

असाधारण

EXTRAORDINARY

Daman 23rd October, 2019 01 Kartika, 1941 (Saka)

सं. : 41
No.

सरकारी राजपत्र OFFICIAL GAZETTE



सत्यमेव जयते
भारत सरकार
Government of India

संघ प्रदेश दमण एवं दीव प्रशासन

U.T. ADMINISTRATION OF DAMAN & DIU

प्राधिकरण द्वारा प्रकाशित

PUBLISHED BY AUTHORITY

UT Administration of Daman & Diu
Public Works Department
Daman & Diu

No. PWD/WD-II/DIU/2019-20/1142

Dated: 22.10.2019

NOTIFICATION

In exercise of powers conferred under Section 7 of the Goa, Daman and Diu Highways Act, 1974, Hon'ble Administrator Daman & Diu and Dadra and Nagar Haveli is pleased to fix Building Lines and Control Lines with respect to State Highways, Major District Roads, Other District Roads and Village Roads as following:-

Building Lines and Control Lines Standards (Distances from middle of the roads in meter)

Classification of Roads	Area of open and Field Land		Within 3 miles of Construction and Industrial Area		Within Construction and Industrial Area			
	Building Line	Control Line	Building Line	Control Line	Building Line		Control Line	
					A	B	A	B
State Highways	40	75	40	60	10*	24*	36.5*	45*
Major District Roads	30	55	30	50	10*	24*	36.5*	40*
Other District Roads	20	35	20	30	10*	12*	20*	20*
Village Roads	12	24	12	24	9*	9*	14*	14*

*Or whatever is higher as per local administration rules and laws

EXTRAORDINARY NO. : 41
DATED : 23 RD OCTOBER, 2019.

On roads passing through Municipal local body, only Rules and Byelaws of local municipal body shall apply. Portion of village roads passing through a Gaothan / Gamtal (village site) shall not fall within purview of ribbon development guidelines.

This Notification shall be read along with special order No. PWD/WD-II/DIU/2019-20/1143 Dated 22.10.2019 issued by the Government.

By order and in Name of Hon'ble Administrator
Daman and Diu & Dadra and Nagar Haveli

Sd/-
(PRANJAL J. HAZARIKA)
Joint Secretary (PWD)
Daman & Diu

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**U T Administration of Daman and Diu
Public Works Department,
Daman.**

No. PWD/WD-II/DIU/2019-20/1143

Dated: 22.10.2019

**Special Order of the Government regarding Restriction of Ribbon Development
along State Highways, Major District Roads, Other District Roads and Village
Roads of Daman and Diu.**

- Read:-**
1. Goa, Daman and Diu Highway Act, 1974.
 2. Government Notification No. PWD/WD-II/DIU/2016-17/1142 Dated 22.10.2019 regarding fixing of Building Line and Control Line.

In exercise of power conferred under section 5 of The Goa, Daman and Diu Highways Act, 1974, The Administrator of Union Territory of Daman and Diu & Dadra and Nagar Haveli is pleased to issue following guidelines for the Highways Authority to regulate development along highways notified by Government from time to time.

1. Short Title, Extent and Commencement.

These guidelines shall be called as "Daman and Diu Ribbon Development Guidelines, 2019" and shall be applicable to the Territory of Daman and Diu. These guidelines shall come into force from the date of its publication in the Official Gazette.

2. Definitions:

- a. Open and Field Land Area: All area out of limit/boundary of any village site (Gaothan / Gamtal), town or city or industrial area. (The open area between construction area and nearby industrial area shall not be considered in such category).

- (I) **Construction area:** Construction area is an area which passes through limit of any village site (Gaothan / Gamtal), Nagar Panchayat, Nagar Palika, corporation and where building construction is done and area where rules and regulation related to construction, of any local body are in force. This area will be divided in two parts. And the distance to be maintained for these areas is shown in the table as 'A' and 'B'. These 'A' and 'B' areas are as under:
- (i) An area, on road-line of which fifty percentage or more construction has taken place or which is situated in an old boundary that is a boundary older than 5 years, is area 'A'.
 - (ii) Other area on road line of which less than fifty percentage construction has taken place and which is situated within any boundary that has been increased in last 5 years is area 'B'.
 - (iii) The distances shown in table 'A' and 'B' are applicable to construction area. If industrial area is coming under construction area, these standards will also be applicable to such industrial area. Where industrial area falls outside Construction area then only standards mentioned in table 'B' shall apply to it.
 - (iv) In order to know whether the constructed area is more than 50% or less and belongs to category 'A' or 'B', length of open land on both sides parallel to the road and that of the constructed area is required to be measured. For example, ten plots of different length are situated parallel to the road and four plots therein are constructed and the remaining 6 plots are open. When the length of these four constructed plots is less than 50% of the length of the road, it is to be taken that less than 50% area is under construction. For this calculation length of road should be taken as 1.5 km. (1 mile).
- b. **Industrial area:** The area which has been declared as Industrial Area by the Government, or an area which is under control of Industrial Development Corporation, or in which industrial estates of industrial directorate are situated, or cooperatives, or industrial estates of other companies are situated or all such other areas which are situated outside boundary of any village site (Gaothan/Gamtal), Nagar Panchayat, Nagar Palika and Municipal Corporation, and wherein permission for establishment of industries are given.

- c. **Actual Boundary:** Such boundary which is within limits of village site (Gaothan / Gamtal), Nagar Panchayat, Nagar Palika or Municipal Corporation will be called Actual Boundary.
 - d. **Approach Roads:** After completion of the boundary of construction and industrial area, in three miles radius, first three miles part of every category of road, where there is some distance between village site (Gaothan /Gamtal), town or city and nearby industrial area, then such entire distance shall be counted under construction and industrial area, and remaining part of the approach road shall be considered outside this Construction and Industrial Area.
 - e. **Bypass or Diversion:** Road outside any village site (Gaothan / Gamtal), town or city, which is newly constructed, will be called as Bye Pass or Diversion. Where construction of Diversion is remaining but Diversion road line is identified, then restrictions related to diversion will apply on such road line.
 - f. **Building Line:** The line outside which, residential houses and small centers, rooms, buildings related to agriculture are permitted to be constructed shall be called as Building line. Residential buildings, Commercial Buildings and Buildings related to agriculture will be permitted between building line and control line provided their carpet area does not exceed 30*12 meters. Wherever there is a turn, then on inside of such turn, for constructions on such turn a distance of more than 20% from normal building line shall be kept. Such distance shall be calculated from the central point of the road.
 - g. **Control line:** Factories / Industries, Cinema Halls, Hotels, Hospitals shall be kept outside control line. Moreover, Commercial/Residential buildings with carpet area more than 30*12 mts shall be kept outside the control line.
 - h. **Road Boundary:** The land which is acquired for construction of a road and whose ownership is with Government or Panchayat and all land between stone limits of a road, on any road, on both sides is known as road boundary. Under any circumstances, no construction work of any type shall be allowed to be carried out on Road Boundary.
3. **Building Lines and Control Lines Standards:** Government hereby issue Order with respect to 'Restriction of Ribbon Development' in which Building Line & Control Line for State Highways, Major District Roads, Other District Roads and Village Roads have been Notified as under:

Building Lines and Control Lines Standards
(Distances from middle of the roads in meter)

Classification of Roads	Area of open and Field Land		Within 3 miles of Construction and Industrial Area		Within Construction and Industrial Area			
	Building Line	Control Line	Building Line	Control Line	Building Line		Control Line	
					A	B	A	B
State Highways	40	75	40	60	10*	24*	36.5*	45*
Major District Roads	30	55	30	50	10*	24*	36.5*	40*
Other District Roads	20	35	20	30	10*	12*	20*	20*
Village Roads	12	24	12	24	9*	9*	14*	14*
*Or whatever is higher as per local administration rules and laws								

On roads passing through Municipal local body, only Rules and Byelaws of local municipal body shall apply. Portion of village roads passing through a Gaothan/Gamtal (village site) shall not fall within purview of ribbon development guidelines.

4. About petrol pumps and constructions related to it:

1. In case of petrol pumps, for each category of roads and each type of bye-pass or diversion, construction shall be permitted only after maintaining a distance of either 6 meters away from the road boundary or 30 meters away from the central line of the road, whichever is higher. This limit is only for place of pump. For Kiosk and underground tank of petrol/diesel additional distance of 4 meters (approximately 12 feet) or more shall be maintained. Other construction works related to pumps shall be at a distance more than this. Rules of Indian Road Congress related to layout plan shall be applicable to them.
2. For other constructions of petrol pumps on road like canteen, garage, restaurant, workshop, washing ramp, washing platform, lubricating etc, permission shall be given only after maintaining a minimum distance of 15 meters from the road boundary or 50 meters from the central line (whichever is higher).
3. For petrol pumps, a part of road boundary shall be used only for approaches and proper culverts below approaches shall have to be constructed by licensee. No board or advertisement shall be allowed to be displayed within road boundary.

5. These guidelines are to be followed by all authorities giving Non Agricultural

permissions, Construction Permissions and Occupancy Certificates: Notwithstanding anything contained in any law for the time being in force, all the authorities of UT of Daman and Diu shall consider the provisions of these guidelines while giving Non-Agricultural Permission, Construction Permission or Occupancy Certificate, or any other permission related to a building. Government has resolved that Strict action shall be taken against officers who give permissions against the guidelines.

6. On any part of road, and especially on turnings, if no obstruction is caused to line of vision of vehicles and if it does not obstruct vision of fast moving vehicles then a compound wall or wire fencing, or poles showing boundary line of a land of maximum height of 105 cm may be exempted from standards of ribbon development. However, no claim declaration should be obtained before permitting construction.
7. To ensure that the intent with which Ribbon Development Guidelines are being implemented is fulfilled, it is very important that the guidelines are strictly followed. Considering this reality, all District Collectors, District Officers, Revenue and Panchayat Officials, and other related officials are informed that they should take immediate actions to stop any unauthorized construction made on National Highways and State Highways, and other categorized roads which is done in violation of Ribbon Development Guidelines and if needed, after taking necessary actions to stop such construction, without delay, begin eviction proceedings whenever fact of such construction comes to their notice or is brought to their knowledge by Road and Building department or any report concerning it is submitted to them. All concerned officials may take note that action shall be initiated against such revenue officials, or Panchayat Officials, who do not take action or delayed action on such information, or show negligence and they shall be personally responsible for it.

In these cases, Officers of Road and Building Department, shall submit a full report with clear map of such unauthorized constructed areas along with all necessary details to District Development Officer/Collector. So that, on that basis, such officer can take urgent action according to guidelines.

8. Government has resolved that the construction works like wells and rooms nearby for engine and pump and trough and basin and construction of bore or boring (being construction for agricultural purpose) may be given exemption as exception to ribbon development guidelines subject to following conditions:
 1. There should not be any obstruction to sight distance of traffic from construction of the room.
 2. Construction of room will be removed whenever Government passes an order.

- a. Construction of room should not be permanent but like temporary sheds.

Generally, works like basin etc. near well are constructed mainly in open lands of fields. There would be no objection if necessary, margin is not maintained in such works. Therefore, the Government has resolved to exempt such constructions from requirements of margin.

9. Construction for agriculture purpose: In case of farm building which is situated on land near public roads, all district collectors, District Development Officer, and other concerned officers are informed to have necessary vigilance to see that required distance from road is maintained according to standards of ribbon development.
10. At places where temple, mosque, buildings of public devotion are situated, movement of public takes place at a particular period in the morning and evening only. No significant movement of vehicle is found there. Further such buildings are generally constructed inside the city or Gamtal. And there are rare cases of such buildings constructed near roads. Due to such reasons, for such constructions for the purpose of public devotion, control line will not be applicable but building line will be applicable.
11. For constructions of schools and colleges, building line will not be applicable but control line will be applicable.
12. Government has resolved to give exemption to toilet water tank or other minor constructions on railway building existing now from guidelines of Ribbon Development. But in all such cases no claim declaration should be obtained in prescribed form from railway officers.

By order and in Name of Hon'ble Administrator
Daman and Diu & Dadra and Nagar Haveli

Sd/-
(PRANJAL J. HAZARIKA)
Joint Secretary (PWD)
Daman & Diu

**U T Administration of Daman and Diu
Public Works Department, Daman.**

No. PWD/DMN/WD-I/Rib. Dev./2019-20/1150

Dated: 22.10.2019

DRAFT NOTIFICATION

Read: Goa, Daman & Diu Highways Act, 1974.

In exercise of powers conferred under section 7 and section 75 of the Goa, Daman & Diu Highways Act, 1974, the Administrator of Union Territory of Daman & Diu and Dadra & Nagar Haveli proposes to fix building lines and control lines for National Highways as under:

Table
Building and Control lines Standard
(Distances from middle of the roads in meter)

Category of Roads	Area of open and Field Land		Within three miles of Construction and Industrial Area		Within Construction and Industrial Area			
	Building Line	Control Line	Building Line	Control Line	Building Line		Control Line	
					A	B	A	B
National Highways	40	75	40	60	10*	24*	36.5*	45*

*Or whatever is higher as per local administration rules and laws

On roads passing through Municipal local body, only Rules and Byelaws of local municipal body shall apply. Portion of village roads passing through a Gaothan /Gamtal (village site) shall not fall within purview of ribbon development guidelines.

Following norms are to be obeyed in addition to above mentioned norms.

1. As per the Guidelines of the Government of India, in case of National Highways passing through open and field area, conditions mentioned below shall be applicable. These conditions will not be applicable to the actual limits of Construction area and Industrial area and within 3 miles of Construction area and Industrial area. These conditions shall not be applicable to other roads. These conditions are as under:
 - a. No construction shall be allowed within 3 to 6 meters from the road boundary or within 40 meters from the central line of the road (whichever is higher).

EXTRAORDINARY NO. : 41
DATED : 23 RD OCTOBER, 2019.

- b. Construction within 75 meters from the central line of road shall be controlled and prior permission of the Collector is to be obtained for construction. These guidelines shall not apply for construction done outside 75 meters limit.
- c. Height of any construction between 40 meters and 75 meters from the central line of road as mentioned in points No. 1 and 2 above cannot be more than 15 meters.
2. All other provisions of Special Order of the Government regarding Regulation of Ribbon Development along State Highways, major District Roads, Other District Roads and Village Roads of Daman & Diu shall be applicable. On National Highways, all other provisions of Special Order of the Government regarding Regulation of Ribbon Development along State Highways, major District Roads, Other District Roads and Village Roads of Daman & Diu shall mutatis mutandis apply.

By order and in name of Hon'ble Administrator,
Daman & Diu and Dadra & Nagar Haveli

Sd/-
(Pranjal J. Hazarika)
Joint Secretary (PWD), Daman & Diu.

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**U T Administration of Daman and Diu
Public Works Department, Daman.**

No. PWD/DMN/WD-I/Rib. Dev./2019-20/1151

Dated: 22.10.2019

NOTIFICATION

Whereas, it is essential to regulate Ribbon Development along the National Highways notified by the Central Government; and

Whereas, under section 7(2) (read with section 75) of the Goa, Daman & Diu Highways Act, 1974, the Government can fix Building lines and Control lines with respect to national Highways after taking permission from Central Government.

EXTRAORDINARY NO. : 41
DATED : 23 RD OCTOBER, 2019.

Therefore, draft notification No. PWD/DMN/WD-I/Rib.Dev./2019-20/1150 dated 22.10.2019 of fixing Boundary lines and Control lines for National Highways in UT of Daman & Diu (to be uploaded on official website by NIC) is hereby published for calling objections and suggestions, if any, from public / other stake holders.

The general public / other stakeholders may furnish their objections and suggestions, if any, in writing within 60 days from the date of publication of draft notification in official gazette of Union Territory of Daman & Diu to the notified Highway Authority under the Goa, Daman & Diu Highways Act, 1974.

Final publication of notification shall be subject to prior approval of Central Government in this regard.

By order and in name of Hon'ble Administrator,
Daman & Diu and Dadra & Nagar Haveli

Sd/–
(Pranjal J. Hazarika)
Joint Secretary (PWD), Daman & Diu.
