

SCHEDULE – C
APPENDIX ‘W’
(See Regulation No.40)

(This appendix regarding TOD regulations was sanctioned and inserted in the DCR of Nagpur Municipal Corporation vide Govt. Notification dated 09/06/2017. The changes / modification made in this appendix are shown in bold letters and strike through. This modification are only published limited to changes shown in bold / strike through as mention below under section 37(1AA)(a) of the MRTP Act,)

Special Regulations for Development / Redevelopment of building falling within Nagpur Metro Rail Corridor (NMRC)

1.1 Definitions

(i) Nagpur Metro Rail Corridor (NMRC)

It is the area falling within 500 Mt. distance on either side of the Nagpur Metro Rail measured from its Centre line and also includes the area falling within 500 Mt. distance from the longitudinal end of the last Metro Railway Station. **This regulation is also applicable for all the Planning Authorities from where the Metro Rail is passing through.**

(ii) Base permissible FSI

It is the FSI that is otherwise permissible on any land with respect to zone shown as per the sanctioned development plan and the relevant provision of the Principal DCR excluding the TDR and the premium FSI, redevelopment incentive FSI that can be received.

(iii) Gross plot area

Gross Plot Area means total area of land after deducting area under reservation or deemed reservation like amenity space if any, area under D.P. Road and Road widening.

(iv) Principal DCR

DCR sanctioned by Govt. for Nagpur City vide Notification No. TPS-2400/1684/CR-1952/2000/UD-9, dt. 31st March, 2001 and as amended from time to time.



SCHEDULE – A

1.1 Definitions: Regulation No. 2 of Principal DCR shall have following additional definitions

- i. (2.5.1) **Atrium** - means a sky lighted naturally ventilated area in building, with no intermediate floors, often containing plants and used as circulation space or entrance foyer.
- ii. (2.5.2) **Podium** - means a raised platform from surrounding area, generally used for vehicle parking & movement in a part of building and useable floors of building or buildings rest on it, accessible by vehicular ramp and steps for climbing.

SCHEDULE – B

Regulation No.40

Special Regulations for Development / Redevelopment of building falling within Nagpur Metro Rail Corridor (NMRC)

Development / Redevelopment of building falling within Nagpur Metro Rail Corridor (NMRC) shall be governed by the Special Regulations mentioned in Appendix 'W'

The date of implementation for these regulations shall be the date on which construction work of Metro Rail actually commences or the date on which this notification is published in Government Gazette, which ever is later.



1.2 Maximum Permissible FSI

The maximum permissible total FSI in NMRC shall be 4.00 including the base permissible FSI, subject to condition that, the additional FSI over and above the base permissible FSI shall be allowed within the overall limit of maximum permissible FSI, as given in the Table below-

Sr. No.	Minimum Road Width	Plot Area	Maximum Permissible FSI
1	9.00 Mt.	Below 1000 sq.mt.	2.00
2	9.00 Mt.	1000 sq.mt. or above	3.00
3	12.00 Mt.	2000 sq.mt. or above	3.50
4	15.00 Mt.	2000 sq.mt. or above	4.00

Explanation:-

- 1) The maximum permissible FSI as per the above Table shall be determined by satisfaction of both the criterias viz. Minimum Road width as well as plot area, simultaneously. However in case, both these criterias are not satisfied simultaneously, the maximum permissible FSI shall be the minimum of that permissible against each of these two criterias, as illustrated below ;
- 2) Land owner / Developer shall not have option to use TDR in NMRC.

Illustrations: -

Utilization of FSI

Plot Area	Road width			
	Less than 9mt.	9 Mt. & above	12 Mt. & above	15 Mt. & above
below 1000 Sq. Mt.	Principal DCR	2	2	2
1000 sq.mt. up to 2000 Sq. Mt.	Principal DCR	3	3.5	3.5
Above 2000 Sq. Mt.	Principal DCR	3	3.5	4.0

1.2.1 Premium to be Paid

Additional FSI over and above base permissible FSI of respective land use zones as per principal DCR, may be permitted on the payment of premium as may be decided by the Govt. from time to time.

- (a) The additional FSI as prescribed in the Table under provision 1.2 above, in case of development / redevelopment proposed in the NMRC with minimum tenement density per hectare of the gross plot area as given below.



Minimum Numbers of Tenements = Gross Plot Area x Maximum Proposed FSI for Residential use x 200 Tenement per Hector.

- (b) However, subject to the provisions of regulation 1.3 herein below, if the tenement density proposed is less than that stipulated in the table under 1.2.2(a), the premium to be paid in that event **shall be** the additional premium ~~shall be paid~~ as may be decided by the Govt. from time to time and such premium shall be chargeable on the total additional FSI to be availed beyond the base permissible FSI

1.2.2 Impact Assessment and Integrated Mobility Plan

Such additional FSI over and above the base permissible FSI, shall be granted by the Commissioner, Nagpur Municipal Corporation / Chairman, Nagpur Improvement Trust, any Planning Authorities from where the Metro Rail is passing through after taking into account the Impact Assessment of the implementation of these regulations regarding the impact on the city and sector level infrastructure and amenities as well as traffic and environment on such NMRC. Such Impact Assessment shall also contain measures to be undertaken to mitigate its likely impact and the Action Plan for implementation of such measures in a time bound manner. It shall also contain Integrated Mobility Plan envisaging therein inter-linkages between different modes of mass transport, parking management, traffic management and pedestrianisation.

1.2.3 The maximum permissible FSI as given in Table under regulation 1.2 shall be calculated on the gross plot area.

1.2.4 In case of plot / plots falling partly within the NMRC, the FSI permissible shall be as follows, provided that the total area of the plot (plot falling within NMRC plus plot falling outside NMRC) shall be as prescribed in the table in regulation no. 1.2 :-

- (i) Where 50% or more area of such plot / plots falls within NMRC, these regulations including FSI shall apply to the total area of such plot / plots.
- (ii) Where less than 50% area of such plot / plots falls within NMRC, these regulations including FSI shall be applicable to the part of plot / plots falling within NMRC, whereas for the part of plot / plots falling outside NMRC, these regulations except provisions regarding FSI shall be applicable. The FSI permissible for the part falling outside NMRC shall be as per Principal Development Control Regulations.

1.2.5 Notwithstanding anything contained in any other provision of this DCR the Parking, Double height terraces up to 20% and 15% balconies (not enclosed), Stair cases, Lift wells with machine rooms, Refuge areas,



Voids, Service Floor, Entrance lobbies & lobbies of the building in NMRC shall be free of FSI. In addition to above, 15% additional FSI shall be allowed on payment of premium as applicable under this regulation over and above the FSI mentioned in regulation No. 1.2

1.2.6 Notwithstanding anything contained in any other provisions of these regulations, TDR shall not be allowed to be received on the plots within NMRC, irrespective of its location in congested area / non congested area as per the Sanction Development Plan of Nagpur.

1.3 Permissible mixed use in NMRC:

Mixed use in the form of residential and commercial, fully commercial use may be permissible on the residential plot in NMRC fronting on the road width of 12 Mt. and above. Mix use on plot / plots in commercial zone of sanction Development Plan falling under NMRC in Nagpur Municipal Corporation shall be permissible as per the principal DCR and the FSI permissible as per these Regulation over and above principal DCR the maximum permissible FSI under these regulations shall be allowed on the payment of premium, as per these Regulation. Subject to Maximum building potential as mention in Regulation No. 1.2

1.4 Other provisions regarding marginal open spaces shall be governed by the proposed height of structure, as given in the provisions 1.5 below and should conform to the Maharashtra Fire Prevention and Life Safety Measures Act, 2006 (Maharashtra Act no. III of 2007) as amended from time to time. No building permission shall be issued without NOC of the Fire Officer. Other regulations regarding room sizes, apertures for light and ventilation shall be as per the principal DCR, 2000 in force.

1.5 Marginal Spaces

Sr. No.	Building Height	Side and Rear Margins	Remark
a	15.0 Mt and below	H/2-4	Minimum 3.0 mt. for Residential minimum 4.5 mt. for Commercial and Minimum 6.0 m. for Special Buildings.
b	Above 15.0 Mt. and upto 18.0 Mt. 24.00 Mt.	H/4-H/5	Minimum 6.0 mt. for all Buildings. Minimum 4.5 Mt. for Residential and Commercial Building and 6.00 Mt. for Special Building.
c	Above 24.00 Mt.		Minimum 6.0 mt.



Note-1. Maximum Side / Rear / Front Margin shall be 12.00 Mt. However if Developer / Owners provides more than 12.00 mt. side and rear margins shall be permissible it may be allowed.

Note-2. The Municipal Commissioner may relax the side & rear marginal distances as per regulation No. 6.5.2.3 of Principal DCR subject to following provisions.

(A) If clear minimum marginal distance is proposed from one side as per the DCPR then other side marginal distance may be relaxed up to 50%.

(B) Front margin relaxation to allow additional FSI may be granted subject to condition that the Minimum road width shall be 12.00 Mt. and above.

Note-3. In case semi-detached construction as per principal DCR, common wall constructed is allowed and marginal distance shall be provided for other side as per these regulations.

1.5.1 No projections shall be allowed in one side marginal spaces as mention is note 2(A) above so that this marginal spaces remain free from all encumbrances for the movement of fire tenders. However open balconies may be allowed in the marginal spaces where concession as mentioned in note No. 2(A) above is allowed, after leaving minimum 3.0 Mt. distance from the plot boundaries, subject to Fire NOC.

In case if ramp is necessary from accessibility, such ramp may be allowed after living 6 Mt. clear margin. However such Ramp may be allow in side margin where relaxation is to granted as per provision mentioned in Note No. 2(A) above subject to NOC of the Fire Department.

1.5.2 For calculation of marginal distances the height of the parking floors (Maximum two floors above the Ground Level) shall not be taken in account, However height of such parking floors will be counted towards the total height of the building for de-ciding the building as high rise building and for civil Aviation purpose.

1.5.3 Car lift / mechanical parking shall be permissible, as per Principal DCR as amended from time to time.

1.6 Parking

Parking in the NMRC shall be provided as per the table given below.

Sr. No.	Occupancy	One parking space for every	Transit Oriented Development Influence Zone		
			Car	Scooter / Motorcycle	Cycle
1	Residential	(a) i. Tenements having carpet area From 25 and upto 40 sq.mt.	0	1	2
		For 2 units above 40 and upto 60 sq.mt.	1	1	2
		For every unit above 60 and upto 80 sq.mt.		1	2



		For every unit above 80 sq.mt.	1	2	1
2	Govt. & Semi Govt. Private business buildings	100 sq.mt carpet area or fraction thereof	1	2	2

Note: i) Parking spaces for differently – abled persons shall be provided as per Indian Road Congress Code No. IRC 103:2012 in each new construction / development / re-development in the NMRC.

ii) No On `street parking shall **not** be permissible, unless specifically allowed in the impact assessment and mobility report.

1.6.1 Incentive for providing Public Parking in the area falling within the radius of 200 mt. from the Metro Station

If the owner / developer of the plot falling within the radius of 200 mt. from the Metro Station, is willing to provide Public Parking space over and above the parking spaces required as per the table given in regulation No.1.6 of these regulations, the same shall be allowed and in that case the premium to be paid by such developer / owner as per regulation No.1.2.2 shall be reduced by the amount equal to the premium worked out for 25% of the area earmarked for such additional Public Parking space, subject to following conditions:-

- Such parking area shall be in the built-up form and shall be handed over to Planning Authority free of cost before granting the Occupation Certificate to the project. The Planning Authority should enter into an agreement with owner / developer for such parking space at the time of granting Commencement Certificate to the project. Such Public Parking area shall be clearly shown on the proposed building plan / layout and a condition to above effect shall be incorporated in the Commencement Certificate.
- The parking area shall have independent access from major road adjacent to the plot and with proper entry and exits.
- The parking area to be made available at individual site shall be at minimum 100 sq. mt. at one place either at Ground floor / Stilt floor or first floor.
- The maximum parking area that can be provided shall be decided by the Commissioner, Nagpur Municipal Corporation / the Chairman, Nagpur Improvement Trust, as the case may be, on considering the location of such site and the parking requirement.
- A board showing the location of such public parking space should be displayed at suitable places by the Planning Authority.



- f) Area covered under such parking shall not be counted towards FSI consumption.
- g) Concerned land owner / developer / society / public company shall not be allowed to operate the public parking.
- h) The proposed development shall be further subject to such conditions as may be decided by the Municipal Commissioner / Chairman, NIT, as the case may be.

1.7 In case of development or redevelopment, proposed by the Authority / individual applicant / any other Planning Authority, from the edge of the Metro Rail, within 20 Mt. distance from the Metro Rail, on its either side, the concerned Planning Authority i.e. Nagpur Improvement Trust / Nagpur Municipal Corporation before granting such permission for development / redevelopment shall seek prior NOC from the Nagpur Metro Railway Corporation Ltd as required under the Metro Railways (Construction of Works) Act, 1978 from the point of view of safety of the Metro Railway and such other related matters.

1.8 In case of any conflict between these Special Regulations and any other Regulation/s of the **Principal DCR**, the Special Regulations shall prevail for the NMRC.

1.9 No Compound wall / fencing shall be permissible on the boundary of plot **facing the fronting on road** and 50% front marginal distance (subject to minimum of 3.0 Mt.) shall be kept accessible and to be used as foot paths for pedestrians. However, it shall be permissible for the applicant to construct / erect fencing, on the boundary, after leaving the space for pedestrians as specified above.

However for the plots situated on 9 Mt, 12 Mt. & 15 Mt. wide Roads having 100% residential use therefore above rule shall not be made applicable.

1.9.1 Large wholesale stores, car dealer showrooms, warehouses/storages, auto service centers, Garages etc. shall not be permissible in NMRC.

1.9.2 Provision of Inclusive housing shall not be applicable in NMRC.

1.9.3 For Gunthewari development regularized under the provisions of Maharashtra Gunthewari Development Act, 2001 and falling in NMRC, seeking provisions for **Development / redevelopment**, these regulations shall apply.

1.9.4 The width of passage shall be minimum 1.2 mt. for residential use & 2.0 mt. for commercial use.

1.9.5 Above regulation shall be applicable to all the buildings (i.e. newly proposed buildings as well as old buildings for utilization of FSI) in TOD.

1.9.6 In case of redevelopment scheme, size of tenement can be relaxed for Rehab Component subject to other provisions of principal DCR. However for free sale component TOD Regulation shall be made applicable.




1.9.7 In case of independent unit / Bungalow for self use, such Development / Redevelopment may be allowed within base FSI subject to principal DCR.

1.9.8 The layout of building / group housing layout or stand alone building on a plot / plots situated in NMRC over which construction is started and for which occupancy certificate is not granted may be revised and balance potential if any may be allowed as per the above provisions subject to following.

- a) Marginal Distance – The existing marginal distances including front margin may be allowed for higher floor / floors and necessary relaxation to that extent may be granted by the Municipal Commissioner subject to compliance of all fire requirements and fire NOCs by charging hardship premium. Hardship premium is to be decided by Municipal Commissioner. In any case sanctioned existing marginal /front margin distance shall not be reduced.
- b) Free of FSI items - For the ongoing buildings for which passages, stairs, lifts, lift room etc. are allowed as free of FSI by charging premium, in such cases these free of FSI items are allowed to that extent only and for the remaining balance potential free of FSI items under this regulations shall be applicable.
- c) Balcony - For the ongoing buildings for which balconies are allowed as free of FSI by charging premium may be allowed to that extent only and for the remaining balance potential balcony shall only be allowed as mentioned in Regulation No. 1.2.5

By order & in the name of the Governor of Maharashtra.




(R. S. Chouhan)
Desk Officer to Government.

