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PART IV-C

Statutory Rules and Orders (Other than those published in Parts I, I-A and I-L) made by Statutory Authorities other than the Government of Gujarat including those made by the Government of India, the High Courts, the Director of Municipalities, the Commissioner of Police, the Director of Prohibition and Excise, the District Magistrates and the Election Commission, Election Tribunals, Returning Officers and other authorities under the Election Commission.

GUJARAT INDUSTRIAL DEVELOPMENT CORPORATION NOTIFICATION

Udhyog Bhavan, Block No. 4, Second Floor, GH Road, Gandhinagar

Dated: - 19/05/2012.

Gujarat Industrial Development Act, 1962.

No. GIDC/ATP/LAW/AMD/20: In exercise of the powers conferred by Section 54 of the Gujarat Industrial Development Act, 1962, (Guj XXIII of 1962), the Gujarat Industrial Development Corporation, with the previous approval of the State Government hereby makes the following regulations, to amend* "The Gujarat Industrial Development Corporation (General Development Conditions for plot/land allotted in GIDC Estates) Regulations, 1996".

1. These Regulations shall be called, "The Gujarat Industrial Development Corporation (General Development conditions for plot/shed allotted in GIDC Estate)- Regulations (First Amendment) Regulations, 2012.
2. In the Gujarat Industrial Development Corporation (General Development conditions for plot/shed allotted in GIDC Estate) Regulations, 1996 (herein after called the said Regulations), in regulation 5 relating to Definitions, before sub-regulation 5(1), following shall be inserted; viz:
"Unless there is anything repugnant in the subject or context".
3. In the said regulations, after sub-regulation (1) of regulation the following sub-regulation shall be inserted ; viz:

"5(1) (A) - "Annexure" means Annexure annexed to these regulations".

4. In the said regulations, after sub-regulation(7) of regulations 5, the following sub-regulation shall be inserted; viz "5(7)(A)- "competent authority" shall mean any person or persons authorized by the Corporation to perform-functions of a competent authority".
5. In the said regulations, the sub-regulation(9) of - regulation 5 shall be substituted by the following; "5(9) - "Floor Space Index (FSI)" shall, subject to the provisions of sub-clause (2), mean quotient of the ratio of the combined gross floor area of all floors including areas of all walls except areas specifically exempted under these Regulations, to the total area of plot or building unit.

$$\text{Floor Space Index} = \frac{\text{Total floor area including walls of all floors}}{\text{plot area or building unit.}}$$

In computation of FSI, the following shall not be taken into account, namely;

- 1.1 Parking spaces not having any enclosures and partitions of any kind, with clear height of 2.4 mtr. and in case of slabs with beams, having height not exceeding 2.8 mts.,
 - 1.2 Spaces of hollow plinth with maximum clear height of 2.8 mts. including beams in residential buildings only (not even in mixed development) at ground level not having any enclosures, walls or partitions in any forms;
 2. Ramps leading to any area exclusively used for parking;
 3. Interior open spaces and ducts required to be kept under these Regulations,
 4. Weather shed upto 0.60 mt. width;
 5. Staircase with maximum intermediate landing width equal to the width of stair, and the maximum landing width at floor level up to twice the width of stair;
 6. Basement exclusively used for requisite parking having maximum clear height of 2.6 mts, excluding beams,
 7. Security cabin up to 4 sq.mts.,
 8. Electric room as specified by an Electricity Distribution company/Electricity Transmission company."
6. In the said regulations, after sub-regulation (12) of regulation 5, the following shall be inserted; viz:
- "5(12)(A) - "Infrastructure" includes roads, streets, open spaces, Parks, playgrounds, recreational grounds, water and electric supply, street lighting sewerage, drainage, storm water drainage, Public works, and other utility services and convenience".
7. In the said regulations, after sub-regulation(4) of regulation 6, the following new sub-regulation shall be inserted, viz:

"6(5) - SCRUTINY FEES:

A person applying for permission to carry out development/construction shall have to pay scrutiny fees along with his application to the GIDC at following rate:

1. For built up area: For low rise building Rs.3/- per sq.mtr. for all floors for the intended residential development or part thereof subject to maximum scrutiny fees of Rs.300/-.
2. Commercial and mixed development: for high rise
'commercial, mix development and other than residential use Rs.5/- per sq.mtr. for all floors for the intended development or part thereof subject to minimum scrutiny fees of Rs. 1000/-.
3. sub- division and amalgamation of land: Rs.1.50/-(one rupee & fifty paise) per sq. mtr. of building unit/plot area of sub-division and amalgamation of all types of development subject to minimum scrutiny fees of Rs. 1000/-."

8. In the said regulation after sub-regulation (2) of regulation No.9, the following proviso shall be inserted viz;

"Provided that in case of commercial development for hotel situated on minimum 16.00 meter wide road, the maximum height of building shall not be more than 21.00 meter from the plot level to the top of building within the maximum permissible 1.60 meter floor space index(FSI) of a building".

9. In the said regulation after sub-regulation (1) of regulation 19, the following sub-regulation shall be inserted viz;

"19 (2)- control of storm water:

(a) Definitions: "storm sewer" shall mean sewer drainage but excludes sewage and industrial wastes, other than unpolluted cooling water.

(b) Regulations:

1. No person shall discharge or cause to be discharged any storm water, surface water ground water, roof run off, or sub surface - drainage to any sanitary sewer, uncontaminated cooling water or unpolluted industrial process water may be permitted to be discharged to any sanitary sewer by the Engineer if storm sewer is not available.
2. Storm water and all other unpolluted drainage shall be discharged to such sewer as are specifically designated as storm sewers or to a natural outlet approved by the Engineer. Industrial cooling water or unpolluted process water may be discharged with the prior approval of the Engineer to a storm sewer or natural outlet.
3. The Engineer or other duly authorized employees of the competent authority shall be permitted to enter all properties for the purposes of inspection, observations of these regulations and having a direct bearing on the nature and source of discharge.
4. Any person violating any of the provisions of these regulations shall become liable to the Competent Authority for any expenses, loss or damage occasioned to the competent authority by the reason of such violation and shall be liable to suspension, revocation or cancellation, if any permissions were granted under these regulations".

10. In the said regulations, the regulation 21 shall be substituted by the following regulation, viz;

"21. Parking:

21(1) Minimum Parking Space: off street parking spaces for vehicles shall be provided for every building constructed for the first use or when the use of old building is changed to any of the uses mentioned in the table below: -

TABLE FOR MINIMUM OFF STREET PARKING SPACES

	Type of Use	Parking space required	Remarks.
1	Residential (Flats/Apartments)	15% of maximum permissible FSI.	1) Dwelling units above 80 sq.mtrs. built up area, 50% of the total parking space requirements shall be reserved for cars. 2) Upto 80 sq.mtrs. built up area, 25% of the total parking space requirements shall be reserved for cars. 3) 10% of the total parking space requirements shall be reserved at ground level for visitors.

	Type of Use	Parking space required	Remarks.
2.	Cinema theater, Public assembly hall, auditorium, stadium etc.	1 sq.mtr. per seat.	50% of the total parking space requirements shall be reserved for cars.
3.	Commercial and business establishments including business office, bank, hostel, guest house, restaurant, institutional building and health facilities including hospital and nursing homes etc.	30% of maximum permissible FSI. Note: 1) The parking space so required shall be provided excluding required marginal space and built up area with solid plinth subject to other regulation, 2)20% of the parking space required at the ground level shall be exclusively earmarked for visitors.	50% of the total parking space requirements shall be reserved for cars.
4.	Community buildings such as community hall/marriage hall/community wadi/recreational club/and religious building, party not, club house etc.	50% of Building Unit.	50% of the total parking space requirements shall be reserved for cars.
5.	Educational Primary schools Secondary and higher secondary schools. Colleges and coaching class	1 car space for 100 sq.mtrs. of built up area or part thereof. 20 sq.mtrs. for every 100 students 50 sq.mtrs. for every 100 students. 70 sq.mtrs. for every 100 students..	for computing numbers of students 0.75 sq.mtrs floor area is equal to 1(one) student.
6.	Special building for uncommon uses: (a) stock exchange (b) grain market. timber market, iron market and such other whole sale trade.	For (a) & (b) 30% of maximum permissible FSI.	For (a) 50% of the total parking space requirement shall be reserved for cars. For(b) 50 % of the total parking space requirement shall be reserved for heavy motor vehicles. Competent Authority shall specify the number and types of vehicles likely to be used in addition to col. no.4 for (a)&(b) of col. No.2
7.	Industrial	1 car space for 200 sq.mtr. of build up area or part thereof. In case of plots of 10 ha. and above minimum parking space shall be 10% of the total area..	No visitors parking.

NOTE:

1. Where building units/plots abuts on 9.00 mtrs or more width road, parking shall be provided as under namely:-
For ground floor built up area without hollow plinth, the parking shall be provided as per commercial standards and for other floors built up area, parking shall be provided as per Regulations.
2. Above space shall be provided in addition to adequate vehicular access to the street.
3. Marginal space of 4.5 mtr. or more may be allowed for parking if it forms part of parking layout as required under clause 21(2).
4. Parking requirements shall be calculated on the basis of maximum permissible FSI.
5. In cases where misuse of parking space is notice, the use of entire building shall be discontinued and the use shall be permitted only after the parking spaces are made possible for parking use. In such cases, High penalty, as may be determined by the Competent Authority from time to time, shall be levied on the defaulter - considering the period of misuse of the parking space and the benefit derived out of the misuse.
6. In cases where more parking space is required, parking in cellars or at upper floors with specific conditions shall be permitted.
7. Parking reserved to the visitors shall be provided on ground level only.

21(2) The parking layout shall fulfill the following conditions, namely:-

- (i) The minimum width of access to the street from parking space shall be 3.0 meters.
- (ii) The car parking space shall have two independent accesses leading to street if its area capacity exceeds 300 sq.mtrs.
- (iii) If the parking space is not provide at street level, the gradient of ramp leading to parking space shall not be more than 1 meter over a horizontal distance of 7 meters.
- (iv) Clear heading of 2.8 mts shall be provided on every access leading to parking space and at any point in parking.

Provided that:-

- (1) The total area of cellar (basement) shall be allowed excluding the margins. It may be one or two level.
- (ii) clear height of cellar shall not be less than 2.40 mts. and upto 2.8 mts.;
- (iii) Uses permitted, Parking, Safe deposit vault, A.C. Plant, storage other than inflammable material.

Provided further that the area used for parking only shall be deducted in computing FSI.

- 21(3) The general arrangement of parking layout shall be in conformity with the general instructions issued from time to time by the Competent Authority".
11. In the said regulations, the regulation No.28 shall be substituted by the following; viz;
"28. Development without Prior Legitimate Permission:

In cases where development has already started/commenced on site for which development permission in writing of the competent authority is not obtained, but where this development on site is in accordance with the provisions of these regulations, the development permission for such work on site without permission may be granted by the competent authority on the merits of each individual case. For such development works over and above such other charges/fees may be otherwise livable, additional amount shall be charged on such total built-up area as per the

following rates:

1.	Application for development permission is made but development is commenced as per submitted plan.	5 times of Regulation no.6(5) scrutiny fees.
2.	Application is made but development has been commenced but not as per submitted plan.	10 times of Regulation no.6(5) scrutiny fees.
3.	Application for Development permission is not made and development is commenced.	15 times of Regulation 6(5) scrutiny fees.
4.	All other open uses including layout and sub-division of land.	2 times of Regulation No.6(5) scrutiny fees.

NOTE:

Minimum amount shall be Rs.1000/- for residential and Rs.5000/- for others".

12. In the said regulations after Regulation No.28, following new regulations shall be inserted viz:

"29. Tree Plantation:

- (i) Building unit having 1000 sq. mtrs. and more area at the rate of 3 trees for every 200 sq. mtrs. of building unit, for all uses, shall have to be planted on the site plan/layout plan and also has to be maintained the same.
- (ii) The above conditions for plantation of trees to be maintained in the development permission and Rs.500/-per tree shall be realized as deposit from the land owner/developers.
- (iii) After five years of issue of development permission, the office shall inspect the site and check whether the trees planted on site as per above are existing and proper care is taken to maintain the same, the deposit amount shall be refunded. In case the plantation has not been done nor proper care is taken to maintain the trees, the deposit amount shall be forfeited.
- (iv) The above deposit amount shall be realized at the time of issue of development permission and kept deposited in a separate account by the office and the same amount shall be used for tree plantation and its proper maintenance.
- (v) Authority shall make yearly provisions for tree plantation during the monsoon and to take proper care.
- (vi) Selection of type of trees, how to plant and maintenance to be done by the Authority as per the instruction and in consultation with the Senior officer of Forest and Environment Development.

30. Residential Building for emergency staff or other utility service in industrial plot;

The total floor area of the residential units for emergency staff shall not exceed 10% of the total buildable area of the plot.

31. The grant of approval under these regulations would not obviate the requirement to obtain requisite permissions from Airport authority, Department of Forest and Environment for Environment Impact Assessment clearance and other concerned departments and the same shall be mandatory;

32. Percolating well and Rainwater Harvesting System:

For the area of building unit above 500 sq.mtr. and up to 1500 sq.mtr., the owner/developer shall carryout water harvesting system as specified by the authority.

In case where the area of building unit exceeds 1500 sq.mtr. and upto 4000 sq.mtr.

owner/developer has to provide/construct percolating well with rain water harvesting system in building unit and at the rate of one percolating well for every 4000 sq.mtr. or part thereof building unit.

(I) Conservation and Harvesting of Rain Water in Building:

Having Plinth built up area of 750 sq. mtrs. or more, every such building shall be provided with required facilities and infrastructure for conservation and harvesting of rain water viz;

(ii) Percolation Pits:

The ground surface around the building shall have percolation pit or bore as recommended by competent authority within the building site, or bore recharge. Such pits shall be filled with small pebbles or brick jelly or river sand and covered with perforated concrete slabs.

(iii) Terrace Water Collection:

The terrace may be connected to a sump or well bore through a filtering tank by PVC pipe as recommended by Competent Authority. A valve system shall be incorporated to enable the first part of the rain water collected to be discharged out to the solid if it is dirty.

(iv) Open ground:

(i) whenever there is open ground a portion of top solid should be removed and replaced with river sand to allow slow percolation of rain water.

(ii) Any other methods proved to be effective in conservation and harvesting of rain water may be adopted in each and every construction taken up.

33. These regulations shall come into force with immediate effect.

By the Order of Gujarat Industrial Development Corporation.

B.B. SWAIN,
Vice Chairman & Managing Director.

* These regulations were firstly published in G.G.G. Authority, volume XXXVIII No. 6 dated 6-2-1997, by Notification NO.GIDC/ATP/LAW/AMD/20 dated 17-12-1996.