BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

(WESTERN ZONE BENCH) PUNE, AT PUNE

ORIGINAL APPLICATION NO.33 of 2018

Mr. Sanjay alias BalaBhegde

And others …Applicants

VERSUS

The State of Maharashtra

(Through the Department of Environment

and Forest, Mantralaya) and others …Respondents

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REPLY ON BEHALF OF THE RESPONDENT NO. 65

1. At the outset, all the contents, allegations, averments in the present Original Application are denied and no contents thereof shall be deemed to be admitted for the reason of non-traverse, unless specifically admitted herein.

2. Vide the present Original Application, the Applicants herein have raised the issue of alleged illegal and anti-environment construction undertaken on hilltops and hill slopes in different villages near and around Pavana Dam at Pavana Nagar Area, TalukaMaval, District-Pune. In the present Original Application, the Applicants have sought to raise issues pertaining to breach of the Environment (Protection) Act, 1986, the Biological Diversity Act, 2002 as well as the Maharashtra Regional and Town Planning Act, 1966 and Maharashtra Land Revenue Code, 1966.

3. The Hon'ble Tribunal vide its Order dated 04.07.2019 was pleased to issue notice in the present Original Application to the Respondents. Further, since the Applicants had challenged the alleged illegal

construction of 53 private Respondents without impleading them, the Hon'ble Tribunal vide its Order dated 04.07.2019 directed the Applicant to take steps for impleadment of 53 private Respondents.

4. Thereafter, the present Original Application was listed before this Hon'ble Court on 30.06.2020 wherein, this Hon'ble Tribunal was pleased to allow the Amendment Application bearing Miscellaneous Application No.124 of 2018 filed by the Applicants seeking impleadment of 63 Respondents. Further, the Hon'ble Tribunal on 30.06.2020 was pleased to constitute a Committee consisting of:

   a. Collector of the Pavana area in MavalTaluka, District Pune,

   b. Divisional Forest Officer, District Pune and

   c. Maharashtra State Pollution Control Board.

   The said Committee was directed by the Hon'ble Tribunal to inspect the matter under question raised in the present Original Application and submit a factual and action taken report before the Hon'ble Tribunal. The Maharashtra Pollution Control Board was the nodal agency for compliance.

5. In compliance of the order dated 30.06.2020 passed by the Hon'ble Tribunal, the Joint Committee submitted its Action Taken report dated 11.08.2021 before this Hon'ble Tribunal. In the said Report, the observations of the members of the Joint Committee i.e, the Collector, Maval; Deputy Conservator of Forest, Pune and the Maharashtra Pollution Control Board have been mentioned.

   The said Report of the Joint Committee had found that out of 63 constructions, only 2 constructions had obtained Non-Agriculture permission and therefore, the remaining constructions were unauthorized.

Further, the Forest Department had observed that 10 out of 63 construction were found in private forest which were deemed to be reserved forest as per the provisions of the Maharashtra Private Forest Acquisition Act, 1975. However, out of the said 10 constructions, the construction of the Answering Respondent has not been found to be falling within Private Forest.

With regard to the observation made by the Maharashtra Pollution Control Board (MPCB), the MPCB found that since most of the properties were being used for residential purposes, the pollution potential was low and the properties had provided septic tanks and soak pit arrangement for treatment of sewage generation from domestic effluent.

6. Upon becoming aware of the observations made by the Joint Committee in its Report dated 11.08.2021, the Answering Respondent on 04.04.2022 had submitted its suggestions to the Report of the Joint Committeefiled before the Hon'ble National Green Tribunal. Vide the said suggestions, the Answering Respondent pointed out to the Joint Committee that the Answering Respondent vide Order dated 08.06.2020 passed by the Respondent No.2 had been granted a sanction for development and commencement of construction. It was further pointed out that the office of the Collector on 24.03.2022 had granted permission to the Answering Respondent for the non-agricultural use of the land of the Answering Respondent. In view of the said submissions, the Answering Respondent indicated to the Joint Committee that the construction of the Answering Respondent was legal and authorized and therefore, sought the Joint Committee to make requisite clarification and

correction in its Joint Committee Report dated 11.08.2021 filed before the Hon'ble Tribunal.

7. It is submitted that the Answering Respondent has previously on 26.09.2022 filed a Short Affidavit before this Hon'ble Tribunal bringing on record the suggestions dated 04.04.2022 submitted by the Respondent to the Joint Committee report dated 11.08.2021. Therefore, the Answering Respondent craves leave of this Hon'ble Tribunal to rely upon the contents of the Short Affidavit dated 26.09.2022 as and when deemed necessary.

8. Thereafter, the aforesaid Original Application was listed before this Hon'ble Court on 16.01.2023, wherein the Hon'ble Tribunal has been pleased to reconstitute the Joint Committee comprising of one member each from:

   a. Ministry of Environment, Forest and Climate Change (MoEF&CC)

   b. Principal Chief Conservator of Forest, Maharashtra,

   c. District Magistrate and

   d. Pune Metropolitan Regional Development Authority (PMRDA) - Nodal Agency.

   The said Joint Committee has been directed by the Hon'ble Tribunal to submit a comprehensive Report with regard to the following facts:

   "i. Whether the constructions which are stated to be illegal, are lying in Eco Sensitive Zone? If yes, under which provision the permission for construction has been granted, if at all the same has been granted?

   ii. Whether such constructions which are found to be there, need to be demolished, if not found in accordance with law?"

9. The Hon'ble Tribunal vide its Order dated 16.01.2023 was also pleased to grant time to the Answering Respondent to file its Reply to the Original Application filed by the Applicants. In view thereof, the Answering Respondent is filing the present Reply opposing the reliefs as sought by the Applicants in the present Original Application.

10. **NECESSARY FACTS:**

    a. At the outset it is submitted that the Answering Respondent is the husband of KainazDaruvala and Father of DelnaDaruvala, who vide a registered Gift Deed dated 24.12.2019 has gifted the Gat No. 571, Village – Tikona, Taluka – Maval, District - Pune admeasuring 0 H 79R to KainazDaruvala and DelnaDaruvala. A copy of the registered Gift Deed dated 24.12.2019 is enclosed herewith as **Annexure R-1.**

    b. It is therefore submitted thatKainazDaruvala and DelnaDaruvala are the owners of the Gat No. 571, Village – Tikona, at Pavana Nagar, Taluka – Maval, District - Pune admeasuring O H 79R. *(hereinafter referred to as the **"Impugned Property").*** The Answering Respondent is undertaking construction of a Tourist Resort at the Impugned Property in accordance with the requisite permissions under the Maharashtra Regional and Town Planning Act, 1966 and the Maharashtra Land Revenue Code, 1966. It is further submitted that the Answering Respondents has not undertaken any illegal or anti- environmental construction at the Impugned Property as alleged by the Applicants in the present Original Application. Therefore, the present Original Application as filed by the Applicants seeking to invoke the Jurisdiction of this Hon'ble Tribunal u/s 14, 15, 20 r/w Section 17 and 18 of the National Green Tribunal Act, 2010, purportedly raising the

substantial question pertaining to Environment, is nothing but a frivolous and baseless attempt to misuse the jurisdiction of this Hon'ble Tribunal.

c. Further, the copy of the 7/12 extractsof the Impugned Property reveal the names of KainazDaruvala and DelnaDaruvala to be the owners of the Impugned Property. A bare perusal of the 7/12 extracts of the Impugned Property also depict that in the year 2018-2019, there was cultivation of various crops undertaken by the Answering Respondent at the Impugned Property. A copy of the 7/12 extracts of the Impugned Property are enclosed herewith as **Annexure R-2.**

d. A bare perusal of the Report of the Joint Committee dated 11.08.2021 reveals that the construction under challenge in the present Original Application (mentioned at Sr. No.26 of the summary) is of the year 1996 which is said to be used for residential use. It is therefore submitted that the challenge in the present Original Application is the construction of the year 1996. It is submitted that somewhere in the year 1992, the Answering Respondent had undertaken construction of a Farmhouse admeasuring 2869 sq. ft. along with a tin shed for farm animals of 30ft x 15ft at the Impugned Property. It is submitted that the existence of the Farm House and the Tin shed at the Impugned Property can be depicted from the tax receipt of Gram PanchayatTikona, TalukaMaval, District Pune dated 23.09.1992. A copy of the Application dated 20.08.1992 along with Tax receipt of the Gram Panchayat, Tikona dated 23.09.1992 is enclosed herewith as **Annexure R-3.**

e. It is submitted that construction of 1992 has been demolished by theAnswering Respondent and the Answering Respondentis now undertaking construction of a tourist resort at the Impugned Property.However, the construction as on date is incomplete and requisite permissions in accordance with law have already been obtained by the Answering Respondent. In view of the aforesaid submission, it is submitted that, since the construction under challenge in the present original application is already demolished, no relief can be sought against the Answering Respondent in the present Original Application.

f. The Regional plan of the Pune District had been sanctioned under Section 15 of the Maharashtra Regional and Town Planning Act, 1966 by the Government in Urban Development Department vide its Notification dated 25.11.1997 and has come into force with effect from 10.02.1998. Thereafter, the Government of Maharashtra vide notification dated 31.03.2015 issued in exercise of the powers conferred by Section 42A, 42C, and 42F of the Maharashtra Regional and Town Planning Act, 1966 declared the Pune Metropolitan Area as "Pune Metropolitan Development Area".

g. Thereafter, in exercise of the powers u/s 3(1) of the Metropolitan Development Authority Act, 2016, the Government vide Notification dated 11.07.2016 has established the Metropolitan Region Development Authority to be called "the Pune Metropolitan Region Development Authority" for Metropolitan Area. The areas including the city of Pune, the Tehsil of Maval, Mulshi, Haveli fall within the Metropolitan Region of Pune and are therefore governed by the PMRDA since 11.07.2016. The

Respondent No.2 in December 2018 has issued Development Control and Promotion Regulations for Pune Metropolitan Region Development Authority (PMRDA) (DCPR-2018) laying down the building activities and development works within the jurisdiction of PMRDA. A copy of the Development Control and Promotion Regulations for Pune Metropolitan Region Development Authority (PMRDA) (DCPR-2018) are enclosed herewith as **Annexure R-4**.

h. In this regard it is submitted that the Answering Respondent was granted a provisional No Objection Certificate on 05.12.2019 from the Fire Department of the Respondent No.2 for tourist resort building at the Impugned Property. A copy of the No Objection Certificate dated 05.12.2019 issued by the Fire Department Respondent No.2 to the Respondent No.65 is enclosed herewith as **Annexure R-5**.

i. Thereafter, the Respondent No.2 on 08.06.2020 in terms of Rule 6.6.1 of the Development Control and Promotion Regulations for Pune Metropolitan Region Development Authority (PMRDA) (DCPR-2018) has issued a sanction to the development plans of the Answering Respondent for undertaking construction of tourist resort at the Impugned Property. The said sanction, *inter-alia* permits construction of 2112.45 Sq. mtr. at the Impugned Property. A copy of the sanction dated 08.06.2020 issued by Respondent No.2 in terms of Rule 6.6.1 of the Development Control and Promotion Regulations for Pune Metropolitan Region Development Authority (PMRDA) (DCPR-2018) along with the sanctioned plan is enclosed herewith as **Annexure R-6.**

j. It is further submitted that the Answering Respondent in November 2019 had approached the office of the Respondent

No.2 for obtaining permission for non - agricultural use of Impugned Property in terms of Section 41 of the Maharashtra Land Revenue Code, 1966. The office of the Respondent No.2 on 21.11.2020 had forwarded the Application of the Answering Respondent to the office of the Ld. Collector for its consideration and the Office of the Ld. Collector on 24.03.2022 has granted requisite permission for non-agricultural use of the Impugned Property in terms of section 41 of the Maharashtra Land Revenue Code 1966. A copy of the permission dated 24.03.2022 issued by the Ld. Collector for non-agricultural use of the Impugned Property is enclosed herewith as **Annexure R-7.**

k. Also, the Respondent herein has obtained a zone certificate dated 24.03.2023 from the Respondent No.2 for the Impugned Property which reveals that the Impugned Property of the Answering Respondent falls within the afforestation zone. A bare perusal of the PMRDA DCPR-2018 reveals that permission of residential as well as tourist resort are permitted in afforestation zone and therefore it is submitted that the Answering Respondent has been granted the sanction dated 08.06.2020 in accordance with the DCPR 2018.

   A copy of the zone certificate dated 24.03.2023 issued by Respondent No.2 is enclosed herewith as **Annexure R-8.**

j. Also, in compliance of condition no. 37 imposed upon the Respondent No. 65 by the Pune Metropolitan Region Development Authority in its Order dated 08.06.2020, the Respondent No. 65 has received the No Objection Certificate on 15.06.2022 for Construction of building at Impugned Property by the Wing Commander, Command ATC Officer Civil Aviation

Department, Government of India under Section 5(2) of Gazette of India GSR 751 (E) read in conjunction with Sub Section (1) Clause (o) & Clause (r) of Sub Section 2 of Section 5 read with Section 9 A of the Aircraft Act, 1934, Works of Defence Act, 1903 and other relevant orders on the subject. A copy of the No Objection Certificate dated 15.06.2022 issued by the Wing Commander, Command ATC Officer Civil Aviation Department, Government of India is enclosed herewith as **Annexure R-9.**

k. In view of the permissions as contemplated herein above, it becomes abundantly clear that the Answering Respondent has obtained all necessary and requisite permissions in accordance with the Maharashtra Regional and Town Planning Act, 1966 and the Maharashtra Land Revenue Code, 1966 and is therefore undertaking construction in accordance with law.

l. Without prejudice to the contentions raised herein above, the Answering Respondent submits that the issues pertaining to the Maharashtra Regional and Town Planning Act, 1966 and the Maharashtra Land Revenue Code, 1966 do not fall within the jurisdiction of this Hon'ble Tribunal, and even otherwise the issue as raised by the Applicants falls beyond the period of limitation as stipulated under Section 14 and 15 of National Green Tribunal Act, 2010. In view thereof the Answering Respondent is seeking the dismissal of the present Original Application in limine.

11. **PRELIMINARY OBJECTIONS**

I. THE ISSUES RAISED IN THE PRESENT ORIGINAL APPLICATION DO NOT FALL WITHIN THE JURISDICTIONOF THIS HON'BLE TRIBUNAL.

a. The present Original Application has been filed by the Applicants u/s 14, 15 and 20 r/w Section 17 and 18(1) of the National Green Tribunal Act, 2010 challenging the alleged illegal and anti-environmental constructions and encroachments undertaken on the hill top and hill slopes near Pavana Dam, Pavana Nagar Area, TalukaMaval, District Pune. The Applicant vide the Original Application have alleged breach of Environment (Protection) Act, 1986, the Biological Diversity Act, 2002 as well as the Maharashtra Regional and Town Planning Act, 1966 and the MaharashtraLand Revenue Code, 1966 at the behest of the Respondents. In the present Original Application, it is the specific case of the Applicant that the alleged constructions have been undertaken in violation of the provisions of the Maharashtra Regional and Town Planning Act, 1966.

b. At the outset, it is submitted that Section 14 of the National Green Tribunal Act, 2010 provides that this Hon'ble Tribunal shall have the jurisdiction over all civil cases where a substantial question relating to environment is involved and such question arises out of the implementation of the enactments specified in Schedule I. Thus, this Hon'ble Tribunal shall have jurisdiction over only those cases which raise a substantial question pertaining to environment arising out of the enactments specified in Schedule I viz. i. The Water (Prevention and Control of Pollution) Act, 1974, ii. The Water (Prevention and Control of Pollution) Cess Act, 1977, iii. The Forest (Conservation) Act, 1980, iv. The Air (Prevention and Control of Pollution) Act, 1981, v. The Environment (Protection) Act, 1986, vi. The Public Liability Insurance Act, 1991, vii. The Biological Diversity Act, 2002. It is submitted that neither the Maharashtra Regional and Town Planning

Act, 1966 nor the Maharashtra Land Revenue Code, 1966 comes within the enactments specified in the Schedule I. However, the Applicants vide the present Application have alleged breach of the Maharashtra Regional and Town Planning Act, 1966 and the Maharashtra Land Revenue Code, 1966 at the behest of the Respondents, which enactments do not form a part of the Schedule-I of the National Green Tribunal Act, 2010.

c. It is submitted that the Maharashtra Regional and Town Planning Act, 1966 (MRTP Act, 1966) is a State enactment sanctioned to make provisions for planning the development and use of land in the regions established for that purpose. Further, the MRTP Act, 1966 has been enacted with a view to ensure that Town Planning Scheme are made in a proper manner and there execution is made effective. It is therefore submitted that the provisions of the MRTP Act, 1966 are attracted for obtaining requisite permissions for the purpose of undertaking any development and use of land in a region.Thus, failure to obtain any permission under the MRTP Act, 1966 or its violation does not attract the rigors of the Environmental Laws, unless any damage to the environment is proved.

d. The Hon'ble National Green Tribunal, Principal Bench, New Delhi vide its Order dated 26.09.2018 passed in **O.A. No. 813 of 2017**refused to exercise its jurisdiction under Section 14 of the NGT Act, 2010 in respect of an issue raised before the Tribunal for the implementation of an enactment, which did not fall within the Schedule I of NGT Act, 2010.

e. In such circumstances, it is submitted that this Hon'ble Tribunal does not have the jurisdiction to adjudicate any dispute pertaining to alleged breach of the Maharashtra Regional and Town Planning Act,

1966 and the Maharashtra Land Revenue Code, 1966 and therefore the present Original Application ought to be dismissed on this ground alone.

f. With regard to the prayers sought by the Applicant in the present application seeking restitution of the environment, it is submitted that in terms of the Schedule I of the NGT Act, 2010 even the provisions of Section 15(1) of the NGT Act, 2010 – Relief, compensation and restitution are subject to the seven enactments as mentioned in the Schedule I of the NGT Act, 2010. Thus, any relief sought u/s 15 of the NGT Act, 2010 in terms of the enactments not falling a part of the Schedule I of the NGT Act, 2010 cannot be granted by this Hon'ble Tribunal.

g. Further, Section 15 of the NGT Act, 2010 gives discretion to the Hon'ble Tribunal to provide for relief and compensation to victims of pollution, restitution of property damaged due to degradation of environment etc. However, the language of Section 15(1) of the NGT Act, 2010, makes it abundantly clear that the relief of restitution can only be granted once the damage to the property is established. In the present case, the Original Application does not establish any damage either to the Environment or to any property, more so the Impugned Property, and therefore the jurisdiction of this Hon'ble Tribunal u/s 15 of the NGT Act, 2010 cannot be invoked.

h. Moreover, in the present case, the Impugned Property is a private property of the Answering Respondent itself and clearly no damage to the property can be alleged against the owner of the property itself. If at all any restitution of property damaged is to be sought, the same can be sought by a person who is claiming damage of its property, due to the activities of the violator. In the present case, it

is not the case of the Applicants, that due to the alleged illegal activities of the Answering Respondent, any damage has been caused to the property of the Applicants. Thus, without any adjudication on the issue of environmental damage alleged to be caused by the Answering Respondent, no relief of restitution of property can be granted by this Hon'ble Tribunal u/s 15 of the NGT Act, 2010.

i. In view of the submissions made herein above, it is submitted that it is beyond the Jurisdiction of this Hon'ble Tribunal to grant relief, compensation and restitution under Section 15 of the NGT Act, 2010 in circumstances where no damage to property has been established.

j. In the present Original Application, the Applicants have also alleged illegal construction in the eco sensitive area by the Answering Respondent. In this regard it is submitted that on 17.08.2012, the Ministry of Environment and Forest had constituted a High Level Working Committee (HLWG) to study the preservation of ecology, environmental integrity and holistic development of the Western Ghats in view of their rich and unique biodiversity under the chairmanship of Dr. K Kasturirangan. The HLWG on 15.04.2013 submitted its Report to the MoEF wherein HLWG identified 37% of the total geographical area of the Western Ghats as ecologically sensitive. In terms of the recommendation of the HLWG, a list of villages, Taluka wise, District wise and State wise of the eco sensitive area was identified by the HLWG. Thereafter, in exercise of its powers under Section 5 of the Environment (Protection) Act, 1986, the MoEFon 13.11.2013 issued prohibitory directions, *inter-alia*

imposing a ban on building and construction projects of 20,000 sq. mts. area and above.

k. The villageTikona wherein the Impugned Property is located fell within the proposed eco sensitive area in terms of the directions of the MoEF dated 13.11.2013.

l. Thereafter, on 10.03.2014, 04.09.2015, 27.02.2017, 03.10.2018 and 06.07.2022, the MoEF&CC issued draft notifications for notifying the proposed eco- sensitive area of the Western Ghats. In view of the said Draft Notifications, the MoEF&CC imposed a complete ban on building, construction, township and area development projects, whereby all new and expansion projects of building and construction with built up area of 20,000 sq. mts. or more was prohibited.

m. It is submitted that firstly, the prohibition in the proposed eco – sensitive area of the Western Ghats is in terms of draft notifications dated 10.03.2014, 04.09.2015, 27.02.2017, 03.10.2018 and 06.07.2022 issued by the MoEF&CC. Since, the said draft notifications have not yet been finalized by the MoEF&CC, the proposed eco-sensitive area cannot be considered to be final. Even otherwise, although the Village Tikona falls within the proposed eco-sensitive area of the Western Ghats, the prohibition imposed by the draft notifications is only on building and construction with built up area of 20,000 sq. mts. or more. Admittedly the proposed construction of the Answering Respondent is only 2112.45 sq. mts., which is less than 20,000 sq. mts.and therefore, even though the Impugned Property falls within the proposed eco sensitive area of the Western Ghats, there is no prohibition on the construction as sought to be undertaken by the Answering Respondent. In view of the above facts and circumstances, it is most humbly submitted that

once there is no prohibition on the Impugned Construction in terms of the Notifications dated 10.03.2014, 04.09.2015, 27.02.2017, 03.10.2018 and 06.07.2022 issued by the MoEF&CC declaring the proposed eco sensitive area, the construction activity of the Answering Respondent falls beyond the prohibitory zone of the proposed eco sensitive area. Therefore, the construction activity of the Answering Respondent, which is beyond the prohibition imposed on the proposed eco sensitive area, falls beyond the jurisdiction of this Hon'ble Tribunal under Section 14 and 15 of the NGT Act, 2010.

n. To sum up, it is submitted on behalf of the Answering Respondent that since the issues raised in the present Original Application, fall beyond the seven enactments of the Schedule I of the NGT Act, 2010, this Hon'ble Tribunal has no jurisdiction to entertain the present Original Application.

II. THE PRESENT ORIGINAL APPLICATION HAS BEEN FILED BEYOND THE PERIOD OF LIMITATION AS CONTEMPLATED UNDER SECTION 14 AND 15 OF THE NATIONAL GREEN TRIBUNAL ACT, 2010.

a. It is submitted that the present Original Application has been filed by the Applicants challenging the constructionof the Answering Respondent alleging illegal and anti-environment constructions and encroachment made on hill top and hill slopes. Interestingly, it is the case of the Applicant in the Original Application that the Applicant has filed the Original Application after obtaining documents from the Respondent No.2 under the Right to Information Act, 2005. It is the specific case of the Applicant that after receiving information under the RTI Act, the Applicants have filed the present Application within 6 months under Section14 of the National Green Tribunal Act, 2010

and therefore the present Application is within limitation. It is further the case of the Applicants that the present Application has been filed within 5 years for restitution of property damaged in terms of Section 15 and 20 of the National Green Tribunal Act, 2010.

b. The issue with regard to filling applications after obtaining information under the Right to Information Act, 2005 is more *Res Integra.* This Hon'ble Tribunal in **2020 SCC OnLine NGT 2289**(*AdinathBhujabaliKuchanurvsChhajed Associates Belonging to Vardhaman Spaces and Others)* and Judgment dated 01.12.2022 in OA No. 63 of 2019 *(Mr. Ajay JayvantraoBhosalevs Union of India through MoEF&CC&Ors)*has rejected the contention that the date on which the information has been obtained under the Right to Information Act, 2005 was to be considered for calculating the period of limitation under the NGT Act, 2010. It is submitted that it needs no restatement that the object for fixing time limit for litigation is based on public policy fixing a life span for legal remedy for the purpose of general welfare. They are meant to see that the parties do not resort to dilatory tactics but avail their legal remedies promptly.

c. The Rules of Limitation are not meant to destroy rights of parties. The statute relating to limitation determines a life span of such legal remedy for redress of the legal injury one has suffered. The statute providing limitation is founded on a public policybased on the legal maxim- *Interest ReipublicaeUp Sit Finis Litium (*It is for the general welfare that a period be put to litigation). It is for this reason that when an action becomes barred by time, the Court should be slow to ignore delay for the reason that once limitation expires, other party mature his right on the subject with attainment of finality. The

National Green Tribunal Act, 2010 stipulates that the Hon'ble Tribunal shall have jurisdiction over all civil cases where a substantial question related to Environment, in involved and the question arises out of the implementation of the enactment specified in Schedule I. However, Sub Section 3 of Section 14 of the NGT Act, 2010 bars adjudication of dispute under this Section unless and until the same is made within a period of six months from the date on which the Cause of Action for such dispute first arose. The proviso to Sub Section 3, further permits filing of an Application beyond the period of six months but not exceeding 60 days if the Tribunal is satisfied that the Applicant was prevented by sufficient cause from filing the Application. In the present case, admittedly the Applicants have challenged the construction that existed on the Impugned Property since 1992. Thus, on a bare perusal of Section 14 of the NGT Act, 2010, by no stretch of imagination can an Application under Section 14 be filed in 2018 to challenge a construction which existed since 1992.

d. Similarly upon perusing the provisions of Section 15 of the National Green Tribunal Act, 2010, it becomes abundantly clear that an Application seeking relief, compensation and restitution can only be filed before the Hon'ble Tribunal within a period of 5 years from the date on which the Cause of Action for such compensation or relief first arose. The proviso to Sub Section 3 of Section 15 of the NGT Act, 2010 permits filing of an Application beyond the period of 5 years but not exceeding 60 days, if the Tribunal is satisfied that the Applicant was prevented by sufficient cause. In the present case, firstly the Applicant has not been able to establish any damage to property for seeking relief of restitution of the Environment.

However, assuming but not admitting that the Applicant is entitled to the relief of restitution of the environment, the Cause of Action if at all first arose for the Applicant in the year 1992, when the alleged construction was undertaken by the Respondent.

e. In view of the aforesaid submissions and the law laid down by this Hon'ble Tribunal, it is submitted that the present Original Application as filed by the Applicants, approximately after 22 years from the date when the cause of action first arose, is hopelessly barred by the law of limitation under Section 14 and 15 of the NGT Act, 2010 and therefore the present Original Application ought not to be entertained by this Hon'ble Tribunal.

12. **PARAWISE REPLY:**

a. The contents of Para I & II need no reply.

b. In contents of Para III are denied. In Para III, the Applicants have merely alleged breach of Environment (Protection) Act, 1986, the Biological Diversity Act, 2002 as well as Maharashtra Regional and Town Planning Act, 1966 and Maharashtra Land Revenue Code, 1966 without any documents to substantiate the allegation. Thus, the Applicants be put to strict proof of the same. As already stated herein above, the answering Respondent is undertaking construction of a tourist resort at the Impugned property in accordance with the requisite permission under Maharashtra Regional and Town Planning Act, 1966 and Maharashtra Land Revenue Code, 1966.

c. With regards to Para IV it is denied that any substantial question relating to Environment has been raised in the present Original Application as sought to be filed u/s 14, 15, 20 read with section 17 & 18 of the NGT Act, 2010. Instead it is submitted that no substantial question relating to Environment pertaining to

implementation of the enactments specified in Schedule I of the NGT Act, 2010 has been raised in the present application and therefore this Hon'ble Tribunal has no jurisdiction to adjudicate issues raised in the present application.

d. With regard to Para 1, the same contemplates the credentials of the Applicant No.1. It is denied that the Applicant has any concern with the Environmental issues as sought to be raised by the Applicants vide the present Original Application.

e. In Paras 2 to 8, the Applicants have raised the issue of the Impugned property falling within the Eco Sensitive area of the Western Ghats. At the outset it is denied that the construction of the Answering Respondent is affecting the land cover pattern, flattening of step slop, artificial changing of water resources and natural pathways of streams as alleged in the present Application. With regard to thesaid issue, it is submitted that the High Level Working Committee under the Chairmanship of Dr. K. Kasturirangan on 15.04.2013 has submitted its report to the MoEF& CC identifying 37% of the total geographical area of the Western Ghats as Eco Sensitive area. Thereafter, in exercise of its powers under Section 5 of the Environment (Protection) Act, 1986, the MoEF& CC on 13.11.2013 issued prohibitory directions, *inter-alia* imposing a ban on building and construction projects of 20,000 sq. mts. area and above.The Village Tikona wherein the Impugned Property is located fell within the proposed eco sensitive area in terms of the directions of the MoEF dated 13.11.2013.Thereafter, on 10.03.2014, 04.09.2015, 27.02.2017, 03.10.2018 and 06.07.2022, the MoEF&CC issued draft notifications for notifying the proposed eco- sensitive area of the Western Ghats. In view of the said Draft Notifications,

the MoEF&CC imposed a complete ban on building, construction, township and area development projects, whereby all new and expansion projects of building and construction with built up area of 20,000 sq. mts. or more was prohibited. It is submitted that firstly, the prohibition in the proposed eco – sensitive area of the Western Ghats is in terms of draft notifications dated 10.03.2014, 04.09.2015, 27.02.2017, 03.10.2018 and 06.07.2022 issued by the MoEF&CC. Since, the said draft notifications have not yet been finalized by the MoEF&CC, the proposed eco-sensitive area cannot be considered to be final. Even otherwise, although the Village Tikona falls within the proposed eco-sensitive area of the Western Ghats, the prohibition imposed by the draft notifications is only on building and construction with built up area of 20,000 sq. mts. or more. Admittedly the proposed construction of the Answering Respondent is only 2112.45 sq. mts., which is less than 20,000 sq. mts.and therefore, even though the Impugned Property falls within the proposed eco sensitive area of the Western Ghats, there is no prohibition on the construction as sought to be undertaken by the Answering Respondent.

f. It is further denied that the Answering Respondent is indulged in destruction of ecology and environment at the Impugned Property.

g. The contents of Para 9 and 10 are denied. In the said Paras the Applicants have merely raised bald allegations pertaining to violation of the law at the behest of the Respondents. The Applicants have also alleged that tree cutting has been undertaken by the Respondents without any permission. In this regard it is submitted that, the 7/12 extract of the Impugned Property reveals that the Impugned Property was a paddy field and there is no mention of any

trees at the Impugned Property. It is further submitted that the Answering Respondent has in fact planted numerous trees at the Impugned property. The Forest Range Officer, Vadgaon, Maval on 08.03.2021 has issued a Certificate in the name of the Answering Respondent certifying that there are 2498 trees existing at the Impugned property. A copy of the certificate dated 08.03.2021 issued by the Forest Range Office, Vadgaon,Maval is enclosed herewith as **Annexure R-10.**

h. With regard to Para 11, it is once again reiterated that the Answering Respondent is undertaking construction at the Impugned Property in consonance with the requisite permission granted under the relevant laws, more particularly the Maharashtra Regional and Town Planning Act, 1966 and the Maharashtra Land Revenue Code, 1966. It is submitted that under the PMRDA DCPR-2018, a sanction to the plans of the Project Proponent is granted by the Respondent No.2 for undertaking construction and development in terms of Regulation 6.6.1. Admittedly on 08.06.2020, the Respondent No.2 has granted its sanction under Rule 6.6.1 of the PMRDA DCPR-2018 to the plans of the Answering Respondent for undertaking development of the tourist resort at the Impugned Property. The Impugned Construction of the Answering Respondent falls within the Afforestation zone as per the zone certificate dated 24.03.2023. It is further submitted that the PMRDA DCPR-2018 also stipulate conditions for construction in the Afforestation zone. The said regulations permit construction of a tourist resort as per regulation number 38.8 and prohibit construction within 100 mts. from High Flood Line of the lake, and on hill slopes steeper than 1:5. In this regard it is submitted that the sanction dated 08.06.2020 has been

granted by the Respondent No.2 after considering the compliances of the Impugned Construction qua the PMRDA DCPR-2018. Thus, it cannot be said that the Answering Respondent is in violation of any of the requisite permission and if at all the Applicants are aggrieved by the grant of the sanction dated 08.06.2020, the appropriate remedy is to challenge the sanction dated 08.06.2020 in accordance with law.

i. The contentions of the Applicants in Para 12 and 13 are mere bald allegation and averments to sensationalize the issue before the Hon'ble Tribunal. It is submitted that the Answering Respondent is undertaking construction at the Impugned Property in accordance with law without causing any damage to the Environment.

j. The contents of Para 14 are mere extracts from the report of the Western Ghats and therefore need no reply.

k. The contentions of Para 15 are false, baseless and therefore denied.It is the contention of the Applicants that "it took some time for the Applicants to understand the Environment Degradation taking place in this Biodiversity placed area." The Applicants have sought to take benefit of the limitation by stating that the Applicants obtained information from various authorities under the Right to Information Act, 2005 on 04.09.2017. In this regard, it is submitted that this Hon'ble Tribunal in **2020 SCC OnLine NGT 2289** (*AdinathBhujabaliKuchanurvsChhajed Associates Belonging to Vardhaman Spaces and Others)* and Judgment dated 01.12.2022 in OA No. 63 of 2019 *(Mr. Ajay JayvantraoBhosalevs Union of India through MoEF&CC&Ors)*has rejected the contention that the date on which the information has been obtained under the Right to Information Act, 2005 was to be considered for calculating the

period of limitation under the NGT Act, 2010. It is therefore submitted that the Applicants cannot take benefit of the RTI Application to overcome the period of limitation in filing the present Application, which is hopelessly barred by limitation.

l. The content of Para 16 are denied. In this regard, it is submitted that the Answering Respondent had previously received a notice from the Respondent No.2 under Section 53 of the Maharashtra Regional and Town Planning Act, 1966 seeking demolition of the construction at the Impugned Property. The said notice was aptly replied by the Answering Respondent and necessary permissions have already been granted by the Respondent No.2. It is submitted that in view of the provisions of Section 53(5) of the MRTP Act, 1966, the Respondent No.2 is empowered to revoke its notice issued u/s 53(1) of the MRTP Act, 1966 and grant permission to the Answering Respondent. It is therefore submitted that the fact that the Answering Respondent has been granted sanction by the Respondent No.2 on 08.06.2020, any notice issued by the Respondent No.2 stands revoked.

m. The contents of Para 17 are based on mere assumptions that notices have been issued to 53 Respondents by the Respondent No.2 and therefore, the Applicants be put to strict proof of the same.

n. The contents of Para 18 are denied. In para 18, the Applicants have sought to rely on Google Map to alleged the illegal construction, hill cutting, tree cutting and deforestation at the Impugned Site. In this regard the Answering Respondent submits that the Applicants have selectively annexed the Google Images and Sale Deeds of the Respondents to substantiate their case before the Hon'ble Tribunal. Further, the Google images as relied by the Applicants do not specify

any particular imagery pertaining to the Answering Respondent and therefore, the Answering Respondent is unable to reply to the contentions of the Applicant and therefore, the Applicants be put to strict proof of the same.

o. The Applicants from Para 19 to 26 have relied on various Judgments of the Hon'ble Supreme Court and this Hon'ble Tribunal to contend that the illegal activities of the hill cutting and tree cutting have been reprimanded by the Hon'ble Courts. In this regard, the Answering Respondents have to submit that the various Judgments as sought to be relied by the Applicants have no relevance to the facts and circumstances of the present case. In the present case, the Answering Respondent had not undertaken any illegal construction or unauthorized hill cutting or tree cutting at the Impugned Site and therefore, the rigors of the various Judgments as sought to be relied by the Applicants are not attracted. As already stated herein above, the PMRDA DCPR-2018 prohibits construction on hill slopes steeper than 1:5 and the Respondent No.2 after ensuring the compliance of the Answering Respondent has granted its sanction under Regulation 6.6.1 of the PMRDA DCPR-2018. It is therefore submitted that no hill cutting of whatsoever nature has been undertaken by the Answering Respondent.

p. The contents of Para 27 are denied. In Para 27, the Applicants have sought to rely on photographs captured by the local villagers depicting alleged illegal construction, hill cutting, tree cutting and deforestation at the Impugned Site. In this regard the Answering Respondent submits that the Applicants have selectively annexed the photographs and the photographs as relied by the Applicants do not specify any particular imagery pertaining to the Answering

Respondent and therefore, the Answering Respondent is unable to reply to the contentions of the Applicant. Therefore, the Applicants be put to strict proof of the same.

q. In Para 28, the Applicants have sought to conduct a GIS Survey and GPS Survey of the Impugned Property and the surrounding areas.In terms of the settled principle of the Law of Evidence, any person who desires any court to give a Judgment as to any legal right or liability dependent on the existence of facts which he asserts must prove that those facts exist. Thus, the burden of proof lies on that person who asserts such facts. In the present case, the Applicants besides making bald assertions against the Respondents, has brought nothing on record to prove the existence of those assertions. On the contrary, the Application filed by the Applicants seems to be nothing but a fishing and roving enquiry so as to persuade this Hon'ble Tribunal to conduct enquiries and surveys to fulfill the selfish motives of the Applicant. Such practice ought to be reprimanded by the Hon'ble Tribunal.

r. In Para 29, the Applicants have sought to rely on a Survey conducted by Dr. Rahul Mungikar, Expert Botanist, to depict the ecological impact of the Impugned Construction in the proposed eco sensitive zone. It is submitted that the Survey Report of Dr. Rahul Mungikar is vague and does not point out any violation at the behest of the Answering Respondent. It is therefore submitted that the Report of Dr. Mungikar is of no assistance to this Hon'ble Tribunal especially when a Joint Committee, as constituted by this Hon'ble Tribunal has given its Report dated 11.08.2021 categorically admitting that pollution potential at the behest of the Respondent was low as all the properties of the Respondents had provided with

Septic Tanks and Soak Pit arrangement for treatment of Sewage Generation from domestic effluent.

s. The contents of Para 30,31 and 32 have aptly replied in the above mentioned Paras more particularly Para 12(e) herein above and therefore, the Answering Respondent seeks liberty to rely on the contentions of the foregoing paragraphs.

t. In Reply to the grounds raised by the Applicants, the Answering Respondent submits that the grounds raised by the Applicant is nothing but a reiteration of the averment of Paras 1 to 32. The said contentions have been aptly replied by the Answering Respondent in the preceding paragraphs and therefore, the Answering Respondent is not reiterating the contentions for the sake of convenience and brevity. In a nutshell, the Answering Respondent has to state that the Answering Respondent is undertaking construction of the tourist resort at the Impugned Site in accordance with the requisite permission under the law more particularly the Maharashtra Regional and Town Planning, 1966 and the Maharashtra Land Revenue Code, 1966.

u. It is submitted that under the PMRDA DCPR-2018, a sanction to the plans of the Project Proponent is granted by the Respondent No.2 for undertaking construction and development in terms of Regulation 6.6.1. Admittedly on 08.06.2020, the Respondent No.2 has granted its sanction under Rule 6.6.1 of the PMRDA DCPR-2018 to the plans of the Answering Respondent for undertaking development of the tourist resort at the Impugned Property. The Impugned Construction of the Answering Respondent falls within the Afforestation zone as per the zone certificate dated 24.03.2023. It is further submitted that the PMRDA DCPR-2018 also stipulate conditions for construction

in the Afforestation zone. The said regulations permit construction of a tourist resort as per regulation number 38.8 and prohibit construction within 100 mts. from High Flood Line of the lake, and on hill slopes steeper than 1:5. In this regard it is submitted that the sanction dated 08.06.2020 has been granted by the Respondent No,2 after considering the compliances of the Impugned Construction qua the PMRDA DCPR-2018. Thus, it cannot be said that the Answering Respondent is in violation of any of the requisite permission and if at all the Applicants are aggrieved by the grant of the sanction dated 08.06.2020, the appropriate remedy is to challenge the sanction dated 08.06.2020 in accordance with law.

v. Further, the Applicants except merely raising bald allegations of massive destruction of Forest and Green Cover have not been able to substantiate any Environmental Damage being caused. In the absence of any proof of Environmental damage being caused at the behest of the Answering Respondent, no restitution of the Environment can be sought against the Answering Respondent. It is clarified that the Answering Respondent does not fall under forest land either under the provisions of the Maharashtra Private Forest Acquisition Act, 1975 or under any other law in that regard.

13. **REPLY TO LIMITATION CLAUSE:**

a. It is submitted that the present Original Application has been filed by the Applicants challenging the construction of the Answering Respondent alleging illegal and anti environment constructions and encroachment made on hill top and hill slopes. Interestingly, it is the case of the Applicant in the Original Application that the Applicant has filed the Original Application after obtaining documents from the

Respondent No.2 under the Right to Information Act, 2005. It is the specific case of the Applicant that after receiving information under the RTI Act, the Applicants have filed the present Application within 6 months under Section 14 of the National Green Tribunal Act, 2010 and therefore the present Application is within limitation. It is further the case of the Applicants that the present Application has been filed within 5 years for restitution of property damaged in terms of Section 15 and 20 of the National Green Tribunal Act, 2010.

b. It is the contention of the Applicants that *"it took some time for the Applicants to understand the Environment Degradation taking place in this Biodiversity placed area."* The Applicants have sought to take benefit of the limitation by stating that the Applicants obtained information from various authorities under the Right to Information Act, 2005 on 04.09.2017. In this regard, it is submitted that this Hon'ble Tribunal in **2020 SCC OnLine NGT 2289** (*AdinathBhujabaliKuchanurvsChhajed Associates Belonging to Vardhaman Spaces and Others)* and Judgment dated 01.12.2022 in OA No. 63 of 2019 *(Mr. Ajay JayvantraoBhosalevs Union of India through MoEF&CC&Ors)*has rejected the contention that the date on which the information has been obtained under the Right to Information Act, 2005 was to be considered for calculating the period of limitation under the NGT Act, 2010. It is therefore submitted that the Applicants cannot take benefit of the RTI Application to overcome the period of limitation in filing the present Application, which is hopelessly barred by limitation.

c. The National Green Tribunal Act, 2010 stipulates that the Hon'ble Tribunal shall have jurisdiction over all civil cases where a substantial question related to Environment, in involved and the

question arises out of the implementation of the enactment specified in Schedule I. However, Sub Section 3 of Section 14 of the NGT Act, 2010 bars adjudication of dispute under this Section unless and until the same is made within a period of six months from the date on which the Cause of Action for such dispute first arose. The proviso to Sub Section 3, further permits filing of an Application beyond the period of six months but not exceeding 60 days if the Tribunal is satisfied that the Applicant was prevented by sufficient cause from filing the Application. In the present case, admittedly the Applicants have challenged the construction that existed on the Impugned Property since 1992. Thus, on a bare perusal of Section 14 of the NGT Act, 2010, by no stretch of imagination can an Application under Section 14 be filed in 2018 to challenge a construction which existed since 1992.

d. Similarly upon perusing the provisions of Section 15 of the National Green Tribunal Act, 2010, it becomes abundantly clear that an Application seeking relief, compensation and restitution can only be filed before the Hon'ble Tribunal within a period of 5 years from the date on which the Cause of Action for such compensation or relief first arose. The proviso to Sub Section 3 of Section 15 of the NGT Act, 2010 permits filing of an Application beyond the period of 5 years but not exceeding 60 days, if the Tribunal is satisfied that the Applicant was prevented by sufficient cause. In the present case, firstly the Applicant has not been able to establish any damage to property for seeking relief of restitution of the Environment. However, assuming but not admitting that the Applicant is entitled to the relief of restitution of the environment, the Cause of Action if

at all first arose for the Applicant in the year 1992, when the alleged construction was undertaken by the Respondent.

e. In view of the aforesaid submissions and the law laid down by this Hon'ble Tribunal, it is submitted that the present Original Application as filed by the Applicants approximately after 26 years from the date when the cause of action first arose, is hopelessly barred by the law of limitation under Section 14 and 15 of the NGT Act, 2010 and therefore the present Original Application ought not to be entertained by this Hon'ble Tribunal.

14. In the present Original Application, the Applicants had sought demolition of all the alleged illegal constructions made on hill tops and hill slopes on eco sensitive area and reserve forest in Pavana Nagar Area of MavalTaluka, District Pune. In view of the facts and circumstances stated herein above, it is submitted that the Answering Respondent has obtained all necessary permission for undertaking construction at the Impugned Property. Even otherwise, the issue raised in the present Original Application pertaining to the Maharashtra Regional and Town Planning Act, 1966 and Maharashtra Land Revenue Code, 1966 are beyond the jurisdiction of this Hon'ble Tribunal and therefore, the present Original Application ought not to be entertained by this Hon'ble Tribunal.Since, the present Original Application fails to disclose any substantial question pertaining to environment, involving the implementation of the enactments specified in Schedule I of the NGT Act, 2010, the present Original Application is not maintainable before this Hon'ble Tribunal, under Section 14 of the NGT Act, 2010.

15. With regard to the prayers seeking restitution of the Environment, as sought in the present Original Application, it is submitted that

damage to the environment is a sine qua non for granting the relief of restitution under the provisions of Section 15 of the NGT Act, 2010. In the absence of any damage caused to the environment, the relief of restitution is impermissible and therefore ought not to be granted by this Hon'ble Tribunal.



Advocate for Respondent No.65
Samridhi S. Jain & Eesh Agarwal
ADVOCATES,
A-10, LGF, Lajpat Nagar III,
New Delhi-110024
Mob: 9890210579
Samridhi12318@gmail.com

Date:27.03.2023
Place: Pune

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE
ORIGINAL APPLICATION NO. 33 OF 2018

IN THE MATTER OF:
Sanjay Bhegade & Ors. ... Applicants
Versus
State of Maharashtra & Ors ... Respondents

AFFIDAVIT

I, Mr. Khurshed Daruvala, Occupation: Business, Age: Adult, Residing at:- Gat No. 571, Village Tikona at Pavananagar, Taluka Maval, District - Pune Maharashtra - 410406, do hereby solemnly affirm and state as under:

1. That I am the Respondent in the above-mentioned Original Application as such am conversant with the facts and circumstances of the case and am competent to swear to this affidavit.
2. That I have read the contents of the accompanying reply, the same being drafted by my counsel under my instructions and that the contents of Para 1 to 15 of application are facts in brief believed to be true on legal advice and that I have not suppressed any material fact.
3. That the annexures filed along with the reply are the true copies of their respective originals.

DEPONENT

VERIFICATION

Verified at Tonavala on this day of March, 2023 that the contents of the present affidavit are true and correct and nothing material has been concealed therefrom.

BEFORE ME
MR. B. L. GHOLAP
NOTARY, GOVT. OF INDIA
PUNE

Noted and Registered
at Serial Number 170/2023
Date 24 MAR 2023

DEPONENT

NOTARY
MR. B. L. GHOLAP
REGD. NO. 3989
PUNE
EXPIRY DT.
15/04/2027
GOVERNMENT OF INDIA

THE SEAL OF THE SUB-REGISTRAR OF LONAVALA

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GIFT DEED

Name of the DONOR	**KHURSHED YAZDI DARUVALA**
Name of the DONEES	**1) KAINAZ KHURSHED DARUVALA** **2) DELNA KHURSHED DARUVALA**
Descriptions of the SAID LAND	All that piece and parcel of the land or ground situated at Village Tikona, Taluka - Maval, District - Pune, in the registration Sub-District of Maval and Registration District Pune, within the jurisdictions of sub-registrar Lonavla / Vadgoan / Talegaon and which is within the limits of Grampanchayat Tikona of Maval Panchayat Samiti of Pune Zillah Parishad bearing Gut No. 571 admeasuring Area H. 01 – 13 Are assessed at Rs. 00 – 44 paise
Consideration	**WITHOUT CONSIDERATION**
Government Valuation	**Rs. 19,11,500/-**
Stamp Duty	**Rs. 19,500/- + Rs. 200/- = Rs. 19,700/-**
Registration Fees	**Rs. 200/-**

Stamp Calculation : Vibhag Kramank 4. Total Area H. 01– 13.00 Are

Area in ARE	Rate Per ARE	%	Amount	Round Off
113	8456.30/-	200 (WELL)	19,11,123.80	**19,11,500.00**

ADVOCATE

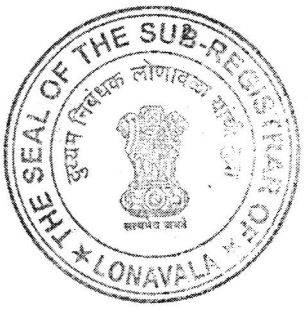
Draft prepared by

EESH NITIN AGARWAL

Ishwarkrupha, Shop No. 9, Near Vijaya Bank, Lonavla – 410401.
Mob : 9923243226
Email : adveeshagarwal@gmail.com

THIS DEED OF GIFT made at Lonavla, Taluka - Maval, District – Pune on this 24th day of December 2019.

BETWEEN



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KHURSHED YAZDI DARUVALA, age about – 50 years agriculturist and business (Pan No. – AACPD7565R)residing at 613, Dinshaw Building, Jame Jamshed Road, Dadar Parsi Colony, Mumbai – 400014, hereinafter called the DONOR (Which expression shall, unless repugnant to the context, mean and include his heirs, executors, administrators and assigns) of the **One Part**;

AND

1) **KAINAZ KHURSHED DARUVALA,** age about - 46 years, occupation – Agriculturist & Business, PAN No. ABRPD6924C.
2) **DELNA KHURSHED DARUVALA,** age about - 23 years, Agriculturist & Business, PAN No. CBYPD9038G,

both having address at – 613, Dinshaw Building, Jame Jamshed Road, Dadar Parsi Colony, Mumbai – 400014, hereinafter together called the DONEES, (Which expression shall, unless repugnant to the context, mean and include their heirs, executors, administrators and assigns) of the **Other Part**;

WHEREAS

i. Originally Arjuna Babu Mohol & Baliram Babu Mohol were the owners of all that piece and parcel of the land or ground situated at Village Tikona, Taluka - Maval, District - Pune, in the registration Sub-District of Maval and Registration District Pune, within the jurisdictions of sub-registrar Lonavla / Vadgoan / Talegaon and which is within the limits of Grampanchayat Tikona of Maval Panchayat Samiti of Pune Zillah Parishad bearing Gut no. 571 admeasuring area 01 H. 13 Are assessed 00 Rs. 44 Paise.

ii. By the deed of conveyance dated 29/06/1989 executed between Arjuna Babu Mohol and Vishwanath Maliram Agarwal having Registration serial no. 3438/1989 where Arjuna Babu Mohol the Vendor therein, sold, conveyed and transferred all that piece and parcel of the land or ground situated at

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Village Tikona, Taluka - Maval, District - Pune, in the registration Sub-District of Maval and Registration District Pune, within the jurisdictions of sub-registrar Lonavla / Vadgoan / Talegaon and which is within the limits of Grampanchayat Tikona of Maval Panchayat Samiti of Pune Zillah Parishad bearing Gut no. 571 admeasuring area 00 H. – 56.50 Are out of total area 01 H. 13 Are assessed 00 Rs. 44 Paise unto the Purchaser therein Vishwanath Maliram Agarwal for a valuable consideration therein mentioned. The record of rights were updated accordingly by M. E. no. 262 dated 05th August 1989 which was approved on 21st August 1989.

iii. By the deed of conveyance dated 23/10/1989 executed between Vishwanath Maliram Agarwal and 1) Zarine Yazdi Daruvala 2) Zenobia Yazdi Daruvala having Registration serial no. 666/1989 where Vishwanath Maliram Agarwal the Vendor therein, sold, conveyed and transferred all that piece and parcel of the land or ground situated at Village Tikona, Taluka - Maval, District - Pune, in the registration Sub-District of Maval and Registration District Pune, within the jurisdictions of sub-registrar Lonavla / Vadgoan / Talegaon and which is within the limits of Grampanchayat Tikona of Maval Panchayat Samiti of Pune Zillah Parishad bearing Gut no. 571 admeasuring area 00 H. – 56.50 Are out of total area 01 H. 13 Are assessed 00 Rs. 44 Paise unto the Purchasers therein 1) Zenobia Yazdi Daruvala 2) Zarine Yazdi Daruvala for a valuable consideration therein mentioned. The record of rights were updated accordingly by M.E.no. 280 dated 04th November 1989 which was approved on 28th November 1989.

iv. By the deed of conveyance dated 29/01/1991 executed between Baliram Babu Mohol and 1) Zenobia Yazdi Daruvala 2) Zarine Yazdi Daruvala having Registration serial no. 43/1991 where Baliram Babu Mohol the Vendor therein, sold, conveyed and transferred all that piece and parcel of the land or ground situated at Village Tikona, Taluka - Maval, District - Pune, in the registration Sub-District of Maval and Registration District

THE SEAL OF THE SUB-REGISTRAR OF LONAVALA
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Pune, within the jurisdictions of sub-registrar Lonavla / Vadgoan / Talegaon and which is within the limits of Grampanchayat Tikona of Maval Panchayat Samiti of Pune Zillah Parishad bearing Gut no. 571 admeasuring area 00 H. – 56.50 Are out of total area 01 H. 13 Are assessed 00 Rs. 44 Paise unto the Purchasers therein 1) Zenobia Yazdi Daruvala 2) Zarine Yazdi Daruvala for a valuable consideration therein mentioned. The record of rights were updated accordingly by M.E. no. 352 dated 31st January 1991 which was approved on 20th February 1991.

v. By the deed of Confirmation dated 29/01/1991 executed between 1) Taibai Shripati Khaire 2) Mahipati Shripati Khaire and 1) Zarine Yazdi Daruvala 2) Zenobia Yazdi Daruvala bearing Registration no. 41/1991 where 1) Taibai Shripati Khaire 2) Mahipati Shripati Khaire the Confirming Parties therein, confirmed the sale, conveyance and transfer vide Document Reg. no. 43/1991 dated 29/01/1991 for all that piece and parcel of the land or ground situated at Village Tikona, Taluka - Maval, District - Pune, in the registration Sub-District of Maval and Registration District Pune, within the jurisdictions of sub-registrar Lonavla / Vadgoan / Talegaon and which is within the limits of Grampanchayat Tikona of Maval Panchayat Samiti of Pune Zillah Parishad bearing Gut no. 571 admeasuring area 01 H. 13 Are assessed 00 Rs. 44 Paise unto the Purchasers therein 1) Zarine Yazdi Daruvala 2) Zenobia Yazdi Daruvala without consideration. The record of rights were updated accordingly by M.E. no. 353 dated 31st January 1991 which was approved on 20th February 1991.

vi. By the Gift Deed dated 13/05/2009 executed between 1) Zarine Yazdi Daruvala 2) Zenobia Yazdi Daruvala alias Zenobia Farad Unwala and Khurshed Yazdi Daruvala having Registration serial no. 1216/2009 where 1) Zarine Yazdi Daruvala 2) Zenobia Yazdi Daruvala alias Zenobia Farad Unwala the Donors therein, gifted, conveyed and transferred all that piece and parcel of the land or ground situated at Village Tikona, Taluka - Maval,

THE SEAL OF THE SUB-REGISTRAR OF LONAVALA

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District - Pune, in the registration Sub-District of Maval and Registration District Pune, within the jurisdictions of sub-registrar Lonavla / Vadgoan / Talegaon and which is within the limits of Grampanchayat Tikona of Maval Panchayat Samiti of Pune Zillah Parishad bearing Gut no. 571 admeasuring area 01 H. 13 Are assessed 00 Rs. 44 Paise unto the Donee therein and Donor herein Khurshed Yazdi Daruvala without consideration. The record of rights were updated accordingly by M.E. no. 1118 dated 19th June 2009 which was approved on 25th July 2009.

vii. The Donor is well seized and possessed of all that piece and parcel of the land or ground situated at Village Tikona, Taluka - Maval, District - Pune, in the registration Sub-District of Maval and Registration District Pune, within the jurisdictions of sub-registrar Lonavla / Vadgoan / Talegaon and which is within the limits of Grampanchayat Tikona of Maval Panchayat Samiti of Pune Zillah Parishad bearing Gut No. 571 area admeasuring 01 H. – 13 Are assessed at Rs. 00 – 44 Paise which is more particularly described in the Schedule hereunder written and hereinafter referred as the "Said Land".

viii. The Said Donor is owner of the "Said Land".

ix. The donor **KHURSHED YAZDI DARUVALA** is the **Husband** of the Donee No. 1 and **Father** of the Donee No. 2 .

x. The Donor desire to grant the Said Land UN - to the Donees as gift in consideration of natural love and affection as hereinafter mentioned.

xi. The Donees have agreed to accept the gift as is evidenced by them executing theses presents.

xii. The Government Valuation of the Said Land is estimated to be. Rs.19,11,500/- (Rupees Nineteen Lakhs Eleven Thousand Five Hundred Only).

NOW THIS DEED WITNESSETH that the Donor, without any monetary consideration and in consideration of natural love and affection which the



ल. व. ल.		
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२०११		

Donor bear to the Donees doth hereby grant and transfer by way of gift all that piece and parcel of the land or ground situated at Village Tikona, Taluka - Maval, District - Pune, in the registration Sub-District of Maval and Registration District Pune, within the jurisdictions of sub-registrar Lonavla / Vadgoan / Talegaon and which is within the limits of Grampanchayat Tikona of Maval Panchayat Samiti of Pune Zillah Parishad bearing Gut No. 571 area admeasuring 01 H. – 13 Are assessed at Rs. 00 – 44 Paise which is more particularly described in the Schedule hereunder written and hereinafter referred as the " Said Land " hereunder written together with all and singular the buildings, and structures, thereon and all the things permanently attached thereto or standing thereon and all the liberties, privileges easements and advantages appurtenant thereto and all the estate, right, title, interest use, inheritance, possession, benefit, claims and demand whatsoever of the Donor **TO HAVE AND TO HOLD** the same unto and to the use of the Donees absolutely but subject to the payment of all taxed, rated, assessments, dues and duties now and hereafter chargeable thereon to the Government or other Local Authority.

AND the Donor do hereby covenants with the Donees –

a. That the Donor now have in himself, good right, full power and absolute authority to grant the said Land and other the premises hereby granted as gift in the manner aforesaid.
b. The Donees may at all times hereafter peaceable and quietly enter upon have occupy, possess and enjoy the Said land and receive the rents, issues, and profit and rents thereof and every part thereof to and for their own use and benefit without any suit, lawful eviction, interruption, claim or demand whatsoever from or by the Donor or his heirs, executors, administrators and assigns

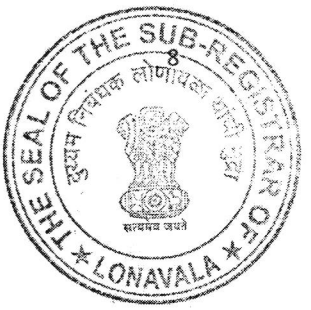
THE SEAL OF THE SUB-REGISTRAR OF LONAVALA
ल. व. ल.
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or any person or persons lawfully claiming or to claim by, from, under or in trust for the Donor.

c. That the Said Land is free and clear and freely and clearly and absolutely and forever released and discharged or otherwise by the Donor and well and sufficiently saved, kept harmless and indemnified of and from and against all former and other estate, titles, charges and encumbrances whatsoever, had made, executed, occasioned or suffered by the Donor or by any other person or persons lawfully claiming or to claim by, from, under or in trust for the Donor.

d. That the Donor and all persons having or lawfully claiming any estate or interest whatsoever to the Said Land or any part thereof from under or in trust for the Donor or his heirs, executors, administrators and assigns or any of them shall and will from time to time and at all times hereafter at the request and cost of the Donees do and execute or cause to be done and executed all such further and other acts, deeds, things, conveyances and assurances in law whatsoever for better and more perfectly assuring the Said Land and every part thereof unto and to the use of the Donees in the manner aforesaid as by the Donees, their heirs, executors, administrators and assigns or counsel in law shall be reasonable required.

e. That the Donees shall bear and pay all the cost of non – judicial stamp papers, registration fees, Document Handling Charges, and any other expenses for execution and registration of the present Gift Deed.



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३६६१	२०	३४
२०१९		

IN WITNESS WHEREOF the Donor as well as the Donees (by way of acceptance of the said gift) have put their respective hands the day and year first hereinabove written.

THE SCHEDULE ABOVE REFERRED TO

"SAID LAND"

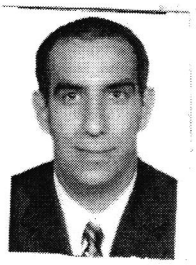
All that piece and parcel of the land or ground situated at Village Tikona, Taluka - Maval, District - Pune, in the registration Sub-District of Maval and Registration District Pune, within the jurisdictions of sub-registrar Lonavla / Vadgoan / Talegaon and which is within the limits of Grampanchayat Tikona of Maval Panchayat Samiti of Pune Zillah Parishad bearing Gut No. 571 area admeasuring 01 H. – 13 Are assessed at Rs. 00 – 44 Paise and bounded as follows that is to say:-

On or towards East by	: Gut No. 561
On or towards West by	: Boundary of Village Khadak Ghevande
On or towards South by	: Gut No. 570.
On or towards North by	: Gut No. 572.

THE SEAL OF THE SUB-REGISTRAR OF LONAVALA

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३६६१ | २२ | ३४
२०१९

SIGNED AND DELIVERED BY THE
WITHINNAMED **DONOR,**



KHURSHED YAZDI DARUVALA

In the presence of

1. Ujjwala D. Gole, Bhangarwadi, Lonavla.
2. N.S. Madan
Nilesh S. Madan, Bhangarwadi, Lonavla

THE SEAL OF THE SUB-REGISTRAR OF LONAVALA

न. व. ल.		
३६६१	२३	३८
२०११		

SIGNED AND DELIVERED BY THE
WITHINNAMED **DONEES,**





1) KAINAZ KHURSHED DARUVALA





2) DELNA KHURSHED DARUVALA

In the presence of

1. Ujjwala D. Gole, Bhangarwadi, Lonavla.

2. N.S. Madan
Nilesh S. Madan, Bhangarwadi, Lonavla

अहवाल दिनांक : 04/12/2019

गाव नमुना सात
अधिकार अभिलेख पत्रक
[महाराष्ट्र जमीन महसूल अधिकार अभिलेख आणि नोंदवह्या (तयार करणे व सुस्थितीत ठेवणे) नियम, १९७१ यातील नियम ३,५,६ आणि ७]

गाव :- तिकोना तालुका :- मावळ जिल्हा :- पुणे
गट क्रमांक व उपविभाग : 571

गट क्रमांक व उपविभाग 571	भू-धारणा पध्दती भोगवटादार वर्ग -1	भोगवटादाराचे नांव

शेताचे स्थानिक नांव :-		क्षेत्र	आकार	पो.ख.	फे.फा	खाते क्रमांक
क्षेत्र एकक	हे.आर.चौ.मी	[खुर्शीद येझरी दारुवाला	0.79.00	0.44	0.3400] (1118)	[190], 1235
जिरायत	-					कुळाचे नाव
बागायत	-	खुर्शीद येझदी दारुवाला	0.79.00	0.44	0.34.00 (1118)	इतर अधिकार
तरी	-					व्यवहार कायदेशीर
वरकस	0.79.00					इतर (280)
इतर	-					इतर
एकुण क्षेत्र	0.79.00					इतर (284)
पोट-खराब (लागवडीस अयोग्य)						[बोजा - सहकारी सोसायटी इकरार] (1669)
वर्ग (अ)	0.34.00					[पवना कृ.से.सं.संस्था](1669)
वर्ग (ब)	-					[इकरार र.रु.20000/- दि.19-12-84](1669)
एकुण पो ख	0.34.00					
आकारणी	0.44					
जुडी किंवा विशेष आकारणी	-					

जुने फेरफार क्र. (1),(2),(228),(262),(280),(284),(352),(353),(1118),(1700)	सीमा आणि भुमापन चिन्हे :

THE SEAL OF THE SUB-REGISTRAR OF ★LONAVALA★ दुय्यम निबंधक लोणावळा यांचा शिक्का सत्यमेव जयते

ल. व. ल.
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२०१९

गाव नमुना बारा
पिकांची नोंदवही

[महाराष्ट्र जमीन महसूल अधिकार अभिलेख आणि नोंदवह्या (तयार करणे व सुस्थितीत ठेवणे) नियम,१९७१ यातील नियम २९]

गाव :- तिकोना तालुका :- मावळ जिल्हा :- पुणे

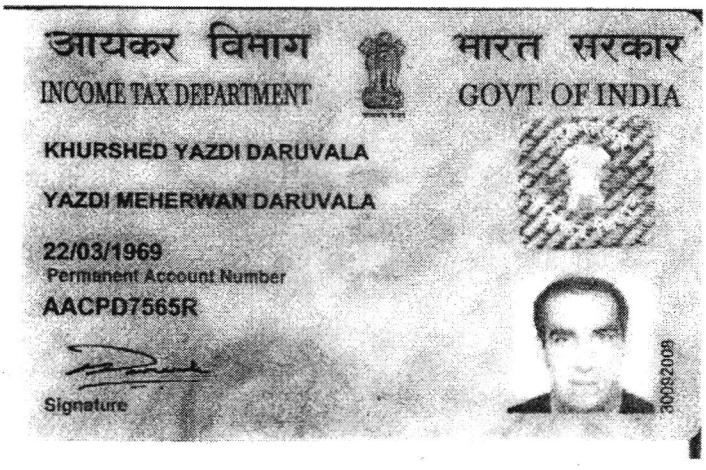
गट क्रमांक व उपविभाग : 571

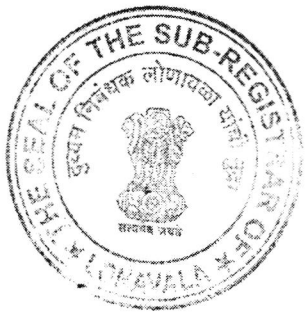
		पिकाखालील क्षेत्राचा तपशील									सागवडीसाठी उपलब्ध नसलेली जमीन		जल सिंचनाचे साधन	शेरा
		मिश्र पिकाखालील क्षेत्र						निर्मळ पिकाखालील क्षेत्र						
					घटक पिके व प्रत्येकाखालील क्षेत्र									
वर्ष	हंगाम	मिश्रणाचा संकेत क्रमांक	जल सिंचित	अजल सिंचित	पिकांचे नाव	जल सिंचित	अजल सिंचित	पिकांचे नाव	जल सिंचित	अजल सिंचित	स्वरूप	क्षेत्र		
(१)	(२)	(३)	(४)	(५)	(६)	(७)	(८)	(९)	(१०)	(११)	(१२)	(१३)	(१४)	(१५)
			हे.आर. चौ.मी	हे.आर. चौ.मी		हे.आर. चौ.मी	हे.आर. चौ.मी		हे.आर. चौ.मी	हे.आर. चौ.मी		हे.आर. चौ.मी		
2016-17	खरीप							भात		0.2000	विहीर	0.0200		
								गवत		0.3700				
								नाचणी		0.2000				
2017-18	खरीप							भात		0.2000	विहीर	0.0200		
								गवत		0.3700				
								नाचणी		0.2000				
2018-19	खरीप							भात		0.2000	विहीर	0.0200		
								गवत		0.3700				
								नाचणी		0.2000				

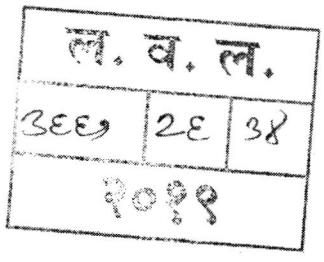
THE SEAL OF THE SUB-REGISTRAR OF ★LONAVALA★ दुय्यम निबंधक लोणावळा वर्ग २

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एस.पी.कावरे
तलाठी सजे ..तिकोना...
ता.मावळ ,जि.पुणे


आयकर विभाग
INCOME TAX DEPARTMENT
भारत सरकार
GOVT. OF INDIA
KHURSHED YAZDI DARUVALA
YAZDI MEHERWAN DARUVALA
22/03/1969
Permanent Account Number
AACPD7565R
Signature
30092009


SEAL OF THE SUB-REGISTRAR OF
DARUVALA


ल. व. ल.
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THE SEAL OF THE SUB-REGISTRAR

ल. व. ल.		
३६९	२७	३४
२०१९		

आधार

भारतीय विशिष्ट ओळख प्राधिकरण

भारत सरकार

Unique Identification Authority of India
Government of India

नोंदविण्याचा क्रमांक / Enrollment No 1081/63149/00143

To,
डेलना के दारूवाला
Delna K Daruvala
513 DINSHAW BUILDING
JAME JAMSHED ROAD
PARSI COLONY
DADAR EAST
Dadar Mumbai
Maharashtra 400014

10/11/2011

Ref: 11 / 01C / 21420 / 21945 / P

UE112828715IN

आपला आधार क्रमांक / Your Aadhaar No.:

5729 5967 6891

आधार — सामान्य माणसाचा अधिकार

भारत सरकार
GOVERNMENT OF INDIA



डेलना के दारूवाला
Delna K Daruvala
जन्म वर्ष / Year of Birth : 1936
स्त्री / Female

5729 5967 6891

आधार — सामान्य माणसाचा अधिकार

Delna

THE SEAL OF THE SUB-REGISTRAR OF LONAVLA

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भारत सरकार

आधार

भारतीय विशिष्ट ओळख प्राधिकरण

भारत सरकार

Unique Identification Authority of India
Government of India

नोंदविण्याचा क्रमांक / Enrollment No 1081/63149/00144

To,
कैनाज के दारूवाला
Kainaz K Daruvala
613 DINSHAW BUILDING
JAME JAMSHED ROAD
PARSI COLONY
DADAR EAST
Dadar Mumbai
Maharashtra 400014
9821244874

14/11/2011

Ref: 11 / 01C / 21421 / 21945 / P

UE1126287241N

आपला आधार क्रमांक / Your Aadhaar No. :

6146 1519 1104

आधार — सामान्य माणसाचा अधिकार

भारत सरकार
GOVERNMENT OF INDIA



कैनाज के दारूवाला
Kainaz K Daruvala
जन्म वर्ष / Year of Birth : 1973
स्त्री / Female

6146 1519 1104

आधार — सामान्य माणसाचा अधिकार

K.K. Daruvala

THE SEAL OF THE SUB-REGISTRAR OF ASSURANCES LONAVALA

ल. व. ल.
३६९ | २९ | ३४
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भारत सरकार

आधार

भारतीय विशिष्ट ओळख प्राधिकरण

भारत सरकार

Unique Identification Authority of India
Government of India

नोंदणी क्रमांक : Enrolment No.: 1081/63149/00179

To,
Khurshed Yazdi Daruvala
खरशेद यझदी दारूवाला

613 DINSHAW BUILDING JAME JAMSHED ROAD PARSI COLONY
DADAR EAST Dadar
Mumbai
Maharashtra 400014

31/10/2011

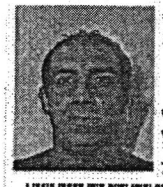
UC 02162017 7 IN
Ref No.:4I2B3E9X-2162017

आपला आधार क्रमांक / Your Aadhaar No. :

7368 1809 4717

आधार — सामान्य माणसाचा अधिकार

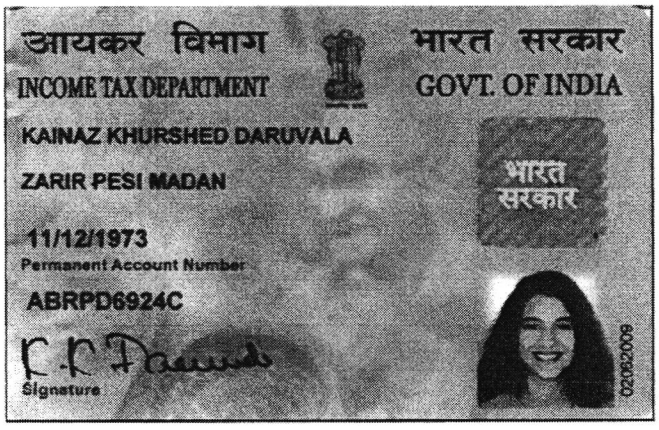
भारत सरकार
GOVERNMENT OF INDIA



खरशेद यझदी दारूवाला
Khurshed Yazdi Daruvala
:
:
जन्म वर्ष / Year of Birth : 1969
पुरुष / Male

7368 1809 4717

आधार — सामान्य माणसाचा अधिकार



K K Daruvala

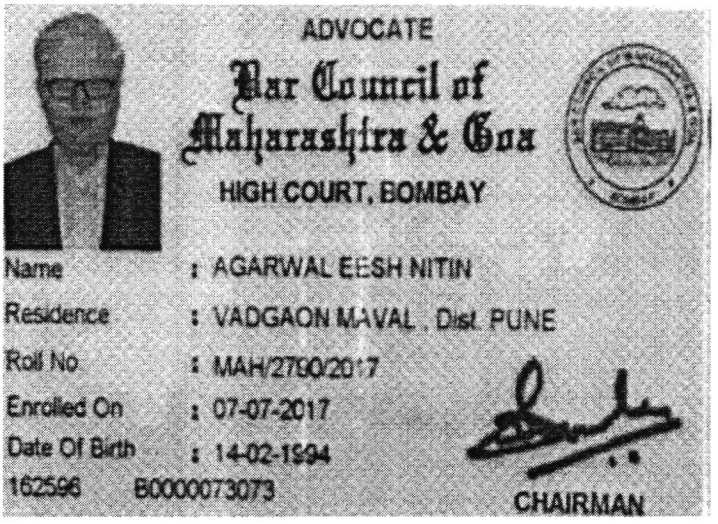
THE SEAL OF THE SUB-REGISTRAR OF ★ LONAVALA ★

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THE SEAL OF THE SUB-REGISTRAR OF LONAVALA

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ADVOCATE

Bar Council of Maharashtra & Goa

HIGH COURT, BOMBAY

Name : AGARWAL EESH NITIN

Residence : VADGAON MAVAL , Dist. PUNE

Roll No : MAH/2790/2017

Enrolled On : 07-07-2017

Date Of Birth : 14-02-1994

162596 B0000073073

CHAIRMAN

EAggarl

THE SEAL OF THE SUB-REGISTRAR * LONAVALA *

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427/3661
मंगळवार,24 डिसेंबर 2019 11:21 म.पू.

दस्त गोषवारा भाग-1

लवल 33-38
दस्त क्रमांक: 3661/2019

दस्त क्रमांक: लवल /3661/2019

बाजार मुल्य: रु. 19,11,124/- मोबदला: रु. 00/-

भरलेले मुद्रांक शुल्क: रु.19,700/-

दु. नि. सह. दु. नि. लवल यांचे कार्यालयात
अ. क्रं. 3661 वर दि.24-12-2019
रोजी 11:20 म.पू. वा. हजर केला.

पावती:5724 पावती दिनांक: 24/12/2019

सादरकरणाराचे नाव: कैनाझ खुर्शीद दारुवाला

नोंदणी फी	रु. 200.00
दस्त हाताळणी फी	रु. 680.00
पृष्ठांची संख्या: 34	
एकुण:	880.00

K.K.Daruwal

दस्त हजर करणाऱ्याची सही:

Sub Registrar Lonavala (LVL)
मुख्यम निबंधक,श्रेणी-१
लोणावळा

Sub Registrar Lonavala (LVL)
मुख्यम निबंधक,श्रेणी-१
लोणावळा

दस्ताचा प्रकार: लोणावळा

मुद्रांक शुल्क: जर निवासी आणि कृषी मालमत्ता ही पती, पत्नी, मुलगा, मुलगी, नातू, नात, मरण पावलेल्या मुलाची पत्नी यांना बक्षीस दिली असेल तर.

शिक्का क्रं. 1 24 / 12 / 2019 11 : 20 : 10 AM ची वेळ: (सादरीकरण)

शिक्का क्रं. 2 24 / 12 / 2019 11 : 20 : 40 AM ची वेळ: (फी)

प्रतिज्ञापत्र

सदर दस्तऐवज हा नोंदणी कायदा १९०८ अंतर्गत असलेल्या तरतुदीनुसार नोंदणीस दाखल केलेला आहे. दस्तातील संपूर्ण मजकूर, निष्पादक व्यक्ती, साक्षीदार/ओळखदार व सोबत जोडलेल्या कागदपत्रांची सत्यता तपासली आहे. दस्ताची सत्यता, वैधता कायदेशीर बाबीसाठी दस्त निष्पादक व कबुलीधारक हे स्वत:जबाबदार राहतील. दस्तऐवजासोबत जोडलेली कागदपत्रे,बुलमुखत्यार धारक व्यक्ती इत्यादी बनावट आढळून आल्यास याची संपूर्ण जबाबदारी निष्पादकाची राहील.

K.K.Daruwal

लिहून घेणार

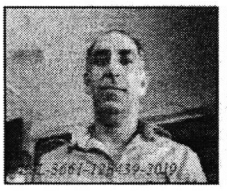
THE SEAL OF THE JOINT SUB-REGISTRAR OF LONAVALA

दस्त गोषवारा भाग-2

लवल 38-38
दस्त क्रमांक:3661/2019

24/12/2019 11 23:11 AM

दस्त क्रमांक :लवल/3661/2019
दस्ताचा प्रकार :-बक्षीसपत्र

अनु क्र.	पक्षकाराचे नाव व पत्ता	पक्षकाराचा प्रकार	छायाचित्र	अंगठ्याचा ठसा
1	नाव:खुर्शीद येझदी दारुवाला पत्ता:प्लॉट नं: 0, माळा नं: 0, इमारतीचे नाव: 0, ब्लॉक नं: 0, रोड नं: 613,दिनशॉ बिल्डींग,जामे जमशेद रोड दादर पारसी कॉलनी मुंबई , महाराष्ट्र, मुम्बई. पॅन नंबर:AACPD7565R	लिहून देणार वय :-50 स्वाक्षरी:-		
2	नाव:कैनाझ खुर्शीद दारुवाला पत्ता:प्लॉट नं: 0, माळा नं: 0, इमारतीचे नाव: 0, ब्लॉक नं: 0, रोड नं: 613,दिनशॉ बिल्डींग,जामे जमशेद रोड दादर पारसी कॉलनी मुंबई , महाराष्ट्र, मुम्बई. पॅन नंबर:ABRPD6924C	लिहून घेणार वय :-46 स्वाक्षरी:-		
3	नाव:डेल्ना खुर्शीद दारुवाला पत्ता:प्लॉट नं: 0, माळा नं: 0, इमारतीचे नाव: 0, ब्लॉक नं: 0, रोड नं: 613,दिनशॉ बिल्डींग,जामे जमशेद रोड दादर पारसी कॉलनी मुंबई , महाराष्ट्र, मुम्बई. पॅन नंबर:CBYPD9038G	लिहून घेणार वय :-23 स्वाक्षरी:-		

वरील दस्तऐवज करुन देणार तथाकथीत बक्षीसपत्र चा दस्त ऐवज करुन दिल्याचे कबुल करतात.
शिक्का क्र.3 ची वेळ:24 / 12 / 2019 11 : 21 : 57 AM

ओळख:-
सदर इसम दुय्यम निबंधक यांच्या ओळखीचे असुन दस्तऐवज करुन देणा-यानां व्यक्तीश: ओळखतात, व त्यांची ओळख पटवितात

अनु क्र.	पक्षकाराचे नाव व पत्ता	छायाचित्र	अंगठ्याचा ठसा
1	नाव:ॲड. ईश नितीन अगरवाल - - वय:26 पत्ता:लोणावळा तालुका मावळ जिल्हा पुणे पिन कोड:410401		

स्वाक्षरी

शिक्का क्र.4 ची वेळ:24 / 12 / 2019 11 : 22 : 14 AM

शिक्का क्र.5 ची वेळ:24 / 12 / 2019 11 : 22 : 25 AM नोंदणी पुस्तक 1 मध्ये

असे प्रमाणित करण्यात येते की सदर दस्तऐवजास एकूण.३४ पाने आहेत

(आर.जे.भोसले)
दुय्यम निबंधक,श्रेणी-१,लोणावळा

Sub Registrar Lonavala(LVL)
(आर.जे.भोसले)
दुय्यम निबंधक,श्रेणी-१
लोणावळा

Payment Details.

sr.	Epayment Number	Defacement Number
1	MH009824596201920E	0005085106201920
2	2312201911995	2312201911995D

3661/2019
पहिले नंबराचे पुस्तकाचे ३६६१ नंबरी नोंदविला

(आर.जे.भोसले)
दुय्यम निबंधक,श्रेणी-१,लोणावळा
दिनांक 24/12/2019

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महाराष्ट्र शासन

गाव नमुना सात (अधिकार अभिलेख पत्रक)

[महाराष्ट्र जमीन महसुल अधिकार अभिलेख आणि नोंदवह्या (तयार करणे व सुस्थितीत ठेवणे) नियम १९७१ यातील नियम ३,५,६ आणि ७]

गाव :- **तिकोना (५५६०१९)** तालुका :- **मावळ** जिल्हा :- **पुणे**

ULPIN : **39965837137** गट क्रमांक व उपविभाग **५७१** **39965837137**

भुधारणा पद्धती **भोगवटादार वर्ग -१** शेताचे स्थानीक नाव :

क्षेत्र, एकक व आकारणी	खाते क्र.	भोगवटादाराचे नाव	क्षेत्र	आकार	पो.ख.	फेरफार क्र	कुळ, खंड व इतर अधिकार
क्षेत्राचे एकक **हे.आर.चौ.मी**	१२३५	[~~खुर्शीद येझदी दारुवाला~~			]	**(१८३६)**	कुळाचे नाव व खंड
अ) लागवड योग्य क्षेत्र	१४६६	**कैनाझ खुर्शीद दारूवाला**				**(१८३६)**	इतर अधिकार
जिरायत -		**डेल्ना खुर्शीद दारूवाला**				**(१८३६)**	व्यवहार कायदेशीर
बागायत -		------सामाईक क्षेत्र------	**०.७९००**	**०.४४**	**०.३४००**		**इतर (२८०)**
वरकस **०.७९.००**							इतर
एकुण							**इतर (२८४)**
ला.यो. क्षेत्र **०.७९.००**							प्रलंबित फेरफार : **नाही.**
ब) पोटखराब क्षेत्र (लागवड अयोग्य)							शेवटचा फेरफार क्रमांक : **१८२९** व दिनांक : **०४/११/२०२०**
वर्ग (अ) **०.३४.००**							
वर्ग (ब) -							
एकुण							
पो.ख.क्षेत्र **०.३४.००**							
एकुण क्षेत्र (अ+ब) **१.१३.००**							
आकारणी **०.४४**							
जुडी किंवा विशेष आकारणी							

जुने फेरफार क्र : **(१) (२) (२२८) (२६२) (२८०) (२८४) (३५२) (३५३) (११११८) (१७००) (१८२९)**

सीमा आणि भुमापन चिन्हे

हा गाव नमूना क्रमांक ७ दिनांक **०४/११/२०२०:०८:१८:१३ PM** रोजी डिजिटल स्वाक्षरीत केला आहे व गाव नमूना क्रमांक १२ चा डेटा स्वयंप्रमाणित असल्यामुळे ७/१२ अभिलेखावर वर कोणत्याही सही शिक्क्याची आवश्यकता नाही.

७/१२ डाउनलोड दि. : २३/०३/२०२३ : १२:५७:३१ PM. वैधता पडताळणीसाठी https://digitalsatbara.mahabhumi.gov.in/dslr/ या संकेत स्थळावर जाऊन **2505100001115239** हा क्रमांक वापरावा.

Digitally signed

गाव नमुना बारा (पिकांची नोंदवही)

[महाराष्ट्र जमीन महसूल अधिकार अभिलेख आणि नोंदवह्या (तयार करणे व सुस्थितीत ठेवणे) नियम १९७१ यातील नियम २९]

गाव :- **तिकोना (५५६०१९)** तालुका :- **मावळ** **जिल्हा :- पुणे**

गट क्रमांक व उपविभाग **५७१**

			पिकाखालील क्षेत्राचा तपशील					लागवडीसाठी उपलब्ध नसलेली जमीन		शेरा
वर्षे	हंगाम	खाते क्रमांक	पिकाचा प्रकार	पिकांचे नाव	जल सिंचित	अजल सिंचित	जल सिंचनाचे साधन	स्वरूप	क्षेत्र	
(१)	(२)	(३)	(४)	(५)	(६)	(७)	(८)	(९)	(१०)	(११)
२०१८	**खरीप**		**निर्भेळ**	**गवत**		**०.३७००**				
			निर्भेळ	**नाचणी**		**०.२०००**				
						०.०		**विहीर**	**०.०२००**	
			निर्भेळ	**भात**		**०.२०००**				
२०१९	**खरीप**					**०.०**		**विहीर**	**०.०२००**	
			निर्भेळ	**भात**		**०.२०००**				
			निर्भेळ	**नाचणी**		**०.२०००**				
			निर्भेळ	**गवत**		**०.३७००**				

टीप : ** सदरची नोंद मोबाइल ॲप द्वारें घेणेत आलेली आहे

भूमिअभिलेख विभाग ई महाभूमि

Maharashtra Government
Village Form VII
Record of Rights
(Adhikar Abhilekh Patrak)
(Rules 3, 4,5 and 7 of Maharashtra land revenue record and registers (Preparation and Maintenance) Rules 1971

Village – Tikona(556019) Taluka- Maval
Dist – Pune

Gat No./Survey No./Hissa No. 571
Type of Occupant Class of Occupant -1 Local name of farm

Area measurement	Khata No.	Name of occupant	Area	Shape	Pot Kharaba	Mutation Entry	Tenant Khand and other rights
Area in H.R. Sq Mtrs ---------- A) Area appropriate for cultivation Jirayat Bagayat -----	1235	(Khurshid Yezadi Daruvala)				(1836)	Name of Tenant and Khand _____ Other rights Transaction legal Other (280) Other Other (284)
	1466	Kanaz Khurshid Daruvala				(1836)	

Other 0.79.00 Total Area good for cultivation 0.79.00 ---------- B) Potkharaba area (area good for cultivation) Class A -0.34.00 Class B - Total Pot Kharaba area 0.34.00 ---------- Total area (A+B) 1.13.00		Delna Khurshid Daruvala				(1836)	_____ Pending Mutation Entry -no _____ Last Mutation entry 1829 and Date 04/11/2020 _____
		Common area	0.7900	0.44	0.3400		

---------- Aakarni 0.44 ---------- - Judi or special aakarni ----------			

Old Mutation Entries (1) (2) (228) (262) (280) (284) (352) (353) (1118) (1700) (1829)	Boundaries and demarcation of land

Village form XII (Register of crops)

Rule 29 of the Maharashtra Land Revenue Record of rights and Registers Preparation and Maintenance Rules 1971

Village Tikona(556019) Taluka Maval

Dist Pune

Gat No S. No. Hissa No 571

Contains of crop and area under each crop	Land not available for cultivation

								Remark		
Year	Season	Khata No	Type of crop	Name of crop	Irrigated	Non irrigated	Mode of water irrigation	Type	Area	
1	2	3	4	5	6	7	8	9	10	11
2018	Kharip		Nirbhel	Grass		0.3700				
			Nirbhel	Nachani		0. 2000				
						0.0		Well	0.0200	
			Nirbhel	Rice		0.2000				
2019	Kharip					0.0		Well	0.0200	
			Nirbhel	Rice		0.2000				
			Nirbhel	Nachani		0. 2000				

			Nirbhel	Rice		0.3700				

Note : The above entry is taken through the mobile app.



True Copy

दि. 20/8/92

मा. सरपंच
ग्रामपंचायत तिकोना
यांचे कडून

विषय :- मौजे तिकोना येथील ग.न. ५७१ मधील बांधलेल्या कार्महाऊसची नोंद होणे बाबत

अर्जदार → १) मनील येळदी दारवाला
२) जीनोबीया येळदी दारवाला
रा. तिकोना ता. मावळ जिल्हा पुणे

महोदय,

आम्ही मौजे तिकोना येथील ग.न. ५७१ मध्ये शेतघर बांधले आहे ते २८६१ चै.फु असून सिमेंट बांधकाम (आर.सी.सी) आहे व 30'X15" फुटांचा गोठा आहे. २८६१ चै.फु मध्ये पुढील ६ खोल्या आहेत त्यो मध्ये गोदाम,या समावेश आहे वरील सर्व बांधकामाचा एकुण खर्च अंदाजे ८ लाख (आठ लाख रुपये फक्त) केलेला आहे, त्यावर बसण्यासाठे टेरस (धरण्टी) आम्ही अराबयास तयार आहोत. तरी आमच्या शेतघराची नोंद व्हावी अशी नम्र विनंती.

आपले विश्वासू

नमो Mayurwal

(निलीन बी. मयुरवाल)
तिकोना.

प्रतिलिपी
दशरथ
ग्रा.पं. तिकोना

Dt. 20.8.92

To,

Resp. Sarpanch

Grampanchayat Tikona

Sub: Regarding to entry about Mouje Tikona, G.N.571
Constructed farm house.

Applicant: 1) Zarin Yezdi Daruwala
2) Jinoniya Yezdi Daruwala
Residing at- Tikona, Tal. Maval, Dist. Pune

Sir,

We Mouje Tikona, G.N. 571 made construction of farm house. Which is 2861 sq.ft. and cement construction (R.C.C.) and 30" x 15" ft cowshed and also 2861 sq.ft total 6 room and in that include godown.

For abovesaid construction total expenses is approx. 8 Lakh (Rs. Eight Lakh Only) and we are ready to pay another tax (Gharpatti). Therefore we request to enter our above farm house.

Yours faithfully

(Nitin B Agrawal)

मिळण्याचे ठीकाण
सैफी-स्टोअर्स
वडगांव-मावळ

ग्रामपंचायत नमुना नं. ८ उतारा (नक्कल)

करास पात्र असलेल्या इमारती व जमिनी यांची सन १९८२ । १९८३ सालाबद्दलची आकारणी यादी

ग्रामपंचायत तिकोणा तालुका मावळ जिल्हा पुणे येथील ग्रामपंचायत

ग्रामपंचायतीचा शिक्का — स्व — १८ — ता. मावळ

अ. नं.	रस्त्याचे नांव	मिळकत नंबर	मिळकतीचे वर्णन	मालकाचे नांव	भोगवटा करणाराचे नांव	वार्षिक भाडयाची किंमत किंवा इतर ठरवलेली रक्कम	आकारणी केलेल्या करारांची रक्कम					अपिलाचे निकाल व मागाहून फेरफार					मागाहून वाढ किंवा घट झाल्याच्या बाबत हुकुमाचे उल्लेख व शेरे	शेरा
							घरपट्टी कर	आरोग्य कर	वीज कर	पाणीपट्टी कर	एकूण कर	घरपट्टी कर	आरोग्य कर	वीज कर	पाणीपट्टी कर	एकूण कर	टीप-शेरे व दुरुस्त्यावर त्यांच्या खरेपणाबद्दल सरपंचाने सही करावी	
१	२	३	४	५	६	७	८	९	१०	११	१२	१३	१४	१५	१६	१७	१८	१९
७८२	तिकोणा	७८७	२८९ चौ.फुटाचे १) जरिना येजदी दारुवाला ६ खोल्या आर. २) जीनोनिया सी.सी. बांधकाम येजदी दारुवाला ३०×५५ ब्लॉवराचा गोठा-दगडमाती बांधकाम.	स्वता	६००,००/-	६००/-	३२०/-	३२०/-	—	१४४००	—	—	—	—	—	ग्रा.पं.मासिक सभा दि २७।८२ ठराव नं ७ नोंद केली असे सही/- सरपंच/ग्रामसेवक	

घ्यावयाची फी रुपये — पैसे —

अक्षरी —

मिळाली. तारीख

ग्रामसेवक

येणेप्रमाणें अस्सलबर हुकूमनक्कल अर्जदार श्री. जरिना येजदी दारुवाला यांचे अर्जावरून उतारा तयार केला आहे.

तारीख 23/9/82

रुजू होणार ग्रामसेवक

हुद्दा ग्रामपंचायत तिकोणा ता. मावळ. जि पुणे.

बबनराव गुलाबराव

ग्रामपंचायत सरपंच

ग्रुप ग्रामपंचायत तिकोणा

ता. मावळ, जि. पुणे.

3359

GRAMPANCHAYAT FORM NO. 8 EXTRACT (COPY)

Receive Taxable building and land for the year 1992 to 1993 Aakarni List

At Saifi Stores GrampanchayatTikona TalukaMaval Dist Pune Graampanchayat

VadgaonMaval

Sr. No.	Name of Road	Property Number	Property Detail	Name of owner	Occupier name	Annual	Aakarni tax amount	Appeal result and earlier revisioin	An increase from behindor	Remark

																	regarding the decline mentions and remarks of the decree	
						Rent amount	Ghar pat	Health tax	Electric tax	Water tax	Total tax	Ghar patti	Health	Electr	Water tax	Total tax	Note: Sarpa	

						or other decided amount	ti tax					tax	tax	ic tax			nch should correct the notes and correct ions for their correct ness.	

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
192	Tikona	191	2861 sq.ft. and ce me nt con str ucti	1)ZarinYezdiDaruwala 2) JinoniyaYezdiDaruwala	Self	800,000/-	8000/-	3200/-	3200/-	-	14,400/-	-	-	-	-	-	G.P. Monthly meeting 23.8.92 Resolution No.7 made entry. Sd/- SarpanchTikona	

			on (R. C.C .) and 30” x 15” ft cow shed														

			and also 2861 sq.ft total 6 room													

To be take fee Rs... ps.

In words..... receive.

Date Gramsevak

As the copy of the original decree extract made from the application of Shri ZarinYazediDaruwala.

Dt. 23.9.92

Submitted Grampanchayat

True Copy

NOTIFICATION
GOVERNMENT OF MAHARASTRA
Urban Development Department,
Mantralaya, Mumbai 400 032
Date: 11/12/2018

Maharashtra Regional and Town PlanningAct, 1966

No.TPS-1817/1246/CR40/18/20(4)/UD-13 :- Whereas, the Regional Plan of "Pune District" (hereinafter referred to as "the said Regional Plan") has been sanctioned u/s-15 of Maharashtra Regional and Town Planning Act 1966 (hereinafter referred to as "the said Act") by Governement in Urban Development Department vide its Notification No. TPS-1895/227/CR-26/95/UD-13, Dated- 25th Nov, 1997 and has came into force with effect from 10th Feb, 1998, which includes the provisions of Development Control Regulations;

And whereas, the special Regulation for the areas within 10 Km distance from boundaries of Pune and Pimpri-Chinchwad Municipal Corporation has been sanctioned by Government vide its Notification No. TPS-1809/650/CR-1654/09/UD-13, Dated-28th Aug, 2009;

And whereas, State Government has sanctioned the standardized development control and promotion Regulations for Regional Plan Areas in Maharashtra vide its Notification No. TPS-1812/157/CR-71/12/Reconstruction No. 34/12/RP/UD/13, Dated-21 Nov, 2013 and has come into force with effect from 21th Nov, 2013;

And whereas, the Government of Maharashtra, vide Notification No.TPS/1204/13/CR87/15/UD-13, dated the 31/03/2015 issued in exercise of the powers conferred by sections 42A, 42C and 42F of the said Act, declared the Pune Metropolitan Area as "Pune Metropolitan Development Area" u/s 42A of the said Act, and u/s 42C thereof constituted "Pune Metropolitan Area Region Development Authority" (hereinafter referred to as "the said Area Development Authority"), and vide the Government Notification dated 04.12.2015 revised the limits of the said Area Development Authority;

And whereas, as per clause (C) iii (c) of Government Notification No.TPS-1815/1204/13/CR-87/15/UD-13 dated 31st March, 2015, the development proposals and special regulations of the sanctioned Regional Plan along with Development control and promotion Regulations modified from time to time shall be applicable within the area of the said Authority till the finalization of Development plan (hereinafter referred to as "the said Development Control Regulations");

And whereas, in exercise of the powers conferred by sub-section (1) of section 3 of the said Metropolitan Development Authority Act, 2016 the Government vide Notification of Urban Development Department No.PRD-3316/CR-54/UD-7, dated 11 July, 2016 has established Metropolitan Region Development Authority to be called "the Pune Metropolitan Region Development Authority" (hereinafter referred to as "the said Development Authority") for the Metropolitan Area more specifically described in the Schedule appended thereto;

And whereas, the Government of Maharashtra vide its notification No.TPS-1817/CR-173/17/UD-13, Dated-18/01/2018, declared the said Development Authority as a "special planning Authority" under section 40 (1) of MRTP, Act-1966;

And whereas, the said Development Authority has to consider different regulations and the Development plan for the Pune Metropolitan Region is yet to be prepared; the Government has issued directives Dated.24/05/2016 & 18/11/2016 to the said authority to prepare uniform Development control Regulations within stipulated

time and accordingly the authority has submitted a set of comprehensive and uniform Revised Development control Regulations to the Government for further action;

And whereas, In view of above and after consulting the Director of Town Planning, Maharashtra state, the Government is of opinion that the said Development control Regulation should be replaced by the Revised Development Control and Promotion Regulations attached here with (Hereinafter referred to as the said modification);

And whereas, pursuant to the above, a notice, bearing No.TPS-1817/1246/CR-40/18/UD-13,dated 26/03/2018 regarding the Proposed Modification under sub section (3) of the Section 20 of the said Act, was published which appeared in the Maharashtra Government Official Gazette, Pune division Supplement dated- 07th April 2018 on page no. 124 for inviting Suggestion and / or Objection from the general public and the Metropolitan Commissioner, Pune Metropolitan Region Development Authority, Pune was authorised as the " Officer" (hereinafter referred to as the "**said Officer"**) by the Government to hear Suggestion and / or Objection and submit his report to the Government ;

And whereas, considering the report submitted after completing the legal formalities by the said Officer and after consulting the Director of Town Planning, Maharashtra state, Pune, the Government is of opinion that, it is necessary to sanction the said Modification as submitted by the Pune Metropolitan Region Development Authority, Pune with few amendments.

Now, therefore, in exercise of the powers conferred by sub- section (4) of section 20 of the said Act the Government of Maharashtra hereby accords sanction to the Proposed Modification submitted by the Pune Metropolitan Region Development Authority, Pune as per set attached herewith.

This Notification alongwith set of Regulations shall be kept open for inspection to the general public during office hours on all working days at the following offices:-

1) Director of Town Planning, Maharashtra state, Pune
2) Metropolitan Commissioner, PMRDA, Pune.
3) Joint Director of Town Planning, Pune Division, Pune..

This Notification shall also be published on the Government Web-Site:- www.maharashtra.gov.in **(कायदे / नियम)**

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

Pawar Rajendra Mahadeo

Digitally signed by Pawar Rajendra Mahadeo
DN: c=IN, o=Government Of Maharashtra, ou=Urban Development Department, postalCode=400032, st=Maharashtra, 2.5.4.20=067430cc40fa025778474e5171353089 98291569d7c9bfff7bbf28e6c0e2a7e, serialNumber=8e00f0107ae5850fe7df8c01794ce 74c5897764294f4c395d1ffc89d935c9fb3, cn=Pawar Rajendra Mahadeo
Date: 2018.12.11 16:34:01 +05'30'

(R.M.Pawar)
Under Secretary to Government

PUNE METROPOLITAN REGION DEVELOPMENT AUTHORITY

FINAL

DEVELOPMENT CONTROL AND PROMOTION REGULATIONS FOR PUNE METROPOLITAN REGION DEVELOPMENT AUTHORITY (PMRDA) (DCPR-2018)

December 2018

Metropolitan Commissioner,

PMRDA

DEVELOPMENT CONTROL AND PROMOTION REGULATIONS -2018 FOR PUNE METROPOLITAN REGION DEVELOPMENT AUTHORITY

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PART–I
ADMINISTRATION

1.0 SHORT TITLE, EXTENT, AND COMMENCEMENT

1.1 These Regulations shall be called as ―Development Control and Promotion Regulations for **Pune Metropolitan Region (PMR), 2018, referred to herein after as these Regulations.**

1.2 **Extent**- These Regulations shall apply to the building activities and development works on lands within the **PMR under the jurisdiction of Pune Metropolitan Regional Development Authority (PMRDA).**

1.3 (a) These Regulations shall come into force from the date of notification.

1.3 (b) **Repeal**: These shall replace existing building bye-laws applicable in PMR Area, standardized development control and promotional regulations for regional plan areas in Pune, Maharashtra, Special Regulation related to areas falling under 10 kms from Pune and Pimpri-Chinchwad Municipal Corporations, development control rules / regulations of A, B and C municipal councils and the development control regulations of regional plan of Pune region with amendments made to them from time to time, and any guidelines/directions issued by any authorities in the past.

1.4 Provisions in Regional Plan:
Land use zoning provisions in the sanctioned Regional Plan of Pune shall govern unless otherwise specifically mentioned in these regulations. Special Provisions or Express Provisions made or Special Regulations as mentioned in Sanctioned Regional Plan which are not covered under these regulations shall prevail.

1.5 Conflicts in provisions: If there is any conflict between the provisions in sanctioned Regional Plan along with the provisions in the sanctioned Development Control and Promotion Regulations for Regional Plan area in Maharashtra and Development Control and Promotion Regulations for Pune Metropolitan Region (PMR) in that case, the matter shall be referred to the Director of Town Planning M.S., whose decision shall be final. Wherever, there is a discrepancy between the National Building Code and these Regulations, then in such cases these Regulations shall prevail.

1.6 Savings: Not withstanding 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, permission granted earlier shall be eligible for renewal as per provisions of the Act. Provided further that, the words 'action taken' in this regulation shall also include the issuance of Demand note for granting the development permission;

Provided also that, it shall be permissible for the owner to –

a) either continue to develop the project 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.

2.0 DEFINITIONS:

2.1 General

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

2.1.2 Words and expressions that are not defined in these regulations shall have the same meaning or sense as in any of following Acts.

i) The Maharashtra Regional and Town Planning Act, 1966.

ii) National Building Code (2005 or amended from time to time); however, these regulations shall prevail in case of any overlaps/conflicts.

iii) Maharashtra Metropolitan Region Development Authority Act, 2017.

2.2 **"Act"-** Act in these Regulations shall mean the Maharashtra Regional and Town Planning Act, 1966;

2.3 **"Annual Statements of Rates"** means ***ASR*** published by Inspector General of Registration, Maharashtra State, Pune;

2.4 **"Authority"** means Metropolitan Commissioner of PMRDA unless otherwise specified;

2.5 **"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, column, beam, joist, floor, roof or other support or a change to or closing of any required means of ingress (entry) or egress (exit) as provided under these regulations. However, modification in respect of gardening, white washing, painting, plastering, pointing, paving and retailing shall not be deemed to be alteration;

2.6 **"Advertising Sign"** means any surface or structure with characters, letters or illustrations applied thereto and displayed in any manner whatsoever outdoor 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, in or over any water body;

2.7 **"Accessory 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;

2.8 **"Accessory / Ancillary Use"** means any use of the premises subordinate to the principal use and incidental to the principal use;

2.9 **"Amenity"-**Includes open spaces, parks, recreational facilities and grounds, sports complex, library, hospital, cafeteria, convenience shopping, parking lots, primary and secondary schools, clinics, dispensaries, health club, sub post office, police station, electrical sub stations, ATM's, banks, electronic cyber library, open market, garbage bins, play grounds, yoga center, gardens, water supply, electric supply, street lighting, sewerage, drainage, public works and other utilities, club house, services and conveniences, fire brigade, staff quarters of PMRDA and a public utility, Student Hostels and working women's hostel, (in case of Student Hostels, working women's hostel, the plot shall not be less than 2000 sq. mt. and a minimum of 50% of the plot area shall be used for open users such as open space, parks, recreational facilities, parking lots etc.) and such additional public utility users as decided by the Metropolitan Commissioner of PMRDA.

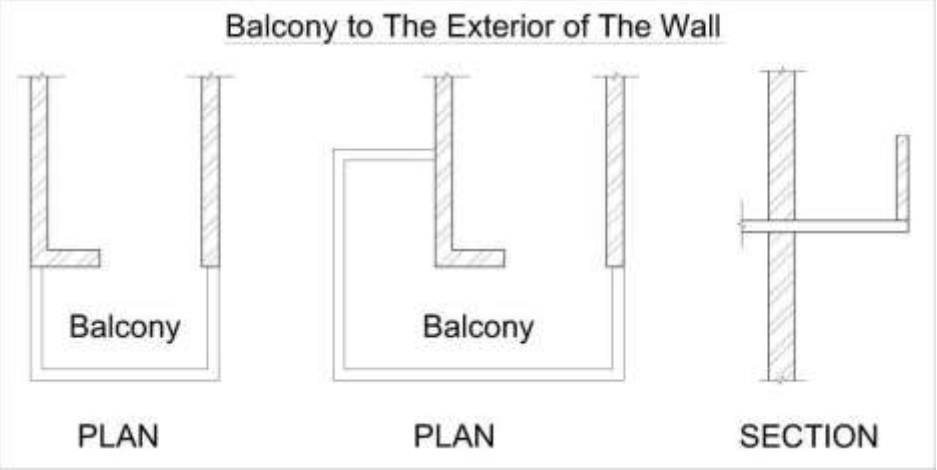
2.10 **"Access"** means a clear approach to a plot or a building;

2.11 **"Architect"** means a person registered with Council of Architecture(COA) as per Architects Act, 1972 as an Architect with a valid (COA) Registration Number;

2.12 **"Architectural projection"** means Chajja, Cornice, Ledge etc. which is a protrusion from the building facade or window line of the building used for non-habitable uses.;

2.13 **"Atrium"** means a sky lighted naturally/mechanically ventilated area in buildings, with no intermediate floors, used as circulation space or entrance foyer;

2.14 "Balcony" means a horizontal cantilever projection, including parapet and handrail balustrade to serve as a passage or sitting out place with at least one side fully open, except being provided with railing or parapet wall for safety;



2.15 "Basement" means the lower storey of a building below or partly below the ground level with one or more than one levels;

2.15.1 "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, verandas, balcony; cornice or projection, part of a building or anything affixed thereto or any wall fence enclosing or intended to enclose any land or space and signs and outdoor display structures. However, tents, shamianas and the tarpaulin shelters erected for temporary and ceremonial occasions with the permission of the Metropolitan Commissioner shall not be considered as building;

2.16 "Built up Area" means the area covered by a building on all floors including cantilevered portion, mezzanine floors if any but excepting the areas excluded specifically from FSI under these Regulations;

2.17 "Building Line" 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 scheme and / or Regional/Development Plan, or under any other law in force;

2.18 "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 to the terrace of last floor of the building adjacent to the external walls; to the highest point of the building and in the case of pitched roofs, up to the point where the external surface of the outer wall intersects the finished surface of the sloping roof; and in the case of gable facing road, the mid-point between the eaves level and the ridge. Architectural features serving no other function except that of decoration shall be excluded for the purpose of measuring heights;

2.19 "Builder / Developer" means a person who is legally empowered to construct or to execute work on a building unit, building or structure and/or land development or where no person is empowered, the owner of the building unit, building or structure.

2.20 "Bio-Technology Unit" means an Unit or a Park which is certified as such by the Development Commissioner (Industries);

2.21 "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.— For the purpose of this clause, 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;

2.22 "Chajja" means a sloping or horizontal structural overhang usually provided over openings on external walls to provide protection from sun and rain and for purpose of architectural appearance;

2.23 "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;

2.24 "Cluster" means any defined area with proper access;

2.25 "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;

2.26 "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;

2.27 "Canopy" means a projection over any entrance**;**

2.28 "Congested Area" means the area shown as congested on the Regional/Development Plan;

2.29 "Convenience Shopping" means shops for domestic needs each with carpet area not exceeding 20 sq.m.;

2.30 "Corridor" means a common passage or circulation space including a common entrance hall;

2.31 "Detached Building" means a building whose walls and roofs are independent of any other building with marginal distances on all sides as specified;

2.32 "Development" with its grammatical variations means the carrying out of buildings, engineering, mining or other operations in, or over, or under land or the making of any material change, in any building or land or in the use of any building or land or any material or structural change in any Heritage building or its precinct and includes demolition of any existing building, structure or erection of part of such building, structure of erection and reclamation, redevelopment and layout or sub-division of any land and to develop shall be construed accordingly;

2.33 "Regional/Development Plan" means i) **Development Plan:-**"Development Plan" means a plan for the development of the area within the jurisdiction of a Planning Authority and includes revision of a development plan and proposals of a Special Planning Authority for development of land within its jurisdictions.

ii) **Regional Plan:-**"Regional Plan" means a plan for the development or redevelopment of a region which is approved by the State Government and has come into operation under Maharashtra Regional & Town Planning Act, 1966.

2.34 "Dwelling Unit /Tenement" means an independent housing unit with separate facilities for living, cooking and sanitary requirements**;**

2.35 "Enclosed Stair- case" means a staircase separated by fire resistant walls and door (s) from the rest of the building;

2.36 "Existing Building or Use" means a building, structure or its use existing authorisedly;

2.37 "Exit" means a passage, channel or means of egress from any building, storey or floor area to a street or other open space of safety;

2.37.1 "Vertical Exit" means exit used for ascension or dissension between two or more levels including stairways, smoke proof towers, ramps, escalators and fire escapes;

2.37.2 "Horizontal Exit" means a protected opening through or around a firewall or a bridge connecting two buildings;

2.37.3 "Outside Exit" means an exit from the building to a public way, to an open area leading to a public way, to an enclosed fire resistive passage to a public way;

2.39 "External Wall" means an outer wall of a building, not being a party wall even though adjoining to a wall of another building and also means a wall abutting on an interior open space of any building;

2.40 "Escalator" means a power driven, inclined, continuous stairway used for raising or lowering passengers**;**

2.41 "Fire and/ or Emergency Alarm System" means an arrangement of call points or detectors, sounders and other equipments for the transmission and indication of alarm signals, for testing of circuits and, whenever required, for the operation of auxiliary services. This device may be workable automatically or manually to alert the occupants in the event of fire or other emergency;

2.42 "Fire lift" means a lift specially designed for use by fire service personnel in the event of fire;

2.43 "Fire Proof Door" means a door or shutter fitted to a wall opening, and constructed and erected with the requirement to check the transmission of heat and fire for a specified period;

2.44 "Fire Resisting Material" means a material which has certain degree of fire resistance;

2.45 "Fire Resistance" means the time during which a material fulfills its function of contributing to the fire safety of a building when subjected to prescribed conditions of heat and load or restraint. The fire resistance test of structures shall be done in accordance with "IS -3809 - 1966 Fire Resistance Test of Structures";

2.46 "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;

2.47 "Fire Service Inlets" means a connection provided at the base of a building for pumping up water through in-built fire-fighting arrangements by fire service pumps in accordance with the recommendations of the Fire Services Authority;

2.48 "Fire Tower" means an enclosed staircase which can only be approached from the various floors through landings or lobbies separated from both, the floor areas and the staircase by fire resisting doors and open to the outer air;

2.49 "Floor" means the lower surface in a storey on which one normally walks in a building. The general term floor unless otherwise specifically mentioned shall not refer to a mezzanine floor;

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

2.50 "Floor space index (F. S. I)"means the quotient obtained by dividing the total built-up area on all floors, excluding exempted areas as given in Regulation no.17.7 by the area of

the plot;

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

2.51 **"Premium FSI"** means the FSI that may be available on payment of premium as may be prescribed under these regulation;

2.52 **"Fitness center"** means and includes the built up premises, including toilet facilities, provided in the building including gymnasium for the benefit of its inmates and for the purpose of fitness, physical exercises, yoga and such other activities as may be permitted by the Commissioner from time to time.

2.53 **"Footing"** means a foundation unit constructed in brick work, masonry or concrete under the base of a wall or column for the purpose of distributing the load over a large area;

2.54 **"Foundation"** means that part of the structure which is in direct contact with and transmitting loads to the ground;

2.55 **"Front Margin"** means the distance between the boundary line of plot abutting the means of access/ road/ street and the building. In case of plots facing two or more means of accesses / roads / streets, the plot shall be deemed to front on all such means of access / road /streets;

2.56 **"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.

2.57 **"Garage Private"** means a building or portion thereof, designed and used for parking of privately owned motor driven or other vehicles;

2.58 **"Garage-Public"** means a building or portion thereof designed as other than a private garage, operated for gain, designed or used for repairing, servicing, hiring, selling or storing or parking motor driven or other vehicles.;

2.59 **"Group Housing Scheme"** means a building or a group of buildings constructed or to be constructed with one or more floors, consisting of more than one dwelling units and having common service facilities. Common service facilities means facilities like stair case, balcony, corridor, and veranda, lift, etc.;

2.60 **"Ground Level"** means the average level of ground in a plot (Site);

2.61 **"Guest house"** means a premise for housing the staff of Government, semi–government, public undertaking and private limited company for short duration.

2.62 **"Habitable Room"** means, a room constructed or intended for human habitation;

2.63 **"Home Occupation"** means occupation, other than an eating or a drinking place, offering services to the general public, customarily carried out by a member of the family residing on the premises without employing hired labour, and for which there is no display to indicate from the exterior of the building that it is being utilized in whole or in part for any purpose other than a residential or dwelling use, and in connection with which no article or service is sold or exhibited for sale except that which is produced therein, which shall be non-hazardous and not affecting the safety of the inhabitants of the building and the neighbourhood and provided that no mechanical equipment is used except for what is customarily used for purely domestic or household purposes and / or employing licensable goods;

2.64 **"Information Technology 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;

2.65 "Ledge or Tand" means a shelf like projection, supported in any manner whatsoever, except by vertical supports within a room itself but not having projection wider than 0.60 m.;

2.66 "Licensed Engineer / Structural Engineer / Supervisor" means a qualified Engineer/ Structural Engineer / Supervisor licensed by the Metropolitan Commissioner;

2.67 "Lift" means an appliance designed to transport persons or materials between two or more levels in a vertical or substantially, vertical direction, by means of a guided car platform;

2.67.1 "Lift well" means an unobstructed space within an enclosure provided for the vertical movement of the lift car(s) and any counter weights, including the lift pit and the space for top clearance;

2.68 "Loft" means, an intermediate floor between two floors, with a maximum height of 1.5 m., which is constructed and used for storage purpose, fully defined in regulation no. 18.5;

2.69 "Mall" means a large enclosed shopping area;

2.70 "Marginal distance / Set back" means a minimum distance required to be left open to sky between the boundary of the building plot and the building excluding court yard/chowk, which is an integral part of the plot;

2.71 "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 the ceiling of any storey;

2.72 "Means of Access" shall include the road/street/vehicular access way, pathway up to the plot and to the building within a plot;

2.73 "Net plot area" means the area as per Regulation no.15.7;

2.74 "Newly merged area" means area included in the jurisdiction of PMRDA.

2.75 "Non-Combustible Material" means a material which does not burn nor add heat to a fire when tested for combustibility in accordance with IS: 3808 – 1966 _Method of Test for Combustibility of Building Materials‘;

2.76 "Non-conforming User" means any lawful use / building existed on the Site but which does not conform to the zoning shown on the Regional/Development Plan;

2.77 "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, for the purposes of classification of a building according to the occupancy. Occupancy shall be deemed to include subsidiary occupancies which are contingent upon it. Buildings with mixed occupancies are those buildings in which more than one occupancy are present in different portions of the building. The occupancy classification shall have the meaning given from **2.77.1 to 2.77.13;**

2.77.1 "Residential Buildings" 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, dharmshalas, apartment houses, flats, service apartment, studio apartment and private garages incidental thereto;

2.77.2 "Educational Buildings" 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 user's incidental thereto such as library, a research institution. It shall also include quarters for essential staff required to reside in the premises and a building used as a hostel attached to an educational institution whether situated in its campus or not and, also includes buildings used for day-care purposes more than 8 hours per week;

2.77.3 "Institutional Buildings" means a building constructed or used by Government, Semi-Government organization or registered trusts or persons and used for medical or other treatment, or an auditorium or complex for cultural and allied activities or for an Hospice care of persons suffering from physical or mental illness, handicap, disease or infirmity, care of orphans, abandoned women, children and infants, convalescents, destitute or aged persons and for penal or correctional detention with restricted liberty of the inmates ordinarily providing sleeping accommodation, and includes hospitals, sanatoria, custodial and penal institutions such as jails, prisons, mental hospitals, houses of correctional detention and reformatories;

2.77.4 "Assembly Buildings" means any building or part of building where groups of people congregate or gather for amusement, recreation or social, religious, patriotic, civil, travel and similar purposes, e.g. theatres, motion picture house, drive-in-theatres, multiplexes, assembly halls, city halls, town halls, auditoria, exhibition halls, museums, mangalkaryalaya, cultural centre, skating rinks, places of worship, dance theatres, club & gymkhana, passenger stations and terminals of air, surface and other public transportation services, recreation piers and stadia having built up area more than 1000 sq.m.;

2.77.5 "Business Buildings" means any building or part of building, which is used for transaction of business for the keeping of accounts and records for similar purposes; offices, banks, professional establishments, I.T. establishments, call centre, offices for private entrepreneurs, court houses, libraries shall be classified in this group in so far as principal function of these is transaction of public business and the keeping of books and records;

2.77.6 "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;

2.77.7 "Mercantile (Commercial) Buildings" 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 Office, storage and service facilities incidental to the sale of merchandise and located in the same building shall be included under this group;

2.77.8 "Public-Semi-public Building" means a building constructed or used by Government, Semi Government Organization, Government Undertaking, Local Authorities, for conducting public semi-public use like municipal office, post office, telephone office, etc.;

2.77.9 "Wholesale Establishments" means an establishments wholly or partly engaged in wholesale trade, manufactures, wholesale outlets including related storage facilities, A.P.M.C. establishments, warehouses and establishments engaged in truck transport including truck transport booking agencies;

2.77.10 "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.;

2.77.11 "Storage Buildings" means any building or part of a building used primarily for the

storage or sheltering of goods, wares or merchandise, like ware houses, cold storage, freight depots, transit sheds, godowns, store houses, public garages, hangars, truck terminals, grain elevators, barns and stables;

2.77.12 "Hazardous Buildings" means any building or: part of a building which is used for the storage, handling, manufacture or processing of highly combustible or explosive materials or products which are liable to burn with extreme rapidity and / or which may produce poisonous gases or explosions during storage, handling, manufacturing or processing, which involve highly corrosive, toxic or noxious alkalis, acids or other liquids or chemicals producing flames, fumes and explosive, mixtures of dust or which result in the division of matter into fine particles subject to spontaneous ignition;

2.77.13 "Special Buildings" means

(i) multi-storied buildings for any user having height more than 15 meter in height measured from ground; or,

(ii) buildings for the purposes of educational, assembly, mercantile, institutional, public and semi-public, industrial, storage and for hazardous material, buildings having built-up area more than 500 sq. m on any floor, irrespective of the height of the building; or,

(iii) multi-storied buildings for any user having mixed occupancies, with any of the aforesaid occupancies mentioned in (ii) above, having built-up area more than 500 sq. m on each floor;

2.78 "Owner" means a person who has legal title for land or building;

2.79 "Parapet" means a low wall or railing built along the edge of a roof, terraces, balcony, veranda etc.;

2.80 "Parking Space" means an enclosed or unenclosed, covered or open area sufficient in size to park vehicles. Parking space shall be served by a driveway connecting them with a street or alley and permitting ingress or egress of vehicles;

2.81 "Permit / Permission" means a permission or authorization in writing by the Authority to carry out the work regulated by these Regulations;

2.82 "Plinth" means a portion of a structure between the surface of the surrounding ground and surface of the floor immediately above the ground;

2.83 "Plot / Site" means a parcel or piece of land enclosed by definite boundaries;

2.84 "Porch" means a covered surface supported on pillars or otherwise for the purpose of pedestrian or vehicular approach to a building;

2.85 "Podium" means a continuous projecting base or pedestal around a building, generally used for parking and movement of vehicles, as specified in these regulations;

2.86 "Recreational Open Space / Layout open space" means a statutory common open space kept in any layout or group housing scheme or campus planning, exclusive of margins and approaches, on ground only;

2.87 "Record Plan" means a Plan to be prepared and submitted to the authority on basis of which a final occupancy certificate is issued.;

2.88 "Restaurant" means a premises used for serving food items on commercial basis including cooking facilities and seating arrangements in residential building. And for commercial premises restaurant may be allowed of any built up area situated on any floor with a separate parking and garbage disposal facility.

2.89 "Road / Street" means any highway, street, lane, pathway, alley, stairway, passageway, carriageway, footway, square place or bridge, whether a thoroughfare or not, over which the

public have a right of passage or access or have passed and had access uninterruptedly for a specified period, whether existing or proposed in any scheme, and includes all bunds, channels, ditches, storm-water drains, culverts, sidewalks, traffic islands, roadside trees and hedges, retaining walls, fences, barriers and railings within the street lines;

2.90 "Road / Street Line" means the line defining the side limit of a road / street;

2.91 "Road/Street Level or Grade" means the officially established elevation or grade of the center line of the street upon which a plot fronts and if there is no officially established grade, the existing grade of the street at its mid – points.

2.92 "Room Height" means the vertical distance measured from the finished floor surface to the finished ceiling/ slab surface. In case of pitched roofs, the room height shall be the average height between bottom of the eaves and bottom of ridge;

2.93 "Row Housing" means a row of houses with front and rear marginal distances;

2.94 "Semi Detached Building" means a building detached on three sides with marginal distances as specified;

2.95 "Service Apartment" means a premise in which rooms are let out on short/long term basis.;

2.96 "Service Floor" means a non-habitable floor generally provided in multi-storied buildings and especially in starred hotels where from services like water supply, sewerage disposal system, electricity etc. are co-ordinated/maintained. Height of such floor shall not be more than 1.8m. from floor level to soffit of outer beam and shall not be counted in FSI.

2.97 "Site, corner" means a site at the junction of and fronting on two or more intersecting streets;

2.98 "Site, Depth of" means the mean horizontal distance between the front and rear side boundaries;

2.99 "**Site, Double Frontage"** means a site, having a frontage on two streets other than a corner plot;

2.100 "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;

2.101 "**Smoke Stop Door"** means a door for preventing or checking the spread of smoke from one area to another;

2.102 "Stair Cover" means a structure with a covering roof over a stair case and its landing built to enclose only the stair for the purpose of providing protection from weather and not used for human habitation;

2.103 "Stilts or Stilt Floors" means the portion of a building above ground level consisting of structural column supporting the super structure with at least two sides open and without any enclosures for the purpose of parking vehicles, scooters, cycles, etc.;

2.104 "Store Room" means a room used as storage space;

2.105 "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;

2.106 "Supported Double Height Terrace" means open terraces with railing having minimum height equal to two floors within building line.

2.107 "Telecommunication Cell Site/Base Station (TCS/BS)" means tower of requisite height and dimensions, delta, single pole antennae, microwave antenna, cabin of requisite dimensions for housing equipment, telecom transceiver machinery, related civil work,

requisite wires and cables, power supply equipment, Diese1 Generator (DG) Set/ Alternate power supply mechanism, cabin /cupboard for housing any or all of the aforesaid items as necessary;

2.108 "Tenement" means an independent dwelling unit with a kitchen or cooking alcove;

2.109 "Terrace" means a flat, open to sky roof of a building or a part of a building having parapet;

2.110 "To Erect" - To erect a building means
(a) to erect a new building on any site whether previously built upon or not;
(b) to re-erect any building of which portions above the plinth level have been pulled down, burnt or destroyed; and
(c) conversion from one occupancy to another;

2.111 "**Travel Distance"** means the distance from the remotest point on a floor of a building to a place of safety, be it a vertical exit, horizontal exit or an outside exit measured along the line of travel;

2.112 "Tower like structure" means a structure in which the height of the tower like portion is at least twice the width of the broader base;

2.113 "Unsafe Building" means those 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;

2.114 "Veranda" means a covered area with at least one side open to the outside with the exception of 1 m. high parapet on the ground floor to be provided on the open side;

2.115 "Water Closet (WC)" means a privy with arrangement for flushing the pan with water. It does not include a bathroom;

2.116 "Water Course" means a natural channel or an artificial one formed by draining or diversion of a natural channel meant for carrying storm water and waste water;

2.117 "Width of Road" means the whole extent of space within the boundaries of road when applied to a new road, as laid down in the city surveys map or Regional/Development Plan or prescribed road lines by any Act or Law and measured at right angles to the course or intended course of direction of such road whichever is more;

2.118 "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;

3.0 APPLICABILITY OF REGULATIONS

3.1 These regulations shall apply to all development, redevelopment, erection and/or re-erection of a building, change of user etc. as well as to the design, construction or reconstruction of, and additions and alteration to a building. These regulations shall also apply to any revision of the development permissions/building permissions granted earlier under any Development Control Regulations**.** Further, these Regulations shall apply to development work defined in Regulation No.3.2 to 3.5. However, features approved by earlier permission shall remain intact unless it contradicts the provisions of FSI under these regulations.

3.2 Construction/ Part Construction - Where the whole or part of a building is demolished or altered or reconstructed, removed, except where otherwise specifically stipulated, or part is proposed to be newly constructed or revised, these Regulations apply only to the extent of the work involved.

3.3 Change of Occupancy / User: -Where the occupancy or the user of a building is changed,

except where otherwise specifically stipulated, these Regulations shall apply to all parts of the building affected by the change.

3.4 Reconstruction - The reconstruction, in whole or part of a building which has ceased to exist due to an accidental fire, natural collapse or demolition, having been declared unsafe, or which is likely to be demolished by or under an order of the PMRDA and for which the necessary certificate has been given by the PMRDA, shall be allowed subject to the provisions in these Regulations.

3.5 Revised permission – Any development permission granted earlier may be revised. While granting the revised permission, the approved plans and commencement certificate of the earlier permission with the owner and office, shall be stamped as '**CANCELLED**' by the Authority.

3.6 Development of sites or land sub-division or amalgamation of land –Where land is to be developed, sub-divided or two or more plot are to be amalgamated or a layout is to be prepared, these Regulations shall apply to the entire area under development, sub-division, amalgamation and layout.

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

4.0 INTERPRETATION

Section of general clauses Act, 1897 shall be applicable in case of standard terms and phrases as defined and interpreted therein.

4.1 In these Regulations, the use of present tense includes the future tense, the masculine gender includes the feminine and the neutral, the singular number includes the plural and the plural includes the singular. The word "person" includes a corporation/company, ―writing" includes "printing and typing" and "signature" includes thumb impression made by a person who cannot write if his name is written near such thumb impression or digital signature in case of 'e' submissions.

4.2 Whenever sizes and dimensions of rooms and spaces within buildings are specified, they shall mean clear dimensions unless otherwise specified in these Regulations. However, sizes and dimensions may not be disputed with reference to finished/unfinished surfaces unless it differs overall dimensions of the building.

5.0 DEVELOPMENT PERMISSION AND COMMENCEMENT CERTIFICATE

5.1 No person shall carry out any development, in contravention of the Development Plan / Regional Plan proposals.

5.2 No person shall carry out any development work including development of land by laying out into suitable plots or amalgamation of plots or development of any land as group housing scheme or to erect, re-erect or make alterations or demolish any building or cause the same to be done without first obtaining a separate building permit / commencement certificate for each such development work / building from the Metropolitan Commissioner.

5.3 No temporary construction shall be carried out without obtaining prior approval of the Metropolitan Commissioner, which may be granted subject to such conditions as may be deemed necessary by him. However, temporary site office/watchman cabin/labour-material shed/toilet may be constructed without permission after the development permission is granted. These temporary constructions shall be removed after the completion of construction under development permission.

5.4 Development undertaken on behalf of Government -

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

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

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

i) Railways;
ii) National Highways;
iii) National Waterways;
iv) Airways and Aerodromes;
v) Posts and Telegraphs, telephones, wireless, broadcasting and other like forms of communication, excluding mobile towers;
vi) Regional grid for electricity;
vii) Defense Authorities;
viii) Any other essential public service as may be notified by the State Government.

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

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

i) New residential building (other than gate lodges, quarters for limited essential operational staff and the like), roads and drains in railway colonies, hospitals, clubs, institutes and schools in case of Railways and commercial development;

ii) New building, new construction or new installation or any extension thereof, in case of any other services.

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

i) The carrying out of any works by the Central or State Government or any public sector undertaking or any local authority-

(a) required for the maintenance or improvement of highway, road or public street, being works carried out on land within the boundaries of such highway, road or public street; or
(b) required for the purpose of inspecting, repairing or renewing any drains, sewers mains, pipes 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 local authority, in writing at the earliest and pay the necessary restoration charges to the PMRDA within a month. The

restoration charges shall not be more than the expenditure incurred by the PMRDA to restore the road etc. and supervision charges, if any.

ii) The carrying out of works in compliance with any order or direction made by any Authority under any law for time being in force

iii) The carrying out of works by any Authority in exercise of its powers under any law for time being in force.

iv) The excavation (including excavation of wells) made in the ordinary course of agricultural operation.

v) The construction of a road intended to give access to land solely for agricultural purpose.

vi) Normal use of land which has been used temporarily for other purposes like marriage pandals or for festive occasions; and

vii) In case of land normally used for one purpose and occasionally used for any other purpose, such occasional use of land for that other purpose.

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

6.1 Notice/ Application - Every person who intends to carry out development and erect, re-erect or make alterations in any place in a building or demolish any building, shall give notice/ application in writing through registered Architect or Licensed Engineer / Structural 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 A-1 and A-2.Such notice shall be accompanied by the payment receipt of required scrutiny fee and any other fee/ charges prescribed by the Metropolitan Commissioner from time to time and the plans and statements in sufficient copies (See Regulation no. 6.1.1), and as per the requirement under Regulation no.6.2 and 6.3. One set of plans shall be retained in the office of the Metropolitan Commissioner for record after the issue of permission or refusal. The plans may be submitted in electronic form as may be specified by the Metropolitan Commissioner from time to time.

Provided that, the applicant owner/developer shall have an option of choosing the process of approvals of Building Permission on Fast Track based on Risk Based categorization as mentioned in Appendix-U.

6.1.1 Copies of Plans and Statements - Four copies of plans and statements shall be made available along with the notice. Where clearance is required from other agencies, number of copies of plans required shall be as decided by the Metropolitan Commissioner.

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

6.2.1 Size of drawing sheets and colouring of plans.

6.2.1.1 The size of drawing sheets shall be of A0 to A4. If necessary, submission of plans on sheets bigger than A0 size shall also be permissible. Prints of plans shall be on one side of paper only. All dimensions shall be indicated in metric units.

6.2.1.2 Colouring Notations for Plans: - The Plans shall be coloured as specified in following Table:

Table No.1

COLOURING OF PLANS

Sr. No.	Item	Site Plan		Building Plan	
		White Plan	Ammonia	White Plan	Ammonia Print
(1)	(2)	(3)	(4)	(5)	(6)
1.	Plot lines	Thick Black	Thick Black	Thick Black	Thick Black
2.	Existing Street	Black	Blue	..	..
3.	Future street if any	Black dotted	Blue dotted	..	..
4.	Permissible Building lines	Thick dotted black	Thick dotted blue	..	..
5.	Existing work	Black (outline)	Blue	Black	Blue
6.	Work proposed to be demolished	Yellow hatched	Yellow hatched	Yellow hatched	Yellow hatched
7.	Proposed work	Red filled in	Red	Red	Red
8.	Drainage & sewerage work	Red dotted	Red dotted	Red dotted	Red dotted
9.	Water supply work	Black dotted thin	Black dotted thin	Black dotted thin	Black dotted thin
10.	Deviations from the sanctioned plan	Red hatched	Red hatched	Red hatched	Red hatched
Note:-	For land development/sub-division/layout/building plan, suitable colouring notations shall be used which shall be indexed.				

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

a) Latest Property card(s) or 7/12 extract(s) of a date not more than one month prior to the date of submission, power of attorney, wherever applicable.

b) Measurement Plan of the property issued by Land Record Department.

c) Statement of area of the holding by triangulation method /CAD (computer added designs and drafting based software) from the qualified licensed technical personnel or architect with an affidavit from the owner with regard to the area in the form prescribed by the Metropolitan Commissioner.

d) Any other document prescribed by the Metropolitan Commissioner.

e) Wherever third party interest is created by way of agreement to sale or mortgage etc. the registered consent of such interested persons shall be submitted with the application.

f) A certified copy of approved sub-division / amalgamation / layout of land from the concerned authority.

g) In the case of land leased by the Government or local authorities, no objection certificate of Government or such authorities shall be obtained if there is deviation from lease conditions and shall be attached to the application for development permission in respect of such land.

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

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

a) The boundaries of the site and of any contiguous land belonging to the neighbouring owners;

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

c) The name of the street, if any, from which the building is proposed to derive access;

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

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

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

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

f) The means of access from the street to the building and to all other buildings (if any) which the applicant intends to erect upon.

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

h) The width of the street (if any) in front and the street (if any) at the side of or near the building, including the proposed roads;

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

j) Any existing physical features, such as wells, tanks, drains, pipe lines, high tension line, railway line, trees, etc.;

k) The ground area of the whole property and the break-up of the built-up area on each floor;

l) A plan indicating parking spaces as required and provided under these regulations;

m) Overhead electric supply lines, if any, including space for electrical transformer / sub-station according to these regulations or as per the requirements of the electric distribution company.

n) Any water course existing on Site or adjacent to site;

o) Existing alignments of water supply and drainage line;

p) Such other particulars as may be prescribed by the Metropolitan Commissioner.

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

(a) Scale used and north point;

(b) The location of all proposed and existing roads with their existing /proposed widths within the land;

(c) Dimension of plots;

(d) The location of drains, sewers, public facilities and services, electrical lines, natural water courses, water bodies and streams etc.

(e) Table indicating size, area and use of all plots in the sub-division/ layout plan;

(f) The statement indicating the total area of the site, area utilized under roads, recreational open spaces, amenity spaces, playground, recreation spaces and Regional/Development Plan reservations/ roads, schools, shopping and other public places along with their percentage with reference to the total area of the site proposed to be sub-divided / laid out;

(g) In case of plots which are sub-divided in built-up areas, in addition to the above, the means of access to the sub-division from existing streets;

(h) Contour plan of site, wherever necessary.

(ii) Amalgamation Plan:-Where two or more plots / holdings are to be amalgamated, plan showing such amalgamation drawn to a scale not less than 1:500. Instead of submitting a separate plan, such amalgamation may be allowed to be shown on building / layout-plan itself. However, 7/12 extract or property card of amalgamated plot shall be submitted before occupation certificate.

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

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

b) show the statement of built-up area and Carpet area of every flat or shop or any unit along with proportionate common built-up area attached to it and area of balcony and double height terraces, if any attached to the said unit;

c) show the use or occupancy of all parts of the building;

d) show exact location of essential services e.g. wc, sink, bath and the like;

e) include sectional drawings of the building showing all sectional details including staircase**;**

f) show all street elevations;

g) give dimensions of the projected portions beyond the permissible building line;

h) include terrace plan indicating the drainage and the slopes of the roof;

i) give indications of the north point relative to the plans; and

j) give dimensions and details of doors, windows and ventilators.

k) give such other particulars as may be required to explain the proposal.

6.2.6.1 Building Plans for Special Buildings:-

The following additional information shall be furnished/indicated in the Building Plans of Special Building as mention in regulation no 2.77.13 in addition to the items (a) to (k) of Regulation no. 6.2.6.:-

(a) access to fire appliances/vehicles with details of vehicular turning circle and clear motorable access way around the building of minimum 6 m. width;

(b) size (width) of main and alternate staircases, wherever necessary, along with balcony approach, corridor, ventilated lobby approach;

(c) location and details of lift enclosures;

(d) location and size of fire lift;

(e) smoke stop lobby/door, where provided;

(f) refuse chutes, refuse chamber, service duct, etc.;

(g) vehicular parking spaces;

(h) refuge area, if any;

(i) details of Building Services :-Air-conditioning system with position of fire dampers, mechanical ventilation system, electrical services, boilers, gas pipes etc.,

(j) details of exits including provision of ramps, etc. for hospitals and buildings requiring special

fire protection measures,

(k) location of generator, transformer and switch gear room;

(l) smoke exhauster system, if any;

(m) details of fire alarm system network;

(n) location of centralized control, connecting all fire alarm systems, built in fire protection arrangements and public address system etc.

(o) location and dimensions of static water storage tank and pump room along with fire service inlets for mobile pump and water storage tank;

(p) location and details of fixed fire protection installations such as sprinklers, wet risers, hose reels, drenchers, C02 installation etc.;

(q) location and details of first aid, firefighting equipment's / installations.

(r) certificate of structural engineer about structural and earth-quake safety;

Provided that, the provision of fire escape stair case shall be made as per Regulation No.18.28.4

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

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

6.2.9 Building/ Layout Permission Fee- The notice shall be accompanied by receipt of Building/ Layout Permission Fee. The building permission fee or layout /subdivision of land fees shall be as decided by the Metropolitan Commissioner 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.

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

6.2.11 Premium charges - Premium charges as may be required to be recovered under these regulations shall be paid to the Planning Authority before issue of development permission/ commencement certificate. The amount of premium collected shall be kept in a separate development fund called as **PMRDA Infrastructure fund'** and shall be utilized for the purpose of developing new / up-gradation of infrastructure as well as implementation of Regional/Development Plan proposals and creation of civic amenities.

6.2.12 **Tax clearance** – *Deleted*

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

6.3 Signing the Plan -

All the plans shall be duly signed by the owner, co-owner, if any, and the Architect or Licensed Engineer / Structural Engineer / Supervisor and shall indicate his name, address and license number allotted by the Authority.

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

Architect/ Engineer/Structural Engineer/ Supervisor referred to in regulation no 6.3 shall be registered / licensed by the Metropolitan Commissioner as competent to plan and carry out various works as given in Appendix "C". The qualification and procedure for registration and licensing of the Engineer / Structural Engineer / Supervisor / Developer shall be as given in **Appendix- "C".** Architects registered with council of Architecture shall not be required to register with the Authority.

6.5 Discretionary Powers:-

6.5.1 Interpretation.

In conformity with the intent and spirit of these regulations, the Metropolitan Commissioner may by order in writing -;,

(i) decide on matters where it is alleged that there is an error in any order, requirement decision, and determination on interpretation made by him or officer authorised by him in the application of these regulations.

(ii) decide the extent of the proposal of regional/development plan with respect to survey number, where boundaries of the survey number shown on development plan varies with the boundaries as per revenue record/ measurement plan/ city survey sheets.

(iii) determine and establish the location of zonal boundaries in exceptional cases, or in cases of doubt or controversy;

(iv) decide the alignment of regional/development plan road, where the street layout actually on the ground varies from the street layout as shown on the Regional/Development Plan;

(v) decide the alignment of blue and red flood line on Regional/development plan where it varies with the said lines given by the irrigation department or any other Government institutions dealing with the subject, from time totime;

(vi) authorize erection of a building or use of premises for a public service undertaking for public utility purposes only, where he finds such authorization to be reasonably necessary for the public convenience and welfare, even if it is not permitted in any Land Use Classification,

(vii) modify the limit of a zone where the boundary line of the zone divides the plot. In such cases, the zone over the larger portion of the plot having area more 50% shall be considered.

6.5.2 Relaxation:

In specific cases, where a clearly demonstrable hardship is caused, the Metropolitan Commissioner by order in writing and subject to payment of premium; if any, may permit any of the dimensions / provision prescribed by these regulations to be modified provided the relaxation sought does not violate the health safety, fire safety, structural safety and public safety of the inhabitants of the buildings and the neighbourhood. However, no relaxation for the setback required from the road boundary (front marginal distance), F.S.I. or minimum required parking shall be granted under any circumstances, unless otherwise specified in these regulations.

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

6.5.3 Temporary Constructions- The Metropolitan Commissioner may grant permission for

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

(i) Structures for protection from the rain or covering of the terraces during the monsoon only.

(ii) Pandals for fairs, ceremonies, religious function, etc.

(iii) Structures for godowns/storage of construction materials within the site.

(iv) Deleted

(v) Structures of exhibitions/ circuses etc.

(vi) Structures for storage of machinery, before installation for factories in industrial lands within the site.

(vii) Structures for ancillary works for quarrying operations in conforming zones.

(viii) Government milk booths, telephone booths and ATM Centers.

(ix) Transit accommodation for persons to be rehabilitated in a new construction.

(x) Structures for educational and medical facilities within the site of the proposed building during the phase of planning and constructing the said permanent buildings.

(xi) Ready mix concrete plant.

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

6.5.4 Delegation of Powers- Except the discretionary powers, and where the Metropolitan Commissioner's special permission is expressly stipulated, the powers or functions vested in him/her by these Regulations may be delegated to any official under his/her control, subject to his/her revision if necessary and to such conditions and limitations, if any, as he/she may prescribe.

6.5.5 Drafting error –Draftsman errors which are required to be corrected as per actual situation on site or as per the city survey record or sanctioned layout etc. may be corrected by the Metropolitan Commissioner, after consultation with the Director of Town Planning, Maharashtra State, Pune. The 'draftsman's errors' shall include errors on Regional / Development Plan in respect of typographical errors in S.No./G.No./C.T.S. No./F.P.No., errors in boundaries of such land parcels, errors in showing alignment of existing Nalas, river, canal, lake and like water bodies, etc. by taking into account a Revenue/Land Record or as the case may be, the record of concerned Town Planning Scheme.

6.6 Grant or Refusal of permission

6.6.1 After receipt of the notice/ application as mentioned in Regulation No. 6.1 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 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. Such approval shall also be deemed to have been granted under relevant provisions of the PMRDA.

6.6.2 (i) In case of special buildings, the building scheme shall also be subject to the norms of Maharashtra Fire Prevention and Life Safety Act, 2006 and shall also be subject to the scrutiny of the Chief Fire Officer, of the PMRDA and the sanction / development

permission shall be issued by the Metropolitan Commissioner after the clearance from the Chief Fire Officer of the PMRDA.

(ii) In case of land subdivision or plotted layout, tentative layout shall be recommended for demarcation at first instance. After having demarcated the layout by the Land Records Department, the owner shall submit the demarcated layout for final approval to the Authority and the Authority shall examine the provision laid down in Regulation no.6.8 and grant final approval if it is in accordance with the layout recommended for demarcation and confirming to the regulations. This shall also be mandatory to Group Housing Scheme where roads in the adjoining layouts/Regional Plan/ Development Plan roads are to be coordinated and/or amenity space is to be earmarked. However, in case of Group Housing Schemes, the demarcation may be submitted to the Authority prior to applying for the first Occupancy Certificate.

6.6.3 If within sixty (60) days of receipt of the notice, the Authority fails to intimate in writing to the person who has given the notice, of its refusal or sanction or sanction with such modifications or directions, the notice with its plans and statements shall be deemed to have been sanctioned.

Provided, nothing shall be construed to authorised any person to do anything on the site of the work in contravention or against the terms of lease or titles of the land.

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

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

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

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

6.6.4 After the plan has been 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 shall be raised when they are resubmitted after compliance of earlier objections, except in circumstances to be quoted for additional compliances.

6.7 Commencement of work

The commencement certificate/development permission shall remain valid for 4 years in the aggregate but shall have to be renewed every year from the date of its issue. The application for renewal shall be made before expiry of one year if the work is not already commenced. Such renewal can be done for three consecutive terms of one year after which proposals shall have to be submitted to obtain development permission afresh. If application for renewal is made after expiry of the stipulated period during which

commencement certificate is valid, then the Authority may condone the delay for submission of application for renewal by charging necessary fees; but in any case, commencement certificate shall not be renewed beyond 4 years from the date of commencement certificate/ development permission.

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

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

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

6.8 In case of land subdivision / group housing schemes, it shall be the responsibility of the owner / developer to construct all infrastructure including roads with asphalting, 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 commencement certificate. In case of group housing scheme, these works shall be completed before completion of the project and occupancy certificate shall be granted phase wise as per completion of infrastructure work.

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

7.0 PROCEDURE DURING CONSTRUCTION

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

7.2 Documents at site –

(i) Development Permission: The person to whom a development permission is issued shall during construction, keep -

(a) posted at a conspicuous place on the site for which permission has been issued, a copy of a development permission; and

(b) a copy of the approved drawings on the site for which the permission was granted.

(ii) Display board: Display board mentioning name of the owner, name of architect, name of structural engineer, except for small individual plot holders.

7.3.1 Plinth Checking- the owner shall give notice in prescribed form given in Appendix-F to the Authority after the completion of work up to plinth level with a view to enable the

Authority to ensure that the work is carried out in accordance with the sanctioned plans. The Authority shall carry out inspection jointly with Architect / liasoning technical person within 7 days from the receipt of such notice and decide the application. If it is sanctioned then, the Authority shall grant such certificate as prescribed in Appendix-G.

Provided that, if the Authority has not taken decision on such application within a period as stipulated above, the permission shall be deemed to have been granted. In such circumstances, the applicant shall get the plinth checked from the registered Technical Personnel along with correctness certificate and submit it to the Authority for record. Thereafter no separate permission shall be required from the Authority for continuing of work. Such certificate shall clearly indicate the correctness of execution of plinth on site in consonance with the sanctioned plan.

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

7.4 Completion Certificate - The owner through his licensed surveyor / engineer / structural engineer / supervisor or his architect, as the case may be, who has supervised the construction, shall furnish a building completion certificate to the Authority in the form in Appendix 'H'**.** 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 / compliance issued by R.C.C. consultant, wherever necessary.

In case of special buildings, the completion certificate shall also be accompanied with the NOC along with completion plans from Chief Fire Officer of PMRDA.

7.5 Occupancy certificate - The Metropolitan Commissioner after inspection of the work and after satisfying himself that there is no deviation from the sanctioned plans, issue an occupancy certificate in the form in Appendix- I or refuse to sanction the occupancy certificate in Appendix–J within 8 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 Metropolitan Commissioner, 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. Metropolitan Commissioner shall issue the deemed occupancy certificate within 8 days of the application.

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

8.0 INSPECTION:- The Authority shall have the power to carry out inspection of the work under the provisions of the Act, at various stages to ascertain whether the work is

proceeding as per the provisions of regulations and sanctioned plan.

9.0 UNSAFE BUILDINGS :- All unsafe buildings shall be considered to constitute danger to public safety and hygiene and sanitation and shall be restored by repairs or demolished or dealt with as otherwise directed by the Metropolitan Commissioner. The redevelopment of such buildings shall be as per the provisions stipulated in these regulations.

10.0 OFFENCES AND PENALTIES

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

(a) be guilty of an offence and upon conviction shall be punished with a fine as fixed by the Metropolitan Commissioner as stipulated in Section 52 of The Maharashtra Regional and Town Planning Act, 1966;

(b) be subject to further suitable actions including demolition of unauthorised works, as stipulated under Section 53 of The Maharashtra Regional and Town Planning Act, 1966;

(c) in case of Licensed Engineer / Structural Engineer / Supervisor, subject to suitable action against him which may include cancellation of license and debarring him from further practice/ business for a period as decided by the Authority;

(d) in case of registered architects, subject to action of the Council of Architecture as per the provisions of Architects Act, 1972 on the report of the Metropolitan Commissioner.

10.2. Revocation of Permission:-

1) 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.

2) In the case of revocation of the permission under sub- regulation (1), no compensation shall be paid.

3) Further the concerned person/applicant is subject to proceedings under the Indian Penal Code for making false statement before the public Authority. However, the decision to file a case shall be done under the express permission of the Metropolitan Commissioner.

11.0 AMENDMENT TO APPENDICES

The Metropolitan Commissioner shall be authorised to amend the **Appendices A to K** (except Appendix C) in these regulations, as and when necessary.

12.0 Provision with respect to NBC

Any aspect not covered in these regulations or in particular the planning, design and construction of building and its appurtenant services shall be done to the satisfaction of Metropolitan Commissioner for which, the NBC shall be reference document for conformity regarding the various aspect. The latest version to the NBC shall be referred at the time of enforcement of these regulations.

PART II
GENERAL LAND DEVELOPMENT REQUIREMENTS

13.0 REQUIREMENTS OF SITE

13.1 SITES NOT ELIGIBLE FOR CONSTRUCTION OF BUILDING:
No piece of land shall be used as a site for the construction of building

(a) If the Authority considers that the site is insanitary, incapable of being well drained or it is dangerous to construct a building on it;

(b) If the site is within a distance of 9 m. from the edge of water mark of a minor water course (like nala) and 15 m. from the edge of water mark of a major water course (like river, water body) shown on Regional Plan/Development Plan or village/city survey map or otherwise;

Provided that where a minor water course passes through a low lying land without any well-defined banks, the owner of the property may be permitted by the Metropolitan Commissioner to restrict and or to realign the same within the same land according to cross section as determined by the Metropolitan Commissioner, without changing the position of the inlet and outlet of the water course. In such case marginal open spaces shall be at least 4.50 m. from the edge of the trained nala;

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

(d) If the owner of the plot has not shown to the satisfaction of the Authority all the measures required to safeguard the construction from constantly getting damped;

(e) If the building is proposed on any area filled up with carcasses, excreta, filth and offensive matter till the production of certificate from the Competent Authority to the effect that it is safe from the health and sanitary point of view, to be built upon;

(f) If the use of the site is for the purpose, which will be a source of annoyance to the health and comfort of the inhabitants of the neighbourhood;

(g) If the plot has not been approved as a building site by the Metropolitan Commissioner;

(h) If the proposed use of land or occupancy of the building on the site does not conform to the land use proposals in the Regional/Development Plans or Zoning Regulations;

(i) If the level of the site is less than prescribed datum level depending on topography and drainage aspects;

(j) If it doesn't derive access from an authorised street/means of access described in these Regulations;

(k) If the land is within a prohibited distance from the Defense Establishments as decided by The Ministry of Defense, Government of India;

(l) If it is within the river / lake boundary and blue flood line of the river (prohibitive zone);

(m) If the site is hilly and having gradient more than 1:5whether shown on the Regional Plan or not;

(n) If the site is not developable / buildable by virtue of restrictions imposed under any law or guidelines of any Government department.

13.2 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. 2 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. Amenity space shall not be shown under the overhead electric supply lines.

Table No. 2

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

13.3 CONSTRUCTION WITHIN FLOOD LINE:

i) Area between the river bank and blue flood line (Flood line towards the river bank) shall be prohibited zone for any construction except parking, open vegetable market, garden, lawns, open space, cremation and burial ground, or like uses without any form of construction or any form of earthwork with external dumping, provided the land is feasible for such utilization.

ii) Area between blue flood line and red flood line shall be restrictive zone for the purposes of construction. The construction in the area may be permitted at a height of 0.45 m. above the red flood line.

iii) If the area between the river bank and blue flood line or red flood line forms the part of the entire plot in developable zone i.e. residential, commercial, public-semi-public, industrial, then, FSI of this part of land may be allowed to be utilised on remaining land.

iv) The blue and red flood line shall be as marked by the Irrigation Department or any other Government institutions dealing with the subject.

13.4 DEVELOPMENT WITHIN 30 M. FROM RAILWAY BOUNDARY:

Any construction within 30 m. from railway boundary shall be subject to restrictions as may be specified by the Railway Authority from time to time.

13.5 ENVIRONMENTAL COMPLIANCE:

Environment compliance/implementation of Green norms shall be carried out as per the provisions of Government Notifications issued from time to time.

13.6 RESTRICTIONS IN THE VICINITY OF AIRPORT:

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

13.7 RESTRICTIONS IN THE VICINITY OF ANCIENT MONUMENTS:

1) The Restrictions for Development in the vicinity of the declared monuments as prescribed under the Ancient Monuments and Archaeological Sites and Remains Act, 1958 and amendments made to it from time to time shall be observed.

2) The Restrictions for Development in the vicinity of the ancient monuments as prescribed under Ancient Monuments and Archaeological Sites and Remains Act, 1960 and amendments made to it from time to time shall be observed.

13.8 DEVELOPMENT ALONG HIGHWAYS / CLASSIFIED ROADS:

The development along the highways shall be subject to the provisions of National Highways Act, 1956 and State Highways Act, 1955 and orders issued by Ministry of Surface Transport, GoI and Public Works Department of the State Government, in these regards, from time to time.

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

13.9 DISTANCE FROM LAND FILL SITES:

For any residential/commercial development, segregating distance from the land fill site (as determined by the Competent Authority) shall be observed as specified under Solid Waste Management Rules in force from time to time or as specified by Competent Authority.

13.10 AUTHORITIES TO SUPPLY COMPLETE INFORMATION TO THE PMRDA:

The PMRDA shall obtain information on restrictions to be imposed on developments from the concerned Government agencies as per their respective legislations/regulations/rules as mentioned above. This information shall be published by the PMRDA on its portal/website as and when it is updated by the concerned department. However, it is the duty of the applicant to ensure that restrictions informed by the authorities are followed scrupulously. The Metropolitan Commissioner shall ensure compliance of the restriction informed by the concerned authorities while sanctioning the development permission.

14.0 MEANS OF ACCESS

14.1 Every plot / building whether existing or proposed, shall have means of access as required in these Regulations.

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

14.3 Width of Means of Access:-

A) For Residential Development -The plots shall abut on a public means of access like street / road. Minimum width of access / layout road / internal road in any development proposal / subdivision / group housing shall be as given in Table No.3.

Table No-3

S.No.	Length of Means of access in mt.	Width of Means of access in mt
i	upto150	9.00
ii	above 150 and upto 300	12.00
iii	more than 300	15.00

B) For Other than Residential Development –

The minimum width of access / layout road / internal road in any development proposal other than residential (for commercial/industrial use) shall be as given in Table No.3(a).

Table 3(a)		
Sr. no.	**Length of Mean of Access in m.**	**Width of Means of Access in m.**
i	**Up to 75**	**12**
ii	**75 to 150**	**15**
iii	**Above 150**	**18 or more**

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

14.3.1 **Pathways: -**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 2.0 m., 3.0 & 4.5 m. provided its length measured from exit way of the building is not more than 20 m. 40 m and 60m. respectively from the main / internal means of access. If the length is more than 60 m., then regular street as provided in Table No.3 shall be necessary. This provision shall also apply to group housing scheme or layout of building for other uses except development under regulation no.21.4.

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

14.3.3 In the interest of general development of an area, the Metropolitan Commissioner may require the means of access to be of larger width than that required under regulation No. 14.3.

14.3.4 In case where a private passage is unrestrictedly used by public for more than 10 years as a means of access of width not less than 9 m. to a number of plots, the Metropolitan Commissioner may take steps including improvement under, the provision of relevant Act to declare it as a public street

14.3.5 In congested areas in the case of plots facing street / means of access less than 4.5 m. in width the plot boundary shall be shifted to be away by 2.25 m. from the central line of the street/ means of access way to give rise to a new street / means of access way of width of 4.5 m. clear from the structural projections.

14.4. Means of access shall be leveled, metaled, flagged, paved, sewered, drained, channeled, lighted, laid with water supply line and provided with trees for shade (wherever necessary) to the satisfaction of the Authority, free of encroachment and shall be maintained in a condition to the satisfaction of the Metropolitan Commissioner.

14.4.1. If any private street or any other means of access to a building is not constructed & maintained as specified above, the authority may by written notice require the owner or owners of the several premises fronting or adjoining the said street or other means of access or abutting thereon or to which access is obtained through such street or other means of access or which shall benefit by works executed to carry out any or more of the aforesaid requirements in such manner and within such time as the authority shall direct. If the owner or owners fail to comply with this direction, the authority may arrange for its execution and recover the expenses incurred from the owner/ owners.

14.5. Access from the Highways/classified roads: Generally the plot / building along Highway and classified roads shall derive access from service road. However, highway amenities like petrol pump; hotel etc. may have an access direct from Highways and such other roads having a width of 30 m. or more. The above will be subject to the provisions of State Highways Act, 1965 and National Highway Act 1956. Provided that in suitable cases, the planning authority may suspend the operation of this rule till service roads are provided.

14.6. For building identified in Regulation No. 6.2.6.1, the following additional provisions of means of access shall be ensured;

(a) 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 12 m. in width subject to Regulation No.14.3.

(b) The approach to the building and open spaces on its all sides (see Regulation No. 17.1, 17.2 and 17.3) shall be minimum 6 m. and the layout for the same shall be approved in consultation with the Fire Officer, Fire Brigade Authority and the same shall be of hard surface capable of taking the weight of fire engine, weighing up to 45 tones. The said open space shall be kept free of obstructions and shall be motorable.

(c) Main entrances to the plot shall be of adequate width to allow easy access to the fire engine and in no case it shall measure less than 4.5 m. The entrance gate shall fold back against the compound wall of the premises, thus leaving the exterior access way within the plot free for movement of fire engine / fire service vehicles. If main entrance at boundary wall is built over, the minimum clearance shall be 4.5 m.

15.0 REGULATIONS FOR LAND SUB -DIVISION AND LAYOUT

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

(i) When more than one building excepting for accessory buildings in the case of residential building is proposed on any land, the owner of the land shall submit proposal for proper layout of building or sub-division of his entire contiguous holding.

(ii) When development and redevelopment of any tract of land which includes division and sub- division or amalgamation of plots for various land uses within a colony.

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

15.2 Roads / streets in Land Sub-division or Layout.

15.2.1 The width of roads/ streets/ public and internal access way including pathway shall conform to provisions of Regulation No. 14.3 to 14.6.

15.2.2 In addition to the provisions of Regulation No. 14.3 Cul-de-sacs giving access to plots and extending up to 150 m. normally and 275 m. maximum with an additional turning space at 150 m. shall be allowed only in residential area, provided that Cul-de-sacs would be permissible only on straight roads and further provided that cul-de-sacs ends shall be higher in level than the level of starting point. The turning space, in any case shall be not less than 81 sq. m. in area with no dimension being less than 9 m.

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

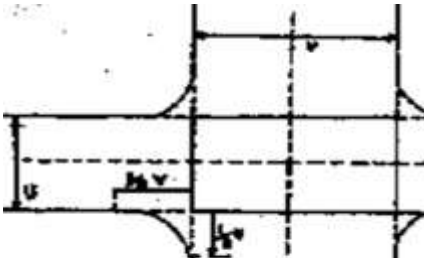
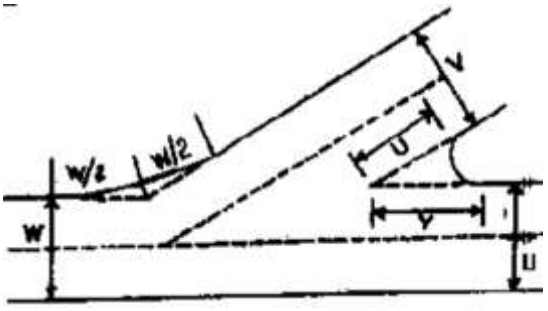


Fig. 1- Rounding off intersections at junctions

Fig.2. - Rounding off intersection at junctions.



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

15.2.3.2 While granting the development permission for land sub-division or group housing/campus planning, it shall be necessary to coordinate the roads in the adjoining lands. Also, proper hierarchy of roads shall be maintained while deciding width of road in addition to the regulations no. 14.0 and 15.2. The design of roads in PMRDA area shall be as per Annexure I.

15.2.3.3 Whenever called upon by the Metropolitan Commissioner to do so, areas under roads shall be handed over to the Metropolitan Commissioner by way of deed after development of the same for which nominal amount of Re 1/- shall be paid by the Authority.

15.3 Recreational open spaces:

15.3.1.1 In any layout or subdivision or any development of land for any use/zone admeasuring 0.20 Ha. or more, after deducting D.P / R.P. road and reservation area, if any, 10% of the net plot area shall be reserved as recreational open space, which shall as far as possible be provided in one place. In case of land admeasuring more than 0.8 ha. recreational open space may be allowed to be reserved at different locations in the same layout provided that the size and other dimensions conform to the provisions herein below.

i) The above-mentioned area of 0.2 Ha. shall be measured with reference to original holding as on 11th January 1967 and not with reference to sub-divided holding in revenue / city survey record thereafter without the permission under the Maharashtra Regional & Town Planning Act, 1966. However, this provision shall not be applicable to plots compulsorily got subdivided below 0.2 hec due to the DP reservations / RP/DP Roads/ Road widening/deemed reservations or any other proposal of the PMRDA.

For the land which are sub-divided after 11th January 1967 without taking prior permission from the Planning Authority and having plot area below 0.20 hectare, prior to the coming in to force of these regulations, the applicant may adopt any option of -

a) providing 10% open space subject to minimum 200 sq. m., or

b) availing the reduced FSI on such land to 75% of the basic FSI as otherwise permissible. In such cases premium FSI or loading of TDR shall be permissible on such plot proportionately.

ii) For the plots having area upto 0.20 Ha., regularised under the Maharashtra Gunthewari Development (Regularisation, Upgradation and Control) Act, 2001, no such open space shall be required for the development permission on such plot having area upto 0.20 Ha.

iii) Notwithstanding anything contained in the definition of ―Open Space in this regulation, such recreational open space may be permitted on podium in congested / non-congested area subject to Regulation no.18.12

Provided that, in case of lands declared surplus or retainable under Urban Land (C & R) Act, 1976, if the entire retainable holding or entire surplus holding independently admeasures 0.2Ha., or more, then 10% recreational open space shall be necessary in respective holding.

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

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

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

In case of development of land for educational purpose, in lieu of 10% recreational open space, atleast 40% of the gross area, excluding the area under Regional/Development Plan road and reservations in Regional/Development Plan, (or as decided by the Government from time to time) 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 playground. Provided that, the area of such playground shall not be deducted for computation of FSI.

15.3.2 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.

a) On sanction of the development permission, the recreational open space shall deemed to have vested in the society / association of the residents / occupants except otherwise specified. In case such society or association is yet to be formed, the owner shall give undertaking to the Metropolitan Commissioner that he will transfer the recreational opens pace 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 user except for the common use of residents/ occupants as mentioned in Regulation no.15.3.7.

b) If the Metropolitan Commissioner is convinced that, such open space is being used in violation of the provisions as prescribed in these regulations, then, he shall take over possession of such land of recreational open space for maintaining it for the uses permissible in these regulation, subject to condition that it shall not be further handed over or allotted to any person/institute/authority to that effect.

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

15.3.3 No permission shall be granted to delete / reduce open spaces of the existing sanctioned layout/ subdivision. However, while revising the layout, such recreational open space may be rearranged without decrease in area subject to minimum prescribed area under these Regulations with the consent of plot / tenement holders / co-owners.

15.3.4 The open spaces shall be exclusive of means of accesses / internal roads / designations or reservations in Regional/Development Plan roads and areas for road widening.

15.3.5 Such recreational open space may be allowed to be earmarked, partly or fully, in green belt area shown on the Regional/Development Plan after leaving distance of 15 m. from river and 9.0m. from nala, provided, such recreational space is sizable as required under this regulation. Provided that, the only user and concerned structures as may be permissible under the regulation no.19.8 in respect of Green belt, may be permitted in such open space.

15.3.6 Minimum dimensions -The minimum dimensions of such recreational open space shall

not be less than 10m. and if the average width of such recreational open space is less than 20m. the length thereof shall not exceed 2 ½ times the average width.

15.3.7 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:

1) There may be maximum two storeyed structure with maximum 15% built up area of recreational open space, out of which maximum 10% built up area shall be allowed on ground floor and remaining can be permitted on 1st floor.

2) The structures used for the purpose of pavilion, gymnasia, fitness centre, club house, vipashyana and yoga centre, crèche, kindergarten, library, water tank,(underground or elevated), electric substation, generator set, pump houses, garbage treatment, public health out post/ centre or other structures for the purpose of sports and recreational activity(indoor or outdoor stadiums, etc. as per availability of area) may be permitted.

3) The remaining area of the recreational open space shall be kept open to sky and properly accessible to all members as a place of recreation, garden, or a playground without any obstructions. At least 20% of the open spaces as required by these regulations shall be made of pervious material. Use of grass pavers, paver blocks with at least 50% opening, landscape would be considered as pervious surface.

4) No detached toilet block shall be permitted.

5) 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.

6) 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.

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

8) The owners' society / societies, the federation of the owners' societies shall submit to the Authority, a registered undertaking agreeing to the conditions in (5) & (6) above while obtaining permission for the above said construction.

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

15.4 PROVISION FOR AMENITY SPACE

In any layout or sub division of plots or development proposal for residential/commercial users, having area 0.4 ha. or more, amenity space of 15% on gross area excluding area under Regional Plan road and reservation in Regional Plan/Development Plan, if any, shall be provided while granting permission to the layout / development proposal. This Amenity Space shall be deemed to be for public purpose for the use of PMRDA and Floor Space Index (FSI) in lieu thereof may be made available in-situ (on remaining land). The calculation of this in-situ FSI shall be shown on the layout / building plan. If the owner desires to have TDR against it, instead of in-situ FSI, then he may be awarded TDR. The generation of TDR or in-situ FSI shall be equivalent to the quantum mentioned in Regulation no. 46.0 in respect of TDR.

Provided that if there is any Development Plan reservation is proposed in the land, then area of such reservations (excluding DP/RP Roads) may be adjusted against this amenity space and the owner of the said land may not be required to part with the area of

amenity space to that extent. However, such area under reservation shall be handed over, free from all encumbrances, to the PMRDA at the time of approval of the development proposal.

Provided that, the Metropolitan Commissioner shall ensure that amenity space shall be earmarked in the layout so that after amalgamating the amenity spaces in the adjacent layouts, it becomes larger in area. It shall be approachable by minimum 12 m. wide road except the cases where 12 m. approach road to the site is not available.

Provided that, in case of sub-division of land admeasuring 8000 sq. m. or more in area in an industrial zone, 5 percent of the total area in addition to 10 percent stipulated in Regulation No 15.3.1, shall be reserved as amenity open space which, shall also serve as general parking space. When the additional amenity open space exceeds 1500 sq. m., the excess area may be used for construction of buildings for banks, canteens, welfare centre, health centre, offices, convenient shopping, crèches and other common purposes considered necessary for industrial users as approved by the Metropolitan Commissioner. However, this regulation shall not be applicable to Regulation no.19.6(v), (i.e. Regulation for allowing Residential /Commercial user in Industrial Zone), wherein separate provision for land for public amenities / utilities is made.

Provided that, it shall not be necessary to provide such Amenity space, if the land is proposed to be developed for IT or ITES users only and having area upto 2.00 Hectare.

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

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

Provided further that, the option of development of amenity space by the owner or handing over of amenity space to PMRDA shall be open to the owner in case of earlier approved layouts/development permissions, subject to the written permission for the specific public use as defined in regulation no. 2.9 of amenity.

Provided further that, the entire amenity space required to be shown as above shall be shown at a single location.

However, if some amenity space is provided in the earlier permission, then quantum of such amenity space in the revised permission –

i) shall be limited to the area provided in earlier permission.

ii) shall not be reduced even though area of such amenity space is more than what is specified in this regulation.

15.4.1 DEVELOPMENT OF AMENITY SPACE

Development of amenity space may be carried out by the PMRDA either on its own or through the private participation for monetization of land. The priority for development of particular amenity in particular residential area shall be decided by the Metropolitan Commissioner. Amenity Space may be allowed to be utilized for uses mentioned in these regulations 2.9 of amenity.

15.5 PROVISION FOR ELECTRIC SUB-STATION

In case of development/re-development of any land, building or premises mentioned below, provision for electric sub-stations may be made as under.

Sr. No.	Plot Area	Maximum requirements
1	Plot above 2000 sq.m.	One single transformer sub-station of the size of 5m.x5m. and height of not more than 5m.
2	Layout or sub-division of a plot measuring 2 .0 ha. or more.	A suitable site for an electric sub-station.

Provided that the sub-station, if required, may be constructed in such a manner that it is away from main building at a distance of at least 3 m. and does not affect the required side marginal distances or prescribed width of internal access or larger open space.

15.6 PLOT AREA, PLOT WIDTH FOR VARIOUS USES:

Minimum plot areas and widths for various uses shall be as given below in the **Table No.4**

Table No. 4

MINIMUM PLOT AREA, MINIMUM WIDTH, FOR VARIOUS USES

Sr. No.	Uses	Plot area (in sq.m.)	Min. Plot Width	Type of Development
(1)	(2)	(3)	(4)	(5)
1	Residential and Commercial (except those in 2,3 & 4 below)	i) 30 and above but upto 125	As per Table No. 16	Row
		ii) Above 100 but less than 250		Semi-detached/ Detached
		iii) 250 & above		Detached
2	Plots in EWS Housing / High Density Housing / Sites and Services / Slum Up-gradation / Reconstruction Scheme by public authority.	25 and above but upto 125	As per Table No.16	Row
3	Auto Fuel Filling station -			
	(a) Without service bay	510	16.75 m	Detached
	(b) With service bay	1100	30.5 m	Detached.
4.	Industrial	300	10 m	Detached.

Note : In case of sr.no.1, pattern of development permissible within a plot shall be shown in dotted line while approving the layout. However change in pattern may be permitted in future, if it fits in to above pattern of development and does not disturb the overall pattern of development already approved.

15.7 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 housing scheme / any development, net area shall be the balance plot area, after deducting the area covered by amenity space

under Regulation no 15.4 which is deemed reservations and Regional/Development Plan proposals**,** if any, from the total area of plot.

ii) For the purpose of computation of FSI/built-up area, the net area of the plot shall only be considered.

iii) In case of plotted layout, the basic FSI of such net area shall be distributed on all plots on pro- rata basis or on certain plots to which land owner desires, subject to maximum receiving potential prescribed in these regulations.

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.

15.8 Relocation of DP / RP Sites / DP / RP Proposals while approving the layout of land:

If the land proposed to be laid out for any development is affected by any reservations for public purposes, the Metropolitan commissioner may allow adjustment in the location of such reservation to suit development without altering the area of such reservation. Provided that no such shifting of the reservations shall be permitted:

(a) if the reservation proposed to be relocated is in parts;

(b) beyond 200 mts. of the location in the Development Plan / Regional Plan;

(c) beyond the holding of the owner in which such reservation is located;

(d) unless the alternative location and size is at least similar to the location and size of the development plan / regional plan as regards access, levels, etc.;

(e) unless the relocation is within area covered by the layout or development permission under sanction; and

(f) if the reservation is already shifted under these regulations.

(g) if the land is reserved in view of its geographical location like eco sensitive, Nala, training reservation etc.

The Development Plan / Regional Plan shall be deemed to be modified to that extent.

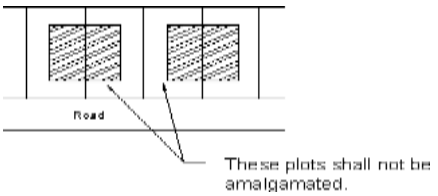
15.9 Adjustment of the boundaries of the reservation: The Metropolitan Commissioner with the consent of the owner may adjust the boundaries of the reservation in the same land and location provided that the area of such reservation is not reduced.

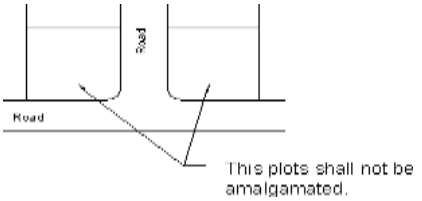
15.10 AMALGAMATION OF PLOTS

Amalgamation of plots shall be permissible if they are contiguous permissible subject to following:

a) Amalgamation of plot having incompatible zoning in Regional/Development Plan shall not be allowed.

b) Amalgamation of plot which is not desirable from planning point of view (eg. as shown in below) shall not be permitted.





16.0 LAND USE CLASSIFICATION AND PERMISSIBLE USES

(1) In case of Development / re-development of any land, building or premises, the intended use shall conform to the land use, purpose of designation, allocation or reservation, assigned to it in the Regional Plan as the case may be, unless specified otherwise.

(2) Lawful existing non-conforming uses - Any lawful non-conforming use of premises

existing prior to the date of enforcement of these regulations, shall continue and may be allowed to be expanded within the holding in the original sanction, unless in the opinion of the Metropolitan Commissioner the activity poses danger to public safety and/ or life 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.

Provided further, that non-conforming cattle stables and industries causing nuisance shall be shifted to a conforming area within such period as may be decided by the Metropolitan Commissioner.

(3) Existing features shown on Regional Plan – The existing features shown on Regional Plan are indicative and stand modified on Regional Plan as per actual position. Mention of particular use on Regional Plan, shall not bar the owner from permission allowed in the zone shown for such land. Also, boundaries of s. no./gat. no, alignment of existing road / nalla, water bodies and other physical features of land shall be as per measurement plan of Land Records Department.

(4) Development of Parking – The Metropolitan Commissioner may develop any land in any developable zone, owned by or in possession of the PMRDA, for public parking single or multi- storeyed, underground or above ground.

(5) Discontinuance of Zoning in pursuance of existing use– If any land is shown in Public semi–public zone, Public Utility, because of the activity existed there-on, such lands shall be deemed to have been shown in the adjacent predominant Zone after such activity ceases to exist and thereupon, the development shall be permissible as per the adjoining predominant zone, with the special permission of Metropolitan Commissioner.

(6) Development permission granted as per the I to R provisions - In industrial zone on which Residential/ Commercial permission is granted is deemed to be converted into Residential/ Commercial zone to the extent of that area, after issuance of full and final occupation certificate to the project.

17.0 OPEN SPACE, SETBACK AREA AND HEIGHT LIMITATIONS

17.1 Exterior Open Spaces:

Provisions for open spaces at the front side/sides and rear of the building shall be as given in Part IV of these Regulations.

17.2 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 such street.

17.3 Marginal distances for Buildings of Higher Heights

(a) Front Margin - Front margin shall be as given below with reference to height of building

i)	Height above 15 m. & upto 24 m.	4.5 m for residential and 6.00 m. for residential with mix use
ii)	Height above 24 m. & upto 36 m.	6.0 m.
iii)	Height above 36 m. & upto 50 m.	9.00 m.
iv)	Height above 50 m. & upto 70 m.	12.00 m.

(b) 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.16** for building height 15.0 m. and below. For height more than 15.0 m., the marginal distance on all sides except

the front side of a building shall be minimum **H/4** (Where H = Height of the building above ground level) subject to a minimum of 3.0 m. for residential building, 4.5 m. for commercial building and 6.0 m. for special building mentioned in definition no. 2.77.13. Provided that such marginal distance shall be subject to maximum of 16.0 m. If the land owner wishes to keep higher margins he may be allowed to do so.

Provided further 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 6.0m.

Provided also that, for building having shops / commercial user on any floor, 50% of front marginal distances shall be made available exclusively for pedestrians.

17.3.1 In case of layout of two or more buildings of any users:-

i) Distance between two buildings- The distance between two buildings shall be the side/rear marginal distance required for the taller building between the two adjoining buildings.

ii) Provided that, the path way / internal road may be allowed to be proposed in such marginal distance by keeping 3.0 m. distance on both side from such internal road.

Provided also that, where rooms do not derive light and ventilation from the exterior open space, the distance between the two buildings may be reduced by 1 m. subject to a minimum of 3 m. (if necessary 6.0 m. in case of special building) and maximum of 8.0 m. No projections shall be permitted in this exterior space.

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

17.4 Interior & Exterior chowk:

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

(b) Exterior chowk: The minimum width of the exterior chowk for the purpose of light and ventilation, shall not be less than 2.4 m. and depth shall not exceed 2 times the width, for buildings upto17m. height and for height more than 17m., the exterior open space shall not be less than H/7 m. x H/7 m. where H = height of highest wall of the chowk. If the width of the exterior chowk is less than 2.4 m. it shall be treated as a notch and shall not be considered for deriving ventilation.

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

17.4.2 Where only water closet, bathroom, combined bathroom and water closet are abutting on the interior open space, the size of the interior open space shall be in line with the provision for ventilation shaft as given in Regulation no.18.15.ii)

17.5 Area and Height limitations - The area and height limitations, height of buildings, floor space index, abutting different road widths shall be as given in Part IV and Regulation No. 15.6.

17.6 Permissible Structures / Projections in marginal open spaces/ distances

The following projections shall be permissible in marginal distances:

(a) **Projections into distances:** - 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 distances so as to reduce the width to less than the minimum required. However, sloping/horizontal chajja provided over balcony/ gallery etc. may be permitted upto balcony projections at horizontal level.

(b) **Balconies -** as specified in regulation no 18.13

(c) **A canopy** not exceeding 5m. in length and 2.5 m. in width in the form of cantilever and unenclosed over the main entrance providing a minimum clear height of 2.40 m. below the beam bottom of canopy. The canopy shall not have access from upper floors (above floors), for using as sitting out place. There shall be a minimum clearance of 1.5 m. between the plot boundaries and canopy. Provided that, more than one canopy may be allowed in case of special buildings, as per requirement.

(d) **A projection** of maximum 30 cm. on roof top terrace level may be allowed throughout the periphery of the building. In case of pitched roof projection of maximum 45 cm. at rooftop terrace level throughout periphery of the building shall be allowed.

(e) **Accessory buildings**:- The following accessory buildings may be permitted in the marginal open spaces :-

i) In an existing building where toilet is not provided, a single storeyed toilet subject to a maximum area of 4.0 sq. m. in the rear or side open space and at a distance of 7.5 m. from the road line or the front boundary and 1.5 m. from other boundaries may be permissible. The Commissioner may reduce 1.5 m. margin in exceptional cases to avoid hardship.

ii) Parking lock up garage not exceeding 2.4 m. in height shall be permissible in the rear corner of the plot with independent bungalow. Parking lock up garage when attached to main building shall be 7.5 m. away from the road line and shall be of such constructions giving fire resistance of 2 hours. The area of sanitary blocks and parking lock up garage shall be taken into account for the calculation of FSI.

iii) Suction tanks, soak pits, pump room (maximum 10 sq.m.), electric cabin of sub-station of gen-set area, electric meter room as per requirements, garbage shaft for wet and dry garbage separately with collection chamber, space required for fire hydrants, electrical and water-fittings, water tanks, dustbins etc.

iv) One watchman's cabin / booth not more than 5 sq. m. in built up area having min. 1.80 m. width or diameter. Cabin / booth shall be as per as possible at the entrance to the campus.

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

f) **"Ramp" for basement** in side and rear marginal distances subject to provisions under these regulations.

g) **Fire escape staircase** of single flight not less than 1.2 m. subject to minimum requirements of Fire NOC/Fire Driveway.

h) **Staircase mid-landing** of 1.2 m. width with clear minimum headway of 2.1 m. below the mid- landing. However, clear distance from edge of landing to the plot boundary shall not be less than 1.8 mt.

i) **Architectural projections** - Architectural projections upto 1m. which will not reduce the side marginal spaces by 3 m., sky signs and Hoardings as per the policy approved by the Metropolitan Commissioner.

j) 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 may be permitted within 1.2 m. from the building line.

k) Supported double height terraces (within the building line) as mentioned in regulation no.18.26

l) Open parking spaces excluding the area under the fire driveways.

17.7 Exclusion of structures / projections for FSI calculation

i) Structures/ Projections /features / ornamental projection of glass façade permitted in marginal open spaces as mentioned in Regulation No.17.6 (a),(b),(c),(d) , (e)(iii), (f), (g), (h),(i), (j), (k).

ii) Stilt / Multi-storied floors /podium/ basement used as parking including passage therein.

iii) Areas covered by Porches, Entrance lobby / foyer, canopies, Air conditioning / air handling plant rooms, lift well, machine room and service floor of height not exceeding 1.8 m. for hospitals, shopping malls, plazas and Star category hotels (rating with three stars and above) on payment of premium as may be decided by the Commissioner.

iv) Area of structure for an effluent treatment plant as required as per the requirements of the Maharashtra Pollution Control Board or other relevant authorities.

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, stair case, Refuge area for high rise buildings as specified in Regulation No. 18.28.6

vi) Telecommunication tower, antenna and allied activities.

vii) Atrium in shopping malls, public buildings on payment of premium as may be decided by the Metropolitan Commissioner.

viii) Open to sky swimming pool of the top terrace and top most podium.

ix) Structures permissible in recreational open space as per regulation No.15.3.7

17.8 Height of Building

17.8.1 (a) Height of building is allowed to the extent that is required to consume the maximum building potential on plot as given in the table under regulation no.20.2, subject to other restrictions as per these regulations, and prior approval of Chief Fire Officer, PMRDA, if required under this regulation.

Notwithstanding anything contained in these regulations for the building having height more than 15.0 mt. and upto 50 mt., the minimum road width shall be 12.0 mtr. and for the building height more than 50 mt. and upto 70 mt., the minimum road width shall be 15.0 mtr.

(b) The building height shall not exceed 36 mt. beyond 10 km distance from PMC/PCMC limits.

17.9 Height Exemptions -

The appurtenant structures such as roof tanks and their supports, ventilating, air-conditioning, lift rooms and similar service equipment, stair cover, chimneys and parapet walls and architectural features not exceeding 1.20 m. in height and **Parking floors not exceeding 6.0 m in height**, shall not be included in computation of height of building **for the purposes of marginal distances only**.

17.10 Deleted

17.11 PARKING, LOADING AND UNLOADING SPACES: -

17.11.1 Parking spaces –

Wherever a property is to be developed or redeveloped, parking spaces at the scale laid down in these Regulations shall be provided. When additions are made to an existing building, the new parking requirements will be reckoned with reference to the additional space only and not to the whole of building but this concession shall not apply where the use is changed. The provisions for parking of vehicles shall be as given in Table No.7 & 8. Area required for parking spaces shall be increased by 50 % for PMRDA area.

17.11.2 General space requirements:-

(i) **Types:** The parking spaces mentioned below include parking spaces in basements or on a floor supported by stilts, or on upper floors, covered or uncovered spaces in the plot and / or lock up garages. The height of the stilt shall generally be allowed upto 3 m.

(iii) Size of parking space: The minimum sizes of parking spaces to be provided shall be as shown below in **Table No.6**:-

Table No- 6		
S.No.	**Type of Vehicle**	**Minimum Size/ area of parking space**
(1)	(2)	(3)
(a)	Motor vehicle	2.5 m X 5 m
(b)	Scooter, Motor Cycle.	1.0 m. x 2.0 m.
(c)	Bicycle	0.50 m x 1.4 m.
(d)	Transport vehicle	3.75 m. X 7.5 m.
Note:	In the case of parking spaces for motor vehicle, upto 50 percent of the prescribed space may be of the size of 2.3 m. X 4.5 m.	

(iii) **Marking of parking spaces**: Parking space shall be paved and clearly marked for different types of vehicles.

(iv) **Maneuvering and other ancillary spaces**: Off street parking space must have adequate vehicular access to a street and the area shall be exclusive of drives, aisles and such other provisions required for adequate maneuvering of vehicles.

(v) **Ramps for Basement parking** :- Ramps for parking in basement should conform to the requirement of Regulation No.18.11

Table No 7
Off Street Parking Spaces

Sr. No.	Occupancy	One parking Space for every	Congested Area			Non Congested Area		
			Car	Scooter	Cycle	Car	Scooter	Cycle
1	2	3	4	5	6	7	8	9
1	**Residential** **i) Multi family residential**	(a) 2 Tenements having built-up area more than 100sq.m.	1	1	1	1	2	2
		(b) 3 tenements having built-up area between 50 to 100sq.m.	0	2	4	1	3	3
		(c) 4 tenements having built-up are upto50 sq.m.	0	4	4	0	5	5
	ii) Lodging establishments tourist homes, hotels with lodging accommodation.	(a) For every five guest rooms	1	2	2	1	3	3
	iii) Restaurants	(a) For hotel, eating houses 25sq.m. of area of restaurant including kitchen, pantry hall, dining rooms etc.	0	1	2	1	1	1
2	**Institutional (Hospital, Medical Institutions)**	For 100 sq.m. carpet area or fraction thereof.	1	2	2	1	4	4
3.	**Assembly (theatres, cinema houses, concert halls, auditoria, assembly halls including those of college and hostels)**	For every 40 Seats.	1	2	5	1	5	5
4.	**MangalKaryalaya / Marriage Halls, Cultural Halls**	For every 100 sq.m. built up area or fraction thereof.	1	2	3	2	4	6

5	**Educational – i)Primary School**	100 sq.m.built up area or Fraction thereof the administration area.	0	2	2	1	2	**2**
	ii)Secondary School	100 sq.m.built up area or fraction thereof of the entire Built up area.	0	1	4	0	2	8
	iii) College	100 sq.m.built up area or Fraction thereof the administration area and public service area.	0	2	5	1	2	8
6.	**Government or semipublic or private business buildings.**	100 sq. m. built up area or fraction thereof	1	1	2	1	3	3
7.	**Mercantile (markets, department al stores, shops and other Commercials users) including wholesale markets**	100 sq. m. built up area or fraction thereof	1	1	2	1	3	3
8.	**Industrial**	300 sq. m. built up area or fraction thereof	0	2	2	1	3	3
9.	**Storage (any type)**	300 sq. m. built up area or	0	1	1	1	1	1
9.	**Plots less than 200 sq.m. (any use)**		0	1	1	0	1	1

Note-1) Plots up to 100 sq. m. as in the case of shops, row houses parking space need not be insisted.

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

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

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

5)Mechanical Parking shall be permissible in case of parking provided over and above the requisite parking requirements stipulated under these regulations.

Table No 8
Off Street Parking Spaces
For Township Projects Under Part IX

Sr. No.	Occupancy	One parking Space for every	Congested Area			Non Congested Area		
			Car	Scooter	Cycle	Car	Scooter	Cycle
1	2	3	4	5	6	7	8	9
1	**Residential** **i) Multi family residential**	(a) 2 Tenements having built-up area more than 100sq.m.	1	2	2	2	2	2
		(b) 3 tenements having built-up area between 50 to 100sq.m.	0	3	4	1	4	4
		(c) 4 tenements having built-up are upto50 sq.m.	0	4	4	0	5	5
	ii)Lodging establishments tourist homes, hotels with lodging accommodation.	(a) For every five guest rooms	1	3	3	2	3	3
	iii) Restaurants	(a) For hotel, eating houses 25sq.m. of area of Restaurant including kitchen, pantry hall, dining rooms etc.	0	2	2	1	2	2
2	**Institutional (Hospital, Medical Institutions)**	For 100 sq.m. carpet area or fraction thereof.	2	2	3	2	5	5
3.	**Assembly (theatres, cinema houses, concert halls, auditoria, assembly halls including those of college and hostels)**	For every 40 Seats.	1	2	5	2	7	7
4.	**Mangal Karyalaya / Marriage Halls, Cultural Halls**	For every 100 sq.m. built up Area or fraction thereof	1	4	4	2	8	8
5.	**Educational –** **i)Primary School**	100 sq.m.built up area or fraction thereof the administration area.	0	3	3	1	4	4
	ii)Secondary School	100 sq.m.built up area or fraction thereof of the entire built up area.	0	1	5	0	2	10

	iii) College	100 sq.m.built up area or fraction thereof the administration area and public service area.	0	2	6	1	4	10
6.	**Government or semipublic or private business buildings.**	100 sq. m. built up area or fraction thereof	1	2	4	2	4	4
7.	**Mercantile (markets, department al stores, shops and other Commercials users) including wholesale markets**	100 sq. m. built up area or fraction thereof	1	3	3	1	4	4
8.	**Industrial**	300 sq. m.built up area or fraction thereof	1	2	2	1	4	4
9.	**Storage (any type)**	300 sq. m.built uparea or fraction thereof	0	2	2	1	2	2
9.	**Plots less than 200 sq.m. (any use)**		0	1	1	0	1	1

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

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

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

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

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

17.11.3 Off street parking space shall be provided with adequate vehicular access to a street, and the area of drives, aisles and such other provisions required for adequate maneuvering of vehicle shall be exclusive of the parking space stipulated in these regulations.

17.11.4 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.

17.11.5 In addition to the parking spaces provided for building of Mercantile (Commercial) like office, market, departmental store, shopping mall and building of industrial and storage, loading and unloading spaces shall be provided at the rate of one space for each 1000 sq. m. of floor area or fraction thereof exceeding the first 200 sq. m. of floor area, shall be provided. The space shall not be less than 3.75 m. x 7.5 m.

17.11.6 Parking lock up garages shall be included in the calculation for floor space for F.S.I. calculations.

17.11.7 The space to be left out for parking as given in this Regulation shall be in addition to the marginal distances left out for lighting and ventilation purposes. However, those spaces may be used for parking provided minimum distance of 3 m. (6.0 m. in case of special building) around the buildings is kept free of any parking or loading and unloading spaces. Such parking area may be allowed to cover on top by sheet roofing so as not to infringe the marginal distances to be kept open.

17.11.8 In case of parking spaces provided in basements, at least two separate ramps of adequate width and slope for entry and exit (as per Regulation No. 18.11) shall be provided preferably at opposite ends.

17.11.9 In case of Special Townships Areas, in addition to the regular parking area as per Regulation No.17.11, a space of 3.0 m. wide strip along the road on front shall be provided as visitors parking for the buildings with commercial or any use mixed with commercial. In such case, minimum front margin shall be 6.0 m. inclusive of 3.0 m. wide strip as above irrespective of the lesser front margin requirement in the applicable regulations.

18.0 REQUIREMENTS OF 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:

18.1 Plinth

18.1.1 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 45 cm 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 or greater than 45 cm. as may be decided by the Planning Authority in deserving cases.

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

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

18.2 Habitable Rooms

18.2.1 Size and dimension of Habitable Rooms

Internal dimensions and size of rooms for various uses and occupancies shall be as in table no.9 below.

Table No.9

No	Occupancy	Minimum Area in sq. m.	Minimum width in m.
(1)	(2)	(3)	(4)
1	*a)* Any habitable room in residential building / room from any other occupancy like hostels, residential hotel, lodging & boarding/housing etc except kitchen.	9.5	2.4
	b) Any Habitable room from any other occupancy like hostels, residential hotel, lodging & boarding-houses etc.	9.5	2.4

2	Room in a single – room tenement in Housing scheme for EWS & LIG.	12.5	3.0
3	a) Room in two-room tenements-		
	i) one of the rooms	9.5	2.4
	ii) other room	7.5	2.4
	b) Room in a two-room tenement in Housing scheme for EWS & LIG		
	i) one of the room	9.0	2.5
	ii) other room	6.5	2.1
4	Single bedded room in a hostel of a recognized educational institutions	7.5	2.4
5	a) Shop in R 1 zone	6.0	1.8
	b) Shop in other than R 1 zones	10	2.0
6	Class room in an educational building	38	5.5
7	Institutional building (Hospital)		
	a) Special room	9.5	3
	b) General Ward	40	5.5
8	Cinema Hall, auditorium assembly hall etc.	In conformity with the Maharashtra Cinema Rules	

18.2.2 Height of Habitable Rooms

The minimum and maximum height of a habitable room shall be given in Table No.10 hereunder:

Table No. 10
Height of Habitable Rooms

No.	Occupancy	Minimum Height (m)	Maximum Height (m)
(1)	(2)	(3)	(4)
1	Flat Roof -		
	a) Any habitable room	2.75	4.2
	b) Habitable room in LIG Housing	2.6	4.2
	c) Air-conditioned habitable room	2.4	4.2
	d) Assembly Halls, Residential Hotels of 3 star category and above, Institutional, Educational, Industrial, Hazardous or storage occupancies, Departmental Stores, Malls, Entrance Halls and Lobbies to department stores and assembly halls.	3.6	4.2 Subject to written permission of the Metropolitan Commissioner greater height may be permitted.
	e) shops, IT Buildings, Office Buildings	3.0	4.2
2	Pitched roof-		

	a) Any habitable room	2.75	4.2
	b) Habitable room in EWS / LIG Housing.	2.6(average with 2.0 m. at the lowest point)	4.2 (average with 3.2 m. at the lowest point)

Provided that -

i) the minimum head-way under any beam shall be 2.4m.
ii) in all occupancies, except those included in serial no. 1 (d) in the Table above, any height in excess of 4.2 m. shall be deemed to have consumed additional FSI of 50 % of the relevant floor area.

18.3 Kitchen

18.3.1 Kitchen size -

i) The area of the kitchen where separate dining area is provided shall be not less than 5.5sq.m. with a minimum width of 1.8m, where a kitchen, which is intended for use as a dining area also, shall have a floor area of not less than 7.5 sq.m. with a minimum width of 2.1m.

ii) In case of special housing scheme for low income group and economically weaker section of the society, the size of a cooking alcove serving as cooking space shall not be less than 2.4sq.m. with a minimum width of 1.2m.. The size of individual kitchen provided in a two-roomed house shall be not less than 3sq.m. with a minimum width of 1.5 m.

18.3.2 Height: The room height of a kitchen measured from the surface of the floor to the lowest point in the ceiling (bottom of slab) shall not be less than 2.75 m.

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

i) unless separately provided, means for the washing of kitchen utensils which shall lead directly or through a sink to grated and trapped connection to the waste pipe;
ii) an impermeable floor;
iii) a flue, if found necessary,
iv) window of not less than 1 sq.m. in area, opening directly on to an interior or exterior open space (in case of naturally ventilated space).

18.3.4 Requirements regarding pantry:-

i) A pantry shall have –

ii) A floor area of not less than 3 sq.m. with the smaller side not less than 1.4 m.

iii) A sink for the cleaning of kitchen‘s utensils which shall drain through a grated and trapped connection to the waste water pipe where water borne sewerage system is not available and the grated connection shall be made to the pucca surface drain leading to soak pit. or other approved system of disposal; and

iv) An impermeable floor and an impermeable dado 0.9 m. high.

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

18.4.1 Size of bathroom and water closet -

i) The size of a bathroom shall be not less than 1.5 sq.m. with a minimum width 1.0 m. The size of a water closet shall be not less than 1.0 sq.m with a minimum width of 0.9m. The minimum area of a combined bathroom and water-closet shall be 2.4 sq.m. with a minimum width of 1.0 m.
ii) In the case of EWS/LIG housing scheme the sizes of bathroom and water-closets shall be as follows:-
a) The size of independent water-closet shall be at least 0.90sq.m. with minimum width of 0.9m.
b) The size of independent bathroom shall be at least 1.20sq.m. with a minimum width of 1.00m

c) The size of combined bathroom & water-closet shall be atleast 1.80sq.m. with minimum width of 1.0m.

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

18.4.3 **Other Requirements** - Every bathroom or water closet shall -

i. be so situated that at least one of its walls shall open to external air unless mechanically ventilated;
ii. not be directly over or under any room other than another water-closet, washing place, bath or terrace, unless it has a water-tight floor;
iii. have platform or seat made of water-tight non-absorbent material;
iv. be enclosed by walls or partitions and the surface of every such wall or partition shall be finished with a smooth impervious material to a height of not less than 1 m. above the floor of such a room;
v. every water closet and/or a set of urinals shall have a flushing cistern of adequate capacity attached to it. In EWS/LIG housing, however, no such flushing cistern need be provided;
vi. be provided with an impervious floor covering sloping towards the drain with a suitable grade and not towards veranda or any other room;
vii. in High Density housing, pour flush water seal latrines (NEERI type) may be permitted when the sewerage system is not available and the water table in the area is not high;
viii. all the sewerage outlets shall be connected to the sewerage system. Where no such systems exist a septic tank shall be provided within the plot conforming to the appropriate standardized issued by NBC / CPHEEO.
ix. have a window or ventilator, opening to a shaft or open space, of area not less than 0.3 sq.m. with side not less than 0.3m, unless mechanically ventilated.

18.4.4 **Restriction on use of room containing water closet.**

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

18.4.5 **Ledge or Tand / Loft :-**

Location and extent - 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 in below Table No.11 subject to the following restrictions-

i) The clear head room under the loft shall not be less than 2.2 m.
ii) Loft in commercial areas and industrial building shall be located 2 m. away from the entrance.
iii) Loft shall not interfere with the ventilation of the room under any circumstances.
iv) The minimum headroom of Ledge or Tand / Loft shall be 2.2m.
v) The maximum height between loft and ceiling shall be 1.5m.

Table No. 11
Provision of Loft

Sr. No.	Rooms over which Permitted	Maximum Coverage (Percentage to area or room below)
(1)	(2)	(3)
1	Kitchen/Habitable room	25
2	Bathroom, water closet, corridor	100
3	Shops with width up to 3m.	33

4	Shops with width exceeding 3m.	50
5	Industrial	33

18.6 Mezzanine floor

18.6.1 Size of mezzanine floor: The minimum size of a mezzanine floor, if it is used as a habitable room shall not be less than 9.50 sq.m. The aggregate area of the mezzanine floor shall not exceed 50 % of the built up area of that floor.

Note :- Mezzanine floor area shall be counted towards FSI

18.6.2 Height -The minimum height of a mezzanine floor shall be 2.2 mt. The headroom under mezzanine room shall not be less than 2.20 mt.

18.6.3 Other Requirements of mezzanine floor :

Amezzanine floor may be permitted over a room or a compartment provided:

i) it conforms to the standards of living rooms as regards lighting and ventilation in case the size of mezzanine floor is 9.50 sq.m. or more.
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 mt. away from front wall of such rooms.
v) access to the mezzanine floor is from within the respective room only.
vi) in no case shall a mezzanine floor be closed so as to make it liable to be converted into unventilated compartments.

18.7 Store Room :-

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

18.7.2 Height- The height of a store room shall not be less than 2.20 m.

18.8 Garage

18.8.1 Size of private Garage :- The size of a garage in individual residential building shall be not less than 2.5 m. X 5 m. and not more than 3 mt. X 6 mt. The garage, if located in the side open space, shall not be constructed within 3.0m. from the main building, but at least 7.5mt away from any access road.

18.8.2 Size of Public Garage. The size of a public garage shall be calculated based on the number of vehicles to be parked.

18.8.3 Height of private Garage :-The minimum and maximum height of garage shall be 2.4 mt. and 2.75 mt. respectively.

18.8.4 Plinth of private Garage :-The plinth of garage located at ground level shall not be less than 15 cm. above the surrounding ground level.

18.8.5 Set back of Private Garage :-

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

18.8.6 Location of Garage in case of Corner Site :-

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

18.9 Roofs :-

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

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

Rainwater pipes shall be affixed to the outside of the walls of the building or in recesses or cut formed in such walls.

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.

18.10 Basement :-

One or more basements may be permissible for following uses and shall be constructed after leaving the prescribed set-back / required front open space / required front margin, and prescribed building lines:

a) storage of household or other goods or ordinarily non-combustible material;
b) strong rooms, bank lockers, safe deposit volts, radio/laser therapy unit, mortuary and medical allied uses, etc.;
c) air-conditioning equipments and other machines used for services and utilities of the building;
d) parking spaces;
e) D.G. set room, meter room and Electric substation (which will conform to required safety requirements);
f) Effluent Treatment Plant, suction tank, pump room;
g) users strictly ancillary to the Principal user.

Provided that the users mentioned at (a) & (b) above shall be permitted only by counting in F.S.I. subject to the following conditions:

i) All requirements regarding access, safety (including fire safety), ventilations, etc. shall be complied with.
ii) All the planning standards (particularly as regarding parking) should be strictly adhered to. The basement shall not be used for residential purpose. iii) Users other than (a) and (b) shall not be counted in FSI.

Provided that,

i)If the basement is proposed flushing to average surrounding ground level, then such basement can be extended in side and rear margins upto 3 mt. from the plot boundary. If the basement is proposed to be constructed below podium then marginal distances shall be as that of podium.
ii) Multilevel basements may be permitted if the basement is used for parking. The ramps of minimum 3.0 m. width for entry and exit of vehicles separately shall be provided. In case of bonafide hardship, the Metropolitan Commissioner may allow only one ramp with not less than 6.0 m. in width.

The basement shall have the following requirements -

(i) Every basement shall be in every part at least 2.4 mt. in height from the floor to the

underside of the roof slab or ceiling 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. The standard of ventilation shall be the same as required by the particular occupancy according to these regulations. Any deficiency may be met by providing additional adequate mechanical ventilation in the form of blowers, exhaust fans, air conditioning systems etc.

(iii) The minimum height of the ceiling of any basement shall ordinarily be 0.9 mt. and maximum shall be 1.2 mt. 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 arrangement shall be made such that surface drainage does not enter the basement.

(v) The walls and floor of the basement shall be water-tight and be so designed that the effect of the surrounding soil and moisture, if any, is taken into account in design and adequate damp proofing treatment is given; and

(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 of enclosed type serving as a fire separation from the basement floor and higher floors Open ramps shall be permitted if they are constructed within the building line subject to the provision of (iv) above.

18.11 Ramp:-

A) Non Vehicular Ramp-

All the requirements of stairways in Regulation No 18.27 shall apply mutatis mutandis to non-vehicular ramp. In addition, the following requirement shall be complied with:

a) Ramps with a slope of not steeper than 1 in 10 may be substituted for and shall comply with all the applicable requirements of required stairways as to enclosure, capacity and limited dimensions. In certain cases steeper slopes may be permitted but in no case greater than 1 in 8. Ramps shall be surfaced with approved non-slip 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.

b) The minimum width of the ramps in hospitals shall be 2.25 m.

c) Handrails shall be provided on both sides of the ramp.

d) Ramps shall lead directly to outside open space at ground level or courtyards or safe place.

e) For building above 24 m. in height access to ramps from any floor of the building shall be through smoke stop door.

f) When there is a difference in level between connected areas for horizontal exits, ramps not more than 1 in 10 slopes shall be provided; steps shall not be used.

g) For High Rise building, ramps in side marginal open spaces may be permitted exclusive of 6 m. clear marginal distance.

B) Ramp to basements and upper Storeys for vehicles-

For parking spaces in a basement and upper floors, at least two ramps of minimum 3.00mt. width or one ramp of 6.00 meter width and slope not more than 1:10 shall be provided preferably at the opposite ends.

C) In case of special building mentioned in Regulation No 2.77.13, ramp may be permitted in the side and rear marginal distances after leaving 6.0 mt distance from the plot boundary for movement of fire-fighting vehicles. Provided that when a building abutting 3 or more roads, then ramps may be allowed in front marginal distances facing the smaller road or less important road from traffic point of view.

18.12 Podium :-

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

i) Height of podium shall be at least 2.4 m. in from the floor to the soffit of beam;

ii) Podium shall not be provided in front setback. Podium shall be allowed at a distance of **6.00 m.** from the plot boundary;
iii) Podiumshall only be used for parking and it shall be designed to take load of fire engine;
iv) Podium shall be permissible for plots admeasuring 2000 sq.m. and above;
v) Podium shall be permissible for joining two or more separate buildings in a plot 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) The consent from the Chief Fire Officer, PMRDA shall be necessary before permitting the aforesaid podium;
vii) For the plots having area 2000Sq.m. or more, recreational open space may be permitted on Podium subject to condition that out of required open/recreational space , at least 50% shall be provided on ground.

18.13 Balcony :-

Balcony or balconies of a minimum width 1.00m. may be permitted at any floor except ground floor, not more than 15% of the built up area of the same floor and such balcony projection shall be subject to the following conditions:

(i) No balcony shall reduce the marginal open space to less than 3 m. up to 15 m. building height. For height 15 m. and more no balcony shall reduce the marginal open space to less than 6mt;
(ii) No balcony shall be allowed on ground floor which shall reduce minimum required front setback or marginal distance;
(iii) The width of the balcony shall be measured perpendicular to the building up to the outermost edge of balcony;
(iv) Nothing shall be allowed beyond the outer edge of balcony.

18.14 Stilt :- Stilt may be permitted on any floor subject to height of floor up to the soffit of the beam shall not be less than 2.4 m. In case of stilt on ground floor, plinth shall not be more than 15 cm from surrounding ground level.

18.15 Lighting and Ventilation of Rooms

i) Adequacy and manner of provision-

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

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

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

ii) Ventilation Shaft:-

For naturally ventilating the space for water closets and bath room of staircase, if not opening on the exterior side of a building, open on the ventilation shaft, the size of which shall not be less than the values given below in **Table No. 12.**

Table No. 12		
Height of building in m.	**Size of ventilation in sq. m**	**Minimum width of shaft in m.**

Up to 10	1.2	0.90
Up to 12	2.4	1.20
Up to 18	4.0	1.50
Up to 24	5.4	1.80
Up to 30	8.0	2.40
Above 30	9.0	3.0

iii) Artificial Lightning 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 mechanical ventilation in accordance with the provisions of Part 8, Building Services- Section 1, Lighting and Ventilation, National Building Code of India, 2005.

iv) In residential lodging hotels and other establishments where attached toilets are provided with mechanical ventilation system the size of ventilation shaft prescribed in this regulation stand relaxed.

18.16 Overhead Tanks:

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

18.17 Parapet

Parapet walls and handrails provided on the edges of roof terraces, balcony etc. shall not be less than 1.05 mt. and not more than 1.20 mt. in height from the finished floor level.

18.18 Cabin:

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

18.19 Society Office:

In the case of multi-storied multi-family dwelling apartments constructed for co-operative housing societies or apartment owner‘s co-operative societies, a Society Office upto 12 sq.m. shall be provided on the ground floor or uppermost floor. If the number of flats are more than 20 the maximum size of the Society Office shall be of dimension of 20 sq.m.

18.20 Wells

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

18.20.1 Requirements: The well shall:

(a) have minimum internal diameter of not less than 1 m.;
(b) be constructed to a height not less than 1 m. above the surrounding ground level to form a parapet or curb and to prevent surface water from following into a well, and shall be surrounded with a paving constructed of impervious material which shall

extend for a distance of not less than 1.8 m. in every direction from the parapet or the curb forming the well head and the upper surface for such paving shall be sloped away from a well;

(c) be a sound and permanent construction (PUCCA) throughout. Temporary exposed (KUTCHA) wells shall only be permitted in fields or gardens for purposes of irrigation; and;

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

18.21 Septic Tanks

Every building, group of buildings together shall be either connected to the public Drainage system or provided with sub-soil dispersion system in the form of septic tank which shall be governed by the following or any other alternative design and specifications

1. Design of septic tank:-

Where a septic tank is used for sewage disposal, the location, design and construction of the septic tank shall conform to requirements of the following Regulation

2. Location of Septic Tanks and Subsurface Absorption System:- A subsoil dispersion system shall not be closer than 18.00 m. of any source of drinking water such as well, to mitigate the possibility of bacterial pollution of water supply. It shall also be as far removed from the nearest habitable building as economically feasible but not closer than 6 m. to avoid damage to the structures.

3. Requirements:

(a) **Dimensions of Septic Tanks**: Septic tanks shall have minimum width of 75 cm., minimum depth of 1 m. below the water level and a minimum liquid capacity of 1 cu.m. Length of tanks shall be 2 to 4 times the width;

(b) Septic tanks may be constructed of brick work, stone masonry, concrete or other suitable materials;

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

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

(e) The gradients of land drains under drainage as well as the bottom of dispersion trenches and soak way should be between 1:300 and 1:400;

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

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

(h) When the disposal of septic tank effluent is to a dispersion trench, the dispersion trench shall be 50 to 100 cm. deep and 30 to 100 cm. wide excavated to a slight gradient and shall be provided with 15 to 25 cm. of washed gravel of crushed stones. Open jointed pipes placed inside the trench shall be made of unglazed earthenware clay or concrete and shall have minimum internal diameter of 75 to 100 mm. No dispersion trench should not be longer than 30 m. and trenches should not be placed closer than 1.8 mt.

18.22 Boundary Wall

The requirements of the boundary wall are given below:

(a) Except with the special permission of the Metropolitan Commissioner the maximum height of the compound wall shall be 1.5 m. above the centre line of the front street. Compound wall up to 2:4 m. height may be permitted if the top 0.9 mt is of open type construction (railings).However Metropolitan Commissioner may allow the plinth and the boundary wall up to 0.90 m. above ground level and balance height may be of open railing or as decided by him;

(b) In case of corner plot the height of boundary wall shall be restricted to 0.75 m. for a length equal to fanning of the road on the front and side of the intersections and balance height of 0.75 m. if required in accordance with (a) may be made of open construction (railings);

(c) However, the provisions of (a) and (b) are not applicable to boundary wall of jails. In industrial buildings, electric sub stations, transformer stations institutional buildings like sanatoria, hospitals, industrial buildings like workshops, factories and educational buildings like schools, colleges, including the hostels, and other uses of public utility undertakings. Height up to 2.4 m. to boundary walls of these types of building may be permitted by the Metropolitan Commissioner.

18.23 Letter Box Room

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

18.24 Meter Rooms

For all buildings above 15 m in height and in special occupancies, like educational, assembly, institutional, industrial, storage, hazardous and mixed occupancies with any of the aforesaid occupancies having area more than 500sq.m. on each floor, provision shall be made for an independent and ventilated meter (service) room, as per requirements of electric (service) supply undertakings on the ground floor with direct access from outside for the purpose of termination of electric supply from the licensee‘s service and alternative supply cables. The door/doors provided for the service room shall have fire resistance of not less than two hours.

18.25 Chimneys

Chimneys, where provided, shall conform to the requirements of IS: 1646-1960 Indian Standard Code of Practice for Fire Safety of Building. Provided that the Chimneys 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.

18.26 Supported Double Height Terrace (within the building line)

Supported double height terraces (open terraces with railing having minimum height equal to two floors) within the building line, not exceeding 20% of the built up area of the same floor may be permitted without counting in FSI subject to payment of premium as decided by Metropolitan Commissioner.

18.27 EXIT REQUIREMENTS

18.27.1 General-The following general requirements shall apply to exits.

(a) An exit may be a doorway; corridor, passageway(s) to an internal staircase, or external staircase, or to a VERANDA or terrace(s), which have access to the street, or to the roof of a building or a refuge area. An exit may also include a horizontal exit leading to an adjoining building at the same level;
(b) Lifts and escalators shall not be considered as exits;
(c) 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;
(d) 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;
(e) In every building, exits shall comply with the minimum requirements of this part, except those not accessible for general public use;
(f) No building shall be altered to reduce the number, width or protection of exits to less than that required;
(g) Exits shall be clearly visible and the routes to reach the exits shall be clearly marked and sign posted to guide the occupants to the floor concerned;
(h) The floors of area covered for the means of exit shall be properly illuminated;
(i) All exits shall provide continuous means of egress to the exterior of a building or to an exterior open space leading to a street and;
(j) Exits shall be so arranged that they shall be reached without passing through another occupied unit.

18.27.2 Types of exits -

Exits shall be either of horizontal or vertical type. An exit may be doorway, corridor, and passageways to an internal staircase or external staircase, ramps or to a veranda 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.

18.27.3 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. 18.27.5 to18.27.8

18.27.4 Arrangement of Exits

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

18.27.5 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. 13** below:

Table No. 13
Occupant Load

Sr. No.	Group of Occupancy	Occupant Load floor Area in sq.mt. per person
(1)	(2)	(3)
1	Residential	12.5

2	Educational	4.00
3	Institutional	15 (See Note-1)
4	Assembly	
	(a) with fixed or loose seats and dance floors	0.6 (See Note-2)
	(b) without seating facilities including dining rooms	1.5 (See Note-2)
5	Mercantile	
	(a) Street floor and sales basement	3
	(b) Upper sale floors	6
6	Business and industrial	10
7	Storage	30
8	Hazardous	10

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

Note 2 - The gross area shall include, in addition to the main assembly room or space, any occupied connecting room or space in the same storey or in the storeys above or below where entrance is common to such rooms and spaces and they are available for use by the occupants of the assembly space. No deductions shall be made in the gross area for corridors, closets or other sub-divisions. The area shall include all space serving the particular assembly occupancy.

18.27.6 Capacity of Exits -

1) Occupants per unit exit width shall be in accordance with **Table No.14**

Table No.14
Occupants per Unit Exit Width

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

2) For the dormitory portions of homes for the aged, orphanages, mental hospitals, etc. these multipliers will be doubled.

3) 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 storey above or below where entrance is common to such rooms and space and they are available for use by the occupants of the assembly place.

4) No deductions shall be made in the gross area of the corridors, closets or other sub-divisions; the area shall include all space serving the particular assembly occupancy shall be reckoned.

18.27.7 Provision for Staircase-

All buildings having height more than ground floor shall have provision of staircase. The special buildings shall have two staircases out of which one shall be fire escape staircase of enclosed type. At least one of them shall be on external wall 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.

Provided that for purely residential building/residential building along with ground floor mix use having height up to 15 meters and built up area on any floor does not exceed 500 sq.mts. an additional staircase shall not be insisted. Provided also that in such cases width of stair case shall be minimum 1.50 mt.

18.27.8 Width of Stairways- Notwithstanding anything contained in regulations, the following minimum width provision shall be made for staircases flight/corridor.

Table No. 15

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

Note:-

i) for individual house and row housing with 2 storey's, the minimum shall be 0.75 m.

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

18.28 Other Requirements of Individual Exits- The detailed requirements of individual exits are given in Regulation no. **18.28.1 to 18.28.8.**

18.28.1 Doorways:

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

corridor or passage way providing continuous and protected means of egress;

(ii) No exit doorway shall be less than 90 cm in width in case of residential and 100 cm. in width in case of other buildings. Doorways shall be not less than 200 cm. in height. Doorways for bathrooms, water closet, stores etc. shall be not less than 75 cm. wide;

(iii) Exit doorways shall open outwards, that is away from the room but shall not obstruct the travel along any exit. No door, when open, shall reduce the required width of stairway or landing to less than 90 cm. Overhead or sliding doors shall not be installed;

(iv) Exit door shall not open immediately upon a flight of stairs, a landing equal to at least the width of the door shall be provided in the stairway at each doorway. Level of landing shall be the same as that of the floor which it serves;

v) Exit doorway shall be openable from the side which they serve without the use of a key;

vi) Mirrors shall not be placed in exit ways or exit doors to avoid confusion regarding the direction of exit.

18.28.2 Revolving Doors:

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

18.28.3 Stairways:

i) Interior stair shall be constructed of non-combustible materials throughout;

ii) Interior staircase shall be constructed as a self-contained unit with at least one side adjacent to an external wall and shall be completely enclosed;

iii) A staircase shall not be arranged around a lift shaft;

iv) Hollow combustible construction shall not be permitted;

v) The minimum width of treads without nosing shall be 25 cm. for an internal staircase for residential buildings. In the case of other buildings, the minimum treads shall be 30 cm. The treads shall be constructed and maintained in a manner to prevent slipping;

vi) The maximum height of riser shall be 19 cm. in the case of residential buildings and 15 cm. in the case of other buildings. They shall be limited to 15 per flight;

vii) Handrails shall be provided with a minimum height of 100 cm. from the centre of tread, to the top of the handrails. Balusters / railing shall be provided such that the width of staircase does not reduce;

viii) 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;

ix) The minimum headroom in a passage under the landing of a staircase shall be 2.2 m;

x) For building more than 15m. in height or more 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;

xi) No living space, store or other fire risk spaces shall open directly into the external staircase;

xii) 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 large lobby;

xiii) In the case of assembly, institutional, residential hotels, industrial and hazardous occupancies, the exit sign with arrow indicating the way to the escape route shall be provided at a height of 0.5m. from the floor level on the wall and shall be illuminated by electric light connected to corridor circuits. All exit way marking signs should be flush with the wall and so designed that no mechanical damage shall occur to them due to moving of furniture or other heavy equipments. Further all landings of floor shall have floor indication boards indicating the floor number. The floor indication board shall be placed on the wall immediately facing the flight of stairs and nearest to the landing. It shall be of size not less tha 0.5m. x 0.5m;

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

18.28.4 Fire escape or external stairs –

Fire escape staircase, 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 stair;
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 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 1250 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.

18.28.5 Corridors and passageways:

i) The minimum width of a corridor shall not be less than 75cm. 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 18.27.3 to 18.27.5 (both inclusive);
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 mt;
v) All means of exit including staircases, lifts, lobbies & corridors shall be adequately ventilated.

18.28.6 Refuge Area

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

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

i) For floors above 24 m and up to 39 m–One refuge area on the floor immediately above 24m.
ii) For floors above 39 m –One refuge area on the floor immediately above 39 m and so on after every 15 m. Refuge area provided in excess of the requirements shall be counted towards FSI. However, area remained in excess because of planning

constraints shall not more than 20% of required refuge area shall not be counted in FSI.

18.28.7 Lifts and Escalators:-

a) Lifts :-

Provision of lift shall be made for all buildings more than 15mt in height. In case the height of the building is more than 24.0 mt , at least two lifts shall be provided. However, in the case of a proposal to add one additional floor to an existing building having a lift, it will not be necessary to raise the existing lift to the additional floor.

i) 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;

ii) Grounding switch at ground floor level to enable the fire service to ground the lift cars in any emergency shall also be provided;

iii) The lift machine room shall be separate and no other machinery shall be installed therein;

iv) The planning and design of lifts including their number, type and capacity depending on the occupancy of the building, the population of each floor based on the occupant load and the building height shall be in accordance with Section 5 - Installation of Lifts and Escalators of Part 8- Building Services, of the National Building Code of India, 2005.

b) Escalators :

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

18.28.8 Fire Lift

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

18.28.9 FIRE PROTECTION REQUIREMENTS

All buildings shall be planned, designed and constructed to ensure fire safety and this shall be done in accordance with Part IV of Fire Protection of National Building Code of India and Maharashtra Fire Prevention and Life Safety Measures Act, 2006, as prescribed in Part VI of these Regulations. The provisions of Part VI shall deem to be modified time to time as per the Fire Protection of National Building Code of India and Maharashtra Fire Prevention and Life Safety Measures Act, 2006. In case of special buildings, the building schemes shall also be cleared by the Chief Fire Officer of the PMRDA.

18.29 Additional requirements in case of Housing Schemes:

Following amenities shall be provided in a housing scheme and shall not be counted in FSI:

i) Fitness Centre, Crèche, society office cum letter box room, laundry room, admeasuring area of about 20 sq.m. each in schemes having minimum 100 flats and thereafter additional 20 sq.m. area for every 300 flats.

ii) Sanitary block for servants having maximum area of 3.00 sq.m. in schemes having minimum 100 flats and thereafter additional 3.00 sq.m. area for every 200 flats.

iii) Drivers room of size 12 sq.m. with attached toilet in schemes having minimum 100 flats and thereafter additional 10 sq.m. area for every 300 flats.

PART – III

LAND USE CLASSIFICATION AND PERMISSIBLE USES.

19.1 RESIDENTIAL ZONE - R 1

Residential Zone R1 includes Residential plots abutting on roads below 9 m. in congested area and below 12 m. width in outside congested area.

19.1.1 The following uses and accessory uses to the principal use shall be permitted in buildings or premises in Zone R1, subject to other regulations:

(i) Any residences.
(ii) Hostels for students / working men/women, with or without boarding facilities.
(iii) Old age home in independent building on road having width 9.00 meter and above,
(iv) Customary Home occupation i.e. occupations customarily carried out by the members of the household without employing hired labour and shall include stitching, embroidery, button making etc. with or without motive power. If motive power is used, the total electricity load should not exceed 1 HP.
(v) Medical and Dental Practitioner's Dispensaries including pathological laboratory, diagnostic clinics, polyclinics, counselling centre, clinics, to be permitted on any floor. Maternity homes, clinics, nursing home with indoor patients on ground or stilt floor or on first floor with separate means of access of staircase from within the building or outside, may be permitted but not within the prescribed marginal open spaces in any case and with the special permission of Commissioner. Maternity Homes and Hospitals are permitted for maximum 20 beds.
(vi) Professional Offices in residential tenement for own purpose not exceeding carpet area of 50 sq. m. each.
(vii) Community halls, welfare centre, gymnasia (each not exceeding 150 sq.m.)
(viii) Primary and nursery schools including students' hostels in independent buildings, on widths of roads 9.00 m. or above and nursery schools on road having width 6.00 meter or above.
(ix) Crèche, Day-care centre in an independent building or parts of building upto 50 sq.m.
(x) Private coaching classes, mess in an independent building or parts of building upto50 sq.m. with strictly subjected to separate parking facility in the same premises.
(xi) Religious buildings.
(xii) Public/ City Libraries and Museums in independent building or on any floor of the building with special permission of Metropolitan Commissioner if the user will not create nuisance to the occupant of the building.
(xiii) Club Houses or gymkhanas, not conducted as a business, on independent plots which may have an extension counter or only branch of a bank, in such club-houses or gymkhana.
(xiv) Public Parks or Private Parks, gardens, Yoga Centres and play field in independent plots not being used for business purpose, but not amusement parks.
(xv) Bus shelters, Taxi-Rickshaw stands trolley bus shelters, Railway Station, Metro station, BRT stand, cycle stand.
(xvi) Convenience shops not more than 20 sq. m., each only on ground floor, for the purposes of food grain shops (Ration shops). Pan shops Tobacconist, Shops for collection and distribution of cloths and other materials for cleaning and dyeing establishments, Darners, Tailors, Groceries, Confectionery and other general provisions. Hair dressing saloon and Beauty Parlour, bicycle hire and repair, Hat repair, shoe repair and shining shops, vegetable and fruit stalls/ shops, fish or/and meat shops, Milk shops, Floweriest, Bangles and Newspaper stalls, wood, coal and fuel merchants, Book and stationery etc. Medicine and Chemist shops, watch& mobile repairs and motorcycle repair shops. The Commissioner may from time to time add or alter or amend the above list.
(xvii) Police Station, police chowky, Government and Metropolitan sub-offices, posts and Telegraph Offices, Branch offices of Banks, with safe Deposit Vaults, Electrical substations, Fire Aid posts along with home-guards and Civil Defence Centres, essential

Public utility and Pumping stations and water installations and ancillary structures thereof required to cater to the local area.

(xviii) Electronic Industry of the Assembly type (not manufacturing type) with the following restrictions –
(a) Motive Power shall not exceed 1 H.P.
(b) Area occupied shall not exceed 100 sq.m.
(xix) Information technology establishment (ITE) (pertaining to software only) on the plots/ premises fronting on roads having width 9.00 m. and above.
(xx) Flour mill and wet / dry masala grinding / book binding subject to following conditions:
(a) It is located on ground floor.
(b) Adequate care has been taken in structural design.
(c) It does not cause any nuisance to the neighbor and residents of upper floor.
(d) Power requirement does not exceed 10 hp. Additional H.P. if required, may be granted with special written permission of Commissioner.
(xxi) Places for disposal, for human bodies, like Burial grounds, cremation grounds on a road having width of 9 m. and above subject to the approval from PMRDA.
(xxii) Agricultural, horticultural and allied uses (except agro-based industries).
(xxiii) Raisin Production
(xxiv) Roads, bridges, culverts and construction of any modes of transportation.
(xxv) Any other use allowed in consultation with the Metropolitan Commissioner, PMRDA in accordance with the intend and spirit of these Regulations.

19.2 RESIDENTIAL ZONE R-2

Residential Zone R2 includes Residential plots abutting on road having existing or proposed width 9 m. and above in congested area and 12 m. and above outside congested area

19.2.1 In this zone the following uses, along with their ancillary uses, mix uses may be permitted:

i) All uses permissible in R-1 shall be permitted in R-2 zone, without restrictions on built-up area.
ii) Shopping malls, Stores or shops for the conduct of retail business including departmental stores. Storage and sale of combustible materials shall not normally be permitted except with the special permission of the concerned authority.
iii) Any activity of Government or semi- Government and of their authorities, including offices, training centers and like uses.
iv) Personal service establishments: professional offices.
v) Radio broadcasting stations and studio, telephone exchanges, mobile towers.
vi) Frozen food lockers, fast food and vending stalls.
vii) Tailor shops, embroidery shops and button – hole making shops, not employing more than 9 persons with individual motors not exceeding 1 H. P. and total H. P. not exceeding 3.
viii) Cleaning and pressing establishments for clothes not employing solvents with flash point lower than 1380F machines with dry load capacity exceeding 30 kg and more than 9 persons and provided that total power requirement does not exceed 4 KW;
ix) Shops for goldsmiths, locksmiths, watch and clock repairs, optical glass grinding and repairs, musical instrument repairs, picture framing, radio and household appliances repairs, upholstery and diamond cutting and polishing not employing, more than 9 persons with individual motors not exceeding 1 H. P. and total H. P. not exceeding 3 H. P.
x) Coffee grinding with electric motive power not exceeding 1 H.P.
xi) Bakeries with no floor above not occupying for production and area in excess of 75 sq.m. and not employing more than 9 persons ,provided that the power requirements does not exceed 4KW.
xii) Printing press as per table of service industries, posters, flex board printing shops.
xiii) Electronic industry of assembly type (and not manufacturing type)
xiv) Diamond cutting and polishing; not employing more than 6persons with motive power and exceeding 1/2 H.P.

xv) Auto part stores and show rooms for motor vehicles and machinery.
xvi) Sale of used or second hand goods or merchandise (not junk, cotton waste, rage or other materials of offensive nature).
xvii) Club houses or other recreational activities, conducted as business.
xviii) Storage of furniture and household goods.
xix) Repairs to all household articles (excluding auto vehicle).
xx) Veterinary dispensaries and hospitals.
xxi) Animal pounds.
xxii) Repair, cleaning shops and analytical, experimental or testing laboratories not employing more than 15 persons in the industrial activity but not including cleaning and dyeing establishment using a cleaning or dyeing fluid having a flash point lower than 60 degree C. and machines with dry load capacity of 30 kg. for any establishment carrying on activities that are noxious or offensive because of emission of odour, dust, smoke, gas, noise or vibration or other-wise dangerous to public health and safety, provided that the motive power requirement of such establishment does not exceed 10 H. P.
xxiii) Accessory uses customarily incidental to any permitted principal use including storage space, up to 50% of the total floor area used for the principal use.
xxiv) Paper box manufacturing including paper cutting, not employing more than 9 persons, with motive power not exceeding 5 H. P. and area not more than 50 sq. m.
xxv) Mattress making and cotton cleaning, not employing more than 9 persons with motive power not exceeding 3 H.P. and area not more than 50 sq. m.
xxvi) Establishment requiring power for sealing tin, packages, etc. not employing more than 9 persons, with motive power not exceeding 3 H.P.
xxvii) Commercial halls, exhibition halls, community halls, welfare centre, gymnasia, etc.
xxviii) Air-conditioned Cinema theatres & Multiplex.
xxix) Art galleries, aquariums;
xxx) Museums in independent structures or restricted to ground floors or on first floor in a stilted building;
xxxi) Research, experimental and testing laboratories not involving any danger of fire or explosion nor of any noxious nature and located on a site not less than 4 Ha. in area and when the laboratory is kept at least 30 m. from any of the boundaries of the site and the necessary residential buildings 30 m from the laboratory.
xxxii) Restaurants, eating houses, cafeteria, ice - cream and milk bars.
xxxiii) Establishment for preparation and sale of eatables not occupying for production an area in excess of 75 sq. m. per establishment and not employing more than 9 persons. Sugarcane and fruit juice crushers not employing more than 6 persons with 1.5 H.P. with area not more than 25 sq.m. shall also come under that sub regulation
xxxiv) Repairing garages not employing more than 9 persons and 2 H.P. motive power in the industrial activity with no floor above.
xxxv) Battery charging and repairing, not employing more than 6 persons with an area not more than 25 sq.m. and not more than 2 chargers with power not exceeding 5 KW.
xxxvi) Photographic studios and laboratories with not more than 50 sq. m. area, not employing more than 9 persons and not using power more than 3 H. P.
xxxvii) Showroom for Distribution and sale of LPG;
xxxviii) Coal and Firewood Shops.
xxxix) Group medical centres, Polyclinics, on separate floors, preferably ground floor, pathology laboratories.
xl) Residential Hotels, Boarding and Lodging shall be permitted in independent building or parts of building, but on separate floors.
xli) Book Depot, Medicine and chemist shops.
xlii) Business/ corporate office on any floor.
xliii) IT buildings & office buildings
xliv) Office and showroom of LPG cylinders, not exceeding 100 kg.in aggregate, without storage of cylinders.
xlv) Photographic studios and laboratories not using power more than 5 H.P. and employing not more than 9 persons;
xlvi) Highway amenities as permitted in Agriculture zone with FSI at par with residential zone.
xlvii) Trade or other similar schools not involving any danger of fire or explosion nor of

offensive noise, vibration, smoke, dust, odour, glare, heat or other objectionable influences

xlviii) Repairing garages

xlix) Yoga centers.

xlx) All other commercial users as may be deemed fit by the Metropolitan Commissioner.

Note: The Metropolitan Commissioner may from time to time add to amend the above list in consultation with Director of Town Planning, Maharashtra State, Pune.

19.2.2 The following uses shall be permitted only if it is conducted in independent premises / building:

The following uses shall be permitted in independent premises / building:

i) Drive - in - theatres, theatres, cinema houses multiplex, club houses, assembly or concert halls, Mangal karyalaya, dance and music studios and such other places of entertainment.

ii) Petrol filling and CNG service stations with ancillary facilities including convenience shopping.

iii) Colleges, Secondary Schools, Trade or other similar schools.

iv) Storage and sale of kerosene not exceeding 1000 liters in groceries and approved ration shops on retail basis.

v) Bulk storage and sale of kerosene not exceeding 13000 liters in separate godowns confirming to the existing regulations of Chief Controller of Explosives, Government of India, provided further that the applicant shall make adequate firefighting arrangements at his cost in his plot to the entire satisfaction of the Metropolitan Commissioner.

vi) Storage and sale of LPG in cylinders not exceeding 6300 kg. in a separate godown confirming to the existing regulations of Chief Controller of Explosives, Government of India provided further that the applicant shall make adequate firefighting arrangements at his cost in his plot to the entire satisfaction of the Metropolitan Commissioner.

vii) Parking of automobiles and other light vehicles on open plots even as a business.

viii) General Agriculture and Horticulture, domestic poultry upto the use of 20 birds per plot and with a space requirement of 0.25 sq. m. per bird.

ix) Correctional and mental institutions, institutions for the children, the aged or widows, sanatoria and hospitals in independent building facing on roads of width not less than 15 m. (except veterinary hospitals) provided that those principally for contagious diseases, the insane or for correctional purposes shall be located not less than 45 m. from any residential premises.

x) Residential hotels of 2 to 5 star categories.

xi) Vegetable, fruit, flour, fish or meat market place

xii) Service Industries- The Service Industries may be permitted in independent building (independent designated plot) in R2 and Commercial zones along with the limitation of area, maximum number of persons to be employed, maximum permissible power requirement and the special conditions if any as given in Appendix – L, for service industries. The Service Industries shall also be permissible in the buffer zone falling within 5 km distance from the PMC and PCMC Boundaries.

Note: - Drive-in theatres, theatres, cinemas, club-houses, assembly or concert halls and such other places of entertainment shall be allowed on roads having width exceeding 15m and more. These users may be permitted in combination with permissible non-residential uses except that of petrol pump, with the special permission of the Metropolitan Commissioner. However, in the case of a cinema/theatre the front open space shall be minimum 12m. and the side and rear open spaces shall not be less than 6m. Provided that, in the case of development and/or re-development of a cinema/theatre the user as mentioned above may be permitted in combination with the permissible users in a residential R-2 zone.

However, residential user in combination with that of a cinema/theatre may not be allowed in the same building.

Provided further that, on plot/lands where there is an existing cinema Theatres,

redevelopment of the plots shall be allowed subject to the condition that at least 1/3rd of the existing seats shall be retained, which shall not be below 150 seats and may be developed in combination with user permissible in R2 zone. Provided also that, if redevelopment of existing cinema theatre is not possible considering the other requirement in these regulations, in such case user permissible in adjoining land shall be permissible with the special permission of Metropolitan Commissioner.

19.3 SLUM IMPROVEMENT ZONE - *Deleted*

19.4 COMMERCIAL ZONE

19.4.1 In commercial zones, buildings or premises shall be used only for the uses and purposes given in Regulation No. 19.4.2 subject to the following conditions:

(a) all goods offered for sale shall be displayed within the building excluding passages;

(b) when the commercial zone boundary falls short of a street, the frontage along such street shall not be permitted to be developed for uses which would not be permissible along such streets and;

(c) when user other than those permissible in a residential zone without a shop line (R1) have an access from the side or rear open spaces, the width of the such open spaces shall not be less than 7m.

19.4.2 Uses Permissible in Commercial Zone :

i) Any use permitted in residential zone without area and floor restrictions.

ii) Club, business houses, veterinary- dispensaries, testing labs, paper and plastic packing bags and boxes manufacturing, mattress making.

iii) Business Offices and exchanges.

iv) Whole -sale establishments with storage area not exceeding 200 sq. m. subject to fire protection requirements.

v) Public utility buildings.

vi) Headquarters organizations.

19.5 CENTRAL BUSINESS DISTRICT ZONE – *Deleted*

19.6 INDUSTRIAL ZONE

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

The following users shall be permissible in Industrial Zone.

i) The service industries as listed in Appendix –L without restrictions on power requirement, employment, floor area and other restrictions.

ii) Any industry / industries may be permitted only if the location is appropriate and is not likely to cause nuisance or hazard to adjoining owners. Minimum buffer open space / set back (which may include marginal distance and road width if any) from the boundary of industrial zone 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.

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

Provided further that, if the land under industrial zone is utilized entirely for IT /

ITES purposes, such buffer open space shall not be necessary.

iii) Building or premises in industrial zone may be used for any industrial as well as accessory uses like banks, canteens, welfare centre and such other common purposes considered necessary for the industrial workers, quarters of watchmen, caretakers or other essential staff required to be maintained on the premises. Such residential/commercial/other uses may be permitted up to 25% of the total proposed built-up area of such industrial use.

Provided that, the Industries shall also be permissible in the buffer zone falling within 5 km distance from the PMC and PCMC Boundaries.

iv) Following uses may also be permitted (Subject to provisions of separate entry & exit) to such users:

(a) Parking lots,
(b) Building of public utility concerns,
(c) The buildings of Banks,
(d) Residential Hotels, Restaurants,
(e) Storage Buildings,
(f) Drive-in -Theatres, cinema or theatres, subject to provision of provision of the Maharashtra Cinemas (Regulation) Act,
(g) Highway amenities as permitted in Agriculture zone with FSI at par with Industrial zone,
(h) Industrial training centre/ institute,
(i) Information Technology Establishments. (IT/ITES),
(j) Bio technology units,
(k) Petrol pumps and service Station.

v) Allowing Residential / Commercial User In Industrial Zone (I to R Provision):-

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

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

i) Such user shall be allowed only on payments of Premium at the rate 20 % of the land value arrived as per Annual Statement of rates (without considering the guidelines therein) of the respective year.
ii) The Residential/ Commercial user in respect of industries which are not in operation shall not be permitted unless NOC from Labour Commissioner, Maharashtra State, Mumbai stating that all legal dues have been paid to the workers or satisfactory arrangement between management and workers have been made, is obtained. However, in respect of any open land in the Industrial Zone where industry never existed, NOC from Labour Commissioner shall not be required.
iii) In the layout or sub-division of such land admeasuring upto 2 Ha., 10% land for public utilities and amenities, like electric sub-station, bus-station, sub-post office, police out–post and such other amenities/utilities as may be considered necessary shall be provided.
iv) In such layouts of sub-division having area more than 2 Ha. and upto 5 hect., 20% land shall be provided for public utilities and amenities like electric sub-station, bus-station, sub- post office, police out- post, garden, playground, school, dispensary and such other amenities/utilities as may be considered necessary.

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

vi) With the special written permission of the Metropolitan Commissioner, the land having area up to 0.20 hectare in size which are allocated for industrial use may be permitted to be used for Residential purpose or any other permissible users in Residential Zone. Provided that, in such case the owner / developer shall be required to provide either by providing 10% amenity space in the form of open land or 5% built up space in the proposed construction at appropriate location preferably on ground floor. In such case, TDR in accordance with Regulation No.46.4.2 shall be granted to the land owner/developer.

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

Provided that, at least 50% of total land provided for public amenity/ utility space shall be reserved for unbuildable purposes such as garden, recreational ground, etc.

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

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

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

e) Provision for Amenity Spaces shall be considered to be reservations in the Regional Plan and Transferable Development Rights against such amenity as per Regulation No.15.4 may be given or FSI of the same equivalent to the TDR quantum shall be available for utilisation on the remaining land. Moreover, the owner shall be entitled to develop remaining land with permissible TDR potential including the land under amenity space subject to maximum permissible limit of FSI (Maximum Building Potential) as mentioned in Regulation No.20.3.
provided that,

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

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

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

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

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

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

19.7 AGRICULTURAL ZONE / NO DEVELOPMENT ZONE

The following uses shall be permissible:-

(i) All agricultural uses including stabling of Cattles up to the limit of 10 animals per hectare.
(ii) Poultry Farms.
(iii) Public/semi-public sector utility establishments such as electric sub-stations, receiving stations, switch yards, over-head line corridors, radio and television stations, receiving stations, main stations for public gas distribution, sewage treatment and disposal works, water works along with residential quarters for essential staff required for such works, with the special permission of Metropolitan Commissioner.
(iv) Garden, forestry, nursery, public parks, private parks; play fields, summer camps for recreation of all types.
(v) Golf Course and Links, Race tracks, and shooting ranges with necessary safety measures.
(vi) L.P.G. Godown, subject to following conditions:
a) Minimum plot size and area of the plot shall be as given below.

Sr. No.	Qty. of LPG in Kgs	Total area requirement for storage shed (Sq.Meter)	Safety Clearance required all around in Meters	Preferable size of land with parking area of 6M wide on front side
1	5000	55	6	21M x 26M
2	8000	88	7	25M x 30M
3	10000	110	8	28M x 33M
4	12000	132	9	31M x 36M

b) Land should be free from live overhead power transmission or telephone lines.
c) The length of the storage shed should not be more than 1.5 times of width of storage shed.
d) The land should not be situated in low lying area.
e) The land should not be situated in congested area or gaothan
f) The maximum permissible FSI shall be 20% on this plot.
g) Only ground floor structure shall be permissible.
h) It is necessary to obtain―No Objection Certificate‖ from Controller of Explosives and competent fire authority.
(vii) Petrol/ Diesel /LPG /CNG, Pump subject to FSI up to 20% on gross area and subject to other provisions prescribed in regulations for special occupancies.
(viii) Pottery manufacture.
(ix) Storage and drying of fertilizer.
(x) Farm **houses** subject to following conditions:-
a) Minimum plot area under above use shall be 0.4 Ha.
b) The land in which it is to be constructed is actually put under agricultural use.
c) Farm house shall be permitted by the Metropolitan Commissioner only after the requisite permission for farm house is obtained by the owner from the collector under the provisions of Maharashtra Land Revenue Code, 1966 and attested certified copy of such permission is attached with the application under Section 44 of the Maharashtra Regional and Town Planning Act, 1966.
d) The FSI shall not exceed 0.0375 subject to a maximum built up area of 400 sq.m. in any case. Only ground floor structure with or without stilt shall be permissible.
(xi) Swimming pools / sports and games, health clubs, cafeteria, canteen, tennis courts, etc.
(xii) Amusement park.
a) Amusement park with minimum plot area of 1.00 hect. With recreational and amusement devices like a giant wheel, roller coaster, merry-go-round or similar rides both indoor and outdoor, oceanic -park, swimming pool, magic mountain and lake, ethnic village, shops for souvenirs/citations, toys, goods, as principal uses and ancillary activities such as administrative offices, exhibition hall or auditorium, open air theatre, essential staff quarters, store buildings, fast food shops, museum, souvenir and small shops, ancillary structures to swimming pool ancillary constructions. Maximum permissible FSI shall be
b) 0.20 .i.e. FSI of 0.15 for principal activity and 0.05 for ancillary activities.

c) The required infrastructure, like proper and adequate access to the park, water supply, sanitation, conservancy services, sewage disposal and adequate off-street parking will have to be provided and maintained by the promoters of the project at their cost and to the satisfaction of the Metropolitan Commissioner.
d) The promoters of the project shall provide adequate facilities for collection and disposal of garbage at their cost, and to the satisfaction of the Metropolitan Commissioner and will keep, at all times, the entire environment clean, neat and hygienic.
e) Structures permitted in the amusement park (except those intended for park apparatus, entertainment such as magic mountain etc. and other equipment) should be ground floor structures, with the construction blending with the surrounding environment and landscape.
f) Except for minor dressing, hills and natural features, if any, shall be maintained in their natural condition and beautified with planting of trees etc.
g) All trees already growing on the land shall be preserved to the extent possible, except that if it becomes necessary to cut any tree, the required permission of the Metropolitan
h) Commissioner should be obtained under the relevant Act. At least 5 trees (of indigenous species) per 100 sq. m. shall be planted and grown within the area of the park.
i) Sufficient parking facilities and ancillary facilities for cars, buses, transport vehicles etc. shall be provided on site as prescribed by and to the satisfaction of the Metropolitan Commissioner.
j) The promoters of the project will prepare a suitable layout with appropriate landscaping of the recreational and other facilities and obtain approval of the Metropolitan Commissioner.
k) The development shall be regulated according to other requirements of these and all applicable rules and Regulations and subject to all other clearances as may be required.
l) Proper arrangements for safety, Regulations of traffic approaches to the park etc. shall be made to the satisfaction of the Metropolitan Commissioner and Police, from the law and order and traffic aspects.

(xiii) Mobile Towers with ancillary equipment as specified in Regulation no.45.0

(xiv) The following users shall be permitted as per the policies decided by the Government from time to time:

a) IT/ITES parks/units in no development zone.
b) Research and Development institutions / Centers on following conditions:
    1. The area of land shall be minimum 10 hectare.
    2. FSI permissible shall be maximum 0.20 on gross plot area after deducting area under R.P. Road/D.P. Road/ Reservation/deemed reservation, if any.
    3. Construction of staff quarters related to such institutions/center shall be permissible to the extent of 50% of the total proposed built-up area for such institution/center.
    4. Trees of indigenous species shall be planted at the rate of 500 trees per hectare.
    5. Research and Development of hazardous chemical and explosives may be permitted with the special permission of Metropolitan Commissioner which may be granted after compliance of all safety measures and certification from concerned Government Authorities.
c) Bio-technology unit / B.T. Park.
d) Regulation for Integrated Wayside Amenities:
    1. Integrated Wayside Amenities may be permitted to be developed on plots of land having a minimum area of 10,000 sq.mtr. falling in Agriculture Zone / No Development Zone and abutting to National Highways / State Highways as per the details given in Table-I hereinbelow : -

Table-I

Category	**Amenities to be Provided**	**Maximum No. of Floors Allowed**
Integrated Wayside Amenities	• PETROL PUMP / CNG FILLING STATION	G
	• SALES AND ADMINISTRATIVE OFFICE	G+1
	• SERVICE AND REPAIR CENTRE, AUTO SPARE PART SHOP	G

	• PUBLIC TOILET	G
	• RESTROOM AND CANTEEN FOR EMPLOYEES WORKING ON SITE AND TRUCK DRIVERS.	G+1
	• MOTEL	G+1
	• RESTAURANT	G+1
	• HIGHWAY MALL/HYPER MARKET/MEDICINE STORE	G+1
	• PARKING FOR LMVS AND HMVS	G
	• BANK ATMS	G

Provided that, additional amenities as per the Table-II hereinbelow, over and above the amenities listed in Table-I shall be required to be provided by the concerned plot owner / Developer, only if directed to do so by the PMRDA, as the case may be in the light of local needs or the requirements of any Government Department or Government Agency.

Table-II

Category	**Additional Amenities**	**Maximum No. of Floors Allowed**
Additional amenities which may be prescribed by the PMRDA as per local requirement or in view of demand from the concerned Government Department / Government Agency.	• POLICE CHOWKI, IF REQUIRED BY COMMISSIONER OF POLICE / SUPERINTENDENT OF POLICE	G
	• HIGHWAY AMBULANCE PARKING, TRAUMA CENTRE, IF REQUIRED BY THE DIRECTOR OF HEALTH SERVICES	G+1
	• FREIGHT WEIGH-BRIDGE, LOADING AND UNLOADING, IF REQUIRED BY RTO.	G

2. Maximum FSI up to 0.50 on gross plot area shall be permissible for the above integrated wayside amenities. Provided that FSI above the basic permissible 0.10 FSI up to 0.5 may be granted by the PMRDA on payment of premium at the rate of 30% of the land rate of the said land mentioned in the Annual Statement of Rates (ASR) for the year in which such additional FSI is granted. Such premium shall be deposited in the office of the PMRDA.

(xv) Ancillary service industries for agriculture produce marketing and management, ancillary service uses for agro related products like flowers, fruits, vegetables, poultry products, marine products, related collection centres, auction hall, godowns, grading services and packing units, knowledge parks, cold storages, utility services (like banking, insurance, post office services) as service industries for agriculture produce marketing on the land owned by individuals / organizations with FSI of **0.10**.

Provided that, the Industries shall also be permissible in the buffer zone falling within 5 km distance from the PMC and PCMC Boundaries. The non-polluting, non-hazardous Industries shall also be permissible in sectors N, O, R of Regional Plan of Pune subject to the FSI and other restrictions of sectors N, O, R.

Provided further that additional FSI over and above the basic permissible FSI, the bonafide industrial use in No Development Zone may be granted by the Metropolitan Commissioner as per the following Table and subject to the conditions mentioned below: -

Sr. No.	**Width of road abutting the Plot of Land**	**Basic Permissible FSI***	**Additional FSI***	**Maximum Permissible FSI***
1	2	3	4	5
1	Road having width of 12 mt. but less than 18 mt.	0.10	0.60	0.70
2	Road having width of 18 mt. and above	0.10	0.90	1.00

(*FSI indicated in the Table above is calculated over the entire plot area.)

Conditions: -

1. The additional FSI as mentioned in Column No. 4 of the Table above is to be granted only on payment of premium at the rate of 30% of the land rate of the said land as prescribed in the ASR of the year of granting such additional FSI. Such premium shall be deposited in the Office of the PMRDA.
2. The Metropolitan Commissioner shall ensure that additional FSI under this Regulation is granted for bonafide Industrial use. If the owner avail such additional FSI, then ground coverage shall be the coverage after proposing required marginal distance as per these Regulations.
3. All other Regulations as applicable to the Industrial Zone, shall apply to the building constructed under these Regulations.

(xvi) Solid waste management, land fill sites, bio-gas plants, power generation from waste.
(xvii) Power generation from non-conventional sources of energy. Area covered under solar panels shall not be counted in FSI.
(xviii) Brick, tile manufacture.
(xix) Fish Farming.
(xx) Religious buildings subject to conditions as may be prescribed by Planning Authority.
(xxi) Slaughter house or Facilities for processing and disposal of dead animals with the special permission of PMRDA.
(xxii) Cemeteries and crematoria and structure incidental thereto.
(xxiii) Mangal karyalaya / lawns.

a) Minimum area for mangal karyalaya shall be 0.40 hect. with FSI of 0.20. It may be permitted along with essential guest rooms not exceeding 30% of the area of mangal karyalaya. Area for parking shall be 40% of gross area which shall be properly earmarked and bounded by bifurcating wall.
b) Lawns for ceremony shall be 0.80 hect. with FSI of 0.10. Area for parking shall be 40% of gross area.
c) The plot for mangal karyalaya or lawn shall abut on road having width of minimum 15m.
d) Such user (Mangal karyalaya and Lawns) shall be allowed only on payments of premium at the rate 10 % of the land value arrived as per Annual Statement of rates (without considering the guidelines therein) of the respective year.

(xxiv) Bus Terminus.
(xxv) public or private road.
(xxvi) In the villages where no specific residential zone is shown, residential development may be permitted -

a) within a belt of 500 meters from the gaothan limits of settlements having a population of less than or equal to 5000 as per the latest Census and,
b) within a belt of 1500 meters from the gaothan limits in the case of non-municipal settlements having a population of more than 5000 as per the latest Census.
c) in case of settlements of both the categories, mentioned above, falling in the planning areas of Zone Plans, such distance from the gaothan limits shall be 500 meters only.
d) in the case of village settlements in the western ghat hilly area of the district, such residential development may be restricted to a belt of 200 meters from the gaothan limits.

For the purpose of this regulation, Western Ghat area shall be the area as declared and notified by the Ministry of Environment and Forests Department, New Delhi vide their Notification No.F.No.1-4/ 2012-RE(Pt.) Dt.13/11/2013 and amended from time to time.

Provided that such Residential development in the aforesaid belt in all the categories mentioned above (i) to (iv) shall not be permissible on lands which deserve preservation or protection from environmental considerations, viz, hills and hill-tops, and belts of 200 meters from the H.F.L.s of major lakes etc.

Notwithstanding anything contained in the above regulation, such residential

development in Agriculture/No development Zone shall be permitted only on payment of premium of the total area of land. Such premium shall be calculated considering ***15%*** *rate of the said land as prescribed in the Annual Statement of Rates of the year granting such residential developments;* such premium shall be further reduced to **10%** in case of the development undertaken under regulation no.*21.9. A. The directives issued by Government vide TPS-1815/CR-49/15/UD-13, Dt.08/03/2017 considered wherever necessary for calculating premium mentioned above.*

Provided further that where more than 50 percent of area of the Survey Number/Gat Number is covered within the above peripheral distance then the remaining whole of such Survey Number / Gat Number within one ownership shall be considered for development on payment of premium as above.

Provided further that, the "distance from gaothan" criteria shall also be applicable to the plots from the nearest goathan of any village.

(xxvii) Development of buildings of educational and medical institutions, run by Government / Public Authorities or run by Public Charitable Trusts may be permitted in Agriculture *I* No Development Zone with built up area upto 1/5th (i.e. 20%) of the net plot area, having at the most ground plus one storey, subject to plantation of trees at the rate of 5 trees per Are on the plot.

Provided that additional FSI over and above the basic FST permissible above may be granted by the Metropolitan Commissioner as per the following Table and subject to the conditions mentioned below: -

Sr. No.	Land Fronting on Road	Basic Permissible FSI on Net Plot Area	Additional FSI*	Maximum Permissible FSI	Note
1	2	3	4	5	6
1	Road having width of 12 mt. and abobe but less than 18 mt.	0.2	0.5	0.7	The building height above 15 mt. subject to maximum up to 30 mt. or as mentioned in Maharashtra Fire Prevention and Life Safety Measure Act, 2006 shall be allowed after clearance / No Objection Certificate from the Fire Advisor/Chief Fire Officer
2	Road having width of 18 mt. above	0.2	0.8	1.0	

Conditions:-

a) The additional FSI as mentioned in Column No. 4 of the Table above is to be granted only on payment of premium and on the conditions as specified vide Government directives No.TPS-1815/2647/CR-13/15/UD-13, dt.14/03/2016. The Land Area considered for premium shall be equal to additional FSI / Built-Up area granted.
b) In case the educational use involves the nursery and elementary Schools, such nursery and elementary Schools shall be housed in single building with maximum Ground + 2 floor.
c) Regulation No. 21 of the Standardised Development Control and Promotion Regulations shall apply to the above buildings constructed under this Regulation.

(xxviii) Additional FSI in Agriculture / No-Development Zone for three stars and above category Hotels along National and State Highways shall be permissible subject to following conditions: -

a) Development of buildings for three stars and above category Hotels in No Development Zone along National and State Highways shall be permissible on independent plot up to FSI limit of 0.10 on gross plot area.
b) Additional FSI up to 0.90 on gross plot area, over and above the basic FSI permissible under clause (a) above, may be granted by the Metropolitan Commissioner on payment of premium and on the conditions as specified vide Government directives No.TPS-

1815/2647/CR-13/15/UD-13, dt.14/3/2016. The land area considered for premium shall be equal to additional FSI/Built-Up area granted.

c) All other regulations, as applicable to Residential Zone, shall apply to the layout and buildings constructed under this Regulation.

xxviv) Development of Tourism and Hospitality Services under Community Nature Conservancy around wild life sanctuaries and national parks in PMR Area as per Appendix-T.

19.8 GREEN BELT

19.8.1 Following uses shall be permissible

(i) Agriculture,

(ii) Tree Plantation, Gardens, Landscaping, public park Landscaping, Forestry and Nursery etc.

(iii) River front development by Metropolitan PMRDA, or any institution authorised on behalf of Metropolitan Commissioner, PMRDA.

(iv) Development of pedestrian pathways, Jogging track, Cycle track, Boat club etc.

(v) Swimming pool, club house, recreational facilities after leaving marginal distance of 15 m. belt along river bank and 9.0m. from nalas, respectively subject to FSI of 10% with ground floor structure only, provided that no such construction shall be allowed within the blue line.

(vi) Public toilets as per requirement provided that no such construction shall be allowed within the blue line.

(vii) Recreational open space of any layout/ sub-division/ development proposals, if submitted along with the developable land adjoining to such green belt, after leaving marginal distances of minimum 15m. and 9.0m. from river and nalas, respectively, (clarification – it is clarified that the FSI of the land under green belt zone shall be permissible to be utilized on the land adjoining but outside such green belt zone.)

19.8.2 The users and its extent shall be permissible in such Recreational open space, as prescribed in the regulation of Green Belt as mentioned above, provided that no such construction shall be allowed within the blue line.

19.8.3 If the land under green belt zone, excepting open space therein if any, is required by Metropolitan Commissioner for the public purposes mentioned above, the owner shall hand over the possession of such land for the development and maintenance of public purposes. Thereafter, such land shall remain open and accessible to general public for recreational activities.

Provided that, FSI of such land under Green Belt zone shall be permissible only after handing over such land to the PMRDA free of cost and free from encumbrances.

19.8.4 The side/rear marginal distances for the proposed building adjoining to river / nala shall be maximum of-side / rear marginal distance, to be measured from river/nala, as required according to height of building or 4.5 m. from the dividing line between green belt zone and the other developable zone.

19.9 Hill Top & Hill Slope Zone in PMR: These areas shall be exclusively used for tree plantation & no construction of any sort including farmhouse/forest house shall be permitted in this zone except for users permissible as per 40.2 and users allowed vide G.R.No.TPS-1812/1065/CR-257/13/पु.बा.क्र.88/UD-13, dt.14/08/2014.

19.10 PUBLIC /SEMI PUBLIC ZONE.

A) User to be permitted- The following uses shall be permissible:

(i) Schools, Colleges, Educational Complex, Training institutions, Hostels for students and essential staff quarters.

(ii) Home for the aged, Hospitals, Sanatoria, Dispensary, Maternity Homes, Health Centre, and related health facilities with ancillary structures like quarters, Dharmashala, veterinary hospital, etc,

(iii) Offices and essential staff quarters of the Government/ Semi Government and/or its authority/ Local Self-Government.

(iv) Public/semi-public sector utility and transport establishments / institutions of research, education and health

(v) Library, Mangal karyalaya, Gymnasium, Gymkhana, Stadium, Community hall, Civic and Cultural Centres, Religious Structures, auditorium etc.

(vi) Commercial use upto 15% of proposed built-up area by considering the permissible basic FSI, 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) Additional F. S. I., if otherwise permissible under these regulations, shall be permitted only on the plot area remained after deducting the notional plot area utilised for commercial user.

c) The Metropolitan Commissioner shall not allow sub - division of S. No. / Gat No. / Plot No. on which such a Development which may cause/ has taken place/ would take place.

d) The retail commercial user is permitted upto a depth of 12 m. or in separate building

e) The plots in which there is an existing development; such commercial use shall be restricted to maximum 15% of the existing and proposed development taken together.

f) The land owner / developer / institution shall give guarantee in writing to the Metropolitan Commissioner for following all the stipulated conditions scrupulously. 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 user shall be upto 33%.

(vii) Petrol/LPG/CNG Pumps as per Regulation no.20.2.2(5).

(viii) Nursery, crèches, Spastic rehabilitation centres, orphanages, hostel for Autistic persons and Mentally Retarded persons.

(ix) Fire stations,

(x) Traffic and Transport related facilities,

(xi) Student Hostels and working women's hostel, Special Housing Schemes such as EWS, HDH, PMAY, Old Age Homes and such additional public utility users as decided by the Metropolitan Commissioner of PMRDA.

B) In case any private property is included within the boundary of public and semi-public use and if the owner can establish that the private/ individual ownership of land vest with him, the land use existing/ adjoining to the PSP zone shall be assigned to this piece of land with special written permission of the Metropolitan Commissioner.

19.11 TRAFFIC AND TRANSPORTATION ZONE – Deleted

19.12 DEFENCE ZONE - The developments as may be required by the Ministry of Defence or its Authorities, as per their requirements, shall only be permissible on the lands owned and possessed by the Ministry of Defence or it's Authorities.

19.13 FOREST ZONE - The developments as may be required by the Ministry of Forest or its Authorities, as per their requirements shall only be permissible on the lands owned and possessed by the Ministry/ Department of Forest or it's Authorities.

19.14 RESTRICTIVE ZONE – The area affected by the notification under Works of Defence Act- 1903, is earmarked in the Regional Plan as such and no any development in contravention with the notification shall be permissible.

Provided that, it shall be permissible to treat the area under such restrictive zone as marginal distance at time of construction of any building proposed on contiguous unaffected area.

Provided further 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.

19.15 AFFORESTATION ZONE: The following uses shall be permissible:

In addition to the plantation of trees, forest houses, farm houses meant for the servants/technicians/owner and for storing of fertilizes/forest tourist etc., may be permitted subject to the following regulations-

A. Building for the residential purposes such as forest house, farm house shall have built-up area not exceeding 100 sq.mt. provided that, forest plot area is not less than 0.4 hect., Additional area of 50 sq.mt. may also be permitted for ancillary users. Structures to be erected for these purposes should be of ground floor only and should not have height more than 5 mt. and should be of such material as would blend with the surroundings:

Provided further that, no forest house, farm house should be permitted unless owner has planted at least 800 trees per hect. (or such lesser nos. on the basis of the species selected and approved by the forest department), and only after such trees are reared for one year.

Provided further that, no forest house, farm house will be permitted i) within distance of 100 mtrs, from H.F.L./F.S.L. of the lake ii) and on hill slope steeper than 1:5. Layout of the forest houses may be permitted for areas more than 0.4 hect.

B. Tourist Resort Complexes as per Regulation No. 38.8.

C. Land in the afforestation zone may be permitted to be used for agricultural purposes.

D. Construction of buildings including quarters for essential staff for public utility concerns such as electrical substations, receiving stations, chilling plants, waterworks, sewage disposal works etc.

E. Construction of any communication route, road, railway, airstrips, electric lines etc.

F. In a village, residential development may be permitted within a belt of 200 mts. of gaothan limit along with social amenities necessary with such development. Such developments shall be governed by the Regulations laid under the Residential Zone of these Regulations, provided that the restrictions as laid down in Regulation No. 13.1 (SITES NOT ELIGIBLE FOR CONSTRUCTION OF BUILDING) shall apply to these developments.

G. Ropeway Projects as stipulated in Regulation No. 40.2

H. Planetorium / Astronomical / Astrophysical facilities / projects as stipulated in Regulation No. 40.3

I. Trekking Routes / nature trails / nature walks as stipulated in Regulation No. 40.4.

J. Wayside amenity of Petrol / Diesel /LPG/ CNG pump with or without other wayside amenities as permitted vide G.R.No.TPS-1812/1065/CR-257/13/पु.बा.क्र.88/UD-13, dt.14/08/2014. Wayside amenities such as motels, restaurants etc. permissible with 0.1 FSI, single storied structures with condition of planting 500 trees / hect. within remaining plot area.

K. Registered Public & Private Institutions of repute, mainly engaged in community development, Human Resources Development & ancillary Development, rural upliftment, public health, education & charitable activities may be permitted with F.S.I. restricted to 0.20 of net plot area with structures not more than ground plus one storeyed and trees are planted at the rate of 500 trees per hectare.

L. **<u>Regulation for Integrated Wayside Amenities:</u>**

1. Integrated Wayside Amenities may be permitted to be developed on plots of land having a minimum area of 10,000 sq.mtr. falling in Afforestation Zone and abutting to National Highways / State Highways as per the details given in Table-I hereinbelow :-

Table-I

Category	Amenities to be Provided	Maximum No. of Floors Allowed
Integrated Wayside Amenities	• PETROL PUMP / CNG FILLING STATION	G
	• SALES AND ADMINISTRATIVE OFFICE	G+1
	• SERVICE AND REPAIR CENTRE, AUTO SPARE PART SHOP	G
	• PUBLIC TOILET	G
	• RESTROOM AND CANTEEN FOR EMPLOYEES WORKING ON SITE AND TRUCK DRIVERS.	G+1
	• MOTEL	G+1
	• RESTAURANT	G+1
	• HIGHWAY MALL/HYPER MARKET/MEDICINE STORE	G+1
	• PARKING FOR LMVS AND HMVS	G
	• BANK ATMS	G

Provided that, additional amenities as per the Table-II herein below, over and above the amenities listed in Table-I shall be required to be provided by the concerned plot owner / Developer, only if directed to do so by the PMRDA, as the case may be in the light of local needs or the requirements of any Government Department or Government Agency.

Table-II

Category	Additional Amenities	Maximum No. of Floors Allowed
Additional amenities which may be prescribed by the PMRDA as per local requirement or in view of demand from the concerned Government Department / Government Agency.	• POLICE CHOWKI, IF REQUIRED BY COMMISSIONER OF POLICE / SUPERINTENDENT OF POLICE	G
	• HIGHWAY AMBULANCE PARKING, TRAUMA CENTRE, IF REQUIRED BY THE DIRECTOR OF HEALTH SERVICES	G+1
	• FREIGHT WEIGH-BRIDGE, LOADING AND UNLOADING, IF REQUIRED BY RTO.	G

2. Maximum FSI up to 0.50 on gross plot area shall be permissible for the above integrated wayside amenities. Provided that FSI above the basic permissible 0.10 FSI up to 0.5 may be granted by the PMRDA on payment of premium at the rate of 30% of the land rate of the said land as prescribed in the Annual Statement of Rates (ASR) for the year in which such additional FSI is granted. Such premium shall be deposited in the office of the PMRDA.

M. Development of Tourism and Hospitality Services under Community Nature Conservancy around wild life sanctuaries and national parks in PMR Area as per Appendix T.

PART – IV

GENERAL BUILDING REQURIEMENTS §

SETBACK, MARGINAL DISTANCE, HEIGHT AND PERMISSIBLE FSI

20.0 GENERAL

Following regulations for congested area shall be applicable for the lands included in congested area as shown on the plan. For the areas outside congested area in the development plan, regulation for outside-congested area shall apply. However, in congested area, if the original land holding is more than 0.40 Hect., then regulations of non-congested area except FSI shall apply.

20.1 REGULATIONS FOR CONGESTED AREA

20.1.1 MARGINAL OPEN SPACES, AREA AND HEIGHTLIMITATIONS AND PERMISSIBLE FSI FOR BUILDINGS SITUATED WITHIN CONGESTED AREA

20.1.2 RESIDENTIAL BUILDINGS

(a) Floor Space Index.

Maximum permissible FSI shall be 1.50 for purely residential building and in case of mix residential with commercial or other user, additional FSI, limited to 0.5 only in R-2 zone for non-residential user may be permitted

(b) Marginal Open Spaces/Setback - The minimum front setback from the existing or proposed road shall be as under:-

S.No.	Road width	For Purely Residential	For Mixed Users
(i)	For streets 7.5 m. to less than 12 m. in width	1.00 m.	2.00 m.
(ii)	For streets 12 m to less than 18 m. in width	1.50 m	2.50 m.
(iii)	For streets 18 m & above in width	2.00 m	3.00 m

(c) Side & rear open spaces in meter shall be as below:

Residential Plot Area	Side	Rear
Up to 250 sq. m	0.00	0.00
Above 250 &up to 500 sq. m	1.00	1.00
Above 500 sq. m. &up to 1000 sq.m	2.00	2.00
Above 1000 sq.m.	As per regulation no. 15	

NOTE:-

i) For light and ventilation, provisions in Regulation No.17.4 shall apply.

ii) For common wall construction, length of common wall shall not be more than 8 m.

d) For streets less than 7.5 m. in width, no setback shall be prescribed subject to condition that no lane shall be less than 4.5 m. in width clear of structural projection. For lanes less than 4.5 m. in width, a setback of 2.25 m. shall be prescribed from the centre line of such lane. Streets less than 4.5 m. shall be treated as lanes only when they serve as access to the properties fronting on them

e) Structural projections such as balconies, cornices, weather sheds, roof projections etc. shall be allowed in the setback distance prescribed above as per regulation No. 17.6.

f) Height- The height of the building shall be governed by Regulation No. 17.8.

g) Ground Coverage-The maximum ground coverage shall be 60% of the net plot area

20.1.3 Cinema Theatre, multiplex, assembly-building, shopping malls and like buildings: For these buildings, regulations prescribed in non- congested area, except FSI, shall apply.

20.1.4 Educational, Medical, Institutional, Commercial, Mercantile, and Other Buildings:
(a) Floor Space Index - Maximum FSI permissible shall be 2.00.
(b) Open Space - For these buildings open spaces shall be 3 m. on all sides.
(c) Ground Coverage – The maximum ground coverage shall be 50% of the net plot area

20.1.5 Pathway for access to the internal building or interior part of the building. The pathway shall not be less than 3.6m. (12 ft) in width.

20.1.6 If the width of property is less than 3.6 m. (12 ft), the entire ground floor shall be on stilts.

20.1.7 Front open space as prescribed by the Highway or any other rules shall be applicable if they are over and above as prescribed in these regulations.

20.1.8 The provisions mentioned in above Rule No.20.1.1 to 20.1.6 may be relaxed by the Metropolitan Commissioner in consultation with the Divisional Head of concerned division of the Town Planning Department, Pune, in
special circumstances.

20.2 REGUALTIONS FOR OUTSIDE CONGESTED AREA.

20.2.1 Marginal Distances for Residential Buildings Height 15 mt. and Below.

The provisions for minimum marginal distances as given in **Table No. 16 below** shall apply for the Residential buildings, Residential with mix uses permissible in non-congested areas and ancillary Residential buildings permissible in industrial zones having height upto15 m. and below.

Table No.16

Sr. No.	Description of the road	Min Plot Size in Sq. m.	Min width of plot in meter	Min set back from road side in meter	Min. side margins in meter	Min. rear margins in meter	remarks
1	NH/SH	450	15	6.0 mt. for NH and 4.5 m. for SH or as specified by Highway rule whichever is more	3.0	3.0	--
2	MDR/ODR	450	15	6.00 mt. or as specified by Highway rule whichever is more	3.0	3.0	--
3	Roads 24 meters and above	300	12	4.50 mt. for residential & 6.00 m. for residential with mix use.	3.00	3.0	--
4	Roads of width below 24 m and upto 18 m.	250	10	4.50 mt for residential & 6.00 m. for residential with mix use	3.00	3.0	--

5	Roads of width below 18 m. and upto 15 m.	250	10	3.00 mt for residential & 4.50 m. for residential with mix use	2.25	2.25	--
6	Roads of width below 15 m. and above 9 m.	150	8	3.00 mt for residential & 4.50 m. for residential with mix use	1.50 (in case of semi-detached building, only one side open space shall be permissible)	1.50	Side and rear margins shall be 2.25 m. for building more than G+2 or stilt + 3 structure
7	Road of width upto 9 mt.	100	7	3.00	1.50 (in case of semi-detached building, only one side open space shall be permissible)	1.50	--do-
8	Row Housing on roads of 12 mt. and below	30 to 125	3.50	2.25	0.00(In case of corner plot, 1.50 or building line of adjoining road whichever is more)	1.50	Side and rear margins in this row only for G+1 or stilt + 2 structure
9	Row Housing for EWS / LIG/Slum Up gradation etc. by public authority.	20 to 50	3.00	0.90 mt from pathway or 2.25 mt from road boundary	0.00 (In case of corner plot, 1.50 or building line of adjoining road whichever is more)	0.90m	Side and rear margins in this row only for G+1 or stilt + 2 structure.

Note-

(1) Higher height may be permitted subject to marginal distance mentioned in Regulation No.17.3.
(2) The minimum area of plots fronting on service roads along highways shall be with reference to the width of service road.
(3) For semidetached buildings, side margin shall be on one side only.
(4) Row-housing plots at the junction of two roads shall be larger to maintain the setback from both roads. Not more than 12and not less than 3 plots shall be allowed in each block of row housing. Each block shall be separated from the other by 6 m. road or 6 m. side margin distance of the plot or space including side marginal distance of the plot.
(5) No garage shall be permitted in a building having stilt or basement provided for parking.
(6) Construction of ottas, railings, barricades or supporting columns for canopy or porch shall not be allowed in front marginal distances. However, steps may be permitted within 1.2 m. from the building line. Also supporting columns for canopy or porch may be allowed within building line.
(7) In no case ribbon development rules shall be relaxed without consent of the Highway Authority.
(8) In case of special building, marginal distances shall be as per said regulations.
(9) The plot width to depth ratio shall be 1:1.5 to 1:2.5, as far as possible in case of plotted layout development permission.
(10) In Public Housing Schemes for E.W.S. undertaken by government or semi-government

organizations, marginal distances shall be as per their respective schemes and rules.

(11) The front setback set-out in already approved and partially developed layouts / schemes, may be retained as per said approval, so as to maintain the building line.

(12) The pattern of development like semi-detached, row housing, etc. in already approved layout shall be as per said approved layout.

(13) Where commencement certificate is granted prior to publication of any draft/ revision of Regional/ Development Plan and the said plot is affected by new road proposed in the Revised Regional/Development Plan, then front margin stands relaxed to that extent.

20.2.2 Other Buildings: The Provision as given in Table No.17. below shall apply for different categories of other buildings.

Table No.17

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, Public Semi-public buildings being special building	12 m.	6 m. on all sides	Other requirements shall be as mentioned in the table no.20 of regulation no.21.1
	b) Hospital, Maternity Homes, Health Club, Public Semi-public buildings not being special buildings	12 m.	Margins as per Table no. 16	Other requirements shall be as mentioned in the table no.20 of regulation no.21.1
	c) Clinics on plot up to area 300 sq.m.	9 m.	Margins as per Table no. 16	
2	**Educational buildings**			
	a) Pre-primary School	6m.	Margins as per Table no. 16	Other requirements shall be as mentioned in the table no.20 of regulation no.21.1
	b) Primary School	9m.	6.00 m. on all sides	
	c) Other Educational Buildings	12 m.	6.00 m. on all sides	
3.	Cinema Theatre/ Drama Theatre/ Assembly Hall/ Multiplex / Shopping Malls	15 m.	Front – 12 m. (only on one major road) Remaining 6 m. on all sides	Construction of Cinema Theatre/Multiplex shall confirm to the provisions of Maharashtra Cinema (Regulations) Rules, 1966 and as amended from time to time.
4.	Mangal karyalaya like buildings	12 m.	Front – 12 m. (only on one major road) Remaining 6 m. on all sides	-

5.	Petrol/Fuel Filling Stations with or without service bays	12 m.	6.00 m. on all sides	1) Fuel filling station shall not be permitted within a distance of 90 meter from the nearest gate of school, hospital and theatre, place of assembly or stadium. 2) In the case of kiosks and other buildings for sales office, snack bars etc. within the plot for fuel filling stations, the setbacks from the boundaries shall be 4.50 m. Further the other clearances for the installations shall be as per the Petroleum Rules of 1937.
6.	Mercantile/ Business/ hotel/ Commercial/ mix use with residential buildings.	12 m.	Front 6.00 m. Side & rear 4.5 m.	i) Shops may also be allowed fronting side and rear margins. ii) Minimum area of Shops shall be 6 Sq.mt with a minimum width of 2.00 m.
7.	Stadium / Pavilion	12 m.	6 m. on all sides	Covered portion shall not exceed 20 % of plot area. The spectator's gallery of the stadium shall not be counted towards FSI. Shops below spectator‘s gallery may be permissible.

NOTE:

i) In case of plots fronting on National Highway, State Highway 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.17.3, whichever is more.

iii) In case of special building, marginal distances shall be as per said regulations.

20.3 PERMISSIBLE FSI:-

Permissible basic FSI, additional FSI on payment of premium, Permissible TDR Loading on a plot in non-congested area for **Residential and Residential with mix uses** shall be as per the following Table No. 18

Table No. 18

Sr. No.	Road width in meter	Basic FSI	Additional FSI on payment of premium	Maximum permissible TDR loading	Maximum building potential on plot
1	2	3	4	5	6
1	Below 9.0 meter	1. 0	0.00	0.00	1.0
2	9.00 meter and up to 12.00 meter	1.0	0.20	0.20	1.40
3	12.00 meter and up to 15.00 meter	1.00	0.20	0.30	1.50
4	15.00 meter and up to 24.00 meter	1.10	0.20	0.40	1.70
5	24.00 meter and up to 30.00 meter	1.20	0.20	0.50	1.90
6	30.00 meter and above	1.20	0.20	0.60	2.00

Note-

i) The above FSI shall be applicable for existing as well as proposed roads, provided that the plot is physically made accessible as per Regulation No. 14.3.

ii) ***The Premium FSI shall not be allowed in the areas mentioned in 46.5.4 (6) where TDR utilization is made applicable. In such cases the quantum of Premium FSI as per column No.4 above may be allowed to be utilised by consuming TDR.***

iii) Maximum permissible building potential on plot mentioned at column no.6 shall be inclusive of FSI allowed for handing over RP/DP Road and the Amenity Space to the PMRDA. Such in-situ FSI may be considered as a part of maximum permissible TDR loading given in column no.5.

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, MHADA buildings, MRTs and BRTs routes, TPS Area and any special projects of Govt. of Maharashtra/Public Undertakings etc.

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

vi) **Premium -** Rate of premium for the additional FSI as mentioned in column no 4 above shall be decided by Government from time to time. The premium collected shall be shared 50:50 between State Government & PMRDA respectively. The premium of the Government shall be deposited by the planning authority in a Government head account.

vii) The Metropolitan Commissioner shall deposit the amount collected through the charges for premium in a separate development fund called as-PMRDA Infrastructure fund‖ and shall utilize the same only for the purpose of developing new/ up-gradation of infrastructure as well as implementation of Regional Plan/Development Plan proposals and creation of civic

amenities.

viii) Basic FSI for unauthorisedly sub divided plots having area up to 0.2 ha shall be 0.75 and the values of column no. 4, 5 and 6 shall vary proportionately.

20.4 INDUSTRIAL BUIDLINGS

Minimum plot area, marginal space, Permissible FSI, Additional FSI with payment of premium for industrial building shall be as per the Table No.19 given below:-

Minimum plot area, marginal space, Permissible FSI-

Table No. 19						
Sr. No.	**Min. road width**	**lot Size in sq.m.**	**Basic Permissible FSI**	**Additional FSI on payment of premium**	**Min. Front Margins**	**Min. Side & Rear Margins**
1	2	3	4	5	6	7
1	12m.	Upto1000	1.10	0.20	4.50	3.00
2	12m.	1001 to 5000	1.10	0.20	6.00	4.50
3	12m.	5000 and above	1.10	0.20	9.00	6.00

Note-

i) In case of plots fronting on National Highway, State Highway and Major District Roads, the building line / control line shall be as per Ribbon Development Rules as given in Table above, whichever is more.

ii) Front, side and rear marginal open spaces shall be as per above Table.

iii) Minimum and maximum height shall be 3.60 m. & 4.2 m. respectively for industrial buildings. The greater height maybe permitted as per the requirement.

iv) In addition of provisions of these regulations, regulations prescribed under Factory Act shall be applicable.

v) **Premium -** Rate of premium for the additional FSI as mentioned in column no 5 above shall be decided by Government from time to time. The premium collected shall be shared 50:50 between State Government & PMRDA respectively. The premium of the Government shall be deposited by the planning authority in a Government head account

vi) **Buffer open space-**For construction of industrial building, buffer open space of 23 m. wide shall be left from residential or incompatible zone, wherever necessary. Such buffer open space shall be part of sizable required recreational open space. Roads and marginal distance may also be treated as a part of Buffer open space. However, area of such buffer open space shall be counted in gross area for computation of FSI. Where green belt is shown in Regional/Development Plan between residential and industrial zone, area of such green belt shall be counted in gross area for calculation of FSI. The floor height for industrial building shall be as per requirement.

20.5 FSI of Green Belt

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

Provided that, such FSI (to the extent of the recreational open space in the Green Belt) shall not be allowed if such green belt area is included in recreational open space to be left as per regulation no. 15.3.5.

PART – V

HIGHER FSI FOR CERTAIN USERS

21.0 GENERAL

Additional/higher Floor space index may be allowed in certain categories in non-congested area, except as otherwise specified and subject to following conditions:

a) Permissible **additional FSI** for the buildings as mentioned in Table no. 20 shall be the maximum permissible building potential according to road width as mentioned in Table no. 18 of Regulation no. 20.3 (wherever applicable) **minus** Basic FSI. No restriction to avail the additional FSI in the form of FSI only.

b) Such additional FSI shall be available for use for which additional FSI is granted only and other permissible uses shall be allowed within the basic Permissible FSI.

c) **Premium –**Premium for additional F.S.I. shall be per column 4 of the table. Rate of the premium is based on the land rate mentioned in ASR for respective S.No./CTS No. The premium collected shall be shared 50:50 between State Government & PMRDA respectively. Premium to be paid to the Government shall be deposited in the concerned Account Head of Urban Development Department at Government Treasury by the Planning Authority. The following quantum of premium shall be subject to the orders of the Government from time to time.

d) The additional FSI shall also be permissible to existing authorised users subject to structural stability.

e) The other conditions as mentioned in the Government Directives issued under section 154 of the M.R.&T.P.Act 1966 vide Resolution No.TPS-1815/2647/CR-13/15/UD-13, dt.14/03/2016 shall also be applicable.

f) If the owner / developer desire to avail such additional FSI in future for new buildings , then while seeking building permission at first instance, the building plan shall be submitted considering the Marginal distances as required for the height of buildings for such additional FSI. No condonation in the required open spaces, parking and other requirements in these regulations shall be allowed. However for the existing building proposals, such condition need not be insisted. But proposal shall be cleared only after strictly confirming structural and fire safety norms.

g) Exit Requirements, Requirements of Water Supply, Drainage and Sanitation Parking spaces requirements, Fire provision requirements shall conform the provisions as mentioned in these regulations.

h) No Amenity Spaces shall be required to be provided for the uses mention in Table No.20, except at sr.no.(I)

Table No. 20

21.1 - Permissible Marginal spaces, permissible basic FSI, Additional FSI for buildings in non-congested area

Categories of the other buildings	Basic FSI	additional FSI	Rate of the Premium	Conditions if any,
1	2	3	4	5
A)Educational i) Pre-primary School, nursery Kinder garden and Special Educational Institute for Physically handicapped/Mentally ill.	As per Regulation No. 20.3, wherever required	Maximum Building Potential limit as per road width as mentioned in Table No. 18(wherever required) minus basic FSI	10 %	Educational building excepting buildings for Pre-primary School, nursery Kinder garden and Special Educational Institute for Physically handicapped/Mentally ill. a) if the total area of the plot is not less than 0.4 hect. except lands reserved in Regional/Development Plan, and for the redevelopment of existing Municipal Schools, b) area as mentioned belowis available for playground.
ii) Primary School	As per Regulation No. 20.3 wherever required	Maximum Building Potential limit as per road width as mentioned in Table No. 18 (wherever required) minus basic FSI	20 %	
iii) Other Educational Buildings including boys/ girls / youth hostels within 500 m. periphery from the recognized educational institutions.	As per Regulation No. 20.3 wherever required	Maximum Building Potential limit as per road width as mentioned in Table No. 18(wherever required) minus basic FSI	30 %	

Sr.No.	Area of land	Area of Play Ground
(i)	Up to 5 Hect.	40%
(ii)	Above 5 Hect.	For first 5 hect. 40% and for remaining 20%

Provided that, it shall not be necessary to increase area of existing playground; if any, when utilisation of additional FSI 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 additional FSI is proposed, area of playground shall not be less than 40% or the existing area of playground whichever is minimum.
Provided further that, in case of existing building wherein utilisation of additional FSI 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, area of playground may be permitted to be reduced, with the prior permission of Government.

				Other Conditions- i) The Educational Institute shall be of Government/Semi Government public authorities, Charitable Institutions or Private Institutions ii) Educational buildings shall not be permissible within 60 m. from the existing assembly building and 90 m. from the existing petrol pump. iii) Educational building shall only be permitted if 40% area is available for playground. However, this provision shall not be applicable to already approved existing building wherein construction of additional floor is proposed. iv) No classroom shall admeasure less than 38 sq. m. with a minimum dimension of 5.50 m. The height of any classroom shall not be less than 3.60 m. v) While granting Additional FSI to Educational Institutions offering primary and secondary education 5 % seats shall be reserved for admission for Government nominees. Deputy Director, Education Department shall be competent to decide such nominations. However, this condition shall not be applicable for Higher Education, Technical Education and Medical Education. vi) As and when required, some rooms of Educational Buildings shall be made available to the Government by the concerned institutions. vii) The Educational Institution shall maintain records regarding free / concessional education rendered to the needy persons, which shall be made available to the Director of School Education, Higher and Technical Education on demand. viii) The Director of School Education, Government of Maharashtra shall be the competent authority to monitor as to whether the Educational Institution is observing the terms and conditions referred to at (i), (ii)and (iii) above and, in case of any breach thereof or in case the Education being rendered by the Educational Institution are not to the satisfaction of the said Department, the Director of School Education shall have the right to suitably penalise the Education Institution. ix) The Educational Institution shall file an undertaking that it shall abide by the above enumerated terms and conditions. x) Adequate Parking facilities as required per prevailing Development Control Regulation shall be provided. xi) While granting occupation certificate the Metropolitan Commissioner shall intimate to the Director of school Education for compliance of afore said condition along with copy of occupation certificate and plan. xii) Maximum of height of Educational building shall be as per The

					Maharashtra Fire protection and Life Safety Measure, Act, 2006
				xiii)	Hostels shall not be misused and converted into other use. If it is found that the hostels are used for other purpose, Metropolitan Commissioner Authorised to take action as per the law.
B)Medical Institutions- Hospital, Maternity Homes, Health Club, buildings	As per Regulation No. 20.3, wherever required	Maximum Building Potential limit as per road width as mention in Table No. 18 (wherever required) minus basic FSI	i)No premium for Government, Semi Government, public authorities, hospitals.	i) ii) iii) iv) v) vi)	The Medical Institutions of Government, Semi Government, public authorities, Charitable Institutions or private owner. Free medical treatment to the extent of atleast 20% of the total number of beds shall be given to persons from Economically Weaker Sections of society or to persons below the poverty line. In addition, 10% of the total number of patients in OPD shall be provided treatment at concessional rates, viz. rates that are being charged in government hospitals. The Medical Institution shall furnish the requisite periodical statements to the Director of Health Services in this regard. The Medical Institution shall maintain records regarding free/concessional medical treatment rendered to the needy persons, which shall be made available to the Director of Health Services on demand. Any Special ward in the hospital building shall not admeasure less than 9.0. sq.m. in area with no side less than 3 m. Area of the general wards shall not admeasure less than 40 sq. m. with no side less than 5.5. m. Every building shall have a refuge collection area of minimum 7.50 sq. m. size with cover on top and unclosed on at least three sides. The same shall not be allowed in marginal open spaces. Modern method of incineration of the refuge may be adopted.

		However maximum building potential shall be consider as 4.00 for Government Hospitals and 3.00 for other hospitals subject to Roads width 18 mt and more.	ii) 30% for Charitable Institutions iii) 40% for private hospitals	vii) Minimum and maximum height shall be 3.00 m. & 4.2 m. respectively. The greater height may be permitted by the Authority as per the requirement. viii) The Director of Health Services, Government of Maharashtra shall be the Competent Authority to monitor as to whether the Medical Institution is observing the terms and conditions referred above and in case of any breach thereof or in case the medical services being rendered by the Medical Institution are not to the satisfaction of the Director of Health Services, the Director of Health Services shall have the right to suitably penalise the Medical Institution. ix) While granting occupation certificate the Metropolitan Commissioner shall intimate to the Director of Health Services, Government of Maharashtra for compliance of afore said condition along with copy of occupation certificate and plan. x) Maximum of height of building for hospitals, sanatorium and nursing homes, shall be as per The Maharashtra Fire protection and Life Safety Measure, Act, 2006.
C) Institutional buildings/ Nationalised banks/ District Banks/ Central Bank/ Scheduled Bank/ Co-operative Bank.	As per Regulation No. 20.3 wherever required	Maximum Building Potential limit as per road width as mention in Table No. 18 (wherever required) minus basic FSI	30%	i) The institutional Buildings shall be of Government, Semi Government, public authorities or registered Charitable Institutions. ii) Minimum and maximum height shall be 3.60 m. & 4.2 m. respectively. The greater height may be permitted by the Authority as per the requirement.
D)Starred category hotels (two star and above)	As per Regulation No. 20.3 wherever required	Maximum Building Potential limit as per road width as mention in Table No. 18 (wherever required) minus basic FSI. However maximum building potential shall be consider as 3.00 for Roads having width 18 mt. and more.	40% (up to four star) 50 % (five star and above)	i) The star category hotels shall be constructed on independent plot. ii) Certificate from the Tourism Department, GOI shall be necessary. iii) Minimum and maximum height shall be 3.60 m. & 4.2 m. respectively. The greater height may be permitted by the Authority as per the requirement. iv) While granting Additional FSI to starred category Residential Hotels 5% of rooms shall be reserved for Government nominees free of cost. Provided that such rooms be reserved for a period of not exceeding thirty days in a calendar year in a particular hotel. The head of respective authorities shall be competent to decide and monitor whether the institution is observing the terms and conditions as mentioned. v) While granting occupation certificate the Metropolitan Commissioner shall intimate to the Competent Authority for compliance of afore said condition along with copy of occupation certificate and plan.

E)Buildings of Government and Semi- Government Offices, Local Authorities and Public Sector Undertakings:	As per Regulation No. 20.3 wherever required	Maximum Building Potential limit as per road width as mention in Table No. 18(wherever required) minus basic FSI. However maximum building potential shall be consider as 4.00 for Roads having width 18 mt and more.	Government and Semi-Gove Office, Local Authorities – Nil. Public Sector – 30%	i) The Metropolitan Commissioner with the previous approval of State Govt. may exceed the additional FSI. ii) Minimum and maximum room height shall be 3.60 m. & 4.2 m. respectively. The greater height may be permitted by the Authority as per the requirement.
F)Religious Building:	As per Regulation No. 20.3 wherever required	Maximum Building Potential limit as per road width as mention in Table No. 18(wherever required) minus basic FSI	15%	Structure used for worship like temple, church, mosque, gurudwara, agyari etc. (a) For any construction, addition or alteration or repairs of existing religious building prior permission from Home Department through Urban Development Department of Govt. of Maharashtra shall be mandatory. b) The proposal shall be in consistent with the Regional/Development Plan proposals. c) while granting occupation certificate the Metropolitan Commissioner shall intimate to the concerned Police Authority and Collector along with copy of occupation certificate and plan. d) subject to other conditions as decided by Metropolitan commissioner. e)It shall be necessary to obtain the No-Objection Certificate from concerned Police Authority and Collector, before grant of permission. f) Other ancillary user like, administration office, Dharmashala or Accommodation for devotees, eateries, convenience shops, etc.
G) Yatri Niwas, Youth Hostel	As per Regulation No. 20.3 wherever required	Maximum Building Potential limit as per road width as mention in Table No. 18(wherever required) minus basic FSI	15%	i) The building shall be on independent plot having minimum plot area of 1000 sq.mt. ii) Minimum and maximum height shall be 3.00 m. & 4.2 m. respectively. The greater height may be permitted by the Authority as per the requirement.

H) The Land in possession of Maharashtra State Road Transport Corporation, PMPML Pune, Metro Station	As per Regulation No. 20.3 wherever required	Additional FSI 0.5 over and above the basic permissible FSI.	No premium	Out of total FSI, maximum 1.00 FSI shall be allowed to be developed for commercial use and remaining FSI shall be for the self-use of the said principle use. Appropriate land shall be kept open for parking of buses, movement of buses and passengers.
I) Basic shelter for urban poor and Housing schemes developed for backward class of the society.	As per Regulation No. 20.3, wherever required	Maximum Building Potential limit as per road width as mention in Table No. 18(wherever required) minus basic FSI or FSI upto 2.5, whichever is maximum	No premium	Any housing scheme undertaken by planning authority, government / semi government organisation, under the basic shelter for urban poor or similar programme / scheme of the Central / State Government, may be allowed FSI upto 2.5, or as permissible in these regulations whichever is maximum subject to following condition. i) The said scheme shall be for EWS/LIG housing having minimum width of road 12 mt. ii) The scheme shall be implemented by the PMRDA / Government/semi-Government Authority stipulated by the Government, from time to time. iii) The use of the land under the Scheme shall be in consonance with the proposals of the sanctioned regional/development plan. iv) Total permissible floor space index for the scheme shall be 2.50 of the gross plot area (excluding the area affected by the D.P. Reservations) v) The entire 2.50 FSI as made permissible shall be utilised of the scheme only. vi) Amenity spaces as required under these regulation shall be provided under this scheme

21.2 ENTITLMENT OF FSI FOR ROAD WIDENING OR CONSTRUCTION OF NEW ROADS / SURRENDER OF RESERVED LAND

The Metropolitan Commissioner may permit on the same plot, additional FSI of the area required for road widening or for construction of a new road proposed under the Regional/Development Plan and also for road widening / service road proposed to N.H./S.H./M.D.R./O.D.R. whether shown on Regional Plan or not, if the owner (including the lessee) of such land surrenders such land for road widening or construction of new road without claiming any monitory compensation in lieu thereof and hand over the same free of encumbrances to the satisfaction of the Metropolitan Commissioner. FSI generated against the surrender of land, shall be in proportion to the provisions mentioned in Regulation of TDR and may be utilised on the remaining land. If desired by the owner, TDR may be granted against such surrendered land instead of utilizing FSI on remaining land. Such TDR shall be allowed to be utilised as a Development Rights in accordance with the provisions of regulating Transfer of Development Rights (TDR). Thereafter, the road shall be transferred in the city survey records/revenue records in the name of the PMRDA and shall vest in it becoming part of a public street.

21.3 DEVELOPMENT / REDEVELOPMENT FOR CONSTRUCTION OF STAFF QUARTERS OF THE STATE GOVERNMENT OR ITS STATUTORY BODIES OR PMRDA ON PRIVATE LANDS

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

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

21.3.3

Road width and plot area	Maximum permissible FSI including basic FSI
18.0 mt or above minimum plot area 4000 sq.m. and above	2.50
12.0 mt. or above but below 18.0 mt.	2.50

21.3.4 For the purpose of calculating the FSI, the entire area of the plot excluding area under Regional/Development Plan roads and Regional/Development Plan reservations, if any, shall be considered.

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

21.3.5.1 The area of staff quarters for various categories of employees shall be as per the norms prescribed by the concerned User Authority and in no case shall the area of staff quarters exceed the maximum limit of carpet area as prescribed therein.

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

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

1. Metropolitan Commissioner - Chairman
2. Collector of Concerned District – Member
3. Superintendent of Police, Pune - Member
4. Superintendent Engineer (Pune Circle) – Member

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

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

21.3.6i) Notwithstanding anything contained in these regulations, no amount shall be charged towards Premium, Scrutiny Fee etc., for the projects proposed under this regulation.

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

21.4 DEVELOPMENT / REDEVELOPMENT OF HOUSING SCHEMES OF MAHARASHTRAHOUSING AND AREA DEVELOPMENT AUTHORITY

Development / re-development of housing schemes of Maharashtra Housing and Area Development Authority shall be subject to the following provision**.**

1) The FSI for a new scheme of Low Cost Housing, implemented by MHADA departmentally on vacant lands for Economically Weaker Sections (EWS), Low Income Group (LIG) and Middle Income Group (MIG) categories shall be 2.50 on the gross plot area and at least 60% built-up area in such scheme shall be in the form of tenements under the EWS, LIG and MIG categories, as defined by the Government in Housing Department from time to time.

2) For redevelopment of existing housing schemes of MHADA, containing (i) EWS/LIG and/or (ii) MIG and/or (iii) HIG houses with carpet area less than the maximum carpet area prescribed for MIG, the total permissible FSI shall be 2.50 on the gross plot area (exclusive of the Fungible FSI).

2.1) Where redevelopment of buildings in existing housing schemes of MHADA is undertaken by the housing co-operative societies or the occupiers of such buildings or by the lessees of MHADA, the Rehabilitation Area Entitlement, Incentive FSI and sharing of balance FSI shall be as follows:-

A) Rehabilitation Area Entitlement:

i) Under redevelopment of buildings in existing Housing Schemes of MHADA, the entitlement of rehabilitation area for an existing residential tenement shall be equal to sum total of -

a) a basic entitlement equivalent to the carpet area of the existing tenement plus 35% thereof, subject to a minimum carpet area of 300 sq.ft. and

b) an additional entitlement governed by the size of the plot under redevelopment, in accordance with the Table No. 21 below: -

Table No. 21

Area of the Plot under Redevelopment	Additional Entitlement (As % of the Carpet Area of the Existing Tenement)
Upto 4000 sq.m.	Nil
Above 4000 sq.m. to 2 hect.	15%
Above 2 hect to 5 hect.	25%
Above 5 hect to 10 hect.	35%
Above 10 hect.	45%

Provided that the maximum entitlement of rehabilitation area shall in no case exceed the maximum limit of carpet area prescribed limit for MIG category by the Govt. as applicable on the date of approval of the redevelopment project. Provided further that the entitlement of rehabilitation area as admissible under this regulation shall be exclusive of the area of balcony.

ii) Under redevelopment of buildings in existing Housing Schemes of MHADA, the entitlement of rehabilitation area of any existing commercial/amenity unit in the Residential Housing Scheme shall be equal to the carpet area of the existing unit plus 20% thereof.

B) **Incentive FSI**- Incentive FSI admissible against the FSI required for rehabilitation, as calculated in (a) above, shall be based on the ratio (hereinafter referred to as Basic Ratio) of Land Rate (LR) in Rs./Sq.m. of the plot under redevelopment as per the Annual Statements of Rates (ASR) and Rate of Construction (RC)* in Rs./Sq.m. applicable to the area as per the ASR and shall be as given in the Table No.22 below:-

Table No. 22

Basic Ratio (LR/RC)	Incentive (As % of Admissible Rehabilitation Area)
Above 6.00	40%
Above 4.00 and upto 6.00	50%
Above 2.00 and upto 4.00	60%
Upto 2.00	70%

Explanation:

* RC is the rate of construction in respect of R.C.C. Construction, as published by the Chief Controlling Revenue Authority & Inspector General of Registration, Maharashtra State in the Annual Statements of Rates.

Provided that the above incentive shall be subject to the availability of the FSI on the Plot under redevelopment and its distribution by MHADA.

Provided further that in case there are more than one land rate applicable to different parts of the plot under redevelopment, a weighted average of all applicable rates shall be taken for calculating the Average Land Rate and the Basic Ratio.

Provided further that the Land Rate (LR) and the Rate of Construction (RC) for calculation of the Basic Ratio shall be taken for the year in which the redevelopment project is approved by the authority competent to approve it.

C) Sharing of the Balance FSI: -

The FSI remaining in balance after providing for the rehabilitation and the incentive components, calculated as per (a) and (b) above respectively, shall be shared between the Co-operative Housing Society and MHADA in the form of built-up area, as given in Table No. 23 below and the share of MHADA shall be handed over to MHADA free of cost.

Table No. 23

Basic Ratio (LR/CR)	Sharing of balance FSI	
	Share of Co-operative Society	Share of MHADA
Above 6.00	30%	70%
Above 4.00 and upto 6.00	35%	65%
Above 2.00 and upto 4.00	40%	60%
Upto 2.00	45%	55%

1.2) Where redevelopment of buildings in the existing Housing Schemes of MHADA is undertaken by MHADA or jointly by the MHADA alongwith the housing societies or the occupiers of such building or by the lessees of MHADA, the Rehabilitation Area Entitlement, incentive FSI and sharing of balance FSI shall be as follows:

A) Rehabilitation Area Entitlement: The Rehabilitation Area Entitlement shall be increased by 10% of the existing carpet area, over and above the Rehabilitation Area Entitlement calculated in (A) of 2.1 above, subject to the maximum of the size of MIG prescribed by the Government in the Housing Department.

B) Incentive FSI: Incentive FSI shall be the same as in (B) of 2.1 above.

C) Sharing of the balance FSI: Sharing of the balance FSI shall be the same as in 2.1.

2) For the purpose of calculating the FSI, the entire area of the layout including Regional/Development Plan roads and internal roads but excluding the land under the reservation of public amenities shall be considered. Sub-division of plots shall be permissible on the basis of the compulsory open spaces as in these Regulations. For low cost housing schemes of MHADA for EWS/LIG categories, the prevailing Regulations of the DCPR shall apply.

Provided that there shall be no restriction on the utilization of the FSI permissible under this Regulation except for the restrictions under any law, rule or regulation.

3) For the purpose of this Regulation the carpet areas for EWS, LIG or MIG tenements shall be as determined by the Government from time to time.

4) a) For providing the requisite infrastructure for the increased population, an infrastructure charge at the rate of 7% of the Land Rate as per the ASR of the year of approval of the redevelopment project shall be chargeable for the extra FSI (excluding the fungible FSI) granted over and above the normal FSI admissible for the redevelopment schemes. 50% of the Infrastructure Charge levied and collected by MHADA shall be transferred to the PMRDA for developing necessary off site infrastructure.

b) No premium shall be charged for the FSI admissible as per the prevailing regulations

(i) Construction of EWS/LIG and MIG tenements by MHADA on a vacant plot, or

(ii) in a redevelopment project for the construction of EWS/LIG and MIG tenements towards the share of MHADA, or

(iii) for rehabilitation component of a redevelopment project.

5) Notwithstanding anything contained in these Regulations, the relaxation incorporated in the prevailing Regulation shall apply to the Housing Schemes under this Regulation for tenements under EWS/LIG and MIG categories. However, the front open space shall not be less than 3.6m.

6) a) In any Redevelopment Scheme where the Co-operative Housing Society Developer appointed by the Co-operative Housing Society has obtained No Objection Certificate from the MHADA, thereby sanctioning additional balance FSI with the consent of 70% of its members and where such NOC holder has made provision for alternative accommodation in the proposed building (including transit accommodation), then it shall be obligatory for all the occupiers / members to participate in the Redevelopment Scheme and vacate the existing tenements for the purpose of redevelopment. In case of failure to vacate the existing tenements, the provisions of section 9A of the MHAD Act mutatis mutandis shall apply for the purpose of getting the tenements vacated from the not co-operative members.

b) For redevelopment of buildings in any existing Housing Scheme of MHADA under clause 2.2 hereinabove, by MHADA, the consent of the Co-operative Housing Society in the form of a valid Resolution as per the Co-operative Societies Act, 1960 will be sufficient. In respect of members not co-operating as per approval of the redevelopment project, action under section 95(A) of the Maharashtra Housing and Area Development Act, 1976 may be taken by MHADA.

7) A corpus fund, as may be decided by MHADA, shall be created by the Developer which shall remain with the Co-operative Housing Societies for the maintenance of the new buildings under the Rehabilitation Component.

21.5 REDEVELOPMENT OF EXISTING BUILDINGS BELONGING TO EWS / LIG GROUPS.

Reconstruction / Redevelopment of **existing buildings of EWS / LIG undertaken by landlord and / or co-operative housing societies and / or occupiers having carpet area of all tenements less than the EWS / LIG norms prescribed by MHADA,** which existed prior to these regulations which has ceased to exist in consequence of accidental fire / natural collapse or demolition for the reasons of the same having been declared unsafe by or under a lawful order of the Metropolitan Commissioner, shall be allowed subject to following conditions:

1) FSI to be allowed for such redevelopment proposal shall be base FSI permissible under these regulations or the FSI consumed by the existing authorized building whichever is more. In addition to this minimum 15 sq. m. built up area per Residential flat shall be allowed as incentive to the owner excluding bungalow.

2) All the occupants of the old building shall be re-accommodated in the redeveloped building.

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

4) The Committee comprises of the Metropolitan Commissioner, Chief Engineer, PMRDA, Chief Fire Officer, PMRDA and the Head of department structural Engineering of Government Engineering College shall be set-up to decide whether the building is—dangerous or dilapidated or Unsafe.

5) Reconstruction of the building on the plots shall conform to the provisions of the sanctioned Regional/Development Plan and sanctioned Development Control and Promotion Regulations.

21.6 REDEVELOPMENT OF OLD DILAPIDATED/DANGEROUS BUILDINGS

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

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

However as per the road width if the potential of the Plot is more than what is mention above, then the balance potential available on plot after deducting rehab and incentive FSI may be allowed to be utilized to that extent by the way of TDR or Additional FSI in 50- 50 proportion subject to limitation of additional FSI as mentioned in Table No. 18, if any.

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

Provided that if the carpet area under Residential use exceeds 70 sq.mt., the cost of construction **for Area exceeding 70 sq.mt.** shall be paid by tenant / occupant to the developer.

The cost of construction shall be as per the ready reckoner rate of that year. The carpet area exceeding 70 sq.mt. shall be considered for rehab FSI but shall not be consider for incentive FSI.

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

d) The Committee comprises of M e t r o p o l i t a n Commissioner, Chief Engineer, PMRDA, Metropolitan Planner, PMRDA, Chief Fire Officer, PMRDA and the Head of department structural Engineering of Government Engineering College shall be set-up to decide whether the building is ―dangerous or dilapidated or unsafe‖.

Note-

1. For the purpose of deciding authenticity of the structure if the approved plans of existing structure are not available, the Metropolitan Commissioner shall consider other evidences such as Assessment Record or City Survey Record or Sanad.

2. In case where there are number of buildings. on plot, in such cases, equivalent land component of the buildings which is declared unsafe shall be worked out and incentive FSI shall be based on such land component.

3. Reconstruction of the building on the plot shall conform to the provisions of the sanctioned Regional/Development Plan and sanctioned Development Control and Promotion Regulations.

4. The new building may be permitted to be reconstructed in pursuance of an agreement to be executed on stamp paper by atleast 70 percent of the landlord / occupants in the original building, within the meaning of the Bombay Rents, Hotel and Lodging House Rents Control Act, 1947 or Apartment Act and its related provision and in such agreement provision for accommodation for all occupants in the new building on agreed terms shall be made and a copy

of such agreement shall be deposited with the PMRDA before commencement or undertaking reconstruction of the new buildings.

The carpet area of part or parts of the new building intended to be used as non-residential use shall not exceed the carpet area of part or parts of the original building so used

5. No new tenancy shall be created

6. An amount as may be decided by the Government shall be paid by the Owner /Developer / Society as additional Development Cess for the built up area over and above the Base FSI. A corpus fund as decided by the Metropolitan Commissioner is to be created by the Developer which will take care of the maintenance of the building for a period of 10 years.

21.7 REDEVELOPMENT OF EXISTING BUILDINGS

Reconstruction / Redevelopment schemes undertaken by the PMRDA / Owners for the existing residential development.

The FSI to be allowed for such proposal shall be FSI permissible under these regulation no. 20.3 wherever applicable or the FSI consumed by the existing authorized building whichever is more.

21.8 TRANSIT ORIENTED DEVELOPMENT (TOD):

The regulations of PMC regarding Transit Oriented Development shall be applicable mutatis mutandis.

21.9 DEVELOPMENT OF HOUSING FOR PMAY:

A. Following Regulation shall be applicable within **5 k.m. distance from PMC / PCMC limits** within the PMRDA to permit "Pradhan Mantri Awas Yojana" in any zone such as Residential /Commercial/ Public-semipublic / Industrial where construction is permitted for the purpose of providing Affordable Housing to the Economically Weaker Sections (EWS) & Low Income Group (LIG) under taken by Government / Institutions authorized by the Government or Owner / any Private Developer (hereinafter referred to "the Project Proponent"), **subject to water supply guaranteed by PMC / PCMC and on the following conditions**.

i. 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.

ii. Such Development shall not be permitted on the lands, which deserve preservation or protection from Environmental conditions viz. Hilltop and Hill slopes, Coastal Regulation Restrictions, restrictions from water bodies and quarries or any restrictions mentioned under Heritage Regulations.

iii. Such Development shall not be permitted on the Forest Lands. lands used for Orchards, Nurseries, lands affected by Green Belt Zone, Mangroves, Marshy Lands, area under any Buffer Zone and other environmentally sensitive areas etc.

iv. The minimum width of approach road shall be 15.0 mt.

v. The permissible FSI for such projects shall be 2.5

vi. The Metropolitan Commissioner, 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.

vii. The project proponent shall plan proper internal Road network including major linkage to outside roads, wherever necessary.

viii. The project proponent shall provide all the basic facilities and utilities, on-sile infrastructure and also off-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 Metropolitan

Commissioner of the PMRDA. In no case the burden of providing infrastructure shall lie with the PMRDA.

Provided that the project proponent shall lay the water, drainage, sewage lines to the nearest existing lines which are laid by the PMRDA.

ix. 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.

x. Amalgamation of two or more tenements shall not be permissible under any circumstances.

xi. 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 Yojna".

B. Following Regulation shall be added in the Development Control Regulations of the Planning Authorities to permit "Pradhan Mantri Awas Yojana" in Agricultural/No Development Zone for the purpose of providing Affordable Housing to 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"), **subject to water supply guaranteed by PMC / PCMC / Municipal Council and on the following conditions**.

i. 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.

ii. Such Development shall not be permitted on the lands, which deserve preservation or protection due to Environmental conditions viz. Hilltop and Hill slopes. Coastal Regulation Restrictions, restrictions from water bodies and quarries or any restrictions mentioned under Heritage Regulations.

iii. Such Development shall not be permitted on the Forest Lands, lands used for Orchards, Nurseries, lands affected by Green Belt Zone, Mangroves, Marshy Lands, area under any Buffer Zone, other Environmentally sensitive areas etc.

iv. The minimum width of approach road shall be 12.0 mt.

v. The permissible FSI for such projects shall be 1.0.

vi. The Metropolitan Commissioner, before granting development permission, shall verify and satisfy himself in respect of the feasibility of providing basic infrastructure facilities like water supply, Sewerage etc. required for the project.

vii. The project proponent shall plan proper internal Road network including major linkage to outside roads, wherever necessary.

viii. The project proponent shall provide all the basic facilities and utilities, on-site infrastructure and also off-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 Metropolitan Commissioner of the PMRDA. In no case the burden of providing infrastructure shall lie with the PMRDA.

Provided that the project proponent shall lay the water, drainage/sewage lines up to the nearest existing lines which are laid by the PMRDA.

ix. The land under project shall be considered as if it is in the Residential zone and all concerned regulations, viz. side margin, building height etc., shall be applicable as per the Residential Zone, except utilisation of TDR and Premium F.S.I.

x. 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.

xi. Amalgamation of two or more tenements shall not be permissible under any circumstances.

xii. 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".

21.10 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 time to time which are mentioned below:

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

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

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

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

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

4) Maximum 20% 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 remaining built-up area shall be utilized for IT/ITES.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

After payment of the penalty to the concerned Planning Authority which has sanctioned the building plans of the concerned private IT park, the said private IT Park will restore the use of premises to the original purpose for which LOI/ Registration was granted.

If the private IT Park fails to pay penalty and / or restore the use to its original intended use, the concerned Planning Authority will take suitable action under the Maharashtra Regional and Town Planning Act 1966, against the erring private IT Park under intimation to the Directorate of Industries. This provision will also be applicable to existing IT Parks.

21.11 REGULATION FOR DEVELOPMENT OF BIOTECHNOLOGY PARKS:

A. 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 2 acres or 20000 sq.ft. built up area. The said requirement of 20000 sq.ft. shall be as per normal permissible FSI and without considering permissible additional FSI/ TDR/ Free of FSI area.

B. 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.

C. BIOTECHNOLOGY UNITS/PARK TO BE ALLOWED IN NO DEVELOPMENT ZONE EARMARKED IN THE REGIONAL/DEVELOPMENT PLAN.

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

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

D. ADDITIONAL FSI TO BIOTECHNOLOGY UNITS / PARK

Subject to approval by Director of Industries, the Commissioner/ Commissioner/ Competent Planning Authority or as the case may permit the floor space indices specified in these regulations to be exceeded to the extent of 100% over and above the permissible FSI (including for Biotechnology Units/Park located in No Development Zone proposed in the Regional/Development Plan) for biotechnology units/parks subject to following conditions:-

i) Out of total built up area minimum 90% shall be used for Biotechnology purpose and maximum 10% (by deducting parking 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 10/2/09.
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 Regulation shall be provided subject to minimum requirement of one parking space per 100 sq.mt. built up area.
iv) The additional FSI shall be granted upon payment of premium which shall be paid in the manner as may be determined by the Government. Such premium shall be recovered at the rate of 25% of the present day market value of the land under reference as indicated in the Ready Reckoner.
v) 25% of the total premium shall be paid to the Govt. and remaining 75% amount shall be paid to the said Authority.
vi) The premium so collected by the Planning Authorities shall be primarily used for development of offsite infrastructure required for the Biotechnology Parks.
vii) In the event, the developer comes forward for provision of such off site infrastructure at his own cost, then the said Planning Authority shall determine the estimated cost of the works and shall also prescribe the standards for the work. After completion of the works the said Planning Authority shall verify as to whether the same is as per prescribed standards and thereafter, by deducting the cost of works, the balance amount of premium shall be recovered by the said Planning Authority.
viii) No condonation in the required open spaces, parking and other requirement prescribed in the regulations shall be allowed in case of additional FSI.
ix) Development of biotechnology park shall be done as per the guidelines issued by Industries Department vide the said resolution.

21.12 DEVELOPMENT OF PUBLIC TOILET

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

PART – VI

FIRE PROTECTION REQUIREMENTS

22.1 General: All buildings shall be planned, designed and constructed to ensure fire safety and this shall be done in accordance with Part IV of Fire Protection of National Building Code of India and Maharashtra Fire Prevention and Life Safety Measures Act, 2006. as amended from time to time, and Part IV of Fire Protection of National Building Code of India (for the provisions which are not covered in these regulations.) In case of special buildings, the building schemes shall also be cleared by the Fire Officer, Fire Brigade Department of the PMRDA.

22.2 Construction materials

All materials of constructions in load bearing elements, stairways and corridors and facades shall be non-combustible.

The interior finish materials shall not have a flame spread ability rating exceeding Class I (see 3.4.15.2 of Part 4 of National Building Code)

The internal walls or staircase shall be of brick or reinforced concrete with a minimum of 2 h. fire rating.

The staircase shall be ventilated to the atmosphere at each landing and a vent at the top; the vent openings shall be of 0.5sq.m in the external wall and the top. If the staircase cannot be ventilated, because of location or other reasons, a positive pressure 50 Pa shall be maintained inside. The mechanism for pressurizing the staircase shall operate automatically with the fire alarm. The roof of the shaft shall be 1 m. above the surrounding roof. Glazing or glass bricks, if used in staircase, shall have fire resistance rating of minimum 2 h.

22.3 Lifts

General requirements of lifts shall be as follows:

a) Walls of lift enclosures shall have a fire rating of 2 h; lifts shall have a vent at the top of area not less than 0.2 sq.m.

b) Lift motor room shall be located preferably on top of the shaft and separated from the shaft by the floor of the room.

c) Landing doors in lift enclosures shall have a fire resistance of not less than 1 h.

d) The number of lifts in one row for a lift bank shall not exceed 4 and the total number of lifts in the bank (of two rows) shall not exceed 8. A wall of 2 h. fire rating shall separate individual shafts in a bank.

e) Lift car door shall have a fire resistance rating of half an hour.

f) Collapsible gates shall not be permitted for lifts and shall have solid doors with fire resistance of at least 1 h.

g) If the lift shaft and lobby is in the core of the building, a positive pressure between 25 and 30 Pa shall be maintained in the lobby and a positive pressure of 50 Pa shall be maintained in the lift shaft. The mechanism for pressurization shall act automatically with the fire alarm; it shall be possible to operate this mechanically also.

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

i) Lifts shall not normally communicate with the basement; if, however, lifts are in

Communication, the lift lobby of the basements shall be pressurized as in (g), with self-closing door as in (h)

j) Grounding switch (es), at ground floor level, shall be provided on all the lifts to enable the fire service to ground the lifts.

k) Telephone or other communication facilities shall be provided in lift cars for building of 30 m. in height and above. Communication system for lifts shall be connected to fire control room for the building.

l) Suitable arrangements such as providing slope in the floor of lift lobby shall be made to prevent water used during fire-fighting, etc., at any landing from entering the lift shafts.

m) A sign shall be posted and maintained on every floor at or near the lift indicating that in case of fire, occupants shall use the stairs unless instructed otherwise. The sign shall also contain a plan for each floor showing the locations of the stairways. Alternate source of power supply shall be provided for all the lifts through a manually operated changeover switch.

n) Fire Lifts -Following details shall apply for a fire lift :

i) To enable fire services personnel to reach the upper floors with the minimum delay, one fire lift per 1200 sq.m. of floor area shall be provided and shall be available for the exclusive use of the firemen in an emergency.

ii) The lift shall have a floor area of not less than 1.4 sq.m. It shall have loading capacity of not less than 545 kg (8 persons lift) with automatic closing doors of minimum 0.8 m. width.

iii) The electric supply shall be on a separate service from electric supply mains in a building and the cables run in a route safe from fire, that is, within the lift shaft. Lights and fans in the elevators having wooden paneling or sheet steel construction shall be operated on 24 V supply.

iv) Fire-fighting lift should be provided with a ceiling hatch for use in case of emergency, so that when the car gets stuck up, it shall be easily openable.

v) In case of failure of normal electric supply, it shall automatically trip over to alternate supply. For apartment houses, this changeover of supply could be done through manually operated changeover switch. Alternatively, the lift shall be so wired that in case of power failure, it comes down at the ground level and comes to stand-still with door open.

vi) The operation of a fire lift is by a simple toggle or two-button switch situated in a glass-fronted box adjacent to the lift at the entrance level. When the switch is on, landing call-points will become inoperative and the lift will be on car control only or on a priority control device. When the switch is off, the lift will return to normal working. This lift can be used by the occupants in normal times.

vii) The words ‘Fire Lift’ shall be conspicuously displayed in fluorescent paint on the lift landing doors at each floor level.

viii) The speed of the fire lift shall be such that it can reach the top floor from ground level within 1 minute.

22.4 Basements -

i) Each basement shall be separately ventilated. Vents with cross-sectional area (aggregate) not less than 2.5% of the floor area spread evenly round the perimeter of the basement shall be provided in the form of grills or breakable stall board lights or pavement lights or by way of shafts.

Alternatively, a system of air inlets shall be provided at basement floor level and smoke outlets at basement ceiling level. Inlets and extracts may be terminated at ground level with stall board or pavement lights as before, but ducts to convey fresh air to the basement floor level have to be laid. Stall board and pavement lights should be in positions easily accessible to the fire brigade and clearly marked 'SMOKE OUTLET' or 'AIR INLET' with an indication of area served at or near the opening.

ii) The staircase of basements shall be of enclosed type having fire resistance of not less than 2 h and shall be situated at the periphery of the basement to be entered at ground level only from the open air and in such positions that smoke from any fire in the basement shall not obstruct any exit serving the ground and upper storeys of the building and shall communicate with basement through a lobby provided with fire resisting self-closing doors of 1 h resistance. For travel distance, if the travel distance exceeds as given therein, additional staircases shall be provided at proper places.

iii) In multi-storey basements, intake ducts may serve all basement levels, but each basement levels and basement compartment shall have separate smoke outlet duct or ducts. Ducts so provided shall have the same fire resistance rating as the compartment itself. Fire rating may be taken as the required smoke extraction time for smoke extraction ducts.

iv) Mechanical extractors for smoke venting system from lower basement levels shall also be provided. The system shall be of such design as to operate on actuation of heat / smoke sensitive detectors or sprinklers, if installed, and shall have a considerably superior performance compared to the standard units. It shall also have an arrangement to start it manually.

v) Mechanical extractors shall have an internal locking arrangement, so that extractors shall continue to operate and supply fans shall stop automatically with the actuation of fire detectors.

vi) Mechanical extractors shall be designated to permit 30 air changes per hour in case of fire or distress call. However, for normal operation, air changes schedule shall be as given in Part 8, Building Services, Section 3, Air-conditioning, Heating and Mechanical Ventilation of National Building Code.

vii) Mechanical extractors shall have an alternative source of supply.

viii) Ventilating ducts shall be integrated with the structure and made out of brick masonry or reinforced cement concrete as far as possible and when this duct crosses the transformer area or electrical switchboard, fire dampers shall be provided.

ix) Use of basements for kitchens working on gas fuel shall not be permitted, unless air conditioned. The basement shall not be permitted below the ward block of a hospital/nursing home unless it is fully sprinkled. Building services such as electrical sub-stations, boiler rooms in basements shall comply with the provisions of the Indian Electricity Act / Rules.

x) If cut-outs are provided from basements to the upper floors or to the atmospheres, all sides cut- out openings in the basements shall be protected by sprinkler head at close spacing so as to form a water curtain in the event of a fire.

xi) Openable windows on external wall shall be fitted with such locks that can be opened by a fireman's axe.

xii) All floors shall be compartmented with area not exceeding 750 sq.m. by a separation wall with 2 h fire rating, for floors with sprinklers the area may be increased by 50 percent. In long building, the fire separation walls shall be at distances not exceeding 40 m. For departmental stores, shopping centres and basements, the area may be reduced to 500 sq.m. for compartmentation.

Where this is not possible, the spacing of the sprinklers, care should be taken to prevent spray from one sprinkler impending the performance of an adjacent sprinkler head.

22.5 Service Ducts/Shafts

a) Service ducts and shafts shall be enclosed by walls of 2 h and doors of 1 h. fire rating. All such ducts/shafts shall be properly sealed and fire stopped at all floor levels.

b) A vent opening at the top of the service shaft shall be provided having between one-fourth and one-half of the area of the shaft.

22.6 Refuse chutes

shall have opening at least 1 m. above roof level for venting purpose and they shall have an enclosure wall of non-combustible material with fire resistance of not less than 2 h. They shall not be located within the staircase enclosure or service shafts, or air-conditioning shafts inspection panel and doors shall be tight fitting with 1 h fire resistance; the chutes should be as far away as possible from exit.

22.7 Refuge Area

Provisions contained in Regulation No 18.28.6 shall apply for all buildings . -

22.8 Electrical services shall conform to the following :

(a) The electric distribution cables / wiring shall be laid in a separate duct. The duct shall be sealed at every floor with non-combustible materials having the same fire resistance as that of the duct. Low and medium voltage wiring running in shaft and in false ceiling shall run in separate conduits;

(b) Water mains, telephone lines, intercom lines, gas pipes or any other service line shall not be laid in the duct for electrical cables; use of bus ducts / solid rising mains instead of cables is preferred;

(c) Separate circuits for fire-fighting pumps, lifts, staircases and corridor lighting and blowers for pressurizing system shall be provided directly from the main switch gear panel and these circuits shall be laid in separate conduit pipes, so that fire in one circuit will not affect the others. Such circuits shall be protected at origin by an automatic circuit breaker with its no- volt coil removed. Master switches controlling essential service circuits shall be clearly labelled;

(d) The inspection panel doors and any other opening in the shaft shall be provided with air-tight fire doors having fire resistance of not less than 2 h;

(e) Medium and low voltage wiring running in shafts and within false ceiling shall run in metal conduit. Any 230 V wiring for lighting or other services above false ceiling shall have 660 V grade insulation. The false ceiling including all fixtures used for its suspension, shall be of non- combustible material and shall provide adequate fire resistance to the ceiling in order to prevent spread of fire across ceiling. Reference may be made to good practice;

(f) An independent and well ventilated service room shall be provided on the ground level or first basement with direct access from outside or from the corridor for the purpose of termination of electric supply from the licensees 'service and alternative supply cables. The doors provided for the service room shall have fire resistance of not less than 2 h.

Note: If service room is located at the first basement, it should have automatic fire extinguishing system.

(g) If the licensees agree to provide meters on upper floors, the licensees ‘cable shall be segregated from consumers‘cable by providing a partition in the duct. Meter rooms on upper floors shall not open into staircase enclosures and shall be ventilated directly to open air outside; and

(h) Suitable circuit breakers shall be provided at the appropriate points.

22.9 Gas supply shall conform to the following:-

a) Town Gas / L.P.Gas Supply Pipes – Where gas pipes are run in buildings, the same shall be run in separate shafts exclusively for this purpose and these shall be on external walls, away from the staircases. There shall be no interconnection of this shaft with the rest of the floors. LPG distribution pipes shall always be below the false ceiling. The length of these pipes shall be as short as possible. In the case of kitchen cooking range area, apart from providing hood, covering the entire cooking range, the exhaust system should be designed to take care of 30 cu.m. per minute per sq.m. of hood protected area. It should have grease filters using metallic grill to trip oil vapours escaping into the fume hood.

Note:- For detailed information on gas pipe installations, reference may be made to Para.9_Plumbing Services, Section 3 Gas Supply', of National Building Code of India.

b) All wiring in fume hoods shall be of fibre glass insulation. Thermal detectors shall be installed into fume hoods of large kitchens for hotels, hospitals and similar areas located in high rise buildings. Arrangements shall be made for automatic tripping of the exhaust fan in case of fire. If LPG is used, the same shall be shut off. The voltage shall be of 24 V or 100 V dc operated with the external rectifier. The valve shall be of the hand re-set type and shall be located in an area segregated from cooking ranges. Valves shall be easily accessible. The hood shall have manual facility for steam or carbon dioxide gas injection, depending on duty condition; and

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

22.10 Illumination of means of exit

Staircase and corridor lights shall conform to the following:

a) The staircase and corridor lighting shall be on separate circuits and shall be independently connected so as it could be operated by one switch installation on the ground floor easily accessible to fire-fighting staff at any time irrespective of the position of the individual control of the light points, if any. It should be of miniature circuit breaker type of switch so as to avoid replacement of fuse in case of crisis;

b) Staircase and corridor lighting shall also be connected to alternative supply. The alternative source of supply may be provided by battery continuously trickle charged from the electric mains;

c) Suitable arrangements shall be made by installing double throw switches to ensure that the lighting installed in the staircase and the corridor does not get connected to two sources of supply simultaneously. Double throw switch shall be installed in the service room for terminating the stand-by supply.

d) Emergency lights shall be provided in the staircase and corridor; and

e) All wires and other accessories used for emergency light shall have fire retardant property.

22.11 A stand-by electric generator shall be installed to supply power to staircase and corridor lighting circuits, fire lifts, the stand-by fire pump, pressurization fans and blowers, smoke extraction and damper systems in case of failure of normal electric supply. The generator shall be capable of taking starting current of all the machines and circuits stated above simultaneously. If the stand-by pump is driven by diesel engine, the generator supply need not be connected to the stand-by pump. Where parallel HV / LV supply from a separate sub-station is provided with appropriate transformer for emergency, the provision of generator may be waived in consultation with the Authority.

22.12 Transformers shall conform to the following:-

a) A sub-station or a switch-station with oil filled equipment shall not be located in the building. The sub-station structure shall have separate fire resisting walls/surroundings and shall necessarily be located at the periphery of the floor having separate access from fire escape

staircase. The outside walls, ceiling, floor, openings including doors and windows to the sub-station area shall be provided with a fire resisting door of 2 h fire rating. Direct access to the transformer room shall be provided, preferably from outside fire escape staircase.

b) The sub-station area needs to be maintained at negative air pressures and area in sub-station shall not be used as storage / dump areas.

c) When housed inside the building, the transformer shall be of dry type and shall be cut off from the other portion of premises by walls/doors/cut-outs having fire resistance rating of 4 h.

22.13 Air-conditioning shall conform to the following:

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

b) The ducting shall be constructed of substantial gauge metal in accordance with good practice.

c) Wherever the ducts pass through fire walls or floors, the opening around the ducts shall be sealed with materials having fire resistance rating of the compartment.

d) Where duct crosses a compartment which is fire rated, the ducts shall be fire rated for same fire rating. Further depending on services passing around the duct work, which may get affected in case of fire temperature rising, the ducts shall be insulated.

e) As far as possible, metallic ducts shall be used even for the return air instead of space above the false ceiling.

f) Where plenum is used for return air passage, ceiling and its fixtures shall be of non-combustible material.

g) The materials used for insulating the duct system (inside or outside) shall be of non-combustible material, glass wool shall not be wrapped or secured by any material of combustible nature.

h) Area more than 750sq.m. on individual floor shall be segregated by a fire wall and automatic fire dampers for isolation shall be provided.

i) Air ducts serving main floor areas, corridors, etc. shall not pass through the staircase enclosure.

j) The air-handling units shall be separate for each floor and air ducts for every floor shall be separated and in no way inter-connected with the ducting of any other floor.

k) If the air-handling unit serves more than one floor, the recommendations given above shall be compiled with in addition to the conditions given below:

l) Proper arrangements by way of automatic fire dampers working on smoke detector / or fusible link for isolating all ducting at every floor from the main riser shall be made.

m) When the automatic fire alarm operates, the respective air-handling units of the air-conditioning system shall automatically be switched off.

n) The vertical shaft for treated fresh air shall be of masonry construction.

o) The air filters of the air-handling units shall be of non-combustible materials.

p) The air-handling unit room shall not be used for storage of any combustible materials.

q) Inspection panels shall be provided in the main trunking to facilitate the cleaning of ducts of accumulated dust and to obtain access for maintenance of fire dampers.

r) No combustible material shall be fixed nearer than 150 mm to any duct unless such duct is properly enclosed and protected with non-combustible material (glass wool or spyglass with neoprene facing enclosed and wrapped with aluminium sheeting) at least 3.2 mm thick and

which would not readily conduct heat.

s) Fire Dampers:-

1) These shall be located in conditioned air ducts and return air ducts/ passages at the following points:

i) At the fire separation wall.
ii) Where ducts/passages enter the central vertical shaft.
iii) Where the ducts pass though floors.
iv) At the inlet of supply air duct and the return air duct of each compartment on every floor.

2) The dampers shall operate automatically and shall simultaneously switch off the air-handling fans. Manual operation facilities shall also be provided.(**Note-** For blowers, where extraction system and duct accumulators are used, dampers shall be provided).

3) Fire/smoke dampers (for smoke extraction shafts) for buildings more than 24 mt in height.

a) For apartment houses in non-ventilated lobbies / corridors operated by fusible link / smoke detectors and with manual control.

b) For other buildings on operation of smoke detection system and with manual control.

4) Automatic fire dampers shall be so arranged as to close by gravity in the direction of air movement and to remain tightly closed on operation of a fusible link / smoke detector.

22.14 Provisions of boiler and boiler rooms shall conform to Indian Boiler Act. Further, the following additional aspects may be taken into account in the location of boiler room:

a) The boilers shall not be allowed in sub-basement, may be allowed in the basements away from the escape routes.

b) The boilers shall be installed in a fire resisting room of 4 h fire resistance rating and this room shall be situated on the periphery of the basement. Catch-pits shall be provided at the low level.

c) Entry to this room shall be provided with a composite door of 2 h fire resistance.

d) The boiler room shall be provided with fresh air inlets and smoke exhausts directly to the atmosphere.

e) The furnace oil tank for the boiler, if located in the adjoining room shall be separated by fire resisting wall of 4 h rating. The entrance to this room shall be provided with double composite doors. A curb of suitable height shall be provided at the entrance in order to prevent the flow of oil into the boiler room in case of tank rupture.

f) Foam inlets shall be provided on the external walls of the building near the ground level to enable the fire services to use foam in case of fire.

22.15 Provision of first-aid and fire-fighting appliances.

The first-aid fire-fighting equipment shall be provided on all floors, including basements lift rooms, etc. in accordance with good practice in consultation with the Authority.

22.16 Fire alarm system :

i) All buildings with heights of 15 m or above shall be equipped with manually operated electrical fire alarm (MOEFA) system automatic fire alarm system in accordance with good practice. However, apartment buildings between 15 m and 30 m in height may be exempted from the installation of automatic fire alarm system provided the local fire brigade is suitably equipped for dealing with fire in a building of 15 m in height or above and in the opinion of the Authority, such building does not constitute a hazard to the safety of the adjacent property or occupants of the building itself.

ii) Manually operated electrical fire alarm system shall be installed in a building with one

or more call boxes located at each floor. The call boxes shall conform of good practice.

iii) The installation of call boxes in hostels and such other places where these are likely to be misused shall as far as possible be provided. Location of call boxes in dwelling units shall preferably be inside the building.

22.17 Lightening protection of buildings:-

The lightning protection for buildings shall be provided as given in Para.8 _Building Services, Section 2, Electrical Installations 'of National Building Code of India.

22.18 Fire control room:-

For all buildings 15 mt in height or above and apartment buildings with a height of 30 m and above, there shall be a control room on the entrance floor of the building with communication system (suitable public address system) to all floors and facilities for receiving the message from different floors. Details of all floor plans alongwith the details of fire-fighting equipment and installations shall be maintained in the fire control room. The fire control room shall also have facilities to detect the fire on any floor through indicator board connections; fire detection and alarm systems on all floors. The fire staff in-charge of the fire control room shall be responsible for the maintenance of the various services and fire-fighting equipment and installations in co-ordination with security, electrical and civil staff of the building.

22.19 Housekeeping:-

To eliminate fire hazards, good housekeeping, both inside and outside the building, shall be strictly maintained by the occupants and / or the owner of the building.

22.20 Fire drills and fire orders:-

Fire notices/orders shall be prepared to fulfill the requirements of fire-fighting and evacuation from the buildings in the event of fire and other emergency. The occupants shall be made thoroughly conversant with their actions in the event of emergency, by displaying fire notices at vantage points and through regular training. Such notices should be displayed prominently in broad lettering.

For guidelines for fire drills and evacuation procedures for high-rise buildings, Annexure E of National Building Code of India may be referred.

22.21 Compartmentation:-

The building shall be suitably compartmentalized so that fire/smoke remain confined to the area where fire incident has occurred and does not spread to the remaining part of the building.

22.22 Materials for interior decoration / furnishing

The use of materials, which are combustible in nature and may spread toxic fume / gases should not be used for interior decoration / furnishing, etc.

For various types of occupancies, requirements given in National Building Code, Part IV shall be followed.

22.23 Fire Escape Chutes/ Controlled Lowering Device for evacuation:-

A. Deleted

B. Deleted

22.24 Deleted

22.25 The PMRDA shall charge Fire Infrastructure charges as may be decided by Metropolitan Commissioner with the approval of the Government, such charges shall be deposited in the separate account under the head of Fire Infrastructure charges and such amount shall only be used for establishment and expansion of Fire Infrastructure facilities.

22.26 Fire officer for hotels, business and mercantile buildings with height more than 30 m

22.26.1) A qualified Fire Officer with experience of not less than 3 years shall be appointed who will be available on the premises.

22.26.2) The Fire Officer shall:

i)maintain the firefighting equipment in good working condition at all times, ii)prepare fire orders and fire operational plans and get them promulgated,

iii)impart regular training to the occupants of the buildings in the use of firefighting equipment's provided on the premises and keep them informed about the fire emergency evacuation plan,

iv)keep proper liaison with City Fire Brigade, and

v)ensure that all fire precautionary measures are observed at the times.

Note: Competent Authority having jurisdiction may insist on compliance of the above rule in case of buildings having very large areas even if the height is less than 30 m.

PART – VII

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

23.0 STRUCTURAL DESIGN

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

24.0 QUALITY OF MATERIALS AND WORKMANSHIP

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

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

25.0 ALTERNATIVE MATERIALS, METHODS OF DESIGN & CONSTRUCTION AND TESTS

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

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

25.3 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.

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

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

25.6 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.

26.0 BUILDING SERVICES

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

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

26.3 The lifts shall be maintained in working order properly.

27.0 WATER SUPPLY, DRAINAGE AND SANITARY REQUIREMENTS.

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

27.2 Requirements of water supply in building.

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

Occupancy	Basis
Residential Building	5 persons per tenement
Other Buildings	No. of persons on occupant load and area of floors given in Table No.13.

27.2.1 The requirements of water supply for various occupancies shall be as given in Table No.24 and Table No.25 or as specified by the Metropolitan Commissioner from time to time.

Table No. 24		
PER CAPITA WATER REQUIREMENTS FOR VARIOUS OCCUPANCIES/USES		
Sr. No	**Type of Occupancy**	**Consumption per head per day (in liters)**
1	Residential	
	(a) in living units	135
	(b) Hotels with lodging accommodation (per bed)	180
2	Educational:	
	(a) Day Schools	45
	(b) Boarding Schools	135
3	Institutional (Medical Hospitals):	
	(a) No. of beds not exceeding 100	340
	(b) No. of beds exceeding 100	450
	(c) Medical quarters and hostels	135
4	Assembly-Cinema theatres, auditorium etc. (per seat of accommodation).	15
5	Government and Semi-public business.	45
6	Mercantile (Commercial)	
	(a) Restaurants (per seat)	70
	(b) Other business buildings.	45
7	Industrial	
	(a) Factories where bathrooms are to be provided	45
	(b) Factories where no bath-rooms are required to be provided.	30
8	Storage (including warehousing)	30
9	Hazardous	30
10	Intermediate / Stations (excluding mail and express stops).	45 (25)*
11	Junction Stations	70 (45)*
12	Terminal / Stations.	45
13	International and domestic Airports.	70

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

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

Table No. 25		
FLUSHING STORAGE CAPACITIES		
Sr.No.	**Classification of building**	**Storage capacity.**
(1)	(2)	(3)
1	For tenements having common convenience	900 liters net per w. c. seat.
2	For residential premises other than tenements having common convenience	270 liters net for one w. c. seat and 180 liters for each additional seat in the same flat.
3	For Factories and Workshops	900 liters per w. c. seat and 180 liters per urinal seat.
4	For cinemas, public assembly halls, etc.	900 liters per w. c. seat and 350 liters per urinal seat.

28.0 DRAINAGE AND SANITATION REQUIREMENTS

28.1 General

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

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

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

28.2 For Residences

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

a. One bathroom provided with a tap and a floor trap,

b. One water-closet with flushing apparatus with an ablution tap; and

c. One tap with a floor trap or a sink in kitchen or wash place.

28.2.2 Dwelling without individual conveniences shall have the following fitments:

a. One water tap with floor trap in each tenement,

b. One water-closet with flushing apparatus and one ablution tap, bath for every two tenements, and

c. One bath with water tap and floor trap for every two tenements.

28.3 For Buildings Other than Residences

28.3.1 The requirements for fitments for drainage and sanitation in the case of buildings other than residences shall be in accordance with Tables given in Appendix-M (1 to 14). The following shall be, in addition, taken into consideration:

a) The figures shown are based upon one (1) fixture being the minimum required for the number of persons indicated or part thereof.

b) Building categories not included in the tables shall be considered separately by the Metropolitan Commissioner.

c) Drinking fountains shall not be installed in the toilets.

d) Where there is the danger of exposure to skin contamination with poisonous, infectious or irritating material, washbasin with eye wash jet and an emergency shower located in an area accessible at all times with the passage / right of way suitable for access to a wheel chair, shall be provided.

e) When applying the provision of these tables for providing the number of fixtures, consideration shall be given to the accessibility of the fixtures. Using purely numerical basis may not result in an installation suited to the need of a specific building. For example, schools should be provided with toilet facilities on each floor. Similarly toilet facilities shall be provided for temporary workmen employed in any establishment according to the needs; and in any case one WC and one washbasin shall be provided.

f) All buildings used for human habitation for dwelling work, occupation, medical care or any purpose detailed in the various tables, abutting a public sewer or a private sewage disposal system, shall be provided with minimum sanitary facilities as per the schedule in the tables. In case the disposal facilities are not available, they shall be provided as a part of the building design for ensuring high standards of sanitary conditions in accordance with this section.

g) Workplaces where crèches are provided, they shall be provided with one WC for 10 persons or part thereof, one washbasin for 15 persons or part thereof, one kitchen sink with floor tap for preparing food / milk preparations. The sink provided shall be with a drinking water tap.

h) In all types of buildings, individual toilets and pantry should be provided for executives and for meeting / seminar / conference rooms, etc. as per the user requirement.

i) Where food is consumed indoors, water stations may be provided in place of drinking water fountains.

29.0 SIGNS AND OUTDOOR DISPLAY STRUCTURES

29.1 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 PMRDA in this regards from time to time.

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 Commissioner or on Government Buildings save that in the case of Government buildings only advertising signs or outdoor display structure may be permitted if they relate to the activities for the said buildings‘ own purposes or related programmers.

PART – VIII

SPECIAL PROVISIONS FOR CERTAIN BUILDINGS

30.0 PROVISIONS OF FACILITIES FOR DIFFERENTLY ABLED PERSONS

Provisions for Barrier Free access in buildings for differently abled persons ("Divyang") shall be as given in **Appendix-N**

31.0 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 sq m

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 atleast 50 kg per sq.m. 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. 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.

32.0 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 500sq.mt., in non-congested areas shall have one or more Rain Water Harvesting structures having a minimum total capacity as detailed in Schedule.

Provided that the Commissioner may approve the Rain Water Harvesting structures of specifications different from those in Schedule, subject to the minimum capacity of Rain Water Harvesting being ensured in each case.

ii. The owner/society of every building mentioned in the (a) 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 100 sq.mt. of built-up area for the failure of the owner of any building mentioned in the (a) above to provide or to maintain Rain Water Harvesting structures as required under these regulations. Failure to provide Rain Water Harvesting System shall deem 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.

3. The following systems may be adopted for harvesting the rainwater drawn from terrace and the paved surface.

i) Open well of a minimum 1.00 mt diameter and 6mt 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 drawn-off taps suitably placed so that rain water may be drawn off for domestic, washing, gardening and such other purposes. The storage tank shall be provided with an overflow.

iv) The surplus rain water after storage may be recharged in to ground through percolation pits or trenches or combination of pits and trenches. Depending on the geo-morphological and topographical conditions, the pits may be of the size of 1.20 m width X 1.20 m length X 2 m to 2.50 m depth. The trenches can be of 0.60 m width X 2 to 6 m length X 1.50 to 2 m depth. 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 lose 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 up to 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 sq.m.

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

33.0 REGULATION FOR WASTE WATER RECYCLING

33.1 Type of Waste Water

The Waste Water is of following types:--

i. Black Water - means Waste Water from W.C. Urinals and M.S.W.

ii. Grey Water.–means Waste Water from Bathrooms, Sinks, Shower and Wash Areas etc.

iii. Apart from Residential Waste Water, Waste Water generated from Industrial, Medical, Commercial and Waste generated from Garbage shall also be treated as per the guidelines given by the Maharashtra Pollution Control Board.

33.2 APPLICABILITY

These Regulations shall be applicable to all Developments/ Redevelopments/part Developments for the uses as mention under (C-1) to (C-6) shall have the provision for treatment, recycling and reuse of Waste Water. The applicant shall along with his application for obtaining necessary layout approval/ building permission shall submit a plan showing the location of Waste Water Treatment Plant, furnishing details of calculations, references, implementation, etc. This Plan shall accompany with the applicant's commitment to monitor the system periodically from the date of occupation of the respective building.

33.3 REGULATIONS

33.3.1 (C-1) For Layout Approval/Building Permission

(i) In case of Residential layouts, area admeasuring 10000 sq.m. or more, in addition to 10 % open space, prescribed in the bye- laws, a separate space for Waste Water Treatment and Recycling Plant should be proposed in the layout.

(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 PMRDA.

(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) In the Estimate of Waste Water Recycling Plant only provision for basic civil work and required machinery will be proposed by the PMRDA other than these provisions, additional machinery, plumbing, Water tank pipe, landscape should be provided by Owner or Developer on his Own Cost.

(v) A clause must be included by the Owner/ Developer in the purchase agreement that the purchaser, Owner of the Premises/Organization or Society of the purchasers shall ensure that:

a. The Recycled Water is tested every six months either in Municipal Laboratory or in the laboratory approved by PMRDA 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.

33.3.2 (C-2) Group Housing/Apartment Building

In case of Group Housing if the area admeasuring 4000 sq.m. and above or if consumption of Water is 20,000 litres per day or if a multi-storeyed building where there are 20 or more tenements then Waste Water Recycling Plant as mentioned in (C-1) above should be constructed.

33.3.3 (C-3) Educational, Industrial, Commercial, Government, Semi-Government Organizations, Hotels, Lodgings etc.

For all above buildings having built-up area 1500 sq.m. or more or if Water consumption is 20,000 litre per day whichever is minimum, then provision for Waste Water Treatment Plant as mentioned in (C-1) is applicable.

33.3.4 (C-4) Hospitals

Those Hospitals having 40 or more beds, Waste Water Recycling Plant as mentioned in (C-1) is applicable.

33.3.5 (C-5) Vehicle Servicing Garages

All Vehicle servicing garages shall ensure that the Waste Water generated through washing of vehicles is treated and recycled back for the same use as mentioned in (C-1)

33.3.6 (C-6) Other Hazardous uses

All other Establishments/ Buildings where chances of Waste Water generated containing harmful chemicals, toxins are likely and where such water cannot be directly led into public sewers, the concerned Competent Authority may direct the Owners, users of such Establishments, Buildings to treat their Waste Water as per the directions laid in (C-1)

33.4 INCENTIVE

The Owner/Developer/Society setting up and agreeing to periodically maintain such Waste 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.

33.5 Penalty Clause

(i) 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 PMRDA.

(ii) If any person / Owner /Developer / Organization / Society fails to operate as determined by the Authorised Officer of the PMRDA and from the observations of test results and/or physical verification of the Recycling plant, then he will be charged a penalty of Rs.300/- per day and disconnection of Water connection also.

34.0 SOLID WASTE MANAGEMENT

It shall be mandatory for:

i. Housing complexes, Commercial establishments, hostels, hospitals having aggregate built-up area more than 4,000 sq.m. or more;

ii. All three star or higher category hotels;

To establish a dedicated Solid waste management system to treat 100% wet waste and home-compostable plastic 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 Metropolitan Commissioner.

35.0 INCENTIVE FOR GREEN BUILIDNGS

The PMRDA shall strive to promote green building concepts within the PMR area. In order to do so it may empanel agencies of repute as listed/ recognized 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 or equivalent rating – 3% incentive FSI on basic FSI. GRIHA Four star / IGBC Gold or equivalent rating – 5% incentive FSI on basic FSI. GRIHA Five star / IGBC Platinum or equivalent rating – 7% incentive FSI on basic FSI.
Provided, achieving minimum GRIHA Three star / IGBC Silver 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 DCPR.

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.

PART – IX
SPECIAL SCHEMES/ ACTIVITIES

36.0 SPECIAL REGULATION FOR DEVELOPMENT OF "INTEGRATED TOWNSHIP PROJECT (ITP)"

The regulation finalised vide Notification No.TPS-1818/1349/CR-229/18/20(4)/UD-13 dated 20/11/2018 shall be applicable mutatis mutandis for integrated township projects under taken within PMRDA area.

37.0 REGULATION FOR INCLUSIVE HOUSING

This regulation shall be applicable only for the developments undertaken within 10 km distance of PMC/PCMC limits on following conditions:

37.1 (a) For the sub-division or layout of the land admeasuring **10000 sq.mt**. or more for residential purpose minimum 20% of the net plot area shall have to be provided,

i) Either in the form of developed plots of 30 to 50 sq.mt. size for Economically Weaker Sections/Low Income Groups (EWS/LIG), (hereinafter referred to as "affordable plots") in which plots of 30 sq.mt. size shall be kept for EWS; or,
ii) In the form of equivalent 20% net plot area, for constructing EWS/LIG tenements;

(b) The Land Owner/Developer shall sell the said affordable plots as mentioned at (i and ii) to MHADA at the land rate prescribed in the Annual Statement of Rates prepared by the Inspector General of Registration, Maharashtra State, Pune**.** If MHADA declines to purchase the same within a reasonable time of six months, then he can sale the affordable plots in the open market.

37.2 For a plot of land, admeasuring **10000** sq.mt. or more to be developed for a Housing Scheme consisting of one or more buildings (hereinafter referred to as 'the said Scheme'), EWS/LIG Housing in the form of tenements of size ranging between 30 to 50 sq.mt, (hereinafter referred to as 'affordable housing tenements') shall be constructed at least to the extent of 20% of the basic zonal F.S.I., subject to the following conditions:-

a) The built-up area of the EWS/LIG tenements constructed under the Scheme shall not be counted towards F.S.I.

b) The Land Owner / Developer shall construct the stock of the affordable housing tenements in the same plot and the PMRDA shall ensure that the Occupation Certificate for the rest of the development 'under the said Scheme is not, issued till the Occupation Certificate is issued for the Affordable Housing tenements under the said Scheme.

Provided further that the Affordable Housing tenements of equivalent value as per ASR subject to minimum 20 % of built-up area as per original location may also be provided at some other location (s) within the same village.

c) The Project Proponent/s, after getting the Commencement Certificate for the scheme, shall immediately intimate to MHADA regarding the numbers of **affordable housing tenements** to be disposed by them to the allottee. Upon such intimation, MHADA within a period of six months from the date of receipt of such intimation shall duly after following procedure of lottery system prepare the list of the allottee and forward it to the Project Proponent/s. The project proponent shall dispose of such EWS housing tenements to the allottees at the construction cost in ASR applicable to the land under the Scheme plus 20 % additional cost. Out of this 20 % additional cost, 10 % shall be paid to MHADA towards their administration charges.

d) There shall be no obligation to construct affordable Housing tenements in the redevelopment project of any co- operative Housing Society in which the carpet area of all existing individual residential tenements does not exceed 80 sq.mt.

e) In case of Redevelopment of Individual bungalow these provisions shall not apply. However if redevelopment proposed on area more than 10000 sq.mt. these provisions shall be applicable.

f**)** There shall be no obligation to construct affordable housing tenements in accordance with these provisions in any Housing Scheme or residential development project wherein, owing to the relevant provisions of the Development Control and Promotion Regulations, 20% or more of the basic Zonal FSI is required to be utilized towards construction of residential tenements for the EWS/LIG and also for the development / redevelopment of any land, owned by the Government or any Semi-Government organization. Provided such development / redevelopment is undertaken by the Government or such Semi- Government Organization by itself or through any other agency under BOT or PPP model.

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

37.3 Amalgamation of affordable plots / affordable tenements shall not be allowed.

37.4 These provisions shall be applicable prospectively and shall not be applicable to any Housing Scheme or residential development project wherein Commencement Certificate for full area had been issued prior to the date of coming into force of these provisions and was valid on such date. In case of revised approval this provision shall not be applicable. However, in case of part Commencement Certificate or revision of proposal where newly proposed area is more than 10000 sq.mt. then to that extent these regulations shall apply.

38.0 Tourism Development

38.1 The Metropolitan Commissioner, PMRDA shall allow the development of tourism activities as per following terms and conditions.

38.2 These regulations shall be applicable for Tourism Development in No Development Zone as set out herein below.

38.3 Tourism Development Project may be developed by individual or company or partnership firm or Government / Semi-government Organizations / Corporations

38.4 Size of plot & FSI – Minimum requirements regarding the size of the plot for Tourism Development Project and other features, shall be as follows:

i) Tourism Development Project shall be granted FSI as permissible as per Table No. 26 of these regulations.

Table No. 26

No Development Zone		
Total Area	**Max. TD Project Area**	**Max. built up area permissible (FSI)**
Area in hectare	**Area in hectare**	**Area in sq. m.**
2.0	1.0	5000 square meter
2.00-3.00	1.1	5500 square meter
3.00-4.00	1.2	6000 square meter
4.00-5.00	1.4	7000 square meter
5.00-6.00	1.6	8000 square meter
6.00-7.00	1.7	8500 square meter
7.00-8.00	1.8	9000 square meter
8.00-9.00	1.9	9500 square meter
9.00-10.00	2.0	10000 square meter
Above 10.00	1/5th of the holding	Half of the area of TDZ (0.5 FSI of TDZ area.)

Note:

i) After deducting the area of Tourism Development, remaining land in No Development shall be entitled for FSI as permissible in respective zones.

ii) For plots each more than 2 hectares in area in No Development Zone, no sub-division of plots shall be permitted.

38.4(a) Smaller Plots: - For existing landholders having smaller plots in No Development Zone, the provisions of promotion of tourism through bed & breakfast type of the arrangement for tourism shall be permissible. There shall be the same FSI as in No Development Zone for plots, according to Development Control Regulations.

Prohibition Tourism Development Project - Lands falling in categories specified below shall not be allowed for Tourism Development projects:

a) Lands affected beyond permissible levels by pollution in land, water or air, as may be decided and certified by the Maharashtra Pollution Control Board.

b) Areas from No Development Zone directly abutting the Residential Zone without being separated by road having width not less than 18 m.

38.5 Infrastructural Facilities – All the infrastructural facilities required in site as specified by the Metropolitan Commissioner, PMRDA shall be provided by the developer at his own cost on the site. Proper arrangement for treatment and disposal of sewage and sullage and solid waste shall be made to the satisfaction of Metropolitan Commissioner, PMRDA & Maharashtra Pollution Control Board. No untreated effluent shall be allowed to pass into the sea or any water body.

38.6 Reserved sites for TDZ – Where the lands are located in unique/unusual area, particularly suitable for development of tourism in view of existing water body, scenic beauty, tree plantation or geological formation etc. but are designated/ reserved in the Regional Plan for the purpose of park or gardens or recreation ground or private garden or private recreational ground, it can be specified as Tourism Development Zone. The minimum area of such site, however, shall not be less than 1.00 Ha. The floor space index available for development in such a site shall be 0.20. This FSI is to be consumed on only 15% of the area of the lands declared as Tourism Development Zone; out of the site designated for open user such as Recreation Ground, Parks etc.

38.7 Environment & Education – Places where rare species of migratory birds are known to visit and where there is a heritage of flora & fauna shall be given preference in development of Tourism Development Projects. Actions shall be taken by the developer for creating environmental awareness among the local population & especially among school going children in nearby area as directed by Metropolitan Commissioner, PMDRA.

38.8 In addition to above tourism development shall be permitted as following as per table no. 27 in the Afforestation Zone:

i) Permissible Use The following building user will be permissible in the Tourism Development Zones (T.D.Z.) an indicated in Table No. 27

a) Conventional hotels, including cottages for Tourist.

b) Canteens/restaurants and tea stalls including pan and cigarette booths;

c) Baths and toilets for camping sites providing for tents/caravans;

d) Public utilities and services like information centre, tourist reception centre, telephone booths, first aid centre, structures for recreation purpose such as health farms, water sports facilities, marine jetties and pantoons for docking of boats, swimming pools, boat house, badminton halls and the like.

ii) Minimum area of plot and maximum built up area etc, should be governed by the rules given in Table No. 27.

Table No. 27

Sub-Zone	Minimum area of plot/land	Maximum built up area (inclusive of temporary structures)	Maximum height of structures
1	**2**	**3**	**4**
1) Tourism Development Zones around lakes (a belt of 500 mtrs from FSL/HFL of Lake)	1 hect. (0.4 hect in case of development by local residents)	F.S.I. of 0.10 in case of tourist resort with minimum 10 rooms accommodation and ancillary users. Provided further that in case of Tourist Resort	1) Within a belt of 100 to 300 mtrs. From HFL/FSL of the Lake only Ground floor structures with maximum height of 5 mtrs with slooping roof.
		Development undertaken by local residents, concessional FSI of total 0.15 will be permitted for their already developed plots comprising extension of existing building. For Farmhouse/Forest House development 100 sq.mt. per 0.4 hect. Of plot + 50 sq.mt. per 0.4 hect. For ancillary structures	2) Within a belt of 300 to 500 mtrs. From HFL/FSL of the lake Ground + one with maximum 9 mtr. height.
2) Lands falling within the belt of 200 mtrs to 1.5 km from the historical monuments and places of archeological importance.	1 hect. (0.4 hect in case of development by local residents).	F.S.I. of 0.10 in case of tourist resort with minimum 10 rooms accommodation and ancillary users. Provided further that in case of Tourist Resort Development undertaken by local residents, concessional FSI of total 0.15 will be permitted for their already developed plots comprising extension of existing building. For Farm House/Forest House development 100 sq.mt. per 0.4 hect. Of plot + 50 sq.mt. per 0.4 hect. For ancillary structures	Ground + one with maximum height of 9 mtrs.
3) Afforestation Zones (except Govt. reserved forests) catchment areas of the lake & area in the 500 mt. to 1500 mt. belt around lakes (where low density is essential).	1 hect. (0.4 hect in case of development by local residents).	100 sq. mt. per 0.4 hect. of plot + 50 sq. mt. per 0.4 hect. for ancillary structures.	Only Ground floor with maximum height of 5 mt. and sloping roof.

iii) Tree Plantation: Maximum number of appropriate species of trees, preferably 500 trees per hect. (except where the forest department's certificate is obtained about larger area per tree being required for the selected species) should be given only after a certificate from the competent forest authority about the survival of the required number of trees is obtained.

iv) Further restrictions about building – No building including temporary structures, nor and camping ground will be permitted in areas having slopes steeper than 1 in 5. Similarly, no structures including temporary structures and tents/caravan sites (except boat house and jetties) will be permitted in the belt of 50 mtrs, from the High Flood Level of lakes and 200 mtrs. From boundary of protected monuments and temples of tourist importance. However, temporary

removable ground floor structures including tents, camping grounds may be permitted in the belt of 50 mtrs. to 100 mtrs from HFL/FSL of the lake. Provided further that, no toilet Blocks (Bath, W.C.etc) are allowed within 100 mtrs from HFL/FSL of the lake.

v) Treatment of effluent etc. – Proper arrangement for treatment and disposal of sewage and sullage and solid wastes shall be made to the satisfaction of the Water Pollution Control Board. No treated/untreated effluent should be allowed to pass into the lake waters.

vi) Open spaces along all sides – Minimum Open Spaces on all sides shall be 10 mtrs.

vii) No basement shall be allowed in the construction of Tourist Resorts within the belt of 100 to 500 mtrs. from the HFL of the lake.

viii) In order to prevent clustered development, a notional plot of minimum 1000 sq. mt. shall be designated to each cottage.

ix) Other features of buildings- Normal Rules shall apply in respect of building features other than the above. However, the construction shell be consistent with the surrounding landscape and local architectural style.

39.0 Innovative Development Proposals: If any development proposal is submitted by the owner or developer, consisting of new concepts, innovative ideas, then such proposal may be approved by the PMRDA in its Authority meeting, if it is, otherwise, in accordance with the spirit of these regulations.

40.1 Research and Development Centers as approved by the authorities identified by the PMRDA in any Zone excluding Hill Top Hill Slope Zone and Eco sensitive zone shall be allowed on following conditions**:**

a) The area of land shall be minimum 2 hectare.
b) The basic permissible FSI shall be as per residential zone and additional incentive FSI of 100% of basic FSI shall be allowed free of premium.
c) Out of the total allowable FSI, not more than 25 % shall be used for supplementary activities such as office use, staff Quarters, guest houses, convenience shopping, banking, clinics, library, health facilities and other amenities.
d) At least 80 trees per hectare shall be planted and maintained.
e) The violation of any of above (a) to (d) clauses shall lead to cancellation of permission.

40.2 Ropeway Projects: The landings of any rope way approved by competent authority shall be allowed in any zone including hill top hill slope / Eco sensitive zone of the plinth area not exceeding 1000 sq.mt. subject to other compliances and other utilities like water, drainage, sanitation as per these regulations.

The pylons/foundations for the rope way may be allowed as per the structural design requirement on the land / water following in any zone provided that the project proponent holds the rights to erect such structures and also provided that no habitable use is allowed under the pylons.

a) Following users shall be permitted in the landing areas
    i) Ticketing,
    ii) Tourist facilitation center,
    iii) Service facilities/ utilities,
    iv) Restaurants/cafes,
    v) Souveniour shops,
    vi) Museums
    vii) Amphitheaters.

40.3 Planetarium / Astronomical / Astrophysical Facilities / Projects:

These facilities may be allowed in any zone excluding Hill Top and Eco sensitive zone. It shall be used as an entertainment and learning center featuring shows about *space* in a domed or any specially designed theatre and *star gazing* and any such similar astronomical and astrophysical facilities for laboratory and large-scale research projects as well as for recreation subject to other compliances and other utilities like water, drainage and sanitation as per these regulations

i) The area shall be minimum 2 hectares.
ii) Permissible FSI shall not exceed 0.1.
iii) There shall be no restrictions on sizing of various functional parts for planetarium / Astronomical / Astrophysical facilities only.

40.4 Trekking Routes / Nature Trails / Nature Walks:

These facilities may be allowed in any zone including Hill Top Hill slope and Eco Sensitive zone. One unit of following users shall be permitted along PMRDA recognized nature treks / nature walks at both the ends in case of minimum length of 10 kms and only at the beginning in case of total length not exceeding 5 kms subject to other compliances and other utilities like water, drainage, sanitation as per these regulations.

a) Utilities including drinking water, toilets,
b) First aid cabin,
c) Emergency log room,
d) Pantry facility not exceeding 10 sqm.
e) Provided that for every intermediate 10 kms length of trek one unit of utilities mentioned in (a) above may be permitted.

40.5 Proposed Town Planning Scheme (TPS) Area:

40.5.1 These Regulations shall also be applicable for the TP Scheme Notified areas in the PMRDA.

41.0 SPECIAL REGULATIONS:

41.1 SPECIAL REGULATIONS FOR DEVELOPMENT OF TOURIST RESORTS/ HOLIDAY HOMES/ TOWNSHIP IN HILL STATION TYPE AREAS: The developments under the Hill Station Policy shall be governed by the Special Regulations as sanctioned by Government vide notification No.TPS-1896-1231-CR-123-96-UD 13, dated 26/11/1996 and its amendments by the Government from time to time.

41.2 SPECIAL REGULATIONS FOR DEVELOPMENTS WITHIN 10 KMS OF TAMHINI GHAT: These regulations shall be governed by the Special Regulations as sanctioned by the Government vide notification no. WLP.2012/C.R. 325/F-1 dated 03/05/2013 and its amendments by the Government from time to time.

42.0 Commercial use of lands owned by Zilla Parishad, Panchayat Samiti & Gram Panchayat:

Notwithstanding anything contained in these Regulations or the Development Plan/Regional Plan, the land owned by Zilla Parishad, Panchayat Samiti & Gram Panchayat (excepting the lands reserved for the appropriate authority other than Zilla Parishad, Panchayat Samiti & Gram Panchayat) shall be allowed to be developed for commercial use up to the maximum extent of 33% of the Floor Space Index available & subject to the general restrictions applicable otherwise to such development & also in accordance with Rural Development and Water Conservation Departments Resolution No. Sankul 2004/ Pra.Kra.54/ Para – 8, dated 30-04-2004 & as may be modified from time to time subject to the following conditions. –

i) The lands must be owned by Zilla Parishad / Panchayat Samiti / Gram Panchayat as the case may be.
ii) These lands are not reserved for any other appropriate authority in Development Plan/Regional Plan
iii) Town Planning Schemes.
iv) Independent access of appropriate width shall be separately provided for each commercial user and original user.
v) Parking requirement as prescribed for each type of user shall have to be provided

43.0 CONSERVATION OF HERITAGE BUILDINGS / PRECINCTS / NATURAL FEATURES

43.1 Applicability:

This regulation will apply to those buildings, artefacts, structures, areas and precincts of historic and/or architectural and /or cultural significance (hereinafter as "Listed Buildings/Heritage Buildings and listed precincts/Heritage precincts") and those natural features of environmental significance including scared graves, hills, hillocks, water bodies(and the areas adjoining the same) etc.

43.2 Preparation of List of Heritage Buildings, Heritage Precincts and Natural Features.

The Metropolitan Commissioner on advice of Heritage Committee shall prepare heritage list and shall issue public notice in the local newspapers declaring his intention to include the buildings, artefacts, areas and precincts of historic and /or cultural significance and the list of natural features of environmental significance, including sacred graves, hills, hillocks, water bodies etc. and invite objections and suggestions from any person in respect of the proposed inclusion within a period of 30 days from the date of such notice.

The Metropolitan Commissioner shall issue notice to the owner of the buildings artefacts, areas and precincts of historic and/or cultural significance etc. and invite objections and suggestions from such person in respect of proposed inclusion within 30 days from the date of such notice.

The Metropolitan Commissioner, in respect of any objections or suggestions, shall decide the same after giving hearing to the objections and send to the Government for approval. Government will sanction the said heritage list with modification, if required. This list will be called **Final Heritage List.**

Thereafter, the Metropolitan Commissioner may amend the Final Heritage List from time to time as and when required, on the advice of the Heritage Committee. In such case it shall not be necessary to take approval from Government, but the procedure as laid down above in this regulation regarding publication and objection / suggestion shall be followed before finalizing it.

43.3 Restriction on development, Redevelopment/repairs etc.

No development or redevelopment or engineering operations or addition, repairs renovation including the painting of buildings, replacement of special features or plastering or demolition of any part thereof of the said listed buildings, or listed precincts or listed natural features shall be allowed except with the prior written permission of the Metropolitan Commissioner. Before granting any such permissions, the Metropolitan Commissioner shall consult the Heritage Conservation Committee to be appointed by the State Government (hereinafter referred to as _the said Heritage Conservation Committee') and shall act on the advice of the Heritage Conservation Committee.

Provided that before granting any permission for demolition or major alterations/addition to listed buildings (or buildings within listed precincts) objections and suggestions from the public shall be invited and duly considered by the Heritage Conservation Committee.

Provided that, in exceptional cases for reasons to be recorded in writing the Metropolitan Commissioner himself may overrule the advice of the Heritage Conservation Committee.

If the application for development, alteration, modification of the Heritage precincts or listed building is rejected under this regulation or while granting such permission any conditions are imposed on the owner which deprives him to use the FSI, the said owner shall be compensated by grant of Development Right Certificate.

43.4 Incentive uses for Heritage Buildings.

After the commencement of this Regulation, the Heritage Precincts or the Listed Buildings shall not be permitted to be used for any commercial or office purpose except with the permission of the Heritage Conservation Committee. However, in cases of buildings included in the Heritage Conservation List, if the owner /owners agree to maintain the listed Heritage Building as it is in the existing stage and to preserve its heritage with due repairs, the owner/owners may be allowed with the approval of the Heritage Conservation Committee to convert part of the whole of the non- commercial area to commercial /office use. Provided that, if the heritage building is not maintained suitably or if the heritage value of the building is allowed to be spoiled in any manner, the Metropolitan Commissioner shall withdraw the permission forthwith.

43.5 Grant of Transferable Development Rights to owners/lessees of heritage buildings / heritage precincts.

If the owner is deprived of using FSI on the said plot or development permission is granted to him with conditions which deprive him of use of FSI, then he shall be entitled for TDR as decided by the Commissioner in consultation of Heritage Conservation Committee. The utilization of this TDR shall be as per TDR Regulation.

43.6 Maintaining Skyline

Building included in heritage precincts shall maintain the skyline in the precincts (without any high- rise development) as may be existing in the surrounding area, so as not to demolish or destroy the value and beauty of the said heritage buildings/heritage precincts. The development within the precincts shall be in accordance with the guidelines framed by the Metropolitan Commissioner on the advice of the Heritage Conservation Committee.

43.7 Restrictive Covenants

Regulations existing as on date of this Regulation imposed under covenants terms and conditions, on the leasehold plots either by State Government or by the PMRDA shall continue to be imposed, in addition to the Development Control and Promotion Regulations. However, in case of any conflict with the heritage preservation interest/environmental conservation and the said Development Control and Promotion Regulations, this regulation shall prevail.

43.8 Grading of the listed buildings/Listed Precincts.

The Metropolitan Commissioner shall classify the Heritage Precincts, Heritage Buildings in―Grades‖ such as (I),(II), (III). The meaning of these grades and basic guidelines for development permissions are as follows:

Grade-I	Grade-II	Grade-III
(A) Definitions		
Heritage Grade-I comprises Buildings and precincts of National or Historic importance, excellence in architectural style, design technology and material usage and/or aesthetics; associated with a great historic event, personality, movement or institution. They have been and are the prime landmarks of the city and of National importance.	Heritage Grade –II (A and B) comprises buildings and precincts of Regional importance, possessing special architectural or aesthetic merit, or cultural or historical significance though of a lower scale than Heritage Grade-I. They are local landmarks, which contribute to the image and identity of the region. They may be the work of master craftsmen or may be models of proportion and ornamentation or designed to suit a particular climate.	Heritage Grade –III comprises buildings and precincts of local importance for townscape, they evoke architectural, aesthetic, or sociological interest though not as in Heritage Grade –II. These contribute to determine the character of the locality and can be representative of life-style of a particular community or region and, may also be distinguished by setting on a street line or special character of the façade and uniformity of height width and scale.
(B) Objective		
Heritage Grade-I richly deserves careful preservation.	Heritage Grade-II deserves intelligent conservation.	Heritage Grade-III deserves intelligent conservation (though on a lesser scale than Grade-II and special protection to unique features and attributes.)

(C) Scope for Change		
No interventions be permitted either on exterior or interior unless it is necessary in the interest of strengthening and prolonging the life of the buildings or precincts or any part of features thereof. For this purpose absolutely essential and minimum changes would be allowed and they must be in accordance with the original.	Grade-II (A) Internal changes and adaptive reuse and external changes may by and large be allowed but subject to strict scrutiny. Care would be taken to ensure the conservation of all special aspects for which it is included in Heritage Grade-II Grade-II (B) In addition to the above, extension of Additional building in the same plot or compound, in certain circumstances be allowed, provided that, the extension/additional building is in harmony with (and does not detract from) the existing heritage buildings or precincts especially in terms of height, and facade.	External, internal changes and adaptive reuse would by and large be allowed. Changes can include extensions, and additional buildings in the same plot or compound. However any changes should be such that they do not detract from the existing heritage building/ precinct.
(D) Procedure		
Development permission for the changes would be given by the Metropolitan Commissioner on the advice of the Heritage Conservation Committee.	Development permission for the changes / additional construction would be given by the Metropolitan Commissioner on the advice of Heritage Conservation	Development permission for the changes / additional construction would be given by the Metropolitan Commissioner on the advice of the Heritage Conservation Committee.
(E) Vistas/ Surrounding Development		
All developments in areas surrounding Heritage Grade-I shall be regulated and controlled by ensuring that it does not mark the grandeur of or view from Heritage Grade-I		

43.9 Signs and outdoor display structures

No display or advertising signs and outdoor display structures on listed building and / or the Heritage Precincts shall be permitted except accordance with part X (sign and outdoor display structure) National Building Code of India.

Prohibition of advertising signs and outdoor display structure in certain cases :

Notwithstanding the provisions mentioned above no advertising sign or outdoor display structures shall be permitted on buildings of architectural aesthetic historic or heritage importance as may be decided by the Metropolitan Commissioner, Committee or on Government buildings, save that in the case of Government buildings only advertising signs or outdoor display structures may be permitted if they relate to the activities for the said buildings‘ own purposes or related programs.

Provided that, if the Heritage Conservation Committee so advises, the Metropolitan Commissioner shall refuse permission for any sign or outdoor display structure.

43.10 Composition of Heritage Conservation Committee

There shall be Heritage Conservation Committee for the PMR. This Committee shall be constituted by the Metropolitan Commissioner. The committee shall comprise of the following members:

i)	Chairman Appointed by the Government	Chairman
ii)	Divisional/ District officer of Archaeological Survey of India	Member
iii)	Divisional/ District officer of Archaeological Survey of Maharashtra	Member
iv)	Joint Director, Town Planning, Pune Division	Member
v)	Conveyor INTAC Pune Chapter	Member
vi)	Heritage Conservation Architect having 10 years of experience and membership of the Council of Architecture	Member
vii)	Historian having experience of 10 years in the field of History.	Member
viii)	Structural Engineer having experience of 10 years and member of Institution of Engineers.	Member
ix)	Chief Engineer, PMRDA	Member
x)	Metropolitan Planner, PMRDA	Member secretary

The tenure of the Members of categories (vi) to (viii) above shall change after every three years provided however that, the same person shall be eligible for reappointment as Member.

The Heritage Conservation Committee shall come into existence with effect from the date of its publication in the official Gazette.

No act of the Committee done in good faith, shall be deemed to be invalid by reason only of some defect subsequently discovered in the organization of the Committee or in the Constitution of the Committee or in the appointment of the Member or on the ground that such member was disqualified for being appointed.

The Chairman and in his absence the chosen Member of the Committee shall preside over the meeting of the Committee.

43.11 The Terms of reference of the Committee:-

(i) To consider whether development permission should be granted under this Regulation and the conditions of such permission.

(ii) To prepare a list or supplementary list of building artefacts, structures, areas precincts of historic aesthetic architectural cultural significance and a supplementary list of natural features of environmental significance including scared groves, hills, hillocks etc. water bodies (and the areas adjoining the same) to which this regulation would apply.

(iii) To consider whether any relaxation, modification, alteration, or variance of any of the Development Control and Promotion Regulations is called for.

(iv) To suggest amendments, changes or special regulations or modification to regulations for listed buildings and the heritage precincts regulated under these regulations.

(v) To consider on the extent of Development Rights to be granted to the owners of listed Building of the Heritage Precincts.

(vi) To consider whether Development Rights Certificates may be allowed to be consumed in a heritage precinct.

(vii) To consider whether to allow commercial /office user of any listed building of Heritage Precincts and when to terminate the same.

(viii) To regulate erection of outside advertisement/bill boards.

(ix) To recommend guidelines to be adopted by those private parties who sponsor beautification schemes at public intersection and elsewhere.

(x) To evaluate the cost of repairs to be given to the owners to bring the existing building back to the original condition. For this purpose, the Committee may suggest ways to raise funds through private sources.

(xi) To prepare special designs and elements and guidelines for listed buildings and control of height and essential façade characteristics such as maintenance of the buildings and to suggest suitable design adopting new materials for replacements keeping the old form intact to the extent possible.

(xii) To prepare guideline relating to design elements and conservation principles to be adhered to and to prepare other guideline for the purpose of this regulation.

(xiii) To consider any other issue as may be required from time to time during course of scrutiny of development permissions and in overall interest of heritage/environmental conservation.

In the absence of Heritage Conservation Committee, the Metropolitan Commissioner shall accord development permissions based on these Regulations.

43.12 Heritage Conservation Fund

1. Heritage buildings included in the said list shall be maintained by the owners of the said buildings themselves, with a view to give monetary help for such maintenance/repairs a separate fund may be created which would be kept at the disposal of the Metropolitan Commissioner, PMRDA, who will utilise these funds on the advice of the Heritage conservation Committee. The commissioner may, in such cases disburse appropriate amount to the owner or may get maintenance/ repair work done through PMRDA.
2. 2% of total development charges collected shall be transferred to the Heritage conservation fund.
3. The Metropolitan Commissioner shall have right to remove any unauthorized construction in the property enlisted as heritage property as an encroachment for the PMR land and recover the expenses of such removal/ demolition work form the owner as arrears of land revenue.
4. The Metropolitan Commissioner shall have right to enter into any such heritage property to repair such property to avoid any damage or injury, and the amount shall be spent from Heritage Conservation Fund and shall be recovered from the owner as arrears of Land Revenue.
5. If Heritage structure listed in Grade I needs conservation, preservation and immediate repairs and if the structure is affected due to vandalism by occupier/ owner, then the Metropolitan commissioner shall have right to acquire such heritage property and conserve its heritage value.

44.0 Mining or Quarrying Operations: With the prior approval of the Metropolitan Commissioner, PMRDA, Mining or Quarrying operations may be permitted in Agriculture/No Development Zone on following conditions:

(i) In areas within the region such pits and holes created in the process of mining and quarrying should be appropriately filled up and not left open.

(ii) The site shall be restored so as to make it safe either by raising a garden or in addition by planting fruit growing trees around it or by making it a water reservoir.

(iii) Mining & quarrying operation should be in a controlled manner, such as starting operation initially on a site away from crowded areas and later gradually extending it to the other

(iv) Hill tops and hill slopes from which rain water flow should not be allowed to be used for mining and quarrying.

(v) The natural landscape and environment are not to be adversely affected.

(vi) Quarrying shall be regulated in accordance with the method to be prescribed by the Metropolitan Commissioner, PMRDA

(vii) Regulations prescribed by the Revenue authorities regarding the resettlement and restoration of environment shall be strictly followed.

(viii) Quarrying shall not be permitted within 500m from the gaothan / village settlements and

from the rivers, forts, historical places and places of tourist interest.

(ix) The conditions prescribed under Maharashtra Minor Mineral Extraction Rules and Regulations shall be observed.

45.0 ERECTION OF MOBILE TOWERS:

Regulation for setting up of Telecommunication Cell Site(s)/Base Station(s) and installation of the equipments for Telecommunication Network in PMR area shall be as per **Appendix-O.**

PART – X

ACQUISITION / DEVELOPMENT OF RESERVED SITES IN REGIONAL / DEVELOPMENT PLAN

46.0 TRANSFERABLE DEVELOPMENT RIGHTS (TDR)

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

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

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

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

i) lands under various reservations for public purposes, new roads, road widening etc. which are subjected to acquisition, proposed in Draft or Final Regional/Development Plan, prepared under the provisions of the Maharashtra Regional and Town Planning Act,1966;
ii) lands under any deemed reservations according to any regulations prepared as per the provisions of Maharashtra Regional & Town Planning Act, 1966;
iii) lands under any new road or road widening proposed under the provisions of PMRDA;
iv) development or construction of the amenity on the reserved land;
v) unutilized FSI of any structure or precinct which is declared as Heritage structure or Precinct under the provisions of Development Control and Promotion Regulations, due to restrictions imposed in that regulation;
vi) in lieu of constructing housing for slum-dwellers according to regulations prepared under the Maharashtra Regional & Town Planning Act, 1966;
vii) The purposes as may be notified by the Government from time to time, by way of, modification to, new addition of, any of the provisions of sanctioned Development Control and Promotion Regulations.

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

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

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

open space or recreational ground, in any layout;
viii) For any designation, allocation of the use or zonewhich is not subjected to acquisition.

46.4 GENERATION OF THE TRANSFERABLE DEVELOPMENT RIGHTS (TDR)

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

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

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

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

Provided that, if leveling of land and construction/erection of the compound wall / fencing as per Clause No.46.4.1.b to the land under surrender is not permissible as per the prevailing Development Control a n d P r o m o t i o n Regulations, the quantum of TDR shall be reduced to 1:1.85 and 1:2.85 in non-congested area and congested area respectively.

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

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

b) DRC shall be issued only after the land is surrendered to the PMRDA, free of cost and free from encumbrances and after leveling the land to the surrounding ground level and after constructing / erecting a 1.5 m. high compound wall / fencing i.e. brick/stone wall up to 0.60 m. above ground level and fencing above that up to remaining height with a gate, at the cost of the owner and to the satisfaction of the Metropolitan Commissioner. Provided that, if on certain lands such construction / erection of compound wall / fencing is prohibited or restricted by any regulation, then quantum of Transferable Development Rights (TDR) shall be reduced as prescribed in proviso to Clause 46.4.1.a.

Provided further that, such construction / erection of compound wall/ fencing shall not be necessary for area under Regional/Development Plan roads. In such cases TDR equivalent to entitlement as mentioned in Regulation No. 46.4.1.a shall be granted without any reduction.

c) If any contiguous land of the same owner/developer, in addition to the land under surrender for which Transferable Development Rights (TDR) is to be granted, remains unbuildable, the Metropolitan Commissioner may grant Transferable Development Rights (TDR) for such remaining unbuildable land also if the owner / developer hands it over free of cost and free from all encumbrance and encroachment. If such land is from the proposed roads then such land shall be utilised for road side parking, garden, open space or road side amenities including bus bays, public toilets or any compatible user as the Commissioner may decide and if the such land is from the proposed reservation then same shall be included in such proposed

reservation and shall be developed for the same purpose. The Metropolitan Commissioner shall quarterly report such cases to Government.

d) In case of lessee, the award of Transferable Development Rights (TDR) shall be subject to lessee paying the lessor or depositing with the Planning Authority for payment to the lessor, an amount equivalent to the value of the lessors' interest to be determined by the Planning Authority on the basis of Land Acquisition Act, 1894 or the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 against the area of land surrendered free of cost and free from all encumbrances.

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

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

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

Where,

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

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

46.5 UTILISATION TRANSFERABLE DEVELOPMENT RIGHTS (TDR):--

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

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

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

Formula: X = (Rg / Rr) x Y

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

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

Y = TDR debited from DRC in sq.m.

Provided that, the areas or zones where the utilisation of TDR is permitted shall be as mentioned in regulation 46.5.4 (6) The permissible TDR shall not exceed 0.4 in any case. The additional TDR according to the road width as mentioned in regulation 46.5.4 shall also be permissible with prior approval of Government after publication of Development Plan of PMRDA along with the regulations.

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

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

Sr. No.	Plots Fronting on Road width	Maximum permissible TDR Loading
1	2	3
1	Below 9mt	0.00
2	9 mt and up to but less than 12mt	0.20
3	12mt and above but less than 15mt	0.30
4	15 mt and above but less than 24 mt	0.40
5	24 mt and above but less than 30 mt.	0.50
6	30 mt and above	0.60

Note:-

i) Column No.3 shows the maximum permissible TDR that can be utilised on any plot as per criteria given in regulation 46.5.4 (6)

ii) Maximum Building potential mentioned in Table No. 18 Column No.6 shall include the basic FSI, allowable TDR, Additional FSI if any, Road widening FSI of the very said plot if any. However, the Metropolitan Commissioner shall not grant any relaxation due to such allowable loading potential unless he himself satisfied that there is constraint on development;

iii) If a plot is situated on internal road having dead end within 60 mt. from the main road, then such plot shall be treated as fronting on main road for the purpose of utilisation of TDR.

2) Provided that, the restrictions of total maximum permissible built up area in terms of FSI with respect to road width mentioned above shall not be applicable in cases where, the permissible FSI is more than the basic FSI in various schemes, like Metro Influence Zone BRTs, TODs etc. where specific provisions which are sanctioned by the Government shall apply.

3) Provided that, the additional FSI permissible in certain categories of buildings such as, Educational building, Registered Charitable Institutional/ Medical / Hospital Building, Star Category Hotel, Religious Building etc. as per prevailing Development Control and Promotion Regulations, if any, can be availed either by full or part utilization of TDR or full or part utilization of additional FSI at the option of owner. However, the restriction of road width mentioned as above shall not be applicable when the owner exercises his option of availing utilization of additional FSI and in such cases limitation of maximum building potential as mentioned above shall not be applicable.

4) The utilisation of Transferable Development Rights (TDR) shall be permissible by considering Gross Plot Area excluding area affected by reservations or deemed reservation, if any.

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

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

a) Agricultural / no development / Green belt/ Afforestation/ HTHS Zone in the Regional Plan provided that lands developable as per Gaothan Expansion and Zone Change Policy shall be eligible for utilization of TDR.

b) Area within the flood control line i.e. blue line (prohibitive zone) as specified by Irrigation Department.

c) Where the permissible basic Zonal FSI is less than 0.75.

d) Area having developmental prohibition or restrictions imposed by any notification issued under the provisions of any Central/State Act (Defense restriction areas etc.) or under these regulations.

e) Any other area not covered under 46.5.4 6) below.

6) Areas Allowed for Utilisation of Transferable Development Rights (TDR) where water is being supplied by PMC / PCMC/ Municipal Council or Water supply is guaranteed by PMRDA shall be as follows : -

a) Area coming within 300 mt. of the alignment of Ring Road measured from the edge of the right of way.

b) The areas under Town Planning Schemes undertaken by the PMRDA

c) Area within 10 km distance from PMC/PCMC limits.

d) Area 2 k.m. outside Municipal limits where water supply is made available by concern Municipal Council.

46.6 GENERAL STIPULATION:-

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

Provided that, in case of lands having tenure other than Class-I, like Inam lands, tribal lands etc., N.O.C. from Competent Authority, mentioning

i) share of Government and land holder

ii) transfer of such land in the name of Planning / Appropriate Authority, shall be produced by the land holder at the time of submission of application for grant of TDR.

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

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

46.6.4 Transfer of DRC-

1) The Metropolitan Commissioner shall allow transfer of DRC in the following manner

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

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

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

46.6.5 The Metropolitan Commissioner may refrain the DRC holder from utilizing the DRC in the following circumstances:-

i) Under direction from a competent Court.

ii) Where the Metropolitan Commissioner has reason to believe that the DRC is obtained

a) by producing fraudulent documents;

b) by misrepresentation.

46.6.6 Any DRC may be utilised on one or more plots or lands whether vacant, or already developed fully or partly by erection of additional storeys, or in any other manner consistent with the prevailing Development Control and Promotion Regulations.

46.6.7 DRC may be used on plots/land having Regional/Development Plan reservations of buildable nature, whether vacant or already developed for the same purpose, or on the lands under deemed reservations, if any, as per prevailing Regulations.

46.6.8 Infrastructure Improvement Charges-

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

47.0 VESTING OF LAND:-

47.1 The Metropolitan Commissioner, before issuing DRC, shall verify and satisfy himself that the ownership and title of the land proposed for surrender is with the applicant, and get the Record of Right to be corrected in the name of PMRDA.

PART XI
SUPPLEMENTARY AND MISCELLANEOUS PROVISIONS

48.0 CLARIFICATION

If any question or dispute arises with regards to interpretation of any of these regulations, the matter shall be referred to the Government, who after considering the matter and after giving hearing to the parties, if necessary, 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.

49.0 **Power to delegate:** The Metropolitan Commissioner, PMRDA may, by an order, delegate any of the powers under these Regulations, exercisable by him, subject to such conditions, as he may consider appropriate, to any officer of the PMRDA not below the rank of Town planner, PMRDA.

50.0 **Appeals:** Deleted.

APPENDICES, PROFORMAS AND ANNEXURES

APPENDIX A-1

FORM FOR CONSTRUCTION OF BUILDING OR LAYOUT OF BUILDING / GROUP HOUSING

Application for permission for development under Section 44 / 58 of The Maharashtra Regional and Town Planning Act, 1966.

From _____

(Name of the owner)

To,

The Metropolitan Commissioner, PMRDA

Sir,

I intend to carry out the under mentioned development in the site/plot of land, on Plot No…… Town and Revenue S.No…….City Survey No……..Mauje ……situated at Road / Street …… Society …….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 ix) wherever applicable, in quadruplicate, signed by me (Name in block letters) ……..and the Architect / Licensed Engineer / Structural Engineer / Supervisor, (License No…….), who has prepared the plans, designs and a copy of other statements /documents as applicable

i) Key Plan (Location Plan), (to be shown on first copy of the set of plans)

ii) Site Plan showing the surrounding land and existing access to the land proposed to be developed; (to be shown on first copy of the set of plans)

iii) A detailed building plan showing the plan, section and elevations of the proposed development work along with existing structure to be retained/ to be demolished, if any;

iv) Particulars of development in Form enclosed **(**to be submitted for development other than individual buildings);

v) **C**opy of sanctioned layout plan if any;

vi) An extract of record of rights, property register card (any other document showing ownership of land to be specified) alongwith consent of co-owners where third party interest is created;

vii) Attested copy of receipt of payment of scrutiny fees;

viii) Latest property tax receipt;

ix) No Objection Certificate(s), wherever required.

I request that the proposed development/ construction may be approved and permission be accorded to me to execute the work.

Signature of the Licensed / Surveyor/Architect Name License No. Contact No. Dated	Signature of Owner Name of Owner Address of Owner Contact No. Dated

FORM GIVING PARTICULARS OF DEVELOPMENT
(Item iv of Appendix A-1)

1.	(a) (i) Full Name of Applicant	----------
	(ii) Address of applicant	----------
	(iii) e-mail ID	----------
	(iv) Contact / Mobile No.	----------
	(b)(i) Name and address of Architect/ licensed Engineer/ Structural Engineer/ Supervisor employed.	----------
	(ii) No. and date of issue of License	----------
2.	(a) Is the plot of, a City Triangulation Survey Number, Revenue Survey Number or Hissa Number of a Survey Number or a Final Plot Number of a Town Planning Scheme or a plot of an approved layout?	
	(b)Please state Sanction Number and Date of Sub-division / Layout	
	(c) Whether the land is situated in Core Area or Outside Core Area?	
3.	(a) What is the total area of the plot according to the ownership document and measurement plan?	----------
	(b) Does it tally with The Revenue/CTS Record	----------
	(c) What is the actual area available on site measured by Architect/licensed Engineer/Structural Engineer / Supervisor? (The permission shall be based on the area whichever is minimum.)	----------
	(d) Is there any deduction in the original area of the plot on account of D.P. Roads, or reservation(s). If so, are they correctly marked on the site plan? Please state the total area of such deductions?	----------
	(e) Is there any water stream in the land? State the area of such land.	
	(e) What is the area remained for development after above deduction(s)?	----------
	(f) What is the area proposed for recreational open space? (in case of land having original holding more than 0.4 hector) Please mention the area.	
	(g) Whether amenity space as required under Regulation no.13.4 is left? Please mention the area.	
	(f) What is the net plot area as per Regulation no.13.8? (excluding (g) above)	
4.	Are all plans as required under Regulation no.6.2 enclosed?	
5.	(a) In what zone does the plot fall?	----------
	(b) For what purpose the building is proposed? Is it permissible according to the land use	

	classification?	
6.	(a) Is road available as an approach to the land? What is the average existing width of the road? (If the plot abuts on two or more roads, the above information in respect of all roads should be given)	
	(b) Is the land fronting on D.P. road? If so, width of the D.P. road	
	(c) Is the land fronting on National or State highway? If so, is the Building line / control line maintained? Please state the distance.	
	(c) What is the height of the building above the average ground level of the plot?	
	(d) Is it within permissible limit of height specified in Regulation no. 15.9 i.e. 1.5 times of the road width plus front margin?	
	(e)Does height exceed the limit specified in (d) above? If so, is height approved by Director of Fire Services, M.S.?	
7.	Is the land subject to restrictions of blue / red flood line, airport, railway, electric line, land fill sites, archaeology, etc.? Please state the details along with _No objection certificate 'if any.	
8.	(a) If there are existing structures on the plot	
	(i) Are they correctly marked and numbered on the site plan?	
	(ii) Are those proposed to be demolished immediately and hatched in yellow colour?	
	(iii)What is the plinth area and total floor area of all existing structures to be retained? (Please give details confirming to the plan submitted)	
9.	Is balcony area within the permissible limit of 15 %? State said balcony area and area counted in FSI.	
10.	Are double height terrace within the limit of 20%? Are they of supported type? State said double height terrace area and area counted in FSI.	
11.	(a) Please state the total built up area, (existing + proposed + extra balconies + extra double height terraces.)	
	(b) What is the basic permissible F.S.I. of the zone according to front road width?	
	(c) What is the premium FSI proposed to be consumed?	
	(d) What is the area of TDR proposed to be consumed?	
	(e) What is the additional FSI proposed to be consumed?	
	(f) Please state the overall F.S.I. utilised in the proposal?	

	(g) Is built-up area of each flat / unit mentioned on the plan?			
12.	Whether area for inclusive housing is required as per Regulation no.13.7? Please state the details.			
13.	(a) What is the width of the front marginal distance (s)? If the building abuts two or more roads, does the front marginal distance comply with Regulation?			
14.	(a) What is :	Permissible	Proposed	
	(i) the side marginal distance (s)?			
	(ii) the rear marginal distance (s)?			
	(iii) the distance between buildings?			
15.	(a) What are the dimensions of the inner or outer chowk?			
	(b) Is / are room (s) dependent for its light and ventilation on the chowk? If so, are the dimensions of the chowk as required?			
16.	(a) Whether sizes of the rooms comply with the dimensions mentioned in the regulations?			
	(b) Whether use of every room / part mentioned on the plan?			
	(c) Whether every room derives light and ventilation required under the regulations?			
17.	If the height of the building is more than 15 meter above the average ground level, is provision for lifts made?			
	(a) If so, give details of lift.	Passenger Capacity	No. of Lifts	
	(b) Details of Fire Lift.	Passenger Capacity	No. of Lifts	
18.	(a) Does the building fall under purview of Regulation no.6.2.6.1?			
	(b) If so, is fire escape staircase provided in addition to regular staircase?			
	(c) Whether the ramps to the basement are provided leaving 6 m marginal distance for movement of fire fighting vehicle?			
	(d) If podiums are proposed, does it allow the movement of fire fighting vehicle properly?			
19.	(a) What are the requirements of parking spaces under the Regulation no.20? How many are proposed?		Required	Proposed
		Car		
		Scooter		
		Cycle		
	(b) (i) Are loading-unloading spaces necessary?			
	(ii) If so, what is the requirement?			
	(iii) How many are proposed?			

20.	Is the sanitary arrangement provided as per the regulation?	
21.	Details of the source of water to be used in the construction	
22.	Distance from the sewer.	
23.	Please explain in detail in what respect the proposal does not comply with the Development Control and Promotion Regulations and the reasons there for, attaching a separate sheet if necessary.	

I hereby declare that I am the Architect/ licensed Engineer/ Structural Engineer/ Supervisor employed for the proposed work and that the statements made in this form are true and correct to the best of my knowledge.

Date : / /

Signature of the Architect/ licensed Engineer/ Structural Engineer/ Supervisor employed.

FORM OF STATEMENT 1
(to be printed on plan)
[Sr. No. 8 (a) (iii)] Existing
Building to be retained

Existing Building No.	Floor No.	Plinth Area	Total Floor Area of Existing Building	Use / Occupancy of Floors.
(1)	(2)	(3)	(4)	(5)

FORM OF STATEMENT 2
(to be printed on plan)
[Sr. No. 11 (a)]
Proposed Building

Building No.	Floor No.	Total Built-up Area of floor.	Balcony area within 15%	Excess balcony area counted in FSI.	Double height terrace area within 20%	Excess Double height terrace area counted in FSI.	Total FSI (3+5+7)
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

FORM OF STATEMENT 2
(to be printed on plan) [Sr. No. 11 (g)]
Area details of Flat / unit

Building No.	Floor No.	Flat / unit No.	Built up area of flat / unit along with Share of Common areas like staircase / passages	Area of Balcony attached to flat / unit	Area of Double height terraces attached to flat / unit	Total area of flat / unit (4 + 5 + 6)
1	2	3	4	5	6	7

Note :
1) Built up area of all flats / units on the respective floor shall tally with the total built up of that floor.
2) Above statements may vary, wherever required.

PROFORMA - I (At Right Hand top Corner of Plans)		
PROPOSED ---------- COMPLEX ON C.T.S. NO./PLOT NO. / S.NO. / F.P.NO.------- OF VILLAGE MAUJE -----		**Drawing Sheet No.** X/Y
Stamps of Approval of Plans:		
A	AREA STATEMENTS	
	1. Area of plot *(Minimum area of **a, b, c** to be considered)*	
	a) As per ownership document (7/12, CTS extract)	
	b) as per measurement sheet	
	c) as per site	
	2. Deductions for	
	(a) Proposed D.P./ D.P. Road widening Area	
	(b)Any D.P.Reservation area	
	(Total a+b)	
	3. Gross Area of Plot (1-2)	
	4. Recreational Open space	
	(a) Required	
	(b) Proposed	
	5. Amenity Space - (a) Required - (b) Proposed - **6.** Service road and Highway widening **7.** Internal Road area	
	8. Net Area of Plot = [3 – 5(b)]	
	9. Built up area with reference to Basic F.S.I. as per front road width *(sr. no. 8 X 1.1)*	
	10. Addition of area for F.S.I.	
	(a) In-situ area against D.P. road *[1.85x sr. no. 2 (a)],if any*	
	(b) In-situ area against Amenity Space *[2.00 or1.85 x sr. no. 5 (b)],*	
	(c) Premium FSI area*(subject to maximum of 0.3 of sr. no. 8)* (d) TDR area (e) Additional FSI area under chapter VIII	
	(Total of a+b+c+d+e)	
	11. Total area available *(9+10)*	
	12. Maximum utilization of F.S.I. Permissible as per Road width *(as per Regulation no. 15.4)*	
	13. Total Built-up Area in proposal.*(excluding area at Sr.No.15.b)*	
	a) Existing Built-up Area.	
	b) Proposed Built-up Area	
	c) Excess Balcony area counted in F.S.I.	
	d) Excess Double Height terraces area counted in F.S.I.	
	Total (a+b+c+d)	
	14. F.S.I. Consumed (13/8) *(should not be more than serial no.12 above.)*	
	15. Area for Inclusive Housing, if any	
	a) Required *(20% of sr.no.9)*	
	b) Proposed	

Certificate of Area:

Certified that the plot under reference was surveyed by me on_____and the dimensions of sides etc. of plot stated on plan are as measured on site and the area so worked out tallies with the area stated in document of Ownership/ T.P. Scheme Records/ Land Records Department/City Survey records.

Signature
(Name of Architect/Licensed Engineer/Supervisor.)

Owner's declaration –

I/We undersigned hereby confirm that I/We would abide by plans sanctioned by PMRDA. I/We would execute the structure as per sanctioned plans. Also I/We would execute the work under supervision of proper technical person so as to ensure the quality and safety at the worksite.

Owner (s) name and signature

Architect/ Licensed Engineer/ Supervisor name and signature

Job No.	Drawing No.	Scale	Drawn by	Checked by	Registration / License no. of Arch./ Lic.Eng./ Supervisor

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 Metropolitan
Commissioner, PMRDA.

Sir,

I intend to carry out the under mentioned development in the site/plot of land, bearing S.No./Gut No. …… City Survey No……, Mouje ……, situated at Road/ Street …… in accordance with Section 44/58 of The Maharashtra Regional and Town Planning Act, 1966.

I forward herewith the following plans and statements (Item 1 to 6) wherever applicable, in quadruplicate, signed by me (Name in block letters) …… and the Architect / Licensed Engineer / Structural Engineer / Supervisor (License No……..), who has prepared the plans, designs and a copy of other statements /documents as applicable (Items 7 to 10).

(1) Key Plan (Location Plan);(to be shown on first copy of the set of plans)
(2) Site Plan showing the surrounding land and existing access to the land included in the layout;(to be shown on first copy of the set of plans)
(3) A layout plan showing,
    (i) sub-divisions of the land or plot with dimensions and area of each of the proposed sub-divisions and its use according to prescribed regulations;
    (ii) width of the proposed streets; and
    (iii) dimensions and area of recreational open spaces provided in the layout.
    (iv) dimensions and area of amenityspace provided in the layout.
(4) An extract of record of rights property register card (any other document showing ownership of land to be specified) alongwith consent of co-owners where third party interest is created.
(5) Particulars of development in Form enclosed.
(6) Attested copy of Receipt for payment of scrutiny fees.
(7) No Objection Certificate, wherever required.

I request that the proposed layout may please be approved and permission accorded to me to execute the work.

Signature of the Licensed / Surveyor/Architect	Signature of Owner
Name	Name of Owner
License No.	Address of Owner
Contact No.	Contact No.
Dated	Dated

FORM GIVING PARTICULARS OF DEVELOPMENT
(PART OF APPENDIX 1……..ITEM 5)

1.	(a) (i) Full Name of Applicant	
	(ii) Address of applicant	
	(iii) e-mail ID	
	(iv) Mobile No.	
	(b) (i) Name and address of Architect/licensed Engineer employed.	
	(ii) No. and date of issue of License	
2.	(a) Is the plot of, a City Triangulation Survey Number, Revenue Survey Number or Hissa Number of a Survey Number or a Final Plot Number of a Town Planning Scheme?	
	(b)Whether the land is situated in Core Area or Outside Core Area?	
3.	(a) What is the total area of the plot according to the ownership document and measurement plan?	
	(b) Does it tally with the Revenue/CTS Record	
	(c) What is the actual area available on site measured by Architect/ licensed Engineer/ Structural Engineer / Supervisor? (The permission shall be based on the area whichever is minimum.)	
	(d) Is there any deduction in the original area of the plot on account of D.P.Roads, or reservation(s). If so, are they correctly marked on the site plan? Please state the total area of such deductions?	
	(e) Is there any water stream in the land? State the area of such land and state whether it is excluded?	
	(e) What is the area remained for development after above deduction(s)?	
	(f) What is the area proposed for recreational open space? (in case of land having original holding more than 0.4 hector) Please mention the area.	
	(g) Whether amenity space as required under Regulation no.13.4 is left? Please mentionthe area.	
	(f) What is the net plot area as per Regulation no.13.9? (excluding (g) above)	
5.	Are all plans as required under Regulation no.6.2 enclosed?	
6.	(a) In what zone does the plot fall?	
	(b) For what purpose the layout is proposed? Is it permissible according to the land use classification?	
7.	(a) Is road available as an approach to the land? What is the average existing width of the road? (If the plot abuts on two or more roads, the above information in respect of all roads should be given)	

	(b) Is the land fronting on D.P. road? If so, width of the D.P. road	
	(c) Is the land fronting on National or State highway? If so, is the Building line / control line maintained? Please state the distance.	
8.	Is the land subject to restrictions of blue / red flood line, airport, railway, electric line, land fill sites, archaeology, etc.? Please state the details along with _No objection certificate 'if any.	
9.	Whether the internal roads proposed in the layout conform to the Regulation no.12.	
10	Whether roads in the layout are co-ordinated with the roads in the surrounding layout?	
11	Whether the area and dimensions of plots are proposed as per prescribed regulations?	
11.	Whether area for inclusive housing is required as per Regulation no. 13.7? Please state the details.	

I hereby declare that I am the Architect/ licensed Engineer employed for the proposed work and that the statements made in this form are true and correct to the best of my knowledge.

Date : / /

Signature of the Architect/ licensed Engineer/ Structural Engineer/ Supervisor employed.

PROFORMA - I

(At Right Hand top Corner of Plans)

PROPOSED ---------- LAYOUT ON C.T.S. NO./PLOT NO. / S.NO. / F.P.NO.---------- OF VILLAGE MAUJE -----

Drawing Sheet No.

Stamps of Approval of Plans:

X/Y

A AREA STATEMENTS

1. Area of land
*(Minimum area of **a, b, c** to be considered)*

a) As per ownership document (7/12, CTS extract)

b) as per measurement sheet

c) as per site

2. Deductions for

(a) Proposed D.P./ D.P. Road widening Area

(b) Any D.P. Reservation area

3. Gross Area of Plot (1-2)

4. Recreational Open space (Total a+b)

(a) Required -

(b) Proposed -

5. Amenity Space

(a) Required -

(b) Proposed -

6. Service road and Highway widening

7. Internal Road area

8. Area under layout plots

9. Net area of plots for FSI Calculations = (3-5b)

10. Permissible FSI factor for layout plots = (9/8)

11. Area for inclusive housing

(a) Required -

(b) Proposed -

Certificate of Area:

Certified that the plot under reference was surveyed by me on_____and the dimensions of sides etc. of plot stated on plan are as measured on site and the area so worked out tallies with the area stated in document of Ownership/ T.P. Scheme Records/ Land Records Department/City Survey records.

Signature

Owner (s) name and signature

(Name of Architect/License Engineer/Supervisor.)

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 (sq.m.	Rounding area of Road (if any) (sq.m.)	Remaining Plot area (b-c) (sq.m.)	Built up area on pro-rata basis i.e. (d x Pro-rata FSI factor)	Front Road width (m.)	basic FSI	Permissible Built-up area on Basic FSI (e x g) (sq.m.)
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)

APPENDIX 'B'
FORM FOR SUPERVISION

To,

The Metropolitan CommissionerPMRDA.

Sir,

I hereby certify that the development/erection/re-erection/demolition or material alteration in/ or Building No_____on / in Plot No._____in Block No._____situated at Road / street_____City Survey No._____shall be carried out under my

supervision and I certify that all the materials (types and grade) and the workmanship of the work shall be generally in accordance with the general specifications and that the work shall be carried out according to the sanctioned plans. I shall be responsible for the execution of the work in all respects.

Signature and name of the Architect or Licensed Engineer/Structural Engineer/ Supervisor ----------

License No. ----------
Date :

APPENDIX 'C'

QUALIFICATION, COMPETENCE, DUTIES AND RESPONSIBILITES ETC. OF LICENSED TECHNICAL PERSONNEL OR ARCHITECT FOR PREPARATION OF SCHEMES FOR DEVELOPMENT PERMISSION AND SUPERVISION

C-1	**General**
C-1.1	The qualifications of the technical personnel and their competence to carry out different jobs for building permit and supervision for the purpose of licensing by the Authority shall be as given in Regulation no. C-2 to C-6. The procedure for licensing the technical personnel is given in Regulation no.C-6.
C-2	**ARCHITECT**
C-2.1	**Qualifications-**The minimum qualifications for an architect shall be the qualifications as provided for in the Architects Act, 1972for registration with the Council of Architecture. Such registered Architects shall not be required to again register their names with the PMRDA. However, he shall submit the registration certificate to the PMRDA.
C-2.2	**Competence of Architect:** To carry out work related to development permission as given below and shall be entitled to submit - (a) All plans and information connected with development permission. (b) Structural details and calculations for building on plot upto 500 sq. m. and upto 3 storeys or 11 m. height and (c) Certificate of supervision and completion for all buildings.
C-3	**A)ENGINEER**
C-3.1	**Qualifications-**
	1) The qualifications for Licensing Engineer will be the corporate membership (Civil) of the Institution of Engineers or such Degree or Diploma in Civil or Structural Engineering or equivalent; **2)** Diploma in Civil Engineering or equivalent, having experience of 10 years in the field of land and building planning.
C-3.2	**Competence**- To carry out work related to development permission as given below and shall be entitled to submit- (a) All plans and related information connected with development permission. (b) Structural details and calculations for building on plot upto 500 sq.m. and upto 3 storeys or 11 m.height, and (c) Certificate of supervision and completion for all building.
C-4	**STRUCTURAL ENGINEER**
	C-4.1 **Qualifications**- Qualifications for Licensing of structural engineers shall be as given below, with minimum 3 years of experience of structural engineering practice in designing and field work; **(a)** Graduate in Civil Engineering of recognized Indian or Foreign University and Chartered Engineer or Associated Member in Civil Engineering Division of Institution of Engineers (India) or equivalent Overseas Institution; **or**

	(b) Shall have post graduate degree in structural engineering. Three years' experience will be reduced to two years for those with Post Graduation in Structural engineering. In the case of doctorate in structural engineering the experience criteria reduced to one year.
C-4.2	**Competence**–he shall be entitled to submit the structural details and calculations for all buildings and supervision.
C-4.2.1	Complicated buildings and sophisticated structures, as decided by the Metropolitan Commissioner, which are not within the horizontal areas and vertical limits under C-2.2 (b), C-3.2 (b), C-5.2 (a) (i)& C-5.2 (b) (i) shall be designed only by Structural Engineer.
C-5	**SUPERVISOR:**
C-5.1	**Qualification** **(a)For Supervisor 1** :- **(i)** Three years architectural assistantship or intermediate in architecture with two years' experience, **or** **(ii)** Diploma in Civil engineering *or equivalent qualifications* with two years' experience. **(iii)** Draftsman in Civil Engineering from ITI or equivalent qualifications with Ten years' experience out of which five year shall be under Architect/Engineer. **(b) For Supervisor - 2**:- **(i)** Draftsman in Civil Engineering from ITI *or equivalent qualifications* with five years' experience under Architect / Engineer.
C-5.2	**Competence** **(a)** For Supervisor-1: he shall be entitled to submit - **(i)** All plans and related information connected with development permission on plot upto 500 sq.m.; and **(ii)** Certificate of supervision of buildings on plot upto 500 sq. m. and completion thereof. **(b)** For Supervisor-2 : he shall be entitled to submit - **(i)** All Plans and related information upto 200 sq. m. built up area, and **(ii)** Certificate of supervision for limits at (i) above and completion thereof.
C-6.	**LICENSING-**
C-6.1	Technical Personnel to be licensed:- The Qualified technical personnel or group as given in regulations; No C-3, C-4, C-5 shall be licensed with the authority and the license shall be valid for three calendar years ending 31st December after which it shall be renewed annually or every three years.
C-6.2	**Fees for Licensing-** The annual licensing fees shall be as follows:-

For Engineer and structural Engineer	1000 p.a.
For supervisor (1)	500 p. a.
For supervisor (2)	300 p. a

	The Metropolitan Commissioner may revise above fees from time to time, if necessary.

C-6.3	**Duties and Responsibilities of Architects / Licensed Technical Personnel:** The duties and responsibilities of architects / licensed technical personnel shall be as follows:- **(1)** It will be incumbent on every architect / licensed technical personnel, in all matters in which he may be professionally consulted or engaged, to assist and co-operate with the Metropolitan Commissioner and other Officers in carrying out and enforcing the provisions of Maharashtra Regional & Town Planning Act, 1966 and of any regulations for the time being in force under the same. **(2)** Every architect / licensed technical personnel shall be responsible for due compliance with the provisions of Maharashtra Regional & Town Planning Act, 1966 and of any regulations for the time being in force under the said Act. It shall be obligatory on him to satisfy himself that a qualified and competent Mistry or Inspector of Works is constantly employed and present on the work to supervise the execution of all work and to prevent the use of any defective material therein and the improper execution of any such work. **(3)**Every architect / licensed technical personnel shall be responsible for carrying out work according to sanctioned plan. **(4)** Every architect / licensed technical personnel shall be responsible for correctness of the calculations and dimensions mentioned on the plan and shall be liable for consequences arising thereof. **(5)** Architect / licensed technical personnel shall not involve himself in any unauthorised development. He shall also make aware the client about legal provisions in respect of proposed development and consequences thereof. **(6)** When an architect / licensed technical personnel cease to be in the employment for the development work, he shall report the fact forthwith to the Metropolitan Commissioner.

APPENDIX 'D-1'

FORM FOR SANCTION OF BUILDING PERMISSION AND COMMENCEMENT CERTIFICATE

To,

Sir,

With reference to your application No_____,dated_____for the grant of sanction of Commencement Certificate under Section 44 of The Maharashtra Regional and Town Planning Act, 1966 to carry out development work / Building on Plot No_____Revenue Survey No_____, City Survey No_____, mauja_____situated at Road /Street_____, Society_____the

Commencement Certificate/Building Permit is granted under Section 45 of the said Act, subject to the following conditions:

1. The land vacated in consequence of the enforcement of the set-back rule shall form part of the public street.

2. No new building or part thereof shall be occupied or allowed to be occupied or used or permitted to be used by any person until occupancy permission has been granted.

3. You will have to handover the amenity space to the PMRDA before approval of final layout as per Regulation no.13.4. (wherever applicable)

4. You will have to submit an undertaking in respect of recreational open spaces as stipulated in Regulation.(wherever applicable)

5. The Commencement Certificate/ Building permit shall remain valid for a period of one year commencing from the date of its issue unless the work is not commenced within the valid period.

6. This permission does not entitle you to develop the land which does not vest in you.

7. ---

8. ---

9. ---

Office No.

Office Stamp

Date :

Yours faithfully,

Metropolitan Commissioner, Pune or an officer
appointed by him

APPENDIX 'D-2'

FORM FOR TENTATIVE APPROVAL FOR DEMARCATION OF LAND / SUB-DIVISION LAYOUT

To,

Sir,

With reference to your application No_,dated_____for the land sub-division approval, under Section 44 of The Maharashtra Regional and Town Planning Act, 1966 to carry out development work in respect of land bearing Revenue Survey No_____, City Survey No_____, mauje _____situated at Road /Street_____, Society_____, it is to inform you that, land sub-division layout is hereby tentatively approved and recommended for demarcation, subject to the following conditions:

1. You will get the land sub-division layout demarcated on the site by the Land Records Department and submit the certified copy to that effect for final approval.

2. It shall be the responsibility of the owner to carry out all the development work including construction of roads, sewer lines, water supply lines, culverts, bridges, street lighting, etc. and hand it over to the PMRDA after developing them to the satisfaction of the Metropolitan Commissioner.

3. If you wish that the PMRDA has to carry out these development works, then you will have to deposit the estimated expenses to the PMRDA in advance, as decided by the Metropolitan Commissioner.

4. You will have to handover the amenity space to the PMRDA before approval of final layout as per Regulation no.13.4. (applicable in case where owner is not allowed to develop)

5. You will have to submit an undertaking in respect of recreational open spaces as stipulated in Regulation.

6. This permission does not entitle you to develop the land which does not vest in you.

7. ---

8. ---

Office No.

Office Stamp

Yours faithfully,

Metropolitan Commissioner, Pune
or an officer appointed by him

APPENDIX 'D-3'

FORM FOR FINAL APPROVAL TO THE LAND SUB-DIVISION / LAYOUT

To,

_____

_____

_____

Sir,

With reference to your application No._____,dated_____for the land sub-division approval, under Section 44 of The Maharashtra Regional and Town Planning Act, 1966 to carry out development work in respect of land bearing Revenue Survey No_____, City Survey No , mauje_____situated at Road /Street_____, Society_____, the land sub-division layout is finally approved as demarcated under Section 45 of the Maharashtra Regional & Town Planning Act, 1966, subject to the
following conditions:

1.	It shall be the responsibility of the owner to carry out all the development work including construction of roads, sewer lines, water supply lines, culverts, bridges, street lighting, etc. and hand it over to the PMRDA after developing them to the satisfaction of the Metropolitan Commissioner.
2.	If you wish that the PMRDAshould carry out these development works, then you will have to deposit the estimated expenses to the PMRDA in advance, as decided by the Metropolitan Commissioner.
3.	As per the undertaking submitted by you in respect of recreational open space as stipulated in Regulation no.13.3, the said open space admeasuring ------- sq.m. stand vested in the name of plot holders of the layout or society of the plot holders and you have no right of ownership or interest in the said recreational open space.
	Since you have handed over the amenity space to the PMRDA, you shall be entitled for FSI equivalent to TDR, on the remaining land. (wherever applicable)
4.	This permission does not entitle you to develop the land which does not vest in you.
5.	----------
6.	----------
7.	----------
8.	----------

Office No. ----------Office Stamp

----------Date : ----------

Yours faithfully, Metropolitan

Commissioner, Pune
or an officer appointed by him

APPENDIX 'E-1'

FORM FOR REFUSAL OF BUILDING PERMIT / COMMENCEMENT CERTIFICATE

To,

Sir,

With reference to your application No._____dated_____for the grant of sanction for the development work / the erection of a building / execution of work on Plot No._____, Revenue Survey No._____, City Survey No._____, mauje_____, I regret to inform you that the proposal has been refused under Section 45 of the Maharashtra Regional and Town Planning Act, 1966, on the following grounds.

1. ---

2. ---

3. ---

4. ---

5. ---

6. ---

Office Stamp

Yours faithfully,

Metropolitan Commissioner,
Pune or an officer appointed by
him

APPENDIX 'E-2'

FORM FOR REFUSAL OF LAND SUB-DIVISION / LAYOUT

To,

Sir,

With reference to your application No._____dated_____for the grant of sanction for the development work bearing Revenue Survey No._____, City Survey No._____, mauje_____, I regret to inform you that the proposal has been refused under Section 45 of the Maharashtra Regional and Town Planning Act, 1966, on the following grounds.

1. ---
2. ---
3. ---
4. ---
5. ---
6. ---

Office Stamp

Yours faithfully,

Metropolitan Commissioner,
Pune or an officer appointed by
him

APPENDIX 'F'

FORM FOR INTIMATION OF COMPLETION OF WORK UPTO PLINTH LEVEL

To,

The
Metropolitan
Commission
er, PMRDA

Sir,

The construction up to plinth / column up to plinth level has been completed in Building No _____Plot No_____, Revenue Survey No._____, City Survey No._____, Village_____Sector No._____Ward No._____, situated at Road/Street_____,Society_____in accordance with your permission No dated _____under my supervision and in accordance with the sanctioned plan.

Please check the completed work and permit me to proceed with the rest of the work.

Yours faithfully

Signature of Architect /Licensed Engineer/ Structural Engineer/Supervisor
Name : _____
(In Block Letters)_____
Address :_____
_____ _____
E-mail ID : _____
Mobile No.: _____
Date: _____

APPENDIX 'G'

FORM OF APPROVAL / DISAPPROVAL OF DEVELOPMENT WORK UPTO PLINTH LEVEL

To,

_____

_____

_____

Sir,

Please refer to your intimation No _____ dated _____

regarding the completion of construction work upto plinth / column upto plinth level in Building No _____ Plot No_____, Revenue Survey No._____, City Survey No._____, Village_____ SectorNo._____ WardNo._____,situated at Road/Street _____,Society_____ You may proceed / are not allowed to proceed with the further work as per sanctioned plans / as the construction upto plinth level does / does not confirm to the sanctioned plans.

Yours faithfully,

Metropolitan Commissioner,
PMRDA

Office No _____
Office Stamp ____
Date : _____

APPENDIX 'H'

FORM FOR COMPLETION CERTIFICATE

To,

The Metropolitan Commissioner,

PMRDA

Sir,

I hereby certify that the erection / re-erection or part/ full development work in / on building / part building No_____Plot No_____, Revenue Survey No._____, City Survey No._____, mauje_____, has been supervised by me and has been completed on_____according to the plans sanctioned, vide office communication No _____ dated_____. The work has been completed to the best of my satisfaction. The workmanship and all the materials (type and grade) have been strictly in accordance with general and detailed specifications. No provisions of the Act or the building Regulations, no requisitions made, conditions prescribed or orders issued there under have been transgressed in the course of the work. I am enclosing three copies of the completion plans. The building is fit for occupancy for which it has been erected/ re-erected or altered, constructed and enlarged.

I have to request you to arrange for the inspection & grant permission for the occupation of the building.

Yours faithfully

Signature and name of Architect /Licensed Engineer/
Structural Engineer/Supervisor

Encl : As above.

Date :

(Signature of Owner)

Name of Owner (in Block Letters)

APPENDIX 'I'

FORM FOR OCCUPANCY CERTIFICATE

To,

i) Owner:

ii) Architect, Licensed Engineer Structural Engineer / Supervisor

Sir,

The part / full development work / erection re-erection / or alteration in of building / part building No _____ Plot No _____, Revenue Survey No._____, City Survey No._____, mauje_____, completed under the supervisionof _____Architect, Licensed Engineer/ Structural Engineer / Supervisor, / License No_____may be occupied on the following conditions-

1. ----------

2. ----------

3. ----------

4. ----------

A set of certified completion plans is returned herewith.

Encl : As above.

Yours faithfully,

Metropolitan Commissioner,
PMRDA or an officer appointed
by him

APPENDIX 'J'

FORM FOR REFUSAL OF OCCUPANCY CERTIFICATE

To,

i) Owner:

ii) Architect, Licensed Engineer Structural Engineer / Supervisor

Sir,

The part / full development work / erection re-erection / or alteration in of building / part building No _____ Plot No _____, Revenue Survey No. _____, City Survey No._____, mauje_____, completed under the supervision of _____Architect, Licensed Engineer/ Structural Engineer / Supervisor, / License No_____is not allowed to be occupied because of the following reasons -

1. The construction carried out by you does not conform to the sanctioned plans.

2. ----------

3. ----------

A set of completion plan is retained with the PMRDA and remaining sets are regretfully returned herewith.

Encl : As above.

Yours faithfully,

Metropolitan Commissioner, PMRDA
or an officer appointed by him

APPENDIX 'K'

FORM OF INDEMNITY FOR PART OCCUPANCY CERTIFICATE

(On Stamp Paper)

(Of such value as decided by the Metropolitan Commissioner.)

To,

Metropolitan Commissioner,

PMRDA.

Subject:-

Sir,

While thanking you for letting me occupy a portion of the above building before acceptance of the Completion Certificate of the whole building for the plans approved in communication No _____, dated_____I hereby indemnify the PMRDA 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 'L' SCHEDULE FOR SERVICE INDUSTRIES					
Sr. No.	Category of Industry	Service Industry Class -A (Permitted in R2 and C) Criteria for Classification and special conditions			
		Maximum Permissible			
		Power requirement (in H.P.)	Employment (in persons)	Floor area (in sq. m.)	Special Conditions if any
(1)	(2)	(3)	(4)	(5)	(6)
I.	**Food Product**				
1.	Preservation of meat, canning preserving and processing of fish crust aces and similar foods	-	-	-	Not permissible
2.	Manufacture of milk and dairy products such as butter, ghee, etc.	10	9	50	-
3.	Canning & preservation of Fruits & Vegetables including production of Jam, Jelly, Sauce, etc.	-	-	-	-
4.	(a) Rice huller (b) Groundnut decorticators (c) Grain Mill for production of flour (d Manufacture of supari and Masala grindings. (e) Baby oil expellers	10 10 10 10 10	9 9 9 9 9	50 50 50 50 50	-
5.	Manufacture of bakery products with no Floor above	10	9	75	(i) Operation shall be permitted only between 8.00 hrs. to 20.00 hrs. (ii) Fuel used shall be electricity, gas or smokeless coal.
6.	Manufacture of cocoa, chocolate, Sugar confectionary	-	-	-	Not permissible
7.	Coffee, curing roasting and grinding	2	9	50	-
8.	Cashew nut processing like drying, shelling, roasting, salting etc.	-	-	-	Not permissible

9.	Manufacture of Ice	45	20	250	-
10.	Sugarcane crushing & Fruit Juice	2	9	25	-
II.	**BEVERAGES & TOBACCO**				
11.	Manufacture of soft drinks and carbonated water	-	-	-	Not permissible
12.	Manufacture of bidi	No Power to be used	as permitted	250	May also be permitted in R-1 zone
III.	**TEXTILE & TEXTILEPRODUCTS**				
13.	Handloom / power-loom of yarn for a maximum of 4 looms.	5	9	50	May also be permitted in R-1 zone in areas designated by the Metropolitan Commissioner.
14.	Printing dyeing & bleaching cotton, woollen & silk textiles	-	-	-	Not permissible
15.	Embroidery & making of crape laces & fringes	5	9	50	-
16.	Manufacture of all types of textile garments including wearing apparel.	3	9	50	-
17.	Manufacture of made up textiles goods such as curtains, mosquito net, mattresses, bedding material pillow cases, textile bags. etc.	3	9	50	-
IV.	**WOOD PRODUCTS AND FURNITURE**				
18.	Manufacture of wooden & cane boxes & packing cases.	-	-	-	Not permissible
19.	Manufacture of structural wooden goods such as beams, posts, doors and windows	-	-	-	Not permissible
20.	Manufacture of wooden furniture and fixtures	1	9	50	i) Shall not be permitted adjoining a dwelling unit. ii) Operation shall be permitted only between 8.00 hrs. to 20.00 hrs.
21.	Manufacture of bamboo and cane furniture and fixtures	1	9	50	
22.	Manufacture of wooden products such as utensils, toys, art wares etc	-	-	-	Not permissible

V.	**PAPER PRODUCTS AND PRINTING PUBLISHING**				
23.	Manufacture of cartons and boxes from papers and paper board, paper pulp,	5	9	50	Manufacture with paper pulp not permissible.
24.	Printing & Publishing newspaper.	5	9	50	-
25.	Printing & Publishing periodicals, books journals, atlases, maps, envelope, printing picture, post-card, embossing				i) Operation shall be permitted only between 8.00 hrs. and 20.00 hrs. ii) No restrictions of power, number of employees, area of hours of operation shall apply if located in a building, in separate plot not less than 500 sq. m. and if special permission of the Metropolitan Commissioner is obtained
26.	Engraving etching block making etc.	10	9	120	Operation shall be permitted only between 8.00 hrs. to 20.00 hrs.
27.	Book binding	10	9	120	-
VI.	**LEATHER PRODUCTS**				
28.	Manufacture of leather footwear	-	-	-	Not permissible
29.	Manufacture of wearing apparel like coats, gloves etc.	-	-	-	Not permissible
30.	Manufacture of leather consumers goods such as upholstery suitcases, pocket books, cigarette and key cases, purses etc.	-	-	-	Not permissible
31.	Repair of footwear and other leather	5	9	50	
VII.	**RUBBER AND PLASTIC :**				
32.	Re-treading and vulcanizing works	2	9	50	
33.	Manufacture of rubber balloons, hand gloves and allied products	2	9	50	
VIII	**NON-METALLIC MINERAL PRODUCTS**				
34.	Manufacture of structural stone goods, stone dressing, stone crushing and polishing	-	-	-	Not permissible

35.	Manufacture of earthen & plaster states and images, toys and art wares.	-	-	-	Not permissible
36.	Manufacture of cement concrete building components, concrete jellies, septic tank, plaster or paris work lime mortar etc.	-	-	-	Not permissible
IX.	**METAL PRODUCTS :**				
37.	Manufacture of furniture and fixtures primarily of metal.	-	-	-	Not permissible
38.	Plating & Polishing and buffing of metal products	-	-	-	Not permissible
39.	Manufacture of metal building components such as grills, gates. Doors and window frames, water tanks, wire nets, etc.	5	9	50	
40.	Manufacture and repair of sundry ferrous engineering products done by jobbing concerns such as mechanical works, shops with lathes, drills, grinders, welding equipment etc	-	-	-	Not permissible
41.	Total sharpening and razor sharpening works	1	6	25	Operation shall be permitted only between 8.00 hrs. to 20.00 hrs.
X	**ELECTRICAL GOODS :**				
42.	Repairs of household electrical appliances such as radio set. Television set, tape recorders, heaters, irons, shavers, vacuum cleaners, refrigerators, air-conditioners, washing machines, electric cooking ranges, motor rewinding works etc.	3	9	50	(i) Operation shall be permitted only between 8.00 hrs. 20.00 hrs. (ii) No spray painting permitted.
XI	**TRANSPORT EQUIPMENT**				
43.	Manufacturing of push cart, hand cart, etc.	10	9	50	
44.	(a) Servicing and repairing of bicycle, rickshaws, motor cycle and motor vehicles (b) Battery charging and repairs.	10 5	9 6	50 25	Operation shall be permitted only between 8.00 hrs. to 20.00 hrs. No spray painting permitted

XII.	OTHER MANUFACATURING AND REPAIR INDUSTRIES AND SERVICES				
46.	Manufacture of jewellery and related articles	3	9	50	Operation shall be permitted only between 8.00 hrs. to 20.00 hrs.
47.	Repair of watch, clock and jewellery	3	9	50	Operation shall be permitted only between 8.00 hrs. to 20.00 hrs.
48.	Manufacture of sports and athletic goods	-	-	-	Not permissible
49.	Manufacture of Musical instruments and its repair.	3	9	50	Operation shall be permitted only between 8.00 hrs. to 20.00 hrs.
50	Mass manufacture of miscellaneous Products such as costume, jewellery, costume novelties, feather, plumes, artificial flowers, brooms, brushes, lamp shades, tobacco, pipes, cigarette holders, ivory goods, bandages, wigs and similar articles.	-	-	-	Not permissible
51.	(a)Repairs of locks, stoves, umbrellas, sewing machines, gas burners, buckets & other sundry household equipment. (b) Optical glass grinding and repairs	3 3	9 9	50 50	Operation shall be permitted only between 8.00 hrs. to 20.00 hrs.
52.	Petrol filling stations/ CNG stations	10	9	(i) 30.5x16.75m. (ii) 36.5x30.5m	Plot size - without service bay Plot size - with service bay
53.	Laundries, Laundry service and cleaning, dyeing, bleaching and dry cleaning	5	9	50	(i) Cleaning & dyeing fluid used shall not have flash point lower than 138^0 F. (ii) Operation shall be permitted between 8.00 hrs. to 20.00 hrs. (iii) Machinery having day load capacity of 20 kg and above.
54.	Photo processing laboratories.	5	9	50	Operation shall be permitted between 8.00 hrs. to 20.00 hrs.
55.	Electronic Industry of assembly type (and not of manufacturing type including heating load).	10	20	250	In independent structure on independent plot with special permission of the Metropolitan Commissioner
56.	Bio-technology Unit	--	--	--	As per Regulation no.23.8
57.	Information Technology Unit	--	--	--	As per Regulation no.23.9

Appendix M

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 (with optional shower stall if building is used round the clock at user's option) Pantry optional as per user requirement	Unit could be common for Male / Female or separate depending on the number of user of each facility		For individual officer rooms	
ii)	**Main Office Toilets for Staff and Visitors**				
	a) Water-closet	1 per 25	1 per 15	1 per 25	1 per 15
	b) Ablution tap with each water-closet	1 in each water-closet			
	c) Urinals	Nil up to 6 1 for 7-20 2 for 21-45 3 for 46-70 4 for 71-100	-	Nil up to 6 1 for 7-20 2 for 21-45 3 for 46-70 4 for 71-100	-
	Add @ 3% for	101-200		101-200	
	Add @ 2.5 %	Over 200		Over 200	
	d) Washbasins	1 per 25	1 per 25	1 per 25	1 per 25
	e) Drinking water fountain	1 per 100	1 per 100	1 per 100	1 per 100
	f) Cleaner's sink	1 per floor			

Appendix M

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 up to 25 2 for 16-35 3 for 36-65 4 for 66-100	1 for up to 15 2 for 16-25 3 for 26-40 4 for 41-57 5 for 58-77 6 for 78-100	1 for up to 15 2 for 16-35 3 for 36-65 4 for 66-100	1 for up to 12 2 for 13-25 3 for 26-40 4 for 41-57 5 for 58-77 6 for 78-100
	For persons 101-200 add	3 %	5 %	3 %	5 %
	For persons over 200 add	2.5 %	4 %	2.5 %	4 %
	ii) Ablution tap	1 in each WC	1 in each WC	1 in each WC	1 in each WC
	iii) Urinals	Nil up to 6 1 for 7-20 2 for 21-45 3 for 46-70 4 for 71-100	-	Nil up to 6 1 for 7-20 2 for 21-45 3 for 46-70 4 for 71-100	-
	For persons 101-200 add	3 %		3 %	
	For persons over 200 add	2.5 %		2.5 %	
iv)	Washbasins Washbasins in rows or troughs and taps spaced 750 mm c/c	1 per 25 or part thereof	1 per 25 or part thereof	1 per 25 or part thereof	1 per 25 or part thereof
v)	Drinking water fountain	1 per every 100 or part thereof with minimum one on each floor		1 per every 100 or part thereof with minimum one on each floor	
vi)	Cleaner‘s sink	1 on each floor	1 on each floor	1 on each floor	1on each floor
vii)	Showers/Bathing rooms	As per trade requirements			
viii)	Emergency shower and eye wash fountain	-	-	1 per every shop floor per 500 persons	
NOTE– For factories requiring workers to be engaged in dirty and dangerous operations or requiring them to being extremely clean and sanitized conditions additional and separate (if required so) toilet facilities and if required by applicable Industrial and Safety Laws and the Factories Act must be provided in consultation with the user.					

Appendix M

Sanitation Requirements - Cinema, Multiplex Cinema, Concerts and Convention Halls, Theatres

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

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

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

Appendix M

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 up to 400 Over 400 add at 1 per 250 or part thereof	1 per 100 up to 200 Over 200 add at 1 per 150 or part thereof	1 for up to 15 2 for 16-35	1 for up to 12 2 for 13-25
ii)	Ablution tap	One in each water-closet	One in each water-closet	One in each water-closet	One in each water-closet
		1 water tap with draining arrangements shall be provided for every 50 persons or part thereof in the vicinity of water-closets and urinals			
iii)	Urinals	1 per 50	-	Nil up to 6 1 per 7-20 2 per 21-45	-
iv)	Washbasins	1 for every 200 or part thereof. For over 400, add at 1per 250 persons or part thereof	1 for every 200 or part thereof. For over 200, add at 1 per 150 persons or part thereof	1 for up to 15 2 for 16-35	1 for up to 12 2 for 13-25
v)	Drinking water fountain	1 per 100 persons or part thereof			
vi)	Cleaner‘s sink	1 per floor, Min			
vii)	Showers/Bathing rooms	As per trade requirements			
NOTES -	1) Some WC‘s may be European style if desired.				
	2) Male population may be assumed as two-third and female population as one-third.				

Appendix M

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 up to 4 patients		For individual doctor‘s / officer‘s rooms	
For General Wards, Hospital Staff and Visitors					
ii)	Water-closets	1 per 8 beds or part thereof	1 per 8 beds or part thereof	1 for up to 15 2 for 16-35	1 for up to 12 2 for 13-25
iii)	Ablution tap	1 in each WC	1 in each WC	1 in each WC	1 in each WC
		1 water tap with draining arrangements shall be provided for every 50 persons or part thereof in the vicinity of water-closets and urinals			
iv)	Urinals	1 per 30 beds	-	Nil up to 6 1 for 7 to 20 2 for 21-45	-
v)	Washbasins	2 for every 30 beds or part thereof. Add 1 per additional 30 beds or part thereof		1 for up to 15 2 for 16-35	1 for up to 12 2 for 13-25
vi)	Drinking water fountain	1 per ward		1 per 100 persons or part thereof	
vii)	Cleaner‘s sink	1 per ward		-	
viii)	Bed pan sink	1 per ward		-	
ix)	Kitchen sink	1 per ward		-	

NOTES -

1) Some WC‘s may be European style if desired.
2) Male population may be assumed as two-third and female population as one-third.
3) Provision for additional and special hospital fittings where required shall be made.

Appendix M

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 up to 4 patients		For individual doctor‘s/officer‘s rooms	
ii)	Water-closets	1per 100 persons or part thereof	2 per 100 persons or part thereof	1 for up to 15 2 for 16-35	1 for up to 12 2 for 13-25
iii)	Ablution tap	1 in each WC	1 in each WC	1 in each WC	1 in each WC
		1 water tap with draining arrangements shall be provided for every 50 persons or part thereof in the vicinity of water-closets and urinals			
iv)	Urinals	1 per 50 persons or part thereof	-	Nil up to 6 1 per 7 to 20 2 per 21-45	-
v)	Washbasins	1per 100 persons or part thereof	2per 100 persons or part thereof	1 for up to 15 2 for16-35	1 for up to 12 2 for13-25
vi)	Drinking water fountain	1 per 500 persons or part thereof		1 per 100 persons or part thereof	

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

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

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

Appendix M

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	1per 25 persons or part thereof	1per 15 persons or part thereof
iii)	Ablution tap	One in each water-closet	One in each water-closet
		1 water tap with draining arrangements shall be provided for every 50 persons or part thereof in the vicinity of water-closets and urinals	
iv)	Urinals	Nil up to 6 1 per 7 to 20 2 per 21-45	-
v)	Washbasins	1per 25 persons or part thereof	1per 25 persons or part thereof
vi)	Drinking water fountain	1 per 100 persons or part thereof	
vii)	Cleaner's sink	1 per floor, Min	
viii)	Kitchen sink	1 per floor, Min	

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

Appendix M

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 4 persons or part thereof	1per 4 persons or part thereof	1 per 4 persons or part thereof 2 for 16-35	1per 4 persons or part thereof 2 for 16-35
ii)	Ablution tap	One in each water-closet	One in each water-closet	One in each water-closet	One in each water-closet
		1 water tap with draining arrangements shall be provided for every 50 persons or part thereof in the vicinity of water-closets and urinals			
iii)	Washbasins	1 per 8 persons or part thereof	1 per 8 persons or part thereof		
iv)	Bath (Showers)	1 per 4 persons or part thereof	1 per 4 persons or part thereof		
v)	Drinking water fountain	1 per 100 persons or part thereof, minimum 1 per floor	1 per 100 persons or part thereof, minimum 1 per floor		
vi)	Cleaner's sink	1 per Floor	1 per Floor		

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

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

Appendix M

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 up to 400 Over 400 add at 1 per 250 or part thereof	2 per 100 persons up to 200 Over 200 add at 1 per 100 or part thereof	1 for up to 15 2 for 16-35 3 for 36-65 4 for 66-100	1 for up to 12 2 for 13-25 3 for 26-40 4 for 41-57 5 for 58-77 6 for 78-100
iii)	Ablution tap	1 in each WC	1 in each WC	1 in each WC	1 in each WC
		1 water tap with draining arrangements shall be provided for every 50 persons or part thereof in the vicinity of water-closets and urinals			
iv)	Urinals	1 per 50 persons or part thereof	Nil, upto 6 persons 1 for 7-20 persons 2 for 21-45 persons 3 for 46-70 persons 4 for 71-100 persons	Nil up to 6 1 for 7 to 20 2 for 21-45 3 for 46-70 4 for 71-100	-

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

Appendix M
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 up to 200 Over 200 add at 1 per 100 or part thereof	2 per 50 seats up to 200 Over 200 add at 1 per 100 or part thereof	1 for up to 15 2 for 16-35 3 for 36-65 4 for 66-100	1 for up to 12 2 for 13-25 3 for 26-40 4 for 41-57 5 for 58-77 6 for 78-100
ii)	**Ablution tap**	1 in each WC	1 in each WC	1 in each WC	1 in each WC
		1 water tap with draining arrangements shall be provided for every 50 persons or part thereof in the vicinity of water-closets and urinals.			
iii)	**Urinals**	1 per 50 persons or part thereof	----	Nil up to 6 1 for 7-20 2 for 21-45 3 for 46-70 4 for 71-100	----
iv)	**Washbasins**	1 per WC	1 per WC	1 per WC	1 per WC
v)	**Cleaner's sink**	1 per restaurant			
vi)	**Kitchen sink /Dish washer**	1 per kitchen			

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

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

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

Appendix 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 15 pupils or part thereof	1 for 40 pupils or part thereof	1 per 25 pupils or part thereof	1 per 8 pupils or part thereof	1 per 6 pupils or part thereof
ii)	**Ablution tap**	1 in each WC	1 in each WC	1 in each WC	1 in each WC	1 in each WC
		1 water tap with draining arrangements shall be provided for every 50 persons or part thereof in the vicinity of water-closets and urinals.				
iii)	**Urinals**	----	1 per 20 pupils or part thereof	----	1 per 25 pupils or part thereof	----
iv)	**Washbasins**	1 per 15 pupils or part thereof	1 per 60 pupils or part thereof	1 per 40 pupils or part thereof	1 per 8 pupils or part thereof	1 per 6 pupils or part thereof
v)	**Bath/Showers**	1 per 40 pupils or part thereof	----	----	1 per 8 pupils or part thereof	1 per 6 pupils or part thereof
vi)	**Drinking water fountain or taps**	1 per 50 pupils or part thereof	1 per 50 pupils or part thereof	1 per 50 pupils or part thereof	1 per 50 pupils or part thereof	1 per 50 pupils or part thereof
vi)	**Cleaner's Sink**	1 per floor				

NOTES:

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

Appendix M

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 8 or part thereof	1 per 6 or part thereof	1 for upto 15 2 for 16-35 3 for 36-65 4 for 66-100	1 for upto 12 2 for 13-25 3 for 26-40 4 for 41-57 5 for 58-77 6 for 78-100	1 per 100 up to 400 Over 400 add at 1 per 250	1 per 200 up to 200 Over 200 add at 1 per 100
ii)	**Ablution tap**	1 in each WC	1 in each WC	1 in each WC	1 in each WC	1 in each WC	1 in each WC
		1 water tap with draining arrangements shall be provided for every 50 persons or part thereof in the vicinity of water-closets and urinals.					
iii)	**Urinals**	1 per 25 or part thereof	----	Nil up to 6 1 for 7-20 2 for 21-45 3 for 46-70 4 for 71-100	----	1 per 50 or part thereof	----
iv)	**Washbasins**	1 per 8 persons or part thereof	1 per 6 persons or part thereof	----	----	----	----
v)	**Bath/Showers**	1 per 8 persons or part thereof	1 per 6 persons or part thereof	----	----	----	----
vi)	**Cleaner's Sink**	1 per floor					

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

Appendix M

Sanitation Requirements – Mercantile Buildings, Commercial Complexes, Shopping Malls, Fruit& Vegetable Markets

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

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

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

Appendix M

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 up to 1000 Add 1 per additional 1000 or part thereof	4 for up to 1000 Add 1 per additional 1000 or part thereof	4 for up to 1000 Add 1 per additional 1000 or part thereof	5 for up to 1000 Add 1 per additional 1000 or part thereof	Minimum 2 for 200 2 For 400 9 For 600 12 For 800 16 For 1000 18	Minimum 2 For 200 2 For 400 9 For 600 12 For 800 16 For 1000 18
ii)	**Ablution tap**	1 in each WC	1 in each WC	1 in each WC	1 in each WC	1 in each WC	1 in each WC
		1 water tap with draining arrangements shall be provided for every 50 persons or part thereof in the vicinity of water-closets and urinals.					
iii)	**Urinals**	4 for up to 1000 Add 1 per additional 1000	----	6 for up to 1000 Add 1 per additional 1000	----	1 per 40 or part thereof	----
iv)	**Washbasins**	1 per WC / Urinal	1 per WC	1 per WC / Urinal	1 per WC	1 per WC / Urinal	1 per WC
v)	**Bath/Showers**	2 per 1000		3 per 1000		4 per 1000	
vi)	**Drinking water fountain or taps (in common lobby**	2 per 1000 or part thereof		3 per 1000 or part thereof		4 per 1000 or part thereof	

Appendix M

	for male/ female)						
vii)	**Cleaner's sink**	1 per toilet compartment with 3 WC's	1 per toilet compartment with 3 WC's	1 per toilet compartment with 3 WC's	1 per toilet compartment with 3 WC's	1 per toilet compartment with 3 WC's	1 per toilet compartment with 3 WC's
viii)	**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)

NOTES:

1) Some WC's may be European style if desired. 2) Male population may be assumed as three-fifth and female population as two-fifth. 3) Separate provision shall be made for staff and workers.

APPENDIX 'N '

PROVISIONS FOR BARRIER FREE ACCESS

Provisions for Barrier Free access in buildings for differently abled persons shall be as given below

1 Definitions

1.1 Non-ambulatory Disabilities: – Impairments that, regardless of cause or manifestation, for all practical purposes, confine individuals to wheelchairs.

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

1.3 Hearing Disabilities:- Deafness or hearing handicaps that might make an individual insecure in public areas because he is unable to communicate or hear warning signals.

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

1.5 Wheel Chair: - Chair used by disabled people for mobility. The standard size of wheel chair shall be taken as 1050 mm x 750 mm.

2 Scope:-These regulations are applicable to all buildings and facilities used by the public such as educational, institutional, assembly, commercial, business, mercantile buildings constructed on plot having an area of more than 2000 sq.m. It does not apply to private and public residences.

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

3.1 Access Path / Walk Way: - Access path from plot entry and surface parking to building entrance shall be minimum 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.

3.2 Parking: For parking of vehicles of differently abled people, the following provisions shall be made-

i) Surface parking for two car spaces shall be provided near entrance, with maximum travel distance of 30.0 m. from building entrance.

ii) The width of parking bay shall be minimum 3.6 meter.

iii) The information stating that the space is reserved for wheel chair users shall be conspicuously displayed.

iv) Guiding floor materials shall be provided or a device, which guides visually impaired persons with audible signals, or other devices, which serves the same purpose, shall be provided.

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

4.1 Approach to plinth level - Every building should have at least one entrance accessible to the differently abled and shall be indicated by proper signage. This entrance shall be approached through a ramp together with the stepped entry.

4.1.1 Ramped Approach – Ramp shall be finished with non-slip material to enter the building. Minimum width of ramp shall be 1800mm with maximum gradient 1:12. Length of ramp shall not exceed 9.0 meter having 800mm high hand rail on both sides extending 300mm beyond top and bottom of the ramp. Minimum gap from the adjacent wall to the hand rail shall be 50mm.

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

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

4.1.4 Entrance Landing:- Entrance landing shall be provided adjacent to ramp with the minimum dimension 1800mm x 2000mm. The entrance landing that adjoins the top end of a slope shall be provided with floor materials to attract the attention of visually impaired persons (limited to coloured floor material whose colour and brightness is conspicuously different from that of the surrounding floor material or the material that emits different sound to guide visually impaired persons hereinafter referred to as ―guiding floor material‖). Finishes shall have a non-slip surface with a texture traversable by a wheel chair. Curbs wherever provided should blend to a common level.

4.2 Corridor connecting the entrance / exit for the differently abled: The corridor connecting the entrance / exit for differently abled, leading directly outdoors to a place where information concerning the overall use of the specified building can be provided to visually impaired persons either by a person or by signs, shall be provided as follows:

a) Guiding floor materials shall be provided or device that emits sound to guide visually impaired persons.

b) The minimum width shall be 1500mm.

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

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

4.3 Stair-ways - One of the stair-ways near the entrance / exit for the differently abled shall have the following provisions:

a) The minimum width shall be 1350 mm.

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 extend300 mm on the top and bottom

of each flight of steps.

4.4 Lifts -Wherever lift is required as per regulations, provision of at least one lift shall be made for the wheel chair user with the following cage dimensions of lift recommended for passenger lift of 13 person capacity of Bureau of Indian Standards.

Clear internal width	1100 mm
Clear internal width	2000 mm
Entrance door width	900 mm

a) A hand rail not less than 600mm long at 1000mm above floor level shall be fixed adjacent to the control panel.

b) The lift lobby shall be of an inside measurement of 1800 mm x 1800 mm or more.

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

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

4.5 Toilets - One special W.C. in a set of toilets shall be provided for the use of differently abled with essential provision of washbasin near the entrance for them.

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

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

c) Suitable arrangement of vertical/horizontal handrails with 50mm clearance from wall shall be made in the toilet.

d) The W.C. seat shall be 500mm from the floor.

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

4.7 Designing for Children - In the buildings meant for the pre-dominant use of the children, it will be necessary to suitably alter the height of the handrail and other fittings & fixtures, etc.

Explanatory notes:

Guiding / Warning Floor Material:

The floor material to guide or to warn the visually impaired persons with a change of colour or material with conspicuously different texture and easily distinguishable from the rest of the surrounding floor materials is called guiding or warning floor material. The material with different texture gives audible signals with sensory warning when a person moves on this surface with walking stick. The guiding/warning floor material is meant to give the directional effect or warn a person at critical places. This floor material shall be provided in the following areas:

a) The access path to the building and to the parking area.

b) The landing lobby towards the information board, reception, lifts, staircases and toilets.

c) Immediately at the beginning/end of walkway where there is a vehicular traffic.

d) At the location abruptly changing in level or beginning/end of a ramp.

e) Immediately in front of an entrance/exit and the landing.

Proper signage:

Appropriate identification of specific facilities within a building for the differently abled persons should be done with proper signals. Visually impaired persons make use of other senses such as hearing and touch to compensate for the lack of vision, whereas visual signals benefit those with hearing disabilities.

Signs should be designed and located so that they are easily legible by using suitable letter size (not less than 20 mm high). For visually impaired persons, information board in brail should be installed on the wall at a suitable height and it should be possible to approach them closely. To ensure safe walking, there should not be any protruding sign which creates obstruction in walking. Public Address System may also be provided in busy public areas.

The symbols/information should be in contrasting colour and properly illuminated because people with limited vision may be able to differentiate amongst primary colours. International Symbol Mark for wheel chair be installed in a lift, toilet, staircase, parking areas, etc., that have been provided for the differently abled.

Appendix 'O'

REGULATIONS FOR ERECTION OF MOBILE TOWERS

The provisions of Telecom Policy of Information Technology Department vide Government Resolution No. DIT065/CR1/2018 dated 17/02/2018 shall be applicable in the PMR Area.

APPENDIX 'P'
SITE VISIT REPORT

Date of Site visit			
Site Visit By			
Proposed Project:			
Proposed Land use (Residential -R1 / R2, Commercial / Industrial / Agriculture / No Development / Afforestation Zone).			
Site Details		By Owner / PAH	By TP
a.	Survey no / Gut No.		
b.	Village		
c.	Taluka		
d.	Plot area as per 7/12 extract		
e.	Location (Lat/Lon)		
f.	Land use zone.		
g.	NA Status		
h.	Environmental clearance		
Details of Site Visit		By Architect	By TP
a.	Existing approach road width		
	Type of existing road (Tar/Wbm/Concrete)		
b.	Proposed approach road width as per RP/DP		
c.	Classification of approach road as per RP/DP		
d.	Existing nature of ground		
	contours gentle than 1 in 5 slope		
	contours steeper than 1 in5 slope		
e.	Any existing structure on the site, if any, are they correctly marked on the plan.		
	Plinth area of the existing structure.		
	Existing structure (To be demolished / Retained)		
f.	Existing water course (Y/N)		
	Minimum distance from the Blue HFL line.		
	Minimum distance from the Red HFL line.		

g.	Drainage system available (Y/N)		
h.	Distance of site from electric line (If adjacent or within the site)		
	Type of electrical line (Low / Medium /High / Extra High Voltage line)		
i.	Distance of site from railway property (if adjacent)		
j.	Insanitary conditions (free from caucuses / exacter / Filth)		
k.	Whether site is affected by Airport proximity zone as per RP /DP.		
l.	Drinking Water Availability		
m.	Distance from adjacent industrial plot		
n.	Checked demarcation map with site conditions and validated (Yes/No)		
k.	Whether site is affected by airport proximity zone as per RP / DP		
l.	Drinking water availability		
m.	Abutting industrial Plot (Y / N)		

APPENDIX 'Q'
SITE VISIT CERTIFICATE

Ref: 1. Application no.————————————, dated ————————————.

2, Site Visit conducted on dated ————————————————————.

This is to certify that, status of the site is as follows and is suitable for the proposed land use.

Date of Site visit			
Site Visit By			
Proposed Project:			
Proposed Land use (Residential -R1 / R2, Commercial / Industrial / Agriculture / No Development / Afforestation Zone).			
Site Details		By Owner / PAH	By TP
a.	Survey no / Gut No.		
b.	Village		
c.	Taluka		
d.	Plot area as per 7/12 extract		
e.	Location (Lat/Lon)		
f.	Land use zone.		
g.	NA Status		
h.	Environmental clearance		
Details of Site Visit		By Architect	By TP
a.	Existing approach road width		
	Type of existing road (Tar/Wbm/Concrete)		
b.	Proposed approach road width as per RP/DP		
c.	Classification of approach road as per RP/DP		
d.	Existing nature of ground		
	contours gentle than 1 in 5 slope		
	contours steeper than 1 in5 slope		
e.	Any existing structure on the site, if any, are they correctly marked on the plan.		
	Plinth area of the existing structure.		
	Existing structure (To be demolished / Retained)		

f.	Existing water course (Y/N)		
	Minimum distance from the Blue HFL line.		
	Minimum distance from the Red HFL line.		
g.	Drainage system available (Y/N)		
h.	Distance of site from electric line (If adjacent or within the site)		
	Type of electrical line (Low / Medium /High / Extra High Voltage line)		
i.	Distance of site from railway property (if adjacent)		
j.	Insanitary conditions (free from caucuses / exacter / Filth)		
k.	Whether site is affected by Airport proximity zone as per RP /DP.		
l.	Drinking Water Availability		
m.	Distance from adjacent industrial plot		
n.	Checked demarcation map with site conditions and validated (Yes/No)		

(This certificate is valid for three months from the date of issue)

Certificate Issued by

Metropolitan Commissioner PMRDA

APPENDIX - R
REGULATIONS FOR LONAVALA-KARLA-MALAVALI PLANNING AREA OF SECTOR R OF RP OF PUNE REGION

No plots in these zones shall be less than 500 sqm; provided that smaller plots in these zones admeasuring not less than 300 sqm existing before the date of publication of regional plan shall be recognized for the purpose of granting development permissions; provided further that plots directly abutting on Mumbai-Pune road shall not admeasure less than 1000 sqm. Development in such 1000 sqm plot, shall be governed by development control rules in Lonavala Regional/Development Plan, applicable to 10 are zone.

Built up areas, number of storeys, tenements, marginal open spaces and room sizes, the maximum built up areas, the maximum number of storeys, the maximum number of tenements, the minimum marginal open spaces and the minimum room sizes permissible in these zones shall be as indicated in the statement "AAA" annexed hereto. As regards rules for layout plots and group housing schemes and buildings of various users other than residential including industrial; other items of building construction, such as balcony, sanitation, height, ventilation and parking etc and all other such regulations which are not explicitly covered above shall be governed by development control regulations for these items incorporated in Regional/Development Plan of Lonavala as amended from time to time and *subject to these regulations.*

Statement 'AAA'

	Plot Size group	**Maximum built up area**	**Max.no. of storeys**	**Max. no of tenements**	**Min.marginal open space**			**Min habitable room sizes**	**Min. sizes for kitchen**	**Min sizes for shops & other rooms for commercial use**
					Road side	**Side**	**Rear**			
1.	Between 300 sqm and less than 500 sqm	25%	Ground plus one floor only	2	3m	2.5m	3m	9.0 sqm with no side less than 3m	7.5 sqm with no side less than 2.5m	15 sqm with no side less than 3m
2.	500 sqm and above	25%	Ground plus one upper	4	4.5m	3m	4.5m			

1) A ground floor on stilts or columns without enclosing walls (except retaining walls, where such floor is constructed by cutting the sloping ground) intended to be used as parking space shall not be counted as ground floor.
2) In case of classified roads, the minimum marginal open spaces to be observed from roads, shall be as prescribed above or as prescribed by Government from time to time under the ribbon development rules, whichever is more. However, on Mumbai-Pune National highway, no construction of any sort shall be allowed within a distance of 75m from the centre line of this road.
3) Sr.no. 1 is applicable to the plots existing on or before the date of publication of the notification in the official gazette.

APPENDIX –S
REGULATIONS FOR KUNE-PANGALOLI-KURWANDE PLANNING AREA OF SECTOR R OF RP OF PUNE REGION

Development in this area shall be governed by the regulations applicable to 10 Are zone in the Lonavala Regional/Development Plan. The maximum built up areas, the maximum number of storeys, the maximum number of tenements, the minimum marginal open spaces and the minimum room sizes permissible in these zones shall be as indicated in the statement "BBB" annexed hereto. As regards rules for layout plots and group housing schemes and buildings of various users other than residential including industrial; other items of building construction, such as balcony, sanitation, height, ventilation and parking etc and all other such regulations which are not explicitly covered above shall be governed by development control regulations for these items incorporated in Regional/Development Plan of Lonavala as amended from time to time and *subject to these regulations.*

Statement "BBB"

Sr. No.	**Plot Size group**	**Maximum built up area**	**Max.no. of storeys**	**Max. no of tenements**	**Min.marginal open space**			**Min habitable room sizes**	**Min. sizes for kitchen**
					Road side	**Side**	**Rear**		
1.	Between 500 sqm and less than 1000 sqm	25%	Ground plus one floor only	2	4.5m	3m	4.5m	9.0 sqm with no side less than 3m	7.5 sqm with no side less than 2.5m
2.	1000 sqm and above	25%	Ground plus one upper	4	4.5m	3m	4.5m	11 sqm with no side less than 3m	

1) A ground floor on stilts or columns without enclosing walls (except retaining walls, where such a floor is constructed by cutting the sloping ground) intended to be used as parking space shall not be counted as ground floor.
2) In case of classified roads, the minimum marginal open spaces to be observed from roads, shall be as prescribed above or as prescribed by Government from time to time under the ribbon development rules, whichever is more. However, on Mumbai-Pune National highway, no construction of any sort shall be allowed within a distance of 75m from the centre line of this road.
3) Sr.no. 1 is applicable to the plots existing on or before the date of publication of the notification in the official gazette.

APPENDIX –T

REGULATIONS FOR DEVELOPMENT OF TOURISM AND HOSPITALITY SERVICES UNDER COMMUNITY NATURE CONSERVANCY AROUND WILD LIFE SANCTUARIES AND NATIONAL PARKS OF RP OF PUNE REGION.

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Applicability: These regulations shall apply to the privately owned (not applicable to forest land) lands falling in Agriculture / No Development Zone / Afforestation Zone situated within 5 km distance from the boundaries of wildlife sanctuaries and national parks in the PMRDA area. The provisions of existing Regional Plans / Development Plans with prevail over these regulations, wherever lands are earmarked for urbanisable zones in such plans.

Regulation:- For the lands situated within 5 km distance (or up to limit of notified eco - sensitive zone whichever is more) from the boundaries of wildlife sanctuaries and national parks, if the land owner applies for development permission, for development of eco-tourism, nature tourism. adventure tourism, same may be allowed; provided the land under consideration has minimum area of one hectare in contiguous manner.

Permissible users and built up area:-
The users permissible in Agricultural Zone/No Development Zone shall be as follows:-

a) Agriculture, Farming, development of wild animal shelters, plantation and allied uses.
b)Tourist homes, resorts, hotels etc. with rooms/suites, support areas for reception, kitchen, utility services etc. alongwith ancillary structures like covered parking, watchman's quarter, guard cabin, landscape element, and only one observation tower per tourist resort upto the height 15 mt. with platform area upto 10 sq.mt. in permanent/semi -permanent structural components.

The norms for building will be as follows:-

i) The construction activities shall be as per Zonal Master Plan of concerned protected area.
ii) The maximum permissible total built up area shall not exceed 10% of gross area with only G+1 structure having height not more than 9m. and it should blend with the surrounding.
iii) The fencing/fortification may be permissible for only 10 % of total land area around built up structure in the form of chain link without masonry walls thereby keeping the remaining area free for movement of wild life.
iv) Tourism infrastructure must confirm to environment friendly, low height, aesthetic architecture, natural cross-ventilation: no use of asbestos, no air pollution, minimum outdoor lighting and merging with the surrounding landscape. They should generate at least 50% of their total energy and fuel requirement from nonconventional energy sources like solar and biogas etc.
v) The owner shall establish effective sewage disposal and recycling system during the construction and operational phase of the development. Not 1 ltr. of sewage shall go into the natural stream;
If in cases, where lack of compliance is observed, the PMRDA shall issue a notice to the resort owner/operator for corrective action within 15 days, failing to do so or having not been satisfied with the action taken or reply/justification received, any decision to shut down the unit may be taken by the PMRDA.

vi) The owner shall establish effective systems for collection, segregation, composting and/or reuse of different types of solid waste collected during the construction and operational phase of the development.

vii) The plastic components used within the area shall be recycled; failing which the resort shall be closed down within 48 hours.

viii) Natural streams/slopes/terrain shall be kept as it is, except for the built up area.

ix) On the area other than 10% area, only local trees shall be planted and only natural vegetation shall be allowed.

x) For the development such type already taken place, condition no (iii) above shall be applicable retrospectively to the extent of restricting the fencing and keeping the remaining area free for movement of wild life.

xi) While allowing such development, principles given in the National Tiger Conservation Authority New Delhi Notification No. 15-31/2012-NTCA, dated 15/10/2012 published in the gazette of India Ext. pt. III S-4 dated 08/11/2012 and Government of Maharashtra as amended from time to time shall be used as guidelines.

xii) All regulation prescribed in Eco- Sensitive Zone Notification of concerned National Park/ Wild Life Sanctuary should be strictly followed and all clearances required should be taken.

APPENDIX –U

Approvals of Building Permission on Fast Track based on Risk Based categorization

Notwithstanding Anything Contains in DCPR of the PMRDA, the Regulations Regarding Approval Of Building Permission by the **Architect /L.S./Engineer** at the Stage of Commencement , Plinth Checking and Completion cum Occupancy shall be as per **Risk Based Classification** of Building given in Table below:-

Sr. No.	Parameters to be consider for Risk Base.	Risk Category	
		Low Risk Category	**Moderate Risk Category**
1	**Plot Area considered for Risk Based Assessment.**	Buildings on a Plot Area upto **150 sq.mt**.	Buildings on a Plot Area between **151** Sq mtr and upto **200** sq.mt.
2	**Permissibility In Development Plan Zone**	Residential Zone, Commercial zone and Public-Semi-public Zone	Residential Zone, Commercial zone and Public-Semi-public Zone
3	**Plot status**	The plot should be vacant . The Plot Status ,Plot criteria and permissibility in above land use zone shall be as per respective DCPR.	The plot should be vacant . The Plot Status ,Plot criteria and permissibility in above land use zone shall be as per respective DCPR.
4	**Type of building**	Residential and other buildings as per DCPR	Residential and other buildings as per DCPR
5	**Proposed Structure of Building/Storey**	**G.F. / P+1** RCC./Load Bearing	**G.F.+1 / P+2** RCC./Load Bearing
6	**Front and side open spaces, Provision of Basement, Parking requirement and other requirements.**	As per the provisions of DCPR.	As per the provisions of DCPR.
7	**Tree cutting/ Tree replantation.**	Not permitted.	Not permitted
8	**Experience Criteria for Architect /L.S./Engineer for self-certification and all approval mentioned in this regulation.**	As per Appendix-C of the respective DCPR regarding licensing and qualifications of the technical person.	As per Appendix-C of the respective DCPR regarding licensing and qualifications of the technical person.
9	**NOCs and Documents**	Wherever required as per the respective DCPR	Wherever required as per the respective DCPR
10	**Site inspection and Computer based allocation of inspector for site inspection.**	No site inspection is necessary by the PMRDA at any stage. Approval Procedure is to be followed as mentioned in Point No.11 **excluding** point no 11 (c).	Site inspection at Plinth level is necessary by the PMRDA. Approval Procedure is to be followed as mentioned in Point No.11 **including** point no 11 (c).

11. Procedure for Building Permission

Architect/ Licence Surveyor (L.S.)/Engineer (Architect registered with Council of Architecture & License Surveyor &Engineer registered with the PMRDA) are empowered to grant provisional approval **with self-certification** *to* the building proposal plans categorized as **Low Risk & Moderate Risk** in Table given above, subject to the following:-

Building Permission/Commencement Certificate:-

a) Submission of Proposal:-The proposal shall comprise of application u/s 44/69 of MR&TP Act, 1966, in format prescribed by the Metropolitan Commissioner, along with documents and undertakings required for the proposal as per regulation & required by the Metropolitan Commissioner from time to time. All the required documents shall be **certified and signed** by the Architect /L.S./Engineer confirming with the original documents. The documents required shall be as per the DCPR of the PMRDA.

b) Commencement Certificate (CC):- After receipt of the application, the Demand Note regarding payment of Scrutiny Fee, Development Charges and other Charges based on the proposed Plans / Drawing submitted shall be given by the concern Engineer of the authority within 10 days. The owner / Architect /L.S./Engineer shall deposit the Charges as demanded. Upon deposit of such Charges with the PMRDA, the concerned Architect/ License Surveyor (L.S.)/Engineer are empowered to grant provisional approval in the form of **self- certification** certifying that the plan / entire building proposal is strictly in conformity with the DCPR. This **self-certification** shall be treated **as Commencement for the** construction work.

The owner/concern Architect/ License Surveyor (L.S.)/Engineer shall submit the said **self-certified plan** to the PMRDA **within 10 days**. Upon such submission, the concerned Officer, authorized by the Metropolitan Commissioner shall **countersign the plans without any scrutiny** and issue Commencement Certificate Under Section-45 of Maharashtra Regional and Town Planning Act, 1966 **within 10 days** from the receipt of such plan. The Scrutiny at the PMRDA level need not be necessary. Concern Architect /L.S./Engineer is **empowered**/**Authorised** to issue the copies of such *approved* plans & Certificates with his signature.

c) Plinth Checking For Moderate Risk building proposal:- The concern Architect /L.S./Engineer shall apply for certificate of plinth checking in prescribed application for Moderate Risk building proposal only. The inspection shall be done by the concerned Officer of the PMRDA. The inspection report shall be prepared and uploaded within 48 hours. The Plinth checking certificate shall be grant within the period of 7 days from the receipt of the application, if found as per the sanctioned plan.

d) Building completion certificate:- On completion of work, the concern Architect / L.S. / Engineer shall issue the Building completion certificate and Occupation certificate, as required as per the provision of DCPR to the completed building/structure and submit two set of completion plan along with the required certificate and all site inspection report to the authority. The concerned Officer authorised by the Metropolitan Commissioner shall countersign the said Completion Plan along with Occupancy Certificate within 10 days **without any scrutiny and site inspection**.

12. Responsibility of the Architect/L.S./Engineer

a) The work shall be supervised by the concerned Architect/L.S./Engineer who will ensure that the same is carried out strictly as per the approval. Confirmation of ownership of land / plot area and land boundaries in the name of applicant shall be jointly responsibility of concerned Architect/L.S./Engineer and the owner.

b) It will be the responsibility of the concern Architect /L.S/Engineer, Site Supervisor & Structural Engineer appointed for the proposed development, jointly or severally to ensure that all plans shall be in consonance with provisions of the DCPR. All the requirements of the DCPR shall have to be complied with due care and the work is carried out as per the approval only. Any deviation required during the construction shall be approved by Architect/L.S./Engineer before execution. The concerned Architect /L.S./Engineer shall be empowered for any amendments in the plan in process of construction within the purview of DCPR.

c) Frequency of Inspection By the Architect/L.S./Engineer:-_The Architect/L.S./Engineer shall inspect and submit the site inspection report along with photographs/video clips, at stages while submitting the building proposal, after completion of plinth work, and finally at the time of Building completion certificate to the authority. Such inspection reports shall be submitted and uploaded within 48 hours from the date of inspection.

d) After submitting the application or during the construction of building if the Architect/L.S./Engineer are changed, he shall intimate the PMRDA immediately that he is no longer responsible for the project from the date of intimation. The construction work shall have to be suspended until the new Architect/L.S./Engineer as the case may be appointed by the owner. Owner's intimation regarding change of licensee shall be considered to be final. After intimation of the new appointed licensee shall then undertakes and start the project.

13. Authorisation to PMRDA :-

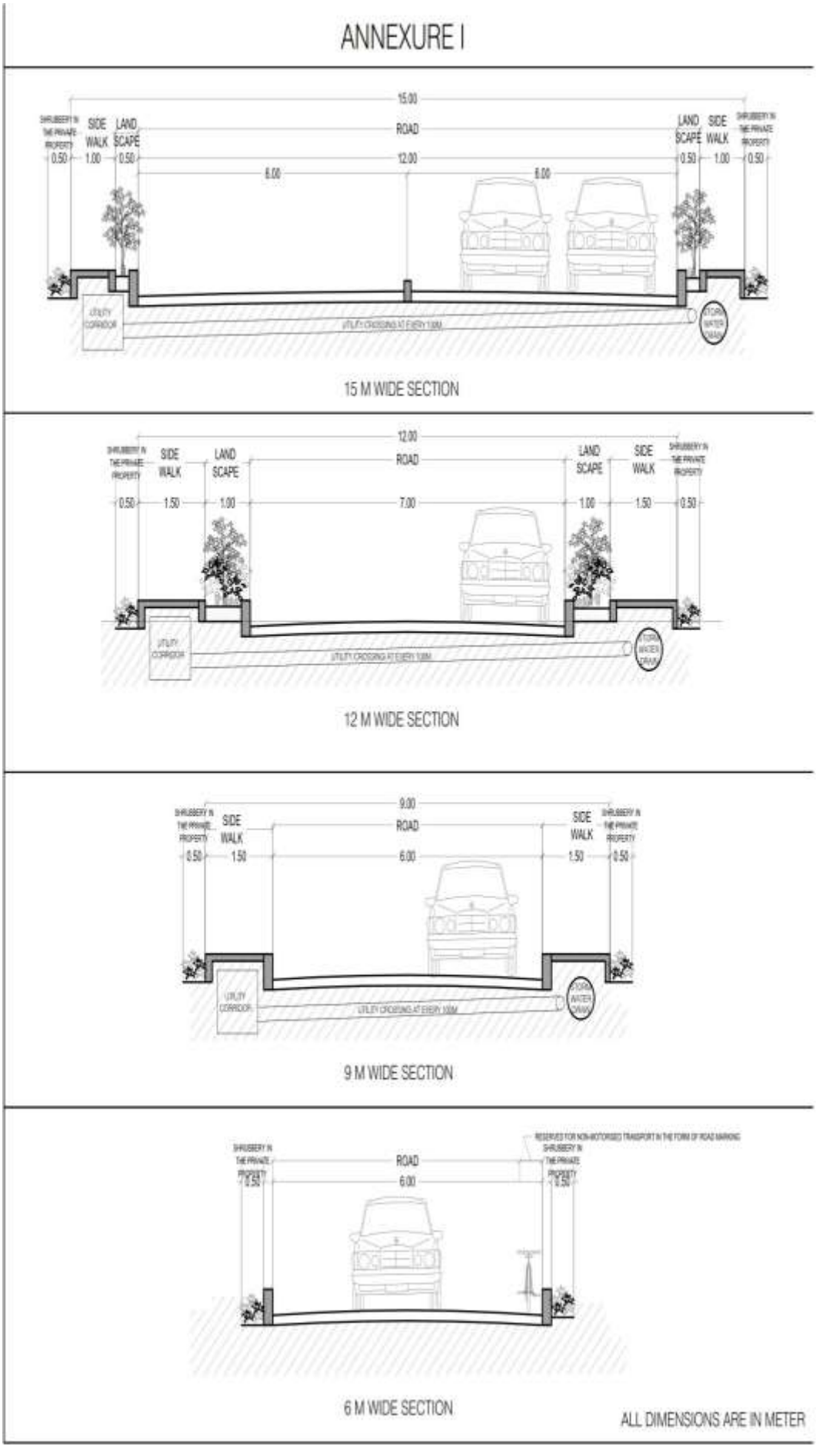
a) In case of any deviations/irregularities noticed in the process or after completion, the PMRDA may immediately issue notice to the owner and or to the concerned licensee to suspend the further work and rectify the deviations/irregularities. Only after satisfaction of rectification made by the owner or concerned licensee, the PMRDA may issue intimation to start the work. In major violations, the PMRDA shall authorise to take appropriate action against Architect/L.S./Engineer as the case may be, as per the DCPR or as per respective Acts and Laws.

b) The Metropolitan Commissioner, as the case may be, of the PMRDA is authorised to prepare common application forms, proformas, affidavit etc. wherever required for the smooth implementation of this regulation.

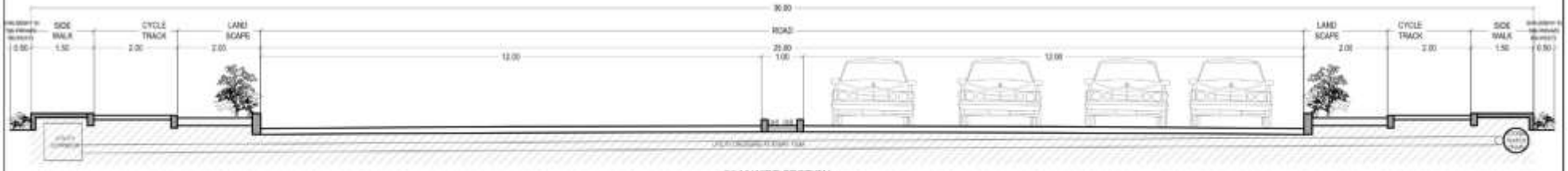
c) The above procedure shall be integrated with the Online Building Permission Management System (BPMS) by the PMRDA.

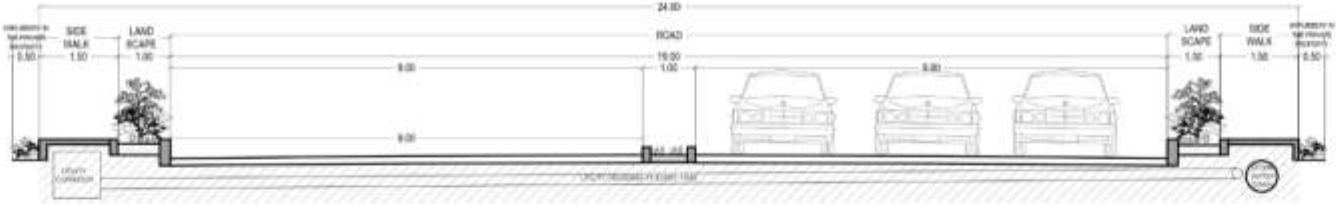
14. Exceptions from this Procedure:-**The above Procedure for Building Permission shall not bar the owner/ Architect/L.S./Engineer to obtain development permission as per Regular provisions of the DCPR.**

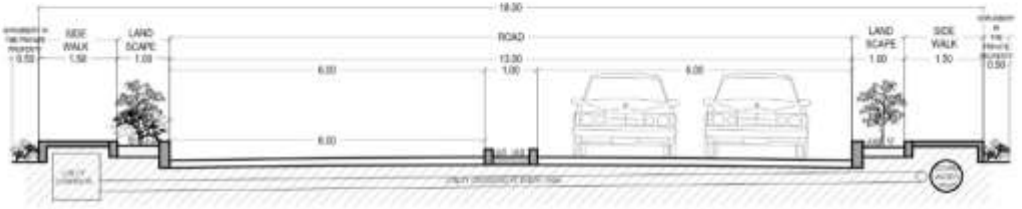
ANNEXURE I
TYPICAL ROAD CROSS-SECTIONS



ANNEXURE I







ALL DIMENSIONS ARE IN METER

True Copy

Annexure R-5

PUNE METROPOLITAN REGIONAL DEVELOPMENT AUTHORITY, PUNE
S.No. 152 - 153, Maharaja SayajiraoGaikwadUdyogBhawan, Aundh, Pune -411007
Ph No:020 - 259 33 344 / 356 / 333 / Email :hqpmrda@gmail.com

Date : 05/12/2019

Please quote following number to Building Permission for future correspondence with PMRDA No. FPMA/512/2019

To,
Mr. Khurshed Yezdi Daruvala
Mr. Kainaz Khurshed Daruvala
Delna Khurshed Daruvala POH
Mr. Nitin V. Agarwal,
Gat No-571,572,573
Village-Tikona,
Tal-Maval, Dist-Pune.

Sub:- Grant of "Provisional No Objection Certificate" for your Hotel Building on Gat No-571.572.573, Village-Tikona, Tal-Maval,Dist-Pune.

Ref: Your Application Number 493 of 2019 - 20, Dated: 25.11.2019.

Sir,

This has reference to the application submitted by you along with the building plans; this "Provisional No-Objection Certificate "is issued for your proposed construction subject to the fulfillment of following conditions.

The details of the proposed construction area as certified by the Architect are as under:-

Sr. No.	Particulars	Details
1.	Address of the Proposed site	Gat No-571,572,573 Village-Tikona Tal-Maval,Dist-Pune.
2.	Builder /Developers Name	Mr. KhurshedYezdiDaruvala, Mr. KainazKhurshedDaruvala, DelnaKhurshedDaruvala, POH, Mr. Nitin V Agarwal,
3.	Architects Name	Arch. Atul Lunkad
4.	Classification of Building	Hotel Building
5.	Access Road to Plot	12.00 MTRS.
6.	The Plot Area	31100.00 SQM
7.	Built up Area	2137.01 SQM
8.	No. of Structures	01 NOS.
9.	No of Staircase	02 Nos.
10.	Each Width of the Staircase	01.50 MTRS.

Details about the Proposed Structure:-

Sr. No	Building Name	Ground Level Height in Mtrs	No. Of Floors	Built up Area (Sqm)
1.	Resort Bldg	09.00	Ground Floor	1910.53
2.	Managers Quarter	04.65	Ground Floor	46.58
3.	Staff Quarters	04.65	Ground Floor	46.58
4.	Watchman Quarter	04.65	Ground Floor	22.02
5.	Gazibo	04.65	Ground Floor	72.55
6.	Wash Room	04.65	Ground Floor	14.19
TOTAL				**2112.45**

Important the Area details comprises with No. of floors/ Floor Area/ Height of the buildings/Marginal open spaces/ provision of the Refuge Area etc. are duly signed and attested by the authorized Architect. It is presumed that the Plans submitted by him are in compliance of the provisions of

prevailing DC Rules & NBC. If any lapses or deviations are observed in the said proposal / drawings submitted by him, He shall be personally liable for actions deemed fit.

Marginal Spaces for Building structure:-

Sr. No.	Sides	Provisions proposed on site in Mtrs as certified by the Architect
1	Front Side	10.00 MTRS.
2	Right side	10.00 MTRS
3	Left-side	10.00 MTRS
4	Rear side	10.00 MTRS

Provisions of Maharashtra Fire Prevention and Life Safety Measures Act -2006should be strictly adhered, specifically as mentioned below:-

1. As per the provision of **Section 3 (2)** of "Maharashtra Fire Prevention and Life Safety Measures **Act, 2006"** (hereinafter referred to as "said Act"). This Provisional NOC is issued.
2. Under **Section 3** of the said Act The applicant (developer, owner, occupier by whatever name called)

shall comply with all the Fire and Life Safety measures adhering to National Building Code of India and as amended from time to time failing which it shall be treated as a violation of the said Act.

3. As per the provision as **under :- 10**of the said Act. No person other than the License Agency shall carry out the work of providing Fire Prevention and Life Safety Measures or performing such other related activities required to be carried out in any place or building or part thereof provided that,

A. No Licensed Agency or any other person claiming to be such Licensed Agency shall give a certificate under **sub-section (3) of section 3**regarding the compliance of the fire prevention and life safety measures or maintenance thereof in good repair and efficient condition, without there being actual such compliance or maintenance.

B. The names of the License Agencies approved by Directorate of Maharashtra is available on website

www.mahafireservice.gov.in

4. Under **Section 11**of the said Act, the fire service fees shall be assessed and the same shall be payable after serving the notice to that effect or prior to issue of the building completion certificate or occupancy certificate whichever is earlier.

5. Under **Section 5(1)**of the said Act, The Chief Fire officer, PMRDA reserve the right to enter and inspect the building from the point of view of Fire prevention and Protection.

6. Though certain conditions are stipulated from the said Act and the National Building Code of India, it is obligatory on part of the applicant that is developer, builder, occupier, owner, tenant, by what so ever named called to abide with the provisions of the said Act failing which it shall be actionable under the provisions of said act.

This Provisional N.O.C. is valid subject to fulfilment of the following conditions:-

1. The scope of this approval is restricted to fire protection arrangements only. This approval should not be treated/ presumed as an approval for civil / architectural drawings.

2. The area calculation statements TDR/FSI/FAR/ZONE /USE etc shall be subject to verification and approval of PMRDA's competent Authority.

3. The plans of the proposed building should be approved by PMRDA's Competent Authority.

4. The occupation certificate should be obtained from PMRDA's Competent Authority. The O.C. shall be issued subject to “Final No-Objection Certificate” from this Department.

5. Approach Road to the above maintained Property/ Site should be provided as per DCPR requirements mentioned in Regulation 20.2.1, Pl. Note that if the proposed road is not constructed/ provided; till the time of completion of the project, The Final Fire NOC may not be issued.

6. The required Marginal Open spaces as per DCPR requirements mentioned in Regulation 17.3 should be kept obstruction free at all time. Parking of vehicles should not obstruct the mobility of fire vehicles at any time.
7. Proper roads in the premises should be provided for easy mobility of the Fire Brigade Appliance & the roads should be capable to hold weight of fire appliances.
8. Every vertical opening between the floors of a building shall be suitably enclosed or protected. Opening in wall or floors which are necessary to be provide 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 2 hours.

9. The Space between conduits pies and the wall/slabs shall be filled in by a filler material having fire resistance rating not less than 2 hours.

10. All portable fire fighting equipment's installed at various locations as per local hazard such as Co2-DCP, Fire buckets & it must be strictly confirming to relevant IS specification.
11. Delivery hose (RRL) should be strictly ISI marked (In no case canvas hose should be provided) and Hose reel Hose should be strictly as per IS-884

12. For Basement proper Light, Ventilation and Exhaust mechanism should be provided in accordance with the provisions as specified in the National Building Code and relevant IS Standards.

13. Basement area exceeds 200 SQM Sprinkler system should be provided.
14. Provision of Automated, Robotic, Computerized Car Parking system should be done accordance with NBC-2016 (Annex-H)
15. Fire door as per BS-467 Part 20 & 22 should be provided for lift lobbies and fire staircase on each floor. Fire door

duly tested and approved from Govt. Laboratory such as CBRI- Roorkee etc. should be submitted

16. Fire Lift should provide in accordance with the provision of National Building Code of India.
17. All the firefighting equipment's shall be well maintained and should be easily accessible in case of emergency.
18. Provision of mechanized/ automatic ventilation should be done in accordance with NBC-2016.

19. In future if the Company/Owner intend to go for any expansion, alteration, modification of any building / plant or change in the production activity of storage an approval of this department must be obtained before commencing proposed modifications.
20. It shall be ensured that security staff & occupants of the complex are trained in handling fire fighting equipments& fire fighting.

21. The Fire Officer appoint as per NBC-2016 (4.10)

22. Detailed drawings of fire protection system should be submitted for the approvalof fire department before starting the detail execution.
23. Code of Practice for Liquefied Petroleum Gas storage and installations as per IS6044-2000 should be strictly adhered, and Gas piping should be done from the authorized installer only.
24. Emergency Telephone numbers like "Police", "Fire Brigade", "Hospital", "Doctors", and "Responsible persons of the complex" should be displayed insecurity cabin & at other strategic locations.
25. It shall be ensured that security staff & occupants of the complex are trained in handling fire fighting equipment & fire fighting.
26. Cautionary boards such as "DANGER","NO SMOKING", "EXIT", "FIREESCAPE",'EXTINGUISHER", etc. should be displayed on the strategic location to guide the occupants in case of emergency. The signs should be of florescent type and should glow in darkness.

27. In future if the builder / developer intend to go for any expansion, alteration, modification of any building an approval of this department must be obtained before commencing proposed modifications.

Considering the proposed activity and Built up are the following fire lighting and other systems should be provided for the safety of the proposed Resort Building...As per NBC and Indian Standards.....Pl. note that these system requirements may be enhance if the height and built up area is increased in near future.

Sr. No	FIRE FIGHTING INSTALLATION	Requirements	Provision	Remarks
1	Portable Fire Extinguishers	Required	All floors, electrical rooms, lift rooms	As per IS: 15683. (4 KG Capacity Each)
2	Hose Reel Hose with Hydrant Valve	Required	On each floor of the	The first aid hose reel shall be

	Connection		building.	connected directly to Hydrant Line and diameter of the hose reel shall not be less than 19mm confirming to IS884:1985
3	Yard Hydrant or Ring hydrant around the building	Required. At Various Strategic Locations.	Hydrant points should be provided with 2 Nos. of Delivery Hose confirming to IS-14933-2001 along with Standard Branch (Universal) confirming to lS-2871. For Yard Hydrant distance between 2 Hydrants should not be more than 45 mtrs. The guidelines should be followed as per IS 3844:1989.	

4	Underground Static Storage Tank	Required 50,000Liters.		
5	Fire Pump	01 No. 1620 lpm electrical driven main pump. 01 No. 1620 lpm Diesel Driven pump. 01 No. 180 lpm Jokey pump.		Fire pumps shall be centrifugal pumps only. Fire Fighting pumps shall be well maintained.
6	Manually Operated Fire Alarm System	Required	At various location	Manually Operated Fire Alarm should be provided; it should be connected to alternate power supply in case of emergency.
7	LPG/PNG Gas detection	Required in all kitchen Area.		

	system		
8	Fire Brigade Connection- For Static Water Tank and For Hydrant System	Required at the Main Gate.	
9	Sign indicators for all fire safety, safe evacuation of occupants in case of emergency signs	Required at Prominent Places.	Sign indicators should provided at prominent places as per the guidelines given in IS:9457 for Safety colour and Safety IS:12349 for Fire Protection Safety Signs IS: 12407 for Graphics symbols for Fire Protection Plan.

Details about the Fire protection Fees paid:-

Sr. No.	**FIRE-FILE NO.**	**Built up Area for Fees calculation**	**Total Amount**	**Payment Challan No. Payment Date**

1	FIRE/493/2019	Resort Building = 2112.45 SQM.	Rs.50,0001 (Fifty Thousand Rupees Only)	CHALLAN NO. 587 DATED 03.12.2019 J. No.5250533

(* In future, if the difference of fees is assessed, the same will be recovered from the owner or developers as the case may be)

This "Provisional No objection Certificate" shall be treated valid for the periods of One Year from the date of issue.

After compliance with above mentioned recommendations / conditions, inspection of the fire prevention & protection systems provided by you will be carried out by this department & after satisfactory performance of the system "Final No-Objection Certificate" will be issued.

The undersigned reserves right to amend any additional recommendations deemed fit during the final inspection due to the statutory provisions amended from time to time and in the interest of the protection of your Structures.

Thanking you,

Yours faithfully

Sd/-
05/12/2019
(Devendra Potphode)
Chief Fire Officer
PMRDA, PUNE



True Copy

ANNEXURE – O

पुणे महानगर प्रदेश विकास प्राधिकरण, पुणे

Pune metropolitan Regional Development Authority,Pune

पुणे महानगर

स.नं. १५२ – १५३, महाराजा सयाजीराव गायकवाड उद्योग भवन, औंध, पुणे – ४११००७

S.No. 152-153, Maharaja Sayajirao Gaikwad Udyog Bhawan, Aundh, Pune – 411 007

Ph No. : 020- 259 33 344 / 356 / 333 / फोन. नं. ०२०- २५९ ३३ ३४४/ ३५६ / ३३३ Email: hqpmrda@gmail.com

सुधारीत विकास परवानगी व प्रारंभ प्रमाणपत्र

(मंजूर विकास नियंत्रण व प्रोत्साहन नियमावलीतील नियम क्र. ६.६.१ नुसार)

जा.क्र. : DP/बीएमए/मौ.तिकोणा/ग.नं. ५७१, ५७२ व ५७३/प्र.क्र. १०६१/१९-२० दि.०८/१०/२०२०

प्रति,

१) खुर्शीद येझदी दारुवाला,

२) वेनाझ खुर्शीद दारुवाला,

३) डेल्ना खुर्शीद दारुवाला,

मौजे – तिकोणा, ता. मावळ, जि. पुणे.

मौजे – तिकोणा, तालुका - मावळ, जिल्हा - पुणे येथील ग.नं. ५७१, क्षेत्र – ११३००.० चौ.मी, ग.नं. ५७२, क्षेत्र – १४२००.० चौ.मी., ग.नं. ५७३, क्षेत्र – ५६००.० चौ.मी. असे एकुण क्षेत्र – ३११००.० चौ.मी. मधील रिसॉर्ट इमारतीचे सुधारीत बांधकाम नकाशांना परवानगी मिळणेबाबतचा प्रस्ताव मंजूरीस्तव प्राधिकरणाकडे प्राप्त झाला आहे.

आपण प्रस्तावासोबत सादर केलेल्या कागदपत्रास अधिन राहून तसेच सोबतच्या परिशिष्ट 'अ' मध्ये नमूद अटी व शर्तीस अधिन राहून उक्त प्रस्तावास विकास परवानगी व प्रारंभ प्रमाणपत्र देण्यात येत आहे.

पुणे महानगर प्रदेश विकास प्राधिकरण

महानगर आयुक्त,
तथा
मुख्य कार्यकारी अधिकारी
पुणे महानगर प्रदेश विकास प्राधिकरण, पुणेकरीता

मा. महानगर आयुक्त तथा मुख्य कार्यकारी अधिकारी यांच्या मान्यतेने

पुणे महानगर प्रदेश विकास प्राधिकरण, पुणे यांचेकडील दि. ०८/०६/२०२० रोजीचे पत्र क्र. ९०६१/१९-२० सोबतचे

परिशिष्ट 'अ'

१) मंजूर नकाशाप्रमाणेच जागेचा विकास व बांधकाम करणे बंधनकारक राहील.

२) सदर विकास परवानगी व प्रारंभ प्रमाणपत्र दिल्यानंतर एक वर्षाच्या कालावधीपर्यंत बांधकाम सुरु करणे बंधनकारक राहील. बांधकाम सुरु केल्याबाबत प्राधिकरणाला त्याप्रमाणे कळविणेत यावे. तदनंतर त्यापुढे आवश्यकतेनुसार विहीत मुदतीमध्ये सदर परवानगी व प्रमाणपत्राचे नुतनीकरण करुन न घेतल्यास सदरचे परवानगी व प्रमाणपत्र संपुष्टात येईल.

३) महसूल विभागाकडून जमिनीचा वर्ग, तिचा भोगवटा, तिचा धारणाधिकार, अकृषिक आकारणी आणि ती वरील भार या बाबतची सनद बांधकाम सुरु करणेपुर्वी प्राप्त करुन त्याची प्रत प्राधिकरणाकडे सादर करणे अर्जदार / विकासक / जमिनमालक यांचेवर बंधनकारक राहील.

४) प्रस्तावासोबत मोजणी दि. २१/०३/२०१७, मो.र.नं. १८७९३/१७, २२०५२/२०१९ ने केलेल्या वहीवाटीचे मोजणी नकाशातील हद्दीचे तसेच जागेच्या मालकी / वहिवाटीबाबत अर्जदाराने /विकासकाने/ जमीनमालकाने याबाबत सादर केलेल्या प्रतिज्ञापत्राचे अधिन राहून परवानगी देण्यात येत आहे. सदर जमिनीचे वहीवाटीचे/ हद्दीचे अनुषंगाने अथवा इमारतीबाबत कोणतेही व्यक्तिगत वाद/ न्यायालयीन वाद उद्भवलेस त्याची सर्वस्वी जबाबदारी अर्जदार / विकासक / जमिनमालक यांची राहील. ज्या जागेची मालकी / वहिवाट, अर्जदार /विकासक / जमिनमालक यांची नाही अशा कोणत्याही जमिनीवर सदर परवानगीव्दारे विकास अनुज्ञेय राहणार नाही.

५) प्रस्तुतच्या जमिनीवर आर्थिक संस्थाचा बोजा असल्यास त्यास अर्जदार / जमीनमालक /विकासक सर्वस्वी जबाबदार राहतील.

६) नागरी जमीन (कमाल धारणा व विनियम) अधिनियम,१९७६ हा निरसित झाला असल्याने या अधिनियमांतर्गत बाबींकरिता प्रस्तावासोबत आपण रु. ५००/- च्या स्टॅम्प पेपरवरील दिनांक २७/०८/२०१९ रोजी नोटरी वी. एल. घोलप यांचेसमोर केलेले विहीत नमुन्यातील शपथपत्र व बंधपत्र सादर केले आहे. सदर शपथपत्र व बंधपत्रास अधिन राहून सदरचे बांधकामास परवानगी देण्यात येत आहे. त्याबाबतची संपूर्ण जबाबदारी

अर्जदार /जमीनमालक /विकासक यांची राहील सदर शपथपत्र व बंधपत्रातील माहिती चुकीची अथवा दिशाभूल करणारी आढळून आल्यास झालेले बांधकाम अनधिकृत समजून कारवाईस पात्र राहील.

७) मंजूर नकाशात दर्शविलेप्रमाणे नियोजित बांधकामापासुन पुढील, मागील व बाजुची सामासिक अंतरे प्रत्यक्षात जागेवर कायम व खुली ठेवणे आवश्यक राहील.

८) रेखांकनातील भूखंड व नियोजित इमारतीचा वापर फक्त मंजूर नकाशानुसार सुधारीत रिसॉर्ट याप्रमाणे अनुज्ञेय केलेल्या वापरासाठी करणे बंधनकारक राहील. इमारतीच्या वापरात बदल करावयाचा असल्यास त्यास प्राधिकरणाची पूर्वमंजूरी घ्यावी लागेल.

९) इमारतीचे जोता तपासणीसाठी अर्ज करताना अकृषिक परवानगी आणि परवानाधारक, वास्तुविशारद/ अभियंता /स्ट्रक्चरल अभियंता/ सुपरवायझर यांचे प्रमाणपत्र सादर करणे बंधनकारक राहील, त्याचप्रमाणे भोगवटा प्रमाणपत्रासाठी अर्ज करताना बांधकाम प्रस्तावांतर्गत जमिनीचे महसूल /भूमी अभिलेखात एकत्रिकरण /उपविभागणी केलेला अद्यावत ७/१२ उतारा /प्रॉपर्टी कार्ड व मोजणी नकाशा सादर करणे बंधनकारक राहील.

१०) इमारतीचे मंजूर नकाशानुसार जोतयापर्यंतचे बांधकाम पूर्ण झाल्यानंतर जोते तपासणी प्रमाणपत्र प्राप्त करुन न घेता पुढील बांधकाम केल्यास सदरचे बांधकाम अनधिकृत समजण्यात येऊन असे बांधकाम दंडात्मक कार्यवाहीस पात्र राहील.

११) अभिन्यासातील रस्ते, व खुली जागा यांची देखभाल व अभिन्यासामध्ये दर्शविलेले वर्गीकृत /प्रादेशिक योजना रस्ते/ रस्ता रुंदीकरणातील क्षेत्र सर्व जनतेच्या वापरासाठी तसेच शेजारच्या जमीनमालकास वापरण्यास खुले ठेवणे बंधनकारक राहील.

१२) रेखांकनातील रस्ते, गटारे, खुली जागा इत्यादी अर्जदारांने/ विकासकांने /जमीनमालकाने जागेवर स्वखर्चाने व समाधानकारकरित्या विकसित करणे आवश्यक आहे.

१३) नियोजित बांधकामातील मजल्यांची संख्या व उंची, मंजूर रेखांकन/बांधकाम नकाशांवर दर्शविल्यापेक्षा जास्त असता कामा नये. तसेच बांधकाम लगतचे परिसराशी मिळते जुळते असावे व उतरत्या छपराचे असावे.

१४) नियोजित बांधकामाचे क्षेत्र,भुखंडावर अन्य बांधकाम अस्तित्वात असल्यास त्यासह एकुण बांधकाम क्षेत्र, सुविधा क्षेत्र व प्रादेशिक योजन रस्ते/रस्तारुंदी क्षेत्र नकाशावर दर्शविलेनुसार प्रत्यक्ष जागेवर असणे आवश्यक आहे. ✓

१५) जागेतील/ जागेलगतच्या नाल्याच्या/ नदीच्या नैसर्गिक प्रवाहास अडथळा येईल, असे कोणतेही बांधकाम करता येणार नाही. त्याचप्रमाणे उक्त जमिनीवरील विकास करताना जागेवरील भूपृष्ठ रचनेमध्ये अनाधिकृत बदल करता येणार नाहीत. सदर अटीचा भंग करुन विकास केल्याने दुर्घटना घडल्यास त्याची जबाबदारी अर्जदार / विकासक/ जमिनमालक यांची राहील. ✓

१६) स्ट्रक्चरल इंजिनिअर / डिझायनर यांनी तयार केलेल्या Structural Design नुसार प्रत्यक्ष् जागेवर विकास करणेची जबाबदारी विकासक व सुपरवायझर यांची संयुक्तिक राहील. ✓

१७) अर्जदार / विकासक/ जमिनमालक यांनी दि. २७/०८/२०२० अन्वये दिलेल्या शपथपत्रास अधिन राहुन ही परवानगी देण्यात येते असुन प्रमाणित विकास नियं त्रण आणि प्रोत्साहन नियमावलीमधील सर्व नियम आणि भारतीय मानक ब्युरोने विहित केलेल्या सुरक्षा प्रमाणकांचे पालन करणे अर्जदार / विकासक/ जमिनमालक यांचेवर बंधनकारक राहील. (नियम क्र. ७.१)

१८) शासन नगर विकास विभागाकडील दि.१९/११/२००८ चे निदेश क्र. टिपीव्ही-४३०८/४१०२/ प्र.क्र.३५९/०८/नवि-११ नुसार अर्जदार / विकासक/ जमिनमालक व वास्तुविशारद यांनी बांधकाम नकाशामध्ये प्रत्येक सदनिकेचे एकूण चटईक्षेत्र (Carpet area) नमूद केलेले आहे. सदर नमूद चटई क्षेत्रा (Carpet area) बाबत आकडेमाडे, गणितीय चुका इ. बाबत वास्तुविशारद व अर्जदार / विकासक/ जमिनमालक संयुक्तिकरित्या जबाबदार राहतील.

१९) नियोजित इमारतीसाठी/ विकासासाठी आवश्यक असणाऱ्या पिण्याच्या पाण्याची सोय आपण अश्वासित केलेल्या सक्षम प्राधिकरणाने/ ग्रामपंचायतीने न केल्यास पिण्याच्या पाण्याची आवश्यक ती पुर्तता अर्जदार / विकासक / जमिन मालक यांनी स्वखर्चाने प्रत्यक्ष वापरापुर्वी करणे आवश्यक आहे. त्याचप्रमाणे सांडपाण्याची व मैला निर्मुलनाची सुयोग्य व्यवस्था प्रत्यक्ष वापरापुर्वी करणे बंधनकारक राहील.



२०) ओला व सुक्या कचऱ्याकरिता सदर जागेत स्वतंत्र कंटेनरची सोय करणे आवश्यक राहील. विघटन होण्याऱ्या ओल्या कचऱ्यासाठी गांडुळखत प्रकल्प अर्जदार / विकासक/ जमिनमालक यांनी स्वखर्चाने करावयाचा आहे.

२१) प्रकाश व वायुविजन यासाठी ठेवलेल्या खिडक्यांचे क्षेत्र हे त्या संबंधित खोलीच्या क्षेत्राच्या १/८ पेक्षा कमी असू नये.

२२) नियोजित बांधकामामुळे भूखंडावर असलेल्या कोणाच्याही वहिवाटीचे हक्काचा भंग होणार नाही, याची जबाबदारी अर्जदार/मालकाने घेतली पाहिजे.

२३) विषयांकित बांधकाम नकाशांची छाननी अनुज्ञेय चटई क्षेत्र, भूव्याप्त क्षेत्र या बाबतीत केलेली आहे. बांधकाम नकाशांतील गणितीय चुका वा जागेवर बांधकाम नकाशावर नमूद केल्या व्यतिरिक्त जादा बांधकाम असल्यास त्यास संबंधित वास्तुशिल्पी व अर्जदार जबाबदार राहतील.

२४) उक्त पर्यटन विकासाअंतर्गत उत्सर्जित जल, मलमूत्र कचरा यावर प्रदुषण नियंत्रण मंडळाचे मंजूरीने योग्य प्रक्रीया व निसा:रण व्यवस्था करणे आवश्यक आहे. प्रक्रीया केलेले वा न केलेले कोणत्याही प्रकारचे उत्सर्जित पाणी वा पदार्थ लगतचे नैसर्गीक पाण्याचे प्रवाहात मिसळता कामा नये.

२५) बांधकामाचे सर्व बाजूनीं किमान १०.०० मी. अंतर असणे जरुर आहे.

२६) विषयाधिन जमिन खाजगी वने अंतर्गत येत नसलेबाबतची खात्री महसुल विभागाने करणे आवश्यक राहील.

२७) उक्त प्रकरणी रिसॉर्ट अंतर्गत अनुज्ञेयता असलेने यामध्ये कोणतीही उपविभागणी अनुज्ञेय होणार नाही.

२८) उक्त बिनशेतीसाठी प्रस्तावित जागेचे अथवा गट नंबर मधील उर्वरीत जागेचे तुकडे पाडून अथवा गुंठेवारी प्रमाणे अनधिकृतरित्या भूखंड पाडता येणार नाहीत. किंवा विक्री करता येणार नाही. अशाप्रकारे अनधिकृतरित्या तुकडे पाडल्यास किंवा विक्री केल्यास ही परवानगी रदद समजण्यात येईल.

२९) जागेवर होणाऱ्या बांधकामाचे स्ट्रक्चरल डिझाईन भूकंपरोधक असणे आवश्यक राहील.

३०) सदर रिसॉर्टमधील युनिटची विक्री करता येणार नाही.

३१) प्रस्तावात रिसॉर्ट कॉटेजसाठी २/३ क्षेत्र तद्नुषंगिक (Anicillary Unit) वापरासाठी १/३ क्षेत्र या मर्यादेत बांधकाम करणे अर्जदारांवर बंधनकारक राहील.

३२) शासन निदेशानुसार बांधकाम करताना प्लाय यांचा वापर करणे बंधनकारक राहील.

३३) सौर उर्जेवर पाणी तापवण्यासाठीची यंत्रणा अर्जदार/ विकासक/ जमिनमालक यांनी इमारतीचे वापरापुर्वी स्वखर्चाने करावयाची आहे.

३४) वेस्ट वॉटर ट्रिटमेंट प्लँट उभारणे अर्जदार/ विकासक/ जमिनमालक यांचेवर बंधकनकारक असुन पाण्याचा फेरवापर बगीचा, झाडाची जोपासणा यासाठी करणे आवश्यक आहे.

३५) प्रारंभ प्रमाणपत्र दिलेल्या कोणत्याही इमारतीचे बांधकाम पुर्ण झाल्यानंतर मंजुर विकास नियंत्रण व प्रोत्साहन नियमावलीतील नियम क्र. ७.५ नुसार पुर्णत्वाचे अर्जदार/ विकासक/ जमिनमालक यांनी सादर करुन नियम क्र. ७.६ नुसार भोगवटा प्रमाणपत्र प्राप्त करुन घेतल्याखेरीज कोणत्याही इमारतीचा भागश: / पुर्णत: वापर सुरु केल्यास अर्जदार/ विकासक/ जमिनमालक कारवाईस पात्र राहील.

३६) प्रमाणित विकास नियंत्रण व प्रोत्साहन नियमावलीमधील तरतुद क्र. ६.२.६.१ नुसार विशेष इमारतीबाबत :-

a) प्रमाणित विकास नियंत्रण व प्रोत्साहन नियमावलीमधील तरतुद क्र. १२.६(b) नुसार प्रस्तावित इमारती सभोवताली ६.०० मी रुंदीचे पाथवे किमान ४५ टन वजनाचे फायर इंजिनचा भार पेलु शकेल या प्रमाणे डिझाईन करुन विकसीत करणे अर्जदार/ विकासक/ जमिनमालक यांचेवर बंधनकारक आहे.

b) प्रमाणित विकास नियंत्रण आणि प्रोत्साहन नियमावलीमधील तरतूद क्र. ६.२.६.१ नुसार बाबींची पुर्तता तसेच अग्निप्रतिबंधक उपाययोजनाबाबत भाग-४ मधील बाबींची पुर्तता करणे अर्जदार / विकासक/ जमिनमालक बंधनकारक राहील. ✓

c) नेहमीच्या वापरासाठीच्या पाणी पुरवठयाशिवाय अग्निप्रतिबंधक व्यवस्थेकरीता, पाणीपुरवठा बाबतची पुर्तता अर्जदार / विकासक/ जमिनमालक यांनी स्वखर्चाने, स्वजबाबदारीवर करणे आवश्यक राहील.

d) अशा इमारतींचे Structural Design हे भुकंप प्रतिबंधक असणे आवश्यक राहील. अर्जदाराने / विकासकाने/ जमिनमालकाने इमारतीचे Structural Stability बाबत नोंदणीकृत Structural Engineer चे प्रमाणपत्र संबंधित अग्निशमन अधिकारी यांचेकडे व या प्राधिकरणाकडे दाखल करणे आवश्यक राहील.

e) भोगवटा प्रमाणपत्र देण्यापूर्वी सर्व अग्निशमन यंत्रणा व सुविधांची पुर्तता करुन सदर यंत्रणा सुस्थितीत कार्यान्वित असलेबाबत अग्निशमन विभागाकडील अंतिम नाहरकत प्रमाणपत्र सादर करणे अर्जदार / विकासक/ जमिनमालक यांचेवर बंधनकारक राहील.

पुणे महानगर प्रदेश विकास प्राधिकरण

f) मुख्य अग्निशमन अधिकारी, पुणे महानगर प्रदेश विकास प्राधिकरण यांनी पत्र क्र. FPMA/512/2019, दि. ०५/१२/२०१९ अन्वये ना हरकत दाखला व सोबतचे नकाशे सांक्षाकीत केलेले आहेत. सदरचे नकाशामध्ये मंजूरी देताना फेरबदल झाल्यास अशा नियोजनास संबंधित मुख्य अग्शिमन अधिकारी/ संचालक यांचे सुधारित ना हरकत प्रमाणपत्र घेणे बंधनकारक आहे.

३७) केंद्र शासनाच्या MINISTRY OF CIVIL AVIATION ची अधिसुचना क्र. G.S.R. ७५१ (E) दि. ३०/०५/२०१५ नुसार सदर प्रस्तावाखालील जागा ही जमिनीची AMSL-७६५ मी. इतके येत आहे. त्यामुळे AVIATION विभागाचे नाहरकत प्रमाणपत्र जोते तपासणीपुर्वी सादर करणे अर्जदार / विकासक/ जमिनमालक यांचेवर बंधनकारक राहील.

३८) मोठया इमारत बांधकामाच्या ठिकाणी काम करणाऱ्या मजूरांमधील गरोदर माता, स्तनदा माता आणि त्यांच्यासोबत असणाऱ्या ० ते ६ वर्षे वयोगटातील मुलांकरिता शेड बांधणे, शौचालय व पिण्याच्या पाण्याची व्यवस्था, पाळणाघर इ. तात्पुरत्या सुविधा कंत्राटदार किंवा बांधकाम विकासक यांनी करणे आवश्यक आहे.

३९) प्रस्तुत जमिनीवर भविष्यात छाननी शूल्क, विकास शूल्क, सुरक्षा ठेव व कामगार कल्याण उपकर इत्यादी बाबतच्या रक्कमेची बाकी उद्भवल्यास सदर रक्कम प्राधिकरणाकडे जमा करणे अर्जदार यांचेवर बंधनकारक राहील.

४०) अर्जदार यांनी सादर केलेली कोणतीही माहिती अथवा कागदपत्रे ही चुकीची/दिशाभूल करणारी आढळल्यास प्रस्तुतची विकास परवानगी व प्रारंभ प्रमाणपत्र रद्द समजणेत येईल.

प्रस्तावासोबतच्या रेखांकन/बांधकाम नकाशांचे दोन संच स्वाक्षांकित करुन सोबत जोडले असून प्रस्वातावासोबतची अन्य सर्व कागदपत्रे प्राधिकरणाच्या अभिलेखार्थ राखून ठेवण्यात येत आहेत.

पुणे महानगर प्रदेश विकास प्राधिकरण

महानगर आयुक्त,
तथा
मुख्य कार्यकारी अधिकारी
पुणे महानगर प्रदेश विकास प्राधिकरण, पुणेकरीता

मा. महानगर आयुक्त तथा मुख्य कार्यकारी अधिकारी यांच्या मान्यतेने

Pune Metropolitan Region Development Authority Pune
S. No. 52-153, Maharaja Sayajirao Gaikwad Udyog Bhavan,
Aundh Pune-411007
Phone no. 020-25933344/356/333 hqpmrda@gmail.com

Development Permission and Commencement Certificate
(as per Rule No. 6.6.1 of Sanctioned development control and encouragements)

Out ward no. DP/BMA/Village Tikona/Gat No. 571, 572 and 573/Matter No. 1029/2019-20

Date:-08/06/2020

To,

1) Khurshid YezdiDaruvala
2) Kainaz Khurshid Daruvala
3) Delna Khurshid Daruvala

R/at- Village Tikona Taluka MavalDist Pune

The proposal regarding revised sanctionof plan of Tourist Resort and regularization of plans had been received by authority with respect to gat no 571, area 113.0 sq mtrs, gat no 572 area 14200 sq mtrs gat no 573 area 5600 sq mtrs total area 31100 sq mtrs of Village Tikona, Taluka MavalDist Pune

On the basis of papers submitted by you along with this proposal and on the basis of the terms and conditions

mentioned in schedule A the sanction has been given for development and commencement certificate issued.

Municipal Commissioner
Chief Executive Officer
Pune Municipal Corporation
Regional and Development
Authority, Pune

With the permission of Municipal Commissioner and chief officer.

Letter dtd08/06/2020 bearing no. 1061/19-20 of Pune Metropolitan Regional Development Authority Pune

Annexure A

1) It is mandatory to carry the development of the land and construction as per sanctioned plan.

2) It is mandatory to commence the construction within one year after the sanction for development permission and commencement certificate. It is mandatory to inform about the commencement of work to the authority. Later on as per the requirements and within the limitation period in prescribed format if the said permissions and certificate did not renewed then said permission and certificate will end.

3) It is mandatory for the applicant/Developer/Land owner to submit the NA order, class of land, the use of land an charge to be submitted to the authority before the commencement of the construction.

4) The permission is granted on the basis of the affidavit submitted by the applicant/land owner / developer and had also submitted demarcation plan

dtd21/03/2017 bearing no 18793/17 and 22052/2019 with respect to easementary rights and the boundary of the land along with the proposal. It will be sole responsibility of applicant/developer/land owner if any dispute arise with respect to the easementary rights/boundary or personal dispute /court matters. The permission is not given for development of the land which is not owned by applicant/land owner/ developer.

5) In case of any charge on the said land of financial institution then the applicant/landowner/developer shall solely be responsible for the same.

6) The urban Land Ceiling Act 1976 has been abolished hence as per the rules along with the proposal and undertaking is filed on 500/- Rs stamp paper executed on 27/08/2019 before Notary Public B L Gholap which is in a prescribed format. The permission for construction is granted by relying on the said indemnity. The

applicant/developer/land owner shall be responsible for the same. If any information stated in the indemnity bond found incorrect or misleading then this building permission stands cancelled.

7) It is mandatory to leave the open space in the front and back as shown in the sanctioned plan from the proposed construction.

8) As per the sanctioned plan the use of the tourist resort is to be made only for the purpose for which it is sanctioned. If any of the changes regarding change of use then it is necessary to obtain prior permission for the same.

9) At the time of making application for plinth checking it is mandatory to submit non agriculture order and certificate of licensed architect/engineer / structural engineer/supervisor. At the time of making application for completion certificate it is necessary to submit latest property card/7/12

extract and demarcation plan under building proposal land revenue/amalgamation of land/division of land.

10) As per the sanction plan of the building it is necessary to get the plinth checking certificate if not taken and if further construction is made then that construction will be treated as illegal and it will attract fine as well as action will be taken against it.

11) It is mandatory to keep the road open in the layout and open land. The roads needs to be maintained and roads should be as per the plan and town planning and road widening and has to keep the approach road for neighbor.

12) The applicant/developer/landowner has to built the road, drainage, open space as per the plan at own cost.

13) The height and floor number of proposed construction should not be more than it is

sanctioned in the plan. The construction should be similar to other construction of that area and should have slope in the roof.

14) It is necessary to tally the area sanctioned on the plan and the area of the proposed construction, plus any other construction present on the land, amenity area regional planning road/road width area.

15) No construction to be made on the land / adjacent cannel/ which will affect the natural flow of the river. While making the development of the land no illegal changes to be made in the original structure of the land. It will be the sole responsibility of the land owner/ developer/ applicant in case of any accident happens due to development made against the terms and conditions.

16) It is the collective responsibility of the developer and the supervisor to do the development as per the

structural design prepared by the structural engineer/design.

17) The building permission has been given on the basis of the undertaking given by the Applicant/owner/developer dtd 27/08/2019. The Applicant/owner/Developer has to follow all the rules prescribed by the development control and security rules of Bureau of India standard. (rule 7.1)

18) As per circular dtd 19/11/2008 bearing no TPV-4308/4102/matter no. 359/08/nv/11 of Government Town planning department the applicant/developer/land owner and architect has mentioned the area (carpet) of each unit in the plan. If any discrepancy found in the calculation of area mentioned in the plan in carpet area then the architect, applicant and Developer shall be held responsible.

19) Drinking water arrangements for the proposed building if not made by the authority or gramanchayat then before handing over the possession of the resort for use the applicant/developer/land owner has to make drinking water arrangements with own expenses. The west and drainage system should also have to be done before starting its use.

20) It is mandatory to make separate arrangements for wet and dry garbage. The applicant/developer/ land owner at their own cost has to made the compost project for the wet garbage which can be dissolved.

21) The windows which are for light and ventilation shall not be less than 1/8 of the area of the room.

22) It is the responsibility of the applicant/owner to make sure that other's easementary rights are not getting affected due to proposed construction.

23) The scrutiny of the building plan is done on the basis of available carpet area, land occupancy area.

The mistakes in calculating the area in the plan and actual construction on the site found excess then the concern architect and applicant shall be held responsible.

24) Under an appropriate tourism development it is mandatory to make necessary arrangement for disposal of west, drainage water. The water or substance which is not processed shall not be mixed with natural water.

25) It is mandatory to leave minimum 10.00 mtr open space from all the sides of the construction

26) The revenue department has to assure at the said land does not fall under private forest.

27) With respect to the present matter permission is only for tourist resort and no sub category is permitted.

28) The proposed non agricultural land gat no. or other remaining gat noscan not be separated or should

not be sold. If done so the permission stands cancelled.

29) It is mandatory to have the structural design earthquake free.

30) No unit can be sold from the tourist resort.

31) It is mandatory for the applicant to carry out the construction as per the proposal for resort cottage ⅔ area and for ancillary unit ⅓.

32) As per the directions of Government while doing the construction it is mandatory to use ply ash.

33) The applicant/developer/ land owner at their own cost has to install the solar plan before starting the usage of the building.

34) It is mandatory for the applicant/developer/land owner to make the arrangements for west water treatment plant and that water should be used for watering the plant of the garden.

35) It is mandatary to obtain completion certificate as per rule no. 7.6 of Development Control and promotion Regulation with respect to the commencement certificate as per rule no 7.5 of Development Control and promotion Regulation after completing the construction. If the building is used before obtaining the completion then the applicant/developer shall be responsible for action.

36) As per the sanctioned development control and encouragement rules provision no. 6.2 6.1 for special building

a) As per the provision no 12.6 (b) of Development Control and promotion Regulation it is mandatory for The applicant/developer/ land owner to design the 6.0 mtr pathway surrounding the proposed building which will tolerate the weight of 45 ton of fire engine.

b) It is mandatory to fulfill all the provisions bearing no. 6.26.1 of Development Control and

promotion Regulation it is mandatory to comply firefighting provisions mentioned in part 4 for the applicant/developer/ land owner.

c) Apart from the water which is used for all purposes it is mandatory to make arrangement of water in case of fire at the cost of the applicant/developer/ land owner

d) The structural design of the said building should be earthquake resistant. It is mandatory for the applicant/developer/ land owner to submit building structural stability certificate from registered structural engineer with concern fire fighting officer and with authority.

e) Before issuing the completion certificate it is mandatory to make all the arrangement for fire and all fire fighting arrangement should be in working condition and noc to be submitted by the applicant/developer/ land owner

f) NOC dtd 05/12/2019 bearing letter no. FPMA/512/2019 of main fire fighting officer Pune of Development Control and promotion Regulation i of Development Control and promotion Regulations is filed and the plans are certified. If while giving permission if any changes happenedthen for such provision it is mandatory to obtain noc again from fire fighting officer.

37) It is mandatory obtain permission by the applicant/developer/ land ownerAs per the circular bearing No. GSR 751 (E) dtd 30/5/2015 of Central Government Ministry of Civil Aviation and the land under this proposal is AMSL -765 mtr and hence before checking the plinth it is necessary to obtain the NOC of Aviation Department.

38) It is mandatory for the developer or contractor to construct the shed, toilet, drinking water, day care where there is big construction for the workers,

pregnant women, breast feeding mother and for the children who are between age group 0 to 6 yrs.

39) Applicant has to pay any future dues pending with respect to the said land ie scrutiny fees, premium fees, development fees, security deposit and labour development fund etc to authority.

40) Any information or papers submitted found fake misleading then said development permission and commencement certificate shall stand cancelled

Two self attested sets of plan/construction plan has been submitted with the proposal and all the other papers submitted along with the proposal has been kept for record purpose.

City Commissioner and chief officer

PMRDA



True Copy

ANNEXURE - R 2

वाचले:- १)श्री. खुर्शिद येझदी दारूवाला व इतर २रा. त्रिकोणा ता. मावळ, जि.पुणे. यांचा मा. महानगर आयुक्त तथा मुख्य कार्यकारी अधिकारी पुणे महानगर प्रदेश क्षेत्र विकास प्राधिकरण पुणे यांचे कार्यालयाकडे केलेला दिनांक /११/२०१९ रोजीचा अर्ज.

२) मा. पुणे महानगर प्रदेश विकास प्राधिकरण यांचे कार्यालयाकडील जा.क्र.DP/बीएमए/मौ.तिकोणा/ ग.नं.५७१/५७२/५७३ /प्र.क.१०६१/१९-२०/४०४, दि. २१/११/२०१९.

३) महाराष्ट्र शासन, महसूल व वन विभाग यांचेकडील परिपत्रक क्र. एनएए-२०१७/प्र.क्र.११५/टी-१ दिनांक - १९ ऑगस्ट २०१७.

४) महाराष्ट्र शासन, महसूल व वन विभाग यांचेकडील महाराष्ट्र अध्यादेश क्र. २ दि.५/०१/२०१७.

जमिनीचा वर्ग, तिचा भोगवटा, तिचा धारणाधिकार, अकृषिक आकारणी आणि ती वरील भार याबाबत पत्र
(महाराष्ट्र जमीन महसूल अधिनियम १९६६ चे कलम ४२क)

जिल्हाधिकारी कार्यालय पुणे
(महसूल शाखा)
क्र. Maval/NA/SR/३३/२०१९
पुणे दि.१४/०३/२०२२

प्रति,

मा. महानगर आयुक्त, तथा
मुख्य कार्यकारी अधिकारी,
पुणे महानगर प्रदेश विकास प्राधिकरण, पुणे (PMRDA)
स.नं.१५२-१५३, महाराजा सयाजीराव गायकवाड उद्योग भवन औंध- पुणे

विषय:- मौजे तिकोणा ता.मावळ, जि.पुणे येथील जमीन स.नं.५७१,५७२, ५७३अ चे एकूण क्षेत्र ३११००.०० चौ.मी. मधील प्रस्तावित रस्ता रूंदीकरणाने बधीत ४३०.४३ चौ.मी. क्षेत्र व १.५ डोंगर उताराने बाधीत ३९४१.५४ चौ.मी.क्षेत्र वजा जाता उर्वरित २६७२८.०३ चौ.मी. क्षेत्रावर टूरिस्ट रिसॉर्ट प्रयोजनार्थ सुधारित बांधकाम करणेकामी महाराष्ट्र जमिन महसूल अधिनियम १९६६ चे कलम ४२ क नुसार जमिनीचे रूपांतरणाबद्दल अकृषिक सारा व नजराणा/शासकीय देणी कळविण्याबाबत...

संदर्भ:-आपले कार्यालयाकडील जा.क्र.DP/बीएमए/मौ.तिकोणा/ग.नं.५७१/५७२/५७३/प्र.क. १०६१/ १९-२०/ ४०४, दि. २१/११/२०१९.

महोदय,

१. मौजे तिकोणा ता.मावळ, जि.पुणे येथील जमीन स.नं.५७१,५७२, ५७३अ चे एकूण क्षेत्र ३११००.०० चौ.मी. मधील प्रस्तावित रस्ता रूंदीकरणाने बधीत ४३०.४३ चौ.मी. क्षेत्र व १.५ डोंगर उताराने बाधीत ३९४१.५४ चौ.मी.क्षेत्र वजा जाता उर्वरित २६७२८.०३ चौ.मी. क्षेत्रावर टूरिस्ट रिसॉर्ट प्रयोजनार्थ सुधारित बांधकाम करणेकामी महाराष्ट्र जमिन महसूल अधिनियम १९६६ चे कलम १८ नुसार रेखांकन / बांधकाम नियमित करून मिळणेबाबत अर्जदार **श्री. खुर्शिद येझदी दारूवाला व इतर २रा. त्रिकोणा ता. मावळ, जि.पुणे** यांनी दिनांक /११/२०१९ रोजी आपले कार्यालयाकडे अर्ज दाखल केलेला आहे.

२. महाराष्ट्र शासन, महसूल व वन विभाग यांचेकडील शासन परिपत्रक क्र. एनएए-२०१७/ प्र.क्र.११५ / टी-१ दिनांक- १९/०८/२०१७ मधील तरतूदीनुसार आपलेकडील पत्र जा.क्र.DP/बीएमए/मौ.तिकोणा/ग.नं.५७१/५७२/ ५७३/प्र.क.१०६१/१९-२०/४०४, दि. २१/११/२०१९अन्वये सदर जमिनीच्या संदर्भातील भोगवटा / धारणाधिकार / अधिभार/अकृषिक आकारणी व इतर शासकीय देणी या मुद्दयांची माहिती मिळणेकामी प्रस्तुतचा प्रस्ताव व त्यालगतची कागदपत्रे या कार्यालयाकडे सादर केलेली आहेत.

३. त्यानुसार महाराष्ट्र शासन, महसूल व वन विभाग यांचेकडील शासन परिपत्रक क्र. एनएए-२०१७ / प्र.क्र. ११५/टी-१ दिनांक- १९/०८/२०१७ मधील तरतूदीनुसार शासन परिपत्रकातील परिच्छेद क्र. (1) (२) (i) मधील (अ) ते (इ) मध्ये नमुद मुद्यांचे अनुषंगाने खालीलप्रमाणे सादर करण्यात येत आहे.

४. मौजे तिकोणा ता.मावळ, जि.पुणे येथील जमीन स.नं.५७१,५७२, ५७३अ चे एकूण क्षेत्र ३११००.०० चौ.मी. मधील प्रस्तावित रस्ता रूंदीकरणाने बधीत ४३०.४३ चौ.मी. क्षेत्र व १.५ डोंगर उताराने

बाधीत ३९४१.५४ चौ.मी.क्षेत्र वजा जाता उर्वरित २६७२८.०३ चौ.मी. क्षेत्रावर टूरिस्ट रिसॉर्ट प्रयोजनार्थ खालील वर्णनाची जमिन मालक यांचे हक्कनोंदणीस दाखल आहे.

अ.क्र.	जमिन मालकाचे नाव	स.नं./ग.नं.	७/१२ नुसार क्षेत्र	बिनशेती कामी रेखांकनात प्रस्तावित केलेले क्षेत्र (चौ.मी)
१	खुर्शिद येझदी दारूवाला	५७१	११३००.००	११३००.००
२	कैनाझ खुर्शीद दारूवाला डेल्ना खुर्शीद दारूवाला	५७२	१४२००.००	१४२००.००
३	कैनाझ खुर्शीद दारूवाला डेल्ना खुर्शीद दारूवाला	५७३अ	५६००.००	५६००.००
५	एकुण		३११००.००	३११००.००
६	अर्जदार यांनी नकाशात प्रस्तावित केलेले एकुण क्षेत्र			३११००.०० चौ.मी.
७	प्रस्तावित रस्ता रूंदीकरणाने बधीत			४३०.४३ चौ.मी.
८	(-) १.५ तिव्र उताराने बाधीत क्षेत्र			३९४१.५४ चौ.मी.
९	अकृषिक आकारण करावयाचे शिल्लक क्षेत्र			२६७२८.०३ चौ.मी.
१०	वापरात बदलाचे प्रयोजन			वाणिज्य (रिसॉर्ट)

१. विषयांकीत जमिन स.नं. ११५/६ चा ग.नं.५७१ व स.नं.११५/५ चा ग.नं.५७२ व स.नं. ११५/४ चा ग.नं.५७३ हया जमीनी **भोगवटादार-१** च्या आहे.

२. तसेच या कार्यालयाकडील ऑलिनेशन रजिस्टरचे अवलोकन केले असता, मौजे तिकोणा ता. मावळ, जि.पुणे हे गाव त्यामध्ये समाविष्ट नसल्याचे दिसते.सन १९५२-५३ पासूनचे मौजे तिकोणायेथील स.नं.११५/६ चा ग.नं.५७१ व स.नं.११५/५ चा ग.नं.५७२ व स.नं. ११५/४ चा ग.नं.५७३ चे सन १९५५/५६ पासूनचे ७/१२ उतारे पाहता सदर जमीन इनामाची दिसून येत नाही.

३. विषयांकीत या जमीनीच्या ७/१२ चे इतर हक्कात बोजा दिसून येत नाही.

४. सन १९५० पासूनचे ७/१२ उतारे व त्यावरील फेरफार नोद यावरुन सदरची जमिन खाजगी/राखीव वनसंवर्गात मोडत नाही.

५. प्रस्तुत जमीन कुळकायदा संवर्गातील नाही.

६. प्रस्तुत जमिनीचा देय असलेला रूपांतरण कर, अकृषिक सारा तसेच यथास्थिती नजराणा किंवा अधिमुल्य आणि इतर शासकीय देणी खालीलप्रमाणे आहेत.तरी **शासन परिपत्रक दिनांक- १९/०८/२०१७ मधील परिच्छेद क्र. (I) (२) (ii)** मध्ये नमुद केलेप्रमाणे कार्यवाही करावी.

मौजे तिकोणा ता.मावळ, जि.पुणे येथील जमीन स.नं.५७१,५७२, ५७३अ चे एकुण क्षेत्र ३११००.०० चौ.मी. मधील प्रस्तावित रस्ता रूंदीकरणाने बधीत ४३०.४३ चौ.मी. क्षेत्र व १.५ डोंगर उताराने बाधीत ३९४१.५४ चौ.मी.क्षेत्र वजा जाता उर्वरित २६७२८.०३ चौ.मी. क्षेत्रावर टूरिस्ट रिसॉर्ट प्रयोजनार्थ सुधारित बांधकाम करणेकामी खालील प्रमाणे आकारणी होत आहे.

अ.क्र	तपशील	आकारणी
१	बिगरशेती आकारणीचे प्रयोजन	वाणिज्य
२	बिगरशेती आकारणी क्षेत्र (चौ.मी.)	२६७२८.०३ चौ.मी.
३	बिनशेती आकारणीचा दर (प्रति चौ.मी.)	रु ०.१० पैसे
४	बिनशेती करावयाच्या क्षेत्रावरील वार्षिक आकारणी	२६७३/-
५	रुपांतरीत कराची आकारणी	१३,३६५/-
६	जिल्हा परिषद कर	१८,७११/-
७	ग्रामपंचायत कर	२६७३/-
८	अनाधिकृत बांधकामाकरीता ४० पट दंडाची रक्कम रुपये	११४८/-
९	वसूल करावयाची एकूण रक्कम रुपये	३८,५७०/-

अकृषिक आकारणी तसेच यथास्थिती नजराणा किंवा अधिमुल्य शासन देय रकमा जमा करण्याचे विहित लेखाशिर्ष :-
Land and Revenue Non Agricultural Assessment ००२९१७४६०१

त्यानुसार वरील प्रमाणे नमुद अकृषिक सारा, रूपांतरण कर तसेच यथास्थिती नजराणा किंवा अधिमुल्य आणि इतर शासकीय देणी अर्जदार यांनी ग्रास प्रणालीव्दारे चलन क्र. MH०१४६३५४५५२०२१२२M, दिनांक १५/३/२०२२ अन्वये शासन जमा केली आहे. सदर चलन दिनांक २१/३/२०२२ रोजी डिफेस झाले आहे.

नागरी कमाल जमिन धारणा कायद्यांतर्गत असलेल्या केसेस (यु.एल.सी.), कुलमुखत्यारपत्र, वनजमीन, मोजणी नकाशा, जागा पाहणी, विद्युतवाहीनी, भुसंपादन, पर्यावरण विभाग ना-हरकत (Environment Clearance), एअर फोर्स, रेडझोन परिक्षेत्र (वर्क्स ऑफ डिफेन्स ॲक्ट) उदा. देहु ॲम्युनेशन डेपो, दिघी मॅगेझिन, उच्च ऊर्जा पदार्थ अनुसंधान प्रयोगशाळा (HEMRL), INS शिवाजी, राष्ट्रीय संरक्षण प्रबोधिनी (NDA), पर्यावरण संवेदनशिल असलेली गांवे (ESA) इ. बाबींची खात्री नियोजन प्राधिकारी म्हणुन आपले स्तरावर करूनच रेखांकन/बांधकाम नकाशांना परवानगी देणे अपेक्षित आहे.

वरीलप्रमाणे विषयांकीत जमिनीचा वर्ग, तिचा भोगवटा, तिचा धारणाधिकार, ती वरील अधिभार रूपांतरण कर, अकृषिक आकारणी तसेच यथास्थिती नजराणा किंवा अधिमुल्य आणि इतर शासकीय देणी याबाबतची वस्तुनिष्ट माहिती सादर करण्यात येत आहे. तरी विषयांकीत जमिनीवरील रेखांकन/बांधकाम आराखडयांना उपरोक्त नमुद बाबींच्या पडताळणी अंती मंजूरी देण्याबाबत शासन परिपत्रक दिनांक- १९/०८/२०१७ मधील परिच्छेद क्र. (I) (२) (ii) मध्ये नमुद केलेप्रमाणे आपले स्तरावर विहित मुदतीत पुढील योग्य ती कार्यवाही करावी.

आपला विश्वास,

28.3.22

(हिम्मत खराडे)
निवासी उपजिल्हाधिकारी
जिल्हाधिकारी कार्यालय, पुणे

मा. जिल्हाधिकारी सो.
यांचे मान्यतेने

प्रत :- श्री. खुर्शिद येझदी दारूवाला व इतर २रा. त्रिकोणा ता. मावळ, जि.पुणे.

२/- शासन परिपत्रक दिनांक- १९/०८/२०१७ मधील परिच्छेद क्र. (I) (२) (iv) मध्ये नमुद केलेप्रमाणे पुणे महानगर विकास क्षेत्र प्राधिकरण यांनी त्यांचे स्तरावर रेखांकन/बांधकाम नकाशांना परवानगी दिलेनंतर शासनास देय रकमा विहित लेखाशिर्षांखाली भरल्या संदर्भातील चलनाची प्रत व रेखांकन/बांधकाम नियमित केलेल्या परवानगीची साक्षांकीत प्रत या कार्यालयाकडे सादर करावी. जेणेकरून प्रस्तुत जमिनीच्या गा.न.नं. ७/१२ मध्ये जमिन अकृषिक झाल्याची नोंद घेणेकामी पुढील आवश्यक ती कार्यवाही करता येईल.

(हिम्मत खराडे)
निवासी उपजिल्हाधिकारी
जिल्हाधिकारी कार्यालय, पुणे

Read:

1. The application dated __/11/2019 made by Shri Khurshid Yezdi Daruwala and Other, 2nd Trikona Taluka-Maval, District-Pune to Commissioner and Chief Executive Officer, Pune Metropolitan Regional Area Development Authority Pune
2. Outward No DP/BMA/M.TIKONA/G. No 571/572/ 573/PK-1061/19-20/404 dated 21/11/2019 of the Office of Pune Metropolitan Regional Development Authority
3. Circular No NAA-2017/PK-115/T-1 dated 19th August 2017 of Government of Maharashtra, Revenue & Forest Department
4. Ordinance No 2 dated 5/1/2017 of Government of Maharashtra, Revenue & Forest Department

Letter in respect of Class of the Land, its Occupancy, its Holding Right, its non-agricultural assessment and charge on the same (Section 42A of Maharashtra Land Revenue Act 1966)

Office of District Collector, Pune (Revenue Branch)
No Maval/NA/SR/33/2019
Pune Dated 24/3/2022

To

Commissioner and
Chief Executive Officer,
Pune Metropolitan Regional Area
Development Authority Pune
S. No 152-153, Maharaja Sayajirao
Gayakdwad Udyog Bhavan,
Aundh, Pune

Sub: Out of the total area of 31100 sq m in the land of S. No 571/572/573A of Village-Tikona Taluka-Maval, District-Pune the 430.43 sq m area infested by proposed road widening and 1.5 area infested by mountain deducting the slope area of 3941.54 sq m on remaining area of 26728.03 sq m for doing revised construction for making Tourist Resort for informing to pay amount of Nazrana/Govt. Dues for conversion of the land under section 42C of Maharashtra Land Revenue Act 1966

Ref: Your office Outward No DP/BMA/M.TI KONA/G. No 571/572/573/PK-1061/ 19-20 /404 Dt. 21/11/2019

Sir,

1. Out of the total area of 31100 sq m in the land of S. No 571/572/573A of Village-Tikona Taluka-Maval, District-Pune the 430.43 sq m area infested by proposed road widening and 1.5 area infested by mountain deducting the slope area of 3941.54 sq m on remaining area of 26728.03 sq m for doing revised construction for making Tourist Resort for getting layout/construction regularized under section 18 of Maharashtra Land Revenue Act 1966 the applicant Shri Khurshid Yezdi Daruwala and Other, 2nd Trikona Taluka-Maval, District-Pune has submitted application to your office on _/11/2019.

2. As per the provisions of the Circular No NAA-2017/PK-115/T-1 dated 19th August 2017 of Government of Maharashtra, Revenue & Forest Department vide your letter No DP/

BMA/ M.TIKONA/G. No 571/572/573/PK-1061/19-20/ 404 dated 21/11/2019 for getting information about Occupancy, its Holding Right, Surcharge, Non-agricultural assessment and other Govt Dues the proposal has been submitted to this office along with other relevant papers.

3. Accordingly in view of the provisions in view of Circular No NAA-2017/PK-115/T-1 dated 19th August 2017 of Government of Maharashtra, Revenue & Forest Department in view of the points (A) to (E) in paragraphs No (I)(2)(i) of Government Circular is being submitted.

4. Out of the total area of 31100 sq m in the land of S. No 571/572/573A of Village-Tikona Taluka-Maval, District-Pune the 430.43 sq m area infested by proposed road widening and 1.5 area infested by mountain deducting the slope area of 3941.54 sq m on

remaining area of 26728.03 sq m for doing revised construction for making Tourist Resort the land of following description is entered in right of the land owner:

Sr. No	Name of Land Owner	S. No/ Gat No	Area as per 7/12	For non-agriculture the area proposed in layout (Sq m)
1	Khurshid Yezdi Daruwala	571	11300	11,300.00
2	Kainaz Khurshid Daruwala Delna Khurshid Daruwala	572	14200	14,200.00
3	Kainaz Khurshid Daruwala Delna Khurshid Daruwala	573A	5600	5,600.00
5	Total		31100	31,100.00
6	Total area proposed in the plan by the applicant			31,100.00
7	Area infested by proposed road widening			430.43

8	(-) 1.5 area infested by short slope	3,941.54
9	Remaining area on which non-agricultural assessment is to be done	26,728.03
10	Purpose of change in the utilization	Commercial Resort

1. The subject lands of S. No 115/6 of Gat No 571 and S. No 115/5 of Gat No 572 and S. No 115/4 of Gat No 573 are of occupant class-1.

2. When the Alienation Register of this office is perused the village named Tikona, Taluka-Maval District-Pune is not appearing as included in the same. When the 7/12 abstracts of the land of lands of S. No 115/6 of Gat No 571 and S. No 115/5 of Gat No 572 and S. No 115/4 of Gat No 573 since

year 1952-53 of Village-Tikona are perused, this land does not appear as of Inam.

3. In other right of this land in 7/12 any charge is not appearing.

4. From the 7/12 abstracts since 1950 and their mutation entries this land is not coming under the category of private/reserved forest.

5. This land is not in the category of Tenants.

6. The conversion tax, non-agricultural cess and the Nazrana or premium of the above land and other Government dues are as shown below. So as mentioned in paragraph No (I)(2)(ii) of Government Circular dated 19/8/2017 the action is to be taken.

Out of the total area of 31100 sq m in the land of S. No 571/572/573A of Village-Tikona Taluka-Maval, District-Pune the 430.43 sq m area infested by proposed road

widening and 1.5 area infested by mountain deducting the slope area of 3941.54 sq m on remaining area of 26728.03 sq m for doing revised construction for making Tourist Resort the assessment is being made as under:

Sr. No	Description	Assessment
1	Purpose for non-agricultural assessment	Commercial
2	Area of non-agricultural assessment (sq m)	26728.03 sq m
3	Rate of non-agricultural assessment (per sq m)	Rs.0.10
4	Annual Assessment to be done on area to be made non-agricultural	2673
5	Assessment of Convertible Tax	13365
6	Zillha Parishad Tax	18711
7	Grampanchayat Tax	2673
8	For unauthorized construction 40 times amount of fine	1148
9	Total amount to be recovered	38570

For payment of amounts of Non-Agricultural Assessment and Nazrana or Premium Government amounts the prescribed account heads:

Land and Revenue Non-Agricultural Assessment 0029174601

As mentioned above the applicant has deposited with Government the amounts of Non-Agricultural Assessment and Nazrana or Premium Government amounts as per Gross System vide Challan No MH014635455202122M dated 15/3/2022. This challan has been recorded on 21/3/2022.

Being a Planning Officer after getting confirmation in respect of the cases of Urban Land Ceiling Act, Power of Attorney, Forest Land, Measurement Plan, Land Inspection, Electric Line, Land Acquisition, Clearance of Environment Dept, Air Force, Red Zone Area

(Works of Defence Act) e.g. Dehu Ammunition Depot, Dighi Magazine, High Energy Material Research Laboratory (HEMRL), INS Shivaji, National Defence Academy, Environmentally Sensitive Places etc the permission is expected to be granted to the layout/plans.

7. As above the material information in respect of Non-Agricultural Assessment and Nazrana or Premium Government amounts is being submitted. Hence after scrutiny of above aspects about giving sanction to subject lands layout/construction as mentioned in paragraph No (I)(2)(ii) of Government Circular dated 19/8/2017 the action is to be taken.

Yours faithfully,

Sd/-
24/3/22
(Himmat Kharade)
Resident Dy. District Collector
Office of District Collector, Pune

With the sanction

of District Collector

Copy to: Shri Khurshid Yezdi Daruwala and Other, 2nd Trikona Taluka-Maval, District-Pune

As mentioned in paragraph No (I)(2)(ii) of Government Circular dated 19/8/2017 when the permission would be granted by Pune Metropolitan Regional Development Authority to layouts/construction plans produce to this office copy of the challan about depositing the amounts to the Government under prescribed accounts head for regularizing the layout/construction plans so that in 7/12 abstract of the land for taking entry of non-agriculture further action can be taken.

Sd/-
(Himmat Kharade)
Resident Dy. District Collector
Office of District Collector, Pune

True Copy

PUNEMETROPOLIS

पुणे महानगर प्रदेश विकास प्राधिकरण, पुणे

Pune metropolitan Regional Development Authority,Pune

विकास परवानगी (झोनिंग) विभाग, आकुर्डी रेल्वे स्टेशन जवळ, नवीन प्रशासकीय इमारत,
०४ था मजला, अ-विंग, आकुर्डी-४११०३५

जावक क्रमांक / पीएमआरडीए झोन प्रमाणपत्र क्रमांक **ZC-0000-MA-23-O-04343 दिनांक : 24/03/2023**

प्रती ,

Adv Eesh Agarwal
Pune

विषय : **स नं. / ग नं. 571,** मौजे **तिकोना,** तालुका **मावळ, जिल्हा पुणे**

संदर्भ : आपला दिनांक **23/03/2023** रोजीचा अर्ज

मंजूर प्रादेशिक योजना पुणेच्या प्रस्तावानुसार येथील **मौजे तिकोना, तालुका मावळ, जिल्हा पुणे**

येथील स नं. / ग नं. **571** **हि जागा वनीकरण या विभागात समाविष्ट आहे**

पु.म.प्र.वि.प्रा. च्या प्रसिध्द झालेल्या प्रारूप विकास योजना नुसार Afforestation zone मध्ये समाविष्ट आहे.

Signature Valid
Digitally Signed By : Bhimrao Jadhav
Date: 24-03-2023 17:10:46
Reason : Zone Certificate

महानगर आयुक्त
पुणे महानगर प्रदेश विकास
प्राधिकरण करिता

टिप : सदर दाखला डिजीटल स्वाक्षरीचा असून ३ महिन्यांसाठी वैध्य आहे.

PUNE METROPOLITAN REGIONAL DEVELOPMENT AUTHORITY, PUNE
Pune Development Permission (Zoning) Department,
Near Akurdi Railway Station, New Administrative Building, 4th Floor, A-Wing, Akurdi – 411035

PUNE METROPOLIS

No. / PMRDA Zone Certificate No. ZC-0000-MA-23-O-04343
Dated : 24/03/2023

To,
Adv, Eash Agarwal
Pune.

Sub: S.No./Gat No. 571, Mauze –Tikona, Taluka, Maval, Dist- Pune

Ref.: Application dated 23/03/2023.

According to the proposal of the approved regional plan of Pune, Mauze – Tikona, Taluka, Maval, Dist- Pune, S.No./Gat No. 571, this place is included in the forestry division.

Afforestation zone is included as per the published draft development plan of P.M.R.D.A., Pune.

Date : 24-03-2023 17:10:46
Reason : Zone Certificate

Metropolitan Commissioner
For Pune Metropolitan Region
Development Authority

Note : The said certificate is digitally signed and valid for 3 months.



True Copy

ANNEXURE - 03

By Regd Post

Tele: 020 27042700

CA TO Office
HQ SWAC, IAF
VSN,Chiloda,Gandhinagar
Gujarat 382042

SWAC/2504/0/4240/ATS (BM) 15 Jun 22

Khurshed Y Daruwala & Others,
C/o Balaji Associates,
1st Floor, Saljyot Apartment,
S. No. 50/2/1/1, Vataro Mala,
Off BT Kawade Road,
Ghorpadi, Pune (Maharashtra) - 411036
Mob: 8830450611

NOC FOR CONSTRUCTION OF BUILDING

Sir,

1. Please refer your application on the subject.

2. The application has been examined within provisions mentioned under Section 5(2) of Gazette of India GSR 751 (E) read in conjunction with Sub Section (1) Clause (o) & Clause (r) of Sub Section 2 of Section 5 read with Section 9 A of Aircraft Act 1934, Works of Defence Act 1903 and other relevant orders on the subject. HQ SWAC has "**No - Objection**" for construction of building for a height of **09.00m AGL or 778.83m AMSL** (including all projection) **at Gut No. 571, 572 & 573, Village – Tikona, Taluka - Maval, Dist- Pune,** subject to following conditions:

(a) The NOC is for construction of building and cannot be used as document for any other purpose / claim whatsoever, including ownership of land.

(b) The applicant is responsible to obtain NOC/ all statutory clearances from AAI / State Govt / Municipalities / any other concerned authorities including approval of building plans. Clearance shall also be obtained separately from any other Defence Establishment in the vicinity of proposed construction.

(c) The site elevation and site coordinates provided by the applicant are taken for calculation of the permissible top elevation of the proposed structure. However, at any stage, if it is established that the actual site elevation and site coordinates are different from those provided by the applicant, the NOC will be invalid.

(d) The issue of the NOC is further subject to the provisions of Sec 9 A of the Indian Aircraft Act 1934 and those of any notifications issued there under from time to time including the Aircraft (Demolition of Obstruction caused by buildings and trees etc) Rules, 1994.

(e) Vertical extent (highest point) of the building proposed at coordinates mentioned below shall not exceed **09.00m AGL or 778.83m AMSL** whichever is lower. No extension or structure permanent or temporary (e.g. Cranes, Antennas, Mumtee, Lightening Arresters, Lift machine room, Overhead water tank, Cooling towers, Sign boards, any attachment or fixtures of any kind) shall be permitted above the cleared height.

Pillar No	Latitude	Longitude	Site Elevation
1	18°38'36.88" N	73°30'04.80" E	724.65M AMSL
2	18°38'36.85" N	73°30'12.33" E	769.83M AMSL
3	18°38'33.03" N	73°30'12.43" E	769.51M AMSL
4	18°38'32.21" N	73°30'05.03" E	725.99M AMSL
CP	18°38'34.43" N	73°30'08.85" E	755.33M AMSL
Hill Point 'A'	18°37'35.54" N	73°32'21.97" E	1198.95M AMSL
Hill Point 'B'	18°38'10.59" N	73°32'40.38" E	1192.80M AMSL

(f) Standard obstruction lightings as per IS 5613 notification and International Civil Aviation Organization (ICAO) standards as stipulated in ICAO Annex-14 is to be provided by the company. The lights shall be kept 'ON' at all times. Provision shall be made for standby power supply to keep the lights 'ON' during power failure. Company shall carry out periodic maintenance of the lights to keep them in serviceable and visible condition.

(g) A proper garbage disposal system in accordance with the provisions of Solid Waste Management Rules, 2016 / Gazette Notification SO 1357 (E) (Para 4) or Environment (Protection) Act, 1986 including amendments shall be adhered to by the applicant prior to the construction of building. The same needs to be confirmed and given as undertaking in commencement certificate, as it is for the purpose of avoiding bird activity. The garbage/waste disposal plan shall be shown to the Air Officer Commanding or his nominated representative at AF Station Pune on installation or whenever demanded.

(h) No light or a combination of lights which by reason of its intensity, configuration or colour may cause confusion with the aeronautical ground lights of the Airport shall be installed at the site at any time during or after the construction of the building.

(j) The commencement and completion certificate on construction including installation of obstruction lights shall be intimated to AOC, AF Station Pune. Failure to render these certificates by the applicant within the stipulated time shall lead to cancellation of NOC.

(k) The NOC is valid only for five years from the date of its issue. If the building is not constructed and completed within this period, the applicant shall be required to obtain a fresh NOC from Indian Air Force. Request for revalidation of NOC will not be entertained after the expiry of validity period.

(l) The applicant shall obtain necessary security clearances from MHA/IB prior to employing any foreign national at the site.

(m) The NOC will be null and void if the construction is found to be in deviation from the submitted proposal and the event of non-adherence to the above mentioned conditions.

Yours sincerely

(S Venkatesh)
Wing Commander
Command ATC Officer

True Copy

Tree Cuting

वनपरिक्षेत्र अधिकारी , वडगाव मावळ, ता.मावळ जि.पुणे, यांचे कार्यालय

१. शासकीय अधिसूचना क्र.टिपीएस-१८१७/१२४६/प्र.क्र.४०/१८/२०(४) मधील नवी (१३) पीएमआरडीए/डीसीपीआर-२०१८ रेग्युलेशन नंबर-१९.१५

२. श्री खुर्शीद येझदी दारुवाला रा. तिकोणा ता. मावळ जि पुणे यांचा दिनांक – ०४.०२..२०२१ चा अर्ज.

३. वनपाल देवले यांचेकडील पत्र क्र/२०४/ दिनांक ०२/०३/२०२१ रोजीचा अहवाल.

प्रमाणपत्र

श्री खुर्शीद येझदी दारुवाला रा. तिकोणा ता. मावळ जि पुणे येथील मालकी गट.नं ५७१ पैकी क्षेत्र ०३.११ हे.आर या क्षेत्रामध्ये अस्तीत्वात असलेल्या वृक्षांबाबत प्रमाणपत्र मिळणेस दिलेला विनंती अर्जा नुसार.

प्रकरणी केलेल्या मोका पहाणी नुसार प्रमाणीत करण्यात येते कि, मौजे तिकोणा ता.मावळ, जि.पुणे येथील मालकी गट.नं ५७१ क्षेत्र ०३.११ हे.आर या क्षेत्रामध्ये नैसर्गिक व लावलेली अशी विविध प्रजातींची २४९८ इतकी वृक्ष अस्तित्वात आहेत.

वृक्ष अधिकारी
तथा
वनपरीक्षेत्र अधिकारी
वडगाव मावळ

जा.क्र./ वृक्ष /१६२३ / सन २०२०-२१.
वडगाव मावळ- दिनांक-०८/०३/२०२१.

प्रति,

श्री खुर्शीद येझदी दारुवाला रा. तिकोणा ता. मावळ जि पुणे सदरील वृक्ष महाराष्ट्र झाडे तोडण्या बाबत वन अधिनियम १९६४ भा.व.अ. १९२७ चे तरतुदीस अधीन राहील.

प्रत,

वनपाल व वनरक्षक प्रकरणी महाराष्ट्र झाडे तोडण्याबाबत वन अधिनियम १९६४ व भा.व.अ. १९२७ चे कायदयाचा भंग होणार नाही यांची दक्षता घ्यावी.

Tree Cutting

FOREST OFFICER WADGAON MAVAL, OFFICE

1) Government Circular No. TPS 1817/1246/matter no. 40/18/20 (4) New PMRDA/DSPR-2018 Regulation No. 19.15
2) Application dtd 04/02/2021 of Shri Khurshid Yazdi Daruvala R/at - Tikona, Taluka Maval Dist Pune
3) Report dtd 02/03/2021 bearing No. 204 of Forester Devale

Certificate

As per the application in order to issue certificate with respect to the trees existing in Gat No. 571 part admeasuring 03.11 H R area of village Tikona, Taluka Maval which is owned by Shri Khurshid Yazdi Daruvala.

With respect to the said matter the inspection had been done at village Tikona Taluka MavalDist Pune Gat No. 571 area 3.11 H R there are natural and

planted different spices small and big 2498 trees are situated.

Sd/-
Tree officer
And
Forest Officer
WadgaonMaval

Out ward no./Tree/1623/ Year 2020-21
WadgaonMaval Date 08/03/2021

To,

Shri Khurshid Yazdi Daruvala R/at- Tikona, Taluka Maval Dist Pune while cutting the trees try to see that the evasion of forest act 1964 and rules of Indian forest Act 1927 is not happening

Copy to :-

Forester Devale- with respect to the present matter while cutting the trees try to see that the evasion of forest act 1964 and rules of Indian forest Act 1927 is not happening.

True Copy