

only use and structures permissible under the Regulation No.4.11 in respect of Green belt, may be permitted in such open space.

3.4.6 Minimum Dimensions

The minimum dimension of such recreational open space shall not be less than 10m. and if the average width of such recreational open space is less than 20m., the length thereof shall not exceed 2 ½ times the average width.

3.4.7 Structures permitted in Open Space

If required, structure and uses which can be permitted without counting in FSI in the recreational open spaces shall be as under:-

- i) There may be maximum two storeyed structure with maximum 15% built up area of recreational open space, out of which, built up area on ground floor shall not exceed 10%. In case of stilt, additional floor may be allowed.
- ii) The structures used for the purpose of pavilion, gymnasium, fitness centre, club house, vipashyana and yoga centre, crèche, kindergarten, library, or other structures for the purpose of sports and recreational activity (indoor or outdoor stadiums, etc. as per availability of area) may be permitted. Utilities such as water tank (underground or elevated), electric substation, generator set, pump houses, garbage treatment, public health out post/ centre may be permitted only with the consent of the society of residents. Religious structure may be allowed with the permission of competent Authority as decided by Government from time to time.
- iii) No detached toilet block shall be permitted.
- iv) A swimming pool may also be permitted in such a recreational open space. The ownership of such structures and other appurtenant users shall vest in all the owners on account of whose cumulative holdings the recreational open space is required to be kept in the land.
- v) The proposal for the construction of such structure should come as a proposal from the owner/s, owners' society / societies or federation of owners' societies and shall be meant for the beneficial use of the owners/ members of such society/ societies/ federation of societies.
- vi) The remaining area of the recreational open space shall be kept open to sky and properly accessible to all members as a place of recreation, garden or a playground.
- vii) The owners' society / societies, the federation of the owners' societies shall submit to the Authority, a registered undertaking agreeing to the conditions in (v) & (vi) above while obtaining permission for the above said construction.

3.4.8 Recreational Open Space and Means of Access

Every plot meant for a recreational open space shall have an independent means of access. In case of group housing scheme, if such recreational open space is surrounded by or located along buildings and is meant for use by the occupants of those buildings, then independent means of access may not be insisted upon.

3.5 PROVISION FOR AMENITY SPACE

- 3.5.1** In the areas of Local Authorities, Special Planning Authorities and Metropolitan Region Development Authorities, Amenity Space as mentioned below on gross area after deducting area under reservations/roads in Development Plan including proposals of road widening therein, shall have to be provided in any layout or sub division of land or proposal for development.

Area of Land	Minimum Amenity Space to be provided.
a) upto 4000 sq.m.	Nil.
b) more than 4000 sq.m. and upto 10000 sq.m.	(a) + 5% of remaining area.
c) more than 10000sq.m.	(b) + 10% of remaining area.

These amenity spaces shall be developed by the owner for the uses mentioned in the definition of amenity. However, the Authority may insist for handing over the amenity space to the Authority, if it is required for the following five purposes only. If it is not required for the following purposes and required for other purposes, it may be taken over by the Authority with the consent of the owner.

- i) Garden.
- ii) Playground.
- iii) Municipal School.
- iv) Municipal Hospital.
- v) Fire Brigade.
- vi) Housing for Project affected Persons.

In such circumstances, amenity space shall deem to be reservations/ proposals in Development Plan and Floor Space Index (FSI) in lieu thereof may be made available in-situ on remaining land. The calculation of this in-situ FSI shall be shown on the layout / building plan. If the owner desires to have TDR against it, instead of in-situ FSI, then he may be awarded TDR. The in-situ FSI or TDR shall be granted only after transfer of the amenity space to the Authority. The generation of TDR or in-situ FSI shall be equivalent to the quantum mentioned in Regulation No.11.2of Transferable Development Rights.

Provided that: -

- i) this regulation shall not be applicable where separate amenity space is mandated by the Government, while sanctioning modification proposal under section 37 or 20 of the Act. In such cases, development of the amenity shall be governed by the conditions mentioned in the said notification.
- ii) amenity space shall be approachable by minimum 12m. wide road except the cases where 12m. approach road to the site is not available. If in case of B & C Class Municipal Councils, Nagarpanchayats and R.P. areas, such amenity space may be located on 9 m. road, however, in such case, special building on amenity plot shall not be allowed.
- iii) this regulation shall not be applicable to Regulation No.4.8.1, (i.e., Regulation for allowing Residential /Commercial user in Industrial Zone),wherein separate provision of land for public amenities/ utilities is made.
- iv) this regulation shall not be applicable where entire development permission is for amenities specified in definition of amenity space in these Regulations and also for uses other than residential permissible in agricultural zone. This regulation shall also not be applicable, if construction on entire plot is for hotel building or IT establishment / building.
- v) this regulation shall not be applicable to the Town Planning Scheme area under MRTP Act, 1966 or similar scheme permitted in agricultural zone.
- vi) this regulation shall not be applicable for revision of earlier sanctioned development permissions granted under the regulations in force prior to these regulations and work is commenced, where no such amenity space has been provided in development permission

sanctioned earlier.

- viii) if some amenity space is provided in the earlier permission, then the quantum of such amenity space in the revised permission :-
 - a) shall be limited to the area provided in earlier permission.
 - b) shall not be reduced even though area of such amenity space is more than what is specified in this regulation.
- ix) if owner agrees to construct the amenity and hands it over to the Authority with consent of the Authority, then he shall be entitled for amenity TDR / in-situ FSI as per Regulation No.11.2.
- x) the development in amenity space shall be allowed upto building potential mentioned in Regulation No. 6.1 or 6.3.
- xi) any other use, not mentioned in these regulations, may be allowed to be developed by the Authority similar to the uses defined as amenity.

3.5.2 In case of Regional Plan areas, the percentage of amenity space to be provided shall be as mentioned in Regulation No. 5.1.8.

3.5.3 Development of Amenity Spaces in Earlier Sanctioned Layout

Amenity spaces, which are earmarked in the layout sanctioned tentatively or finally earlier and not so far developed, may also be allowed to be developed for any of the uses mentioned in this regulation. Such amenity building may be allowed to be developed on the road on which such amenity space is located in the sanctioned layout. However, special building shall require a front road as specified in Regulation No. 3.3.9.

3.6 PROVISION FOR ELECTRIC SUB-STATION

In case of development/re-development of any land, building or premises mentioned below, provision for electric sub-station shall be made as under, if the requirement for the same is considered necessary by the concerned power supply authority.

Sr. No.	Plot Area	Maximum requirements
1	Plot above 2000 sq.m.	One single transformer sub-station of the size of 5m.x 5m. and height of not more than 5m.
2	Layout or sub-division of a plot measuring 2 .0 ha. or more.	A suitable site for an electric sub-station as required by the Power Supply Company.

Provided that the sub-station is constructed in such a manner that it is away from main building at a distance of at least 3 m. and in general does not affect the required side marginal distances or prescribed width of internal access or recreational open space.

3.7 MINIMUM PLOT AREA FOR VARIOUS USES

Minimum plot area for various uses shall be as given in Table No.3D below :-