suitably alter the height of the handrail and other fittings & fixtures, etc.

Explanatory notes:-

i) **Guiding / Warning Floor Material:**

The floor material to guide or to warn the visually impaired persons with a change of colour or material with conspicuously different texture and easily distinguishable from the rest of the surrounding floor materials is called guiding or warning floor material. The material with different texture gives audible signals with sensory warning when a person moves on this surface with walking stick. The guiding/warning floor material is meant to give the directional effect or warn a person at critical places. This floor material shall be provided in the following areas:-

- a) The access path to the building and to the parking area.
- b) The landing lobby towards the information board, reception, lifts, staircases and toilets.

- c) Immediately at the beginning/end of walkway where there is a vehicular traffic.
- d) At the location abruptly changing in level or beginning/end of a ramp.
- e) Immediately in front of an entrance/exit and the landing.

ii) Proper signage:-

Appropriate identification of specific facilities within a building for the differently abled persons should be done with proper signals. Visually impaired persons make use of other senses such as hearing and touch to compensate for the lack of vision, whereas visual signals benefit those with hearing disabilities.

Signs should be designed and located so that they are easily legible by using suitable letter size (not less than 20 mm high). For visually impaired persons, information board in brail should be installed on the wall at a suitable height and it should be possible to approach them closely. To ensure safe walking, there should not be any protruding sign which creates obstruction in walking. Public Address System may also be provided in busy public areas.

The symbols/information should be in contrasting colour and properly illuminated because people with limited vision may be able to differentiate amongst primary colours. International Symbol Mark for wheel chair be installed in a lift, toilet, staircase, parking areas, etc., that have been provided for the differently abled.

11.2 INSTALLATION OF SOLAR ASSISTED WATER HEATING (SWH) SYSTEM/ ROOF TOP PHOTOVOLTAIC (RTPV) SYSTEM

SWH or RTPV systems shall be mandatory in all types of buildings to be constructed on plot area of more than 4000 sqm.

In order to facilitate the installation of SWH/RTPV System, the new buildings shall have the following provisions:-

- i) All such buildings where SWH/RTPV are to be installed will have open sunny roof area available for the installation of SWH/RTPV.
- ii) The roof loading adopted in the design of such building should be at least 50 kg. per sqm for the installation of SWH/RTPV.
- iii) At least 25% of the roof area shall be utilized for installation of the SWH/RTPV system.
- iv) Precaution should be taken that architectural elevation treatment should not cast shadow on terrace space. As far as possible, parapet of south, east and west sides of the terrace shall be of railing type (above 1 feet) such that it will not cast shadow on the solar collectors and maximum terrace space can be utilized.
- v) *The height of the solar panels shall be as per requirement but shall not be allowed more than 4.5 m.*
- vi) All such new buildings installed with SWH shall have an installed hot water line from the rooftop and insulated distribution pipelines to each of the points where hot water is required in the building.

11.3 RAIN WATER HARVESTING

The provision for Rain Water Harvesting shall be made as under:-

- i) All the layout open spaces/amenity spaces of housing societies and new constructions/ reconstruction/ additions on plots having area not less than 500 sqm shall have one or more

Rain Water Harvesting structures having a minimum total capacity as detailed in Schedule.

Provided that the Authority may approve the Rain Water Harvesting structures of specifications different from those in Schedule, subject to the minimum capacity of Rain Water Harvesting being ensured in each case.

- ii) The owner/society of every building mentioned in the (i) above shall ensure that the Rain Water Harvesting System is maintained in good condition for storage of water for non-potable purposes or recharge of groundwater at all times.
- iii) The Authority may impose a levy of not exceeding Rs.1000/- per annum for every 100sqm of built-up area for the failure of the owner of any building mentioned in the (i) above to provide or to maintain Rain Water Harvesting structures as required under these regulations. Failure to provide Rain Water Harvesting System shall deemed to be breach of the conditions on which the development permission has been granted.

Schedule

Rain Water Harvesting in a building site includes storage or recharging the ground water by rainwater falling on the terrace or any paved or unpaved surface within the building site. The following systems may be adopted for harvesting the rainwater drawn from terrace and the paved surface.

- i) Open well of a minimum 1 m diameter and 6m in depth into which rain water may be channelled and allowed to filter for removing silt and floating material. The well shall be provided with ventilating covers. The water from the open well may be used for non-potable domestic purposes such as washing, flushing and for watering the garden etc.
- ii) Rain Water Harvesting for recharge of groundwater may be done through a bore-well around which a pit of 1m width may be excavated upto a depth of at least 3m and refilled with stone aggregate and sand. The filtered rain water may be channelled to the refilled pit for recharging the bore-well.
- iii) An impressive surface/underground storage tank of required capacity may be constructed in the setback or other open spaces and the rain water may be channelled to the storage tank. The storage tank shall always be provided with ventilating covers and shall have draw-off taps suitably placed so that rain water may be drawn off for domestic, washing, gardening and such other purposes. The storage tank shall be provided with an overflow.
- iv) The surplus rain water, after storage, may be recharged into ground through percolation pits or trenches or combination of pits and trenches. Depending on the geomorphological and topographical conditions, the pits may be of the size of 1.20 m width X 1.20 m length X 2m to 2.50 m depth. The trenches can be of 0.60 m width X 2 to 6 m length X 1.50 to 2 m depth. Terrace water shall be channelled to pits or trenches. Such pits or trenches shall be back filled with filter media comprising the following materials :-
 - a) 40 mm stone aggregate as bottom layer upto 50% of the depth.
 - b) 20 mm stone aggregate as lower middle layer upto 20% of the depth.
 - c) Coarse sand as upper middle layer upto 20% of the depth.
 - d) A thin layer of fine sand as top layer.
 - e) Top 10% of the pits/trenches will be empty and a splash is to be provided in this portion in such a way that roof top water falls on the splash pad.
 - f) Brick masonry wall is to be constructed on the exposed surface of pits/trenches and

the cement mortar plastered. The depth of wall below ground shall be such that the wall prevents loose soil entering into pits/ trenches. The projection of the wall above ground shall at least be 15 cm

- g) Perforated concrete slabs shall be provided on the pits/trenches.
- h) If the open space surrounding the building is not paved, the top layer upto a sufficient depth shall be removed and refilled with coarse sand to allow percolation of rain water into ground.
- v) The terrace shall be connected to the open well/bore-well/storage tank/ recharge pit/trench by means of HDPE / PVC pipes through filter media. A valve system shall be provided to enable the first washing from roof or terrace catchment, as they would contain undesirable dirt. The mouth of all pipes and opening shall be covered with mosquito (insect) proof wire net. For the efficient discharge of rain water, there shall be at least two rain water pipes of 100 mm dia. for a roof area of 100 sqm
- vi) Rain Water Harvesting structures shall be sited as not to endanger the stability of building or earthwork. The structure shall be designed such that no dampness is caused in any part of the walls or foundation of the building or those of an adjacent building.
- vii) The water so collected/recharged shall as far as possible be used for non-drinking and non-cooking purpose. Provided that when the rain water in exceptional circumstances will be utilised for drinking and/or cooking purpose, it shall be ensured that proper filter arrangement and the separate outlet for bypassing the first rain water has been provided. Provided further that, will be ensured that for such use, proper disinfectants and the water purification arrangements have been made.

The structures constructed under this provision shall not be counted towards FSI computation.

11.4 GREY WATER RECYCLING AND REUSE

Grey Water - It means waste water from bathrooms, sinks, shower and wash areas, etc.

Applicability -These Regulations shall be applicable to all Developments/ Redevelopments/part Developments *on individual plots* for the uses as mentioned under Regulation No.11.4.1 to 11.4.6 shall have the provision for treatment, recycling and reuse of Grey Water. The applicant shall along with his application for obtaining necessary layout approval/ building permission shall submit a plan showing the location of Grey Water Treatment Plant, furnishing details of calculations, implementation, etc. This Plan shall accompany with the applicant's commitment to monitor the system periodically from the date of occupation of the respective building.

11.4.1 For Layout Approval/Building Permission

- i) In case of Residential layouts, area admeasuring 20000 sqm or more, in addition to 10% open space, prescribed in the bye- laws, a separate space for Grey Water Treatment and Recycling Plant should be proposed in the layout. This may be proposed in amenity space as per Regulation No. 3.5.
- ii) On the layout Plan, all Drainage lines, Chambers, Plumbing lines should be marked in different colour and submit the layout for approval to the Authority.
- iii) The recycled water shall be used for gardening, car washing, toilet flushing, irrigation, etc. and in no case for drinking, bathing, washing utensils, clothes etc.
- iv) A clause must be included by the owner/ developer in the purchase agreement that the purchaser, owner of the premises/organization or society of the purchasers shall ensure

that:

- a) The recycled water is tested every six months either in municipal laboratory or in the laboratory approved by Authority or by State Government and the result of which shall be made accessible to the competent authority/ EHO of the respective ward office.
- b) Any recommendation from testing laboratory for any form of corrective measures that are needed to be adopted shall be compiled. Copy of any such recommendation and necessary action taken shall also be sent by the testing laboratories to the Competent Authority/ EHO of respective Wards.
- c) Maintenance of Recycling Plant should be done by the Developer or Housing Society or Owner.

11.4.2 Group Housing/Apartment Building

In case of Group Housing scheme or a multi-storeyed building having 500 or more tenements, Grey Water Recycling Plant as mentioned in Regulation No. 11.4.1 above, should be constructed. In case of EWS/ LIG tenements, this shall be provided for tenements 750 or more.

11.4.3 Educational, Industrial, Commercial, Government, Semi-Government Organizations, Hotels, Lodgings, etc.

For all above buildings having built-up area 1500 sqm or more or if water consumption is 20,000 litre per day whichever is minimum, then provision for Grey Water Treatment Plant as mentioned in Regulation No. 11.4.1 is applicable.

11.4.4 Hospitals

Those Hospitals having 40 or more beds, Grey Water Recycling Plant as mentioned in Regulation No. 11.4.1 is applicable.

11.4.5 Vehicle Servicing Garages

All Vehicle servicing garages shall ensure that the Grey water generated through washing of vehicles is treated and recycled back for the same use as mentioned in Regulation No.11.4.1

11.4.6 Other Hazardous uses

All other Establishments/ Buildings where chances of Waste Water generated containing harmful chemicals, toxins are likely and where such water cannot be directly led into municipal sewers, the concerned Competent Authority may direct the Owners, users of such Establishments, Buildings to treat their Waste Water as per the directions laid in Regulation No. 11.4.1.

11.4.7 Incentive

The Owner/Developer/Society setting up and agreeing to periodically maintain such Grey Water Treatment and Recycling Plant entirely through their own expenditure shall be eligible for an incentive in the form of fiscal benefits in Property Tax to the extent of 5% to Tenement holder/Society.

11.4.8 Penalty Clause

Any person/ Owner/ Developer/ Organization/ Society violating the provisions of these bye-laws, he shall be fined Rs.2,500/- on the day of detection and if the violation continues, then he shall be fined Rs.100/- for every day as concrete action after written Notice from Authority.

If any person/ Owner/Developer/ Organization/ Society fails to operate as determined by the

Authorised Officer of the Authority and from the observations of test results and/or physical verification) the Recycling plant, then he will be charged a penalty of Rs.300/- per day and disconnection of Water connection also.

11.5 SOLID WASTE MANAGEMENT

It shall be mandatory for:-

- i) Housing complexes, Commercial establishments, hostels, hospitals having aggregate built-up area more than 4,000 sqm or more.
- ii) All three star or higher category hotels.

To establish a dedicated Solid waste management system to treat 100% wet waste being generated in such buildings.

The treatment of wet waste shall be done through an organic waste composters/ vermiculture pits or other similar technologies of suitable capacity installed through reputed vendors.

The disposal of dry waste, e-waste, hazardous waste shall be carried out through authorised recyclers or any other system as specified by the Authority

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CHAPTER – 12

SPECIAL SCHEMES

12.1 DEVELOPMENT OF INTEGRATED INDUSTRIAL AREA (IIA)

Following regulations shall be applicable for development of IIA.

12.1.1 Area Requirement

Any suitable area in MIDC Industrial Area or in Regional plan or Development plan having access by means of an existing road or a proposed / sanctioned Regional plan / Development Plan road having a minimum width of 24.0 m can be identified for the purpose of development as Integrated Industrial Area.

However, if the approach road width is not available due to difficulty in acquisition of land, availability of land, etc. relaxation for width of approach road not less than 12 m shall be considered. Power to approve this relaxation shall vest with the High Power Committee under the chairmanship of Secretary (Industry).

The area notified under the Integrated Industrial Area shall be one continuous, unbroken and uninterrupted piece of land and in any case shall not be less than 40 Ha (100 acres) at one place.

(Explanation - If such minimum 40 ha (100Acre) area proposed to be developed under Integrated Industrial Area is divided by one or more water courses (such as nallahs, canal, etc.) existing or proposed roads of any width or railways, etc. then such area shall be considered to be continuous, unbroken and uninterrupted, subject to the condition that the developer shall construct necessary connecting roads or bridges as per site requirements at his own cost with due permission from concerned authorities.)

However, depending on location, difficulties in acquisitions of land, availability of continuously available area, etc. relaxation for area requirement not less than 20 hectares (50 acres) shall be considered. Power to approve this relaxation shall vest with the High Power Committee under the chairmanship of Secretary (Industry).

The area under any Integrated Industrial Area shall not include the area under notified forest, water bodies like river, creek, canal, reservoir, tribal lands, lands falling within the belt of 100m from the High Flood Line (HFL) of major lakes, lands in the command area of irrigation projects, land falling within the belt of 200 m from the historical monuments and places of Archeological importance, Archeological monuments, heritage precincts and places, any restricted areas, notified national parks, gaathan areas or congested areas, Defense areas, Cantonment areas, especially earmarked on Development plan, area under Eco-sensitive Zone, other environmentally sensitive areas, Quarry Zone, notified areas of Special Economic Zone (SEZ) and designated airport areas.

However, such Integrated Industrial Area may include private land under Hill-Top and Hill-Slope Zone, whether earmarked on Regional plan / Development plan or not and private land in A forestation Zone. Provided that, the area of lands in such Hill-Top and Hill-Slope Zone and a forestation Zone shall not exceed 40% of the gross area of the project and such area shall be kept permanently open where no development activity shall be permissible under such project. The said areas shall be developed for tree plantation. However, for the purpose of calculation of Floor Space Index (FSI), such areas shall be included subject to payment of premium mentioned in Regulation No. 12.1.2 (Table No. 12 A).

12.1.2 Procedure for Approval of Integrated Industrial Area

The following procedure shall be adopted for approval of an Integrated Industrial Area.

i) Ownership Criteria

The following shall be eligible for making application for development of Integrated Industrial Area

- a) Owner of the private land or developer appointed by him.
- b) Developer who has entered into development agreement and obtained power of attorney of development of land or a Joint Venture Company established by land owner and developer
- c) Lessee of land having remaining lease hold rights of not less than 30 years.
- d) De-notified SEZ on MIDCs land.
- e) Lease land of MIDC having remaining lease period not less than 30 years.

ii) Procedure for developing IIA on MIDC Land.

- a) The applicant shall submit the application along with following documents in the form in Appendix-M.
 - i) Copy of lease deed having remaining lease period not less than 30 years.
 - ii) NOC from State / Central Government in case of de-notified SEZ land.
 - iii) Report mentioning total Project Cost, Water Requirement, Proposed Power Supply Requirement and Waste Management Strategies / Proposal.
 - iv) Proposed Draft Master Plan (Showing details about distribution of area) to suitable scale.
- b) **Scrutiny by MIDC** – After the proposal is submitted by the applicant, the authority shall scrutinize it and if any compliance is required as per these regulations, the same should be intimated to the applicant. After receipt of the complete proposal, the said shall be submitted *by* Steering Committee of MIDC *for approval to* High Power Committee (HPC).
- c) **Approval of HPC** – *As per approval of HPC, declaration of IIA and notification u/s 43 (1)(B) of MID Act, 1961 shall be issued by the Authority. Also, the approval to the master plan shall be granted by HPC and shall be issued by Chief Executive Officer, MIDC.*
- d) **Building Permission** - After approval to the master plan, building permissions shall be granted by *the Authority*.

iii) Procedure for developing IIA on Private Land.

- a) The applicant shall submit the application along with following documents in the Form in Appendix-N
 - i) **Details of the proposed land** - such as village maps showing land under proposed IIA, existing construction, trees, nallahs and road passing through the project land.
 - ii) Ownership document such as 7/12 extract, property card etc. with details of private and Government land not beyond 6 months from the date of application. Statement showing the survey number / gut number & total area. Power of attorney, wherever applicable.

- iii) Gut book map / City Survey map / Measurement Plan including subdivision plan, if any of the lands included in project.
 - iv) Google map showing the location along with existing road network.
 - v) Available transport facilities - existing transport facilities such as National Highway, State Highway, Railway Station, Port, Airport and their distances from proposed site and nearby village / cities with their population. In case the land is deriving access from National or State Highway, NOC from PWD / NHAI for approach road.
 - vi) Report mentioning total Project Cost, Water Requirement, Proposed Power Supply Requirement and Waste Management Proposal.
 - vii) NOC from department of ground water survey, if water supply proposed is from ground water.
 - viii) Distance of proposed site from river, creek and sea, wherever necessary.
 - ix) Undertaking mentioning the following –
 - a) No tribal land;
 - b) no Forest area / jurisdiction, notified national parks;
 - c) no command area of any Irrigation Project, land not falling under water bodies like river, creek, canal, reservoir;
 - d) land not falling within the belt of 200 m from the historical monuments, and heritage precincts;
 - e) land not falling within the belt of High Flood Line (HFL) of major lakes, Eco Fragile Area, Quarry Zone, Notified areas of SEZ and Designated Airport Area, Defence area, Cantonment area;
 - f) for authenticity of documents submitted and legality of ownership of land.
 - x) Certificate from Town Planning Department regarding whether the proposed project land falls within Regional Plan / Development Plan and zoning / proposal therein.
 - xi) Proposed Draft Master Plan (showing details about distribution of area) to suitable scale.
- b) **Scrutiny by MIDC** – After the proposal is submitted by the applicant, the authority shall scrutinize it and if any compliance is required as per these regulations, the same shall be intimated to the applicant. After receipt of the complete proposal, the said shall be submitted *by* Steering Committee *for the approval of* High Power Committee (HPC).
- c) **Approval by High Power Committee** –
- After approval of HPC to the proposal and Draft Master Plan, payment of premium shall be recovered from the applicant and thereafter declaration of area u/s 2 (g) of MID Act, 1961 shall be issued by the Government and the notice for inviting suggestion / objections on Draft Master Plan u/s 115 MR & TP Act, 1966 shall be issued by Chief Planner, MIDC with consent of the Authority.*
- d) **Declaration of IIA** - The declaration of IIA u/s 43 (1)(B) of MID Act, 1961 shall be issued by the Authority.

- e) **Approval of Final Master Plan** - After giving hearing to the persons those who have filed suggestions / objections on Draft Master Plan, the proposal shall be submitted to the Secretary, Industries, Government of Maharashtra, by the Authority. The Secretary, Industries shall approve the Final Master Plan.
- f) **Payment of Premium** – Private lands which are included in various zones of statutory plan, may be allowed to be developed for Integrated Industrial Area, subject to payment of Zone conversion charges as mentioned below or as decided by the Government from time to time. Such charges shall paid to the Government.

| Table No 12 A | | |
|---------------|---|-----------------|
| Sr. No. | Type of Zone | Premium Charges |
| 1 | Industrial, Industrial NA land – where 1.00 FSI is permissible, Residential, Commercial, Urbanizable Zone 1 (U1) and Urbanizable Zone 2 (U2), Transport Hub Logistic Park | Nil |
| 2 | Public Semi-Public | 8% |
| 3 | Agriculture / No Development Zone / Green Zone 1 (G1)/ Green Zone 2 (G2)/ Industrial NA land situated in No Development Zone or Agriculture Zone where limited FSI is permissible and other zones excepting at Sr. No. 2 & 4. | 10% |
| 4 | Afforestation Zone / Hill Top & Hill Slope Zone as shown on statutory plan. | 15% |

Explanation – Premium charges shall be calculated by considering the agriculture land rate of the said land as prescribed in Annual Statement of Rates (ASR) without applying the guidelines therein. If agriculture land rate is not mentioned in ASR, in such cases, the Agricultural land rate for such land will be decided by referring the matter to the Inspector General of Registration (IGR). Thereafter, the premium will be calculated by considering the land rate given by IGR in such cases.

The amount of premium shall be deposited in the concerned account head of the Government.

The procedure for conversion of zone u/s 20 or 37 of Maharashtra Regional and Town Planning Act shall not be required and deemed to be converted in Industrial Zone in the statutory plan.

- g) **Building Permission** – After the approval of the final Master Plan, the applicant shall submit building plan sector wise / item wise to MIDC. After receipt of the plans, MIDC shall approve the plan by recovering the necessary charges.

12.1.3 Planning Considerations

The project has to be an integrated project. The Integrated Industrial Area should necessarily provide land for following users :-

- Industrial
- Residential

- iii) Commercial
- iv) Educational
- v) Amenity Spaces
- vi) Health Facilities
- vii) Parks, Gardens & Playgrounds
- viii) Public Utilities
- ix) Transport and Communication

12.1.4 General Norms for Different Land Use

In case of IIA on MIDC land, minimum **60%** FSI shall be used for industrial activities and upto **40%** FSI for the development of support services including residential, commercial, educational, amenities, health facilities, parks, gardens & playgrounds, public utilities, transport and communication provided that 10% of total Integrated Industrial area shall be earmarked for park / playground / garden.

In case of IIA on private land, minimum 60% FSI shall be used for industrial activities and upto 40% FSI for the development of support services.

Residential and commercial activities shall also include malls, cinema, theaters, public auditorium and multiplexes, showrooms for all types of merchandise, hostels, hotels etc. The development of entire township, i.e., area for industrial and support activities can take place simultaneously but the developer will have to ensure that sale / lease of both areas is proportionate. To ensure this, occupation certificate for commercial, residential and support services shall be granted only after the development of infrastructure facilities on the area earmarked for Industrial activities is completed and 1/3rd area kept for Industrial activity is disposed of.

12.1.5 FSI In Integrated Industrial Area

- i) The maximum permissible FSI on the gross area of the notified Integrated Industrial Area shall be 1.00.
- ii) Floating of FSI shall not be permissible from the area of industrial use to the area of support activities or vice versa, but floating of FSI shall be permitted within the respective areas of industrial use and support activities separately.
- iii) Further, additional FSI on payment of premium as mentioned below in Table No. 12 B shall be permissible on payment of premium at the rate of 10% of the weighted average of land rate of the said lands as prescribed in Annual Statement of Rates for the relevant year, without applying the guidelines therein. Such premium shall be paid at the time of building permission.

| Table No. 12 B | |
|----------------------------------|--|
| Area under Township | Additional Built-Up Area On Payment Of Premium |
| upto 200 ha | Upto 70 % of basic permissible FSI |
| More than 200 ha and upto 500 ha | Upto 80 % of basic permissible FSI |
| More than 500 ha | Upto 100 % of basic permissible FSI |

12.1.6 CDCPR & General Regulations

- i) Provisions of these Comprehensive Development and Control Regulations as well as provisions of MOEF and CRZ notification, wherever applicable, shall be applicable to the Integrated Industrial Area.
- ii) In the event the Integrated Industrial Area contains sites reserved for public purposes (buildable reservations) in statutory plan, for which the appropriate authority is any department of State Govt. / Central Govt. or any Government undertaking, the developer shall construct the amenity as per requirement of the concerned department and handover the constructed amenity free of cost to the said department. Upon handing over such constructed amenity, the developer would be entitled to utilize additional floor space as per formula given below over and above the FSI permissible within the Integrated Industrial Area.

Construction Amenity FSI in sqm = A/B * 2.00

Where,

A = cost of construction of amenity in rupees as per the rates of construction mentioned in Annual Statement of Rates (ASR) prepared by the Inspector General of Registration for the year in which construction of amenity is commenced. (In case of construction of new D.P. Road, cost of construction as worked out on the basis of District Schedule of Rates.)

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

In case of other buildable reservation for which appropriate authority is planning authority, 50% of reserved land along with 50% of base FSI of reserved land shall be constructed and handed over to the authority. In such cases FSI of the constructed amenity as per formula above and FSI equal to twice the land surrendered, shall be entitled to be utilized by the owner in Integrated Industrial Area. Remaining area of the reservation may be utilized in Integrated Industrial Area.

In case of open reservations like playground, gardens, parks, these areas may be allowed to be adjusted in 10% area of mandatory park, playground, garden mentioned in Regulation No. 12.1.4 and shall be handed over to the authority.

- iii) In every Integrated Industrial Area proposal, the structural designer of developer has to submit declaration with project report to the authority about the construction of buildings below -

I have confirmed that the proposed construction in the scheme is as per norms as specified by Bureau of Indian Standard for the resistance of earthquake, fire safety & natural calamities.

- iv) In Integrated Industrial Area, trees at rate of minimum 100 trees per Ha shall be planted and maintained by the developer.

12.1.7 Infrastructure Facilities

- i) **Integrated Industrial Area on MIDC land** - The onsite infrastructure in the Integrated Industrial Area on MIDC land shall be provided and maintained by developer as may be required as per the provisions of these regulations.

- ii) **Integrated Industrial Area on private land** - The entire onsite infrastructure in the Integrated Industrial Area along with access road shall be provided and maintained by the developer. However, it would be obligatory on the part of the developer to provide all basic infrastructures on at least 75% area under the Integrated Industrial Area within 3 years from the date of sanction of Master Plan.

12.1.7.1 Water Supply

The developer shall be required to develop the source for drinking water or secure firm commitment from any water supply authority for meeting the daily water requirement of minimum 140 liters per capita per day for residential area, exclusive of requirement of water for firefighting and gardening. The storage capacity of the same shall be at least 1.5 times of the actual required quantity as determined by expected population. For industrial purpose, reasonable water requirement shall be worked out and provision to that effect shall also be made. The developer would be required to develop proper internal distribution and maintenance systems and shall specially undertake rain water harvesting, groundwater recharging and waste water recycling projects within the Integrated Industrial Area.

12.1.7.2 Drainage and Garbage Disposal

The developer shall make suitable and environment friendly arrangements for the disposal and treatment of sewage and solid waste as per requirements of Maharashtra Pollution Control Board. Recycling of grey water for gardening shall be undertaken by the developer.

The developer shall develop eco-friendly garbage disposal system by adopting the recycling and bio-degradation system in consultation with Maharashtra Pollution Control Board & MIDC.

12.1.7.3 Power

The developer shall ensure continuous and good quality power supply to the Integrated Industrial Area. The developer may draw the power from existing supply system or may go in for arrangement of captive power generation with the approval from concerned authorities. If the power is drawn from an existing supply system, the developer shall before commencement of development, procure a firm commitment of power for the entire Integrated Industrial Area from the power supply company.

12.1.8 Permission from Maharashtra Pollution Control Board.

Necessary permission shall be obtained from Maharashtra Pollution Control Board.

12.1.9 Special Concession

- i) **Stamp Duty and Registration Fees** : Private land which would be purchased for IIA shall be entitled for 50% concession in stamp duty and registration fees. Provisions in this regard made by Urban Development Department in respect of Integrated Township Projects from time to time shall be applicable to IIA also.
- ii) **N.A. Permission** : N.A. permission shall not be necessary. Non-agriculture assessment shall commence from the date of sanction of scheme.
- iii) **Grant of Government Land** : Any Government land falling under Integrated Industrial Area shall be leased out to the developer at the prevailing market rate on usual terms and conditions, without any subsidy. However, such percentage of Government land shall not exceed 10% of the total area.
- iv) **Relaxation from Mumbai Tenancy and Agriculture Land Act** : The condition that

only the agriculturist will be eligible to buy agriculture land shall not be applicable in Integrated Industrial Area.

- v) **Ceiling of agriculture land :** There shall be no ceiling limit for holding agriculture land to be purchased by the owner / developer for Integrated Industrial Area project.
- vi) **Exemption from Urban Land (Ceiling and Regulation) Act, 1976 :** Integrated Industrial Area projects will be exempted from the purview of Urban Land (Ceiling and Regulation) Act, 1976.

12.1.10 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 / unit shall be granted unless the basic infrastructure as per Regulation No. 12.1.7 is provided by the developer to the satisfaction of the Authority. In case the development is provided in phases & sale permission is expected after completion of phase-wise basic infrastructure, such permission may be granted by the Authority. Before granting such sale permission, developer has to submit undertaking about the basic infrastructure to be provided and completed phase wise. The plots earmarked for amenities, facilities and utilities shall also be simultaneously developed phase-wise along with support services development.

12.1.11 Monitoring

The officer authorized by the Authority in this regard, shall monitor the progress of development of IIA and compliance of conditions / criteria therein. The information in this regard may also be published on website of MIDC.

12.1.12 Implementation and Completion

Development of any notified Integrated Industrial Area shall be completed within 10 years from the date of final sanction to the Master Plan of the area. This time limit may be extended by the authority if required considering the area of the IIA.

12.1.13 Interpretation

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

12.2 INTEGRATED INFORMATION TECHNOLOGY TOWNSHIP (IITT)

Following regulations shall be applicable for development of IITT.

12.2.1 Area Requirement

Any suitable area in MIDC Industrial Area or in statutory plan having access by means of an existing road or a proposed road in statutory plan having a minimum width of 18.0 m can be identified for the purpose of development as Integrated IT Township.

The area notified under the Integrated IT Township shall be one continuous, unbroken and uninterrupted piece of land and in any case shall not be less than 10 Ha (25 acres) at one place.

(Explanation- If such minimum 10 Ha (25 acre) area proposed to be developed under a Integrated IT Township is divided by one or more water courses (such as nallahs, canal,

etc.)existing or proposed roads of any width or railways, etc. then such area shall be considered to be continuous, unbroken and uninterrupted, subject to the condition that the developer shall construct necessary connecting roads or bridges as per site requirements at his own cost with due permission from concerned authorities.)

The area under any Integrated IT Township shall not include the area under notified forest, water bodies like river, creek, canal, reservoir, tribal lands, lands falling within the belt of 500 m from the high flood line (HFL) of major lakes, lands in the command area of irrigation projects, land falling within the belt of 200 m from the historical monuments and places of archeological importance, archeological monuments, heritage precincts and places, any restricted areas, notified national parks, gaathan areas or congested areas, defence areas, cantonment areas, truck terminus especially earmarked on Development Plan, area under eco-sensitive zone, other environmentally sensitive areas, quarry zone, notified areas of special economic zone (SEZ) and designated airport areas.

However, such Integrated IT Township may include private land under hill-top and hill-slope zone, whether earmarked on statutory plan or not and private land in afforestation zone. Provided that, the area of lands in such hill-top and hill-slope zone and afforestation zone shall not exceed 10% of the gross area of the project. The said areas shall be developed for tree plantation. However, for the purpose of calculation of Floor Space Index (FSI), such areas shall be included subject to payment of premium mention in Regulation No. **12.1.2** (Table No. 12A)

12.2.2 Procedure for Approval of Integrated IT Township

The procedure mentioned in Regulation No. 12.1.2 shall be applicable for approval of an Integrated IT Township mutatis-mutandis.

12.2.3 Planning Considerations

The provisions of planning considerations mentioned in Regulation No. 12.1.3 shall be applicable mutatis-mutandis.

12.2.4 General Norms for Different Land Use

The general norms for different land use mentioned in Regulation No. 12.1.4 shall be applicable mutatis-mutandis.

12.2.5 Allotment of Built-up Spaces Constructed in IITT.

The built-up spaces constructed in IITT shall be allotted / sold as per following :-

- i) **For IITTS Situated in MIDC's Industrial Areas** – Allotment shall be entirely on lease as per MIDC policy.
- ii) **For IITTS Situated Outside MIDC's Industrial Areas** – Allotment shall be as per the policy decided by the Government from time to time.

12.2.6 FSI In integrated I.T. Township

The maximum permissible FSI on the gross area of the notified Integrated IT Township shall vary as follows :-

For Integrated IT Township located in Pune, Pimpri-Chinchwad, Greater Mumbai, Thane, Navi Mumbai, Kalyan-Dombivali, Mira-Bhayandar, Ulhasnagar, Nagpur Municipal Corporations and Ambarnath Municipal Council limits, the permissible FSI shall be 3.00.

For rest of the areas in the State, the permissible FSI shall be 2.50.

The premium chargeable shall be as in para. 5 (ii) of Annexure-I Maharashtra's Information

Technology / Information Technology Enabled Services Policy (IT/ITES) - 2015 issued by Industries, Energy & Labour Department vide Government Resolution No. ITP-2013/ (CR-265)/Ind-2, dated 25th August, 2015 as amended from time to time. Floating of FSI shall not be permissible from the area of IT / ITE use to the area of support activities or vice versa, but floating of FSI shall be permitted within the respective areas of IT / ITES and support activities separately.

The provisions of Regulation No. 12.1.5 (i, ii and iii) shall be applicable mutatis-mutandis.

12.2.7 CDCPR & General Regulations

The CDCPR & general regulations mentioned in Regulation No. 12.1.6 shall be applicable mutatis-mutandis.

12.2.8 Infrastructure Facilities

The provisions for infrastructure facilities mentioned in Regulation No. 12.1.7 shall be applicable mutatis-mutandis.

12.2.9 Permission form Maharashtra Pollution Control Board.

The permission shall be obtained from Maharashtra Pollution Control Board, if required.

12.2.10 Special Concessions

The special concessions mentioned in Regulation No. 12.1.9 shall be applicable mutatis-mutandis.

12.2.11 Sale Permission

The provisions for sale permission mentioned in Regulation No. 12.1.10 shall be applicable mutatis-mutandis.

12.2.12 Monitoring

The provisions for monitoring mentioned in Regulation No. 12.1.11 shall be applicable mutatis-mutandis.

12.2.13 Implementation and Completion

Development of any notified Integrated IT Township shall be completed within 5 years from the date of final sanction to the layout plan of the area. This time limit may be extended by the Authority if required considering the area of the IITT.

12.2.14 Interpretation

The provisions mentioned in Regulation No. 12.1.13 shall be applicable mutatis-mutandis.

12.3 INTEGRATED LOGISTIC PARK (ILP)

The Following Regulation shall be applicable for development of Integrated Logistic Park / Logistic Park.

12.3.1 Activities Constituting Integrated Logistic Park / Logistic Park.

A logistic Park can include the following activities. (The list is indicative)

i) Logistic Services.

- a) Cargo aggregation / segregation.
- b) Sorting, grading, packaging/ repackaging, tagging/ labeling.

- c) Distribution/ Consumer Distribution.
- d) Inter-model transfer of material and container.
- e) Open and closed storage for transit period.
- f) Custom bonded warehouse.
- g) Container freight station.
- h) Container terminals.
- i) Material handling equipment facilities for efficient movement and distribution of Semi-finished or finished products.
- j) Cargo Aggregation / Segregation.
- k) Sorting, Grading, Packaging / Repackaging, Tagging / Labeling.
- l) Distribution / Consumer Distribution.
- m) Inter-model transfer of material and container.
- n) Open and closed storage.
- o) Ambient condition storage for transit period.
- p) Custom bonded warehouse.
- q) Container freight station.
- r) Container terminals.
- s) Material handling equipment facilities for efficient movement and distribution of Semi-finished or Finished products.

ii) Infrastructure

- a) Internal roads.
- b) Power line.
- c) Communication facilities.
- d) Internal Public Transportation System.
- e) Water distribution and water augmentation facilities.
- f) Sewage and drainage lines.
- g) Effluent treatment and disposal facilities.
- h) Fire Tenders arrangements.
- i) Parking.

iii) Business and commercial facilities

- a) Dormitories.
- b) Guest Houses.
- c) Canteen.
- d) Medical Centre.
- e) Petrol Pump.
- f) Banking and finance.
- g) Office Space.

- h) Hotel.
- i) Restaurants.
- j) Hospital / Dispensary.
- k) Administration office.

iv) Common Facilities

- a) Weigh Bridge.
- b) Skill Development center.
- c) Computer center.
- d) Sub contract exchange.
- e) Container freight station.
- f) Production Inspection Centre.
- g) Repair workshop for vehicles & production machinery in the park.

The Department of Industries, Government of Maharashtra may revised the list of permissible activities from time to time, as per requirement of the sector.

12.3.2 Area Requirement for Integrated Logistics Park (ILP) :-

An “Integrated logistic park” will be defined as one that is spread over a minimum of 5 acres of land and having minimum 15 m wide access road.

A minimum of 70% of the total area of ‘Integrated Logistic Park’ shall be used for providing logistic services (mentioned in Regulation No. 12.3.1 (i)), and upto 30% area shall be permitted for support services and common facilities mentioned in Regulation No. 12.3.1 (iii & iv). Floating of FSI shall not be permissible from the area of logistic zone to the area of support services and vice versa, but floating of FSI shall be permitted within the respective areas of logistic zone and support activity zone separately.

Directorate of Industries will be the registering agency for all Integrated logistic parks. The procedure adopted for issue of letter of intent and registration would be in line with that adopted under the Integrated Industrial Area.

12.3.3 Area Requirement for Logistics Park (LP) on MIDC Land

Logistics park / building with a minimum of 20000 sq feet built-up Area with basic FSI will be designated as Logistics Park (LP). The 80% of the total area notified as ‘Logistic Park’ should be used for providing logistic services and upto 20% of the total area will be permitted for support services and common facilities mentioned in Regulation No. 12.3.1 (iii & iv).

Directorate of Industries will be the registering agency for all logistic parks. The procedure adopted for issue of letter of intent and registration would be in line with that adopted under the IT / ITES Policy 2015.

12.3.4 Procedure for Development of Integrated Logistic Parks / Logistic Parks

The procedure mentioned in Regulation No. 12.1.2 shall be applicable for approval of an ILP / LP mutatis-mutandis.

12.3.5 FSI for Integrated Logistics Park & Logistics Park

- a) **Basic FSI** - The maximum permissible FSI on the gross area of the notified ILP / LP shall be 1.00. Floating of FSI shall not be permissible from the area of Logistic Park to the area

of support activities and vice versa, but floating of FSI shall be permitted within the respective areas of Logistic Park and support activities separately.

- ii) **Additional FSI for Integrated Logistics Park & Logistics Park** - Additional FSI upto 200% over and above the basic FSI for development of Integrated Logistic Park & Logistics Park with or without premium as mentioned in Table No.12 C below shall be permissible. :-

| Table No. 12 C | | |
|----------------|--|---------|
| Sr No. | Location of Parks (As defined under PSI 2013) | Premium |
| 1 | No Industries District and Naxalism affected areas | Nil |
| 2 | Areas other than PMC, TMC, Kalyan Dombivali, Mira Bhayendar, Panvel, Ulhasnagar, Ambarnath, Navi Mumbai Municipal Corporation. | 10% |
| 3 | PMC, TMC, MCGM, Kalyan-Dombivali, Mira Bhayendar, Panvel, Ulhasnagar, Ambarnath, Navi Mumbai Municipal Corporation. | 15% |

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

The provisions of Regulation No. 12.1.5 (i, ii and iii) shall be applicable mutatis-mutandis.

Note : Premium charges shall be limited to the demand made by the developer for additional FSI.

12.3.6 CDCPR & General Regulations

The CDCPR & general regulations mentioned in Regulation No. 12.1.6 shall be applicable mutatis-mutandis.

12.3.7 Infrastructure Facilities

The Integrated Logistics Park shall provide following minimum infrastructure as mentioned in Regulation No. 12.3.1. The mandatory minimum infrastructure and common facilities shall be as under :-

i) Infrastructure :

- b) Internal roads.
- c) Power line.
- d) Communication facilities.
- e) Water distribution and water augmentation facilities.
- f) Sewage and drainage lines.
- g) Effluent treatment & disposal facilities.
- h) Fire tender arrangements.
- i) Parking.

ii) Common facilities:

- a) Dormitories.
- b) Canteen.

c) Medical Centre.

d) Weigh Bridge.

Infrastructure may be developed in accordance with the provisions mentioned in Regulation No.12.1.7.

12.3.8 Permission form Maharashtra Pollution Control Board.

The permission shall be obtained from Maharashtra Pollution Control Board, if required.

12.3.9 Special Concessions

The special concessions mentioned in Regulation No. 12.1.9 shall be applicable mutatis-mutandis.

12.3.10 Sale Permission

The provisions for sale permission mentioned in Regulation No. 12.1.10 shall be applicable mutatis-mutandis. Such facilities can be hired / leased / rented or put to own use by the developer.

12.3.11 Monitoring

The provisions for monitoring mentioned in Regulation No. 12.1.11 shall be applicable mutatis-mutandis.

12.3.12 Implementation and Completion

The development in the Integrated Logistics Park shall be completed within 5 years from date of issue of Letter of Intent (LOI) by Directorate of Industries. The extension to time limit upto a minimum of one year at a time and not more than 3 times may be granted on merits.

The development of a notified Logistics Park shall be completed within 3 years from date of issue of Letter of Intent (LOI), by Directorate of Industries. The extension to time limit upto a minimum of one year at a time and not more than 3 times may be granted on merits.

12.3.13 Interpretation

The provisions mentioned in Regulation No. 12.1.13 shall be applicable mutatis-mutandis.

12.4 INDUSTRIAL PARKS COMPRISING OF FLATTED GALAS FOR READYMADE GARMENT MANUFACTURING, GEMS & JEWELLERY, MICRO ELECTRONICS AND ENGINEERING UNITS

12.4.1 Eligible Units

"Unit" means those production units which convert cloth into usable readymade garment, mattresses, carpets, covers, curtains, embroidery cloth etc., this will also include ready cloth for packing and for all intermediate processes. The unit should hold valid Udyog Aadhar Memorandum (UAM) / Industrial Entrepreneurs' Memorandum (IEM).

Similarly, units holding valid Udyog Aadhar Memorandum (UAM) / Industrial Entrepreneurs' Memorandum (IEM), manufacturing jewelry, cutting and polishing of gems, packaging production units will be designated as gems & jewelry units.

Similarly, small engineering units and micro-electronics units specified in para 9 of Maharashtra Electronic Policy - 2016 and falling under list of units defined in Electronics & ESDM Scheme of Govt. of India, based in flatted gala parks established for the purpose.

12.4.2 Eligibility Criteria

- Land owner or developer appointed by him or any company having legal entity.
- Or a lease holder having 30 years of remaining lease period with MIDC will be eligible for erection of flatted gala industrial parks for readymade garment production, gems & jewelry, micro electronics and engineering units.

12.4.3 Support Services / Facilities

Support services / facilities means services / facilities required for carrying out business of readymade garment production, gems & jewelry, micro electronics and engineering units in flatted gala industrial complexes, which will not include the following activities:

- Malls,
- Cinema Theatres, Public Auditoriums and multiplexes,
- Residential Apartments for sale to common public.

But it will include following activities :

- Small retail shops having area not more than 1000 sq. ft. and the area under this category shall not be more than 5% of the total area for support services,
- Commercial showrooms, training institutes, common conference room for the units in parks,
- Residential apartments for workers working in above industrial parks, whose area will be within the maximum permissible carpet area decided from time to time for the Slum Rehabilitation Authority (SRA) of State Govt. Housing Department and the permissible area under this category will be within the ceiling of 20% of the total area for support services,
- The Development Commissioner (Industries) will be the competent authority for clarification of any aspects.

12.4.4 Industrial Parks

12.4.4.1 Industrial building having a minimum built up area of **1860** sqm can be established as Industrial Park. Out of the total built up space, minimum 80% area will have to be used for readymade garment production, gems & jewelry, registered eligible MSME production units under micro electronics sector. Maximum 20% area can be used for support services (as per Regulation No.6.10.3). Registered production unit means eligible unit holding Udyog Aadhar Memorandum (UAM).

12.4.4.2 For Industrial Parks across the State, upto 200% additional floor space index will be admissible on basic admissible floor space index which is more depending upon availability of road width. For development of public and private parks approved and registered by Directorate of Industries, 200% additional floor space index will be admissible with or without premium on prevailing ASR rate / MIDC land rate & depending upon availability of road width as mentioned in Table No.12 D below :

| Table No. 12 D | | |
|----------------|--|---------|
| Sr. No. | Location of Park (as defined in PSI-2013) | Premium |
| 1 | No Industry District & Naxalism affected area. | Nil |

| | | |
|---|--|-----|
| 2 | Areas other than Pune, Thane, Greater Mumbai, Kalyan-Dombivali, Mira Bhayander, Panvel, Ulhasnagar, Ambarnath, Navi Mumbai, Municipal Corporation Areas, No Industry District & Naxalism affected areas. | 10% |
| 3 | Pune, Thane, Greater Mumbai, Kalyan-Dombivali, Mira Bhayander, Panvel, Ulhasnagar, Ambarnath, Navi Mumbai, Municipal Corporation Areas. | 15% |

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

Note - The charging of premium shall be limited to the additional FSI demanded by the developer.

12.4.5 Procedure of Approval

The procedure mentioned in Regulation No. 12.1.2 (except (ii)) shall be applicable for approval of Industrial Park for Flatted Gala on private land mutatis-mutandis.

12.4.6 Penal Action for Misuse of Premises

Penal action will be taken against private industrial parks which have availed benefits of additional FSI as per the provisions of this policy and later on it is found that the built-up space in the industrial park is being used for purpose other than that is admissible.

A penalty equal to 0.3% of the prevailing ASR per day will be charged for the built-up space which is being used for purpose other than the permissible purpose.

A team of officers from Directorate of Industries and the Authority which has sanctioned the building plan will visit the industrial park and verify the misuse of the built-up space.

12.5 INDUSTRIAL TOWNSHIP UNDER AEROSPACE AND DEFENSE MANUFACTURING POLICY

Industrial Township under Aerospace and Defense Manufacturing Policy shall be permitted in Commercial, Industrial and Agricultural Zone in Development Plan and Regional Plan areas. Other stipulations for Industrial Township under Aerospace and Defense Manufacturing Policy-2018, declared by the State Government in Industry, Energy Labour Department vide Government Resolution No. माऔधा २०१५/प्र.क्र.१८/उद्योग-२, dated 14/02/2018, shall be applicable.

The FSI permissible for this Industrial Township shall be as per FSI permissible in Industrial Zone. The lands which are included in Agricultural Zone in the Development or Regional Plan shall be treated as included in Industrial Zone after the permission is granted for this Industrial Township.

Provided that upto 20% of total built up area of such Industrial Township may be used for residential / commercial purpose / support activities.

Provided further that the Research and Development Institutions in such Industrial Township shall be eligible for additional 0.50 FSI over permissible FSI as per these Regulations.

12.6 TRANSIT ORIENTED DEVELOPMENT (TOD)

The following regulations in respect of Transit Oriented Development shall be applicable for the areas within the jurisdiction of MIDC. These provisions shall come in to operation where Authorities have started implementing RTS / Metro-rail corridors.

The authority shall ensure execution of complete street design for the success of TOD and enable construction of street oriented buildings while achieving optimum densities in residential, commercial and office buildings.

The authority shall also ensure complete pedestrianisation in the TOD zones for easy movement of the pedestrians to & from station within a period of 1 year from publication of this regulation.

12.6.1 Definitions

- i) **TOD zone :-** It is the area 500 mt. radius around the proposed Metro-station boundary as will be delineated by the Authority with the approval of the State Government. Wherever any reservation / amenity space within such distance is utilized for the purpose of transportation as prescribed in CDCPR, the distance of 500 mtr shall stand relaxed upto 30%. The TOD zone shall be delineated on ground by the Authority in time bound manner i.e. within 2 months from sanction of these regulations.
- ii) **Basic permissible FSI :-** It is the FSI that is otherwise permissible on any land with respect to zone shown as per the sanctioned statutory plan and the relevant provision of the CDCPR excluding the TDR and the premium FSI, redevelopment incentive FSI that can be received.
- iii) **Gross plot area :-** Gross Plot Area means total area of land after deducting area under reservation or deemed reservation like amenity space if any, area under D.P. Road and Road widening.

12.6.2 Maximum Permissible FSI

The maximum permissible total FSI in TOD zone shall be 4.00 including the basic permissible FSI, subject to condition that, the additional FSI over and above the basic permissible FSI shall be allowed within the overall limit of maximum permissible FSI, as given in the Table No.12 D below-

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

Explanation:-

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

Illustrations: -**Utilization of FSI**

| Table No. 12 E | | | | | | |
|--------------------|-----------------|----------------------|-----------------------|-----------------------|----------------------|----------------|
| Plot Area in sqm. | Road width | | | | | |
| | Less than 9 mt. | 9 mt. & up to 12 mt. | 12 mt. & up to 18 mt. | 18 mt. & up to 24 mt. | 24 mt. & up to 30mt. | 30 mt. & above |
| Below 1000 | As per CDCPR | 2.0 | 2.25 | 2.50 | 2.75 | 3.0 |
| 1000 to below 2000 | As per CDCPR | 2.0 | 2.5 | 2.5 | 2.75 | 3.0 |
| 2000 to below 3000 | As per CDCPR | 2.0 | 2.5 | 3.0 | 3.0 | 3.0 |
| 3000 to below 4000 | As per CDCPR | 2.0 | 2.5 | 3.0 | 3.5 | 3.5 |
| 4000 or above | As per CDCPR | 2.0 | 2.5 | 3.0 | 3.5 | 4.0 |

12.6.2.1 Premium to be Paid

Additional FSI over and above the basic permissible FSI of respective land use zones as per CDCPR may be permitted on the payment of premium equivalent as would be decided by Government from time to time.

12.6.2.2 Impact Assessment and Integrated Mobility Plan

Such additional FSI over and above the base permissible FSI, shall be granted by the Authority, after taking into account the Impact Assessment of the implementation of these regulations, regarding the impact on the city and sector level infrastructure and amenities as well as traffic and environment. Such Impact Assessment shall also contain measures to be undertaken to mitigate its likely impact and the Action Plan for implementation of such measures in a time bound manner.

There shall be an Integrated Mobility Plan envisaging inter-linkages between different modes of mass transport, parking management, traffic management and pedestrianisation, non-motorized transport network, last mile connectivity, traffic calming, inter-connected street networking etc.

The impact assessment analysis shall be done by MIDC within 4 months containing the remedial measures required regarding upgradation of infrastructure etc. taking into consideration the impact analysis and provisions of sanctioned statutory plan and need of such area falling in TOD Zone, Local Area Plans shall be prepared by the authority with participation of local residents within a period of four 4 months. Such Local Area Plans shall contain complete street design to achieve optimum densities and also to ensure complete pedestrianisation.

12.6.2.3 The maximum permissible FSI as given in Table under Regulation **12.6.2** shall be calculated on the gross plot area.

12.6.2.4 In case of plot / plots falling partly within the TOD zone, the FSI permissible shall be as follows, provided that the total area of the plot (plot falling within TOD zone plus plot falling

outside TOD zone) shall be as prescribed in the Table in Regulation No.12.6.2.

- i) Where 50% or more area of such plot / plots falls within TOD zone, these regulations including FSI shall apply to the total area of such plot / plots.
- ii) Where less than 50% area of such plot / plots falls within TOD zone, these regulations including FSI shall be applicable to the part of plot / plots falling within TOD zone, whereas for the part of plot / plots falling outside TOD zone, these regulations except provisions regarding FSI shall be applicable. The FSI permissible for the part falling outside TOD zone shall be as per CDCPR.

Notwithstanding anything contained in any other provision of this CDCPR the Parking, Double height terraces upto 20% (subject to payment of premium) and 15% balconies not enclosed, Stair cases, Lift wells with machine rooms, Refuge areas, Voids, Service Floor & Entrance lobbies of the building in TOD zone shall be free of FSI, wherever applicable.

12.6.3 Tenement Size

For any development or redevelopment within TOD zone, size of tenement shall be minimum 25 sqm and maximum 120 sqm of carpet area and out of total proposed tenements, the tenements equivalent to at least 50% of total FSI shall be of a size equal to or less than 60 sqm carpet area except the projects in which rehabilitation of existing tenements is undertaken. In case of redevelopment scheme, size of tenement can be relaxed for Rehab Component subject to other provisions of CDCPR. However for free sale component 50% of residual FSI shall be utilised for tenements of size equal to or less than 60 sqm carpet area. These tenements shall not be allowed to be clubbed / amalgamated in any case.

In case of building with mixed use, 50% of FSI utilized for residential purpose shall be considered for calculating requirement of tenements of a size equal to or less than 60 sqm carpet area.

If the holder / owner of the property needs to build this 50% component at some other location(s) within the same TOD zone / circle, the difference between rate of sale of tenements as mentioned in Annual Statement of Rates shall be paid by the developer to the MIDC as premium

12.6.4 Permissible mixed use in TOD zone

Mixed use in the form of residential and commercial may be permissible on the residential plot in TOD zone fronting on the road width of 12 mt., and above and mix use on plot / plots in commercial zone in Maharashtra Industrial Development Corporation shall be permissible as per the CDCPR and the maximum permissible FSI under these regulations shall be allowed on the payment of premium Purely Mercantile building & Information Technology building will be permissible on independent plot subject to payment of premium For I.T. Buildings the rate of premium for additional FSI permissible shall be as per CDCPR.

Other provisions regarding marginal open spaces shall be governed by the proposed height of structure, as given in the Regulation No. 12.5.6 below and should confirm to the Maharashtra Fire Prevention and Life Safety Measures Act, 2006 (Maharashtra Act no. 111 of 2007) as amended from time to time. No building permission shall be issued without NOC of the Fire Officer wherever applicable. Other regulations regarding front margin, room sizes, apertures for light and ventilation shall be as per the CDCPR.

12.6.5

12.6.6 Marginal Spaces

The marginal spaces shall be as mentioned in Chapter No. 5 of CDCPR.

12.6.7 Parking

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

| Table No. 12 G | | | | |
|----------------|---|--|---|----------------------|
| Sr. No. | Occupancy | One parking space for every | Transit Oriented Development Influence Zone | |
| | | | Car | Scooter / Motorcycle |
| 1 | Residential | For 4 units having carpet area from 25 sqm. and upto 40 sqm. | 0 | 2 |
| | | For 2 units above 40 sqm. and upto 60sqm. | 0 | 2 |
| | | For every unit above 60 sqm. and upto 80 sqm. | 0 | 2 |
| | | For every unit above 80 sqm. | 1 | 2 |
| 2 | Govt. & Semi Govt. Private business buildings | 100 sqm carpet area or fraction there of | 1 | 3 |

Notes -

- Parking spaces for differently able persons shall be provided as per Indian Road Congress Code No. IRC 103:2012 in each new construction / development / re-development in the TOD zone.
- No on street parking shall be permissible, unless specifically allowed in the integrated mobility plan report.
- Maximum 10% visitor parking shall be permissible and the area provided for such parking more than 10% shall be counted in the FSI.
- Parking area provided more than that given in the table above shall be counted in the FSI as given in CDCPR.
- For the occupancies other than those mentioned in the above table, the requirement of parking shall be 50% of that required as per CDCPR.

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

If the owner / developer of the plot falling within the radius of 200 mt. from the Metro Station is willing to provide Public Parking space over and above the parking spaces required as per the table given in Regulation No.12.6.7 above, the same shall be allowed without charging premium for such additional area and in that case the overall premium shall be discounted on 50 % of such parking area while calculating premium for additional FSI allowed over and above the

basic FSI, subject to following conditions :-

- i) Such parking area shall be in the built-up form and shall be handed over to Authority free of cost before granting the Occupation Certificate to the project. The Authority should enter into an agreement with owner / developer for such parking space at the time of granting Commencement Certificate to the project. Such Public Parking area shall be clearly shown on the proposed building plan / layout and a condition to above effect shall be incorporated in the Commencement Certificate.
- ii) The parking area shall have independent access from major road adjacent to the plot and with proper entry and exits.
- iii) The parking area to be made available at individual site shall be at minimum 100 sqm. At one place either at Ground floor / Stilt floor or first floor.
- iv) The maximum parking area that can be provided shall be decided by the authority as the case may be, on considering the location of such site and the parking requirement.
- v) A board showing the location of such public parking space should be displayed at suitable places by the Authority.
- vi) Area covered under such parking shall not be counted towards FSI consumption.
- vii) Concerned land owner / developer / society / public company shall not be allowed to operate the public parking.
- viii) The proposed development shall be further subject to such conditions as may be decided by the authority.

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

12.6.9 For the matters not provided in TOD regulation, the relevant provisions of CDCPR shall apply. However, in case of any conflict between this Regulation and any other Regulation/s of the CDCPR, this Regulation shall prevail for the TOD zone.

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

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

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

12.6.13 In case of independent unit / Bungalow for self-use, such Development / Redevelopment may be allowed within basic FSI subject to CDCPR.

Notwithstanding anything contained in this regulation, if any development on plot in TOD zone is proposed as per CDCPR entirely, it shall be permissible.

12.6.14 The layout of building / group housing layout or standalone building on a plot / plots situated in TOD zone / Circle, over which construction is started and for which occupancy certificate is not

granted, may be revised and balance potential, if any, may be allowed subject to structural stability criteria and as per the above provisions subject to following.

- a) **Marginal Distance** - The existing marginal distances including front margin may be allowed for higher floor / floors and necessary relaxation to that extent may be granted by the C.E.O. subject to compliance of all fire requirements and fire NOCs by charging hardship premium Hardship premium is to be decided by the C.E.O. In any case sanctioned existing marginal / front margin distance shall not be reduced.
- b) **Parking** - For the on-going buildings, the requirement of parking as per this regulation shall be applicable for the balance building potential.
- c) **Tenement size** - For the on-going buildings, the requirement of tenement size as per this regulation shall be applicable for the balance building potential.

12.6.15 The Amount received as scrutiny fee, hardship premium, and premium for additional FSI etc. in TOD zone / circle shall be kept in separate head at authority level and shall be utilized for development of metro project as per directives issued by Government from time to time.

12.7 PRADHAN MANTRI AWAS YOJANA

12.7.1 In Residential / Commercial / Public semi-public zone, Affordable Housing for the Economically Weaker Sections (EWS) & Low Income Group (LIG), undertaken by Government / any Institutions authorized by the Government or Owner / any Private Developer (hereinafter referred to "the Project Proponent"), shall be permitted, subject to the following conditions.

Conditions -

1. These Regulations shall only be applicable for development undertaken under "Pradhan Mantri Awas Yojana" wherein all the tenements shall be constructed for EWS / LIG with the use of latest technology, subject to conditions herein below.
2. The permissible FSI for such projects shall be the maximum building potential on the plot mentioned in Regulation No. 5.5. No premium shall be charged for this FSI.
3. Out of the FSI allowed in PMAY, 10% of the basic FSI mentioned in Regulation No. 5.5, shall be allowed for commercial use.
4. The Authority, before granting development permission, shall verify and satisfy himself in respect of the feasibility of providing basic infrastructure facilities like electricity, water supply, sewerage etc. required for the project.
5. The project proponent shall plan proper internal Road network including major linkage upto outside roads, wherever necessary.
6. The project proponent shall provide all the basic facilities and utilities, on-site infrastructure such as Road, Water Line, Drainage Line, Street Light, Waste Water Recycling Plant etc. at his own cost to the satisfaction of the Authority. In no case the burden of providing infrastructure shall lie with the Authority
Provided that the project proponent shall lay the water, drainage/sewage lines upto the nearest existing lines which are laid by the concerned Planning Authority.
7. The carpet area of the tenement shall not be more than the carpet area as may be decided by the Government of Maharashtra from time to time in respect of EWS /LIG Housing.
8. Amalgamation of two or more tenements shall not be permissible under any circumstances.

9. All other guidelines and norms shall be followed as may be decided by the Government of India or State Government, from time to time in respect of "Pradhan Mantri Awas Yojana".

Note - In Industrial zone, "Pradhan Mantri Awas Yojana" may be allowed as per the policy of MIDC.

12.8 ERECTION OF MOBILE TOWERS

Erection/ setting up telecommunication cell sites/ base stations and installation of the equipment for telecommunication network shall be permissible as per the norms of department of telecommunication / information technology or concerned department of the Central / State Government.

12.9 APPLICABILITY OF URBAN RENEWAL SCHEME FOR MIDC LAND

The following regulations shall be applicable for the MIDC lands in the Corporation limit which are included in Urban Renewal Scheme as per Regulation No. 14.8 of Unified Development Control & Promotion Regulations.

Urban Renewal Scheme"(URS) means any scheme for redevelopment of a cluster or clusters of buildings and structures in Municipal Corporation Area as per provision in Regulation No.14.8 of UDCPR sanctioned for the Maharashtra State.

- i) *The lands belonging to MIDC or leased out by the MIDC either unutilized vacant or encroached if required for URS as per UDCPR sanctioned for the Corporation can be made available by MIDC for the inclusion in such URS.*

12.9.1 Entitlement for Land Owned by MIDC under URS

MIDC having any legal rights over any parcel of land falling under URS shall be eligible for consideration for such land as per following provisions. Implementation of URS shall be regarded as a public purpose.

12.9.2 Consideration for Land Falling under URS

MIDC having legal rights in any land required for URS shall be eligible for consideration for the entitled area of land as provided hereinafter.

- i) *MIDC in legal possession and ownership of vacant unutilized land :- Entitled area collectively against this parcel of land shall be equivalent 50% to the area of the land.*
- ii) *MIDC having right over encroached land :- Entitled area collectively against this parcel of land shall be calculated at 12.5% of area of the land.*
- iii) *MIDC land leased out to individual - Entitled area for the lessee shall be 50% of the plot area and area to be included in URS scheme shall be 50%. In addition to this 25% of the land area shall be given to the MIDC at suitable place.*

12.9.3 Consideration for Land Made Available by MIDC to the Municipal Corporation for URS.

In case of buildings or lands belonging to MIDC made available by MIDC for URS, consideration against the entitled area shall be as per Regulation No.14.8.8(iv) (c) (v) of UDCPR sanctioned for the Maharashtra State as follows:-

- i) *Either Market Price.*
- ii) *Constructed area in-situ or ex-situ in a composite or independent building. or*
- iii) *An exchange of suitable land. Mode of consideration shall be decided upon as per*

mutual consent between MIDC and Municipal Commissioner/ Implementation Agency appointed for respective URS. subject to ratification by the MIDC and thereafter such land(s)/building(s) shall vest with the Municipal Corporation for the purpose of URS. However, in case of (iii) mode of consideration, exchanged land shall vest with MIDC and rest of the land, as specified in Regulation No. 12.9.2, shall vest with the Municipal Corporation /Implementation agency appointed for respective URS.

12.9.4 The Permissible FSI & Permissible Uses

The permissible FSI & permissible user on the exchanged land vested with MIDC as per above consideration mode in Regulation No. 12.9.3 (iii) shall be as follows:

i) The permissible FSI :-

- a) Permissible FSI on the area received as per Regulation No. 12.9.2 (i) & (iii) = 4 X built-up area equal to area of the land i.e. original area made available for URS.*
- b) Permissible FSI on the land received as per Regulation No.12.9.2 (ii) = 0.5 X built-up area equal to area of the land i.e. original area made available for URS.*

ii) Permissible Uses :-

Development/construction on the exchanged land vested with MIDC as per above consideration mode in Regulation No. 12.9.3 (iii) shall be allowed to be undertaken for the uses as may be permitted by Chief Executive Officer, MIDC. However, for the proposed industrial user, the required segregating distance shall be maintained.

--*-*-**

APPENDIX A-1:**FORM FOR CONSTRUCTION OF BUILDING OR LAYOUT OF BUILDINGS / GROUP HOUSING****Application for permission for development under Section 44 / 58 of The Maharashtra Regional and Town Planning Act, 1966.**

From _____ (Name of the owner)

To,

The ----- (Designation of the Officer.)

MIDC -----,

Sir,

I intend to carry out the ----- (mention the use of proposed development) on Plot No. ----- , at ----- Industrial area, Revenue S.No. -----/Gat No. ----- / Khasara No. -----/ City Survey No.----- / Final Plot No. ----- Mauje ---- situated at Road / Street -----in accordance with Section 44/58 of the Maharashtra Regional and Town Planning Act, 1966.

I forward herewith the following plans and statements (Item i to xi), wherever applicable, in quadruplicate, signed by me (Name in block letters) ----- and the Architect / Licensed Engineer / Supervisor (Name in block letters) ----- (License No-----), who has been engaged by me and has prepared the plans, designs and a copy of other statements / documents as applicable.

- 1) Key Plan (Location Plan), (to be shown on first copy of the set of plans)
- 2) Site Plan showing the surrounding land and existing access to the land proposed to be developed; (to be shown on first copy of the set of plans).
- 3) Measurement plan / measurement plan attached to possession receipt.
- 4) A detailed building plan showing the plan, section/s and elevation/s of the proposed development work along with existing structure to be retained/ to be demolished, if any;
- 5) Particulars of development in form enclosed (excluding individual Residential building);
- 6) Copy of sanctioned layout plan / sub-division plan if any;
- 7) An extract of lease deed / agreement to lease / record of rights 7-12 / property register card (any other document showing ownership of land to be specified);
- 8) Attested copy of receipt of payment of scrutiny fees;
- 9) Latest property tax receipt, if any;
- 10) No Objection Certificate(s), wherever required.

I request that the proposed development / construction may be approved and permission be granted to me to execute the work. I hereby undertake that I shall carry out the work according to the approved plans.

Signature of Owner

Name of Owner

Address of Owner

Contact No.

E-mail -

Dated

CERTIFICATE

The above mentioned Plans are prepared by me as per CDCPR.

Signature of the Architect /

Licensed Engineer / Supervisor.

Name.

License No.

Contact No.

E-mail -

Dated

| Form Giving Particulars of Development | | |
|--|---|--|
| (Item (5) of Appendix A-1) | | |
| 1. | (i) Full Name of Applicant | |
| | (ii) Address of applicant | |
| | (iii) E-mail ID | |
| | (iv) Contact / Mobile No. | |
| | (v) Name and address of Architect / licensed Engineer / Supervisor. | |
| | (vi) No. and date of issue of License. | |
| 2. | (a) Is the plot of, allotment by MIDC, a City Triangulation Survey Number, Revenue Survey Number or Hissa Number of a Survey Number or a plot of an approved layout? | |
| | (b) If the plot is allotted by MIDC, state the date of allotment. | |
| | (c) Please state Sanction Number and Date of Sub-division/ Layout. (if applicable) | |
| 3. | (a) What is the total area of the plot according to the i) Ownership document? ii) Measurement plan? | |
| | (b) Does it tally with the MIDC / Revenue / CTS Record ? | Yes / No |
| | (c) What is the actual area available on site measured by Architect / licensed Engineer / Supervisor? (The permission shall be based on the area whichever is minimum) | |
| | (d) Minimum area of 3 (a) (i), (ii) and 3 (c) above | |
| | (e) Is there any deduction in the original area of the plot on account of i) D.P. Roads, or ii) Reservation(s) If so, are they correctly marked on the site plan? Please state the total area of such deductions? | Yes / No Area ----- Yes / No Area ----- Yes / No Total Area ----- |
| | (f) Is there any water stream in the land? State the area of such land. | Yes / No Area ----- |
| | (g) What is the area remained for development after above deduction(s)? | Area ----- |
| | (h) What is the area proposed for recreational open space? | Area ----- sqm |
| | (i) What is the area proposed for amenity space? | |

| | | |
|----|---|----------------------------------|
| | i) Whether amenity space as required under Regulation No.3.5 is left? | Yes / No Area ----- |
| | (j) What is the net plot area as per Regulation No. 3.7 ? (excluding (i) above) | Area ----- |
| 4. | Are all plans as required under Regulation No.2.2 enclosed? | Yes / No |
| 5. | (a) In what zone does the plot fall? | |
| | (b) For what purpose the building is proposed? Is it permissible according to the land use classification? | ----- Yes / No |
| 6. | (a) Is road available as an approach to the land? What is the average existing width of the road? (If the plot abuts on two or more roads, the above information in respect of all roads should be given) | Yes / No Existing Width ----- |
| | (b) Is the land fronting on any statutory road ? If so, width of the statutory road. | Yes / No Width ----- |
| | (c) Is the land fronting on National or State highway? If so, is the Building line / control line maintained ? Please state the distance. | |
| | (d) What is the height of the building above the average ground level of the plot? | Height ----- |
| | (e) Is it within permissible limit of height specified in Regulation No. 5.9 ? | Yes / No |
| | (f) Is height approved by Chief Fire Officer, MIDC ? (In case of special building.) | Yes / No |
| 7. | Is the land subject to restrictions of blue / red flood line, airport, railway, electric line, land fill sites, archaeology, etc.? Please state the details along with 'No objection certificate', if any. | Yes / No ----- |
| 8. | (a) If there are existing structures on the plot. | Yes / No |
| | (i) Are they correctly marked and numbered on the site plan? | Yes / No |
| | (ii) Are those proposed to be demolished immediately and hatched in yellow colour? | Yes / No |
| | (iii) What is the plinth area and total floor area of all existing structures to be retained? (Please give details confirming to the plan submitted) | |
| 9. | (a) Please state the total built up area on the basis of outer line of construction (including balconies, double height terraces, revas projection, cupboards ets. but deducting voids) (existing + proposed) | |

| | | | |
|-----|---|---------------------------|---------------------|
| | (b) What is the basic permissible F.S.I.? | | |
| | (c) What is the premium FSI proposed to be utilised? | | |
| | (d) What is the incentive FSI proposed to be utilised? | | |
| | (e) Please state the overall F.S.I. utilised in the proposal? | | |
| | (f) Is carpet area of each unit mentioned on the plan? | | |
| 10. | (a) What is the width of the front marginal distance (s)? If the building abuts two or more roads, does the front marginal distance comply with Regulation? | | |
| 11. | (a) What is : | Permissible | Proposed |
| | (i) the front set-back (s) ? | | |
| | (ii) the side marginal distance (s)? | | |
| | (iii) the rear marginal distance (s)? | | |
| | (vi) the distance between buildings? | | |
| 12. | (a) What are the dimensions of the inner or outer chowk? | | |
| | (b) Is / are room (s) dependent for its light and ventilation on the chowk? If so, are the dimensions of the chowk as required? | | |
| 13. | (a) Whether use of every room / part mentioned on the plan? | | |
| | (b) Whether every habitable room derives light and ventilation required under the regulations? | | |
| 14. | If the height of the building is more than 15 meter above the average ground level, is provision for lifts made? | | |
| | (a) If so, give details of lift. | Passenger Capacity | No. of Lifts |
| | | | |
| | (b) Details of Fire Lift. | Passenger Capacity | No. of Lifts |
| | | | |
| 15. | (a) Does the building fall under purview of Special Building Regulation No.2.2.8? | | |
| | (b) If so, is fire escape staircase provided in addition to regular staircase? | Yes / No | |
| | (c) Whether the ramps to the basement are provided leaving 6 m marginal distance for movement of fire fighting vehicle in case of special building ? | Yes / No. | |
| | (d) If podiums are proposed, does it allow the movement of fire fighting vehicle properly? | Yes / No. | |

| | | | | |
|--|--|---|-----------------|-----------------|
| 16. | (a) What are the requirements of parking spaces under the Regulation No. 7.1 ? How many are proposed? | | Required | Proposed |
| | | Car | | |
| | | Scooter | | |
| 17. | Is the sanitary arrangement provided as per the regulation? | | | |
| 18. | Details of the source of water to be used in the construction ? | | | |
| 19. | Distance from the sewer line. (if sewerage system is available) | | | |
| 20. | Please explain in detail in what respect the proposal does not comply with the Comprehensive Development Control and Promotion Regulations and the reasons there for, attaching a separate sheet if necessary. | | | |
| I hereby declare that I am the Architect/ licensed Engineer/ Supervisor employed for the proposed work and that the statements made in this form are true and correct to the best of my knowledge. | | | | |
| Date : / / | | Signature of the Architect / licensed Engineer / Supervisor employed. | | |

| <p align="center">Form of Statement 1 (to be printed on plan) [Sr. No. 8 (a) (iii)] Existing Building to be retained</p> | | | | |
|--|-----------|-------------|---------------------------------------|----------------------------|
| Existing Building No. | Floor No. | Plinth Area | Total Floor Area of Existing Building | Use / Occupancy of Floors. |
| (1) | (2) | (3) | (4) | (5) |
| | | | | |

| <p align="center">Form of Statement 2 (to be printed on plan) [Sr. No. 9 (a)] Proposed Building</p> | | |
|--|-----------|---|
| Building No. | Floor No. | Total Built-up Area of floor, as per outer construction line. |
| (1) | (2) | (3) |
| | | |
| | | |
| | Total | |

| <p align="center">Form of Statement 3 (to be printed on plan) [Sr. No. 9 (g)] Area details of Apartments / Units</p> | | | | | |
|---|-----------|------------------|---------------------------------|---|--|
| Building No. | Floor No. | Apartment / Unit | Carpet Area of Apartment / Unit | Area of Balcony Attached to Apartment/ Unit | Area of Double Height Terraces Attached to Apartment/ Unit |
| 1 | 2 | 3 | 4 | 5 | 6 |
| | | | | | |
| Note : Above statements may vary, wherever required. | | | | | |

| Proforma – I : Area Statement (At Right Hand top Corner of Plans) | |
|---|-------------------------------|
| PROPOSED ----- (MENTION USE) ON. PLOT NO. / S.NO. / GAT NO. / C.T.S. NO. ----- OF ----- INDUSTRIAL AREA, VILLAGE ----- | Drawing Sheet No.: X/Y |
| Stamps of Approval of Plans: | |
| AREA STATEMENT | |
| 1. Area of plot <i>(Minimum area of a, b, c to be considered)</i> | |
| (a) As per ownership document (7/12, CTS extract) | |
| (b) as per measurement sheet | |
| (c) as per site | |
| 2. Deductions for | |
| (a) Proposed statutory road / road widening Area / Service Road / Highway widening | |
| (b) Any Reservation area in statutory plan. | |
| (Total a+b) | |
| 3. Balance area of plot (1-2) | |
| 4. Amenity Space (if applicable) | |
| (a) Required - | |
| (b) Adjustment of 2(b), if any - | |
| (c) Balance Proposed - | |
| 5. Net Plot Area (3-4 (c)) | |
| 6. Recreational Open space (if applicable) | |
| (a) Required - | |
| (b) Proposed - | |
| 7. Internal Road area | |
| 8. Platable area (if applicable) | |
| 9. Built up area with reference to Basic F.S.I. (Sr. No. 5 x basic FSI) | |

| | | | | | | |
|--|--|--------------|-----------------|-------------------|--|--|
| 10. | Addition of FSI on payment of premium | | | | | |
| | (a) Maximum permissible premium FSI / TOD Zone. | | | | | |
| | (b) Proposed FSI on payment of premium | | | | | |
| 11. | In-situ FSI | | | | | |
| | (a) In-situ area against statutory road [2.0 x Sr. No. 2 (a)], if any | | | | | |
| 12. | Additional FSI area under Chapter No. 6 | | | | | |
| 13. | Total entitlement of FSI in the proposal | | | | | |
| | (a) [9 + 10(b)+11(a)] or 9 + 12 whichever is applicable. | | | | | |
| | (b) Ancillary Area FSI upto 60% or 80% with payment of charges. | | | | | |
| | (c) Total entitlement (a+b) | | | | | |
| 14. | Maximum utilization limit of F.S.I. (building potential) Permissible as per Road width {(as per Regulation No. 5.5 of Chapter - 5) } x 1.6 or 1.8} | | | | | |
| 15. | Total Built-up Area in proposal. | | | | | |
| | (a) Existing Built-up Area. | | | | | |
| | (b) Proposed Built-up Area (as per 'P-line') | | | | | |
| | (c) Total (a+b) | | | | | |
| 16. | F.S.I. Consumed (15/13) (should not be more than serial No.14 above.) | | | | | |
| Certificate of Area: | | | | | | |
| Certified that the plot under reference was surveyed by me on _____ and the dimensions of sides etc. of plot stated on plan are as measured on site and the area so worked out tallies with the area stated in document of Ownership/ MIDC Records/ Land Records Department/City Survey records. | | | | | | |
| Signature | | | | | | |
| (Name of Architect/ Licensed Engineer/ Supervisor.) | | | | | | |
| Owner's Declaration – | | | | | | |
| I/We undersigned hereby confirm that I/We would abide by plans approved by Authority / Collector. I/We would execute the structure as per approved plans. Also I/We would execute the work under supervision of proper technical person so as to ensure the quality and safety at the work site. | | | | | | |
| Owner (s) name and signature | | | | | | |
| Architect/ Licensed Engineer/ Supervisor name and signature | | | | | | |
| Job No. | Drawing No. | Scale | Drawn by | Checked by | Registration No. of Architect/ License no. of Licensed Engineer/ Supervisor | |
| | | | | | | |

APPENDIX A-2:

FORM FOR SUB-DIVISION OF LAND AS PLOTTED LAYOUT

Application for permission for development under Section 44/58 of The Maharashtra Regional and Town Planning Act, 1966.

From ----- (Name of the owner)

To,

The ----- (Designation of the Officer.)

MIDC -----,

Sir,

I intend to carry out the ----- (mention the use of proposed development) on Plot No. -----, at ----- Industrial area, Revenue S.No. -----/Gat No. ----- / Khasara No. -----/ City Survey No. --- / Final Plot No. ----- Mauje ----- situated at Road / Street -----in accordance with Section 44/58 of the Maharashtra Regional and Town Planning Act, 1966.

I forward herewith the following plans and statements (Item 1 to 7), wherever applicable, in quadruplicate, signed by me (Name in block letters) ----- and the Architect / Licensed Engineer / Supervisor (Registration/ License No. -----), who has been engaged by me and has prepared the plans, designs and a copy of other statements /documents as applicable.

- (1) Key Plan (Location Plan);(to be shown on first copy of the set of plans)
- (2) Site Plan showing the surrounding land and existing access to the land included in the layout;(to be shown on first copy of the set of plans)
- (3) Measurement plan / measurement plan attached to possession receipt.
- (4) A layout plan showing,
 - (i) sub-divisions of the land or plot with dimensions and area of each of the proposed sub-divisions and its use according to prescribed regulations;
 - (ii) width of the proposed streets; and
 - (iii) dimensions and area of recreational open spaces provided in the layout.
 - (iv) dimensions and area of amenity space provided in the layout.
- (5) An extract of lease deed / agreement to lease / record of rights 7-12 / property register card (any other document showing ownership of land to be specified);
- (6) Particulars of development in Form enclosed.
- (7) Attested copy of Receipt for payment of scrutiny fees.
- (8) No Objection Certificate, wherever required.

I request that the proposed Sub-division / layout may please be approved and permission accorded to me to execute the work.

Signature of Owner

Name of Owner

Address of Owner

Contact No.

Dated:

CERTIFICATE

The above mentioned Plans are prepared by me as per CDCPR.

Signature of the Architect / Licensed
Engineer / Supervisor.

Name

License No.

Contact No.

Dated

Form giving Particulars of Development

(Part of Appendix A-2, Item 6)

| | | |
|----|---|---|
| 1. | (a) (i) Full Name of Applicant | |
| | (ii) Address of applicant | |
| | (iii) e-mail ID | |
| | (iv) Mobile No. | |
| | (b) (i) Name and address of Architect/ licensed Engineer / Supervisor employed. | |
| | (ii) No. and date of issue of License (Registration No. in case of Architect.) | |
| 2. | (a) Is the plot of, allotment by MIDC, a City Triangulation Survey Number, Revenue Survey Number or Hissa Number of a Survey Number or a plot of an approved layout? | Yes / No. ----- |
| | (b) If the plot is allotted by MIDC, state the date of allotment. | |
| 3. | (a) What is the total area of the plot according to measurement plan? | Area ----- |
| | (b) What is the area as per MIDC / Revenue / CTS Record | Area ----- |
| | (c) What is the actual area available on site measured by Architect/ licensed Engineer / Supervisor? (The permission shall be based on the area whichever is minimum) | Area ----- |
| | (d) Is there any deduction in the original area of the plot on account of statutory Roads or reservation(s). If so, are they correctly marked on the site plan? Please state the total area of such deductions? | Yes / No. Statutory Road / Road widening Area ----- Reservation Area - ----- |
| | (e) Is there any water stream in the land? State the area of such land and state whether it is excluded? | Yes / No. Area ----- |
| | (e) What is the area remained for development after above deduction(s)? | Area ----- |
| | (f) What is the area proposed for recreational open space? (For minimum original holding as mentioned in Regulation No. 3.4) | Area ----- |
| | (g) Whether amenity space as required under Regulation No. 3.5 is left? Please mention the area. | Yes / No. Area ----- |
| | (h) What is the net plot area as per Regulation No. 3.7? | Area ----- |
| 4. | Are all plans as required under Regulation No.2.2 enclosed? | Yes / No. |
| 5. | (a) In what zone does the plot / land fall? | |

| | | |
|-----|--|---------------------------|
| | (b) For what purpose the layout is proposed? Is it permissible according to the land use classification? | |
| 6. | (a) Is road available as an approach to the land? What is the average existing width of the road? (If the plot abuts on two or more roads, the above information in respect of all roads should be given) | Yes / No. Width -----m |
| | (b) Is the land fronting on road in statutory plan ? If so, width of the such road | Yes / No. Width -----m |
| | (c) Is the land fronting on National or State highway? If so, is the Building line / control line maintained? Please state the distance. | Yes / No. ----- |
| 7. | Is the land subject to restrictions of blue / red flood line, airport, railway, electric line, land fill sites, archaeology, etc.? Please state the details along with 'No objection certificate', if any. | Yes / No. |
| 8. | Whether the internal roads proposed in the layout conform to the Regulation No.3.3 ? | Yes / No. |
| 9. | Whether roads in the layout are co-ordinated with the roads in the surrounding layout? | Yes / No. |
| 10. | Whether the area and dimensions of plots are proposed as per prescribed regulations? | Yes / No. |

I hereby declare that I am the Architect/ Licensed Engineer / Supervisor employed for the proposed work and that the statements made in this form are true and correct to the best of my knowledge.

Date : / /

Signature of the Architect/
Licensed Engineer/ Supervisor
employed.

| Proforma – I : Area Statement (At Right Hand top Corner of Plans) | |
|--|-------------------------------|
| Proposed ----- Layout on Plot No. / S.No. / C.T.S. No / Gat. No. /----- of Village -----. | Drawing Sheet No.: X/Y |
| Stamps of Approval of Plans: | |
| Area Statement | |
| 1. Area of Plot (Minimum area of <i>a, b, c</i> to be considered) | |
| (a) As per ownership document (MIDC, 7/12, CTS extract) | |
| (b) as per measurement sheet | |
| (c) as per site | |
| 2. Deductions for | |
| (a) Proposed statutory road / road widening Area/Service Road / Highway widening | |
| (b) Any Reservation area in statutory plan | |
| (Total a+b) | |
| 3. Balance area of plot (1-2) | |
| 4. Amenity Space (if applicable) | |
| (a) Required - | |
| (b) Adjustment of 2(b), if any - | |
| (c) Balance Proposed - | |
| 5. Net Plot Area (3-4 (c)) | |
| 6. Recreational Open space (if applicable) | |
| (a) Required - | |
| (b) Proposed - | |
| 7. Internal Road area | |
| 8. Platable area | |
| 9. Pro-rata factor for FSI calculation on layout plots = (5/8) | |

Certificate of Area:

Certified that the plot under reference was surveyed by me on _____ and the dimensions of sides etc. of plot stated on plan are as measured on site and the area so worked out tallies with the area stated in document of Ownership / MIDC Records / Land Records Department / City Survey records.

Signature

(Name of Architect/Licensed Engineer/Supervisor.)

Owner (s) name and signature

Architect/ Licensed Engineer/ Supervisor name and signature

Statement of distribution of FSI on each plot

(to be printed at suitable place on plan)

| Plot No. | Plot area (sqm) | Corner Rounding area of Road (if any) (sqm) | Remaining Plot area (b-c) (sqm) | Pro-Rata FSI factor | Built up area on pro-rata basis i.e. (d x e) * | Basic FSI | Permissible Built-up area on plot (f x g) (sqm) |
|-----------------|------------------------|--|--|----------------------------|---|------------------|--|
| (a) | (b) | (c) | (d) | (e) | (f) | (g) | (h) |
| | | | | | | | |
| | | | | | | | |

* This factor may not be applied in case of individual plot, if quantum of FSI to be apportioned on various plots is varied. In such case, column (e) shall read as "quantum of pro-rata FSI to be utilised" and total of this column in terms of area shall be equal to or less than the quantum at Sr. No. 5.

**APPENDIX 'B':
FORM FOR SUPERVISION**

To,

The ----- (Designation of the Officer.)

MIDC -----,

Sir,

I hereby certify that the development / erection / re-erection / demolition (or material alteration in) on Plot No. ----- at ----- Industrial area, Building No ----- on / in ----- in Block No. ----- situated at Road / street ----- Revenue S.No. ----- / Gat No. -----/ Khasara No. ----- / City Survey No. -----, Village ----- shall be carried out under my supervision and I certify that all the materials (types and grade) and the workmanship of the work shall be generally in accordance with the general specifications and that the work shall be carried out according to the sanctioned plans. I shall be responsible for the execution of the work in all respects.

Date : / /

Signature and name of the Architect or Licensed Engineer / Site Engineer / Supervisor. *

Registration/ License No.

* Strike out whichever is not applicable.

CERTIFICATE

** I hereby certify that the structural drawings for the above mentioned work are prepared by me / us and work, as far as structural drawings are concerned, shall be carried under my supervision. I shall be responsible for the execution of the work as far as structural drawings are concerned.

Signature and name of the Structural Engineer / Architect / Licensed Engineer. ***

Registration/ License No.

Date :

** Required in case of building above G +2 or Stilt + 2 structure & special buildings as mentioned in Regulation No.2.2.7 (xiv) & 2.2.8 (xviii).

*** Strikeout whichever is not applicable.

CERTIFICATE

***** I hereby certify that the work of structural elements for the above mentioned work shall be carried under my supervision as per the above mentioned structural drawings after due verification by concerned Structural Engineer. I shall be responsible for the execution of the work, quality of material used and quality of workmanship as per the above mentioned Structural Design and structural drawings.***

Date :

***Signature and name of the Architect or
Licensed Engineer/ Site Engineer /Supervisor. *
Registration/ License No.***

***** Wherever applicable.***

**** Strikeout whichever is not applicable***

APPENDIX -C**QUALIFICATION, COMPETENCE, DUTIES AND RESPONSIBILITIES ETC. OF LICENSED TECHNICAL PERSONNEL OR ARCHITECT FOR DEVELOPMENT PERMISSION AND SUPERVISION.****C-1 GENERAL**

- C-1.1** The qualifications of the technical personnel and their competence to carry out different jobs for development permission and supervision for the purpose of licensing by the Authority shall be as given in Regulation No. C-2 to C-6. The procedure for licensing the technical personnel is given in Regulation No.C-7. In the event, the services of the technical personal is discontinued by the owner / developer or such technical personal resigns from the services, he shall forthwith intimate to the authority and owner / developer shall immediately appoint another technical person on the project.

C-2 ARCHITECT**C-2.1 Qualifications-**

The minimum qualifications for an architect shall be the qualifications as provided for in the Architects Act, 1972 and should be registered with the Council of Architecture with valid membership. Such registered Architects shall not be required to again register their names with the Authority. However, he shall submit the registration certificate to the Authority.

C-2.2 Competence of Architect:

To carry out work related to development permission as given below and shall be entitled to submit -

- i) All plans and technical information connected with designs and plans of development permission.
- ii) Structural details and calculations for building on plot upto 500 sqm and upto 3 storeys or 11 m height and
- iii) Certificate of architectural supervision and completion for all buildings.

C-2.3 Duties and Responsibilities.

- i) To design as per Client's requirements and site conditions.
- ii) To prepare and submit plans as per the Regulations and shall be responsible for correctness of the calculations and dimensions mentioned on the plan and shall be liable for consequences arising thereof.
- iii) To represent before the Authority for scrutiny of drawings.
- iv) To prepare and issue working drawings details in conformity with approved plans.
- v) To advice client to appoint Site Engineer/ Supervisor, in case he himself is not undertaking the supervision work.
- vi) To inform Authority about Commencement of work on site.
- vii) To verify the work at obligatory stages of plinth completion, completion of RCC structure and superstructure completion to ensure work progress in conformity of approved drawings and dimensions.

- viii) To inform Authority about reaching relevant stage of work where stage-wise approval from the authority is required.
- ix) To issue completion / part completion certificate for submission to the authority.
- x) To inform in writing to the Authority in case of violation by Client during the period of appointment
- xi) To assist and co-operate with the Authority and other officers in carrying out and enforcing the provisions of Maharashtra Regional and Town Planning Act, 1966 and of any regulations for the time being in force under the same.

The above mentioned Architect's scope and responsibilities shall be similarly applicable for Landscape/ Heritage & Conservation Consultant, if any.

C-3 ENGINEER

C-3.1 Qualifications-

- i) The qualifications for Licensing Engineer shall be the corporate membership (Civil) of the Institution of Engineers or such Degree or Diploma in Civil or Structural Engineering or equivalent; **or**
- ii) Diploma in Civil Engineering or Diploma in Architectural Assistance ship or equivalent qualification, having experience of 10 years in the field of land and building planning.

C-3.2 Competence-

To carry out work related to development permission as given below and shall be entitled to submit-

- i) All plans and related information connected with development permission.
- ii) Structural details and calculations for building on plot upto 500 sqm and upto 3 storeys or 11m height, and
- iii) Certificate of supervision and completion for all buildings.

C-3.3 Duties and Responsibilities.

Duties and Responsibilities of the Engineer shall be as mentioned in C-2.3 above within the competency mentioned in Clause - C-3.2.

C-4 STRUCTURAL ENGINEER

C-4.1 Qualifications-

- i) Graduate in Civil Engineering of recognised Indian or Foreign University and Chartered Engineer or Associated Member in Civil Engineering Division of Institution of Engineers (India) or equivalent Overseas Institution with minimum 3 years of experience of structural engineering practice in designing and related field work; **or**
- ii) Post graduate degree in structural engineering with 2 years' experience; **or**
- iii) Doctorate in structural engineering with 1 year experience.

C-4.2 Competence –

The structural engineer shall be competent.

- i) To prepare the structural design, calculations and details of all buildings and carry out verification of reinforcement as per stages of work.
- ii) To carry out structural audit/ structural condition survey of the existing/ old buildings.

C-4.3 Duties and Responsibilities of Structural Engineer

- i) To prepare all structural layouts and structural design related with plan and development on the basis of details received from architect/ owner/ builder/ developer/ geo technical consultant.
- ii) To avail the services/advice of Geotechnical Engineer, wherever required.
- iii) To provide lists of tests to be carried out at each stage of work and allow the further work only after satisfying with the same.
- iv) To verify the structural elements in compliance with structural drawings.
- v) To document the site visit report mentioning therein the deviation/lapses, if any, in respect of structural elements designed by him and inform the same to the site engineer, owner / developer, architect / licensed personnel for rectification required.
- vi) He shall be responsible for the adequacy of the structural design in compliance with BIS code and plans received from architect/ owner/ builder/ developer.
- vii) The structural engineer will advise owner/ builder/ developer to appoint formwork co-coordinator (FWC) and same shall be employed by the owner/ builder/ developer for the project.
- viii) To issue certificate of structural design adequacy at the time of completion *shall be in the following format, wherever applicable :-*

PRAPTR -1**CERTIFICATE AS PER APPENDIX C-4.3(viii)****Structural Design Adequacy***(to be submitted at the time of completion)**To,**The Authority**(Name of the Authority)**Sir,*

I /we have been appointed as Structural Engineer by m/s-----for preparing the structural design and drawings for the New structure consisting of -----floors, construction of ----- additional floors over existing structure with -----floors, as described in my enclosed Design base report, based on the Architectural drawings and other utilities and services requirements given by the Owner/ Developer of the development work of building in Plot No. ----- at ----- Industrial area, Building No ----- on / in ----- in Block No.-----situated at Road / street-----Revenue S.No. -----/Gat No.-----/ Khasara No. ----- / City Survey No. -----, Village ----- The following listed firms /persons are associated with the work as appointed by M/s-----.

*Architect :- -----**Owner /Developer:-----**Licensing Engineer:-----**Site Engineer:-----*

I/we hereby certify and confirm adequacy of the structural design for intended use represented through my structural drawing issued from time to time.

I/we further confirm that the structural design structural drawings and details of the building which has been done by me/us, satisfy the structural safety requirements for all

situations including natural disasters, as applicable, as stipulated in National Building Code of India and its Part 6- Structural Design and other relevant Codes, considering the report of Subsurface investigations, where applicable.

I/we enclosing herewith undertaking of Site Engineer/ licensed Engineer, Owner regarding compliance with structural drawings and adherence to standard construction practices while executing the construction work.

On the basis of this I/we hereby certify that to the best of my Knowledge and belief the said structure is structurally fit for the intended purpose.

As a Structural Engineer for design my responsibilities are limited to providing structural design structural drawings and details in accordance with the provisions of relevant prevailing Indian Standard codes, and visits to site at specified stages called for by the Supervising Structural Engineer/ Supervising Engineer/ site Engineer for verification of reinforcement laid. All issues related to Supervision, Materials, Workmanship and execution are the sole responsibility of the Supervising Structural Engineer/Supervising Engineer/ site Engineer. Visit made by me as Structural Engineer are not for Supervision since, i/we are not responsible for supervision and quality of work. This certificate is issued on the clear understanding that my overall design responsibility for safe and proper performance of structural design ceases, the moment any addition and /or alteration or any damage to the structural frame is caused by accident or by tampering with the geometrical sections of structural members for any purpose whatsoever or due to overloading of the structure or lack of maintenance or any act that is detrimental to the structure as a whole.

This certificate is issued in conjunction with the certificate of the licensed Engineer and owner certifying the quality of work.

Enclosure-

- 1)
- 2)
- 3)

Date :

Signature and name of the Licensed Structural Engineer

Registration/ License No.

C-5 SUPERVISOR

C-5.1 Qualification

(a) For Supervisor 1 :-

- i) Three years architectural assistantship or intermediate in architecture with two years experience, or
- ii) Diploma in Civil engineering or equivalent qualifications with two years experience. or
- iii) Draftsman in Civil Engineering from ITI or equivalent qualifications with Ten years experience out of which five year shall be under Architect/Engineer.

(b) For Supervisor - 2 :-

- i) Draftsman in Civil Engineering from ITI or equivalent qualifications with five years experience under Architect/ Engineer.

C-5.2 Competence**(a) For Supervisor-1: He shall be entitled to submit -**

- i) All plans and related information connected with development permission on plot upto 500 sqm; and
- ii) Certificate of supervision of buildings on plot upto 500 sqm and completion thereof.

(b) For Supervisor-2 :He shall be entitled to submit -

- i) All Plans and related information upto 300 sqm plot area, and
- ii) Certificate of supervision for limits at (i) above and completion thereof.

C-5.3 Duties and Responsibilities.

Duties and Responsibility of the Engineer shall be as mentioned in C-2.3 above within the competency mentioned in Clause C-5.2.

C-6 TOWN PLANNER**C-6.1 Qualification**

Graduate or Post-graduate degree in Town and country planning, urban planning, planning, regional planning or equivalent.

C-6.2 Competence

- i) All plans and related information connected with development permission.
- ii) Issuing certificates of supervision for development of all lands.

C-6.3 Duties and Responsibilities.

- i) Design as per Client's requirements and site conditions.
- ii) Prepare and submit plans as per the Regulations and shall be responsible for correctness of the calculations and dimensions mentioned on the plan and shall be liable for consequences arising thereof.
- iii) Represent before the Authority for scrutiny of drawings.
- iv) Advise client to appoint Site Engineer / Supervisor, in case he himself is not undertaking the supervision work.
- v) Inform Authority about Commencement of work on site.
- vi) Inform Authority about reaching relevant stage of work where stage-wise approval from the authority is required.
- vii) Inform in writing to the Authority in case of violation by Client during the period of appointment.
- viii) To assist and co-operate with the Authority and other officers in carrying out and enforcing the provisions of Maharashtra Regional and Town Planning Act, 1966 and of any regulations for the time being in force under the same.

C-7. LICENSING-**C-7.1 Technical Personnel to be licensed:-**

The Qualified technical personnel or group as given in Regulations; No. C-2, C-3, C-4, C-5, C-6 shall be licensed with the Authority or *Directorate Office* of Town Planning Department and the license shall be valid for three calendar years ending 31st December after which it shall be

renewed every three years. The technical person registered with the Authority and those registered with *Directorate Office* shall be entitled to work within jurisdiction of MIDC.

C-7.2 Fees for Licensing- The annual licensing fees shall be as follows:-.

| | |
|---|------------------------------|
| For Engineer, Structural Engineer and Town Planner. | Rs.3000/- For three years. |
| For Supervisor (1) and For Supervisor (2) | Rs.1500/- For three years. . |

These fees shall be increased by 10% for every three years.

C-8 DUTIES AND RESPONSIBILITIES OF OTHER TECHNICAL PERSONS / OWNER

C-8.1 SITE ENGINEER

C-8.1.1 Qualifications:

The “Site Engineer” must hold a minimum diploma in Civil/ Construction Engineering / Construction Management or any other equivalent qualification in the field of Civil Engineering.

C-8.1.2 Duties and Responsibilities

- To carry out day to day supervision in order to ensure that the work on site is carried out in accordance with the development permissions, approved plans, drawings given by Licensed personnel/ Architect of the project, structural drawings given by structural engineer.
- Enforce construction methodology, Ensure the quality of work as per the specifications and keep site records.
- To make necessary arrangement for the temporary structures/formwork/shuttering required for the execution of the building as per the design and drawing with the help of owner/ developer.
- To organise the all activities related to construction and development in coordination with Architect / Engineer / Structural Engineer and Owner/ Developer.
- To take necessary measures to ensure the safety of workers on site.

C-8.2 GEOTECHNICAL ENGINEER.

C-8.2.1 Qualifications:

- Graduate in civil engineering or geotechnical engineering or Member of Civil Engineering Division of Institution of Engineers (India), and with minimum 3 year experience in geotechnical engineering practice in designing and field work., **or**
- Post graduate in civil engineering or geotechnical engineering with minimum 2 year experience in geotechnical engineering practice in designing and field work. **or**
- Doctorate in civil engineering or geotechnical engineering with minimum 1 year experience in geotechnical engineering practice in designing and field work.

C-8.2.2 Duties and Responsibilities of Geotechnical Engineer

- Geotechnical investigation by exploring necessary field tests and visual inspection, taking samples and testing in certified/ authorized Laboratory.
- Prepare the Geotechnical Report certifying the Geotechnical conditions, advise on safe bearing capacity, required depth for foundation, stability of excavated slopes and safety of the adjoining structures to the Structural Engineer by considering all relevant affecting/

governing aspects.

- iii) Certify the strata and sub soil conditions before laying the foundation.

C-8.3 OWNER / DEVELOPER

Duties and Responsibilities.

- i) The applicant owner/ developer shall be responsible for title of the property.
- ii) The applicant owner/developer shall be responsible for truthfulness and validity of orders, NOCs, certificates obtained by him
- C-8.3.1 iii) Communicate with the consultants on reaching various stages of work in order to facilitate them to get clearances for further action.
- iv) Appoint professional/ consultant/ supervisors/ site engineer/ technical personnel/ staff required for carrying out the work.
- v) Provide necessary resources as may be required by the professionals/ consultants/ supervisors/ technical personnel/Staff.
- vi) Commence work at various stages only after obtaining required approval to the plans from the Authority or clearances under the law.
- vii) To comply with any instructions, directions and orders by any Statutory Authority.
- viii) Ensure that no work in violations of the sanctioned plan is carried out at any stage of the work and even after Occupation certificate is obtained.
- ix) To ensure overall safety during construction by engaging various technical persons, site engineer, formwork coordinator etc.

C-8.4 DUTIES AND RESPONSIBILITIES OF THE OFFICERS OF THE AUTHORITY.

In addition to the duties and responsibilities assigned to the post of the officers of the Authority dealing with the development permission, following duties shall also be performed.

- i) The application of development permission shall be scrutinised and shall be disposed off within the time limit specified in the Act/ DCPR or Right to Services Act.
- ii) The concerned officer shall make site inspection/s as and when required.
- iii) If any complaint is received in respect of any on-going work for which development permission has been granted, he should take the cognizance of the said complaint and do the needful within 15 days.
- iv) On receipt of complaint, the officer of the Authority shall investigate thoroughly and do the needful as per provisions of law and regulations. He shall not act arbitrarily on complaint and issue stop work notice to on-going work.

C-8.5 LICENSED SURVEYOR

The licensed surveyor, who are registered with the Bruhan Mumbai Municipal Corporation shall be eligible to work as per duties and responsibilities mentioned in DCPR of said corporation.

C-9 TECHNICAL FACT FINDING COMMITTEE.

In case of any accident at site during construction on account of failure of any component of building / structure, the reason for the same shall be ascertained by the following technical fact finding committee.

| Fact Finding Committee | | |
|------------------------|---|-------------------|
| Sr. No. | Members | Post |
| 1 | Joint CEO MIDC | Chairman |
| 2 | Chief Planner, MIDC | Member |
| 3 | Deputy Commissioner of Police or Police Officer of the equivalent rank. | Member |
| 4 | Superintending Engineer of P.W.D. (Building Design Division) of the State. | Member |
| 5 | Chief Fire Officer of MIDC | Member |
| 6 | Representative of Labour Commissioner not below the rank of Class-A officer. | Member |
| 7 | Representative of Indian Society of Structural Engineers of local/ nearby centre. | Member |
| 8 | Representative of Indian Institute of Architects of local/ nearby centre. | Member. |
| 9 | Representative of Industries Association. | Member. |
| 10 | SPA of concerned area. | Member Secretary. |

In case of accident mentioned above, the concerned MIDC officer shall intimate to the committee along with relevant documents. The member secretary shall convene the meeting of the committee immediately and shall send the report of its primary findings within 3 working days to the concerned Authority, if required. The committee shall submit final report within 10 working days if detailed investigations are required. The committee shall be at liberty to take the help of experts, if required. It may also give hearing to the concerned persons, if required.

**_*_*_*_*_

APPENDIX 'D-1'

**FORM FOR SANCTION OF BUILDING PERMISSION AND COMMENCEMENT
CERTIFICATE**

Letter No. -----

Date : / /

To,

Sir,

With reference to your application No. -----, dated ----- for the grant of sanction of *Building Permission* / Commencement Certificate under Section 44 of The Maharashtra Regional and Town Planning Act, 1966, to carry out development work / Building on Plot No.----- at ----- Industrial area / Revenue S.No. -----/ Gat No. -----/ Khasara No.----- /City Survey No. ----- /Village----- situated at Road /Street -----, the Commencement Certificate / Building Permit is granted under Section 45 of the said Act, subject to the following conditions:

1. The land vacated in consequence of the enforcement of the set-back rule shall form part of the public street in future.
2. No new building or part thereof shall be occupied or allowed to be occupied or used or permitted to be used by any person until occupancy certificate is granted.
3. The Commencement Certificate / Building permit shall remain valid for a period of one year and may be renewed every year for a further period 3 years maximum. If the work is commenced within the valid period, then there is no necessity of renewal of Commencement Certificate.
4. This permission does not entitle you to develop the land which is not leased to you / does not vest in you.

Office No.

Office Stamp

Date :

Yours faithfully,

An officer appointed MIDC

(Specimen of Stamp of Approval to be marked on building plan)

| |
|---|
| <p>OFFICE OF THE -----</p> <p>MIDC -----</p> <p>Building Permit No. -----</p> <p>Date : -----</p> <p style="text-align: center;">SANCTIONED.</p> <p style="text-align: center;">Signature of the authorised Officer</p> |
|---|

APPENDIX 'D-2'

**FORM FOR TENTATIVE APPROVAL FOR DEMARCATION OF LAND /
SUB-DIVISION LAYOUT**

Letter No. -----

Date : / /

To,

Sir,

With reference to your application No -----, dated ----- for the land sub-division approval, under Section 44 of The Maharashtra Regional and Town Planning Act, 1966, to carry out development work in respect of land bearing Plot No. ----- at ----- Industrial Area / Revenue S.No. -----/ Gat No. -----/ Khasara No. ----- / City Survey No. -----, Village -----, this is to inform you that, land sub-division layout is hereby tentatively approved and recommended for demarcation, subject to the following conditions:

1. You will get the land sub-division layout demarcated on the site by the Land Records Department and submit the certified copy to that effect for final approval.
2. It shall be the responsibility of the owner to carry out all the development work including construction of roads, sewer lines, water supply lines, culverts, bridges, street lighting, etc.
3. This permission does not entitle you to develop the land which is not leased to you / does not vest in you.

Yours faithfully,

An officer authorised by MIDC

(Specimen of Stamp of Approval to be marked on Layout plan)

OFFICE OF THE -----

MIDC -----

Letter No. -----

Date : -----

**LAYOUT RECOMMENDED FOR
DEMARCATION.**

Signature
of the authorised Officer

APPENDIX 'D-3'

FORM FOR FINAL APPROVAL TO THE LAND SUB-DIVISION / LAYOUT

Letter No. -----

Date : / /

To,

Sir,

With reference to your application No. -----, dated ----- for the land sub-division approval, under Section 44 of The Maharashtra Regional and Town Planning Act, 1966, to carry out development work in respect of land bearing Plot No. ----- at ----- Industrial Area / Revenue S.No. ----- / Gat No.----- / Khasara No. ----- / City Survey No. -----/ Village -----, this is to inform you that the land sub-division layout is finally approved as demarcated, under Section 45 of the Maharashtra Regional & Town Planning Act, 1966, subject to the following conditions :

1. It shall be the responsibility of the owner to carry out all the development work including construction of roads, sewer lines, water supply lines, culverts, bridges, street lighting, etc.
2. This permission does not entitle you to develop the land which is not leased to you / does not vest in you.
3. -----

Yours faithfully,

An officer authorised by MIDC

(Specimen of Stamp of Approval to be marked on Layout plan)

OFFICE OF THE -----

MIDC -----

Letter No. -----

Date : -----

LAYOUT SANCTIONED

Subject to conditions mentioned in the said letter.

Signature
of the authorised Officer

APPENDIX 'E-1'

FORM FOR REFUSAL OF BUILDING PERMIT/ COMMENCEMENT CERTIFICATE

Letter No. -----

Date : / /

To,

Sir,

With reference to your application No. ----- dated ----- for the grant of sanction for the development work / the erection of a building / execution of work on Plot No----- at ----- Industrial Area, Revenue S.No.-----/ Gat No. ----- / Khasara No.----- / City Survey No. ----- Village-----, I regret to inform you that the proposal has been refused under Section 45 of the Maharashtra Regional and Town Planning Act, 1966, on the following grounds.

1. (to be specified.)
- 2.
- 3.
- 4.
- 5.
- 6.

Yours faithfully,

An officer authorised by MIDC

Note - While refusing the permission, the officer shall mention the Regulation numbers, provisions of which are not complied with in the development proposal.

(Specimen of Stamp of rejection to be marked on building plan)

Letter No. -----

Date : -----.

REJECTED

APPENDIX 'E-2'

FORM FOR REFUSAL OF LAND SUB-DIVISION/ LAYOUT

Letter No.

Date : / /

To,

.....

.....

Sir,

With reference to your application No. -----_dated ----- for the grant of sanction for the development work bearing Plot No. ----- at ----- Industrial Area, Revenue S.No. ----- / Gat No. ----- / Khasara No. ----- / City Survey No. ----- / Village ----- I regret to inform you that the proposal has been refused under Section 45 of the Maharashtra Regional and Town Planning Act, 1966, on the following grounds.

1. (to be specified.)
- 2.
- 3.
- 4.
- 5.
- 6.

2.

3.

4.

5.

6.

Yours faithfully,

An officer authorised by MIDC

Note - While refusing the permission, the Authority shall mention the Regulation number, provisions of which are not complied with in the development proposal.

(Specimen of Stamp of rejection to be marked on Layout plan)

Letter No. -----

Date : -----

REJECTED

APPENDIX 'F'

FORM FOR INTIMATION OF COMPLETION OF WORK UPTO PLINTH LEVEL

To,

The ----- (Designation of the Officer.)

MIDC -----,

Sir,

The construction upto plinth / column upto plinth level has been completed in Plot No. ----- at ----- Industrial Area, Building No. ----- Revenue S.No. -----/ Gat No.----- / Khasara No. --- -----/City Survey No. -----Village ----- situated at Road / Street ----- in accordance with your permission No. ----- dated ----- under my architectural / technical supervision and construction is carried out strictly in accordance with the sanctioned plan upto plinth level.

This is for information to you and we are proceeding further with the remaining construction of super structure work.

Yours faithfully

Signature of Architect/Licensed Engineer/Supervisor

Name : _____

(In Block Letters)` _____

Address : _____

E-mail ID: _____

Mobile No.: _____

Date: _____

APPENDIX 'G'
FORM FOR COMPLETION CERTIFICATE

To,

The ----- (Designation of the Officer.)

MIDC -----,

Sir,

I hereby certify that the erection / re-erection or part/ full development work in / on building / part building No ----- Plot No. ----- at ----- Industrial Area, Revenue S.No. -----/ Gat No. -----/ Khasara No. ----- / City Survey No. -----, village ----- has been supervised by technical person and has been completed on ----- without any deviation from the sanctioned plan. The work has been completed as per plan sanctioned vide office communication No. ----- dated ----- . No provisions of the Act or the building Regulations, no requisitions made, conditions prescribed or orders issued thereunder have been transgressed, except * a few changes made within the internal layout of industrial, residential or commercial units, which do not violate FSI or other regulations, in the course of the work. I am enclosing three copies of the completion plans. The building is fit for occupancy for which it has been erected / re-erected or altered, constructed.**

All premium charges which are permitted to be paid in instalments with interest as per Regulation No. 2.2.15 are fully paid.

I have to request you to arrange for the inspection & grant permission for the occupation of the building.

Yours faithfully

(Signature of Owner)

Encl : As above.

Name of Owner (in Block Letters)

Date :

Signature and name of Architect /Licensed
Engineer/Supervisor

* Wherever applicable.

** Delete whichever is not applicable.

APPENDIX 'H'
FORM FOR FULL / PART OCCUPANCY CERTIFICATE

Letter No. _____

Date : / /

To,

i) Owner:

ii) Architect, Licensed Engineer , Structural Engineer / Supervisor

Sir,

The full / part development work / erection re-erection / or alteration in of building / part building No.-----
Plot No. ----- at ----- Industrial Area, Revenue S.No. -----/ Gat No. -----/ Khasara No. -----
City Survey No. -----, village ----- completed under the supervision of ----- Architect,
Licensed Engineer/ Structural Engineer / Supervisor, / License No. ----- is allowed to be occupied on
the following conditions.

1. (to be specified)
- 2.
- 3.
- 4.

A set of certified completion plans is returned herewith.

Encl : As above.

Yours faithfully,

An officer authorised by MIDC

(Specimen of Stamp to be marked on the plan)

| |
|---|
| <p>OFFICE OF THE ----- MIDC ----- Letter No. ----- Date : -----</p> <p style="text-align: center;">OCCUPATION GRANTED</p> <p style="text-align: center;">Signature of the authorised Officer</p> |
|---|

| |
|--|
| <p>OFFICE OF THE ----- MIDC ----- Letter No. ----- Date : -----</p> <p style="text-align: center;">PART OCCUPATION GRANTED</p> <p style="text-align: center;">Signature of the authorised Officer</p> |
|--|

APPENDIX 'T'
FORM FOR REFUSAL OF OCCUPANCY CERTIFICATE

Letter No.

Date : / /

To,

i) Owner:

ii) Architect, Licensed Engineer, Structural Engineer / Supervisor

Sir,

The part / full development work / erection re-erection / or alteration in of building / part building No. ----- Plot No. ----- at ----- Industrial Area, Revenue S.No.-----/ Gat No.-----/ Khasara No.-----/ City Survey No.-----, Village ----- completed under the supervision of ----- Architect, Licensed Engineer / Supervisor, / License No .----- is not allowed to occupy because of the following reasons -

1. The construction carried out by you does not conform to the sanctioned plans.
2. (any other to be specified)
- 3.

A set of completion plan is retained with the Authority and remaining sets are regretfully returned herewith.

Encl : As above.

Yours faithfully,

An officer authorised by MIDC

(Specimen of Stamp of rejection to be marked on the plan)

Letter No. -----

Date : -----.

O.C. REJECTED

APPENDIX 'J'

FORM OF INDEMNITY FOR PART OCCUPANCY CERTIFICATE

(On Stamp Paper)

(Of such value as decided by the Authority.)

To,

The ----- (Designation of the Officer.)

MIDC -----,

Subject:-

Sir,

While thanking you for letting me occupy a portion of the above building before acceptance of the Completion Certificate of the whole building for the plans approved vide communication No. ----- Dated-----, I hereby indemnify the Authority against any risk, damage and danger which may occur to occupants and users of the said portion of the building and also undertake to take necessary security measures for their safety. This undertaking will be binding on me / us, our heirs, administrators and our assignees.

Yours faithfully,

Signature and name of Owner

Witness:

Address:

Date:

| APPENDIX 'K' | | | |
|--|---|---|---|
| Approvals of Industrial Building Permission Based on Risk Based Categorization | | | |
| Sr. No. | Parameters to be considered for Risk Base | Risk Category | |
| | | Low Risk Category | Moderate Risk Category |
| 1 | Plot area | Building on a Plot Area upto 500sqm | Buildings on a Plot Area more than 500 Sqm and upto 1000 sqm |
| 2 | Plot status | Plot should be allotted by MIDC or carved out under various schemes mentioned in CDCPR. | Plot should be allotted by MIDC or carved out under various schemes mentioned in CDCPR. |
| 3 | Buildability of Plot | Plot should be buildable in view of the provisions in Regulation No.3.1. | Plot should be buildable in view of the provisions in Regulation No.3.1. |
| 4 | Zone | Plot should be from Industrial Zone. | Plot should be from Industrial Zone. |
| 5 | Type of Building | Industrial | Industrial |
| 6 | Front, side and rear open spaces, access, parking and other requirements. | As per the provisions of CDCPR. | As per the provisions CDCPR. |
| 7 | Storeys allowed. | G. F. + 1 or Stilt + 1 floors. | G.F. + 1 or Stilt + 1 floors. |
| 8 | FSI | Construction should be within basic FSI + Premium FSI along with ancillary area FSI thereon | Construction should be within basic FSI + Premium FSI along with ancillary area FSI thereon |
| 9 | Submission of Application for approval. | Applicant shall submit the intimation letter as per Appendix-K-1 along with i) Ownership document / allotment letter from MIDC. ii) Copy of measurement plan of plot / Plan with allotment letter showing boundaries of plot. iii) Building plan showing periphery of construction (P-line) floor wise and details of floors, FSI calculation as mentioned in Proforma-I with the signature of owner and licensed personal. iv) Copy of receipt of development charges including labour cess paid to Authority, if any. v) The certificate of licensed | Applicant shall submit the application as per CDCPR and all required document shall be certified and signed by the licensed personal. The licensed personal shall also submit the certificate stating that the proposal is strictly in accordance with the provisions of CDCPR. |

| | | | |
|---|---|--|---|
| | | personal stating that the proposal is strictly in accordance with the provisions of CDCPR. No more details shall be necessary. | |
| 10 | Issue of Commencement Certificate / Approval. | The receipt of application along with the required documents and fees / charges mentioned in 9 above, by the authority shall be treated as permission for development. | After receipt of the application, the Demand Note regarding payment of Development Charges and other Charges based on the proposed Plans/ Drawing submitted, shall be given by the concerned Engineer of the authority within 10 days. After the receipt of payment, the Authority shall issue Commencement Certificate within 10 days from receipt of such plans without any scrutiny, solely based on the certificate of the licensed personal. |
| 11 | Plinth Checking | Plinth Checking shall not be required. | Plinth Checking shall not be required. |
| 12 | Occupation Certificate. | After completion of the work, the owner shall intimate to the Authority about the occupation of the building. | Licensed personal shall submit the completion certificate in Appendix – G to the Authority. The licensed personal shall not issue the completion certificate unless the construction is completed strictly as per plan. The Authority shall issue the occupation certificate after site inspection, in the format as given in Appendix – H within 10 days. |
| 13 | Other Stipulations. | Any deficiency of documents or payments as per CDCPR shall amount to unauthorised construction and shall be liable for action under the provisions of the Act. | Any deficiency of documents or payments as per CDCPR shall amount to unauthorised construction and shall be liable for action under the provisions of the Act. |
| Note - The above procedure for permission shall not bar the owner to obtain development permission as per provisions of this CDCPR, if he so desires. | | | |

APPENDIX 'K-1'

**FORM FOR PERMISSION OF CONSTRUCTION OF INDUSTRIAL BUILDING ON A PLOT
UPTO 500 SQM**

(Application for permission for development under Section 44 of The Maharashtra Regional and Town Planning Act, 1966)

From _____ (Name of the owner)

The ----- (Designation of the Officer.)

MIDC -----,

Sir,

I intend to carry out the under mentioned development in the Plot No. ----- at ----- Industrial Area, Revenue S.No. -----/ Gat No. -----/ Khasara No. ----- / City Survey No. -----, village ----- in accordance with Section 44 of the Maharashtra Regional and Town Planning Act, 1966.

I forward herewith the following plans and statements, signed by me (Name in block letters) ----- and the Architect / Licensed Engineer / Supervisor (Name) -----, (License No-----), who has prepared the plans.

- i) Key Plan (Location Plan) and Site Plan (to be shown on the plan)
- ii) A building plan showing the periphery of construction line (P-line) & building line floor wise. (No details of internal room sizes and other details including section / elevation need to be shown. The height of building shall be mentioned. Existing structure to be retained/ to be demolished, if any, shall be shown along with FSI consumed therein;)
- iii) Copy of measurement / allotment plan;
- iv) An extract of lease deed / agreement to lease / allotment letter by MIDC / record of rights 7-12 / property register card (any other document showing ownership of land to be specified);
- v) Details of proposed Area, FSI, Charges;
- vi) Attested copy of receipt of payment of Charges;

Please treat this intimation as permission for development.

Signature of Owner

Name of Owner

Address of Owner

Contact No.

E-mail -

Dated

The above mentioned P-line plans are prepared by me.

Signature of the Architect /Licensed Engineer / Supervisor

Name

License No.

Contact No.

E-mail -

Dated

| APPENDIX 'L' | | | |
|--|---|--|---|
| Approvals of Residential & Commercial Building Permission Based on Risk Based Categorization | | | |
| Sr. No. | Parameters to be considered for Risk Base | Risk Category | |
| | | Low Risk Category | Moderate Risk Category |
| 1 | Plot area | Building on a Plot Area upto 150sqm | Buildings on a Plot Area more than 150 Sqm and upto 300 sqm |
| 2 | Plot status | Plot should be allotted by MIDC or carved out under various schemes mentioned in CDCPR. | Plot should be allotted by MIDC or carved out under various schemes mentioned in CDCPR. |
| 3 | Buildability of Plot | Plot should be buildable in view of the provisions in Regulation No.3.1. | Plot should be buildable in view of the provisions in Regulation No.3.1. |
| 4 | Zone | Plot should be from Zone wherein concerned activity is permissible. | Plot should be from Zone wherein concerned activity is permissible. |
| 5 | Type of Building | Residential or Residential with shop on ground floor. | Residential or Residential with shop on ground floor or mixed use. |
| 6 | Front, side and rear open spaces, access, parking and other requirements. | As per the provisions of CDCPR. | As per the provisions CDCPR. |
| 7 | Storeys allowed. | G. F. + 2 or Stilt + 3 floors. | G.F. + 2 or Stilt + 3 floors. |
| 8 | FSI | Construction should be within basic FSI + Premium FSI along with ancillary area FSI thereon | Construction should be within basic FSI + Premium FSI along with ancillary area FSI thereon |
| 9 | Submission of Application for approval. | Applicant shall submit the intimation letter as per Appendix-L-1 along with i) Ownership document / allotment letter from MIDC. ii) Copy of measurement plan of plot / Plan with allotment letter showing boundaries of plot. iii) Building plan showing periphery of construction (P-line) floor wise and details of floors, FSI calculation as mentioned in Proforma-I with the signature of owner and licensed personal. | Applicant shall submit the application as per CDCPR and all required document shall be certified and signed by the licensed personal. The licensed personal shall also submit the certificate stating that the proposal is strictly in accordance with the provisions of CDCPR. |

| | | | |
|--|--|--|---|
| | | <p>iv) Copy of receipt of development charges including labour cess paid to Authority, if any.</p> <p>v) The certificate of licensed personal stating that the proposal is strictly in accordance with the provisions of CDCPR.</p> <p>No more details shall be necessary.</p> | |
| 10 | Issue of Commencement Certificate/ Approval. | The receipt of application along with the required documents and fees/ charges mentioned in 9 above, by the authority shall be treated as permission for development. | After receipt of the application, the Demand Note regarding payment of Development Charges and other Charges based on the proposed Plans/ Drawing submitted, shall be given by the concerned Engineer of the authority within 10 days. After the receipt of payment, the Authority shall issue Commencement Certificate within 10 days from receipt of such plans without any scrutiny, solely based on the certificate of the licensed personal. |
| 11 | Plinth Checking | Plinth Checking shall not be required. | Plinth Checking shall not be required. |
| 12 | Occupation Certificate. | After completion of the work, the owner shall intimate to the Authority about the occupation of the building. | Licensed personal shall submit the completion certificate in Appendix – G to the Authority. The licensed personal shall not issue the completion certificate unless the construction is completed strictly as per plan. The Authority shall issue the occupation certificate after site inspection, in the format as given in Appendix – H within 10 days. |
| 13 | Other Stipulations. | Any deficiency of documents or payments as per CDCPR shall amount to unauthorised construction and shall be liable for action under the provisions of the Act. | Any deficiency of documents or payments as per CDCPR shall amount to unauthorised construction and shall be liable for action under the provisions of the Act. |
| <p>Note - The above procedure for permission shall not bar the owner to obtain development permission as per provisions of this CDCPR, if he so desires.</p> | | | |

APPENDIX 'L-1'

FORM FOR PERMISSION OF CONSTRUCTION OF RESIDENTIAL & COMMERCIAL BUILDING ON A PLOT UPTO 150 SQM

(Application for permission for development under Section 44 of The Maharashtra Regional and Town Planning Act, 1966.)

From _____ (Name of the owner)

The ----- (Designation of the Officer.)

MIDC -----,

Sir,

I intend to carry out the under mentioned development in the Plot No. ----- at ----- Industrial Area, Revenue S.No. -----/ Gat No. -----/ Khasara No. ----- / City Survey No. -----, village ----- in accordance with Section 44 of the Maharashtra Regional and Town Planning Act, 1966.

I forward herewith the following plans and statements, signed by me (Name in block letters).....and the Architect / Licensed Engineer / Supervisor (Name), (License No.....), who has prepared the plans.

- i) Key Plan (Location Plan) and Site Plan (to be shown on the plan)
- ii) A building plan showing the periphery of construction line (P-line) & building line floor wise. (No details of internal room sizes and other details including section / elevation need to be shown. The height of building shall be mentioned. Existing structure to be retained/ to be demolished, if any, shall be shown along with FSI consumed therein;)
- iii) Copy of measurement / allotment plan;
- iv) An extract of lease deed / agreement to lease / allotment letter by MIDC / record of rights 7-12 / property register card (any other document showing ownership of land to be specified);
- v) Details of proposed Area, FSI, Charges;
- vi) Attested copy of receipt of payment of Charges;

Please treat this intimation as permission for development.

Signature of Owner

Name of Owner

Address of Owner

Contact No.

E-mail -

Dated

The above mentioned P-line plans are prepared by me.

Signature of the Architect /Licensed Engineer / Supervisor

Name

License No.

Contact No.

E-mail -

Dated

APPENDIX 'M'

APPLICATION FORM FOR DEVELOPMENT OF IIA / IITT / ILP / LP ON MIDC LAND

To,

The _____ (Designation of the Officer.)

MIDC _____,

Subject: Regarding notifying land bearing Plot No. _____ in _____ Industrial Area of MIDC as an Integrated Industrial Areal / Integrated Information Technology Township / Integrated Logistic Park / Logistic Park.

Name of Project Proponent : M/s _____ .

Sir,

I intend to carryout development on land bearing Plot No. _____ in _____ Industrial Area of MIDC to be notified as an Integrated Industrial Area / Integrated Information Technology Township Integrated Logistic Park / Logistic Park in accordance with the provisions and procedure mentioned in Regulation No. 12.1 / 12.2 / 12.3 of CDCPR.

I am herewith submitting Documents, Plans, NOCS, Undertakings and Statements as per attached checklist, signed by me.

I request you that the proposal may please be approved and permission may please be granted to execute the work.

Place:

Authorized Signatory

Date:

Correspondence Address:

Email ID:

Contact No:

Copy Submitted to Special Cell, MIDC, Mumbai-93

APPENDIX 'N'

APPLICATION FORM FOR DEVELOPMENT OF IIA / IITT / ILP ON PRIVATE LAND

To,

The _____ (Designation of the Officer.)

MIDC _____,

Subject : Regarding notifying land bearing Revenue S.No. -----/ Gat No. -----/
Khasara No. ----- in village -----, Tah.-----, Dist.----- as an
Integrated Industrial Areal / Integrated Information Technology Township /
Integrated Logistic Park / Logistic Park.

Name of Project Proponent : M/s _____ .

Sir,

I intend to carryout development on land bearing Revenue S.No. -----/ Gat No. -----/
Khasara No. ----- in village ----- Tah.-----, Dist.----- to be notified as an Integrated Industrial
Area / Integrated Information Technology Township Integrated Logistic Park / Logistic Park in accordance
with the provisions and procedure mentioned in Regulation No. 12.1 / 12.2 / 12.3 of CDCPR.

I am herewith submitting Documents, Plans, NOCS, Undertakings and Statements as per
attached checklist, signed by me.

I request you that the proposal may please be approved and permission may please be granted
to execute the work.

Place:

Authorized Signatory

Date:

Correspondence Address:

Email ID:

Contact No:

Copy Submitted to Special Cell, MIDC, Mumbai-93

(Nirmalkumar Chaudhari)

Deputy Secretary to Government

(Pratibha Bhadane)

Joint Secretary to Government

**महाराष्ट्र प्रादेशिक नियोजन व नगर रचना
अधिनियम, १९६६**

महाराष्ट्र औद्योगिक विकास महामंडळाच्या सर्वसमावेशक
विकास नियंत्रण व प्रोत्साहन नियमावली मध्ये (CDCPR)
उक्त अधिनियमाचे कलम ३७(१अअ) अन्वये प्रस्तावित
फेरबदलाची सूचना.

**महाराष्ट्र शासन
नगर विकास विभाग,
मंत्रालय, मुंबई - ४०० ०३२
टिपीबी-४३२२/३१४/प्र.क्र.२५/२०२३/नवि-११,
दिनांक - ०४/०८/२०२३**

शासन निर्णय :- सोबतची सूचना महाराष्ट्र शासनाच्या साधारण राजपत्रामध्ये राज्यस्तरावर प्रसिध्द
करण्यात यावी.

महाराष्ट्राचे राज्यपाल यांचे आदेशानुसार व नांवाने,

(डॉ.प्रतिभा भदोणे)

सह सचिव, महाराष्ट्र शासन

प्रत :-

१. मा. राज्यपाल यांचे प्रधान सचिव, राजभवन, मुंबई.
२. मा. मुख्यमंत्री महोदय यांचे अप्पर मुख्य सचिव, मंत्रालय, मुंबई.
३. मा.उप मुख्यमंत्री तथा गृह मंत्री महोदय यांचे सचिव, मंत्रालय, मुंबई.
४. मा.उप मुख्यमंत्री तथा वित्त व नियोजन मंत्री महोदय यांचे सचिव, मंत्रालय, मुंबई
५. मा. विरोधी पक्षनेता, विधानपरिषद / विधानसभा, महाराष्ट्र विधानमंडळ सचिवालय.
६. मा. उपसभापती, महाराष्ट्र विधानपरिषद, महाराष्ट्र विधानमंडळ सचिवालय, मुंबई.
७. मा. उपाध्यक्ष, महाराष्ट्र विधानसभा, महाराष्ट्र विधानमंडळ सचिवालय, मुंबई.
८. मा.प्रधान सचिव (नवि-१), नगर विकास विभाग, मंत्रालय, मुंबई.

प्रति:-

१. मा.मुख्य कार्यकारी अधिकारी, महाराष्ट्र औद्योगिक विकास महामंडळ, अंधेरी, मुंबई.
२. मा.संचालक, नगर रचना, महाराष्ट्र राज्य, पुणे.
/- सदरची सूचना नगर रचना संचालनालयाच्या संकेतस्थळावर प्रसिध्द करावी.
३. सर्व विभागीय सहसंचालक, नगर रचना

/- त्यांना विनंती करण्यात येते की, प्रस्तुत प्रस्तावित फेरबदलाच्या अनुषंगाने सदरची सूचना शासनाच्या दि.१३.०९.२०१० रोजीच्या परिपत्रकातील निदेशानुसार व खालील सूचनांप्रमाणे जाहिरात म्हणून प्रसिद्ध करून घेणेबाबत सत्वर कार्यवाही करावी.

| | | | |
|------|---|----|--|
| i. | जाहिरात देणाऱ्या कार्यालयाचे नांव | :- | नगर विकास विभाग, मंत्रालय, मुंबई. |
| ii. | जाहिरात कोणत्या दिनांकास द्यावयाची आहे | :- | तात्काळ |
| iii. | प्रसिद्धीचे स्वरूप | :- | सर्वाधिक खपाच्या स्थानिक |
| iv. | कोणत्या जिल्ह्यात | :- | संपूर्ण राज्यात |
| v. | किती वृत्तपत्रात | :- | एका मराठी व एका इंग्रजी वृत्तपत्रात |
| vi. | किती वेळा | :- | एकदा |
| vii. | जाहिरातीचे खर्च देयक कोणत्या अधिकाऱ्याकडे पाठवावे | :- | मुख्य कार्यकारी अधिकारी, महाराष्ट्र औद्योगिक विकास महामंडळ, अंधेरी, मुंबई. |

४. सर्व विभागीय आयुक्त.
५. सर्व जिल्हाधिकारी.
६. सर्व विभागीय अधिकारी, महाराष्ट्र औद्योगिक विकास महामंडळ.
७. व्यवस्थापक, शासकीय मध्यवर्ती मुद्रणालय, चर्नी रोड, मुंबई.

/- त्यांना विनंती करण्यात येते की, सोबतची शासकीय सूचना महाराष्ट्र शासनाच्या साधारण राजपत्रामध्ये राज्यस्तरावर प्रसिद्ध करून त्याच्या प्रत्येकी १० प्रती नगर विकास विभागास, मुख्य कार्यकारी अधिकारी, महाराष्ट्र औद्योगिक विकास महामंडळ, अंधेरी, मुंबई, संचालक, नगर रचना, महाराष्ट्र राज्य, पुणे, सर्व विभागीय सहसंचालक, नगर रचना, सर्व विभागीय अधिकारी, महाराष्ट्र औद्योगिक विकास महामंडळ यांना पाठवाव्यात.

८. मुख्य कार्यकारी अधिकारी, सर्व जिल्हापरिषद.
९. सहायक संचालक, नगर रचना / नगर रचनाकार, नगर रचना व मूल्यनिर्धारण विभाग, सर्व शाखा कार्यालये.
१०. अवर सचिव, नवि-१३/नवि-३०, कक्ष अधिकारी, नवि- ९/नवि-१२, नगर विकास विभाग, मंत्रालय, मुंबई.
११. कक्ष अधिकारी (नवि-२९), नगर विकास विभाग, मंत्रालय, मुंबई.

/- सोबतची सूचना या विभागाच्या संकेतस्थळावर प्रसिद्ध करावी.

१२. कक्ष अधिकारी, माहिती व तंत्रज्ञान विभाग, मंत्रालय, मुंबई.
- /- सदरची सूचना शासनाच्या संकेतस्थळावर प्रसिद्ध करावी.
१३. निवडनस्ती, कार्यासन (नवि-११).

Maharashtra Regional & Town Planning Act, 1966.

Proposed Modification to Comprehensive Development Control and Promotion Regulations (CDCPR) of MIDC under Section 37(1AA) of the said Act

GOVERNMENT OF MAHARASHTRA

Urban Development Department,

Mantralaya, Mumbai 400 032.

Dated: - 4th August, 2023

NOTICE

No. TPB- 4322/314/C.R.25/2023/UD-11

Whereas, the 'Maharashtra Industrial Development Corporation' is deemed to have been appointed as the 'Special Planning Authority' (hereinafter referred to as "the said Authority"), by virtue of the provisions of sub section 1A of Section 40 of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as "the said Act") over any area where Chapter VI of the Maharashtra Industrial Development Corporation Act, 1961 applies or any other area comprising government land transferred to the Maharashtra Industrial Development Corporation (hereinafter referred to as "MIDC");

And whereas, the Government of Maharashtra, in exercise of the powers conferred under sub section (2) of Section 37 of the said Act, has accorded sanction to the Comprehensive Development Control and Promotion Regulations (CDCPR) of MIDC (hereinafter referred to as "the said Regulations") vide Notification No. TPB-4322/314/C.R.25/2023/UD-11, dated 05/07/2023, which are published in Government Gazette dt.13th July, 2023;

And whereas, for comprehensive expansion of Information Technology and Information Technology Support Services in the Maharashtra state, New Information Technology and Information Technology Enabled Services Policy of Maharashtra State-2023 (hereinafter referred to as "the said Policy") has been prepared and issued by the Government in Industries Department vide Government Resolution dated 27/06/2023; And Whereas, Accordingly, the Department of Industries has requested the concerned administrative departments to issue the necessary orders immediately in accordance with the relevant provisions of the said policy;

And whereas, considering the above, the Government is of the opinion, it is necessary to modify the relevant provisions of the said Regulations as per the provisions given in the said Policy as specifically mentioned in Schedule-A appended with this Notice, so that, the provisions of the said Regulations will be in consonance with the provisions given in the said Policy (hereinafter referred as "the Proposed modification");

And whereas, the State Government in Women And Child Development Department has directed to propose Ladies Room (Hirakni Kasha) in the premises of Industrial, Public, Semi-Public, Institutional, Educational and other similar buildings where women work to a large extent; And whereas, it has been observed by the Government that there is no separate ladies



(Handwritten signature)

room for lactating women, pregnant women, mothers of new born children and children under 06 years of age in buildings, where women work to a large extent;

And Whereas, the Government is of the opinion, it is necessary to include a new provision in the said Regulations to make it mandatory to provide services of Ladies Room in buildings used for the Industrial, public, semi-public, institutional, educational and other similar purpose on the occasion of International Women's Day as mentioned in Schedule-B appended with this Notice (hereinafter referred as "the Proposed modification");

Now therefore, in exercise of the powers conferred under section 37(1AA) of the said Act and all other powers enabling in that behalf, the Government hereby publishes a notice for inviting suggestions/objections from general public in respect to the proposed modifications. Any objections/suggestions upon the proposed modifications shall be forwarded, before the expiry of one month from the date of publication of this notice in Maharashtra Government Gazette, to the concerned Divisional Joint Director of Town Planning who is hereby authorised under section 162(1) of the said Act as an Officer to hear objections/suggestions and say of concerned Planning Authorities, as applicable, and submit his report to the Government.

This **notice** is kept for inspection to the general public in the following offices for the period of one month on all working days.

1. Chief Executive Officer, Maharashtra Industrial Development Corporation, Andheri Mumbai.
2. The Divisional Joint Director of Town Planning, Konkan / Pune/ Nashik / Nagpur / Amravati / Aurangabad.
3. All Divisional Officer, Maharashtra Industrial Development Corporation.

This Notice under sub-section (1AA) of Section 37 of the said Act shall also be available on the Govt. of Maharashtra website : www.maharashtra.gov.in (Acts/Rules)

By order and in the name of the Governor of Maharashtra,




(Dr. Pratibha Bhadane)
Joint Secretary to Government

SCHEDULE-A

(Schedule appended to the Government in Urban Development Department's Notice No. TPB-4322/ 314/ C.R.25/ 2023/UD-11 Dated- 4th August,2023.)

Proposed Modification

| Regulation No. | Existing Provision | Proposed provision |
|---|---|---|
| 6.6 -- Regulations for Development of Information Technology Establishment :- | <p>Regulations for Development of Information Technology Establishment :- Development of Information Technology Establishments shall be regulated as per the Information Technology & Information Technology Enabled Services (IT/ITES) Policy 2015 as declared by Industries Department vide Government Resolution No.ITP-2013/CR-265/IND-2, dated 25/08/2015, along with the special regulations sanctioned by the Government vide notification No. TPB 4316/CR-167/2016/(3)UD-11, dated 15th July, 2016 and amended from time to time which are mentioned below :-</p> <p>i) The Authority may permit additional FSI upto 200% over and above the basic permissible F.S.I. to all registered Public and Private IT/ ITES Parks/AVGC Parks /IT SEZs or IT Parks in SEZs / Stand-alone IT/ ITES units in public IT Park (including IT/ ITES units located in Residential / Industrial / No Development / Green / Agriculture Zone or any other land use zone in which such users are permissible), which have been approved by the Directorate of Industries, proposed to be set up or already set up under present / previous IT/ITES policies, (hereinafter referred to as the "said unit") by charging premium of 20% of the land rate for the said land as prescribed in Annual Statement of Rates for the relevant year of granting such additional F.S.I.</p> <p>In the case of lessor authorities such as MIDC as land</p> | <p>Regulations for Development of Information Technology Establishment :- Development of Information Technology Establishments shall be regulated as per the Information Technology & Information Technology Enabled Services (IT/ITES) Policy 2015 as declared by Industries Department vide Government Resolution No.HP-2013/CR-265/IND-2, dated 25/08/2015 ITP-2021/CR170/IND-2,dated 27/06/2023, along with the special regulations sanctioned by the Government vide notification No. TPB-4316/CR-167/2016/(3)UD-11, dated 15th July, 2016 and amended from time to time which are mentioned below :-</p> <p>i) The Authority may permit additional FSI upto 200% as mentioned below over and above the basic permissible F.S.I. to all registered Public and Private IT/ ITES Parks/AVGC Parks /IT SEZs or IT Parks in SEZs / Stand-alone IT/ ITES units in public IT Park (including IT/ ITES units located in Residential / Industrial / No Development / Green / Agriculture Zone or any other land use zone in which such users are permissible), which have been approved by the Directorate of Industries, proposed to be set up or already set up under present / previous IT/ITES policies, (hereinafter referred to as the "said unit") by charging premium of 20% of the land rate for the said land as prescribed in Annual Statement of Rates for the relevant year of granting such additional F.S.I. as mentioned below :-</p> |



owner, such authorities may recover lease premium for additional F.S.I., if applicable, under their land disposal policy.

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

Provided further that, the premium so collected shall be shared between the Planning Authority and the Government in the proportion of 50 : 50. The share of the Government shall be paid to the concerned Branch office of the Town Planning Department.

(Explanation:- Premium charges shall be calculated on the value of lands under such zones, determined by considering the land rates of the said land as prescribed in Annual Statement of Rates (ASR) / MIDC land rate. These charges shall be paid at the time of permitting additional F.S.I. by considering the ASR for the relevant year without applying the guidelines / MIDC land rate.)

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

iii) Maximum 40% of total proposed built-up area (excluding parking area) inclusive of such additional F.S.I. may be permitted for support services in IT Parks including offices. Remaining built-up area shall be utilized for IT/ITES.

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

v) Premium to be received by the Authority as per provisions in this regulation shall be deposited in:

Additional FSI may be provided on the basis of following Table :

| Sr. No. | Minimum Road Width | Maximum Permissible Greater Region | FSI Mumbai | Maximum Permissible FSI Rest of Maharashtra |
|---------|--------------------|------------------------------------|------------|---|
| 1 | 12 m | Up to 3 | | Up to 3 |
| 2 | 18 m | Up to 4 | | Up to 3.5 |
| 3 | 27 m | Up to 5 | | Up to 4 |

Premium for additional Floor Space index:

a. For the areas in Vidharbha, Marathwada, Dhule, Nandurbar, Ratnagiri and Sindhudurg, No premium shall be charged for additional Floor Space Index (FSI).

b. For the areas in Greater Mumbai Region and rest of Maharashtra excluding (4)(a), the additional FSI over and above the basic permissible F.S.I. shall be permissible by levying premium at the rate of 50% of prevailing rate of premium as mentioned in MIDC CDCPR.

c. In addition, other applicable FSI's like Ancillary FSI will be applicable as per MIDC CDCPR norms.

d. The developer will be allowed to pay the premium, ancillary FSI charges and other charges for the increased additional FSI for the IT Park in installments.

In the case of lessor authorities such as MIDC as land owner, such authorities may recover lease premium for additional F.S.I., if applicable, under their land disposal policy.

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



separate fund viz. "Critical Infrastructure Fund for IT/ITES Industries" and this fund shall be utilized only for creation of Critical Infrastructure for IT/ITES Industries; Provided that in the event, the developer come forward for providing such off site infrastructure at his own cost, instead of paying premium as prescribed above, then the Authority may determine the estimated cost of the work by using rates prescribed in District Schedule of Rates (DSR) of the relevant year, in which order for commencement of such work is issued. The Authority shall also prescribe the standards for the work. After completion of the works, the Authority shall verify and satisfy itself that the same is developed as per prescribed standards and thereafter, by deducting the cost of works, the balance amount of premium shall be recovered from such developer before issuing occupancy certificate. Provided that, in case the cost of work is more than the premium to be recovered, such additional cost to be borne by such developer.

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

vii) While developing site for IT/ITES with additional FSI, support services as defined in the IT Policy 2015 or amended from time to time, shall be allowed.

viii) No amenity space shall be required to be left for development of IT/ITES buildings.

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

minimum 18 m width.
Provided further that, the premium so collected shall be shared between the Planning Authority and the Government in the proportion of 50 : 50. The share of the Government shall be paid to the concerned Branch office of the Town Planning Department. (Explanation:- Premium charges shall be calculated on the value of lands under such zones, determined by considering the land rates of the said land as prescribed in Annual Statement of Rates (ASR) / MIDC land rate. These charges shall be paid at the time of permitting additional F.S.I. by considering the ASR for the relevant year without applying the guidelines / MIDC land rate.)

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

iii) Maximum 40% of total proposed built-up area (excluding parking area) inclusive of such additional F.S.I. may be permitted for support services in IT Parks including offices. Remaining built-up area shall be utilized for IT/ITES.

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

ii) *Mixed use shall be permitted in IT parks under the following Guidelines:*

Land Use Percentage :

a) *Zone-I: Municipal Corporations in MMR & PMR area:*

• 60% - IT & ITeS Units including 2% BUA for



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

- The misuse shall be ascertained by physical site verification of the said private IT park by a team of officers from the Directorate of Industries and the Authority which has approved the building plans of the said private IT park.
- A per day penalty equal to 0.3% of the prevailing ASR value of the built-up area that has been found to be used for non- IT/ ITES activities.
- The penalty will be recovered from the date of commencement of unauthorized use till the day non-IT use continues.

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



incubation centers.

- 40% - Allied Services / Support services. It will include all commercial and residential activities except polluting activities.

b) In area excluding Zone-I :

- 50% - IT & ITeS Units including 2% BUA for incubation centers.

- 50% - Allied Services / Support services. It will include all commercial and residential activities except polluting activities.

c) Standalone building/ Group of buildings in IT Parks with a minimum BUA area of 20,000 sq. ft. will also be eligible for above (i) & (ii) benefits.

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

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

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

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by such developer.

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

vii) v) While developing site for IT/ITES with additional FSI, support services as defined in the IT Policy 2015 2023 or amended from time to time, shall be allowed.

viii) vi) No amenity space shall be required to be left for development of IT/ITES buildings.

ix) vii) The Directorate of industries will develop a web portal on which the developer of every IT park will be bound to provide/ update detailed information about names of the units in the park, utilization of built-up area and activities being carried out, manpower employed in the IT Park for IT/ ITES and support services on yearly basis. *The Planning Authority retained the rights to verify the details of the information furnished by the developer through inspection.*

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

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

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



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

d) After payment of the penalty to the Authority, the said private IT Park will restore the use of premises to the original purpose for which LOI/ Registration was granted. If the private IT Park fails to pay penalty and/or restore the use to its original intended use, the Authority will take suitable action under the Maharashtra Regional and Town Planning Act 1966, against the erring private IT Park under intimation to the Directorate of Industries. This provision will also be applicable to existing IT Parks.

e. *The promoter / Developer of IT Park shall not be allowed to sell / lease the builtup area reserved for IT /ITES activities to non IT user in any case.*

f. *Penalty to be imposed on end user/ owner of the unit / premises of IT Parks*



7.2.1 Off-Street Parking Requirement
Table No.7C

| Sr.No. | Occupancy | Size of tenement | Parking Spaces Required | Remarks |
|--------|--|---|-------------------------|---------|
| 8 | Data Centres | For 100 sqm built up area or fraction thereof | 1 2 | -- |
| | Administrative office Core building | | Nil Nil | |

| Sr.No. | Occupancy | Size of tenement | Parking Spaces Required | Remarks |
|--------|--|---|-------------------------|---------|
| 8 | Data Centres | For 400 sqm built up area or fraction thereof | 1 2 | -- |
| | Administrative office Core building | | Nil Nil | |

12.2 -- Integrated Information Technology Township (IITT)

12.2.1

12.2.1- Area Requirement

Any suitable area in MIDC Industrial Area or in statutory plan..... IT Township.

The area notified under the Integrated IT Township shall be one continuous, unbroken and uninterrupted piece of land and in any case shall not be less than 10 Ha (25 acres) at one place.

(Explanation- If such minimum 10 Ha (25 acre) area subject to payment of premium mention in Regulation No. 12.1.2 (Table No. 12A)

12.2.1- Area Requirement

Any suitable area in MIDC Industrial Area or in statutory plan..... IT Township.

The area notified under the Integrated IT Township shall be one continuous, unbroken and uninterrupted piece of land and in any case shall not be less than 10 Ha (25-aeres) 10 acre at one place.

(Explanation- If such minimum 10 Ha (25-aeres) 10 acre area subject to payment of premium mention in Regulation No. 12.1.2 (Table No. 12A)



12.2.3

12.2.3 - Planning Considerations.

The provisions of planning considerations mentioned in Regulation No. 12.1.3 shall be applicable mutatis-mutandis.

12.2.3 -- Planning Considerations.

The provisions of planning considerations mentioned in Regulation No. 12.1.3 shall be applicable mutatis-mutandis.

The project has to be an integrated project. The IIT may provide land for following users :-

- i) IT & ITes
- ii) Residential
- iii) Commercial
- iv) Educational
- v) Amenity Spaces
- vi) Health Facilities
- vii) Parks, Gardens & Playgrounds
- viii) Public Utilities
- ix) Transport and Communication

Types of ITes Activities allowed in IT Parks

a) *Back-office Operations: The administrative and support staff of a financial institute such as Banks, Insurance Company, Mutual Fund, Non-Banking Finance Companies which is responsible for function related to the running of the company such as Settlements, Compliance, Accounting, IT and Other Technology. Back Office Functions are also often outsourced to external companies and/or in different countries' which include:*

- *Business process outsource services provided mainly with the assistance or use of information*
- *Data entry, transcription, reconciliation, consolidation, co-ordination, proportion, processing review of documents*
- *Accounting to reporting and Reconciliations*
- *Activities excluding front offices of financial services such as corporate finance, asset and fund, Management*



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Broking, Non-Banking Financial Company, Tax and Audit Business and Management Consultancy, Taxation Services, Treasury Operations, Risk Management and Credit Services, "Financial Back Office Operations, Computer/disaster recovery and including but not limited to IT operations, financial and administrative support and any other ITeS Activities as set out in Definition 15.19. of said policy

b) Financial Back Room operations for Corporate and Investment Bank (CIB) and Private Bank, Disaster Recovery, IT Development and Support and ancillary office which includes Back Offices of Manufacturing and other service, Startups/Companies which have no direct customer interface but provide essential support through Electronic Media but this will not include delivery Godowns / Warehouse of E-Commerce Company/Organizations.

c) Call Centers or Contact Centre Services

d) Data Processing or data mining

e) Insurance Claim Processing

f) Legal Databases

g) Creation and maintenance of Medical Transcription Excluding advise

h) Payroll

i) Remote Maintenance

j) Revenue Accounting (IT should include back office operations of all Income Tax Offices, GST offices back office operations or any other Government & semi- Government offices)

k) Support Centers

l) Website Services

m) Translation Services,

n) Data Search integration & analysis,

o) Content generation/creation using audio, video system and extensive use of computer which can be permitted for education.

p) Clinical database Management-Services Excluding Clinical trials but does not include any research and development services whether or not in the nature of contract research and development services.



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- q) Visit Processing facilitation & back offices of Travel & Tourism facilitation, T.V. Entertainment Channels and Sports & Travel Channels
- r) Engineering & Designing
- s) Geographic Information System Services
- t) Human Resource Services
- u) Super Specialty IT Skill Development Centers/ IT related Hi-Tech Training Centers
- V) Co-Working Spaces / Plug and Play Infrastructure.

- Audio/Video Product Design
- Automation Equipment and System Design
- CAD/CAM/CAE Support
- Communications Equipment Design
- Computer related Services
- Computer Systems Design
- Development/Production of Software, Maintenance of software and User training
- Diagnostic Product Design eg. Medical, Biotech
- Electric Motors Design
- Electrical appliance and Devices Design
- Electronic Control Systems Design
- Electronic Instruments and And Device Design eg. IC
- Oil Rig Design
- Opto-Electronics Devices Design
- Projection Planning & Management
- Publishing
- Ship Design
- System customizing Center
- Engineering Design
- Factory Automation/CIM Design
- Fashion, furniture, Jewellery and Exhibition Design
- Geological Analysis on well samples and rocks
- Hybrid Circuit Modules Devices Design
- Industrial and IT Skills Training
- Information Systems Design



(Signature)

| | | |
|--------|---|--|
| | | <ul style="list-style-type: none"> • <i>Materials Applications Centre</i> • <i>Mechatronics Component Design</i> • <i>Office Automation Equipment Design</i> • <i>offshore Structure Design</i> • <i>Plastic Product Design</i> • <i>Product Demonstration</i> • <i>Quality Assurance, Testing Services & Technical Inspection</i> • <i>R&D Laboratories</i> • <i>Technical Service Centers</i> • <i>Tooling Design</i> <p><i>Note: The State Government will take a decision to make necessary changes in the list of services if there are any changes in the Income tax rules. In cases where the Directorate of Industries or its field offices have issued Letter of Intent or registration of an IT/ITES unit, IT Park / IT SEZ / AVGC Park, the incentives sanctioned will continue for the eligible period even if there are changes in the policy period. The ITES units carrying out activity as per above definition also will be allowed to occupy space in existing IT parks.</i></p> |
| 12.2.4 | 12.2.4 - General Norms for Different Land Use. The general norms for different land use mentioned in Regulation No. 12.1.4 shall be applicable mutatis-mutandis. | <p>12.2.4 - General Norms for Different Land Use The general norms for different land use mentioned in Regulation No. 12.1.4 shall be applicable mutatis-mutandis as below:- <i>Mixed use shall be permitted under the following Guidelines:</i> Land Use Percentage : <i>50% area for IT/ ITES use and 50% area use without any restriction as per prevailing norms.</i></p> |
| 12.2.6 | 12.2.6 - FSI In Integrated I.T. Township. The maximum permissible FSI on the gross area of the notified Integrated IT Township shall vary as follows :- For Integrated IT Township located in Pune, Pimpri-Chinchwad, Greater Mumbai, Thane, Navi Mumbai, Kalyan-Dombivli, Mira-Bhayandar, Ulhasnagar, Nagpur Municipal Corporations and Ambarnath Municipal Council limits, the permissible FSI shall be 3.00. For rest of the areas in the State, the permissible FSI shall be 2.50. | <p>12.2.6 - FSI In Integrated I.T. Township. The maximum permissible FSI on the gross area of the notified Integrated IT Township shall vary as follows :- For Integrated IT Township located in Pune, Pimpri-Chinchwad, Greater Mumbai, Thane, Navi Mumbai, Kalyan-Dombivli, Mira-Bhayandar, Ulhasnagar, Nagpur Municipal Corporations and Ambarnath Municipal Council limits, the permissible FSI shall be 3.00. For rest of the areas in the State, the permissible FSI shall be 2.50.</p> |



2.50.

The premium chargeable shall be as in para. 5 (ii) of Annexure-I Maharashtra's Information Technology / Information Technology Enabled Services Policy (IT/ITES) - 2015 issued by Industries, Energy & Labour Department vide Government Resolution No. ITP-2013/ (CR-265)/Ind-2, dated 25th August, 2015 as amended 2015 as amended from time to time. Floating of FSI shall not be permissible from the area of IT / ITE use to the area of support activities or vice versa, but floating of FSI shall be permitted within the respective areas of IT / ITES and support activities separately.

The provisions of Regulation No. 12.1.5 (i, ii and iii) shall be applicable mutatis-mutandis.

The premium chargeable shall be as in para. 5 (ii) of Annexure-I Maharashtra's Information Technology / Information Technology Enabled Services Policy (IT/ITES) - 2015 issued by Industries, Energy & Labour Department vide Government Resolution No. ITP-2013/ (CR-265)/Ind-2, dated 25th August, 2015 as amended from time to time. Floating of FSI shall not be permissible from the area of IT / ITE use to the area of support activities or vice versa, but floating of FSI shall be permitted within the respective areas of IT / ITES and support activities separately.

The provisions of Regulation No. 12.1.5 (i, ii and iii) shall be applicable mutatis-mutandis.

Staggered payment facility for premium to be paid for additional FSI. This shall be allowed in two installments with the stipulation that the entire premium is paid within a year or the date of obtaining the Occupancy / part Occupancy certificate whichever is earlier.

12.2.13

12.2.13-- Implementation and Completion.

Development of any notified Integrated IT Township shall be completed within 5 years from the date of final sanction to the layout plan of the area. This time limit may be extended by the Authority if required considering the area of the ITT.

12.2.13 Implementation and Completion.

Development of any notified Integrated IT Township shall be completed within 5 years from the date of final sanction to the layout plan of the area. This time limit may be extended by the Authority if required considering the area of the ITT. If the area of integrated Information Technology Township is from 10 (ten) acres to 25 (twenty-five) acres, then the period of completion of the project will be 7 ½ years (seven and half year) and if the area is more than 25 (twenty-five) acres, this period will be 10 years (ten years). In case of delay the extension will be considered subject to approval of the Committee constituted in this regard.

New

Provision regarding 'Data Centre' to be added by Clause No.10 under

NIL

12.10 DATA CENTER:

- Data Centers shall be allowed in any zone subject to payment of premium, if any, as per Regulation no. 12.1.2(iii)(f).
- Maximum permissible FSI and Premium shall





be as mentioned in 6.6.(i)

iii) If a private Data Centre Park has availed additional FSI as per the provisions of IT/ITES policy and subsequently it is found that the built-up space in the park is being used for non IT/ ITES / commercial activities/ any other activity not permitted as per the IT/ITES policy following action will be taken :

- a) A per day penalty equal to 0.3% of the prevailing ASR value of the built-up area that has been found to be used for non-IT/ ITES activities.
- b) The penalty will be recovered from the date of issue of occupancy certificate till the day non-IT use continues. After payment of the penalty to the concerned Planning Authority, the said private Data Centre will restore the use of premises to the original purpose for which LOI/Registration was granted.
- c) If the Data Centre fails to pay penalty and/or restore the use to its original intended use, the Authority will take suitable action under the Maharashtra Regional and Town Planning Act 1966, against the erring private Data Centre under intimation to the Directorate of Industries.
- d) This provision will also be applicable to existing Data Centre.
- e) The promoter / Developer of Data Centre shall not allowed to sell / lease the buildup

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area reserved for IT /ITES activities to
non IT user in any case.

f) Penalty to be impose on end user/ owner of
the Data Centre premises.

iv) Basement parking, storage space and space
used for Diesel Generator (DG) Sets
installation shall be excluded for the purpose
of FSI calculation along with structures /
Projections specified in Regulation No.5.8 of
MIDC CDCPR.



(Dr. Pratibha Bhadane)
Joint Secretary to Government

SCHEDULE-B

(Schedule appended to the Government in Urban Development Department's
Notice No. TPB- 4322/314/C.R.25/2023/UD-11 Dated – 4th August,2023.)

Proposed Modification

The following New provision is proposed to be added by Regulation 5.13 as given in table below :-

| Regulation. | Existing Provision | Proposed Provision |
|-------------------------------------|--------------------|---|
| New Regulation 5.13 is to be added. | — | <p>Regulation 5.13:- Hirkani Kaksha (Ladies Room) - In any Industrial, Public / Semi Public, Institutional, Educational, Commercial, Assembly, Mercantile, Business and Office building area upto 25 sqm. may be allowed for the use of ladies with their children under the age of 6 years, Pregnant women and new born child mother.</p> <p>Note :-</p> <ol style="list-style-type: none">1. Hirkani Kaksha (Ladies Room) is a facility at a work place / public place where pregnant women, lactating mothers can rest and breastfeed the baby in this room.2. It shall be accessible from common passage / staircase / lift etc., and shall be located preferably at ground or first floor, or in case if the ground/upper floor are used as stilt / podium / parking floors, then the floor next above the said parking floor / floors.3. Ladies toilet shall be provided with appropriate ventilation, lighting and drainage facilities.4. For this purpose, all necessary infrastructures should be provided in the room.5. It shall not be counted in FSI.6. The ownership shall vest with the society / association of owners if any. |



(Dr. Pratibha Bhadane)
Joint Secretary to Government

महाराष्ट्र प्रादेशिक व नगर रचना अधिनियम, १९६६
महाराष्ट्र औद्योगिक विकास महामंडळाच्या सर्वसमावेशक
विकास नियंत्रण व प्रोत्साहन नियमावलीमध्ये उक्त
अधिनियमाचे कलम ३७(१ अअ) अन्वये प्रस्तावित
फेरबदल.

महाराष्ट्र शासन
नगर विकास विभाग
मंत्रालय, मुंबई : ४०० ०३२,
दिनांक - ४ ऑगस्ट, २०२३

सूचना

क्रमांक :- टिपीबी-४३२२/३१४/प्र.क्र.२५/ २०२३/ नवि-११

ज्याअर्थी, महाराष्ट्र औद्योगिक विकास महामंडळ अधिनियम, १९६१ चे प्रकरण VI च्या तरतुदी लागू होणारे क्षेत्र किंवा इतर जमोन ज्या शासनाने महाराष्ट्र औद्योगिक विकास महामंडळास हस्तांतरीत केल्या आहेत, अशा जमिनीकरीता महाराष्ट्र प्रादेशिक व नगर रचना अधिनियम, १९६६ च्या (यापुढे याचा उल्लेख "उक्त अधिनियम" असा केला आहे.) कलम ४०(१अ) अन्वये महाराष्ट्र औद्योगिक विकास महामंडळास (यापुढे ज्याचा उल्लेख "उक्त प्राधिकरण" असा केला आहे.) विशेष नियोजन प्राधिकरण म्हणून नियुक्त केले आहे;

आणि ज्याअर्थी, शासनाने उक्त अधिनियमाचे कलम ३७ चे पोट कलम (२) नुसार प्राप्त अधिकारांचा वापर करून शासन नगर विकास विभागाकडील अधिसूचना क्र. टिपीबी-४३२२/३१४/ प्र.क्र.२५/ २०२३/ नवि-११ द्वारे उक्त प्राधिकरणाचे सर्वसमावेशक विकास नियंत्रण व प्रोत्साहन नियमावलीस (यापुढे ज्याचा उल्लेख "उक्त नियमावली" असा केला आहे.) मंजूरी दिली असून ती शासकीय राजपत्रात दि.१३ जुलै, २०२३ रोजी प्रसिध्द करण्यात आली आहे;

आणि ज्याअर्थी, महाराष्ट्र राज्यातील माहिती तंत्रज्ञान आणि माहिती तंत्रज्ञान सहाय्यभूत सेवांच्या सर्वंकष व्यापक विस्ताराकरीता, शासनाचे उद्योग विभागातर्फे महाराष्ट्र राज्याचे माहिती तंत्रज्ञान आणि माहिती तंत्रज्ञान सहाय्यभूत सेवा धोरण- २०२३ (यापुढे ज्याचा उल्लेख "उक्त धोरण" असा केला आहे.) तयार करण्यात आले असून, ते शासन उद्योग विभागाकडील दि.२७/०६/२०२३ रोजीचे शासन निर्णयाद्वारे जाहिर करण्यात आले आहे; आणि ज्याअर्थी, उक्त धोरणातील संबंधित मुद्द्यांच्या अनुषंगाने संबंधित प्रशासकीय विभागांनी आवश्यक ते आदेश तातडीने निर्गमित करण्याबाबत उद्योग विभागाने विनंती केली आहे;

आणि ज्याअर्थी, वरील विचारात घेता, उक्त नियमावलीतील तरतुदी उक्त धोरणातील तरतुदीशी सुसंगत असण्याकरिता उक्त धोरणातील तरतुदीचे अनुरूप उक्त नियमावलीतील संबंधित तरतुदीमध्ये सदर सूचनेसोबतचे "परिशिष्ट-अ" मध्ये नमूद केल्यानुसार सुधारणा करणे आवश्यक आहे, असे शासनाचे मत झाले आहे (यापुढे ज्याचा उल्लेख "प्रस्तावित फेरबदल" असा करण्यात आलेला आहे);



आणि ज्याअर्थी, औद्योगिक, सावंजनिक, निमसावंजनिक, संस्थात्मक, शैक्षणिक व तत्सम इतर वापराच्या इमारती ज्या ठिकाणी महिला मोठया प्रमाणात काम करतात अशा इमारतीमध्ये "महिला कक्ष" (Ladies Room) प्रस्तावित करणेबाबत शासनाच्या महिला व बाल विकास विभागाच्या वतीने हिरकणी कक्षाची स्थापना करण्याचे निर्देश देण्यात आलेले आहेत;

आणि ज्याअर्थी, ज्या ठिकाणी महिला मोठया प्रमाणात काम करतात अशा इमारतीमध्ये स्तनपान करण्याच्या स्त्रिया, गरोदर महिला, नवजात बालकांच्या माता व ०६ वर्षांखालील मुले व माता यांच्याकरीता स्वतंत्र महिला कक्ष (Ladies Room) नसल्यामुळे महिलांना अडचणी निर्माण होत असल्याचे शासनाच्या निदर्शनास आले आहे;

आणि ज्याअर्थी, जागतिक महिला दिनाचे औचित्य साधून औद्योगिक, सावंजनिक, निमसावंजनिक, संस्थात्मक, शैक्षणिक व तत्सम इतर वापराच्या इमारतीमध्ये महिला कक्ष (Ladies Room) ची सेवा पुरविणे बंधनकारक करणेकरिता उक्त नियमावलीमध्ये उक्त नियमावलीत या सूचनेसोबतच्या 'परिशिष्ट-ब' मध्ये नमूद केल्याप्रमाणे नव्याने तरतुद समाविष्ट करणे आवश्यक आहे, असे शासनाचे मत झाले आहे (यापुढे ज्याचा उल्लेख "प्रस्तावित फेरबदल" असा करण्यात आलेला आहे);

आता त्याअर्थी, उक्त अधिनियमाचे कलम ३७(१अअ) अन्वये प्राप्त अधिकारात आणि तदनुषंगिक शक्तींचा वापर करून, प्रस्तावित फेरबदलावर जनतेकडून सूचना / हरकती मागविण्यासाठी शासन ही सूचना प्रसिध्द करीत आहे. प्रस्तावित फेरबदलावरील कोणत्याही सूचना/हरकती, ही सूचना महाराष्ट्र शासन राजपत्रात प्रसिध्द झाल्यापासून एक महिन्याच्या आत, संबंधित विभागीय सहसंचालक, नगर रचना यांचेकडे दाखल करता येतील. विभागीय सहसंचालक, नगर रचना यांना प्राप्त सूचना/हरकतीवर सुनावणी देऊन आणि आवश्यकतेनुसार संबंधित नियोजन प्राधिकरणांचे म्हणणे घेऊन, त्यावरील अहवाल शासनास सादर करण्यासाठी उक्त अधिनियमाचे कलम १६२(१) नुसार प्राधिकृत करण्यात येत आहे.

ही सूचना, कामकाजाचे दिवशी एक महिन्याच्या कालावधीकरिता जनतेच्या अवलोकनार्थ खालील कार्यालयात उपलब्ध राहील.

१. मुख्य कार्यकारी अधिकारी, महाराष्ट्र औद्योगिक विकास महामंडळ, अंधेरी, मुंबई.
२. विभागीय सहसंचालक, नगर रचना, कोकण / पुणे / नाशिक / नागपूर / अमरावती/ औरंगाबाद विभाग.
३. सर्व विभागीय अधिकारी, महाराष्ट्र औद्योगिक विकास महामंडळ.

ही सूचना शासनाचे संकेतस्थळ www.maharashtra.gov.in (कायदे/नियम) वर उपलब्ध राहील.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने.



(डॉ. प्रतिभा भदोणे)
सह सचिव, महाराष्ट्र शासन

परिशिष्ट-अ

(शासन नगर विकास विभागाकडील सूचना क्र. टिपीबी - ४३२२/ ३१४/ प्र.क्र.२५/ २०२३/ नवि-११, दिनांक :- ४ ऑगस्ट, २०२३ संवत् २०८१ चैत्र ११, २०२३)

प्रस्तावित फेरबदल

| Regulation No. | Existing Provision | Proposed provision |
|---|--|---|
| 6.6 -- Regulations for Development of Information Technology Establishment :- | <p>Regulations for Development of Information Technology Establishment :-</p> <p>Development of Information Technology Establishments shall be regulated as per the Information Technology & Information Technology Enabled Services (IT/ITES) Policy 2015 as declared by Industries Department vide Government Resolution No. ITP-2013/CR-265/IND-2, dated 25/08/2015, along with the special regulations sanctioned by the Government vide notification No. TPB 4316/CR-1672016/(3)/UD-11, dated 15th July, 2016 and amended from time to time which are mentioned below :-</p> <p>i) The Authority may permit additional FSI upto 200% over and above the basic permissible F.S.I. to all registered Public and Private IT/ ITES Parks /IT SEZs or IT Parks in SEZs / Stand-alone IT/ ITES units in public IT Park (including IT/ ITES units located in Residential / Industrial / No Development / Green / Agriculture Zone or any other land use zone in which such users are permissible), which have been approved by the Directorate of Industries, proposed to be set up or already set up under present / previous IT/ITES policies, (hereinafter referred to as the "said unit") by charging premium of 20% of the land rate for the said land as prescribed in Annual Statement of Rates for the relevant year of granting such additional F.S.I.</p> <p>In the case of lessor authorities such as MIDC as land</p> | <p>Regulations for Development of Information Technology Establishment :-</p> <p>Development of Information Technology Establishments shall be regulated as per the Information Technology & Information Technology Enabled Services (IT/ITES) Policy 2015 as declared by Industries Department vide Government Resolution No. ITP-2013/CR-265/IND-2, dated 25/08/2015, along with the special regulations sanctioned by the Government vide notification No. TPB 4316/CR-1672016/(3)/UD-11, dated 15th July, 2016 and amended from time to time which are mentioned below :-</p> <p>i) The Authority may permit additional FSI upto 200% as mentioned below over and above the basic permissible F.S.I. to all registered Public and Private IT/ ITES Parks /AVGC Parks /IT SEZs or IT Parks in SEZs / Stand-alone IT/ ITES units in public IT Park (including IT/ ITES units located in Residential / Industrial / No Development / Green / Agriculture Zone or any other land use zone in which such users are permissible), which have been approved by the Directorate of Industries, proposed to be set up or already set up under present / previous IT/ITES policies, (hereinafter referred to as the "said unit") by charging premium of 20% of the land rate for the said land as prescribed in Annual Statement of Rates for the relevant year of granting such additional F.S.I. as mentioned below :-</p> |



owner, such authorities may recover lease premium for additional F.S.I., if applicable, under their land disposal policy.

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

Provided further that, the premium so collected shall be shared between the Planning Authority and the Government in the proportion of 50 : 50. The share of the Government shall be paid to the concerned Branch office of the Town Planning Department.

(Explanation:- Premium charges shall be calculated on the value of lands under such zones, determined by considering the land rates of the said land as prescribed in Annual Statement of Rates (ASR) / MIDC land rate. These charges shall be paid at the time of permitting additional F.S.I. by considering the ASR for the relevant year without applying the guidelines / MIDC land rate.)

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

iii) Maximum 40% of total proposed built-up area (excluding parking area) inclusive of such additional F.S.I. may be permitted for support services in IT Parks including offices. Remaining built-up area shall be utilized for IT/ITES.

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

v) Premium to be received by the Authority as per provisions in this regulation shall be deposited in a

Additional FSI may be provided on the basis of following Table :

| Sr. No. | Minimum Road Width | Maximum Permissible Greater Region | FSI Mumbai | Maximum Permissible FSI Rest of Maharashtra |
|---------|--------------------|------------------------------------|------------|---|
| 1 | 12 m | Up to 3 | | Up to 3 |
| 2 | 18 m | Up to 4 | | Up to 3.5 |
| 3 | 27 m | Up to 5 | | Up to 4 |

Premium for additional Floor Space index:

a. For the areas in Vidharbha, Marathwada, Dhule, Nandurbar, Ratnagiri and Sindhudurg, No premium shall be charged for additional Floor Space Index (FSI).

b. For the areas in Greater Mumbai Region and rest of Maharashtra excluding (4)(a), the additional FSI over and above the basic permissible F.S.I. shall be permissible by levying premium at the rate of 50% of prevailing rate of premium as mentioned in MIDC CDCPR.

c. In addition, other applicable FSI's like Ancillary FSI will be applicable as per MIDC CDCPR norms.

d. The developer will be allowed to pay the premium, ancillary FSI charges and other charges for the increased additional FSI for the IT Park in installments.

In the case of lessor authorities such as MIDC as land owner, such authorities may recover lease premium for additional F.S.I., if applicable, under their land disposal policy.

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



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| <p>separate fund viz. "Critical Infrastructure Fund for IT/ITES Industries" and this fund shall be utilized only for creation of Critical Infrastructure for IT/ITES Industries; Provided that in the event, the developer come forward for providing such off site infrastructure at his own cost, instead of paying premium as prescribed above, then the Authority may determine the estimated cost of the work by using rates prescribed in District Schedule of Rates (DSR) of the relevant year, in which order for commencement of such work is issued. The Authority shall also prescribe the standards for the work. After completion of the works, the Authority shall verify and satisfy itself that the same is developed as per prescribed standards and thereafter, by deducting the cost of works, the balance amount of premium shall be recovered from such developer before issuing occupancy certificate. Provided that, in case the cost of work is more than the premium to be recovered, such additional cost to be borne by such developer.</p> | <p>minimum 18 m width. Provided further that, the premium so collected shall be shared between the Planning Authority and the Government in the proportion of 50 : 50. The share of the Government shall be paid to the concerned Branch office of the Town Planning Department. (Explanation:- Premium charges shall be calculated on the value of lands under such zones, determined by considering the land rates of the said land as prescribed in Annual Statement of Rates (ASR) / MIDC land rate. These charges shall be paid at the time of permitting additional F.S.I. by considering the ASR for the relevant year without applying the guidelines / MIDC land rate.)</p> |
| <p>vi) Permission for erecting towers and antenna upto height permitted by the Civil Aviation Department shall be granted by the authority as per the procedure followed for development permission or otherwise as may be decided by the Government.</p> | <p>ii) No premium shall be chargeable in areas of Planning Authorities, if they are covered under No Industry Districts and Naxalism affected areas of the State (as defined in the "Package Scheme of Incentives 2013" of the Industries, Energy & Labour Department of the State.)</p> |
| <p>vii) While developing site for IT/ITES with additional FSI, support services as defined in the IT Policy 2015 or amended from time to time, shall be allowed.</p> | <p>iii) Maximum 40% of total proposed built-up area (excluding parking area) inclusive of such additional F.S.I. may be permitted for support services in IT Parks including offices. Remaining built-up area shall be utilized for IT/ITES.</p> |
| <p>viii) No amenity space shall be required to be left for development of IT/ITES buildings.</p> | <p>iv) Such new unit shall allocate at least 2% of the total proposed built-up area for providing incubation facilities for new units. This area would be treated as a part of the Park to be used for IT activities and eligible for additional FSI benefits accordingly.</p> |
| <p>ix) The Directorate of industries will develop a web portal on which the developer of every IT park will be bound to provide/ update detailed information about names of the units in the park, utilization of built-up area and activities being carried out, manpower employed in the IT Park for IT/ITES and support services on yearly basis.</p> | <p>ii) Mixed use shall be permitted in IT parks under the following Guidelines: Land Use Percentage : a) Zone-I: Municipal Corporations in MMR & PMR area: • 60% - IT & ITeS Units including 2% BUA for</p> |



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

- The misuse shall be ascertained by physical site verification of the said private IT park by a team of officers from the Directorate of Industries and the Authority which has approved the building plans of the said private IT park.
- A per day penalty equal to 0.3% of the prevailing ASR value of the built-up area that has been found to be used for non-IT/ITES activities.
- The penalty will be recovered from the date of commencement of unauthorized use till the day non-IT use continues.

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

Incubation centers.

- 40% - Allied Services / Support services. It will include all commercial and residential activities except polluting activities.

b) In area excluding Zone-I :

- 50% - IT & ITeS Units including 2% BUA for incubation centers.
- 50% - Allied Services / Support services. It will include all commercial and residential activities except polluting activities.

c) Standalone building/ Group of buildings in IT Parks with a minimum BUA area of 20,000 sq. ft. will also be eligible for above (i) & (ii) benefits.

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

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

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



by such developer.

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

vii) v) While developing site for IT/ITES with additional FSI, support services as defined in the IT Policy 2015 2023 or amended from time to time, shall be allowed.

viii) vi) No amenity space shall be required to be left for development of IT/ITES buildings.

ix) vii) The Directorate of industries will develop a web portal on which the developer of every IT park will be bound to provide/ update detailed information about names of the units in the park, utilization of built-up area and activities being carried out, manpower employed in the IT Park for IT/ ITES and support services on yearly basis. *The Planning Authority retained the rights to verify the details of the information furnished by the developer through inspection.*

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

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

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

[Signature]



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| | | <p>c) The penalty will be recovered from the date of commencement of unauthorized use till the day non-IT use continues.</p> <p>d) After payment of the penalty to the Authority, the said private IT Park will restore the use of premises to the original purpose for which LOI/ Registration was granted. If the private IT Park fails to pay penalty and/or restore the use to its original intended use, the Authority will take suitable action under the Maharashtra Regional and Town Planning Act 1966, against the erring private IT Park under intimation to the Directorate of Industries. This provision will also be applicable to existing IT Parks.</p> <p>e. <i>The promoter / Developer of IT Park shall not be allowed to sell / lease the builtup area reserved for IT / ITES activities to non IT user in any case.</i></p> <p>f. <i>Penalty to be imposed on end user/ owner of the unit / premises of IT Parks</i></p> |
|--|--|---|



7.2.1 Off-Street Parking Requirement

Table No.7C

| Sr.No. | Occupancy | Size of tenement | Parking Spaces Required | Remarks |
|--------|--|---|-------------------------|---------|
| 8 | Data Centres | For 100 sqm built up area or fraction thereof | 1 2 | -- |
| | Administrative office Core building | | Nil Nil | |

| Sr.No. | Occupancy | Size of tenement | Parking Spaces Required | Remarks |
|--------|--|---|-------------------------|---------|
| 8 | Data Centres | For 400 sqm built up area or fraction thereof | 1 2 | -- |
| | Administrative office Core building | | Nil Nil | |

12.2 -- Integrated Information Technology Township (IIT)

12.2.1

12.2.1- Area Requirement

Any suitable area in MIDC Industrial Area or in statutory plan..... IT Township.

The area notified under the Integrated IT Township shall be one continuous, unbroken and uninterrupted piece of land and in any case shall not be less than 10 Ha (25 acres) at one place.

(Explanation- If such minimum 10 Ha (25 acre) area subject to payment of premium mention in Regulation No. 12.1.2 (Table No. 12A)

12.2.1- Area Requirement

Any suitable area in MIDC Industrial Area or in statutory plan..... IT Township.

The area notified under the Integrated IT Township shall be one continuous, unbroken and uninterrupted piece of land and in any case shall not be less than 40 Ha (25-aeres) 10 acre at one place.

(Explanation- If such minimum 40-Ha-(25-aere) 10 acre area subject to payment of premium mention in Regulation No. 12.1.2 (Table No. 12A)



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12.2.3 - Planning Considerations.

The provisions of planning considerations mentioned in Regulation No. 12.1.3 shall be applicable mutatis-mutandis.

12.2.3

12.2.3 -- Planning Considerations.

The provisions of planning considerations mentioned in Regulation No-12.1.3 shall be applicable mutatis-mutandis.

The project has to be an integrated project. The IIT may provide land for following users :-

- i) IT & ITes
- ii) Residential
- iii) Commercial
- iv) Educational
- v) Amenity Spaces
- vi) Health Facilities
- vii) Parks, Gardens & Playgrounds
- viii) Public Utilities
- ix) Transport and Communication

Types of ITes Activities allowed in IT Parks

a) *Back-office Operations:* The administrative and support staff of a financial institute such as Banks, Insurance Company, Mutual Fund, Non-Banking Finance Companies which is responsible for function related to the running of the company such as Settlements, Compliance, Accounting, IT and Other Technology.

Back Office Functions are also often outsourced to external companies and/or in different countries' which include:

- *Business process outsource services provided mainly with the assistance or use of information*
- *Data entry, transcription, reconciliation, consolidation, co-ordination, proportion, processing review of documents*
- *Accounting to reporting and Reconciliations*
- *Activities excluding front offices of financial services such as corporate finance, asset and fund, Management*



Broking, Non-Banking Financial Company, Tax and Audit Business and Management Consultancy, Taxation Services, Treasury Operations, Risk Management and Credit Services, "Financial Back Office Operations, Computer/disaster recovery and including but not limited to IT operations, financial and administrative support and any other ITeS Activities as set out in Definition 15.19. of said policy

b) Financial Back Room operations for Corporate and Investment Bank (CIB) and Private Bank, Disaster Recovery, IT Development and Support and ancillary office which includes Back Offices of Manufacturing and other service, Startups/Companies which have no direct customer interface but provide essential support through Electronic Media but this will not include delivery Godowns / Warehouse of E-Commerce Company/Organizations.

c) Call Centers or Contact Centre Services

d) Data Processing or data mining

e) Insurance Claim Processing

f) Legal Databases

g) Creation and maintenance of Medical Transcription Excluding advise

h) Payroll

i) Remote Maintenance

j) Revenue Accounting (IT should include back office operations of all Income Tax Offices, GST offices back office operations or any other Government & semi- Government offices)

k) Support Centers

l) Website Services

m) Translation Services,

n) Data Search integration & analysis,

o) Content generation/creation using audio, video system and extensive use of computer which can be permitted for education.

p) Clinical database Management-Services Excluding Clinical trials but does not include any research and development services whether or not in the nature of contract research and development services.





- q) *Visa Processing facilitation & back offices of Travel & Tourism facilitation, T.V. Entertainment Channels and Sports & Travel Channels*
- r) *Engineering & Designing*
- s) *Geographic information System Services*
- t) *Human Resource Services*
- u) *Super Specialty IT Skill Development Centers/ IT related Hi-Tech Training Centers*
- v) *Co-Working Spaces / Plug and Play Infrastructure.*



- *Audio/Video Product Design*
- *Automation Equipment and System Design*
- *CAD/CAM/CAE Support*
- *Communications Equipment Design*
- *Computer related Services*
- *Computer Systems Design*
- *Development/Production of Software, Maintenance of software and User training*
- *Diagnostic Product Design eg. Medical, Biotech*
- *Electric Motors Design*
- *Electrical appliance and Devices Design*
- *Electronic Control Systems Design*
- *Electronic Instruments and And Device Design eg. IC*
- *Oil Rig Design*
- *Opto-Electronics Devices Design*
- *Projection Planning & Management*
- *Publishing*
- *Ship Design*
- *System customizing Center*
- *Engineering Design*
- *Factory Automation/CIM Design*
- *Fashion, furniture, Jewellery and Exhibition Design*
- *Geological Analysis on well samples and rocks*
- *Hybrid Circuit Modules Devices Design*
- *Industrial and IT Skills Training*
- *Information Systems Design*

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| | | <ul style="list-style-type: none"> • Materials Applications Centre • Mechatronics Component Design • Office Automation Equipment Design • offshore Structure Design • Plastic Product Design • Product Demonstration • Quality Assurance, Testing Services & Technical Inspection • R&D Laboratories • Technical Service Centers • Tooling Design <p><i>Note: The State Government will take a decision to make necessary changes in the list of services if there are any changes in the Income tax rules. In cases where the Directorate of Industries or its field offices have issued Letter of Intent or registration of an IT/ITES unit, IT Park / IT SEZ / AVGC Park, the incentives sanctioned will continue for the eligible period even if there are changes in the policy period. The ITES units carrying out activity as per above definition also will be allowed to occupy space in existing IT parks.</i></p> |
| 12.2.4 | 12.2.4 - General Norms for Different Land Use. The general norms for different land use mentioned in Regulation No. 12.1.4 shall be applicable mutatis-mutandis. | 12.2.4 - General Norms for Different Land Use The general norms for different land use-mentioned in Regulation No. 12.1.4 shall be applicable mutatis-mutandis as below:- Mixed use shall be permitted under the following Guidelines: Land Use Percentage : 50% area for IT/ ITES use and 50% area use without any restriction as per prevailing norms. |
| 12.2.6 | 12.2.6 - FSI In integrated I.T. Township. The maximum permissible FSI on the gross area of the notified Integrated IT Township shall vary as follows :- For Integrated IT Township located in Pune, Pimpri-Chinchwad, Greater Mumbai, Thane, Navi Mumbai, Kalyan-Dombivli, Mira-Bhayandar, Ulhasnagar, Nagpur Municipal Corporations and Ambarnath Municipal Council limits, the permissible FSI shall be 3.00. For rest of the areas in the State, the permissible FSI shall be 2.50. | 12.2.6 - FSI In integrated I.T. Township. The maximum permissible FSI on the gross area of the notified Integrated IT Township shall vary as follows :- For Integrated IT Township located in Pune, Pimpri-Chinchwad, Greater Mumbai, Thane, Navi Mumbai, Kalyan-Dombivli, Mira-Bhayandar, Ulhasnagar, Nagpur Municipal Corporations and Ambarnath Municipal Council limits, the permissible FSI shall be 3.00. For rest of the areas in the State, the permissible FSI shall be 2.50. |



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| <p>2.50.</p> <p>The premium chargeable shall be as in para. 5 (ii) of Annexure-I Maharashtra's Information Technology / Information Technology Enabled Services Policy (IT/ITES) - 2015 issued by Industries, Energy & Labour Department vide Government Resolution No. ITP-2013/ (CR-265)/Ind-2, dated 25th August, 2015 as amended from time to time. Floating of FSI shall not be permissible from the area of IT / ITE use to the area of support activities or vice versa, but floating of FSI shall be permitted within the respective areas of IT / ITES and support activities separately.</p> <p>The provisions of Regulation No. 12.1.5 (i, ii and iii) shall be applicable mutatis-mutandis.</p> | <p>The premium chargeable shall be as in para. 5 (ii) of Annexure-I Maharashtra's Information Technology / Information Technology Enabled Services Policy (IT/ITES) - 2015 issued by Industries, Energy & Labour Department vide Government Resolution No. ITP-2013/ (CR-265)/Ind-2, dated 25th August, 2015 as amended from time to time. Floating of FSI shall not be permissible from the area of IT / ITE use to the area of support activities or vice versa, but floating of FSI shall be permitted within the respective areas of IT / ITES and support activities separately.</p> <p>The provisions of Regulation No. 12.1.5 (i, ii and iii) shall be applicable mutatis-mutandis.</p> | <p>The premium chargeable shall be as in para. 5 (ii) of Annexure-I Maharashtra's Information Technology / Information Technology Enabled Services Policy (IT/ITES) - 2015 issued by Industries, Energy & Labour Department vide Government Resolution No. ITP-2013/ (CR-265)/Ind-2, dated 25th August, 2015 as amended from time to time. Floating of FSI shall not be permissible from the area of IT / ITE use to the area of support activities or vice versa, but floating of FSI shall be permitted within the respective areas of IT / ITES and support activities separately.</p> <p>The provisions of Regulation No. 12.1.5 (i, ii and iii) shall be applicable mutatis-mutandis.</p> <p><i>Staggered payment facility for premium to be paid for additional FSI. This shall be allowed in two installments with the stipulation that the entire premium is paid within a year or the date of obtaining the Occupancy / part Occupancy certificate whichever is earlier.</i></p> |
| <p>12.2.13</p>  | <p>12.2.13-- Implementation and Completion.</p> <p>Development of any notified Integrated IT Township shall be completed within 5 years from the date of final sanction to the layout plan of the area. This time limit may be extended by the Authority if required considering the area of the ITT.</p> | <p>12.2.13 Implementation and Completion.</p> <p>Development of any notified Integrated IT Township shall be completed within 5 years from the date of final sanction to the layout plan of the area. This time limit may be extended by the Authority if required considering the area of the ITT. If the area of Integrated Information Technology Township is from 10 (ten) acres to 25 (twenty-five) acres, then the period of completion of the project will be 7 ½ years (seven and half year) and if the area is more than 25 (twenty-five) acres, this period will be 10 years (ten years). In case of delay the extension will be considered subject to approval of the Committee constituted in this regard.</p> |
| <p>New Provision regarding 'Data Centre' to be added by Clause No.10 under</p> | <p>NIL</p> <p></p> | <p>12.10 DATA CENTER:</p> <p>i) Data Centers shall be allowed in any zone subject to payment of premium, if any, as per Regulation no. 12.1.2(iii)(f).</p> <p>ii) Maximum permissible FSI and Premium shall</p> |

be as mentioned in 6.6.(i)

iii) If a private Data Centre Park has availed additional FSI as per the provisions of IT/ITES policy and subsequently it is found that the built-up space in the park is being used for non IT/ ITES / commercial activities/ any other activity not permitted as per the IT/ITES policy following action will be taken :

- a) A per day penalty equal to 0.3% of the prevailing ASR value of the built-up area that has been found to be used for non-IT/ ITES activities.
- b) The penalty will be recovered from the date of issue of occupancy certificate till the day non-IT use continues. After payment of the penalty to the concerned Planning Authority, the said private Data Centre will restore the use of premises to the original purpose for which LOU Registration was granted.
- c) If the Data Centre fails to pay penalty and/or restore the use to its original intended use, the Authority will take suitable action under the Maharashtra Regional and Town Planning Act 1966, against the erring private Data Centre under intimation to the Directorate of Industries.
- d) This provision will also be applicable to existing Data Centre.
- e) The promoter / Developer of Data Centre shall not allowed to sell / lease the builtup



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| | | <p>area reserved for IT /ITES activities to non IT user in any case.</p> <p>f) Penalty to be impose on end user/ owner of the Data Centre premises.</p> <p>iv) Basement parking, storage space and space used for Diesel Generator (DG) Sets installation shall be excluded for the purpose of FSI calculation along with structures / Projections specified in Regulation No.5.8 of MIDC CDCPR.</p> |
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(Signature)

(डॉ. प्रतिभा भदोणे)
सह सचिव, महाराष्ट्र शासन

परिशिष्ट-ब


(शासन नगर विकास विभागाकडील सूचना क्र. टिपीबी-४३२२/३१४/ प्र.क्र.२५/ २०२३/ नवि-११, दिनांक :- ४ ऑगस्ट, २०२३ सोबतचे परिशिष्ट.)

प्रस्तावित फेरबदल

The following New provision is proposed to be added by Regulation 5.13 as given in table below :-

| Regulation. | Existing Provision | Proposed Provision |
|-------------------------------------|--------------------|---|
| New Regulation 5.13 is to be added. | — | <p>Regulation 5.13:- Hirkani Kaksha (Ladies Room) - In any Industrial, Public / Semi Public, Institutional, Educational, Commercial, Assembly, Mercantile, Business and Office building area upto 25 sqm. may be allowed for the use of ladies with their children under the age of 6 years, Pregnant women and new born child mother.</p> <p>Note :-</p> <ol style="list-style-type: none">1. Hirkani Kaksha (Ladies Room) is a facility at a work place / public place where pregnant women, lactating mothers can rest and breastfeed the baby in this room.2. It shall be accessible from common passage / staircase / lift etc., and shall be located preferably at ground or first floor, or in case if the ground/upper floor are used as stilt / podium / parking floors, then the floor next above the said parking floor / floors.3. Ladies toilet shall be provided with appropriate ventilation, lighting and drainage facilities.4. For this purpose, all necessary infrastructures should be provided in the room.5. It shall not be counted in FSI.6. The ownership shall vest with the society / association of owners if any. |




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