



महाराष्ट्र शासन
ग्रामविकास विभाग

दूरध्वनी क्र.०२२-२२०१७१०६

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बांधकाम भवन, मझबान पथ, फोर्ट,
मंत्रालय, मुंबई- ४०० ००१.

क्रमांक : व्हीपीएम २०२१/ प्र.क्र.१९/पंरा-४
प्रति,

दिनांक:- २४ फेब्रुवारी, २०२१.

मुख्य कार्यकारी अधिकारी,
जिल्हा परिषद, सर्व (रत्नागिरी वगळता)

विषय:- ग्रामीण क्षेत्रातील इमारत बांधकाम परवानगीबाबत.

संदर्भ:- नगरविकास विभाग शासन अधिसूचना दिनांक ०२ डिसेंबर, २०२०

महोदय,

नगरविकास विभागाची सोबत जोडलेली दिनांक ०२ डिसेंबर, २०२० रोजीची अधिसूचना व सोबतची परिशिष्ट कृपया अवलोकित करावी.

नगरविकास विभागाने उपरोक्त अधिसूचनेन्वये इमारत बांधकामाबाबत बांधकाम परवानगीचे निकष निश्चित केले आहेत. सदर एकत्रिकृत विकास नियंत्रण व प्रोत्साहन नियमावली(Unified Development Control And Promotion Regulations) मधील खंड क्र.२ मधील २.१.२(XV)येथील तरतुदीनुसार १५० चौरस मीटर क्षेत्रफळापर्यंतच्या भूखंडावरील (Low risk Category) आणि १५० चौरस मीटर ते ३०० चौरस मीटर क्षेत्रफळापर्यंतच्या भूखंडावरील (Moderate risk Category) इमारत बांधकामाकरिता परिशिष्ट (APPENDIX "K") मधील विहित अटी व शर्तीच्या अधिन राहून परवानगी घेण्याची आवश्यकता नाही. सदरील शासन अधिसूचना महाराष्ट्र शासनाच्या www.maharashtra.gov.in या संकेतस्थळावर कायदे/नियम या शीर्षकाखाली नगरविकास विभागाच्या अधिनस्त उपलब्ध आहे.

सदरची अधिसूचना व त्यामधील तरतुदी ग्रामीण क्षेत्रातील घरबांधणी परवानगीच्या अनुषंगाने आपल्या अधिनस्त सर्व संबंधितांच्या निदर्शनास आणण्यात याव्यात, ही विनंती.

सोबत:- वरीलप्रमाणे.

आपला,

(लहूराज गाळी)

उप सचिव, महाराष्ट्र शासन

CHAPTER – 2

DEVELOPMENT PERMISSION AND COMMENCEMENT CERTIFICATE

2.1 PERMISSION FROM THE PLANNING AUTHORITY IS MANDATORY

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

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

- i) carrying out of works in compliance with any order or direction made by any Authority under any law for the time being in force.
- ii) carrying out of works by any Authority in exercise of its powers under any law for the time being in force.
- iii) the excavation (including excavation of wells) made in the ordinary course of agricultural operation.
- iv) the construction of a road intended to give access to land solely for agricultural purpose.
- v) normal use of land which has been used temporarily for other purposes like marriage pandals or for festive occasions etc. on private land;
- vi) provision of safety grills to window/ventilator.
- vii) distribution/receiving substation of the electric supply company.
- viii) installation of solar panels having base of solar panel at height upto 1.8m. from terrace, ensuring structural stability from the Licensed Structural Engineer.
- ix) providing internal lightweight partitions/cabins in the commercial building/ establishment with certificate of structural stability from the Licensed Structural Engineer.
- x) temporary structures for godowns/storage of construction materials within the site.
- xi) temporary site offices, sample flats and watchman chowkys within the site only during the phase of construction of the main building.
- xii) temporary structures for storage of machinery before installation for factories in industrial lands within the site.
- xiii) labour camps for construction sites, provided adequate water supply and sanitation facilities are provided and safety is ensured;
- xiv) construction of temporary sets for film / TV serial / advertisement shooting and like activities for a period not more than one year, subject to intimation to the authority.
- xv) building on plot area upto 150 sq.mt. (low risk category) and on plot area more than 150sq.mts. upto 300 sq.mt.(moderate risk category) subject to compliance as per APPENDIX K.

2.1.3 Development undertaken on behalf of Government

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

- i) An official letter by the authorized officer of Government Department addressed to the Authority, giving full particulars of the development work or any operational construction.



| APPENDIX 'K' | | | |
|--|---|--|--|
| APPROVALS OF BUILDING PERMISSION BASED ON RISK BASED CATEGORIZATION | | | |
| Sr. No. | Parameters to be considered for Risk Base | Risk Category | |
| | | Low Risk Category | Moderate Risk Category |
| 1 | Plot area | Building on a Plot Area upto 150 sq.m. | Buildings on a Plot Area more than 150 Sq.m. and upto 300 sq.m. |
| 2 | Plot status | Plot should be from sanctioned layout released for construction or regularised under Gunthewari Act, if plot is from congested area / gaathan it should have undivided original City Survey Number/ original Property Card Number/ Independent 7/12 abstract. (Plot should not be from un-authorised sub-division.) | Plot should be from sanctioned layout released for construction or regularised under Gunthewari Act, if plot is from congested area / gaathan it should have undivided original City Survey Number/ original Property Card Number/ Independent 7/12 abstract. (Plot should not be from un-authorised sub-division.) |
| 3 | Buildability of Plot | Plot should be buildable in view of the provisions in Regulation No.3.1. | Plot should be buildable in view of the provisions in Regulation No.3.1. |
| 4 | Zone in Development Plan | Residential or Commercial Zone or in a zone wherein Residential development is allowed. | Residential or Commercial Zone or in a zone wherein Residential development is allowed. |
| 5 | Type of Building | Residential or Residential with shop on ground floor. | Residential or Residential with shop on ground floor or mixed use. |
| 6 | Front, side and rear open spaces, access, parking and other requirements. | As per the provisions of UDCPR. | As per the provisions UDCPR. |
| 7 | Storeys allowed. | G. F. + 2 or Stilt + 3 floors. | G.F. + 2 or Stilt + 3 floors. |
| 8 | FSI | Construction should be within basic FSI + Premium FSI along with ancillary area FSI thereon | Construction should be within basic FSI + Premium FSI along with ancillary area FSI thereon |
| 9 | Submission of Application for approval. | Applicant shall submit the intimation letter as per Appendix-K-1 along with i) Ownership document. ii) Copy of approved layout showing plot/ measurement plan of plot. iii) Building plan showing periphery | Applicant shall submit the application as per UDCPR and all required document shall be certified and signed by the licensed personal. The licensed personal shall also submit the certificate stating that the proposal is strictly in accordance with the provisions of |

| | | | |
|----|--|---|---|
| | | <p>of construction (P-line) floor wise and details of property, FSI calculation as mentioned in Proforma-I with the signature of owner and licensed personal.</p> <p>iv) Copy of receipt of development charges including labour cess paid to Authority, if any</p> <p>v) The certificate of licensed personal stating that the proposal is strictly in accordance with the provisions of UDCPR.</p> <p>No more details shall be necessary.</p> | UDCPR. |
| 10 | Issue of Commencement Certificate/ Approval. | The receipt of application along with the required documents and fees/ charges mentioned in 9 above, by the authority shall be treated as permission for development. | After receipt of the application, the Demand Note regarding payment of Development Charges and other Charges based on the proposed Plans/ Drawing submitted, shall be given by the concerned Engineer of the authority within 10 days. After the receipt of payment, the Authority shall issue Commencement Certificate within 10 days from receipt of such plans without any scrutiny, solely based on the certificate of the licensed personal. |
| 11 | Plinth Checking | Plinth Checking shall not be required. | Plinth Checking shall not be required. |
| 12 | Occupation Certificate. | After completion of the work, the owner shall intimate to the Authority about the occupation of the building. | Licensed personal shall submit the completion certificate in Appendix - H to the Authority. The licensed personal shall not issue the completion certificate unless the construction is completed strictly as per plan. The Authority shall issue the occupation certificate within 10 days after site inspection. |
| 13 | Other Stipulations. | ---- | Any deficiency of documents or payments as per UDCPR shall amount to unauthorised construction and shall be liable for action under the provisions of the Act. |

Note - The above procedure for permission shall not bar the owner to obtain development permission as per provisions of this UDCPR, if he so desires.

CHAPTER - 5

ADDITIONAL PROVISIONS FOR REGIONAL PLAN AREAS

5.0 GENERAL

In addition to the provisions mentioned in these Regulations, following additional provisions shall be applicable for the areas of the Regional Plans / Authorities mentioned herein under. These provisions shall prevail over the provisions, if any, mentioned in this Development Control and Promotion Regulations to that extent.

5.1 FOR ALL REGIONAL PLAN AREAS

5.1.1 Development Permissible Adjacent to Gaathan.

For the villages in the area of Regional Plans (excluding the area of Local Bodies and SPA where Development Plan or planning proposal is sanctioned) where no specific residential zone is shown, for such villages, development permissible in residential zone, may be permitted :-

- i) within a belt of 2.00 km. from the boundaries of Municipal Corporation, 1.00 km. from the boundaries of Municipal Council and 0.50 km. from the boundaries of Nagar Panchayat, where zone plans are not prepared in the Regional Plan for such area;
- ii) within a belt of 500 meters from the gaathan limits of settlements having a population of less than or equal to 5000 as per the latest Census and;
- iii) within a belt of 1500meters from the gaathan limits of settlements having a population of more than 5000 as per the latest Census;
- iv) in the case of settlements of both the categories mentioned above, falling in the planning areas / Zone Plans of Regional Plans, such distance from the gaathan limits shall be 500 meters only;
- v) in the case of village settlements in the Western Ghat hilly area (eco sensitive zone) in Regional Plan of Satara and Pune, such distance shall be 200 m. only;
- vi) in the case of villages in Regional Plan of Mumbai Metropolitan Region and Raigad, such distance shall be 500m. only.

Provided that such development 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 developments. This rate of premium shall be subject to orders of the Government from time to time;

Provided further that, for the areas which are converted into Municipal Councils / Nagar Panchayats within the Regional Plan (under the provision of Maharashtra Municipal Councils, Nagarpanchayats and Industrial Townships Act, 1965), such premium shall be calculated considering 5% rate of the said land as prescribed in the Annual Statement of Rate for the year while granting such residential development (without considering the guidelines therein). Provided further that, no such premium shall be applicable for development of an individual house of an owner or farm house on owner's land.

Provided further that no such premium shall be applicable for revised permission on the land where development/ Layout permission is granted prior to sanction of the respective Regional Plan, more specifically mentioned in Regulation No. 5.1.3.

Provided further that where more than 50 percent of area of the Survey Number/ Cut Number is covered within the above peripheral distance, the remaining whole of such Survey Number/ Cut Number within same ownership shall be considered for development on payment of premium as above.

Provided further that the criteria of "distance from gaathan" shall also be applicable to the lands from the nearest gaathan of any village.

Provided further that this provision shall not bar development permission for the uses, otherwise permissible, in agricultural zone as per UDCPR within specified distance from gaathan mentioned in this regulation.

Provided also that this regulation shall also be applicable to all declared / Notified Gaathan under MLRC whether shown on Regional Plan or not.

Provided further that in respect of Ratnagiri-Sindhudurg Regional Plan, this provision shall be subject to provisions mentioned in Regulation No. 5.3.

5.1.2 Regulations for Development of Tourist Resorts / Holiday Homes / Township in Hill Stations Type Areas under Hill Station Policy.

The developments under the Hill Station Policy shall be governed by the Special Regulations as sanctioned by Government vide notification No.TPS-1893/1231/C.R.123/96/UD-13, dated 26/11/1996 and its amendments by the Government from time to time.

5.1.3 Committed Development

- i) Any development permission granted or any development proposal for which tentative or

This provision shall also be applicable to congested area.

6.2.4 In the cases of layouts of two or more buildings in a plot for any uses: -

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.

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

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

6.2.6 Buildings Abutting Two or More Streets

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

6.3 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 mixed uses** and other buildings in developable zones like residential, commercial, public-semi-public etc. shall be as given in **Table 6 C below** : -

महाराष्ट्र शासन राजपत्र, असाधारण भाग एक---मध्य उप-विभाग, दिसंबर ३, २०२०/अग्रहायण १२, शके १९४२

| Table 6 G | | | | | | | | | |
|-----------|---------------------------------|-----------|--------------------------------|---------------------------------|--|---------------------------|---------------------------------|--|------|
| Sr. No. | Road width in meters | Basic FSI | For all Municipal Corporations | | | | For remaining authorities/areas | | |
| | | | FSI on payment of premium | Maximum permissible TDR loading | Maximum building potential on plot including in-situ FSI | FSI on payment of premium | Maximum permissible TDR loading | Maximum building potential on plot including in-situ FSI | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | |
| 1 | Below 9 m. | 1.10 | -- | -- | 1.10 | -- | -- | -- | 1.10 |
| 2 | 9 m. and above but below 12 m. | 1.10 | 0.50 | 0.40 | 2.00 | 0.30 | 0.30 | 1.70 | |
| 3 | 12 m. and above but below 15 m. | 1.10 | 0.50 | 0.65 | 2.25 | 0.30 | 0.60 | 2.00 | |
| 4 | 15 m. and above but below 24 m. | 1.10 | 0.50 | 0.90 | 2.50 | 0.30 | 0.70 | 2.10 | |
| 5 | 24 m. and above but below 30 m. | 1.10 | 0.50 | 1.15 | 2.75 | 0.30 | 0.90 | 2.30 | |
| 6 | 30 m. and above | 1.10 | 0.50 | 1.40 | 3.00 | 0.30 | 1.10 | 2.50 | |

महाराष्ट्र शासन राजपत्र, असाधारण भाग एक---मध्य उप-विभाग, दिसंबर ३, २०२०/अग्रहायण १२, शके १९४२

permission (including Basic FSI, premium as specified in Regulation 30) shall be required to be done for the purpose of reference to permissible FSI, MHADA, etc. except SRA. In the event of any change in the values in subsequent column shall be considered for entitlement of TDR as per Chapter - 7, where higher TDR is provided for Inclusive Housing as per Regulation 7, 8. Other conditions of TDR shall be considered for entitlement of TDR shall be utilised out of the TDR generation of URT). If such TDR is more than the basic FSI in various sites (core) area, redevelopment of

field development (i.e. building on a vacant plot FSI has not been exhausted.) and also to (b) an ings shall be subject to production of stability

be 35% of the rate of the said land mentioned in between Authority and Government shall be as xosited by the Authority in the specified head of vernment through the District offices of Town

f Column No. 3 to 9 shall vary proportionately. e entitled for full potential.

id above so marked under relevant Act.

ontrol) Act 2001, these regulations shall apply ble for cases mentioned in Regulation No.3.4.1

ove table shall be permissible if length of such

ning, then benefit of widened road in terms of hall result in widening of road from junction of

TDR, but not the basic FSI. Basic FSI shall be nently space. This shall be applicable in cases

ipal Corporation or Municipal Council Act by : then he may be entitled for FSI and potential

Note - i) In addition to above, ancillary area FSI up to the extent of 60% of the proposed FSI in the development permission (including Basic FSI, Premium FSI, TDR but excluding the area covered in Regulation No.6.8) shall be allowed with the payment of premium as specified in Regulation No. 6.1.1. This shall be applicable to all buildings in all zones.

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

Provided further that, this ancillary area FSI shall be applicable to all other schemes like TOD, PMAY, ITP, IT, MHADA, etc. except SRA. In the result, free of FSI items in the said schemes, if any, other than mentioned in UDCPR, shall stand deleted.

ii) The column of TDR shall not be applicable for the area, where there is no Planning Authority and accordingly, values in subsequent column shall stand modified.

iii) The maximum permissible limits of FSI specified in the Table above, may be allowed to be exceeded in cases mentioned in Chapter - 7, where higher FSI is permissible over and above the limit specified in above table.

iv) Maximum permissible building potential on plot mentioned under column No.6 or 9 shall be exclusive of FSI allowed for Inclusive Housing as per Regulation No.3.8. There is no priority fixed to utilise premium FSI or TDR as mentioned in Column No. 4, 5 and 7. 8. Other conditions of TDR utilisation shall be applicable as per the TDR Regulations No 11.2. In respect of service road, shown on development plan or in approved layout, or plots facing on major road, however deriving access from other roads, the width of highway or major road shall be considered for entitlement of building potential as per column 6 or 9 of above table, as the case may be.

v) Out of quantum of TDR mentioned in Column No. 5 or 8 minimum 30% and subject to maximum 50% of TDR shall be utilised out of the TDR generated from Slum Rehabilitation Scheme (Slum TDR) / Urban Renewal TDR / Amenity construction TDR (till generation of URT). If such TDR is not available then other TDR may be used.

vi) The restrictions of road width mentioned above shall not be applicable in cases where, the permissible FSI is more than the basic FSI in various schemes such as slum rehabilitation scheme, redevelopment of dangerous buildings, cluster development for congested (core) area, redevelopment of MHADA buildings, TOD etc. in such scheme, regulations of respective scheme shall be applicable.

- vii) The maximum limits of FSI prescribed above shall be applicable to (a) fresh permission (viz., green-field development (i.e. building on a vacant plot of land) and brown-field development (i.e., cases of addition to existing building where a permissible FSI has not been exhausted.) and also to (b) an existing building which has not been granted full occupation certificate. The cases of existing buildings shall be subject to production of stability certificate from structural engineer.
- viii) Premium - Rate of premium for the premium F.S.I., as mentioned in Column No. 4 and 7 above shall be 35% of the rate of the said land mentioned in Annual Statement of Rates without considering the guidelines therein. Apportionment of such amount between Authority and Government shall be as decided by Government from time to time. The premium of the Government, if to be paid, shall be deposited by the Authority in the specified head of account of the Government. In the area of Regional Plans, entire premium shall be paid to the Government through the District offices of Town Planning and Valuation Department.
- ix) Basic FSI for unauthorised subdivided plots having area up to 0.4 ha shall be 0.75 and the values of Column No. 3 to 9 shall vary proportionately. This provision shall be subject to provisions in Regulation No. 3.4.1 (i) (a) and (c) wherein plot shall be entitled for full potential.
- x) The utilisation of TDR mentioned in above table would be available to an existing road width of 9 m. and above so marked under relevant Act.
- xi) For plots regularised under Maharashtra Gunthewari Development (Regularisation, Upgradation and Control) Act 2001, these regulations shall apply and allowance of TDR in column No. 5 and 8 shall be to the extent of 50%. This shall also be applicable for cases mentioned in Regulation No.3.4.1 (i)(b).
- xii) In case plots having approach by dead end road, (point access) the potential of plot mentioned in above table shall be permissible if length of such access road does not exceed 100 m.
- xiii) If the strip of land / plot adjacent to road is surrendered by the owner to the authority for road widening, then benefit of widened road in terms of building potential, permissible height shall be granted subject to condition that such road widening shall result in widening of road from junction of roads (or origin of road) to junction of roads (or T junction).
- xiv) Entire area of plot may be considered for calculating the potential of plot in respect of premium FSI + TDR, but not the basic FSI. Basic FSI shall be calculated on area of the plot remaining with the owner after deducting area under D.P. road and amenity space. This shall be applicable in cases where reservation area or amenity space is handed over to the authority.
- xv) If 6 m. wide road is proposed to be widened to 9 m. by the authority under the provisions of the Municipal Corporation or Municipal Council Act by prescribing line of street and owner of the plot handover 1.5 m. strip along such road to the authority, then he may be entitled for FSI and potential applicable to 9 m. road.

6.4 INDUSTRIAL BUILDINGS

Minimum plot area, front, side and rear margins, Permissible FSI, Additional FSI with payment of premium for industrial buildings in industrial zone shall be as per Table No. 6 H given below: -

| Table No 6 H | | | | | | |
|--------------|----------------------|--------------------|-----------------------|---------------------------|-------------------------|--------------------------------|
| Sr. No. | Min. road width (m.) | Plot Size in sq.m. | Basic Permissible FSI | FSI on Payment of premium | Min. Front Margin in m. | Min. Side & Rear Margins in m. |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |

- vii) The maximum limits of land and brown-field of existing building which certificate from structural engineer.
- viii) Premium - Rate of premium shall be as per Annual Statement of Rates decided by Government of Maharashtra in the account of the Government Planning and Valuation Department.
- ix) Basic FSI for unauthorised buildings. This provision shall be as per the provisions of TDR.
- x) The utilisation of TDR for plots regularised under the provisions of TDR and allowance of TDR (i) (b).
- xii) In case plots having access road does not exist, the strip of land / plot area shall be reserved for building potential, per roads (or origin of roads).
- xiv) Entire area of plot may be calculated on area of 1 where reservation area is prescribed.
- xv) If 6 m. wide road is prescribed line of street, the area shall be applicable to 9 m. road.

6.4 INDUSTRIAL BUILDINGS

Minimum plot area, front, side and rear margins, Permissible FSI, Additional FSI with payment of premium for industrial buildings in industrial zone shall be as per Table No. 6 H given below: -

| Table No 6 H | | | | | | |
|--------------|----------------------|---|-----------------------|---------------------------|-------------------------|--------------------------------|
| Sr. No. | Min. road width (m.) | Plot Size in sq.m. | Basic Permissible FSI | FSI on Payment of premium | Min. Front Margin in m. | Min. Side & Rear Margins in m. |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| 1 | 9 | Up to 300 | 1.00 | 0.40 | 3.00 | 2.25 |
| 2 | 9 | Above 300 and upto 500 | 1.00 | 0.40 | 3.00 | 3.00 |
| 3 | 9 | Above 500 and upto 1000 not being Special Building. | 1.00 | 0.40 | 4.5 | 3.00 |
| 4 | 12 | Above 1000 and not being special building. | 1.00 | 0.40 | 4.5 | 4.50 |
| 5 | 12 | Above 500 and being special building. | 1.00 | 0.40 | 6.0 | 6.00 |

Notes: -

- In addition to above, ancillary area FSI up to the extent of 80% of the proposed FSI in the development permission (including Basic FSI, Premium FSI but excluding the area covered in Regulation No.6.8) shall be allowed with the payment of premium as specified in Regulation No. 6.1.1. The notes mentioned below Table No.6-G of Regulation No. 6.3, which are relevant in respect of industrial use, shall be applicable.
- In case of Regional Plan areas, the plots fronting on National Highway, State Highway and Major District Roads, the building line/ control line shall be as per Ribbon Development Rules or as given in Table above, whichever is more.
- Maximum floor height shall be 4.5 m. for industrial buildings. However, greater heights may be permitted as per the requirement.
- Buffer zone**-For construction of industrial building, a 23m. wide buffer zone shall be kept from residential or incompatible zone, wherever necessary. Such buffer zone may form part of sizable required recreational open space. Roads and marginal distance may also be treated as a part of Buffer Zone. However, area of such buffer zone, falling within the plot, shall be counted in gross area for computation of FSI. Where green belt is shown in Development Plan between residential and industrial zone, area of such green belt may be counted in gross area for calculation of FSI, if land under such green belt is owned by the applicant.

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

6.5 FSI OF GREEN BELT

FSI of the green belt zone shown on the Development Plan / Regional 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 that should have survived for at least one year prior to issuance of occupation certificate.

- v) Rockery, Well and well structures, Plant Nursery, Water Pool, platform around a tree, Fountain, bench, Chabutara with open top and unenclosed sides, Ramps, Compound wall, Gate, slide/ swing, Steps outside the buildings, Domestic working place (open to sky), Overhead water tank on top of the building, Refuge area for high rise buildings as specified in Regulation No. 9.29.6
- vi) Telecommunication tower, antenna and allied activities.
- vii) Atrium may be allowed in any type of building. Such atrium may be allowed to be

enclosed on top by transparent or opaque sheet.

- viii) Open to sky terraces, top of podium, open to sky swimming pool on the top terrace and top of podium with plant room.
- ix) Structures permissible in recreational open space as per Regulation No.3.4.7.

6.9 INTERIOR & EXTERIOR CHOWK

- (a) **Interior chowk:** Wherever habitable rooms or kitchen derive ventilation from inner chowk or interior open space, the minimum size of such interior open space shall not be less than 3m. x 3m. The size of such chowk shall increase with the height of building and shall not be less than H/6m. x H/6m., where H= Height of highest wall of the Chowk from ground level.
- (b) **Exterior chowk:** The minimum width of the exterior chowk for the purpose of light and ventilation shall not be less than 2.4m. and the depth shall not exceed 2 times the width, for buildings up to 17 m. height and for height more than 17 m., the exterior open space shall not be less than H/7m. x H/7m. where H= Height of highest wall of the Chowk from ground level. If the width of the exterior chowk is less than 2.4m., it shall be treated as a notch and shall not be considered for deriving ventilation.
- (c) 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.9.20.2.

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

6.10 HEIGHT OF BUILDING

This regulation shall be applicable for buildings to be constructed in all land use zones, unless and otherwise specified in the respective regulation.

- 6.10.1 (i) Height of building shall be allowed to the extent mentioned below subject to approval of Chief Fire Officer of the Authority or Director of Fire services, if required, under these regulations.

| Sr.No | Authority / Area | Permissible height (m.)excluding parking floor upto 6m. height |
|-------|--|--|
| 1. | For Pune, Pimpri-Chinchwad, Nagpur, Nashik, Municipal Corporations in MMR and Metropolitan Authorities area. | Permissible height as per approval from Fire Department. |
| 2. | For remaining Municipal Corporations area | 70 |
| 3. | For All Municipal Councils, Nagar Panchayats, Non Municipal Council D.P. and Regional Plan areas. | 50 |

Provided that higher height may be allowed in case of Integrated Township Project where fire station and fire-fighting facilities are to be constructed/provided. Also, if such facilities are available in nearby area of the project, then buildings of higher heights may be allowed in such project. However, necessary certificate to that effect and NOC shall be produced from

Director of Fire Services.

- (ii) The building height upto 24 m. shall be allowed on roads less than 12 m. For a building having height more than 24 m., the minimum road width shall be 12m.
- (iii) For building in the vicinity of aerodromes, the maximum height of buildings shall be subject