

**DEVELOPMENT CONTROL REGULATIONS FOR
NAVI MUMBAI MUNICIPAL CORPORATION – 1994**
(As published in April 2006)

PART – I
ADMINISTRATION

1. PREAMBLE

In exercise of powers conferred by Section 37 (i) of Maharashtra Regional and Town Planning Act, 1966 (Maharashtra XXXVII of 1966) and all other powers enabling it in this behalf, the Navi Mumbai Municipal Corporation being the Planning Authority under Section 2(15) (a) and section 2 (19) of the Maharashtra Regional and Town Planning Act, 1966 for the area within the jurisdiction of the Navi Mumbai Municipal Corporation, hereby makes the following regulations.

2. SHORT TITLE, EXTENT AND COMMENCEMENT

- 2.1 These regulations may be called the Development Control Regulations for Navi Mumbai Municipal Corporation, 1994. (hereinafter called “these Regulations”)
- 2.2 These regulations shall come into force immediately after the sanction by the State Government. These Regulations shall come into force on and shall replace the existing General Development Control Regulations for Navi Mumbai, 1975 framed under the Maharashtra Regional and Town Planning Act, 1966 (Mah. Act No. XXXVII of 1966). Applications pending with NMMC until date of sanction are dealt as per earlier regulations.
- 2.3 These regulations shall supersede all Development Control rules and byelaws framed and sanctioned under the Maharashtra Regional and town Planning Act, 1966 and the Bombay Provisional Municipal Corporation Act, 1949.
- 2.4 However, the regulations framed for Navi Mumbai Project Area by CIDCO and known as “General Development Control Regulations for Navi Mumbai-1975” with amendments from time to time up to 15th Dec. 1994 shall prevail for the entire jurisdiction of Navi Mumbai Municipal Corporation till the sanction of these rules by the State Government.

2.5 Similarly, in respect of Adivali – Bhutali which is outside the Navi Mumbai Project Area, “Development Control Regulations for Mumbai Metropolitan Region, 1999” shall prevail till sanction of Development Plan and Development Control rules by the State Govt.

2.6 Jurisdiction:

- a) These Regulations shall apply to building activities and development works in areas under the entire Jurisdiction of the Navi Mumbai Municipal Corporation (hereinafter called “the Corporation”). If there is a conflict between the requirements of these regulations and those of any other rules or byelaws, these regulations shall prevail.

3. DEFINITIONS OF TERMS & EXPRESSIONS

- a) **General** - In these Regulations, unless the context otherwise requires, the terms and expressions shall have the meaning indicated against each of them.
- b) Meaning as in the Acts, Rules, etc.- Terms and expressions not defined in these Regulations shall have the same meanings as in the Maharashtra Regional and Town Planning Act, 1966 (Mah. Act No. XXXVII of 1966) and the Rules or Byelaws framed thereunder, as the case may be, unless the context otherwise requires.

3.1 **"ACT"**In these regulations, unless the context otherwise requires, "ACT' means

- 1) The Maharashtra Regional and Town Planning Act, 1966 (Maharashtra Act No. XXXVII of 1966).

3.2 Deleted.

3.3 Deleted.

3.4 **"APPROVED"** means approved by the Corporation.

3.5 **"ACCESS"** means aligned means of passage from the public road to the plot or land.

- 3.6 **“ACCESSORY BUILDING”** means a building separated from the main building on a plot, and put to one or more accessory uses.
- 3.7 **“ACCESSORY USE”** means use of the building, subordinate and customarily incidental to the principal use.
- 3.8 **“ADVERTISING SIGN”** means any surface of structure with characters, letter or illustrations applied thereto and displayed in any manner whatsoever out of doors for the purpose of advertising or giving information regarding or to attract the public to any place, person, public performance, article or merchandise and which surface or structure is attached to, forms part of; or is connected with any building, or fixed to a tree or to the ground or to any pole, screen, fence or hoarding or displayed in space or in or over any water body included in the limits of Navi Mumbai Municipal Corporation.
- 3.9 **“AIR CONDITIONING”** means the process of treating air to control simultaneously its temperature, humidity, cleanliness and distribution to meet the requirement of an enclosed space.
- 3.10 **“ADDITION AND / OR ALTERATION”** means changed from one occupancy to another, or a structural change, such as addition to the area or height, or the removal of part of building or a change to the structure, such as the construction or cutting into or removal of any wall or part of a wall, partition, column, beam, joist, floor including a mezzanine floor or other support, or a change to or closing of any required means of ingress or egress, or change to fixtures or equipment as provided in these Regulations.
- 3.11 **“AMENITY”** means roads, streets, open spaces, parks, recreational grounds, play grounds, sports complex, parade grounds, gardens, markets, parking lots, primary & secondary schools and colleges and polytechnics, clinics, dispensaries, hospitals, water supply, electricity supply, street lighting, sewerage, drainage, public works and includes other utilities, services and conveniences.
- 3.12 **“AUTHORITY”** means authority which has been created by a statute and which for the purpose of administering the bye-laws may authorize a committee or an official to act on its behalf; hereinafter called the Authority.

- 3.13 **“AUTOMATIC SPRINKLER SYSTEM”** means an arrangement of pipes and sprinklers, automatically operated by heat and discharging water on fire, simultaneously setting an audible alarm.
- 3.14 **“BALCONY”** means a horizontal projection, including a handrail, or balustrade to serve as passage or sitting out place.
- 3.15 **“BASEMENT OR CELLAR”** means the lower storey of a building below or partly below the ground level.
- 3.16 **“BUILDING”** means a structure, constructed with any materials whatsoever for any purpose, whether used for human habitation or not, and includes -
- i. Foundation, plinth, walls, floors, roofs, chimneys, plumbing and building services, fixed platforms;
 - ii. Verandahs, balconies, cornices, projections;
 - iii. Part of a building or anything affixed thereto;
 - iv. Any wall enclosing or intended to enclose any land or space, signs and outdoor display structures;
 - v. Tanks constructed for storage of chemicals or chemicals in liquid form;
 - vi. All types of buildings defined in (a) to (r) below, but not tents, shamianas and tarpaulin shelters erected for temporary purposes for ceremonial occasions, with the permission of the Municipal Commissioner, shall not be considered to be “buildings”.
- a. **“ASSEMBLY BUILDING”** means a building or part thereof where groups of people congregate or gather for amusement, recreation, social, religious, patriotic, civil, travel and similar purposes. “Assembly buildings” include buildings of drama and cinema theatres, drive-in-theatres, Multiplexes, assembly halls, town halls, auditoria, exhibition halls, museums, “mangal karyalayas”, skating rinks, gymnasia, stadia, restaurants, eating or boarding houses, places of worship, dance halls, clubs, gymkhana, road, air, sea or other public transportation stations, and recreation piers.
 - b. **“BIOTECHNOLOGY UNIT”** shall mean and include biotechnology units that are certified by the Development Commissioner (Industries) or any other officer authorized by him in this behalf.

- c. **“BUSINESS BUILDING”** means any building or part thereof used for transaction of business and / or keeping of accounts and record thereof; offices, banks, professional establishments, court houses being classified as business buildings if their principal function is transaction of business and / or keeping of books and records.
- d. **“DETACHED BUILDING”** means a building with walls and roofs independent of any other building and with open spaces on all sides.
- e. **Deleted**
- f. **“EDUCATIONAL BUILDING”** means a building exclusively used for a school or college, recognized by the appropriate Board or University, or any other competent authority involving assembly for instruction, education or recreation incidental to educational use, and including a building for such other users incidental thereto such as a library or a research institution. It shall also include quarters for essential staff required to reside in the premises, and a building used as a hostel captive to an educational institution whether situated in its campus or not.
- g. **“HAZARDOUS BUILDING”** means a building or part thereof used for; -
 - i. Storage, handling, manufacture or processing of radioactive substances or of highly combustible or explosive materials or products which are liable to burn with extreme rapidity and / or producing poisonous fumes or explosive emanations;
 - ii. Storage, handling, manufacture or processing of which involves highly corrosive, toxic or noxious alkalis, acids, or other liquids, gases or chemicals producing flame, fumes and explosive mixtures or which result in division of matter into fine particles capable of spontaneous ignition.
- h. **“INDUSTRIAL BUILDING”** means a building or part thereof wherein products or material are fabricated, assembled or processed, such as assembly plants, laboratories, power plants, refineries, gas plants, mills, dairies and factories.

- i. **“INSTITUTIONAL BUILDING”** means a building constructed by Government, Semi-Government organizations or registered Trusts and used for medical or other treatment, a hostel for working women or for an auditorium or complex for cultural and allied activities or for an hospice, care of persons suffering from physical or mental illness, handicap, disease of infirmity, care of orphans, abandoned women, children and infants, convalescents, destitutes or aged persons and for penal or correctional detention with restricted liberty of the inmates ordinarily providing sleeping accommodation, and includes, - hospitals, sanatoria, custodial and penal institutions such as jails, prisons, mental hospitals, houses of correction, detention and reformatories.
- j. **“MERCANTILE BUILDING”** means a building or part thereof used as shops, stores, or markets for display and sale of wholesale or retail goods or merchandise, including office, storage and service specialties incidental thereto located in the same building
- k. **“MULTI-STORIED BUILDING” OR “HIGH-RISE BUILDING”** means a building of a height of 16 meters or more above the average surrounding ground level.
- l. **“OFFICE BUILDING ”** means a building or premises or part thereof whose sole or principal use is for an office, or for office purposes or clerical work. “Office purposes” includes the purpose of administration, clerical work, handling money, telephone, telegraph and computer operation; and “clerical work” includes writing, book keeping, sorting papers, typing, filing, duplicating, punching cards or tapes, machine calculations, drawing of matter for publication and editorial preparation of matter for publication.
- m. **“RESIDENTIAL BUILDING”** means a building in which sleeping accommodation is provided for normal residential purposes, with or without cooking or dining facilities, and includes one or more family dwellings, lodging or rooming houses, hostels, dormitories apartment houses, flats and private garages of such buildings.

- n. **“SEMI-DETACHED BUILDING”**, means a building detached on three sides with open space as specified in these Regulations.
- o. **“SPECIAL BUILDING”**, means
- i. A building solely used for the purpose of a drama or cinema theatre/multiplex, a drive-in-theatre, an assembly hall or auditorium, an educational building, exhibition hall, theatre, museum, a stadium, a “Mangal karyalaya” or where the built up area of such a user exceeds 150 Sq.m in the case of mixed occupancies;
 - ii. An industrial building;
 - iii. A hazardous building;
 - iv. A building of a wholesale establishment;
 - v. A residential hotel building or centrally air-conditioned building exceeding -15 m. height or a total built up area of 600 Sq.m.
- p. **“STORAGE BUILDING”** means a building or part thereof used primarily for storage or shelter of goods, wares, merchandise and includes a building used as warehouse, cold storage, freight depot, transit shed, store house, public garage, hangar, truck terminal, grain elevator, barn and stable.
- q. **“UNSAFE BUILDING”**, means a building which –
- i. Is structurally unsafe;
 - ii. Is insanitary;
 - iii. Is provided with inadequate mean of egress;
 - iv. Constitutes a fire hazard;
 - v. is dangerous to human lives; in relation to its ‘existing use’ constitutes a hazard to safety or health or public welfare by reasons of inadequate maintenance, dilapidation or abandonment.
- r. **“WHOLESALE ESTABLISHMENT”** means an establishment fully or partly engaged in wholesale trade and manufactures, wholesale outlets, including related storage facilities, warehouses and establishments engaged in truck transport, including truck transport booking agencies.

- 3.17 **“BUILDING LINE”** means the line up to which the plinth of the building adjoining a street or an extension of a street or on a future street may lawfully extend and includes the lines prescribed, if any, in any scheme and or development plan.
- 3.18 **“BUILDING HEIGHT”** – means vertical distance measured in the case of flat roofs, from the average level of the ground around and contiguous to the building to the top of the topmost slab and in the case of pitched roofs, upto the mid-point between the eaves level and the ridge. Architectural features serving no other function except that of decoration, lift room, staircase room in terrace and overhead water tank etc. shall be excluded for the purpose of ascertaining height.
- 3.19 **“BUILT-UP AREA”** means an area covered by a building on all floors including cantilevered portion, if any, but excepting the areas excluded specifically under these Regulations.
- 3.20 **“CABIN”** means a non-residential enclosure of non-load bearing partitions.
- 3.21 **“CARPET AREA”** means the net usable floor area of a room/rooms excluding the area occupied by walls
- 3.22 **“CHAJJA”** means a slopping or horizontal structural overhang provided over opening or external walls for protection from the weather.
- 3.23 **“CHIMNEY”** means a construction by means of which a flue is formed for the purpose of carrying products of Combustion to the open air and includes a chimneystack and the flue pipe.
- 3.24 **“CHOWK”** means a fully or partially enclosed space permanently open to a sky within a building at any level; an “inner chowk” being enclosed on all sides except as provided in clause (a) of sub regulation 4(h) of regulation 42 and “outer chowk” having one unenclosed side.
- 3.25 **“CHOWK, INNER AND OUTER”** Inner chowk means an open space enclosed on all sides by a building. Outer chowk means an open unoccupied space similar to an inner chowk but where one of its sides is not enclosed by a building.
- 3.26 **“COMBUSTIBLE MATERIAL”** means that material which when burnt adds heat to a fire when tested for combustibility in accordance with the IS: 3808-1966 Method of Test for combustibility of building materials, National Building Code.

- 3.27 **“CONGESTED AREA”** relates to the existing congested areas as shown bounded on the development plan and existing Goathans of villages included in the Municipal limits.
- 3.28 **“CONTIGUOUS HOLDING”** means a contiguous piece of land in one ownership irrespective of separate property register cards.
- 3.29 **“CONVENIENCE SHOPPING”** means shops, each with a carpet area not exceeding 20 Sq.m except where otherwise indicated and comprising those dealing with day to day requirements, as distinguished whole sale trade or shopping. It includes –
- i. Food grain or ration shops, each with carpet area not exceeding 50 Sq.m.
 - ii. Pan shops.
 - iii. Tobacconists.
 - iv. Shops for collecting and distribution of cloths and other materials for cleaning and dyeing establishments.
 - v. Tailor or Darner shops.
 - vi. Groceries, Confectioneries, wine and general provision shops, each with a carpet area not exceeding 50 Sq.m.
 - vii. Hair Dressing saloons and beauty parlors.
 - viii. Bicycle hire and repairing shops.
 - ix. Vegetable and fruit shops.
 - x. Milk and milk products shops.
 - xi. Medical and dental practitioners, dispensaries or clinics, pathological or diagnostic clinics and pharmacies, each with a carpet area not exceeding 50 Sq.m.
 - xii. Florists.
 - xiii. Shops dealing in ladies ornaments such as bangles, etc.
 - xiv. Shops selling bakery products.

- xv. Newspaper, magazine stalls and circulating libraries.
- xvi. Wood, coal and fuel shops, each with a carpet area not exceeding 30 Sq.m.
- xvii. Books and stationery shops or stores.
- xviii. Cloth and garment shops.
- xix. Plumbers, electricians, radio, television and video equipment repair shops and video libraries.
- xx. Restaurants and eating houses each with a carpet area not exceeding 50 Sq.m.
- xxi. Shoes and sports shop each with the carpet area not exceeding 75 Sq.m. With the approval of the Corporation, the Corporation may from time to time add to, alter or amend the above list.

3.30 **“CORPORATION”** means the Municipal Commissioner or any Officer of the Navi Mumbai Municipal Corporation duly authorised by him.

3.31 **“CORRIDOR”** means a common passage or circulation space including a common entrance hall.

3.32 **“COVERED AREA”** means the area immediately above the plinth level covered by the building, or used for installing machinery, plant and equipment, but does not include:

- a) Garden, rockery, well and well structures, nursery, water pool, fountain, benches, platforms round a tree and the like;
- b) Drainage, culvert, conduit, catch-pit, gully pit, inspection chamber, gutter and the like; and
- c) Compound wall, gate, unstoreyed porch and portico, watchmen’s booth and the like.

3.33 **“COURTYARD”** means a space permanently open to the sky within the site around a structure and paved / concreted.

3.34 **“CUPBOARD”** means a cantilevered projection at floor level permitted in a required open space, except on ground floor level; however, cupboard on ground floor may be permitted with building line.

- 3.35 **“DEPTH OF SITE”** means the mean horizontal distance between the front and the rear side boundaries.
- 3.36 **“DEVELOPMENT”** with its grammatical variations means the carrying out of buildings, engineering, mining or other operations in, or over, or under land or water, or the making of any material change, in any building or land, or in the use of any building, or land, or any material or structural change in any heritage building or its precinct and includes demolition of any existing building, structure or erection of part of such building, structure of erection or reclamation, redevelopment and layout and sub-division of any land, and “to develop” shall be construed accordingly.
- 3.37 **“DOUBLE FRONTAGE SITE”** means a site having frontage on two streets other than a corner plot.
- 3.38 **“DRAIN”** means a system or a line of pipes, with their fittings and accessories such as manholes, inspection chambers, traps, gullies, floor traps used for drainage of buildings or yards appurtenant to the buildings within the same cartilage. A drain includes an open channel used for conveying surface water or system for the removal of any liquid.
- 3.39 **“DRAINAGE”** means the removal of any liquid by a system constructed for that purpose.
- 3.40 **“ENCLOSED STAIRCASE”** means a staircase separated by fire resistance walls and doors from the rest of the building.
- 3.41 **“ESCAPE ROUTE”** means any well-ventilated corridor, staircase or other circulation space, or any combination of the same, by means of which a safe place in the open air at ground level can be reached.
- 3.42 **“EXISTING BUILDING”** means a building or structure existing authorizedly before the commencement of these regulations.
- 3.43 **“EXISTING USE”** means use of the building or a structure existing authorizedly before the commencement of these Regulations.
- 3.44 **“EXIT”** means a passage, channel or means of egress from any building, storey or floor area to a street or other open space of safety, horizontal, outside and vertical exits having meanings at (i) (ii) and (iii) respectively are as under;

- i. **“HORIZONTAL EXIT”** means an exit which is a protected opening through or around a fire wall or a bridge connecting two or more buildings.
 - ii. **“OUT SIDE EXIT”** means an exit from a building to a public way, to an open area leading to a public way or to an enclosed fire resistant passage leading to a public way.
 - iii **“VERTICAL EXIT”** means an exit used for ascending or descending between two or more levels, including stairways, smoke proof towers, ramps, escalators and fire escapes.
- 3.45 **“EXTERNAL WALL”** means an outer wall of a building not being a party wall even though adjoining a wall of another building and also means a wall abutting on a interior open space of any building.
- 3.46 **“FIRE AND / OR EMERGENCY ALARM SYSTEM”** means an arrangement of call points or detectors, sounders and other equipment for the transmission and indication of alarm signals, working automatically or manually in the event of fire or other emergency.
- 3.47 **“FIRE LIFT”** means a special lift designed for a use of a fire service personnel in the event of fire or other emergency.
- 3.48 **“FIRE PROOF DOOR”** means a door or shutter fitted to wall opening, and constructed and erected with the requirement to check the transmission of heat and fire for a specified period.
- 3.49 **“FIRE PUMP”** means a machine, driven by external power for transmitting energy to fluids by coupling the pump to suitable engine or motor, which may have varying outputs / capacity but shall be capable of having a pressure 3.2kg/cm² at the top most level of a multi storied or high rise building.
- 3.50 **“BOOSTER FIRE PUMP”** means a mechanical / electrical device which boost up the water pressure at the top level of a multi storied / high rise building and which is capable of a pressure of 3.2. kg / cm² at the nearest point.
- 3.51 **“FIRE RESISTANCE”** means the time during which a fire resistance material i.e. material having the certain degree of fire resistance, fulfils its function of contributing to the fire safety of a building when subjected to prescribed conditions

of heat and load or restraint. The fire resistance test of structures shall be done in accordance IS: 3809-1966 Fire Resistant Test of Structure.

- 3.52 **“FIRE SEPARATION”** means a distance in meter measured from any other building on the site or from another site, or from the opposite side of a street or other public space to the building.
- 3.53 **“FIRE SERVICE INLET”** means a connection provided at the base of a building for pumping of water through inbuilt fire fighting arrangements by fire service pumps in accordance with recommendations of the Chief Fire Officer.
- 3.54 **“FIRE TOWER”** means an enclosed staircase which can only be approached from the various floors through landings or lobbies separated from both the floor area and the staircase by fire – resisting doors and open to the outer air.
- 3.55 **“FITNESS CENTER”** in a building means and includes the built up premises provided in the building including gymnasium for the benefit of its inmates and for the purpose of fitness, physical exercises, yoga and such other activities as may be permitted by the Corporation from time to time.
- 3.56 **“FLOOR”** means the lower surface in a story on which one normally walks in a building and does not include a mezzanine floor. The floor at ground level with a direct access to a street or open space shall be called a ground floor; the floor above it shall be termed as floor 1, with the next higher floor being termed as floor 2, and so on upwards.
- 3.57 **“FLOOR AREA”** - Floor area shall mean covered area of a building at any floor level.
- 3.58 **“FLOOR SPACE INDEX (FSI)”** means the quotient or the ratio of the combined gross floor area to the total area of the plot, viz.: -

$$\text{Floor Space Index} = \frac{\text{Total covered area of all floors}}{\text{Plot area}}$$

The gross floor space area of a building shall be calculated as above.

- 3.59 **“FLOWER BED”** means a cantilever projection in front of windows used for the purpose of plantation.

- 3.60 **“FOOTING”** means a foundation unit constructed in brickwork, stone masonry or concrete under the base of a wall or column for the purpose of distributing the load over a large area.
- 3.61 **“FOUNDATION”** means that part of the structure, which is in direct contact with and transmitting load to the ground.
- 3.62 **“FRONT”** means the space between the boundary line of a plot abutting the means /of access/road/street and the building line. Plots facing two or more means of accesses/roads/streets shall be deemed to front on all such means of accesses/ roads/streets.
- 3.63 **“FOYER”** means a lobby for waiting.
- 3.64 **“GALLERY”** means an intermediate floor or platform projecting from a wall of an auditorium or a hall, providing extra floor area, and / or additional sitting accommodation. It also includes the structure provided for sitting in stadia.
- 3.65 **“GARAGE – PRIVATE”** means a building or a portion thereof designed and used for the parking of vehicles.
- 3.66 **“GARAGE – PUBLIC”** means a building or portion thereof, designed other than as private garage, operated for gain, designed and / or used for repairing, servicing, hiring, selling or storing or parking motor – driven or other vehicles.
- 3.67 **“GAOTHAN OR VILLAGE SITE”** means Gaothan or Village site within the meaning of Maharashtra Land Revenue Code, 1966.
- 3.68 **“GROUND COVERAGE RATIO”** (GCR) means the ratio of covered area to the total plot area.
- 3.69 **“GROUP HOUSING SCHEME”** – A housing scheme, wherein dwelling houses are not constructed in separate individual plot, but where a group of building is proposed in one plot.
- 3.70 **“HABITABLE ROOM”** means a room occupied or designed for occupancy for human habitation and uses incidental thereto, including a kitchen but excluding a bathroom, water closet compartment, laundry, serving and storage pantries, corridor, cellar, attic, store room, pooja-room and spaces not frequently used.
- 3.71 **“HAZARDOUS MATERIAL”** means –
- i. Radio active substances;

- ii. Material which is highly combustible or explosive and / or which may produce poisonous fumes or explosive emanations or storage, handling, processing or manufacturing of which may involve highly corrosive, toxic or noxious alkalis or acids or other liquids;
- iii. Other liquids or chemicals producing flame, fumes, explosive, poisonous, irritant or corrosive gases or which may produce explosive mixtures of dust or fine particles capable of spontaneous ignition.

3.72 **Deleted**

3.73 **“HEIGHT OF THE ROOM”** means the vertical distance measured from the finished floor surface to the finished ceiling / slab surface. The height of room, with a pitched roof means the average height between the finished floor surface and the bottom of the eaves and the bottom of the ridge.

3.74 **“HOME OCCUPATION”** means customarily home occupation other than the conduct of an eating or drinking place offering services to the general public, customarily carried out by the member of the family residing on the premises without employing hired labour and for which there is no display to indicate from the exterior of the building that it is being utilized in whole or in part for any purpose other than a residential or dwelling use, and in connection with which no article or service is sold or exhibited for sale except that which is produce therein, which shall be non - hazardous and not affecting the safety of the inhabitant of the building and the neighbourhood and provided that no mechanical equipment is used except that as is customarily used for purely domestic or household purposes and / or employing licensable goods. If motive power is used, a total electricity load should not exceed 0.75 KW. “Home occupation” may also include such similar occupations as may be specified by the Corporation and subject to such terms and conditions as may be prescribed.

3.75 **“HOARDING”** means any surface or structure erected on ground or any portion of roof of a building or above the parapet, with characters, letter or illustration applied thereto and displayed in any manner whatsoever out of doors for purpose of advertising or to give information regarding or to attract the public to any place, public performance, article of merchandise, whatsoever.

3.76 **“INFORMATION TECHNOLOGY INDUSTRY”** IT Services and IT enabled Services are as defined below:

IT Taskforce of Government of India has defined IT software as follows: -

- a. **IT Software:** IT Software is defined as any representation of instruction, data, sound or image, including source code and object code, recorded in a machine readable form and capable of being manipulated or providing interactivity to a user, with the means of a computer.
- b. **IT Hardware:** IT Hardware covers approximately 150 I.T. products notified by Directorate of Industries.
- c. **IT Services and IT Enabled Services:** These include various IT Services and are defined by IT Task force of the Government of India as follows:
“IT Services including IT Enable Services is defined as any unit that provides services, that result from the use of any IT Software over a Computer System for realizing any value addition”.

The Directorate of Industries has prepared and published an illustrative list of such IT Enabled Services, which is to be updated from time to time.

3.77 **“LAND USE”** means the principal use of land for which a plot of land or building thereon is used or intended to be used; for the purpose of classification of a plot of land according to the land uses, a land use shall be deemed to include subsidiary land uses which are contingent upon it.

3.78 **“LAY OUT OF NEW STREET”** means & includes provision of road for formation, leveling, metaling or paving of a road and footpaths, etc. including laying of the services such as water supply, drainage, etc.

3.79 **“LEDGE OR TEND”** means a shelf – like projection supported in any manner, except by vertical supports, within a room itself but without a projection of more than half a meter.

3.80 **“LICENSED ARCHITECT”** Means an architect who is an associate or corporate member of the Indian Institute of Architects or who holds a degree or diploma, which makes him eligible for such membership for such qualifications listed in Schedule XIV of the Architects Act, 1972 and being duly registered with Council of Architecture under that Act.

- 3.81 **“LICENSED SURVEYOR / ENGINEER / STRUCTURAL ENGINEER / SUPERVISOR”** means a qualified surveyor, engineer, structural engineer or supervisor, licensed by the Municipal Commissioner.
- 3.82 **“LIFT”** means a mechanically guided car, platform or transport for persons and materials between two or more levels in a vertical or substantially vertical direction.
- 3.83 **“LOFT”** means a shelf like projection supported in any manner whatsoever, except by means of vertical supports within a room itself. The width of a loft shall not be more than 1 M. provided that if clear height between the top of the loft and the ceiling directly above it is not more than 1.5 m, lofts wider than 1m may be permitted to the extent of 30% of clear length of shop.
- 3.84 **“MAJOR WATER COURSE”** means a trained or untrained water course which carries storm water discharging from a contributing area of not less than 160 hectares, the decision of the Municipal Commissioner on the extent of the contributing area being final. A minor watercourse is one, which is not a major one.
- 3.85 **“MASONRY”** means an assemblage of masonry unit properly bound together by mortar.
- 3.86 **“MASONRY UNIT”** means an unit whose net cross – sectional areas in every plane parallel to the bearing surface if 75% or more of its cross –sectional area measured in the same plane. It may be either clay, brick, stone, concrete block or sand – lime brick.
- 3.87 **“MEZZANINE FLOOR”** means an intermediate floor, not being a loft, between the floor and ceiling of any storey.
- 3.88 **“NON-COMBUSTIBLE”** means not liable to burn or add heat to a fire when tested for combustibility in accordance with the IS:3808-1966 Method of Test for Combustibility of Building Materials.
- 3.89 **“OCCUPANCY OR USE”** means the principal occupancy or use for which a building or a part of it is used or intended to be used, including contingent subsidiary occupancies; mixed occupancy buildings being those in which more than one occupancy are present in different portions of the buildings.
- 3.90 **“OPEN SPACE”** means an area forming an integral part of the plot, left permanently open to sky. Front open space means an open space adjacent to the

street from which an access to the plot has been permitted by the Corporation. Side and Rear open spaces shall have corresponding meaning with reference to the front open space.

- 3.91 **“OUTSIDE EXIT”** means an exit from a building to a public way, to an open area leading to a public way or to an enclosed fire resistant passage leading to a public way.
- 3.92 **“OWNER”** includes, any person for the time being receiving or entitled to receive, whether on his own account or as agent, trustee, guardian, manager, or receiver for another person or for any religious or a charitable purpose, the rents or profits of the property in connection with which it is used.
- 3.93 **“PARAPET”** means a low wall or railing built along the edge of roof or a floor.
- 3.94 **“PARKING SPACE”** means an enclosed or unenclosed covered or open area sufficient in size to park vehicles. Parking spaces shall be served by a driveway connecting them with the street alley and permitting ingress or egress of vehicles.
- 3.95 **“PARTITION”** means an interior non-load bearing divider one storey or part storey in height.
- 3.96 **“PERMANANT OPEN AIR SPACE”** means air space permanently open:
- (i) It is a street;
 - (ii) It its freedom from encroachment is protected by any law or contract ensuring that the ground below it is either a street or is permanently and irrevocable appropriated as an open space.
- In determining the open space required for construction of a building, any space occupied by an existing structure may, if it is ultimately to become a permanently open air space, be treated as if it were already such place.
- 3.97 **“PARTY WALL”** includes: -
- i. A wall forming a part of a building and being used or constructed to be used in any part of the height or length of such wall for separation of adjoining buildings belonging to different owners or occupied or constructed or adopted to be occupied by different persons; or

- ii. A wall forming part of a building and standing any part of the length of such wall, to a greater extent than the projection of the footing on one side on grounds of different owners;
- 3.98 **“PERMISSION”** means a valid permission or authorization in writing by the Competent Authority to carryout development or a work regulated by the Regulations.
- 3.99 **“PERMIT”** A permit or authorization in writing by the Authority to carry out work regulated by the Byelaws.
- 3.100 **“PLINTH”** means the portion of a structure between the surface of the surrounding ground and surface of the floor immediately above the ground.
- 3.101 **“PLINTH AREA”** means the built up covered area measured at the floor level of the basement or of any storey.
- 3.102 **“PLOT”** means a parcel or piece of land enclosed by definite boundaries.
- 3.103 **“PORCH”** means a covered surface supported on pillars or otherwise for the purpose of a pedestrian or vehicular approach to a building.
- 3.104 **“PROJECTED (POCKET) TERRACE”** means a cantilever projection without a roof on immediate floor.
- 3.105 **“RETENTION ACTIVITY”** means an activity or use, which is allowed to continue, notwithstanding its non-confirming nature in relation to the use permitted in the adjoining or surrounding area.
- 3.106 **“REVAS PROJECTION”** means a part of a room or rooms projecting in the open space beyond the building line.
- 3.107 **“ROAD/STREET”** means any highway, street, lane, pathway, alley, stairway, passage way, garage way, footway, square, place or bridge, whether a thoroughfare or not, over which the public have a right of passage or access or have passed and had access uninterruptedly for a specified period, whether existing or proposed in any scheme, and includes all bunds, channels, ditches, storm water drains, culverts, side walks, traffic islands, road-side trees and, hedges, retaining walls, fences, barriers and railings within the street lines.

- 3.108 **“ROAD/STREET-LEVEL OR GRADE”** means the officially established elevation or grade of the central line of the street upon which a plot fronts, and if there is no officially established grade, the existing grade of the street at its mid-point.
- 3.109 **“ROAD/STREET LINE”** means the line defining the side limits of a road / street.
- 3.110 **“ROAD WIDTH OR WIDTH OF ROAD /STREET”** means the whole extent of space within the boundaries of the road when applied to a new road / street, as laid down in the City Survey or Development Plan or prescribed road lines by any Act or Law and measured at right angles to the course or intended course of direction of such road.
- 3.111 **“ROW HOUSE”** means group of houses on adjacent plot with common walls and having only the front and the rear open spaces.
- 3.112 **“SEMI-DETACHED BUILDING”** means buildings on two adjacent plots with a common wall and having front, rear and one side open space for each building.
- 3.113 **“SERVICE ROAD”** means a road/lane provided at the front, rear or side of a plot for service purposes.
- 3.114 **“SITE”** means a parcel or piece of land enclosed by definite boundaries.
- 3.115 **“SITE CORNER”** means a site at the junction of land fronting on two or more roads or streets.
- 3.116 **“SITE DEPTH OF”** means the mean horizontal distance between the front and rear site boundaries.
- 3.117 **“SITE WITH DOUBLE FRONTAGE”** means a site having a frontage on two streets other than a corner plot.
- 3.118 **“SITE INTERIOR OR TANDEM”** means a site, access to which is by a passage from a street whether such passage forms part of the site or not.
- 3.119 **“SMOKE – STOP DOOR”** means a door for preventing or checking the spread of smoke from one area to another.
- 3.120 **“STILT”** means a portion of building at ground level open from at least two sides, used for parking of vehicles or as play field.
- 3.121 **“STAIR-COVER”** means a structure with a covering roof over a staircase and its landing built to enclose only the stairs for the purpose of providing protection from the weather, and not used for human habitation.

- 3.122 **“STORAGE”** means a place where goods stored.
- 3.123 **“STORE ROOM”** means a room used as storage place.
- 3.124 **“STOREY”** means a portion of a building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between any floor and the ceiling next above it.
- 3.125 **“TENEMENT”** means an independent dwelling unit with a kitchen, or a cooking alcove.
- 3.126 **“TO ABUT”** means to abut on a road such that any portion of the building is fronting on the road.
- 3.127 **“TO ERECT”** means: -
- i. To erect a new building on any site, whether previously built upon or not, or
 - ii. To re-erect any building of which portions above the plinth level has been pulled down, burnt or destroyed, or
 - iii. To erect from one occupancy to another and subdivision of occupancy into more than one.
- 3.128 **“THEATRE”** means a place of public entertainment for the purpose of exhibition of motion pictures and / or dramas and other social and cultural programmers.
- 3.129 **“TOWER – LIKE STRUCTURE”** means a structure in which the height of the tower-like portion is at least twice the width of the broader base.
- 3.130 **“TOWN PLANNING OFFICER”** means the officer appointed for the time being to be Town Planning Officer for all or any of the provisions of the Act. .
- 3.131 **“TRAVEL DISTANCE”** means the distance from the remotest point on a floor of a building to a place of safety, be it a vertical exit or an horizontal exit or an outside exit measured along the line or travel.
- 3.132 **“VOLUME OF BUILDING”** means total volume of building. The volume of building with flat roofs shall be computed by multiplying the covered area of the building by the height of the building. Where the height of the building varies, the building shall be divided into blocks of uniform heights and the volume of the building will be the sum of volume of such blocks. In case of buildings with basement the depth of the basement below the average surrounding ground level shall be added to the height of buildings for the computation of volume. The volume of the

building with sloping roofs shall be computed similarly, but for the building with sloping roofs the height of building for the purpose of computation of volume only, shall be measured from the average level of ground around and contiguous to the building up to the point at which the external surface of the outer wall intersects with the finished surface of the sloping roof. The volume of building under the sloping roof contained above the height of the building as defined above, shall not be included in the total volume of the building. Provided that, such volume shall not exceed the product of length of the roof, the span of the roof and 1/8 of the span of the roof. If such volume exceeds the product of the length of the roof, the span of the roof and 1/8 of the span of the roof, such additional volume under the sloping roof shall be included in the total volume of the building.

- 3.133 **"VOLUME TO PLOT AREA RATIO (VPR)"** means the ratio of volume of building measured in cubic meters to the area of plot measured in square meters and therefore shall be expressed in meters. However, the volume of plinth shall not be considered in the calculation of volume of building. Provided further that, in case of a building permitted for the land-use of storage, the height of the plinth shall not be less than lorry-loading height.
- 3.134 **"WATER CLOSET (WC)"** means a privy with an arrangement for flushing the pan with water, but does not include a bathroom.
- 3.135 **"WATER COURSE"** means a natural channel or an artificial channel formed by training or diversion of a natural channel meant for carrying storm and wastewater.
- 3.136 **Deleted**
- 3.137 **"WINDOW"** means an opening, other than a door, to the outside of a building, which provided all or part of the required natural light, ventilation or both to an interior space.

All other terms shall carry the same meaning assigned to them in the Act.