NOTIFICATION

No. 1/4-22/91/DMC/98-99

In exercise of the powers conferred by Sub-Section (1) of Section 307 read with Section 184, 143 and 323 of the Daman and Diu Municipalities (Amended) Regulation, 1994 and all other powers enabling in that behalf, the Daman Municipal Council after obtaining previous approval of the Government hereby make the following amendment to the Goa, Daman and Diu Municipalities, Building Model Bye-laws and Zoning Regulation, 1971 published in the Official Gazette Series –1, No.19, dated 05.08.1971 and adopted by Daman Municipal Council on 26.08.1972. Published in Local daily News Paper, the objection were called and considered. Therefore following amendment is made.

1. SHORT TITLE
2. APPLICATION

This amendment shall be called "The Goa, Daman and Diu Municipalities Building Model Bye-laws and Zoning Regulation, 1971 (1st Amendment of Daman Municipal Council, 1999).

The amendment shall apply to Municipal Area of Daman District from the date of its publication in the Official Gazette.
3. **AMENDMENT OF BYELAWS 38 (i) RESIDENTIAL Zone (R-1)**

For the existing clause (e) (f) g (ii) and g (iii) the following clauses be substituted.

**e) Plot Coverage**

The maximum permissible coverage on the plot of the size mentioned in column 1 below shall be as shown in column 2 below.

- **Maximum Coverage**
  - 75% of the area of plot
  - 65% of the area of the plot
  - 55% of the area of plot
  - 45% of the Area of Plot

**f) Floor Area Ratio**

The Maximum floor area ratio in this zone shall be 400.

**g) Rear Set back lines**

Every building shall have a minimum rear set back of 2.0 mts.

**g) Side set back lines**

If light and ventilation to habitable rooms are to be taken from the sides of the building the width of open spaces specified in the table, below will apply.

Where height of the building (above plinth or 0.60 mts. From ground floor) adjoining the open air space does not exceed.

- **Maximum width of the open air space throughout up to the plot boundary.**

<table>
<thead>
<tr>
<th>Height of Building</th>
<th>Minimum Rear Set Back (mts)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Up to 15.0 mts. (G + 3 floor)</td>
<td>1.5 mts.</td>
</tr>
<tr>
<td>Above 15.0 mts. Up to 18.0 mts. (G + 4 floor)</td>
<td>2.0 mts.</td>
</tr>
<tr>
<td>Above 18.0 mts. Up to 24.0 mts. (G + 6 floor)</td>
<td>2.5 mts.</td>
</tr>
<tr>
<td>Above 24.0 mts. Up to 36.0 mts. (G + 10 floor)</td>
<td>3.0 mts.</td>
</tr>
<tr>
<td>Above 36.0 mts.</td>
<td>4.0 mts.</td>
</tr>
</tbody>
</table>
If no light and ventilation is to be taken from the side of the building, above mentioned set backs can only be relaxed if the building is taken right up to the boundary.

In case of row housing building on corner plot shall further be set back of such a distance from the side street as may be suitable to meet the needs of traffic.

For group housing, the coverage and floor area ratio will be as above. The maximum floor area ratio, however for plots exceeding 5000 sq. mts. in area can be 400.

The set backs of buildings, garages and other structures will have to be approved in each case but normally the distance to be left from the boundary of the plot will be as per requirements mentioned above, and the distance between two buildings within the plot, if belonging to the same owner should be not less than one third of the mean heights of the two buildings involved, or three meters which ever is more. However garages, out houses, fuel stores and the like is not more than one story height may be permitted at a minimum distance of 3.0 mts. From the main structure. The plans would further be required to indicate adequate facilities for playing areas, parking, garaging and servicing within the plot.

4. AMENDMENT OF BYE-LAWS 38 (V) (LOCAL COMMERCIAL ZONE C-1)

(i) For the existing clause (e), (f), (g(i), (g(ii) and (g (iii), the following clauses be substituted.

(e) **Plot Coverage**

The **Maximum permissible** coverage on each floor shall be 65% of the area of the plot.

(f) **Floor Area Ratio**
5. **AMENDMENT OF BYE-LAWS 38(vi) (Central Commercial Zone C-2)**

The floor area ratio shall not exceed 400.

(g)(i) **Front set back Lines**
The building shall be set back from the edge of the proposed right of way of the road by a minimum distance of 3.0 mts.

(g)(ii) **Side Set back lines**
As per amended Zone R-1 (Residential Zone).

(g)(iii) **Rear set back lines**
As per amended Zone R-1 (Residential Zone).

For the existing clause (e), (f) g(i), g(ii) and g(iii), the following clauses be substituted.

(e) **Plot Coverage**
The maximum coverage on each floor shall be 80% of the area of the plot.

(f) **Floor Area Ratio**
The floor area ratio shall not exceed 600.

(g)(i) **Front set back Lines**
As per amended Zone C-1 (Local Commercial Zone).

(g)(ii) **Side Set back lines**
As per amended Zone R-1 (Residential Zone).

(g)(iii) **Rear set back lines**
As per amended Zone R-1 (Residential Zone).

After Clause 2 of Bye-laws 42, the following clause be added.

3. **If any person starts any construction work without licence or written permission shall be liable for higher fees as decided by the Standing Committee which should be minimum at**
7. Insertion of new schedule of Fees.

   i) Fees for registration of Architect, structure designer/Civil Engineer

   ii) Fees for approval of the project (Plans of construction of building) excluding Item "iii" below:

(A) Residential Purpose

   (a) Other than R.C.C. structure

   (b) R.C.C. structure

(B) Commercial Purpose

   (a) Other than R.C.C. structure

   (b) R.C.C. structure

(iii) Fees for the approval project (plans) of construction of fencing wall, introduction of internal changes or any other minor construction, repairs and other non-specified works.

(iv) Levy of Higher Fees in case of un-authorised construction to be regularised (In addition to the usual taxes/fees)

(v) Fees for renewal of original licence, when renewed within permissible time.

(vi) Fees for revalidation of the licence after expiry period.

the tune of double the cost of un-authorised structure and should not exceed three times more of the cost of unauthorised structure.

After Bye-laws 43 the following Schedule shall be added.

**SCHEDULE OF FEES**

<table>
<thead>
<tr>
<th>Schedule</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>i) Architect</td>
<td>Rs 1,500/- per annum</td>
</tr>
<tr>
<td>ii) Residential Purpose</td>
<td></td>
</tr>
<tr>
<td>(a) Other than R.C.C. structure</td>
<td>0.50% of the estimated cost of building subject to minimum of Rs. 500/-</td>
</tr>
<tr>
<td>(b) R.C.C. structure</td>
<td>0.75% of the estimated cost of building subject to minimum of Rs. 750/-</td>
</tr>
<tr>
<td>ii) Commercial Purpose</td>
<td></td>
</tr>
<tr>
<td>(a) Other than R.C.C. structure</td>
<td>1.00% of the estimated cost of building subject to minimum of Rs. 1000/-</td>
</tr>
<tr>
<td>(b) R.C.C. structure</td>
<td>1.25% of the estimated cost of building subject to minimum of Rs. 1250/-</td>
</tr>
<tr>
<td>(iii) Fees for the approval project (plans) of construction of fencing wall, introduction of internal changes or any other minor construction, repairs and other non-specified works.</td>
<td>0.50% of the estimated cost of structure subject to minimum of Rs. 250/-</td>
</tr>
<tr>
<td>(iv) Levy of Higher Fees in case of un-authorised construction to be regularised (In addition to the usual taxes/fees)</td>
<td>Fees to be decided by the Standing Committee in terms of amended provision of Bye-laws 42. 3.</td>
</tr>
<tr>
<td>(v) Fees for renewal of original licence, when renewed within permissible time</td>
<td>25% of the original amount of licence fees.</td>
</tr>
<tr>
<td>(vi) Fees for revalidation of the licence after expiry period</td>
<td>100% of the original amount of licence fees.</td>
</tr>
</tbody>
</table>
vii) Fees for the extraction of copies of plan.

vi) Fees for the authentication of copies of approved plan.

ix) Fees for the issue of additional copy of construction licence.

x) Fees for issue of valuation certificate

xi) Fees for reinstalment of dug-out roads for any approved purposes

No.1/4-22/91-DMC/98-99

Dated:- 14th July, 1999.

By order and in the name of the Administrator, U.T. of Daman & Diu.

Sd/-
Assistant Secretary (Mun. Adm)

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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 Coasal
Regulation Zone (CRZ) and Regulating Activities in the CRZ.

New Delhi, the 15th 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 declaration of Coastal Stretches as Coastal Regula-
tion Zone (CRZ) and imposing restrictions on
industries, operations and processes in the CRZ, was
published vide S.O. No. 944 (E) dated 15th Decem-
ber, 1990.

And whereas all objections received have been
under consideration by the Central Government;

New, therefore, in exercise of the powers conferred
by Clause (d) of sub-rule (3) of Rule 5 of the En-
vironment (Protection) Rules, 1986, and all other
powers vested in it, the Central Government
hereby declares the coastal stretches of seas, bays,
creeks, rivers and backwaters which are
exposed by tidal action (in the landward side) up to
500 metres from the High Tide Line (HTL) and the
land between the Low Tide Level (LTL) and the HTL
Coastal Regulation Zone (CRZ) and imposes with effect from
the date of this Notification, the following restric-
tions on the setting up and expansion of industries,
operations or processes etc. in the said Coastal Regu-
lation Zone (CRZ). For purposes of this Notification,
the High Tide Line (HTL) will be defined as the line
which the highest high tide reaches at spring
9

N.B.—The distance from the High Tide Line
(HTL) at which the proposed regulations will apply
depends on the case of rivers, creeks and backwaters may be
inspected on a case by case basis for reasons to be
mentioned while preparing the Coastal Zone Manage-
ment Plans (referred to below); however, this distance
not be less than 100 metres or the width of the
river or backwater whichever is less.

Prohibited Activities:
The following activities are declared as prohibited
in 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 of storage or disposal
of hazardous substances as specified in
the Notification of the Government of
India in the Ministry of Environment &
Forests, No. S.O. 59(E) dated 28th July,
1989, S.O. 966(E) dated 27th November,
1989 and GSR 1037(E) dated 5th Decem-
ber, 1989;

(iii) Setting up and expansion of fish processing
units including warehousing (excluding
latchery and natural fish drying in permitted
areas);

(iv) Setting up and expansion of units/mecha-
nisms 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 effluents 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,
in a reasonable time period not exceeding
three years from the date of this notifi-
cation;

(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 period not exceeding
three years from the date of this Notifica-
tion;

(vii) Dumping of ash or any wastes from thermal
power stations;

(viii) Land reclamation, bunding or disturbing the
natural course of rivers with similar
obstructions, except those required for con-
rol of coastal erosion and maintenance of
navigable waterways, channels and ports
and for prevention of sandbars and also
except for tidal regulators, storm water
drainage and structures for prevention of silt-
inity ingress and for sweet water recharge;

(ix) mining of sands, pebbles and other substra-
ta materials, except those rare minerals not
available outside the CRZ area;

(x) harvesting or drying of ground water and
construction of mechanisms thereof 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 drink-
ing, horticulture, agriculture and fisheries;

(xi) construction activities in ecologically sensi-
tive areas as specified in Annexure-I of this
Notification;

(xii) any construction activity between the Low
Tide Line and High Tide Line except facili-
ties 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
critical for activities permitted under this
Notification; and

(xiii) dressing or alteration of sand dunes, hills,
natural features including landscape changes.
THE GAZETTE OF INDIA: EXTRAORDINARY

for taxatification, 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:
   (i) Clearance shall be given for any activity within the Coastal Regulation Zone only if it requires water front and foreshore facilities.
   (ii) The following activities will require environmental clearance from the Ministry of Environment & Forestry, Government of India, namely:
      (i) Construction activities related to Defence requirements for which shore 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 activities except in very special cases and hence shall not normally be permitted in the CRZ);
      (ii) Operational constructions for ports and harbours and light houses requiring water frontages; jetties, wharves, quays, slipways etc. (Residential buildings & 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 water and outfall for discharge of treated waste water cooling water); and
      (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, following of the Notification, Coastal Zone Management Plans identifying and classifying the CRZ areas within their respective territories in accordance with the guidelines given in Annexures I 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 3(ii) 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 further Management Plans under 3(i)(ii) above are prepared all developments and activities in the Coastal Regulation Zone shall not violate the provisions of this Notification. State Government, Union Territory Administration, in all cases, must ensure adherence to these regulations, if any, all be subject to provisions of the Environment (Protection) Act, 1986.

4. Procedure for monitoring and enforcement:
   The Ministry of Environment & Forestry and Government of State or Union Territory and other authorities at the State or Union Territory level as may be designated for this purpose, shall be responsible for monitoring and enforcement of the provisions of this notification within their respective jurisdictions.

[N. K. 150191/1881-IA-VII/R. RAJAMANI,

ANNEXURE-I

COASTAL AREA CLASSIFICATION AND DEVELOPMENT REGULATIONS

Classification of Coastal Regulation Zone:

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

Category I (CRZ-I):

(i) Areas that are ecologically, sensitive and important, such as national parks, marine parks, sanctuaries, reserve forests, wildlife sanctuaries, mangroves, coral reefs rich in marine diversity, and areas likely to be inundated due to rise in sea level consequent upon global warming; such other areas as may be declared by Central Government and 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 area that have already been developed up to 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
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 ME&F 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 seaward side) from the High Tide Line and within the area between the Low Tide and Hi Tide Line;

(ii) The total plot size shall not be less than 0.4 hectares and the total covered area of all floors shall not exceed 33 per cent 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 up to the highest ridge of the roof, shall not exceed 1 metre 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 mce 500 metre zone it can be tapped only with the concurrence of the Central/State Govt. Water Board;

(vi) Extraction of sand, levelling or digging of sandy stretches except for structural foundation of building, swimming pool shall...
all include coastal zone in the rural areas (developed and undeveloped) and also areas within municipal limits of other legally designated urban areas which are not substantially built up.

Category-IV (CRZ-IV)

Coastal stretches in the Andaman & Nicobar, Lakshadweep and small islands except those designated as CRZ-I, CRZ-II or CRZ-III.

Norms for Regulation of Activities.

(i) The development or construction activities in different categories of CRZ areas shall be regulated by the concerned authorities at the State/Union Territory level in accordance with the following norms:

CRZ-I

No new construction shall be permitted within 500 metres of the High Tide Line. No construction activity, except as listed under 2(ii), will be permitted 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 authorized structures. Buildings permitted on the landward side of the existing and proposed roads/ existing authorized structures shall be subject to the existing local Town and Country Planning Regulations, including the existing norms of FSI/ FPAR.

(ii) Reconstruction of the authorized buildings to be permitted subject to the existing FSI/ FPAR 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 up to 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 authorized 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, playfields, forestry and salt manufacture from sea water.

(ii) Development of vacant plots between 200- and 500 metres of High Tide Line in designated areas of CRZ-III with prior approval of MIPRA is permitted for construction of holiday houses subject to temporary occupation of the holiday houses by tourists subject to the conditions as stipulated in the guidelines at Annexure-II.

(iii) Construction/reconstruction of dwellings between 200 and 500 metres from the High Tide Line permitted so long it is a part of traditional rights and customs such as existing fishing villages, Building permission for construction/reconstruction will be to the conditions that the total number of dwelling units shall not be more than the number of existing units; total area on all floors shall not exceed 100% of the plot size; the overall height of construction shall not exceed 9 metres; construction shall not be more than 2 (ground floor plus one floor).

(iv) Reconstruction/alteration of an authorized building permitted subject to (ii) above.

CRZ-IV

Andaman & Nicobar Islands:

(i) No new construction of buildings shall be permitted within 500 metres of the High Tide Line.

(ii) The buildings between 200 and 500 metres from the High Tide Line shall not be more than two storeys (ground floor plus one floor), the total covered area on all floors shall not be more than 50% 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 seascape and local architectural style.

(iv) Coral and sand from the beaches and tidal waters shall not be used for construction and other purposes.

(v) Dredging and underwater blasting around coral formations shall not be permitted; and

(vi) However, in some of the islands, stretches may also be classified into categories CRZ-I or CRZ-III, with the approval of Ministry of Environment & Forests and in such designated stretches appropriate regulations given for respective categories shall apply.

Lakshadweep and Small Islands:

(i) For permission of construction of buildings, distance from the High Tide Line shall be depending on the size of islands. This shall be laid down for each island, in consultation with the expect and with approval of the Ministry of Environment & Forests, keeping in view the specific purposes and the local conditions, including, inter alia, aspect and ecological sensitivities.

(ii) The buildings within 200-300 metres from the High Tide Line shall have not more than 2 (ground floor and first floor) total area on all floors shall not be more than 2
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.

Necessary arrangements for the treatment of the effluents and solid wastes must be made. It must be ensured that the untreated effluent and solid wastes are not discharged into the water or on the beach, and no untreated solid waste shall be discharged on the beach.

For public access to the beach, adjacent to a depth of 20 metres width shall be provided between any two hotels/beach resorts; and in no case shall gaps be less than 500 metres apart; and

(e) 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.

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

7(2) In ecologically sensitive areas such as marine parks, nurseries, 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.