

Pl. Sep.  
Amendment. Notification  
dt. 30-05-2001



# महाराष्ट्र शासन राजपत्र

प्राधिकृत प्रकाशन

नं. १३]

बुधवार, दिनांक ३ जुलै १९९७ / आषाढ १२, शके १९९९

स्वतंत्र संकलन म्हणून काढित करण्यासाठी प्रत्येक विभागाच्या पुरवणीला वेगळे पृष्ठ क्रमांक दिले आहेत.

## भाग एक-अ—नागपूर विभागीय पुरवणी

(भाग ४-ब मध्ये प्रसिद्ध करण्यात आलेले आहेत त्यांमधील) केवळ नागपूर विभागाची संबंधित असलेले महाराष्ट्र जिल्हा परिषदा व पंचायत समित्या, ग्रामपंचायती, नगरपालिका बरो, जिल्हा नगरपालिका, प्राथमिक शिक्षण व स्थानिक निर्मिती सेवापरिक्षा अधिनियम, यांमध्ये काढण्यात आलेले आदेश व अधिसूचना.

भाग १-अ (ना. वि. पु.) म. ना. रा., अ. क. ४२

### URBAN DEVELOPMENT DEPARTMENT

Mantraya Mumbai  
dated 26<sup>th</sup> November 1996

Maharashtra Regional and Town Planning Act 1966,

No. TPS-1896-1231-CR-123-96-UD-13.—

Whereas, Government have sanctioned Regional Plans for different Districts (hereinafter referred to as the "said Regional Plan"), as per the provisions of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as "the said Act") which are in force with effect from the dates mentioned in "सूची-अ"

And whereas, Government have prepared Draft Special Development Control Regulations (hereinafter referred to as "the said Regulations") for the development of Hill Stations in the State and Government intend to incorporate the said regulations in the Development Control Regulations of the said Regional Plans by making minor modifications (hereinafter referred to as "the said modification") and published the same under notification No. TPS-1896-1231-CR-123-96-UD-13, dated 3rd September 1996 for inviting suggestions/objections from general public;

And whereas, after considering the suggestions/objections received from public within the stipulated period, Government have come to conclusion that the said regulations shall be sanctioned with some changes;

Now, therefore, Government under powers vested under section 2(4) of the said Act sanctions the said regulations with certain changes and for that purpose amends the notification sanctioning the said Regional

ना.पु.क.—१३९.

Plan as under.

"After the last entry to the concerned Regulations of Regional Plan the following new entry shall be added :—

"Special Development Control Regulations as sanctioned by Government as per "सूची-अ" shall be inserted in the Development Control Regulations of the sanctioned Regional Plan"

The said Regulations are available for inspection in following offices during office hours on all working days :—

1. Collector of District.
2. Assistant Director of Town Planning /Town Planner of District.

### SPECIAL REGULATIONS FOR DEVELOPMENT OF TOURIST RESORTS/ HOLIDAY HOMES/TOWN SHIP IN HILL STATION TYPE AREAS

1. Any suitable area at appropriate height and suitable topographical features can be declared by Government in Urban development Department for purpose of development as Hill Station.

2. The area under the development complex shall not be less than 400 hectares and not more than about 200 hectares.

3. All the on site infrastructures within the complex i.e. Roads, Storm Water drains, water lines, Drainage Lines, Electrical Lines, effluent treatment shall be provided by the owners/developers.

4. The Owners/Developers shall be required to develop the source of drinking water such as water reservoir/dam for meeting the daily water requirement of 140 litres per capita per day and shall have the right to use the stored water for the habitable use, for irrigation use and others. The storage capacity

↑  
Modifications to these rules  
sanctioned by Govt. vide notification  
dated - 30<sup>th</sup> May 2001.

of the same shall be at least 1.5 times of the actual required quantity as determined by expected population (Resident and floating) and other uses.

5. The Owner/Developer shall make suitable and environment friendly arrangements for the disposal and treatment of sewage solid waste. While doing so, he shall conserve the energy generated at the optimum level by converting biogas etc.

6. The complex shall also provide 33% of the total area under development as Garden/ Open Space/Parks excluding the forest area if any included in the project.

7. The distance between two such proposed complexes shall be minimum 15 kms. (Horizontal distance) and shall be measured from the external boundary of the complex.

8. Existing Gaathan lands and lands under village settlements shall not be subject to these regulations. Development of land and building in such areas shall continue to be in accordance with Maharashtra Land Revenue Rules, 1969. A belt of about 200 meter from the periphery of such gaathan village settlement be kept open for allowing reasonable expansion of gaathan, where permissible FSI will be same as applicable in Gaathan.

9. The area under residential development shall provide plots of the minimum size of 500 sq. mts.

10. The following amenities may be permitted in the proposed township/complex:—

- (a) Shopping Malls/Office complex.
- (b) Club Houses.
- (c) Hospital/Clinic/Health Centre.
- (d) Hotels/Motels.
- (e) S. T. Stand.
- (f) School.
- (g) College.
- (h) Cultural Centre/Amphitheatre/Cinema Theatre
- (i) Hi-Tech Communication Centre
- (j) Golf Course.
- (k) Helipad.
- (l) Ropeways.
- (m) Adventure Clubs.
- (n) Water Games.
- (o) Convenience Shopping.

The above list is only illustrative and non-exhaustive.

## 11. RECREATIONAL OPEN SPACES.

### 1. Residential and Commercial Layouts.—

(a) In any layout or sub-division of land where a plotted scheme is proposed 15% of entire holding area shall be reserved as Recreational Space which shall as far as possible be provided in one place. Not-with-standing above, in the case of vertical layout exceeding 8,000 sq. mts. distribution of the total open space in the various sectors may be allowed provided that at least one of such spaces shall not be less than 800 sq. mts. in area. The shape and location of such open space shall be such that it can be properly utilised for garden, play ground or park.

(b) The minimum dimension of such recreational space shall be in no case be less than 7.5 m. and if the average width of such recreational space is less than 24 mtr. the length thereof shall not exceed 2.5 times the average width.

(c) The structures permitted in the recreational open spaces :

(i) They shall be single storied with a maximum height of 5 mtr. and with built up area not exceeding 10% of recreation area provided that such open space in which they are located and dimensions not less than 800 sq. mtr.

(ii) The structures shall be used for the purpose of pavilion or gymnasium or other activities which are related to recreation.

(iii) A swimming pool including changing rooms may also be permitted in such a recreational open space and shall be free of FSI.

(d) Every such plot and recreational open space shall have an independent means of access, unless it is approachable directly from every building in the layout.

(e) The building line shall be at least 6 mtr. away from the boundary of recreational open space.

(f) Except the area covered by the structures permissible under (c) above, the recreational space be kept permanently open to sky and accessible to all owners and occupants as a garden or a play ground etc. and trees shall be grown as under :—

(i) at the rate of 5 trees per 150 sq. mtr. or part thereof. The said recreational space to be grown within the entire plot.

(ii) at the rate of 15 trees per 1,000 sq. mtrs. or part thereof to be grown in the plot in the remaining area surrounding structures.

## 12. AMENITY SPACE AND TREE PLANTATION

(a) In any layout or sub-division of land 10% of the entire holding area shall be reserved as additional space for common facilities and amenities to be provided for the use of plot holders.

(b) In every plot including amenities plots trees shall be planted on remaining areas around structures at the rate of 15 trees per 1,000 sq. mtr.

13. FSI/BUILT UP AREA CALCULATION OF NET PLOT AREA.—For the purpose of FSI/Built up area calculation, the net area of the plot shall only be considered. In the case of a layout, such net area shall be calculated after deducting from the gross area of the plot, the area covered by recreational and amenity space and the area covered by means of access/roads (only for group housing layouts for commercial and other non-residential users).

14. (A) Verandah of any width limited to 15% of floor area of the residential building shall be allowed free of FSI.

(B) The area of water bodies and Golf Course shall be counted in open space required to be kept, provided they are accessible to every plot holder for his/her enjoyment subject to rules framed by Owner/Developer.

15. CONVENIENCE SHOPPING.—In the case of layouts or sub-division of area in residential zones, provisions shall be made for convenience shopping. Such shopping area shall not, however, exceed 5% of the area of the plots. The conditions governing such shopping shall be :

(i) Such convenience shops shall be provided in amenity space proposed as additional space in the layout.

(ii) These may be provided on ground floor unless otherwise specified with upper floors used for other amenities.

33 Trees/  
1000 sq. m.  
15 Trees/1000  
sq. m.

(iii) Such convenience shops shall not have an area of more than 20 sq. m. each unless otherwise specified.

16. SITE FOR ELECTRIC SUB-STATION.—In any layout or sub-division of plot of 2 Ha. or more suitable site for an electric sub-station as required by the electric supply undertaking shall be provided. Place for Generator also, if provided, shall be free of FSI.

17. Government in Revenue Department shall grant permission to the Owner/Developer of such project, to purchase the Tribal lands if any in the project area, as per the provisions under section 36-A of the MLR Code subject to the condition that the Owner/Developer shall take the responsibility of the rehabilitation of the affected Tribals by way of providing Employment in the project or allotment of shops etc.

18. The condition that only the agriculturist to buy the agricultural land shall be waived in such areas.

19. There shall be no ceiling limit for holding agricultural land to be purchased by the Owner/Developer for such project.

20. The area declared as Hill Station shall not be sites. N. A. Permission as in the case of Industrial Development as per New Industrial Policy of the Government. However, the pre requisite as contemplated in the amendment of MLR Code shall be adhered to before commencing any development.

21. The Development contemplated in such sites shall not cause damage to ecology. For this it is mandatory for the owner/developer to submit Environmental Impact Assessment report to Government at the time of obtaining principle sanction to the project. Provisions of E. P. Act, 1986 and rules made thereunder are applicable or they otherwise apply for other types of developments.

22. The Development contemplated shall, in no case will involve the cutting of mountains.

23. The trees shall be planted at the rate of 500 trees per net Hectare. The trees shall be as far as possible be of fruit bearing type which normally grow in the surrounding area and which suits the local climate. These trees shall be planted in consultation with nearest forest officer or as may be laid down by the Divisional Deputy Director of Town Planning.

24. The permission to build shall be granted after 1 year, if the sapplings of two years old (as certified by forest department) are used for initial plantation or if the sapplings of 3 years old and height of at least 1 metre are used initially then after getting the certificate of their survival from nearest forest officer.

25. This development shall be treated as if an industry.

26. Area of the plot Ground coverage, FSI, height of the building and marginal distances shall be as per Appendix 'A' to these Regulations.

27. The maximum width of any layout road in this area shall be 9 m. In no case the access shall be allowed to pass the forest land without prior approval of Forest Department.

28. D. C. R. as incorporated in Dev. Plan of 'C' Class Municipal Council (as amended from time to time) shall be applicable mutatis mutandis except those expressly provided. The power of Planning Authority shall be vested in the Collector. If at any time in future, it is noticed that the number of trees mentioned in these regulations are not properly maintained, the construction on the plot shall be treated as unauthorised and the action under the provisions of Maharashtra Regional and Town Planning Act, 1966 be taken.

29. If any question or dispute arises with regard to interpretation of any of these Regulations the matter shall be referred to the State Government which, after considering the matter and, if necessary, after giving hearing to the parties, shall give a decision on the interpretation of the provisions of these Regulations. The decision of the Government on the interpretation of these Regulations shall be final and binding on the concerned party or parties.

APPENDIX-A

DEVELOPMENT OF TOURIST RESORTS/HOLIDAY HOMES/HILL STATIONS TYPE AREA  
THE AREA OF PLOT, GROUND COVERAGE, F. S. I. PERMISSIBLE HEIGHT AND MARGINAL DISTANCES

Sr. No.	User	Minimum plot area in sq. mts.	Maximum % of the total area to be used for such purpose.	Maximum Ground coverages	Area to be utilised for garden afforestation, access and ancillary structures	FSI permissible	No. of floors	Maximum Ht. of Building.	Marginal Distances in Mts.		
									Front	Side	Rear
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
1	Residential	500	39%	1/5 of the plot area.	50%	0.30	G+1	9	4.5	3	3
2	Service Quarters	..	1%	..	..	1.00	..	..	..	..	..
3	Commercial	2,000	2	1/4 of the plot area.	50%	0.50	G+2	12	9	6	4.5

## APPENDIX—A—contd.

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
4	Public and Semi public ..	2,000	6%	1/4 of the plot area	66%	0.20	G+2	12	9	6	4.5
5	Hotels and lodges below 3 Star Category.	4,000	2%	1/3 of the plot area	66%	0.25	G+3	12	9	6	4.5
6	Hotels and Lodges above 3 Star Category.	10,000	3%	Do..	66%	0.25	G+4	16	9	9	9

Compulsory Open Area = 33% of Total holding (minimum) Excluding Forest Area.  
Area under roads and 15% Recreation Ground shall be between 14% to 18% of the project area, The require  
ment of Recreation Ground area shall be computed after deducting the road area.  
Percentage of Sr. Nos. 2 to 6 is maximum limit.  
Percentage of Sr. No. 1 is indicative.

By order and in the name of  
Governor of Maharashtra.

R. C. SINHA,  
Additional Chief Secretary,  
Urban Development Department.

भाग १अ (भा. वि. पु.) म. ना. रा., अ. क्र. ४३

नगर विकास विभाग

मंत्रालय, मुंबई ४०० ०३२, दिनांक २६ नोव्हेंबर १९९६

महाराष्ट्र प्रादेशिक व नगर रचना अधिनियम, १९६६.

प्रमांक टीपीएस-१८९६-१२३१-प्र. क्र. १२३-१५-नवि-१३—

( ) ज्याअर्थी, मोवत जोडलेल्या सूची "अ" मध्ये नमूद केल्याप्रमाणे महाराष्ट्र प्रादेशिक व नगर रचना अधिनियम, १९६६ (यापुढे "उक्त अधिनियम" असे संबोधिलेला) च्या तरतुदीनुसार वेगवेगळ्या जिल्हा मध्ये प्रादेशिक योजना (यापुढे "उक्त प्रादेशिक योजना" असे संबोधिलेल्या) शासनाने मंजूर केलेल्या असून सूची "अ" मध्ये नमूद केलेल्या तरतुदीपासून त्या अंगालात आलेल्या आहेत ;

आणि ज्याअर्थी, शासनाने राज्यात विविध विकाससाठी एक विशेष विकास नियंत्रण नियमावली (यापुढे "उक्त नियमावली" असे संबोधिलेली) तयार करून उक्त प्रादेशिक योजनांच्या विकास नियंत्रण नियमावलीमध्ये फेरफारद्वारे (यापुढे "उक्त फेरफार" असे संबोधिलेला) तिचा समावेश करण्यासाठी अधिसूचना प्रमांक टीपीएस-१८९६-१२३१-प्र. क्र. १२३-१६-नवि-१३, दिनांक ३ सप्टेंबर १९९६ कन्वये जनतेकडून सूचना/हरकती मागविल्या होत्या ;

आणि ज्याअर्थी, शासनाकडे विहित मुदतीत प्राप्त झालेल्या सूचना/हरकतींचा विचार करून उक्त नियमावलीत काही बदल करून उक्त नियमावलीवत मंजूरी देणे आवश्यक आहेत असे शासनाने मत आहे ;

ज्याअर्थी, आता शासन उक्त अधिनियमाच्या कलम २० (४) कन्वये प्रदत्त शक्तीचा वापर करून उक्त सुधारित नियमावलीस मान्यता देत आहे व त्यासाठी सूची "अ" मध्ये नमूद मंजूर प्रादेशिक योजनांच्या विकास नियंत्रण नियमावलीतील अंतिम नियमानंतर झालेली नांदे समाविष्ट करण्यात येत आहे. —

"गिरिस्थान-नयंटन-टुरिस्ट रिस्टॉर्डे विकसित करण्यासाठी शासनाने अंतिम केलेल्या विशेष विकास नियंत्रण नियमावलीचा समावेश करण्यात येत आहे."

उक्त फेरफार अवलोकनाय झालेली कार्यालयात शासनाच्या दिवशी कार्यालयात वेळोवेळी ठेवण्यात आली आहे.

(१) संबंधित जिल्हाधिकारी.