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# सरकारी राजपत्र OFFICIAL GAZETTE



भारत सरकार  
Government of India

## संघ प्रदेश दमण एवं दीव प्रशासन

U.T. ADMINISTRATION OF DAMAN & DIU

प्राधिकरण द्वारा प्रकाशित  
PUBLISHED BY AUTHORITY

U.T. ADMINISTRATION OF DAMAN AND DIU  
URBAN DEVELOPMENT DEPARTMENT

### 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 -I, 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 : This amendment shall be called "The Goa, Daman and Diu Municipalities Building Model Bye-laws and Zoning Regulation, 1971 (1<sup>st</sup> Amendment of Daman Municipal Council, 1999).
2. APPLICATION : The amendment shall apply to Municipal Area of Daman District from the date of its publication in the Official Gazette.

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3. AMENDMENT OF BYE- : For the existing clause (e) (f) g (ii) and  
LAWS 38 (I) RESIDENTIAL g(iii) the following clauses be substituted.  
Zone (R-1)

(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.

Size of Plot	Maximum Coverage
i) Upto 300 sq. mts.	75% of the area of plot
ii) Above 300 sq. mts. And not exceeding 500 sq. mts.	65% of the area of the plot
iii) Above 500 sq. mts. And not exceeding 1000 sq. mts.	55% of the area of plot
iv) Above 1000 sq. mts.	45% of the Area of Plot

(f) Floor Area Ratio

The Maximum floor area ratio in this zone shall be 400

g(ii) Rear Set back lines

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

g (iii) 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 through out upto the plot boundary.

i) Upto 15.0 mts. (G + 3 floor).....	1.5 mts.
ii) Above 15.0 mts. Upto 18.0 mts. (G + 4 floor).....	2.0 mts.
iii) Above 18.0 mts. Upto 24.0 mts. ( G + 6 floor).....	2.5 mts.
iv) Above 24.0 mts. Upto 36.0 mts. (G + 10 floor).....	3.0 mts.
v) Above 36.0 mts. ....	4.0 mts.

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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 upto 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 whichever 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

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).

5. AMENDMENT OF BYE-LAWS 38(vi) (Central Commercial Zone C-2)

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).

6. Insertion of new clause in BYE-LAWS 42

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

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

7. Insertion of new schedule of  
Fees.

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

**SCHEDULE OF FEES**

- |      |   |   |
|------|---|---|
| i)   | Fees for registration of<br>Architect, structure<br>designer/Civil Engineer   | Rs 1,500/- per annum  |
| ii)  | Fees for approval of the<br>project (Plans of construction<br>of building) excluding item "iii"<br>below:   |   |
| (A)  | <u>Residential Purpose</u>  |   |
| (a)  | Other than R.C.C. structure   | 0.50% of the estimated cost of building<br>subject to minimum of Rs.500/-                           |
| (b)  | R.C.C. structure  | 0.75% of the estimated cost of building<br>subject to minimum of Rs. 750/-                          |
| (B)  | <u>Commercial Purpose</u>   |   |
| (a)  | Other than R.C.C. structure   | 1.00% of the estimated cost of building<br>subject to minimum of Rs. 1000/-                         |
| (b)  | R.C.C. structure  | 1.25% of the estimated cost of building<br>subject to minimum of Rs.1250/-                          |
| iii) | Fees for the approval project<br>(plans) of construction of<br>fencing wall, introduction of<br>internal changes or any other<br>minor construction, repairs<br>and other non-specified<br>works. | 0.50% of the estimated cost of structure<br>subject to minimum of Rs.250/-                          |
| iv)  | Levy of Higher Fees in case of<br>un-authorised construction to<br>be regularised (In addition to<br>the usual taxes/fees)  | Fees to be decided by the Standing<br>Committee in terms of amended<br>provision of Bye-laws 42. 3. |
| v)   | Fees for renewal of original<br>licence, when renewed within<br>permissible time.   | 25% of the original amount of licence<br>fees.  |
| vi)  | Fees for revalidation of the<br>licence after expiry period.  | 100% of the original amount of licence<br>fees.   |

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|--|--|
| vii) Fees for the extraction of copies of plan.                      | Rs.100/- per set of plan                       |
| viii) Fees for the authentication of copies of approved plan.        | Rs.25/- per copy of plan/drawing.              |
| ix) Fees for the issue of additional copy of construction licence.   | Rs.25/- per copy.                              |
| x) Fees for issue of valuation certificate                           | 0.50% of the total cost of structure building. |
| xi) Fees for reinstalment of dug-out roads for any approved purposes | Rs.100/- per running metre.                    |

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

Dated :- 14<sup>th</sup> 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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MINISTRY OF ENVIRONMENT & FORESTS

Department of Environment, Forests & Wildlife)

NOTIFICATION UNDER SECTION 3(1) AND SECTION 3(2)(v) OF THE ENVIRONMENT (PROTECTION) ACT, 1986 AND RULE 5(3)(d) OF ENVIRONMENT (PROTECTION) RULES, 1986, DECLARING COASTAL STRETCHES AS COASTAL REGULATION ZONE (CRZ) AND REGULATING ACTIVITIES IN THE CRZ.

New Delhi, the 19th February, 1991

S.O. 114(E).—Whereas a Notification under Section 3(1) and Section 3(2)(v) of the Environment (Protection) Act, 1986, inviting objections against the declaration of Coastal Stretches as Coastal Regulation Zone (CRZ) and imposing restrictions on industries, operations and processes in the CRZ was published vide S.O. No. 944 (E) dated 15th December, 1990.

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

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

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

I. 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 or storage or disposal of hazardous substances as specified in the Notifications of the Government of India in the Ministry of Environment & Forests No. S.O. 591(E) dated 28th July, 1989, S.O. 966(E) dated 27th November,

1989 and GSR 1037(E) dated 5th December, 1989 ;

- (iii) Setting up and expansion of fish processing units including warehousing (excluding hatchery and natural fish drying in permitted areas) ;
- (iv) setting up and expansion of units/mechanisms for disposal of waste and effluents, except facilities required for discharging treated effluents into the water course with approval under the Water (Prevention and Control of Pollution) Act, 1974 ; and except for storm water drains ;
- (v) discharge of untreated wastes and effluents from industries, cities or towns and other human settlements. Schemes shall be implemented by the concerned authorities for phasing out the existing practices, if any, within a reasonable time period not exceeding three years from the date of this notification ;
- (vi) dumping of city or town waste for the purposes of landfilling or otherwise ; the existing practice, if any, shall be phased out within a reasonable time not exceeding three years from the date of this Notification ;
- (vii) dumping of ash or any wastes from thermal power stations ;
- (viii) land reclamation, bunding or disturbing the natural course of sea water with similar obstructions, except those required for control of coastal erosion and maintenance or clearing of waterways, channels and ports and for prevention of sandbars and also except for tidal regulators, storm water drains and structures for prevention of salinity ingress and for sweet water recharge ;
- (ix) mining of sands, rocks and other substrate materials, except those rare minerals not available outside the CRZ areas ;
- (x) harvesting or drawal of ground water and construction of mechanisms therefor within 200 m of HTL ; in the 200 m to 500 m zone it shall be permitted only when done manually through ordinary wells for drinking, horticulture, agriculture and fisheries ;
- (xi) construction activities in ecologically sensitive areas as specified in Annexure-I of this Notification ;
- (xii) any construction activity between the Low Tide Line and High Tide Line except facilities for carrying treated effluents and waste water discharges into the sea, facilities for carrying sea water for cooling purposes, oil, gas and similar pipelines and facilities essential for activities permitted under this Notification ; and
- (xiii) dressing or altering of sand dunes, hills, natural features including landscape changes

*Handwritten notes and signatures in the margin, including 'Prohibited' and 'Annexure-I'.*

for beautification, recreational and other such purpose, except as permissible under this Notification.

3. Regulation of Permissible Activities :

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

- (1) Clearance shall be given for any activity within the Coastal Regulation Zone only if it requires water front and foreshore facilities.
- (2) The following activities will require environmental clearance from the Ministry of Environment & Forests, Government of India, namely :
  - (i) Construction activities related to Defence requirements for which foreshore facilities are essential (e.g. slipways, jetties etc.); except for classified operational component of defence projects for which a separate procedure shall be followed. (Residential buildings, office buildings, hospital complexes, workshops shall not come within the definition of operational requirements except in very special cases and hence shall not normally be permitted in the CRZ);
  - (ii) Operational constructions for ports and harbours and light houses requiring water frontage; 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 out-fall 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 from the date of this Notification, Coastal Zone Management Plans identifying and classifying the CRZ areas within their respective territories in accordance with the guidelines given in Annexures-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 2 and para 3(2) above shall be regulated by the State Government, Union Territory Administration or the local authority as the case may be in accordance with the guidelines given in Annexures-I and II of the Notification; and

- (iii) In the interim period till the Management Plans mentioned in 3(3)(i) above are prepared all developments and activities in the CRZ shall not violate the provisions of this Notification. State Government and Union Territory Administrations shall ensure adherence to these regulations and any violations, if any, shall be subject to the provisions of the Environment Protection Act, 1986.

4. Procedure for monitoring and enforcement :

The Ministry of Environment & Forests and 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-15019]1/84-IA-III (Vol. 1)  
R. RAJAMANI,

ANNEXURE-I

COASTAL AREA CLASSIFICATION AND DEVELOPMENT REGULATIONS

Classification of Coastal Regulation Zone :

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

Category I (CRZ-I) :

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

Category-II (CRZ-II) :

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

Category-III (CRZ-III) :

Areas that are relatively undisturbed and those which do not belong to either Category-I or II. These



50 per cent of the plot size and the total height of construction shall not exceed 9 metres;

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

(iv) Corals and sand from the beaches and coastal waters shall not be used for construction and other purposes;

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

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

Kakshodweep and small Islands :

(i) For permitting construction of buildings, the distance from the High Tide Line shall be decided depending on the size of the islands. This shall be laid down for each island, in consultation with the experts and with approval of the Ministry of Environment & Forests, keeping in view the land use requirements for specific purposes vis-a-vis local conditions including hydrological aspects, erosion and ecological sensitivity;

(ii) The buildings within 500 metres from the HTL shall not have more than 2 floors (ground floor and 1st floor), the total covered area on all floors shall not be more than 50 per cent of the plot size and the total height of construction shall not exceed 9 metres;

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

(iv) Corals and sand from the beaches and coastal waters, shall not be used for construction and other purposes.

(v) Dredging and under water blasting in and around lagoons and coral formations shall not be permitted; and

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

#### ANNEXURE

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

7(i) Construction of beach resorts/hotels with prior approval of MEF in the designated areas of CRZ-III for temporary occupation of tourists/visitors shall be subject to the following conditions :

(i) The project proponents shall not undertake any construction (including temporary constructions and fencing or such other barriers) within 200 metres (in the landward side) from the High Tide Line and within the area between the Low Tide and High Tide Line;

(ii) The total plot size shall not be less than 0.4 hectares and the total covered area on all floors shall not exceed 33 per cent of the plot size i.e. the FSI shall not exceed 0.3. The open area shall be suitably landscaped with appropriate vegetal cover;

(iii) The construction shall be consistent with the surrounding landscape and local architectural style;

(iv) The overall height of construction upto the highest ridge of the roof, shall not exceed 9 metres and the construction shall not be more than 2 floors (ground floor plus one upper floor);

(v) Ground water shall not be tapped within 200 m of the HTL; within the 200 metre zone it can be tapped only with the concurrence of the Central/State Ground Water Board;

(vi) Extraction of sand, levelling or digging of sandy stretches except for structural foundation of building, swimming pool shall

(I-113 3(ii))

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include coastal zone in the rural areas (developed and undeveloped) and also areas within Municipal limits or in 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.

6(2) 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(xii), 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 authorised structures. Buildings permitted on the landward side of the existing and proposed roads/existing authorised structures shall be subject to the existing local Town and Country Planning Regulations including the existing norms of FSI/FAR.

(ii) Reconstruction of the authorised buildings to be permitted subject with the existing FSI/FAR norms and without change in the existing use.

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

#### CRZ-III

(i) The area upto 200 metres from the High Tide Line is to be earmarked as 'No Development Zone'. No construction shall be permitted within this zone except for repairs of existing authorised structures not exceeding existing FSI, existing plinth area and existing density. However, the following uses may be permissible in this zone—agriculture, horticulture, gardens, pastures, parks, 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 MEF permitted for construction of hotels/beach resorts for temporary occupation of tourists/visitors subject to the conditions as stipulated in the guidelines at Annexure-II.

(iii) Construction/reconstruction of dwellings between 200 and 500 metres of the High Tide Line permitted so long it is within the ambit of traditional rights and customs such as existing fishing villages/goathans. Building permission for construction/reconstruction will be subject 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 50 per cent of the plot size; the overall height of construction shall not exceed 9 metres; and construction shall not be more than (ground floor plus one floor).

(iv) Reconstruction/alterations of an existing authorised building permitted subject to (iii) above.

#### CRZ-IV

Andaman & Nicobar Islands :

(i) No new construction of buildings shall be permitted within 200 metres of the High Tide Line.

(ii) The buildings between 200 and 500 metres from the High Tide Line shall not have more than 2 floors (ground floor and 1st floor), the total covered area on all floors shall not be more than 50 per cent of the plot size and the total height of construction shall not exceed 9 metres ;

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

(iv) Corals and sand from the beaches and shallow waters shall not be used for construction and other purposes ;

(v) Dredging and underwater blasting in the vicinity of coral formations shall not be permitted; and

(vi) However, in some of the islands, certain stretches may also be classified into categories CRZ-I or CRZ-II 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 permitting construction of buildings within 500 metres distance from the High Tide Line shall be decided depending on the size of islands. This shall be laid down for each island, in consultation with the experts with approval of the Ministry of Environment & Forests, keeping in view the use requirements for specific purposes and local conditions including hydrological aspects erosion and ecological sensitivity.

(ii) The buildings within 500 metres from the High Tide Line shall not have more than 2 floors (ground floor and 1st floor), the total covered area on all floors shall not be more than 50 per cent of the plot size and the total height of construction shall not exceed 9 metres ;

permitted within 500 metres of the High Tide Line;

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 effluent/solid waste shall be discharged on the beach;

To allow public access to the beach, atleast a gap 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

(x) If the project involves diversion of forest land for non-forest purposes, clearance as required under the Forest (Conservation) Act, 1980 shall be obtained. The requirements of other Central and State laws as applicable to the project shall be met with.

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

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