

Part 3 Chapter 15

Development Control Regulations for Mumbai Metropolitan Region, 1999

15.1 **Extent and Commencement**

15.1.1 These regulations shall be called the Development Control Regulations for Mumbai Metropolitan Region, 1999. (hereinafter referred to as “these Regulations”).

15.1.2 **Jurisdiction**

These regulations shall apply to development of any land situated within the Mumbai Metropolitan Region as defined in the Mumbai Metropolitan Region Development Authority (hereinafter referred to as “MMRDA”) Act, 1974.

- a) Excluding the areas where Development Plans or Planning Proposals have been prepared and sanctioned.
- b) Notwithstanding the generality of the above, regulations 15.3.3.1 and 15.3.3.2 shall apply to the entire Metropolitan Region.

15.1.3 **Commencement**

These regulations shall come into force on the day of sanctioning of Regional Plan and shall replace the following :

- i) The Development Control Rules contained in the Regional Plan for Bombay Metropolitan Region 1970-1991 sanctioned by the Government by its Notification UD&PHD No. RPB 1173/1136/RPC dated 2nd June, 1973.
- ii) The Development Control Rules contained in the Regional Plan for Bombay Metropolitan Region (extended area) sanctioned by the Government by its Notification UDD No. TPS 1484/2684/UD-5 dated 27th May, 1985.
- iii) The Development Control Rules for Kalyan Complex Notified Area sanctioned by the Government by its Notification No. TPS 1284/1116/CR-90/UD-12 dated 16th October, 1990.
- iv) The Development Control Rules for Vasai-Virar Sub-Region sanctioned by the Government, by its Notification No. TPS-1287/2753/CR-228-87/UD-12 dated 14th May, 1990, as modification to the Development Control Rules contained in the Regional Plan for BMR 1970-91.

15.2 **Definitions of Terms and Expressions**

15.2.1 The terms and expressions in these regulations shall have a meaning as defined hereinafter:

- a) “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.

- b) "Environmental Management Plan" means a course of action designed to minimise the unavoidable adverse environmental impacts both during the construction and operational phases of the project.
- c) "Floor Space Index (FSI)" means the ratio of the combined gross floor area of all floors to the gross area of the plot, viz :-

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

- d) "N.A. Permission" means a permission granted under Section 44 of the Maharashtra Land Revenue Code, 1966, to use any agricultural land for non-agricultural purpose.
- e) "Organised Development" means development carried out by, or under the overall control of, a single agency in accordance with a proper sub-division plan or layout of buildings with adequate provision of infrastructural facilities, such as, roads, storm water drainage, sewerage, water supply, power supply, etc. as specified by these Regulations, and may involve consolidation of adjoining land parcels into a large plot.
- f) "Outline Development Proposal" means a document consisting of a statement and maps giving particulars of the proposed Organised Development.
- g) "Planning Brief" means a statement by the Planning Authority specifying mandatory and optional planning requirements relating to the land for which Organised Development is proposed.

15.2.2 The terms and expressions other than those defined in Regulation 2.1 shall have the same meaning as in the Maharashtra Regional and Town Planning Act, (hereinafter referred to as "MR&TP Act") 1966, MMRDA Act, 1974 and the Rules made there under.

15.3 **General**

15.3.1 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

- a) The Planning Authority, including Municipal Corporation, Municipal Council, Special Planning Authority, or New Town Development Authority, or the Collector under whose jurisdiction the land is situated; and
- b) Any other authority including Zilla Parishads, Gram Panchayats, Maharashtra Industrial Development Corporation, Maharashtra Pollution Control Board, Forest Department, Industries Department, etc. under relevant applicable laws.

- 15.3.2** 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, 1996-2011 except in the areas included in the jurisdiction of any Planning Authority, Special Planning Authority or a New Town Development Authority and for which Development Plans or Planning Proposals have been prepared and sanctioned.
- 15.3.3** No development of the type listed in items (a) to (c) in Regulation 15.3.3.1, and items (a) to (i) in Regulation No. 15.3.3.2 shall be or permitted to be carried out by any person or by any authority without obtaining prior concurrence of the MMRDA. Such concurrence may be given with or without conditions.
- 15.3.3.1** Any person who intends to carry out any development of the type listed in this Regulation anywhere in the Metropolitan Region shall submit to MMRDA a copy of the application along with the accompanying information for site clearance submitted by him to the Ministry of Environment and Forests in respect of the development proposed.
- a) Mining projects;
 - b) Pit Headed Thermal Power Stations;
 - c) Hydro-power, major irrigation projects and/or their combination including flood control;
 - d) Ports and harbours (excluding minor ports); and
 - e) Prospecting and exploration of major minerals in area above 500 ha.
- 15.3.3.2** Any person who intends to carry out any development of the type listed in this Regulation anywhere in the Metropolitan Region shall submit to MMRDA a copy of the application for development permission submitted by him to the Planning Authority concerned, along with the information in the form prescribed in Annexure-A.15.1. 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 EIA and EMP report for such development.
- a) All projects listed as item (a) to (e) in Regulation 15.3.3.1 where investment is above Rs. 50 crores.
 - b) Minor ports and harbours.
 - c) Quarrying for stone, murum, and earth, including sand dredging from rivers, creeks and estuaries.
 - d) Hotels, tourist resorts, holiday homes, and health farms/centre, amusement parks and motels in G Zone, and Recreational and Tourism Zone on land admeasuring more than 0.4 ha.
 - e) Any development of land admeasuring 25 ha. or more, except in U1 Zone
 - f) Setting up of a new industrial unit or expansion of an existing one where the investment is Rs.100 Crore or more or the land area is more than 25 ha.
 - g) Development of land for industrial purpose in U-2 Zone.
 - h) Any development of wetlands including reclamation, bunding etc. for salt pans, fish farms etc.

- i) Film and video shooting sites on land admeasuring 5 ha. or more.
- j) Poultry farms, cattle stables, piggeries, having an investment more than Rs. 1.00 crore.

Note: The EIA report referred to in the foregoing shall be prepared in accordance with the guidelines issued by the Ministry of Environment and Forest (MoEF), Govt. of India from time to time.

15.3.4 No construction shall be permitted within 30 m. of the high flood line of the rivers and nallas, except in U-1 and I-Zone, where such construction shall be permitted beyond 15 m. from the defined edge of the water course, subject to the provisions of the sanctioned Coastal Zone Management Plan (CZMP).

15.3.5 No development of any land in zones other than U-1 or I-zone shall be permitted unless the owner undertakes to provide at his own cost 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, in the opinion of the Planning Authority, may be reasonably required for the development proposed, 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.

15.3.6 Notwithstanding Regulation 15.3.2, the Development Permissions may be granted according to earlier Regional Plans (1973 and 1985) and practices prevailing prior to 15.1.96 in the following cases :

- a) where sale permission for N.A. use has been granted prior to 15.1.1996 provided the development provision is sought for the same use as the one for which sale permission was granted.
- b) where N.A. Permission, layout or sub-division permission and building permission has been granted prior to 15.1.1996. Subsequent revision of layout plan;
- c) building permission on individual plot or plots of layout or subdivision of land approved prior to 15.1.1996, provided the N.A. permission or sale permission in above a,b, and c shall have been lapsed.

Provided that development in villages in G2 Zone as shown in Annexure A15.6 shall be permitted with concurrence of CIDCO.

15.3.7 All developments existing on or prior to coming into force of these Regulations which are authorised 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.

15.3.8 Notwithstanding anything stated in these Regulations, no development of the land situated in the Coastal Regulation Zone (as defined by para 1 of the Ministry of Environment and Forests (MoEF), Govt. of India's notification dated 19th February, 1991, (enclosed as Annexure-A.15.3) 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.

- 15.3.9** 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.

15.4 Urbanisable Zone-1 (U-1)

- 15.4.1** The lands in U-1 Zone may be developed for residential, commercial, industrial, warehousing or other urban uses. Such development shall be in conformity with the detailed land use provisions of the Development Plan, Planning Proposals, Town Planning Schemes, Layout proposed as a part of the final Regional Plan 1973 for area of Wangani and Neral and the related Development Control Regulations as may be enforced by the concerned planning authorities for their respective areas.

- 15.4.2** The development of lands in U-1 zone for which no Development Plan Planning Proposal, Town Planning Scheme or Development Control Regulations exists, shall be regulated in accordance with the provisions of Regulation 15.5 stated hereinafter until Development Plan or separate Development Control Regulations are enforced for the area.

15.5 Urbanisable Zone-2 (U-2)

15.5.1 Use Provisions

- 15.5.1.1** Lands in the U-2 Zone may be used for any of the following purposes, namely,
- a) Residences.
 - b) Hotels, tourist resorts, holiday homes, motels and club houses.
 - c) Retail shops, wholesale shops, restaurants and banks.
 - d) Offices of local authorities, local offices of the Government and public utility concerns, and offices of the professionals and others providing similar services.
 - e) Personal service establishments and repair service establishments.
 - f) Educational, medical, social or religious institutions, libraries and museums.
 - g) Research and development institutes, scientific institutes and laboratories and training institutes.
 - h) Warehouses, container parks, truck terminals, vehicle parking areas, garages, petrol pumps, weigh-bridges, service stations and automobile repair workshops.
 - i) Service industries as defined in the standardised Development Control Regulations recommended by the State Government for 'A' class Municipal Councils.
 - j) Non-polluting, high-tech, high-value-added industries defined as Schedule-I industries in the Industrial Location Policy for Mumbai Metropolitan Region as a part of the Organised Development on a plot of land admeasuring not less than 10 ha. in area.
 - k) Television and broadcasting studios, film studios, art galleries, exhibition centres and convention centres.

- l) Parks, gardens, play-fields, golf-courses, swimming pools, stables, race courses, shooting ranges, amusement parks and theme parks.
- m) Public services and utility establishment, such as water treatment plant, sewage treatment plant, solid waste treatment and disposal facilities, electricity sub-station, gas works, fire brigade, police station, telephone exchange, bus shelters, terminals, depots, etc.
- n) Cemeteries and crematoria.
- o) Roads, bridges, dams, railway lines and related facilities, heliports, jetties, pipelines, electricity transmission lines, communication towers, etc.
- p) Agriculture and allied activities, such as, poultry farms.

15.5.1.2 The land users or activities listed in item (a) to (l) in Regulation 15.5.1.1 shall be permitted only on the plot admeasuring 2000 sq.m. or more, except as a part of the Organised Development or such users or activities.

- i) On land situated in gaathan and 200 m. from the gaathan boundary in U Zones.
- ii) The user or activities in (h), (i), (j) shall be at least 500 m. away from village gaathan boundary or from the boundary of U-1 Zone.
- iii) For activities listed in items (q), (r), (s) & (t) in Regulation No.15.5.1.1 shall be permitted provided that a 30 m. belt of open space is provided around the boundary of the property.
- iv) The users and activities in U Zone or gaathan lands or lands within 200 m. from the gaathan shall be regulated in accordance with regulations prescribed for 'B' and 'C' class Municipal Councils by the State Government.

15.5.2 Organised Development

15.5.2.1 The Organised Development may be undertaken by a co-operative society of land owners, a land owner, developer or builder on behalf of a land owner, local authority or any public agency who shall submit to the planning authority or where there is no Planning Authority the Collector of the District, an Outline Development Proposal (ODP) for approval in principle. Such ODP shall indicate (through index map, sketch plan and description) brief particulars of the proposed Organised Development, such as,

- a) Location and area of the land, including particulars of the surrounding development.
- b) Existing and proposed access to sites.
- c) Land uses or activities proposed.
- d) Proposal for provision of basic infrastructure, such as, roads, storm water drainage, water supply, waste disposal facilities, power supply, etc.

15.5.2.2 The Planning Authority or the Collector of the District as the case may be shall consider the ODPs in light of the planning proposals or layouts that may have been prepared or may be under preparation for U-2 Zone and/or in light of the ODPs approved, and Development Permission granted earlier for the development of adjoining lands and other lands in the vicinity. The Planning Authority or the Collector of the District shall either approve the ODP in principle, reject it, or return it for modification in accordance with the specific Planning Brief.

15.5.2.3 Based on the approved ODP, or the Planning Brief referred to in Regulation 15.5.2.2 above, an application for Development Permission for organised development shall be made. Such application shall include the following :

- a) Sub-division of land into plots or layout of buildings and proposed use of plots or buildings.
- b) Existing or proposed roads of the Regional Plan, Development Plan, Planning Proposals or Layout, access road to individual plots and building and parking arrangements.
- c) Recreational open spaces, spaces reserved for social facilities and amenities, such as, shopping centres, schools, community centres, health centres, etc., Utility services, such as, electric sub-station, water tank and pump house, sewage treatment plant, etc.
- d) Landscape plan of the area.
- e) Details of the arrangements for provision of water supply including source, treatment and distribution arrangements.
- f) Details of the arrangements for collection, treatment and disposal of liquid and solid waste.
- g) Details of the arrangements for electricity supply and distribution including provision of street lights.

15.5.3 Sub-Division or Layout

15.5.3.1 Where the land is proposed to be used for land use or activities stated in item (a) to (j) in Regulation 15.5.1.1 a sub-division plan or layout of buildings shall be submitted ;

- a) if the land is proposed to be sub-divided into plots;
- b) if more than one building is proposed on the plot; or
- c) if the area of the plot is 0.4 ha. or more.

Such sub-division plan or layout shall be in accordance with the relevant provisions specified in Regulation 15.5.3.2 to 15.5.5.2. The sub-division plan or layout of land shall also incorporate the proposals of the Development Plan, planning proposals, layout, etc. in respect of main roads, social facilities, amenities, public utilities, services as specified by the Planning Authority.

15.5.3.2 The minimum width of access pathways and access roads shall be as stated in Tables 15.1 & 15.2.

15.5.3.3 The minimum size of the plot in the Organised Development shall be as stated in Table-15.3.

15.5.3.4 The minimum size of the plot not forming part of the Organised Development or not situated in gaothan or within 200 m. from gaothan shall be 2000 sq.m.

15.5.3.5 The minimum width of the front, rear and side open spaces shall be as stated in Table-15.4.

15.5.3.6 In the sub-division or lay out of land admeasuring 0.4 ha. or more for residential, retail shopping, banks, hotels and offices, personal service or repair establishment (i.e.uses

Width of access pathways and roads for sub-division or layout for residential purpose.		
Type of Access	Length in meters	Width of access in meters.
Pathways	upto 50	3.0
Road	upto 75	6.0
Road	75 to 150	9.0
Road	150 to 300	12.0
Road	above 300	15.0

Table- 15.1

Width of access pathways and roads for sub-division or layout for any other purpose.	
Length of Road in meter	Width in meter
upto 100	9.0
100 to 300	12.0
above 300	15.0

Table- 15.2

stated in (a) to (e) in Regulation 15.5.1.1) an area not less than the percentage stated in Table-15.5 shall be provided as recreational open space.

Minimum plot sizes and frontages			
Land Use	Type of development	Minimum plot area in sq. meters	Minimum width of frontage in meters
1. Residential	Row houses	25.0	3.0
	Retail shopping and Restaurant	40.0	4.5
2. Industrial	Detached	150.0	9.0
	Semi detached	200.0	9.0
3. Others	Detached	300.0	15.0

Table- 15.3

In the case of sub-division or layout area exceeding 10 ha., the Planning Authority will be entitled to take over 50% of the open space free of cost for providing higher recreational facilities.

15.5.3.7 (a) In the sub-division or layout of land for industrial purpose (i.e. uses as stated in (i) and (j) of Regulation 15.5.1.1) admeasuring 0.8 ha. or more an area of 10% shall be provided as recreational open space. In addition, where such land adjoins any existing or proposed residential development permitted by the Planning Authority, a belt of open land not less than 10 m. in width shall be provided within the plot along its boundary to segregate the industrial development from residential development. Trees at a rate of

Minimum front, rear and side open spaces

Land use	Type of development	Plot area	For buildings upto 2 storeys (Max.height 9m)			For buildings upto 3 storeys (Max.height 13.5m)		
			Side	Front	Rear	Side	Front	Rear
1. Residential, retail shopping and restaurants.	Row houses	Upto 50	Nil	1.5	0.75	Nil	-	-
		50 to 60	1.0	2.25	1.00	-	-	-
		60 to 125	Nil	3.00	1.5	-	-	-
		Above 125	Nil	3.00	3.0	-	-	-
	Semi-Detached	50 to 60	1.00	3.00	1.00	-	-	-
		60 to 125	1.50	3.00	1.50	-	-	-
		Above 125	3.00	3.00	3.00	3.00	3.00	3.00
Detached	150 to 300	3.00	3.00	1.50	3.00	3.00	3.00	
	Above 300	3.00	3.00	3.00	3.00	3.00	3.00	
2. Industry and others	Semi-Detached	200 and above	3.00	3.00	3.00	4.50	3.00	3.00
	Detached	300 and above	4.50	3.00	3.00	4.50	4.50	3.00

- Notes :
- 1) Where a plot has a frontage on any classified road, i.e. National, State highway, Expressway or major district road, the front open space shall be as specified by the Highway Authority.
 - 2) Where the side open space provided is less than 3.00 m. it shall not be reckoned as a main source of light and ventilation for habitable rooms.

Table- 15.4

Minimum recreational open space to be provided in the subdivision or in layouts.

Sr.No.	Sub-division or layout area in sq.m.	Minimum percentage of Recreational Open Space.
1.	Less than 10,000.	5.00
2.	10,000 and more but less than 25,000.	8.00
3.	25,000 and more but less than 50,000	10.00
4.	50,000 and more but less than 100,000.	12.50
5.	100,000 and more.	15.00

Table- 15.5

50 trees per 1000 sq.m. of land area shall be planted in this belt.

(b) No industrial activity shall be permitted within 500 m. from the boundary of any gaathan. This restriction shall not apply to service industries.

15.5.3.8 In the case of Organised Development, land for residential purposes, certain proportion as specified in Table-15.6 of the gross plot area shall be provided for public facilities. The actual use, location and plot sizes of public facility areas shall be as specified by the Planning Agency in the Outline Development Permission or in the Planning Brief. The land so reserved shall be handed over to the Planning Authority or any agency specified by it free of cost. Where the area of land under the sub-division or layout exceeds 10 ha., 10% of the land shall be reserved for plots upto 40 sq.m. area

15.5.3.9 Where sub-division plan or layout of land for industrial purpose covers an area of 0.8 ha. or more, an area equivalent to 5% of the gross area of land shall be provided for common parking, banks, shops, offices, welfare centres, creches and other common facilities as specified by the Planning Authority.

15.5.4 Floor Space Index (FSI)

15.5.4.1 Subject to Regulations 15.5.4.2, 15.5.4.3 and 15.5.4.4 the permissible FSI in U-2 Zone shall be 0.2. The total permissible built-up area shall be the product of gross area of land and FSI.

15.5.4.2 The maximum permissible F.S.I. for Organised Development in U-2 zone shall be as

Minimum area to be provided for Public Facilities		
Sr. No.	Area of Sub-division/Layout in sq.m.	Minimum Percentage of area for Public Facility.
1.	25,000 and more but less than 50,000.	5.0
2.	50,000 and more but less than 100,000.	7.5
3.	100,000 and more.	10.0

Table- 15.6

stated in Table-15.7. The total permissible built-up area shall be the product of gross plot area and the FSI stated in Table-15.7.

15.5.4.3 In the case of Organised Development the total permissible built up area as defined in 15.5.4.2 above shall be allowed to be increased if certain land is provided for arterial roads, and public facilities free-of-cost in addition to that prescribed in Regulation 15.5.3.8 (Table-15.6) as specified by the Planning Authority by a product of (a) area of land so specified, (b) respective FSI in Table-15.7 and, (c) a weightage factor given in Table-15.8.

15.5.4.4 In the case of Organised Development the total permissible built-up area as defined in 15.5.4.2 above shall be allowed to be increased if certain part of land is developed in the form of small plots (having area upto 40 sq.m.) on terms and conditions stipulated by the

Maximum Permissible FSI		
Sr. No.	Area of plot in sq.m.	FSI
1.	Less than 5000	0.20
2.	5000 and above but less than 10,000	0.23
3.	10,000 and above but less than 25,000	0.26
4.	25,000 and above but less than 50,000	0.29
5.	50,000 and above but less than 100,000	0.32
6.	100,000 and above	0.35

Table- 15.7

Planning Authority by a product of area of (a) land used for such plots, (b) the respective FSI from Table-15.7 and (c) the weightage factor given in Table-15.9.

15.5.4.5 The permissible FSI for plots of land surrendered free-of-cost under Organised Development as mentioned in regulation 15.5.4.3 shall be 0.35.

15.5.5 Other Features

Weightage factor for additional built-up area for providing land for arterial road and public facilities free-of-cost.		
Sr. No.	Percentage of area for arterial roads and public facilities to gross plot area.	Weightage factor
1.	Less than 10%	1.20
2.	10% and more but less than 15%	1.30
3.	More than 15%	1.40

Table- 15.8

15.5.5.1 No development or activity of the type stated under Items (a) to (i) in Regulation 15.5.1.1 shall involve construction of buildings more than 3- storeyed with height exceeding 13.5 m.

15.5.5.2 Other features of the development shall conform to the standardised bye-laws and Development Control Rules recommended by the Government for 'A' class Municipal Councils.

Weightage factor for additional built-up area for providing small plots		
Sr. No.	Percentage of land used for small plots to the gross plot area	Weightage factor
1.	Less than 10% total area.	1.10
2.	10% and more but less than 20%.	1.20
3.	More than 20%.	1.25

Table- 15.9

15.6 Industrial Zone (I-Zone)

15.6.1 No industrial use shall be permitted, except in the Industrial Zone of the Regional Plan or the industrial zones of the various Development Plans of the towns and cities in the Region and in U2 zone, as provided for in Regulation 15.5.

15.6.2 The lands in the I-Zone shall be used for industrial use in accordance with the Industrial Location Policy for MMR introduced by the Government Resolution, IE&LD No. ILP/ 1092/34101/IND-2 dated 4th May, 1993 and its subsequent amendments from time to time.

15.6.3 Subject to Regulation 15.6.2, the development of the lands in I-Zone shall be permitted in accordance with the Development Control Regulations applicable to the industrial development in the cities and towns in Mumbai Metropolitan Region and/or the Development Control Regulations of the Maharashtra Industrial Development Corporation applicable in its industrial areas. In the I-Zone situated outside the towns or cities, or Maharashtra Industrial Development Corporation's industrial areas, the industrial development shall conform to the standardised building bye-laws and Development Control Rules recommended by the Government for 'A' class Municipal Councils.

15.7 Recreational and Tourism Development Zone (RTD Zone)

15.7.1 Notwithstanding anything stated in Regulation 15.5, 15.6, 15.8, 15.9 and 15.12, developments in the Recreational and Tourism Development Zone shall be regulated in accordance with the following regulations.

15.7.2 For the purposes of these Regulations, the Recreational and Tourism Zone shall consist of :

- a) Areas specifically marked in the Regional Plan as RTD Zone;
- b) Places of recreational and tourism value, such as,
 - i) Forts;
 - ii) Archaeological and historical monuments;
 - iii) Major religious places;
 - iv) Objects, features, structures and places of architectural, natural and scientific interest, and educational value;
- c) A belt of 500 meters around the places mentioned in (b) above, but excluding existing gaothans.
- d) Hilly areas, plantation areas, forest areas, areas of natural scenery or other areas having recreational or tourism value;

Provided that the places or areas mentioned in (b) and (d) above are either shown in the Regional Plan or subsequently identified by the Government in consultation with Maharashtra Tourism Development Corporation and MMRDA.

15.7.3 No development of the type mentioned in Regulation 15.7.4 shall be permitted within the places mentioned in Regulation 15.7.2(b) or within 100 m. therefrom except for the purposes of restoration, conservation, improvement, maintenance and management of the places of recreational and tourism value as mentioned in Regulation 15.7.2 (b) and (d).

15.7.4 Subject to Regulations 15.7.3, following developments shall be permitted in the land situated in the Recreation and Tourism Development Zone or in accordance with a plan prepared for the particular RTD Zone.

- a) Gaothan and Gaothan expansion scheme as provided for in Regulation 15.7.2(b).
- b) Hotels, tourist resorts, holiday homes, motels and club houses.
- c) Retail shops, restaurants and banks.
- d) Religious places, and allied activities.
- e) Parks, gardens, play fields, golf courses, camping grounds, swimming pools, facilities related to water sports, race courses, amusement parks, theme parks.
- f) Temporary constructions for limited period, such as, during fairs, ceremonies, etc.
- g) Essential public services and utilities, such as, public toilets, water and sewage treatment facilities, electricity sub-station and bus-shelters.
- h) Access roads, bridges, vehicle parking areas, jetties, ropeways.
- i) Petrol pumps, servicing and repair services.

- j) Film and Video Shooting sites on land not less than 5 ha. on the condition that the permanent built up facilities shall not cover more than 10% of the gross land area. Where the investment is large, the built up area shall be allowed to the extent of 50% with a previous approval of Government. And by charging premium as decided by the Government.

Provided that in RTD Zone, the existing goathan and its periphery upto 200 m. for natural expansion of goathan shall be permitted subject to Regulation 15.7.3 and in accordance with the regulation of 'B' & 'C' Class Municipal Councils prescribed by the State Government, provided also that Hill Station Development as per Urban Development Department Notification No.TPS/1896/1231//CR-123/96/UD-13 dated 26th November, 1996 shall also be permitted.

15.7.5 Floor Space Index (FSI)

- 15.7.5.1** The maximum permissible FSI in RTD Zone shall be 0.2. The FSI shall be calculated on the gross area of the plot.
- 15.7.5.2** Where the owner surrenders to the Planning Authority, or an agency nominated by it, free of cost, any land for arterial roads, access roads, social facilities and amenities, public utilities and services an additional incentive FSI of 0.2 of the land so surrendered shall be permissible.
- 15.7.5.3** The size of the plot in the sub-division plan shall not be less than 500 sq.m.

15.7.6 Other features

- 15.7.6.1** No development or activity listed in Regulation 15.7.4 shall involve construction of buildings more than 2 storeys (i.e. Ground + upper floor) with height not exceeding 9 m.
- 15.7.6.2** Other features of the development shall conform to the standardised Bye-laws and Development Control Rules recommended by the Government for 'B' and 'C' class municipalities.

15.8 Green Zone-1 (G-1 Zone) and Special Green Zone-2 (G-2)

- 15.8.1** The lands in G-1 Zone may be used for any of the following purposes, namely,
- Gaothan and Gaothan expansion schemes in accordance with Regulation 15.11.
 - Farm buildings as permissible under Section 41 of the Maharashtra Land Revenue Code, 1966;
 - Holiday resorts, holiday homes subject to guidelines in Annexure-A.15.4;
 - Single-family houses on plots not less than 2000 sq.m. in area.
 - Educational, medical, social, cultural and religious institutions along with residential quarters, and shops for the staff on plot not less than 2.5 ha. and the primary school, pre-primary school and health centre on plot not less than 0.4 ha.
 - Film and video shooting sites on land not less than 5 ha. with studio and other related facilities, subject to condition that the permanent built up facilities shall not cover more than 10% of the gross land area.

- g) Subject to safety margins within the plots and environmental clearance under relevant legislation, storage of obnoxious or hazardous goods, includes bottling, packing, re-packing of LPG but excluding any manufacturing activity.
- h) Godowns, container park, 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 and away from 500 m from Gaothan and National Highway.
- j) Agricultural and allied activities and agro-based industries, rice mill, poha mill, saw mill, cold storage, horticultural project, poultry farms, cattle stables, piggeries, sheep farms.
- k) Religious places, crematorium and cemetery;
- l) Parks, gardens, play fields, golf courses, swimming pools, race courses, shooting ranges, camping grounds, facilities for water sports, amusement parks, theme parks;
- m) Fish farms, fish drying, storage of boats, servicing and repairs of boats;
- n) Quarrying of stone, murum or earth including mechanised stone crushing or stone dressing and temporary housing of laborers, office of the supervisors, managers and other accessory buildings related to quarrying activity in accordance with the guidelines given in Annexure A.15.5 and an undertaking to observe all necessary care and precaution during quarrying operations as required by these guidelines.
- o) Small scale industries and 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 may be freely allowed in villages located 8 km from major industrial department.
- p) Roads and bridges, railways, heliports, airports, ports, jetties, dams, pipelines, electricity transmission lines, communication towers, rope ways and such other essential services, subject to Regulation 15.3.3;
- q) Highway amenities and services such as petrol pump, small shops, service stations including emergency repair services, restaurants, parking lots, police check-post, subject to Regulation 15.12.

15.8.2 Lands in G-2 zone may be used for activities in items (a), (b), (j), (n). The activities mentioned in item (n) shall be permitted subject with the prior approval of MMRDA.

15.8.3 The maximum permissible Floor Space Index in G-1 and G-2 Zone shall be as mentioned in Table-15.10.

15.8.4 No development or activity listed in Regulation 15.8.1 and 15.8.2 shall involve construction of buildings more than 2-storeys (i.e. ground + 1 upper floor) with height exceeding 9 m.

15.8.5 Other features of the development shall conform to the standardised Bye-laws and Development Control Rules recommended by the Government for 'B' and 'C' class municipalities.

15.9 Forest Zone (F-Zone)

15.9.1 Where any land in the F-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, with the prior permission of the Forests

Department, such lands may be used for any of the following purposes, namely;

- i) Gaothan and Gaothan expansion schemes in accordance with the Regulation 15.11 but excluding item (b) and (c) of Regulation 15.11.5.
- ii) Uses mentioned in item (a) to (g) in Regulation 15.7.4.

15.9.2 The Floor Space Index and other features of the development permissible under Regulation 15.9.1 shall be in accordance with Regulation 15.7.5 and 15.7.6.

Maximum FSI in G-1 & G-2 Zone	
Land use categories listed in Regulation 15.8.1	Maximum F.S.I.
a)	As per Regulation 15.11.6.2.
b)	As per MLR Code 1966.
c)	As per guidelines in Annexure-A.15.4.
d) to j)	0.1
All other uses	0.05

Table- 15.10

15.9.3 Where any land in F-Zone is situated outside the Reserved Forest, Protected Forest or Acquired Forest, the development of such land shall conform to the Regulations applicable to adjacent G-1 or G-2 Zone as the case may be; Where such land is surrounded by zone other than G-1 or G-2, development of such land can be permitted conforming to the surrounding zone with the prior approval of MMRDA.

15.10 Quarry Zone (Q-Zone)

15.10.1 Lands included in the Q-Zone may be used for any of the following purposes, namely :

- a) quarry of stone, murum or earth;
- b) mechanised stone crushing or stone dressing;
- c) temporary housing of laborers, office of the supervisors, managers and other accessory buildings related to quarrying activity.
- d) Public utilities and services.

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

15.10.3 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-A.15.5 The applicant shall also have to furnish an undertaking and observe all necessary care and precaution during quarrying operations as required by these guidelines.

15.10.4 Where land in quarry zone is not proposed to be used for uses mentioned in 15.10.1, provisions of 15.8.1 shall apply.

15.11 Gaothan & Gaothan Expansion

15.11.1 Notwithstanding anything stated in Regulation 15.5.0, 15.6.0 and 15.7.0 the developments within the boundary of the existing gaothan (village site) and the gaothan expansion scheme (GES) situated in other than U-1 Zone and I-Zone shall be governed by the following Regulations.

15.11.2 For the purpose of these Regulations, the boundary of the existing gaothan shall be as shown in the revenue maps prepared on or before the date of coming into force of these Regulations.

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

- a) Residences;
- b) Retail shops, restaurants and banks, personal service establishments and repair service establishments;
- c) Schools;
- d) Community centres and other social institutions;
- e) Religious places;
- f) Clinics, dispensaries, health centres;
- g) Essential public services and utilities including local Government offices.
- h) Stables for domestic animals subject to limit of 5 animals on each plot.
- i) Traditional household industries;
- j) Storage of crop, fodder, manure, agricultural implements and other similar needs;
- k) Parks and playground;
- l) Fishing, fish and net-drying, boat storage, boat repairs and servicing, storage of fuel;
- m) Public conveniences;

15.11.4 The development in the nature of expansion of existing gaothan shall be permitted within 200 m. from the existing boundaries of the gaothan.

15.11.5 The lands included in gaothan expansion shall be used for the following;

- a) All uses stated in Regulation 15.11.3, items (a) to (m).
- b) Service industries class 'A' as stated in the standardised bye-laws and D.C. Rules sanctioned by the State Government for 'B' and 'C' class municipal councils.
- c) Warehousing and cold storage on plot not more than 0.20 ha.

15.11.6 Width of Access, Plot sizes, Floor Space Index (FSI), Maximum Height

15.11.6.1 The minimum width of access, pathways and roads, in Gaothan Expansion Scheme shall be as stated in Regulations 15.5.3.2 and minimum plot size shall be as stated in Regulation 15.5.3.3.

15.11.6.2 The maximum permissible FSI, maximum number of storeys and maximum height of the buildings in gaothan and gaothan expansion schemes shall be as given in Table-15.11.

- 15.11.6.3** The maximum permissible FSI shall be calculated on the Gross area of the plot.
- 15.11.6.4** Where the owner surrenders to the Planning Authority, Local Authority or the Collector or an agency nominated by them, free-of-cost, any land for main roads, social facilities and amenities, public utilities and services, an additional incentive F.S.I. of 0.2 of the land so surrendered shall be permissible in Gaothan and Gaothan Expansion.
- 15.11.6.5** Other features of the development shall conform to the standardised bye-laws and Development Control rules recommended by the Government for 'B' and 'C' class municipal councils.

15.12 **Developments Along Highways**

- 15.12.1** Notwithstanding anything stated in the foregoing Regulations the accesses to and developments along the Expressway (EW), National Highway (NH) and State Highway (SH), outside the boundaries of towns and cities in the Region, shall conform to the following Regulations.
- 15.12.2** No development abutting EW, NH or SH, shall be permitted without obtaining the NOC for access to such development from Highway Authorities or other appropriate authority. The development shall have to be separated from such highway by a parallel service road at least 12.00 m. wide.
- 15.12.3** Subject to Regulation 15.12.4 and 15.12.5, 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 direct access from the EW, NH and SH. Such access shall be provided with proper lay-by as per the guidelines specified by the Indian Road Congress.

FSI, No. of storeys and Max. Height of buildings in Gaothan and GES.				
	Location	FSI	No.of storeys	Max. height
1.	Gaothan	1.0	G + II or stilt with III	13.5 m.
2.	GES	1.00	G + II or stilt with III	13.5 m.
3.	Development within 200 m. from gaothan boundary.	1.00	G + II or stilt with III	13.5 m.

Table- 15.11

- 15.12.4** Essential highway amenities and services mentioned in Regulation 15.12.3 shall be permitted on the following highways only as a part of the integrated complex planned by Highway Authority.
- All proposed EWs
 - NH-4 between Panvel and Khopoli.
 - NH-17 between Panvel and Pen .

- d) NH-8 between Vasai creek bridge and Vaitarna creek bridge.
 - e) NH-3 between Thane and the boundary of MMR.
- 15.12.5** On classified roads, such as EW, NH, SH and MDR, no petrol pump, service station or motel shall be permitted on the sides of such classified at a location within 5 km.
- 15.12.6** All intersections from EW shall be grade separated.
- 15.12.7** No new intersection at grade shall be permitted on NH or SH except at a location :
- a) 10 km. or more from the existing intersection on NH, or
 - b) 5 km. or more from the existing intersection on SH.
- 15.12.8** On classified roads, no building shall be constructed with setback distance mentioned in M.L.R. Code - 1966 or within the prescribed limits by the Highway Authorities.
- The land between setback shall be planted with trees at the rate of 15 trees per 1000 sq.m. excluding service roads.
- 15.12.9** The display of advertising sign 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.

**FORM FOR SUBMISSION OF INFORMATION FOR ENVIRONMENTAL ASSESSMENT AND
ENVIRONMENTAL SCREENING OF THE DEVELOPMENT PROPOSAL. (REFER
REGULATION 15.3.3.1 & 15.3.3.2)**

- 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.
(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 landuse of the site.
(Area statement and map at larger scale essential)
 - b) Existing landuse 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, landuses 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 SO₂, NO₂, 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.

**LIST OF HIGHLY POLLUTING AND HAZARDOUS INDUSTRIES
(REFER REGULATION 15.3.3.1)**

- 1) petroleum refineries, including crude and product pipelines,
- 2) chemical fertilizers (nitrogeous and phosphatic other than single super phosphate.)
- 3) pesticides (technical)
- 4) petro-chemical complexes
- 5) Bulk drug and pharmaceuticals.
- 6) Exploration for oil and gas and their production, and storage including pipelines.
- 7) Synthetic Rubber.
- 8) Asbestos and Asbestos Products.
- 9) Hydrocyanic acid and its derivatives.
- 10) a) Primary metallurgical industries (such as production of Iron and Steel, Aluminium, Copper, Zinc, Lead and Ferro Alloys).
b) Electric arc furnaces (Mini Steel Plants).
- 11) Chlor-alkali industry.
- 12) Integrated paint complex including manufacture of resins and basic raw materials required in the manufacture of paints.
- 13) Viscose staple fibre and filament yarn.
- 14) Storage batteries integrated with manufacture of oxides of lead and lead antimony alloy.
- 15) Distilleries.
- 16) Raw Skins and Hides.
- 17) Pulp, paper and newsprint.
- 18) Dyes.
- 19) Cement.
- 20) Foundries (individual).
- 21) Electroplating.

MINISTRY OF ENVIRONMENT & FORESTS
(Department of Environment, Forests & Wild Life)

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.

New Delhi, the 19th February, 1991

S.O. 114(E) – Whereas a Notification under Section 3(1) and Section 3(2)(v) of the Environment (Protection) Act, 1986, inviting objections against the declazration of Coastal Stretches as Coastal Regulation Zone (CRZ) was published vide S.O. No.944(E) dated 15th December, 1990.

And whereas all objections received have been duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by Clause (d) of sub-rule (3) of Rule 5 of Environment (Protection) Rules, 1986, and all other powers vesting in its behalf, the Central Government hereby declares the coastal stretches of seas, bays, estuaries, creeks, rivers and backwaters which are influenced by tidal action (in the landward side) upto 500 metres from the High Tide Line (HTL) and the land between the Low Tide Line (LTL) and the HTL as Coastal Regulation Zone and imposes with effect from the date of this Notification, the following restrictions on the setting up and expansion of industries, operations or processes, etc. in the ssaid Coastal Regulation Zone (CRZ). For purposes of this Notification, the High Tide Line (HTL) will be defined as the line upto which the highest high tide reaches at spring tides.

Note : The distance from the High Tide Line (HTL) to which the proposed regulation will apply in the case of rivers, creeks and backwaters may be modified on a case by case basis for reasons to be recorded while preparing the Coastal Zone Management Plans (referred to below); however, this distance shall not be less than 100 metres or the width of the creek, river or backwater whichever is less.

2. Prohibited Activities :

The following activities are declared as prohibited within the Coastal Regulation Zone, namely :

- (i) setting up of new industries and expansion of existing industries, except those directly related to water front or directly needing foreshore facilities;
- (ii) manufacture or handling or storage or disposal of hazardous substances as specified in the Notifications of the Government of India in the Ministry of Environment and Forests No. S.O. 594(E) dated 28th July, 1989, S.O. 966(E) dated 27th November, 1989 and GSR 1037(E) dated 5th December 1989;
- (iii) setting up and expansion of fish processing units including warehousing (excluding hatchery and natural fish drying in permitted areas);
- (iv) setting up and expansion of units/mechanisms for disposal of waste and effluents, except facilities required for discharging treated effluents into the water course with approval under the Water (Prevention and Control of Pollution) act, 1974;

and except for storm water drains.

- (v) discharge of untreated wastes and effluents from industries, cities or towns and other human settlements. Schemes shall be implemented by the concerned authorities for phasing out the existing practices, if any, within a reasonable time period not exceeding three years from the date of this notification;
- (vi) dumping of city or town waste for the purposes of land filling or otherwise, the existing practice, if any, shall be phased out within a reasonable time not exceeding three years from the date of this Notification;
- (vii) dumping of ash or any wastes from the thermal power stations;
- (viii) land and reclamation, handing or disturbing the natural course of sea water with similar obstructions, except those required for control of coastal erosion and maintenance or cleaning of waterways, channels and ports and for prevention of sandbars and also except for tidal regulators, storm water drains and structures for prevention of salinity ingress and for sweet water recharge;
- (ix) mining of sands, rocks and other substrata materials, except those rare minerals not available outside the CRZ areas;
- (x) harvesting or drawal of ground water and construction of mechanisms therefor within 200 m. of HTL; in the 200 m to 500 m zone it shall be permitted only when done manually through ordinary wells for drinking, horticulture, agriculture and fisheries;
- (xi) construction activities in ecologically sensitive areas as specified in Annexure-1 of this Notification;
- (xii) any construction activity between the Low Tide Line and High Tide Line except facilities for carrying treated effluents and waste water discharges into the sea, facilities for carrying sea water for cooling purposes, oil, gas and similar pipelines and facilities essential for activities permitted under this Notification; and
- (xiii) dressing or altering of sand dunes, hills, natural features including landscape changes for beautification, recreational and other such purpose, except as permissible under this Notification.

3. Regulation of Permissible Activities :

All other activities, except those prohibited in para 2 above, will be regulated as under :

- (1) Clearance shall be given for any activity within the Coastal Regulation Zone only if it requires water front and foreshore facilities.
- (2) The following activities will require environmental clearance from the Ministry of Environment & Forests, Government of India, namely :
 - (i) Construction activities related to Defence requirements for which foreshore facilities are essential (e.g. slipways, jetties, etc.), except for classified operational component of defence projects for which a separate procedure shall be followed. (Residential buildings, office buildings, hospital complexes, workshops shall not come within the definition of operational requirements

except in very special cases and hence shall not normally be permitted in the CRZ.

- (ii) Operational construction for ports and harbours and light houses requiring water frontage, jetties, wharves, quays, slipways, etc. (Residential buildings and office buildings shall not come within the definition of operational activities except in very special cases and hence shall not normally be permitted in the CRZ).
 - (iii) Thermal power plants (only foreshore facilities for transport of raw materials facilities for in-take of cooling of water and outfall for discharge of treated waste water/cooling water);
 - (iv) All other activities with investment exceeding rupees five crores.
- (3) (i) The coastal States and Union Territory Administrations shall prepare, within a period of one year from the date of this Notification Coastal Zone Management Plans identifying and classifying the CRZ areas within their respective territories in accordance with the guidelines given in Annexures- 1 and II of the Notification and obtain approval (with or without modifications) of the Central Government in the Ministry of Environment & Forests.
- (ii) Within the framework of such approved plans, all development and activities within the CRZ other than those covered in para 2 and para 3(2) above shall be regulated by the State Government, Union Territory Administration or the local authority as the case may be in accordance with the guidelines given in Annexures- I and II of the Notification; and
 - (iii) In the interim period till the Coastal Zone Management Plans mentioned in para 3(3)(i) above are prepared and approved, all developments and activities within the CRZ shall not violate the provisions of this Notification. State Governments and Union Territory Administrations shall ensure adherence to these regulations and violations, if any, shall be subject to the provisions of the Environment (Protection) Act, 1986.

4. **Procedure for monitoring and enforcement :**

The Ministry of Environment & Forests and the Government of State or Union Territory and such other authorities at the state or Union Territory levels, as may be designated for this purpose, shall be responsible for monitoring and enforcement of the provisions of this notification within their respective jurisdictions.

COASTAL AREA CLASSIFICATION AND DEVELOPMENT REGULATIONS

Classification of Coastal Regulation Zone :

- 6(1) For regulating development activities, the coastal stretches within 500 metres of High Tide Line of the landward side are classified into four categories, namely;

Category 1 (CRZ-II) :

- (i) Areas that are ecologically sensitive and important, such as, national parks/marine parks, sanctuaries, reserve forests, wildlife habitats, mangroves, corals/coral reefs, areas close to breeding and spawning grounds of fish and other marine life, areas of outstanding natural beauty/historical/heritage areas, areas rich in genetic diversity, areas likely to be inundated due to rise in sea level consequent upon global warming and such other areas as may be declared by the Central Government or the concerned authorities at the State/Union Territory level from time to time.
- (ii) Area between the Low Tide Line and the High Tide Line.

Category-II (CRZ-II):

The areas that have already been developed upto or close to the shore-line. For this purpose, “developed area” is referred to as that area within the municipal limits or in other legally designated urban areas which is already substantially built up and which has been provided with drainage and approach roads and other infrastructural facilities, such as, water supply and sewerage mains.

Category-III (CRZ-III) :

Areas that are relatively undisturbed and those which do not belong to either Category-I or II. These will include coastal zone in the rural areas (developed and undeveloped and also areas within Municipal Units or in other legally designated urban areas which are not substantially built up.

CRZ-I

Nonew construction shall be permitted within 500 metres of the High Tide Line. No construction between the Low Tide Line and the High Tide Line.

CRZ-II

- (i) Buildings shall be permitted neither on the seaward side of the existing road (or roads proposed in the approved Coastal Zone Management Plan of the area) nor on seaward side of existing authorised structures. Buildings permitted on the landward side of the existing and proposed roads/existing authorised structures shall be subject to the existing local Town and Country Planning Regulations including the existing norms of FSI/FAR.
- (ii) Reconstruction of the authorised buildings to be permitted subject to the existing FSI/FAZR norms and without change in the existing use.

- (iii) The design and construction of buildings shall be consistent with the surrounding landscape and local architectural style.

CRZ-III

- (i) The area upto 200 metres from the High Tide Line is to be earmarked as 'No Development Zone' . No construction shall be permitted within this zone except for repairs of existing authorised structures not exceeding existing FSI, existing plinth area and existing density. However, the following uses may be permissible in this zone – agriculture, horticulture, gardens, pastures, parks, play fields, forestry and salt manufacture from sea water.
- (ii) Development of vacant plots between 200 to 500 metres of High Tide Line in designated areas of CRZ-III with prior approval of MEF (Ministry of Environment and Forests) permitted for construction of hotels/beach resorts for temporary occupation of tourists/visitors subject to the conditions as stipulated in the guidelines at Annexure-II.
- (iii) Construction/reconstruction of dwelling units between 200 and 500 metres of the High Tide Line permitted so long it is within the ambit of traditional rights and customary uses such as existing fishing villages and gaothans. Building permission for such construction/reconstruction will be subject to the conditions that the total number of dwelling units shall not be more than twice the number of existing units; total covered area on all floors shall not exceed 33 percent of the plot size; the overall height of construction shall not exceed 9 metres and construction shall not be more than 2 floors (ground floor plus one floor).
- (iv) Reconstruction/alterations of an existing authorised building permitted subject to (i) and (ii) above.

CRZ-IV

Andaman & Nicobar Islands :

- (i) No new construction of buildings shall be permitted within 200 metres of the HTL;
- (ii) The buildings between 200 and 500 metres from the High Tide Line shall not have more than 2 floors (ground floor and 1st floor), the total covered area on all floors shall not be more than 50 percent of the plot size and the total height of construction shall not exceed 9 metres.
- (iii) The design and construction of beaches and coastal waters shall not be used for construction and other purposes;
- (iv) Corals and sand from the beaches and coastal waters shall not be used for construction and other purposes;
- (v) Dredging and underwater blasting in and around coral formations shall not be permitted; and
- (vi) However, in some of the islands, coastal stretches may also be classified into categories CRZ-I or II or III with the prior approval of Ministry of Environment

and Forests and in such designated stretches, the appropriate regulations given for respective Categories shall apply.

Lakshadweep and small Islands :

- (i) For permitting construction of buildings, the distance from the High Tide Line shall be decided depending on the size of the islands. This shall be laid down for each island in consultation with the experts and with approval of the Ministry of Environment & Forests, keeping in view the land use requirements for specific purposes vis-à-vis local conditions including hydrological aspects, erosion and ecological sensitivity.
- (ii) The buildings within 500 metres from the HTL shall not have more than 2 floors (ground floor and 1st floor). The total covered area on all floors shall not be more than 50 percent of the plot size and the total height of construction shall not exceed 9 metres.
- (iii) The design and construction of buildings shall be consistent with the surrounding landscape and local architectural style.
- (iv) Corals and sand from the beaches and coastal waters shall not be used for construction and other purposes.
- (v) Dredging and underwater blasting in and around coral formations shall not be permitted; and
- (vi) However, in some of the islands, coastal stretches may also be classified into categories CRZ-I or II or III, with the prior approval of Ministry of Environment & Forests and in such designated stretches, the appropriate regulations given for respective Categories shall apply.

**GUIDELINES FOR DEVELOPMENT OF BEACH
RESORTS/HOTELS IN THE DESIGNATED AREAS OF CRZ-III
FOR TEMPORARY OCCUPATION OF TOURISTS/VISITORS,
WITH PRIOR APPROVAL OF THE MINISTRY OF ENVIRONMENT & FORESTS.**

- 7(1) Construction of beach resorts/hotels with prior approval of MEF in the designated areas of CRZ-III for temporary occupation of tourists/visitors shall be subject to the following conditions :
- (i) The project proponents shall not undertake any construction (including temporary constructions and fencing or such other barriers) within 200 metres (in the landward side) from the High Tide Line and within the area between the Low Tide and High Tide Line;
 - (ii) 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 FSI shall not exceed 0.33. The open area shall be suitably landscaped with appropriate vegetal cover;
 - (iii) The construction shall be consistent with the surrounding landscape and local architectural style;
 - (iv) The overall height of construction upto the highest ridge of the roof, shall not exceed 9 metres and the construction shall not be more than 2 floors (ground floor plus one upper floor);
 - (v) Ground water shall not be tapped within 200 m. of the HTL within the 200 metre-500 metre zone it can be tapped only with the concurrence of the Central/State Ground Water Board;
 - (vi) Extraction of sand, levelling or digging of sandy stretches except for structural foundation of building, swimming pool shall not be permitted within 500 metres of the High Tide Line;
 - (vii) The quality of treated effluents, solid wastes, emissions and noise levels, etc. from the project area must conform to the standards laid down by the competent authorities including the Central/State Pollution Control Board and under the Environment (Protection) Act, 1986;
 - (viii) Necessary arrangements for the treatment of the effluents and solid waste must be made. It must be ensured that the untreated effluents and solid wastes are not discharged into the water or on the beach; and no effluent/ solid waste shall be discharged on the beach;
 - (ix) To allow public access to the beach, at least a gap of 20 metres width shall be provided between any two hotels/beach resorts; and in no case shall gaps be more than 500 metres apart; and
 - (x) If the project involves diversion of forest land for non-forest purposes, clearance as required under the Forest (Conservation) Act, 1980 shall be obtained. The requirements of other Central and State laws as applicable to the project shall be met with.

(xi) Approval of the State/Union Territory Tourism Department shall be obtained.

- 7(2) In ecologically sensitive areas (such as marine parks, mangroves, coral reefs, breeding and spawning grounds of fish, wildlife habitats and such other areas as may be notified by the Central/State Government/Union Territories) construction of beach resorts/hotels shall not be permitted.

MINISTRY OF ENVIRONMENT AND FOREST
(Department of Environment, Forests and Wildlife)
NOTIFICATION

New Delhi, the 16th August, 1994.

S.O. 595(E) – Whereas by the notification of the Govt. of India in the Ministry of Environment and Forests No. S.O.114(E), dated the 19th February 1991 (hereinafter referred to as the said notification) Coastal Stretches were declared Coastal Regulation Zones and restrictions were imposed on the setting up and expansion of tourism, and hotel facilities in the coastal zones;

And whereas the Central Government constituted an Expert Committee under the Chairmanship of Shri B/B. Vohra to examine the issues relating to industries, operations and processes in the said zone;

And whereas the said Committee submitted its report to the Central Government on 31st day of December, 1992 and the Central Government after considering the said report proposes to make certain amendments in the said notification;

And whereas vide No.S.O. 859(E), dated the 11th November, 1993, the objections suggestions from the public were invited and duly considered and examined 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) read with Clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules 1986, the Central Government hereby makes the following amendments in the aforesaid notification :

(Amendment to No.S.O.114(E), dated the 19th February, 1991)

In exercise of the powers conferred by clause(a) of sub-rule (3) of rule 5 of the Environment Protection Rule, 1986, the Central Government hereby makes the following amendments in the notification of the Government of India in the Ministry of Environment and Forests No.S.O.114(E), dated the 19th February, 1991, namely;

(a) In paragraph 1, for the portion beginning with the words For purposes of this notification, the High Tide Line and ending with the words width of the creek, river or backwater whichever is less, the following shall be substituted, namely :

“For the purposes of this notification, the High Tide Line means the line on the land upto which the highest water line reaches during the spring tide and shall be demarcated uniformly in all parts of the country by the demarcating authority so authorised by the Central Government in consultation with the Surveyor General of India.

Note :

The distance from the High Tide Line shall apply to both the sides in the case of rivers, creeks and back waters and may be modified on a case by case basis for

reasons to be recorded while preparing the Coastal Zone Management Plans. However, this distance shall not be less than 50 metres or the width of the creek, river or back water whichever is less. The distance upto which development along rivers, creeks and back waters is to be regulated shall be governed by the distance upto which the tidal effect of sea is experienced in rivers, creeks or back waters, as the case may be and should be clearly identified in the Coastal Zone **Management Plans**".

(b) In Annexure II, in paragraph 7, in sub-paragraph (1) for item (I), the following items shall be substituted, namely :

(i) The project proponent shall not undertake any construction within 200 metres in the landward side from the High Tide Line and within the area between the Low Tide and High Tide Lines;

Provided that the Central Government may, after taking into account geographical features and overall Coastal Zone Management Plans and for reasons to be recorded in writing, permit any construction subject to such conditions and restrictions as it may deem fit;

(ia) 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;

(ib) no flattening of sand dunes shall be carried out;

(ic) no permanent structures for sports facilities shall be permitted except construction of goal posts, net posts and lamp posts;

(id) construction of basements may be allowed subject to the condition that no objection certificate is obtained from the State Ground Water Authority to the effect that such construction will not adversely affect free flow of ground water in that area. The State Ground Water Authority shall take into consideration the guidelines issued by the Central Government before granting such no objection certificate.

EXPLANATION

Though no construction is allowed in the no development zone for the purpose of calculation of FSI, the area of entire plot including the portion which falls within the no development zone shall be taken into account.

(File No.K-15010 1/84-JA.III)

K.K.BAKSI, Addl.Secy.

GUIDELINES FOR DEVELOPMENT OF HOLIDAY RESORTS/HOMES

(Refer Regulation 15.8.1 (c))

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 storeyed 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 set backs 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.

GUIDELINES FOR PERMITTING QUARRIES
(Refer Regulation 15.10.3)

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 man made 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 equipments; 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.

**LIST OF VILLAGE IN 'G2' ZONE FOR WHICH CIDCO'S PERMISSION IS REQUIRED
(Refer Regulation 15.3.6)**

- | | |
|-------------------------|-----------------------------|
| 1. Koprili | 27. Khairwadi |
| 2. Nere | 28. Gadhe |
| 3. Vakadi | 29. Waje |
| 4. Sangatoli | 30. Harigram |
| 5. Umroli | 31. Kevali |
| 6. Chinchvali Turf Waje | 32. Khanav |
| 7. Usarli Budruk | 33. Ambhe Turf Waje |
| 8. Ritghar | 34. Shiravali |
| 9. Shivansai | 35. Chinchavali Turf Taloje |
| 10. Vihighar | 36. Ambhe Turf Taloje |
| 11. Tamsai | 37. Wangani Turf Taloje |
| 12. Kondale | 38. Kondap |
| 13. Morbe | 39. Karambeli Turf Taloje |
| 14. Nitale | 40. Dundre |
| 15. Nitalas | 41. Chinchavan |
| 16. Vavanje | 42. Chiravat |
| 17. Mohodar | 43. Kanpoli |
| 18. Kherane Kh. | 44. Mosare |
| 19. Mahalungi | 45. Nandgaon |
| 20. Chindharan | 46. Nanoshiv |
| 21. Dhamani | 47. Patnoli |
| 22. Maldunge | 48. Sanguli |
| 23. Dhodani | 49. Turmale |
| 24. Deharang | 50. Vadavali |
| 25. Wajapar | 51. Kudare |
| 26. Cheravali | |