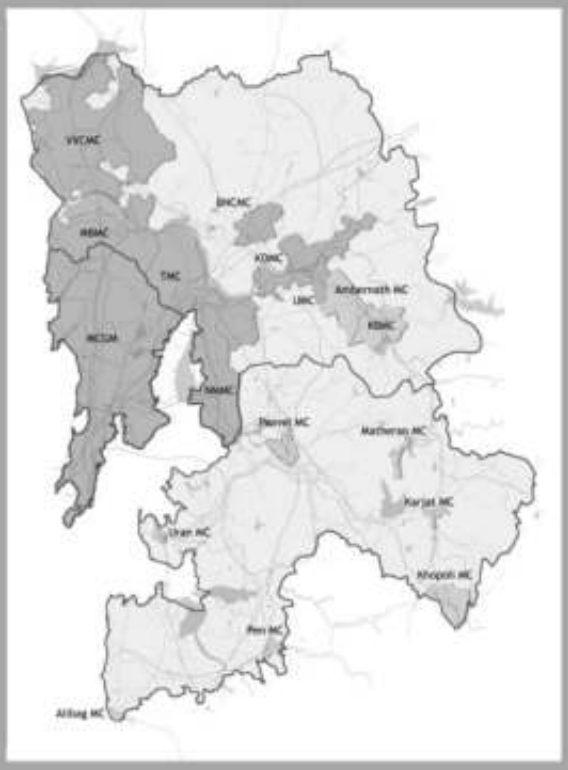

Draft

DEVELOPMENT CONTROL REGULATIONS

For

MUMBAI METROPOLITAN REGION

2016 - 2036

Mumbai Metropolitan Region
Development Authority

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CHAPTER I

ADMINISTRATION

1.1. Extent And Commencement

1.1.1. Title

These regulations shall be called the Development Control Regulations for Mumbai Metropolitan Region, 2016 (hereinafter referred to as "these Regulations").

1.1.2. Jurisdiction

These regulations shall apply to development of any land situated within the Mumbai Metropolitan Region as defined in the Government of Maharashtra's Notification no. MPC-2010/CR-129/2011/UD-30 dated 23.042012 excluding the areas where Development Plans, Planning Proposals or Layouts have been prepared and sanctioned.

1.1.3. Commencement

These regulations shall come into force on the day of sanctioning of Regional Plan and shall replace the Development Control Rules contained in the Regional Plan for Mumbai Metropolitan Region 1996-2011 sanctioned by the Government by its Notification no, TPS-1297/1094/CR-116/97/UD-12 dated 23rd September 1999.

1.2. Definition of Terms and Expressions

1.2.1. Unless otherwise stated, the terms and expressions in these regulations shall have the meaning as defined hereinafter:

(1) "Authority" means Mumbai Metropolitan Region Development Authority.

(2) "Environment Impact Assessment (EIA)" means a statement indicating probable changes in the environment, such as, changes in the air quality, water quality, soil quality, noise levels, vegetation and wild life, landscape quality, land use, vehicular traffic, infrastructure, population, economic activity, etc. which may result from any development either during the course of development being carried out, or thereafter.

(3) "Environmental Management Plan" means a course of action designed to minimize the unavoidable adverse environmental impacts both during the construction and operational phases of the project.

(4) "Floor space index (FSI)" means the ratio of the combined gross floor area of all floors to the gross area of the plot, viz :-

$$\text{Floor Space Index (FSI)} = \frac{\text{Total covered area on all floors}}{\text{Gross Plot area}}$$

(5) "Gaothan" means the land included within the site of a village, town or city as determined by the Collector or survey officer under the general or special orders of the State Government.

(6) "N.A. Permission" means permission granted under Section 44 of the Maharashtra Land Revenue Code, 1966, to use any agricultural land for non-agricultural purpose.

1.2.2. The terms and expressions other than those defined in Regulation 1.2.1 shall have the same meaning as indicated in the following legislations and codes:

i) The Maharashtra Regional and Town Planning Act, (hereinafter referred to as the "MR&TP Act") 1966, the MMRDA Act, 1974 and the Rules made there under

ii) The Maharashtra Land Revenue Code, 1966, as the case may be.

1.3. General

1.3.1. No person shall, on or after these Regulations come into force, carry out any development of the types other than those stated under the proviso to Section 43 of the MR&TP Act, 1966, without obtaining permission from the Planning Authority, including Municipal Corporation, Municipal Council, Nagar Panchayat, Special Planning Authority or other Planning Authority under whose jurisdiction the land is situated;

1.3.2. No authority shall grant a permission or No Objection Certificate (NOC) for any development otherwise than in conformity with these Regulations and the Regional Plan for Mumbai Metropolitan Region, 2016-2036 except in the areas included in the jurisdiction of Municipal Corporation, a Municipal Council, or a Nagar Panchayat or a Special Planning Authority or other Planning Authority for which Development Plans or Planning Proposals have been prepared and sanctioned.

1.3.3. Any person who intends to carry out any development of the type listed below in the area governed by these regulations, shall submit to MMRDA a copy of the application for development permission submitted by him/her to the Planning Authority concerned, along with the information in the form prescribed in Annexure-1 and obtain MMRDA's "No Objection Certificate". If the environmental screening based on this information indicates that the proposed development will have significant impact on the environment, the MMRDA may, at its discretion, call upon the applicant to submit an Environment Impact Assessment (EIA) and Environment Management Plan (EMP) report for such development. The EIA report shall be prepared in accordance with the guidelines issued by the Ministry of Environment and Forest (MoEF), Govt. of India from time to time.

a) Quarrying for stone, murum, and earth, including sand dredging from rivers, creeks and estuaries
b) Hotels, Holiday Homes, and Health Farms/Centre, Amusement Parks and Motels in Green Zone 1 on land admeasuring more than 0.4 ha
c) Development of land for industrial purpose in Urbanisable Zone and Green Zone-1
d) Any development of wetlands including reclamation, bunding etc. for salt pans, fish farms etc.
e) Film and video shooting sites on land admeasuring 2.5 ha or more

1.3.4. No development of any land shall be permitted unless the owner undertakes to provide at his/her own physical and social infrastructural facilities, such as roads, water supply, sewage disposal system, solid waste collection and disposal system, electricity, recreational open space, playground, school, etc. as may be reasonably required for the proposed development in the opinion of the Planning Authority, , and provided that the owner also undertakes to maintain these facilities for a reasonable period specified by the Planning Authority. Where the Planning Authority decides to provide and/or maintain any of the aforesaid infrastructural facilities, the owner shall surrender to the Planning Authority or any other agency nominated by it, free-of-cost the land required for such facilities.

1.3.5. Validity of Prior Permissions

1.3.5.1. Notwithstanding Regulation 1.3.2, the Development Permissions may be granted according to the Development Control Regulations for MMR, 1999 and practices prevailing prior to the publication of these Draft Regulations in the following cases:

a) where sale permission for N.A. use has been granted prior to the date of publication of these Draft Regulations provided the development permission is sought for the same use as the one for which sale permission was granted.
b) subsequent revision of layout plan where N.A. Permission, layout or sub-division permission and building permission has been granted prior to the date of publication of these Draft Regulations;
c) building permission on individual plot or plots of layout or subdivision of land approved prior to the date of publication of these Draft Regulations;

Provided that N.A. permission or sale permission in the above a, b, and c shall not have been lapsed.

1.3.5.2. All developments existing on or prior to coming into force of these Regulations which are authorized under MR&TP Act, 1966, and Maharashtra Land Revenue Code, 1966, but which are not in conformity with the use provisions of the Regional Plan or these Regulations shall be allowed to continue as if they are in conforming zone and shall also be allowed reasonable expansion within the existing land area and within the FSI limits prescribed by these Regulations.

1.3.6. Notwithstanding anything stated in these Regulations, no development of the land situated in the Coastal Regulation Zone (as defined by the Ministry of Environment and Forests (MoEF), Govt. of India's notification dated 6th January 2011, (enclosed as Annexure-2) issued under the provisions of the Environment (Protection) Act, 1986), or any subsequent amendment thereof from time to time, shall be permitted unless it is in conformity with the said notification and the Coastal Zone Management Plan (CZMP) approved by the MoEF.

1.4. Discretionary Powers

1.4.1. The Metropolitan Commissioner shall be the final authority for interpretation of the provisions of these regulations in conformity with intent and spirit; and his decision shall be final. In cases of genuine hardship the Metropolitan Commissioner may use his discretion to condone provisions of these Regulations except the provisions related to FSI by recording the reasons.

CHAPTER II

LAND USE ZONING AND PERMISSIBLE ACTIVITIES

2.1. Land-use Zoning

2.1.1. The Mumbai Metropolitan Region is divided into the following 7 zones:

1) Urbanisable Zone (U)
2) Industrial Zone (I)
3) Institutional Zone (In)
4) Green Zone 1 (G1)
5) Green Zone 2 (G2)
6) Forest Zone (F)
7) Coastal Wetlands Zone (CW)

2.1.2. The Urbanisable zone, Industrial Zone and Green Zone - 1 falling in the jurisdiction of Municipal Corporation, Municipal Council, Nagar Panchayat, Special Planning Authority or other Planning Authority, shall be developed in conformity with the Development Plans and Development Control Regulations of their respective jurisdictions.

2.2. Permissible Activities in Various Land-use Zones

The activities permitted in each zone are listed below:

2.2.1. Urbanisable Zone (U)

2.2.1.1. The activities in the Urbanisable Zone shall be permitted on plots admeasuring 500 sq.m. or more. Sub-division shall be allowed if the land parcel is 1,000 sq.m. or more. The minimum size of the plot in such sub-division plan shall be 200 sq. m. A maximum permissible building height of 15.0 m shall be permitted in the Urbanisable Zone.

2.2.1.2. The following activities shall be permitted in Urbanisable Zone:

(i) Agriculture and Allied Activities:
- Agriculture, Plantation and allied activities

(ii) Residential:
- Detached or semi-detached houses, row-houses, walk-ups, and apartments
- Gaothan and Gaothan expansion scheme with development in the nature of expansion of existing gaothan on lands within 200 m from the gaothan boundary
- Special Townships Projects (STP) governed by the Government of Maharashtra's Notification no. TPS/MMR DCR/CR-48/06/UD-12 dated 10th March, 2006 (Annexure 5)

(iii) Commercial:
- Home based economic activities - which do not involve use of intensive mechanical equipment or machinery and do not cause nuisance to the neighbours

- Offices of Government, local authorities and public utility concerns, and offices of the professionals
- Personal service establishments and repair service establishments
- Large scale commercial including wholesale shops, malls
- Hospitality - including Hotels, Motels, Club Houses, Holiday Resorts and Holiday Homes subject to guidelines under Annexure 3
- Retail shopping, Restaurants and Banks
- Film and allied Production Activities - Film and Video Shooting Sites, Television/Broadcasting Studios, Film Studios on Land not less than 2.5 ha with studio and other related facilities, subject to condition that the permanent built up facilities shall not cover more than 15% of the gross land area
- Entertainment - Art Galleries, Exhibition Centers, Convention Centers, Cinema Theatres, and other such uses for public gathering

(iv) Public and Semi-Public Uses:

- Medical, Educational, Social, Religious and Welfare Institutions
- Research and Development Institutions, Scientific Institutes, Laboratories and Training Institutions
- Recreation - Parks and Playgrounds, Gardens, Golf Courses, Swimming pools, Stables, Race courses, Shooting ranges, Amusement Parks and Theme Parks

(v) Industrial:

- All industries except obnoxious and hazardous industries as listed in sanctioned Development Control regulations for Notified Areas of MIDC, comprising layout on plot of land admeasuring not less than 10 Ha with approval from industries department and NOC from MPCB; however, no industrial development shall be allowed in environmentally sensitive areas such as forests, wetlands, water bodies, irrigation command area and within 200 m from historical monuments
- Open Storage – Open ground storage of non-hazardous and non-obnoxious nature on the Major District Roads, State Highways or Road having width 15.00 m or more located beyond 200 m from gaothan boundary
- Storage and warehousing of non-obnoxious and non-hazardous goods and logistic hubs with a maximum floor height of 9.0 m shall be permitted along National Highways, State Highways and other roads with a minimum width of 40.0 m subject to safety margins within the plots and environmental clearance under relevant legislation

(vi) Public Utilities:

- Transportation and allied activities - Container Parks, Truck Terminals, Garages, Petrol Pumps, Weigh-Bridges, Service Stations and Automobile Repair Workshops
- Highway Amenities and Services such as Petrol Pump, Small Shops, Service Stations including emergency repair services, Restaurants, Parking lots, Police check Post
- Roads, Bridges, Jetties and Ropeways
- Airports
- Public Utilities and Services - Dams, Railway lines and related facilities, Heliports, Pipelines, Electricity Transmission Lines, Communication Towers, Petrol Pumps, Servicing and Repair service, Public Utilities and Services, Public Toilets etc.
- Public Amenities - Solid Waste Treatment and Disposal Facilities along with essential support activities, Gas Works, Fire Brigade, Police Station, Telephone Exchange, Terminals, Depots, Cemeteries and Crematoria.

2.2.1.3. Provision of Amenities in U zone:

a) A proportion of the gross plot area as specified in the table below shall be provided for public amenities. The actual use, location and plot sizes of public amenity shall be specified by the Planning Authority and the land so reserved shall be handed over free of cost to the Planning Authority or any Agency specified by it free of cost.

Table 1: Minimum percentage of area to be reserved for Public Amenities

Sr. No.	Size of land parcel	Percentage area
1	4,000 and more but less than 20,000	5.0
2	20,000 and more but less than 50,000	7.5
3	50,000 and more	10.0

b) The gross plot area shall be exclusive of the mandatory amenity area for the purpose of computation of FSI.

c) The permissible FSI for the plots of land thus surrendered to the Planning Authority shall be 0.6.

2.2.1.4. Notwithstanding the provisions stated under Regulation no. 2.2.1.1, where the land under sub-division or layout exceeds 10 ha, 10% of the land area shall be reserved for plots upto 40 sq. m. area.

2.2.2. Industrial Zone (I)

2.2.2.1. Except for the FSI, which shall be governed by these Regulations, the development of lands zoned as Industrial shall be regulated in accordance with Maharashtra Industrial Development Corporation's DCRs.

2.2.2.2. Notwithstanding anything stated in the above Regulation no. 2.2.2.1, Industrial activity is not permissible within 500 m around gaothans in the Industrial Zone. Such 500 m area around gaothans in the Industrial Zone, shall be developed in accordance with the provisions of Green Zone - 1.

2.2.3. Institutional Zone (In)

2.2.3.1. A maximum building height of 15 meters shall be permitted in Institutional zone.

2.2.3.2. High intensity developments such as Special Township Projects (STP), higher FSI for educational and medical institutions shall not be permitted in the Institutional Zone.

2.2.3.3. The following activities shall be permissible in Institutional Zone:

(i) Agriculture and Allied Activities:
- Agriculture, Plantation and allied activities

(ii) Residential:
- Single family house on individual plots on plot area not less than 2000 sq. m. however, layout of single family houses is not allowed
- Gaothan and Gaothan expansion scheme with development in the nature of expansion of existing gaothan on lands within 200 m from the gaothan boundary
- Farm Buildings as permissible under section 41 of MLR code, 1966

(iii) Commercial:
- Retail shopping, Restaurants and Banks
- Film and allied Production Activities - Film and Video Shooting Sites, Television/Broadcasting Studios, Film Studios on Land not less than 2.5 ha with studio and other related facilities, subject to condition that the permanent built up facilities shall not cover more than 15% of the gross land area
- Entertainment - Art Galleries, Exhibition Centers, Convention Centers, Cinema Theatres, and other such uses for public gathering

(iv) Public and Semi-Public Uses:
- Medical, Educational, Social, Religious and Welfare Institutions along with residential quarters, and shops on plot not less than 2.5 ha however; area of such allied activities shall not exceed 25% of the permissible built-up area. Schools and health centres on plot not less than 0.4 ha.
- Research and Development Institutions, Scientific Institutes, Laboratories and Training Institutions
- Recreation - Parks and Playgrounds, Gardens, Golf Courses, Swimming pools, Stables, Race courses, Shooting ranges, Amusement Parks and Theme Parks

(v) Public Utilities:
- Highway Amenities and Services such as Petrol Pump, Small Shops, Service Stations including emergency repair services, Restaurants, Parking lots, Police check Post
- Roads, Bridges, Jetties and Ropeways
- Public Utilities and Services - Dams, Railway lines and related facilities, Heliports, Pipelines, Electricity Transmission Lines, Communication Towers, Petrol Pumps, Servicing and Repair service, Public Utilities and Services, Public Toilets etc.
- Public Amenities - Solid Waste Treatment and Disposal Facilities along with essential support activities, Gas Works, Fire Brigade, Police Station, Telephone Exchange, Terminals, Depots, Cemeteries and Crematoria

2.2.4. Green Zone-1 (G1)

2.2.4.1. A maximum building height of 15 meters shall be permitted in Green Zone 1.

2.2.4.2. The following activities are permissible on lands zoned as Green Zone 1:

(i) Agriculture and Allied Activities:
- Agriculture, Plantation and allied activities
- Agro-based Industries and Allied Activities like , Rice Mill, Poha Mill, Saw Mill, Cold Storage, Horticultural Project, Poultry Farms, Cattle Stables, Piggeries, Sheep farms, etc.
- Fishing and Allied Activities

(ii) Residential:
- Single family house on plot not less than 2,000 sq.m. in area however, layout of single family houses is not allowed
- Farm buildings as permissible under Section 41 of the Maharashtra Land Revenue Code, 1966;
- Gaothan and Gaothan expansion scheme with development in the nature of expansion of existing gaothan on lands within 200 m from the gaothan boundary

- Special Townships Projects (STP) governed by the Government of Maharashtra's notification no. TPS/MMR DCR/CR-48/06/UD-12 dated 10th March, 2006 (Annexure 5)

(iii) Commercial:
- Home based economic activities: which do not involve use of intensive mechanical equipment or machinery and do not cause nuisance to the neighbours
- Offices of Government, local authorities and public utility concerns, and offices of the professionals
- Hospitality - including Hotels, Motels, Club Houses, Holiday Resorts and Holiday Homes subject to guidelines under Annexure 3
- Retail shopping, Restaurants and Banks
- Film and allied Production Activities - Film and Video Shooting Sites, Television/Broadcasting Studios, Film Studios on Land not less than 2.5 ha with studio and other related facilities, subject to condition that the permanent built up facilities shall not cover more than 15% of the gross land area
- Entertainment - Art Galleries, Exhibition Centers, Convention Centers, Cinema Theatres, and other such uses for public gathering

(iv) Quarrying:
- Quarrying of Stone, Murum or Earth, Mechanized stone crushing or stone dressing, Temporary housing of laborers, Office of supervisors, Managers and other accessory buildings related to quarrying activity as per special regulations for quarrying under section 2.4.5 of this regulation

(v) Public and Semi-Public Uses:
- Medical, Educational, Social, Religious and Welfare Institutions along with residential quarters, and shops for the staff on plot not less than 2.5 ha. and schools and health centres on plot not less than 0.4 ha.
- Research and Development Institutions, Scientific Institutes, Laboratories and Training Institutions
- Recreation - Parks and Playgrounds, Gardens, Golf Courses, Swimming pools, Stables, Race courses, Shooting ranges, Amusement Parks and Theme Parks

(vi) Industrial:
- Open Storage - Open ground storage of non-hazardous and non-obnoxious nature on the Major District Roads, State Highways or Road having width 15.00 m or more subject to condition that a lay-bye is provided in the plot along the approach road.
- Storage and warehousing of goods including obnoxious and hazardous goods and logistic hubs with a maximum floor height of 9.0 m shall be permitted along National Highways, State Highways and other roads with a minimum width of 40.0 m subject to safety margins within the plots and environmental clearance under relevant legislation
- Small scale industries, Resource based Industries and processing plants employing local resources and giving employment to the local population in the rural areas having land requirements of not more than 4000 sq.m subject to not more than 2.0 ha in each village Service Industries as defined in the 'Standardized Development Control and Promotion Regulations for Regional Plans of Maharashtra'.
- All type of industries shall be permitted on plot of land admeasuring not less than 10 ha area subject to Regulation no. 2.2.2.2. Highly polluting and hazardous industries are also permitted in private or public industrial estates of

not less than 10 ha area and where MIDC concurs that the proposed infrastructure facilities, effluent treatment and disaster mitigation facilities are at par with MIDC industrial estates; however, no industrial development shall be allowed in environmentally sensitive areas such as forests, wetlands, water bodies, irrigation command area and within 200 m from historical monuments

(vii) Public Utilities:

- Transportation and allied activities - Warehouses, Container Parks, Truck Terminals, Garages, Petrol Pumps, Way-Bridges, Service Stations and Automobile Repair Workshops
- Highway Amenities and Services such as Petrol Pump, Small Shops, Service Stations including emergency repair services, Restaurants, Parking lots, Police check Post
- Roads, Bridges, Jetties and Ropeways
- Airports
- Public Utilities and Services - Dams, Railway lines and related facilities, Heliports, Pipelines, Electricity Transmission Lines, Communication Towers, Petrol Pumps, Servicing and Repair service, Public Utilities and Services, Public Toilets etc.
- Public Amenities - Solid Waste Treatment and Disposal Facilities along with essential support activities, Gas Works, Fire Brigade, Police Station, Telephone Exchange, Terminals, Depots, Cemeteries and Crematoria

2.2.5. Green Zone-2 (G2)

2.2.5.1. A maximum building height of 15 meters shall be permitted in Green Zone 2.

2.2.5.2. The following activities are permissible on lands zoned as Green Zone 2:

(i) Agriculture and Allied Activities:

- Agriculture, Plantation and allied activities
- Agro-based Industries and Allied Activities like , Rice Mill, Poha Mill, Saw Mill, Cold Storage, Horticultural Project, Poultry Farms, Cattle Stables, Piggeries, Sheep farms, etc.
- Fishing and Allied Activities

(ii) Residential:

- Farm buildings as permissible under Section 41 of the Maharashtra Land Revenue Code, 1966;
- Gaothan and Gaothan expansion scheme with development in the nature of expansion of existing gaothan on lands within 200 m from the gaothan boundary

(iii) Public and Semi-public Uses:

- Recreation - Parks, Regional Parks and Playgrounds, Gardens, Golf Courses, Stables, Race courses, Amusement Parks and Theme Parks

(iv) Quarrying:

Quarrying of Stone, Murum or Earth, Mechanized stone crushing or stone dressing, Temporary housing of laborers, Office of supervisors, Managers and other accessory buildings related to quarrying activity as per special regulations for quarrying under section 2.4.5 of this regulation

(v) Public Utilities:

- Highway Amenities and Services such as Petrol Pump, Small Shops, Service Stations including emergency repair services, Restaurants, Parking lots, Police check Post

- Roads, Bridges, Jetties and Ropeways
- Airports
- Public Utilities and Services - Dams, Railway lines and related facilities, Heliports, Pipelines, Electricity Transmission Lines, Communication Towers, Petrol Pumps, Servicing and Repair service, Public Utilities and Services, Public Toilets etc.
- Public Amenities - Solid Waste Treatment and Disposal Facilities along with essential support activities, Gas Works, Fire Brigade, Police Station, Telephone Exchange, Terminals, Depots, Cemeteries and Crematoria

2.2.6. Forest Zone (F)

2.2.6.1. Where any land in the Forest Zone is situated in the Reserved Forests or Protected Forest as defined under the Indian Forests Act, 1947, or the forest acquired under the Maharashtra Acquisition of Private Forests Act 1975, such lands may be used for activities specified by the Forest Department.

2.2.6.2. Where any land in Forest zone is situated outside the designated Forest, with due confirmation of the Forest Department, the development of such land shall conform to the Regulations applicable to the adjacent zone; if abutting more than one zones, the provisions of the zone with the lowest development potential shall apply. If the plot is entirely surrounded by forest, the provisions of Green Zone 2 shall apply.

2.2.6.3. The boundary of the Matheran Eco-sensitive Zone is revised in the draft Regional Plan based on the updated information obtained from the Forest Department. The same shall come into effect after confirmation from Forest department, government of Maharashtra and subsequent approval by the Ministry of Environment and Forests, Government of India.

2.2.7. Coastal Wetlands Zone (CW)

Activities permitted in the CRZ-1 as notified from time to time by the Ministry of Environment and Forests, Government of India shall be allowed in the Coastal Wetlands Zone.

2.3. Floor Space Index (FSI)

2.3.1. The maximum permissible FSI for various land use zones shall be as given in the table below. The FSI shall be calculated on gross plot area.

Table 2: Maximum permissible FSI

Zone	Maximum permissible FSI
Urbanisable Zone (U) (Details in table no. 3 below)	0.4-0.6
Industrial Zone (I)	0.4
Institutional Zone (In)	0.2
Green Zone 1 (G1)	0.2
Green Zone 2 (G2)	0.1

Special Schemes	Maximum permissible FSI
Gaothan and Gaothan Expansion Scheme	1.0
Station Area Development Scheme (SADS)	1.0

Note: The table indicates general maximum permissible FSI for all zones subject to the provisions of the CRZ regulations (Refer annexure 2).

2.3.2. The maximum permissible FSI in Urbanisable Zone shall increase as per plot size as stated in the Table below:

Table no. 3: Maximum permissible FSI in Urbanisable zone

Sr. No.	Area of plot in sq. m.	Maximum permissible FSI
1	Less than 10,000	0.40
2	10,000 and above but less than 25,000	0.45
3	25,000 and above but less than 50,000	0.50
4	50,000 and above but less than 100,000	0.55
5	100,000 and above	0.60

2.3.3. Additional FSI for Educational, Medical, Institutional and Starred Category Hotels

2.3.3.1. In the Urbanisable Zone and Green Zone - 1, with the prior approval of the Metropolitan Commissioner, the permissible FSI may be allowed to be exceeded by 100% in respect of the following activities:

(a) Educational, Medical and Institutional buildings of Government or Public Authorities or of registered Charitable Trusts;

(b) Three and more Star Category Hotels built on independent plot and approved by the Department of Tourism, GoI (in case of Starred Category Hotels).

2.3.3.2. Such additional FSI shall be permissible on payment of premium at the rate decided by the Government from time to time.

2.3.3.3. Out of the total premium, 50% shall be payable to the Authority and the remaining 50% to the Government of Maharashtra.

Table 4: Summary of Permissible Activities and FSI in various Land-use Zones

Name of Zone	Maximum Permissible FSI	Maximum Permissible Height in m.	Permissible Uses																												
			Agriculture, Plantation & Allied Activities	Agro-based Industries & Allied activities	Fishing and Allied Activities	Residential	Gaothan and Gaothan Expansion Scheme	Farm Buildings as permissible under section 41 of MLR code, 1966	Special Townships	Home Based Economic Activities	Hospitality	Large scale commercial	Retail shopping, Restaurants & Banks	Personal Service and Repair Service Establishments	Offices of local authorities, Government and public utility concerns, and offices of the professionals	Film and Allied Production Activities	Entertainment	Medical, Educatiuonal, Social Religious and Welfare Institutions	Research & Development Institutions, Scientific Institutes, Laboratories and Training Institutions	Recreation	Non-polluting, High-tech, High-value-added industries	Small Scale Industries and Resource based Industries	Service Industries	Open Storage -	Storage of obnoxious or hazardous goods	All types of industries on land not less than 10 Ha	Quarrying	Transportation & allied activities	Highway Amenities and Services	Roads, Bridges, Jetties and Ropeways	Airports	Public Utilities and Services	Public Amenities
			1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
			Agri. & allied			Residential				Commercial								Public & Semi-public			Industrial							Public Utility					
			1			2				3								4			5						6	7					
Urbanisable Zone (U)	0.4 to 0.6	15.0	√			√	√		√	√	√	√	√	√	√	√	√	√	√	√	√	√	√	√	√	√		√	√	√	√	√	√
Industrial Zone (I)	0.4	In accordance with MIDC's Development Control Regulations																															
Institutional Zone (In)	0.2	15.0	√			√*	√	√					√			√	√	√**	√	√									√	√		√	√
Green Zone - 1 (G-1)	0.2	15.0	√	√	√	√*	√	√	√	√	√		√		√	√	√	√**	√	√		√	√	√	√	√	√		√	√	√	√	√	√
Green Zone - 2 (G-2)	0.1	9.0	√	√	√		√	√												√#							√		√	√	√	√	√	√#
Forest Zone (F)	As permitted by Forest Department																																
Coastal Wetlands Zone (CW)	As permitted in CRZ 1																																
Gaothan Expansion Scheme (GES)	1.0	24.0	√	√	√	√				√			√	√	√			√		√			√					√#				√ #	√#
Station Area Dev. Scheme (SADS)	1.0	24.0	√			√	√		√	√	√	√	√	√	√	√	√	√	√	√	√	√	√	√	√#	√		√	√	√	√	√	√

√** Educational, medical, social, cultural and religious institutions along with residential quarters, and shops for the staff on plot not less than 2.5 ha.;

√# Only certain activities allowed, Refer Regulation no. 2.2 for details

2.4. Special Regulations

2.4.1. Gaothan and Gaothan Expansion Scheme

2.4.1.1. Gaothan

2.4.1.2. Notwithstanding anything stated in foregoing regulations, the developments within the boundary of the existing gaothan located within the jurisdiction of these Regulations (excluding the Gaothans that are located in the jurisdiction of Municipal Corporations, Municipal Councils, Nagar Panchayats Special Planning Authorities and New Town Development Authorities) and the Gaothan Expansion Scheme (GES) shall be governed by these Regulations.

2.4.1.3. For the purpose of these Regulations, the boundary of the existing gaothan shall be as shown in the revenue maps or as notified under the provisions of Maharashtra Land Revenue Code, 1966 from time to time.

2.4.1.4. The lands in gaothan may be used for any of the following purposes:

a) Agriculture and Allied Activities
   - Agriculture, Plantation and Allied Activities including Stables for domestic animals subject to limit of 5 animals on each plot, Storage of crop, fodder, manure, agricultural implements and other similar needs;
   - Agro-based Industries and Allied Activities like , Rice Mill, Poha Mill, Saw Mill, Cold Storage, Horticultural Project, Poultry Farms, Cattle Stables, Piggeries, Sheep farms, etc.
   - Fishing and allied activities

b) Residential:
   - Detached/semi-detached houses, row-houses, walk-ups, and apartments

c) Commercial:
   - Home based economic activities which do not involve use of intensive mechanical equipment or machinery and do not cause nuisance to the neighbours
   - Retail shopping, Restaurants and Banks
   - Offices of the Government, Local Authorities, Public Utility Concerns and Professionals
   - Personal service establishments and repair service establishments

d) Public and Semi-Public Uses
   - Educational, Social, Medical, Religious and Welfare institutions
   - Recreation - Parks and playground;

e) Public Utility
   - Transportation and allied activities: Warehousing and cold storage permitted on plot not more than 2000 sq. m.
   - Public Utilities and Services - Electricity Transmission Lines, Communication Towers, Petrol Pumps, Servicing and Repair service, Public Utilities and Services, Public Toilets etc.
   - Public Amenities - Gas Works, Fire Brigade, Police Station, Telephone Exchange, Transport Terminals, Depots, Cemeteries and Crematoria

2.4.1.5. Gaothan Expansion Scheme

2.4.1.6. The development in the nature of expansion of existing Gaothan shall be permitted within 200 m. from the boundaries of the existing Gaothan on payment of premium. Such premium shall be calculated considering 30% rate of the said land as prescribed in the Annual Statement of Rates of the year of granting such developments. Such premium shall be deposited in the concerned branch office of the Town Planning Department for crediting the same into the Government treasury.

Provided further that where more than 50 per cent of the area of the survey number/gut number is covered within the above 200 m distance, then the remaining whole of such survey number/gut number within one ownership shall be considered for development under this regulation on payment of premium as above.

2.4.1.7. The lands included in Gaothan Expansion Scheme shall be used for the following:

a) All uses permitted in Gaothans as stated in Regulation 2.4.1.4.
b) Service industries as stated in the Standardized Development Control and Promotion Regulations for Regional Plans of Maharashtra.

2.4.1.8. Floor Space Index (FSI) and Maximum Height of Buildings in Gaothan and Gaothan Expansion Scheme

a) The maximum permissible FSI shall be calculated on the Gross area of the plot.
b) The maximum permissible FSI and maximum height of the buildings in gaothan and gaothan expansion schemes shall be as given in the table below:

Sr. No.	Location	FSI	Max. permissible height
1	Gaothan,	1.0	24.0 m
2	Gaothan Expansion within 200 m from Gaothan boundary		
3	Gaothan Expansion Scheme as declared by the Collector		

c) Where the owner surrenders free-of-cost, any land for main roads, social facilities and amenities, public utilities and services to the Planning Authority, Local Authority or the Collector or an agency nominated by them, an additional incentive F.S.I. of 0.2 of the land so surrendered shall be permissible in Gaothan and Gaothan Expansion scheme.
d) Other features of the development shall conform to the 'Standardized Development Control and Promotion Regulations' for Regional Plans of Maharashtra'.

2.4.1.9. The minimum size of plots in Gaothan and Gaothan Expansion Scheme shall be as mentioned in the table below:

Sr. No.	Land use	Type of Development	Minimum Plot area (Sq. m.)	Minimum width of Frontage (m)
1	Residential	Row houses	25.0	3.0
	Retail	Semi-detached	40.0	4.5
	Shopping and Restaurant	Detached	150.0	9.0
2	Industrial	Semi-detached	200.0	9.0
3	Others	Detached	300.0	15.0

2.4.2. Station Area Development Scheme (SADS)

2.4.2.1. Notwithstanding anything stated in the foregoing regulations, the development of lands located within 500 meters from the centre of existing operational suburban and metro railway stations, as indicated in the Proposed Land Use Plan shall be treated as the Station Area Development Scheme (SADS).

2.4.2.2. The area under such scheme shall be governed by the following regulations:

a) A maximum FSI of 1.0 shall be permissible in the Station area Development Scheme subject to payment of premium calculated at 30% of the land rate as prescribed in the Annual Statement of Rates of the year of granting such developments. The premium shall be charged on FSI granted over and above the permissible Zonal FSI. Out of the total premium, 50% shall be payable to the Authority and 50% to the State Government.
b) The first 100 m of the 500 m shall be earmarked for the railway operations, traffic dispersal facilities and parking lots and no individual developments shall be permitted within this area.
c) In case of land parcels within 500 m but partly located within the 100 m belt, the owner shall be permitted to use the full development potential on lands located beyond 100 m from the station.
d) Land under the said scheme shall be governed in accordance with the provisions for the U zone.
e) A maximum building height of 24.0 meters shall be permitted in the Station Area Development Scheme.
f) Minimum right of way of any existing road within the 500 m shall be maintained as 24.0 m and accordingly, no construction shall be permitted within 12.0 from the center of the road.

2.4.3. Buffer along water courses and water bodies

No construction shall be permitted within 30 m. of

(a) the high flood line of the rivers and nallas, subject to the provisions of the sanctioned Coastal Zone Management Plan (CZMP)
(b) Water bodies – ponds, talavs, etc.

2.4.4. Hill Slopes

No development shall be permitted on hill slopes with a slope above 22.5°.

2.4.5. Heritage Sites

The developments in the heritage site of Elephanta Island, Gharapuri shall be governed by S.O. No. 5681 dated 29th November, 1985 of the Archaeological Survey of India and the approved Coastal Zone Management Plan.

2.4.6. Quarrying

No quarry which involves blasting shall be permitted within 500 m. from any public road, railway line or residential area including gaothan. Temporary structures such as housing for laborers, office of the supervisors and other quarry- related structures shall be located more than 500 m. away from the place of blasting.

No quarrying permission shall be granted unless the application for quarrying is accompanied by an excavation and restoration plan prepared in accordance with the guidelines given in Annexure - 4. The applicant shall also have to furnish an undertaking

and observe all necessary care and precaution during quarrying operations as required by these guidelines.

2.4.7. Buffer around Forest Zone

In respect of development of lands abutting the Forest Zone, no construction shall be permitted within the first 30 m from the edge of the Forest Zone.

2.4.8. Development along Highways

2.4.8.1. Notwithstanding anything stated in the foregoing Regulations the accesses to and developments along the Expressway (EW), National Highway (NH), State Highway (SH) and other roads outside the boundaries of towns and cities in the Region, shall conform to the following Regulations.

2.4.8.2. No development abutting EW, NH, SH or other roads shall be permitted without obtaining the NOC for access to such development from National Highway Authority of India or Highway Authority under the Bombay Highways Act, 1955. The development shall have to be separated from such highway by a parallel service road at least 12.00 m. wide.

2.4.8.3. Essential highway amenities and services namely, petrol pump, service station including emergency repair services, restaurants, parking lots, motels, police check-post, toll station, Octroi post shall be permitted on the EW, SH and other roads. However no direct access to such amenities shall be permitted from the EW or SH. Access shall be provided with proper lay-by as per the guidelines specified by the Indian Road Congress and the Highway Authority under the Bombay Highways Act, 1955.

2.4.8.4. Access to the essential highway amenities stated in Regulation 2.2.6.3 and private properties along the NH shall be permitted in accordance with the guidelines issued by the Ministry of Road Transport and Highways (MoRTH) by its circular letter no. R/NH 33023/19/990-DO III dated 31st August 2000 and any modifications and revisions thereof from time to time.

2.4.8.5. On classified roads, no building shall be constructed within setback distance mentioned in the Government Resolution No. RBD/1081/871/Road-7 dated 9th March 2001 by the Public Works Department of GoM or any modifications or revisions thereof from time to time.

The land under the setback shall be planted with tress at the rate of 15 trees per 1000 sq. m. excluding service roads.

2.4.8.6. The display of advertising signs within the boundaries of the EW, NH and SH, or within 30 meters from such boundaries, shall be in accordance with Part X, sign and Outdoor Display Structure, National Building Code of India.

2.5. Other features of development

2.5.1. Other features of development shall conform to the 'Standardized Development Control and Promotion Regulations for Regional Plans of Maharashtra'.

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Annexures

Annexure 1

Form for submission of information for Environmental Assessment and Environmental Screening of the Development Proposal
(refer Regulation 1.3.3)

1. Name and Address of the person proposing development

2. Particulars of the proposed development:
   a) Brief description
   b) Justification or need for the proposed development
   c) Objective
   d) Size and Magnitude
   e) Cost
   f) Present status
   g) Time schedule for completion of development

3. Employment:
   a) During development stage
   b) During operational stage

4. Location of the proposed development:
   a) Revenue Survey No./Hissa No.
   b) Name of the village/tehsil/district
   c) (7x12 extract and village map showing location essential)

5. Land Area:
   a) Existing (in the case of expansion)
   b) Proposed

6. Physical Setting:
   a) Natural and man-made features (map essential)
   b) Topography indicating gradient aspect and altitude. (map essential)
   c) Soil type and texture (map optional)
   d) Flood prone areas of the site. (map essential)

7. Land Uses:
   a) Existing land use of the site (Area statement and map at larger scale essential)
   b) Existing land use covering an area of 10 km radius around the site (map at smaller scale essential)
   c) Proposed Development (Area statement and map at larger scale essential).
   d) Proposed Development showing proposed accesses, land uses of the surrounding area. (map at smaller scale essential)

8. Ecologically Sensitive Areas:
   a) Proximity to National Park, Wild Life Sanctuary, nature reserves, mangrove forests and reserved, protected or other forests, biosphere reserve, swamp and wetlands. (indicate distance from the site and identify on map)
   b) Does the development involve any forest land?
   c) Proposals for compensatory afforestation plan
   d) Does the proposed development involve reclamation of wetlands?
   e) Is the site situated within catchment area of water reservoir?
   f) Is the site situated within existing or potential command area of irrigation project ?

9. Air:
   a) Ambient area quality data at the site (for SO_2, Nox, SPM)
   b) Major air pollution sources within 10 km. radius from the site
   c) Nature and concentration of likely emissions from the proposed development
   d) Pollution abatement measures proposed

10. Water
   a) Total daily water requirement
   b) Source of water supply with details of competing users
   c) If ground water is used at source, details of quality and quantity available and present extraction
   d) Quantity of waste water expected
   e) Method of treatment and disposal of waste water proposed
   f) Present quality of water in receiving bodies

11. Solid Waste
   a) Nature and quantity of solid waste expected
   b) Nature and quantity of any toxic and hazardous waste
   c) Method of collection, transport and disposal of solid waste proposed

12. Noise and Vibrations
   a) Ambient noise level.
   b) Noise and vibration levels expected during development phase and thereafter.
   c) Source of noise and vibrations.
   d) Noise and vibration abatement measures proposed.

13. Risk and Disaster
   a) Does the development involve any hazardous process?
   b) Does the development involve any storage or transportation to and from the site of any toxic or hazardous material?
   c) Assessment of risk for (a) and (b) above.
   d) Details of Disaster Management Plan.

14. Rehabilitation
   a) Does the proposed development involve rehabilitation of local population?
   b) Details of rehabilitation plan, if any.

Annexure 2

Coastal Zone Regulations
Ministry of Environment & Forests
(Department of Environment, Forests & Wild Life)
(refer Regulation 1.3.6)

notification under section 3(1) and section 3(2)(V) of the environment (protection) act, 1986 and rule 5(3)(D) of environment (protection) rules, 1986, declaring coastal stretches as coastal regulation zone (CRZ) and regulating activities in the CRZ

NOTIFICATION
New Delhi, the 6th January, 2011

S.O.19(E).-WHEREAS a draft notification under sub-section (1) of section and clause (V) of subsection (2) of section 3 of the Environment (Protection) Act, 1986 was issued inviting objections and suggestions for the declaration of coastal stretches as Coastal Regulation Zone and imposing restrictions on industries, operations and processes in the CRZ was published vide S.O.No.2291 (E), dated 15th September, 2010.;

AND WHEREAS, copies of the said Gazette were made available to the public on 15th September, 2010;

AND WHEREAS, the suggestions and objections received from the public have been considered by the Central Government.; Now, therefore, in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government, with a view to ensure livelihood security to the fisher communities and other local communities, living in the coastal areas, to conserve and protect coastal stretches, its unique environment and its marine area and to promote development through sustainable manner based on scientific principles taking into account the dangers of natural hazards in the coastal areas, sea level rise due to global warming, does hereby, declare the coastal stretches of the country and the water area upto its territorial water limit, excluding the islands of Andaman and Nicobar and Lakshadweep and the marine areas surrounding these islands upto its territorial limit, as Coastal Regulation Zone (hereinafter referred to as the CRZ) and restricts the setting up and expansion of any industry, operations or processes and manufacture or handling or storage or disposal of hazardous substances as specified in the Hazardous Substances (Handling, Management and Transboundary Movement) Rules, 2009 in the aforesaid CRZ.; and

In exercise of powers also conferred by clause (d) and sub rule (3) of rule 5 of Environment (Protection) Act, 1986 and in supersession of the notification of the Government of India in the Ministry of Environment and Forests, number S.O.114(E), dated the 19th February, 1991 except as respects things done or omitted to be done before such supercession, the Central Government hereby declares the following areas as CRZ and imposes with effect from the date of the notification the following restrictions on the setting up and expansion of industries, operations or processes and the like in the CRZ,-

(i) The land area from High Tide Line (hereinafter referred to as the HTL) to 500mts on the landward side along the sea front.

(ii) CRZ shall apply to the land area between HTL to 100 mts or width of the creek whichever is less on the landward side along the tidal influenced water bodies that are connected to the sea and the distance upto which development along such tidal influenced water bodies is to be regulated shall be governed by the distance upto which the tidal effects are experienced which shall be determined based on salinity concentration of 5 parts per thousand (ppt) measured during the driest period of the year and distance upto which tidal effects are experienced shall be clearly identified and demarcated accordingly in the Coastal Zone Management Plans (hereinafter referred to as the CZMPs).

Explanation - For the purposes of this sub-paragraph the expression tidal influenced water bodies means the water bodies influenced by tidal effects from sea, in the bays, estuaries, rivers, creeks, backwaters, lagoons, ponds connected to the sea or creeks and the like.

(iii) The land area falling between the hazard line and 500mts from HTL on the landward side, in case of seafront and between the hazard line and 100mts line in case of tidal influenced water body the word 'hazard line' denotes the line demarcated by Ministry of Environment and Forests (hereinafter referred to as the MoEF) through the Survey of India (hereinafter referred to as the SoI) taking into account tides, waves, sea level rise and shoreline changes.

(iv) Land area between HTL and Low Tide Line (hereinafter referred to as the LTL) which will be termed as the intertidal zone.

(v) The water and the bed area between the LTL to the territorial water limit (12 Nm) in case of sea and the water and the bed area between LTL at the bank to the LTL on the opposite side of the bank, of tidal influenced water bodies.

2. For the purposes of this notification, the HTL means the line on the land upto which the highest water line reaches during the spring tide and shall be demarcated uniformly in all partsof the country by the demarcating authority(s) so authorized by the MoEF in accordance with the general guidelines issued at Annexure-I. HTL shall be demarcated within one year from the date of issue of this notification.

3. Prohibited activities within CRZ,- The following are declared as prohibited activities within the CRZ:

(i) Setting up of new industries and expansion of existing industries except,

(a) Those directly related to waterfront or directly needing foreshore facilities;

Explanation: The expression "foreshore facilities" means those activities permissible under this notification and they require waterfront for their operations such as ports and harbours, jetties, quays, wharves, erosion control measures, breakwaters, pipelines, lighthouses, navigational safety facilities, coastal police stations and the like.;

(b) Projects of Department of Atomic Energy;

(c) Facilities for generating power by non-conventional energy sources and setting up of desalination plants in the areas not classified as CRZ-I(i) based on an impact assessment study including social impacts.;

(d) Development of green field Airport already permitted only at Navi Mumbai;

(e) Reconstruction, repair works of dwelling units of local communities including fishers in accordance with local town and country planning regulations.

(ii) Manufacture or handling oil storage or disposal of hazardous substance as specified in the notification of Ministry of Environment and Forests, No. S.O.594 (E), dated the 28th July 1989,

S.O.No.966(E), dated the 27th November, 1989 and GSR 1037 (E), dated the 5th December,1989 except,-

(a) transfer of hazardous substances from ships to ports, terminals and refineries and vice versa;

(b) facilities for receipt and storage of petroleum products and liquefied natural gas as specified in Annexure-II appended to this notification and facilities for regasification of Liquefied Natural Gas (hereinafter referred to as the LNG) in the areas not classified as CRZ- I (i) subject to implementation of safety regulations including guidelines issued by the Oil Industry Safety Directorate in the Ministry of Petroleum and Natural Gas and guidelines issued by MoEF and subject to further terms and conditions for implementation of ameliorative and restorative measures in relation to environment as may be stipulated by in MoEF.

(c) Provided that facilities for receipt and storage of fertilizers and raw materials required for manufacture of fertilizers like ammonia, phosphoric acid, sulphur, sulphuric acid, nitric acid and the like, shall be permitted within the said zone in the areas not classified as CRZ-I (i).

(iii) Setting up and expansion of fish processing units including warehousing except hatchery and natural fish drying in permitted areas:

(iv) Land reclamation, bunding or disturbing the natural course of seawater except those,

(a) required for setting up, construction or modernisation or expansion of foreshore

(b) facilities like ports, harbours, jetties, wharves, quays, slipways, bridges, sealink, road on stilts, and such as meant for defence and security purpose and for other facilities that are essential for activities permissible under the notification;

(c) measures for control of erosion, based on scientific including Environmental Impact Assessment (hereinafter referred to as the EIA) studies

(d) maintenance or clearing of waterways, channels and ports, based on EIA studies;

(e) measures to prevent sand bars, installation of tidal regulators, laying of storm water drains or for structures for prevention of salinity ingress and freshwater recharge based on carried out by any agency to be specified by MoEF.

(v) Setting up and expansion of units or mechanism for disposal of wastes and effluents except facilities required for,

(a) discharging treated effluents into the water course with approval under the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974);

(b) storm water drains and ancillary structures for pumping;

(c) treatment of waste and effluents arising from hotels, beach resorts and human settlements located in CRZ areas other than CRZ-I and disposal of treated wastes and effluents;

(vi) Discharge of untreated waste and effluents from industries, cities or towns and other human settlements. The concerned authorities shall implement schemes for phasing out existing discharge of this nature, if any, within a time period not exceeding two years from the date of issue of this notification.

(vii) Dumping of city or town wastes including construction debris, industrial solid wastes, fly ash for the purpose of land filling and the like and the concerned authority shall implement schemes for phasing out any existing practice, if any, shall be phased out within a period of one year from date of commencement of this notification

Note:-The MoEF will issue a separate instruction to the State Governments and Union territory Administration in respect of preparation of Action Plans and their implementation as also monitoring including the time schedule thereof, in respect of paras (v), (vi) and (vii).

(viii) Port and harbour projects in high eroding stretches of the coast, except those projects classified as strategic and defence related in terms of EIA notification, 2006 identified by MoEF based on

scientific studies and in consultation with the State Government or the Union territory Administration.

(ix) Reclamation for commercial purposes such as shopping and housing complexes, hotels and entertainment activities.

(x) Mining of sand, rocks and other sub-strata materials except,-
  (a) Those rare minerals not available outside the CRZ area,
  (b) Exploration and exploitation of Oil and Natural Gas.

(xi) Drawl of groundwater and construction related thereto, within 200mts of HTL; except the following:-
  (a) In the areas which are inhabited by the local communities and only for their use.
  (b) In the area between 200mts-500mts zone the drawl of groundwater shall be permitted only when done manually through ordinary wells for drinking, horticulture, agriculture and fisheries and where no other source of water is available.

  Note:-Restrictions for such drawl may be imposed by the Authority designated by the State Government and Union territory Administration in the areas affected by sea water intrusion.

(xii) Construction activities in CRZ-I except those specified in para 8 of this notification.

(xiii) Dressing or altering the sand dunes, hills, natural features including landscape changes for beautification, recreation and other such purpose.

(xiv) Facilities required for patrolling and vigilance activities of marine/coastal police stations.

4. Regulation of permissible activities in CRZ area.- The following activities shall be regulated except those prohibited in para 3 above,

(i) (a) Clearance shall be given for any activity within the CRZ only if it requires waterfront and foreshore facilities:
  (b) For those projects which are listed under this notification and also attract EIA notification, 2006 (S.O.1533 (E), dated the 14th September, 2006), for such projects clearance under EIA notification only shall be required subject to being recommended by the concerned State or Union territory Coastal Zone Management Authority (hereinafter referred to as the CZMA).
  (c) Housing schemes in CRZ as specified in paragraph 8 of this notification;
  (d) Construction involving more than 20,000 sq.m. built-up area in CRZ-II shall be considered in accordance with EIA notification, 2006 and in case of projects less than 20,000 sq.m. built-up area shall be approved by the concerned State or Union territory Planning authorities in accordance with this notification after obtaining recommendations from the concerned CZMA and prior recommendations of the concern CZMA shall be essential for considering the grant of environmental clearance under EIA notification, 2006 or grant of approval by the relevant planning authority.
  (e) MoEF may under a specific or general order specify projects which require prior public hearing of project affected people.
  (f) Construction and operation for ports and harbours, jetties, wharves, quays, slipways, ship construction yards, breakwaters, groynes, erosion control measures;

(ii) The following activities shall require clearance from MoEF, namely:-
  (a) Those activities not listed in the EIA notification, 2006.

(b) Construction activities relating to projects of Department of Atomic Energy or Defence requirements for which foreshore facilities are essential such as, slipways, jetties, wharves, quays; except for classified operational component of defence projects. Residential buildings, office buildings, hospital complexes, workshops of strategic and defence projects in terms of EIA notification, 2006.;
(c) Construction, operation of lighthouses;
(d) Laying of pipelines, conveying systems, transmission line;
(e) Exploration and extraction of oil and natural gas and all associated activities and facilities thereto;
(f) Foreshore requiring facilities for transport of raw materials, facilities for intake of cooling water and outfall for discharge of treated wastewater or cooling water from thermal power plants. MoEF may specify for category of projects such as at (f), (g) and (h) of para 4;
(g) Mining of rare minerals as listed by the Department of Atomic Energy;
(h) Facilities for generating power by non-conventional energy resources, desalination plants and weather radars;
(i) Demolition and reconstruction of (a) buildings of archaeological and historical importance, (ii) heritage buildings; and buildings under public use which means buildings such as for the purposes of worship, education, medical care and cultural activities;

4.2 Procedure for clearance of permissible activities.- All projects attracting this notification shall be considered for CRZ clearance as per the following procedure, namely:

(i) The project proponents shall apply with the following documents seeking prior clearance under CRZ notification to the concerned State or the Union territory Coastal Zone Management Authority,-
  (a) Form-1 (Annexure-IV of the notification);
  (b) Rapid EIA Report including marine and terrestrial component except for construction projects listed under 4(c) and (d)
  (c) Comprehensive EIA with cumulative studies for projects in the stretches classified as low and medium eroding by MoEF based on scientific studies and in consultation with the State Governments and Union territory Administration;
  (d) Disaster Management Report, Risk Assessment Report and Management Plan;
  (e) CRZ map indicating HTL and LTL demarcated by o n e o f t h e authorized agency (as indicated in para 2) i n 1:4000 scale;
  (f) Project layout superimposed on the above map indicated at (e) above;
  (g) The CRZ map normally covering 7km radius around the project site.
  (h) The CRZ map indicating the CRZ-I, II, III and IV areas including other notified ecologically sensitive areas;
  (i) No Objection Certificate from the concerned State Pollution Control Boards or Union territory Pollution Control Committees for the projects involving discharge of effluents, solid wastes, sewage and the like.

(ii) The concerned CZMA shall examine the above documents in accordance with the approved CZMP and in compliance with CRZ notification and make recommendations within a period of sixty days from date of receipt of complete application,
  (a) MoEF or State Environmental Impact Assessment Authority (hereinafter referred to as the SEIAA) as the case may be for the project attracting EIA notification, 2006;
  (b) MoEF for the projects not covered in the EIA notification, 2006 but attracting para 4(ii) of the CRZ notification;

(iii) MoEF or S E I A A shall consider such projects for clearance based on the recommendations of the concerned CZMA within a period of sixty days.

(iv) The clearance accorded to the projects under the CRZ notification shall be valid for the period of five years from the date of issue of the clearance for commencement of construction and operation.

(v) For Post clearance monitoring –

(a) It shall be mandatory for the project proponent to submit half-yearly compliance reports in respect of the stipulated terms and conditions of the environmental clearance in hard and soft copies to the regulatory authority(s) concerned, on 1st June and 31st December of each calendar year and all such compliance reports submitted by the project p r o p o n e n t shall be published in public domain and its copies shall be given to any person on application to the concerned CZMA.

(b) The compliance report shall also be displayed on the website of the concerned regulatory authority.

(vi) To maintain transparency in the working of the CZMAs it shall be the responsibility of the CZMA to create a dedicated website and post the agenda, minutes, decisions taken, clearance letters, violations, action taken on the violations and court matters including the Orders of the Hon'ble Court as also the approved CZMPs of the respective State Government or Union territory.

5. Preparation of Coastal Zone Management Plans.

(i) The MoEF may obtain the CZMPs prepared through the respective State Government or Union territory;

(ii) The CZMPs may be prepared by the coastal State Government or Union territory by engaging reputed and experienced scientific institution(s) or the agencies including the National Centre for Sustainable Coastal Management (hereinafter referred to as the NCSCM) of MoEF and in consultation with the concerned stakeholders;

(iii) The hazard line shall be mapped by MoEF through SoI all along the coastline of the country and the hazard line shall be demarcated taking into account, tide, waves, sea level rise and shoreline changes;

(iv) For the purpose of depicting the flooding due to tides, waves and sea level rise in the next fifty and hundred years, the contour mapping of the coastline shall be carried out at 0.5m interval normally upto 7km from HTL on the landward side, and the shoreline changes shall be demarcated based on historical data by comparing the previous satellite imageries with the recent satellite imageries;

(v) Mapping of the hazard line shall be carried out in 1:25,000 scale for macro level planning and 1:10,000 scale or cadastral scale for micro level mapping and the hazard line shall be taken into consideration while preparing the land use plan of the coastal areas;

(vi) The coastal States and Union Territory will prepare within a period of twenty four months from the date of issue this notification, draft CZMPs in 1:25,000 scale map identifying and classifying the CRZ areas within the respective territories in accordance with the guidelines given in Annexure-I of the notification, which involve public consultation;

(vii) The draft CZMPs shall be submitted by the State Government or Union territory to the concerned CZMA for appraisal, including appropriate consultations, and recommendations in accordance with the procedure(s) laid down in the Environment (Protection) Act, 1986;

(viii) The State Government or Union territory CZMA shall submit the draft CZMPs to MoEF alongwith its recommendations on the CZMP within a period of six months after incorporating the suggestions and objections received from the stakeholders;

(ix) MoEF shall thereafter consider and approve the CZMPs within a period of four months from the date of receipt of the CZMPs complete in all respects;

(x) All developmental activities listed in this notification shall be regulated by the State Government, Union Territory Administration, the local authority or the concerned CZMA within the framework of such approved CZMPs as the case may be in accordance with provisions of this notification;

(xi) The CZMPs shall not normally be revised before a period of five years after which, the revision of the maps following the above procedures;

(xii) The CZMPs already approved under CRZ notification, 1991 shall be valid for a period of twenty four months unless the aforesaid period is extended by MoEF by a specific notification subject to such terms and conditions as may be specified therein.

6. Enforcement of the CRZ, notification, 2011-

(a) For the purpose of implementation and enforcement of the provisions this notification and compliance with conditions stipulated thereunder, the powers either original or delegated are available under Environment (Protection) Act, 1986 with the MoEF, State Government or the Union territory Administration NCZMA and SCZMAs;

(b) The composition, tenure and mandate of NCZMA and State Government or the Union territory CZMAs have already been notified by MoEF in terms of Orders of Hon'bleSupreme Court in Writ Petition 664 of 1993;

(c) The State Government or the Union territory CZMAs shall primarily be responsible for enforcing and monitoring of this notification and to assist in this task, the State Government and the Union territory shall constitute district level Committees under the Chairmanship of the District Magistrate concerned containing atleast three representatives of local traditional coastal communities including from fisherfolk;

(d) The dwelling units of the traditional coastal communities including fisherfolk, tribals as were permissible under the provisions of the CRZ notification, 1991, but which have not obtained formal approval from concerned authorities under the aforesaid notification shall be considered by the respective Union territory CZMAs and the dwelling units shall be regularized subject to the following condition, namely-

(i) These are not used for any commercial activity

(ii) These are not sold or transferred to non-traditional coastal community.

7. Classification of the CRZ – For the purpose of conserving and protecting the coastal areas and marine waters, the CRZ area shall be classified as follows, namely:

(i) CRZ-I:

A. The areas that are ecologically sensitive and the geomorphological features which play a role in the maintaining the integrity of the coast,

(a) Mangroves, in case mangrove area is more than 1000 sq.m., a buffer of 50 meters along the mangroves shall be provided;

(b) Corals and coral reefs and associated biodiversity;

(c) Sand Dunes;

(d) Mudflats which are biologically active;

(e) National parks, marine parks, sanctuaries, reserve forests, wildlife habitats and other protected areas under the provisions of Wild Life (Protection) Act, 1972 (53 of 1972), the

Forest (Conservation) Act, 1980 (69 of 1980) or Environment (Protection) Act, 1986 (29 of 1986); including Biosphere Reserves;

(f) Salt Marshes;
(g) Turtle nesting grounds;
(h) Horse shoe crabs habitats;
(i) Sea grass beds;
(j) Nesting grounds of birds;
(k) Areas or structures of archaeological importance and heritage sites.

B. The area between Low Tide Line and High Tide Line;

(ii) CRZ-II:

The areas that have been developed upto or close to the shoreline.
Explanation.- For the purposes of the expression "developed area" is referred to as that area within the existing municipal limits or in other existing legally designated urban areas which are substantially built-up and has been provided with drainage and approach roads and other infrastructural facilities, such as water supply and sewerage mains.

(iii) CRZ-III:

Areas that are relatively undisturbed and those do not belong to either CRZ-I or II which include coastal zone in the rural areas (developed and undeveloped) and also areas within municipal limits or in other legally designated urban areas, which are not substantially built.

(iv) CRZ-IV:

A. The water area from the Low Tide Line to twelve nautical miles on the seaward side;
B. Shall include the water area of the tidal influenced water body from the mouth of the water body at the sea upto the influence of tide which is measured as five parts per thousand during the driest season of the year.

(v) Areas requiring special consideration for the purpose of protecting the critical coastal environment and difficulties faced by local communities,

A.(i) CRZ area falling within municipal limits of Greater Mumbai;

(ii) The CRZ areas of Kerala including the backwaters and backwater islands;
(iii) CRZ areas of Goa.

B. Critically Vulnerable Coastal Areas (CVCA) such as Sunderbans region of West Bengal and other ecologically sensitive areas identified as under Environment (Protection) Act, 1986 and managed with the involvement of coastal communities including fisherfolk.

8. Norms for regulation of activities permissible under this notification,

(i) The development or construction activities in different categories of CRZ shall be regulated by the concerned CZMA in accordance with the following norms, namely:

Note:- The word existing use hereinafter in relation to existence of various features or existence of regularisation or norms shall mean existence of these features or regularisation or norms as on 19.2.1991 wherein CRZ notification, was notified.

I. CRZ-I,

(i) No new construction shall be permitted in CRZ-I except,-

(a) Projects relating to Department of Atomic Energy;
(b) Pipelines, conveying systems including transmission lines;
(c) Facilities that are essential for activities permissible under CRZ-I;
(d) Installation of weather radar for monitoring of cyclones movement and prediction by Indian Meteorological Department;
(e) Construction of trans harbour sea link and without affecting the tidal flow of water, between LTL and HTL.
(f) Development of green field airport already approved at only Navi Mumbai;

(ii) Areas between LTL and HTL which are not ecologically sensitive, necessary safety measures will be incorporated while permitting the following, namely:

(a) Exploration and extraction of natural gas;
(b) Construction of dispensaries, schools, public rain shelter, community toilets, bridges, roads, jetties, water supply, drainage, sewerage which are required for traditional inhabitants living within the biosphere reserves after obtaining approval from concerned CZMA.
(c) Necessary safety measure shall be incorporated while permitting such developmental activities in the area falling in the hazard zone;
(d) Salt harvesting by solar evaporation of seawater;
(e) Desalination plants;
(f) Storage of non-hazardous cargo such as edible oil, fertilizers and food grain within notified ports;
(g) Construction of trans harbour sea links, roads on stilts or pillars without affecting the tidal flow of water.

II. CRZ-II,

(i) Buildings shall be permitted only on the landward side of the existing road, or on the landward side of existing authorized structures;
(ii) Buildings permitted on the landward side of the existing and proposed roads or existing authorized structures shall be subject to the existing local town and country planning regulations including the 'existing' norms of floor space index or floor area ratio: provided that no permission for construction of buildings shall be given on landward side of any new roads which are constructed on the seaward side of an existing road:
(iii) Reconstruction of authorized building to be permitted subject with the existing floor space index or floor area ratio norms and without change in present use;
(iv) Facilities for receipt and storage of petroleum products and liquefied natural gas as specified in annexure-ii appended to this notification and facilities for regasification of liquefied natural gas subject to the conditions as mentioned in sub-paragraph (ii) of paragraph 3;
(v) Desalination plants and associated facilities;
(vi) Storage of non-hazardous cargo, such as edible oil, fertilizers and food grain in notified ports;

(vii) Facilities for generating power by non-conventional power sources and associated facilities;

III. CRZ-III,

A. Area upto 200mts from HTL on the landward side in case of seafront and 100mts along tidal influenced water bodies or width of the creek whichever is less is to be earmarked as "No Development Zone (NDZ)",

(i) The NDZ shall not be applicable in such area falling within any notified port limits;

(ii) No construction shall be permitted within NDZ except for repairs or reconstruction of existing authorized structure not exceeding existing Floor Space Index, existing plinth area and existing density and for permissible activities under the notification including facilities essential for activities; Construction/reconstruction of dwelling units of traditional coastal communities including fisherfolk may be permitted between 100 and 200 metres from the HTL along the seafront in accordance with a comprehensive plan prepared by the State Government or the Union territory in consultation with the traditional coastal communities including fisherfolk and incorporating the necessary disaster management provision, sanitation and recommended by the concerned State or the Union territory CZMA to NCZMA for approval by MoEF;

(iii) However, the following activities may be permitted in NDZ –

(a) Agriculture, horticulture, gardens, pasture, parks, play field, and forestry;
(b) Projects relating to department of atomic energy;
(c) Mining of rare minerals;
(d) Salt manufacture from seawater;
(e) Facilities for receipt and storage of petroleum products and liquefied natural gas as specified in annexure-ii;
(f) Facilities for re-gasification of liquefied natural gas subject to conditions as mentioned in subparagraph (ii) of paragraph 3;
(g) Facilities for generating power by non-conventional energy sources;
(h) Foreshore facilities for desalination plants and associated facilities;
(i) Weather radars;
(j) Construction of dispensaries, schools, public rain shelter, community toilets, bridges, roads, provision of facilities for water supply, drainage, sewerage, crematoria, cemeteries and electric sub-station which are required for the local inhabitants may be permitted on a case to case basis by CZMA;
(k) Construction of units or auxiliary thereto for domestic sewage, treatment and disposal with the prior approval of the concerned pollution control board or committee;
(l) Facilities required for local fishing communities such as fish drying yards, auction halls, net mending yards, traditional boat building yards, ice plant, ice crushing units, fish curing facilities and the like;
(m) Development of green field airport already permitted only at Navi Mumbai.

B. Area between 200mts to 500mts,

The following activities shall be permissible in the above areas;

(i) Development of vacant plot in designated areas for construction of hotels or beach resorts for tourists or visitors subject to the conditions as specified in the guidelines at Annexure-III ;

(ii) Facilities for receipt and storage of petroleum products and liquefied natural gas as specified in Annexure-II;

(iii) Facilities for re-gasification of liquefied natural gas subject to conditions as mentioned in sub-paragraph (ii) of paragraph 3;
(iv) Storage of non-hazardous cargo such as, edible oil, fertilizers, food grain in
(v) Notified ports;
(vi) Foreshore facilities for desalination plants and associated facilities;
(vii) Facilities for generating power by non-conventional energy sources;
(viii) Construction or reconstruction of dwelling units so long it is within the ambit of traditional rights and customary uses such as existing fishing villages and goathans. Building permission for such construction or reconstruction will be subject to local town and country planning rules with overall height of construction not exceeding 9mts with two floors (ground + one floor);
(ix) Construction of public rain shelters, community toilets, water supply drainage, sewerage, roads and bridges by CZMA who m a y also permit construction of schools and dispensaries for local inhabitants of the area for those panchayats, the major part of which falls within CRZ if no other area is available for construction of such facilities;
(x) Reconstruction or alteration of existing authorized building subject to sub-paragraph (vii), (viii);
(xi) Development of green field airport already permitted only at Navi Mumbai.

IV. In CRZ-IV areas,-

The activities impugning on the sea and tidal influenced water bodies will be regulated except for traditional fishing and related activities undertaken by local communities as follows:-

(a) No untreated sewage, effluents, ballast water, ship washes, fly ash or solid waste from all activities including from aquaculture operations shall be let off or dumped. A comprehensive plan for treatment of sewage generating from the coastal towns and cities shall be formulated within a period of one year in consultation with stakeholders including traditional coastal communities, traditional fisherfolk and implemented;
(b) Pollution from oil and gas exploration and drilling, mining, boat house and shipping;
(c) There shall be no restriction on the traditional fishing and allied activities undertaken by local communities.

V. Areas requiring special consideration -

1. CRZ areas falling within municipal limits of the Greater Mumbai.

(i) Developmental activities in the CRZ area of the Greater Mumbai because of the environmental issues, relating to degradation of mangroves, pollution of creeks and coastal waters, due to discharge of untreated effluents and disposal of solid waste, the need to provide decent housing to the poor section of society and lack of suitable alternatives in the inter connected islands of Greater Mumbai shall be regulated as follows, namely:

A. Construction of roads - In CRZ-I areas indicated at sub-paragraph (i) of paragraph 7 of the notification the following activities only can be taken up:
(a) Construction of roads, approach roads and missing link roads approved in the Developmental Plan of Greater Mumbai on stilts ensuring that the free flow of tidal water is not affected, without any benefit of CRZ-II accruing on the landward side of such constructed roads or approach roads subject to the following conditions:-

(i) All mangrove areas shall be mapped and notified as protected forest and necessary protection and conservation measures for the identified mangrove areas shall be initiated.

(ii) Five times the number of mangroves destroyed/cut during the construction process shall be replanted.

B. Solid waste disposal sites shall be identified outside the CRZ area and thereafter within two years the existing conventional solid waste sites shall be relocated outside the CRZ area.

(ii) In CRZ-II areas

(a) The development or redevelopment shall continue to be undertaken in accordance with the norms laid down in the Town and Country Planning Regulations as they existed on the date of issue of the notification dated the 19th February, 1991, unless specified otherwise in this notification.

(b) SLUM REHABITATION SCHEMES,-

1. In the Greater Mumbai area there are large slum clusters with lakhs of families residing therein and the living conditions in these slums are deplorable and the civic agencies are not able to provide basic infrastructure such as drinking water, electricity, roads, drainage and the like because the slums come up in an unplanned and congested manner and the slums in the coastal area are at great risk in the event of cyclones, storm surges or tsunamis, in view of the difficulties in providing rescue, relief and evacuation.
2. To provide a safe and decent dwelling to the slum dwellers, the State Government may implement slum redevelopment schemes as identified as on the date of issue of this notification directly or through its parastatal agencies like Maharashtra Housing and Area Development Authority (MHADA), Shivshahi Punarvasan Prakalp Limited (SPPL), Mumbai Metropolitan Region Development Authority (MMRDA) and the like.:

   Provided that,

   (i) Such redevelopment schemes shall be undertaken directly or through joint ventures or through public private partnerships or other similar models ensuring that the stake of the State Government or its parastatal entities shall be not less than 51%;

   (ii) The Floor Space Index or Floor Area Ratio for such redevelopment schemes shall be in accordance with the Town and Country Planning Regulations prevailing as on the date on which the project is granted approval by the competent authority;

   (iii) It shall be the duty of the project proponent undertaking the redevelopment through conditions (i) (2) above along with the State Government to ensure that all legally regularized tenants are provided houses in situ or as per norms laid down by the State Government in this regard.

(c) REDEVELOPMENT OF DILAPIDATED, CESSED AND UNSAFE BUILDINGS:

1. In the Greater Mumbai, there are, also a large number of old and dilapidated, cessed and unsafe buildings in the CRZ areas and due to their age these structures are extremely vulnerable and disaster prone and therefore there is an urgent need for the redevelopment or reconstruction of these identified buildings.
2. These projects shall be taken up subject to the following conditions and safeguards:

   (i) Such redevelopment or reconstruction projects as identified on the date of issue of this notification shall be allowed to be taken up involving the owners of these buildings either above or with private developers in accordance with the prevailing Regulation, directly or through joint ventures or through other similar models.

(ii) The Floor Space Index or Floor Area Ratio for such redevelopment schemes shall be in accordance with the Town and Country Planning Regulations prevailing as on the date on which the project is granted approval by the competent authority

(iii) Suitable accommodation to the original tenants of the specified buildings shall be ensured during the course of redevelopment or reconstruction of the buildings by the project proponents, undertaking the redevelopment through condition 2(i) above.

(d) Notwithstanding anything contained in this notification, the developmental activities for slums and for dilapidated, cessed and unsafe buildings as specified at paras (b) and (c) above shall be carried out in an accountable and transparent manner by the project proponents mentioned therein which shall include the following pre-condition measures, wherever applicable:-

1.(i) applicability of the Right to Information Act, 2005 to all redevelopment or reconstruction projects granted clearance by the Competent Authorities;

(ii) MoEF shall issue an order constituting the CPIO and the first Appellate Authority of appropriate ranks in consultation with Government of Maharashtra;

(iii) details of the Slum Rehabilitation Scheme, including the complete proposal and the names of the eligible slum dwellers will be declared suo-moto as a requirement of Section 4 of compliance of the Right to Information Act, 2005 by the appropriate authority in the Government of Maharashtra in one month before approving it;

(iv) the implementing or executing agency at the State Government with regard to projects indicated at sub-item (b) and (c) of item (iii) of sub-paragraph V shall display on a large notice boards at the site and at the office of the implementing or executing agency the names of the eligible builders, total number of tenements being made, names of eligible slum dwellers who are to be provided the dwelling units and the extra area available for free sale.

(v) Projects being developed under sub-items (b) and (c) of item (iii) of sub-paragraph V shall be given permission only if the project proponent agree to be covered under the Right to Information Act, 2005.

2. MoEF may appoint statutory auditors, who are empanelled by the Comptroller and auditor General (hereinafter referred to as the C&AG) to undertake performance and fiscal audit in respect of the projects relating to redevelopment of dilapidated, cessed and unsafe buildings and the projects relating to Slum Rehabilitation Scheme shall be audited by C&AG.

3. A High Level Oversight Committee may be set up by the Government of Maharashtra for periodic review of implementation of V(iii)(b) and (c) which shall include eminent representatives of various Stakeholders, like Architects, Urban Planner, Engineers, and Civil Society, besides the local urban bodies, the State Government and the Central Government.

4. The individual projects under V(iii)(b) and (c) shall be undertaken only after public consultation in which views of only the legally entitled slum dweller or the legally entitled tenent of the dilapidated or cessed buildings shall be obtained in accordance with the procedures laid down in EIA notification, 2006.

(e) In order to protect and preserve the 'green lung' of the Greater Mumbai area, all open spaces, parks, gardens, playgrounds indicated in development plans within CRZ-II shall be categorized as CRZ-III, that is, 'no development zone'.

(f) The Floor Space Index upto 15% shall be allowed only for construction of civic amenities, stadium and gymnasium meant for recreational or sports related activities and the residential or commercial use of such open spaces shall not be permissible.

(g) Koliwada namely, fishing settlement areas as identified in the Development Plan of 1981 or relevant records of the Government of Maharashtra, shall be mapped and declared as CRZ-III so that any development, including construction and reconstruction of dwelling units within these settlements shall be undertaken in accordance with applicable as per local Town and Country Planning Regulations.

(h) Reconstruction and repair works of the dwelling units, belonging to fisher communities and other local communities identified by the State Government, shall be considered and granted permission by the Competent Authorities on a priority basis, in accordance with the applicable Town and Country Planning Regulations.

2. CRZ for Kerala

In view of the unique coastal systems of backwater and backwater islands alongwith space limitation present in the coastal stretches of the State of Kerala, the following activities in CRZ shall be regulated as follows, namely:-

(i) All the islands in the backwaters of Kerala shall be covered under the CRZ notification;

(ii) The islands within the backwaters shall have 50mts width from the High Tide Line on the landward side as the CRZ area;

(iii) Within 50mts from the HTL of these backwater islands existing dwelling units of local communities may be repaired or reconstructed however no new construction shall be permitted;

(iv) Beyond 50mts from the HTL on the landward side of backwater islands, dwelling units of local communities may be constructed with the prior permission of the Gram panchayat;

(v) Foreshore facilities such as fishing jetty, fish drying yards, net mending yard, fishing processing by traditional methods, boat building yards, ice plant, boat repairs and the like, may be taken up within 50mts width from HTL of these backwater islands.

3. CRZ of Goa.

In view of the peculiar circumstances of the State Goa including past history and other developments, the specific activities shall be regulated and various measures shall be undertaken as follows:-

(i) The Government of Goa shall notify the fishing villages wherein all foreshore facilities required for fishing and fishery allied activities such as traditional fish processing yards, boat building or repair yards, net mending yards, ice plants, ice storage, auction hall, jetties may be permitted by Grama Panchayat in the CRZ area;

(ii) Reconstruction, repair works of the structures of local communities including fishermen community shall be permissible in CRZ;

(iii) Purely temporary and seasonal structures customarily put up between the months of September to May;

(iv) The eco sensitive low lying areas which are influenced by tidal action known as khazan lands shall be mapped;

(v) The mangroves along such as khazan land shall be protected and a management plan for the khazan land prepared and no developmental activities shall be permitted in the khazan land;

(vi) Sand dunes, beach stretches along the bays and creeks shall be surveyed and mapped. No activity shall be permitted on such sand dune areas;

(vii) The beaches such as Mandrem, Morjim, Galgiba and Agonda has been designated as turtle nesting sites and protected under the Wildlife Protection Act, 1972 and these areas shall be surveyed and management plan prepared for protection of these turtle nesting sites;

(viii) No developmental activities shall be permitted in the turtle breeding areas referred to in sub-paragraph (vii).

4. (a) Critical Vulnerable Coastal Areas (CVCA) which includes Sunderbans and other identified ecological sensitive areas which shall be managed with the involvement of the local coastal communities including the fisher folk;-

(b) The entire Sunderbans mangrove area and other identified ecologically important areas such as Gulf of Khambat and Gulf of Kutchchh in Gujarat, Malvan, Achra-Ratnagiri in Maharashtra, Karwar and Coondapur in Karnataka, Vembanad in Kerala, Gulf of Mannar in Tamil Nadu, Bhaitarkanika in Orissa, Coringa, East Godavari and Krishna in Andhra Pradesh shall be declared as Critical Vulnerable Coastal Areas (CVCA) through a process of consultation with local fisher and other communities inhabiting the area and depend on its resources for their livelihood with the objective of promoting conservation and sustainable use of coastal resources and habitats;

(c) The process of identifying planning, notifying and implementing CVCA shall be detailed in the guideline which will be developed and notified by moef in consultations with the stakeholders like the State Government, local coastal communities and fisherfolk and the like inhabiting the area;

(d) The Integrated Management Plans (imps) prepared for such CVCA shall interalia keep in view the conservation and management of mangroves, needs of local communities such as, dispensaries, schools, public rain shelter, community toilets, bridges, roads, jetties, water supply, drainage, sewerage and the impact of sea level rise and other natural disasters and the imps will be prepared in line with the para 5 above for preparation of Coastal Zone Management Plans;

(e) Till such time the imps are approved and notified, construction of dispensaries, schools, public rain shelters, community toilets, bridges, roads, jetties, water supply, drainage, sewerage which are required for traditional inhabitants shall be permitted on a case to case basis, by the CZMA with due regards to the views of coastal communities including fisherfolk.

[F.No.11-83/2005-IA-III]
J. M. MAUSKAR, Addl. Secy.

Annexure I

GUIDELINES FOR PREPARATION OF COASTAL ZONE MANAGEMENT PLANS

I. A. Demarcation of High Tide Line

1. Demarcation of High Tide Line (HTL) and Low Tide Line (LTL) shall be carried out by one of the agencies authorised by MoEF based on the recommendations of the National Centre for Sustainable Coastal Management (NCSCM).
2. Demarcation of the High Tide Line or LTL shall be made on the Coastal Zone Management (CZM) Maps of scale 1:25,000 prepared by the agencies identified by the MoEF.
3. Local level CZM Maps shall be prepared for use of officials of local bodies for determination of the CRZ.

4. The local level CZM Maps shall be prepared on a Cadastral scale in accordance with the CZM Maps approved by the Central Government.

B. Preparation of CZM Maps

5. Base Maps of 1:25,000 scale shall be acquired from the Survey of India (SOI) and wherever 1:25,000 maps are not available, 1:50,000 maps shall be enlarged to 1:25,000 for the purpose of base map preparation and these maps will be of the standard specification given below:

Unit	:	7.5 minutes X 7.5minutes
Numbering	:	Survey of India Sheet Numbering System
Horizontal Datum	:	Everest or WGS 84
Vertical Datum	:	Mean Sea Level (MSL)
Topography	:	Topography in the SOI maps will be updated using latest satellite imageries or aerial photographs

6. The High Water Level (HWL) and Low Water Level (LWL) marked on the Base maps will be transferred to the CZM maps.
7. Coastal geomorphological signatures in the field or satellite imageries or aerial photographs will be used for appropriate adjustment, in the HWL or LWL for demarcating HTL or LTL in accordance with the CRZ notification.
8. The following geomorphological features shall be considered while demarcating in HTL or LTL: Landward (monsoonal) berm crest in the case of sandy beaches Rocks, Headlands, Cliffs Seawalls or revetments or embankments
9. 500 meter and 200 metre lines will be demarcated with respect of HTL.
10. HTL (as defined in the CRZ notification) and LTL shall also be demarcated in the CZM maps along the banks of tidal influenced inland water bodies with the help of the geomorphological signatures or features.
11. Classification of different coastal zones shall be done as per the CRZ notification
12. Standard national or international colour codes shall be used to highlight sub-classification of data.

C. Local level CZM Maps

Local level CZM Maps are for the use of local bodies and other agencies to facilitate implementation of the Coastal Zone Management Plans

13. Cadastral (village) maps in 1:3960 or the nearest scale, shall be used as the base maps.
14. These maps are available with revenue Authorities and are prepared as per standard norms.
15. HTL (as defined in the CRZ notification) and LTL will be demarcated in the cadastral map based on detailed physical verification using coastal geomorphological signatures or features in accordance with the CZM Maps approved by the Central Government.
16. 500metre and 200metre lines shall be demarcated with respect to the HTL thus marked.
17. HTL (as defined in the CRZ notification, 1991) and LTL will also be demarcated along the banks of tidal influenced inland water bodies with the help of geomorphological signatures or features.
18. Classifications shall be transferred into local level CZM maps from the CZM Plans.
19. Symbols will be adopted from CZM Maps.
20. Colour codes as given in CZM Maps shall be used.

21. Demarcation of cadastral maps will be done by local agencies approved by the Central Government. The local agencies shall work under the guidance of the concerned State Government or Union Territory Coastal Zone Management Authorities.

D. Hazard mapping

II. Classification of CRZ areas

1. The CZM Maps shall be prepared in accordance with para 5 of the CRZ notification demarcating CRZ I, II, III, IV and V.
2. The CZM Maps shall clearly demarcate the land use plan of the area and lists out the CRZ-I areas. All the CRZ-I areas listed under para 7(I)A and B shall be clearly demarcated and colour codes given so that each of the CRZ-I areas can be clearly identified.
3. Buffer zone along mangrove areas of more than 1000 sq.m. shall be stipulated with a different colour distinguishing from the mangrove area.
4. The buffer zone shall also be classified as CRZ-I area.
5. The hazard line to be drawn up by MoEF shall be superimposed on the CZM maps in 1:25,000 scale and also on the cadastral scale maps.
6. The CRZ-II areas shall be those areas which have been substantially built-up with a ratio of built-up plots to that of total plots is more than 50%.
7. In the CRZ areas, the fishing villages, common properties of the fishermen communities, fishing jetties, ice plants, fish drying platforms or areas infrastructure facilities of fishing and local communities such as dispensaries, roads, schools, and the like, shall be indicated on the cadastral scale maps. States shall prepare detailed plans for long term housing needs of coastal fisher communities in view of expansion and other needs, provisions of basic services including sanitation, safety, and disaster preparedness.
8. No developmental activities other than those listed above shall be permitted in the areas between the hazard line and 500mts or 100mts or width of the creek on the landward side. The dwelling unit of the local communities including that of the fishers will not be relocated if the dwelling units are located on the seaward side of the hazard line. The State Government will provide necessary safeguards from natural disaster to such dwelling units of local communities.
9. The water areas of CRZ IV shall be demarcated and clearly demarcated if the water body is sea, lagoon, backwater, creek, bay, estuary and for such classification of the water bodies the terminology used by Naval Hydrographic Office shall be relied upon.
10. The fishing Zones in the water bodies and the fish breeding areas shall be clearly marked.
11. The water area shall be demarcated indicating the pollution levels as per Central Pollution Control Board standards on water quality.
12. In the CRZ V areas the land use maps shall be superimposed on the Coastal Zone Management Plan and clearly demarcating the CRZ I, II, III, IV.
13. The existing authorized developments on the sea ward side shall be clearly demarcated
14. The features like cyclone shelters, rain shelters, helipads and other infrastructure including road network may be clearly indicated on the CZM Maps for the purpose of rescue and relief operations during cyclones, storms, tsunami and the like.

III. CZMPs approved by MoEF in accordance with CRZ notification, 1991

1. While preparing the CZMPs under CRZ notification, 2011, the CZMPs that have been approved under the CRZ Notification, 1991 shall be compared. A justification shall be

provided by the concerned CZMA in case the CZMPs prepared under CRZ notification, 2011 varies with respect to the approved CZMP prepared under CRZ notification, 1991.

IV. Public Views on the CZMP.

a) The draft CZMPs prepared shall be given wide publicity and suggestions and objections received in accordance with the Environment (Protection) Act, 1986. Public hearing on the draft CZMPs shall be held at district level by the concerned CZMAs.
b) Based on the suggestions and objections received the CZMPs shall be revised and approval of MoEF shall be obtained.
c) The approved CZMP shall be put up on the website of MoEF, concerned website of the State, Union Territory CZMA and hard copy made available in the panchayat office, District collector office and the like.

V. Revision of Coastal Zone Management Plans

1. Whenever there is a doubt the concerned State or Union territory Coastal Zone Management Authority shall refer the matter to the National Centre for Sustainable Coastal Management who shall verify the CZMP based on latest satellite imagery and ground truthing.
2. The rectified map would be submitted to MoEF for its record.

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Annexure-II

List of petroleum and chemical products permitted for storage in [CRZ except CRZ-I(A)]

(i) Crude oil;
(ii) Liquefied Petroleum Gas;
(iii) Motor spirit;
(iv) Kerosene;
(v) Aviation fuel;
(vi) High speed diesel;
(vii) Lubricating oil;
(viii) Butane;
(ix) Propane;
(x) Compressed Natural Gas;
(xi) Naphtha;
(xii) Furnace oil;
(xiii) Low Sulphur Heavy Stock;
(xiv) Liquefied Natural Gas;
(xv) Fertilizers and raw materials for manufacture of fertilizers.

Annexure-III

Guidelines for development of beach resorts or hotels in the designated areas of CRZ-III and CRZ-II for occupation of tourist or visitors with prior approval of the Ministry of Environment and Forests

I. Construction of beach resorts or hotels with prior approval of MoEF in designated areas of CRZ-II and III for occupation of tourist or visitors shall be subject to the following conditions, namely:-

a) The project proponent shall not undertake any construction within 200 meters in the landward side of High Tide Line and within the area between Low Tide Line and High Tide Line;
b) The proposed constructions shall be beyond the hazard line or 200mts from the High Tide Line whichever is more;
c) Live fencing and barbed wire fencing with vegetative cover may be allowed around private properties subject to the condition that such fencing shall in no way hamper public access to the beach;
d) No flattening of sand dunes shall be carried out;
e) No permanent structures for sports facilities shall be permitted except construction of goal posts, net posts and lamp posts;
f) Construction of basement may be allowed subject to the condition that no objection certification is obtained from the State Ground Water Authority to the effect that such construction will not adversely affect fee flow of groundwater in that area;
g) The State Ground Water Authority shall take into consideration the guidelines issued by Central Government before granting such no objection certificate;
h) Though no construction is allowed in the no development zone for the purposes of calculation of Floor Space Index, the area of entire plot including the portion which falls within the no development zone shall be taken into account;
i) The total plot size shall not be less than 0.4 hectares and the total covered area on all floors shall not exceed 33 percent of the plot size i.e., the Floor Space Index shall not exceed 0.33 and the open area shall be suitably landscaped with appropriate vegetal cover;
j) The construction shall be consistent with the surrounding landscape and local architectural style;
k) The overall height of construction upto the highest ridge of the roof, shall not exceed 9metres and the construction shall not be more than two floors (ground floor plus one upper floor);
l) Groundwater shall not be tapped within 200metre of the High Tide Line; within the 200metre 500metre zone it can be tapped only with the concurrence of the Central or State Ground Water Board;
m) Extraction of sand, levelling or digging of sandy stretches except for structural foundation of building, swimming pool shall not be permitted within 500metres of the High Tide Line;
n) The quality of treated effluents, solid wastes, emissions and noise levels and the like, from the project area must conform to the standards laid down by the competent authorities including the Central or State Pollution Control Board and under the Environment (Protection) Act, 1986;
o) Necessary arrangements for the treatment of the effluents and solid wastes must be made and it must be ensured that the untreated effluents and solid wastes are not discharged into the water or on the beach; and no effluent or solid waste shall be discharged on the beach;
p) To allow public access to the beach, at least a gap of 20metres width shall be provided between any two hotels or beach resorts; and in no case shall gaps be less than 500metres apart; and
q) If the project involves diversion of forestland for non-forest purposes, clearance as required under the Forest (Conservation) Act, 1980 shall be obtained and the requirements of other Central and State laws as applicable to the project shall be met with; and
r) Approval of the State or Union territory Tourism Department shall be obtained.

II. In ecologically sensitive areas (such as marine parks, mangroves, coral reefs, breeding and spawning grounds of fish, wildlife habitats and such other area as may be notified by the Central or State Government Union territories) construction of beach resorts or hotels shall not be permitted

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Annexure 3

Guidelines for Development of Holiday Resorts/Homes

(Refer Regulation 2.2.1.2 and 2.2.4.2)

1. The minimum area of the land for holiday resorts or holiday homes shall not be less than 1.00 Ha.
2. The entire land shall vest in single ownership. It shall not be sub-divided at any time, the individual structures or building shall not be sold to different persons.
3. The facilities provided shall be used by the holiday makers for temporary occupation only. The structures shall not be used for regular and permanent residence.
4. Adequate infrastructural facilities such as access road, water supply, liquid and solid waste collection and disposal facilities shall be provided by the owner at his own cost. so as to keep the entire area clean and hygienic.
5. The structures shall not be more than ground + 1 upper floor. However, ground storied structures with slopping roofs constructed as far as possible out of local material, compatible with the surrounding environment, would be preferred.
6. Existing trees shall be preserved and if any trees are cut, five times the number shall be planted and grown to their full height. In addition, 15 trees per 1000 sq.m. of open land shall be planted as a part of the landscaping of the area.
7. The owner of the land shall submit to the Planning Authority a suitable layout of the site, landscape plan, building plans and a project report along with the recommendation from the Maharashtra Tourism Development Corporation. The Planning Authority shall not approve the project or grant Development Permission without first obtaining concurrence of the MMRDA.
8. The entire construction/development programme shall be completed within a period of 3 years from the date of grant of development permission failing which the development permission shall automatically lapse. For fresh development permission MMRDA's concurrence will be necessary.
9. Necessary setbacks shall be provided from the classified roads.
10. The total built up area of all types of structures shall not exceed 20% of the total area i.e. (FSI 0.20) of the land under development.

Annexure 4

Guidelines for Permitting Quarries

(Refer Regulation 2.4.5)

1. No quarrying operations shall be carried out without obtaining Development Permission of the Planning Authority under the provisions of the Maharashtra Regional and Town Planning Act, 1966.

2. The application for Development Permission for quarrying shall include:-
   a) A Location Plan at 1:5000 scale of the quarry site and an area upto 500 meters around the quarry site showing important natural and manmade features and contours;
   b) A site plan at 1:500 scale showing site boundaries, contours, all existing natural and man-made features such as hills, water courses, trees and other important landscape features, access roads, building and other structures;
   c) Proposed excavation plan and cross sections at 1:500 or larger scale showing proposed phasing; terracing; stepping; benching slopes; locations of process equipment; diversion of water courses; impounding lake; storage areas for top soil, waste material, quarried material; workers housing; landscaping including screen planting, mounding, and measures against visual intrusion etc;
   d) A restoration plan including landscaping proposals, phasing and proposal for reuse of the area after quarrying ;
   e) A report supplementing the excavation and restoration plans, costs and implementation programme;

3. No quarrying shall commence until the excavation plan is approved also by the Director of Geology and Mining.

4. The Restoration Plan approved by the Planning Authority shall be carried out in consultation with concerned Conservator of Forest or District Forests Officer.

5. Natural gradient of slope should be maintained during quarrying operations, slope of the footwall side (Slope in the direction in which mining does not exist) should be properly stabilised by planting adequate trees of suitable species so as to have soil binding vegetation.

6. In the case of murum quarrying entire weathered soil or murum shall not be excavated exposing hard rock; instead, a capping of at least half a metre be left so that it can support vegetation and plantation that will be done later on.

7. Water course, if any from a higher slope, should be properly diverted out of quarry area so that minimum water flows into the quarry and is safely channeled out of any nearby human settlement.

8. During quarrying operations, the water should be sprayed at least once in a day over the roads at quarry sites and nearby area.

9. Kachha road leading to quarry site shall be invariably sprayed by water during the period when trucks use carrying murum. In addition, in order to minimise dust pollution, measures such as adoption of hoods at transfer points, vulcanizing of conveyer belt joints, under belt cleaning devices, apart from installation of dust suppressions and/or dust extrication system for

conveyance shall be adopted. The kachha road leading to the quarry shall have roadside plantation in order to arrest the dust pollution.

10. No blasting shall be permitted if a public road, railway line or any human settlement is located within 500 meters from the quarrying site.

11. Residences for labourers and related temporary structures should be constructed at least 500 meters away from the place of blasting as well as from the place of quarrying. Heavy blasting by use of heavy machinery shall be prohibited.

12. The Development Permission for quarrying shall be granted for a specific period, after which fresh permission for further quarrying will be necessary. In granting such fresh permission, the Planning Authority shall have regard to the applicant's performance in observing the approved excavation plans and restoration plans, and in carrying out the quarrying operations in accordance with these guidelines.

Annexure 5

Special Township Projects

Urban Development Department
Mantralaya, Mumbai 400 032, dated 10th March 2006
Notification
(Refer Regulation 2.2.1.2 and 2.2.4.2)

MAHARASHTRA REGIONAL AND TOWN PLANNING ACT, 1966.

No. TPS. 1205/MMR DCR/CR-48/06/UD-12 - Whereas Government has sanctioned the Regional Plan for Mumbai Metropolitan Region (hereinafter referred to as "the said Regional Plan") vide Notification No. TPS. 1297/1094/CR-116/97/UD-12, dated 23rd September 1999 as per the provisions of section 15 of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as " the said Act ") which has come into force with effect from 1st December 1999 ;

And whereas, Development Control Rules of the said Regional Plan does not contain the provisions for Special Township;

And whereas. Public Housing has been one of the major concerns of policy planning. It has been realised that there is a need to incentivise investment by private sector in development of housing. With this in mind, Government of India announced its policy to permit 100 direct foreign investment for development of integrated towns. Government of Maharashtra in collaboration with Maharashtra Economic Development Council had organised an International Infrastructure Summit in 2002. A concept paper was presented by the Urban Development, which was widely appreciated. Consultations with planners, architects and developers were held and the "Government of Maharashtra finally approved the Special Township Scheme in the year 2004. The idea is to promote private investment in housing sector to facilitate housing at reasonable prices and also to create a hassle free atmosphere for investors. The new policy has to form a part of the existing DCR of Municipal Corporation/ Councils and Development Control Regulations for regional plan areas.

And whereas, accordingly. Development Control Regulations (DCRs) exclusively for Special Townships (hereinafter referred to as ," the said Regulations ") have been prepared and it is proposed to incorporate the said Regulations, in the Development Control Regulation of all the Municipal Corporations, New Town Development Authorities, Special Planning Authorities, Municipal Councils (hereinafter referred to as " the said Authorities ") and also in the Development Control Regulations of all the Regional Plans of the State, by taking recourse to procedure laid down in Section 37 and 20 (as the case may be) of the said Act thereby modifying the relevant Development Plan/Regional Plan in as much as Regulation thereof are concerned (hereinafter referred to as " the said modification'').

And whereas, under the powers conferred by sub-section (3) of section 20 of the said Act, Government in Urban Development Department had published a notice No. TPB. 4302/2080/CR-215/02/UD-11, dated 21st August 2004 (hereinafter referred to as "the said notice") which appeared in Maharashtra Government Gazette Part-1, Konkan Division on 24th August 2004 at pages 51 to 56 in respect of Mumbai Metropolitan Regional Plan to invite suggestions and objections from the general public on the said modification.

And whereas, thereafter the said Act has been amended to include the provision for Special Township Project vide Maharashtra Act No-XXIII of 2005 which appeared in Maharashtra Government Gazette (Extra Ordinary) dated 19th May 2005 ;

to the said Regional Plan and for that purpose amends the Urban Development Department Notification No. TPS. 1297/1094/CR-116/97/UD-12, dated 23rd September 1999 ;

In the schedule of modifications of the Mumbai Metropolitan Regional Plan. After the]ast entry following new entry shall be added :-

ENTRY

"Regulations for Special Township Project given in Schedule-A appended hereto are added to the Development Control Rules ".

Note - (A) A copy of the sanctioned Regulations for Development of Special Township in area under Mumbai Metropolitan Regional Plan i.e. Schedule-A is kept open for inspection by the general public in the offices of the following officers for the period of one month :-

(1) Dy. Director of Town Planning, Konkan Division, Konkan Bhavan, Navi Mumbai.
(2) The Collector, Thane, Raigad.
(3) Assistant Director of Town Planning, Thane Branch, Thane.
(4) Assistant Director of Town Planning, Alibag Branch, Nirdhar Tilak Chowk, Alibag, Dist. Raigad.

(B) This notification is also available on Govt. web site www.urban.maharashtra.gov.in

SCHEDULE 'A'
Regulations for Development of Special Townships In Area Under Mumbai Metropolitan Regional Plan

A. GENERAL REQUIREMENTS

1. Applicability:- These Regulations would be applicable to the area under sanctioned Mumbai Metropolitan Regional Plan excluding the area under jurisdiction of Municipal Corporations, Municipal Councils, Cantonment Boards, Maharashtra Industrial Development Corporation and Special Planning Authority, if any.

1.1 Area Requirement

Any suitable area having access by means of an existing or a proposed road not less than 18 mt. can be identified for the purpose of development as "Special Township Project". The area notified under the Special Township Project shall be one, contiguous, unbroken and uninterrupted and in any case shall not be less than 40 Ha. (100 acres) at one place which shall not include the area under forest, water bodies like river, creek canal, reservoir, lands falling within the belt of 500 mt. from the High Flood Line HFL of major lakes, dams and its surrounding restricted area, lands in the command area of irrigation Projects, land falling within the belt of 200 mt. from the historical monuments and places of Archaeological importance, Archaeological monuments, Heritage precincts and places, any restricted areas, notified National parks, existing and proposed industrial zone; gaothan areas or congested areas, truck terminus specially earmarked on Regional Plan, wildlife corridors and biosphere reserves, Eco-sensitive Zone/area, quarry Zone, Green Zone (G-2)and other environmentally sensitive ares, recreational tourism zone catchment areas of water bodies. Defence areas, Cantonment areas, notified area of SEZ, designated Port/ Harbour areas and designated Airport areas.

1.2 Manner of Declaration

Any area identified above and if found suitable can be Notified by Government in Urban Development Department by following procedure under section 20 read with section 18 of the Maharashtra Regional and Town Planning Act, 1966 and also in such other manner as may be determined by it for the purpose of development as " Special Township Project

However, in cases where the proposal of Special Townships is submitted by the land owners by themselves or by the Developer who holds rights to develop the whole land under the Special

Township the area shall be notified by Govt. following procedure under section 18 of the said Act. In such cases procedure under section 20 shall not be necessary.

1.3 Infrastructure Facilities

The entire Township should be an integrated one with all facilities within the boundaries of declared townships. All the onsite infrastructure, i.e. roads, including R.P. roads, approach road, street lights, water supply and drainage system shall be provided and maintained in future by the developer till urban local body is constituted for such area and the developer shall also carry out development of amenity or proposals, if any designated in the Regional plan, in accordance with the prevailing regulations.

(a) *Water supply* - The developer shall be required to develop the source for drinking water (excluding the groundwater source) or secure firm commitment from any water supply authority for meeting the daily water requirement of minimum 140 litres per capita per day exclusive of requirement of water for fire fighting and gardening. The storage capacity of the same shall be at least 1.5 times of the actual required quantity as determined by expected population (Resident and Floating) and other uses. The developer would be required to develop proper internal distribution and maintenance systems and shall specially undertake rain water harvesting, groundwater recharging and waste water recycling projects within the Township.

(b) *Drainage and Garbage disposal* - The developer shall make suitable and environment friendly arrangements for the disposal and treatment of sewage and solid waste as per requirements of Maharashtra Pollution Control Board. Recycling sewage for gardening shall be undertaken by the developer.
The developer shall develop Eco-friendly garbage disposal system by adopting the recycling and bio-degradation system in consultation with Maharashtra Pollution Control Board.

(c) *Power* - The developer shall ensure continuous and good quality power supply to township area. The developer may draw the power from existing supply system or may go in for arrangement of captive power generation with the approval from concerned authority. If power is drawn from an existing supply system, the developer shall before commencement of development, procure a firm commitment of power for the entire township from the power supply company.

1.4 Environment

The development contemplated in townships shall not cause damage to ecology, hi no case it shall involve topographical changes, changes in alignment of cross section of existing water course in any in the scheme area or adjacent to scheme area. Environmental clearance shall be obtained from the Ministry of Environment and Forest, Government of India as per directions issued by the MoEF's notification dated 7th July 2004. The Township shall provide at least 20 of the total area as park/garden/playground as mentioned in 4 (f) below, with proper landscaping and open uses designated in the Township shall be duly developed by owner/developer. This amenity shall be open to general public without any restriction or discrimination.

2. SPECIAL CONCESSIONS

(a) N.A. Permission - Non-agriculture permission will be automatic. As soon as the scheme is notified, lands notified under Special Township area as per 1.2 will be deemed to have been converted into non-agriculture and no separate permission is required. Non-agriculture assessment however will commence from the date of sanction of scheme as per Regulation No.7(c).
(b) Stamp Duty - The stamp duty rates applicable in Notified Special Township area shall be 50 of prevailing rates of the Mumbai Stamp Act.
(c) Grant of Government Land. - Any Government land falling under township area shall be leased out to the developer at the prevailing market rate on usual terms and conditions, without any subsidy.
(d) Relaxation from Mumbai Tenancy and Agriculture Land Act - The condition that only the agriculturist will be eligible to buy the agriculture land shall not be applicable in Special Township area.

(e) Ceiling of agriculture land. - There shall be no ceiling limit for holding agriculture land to be purchased by the owner/developer for such project.

(f) Exemption from Urban Land (Ceiling and Regulation) Act, 1976 - Special Township Projects will be exempted from the purview of Urban Land (Ceiling and Regulation) Act; 1976.

(g) Scrutiny fee. - A Special Township Project shall be partially exempted from payment of scrutiny fee being levied by the Collector/Planning Authority for processing the development proposal on certain terms and conditions as may be decided by the Collector/Planning Authority.

(h) Floating FSI - There will be floating FSI in the township. Unused FSI of one plot can be used anywhere in the whole township.

(i) Special benefits / concessions in respect of Star Category Hotels, Hospitals and Multiplexes / Property Tax shall be provided.

3. PLANNING CONSIDERATIONS –

The Township Project has to be an Integrated Township Project. The project should necessarily provide land for following users:-

a) Residential
b) Commercial
c) Educational
d) Amenity Spaces
e) Health Facilities
f) Parks, Gardens and Play Grounds
g) Public Utilities

4. GENERAL NORMS FOR DIFFERENT LAND USES –

The overall planning of the special townships shall be such that the project fairly meets with the specifications spelt out in the prevailing planning standards approved by Government. Further, the planning of Special Township shall take care of following land uses in particular.

(a) **Residential** - The residential area should be well defined in clusters or neighborhoods or in plotted development with proper road grid. Out of the total floor area proposed to be utilised which is permissible as proportionate to zoning of area under such Special township projects at least 60% of the floor area may be used for purely residential development.
The Area earmarked for social housing for the Economically Weaker Section(E.W.S)/Lower Income Group (L.I.G) shall be governed by Regulation No.5.1(I) & 5.1(ii),in such a way that the building permission for the residential component of the special Township Project shall be given pro rata in accordance with the development of Social Housing for the E.W.S/L.I.G.

(b) **Commercial** - The commercial area shall be properly distributed in hierarchical manner such as convenient shopping, community centre etc.

(c) **Educational** - Comprehensive educational system providing education from primary to secondary should be provided as per the requirement. The area allocation should be on projected population base and as far as possible the educational complex should not be concentrated at one place. All such complexes should have area adequate allocation for playground. Minimum area required for educational purpose shall be as per prevailing planning standards.

(d) **Amenity Spaces** - The area allocation for amenity space providing for amenities like market, essential shopping area, recreation centers, town hall, library etc. should not be less than 5 of gross area and should be evenly placed.

(e) **Health Facilities** - Adequate area allocation for health facilities for primary health should be provided for. Minimum area required for health facilities shall be as per prevailing planning standards.

(f) **Parks, Gardens and Play grounds** - The Township shall also provide adequate area as parks/ gardens/play grounds. This should be exclusive of the statutory open spaces to be kept in smaller layout and should be distributed in all residential clusters. This 20% area should be developed by the developer for such purposes and kept open to all general public.

(g) **Public Utilities** - Appropriate area allocation should be provided for (a) power receiving station/ substation, (b) water supply system, (c) sewerage and garbage disposal system, police station
(e) **public parking, (f) cemetery/cremation ground, (g) bus station, fire brigade** station and other public utilities as per requirements.
(h) **Transport and Communication** - The entire area of township shall be well knitted with proper road pattern, taking into consideration the linkages with existing roads within the township and outside area as well. All such roads shall be developed by the developer as per standard and road widths shall be as given below:

Classified Road	- as prescribed.
Main road/Ring road	- 18 to 24 meter wide.
Internal road	- as per prevailing byelaws applicable to Regional Plan subject to minimum road width 9 mt.

(i) **Service Industries** - In the Special Township area, lands required for commercial uses, industrial uses, permissible in residential user, may also be earmarked. However, the predominated land use would be residential use.
(j) In order to make the Special Township Projects self-contained micro-centers of urban growth, the Special Township Project shall ideally be centered one or more key Economic activities like Trade /commerce, Education, Healthcare, on-Polluting Industries, Service industries, Township Project shall compulsorily provide minimum 20% Built-up Area for such economic activities and development of the Residential Component of the special Township Projects Shall be permissible pro rates, in accordance with the development of economic activity.

Explanation:-

i) Educational activity and Healthcare activity mentioned above shall not include Primary/ secondary schools and primary/ secondary Healthcare facilities respectively.
ii) The total Built-up area for commercial activities under regulation No.4(b)
And the total commercial built-up area under regulation No.4 (d) shall be counted toward the built-up area for the aforesaid Economic Activities.

Notes - (I) All the amenities referred to above shall be inclusive of designated amenities and Amenity space required as per regulations of Regional Plan.
(II) Regional Plan roads in the township area shall be developed and maintained by developer and the same shall be always open for general public without any restrictions there upon.
(III) Minimum parking shall be provided as per standardised Development Control and Promotion Regulations for Regional plan.

5. Development Control Regulations

Prevailing Development Control Regulations of sanctioned Regional Plan, along with the standardised Development Control and Promotion Regulatation for Regional Plan as well as provision of MoEF CRZ Notification issued from time to time shall be applicable mutatis mutandis to the special Township Project, except for those expressly provided in these Regulations.

5.1 Special Township in Urbanisable (U2), Green (Gl), (G2) Zone –

(i) The admissible FSI in respect of a Special Township Project in the U-1 Zone and U-2 Zone within the Regional Plan Area shall be as given below:-

Sr. No.	Area of Township in Ha.	Basic FSI on Gross Plot Area	Additional FSI (@ 20% of the basic FSI) for social hsg. for EWS/LIG (compulsory)	Additional FSI against payment of premium (optional)	Maximum Total Permissible FSI on Gross Plot Area
1	40 to 100	1.00	0.2	0.3	1.5
2	Above 100 to 200	1.00	0.2	0.4	1.6
3	Above 200	0.5	0.1	0.40	1.00

(ii) Special Township Project in G-1 Zone:-

Development of a Special Township Project in G-1 Zone contained in the regional plan shall be permissible, subject to the condition that 50 percent of the gross area of the Special Township Project shall be kept one while such project shall be execute on the remaining 50 percent land with basic FSI of 0.50, worked out the entire gross area of the Project. Further, while developing such Project, it shall be obligatory on the part of Developer to provide and develop all the infrastructure facilities, including the site required for the public purpose, as per the prescribed planning norms. As regards 50 per cent of the gross area which is required to be kept open, the same shall be made free of encumbrances and no development except town level open amenities, shall be permissible thereon.

Provide that over and above to built-up area corresponding to the basic FSI of 0.50, the Developer shall have to compulsorily provide built-up area, for the EWS (i.e 0.10 FSI on gross plot area) which shall not be count towards the total FSI of the Project.

(iii) Subject to the limits imposed by the overall FSI admissible under these Regulation to the Special Township Project, there shall be no limit on the total built up area / FSI utilization for the development of any individual plot in the Special Township Project Maximum height of any building shall be as per Standardised Development Control and Promotion Regulation for Regional plan.

However, the height of a building may be increased further, subject to provision of fire fighting arrangements, with prior approval of the director of a building above 36 mtr. The norms and the guidelines for marginal distances as specified in the National Building Code, as amended from time to time, shall be followed.

(iv) The planning & design of social Housing Component for EWS/LIG shall not be amenable to combining one or more flats to make larger flats.

(v) The tenements for EWS/LIG shall be constructed as per the specification given by the government and such constructed tenements of EWS/LIG shall be handed over MHADA at construction cost as per the ASR of the year in which commencement certificate is issued and MHADA shall distribute the same as per the prevailing policy of the Government.

a) The Landowner / developer shall construct the stock of the EWS/LIG tenements in the same Special Township Project and the planning authority or the collector as the case may be ,shall ensure that the Occupation Certificate for the rest of the development under the Special Township Project is not issued till the occupation certificate is issued for the EWS/LIG tenements under said special Township Project.
b) The completion of EWS/LIG tenements under the Special Township Project, along with necessary particulars including the copy of the Occupation certified granted by the planning Authority or the Collector, as the cause may be , in respect thereof shall be immediately intimated by the Landowner / developer to MHADA upon such imitation MHADA, within a period of six months from the date of purchase such EWS/LIG tenements or allot such tenements to the allot tees selected by MHADA through a system of lottery ,drawn after such EWS/LIG tenements have been granted Occupation certificate and thereafter, the Landowner / Developer shall dispose of such treatments to MHADA or such allottes, as the case may be , at the construction rates in the Annual Statements of Rates (ASR) prepared by the inspector General of Registration and controller of stamps applicable to the land under the project on the date of grant of occupation land under the project on the date of grant of occupation certificate to such EWS/LIG tenements.
c) The Landowner /developer may also be permitted to utilies $1/4^{th}$ of the total 20% FSI earmarked for the Special Township Project.

50% of the gross area of the project shall be kept open while the project of Special Township shall be executed on the remaining 50% land with gross built-up area/ FSI of 0.50 worked out on the entire gross area of the project. Further, while developing such projects, it would be obligatory on the part of the developer to provide and develop all the infrastructure facilities including sites required for public purposes as per the prescribed planning norms. As regards

50% of land which is required to be kept open, the same shall be made free of encumbrances and no development except town level open amenities shall be permissible thereon.

5.2 Other Special Regulations –

(i) In every Special Township proposal the structural designer of developer has to submit declaration with project report to Collector / Planning Authority about the construction of building as below: 'I have confirmed that the proposed construction in the scheme are as per norms as specified by Indian Standards Institute, for the resistance of earthquake, fire safety and natural calamities'.

(ii) Upper and lower ground floor type construction shall not be allowed.

(iii) The following shall not be included in covered area for built up area and F.S.I. calculations :-

(a) Area covered by the staircase rooms for stair flights of width 0.75 m. & above, in case of row housing & pent houses and duplexes, 1 mt. in case of residential building, 1.2 mt. & above in case of commercial (mercantile) buildings, 2.00 mt. & above in the case of public & semi-public building, subject to payment of premium in consultation with Town Planning & Valuation Department.

(b) Area covered by lift room for a building with height upto 16 mt.

(c) Stilt floor space (exclusively for parking space) constructed under building of maximum cleared height 2.4 mt. and which shall be open atleast from three sides.

(d) Balcony or balconies of a minimum width of one mt. may be permitted free of F.S.I at any upper floor, subject to maximum of 1/3rd length of perimeter of building and such balcony projection shall be subject to the following conditions:

1) No balcony shall be allowed on ground floor.

2) Balcony or balconies shall be permitted to project in the marginal open space of not less than 3 mt. in width.

3) Notwithstanding anything contained in any other laws, rules, regulations or bye-laws in force, a balcony shall not be permitted to be enclosed.

4) In special Township schemes at the rate of minimum 150 trees per ha. and 400 trees per ha. respectively shall be planted and maintained by the developer.

5) Once the proposal for special Township is submitted to the Government under Regulation No. 7(A) no change of zone proposal in such Township area shall be considered by Government.

6. Sale Permission –

It would be obligatory on the part of the developer firstly to provide for basic infrastructure and as such no permission for sale of plot/ flat shall be allowed unless she basic infrastructure as per Regulation No. 1.3 is completed by the developer to the satisfaction of the Collector. In case the development is proposed in Phases & sale permission Js expected after completion of Phasewise basic infrastructure, such permission may be granted |y the Collector. Before granting such sale permission, Developer has to submit undertaking aout the basic infrastructure to be provided & completed phasewise by Developer. The plots earmarked for amenities, facilities, and utilities shall be also simultaneously developed phase-wise alongwith residential/allied development.

7. Procedure

a) Locational Clearance. - The proposal for development of Special Township, alongwith details of ownership of land or Development rights of lands in the proposal jcheme, site plan, part plan of sanction regional plan, shall be submitted to Government in Urban Development Department alongwith a copy to Director of Town Planning Maharashtra State, Pune Environment Department of Maharashtra State, Irrigation Department for grant of locational clearance. Upon receipt of such proposal, depending upon the merits of the case, locational clearance may be granted by Government u/s 18/2 of MR&TP Act, 1966 in insultation with the Director of Town Planning and Environment Department and other respective

departments of the State Government within a period of 90 days from the date of receipt of the proposal & after completion of all prescribed procedure specified in Regulation No. 1.2 above and compliance of any such document as may be required by Government. This locational clearance will be valid for one year from the date of issue and if within such period the letter of intent and final approval is not taken or not applied for, such clearance/approval will stand lapsed unless it is renewed by Govt. for sufficient reasons. Application for renewal has to be made to Govt. before expiry of one year. **In that case these special Regulations shall not be applicable to the area under such scheme.**

b) *Letter of intent*. - Upon receipt of locational clearance from the Government, the developer shall submit the proposal in respect of Special Township to Collector, Thane & Raigad alongwith the environmental clearance as mentioned in Regulation No. 1.4 for issue of letter of intent. The proposal shall contain ownership rights/development rights, document in respect of at least 50 % of area under scheme and other particulars as decided and directed by Collector, Thane & Raigad. Details of qualified technical staff and consultant in technical and law field. Letter of intent shall be issued within a period of 45 days from the date of receipt of the completed full & final proposal. The letter of intent shall be valid for six months unless renewed.

c) Final Approval. –

(i) The Developer shall submit the layout plan of the entire township area, sector-wise detailed building plans and details of phasing, for final sanction to the Collector, Thane & Raigad. The developer shall also submit an undertaking and execute an agreement about development and maintenance of basic infrastructural amenities in future with bank guarantee of 15 of its development costs. The Collector, Thane & Raigad shall conduct proper enquiry and ensure the correctness of title and ownership etc. Only after such verification, Collector, Thane and Raigad shall grant approval to layout plan arid sectorwise detailed building plan in consultation with Deputy Director of Town Planning, Konkan Division, Navi Mumbai within the stipulated period on terms and conditions as may be determined by Collector & Deputy Director of Town Planning, Konkan Division, Navi Mumbai. The period required by the Collector for Technical consultation with Deputy Director of Town Planning, Konkan Division, Konkan Bhavan, Navi Mumbai shall not be computed. Any one aggrieved by an order passed under prevailing Byelaws may within forty days of the date of communication of the order prefer an appeal to the Director of Town Planning, Maharashtra State, Pune. The appeal shall be cleared within 60 days.

(ii) Every application shall be accompanied by –

(a) Ownership Document: 7/12 extract/ Property Card, ownership right Document in original with list of such documents.

(b) Extent: Village maps showing the extent of area and authenticated measurement plan

(c) Authenticated copies of locational clearance and letter of intent environmental clearance is applicable.

(d) Layout and building (Prepared & signed by experts in respective field and team headed by an Architect Town Planner)

i. Layout plan showing all details of area utilized under roads, open spaces for parks, garden and playground amenities.

ii. Detail layout plan building plans of all development with area of all sector and individual plots and built up area/FSI proposed on each sector and plot.

iii. Detail Report comprising of expected population, requirement of amenities and proposed amenities with reference to prevailing planning standards approved by Government and sources of all basic amenities and it's details about implementation and maintenance & Taxes.

iv. Details of zoning of all areas included in the Scheme as per sanctioned R.P. and area under such zone.

v. Details of FSI/Total built-up area proposed to be utilized in scheme.
vi. Details of Eco friendly amenities provided
vii. Plan showing "Road hierarchy and road widths, pedestrian facility, street furniture, plantation, side walk., subways with area details.
viii. Details of solid waste management plan/ gut book of the land in original and list of such documents.
ix. Plan showing HFL of major lakes, river if any certified by Irrigation Department.
x. Plan showing details of distribution of total built-up area/space.
xi. Plan showing water supply distribution system, including reservoirs, recycling system, details of rainwater harvesting system.
xii. Details of storm water drainage scheme.
xiii. Details of fire fighting mechanism, fire brigade station.
xiv. All other documents as determined and directed by Collector, Thane, Raigad.

d) Transition Policy:

Any special township project in respect of which locational clearance has previously been granted and any Megacity scheme which is previously notified under section 20(4) of the Maharashtra Regional and Town Planning Act, 1996 and any Megacity scheme which is previously approved by MMRDA, prior to the date of coming into force of these modified provision (here in after referred to as modified scheme), may be allowed to be converted into a special Township project under the Modified scheme with the prior approval of the government , subjected to the following conditions:-

i. FSI as per the Modified scheme shall be only on the balance unbuilt, unencumbered and buildable land parcel, having a minimum area of 8 Ha. If such balance unbuilt, unencumbered and buildable area is 8 Ha. or more but less than 40 Ha. then, admissible FSI on such land parcel, upon conversion shall be admissible on the basis of area of such land parcel as per the minimum given in Regulation5.1(i)above for the respective zones. If such land parcel is more than 40 Ha. then, the admissible FSI shall be calculated as per the area wise entitlement given in regulation 5 for the respective zones.

ii. Development on the balance area as per above shall be strictly in conformity with the planning Standards, Standardised Development Control and Promotion Regulation Plan etc. No relaxation shall be granted in respect of the marginal spaces, road width etc.

Note. - The above prescribed periods shall be computed after compliance of all the requirements listed above and any other additional information called for from the owner/developer by the Government / Collector.

8. Implementation & completion

i. Development of Basic infrastructure & amenity shall be completed by the developer to the satisfaction of the Collector (consultation with Assistant Director of Town Planning, Thane/ Alibaug) as per phases of scheme. Development of the scheme shall be completed within 10 years from the date of final sanction to the layout plan of scheme.
ii. No building in the scheme is permitted to be occupied in any manner unless occupancy certificate is issued by Collector, in consultation with local Branch Officer of Town Planning & Valuation Department.
iii. Final completion certificate for the scheme is to be issued by Collector in consultation with Local Branch Officer of Town Planning and Valuation Department, Maharashtra Pollution Control Board, Forest Department as far as tree plantation is concerned and Fire Officer of state Government

iv. Application for occupation certificate or final completion certificate shall be submitted along with a declaration and undertaking by the developer and his structural consultant. Architect Town Planner as follows : -

a. We confirm that all buildings constructed in the scheme area are as per norms as specified by Indian Standard Institute for the resistance of earthquake, fire safety and natural calamities.
b. Work is done as per sanctioned plan.
c. Built-up area and FSI consumed in scheme is as per sanctioned plan
d. No balcony is enclosed.
e. If it is found that extra built up area/FBI is consumed in the scheme at any time, it shall be demolished by developer at his own cost as directed by Collector, Thane/ Raigad.

9. *Interpretation*

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

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

SUDHAKAR NANGNURE,
Deputy Secretary to Government

Rs 150/- only

MUMBAI METROPOLITAN REGION DEVELOPMENT AUTHORITY
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