

# Madhya Pradesh Bhumi Vikas Rules, 2012

(Updated up to 6<sup>th</sup> March 2025)



**Disclaimer:-** मध्यप्रदेश भूमि विकास नियम, 2012 के संशोधनों को संकलित करते समय यथासंभव प्रयास किए गए हैं कि कोई त्रुटि न हो, फिर भी यदि कोई त्रुटि रह जाती है, तो शासकीय प्रकाशन या शासकीय राजपत्र का अवलोकरण करना उचित होगा।

**F-3-131-2012-32, dated 30<sup>th</sup> May, 2012<sup>1</sup>.**— In exercise of the powers conferred by sub-section (1) of Section 85 read with sub-section (3) of Section 24 of the Nagar Tatha Gram Nivesh Adhiniyam, 1973 (No. 23 of 1973), the State Government hereby makes the following Rules, the same having been previously published in the Madhya Pradesh Gazette (Extra-ordinary) dated 13 April, 2012 as required by sub-section (1) of Section 85 of the said Act.

***RULE***  
***PART-I : GENERAL***

**1. Short title.**—(1) These rules, may be called the Madhya Pradesh Bhumi Vikas Rules, 2012.

(2) These rules shall come into force from their publication in the Official Gazette.

**2. Definitions.**— In these rules, unless the context otherwise requires,-

- (1) "**accessory use**" means any use of the premises subordinate to the principal use and customarily incidental to the principal use;
- (2) "**Act**" means the Madhya Pradesh Nagar Tatha Gram Nivesh Adhiniyam, 1973 (No. 23 of 1973);
- (3) "**alteration**" means a change from one occupancy to another or a structural change such as an addition to the area or height or the removal of part of a building or any change to the structure such as the construction of or cutting into or removal of any wall, partition, column, beam, joist, floor or other support or a change in or closing of any means of ingress or egress or a change of the fixtures or equipment;
- (4) "**approved**" means approved by the Authority having jurisdiction or power;
- (5) "**Authority having jurisdiction**" (hereinafter referred to in these rules as "Authority") in relation to development and building activities means,-
  - (a) the Director of Town & Country Planning or any other officer authorized by him in this behalf for granting permission for development of land in Planning areas and also in such non-planning areas where these rules are made applicable by notification.

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<sup>1</sup> Published in M.P. Rajpatra (Asadharan) dated 1st June, 2012 at pages 516 (161-317).

The development of land includes,-

- (i) making material change in land including its sub division and change in its use in terms of occupancy:
  - (ii) construction of any type of building.
- (b) the Municipal Corporation or Municipal Council or Nagar Parishad, as the case may be, or an officer authorized by or under the relevant Municipal Law or the Gram Panchayat or such other authority or officer so authorized under the Madhya Pradesh Panchayati Raj Evam Gram Swaraj Adhiniyam, 1993 (No. 1 of 1994) for granting permission for construction/alteration, demolition of building in planning area and non-planning area falling within their respective jurisdictions.

**Explanation-** (1) The expressions "Municipal Corporation" or "Municipal Council" or Nagar Parishad whenever the context so requires shall include the Administrator referred under section 423 of the Madhya Pradesh Municipal Corporation Act, 1956 (No. 23 of 1956) or "the person or committee of persons" appointed by the State Government under section 328 or section 337 of the Madhya Pradesh Municipalities Act, 1961 (No. 37 of 1961);

(2) The expressions "Gram Panchayat" whenever the context so requires shall include the "the person or committee of persons" appointed by the State Government or the prescribed authority under clause (b) of sub-section (3) of section 87 of The Madhya Pradesh Pachayati Raj Evam Gram Swaraj Adhiniyam, 1993 (No. 1 of 1994);

- <sup>1</sup>[(c) The land is already developed in the Central area of the adopted Development Plan, in these areas, the building permission shall be issued by the local bodies as per the landuse and landuse permissibility of the Development Plan and Madhya Pradesh Bhumi Vikas Niyam, 2012."]

- <sup>2</sup>[5-A. Licensing Authority means and shall include:-

Commissioner, Urban Administration and Development or an officer authorized by him who can issue license to Fire Engineers for the whole of the State of Madhya Pradesh.]

- (6) **"balcony"** means a horizontal projection, including a handrail or balustrade, to serve as passage or a sitting out place;

<sup>1</sup> Ins. by Notification No. F-3-26-2022-XVIII-5 dated 28<sup>th</sup> September 2022.  
Published in M.P. Rajpatra Part-4(Ga) S.N. 40 dated 07<sup>th</sup> October 2022 at pages 703-704.

<sup>2</sup> Ins. by Notification No. F-3-113-2021-XVIII-5 dated 01<sup>st</sup> March 2023.  
Published in M.P. Rajpatra Part-4(Ga) S.N. 9 dated 03<sup>rd</sup> March 2023 at pages 264-265.

- (7) **"basement"** means that part of the building which has been constructed below the plinth level. However, in certain cases, where the topography of the site permits, the part of the building below the ground or reference level could also be called the basement;
- <sup>1</sup>[7(a). **"Base Floor Area Ratio"** means Floor Area Ratio, prescribed in the Development plan or in these rules which is available to all plots owners without cost or charge."]
- (8) **"building activities"** means,—
- (a) erection, re-erection, making material alteration and demolition of any building;
  - (b) development of land as a composite building scheme and corporate development;
  - (c) development and redevelopment of any tract of land which includes division and sub-division into plots or various land uses within a colony;
- Note :** (1) In all the above three cases, the development permission shall be granted or refused, as the case may be, by the Director of Town and Country Planning;
- (2) The building permission shall be granted or refused by Municipal Corporation or Municipal Council or Nagar Parishad or Gram Panchayat as the case may be, within their respective jurisdictions;
- (9) **"building height or height of a building"** means the vertical length of the building which shall be measured from a ground or reference level. Such ground or reference level would be at the centre point of frontage of the plot or land from which the access is being taken. If the site is sloping, the reference level will be taken at the centre line of the existing or proposed approach road or street in front of the plot or land from which the access is being taken or the average level of the plot, whichever is higher. The height of the Machine rooms, mumpsee, still floors, podiums, service floors, parking floors shall not be included in the calculation of building height.
- The following appurtenant structures shall not be included in the calculation of the height of a building if the aggregate area of such structures does not exceed one-third of the area of roof of the building upon which they are erected,—
- (a) water tanks and their supports;
  - (b) chimneys, ventilating pipes, air-conditioning, lift rooms and similar service equipment;

<sup>1</sup> Inserted by Notification No. F. UDH-3/0002/18-5/2024 dated 06<sup>th</sup> March 2025.  
Published in M.P. Rajpatra (Asadharan) S.N. 74 dated 06<sup>th</sup> March 2025 at pages 147-148(5).

- (c) temporary shade for plants; and
  - (d) parapet walls and architectural features not exceeding 1.5 meter in height;
- (10) "**building line**" means the line up to which the plinth of a building may lawfully extend on the side, which abuts the street or an extension of a street or a strip of land ear-marked or reserved for future construction of street and such line has been so prescribed in the approved plan or co-ordination plan or the scheme by the Authority;
- (11) "**chhajja**" means a sloping or horizontal structural overhang usually provided over opening on external walls to provide protection from sun and rain and includes architectural extension;
- (12) "**chimney**" means an upright shaft containing and encasing one or more flues provided for the conveyance to the outer air of any product of combustion resulting from the operation of any heat producing appliances or equipment, employing solid or liquid or gaseous fuel;
- (13) "**chowk or courtyard**" means a space permanently open to sky, enclosed fully or partially by building and may be at ground level or any other level within or adjacent to a building;
- (14) "**chowk inner**" means a chowk enclosed on all sides;
- (15) "**chowk outer**" means a chowk where at least one of its sides is not enclosed;
- (16) "**clear height**" means the vertical distance measured from the finished floor surface to the underside of the beam that support the ceiling;
- (17) "**Code**" means the National Building Code of India (NBC) as published by the Bureau of Indian Standards (BIS);
- (18) "**conversion**" means the change of occupancy of premises to any other occupancy or use: which requires additional occupancy permit;
- (19) "**corner site**" means a site at the junction of two or more intersecting streets;
- (20) "**covered area or ground coverage**" means the area of the land covered by the plinth of the building at the ground floor level. This shall exclude the area of the plinth not covered by roof at top. Cantilevered projection equal to floor height, but restricted to the extent of 4.5 meters, at the slab level with clear height for vehicular/pedestrian movement shall not be included in the covered area. The areas covered by the porch, service ducts, private garage not exceeding 25 sq. meters on ground floor, podium, stilt, staircase, fire

escapes, ramps, mechanized parking areas, refuse chutes, two watchmen huts and one pump room each not exceeding 6 sq. meters, atrium if not used for commercial activities and lift wells shall not be included in the covered area;

- (21) "**Cul de Sac**" means a lane, one end of which terminates as a dead end providing no further access;
- (22) "**density**" means the residential density as expressed in terms of number of dwelling units per hectare;

**Explanation,—**

- (1) Where such densities are expressed as exclusive of community facilities and provision for open spaces and major roads (excluding incidental open spaces), these shall signify net residential densities. Where these densities are expressed after including open space and community facilities and major roads, these shall signify gross residential densities.
- (2) Incidental open spaces are mainly open spaces required by these rules to be left around and in between two buildings to provide lighting and ventilation;
- (23) "**Development Authority**" means a Town and Country Development Authority established under section 38 of the Madhya Pradesh Nagar Tatha Gram Nivesh Adhiniyam, 1973 (No. 23 of 1973) or a Special Area Development Authority constituted under section 65 of the said Act;
- (24) "**drain**" means a line of pipes including all fittings and equipments, such as manholes, inspection chambers, traps, gullies and floor traps, used for the drainage of a building or a number of buildings or yards appurtenant to building, within the same cartilage and shall include open channels used for carrying surface water;
- (25) "**drainage**" means the removal of any liquid by a system constructed for this purpose;
- (26) "**dwelling unit (tenement)**" means an independent dwelling unit with separate facilities for living, cooking and sanitary requirement;
- (27) "**exit**" means a passage, channel or means of egress from any building stories or floors, to a street or other open space of safety;
- (28) "**Farm House**" means a house in such areas and built subject to such conditions as specified in rule 17;

- (29) **"floor"** means the lower surface in a storey on which one normally walks in a building. The general term, "floor" unless otherwise specially mentioned shall not refer to a "Mezzanine Floor";

**Note:** The sequential number of floor shall be determined by its relation to the determining entrance level. For floors at or wholly above ground level with lowest floor in the building with direct entrance from the road or street shall be termed as ground floor. The other floors above floor 1 shall be numbered in sequence as floor 2, floor 3 and so on, with numbers increasing upwards.

- <sup>1</sup>[(30) **"Floor Area Ratio (FAR)"** means the ratio of total built up area in a building on all floors to the total plot area of the land in question. The built up area shall mean the total built up area on all floors excluding the area under lift wells, service ducts machine room for lifts, water tanks, escalator, lift lobby, fire escapes, ramps, refuse chutes and service ducts, mezzanine floor, balcony (upto a width of 1.20 mtrs.), parking areas, parking floors, mechanized parking areas, porch, service floors, podiums, private garage (not exceeding 25 sq. mtrs.), servant quarter (not exceeding 25 sq. mtrs.), basement subject to the provision of rule 76, corridors, arcades, lobbies, mump tee, staircases, entrance lobbies or foyers, atrium which is not used for commercial activity, pump room and two watchmen hut each not exceeding 6 sq. meters, but shall include covered projections exceeding the limits prescribed under rule 58:

Provided that in residential use premises for individuals as mentioned in rule 53(1), the sum of the area excluded from FAR shall in no case exceed 25% of the permissible FAR and in group housing residential use as mentioned in rule 2(35), the sum of the area excluded from FAR shall in no case exceed 35% of the permissible FAR:

Provided further that in commercial use premises, the area of foyer(s) or entrance lobby(s) located on the ground floor which exceeds 20% of permissible ground coverage shall be counted in the FAR:

Provided also that the above limits shall not apply to the total built up area provided for water tank(s), ramp(s), mump tee, staircase(s) and parking area(s).

**Note:** If the built form below the ground or reference level is used as habitable accommodation because of the existing topography such area may be permitted as habitable area and shall be counted in the Floor Area Ratio.]

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<sup>1</sup> Inserted by Notification No. F-3-75-2021-XVIII-5 dated 18<sup>th</sup> November 2021.  
Published in M.P. Rajpatra Part-4(Ga) dated 26<sup>th</sup> November 2021 Page No. 975-976.

- (31) **"fire separation"** means the distance in meters measured from any other building on the site or from other site, or from the opposite side of a street or other public space to the building;
- (32) **"foundation"** means a part of structure which is in direct contact with and transmits loads to the ground;
- (33) **"front open space"** or front marginal open space (FMOS) means an open space across the front of a plot;
- (34) **"ground level"** means ground or reference level which would be at the centre point of frontage of the plot or land from which the access is being taken. If the site is sloping, the reference level will be taken at the centre line of the existing or proposed approach road or street in front of the plot or land from which the access is being taken or the average level of the plot, whichever is higher;
- (35) **"group housing"** means housing of a number of dwelling units on an undivided plot of land, built compositely and integrally where land and building (excluding individual units) are held jointly, building and services are maintained jointly and the construction is undertaken as one composite unit;
- (36) **"habitable purpose"** means a built space being occupied or designed for occupancy by one or more persons for study, living, sleeping, eating, cooking purpose but shall not include bath-rooms, water closet compartments, laundries, serving and storage pantries, corridors, cellars, attics and spaces that are not used frequently or during extended periods;
- (37) **"habitable room"** means a room occupied or designed for habitable purpose;
- (38) **"high rise building"** means a building,—
- (a) which consists of more than ten stories; or
  - (b) which has a height of more than 30 meters;

**Note:** The height of the building means the height defined and calculated in accordance with sub-rule (9) of rule 2.

- (39) **"ledge or tand"** means a shelf like projection, supported in any manner whatsoever; except by means of vertical supports within a room itself but not having projection wider than one meter;



<sup>1</sup>[(40) "**Licensed Architect/ Structural Engineer/ Engineer/ Supervisor/ Town Planner/ Fire Engineer/ Lift Engineer/ Group**" means, respectively, any qualified Architect/ Structural Engineer/ Engineer/ Supervisor/ Town Planner/ Fire Engineer/ Lift Engineer/ Group, who, where necessary, has been licensed as such by the Authority.]

<sup>2</sup>[(40)(a) "**Authorised Architect/ Structural Engineer**" shall mean any Licensed Architect/ Structural Engineer who has been authorised by the Authority to issue building permission."]

- (41) "**lift or escalator**" means an appliance designed to transport persons or materials between two or more levels in a vertical or substantially vertical direction by means of a guided platform;
- (42) "**loft**" means an intermediary floor between two floors which is constructed for storage purposes;
- (43) "**mezzanine floor**" means an intermediate floor, between ground floor and first floor;
- (44) "**multiplex**" means a building consisting of two or more cinema halls with or without shopping area;

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### COMMENTS

Construction of commercial complex -- Leaving space of 4.5 meter as off-street parking and 4.5 meter as open space, these are two different requirements which are to be fulfilled and cannot be clubbed together. **Satish Nayak Vs. State of M.P. and others, 2018 (2) RN 1 (HC) = 2018 Supreme 292 (MP).**

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- (45) "**occupancy or use group**" means the principal occupancy for which a building or a part of a building is used or intended to be used for the purpose of classification of a building according to occupancy. An occupancy shall be deemed to include subsidiary occupancies, which are contingent upon it;

**Explanation** - The occupancy classification shall be as under:-

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<sup>1</sup> Subs. by Notification No. F-3-49/2020/18-5, dated 28th September, 2020 for sub-clause (40). Published in M.P. Rajpatra (Asadharan) dated 28-9-2020 at pages 710(12-23).

<sup>2</sup> Ins. by Notification No. 3-26-2015-XVIII-5, dated 27th November 2015.

Published in M.P. Rajpatra (Asadharan) dated 27th November 2015 at pages 960 (11-24).

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- (i) **"residential buildings"** include any building in which sleeping accommodation is provided for normal residential purposes with or without cooking or dining or both facilities. It includes single or multi-family dwellings, lodging or boarding houses, dormitories, apartment houses and flats;
  - (ii) **"educational buildings"** include any building used for school, college or day-care purposes involving assembly for instruction, education or recreation incidental to educational buildings;
  - (iii) **"institutional building"** include any building or part thereof which is used as hospitals, sanatoria, custodial institution, penal institutions like jails, prisons, Legislative Assembly Building, Governor House, Universities, Embassy Buildings, Stock Exchange, Insurance Building, Banks, Society, Non Governmental Organisation, Financial Institutions, Social Institutions, Religious Institutions, Office Buildings (Government/Semi-Government/Private) and such other purposes;
  - (iv) **"assembly building"** include any building or part of a building where groups of people congregate or gather for amusement, recreation, political, social, religious, civil, travel and similar purposes for example theatres, motion picture houses, assembly hall, auditoria, exhibition halls, museums, skating rinks, gymnasium, restaurants, place of worship, dance halls, club room, passengers stations and terminals of air, surface and other public transportation services, recreation piers and stadium;
  - (v) **"mercantile Building"** means any land or building or part thereof which is used for the purpose of carrying on any trade, business or profession or sale or exchange of goods or services of any type whatsoever with a view to making profit and also includes the use of any land or buildings for storage of goods or as an office or as hotel and includes any building or part of a building which is used as multiplex, shops, stores, markets, for display and sale of merchandise either wholesale or retail. Storage and service facilities incidental to the sale of merchandise and located in the same building shall be included under this group;
  - (vi) **"industrial building"** means any building or part of a building or structure, in which products or materials of all kinds and properties are fabricated, manufactured, assembled or processed and include

assembly plants, laboratories, power plants, smoke houses, refineries, gas plants, dairies and factories;

- (vii) **"storage building"** means any building or port of a building used primarily for the storage or sheltering of goods, wares or merchandise and includes warehouses, cold storages, freight depots, transit shades, store houses, public garages, hangers, truck terminals, grain elevators;
- (viii) **"hazardous building"** means any building or part of a building which is used for the storage, handling, manufacture or processing of hazardous substances as defined under the applicable law;
- (46) **"open mall"** means a building or group of buildings where commercial activity is carried out along with storage, godown, logistics, administrative facility, parking (open or covered);
- (47) **"open space"** means an area forming an integral part of the plot left open to sky;
- (48) **"parapet"** means a low wall or railing built along the edge of a roof or a floor;
- (49) **"parking floor"** means a floor designed for the use as a parking space;
- (50) **"parking space"** means an area enclosed or unenclosed, covered or open, sufficient in size to park vehicles together with a driveway connecting the parking space with a street or an alley and permitting ingress and egress of the vehicle;
- (51) **"permission"** means an authorization in writing by the authority to carry out work of development or building and regulated by these rules, which would be unlawful otherwise;
- (52) **"plinth"** means the portion of the structure between the surface of the surrounding ground and surface of the floor immediately above the ground;
- (53) **"plinth area"** means the built up covered area measured at the plinth level;
- (54) **"podium"** means the over-ground covered parking space which may be built over and beyond the permissible ground coverage area but does not extend into the prescribed minimum open spaces of the plot;

**Explanation :** Such parking space shall be called a stilt if it is within the limits of ground coverage.

- (55) **"porch"** means a space that may be covered by cantilevered projection or simply supported structure at lintel level or slab level or podium level which is open from three sides and is intended to be used for parking of vehicles, picking/ dropping of passengers. Such area shall not be counted in ground coverage and FAR;
- <sup>1</sup>[55(a). **"Premium Floor Area Ratio"** means such additional Floor Area Ratio that shall be over and above the Base Floor Area Ratio as prescribed in the Development plan or in these rules.]
- (56) **"private garage"** means a building not exceeding 25 sq. mtrs., whether permanent or temporary or a portion thereof designed and used for parking of privately owned mechanically propelled motor vehicles of any description or other vehicles, (in either case in private ownership);
- (57) **"public garage"** means a building or portion thereof, other than a private garage, designed or used for repairing, servicing, hiring, selling or storing or parking of motor vehicles of any description or other vehicles;
- (58) **"Rear Open Space"** or Rear Marginal Open Space (RMOS) means an open space across the rear of a plot between the rear of the building and the rear boundary of the plot;
- (59) **"room height"** means a vertical distance measured from the finished floor surface to the finished ceiling surface. Where a finished ceiling is not provided, the underside (bottom) of joists or beams or tie-beams shall determine the upper point of measurement;
- (60) **"row housing/ row type building"** means a row of buildings with only front and rear Marginal Open Space or interior open spaces;
- (61) **"sanctioned plan"** means the set of plans and specifications related to the development of land or construction of buildings which has been duly approved and sanctioned by the Authority with or without conditions;
- (62) **"semi-detached building"** means a building detached on three sides;
- (63) **"service floor"** means a covered floor specially provided for

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<sup>1</sup> Inserted by Notification No. F. UDH-3/0002/18-5/2024 dated 06<sup>th</sup> March 2025.  
Published in M.P. Rajpatra (Asadharan) S.N. 74 dated 06<sup>th</sup> March 2025 at pages 147-148(5).

diverting/repairing/managing the building services like electricity/sewage/water supply/drainage/air conditioning lines and does not extend beyond the limits of the floor immediately below;

- (64) "**service lane**" means a road/lane provided at the rear or side of a plot for service purpose;
- (65) "**set back line**" means a line laid down in each case by the Authority usually parallel to the plot boundaries beyond which nothing can be constructed towards the site boundaries, except permissible projections;
- (66) "**Shopping Mall**" means integrated multi-storied shopping centre where commercial activity is carried out along with sufficient public spaces, amenities, security arrangements and parking as required in these rules;
- (67) "**Side Open Space**" or Side Marginal Open Space (SMOS) means an open space across the side of the plot between the side of the building and the side boundary of the plot;
- (68) "**Site**" means a parcel of land enclosed by definite boundaries proposed for definite purpose;
- (69) "**Site interior or tandem**" means site, access to which is by a passage from a street, whether such passage forms part of site or not;
- (70) "**skyway**" means a structure built overground, whether covered or uncovered, which connects two or more buildings and is used for pedestrian movement. The height of the skyway above the ground shall depend upon use of the passage underneath;
- (71) "**storey**" means the portion of a building included between the surface of any floor and the surface of the floor next above it or if there be no floor above it, then the space between any floor and the ceiling next above it;
- (72) "**street**" means any means of access namely highway street, lane pathway, alley, stairway, passageway, carriageway, footway, square place or bridge, whether a thoroughfare or not over which the public have a right of passage or access, or have had access uninterruptedly whether existing or proposed in any sanctioned plan or co-ordination plan or Development/ Zoning Plan and includes all bunds, channels, ditches, storm water drains, culverts, sidewalks, traffic islands roadside trees and hedges retaining walls, fences barriers and railings within the street lines;

- (73) **"street level or grade"** means the officially established elevation or grade of the central line of the street upon which a plot fronts and if there is no officially established grade, the existing grade of the street at its mid-point;
- (74) **"street line"** means the line defining the side limits of a street;
- (75) **"subway"** means a passage constructed under the ground for the movement of the pedestrians or vehicles or both;
- (76) **"to abut"** a plot or land or building is said "to abut" a road or a street, if a portion of the plot or land or building touches the road or street edge;
- (77) **"to erect" or "to erect a building"** means,-
- (a) to erect a new building on any site whether previously built upon or not;
  - (b) to re-erect any building of which portions above or below the plinth level have been pulled down, burnt or destroyed; and
  - (c) conversion from one occupancy to another;
- (78) **"travel distance"** means distance from the remotest point on a floor of a building to a place of safety, whether it is vertical exit, or a horizontal exit to an outside exit measured along the line of travel;
- (79) **"verandah"** means covered area in residential building with at least one side open;
- (80) **"Water closet (WC)"** means a privy with arrangement for flushing the pan with water;
- (81) **"window"** means an opening other than a door to the outside which provides all or part of the required natural light or ventilation or both to an interior space.

**Note :** In these rules, whenever the population has to be considered, the date of the latest published census shall be taken.

**3. Applicability of the rules.-** (1) Where land is to be developed or redeveloped into sub-divisions, plots or colonies, the rules shall apply to all such development and modifications if any therein.

(2) Where a building is to be erected, the rules shall apply to the design and construction of the building.

(3) Where the whole or any part of the building is to be demolished, the rules shall apply to any remaining part and to the work involved in demolition.

(4) Where a building is to be altered the rules shall apply to the whole building whether existing or new, except that the rules shall apply only to part if that part is completely self-contained with respect to facilities and safety measures.

(5) Where the occupancy of a building is to be changed, the rules shall apply to all parts of the building affected by the change.

**4. Existing building.-** Nothing in these rules shall require the demolition, alteration or abandonment of a building existing on the date on which the relevant provisions of these rules come into force nor prevent continuance of the use or occupancy of an existing building unless in the opinion of the Authority, such building or portion thereof constitute a hazard to the safety of the adjacent property or to the safety of the occupants of the building itself.

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### COMMENTS

There is difference in the English version and Hindi version of Rule 4 -- The English version is translation of Hindi version and the Hindi being official language of the State of Madhya Pradesh shall prevail upon the English version. **Kurban Hussain and others Vs. Indore Municipal Corporation and anothers, 2018 (2) JLJ 241 = 2018 Supreme 363 (M.P.)**

Building which was constructed in accordance to any permission granted prior to coming into force of Bhumi Vikas Rules, 2012 shall not be demolished unless hazardous to safety of adjacent property or to safety of occupants of building. **Kurban Hussain and others Vs. Indore Municipal Corporation and anothers, 2018 (2) JLJ 241 = 2018 Supreme 363 (M.P.).**

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**5. Alternative materials, methods of design and construction and tests.-** (1) The provisions of these rules are not intended to prevent the use of a material or method of design or construction which have not been specifically prescribed by these rules or the Code, but any such alternative must be approved by the Authority.

(2) The Authority may approve any such alternative provided it is of the opinion that the proposed alternative is satisfactory and that material, method or work offered is for the purpose intended at least equivalent to that prescribed in these rules or the Code as regards quality, strength, compatibility, effectiveness, fire and water resistance, durability and safety.

(3) Whenever there is insufficient evidence before the Authority of compliance with the provisions of these rules, or the Code or insufficient evidence that any material or method of design or construction conform to the requirements of these rules or the Code or in order to substantiate claims for alternative materials, design or methods of construction, the Authority may require tests sufficiently in advance as proof of

compliance. These tests shall be made by an approved agency at the expense of the owner or applicant.

(4) If there are no appropriate test methods specified in these rules or the Code, the Authority may determine the test procedure.

(5) Copies of the results of all such tests shall be retained by the Authority for a period of not less than two years after the acceptance of the alternative material.

(6) **Green building :** The State Government may notify in the official gazette the norms and standards of energy efficient, environment friendly building designs and may direct the authority to enforce the same.

## ***PART – II : ORGANISATION AND ENFORCEMENT***

**6. Department of building permission and inspection --** (1) The Authority shall have a department of building permission and inspection which shall be in the charge of an officer, having minimum qualifications prescribed in rule 26 for an Engineer or Architect or Town Planner and shall be designated as Building Officer. The appointment of the Building Officer shall be subject to the approval of the Director, or of such other officer as the Director may specify for this purpose:

Provided that two or more local authorities may be permitted by the Director to have a common Building Officer on terms and conditions:

Provided further that no officer below the rank of Assistant Director, Town and Country Planning may be appointed as Building Officer for the part of planning areas falling outside Municipal Area:

Provided also that in the Towns classified as Class III and Class IV in the census and where these rules are in force, any official with technical background may be appointed as Building Officer with the approval of Director, Town and Country Planning.

(2) The Authority may designate suitable number of Building Inspectors and other technical officials, having qualifications not less than those prescribed for supervisors in rule 26 to assist the Building Officer.

<sup>1</sup>[(3) Architect/Structural Engineer duly registered by the Authority having jurisdiction may be authorised to issue the building permission on the plots measuring up to 300 sq. meter after getting approval of the Director, town and country planning:

Provided that such permission cannot be issued to the colonisers who intend to sale the plot/building:

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<sup>1</sup> Subs. by Notfn. No. F.-03-71-2020-XVIII-5, dated 29th December, 2020.  
Published in M.P. Rajpatra Part 4 (Ga) dated 8th January, 2021 at pages 5-6.



Provided further that competent Authority shall not give the power to issue building permission to such Architect/Structural Engineer who does not fulfil the norms provided in rule 26-A and 26-B and do not possess minimum 10 years experience.]

**7. Power and duties of the Building Officer.-** (1) The Building Officer shall enforce the provisions of these rules and all lawful orders or instructions issued pursuant thereto and shall act in any matter related to the mode or manner of construction, addition, alteration, repair, removal or demolition of a building.

(2) The Building Officer shall,-

- (a) receive all applications for permission under rule 14 and may issue permission;
- (b) inspect the premises for which permissions have been issued and ensure compliance with these rules.

(3) The Building Officer may as and when necessary issue all necessary notices or orders to, -

- (a) remove illegal or unsafe construction;
- (b) require necessary safeguards during development or construction;
- (c) require adequate exit facilities in existing buildings: and
- (d) ensure compliance with the provisions of these rules.

**8. Right of entry.-** The Building Officer or his duly authorized representative may, after giving previous notice, enter at any reasonable time in any building or premises to perform any duty imposed upon him by these rules:

Provided that in the case of any building being used as a dwelling house, or upon any enclosed part of garden attached to such building, no such entry shall be made except between the hours of sunrise and sunset and after giving its occupiers at least 24 hours' notice in writing of the intention to enter.

**<sup>1</sup>[9. Inspection Authority/Building Officer may make a cause to be made all the required inspections.-** All reports of inspections shall be in writing and duly certified by the inspecting officer. Building Officer, after obtaining the approval of the Authority, may appoint such authorised Architect/Structural Engineer or to any other person having knowledge of the related work, report as he may deem fit to report in such technical matters as may arise.]

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<sup>1</sup> Subs. by Notification No. 3-26-2015-XVIII-5, dated 27th November 2015.  
Published in M.P. Rajpatra (Asadharan) dated 27-11-2015 at pages 960 (11-24).

**10. Constructions not according to plan.-** (1) If at any stage the Building Officer is of the opinion that construction is not proceeding according to the sanctioned plan or is in violation of any of the provisions of these rules or any other law for the time being in force, he shall notify the owner/applicant/occupier and thereupon all further construction not in conformity with these rules or any other law shall be stopped until correction has been effected and approved.

(2) If the owner/applicant/occupier fails to comply with the requirements at any stage of construction, the Authority may cancel the permission for building and shall cause notice of such cancellation to be served. If the owner/applicant is not traceable at his known address and there is no agent to receive the notice on behalf of the owner/applicant the notice may be securely pasted upon the said construction. Posting of such a notice shall be considered sufficient notification of cancellation of the said permission to the owner/applicant/occupier thereof.

**11. Occupancy violations.-** Whenever any building is being used by any person contrary to provisions of these rules, the Building Officer may by notice require discontinuance of such use of such building or portion thereof. Such person shall discontinue the use within ten days of the receipt of such notice or make the building or portion thereof comply with requirements of the rules.

### ***PART-III : PERMISSION AND INSPECTION***

**12. Permission for development or for construction.-**(1) Development or construction not to be without permission. No person shall carry out any development or erect, re-erect or make alterations or demolish any building or cause the same to be done without obtaining a prior permission in writing in this regard from the Authority:

Provided that no permission shall be required for :-

- (a) opening and closing of a window or door or ventilator;
- (b) providing inter-communication doors;
- (c) providing partitions;
- (d) providing false ceilings;
- (e) gardening;
- (f) white washing;
- (g) painting;
- (h) re-tiling and repairing of roof;
- (i) plastering and patch work;
- (j) re-flooring;
- (k) constructions of sun shades on one's own land;
- (l) re-erection of portions of buildings damaged by earthquake or other natural calamities, to the same extent and specifications as existed prior to such damage;

- (m) re-erection of portion of buildings damaged by any other calamity, notified by the District Collector with the previous approval of the State Government, to the same extent and specification as existed prior to damage;
- (n) carrying out works in compliance with any order or directions made by any Authority under any law for the time being in force;
- (o) carrying out works by any Authority in exercise of its powers under any law for the time being in force;
- (p) any work carried out by the Central or the State Government or any local authority :-
  - (a) required for the maintenance or improvement of a highway, road or public street, being works carried out on land within the boundaries of such highway, road or public street;
  - (b) for the purpose of inspecting, repairing or renewing any drains, sewers, mains, pipes, cables, telephone or other apparatus including the breaking open of any street or other land for that purpose:
 

Provided that no work which would entail breaking open any street shall be undertaken without prior intimation to the Authority;
- (q) the erection (including wells) made in the ordinary course of agricultural operation;
- (r) the construction of a road intended to give access to land solely for agricultural purpose;
- (s) the normal use of land which has been used temporarily for other purpose like marriage pandals or for festive occasions; and
- (t) In case of land, normally used for no purpose or occasionally used, for any purpose, the use of land for the other purpose or occasions not involving permanent diversion or diversion for substantial period.

(2) In the case of a high rise building no permission shall be granted unless express clearance is given by the following site clearance committee:-

- (A) Within Municipal Corporation area, the site clearance committee shall consist of the Following members:
 

<sup>1</sup> [(i) Commissioner, Municipal Corporation	- Chairman
(ii) Representative of District Collector	- Member
(iii) Representative of Superintendent of Police	- Member
(iv) Chief Executive Officer, Development Authority/ Special Area Development Authority	- Member]

<sup>1</sup> Subs. by Notification No. F-3-131-2012-XXXII, dated 9th July 2015.  
Published in M.P. Rajpatra (Asadharan) dated 9-7-2015 at pages 546.

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|--|-----------------------|
| (v) Superintending Engineer Public Works Department (B&R)  | - Member              |
| (vi) Divisional Engineer of the concerning Electricity Distribution Company  | - Member              |
| (vii) Fire Authority/Assistant Fire Officer  | - Member              |
| (viii) Joint Director or Deputy Director or Assistant Director of the Town and Country Planning having jurisdiction over the area. | - Member<br>Secretary |
- (B) Outside Municipal Corporation Area, the site clearance committee shall consist of the Following members:
- |  |                       |
|--|-----------------------|
| (i) District Collector   | - Chairman            |
| (ii) Chief Executive Officer of Zila Panchayat / Chief Municipal Officer of urban local body as the case may be  | - Member              |
| (iii) Superintendent of Police or his nominee not Below the rank of Deputy Superintendent of Police or city Superintendent of Police, as the case may be | - Member              |
| (iv) Concerning Executive Engineer of Public Works Department (B&R) having jurisdiction  | - Member              |
| (v) Divisional Engineer of the concerning Electricity Distribution Company   | - Member              |
| (vi) A representative of the Fire Authority or an Officer not below the rank of Assistant Fire Officer   | - Member              |
| (vii) Joint Director or Deputy Director or Assistant Director of the Town and Country Planning having jurisdiction over the area.                        | - Member<br>Secretary |

(3) Both the permission for development and also the permission for building shall be necessary for commencement of building activities involving development of land as a composite building scheme.

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### COMMENTS

Imposition of "Narmada Tax" by State as a pre-condition for grant of building permission -- Petitioner's contention that since fees for grant of building permission are already being charged, levy of "Narmada Tax" would amount to double taxation -- Impugned tax cannot be equated with fees being charged under M.P. Nagar Tatha Gram Nivesh Adhiniyam and M.P. Bhumi Vikas Rules, 2012 for grant of building permission -- Contention that it would amount to double taxation rejected. **Confederation of Real Estate Developers Association of India (CREDAI) Vs. State of M.P. and another, 2015 (1) MPLJ 600.**

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**12 A.** For residential plots up to <sup>1</sup>[186 sqm], instant/deemed approval shall be issued on following conditions.-

- (1) The applicant shall have to submit the application in the prescribed form in Appendix-A-2(2) and affidavit in Appendix-A-2(3) for instant/deemed building approval.
- (2) This instant/deemed approval shall be applicable for the layout approved from Town and Country Planning Department and development permission issued by Urban Local Bodies.
- (3) Only individual plot holder shall be eligible for application of instant/deemed approval. Such permission cannot be issued to the colonizers who intend to sell the plot/flats/building.
- (4) Proposed Building Plan should be as per the provisions of the Rules and the approved development plan of the city.
- (5) Building Plan enclosed by the applicant should be in accordance with Rule-26.
- (6) The applicant shall indemnify the concerned local body for the damage to structural safety and any other damages caused by the construction/erection of building.
- (7) The application fee shall be paid by the applicant as per the fee prescribed in Rule 21 and development fees which is applicable by competent authority.
- (8) The period of instant/deemed approval shall be as per Rule-23.
- (9) After the completion of the construction by the applicant written information shall have to be given regarding the completion of the work under Rule-31(f).
- (10) No inspection/document verification will be done by the local body at the time of receiving the fee. But incomplete documents or any other information can be obtained later if necessary.
- (11) The submission of application form, and affidavit as per the Appendix A-2(2) and Appendix A-2(3) with fees, shall be a deemed sanction, itself.
- (12) If the Building Plan or construction work is not done according to the provisions of the Rules or the development plan, the instant/deemed building approval granted shall automatically stand cancelled and action shall be taken to remove the illegal construction.

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<sup>1</sup> Inserted by Notification No. UDH-3/0031/2024/18-5 dated 20<sup>th</sup> June 2024.  
Published in M.P. Rajpatra Part-4 (Ga) No. 26 dated 28<sup>th</sup> June 2024 Page 850.

**13. Development/Building permission issued prior to these rules.-** Any permission, sanction or approval given or order passed or any action taken or anything done in respect of the matters covered by these rules under any law or rule in force immediately before the commencement of these rules shall be governed in accordance with the provisions of law or rules under which such sanction or approval was given, order was passed or any action was taken or anything was done, as if these rules have not come into force:

Provided that at the time of application for renewal of such building permission fresh sanction under these rules shall be required for that part of the work which had not started and the same may be granted.

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### COMMENTS

Building which was constructed in accordance to any permission granted prior to coming into force of Bhumi Vikas Rules, 2012 shall not be demolished unless hazardous to safety of adjacent property or to safety of occupants of building. **Kurban Hussain and others Vs. Indore Municipal Corporation and anothers, 2018 (2) JLJ 241 = 2018 Supreme 363 (M.P.).**

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**14. Application for development or building permission.-<sup>1</sup>**[(1) Every person who intends to develop, erect, re-erect or make alterations in any land or building shall make an application in writing to the authority or authorised Architect/Structural Engineer to issue building permission in the forms given in Appendix A-1 (In case of development permission) or in Appendix A-2 and A-2(1) (In case of building permission) with documents and necessary fees specified. Such application shall be accompanied by documents, plans and statements in quadruplicate. The plans shall be in ammonia print or white print. In addition an electronic copy shall be submitted, prepared in such software as may be directed by the Authority. Ammonia print or white print shall be retained in the office of the Authority for record :

Provided that if the online system has been adopted by the Authority having jurisdiction, application, plan, document and statement shall only be obtained through the software being used by the Authority. Authority shall keep the record of all plans, application, documents and statements in electronic form and licence and plan shall be certified by digital signature. Electronic copy shall be prepared in such software as may be directed by the Authority. Application fees, permission fees, and all other charges shall be received through online system :

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<sup>1</sup> Subs. by Notification No. 3-26-2015-XVIII-5, dated 27th November 2015.  
Published in M.P. Rajpatra (Asadharan) dated 27-11-2015 at pages 960 (11-24).

Provided further that authorised Architect/Structural Engineer may receive application for building permission but prescribed fees shall be paid into the treasury/bank account of the Authority in advance and its receipt shall be accompanied with the application being submitted to the authorised Architect/Structural Engineer.]

(2) In case of building permission, the application shall also be accompanied by a certificate duly signed by Structural Engineer/Architect/Engineer/Supervisor of the building stating that all the provisions of Rule 88 (for Earthquake prone areas) has been complied with.

- (3) Application for modification of permission under section 29(3) of the Act,-
- (i) The application for modifying a permission already granted under section 30 shall be submitted in Form-M given in Appendix-K along with the detailed information and documents mentioned therein.
  - (ii) The application shall be accompanied by the copy of receipt of fee prescribed in sub-rule (2) of rule 21.
  - (iii) The Director shall examine the application so received and if satisfied that the modification applied for, is not *prima facie* contrary to the provisions of the Act and the rules made thereunder, a public notice in Form-N given in Appendix-K shall be issued. The Director shall cause the said notice to be published, at the cost of the applicant, in two prominent Hindi newspapers which are in wide circulation in the area in which the land is situated.
  - (iv) The public notice shall also be displayed on the notice boards of the office of the concerned District Collector, Tehsildar, the Local Authority and also on the site.
  - (v) A copy of the notice shall also be sent by speed post to the persons who have been mentioned in the application as the interested persons.
  - (vi) Such persons as mentioned in sub-rule 3(v) herein above shall be provided an opportunity of hearing by the Director. They shall be informed at least 7 days prior to the date fixed for hearing.
  - (vii) The Director after the expiry of the period for receiving objections, suggestion and claims through the notice mentioned in sub-rule (iii), hereinabove and also after hearing the persons informed under sub-rule 3(v) shall proceed to consider them in details.

- (viii) The Director in the process of considering the claims and objections, received if any, may call for any additional information from the applicant or the objector or any Public Authority as considered appropriate.
- (ix) After examining the objections and claims received and after hearing the persons concerned, the director may either,-
  - (a) accept the application for modification; or
  - (b) reject the application for modification; or
  - (c) accept the application for modification with such changes and with such conditions as considered necessary.

Provided that no modification which affects a plot or any built up area in respect of which the developer has executed a registered sale deed in favor of a particular person shall be permitted. However a modification which affects a plot or any built up area, in respect of which an agreement to sell or an advance booking has been made may be allowed provided that the person with whom such agreement was entered into or in whose favor such advance booking was made gives his content for said modification in writing to the Director :

Provided also that any portion of the land or building which may have been mortgaged or on which any lien exist shall not be subject to any modification of any kind.

- (x) In case the Director decides to modify the plan under sub-clause (a) or (c) of clause (ix) of sub-rule (3) hereinabove the applicant shall have to pay a permission fee equal to 50 per cent of the amount payable under clause (a) of sub-rule (3) of rule 21. However, no permission fee shall be payable if the modification does not involve any change in the approved layout.

<sup>1</sup>[Provided that if the permission has been issued in the name of the landowner and only change in land ownership and/or change in the name of the project has been desired, while keeping the development permission layout as it is, then before the approval of the project by the Real Estate Regulatory Authority, an application for change in land ownership as per the revenue records can be accepted by imposing the fee prescribed in sub-rule (2) of rule 21 on such application.]

- (4) Application for development permission under section 16 or 29(1),-

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<sup>1</sup> Inserted by Notification No. F. UDH-3/0002/18-5/2024 dated 06<sup>th</sup> March 2025.  
Published in M.P. Rajpatra (Asadharan) S.N. 73 dated 06<sup>th</sup> March 2025 at pages 145-146(1).



- (i) An application under section 16 or sub-section (1) of section 29 shall be submitted in the form Appendix A-1 prescribed under sub-rule (1) and shall contain all the documents mentioned therein.
  - (ii) (a) Every application referred to in sub-rule 4(i) shall be accompanied by the application fees as prescribed under sub-rule (2) of rule 21 and a copy of receipt of such payment shall be attached with the application. An application received without such receipt shall be deemed invalid and hence rejected.  
(b) The applicant shall pay a permission fee as prescribed in clause (a) of sub-rule (3) of rule 21 before the permission is issued.
  - (iii) The Director after examining the application may either,-
    - (a) accept the application; or
    - (b) reject the application; or
    - (c) accept the application with such changes and with such conditions as considered appropriate.
- (5) Development permission under section 16 shall not be granted, if the land is situated in such area where,-
- (a) sufficient means of access have not yet been developed or proposed; or
  - (b) the activity proposed in the application is not,-
    - (i) proposed in the published draft development plan; or
    - (ii) compatible with the structural plan or a broad outline of the draft plan under consideration; or
    - (iii) conducive to the environmental requirements of the area; or
    - (iv) compatible with those prevalent around it;
    - (v) in compliance with any specific instruction issued by the Director in this regard.

**15. Earthquake proofing.-** In addition to the document prescribed in rule 14, the certificates as indicated in Appendix A-3, A-4, A-5, A-6, A-7 and A-8 shall be submitted duly signed by the Developer, Architect and Structural Engineer where the land is situated in earthquake prone areas. In case of larger buildings having more than 500 square meters built up area or in case of more than 3 storied buildings, the certificates as per Appendix A-9, A-10 and A-11 shall be submitted separately by the Architect, Developer and Structural Engineer respectively on the completion of the project concerned.

**16. Information accompanying application.-** (1) (a) The Application in Appendix A-1 shall be accompanied with application fee, Key Plan, Site Plans, Sub

Division/Layout Plan, Service Plans, Project Report out lining the proposed development, documents showing proof of ownership or of any legal right in relation to the site, <sup>1</sup>[\*\*\*], proof of the applicant having been authorized by the owner to submit the application (if applicant is not the owner), parking plans along with parking calculations and certificate of supervision as prescribed in sub-rule (2) to (12) of this rule.

(b) The application in Appendix A-2 shall be accompanied with application fee, Key Plan, Site Plans, Sub Division/Layout Plan approved under section 30 of Madhya Pradesh Nagar Tatha Gram Nivesh Adhiniyam 1973, Building Plans, Service Plans, Project Report out lining the proposed development, documents showing proof of ownership or of any legal right in relation to the site, <sup>2</sup>[\*\*\*], Proof of the applicant having been authorized by the owner to submit application (if applicant is not the owner), parking plans along with parking calculations and certificate of supervision as prescribed in sub-rule (2) to (12) of this rule.

(2) Size of Drawing sheets :-

(a) the size of drawing sheets shall be any of those specified in Table-1.

**TABLE-1**  
**Size of Drawing Sheets**  
[See Rule 16(2)(a)]

S.No.	Designation	Trimmed size In mm.	Untrimmed Size In mm.
(1)	(2)	(3)	(4)
1.	A0	841X1,189	980X1,230
2.	A1	594X841	625X880
3.	A2	420X594	450X625
4.	A3	297X420	330X450
5.	A4	210X297	240X330
6.	A5	148X210	165X240

(b) recommended notation for Colouring Plans :-

The plans shall be coloured as specified in Table-2.

<sup>1</sup> The words "Nazul NOC" omitted by Notification No. F-3-112-2018-XVIII-5, dated 9th September 2019. Published in M.P. Rajpatra Part IV(Ga) dated 20-9-2019 at page 964.

<sup>2</sup> The words "Nazul NOC" omitted by Notification No. F-3-112-2018-XVIII-5, dated 9th September 2019. Published in M.P. Rajpatra Part IV(Ga) dated 20-9-2019 at page 964.

**TABLE-2**  
**Colouring of Plans**  
 [See Rule 16(2)(b)]

S.No	Item	Site Plan		Building Plan	
		White Plan	Ammonia Print	White Plan	Ammonia Print
(1)	(2)	(3)	(4)	(5)	(6)
1.	Plot Lines	Thick black	Thick black	Thick black	Thick black
2.	Existing street	Green	Green	--	--
3.	Future street, (if any)	Green dotted	Green dotted	--	--
4.	Permissible building lines	Thick dotted black	Thick dotted black	Thick	--
5.	Open spaces	No colour	No colour	No colour	No colour
6.	Existing work	Black (out line)	Blue	Black	Blue
7.	Work proposed to be demolished	Yellow hatched	Yellow hatched	Yellow hatched	Yellow hatched
8.	Proposed work (see note-1)	Red filled in	Red	Red	Red
9.	Drainage and Sewerage Work	Red dotted	Red dotted	Red dotted	Red dotted
10.	Water supply work	Black dotted Thin	Black dotted Thin	Black dotted Thin	Black dotted Thin

**Note 1 :** Colouring of plans need not be done for entirely new construction. However for extension of an existing work this shall apply.

**Note 2 :** For land development, sub-division, layout, suitable coloring notations duly indexed shall be used.

(3) **Key Plan.-** A key plan drawn to a scale of not less than 1: 10,000 shall be submitted along with the application for permission for a development/building showing the boundary locations of the site with respect to neighborhood landmarks. The minimum dimension of the key plan shall be not less than 75 mm.

(4) **Site Plan --** The site plan shall be drawn to a scale of not less than 1: 1000 for site up to ten hectares and not less than 1: 2000 for a site more than ten hectares and shall show :-

- (a) the boundaries of the site with dimensions and of any contiguous land belonging to the applicant indicating Khasra number or any other equivalent local denominations and in case the contiguous land owned by the applicant had been sub-divided earlier, public facilities provided in it and all streets within it opening out in the site for which the permission is being sought;
- (b) the position of the site in relation to neighboring street;
- (c) the name of the street in which the building is proposed to be situated, if any;
- (d) all existing buildings on, over or under the site including service lines;
- (e) the position of the proposed building and of all other buildings (if any) which the applicant intends to erect upon his contiguous land referred to in (a) in relation to,-
  - (i) the boundaries of the site and in case where the site has been partitioned, the boundaries of the portion owned by the applicant and also of the portions owned by others;
  - (ii) all adjacent, streets, buildings (with number of storeys and height) and premises within a distance of 12 meters of the site and of the contiguous land (if any) referred to in (a); and
  - (iii) if there is no street within a distance of 12 meters of the site, the nearest existing street;
- (f) the means of access from the street to the building, and to all other buildings (if any) which the applicant intends to erect upon his contiguous land referred to in (a) above;
- (g) space to be left about the building to secure a free circulation of air, admission of light;
- (h) the width of the street (if any) in front and of the street (if any) at the side or rear side of the buildings;
- (i) the direction of north point relative to the plan of the buildings;
- (j) the position of all existing features like high tension line, telegraph and electrical poles/lines, underground pipe lines, trees, grave yards, religious buildings, railway lines, etc. within a distance of 30 meters from the nearest edge of the site, all major physical features of land proposed to be developed which include the approximate location and size of any water body, flood affected areas and contours at an interval of 0.3 meters in case of the site which has a slope more than 1:20;
- (k) present and proposed use of the land; and
- (l) such other particulars, as may be prescribed by the Authority.

(5) **Sub-Division/Layout Plan** - In case of development work, the application shall be accompanied by the sub-division/layout plan which shall be drawn on a scale of not less than 1: 500 containing the following particulars :-

- (a) scale used and north point;
- (b) the location of all proposed and existing roads with their existing/proposed/prescribed width within the land;
- (c) dimensions of plot along with building lines showing the setbacks with dimensions within each plot;
- (d) the location of drains, sewers, public facilities and services, and electrical lines, etc.;
- (e) table indicating size, area and use of all the plots in the sub-division/ layout plan, along with MOS, FAR, Ground Coverage, Building Height, Occupant load;
- (f) a statement indicating the total area of the site, area utilised under roads, open spaces for parks, playgrounds, recreation spaces and proposed layout- plan including reservations such as schools, shopping and other public- places (if provided for) along with their percentage with reference to the total area of the site proposed to be sub-divided; and
- (g) in case of sub-division of land, the means of access to the sub-division from existing streets; and
- (h) in all layouts having area of 2 hectares or more, rainwater harvesting measures.

(6) **Building Plan :-**

- (1) The Plan, elevation, and section of the building, shall preferably be drawn to a scale of 1:100. The plan shall :-
  - (a) include floor plans of all floors together with the covered area clearly indicating the-size and spacing of all framing members and sizes of rooms and the position of staircases, ramps and lift wells;
  - (b) show the use of occupancy of all parts of the building;
  - (c) show exact location of essential services, for example, water closet, sink, bath including the water supply and drainage line;
  - (d) include sectional drawing showing clearly the size of footings, thickness of basement wall, wall construction, size and spacing of framing members, floor slabs and roof slabs with their materials and size and locations of doors, windows and other openings. The section shall indicate the height of building and rooms and also the height of the parapets and the drainage and the slope of the roof. At least one section should be taken through the staircase;

- (e) schedule showing calculations and designs in respect of RCC work, if any, involving structural engineering such as roof, slabs, columns, frame etc.
  - (f) show elevation of front and sides;
  - (g) indicate details of served privy, if any;
  - (h) give dimensions of the projected portions beyond the permissible building line;
  - (i) include terrace plan indicating the drainage and the slope of the roof;
  - (j) give indications of the north point relative to the plan, and the scale used;
  - (k) schedule of built-up area floor-wise, F.A.R, proposed schedule of setbacks and coverage; and
  - (1) for commercial building, indicate the placement and size of display boards.
- (2) **Building plan for high rise / Special buildings** - For high rise buildings and for special buildings like educational, assembly, institutional, industrial, storage and hazardous and mixed occupancies having area more than 500 square meters the following additional information shall be furnished or indicated in the Building Plan :-
- (a) access to fire appliances/vehicles with details of vehicular turning circle and clear motorable access way around the building;
  - (b) size (width) of main and alternate staircase along with balcony approach, corridor, ventilated lobby approach;
  - (c) location and details of lift enclosures;
  - (d) location and size of fire lift;
  - (e) smoke stop lobby/door, if provided;
  - (f) refuse chutes, refuse chamber, service duct;
  - (g) vehicular parking space;
  - (h) refuse area, if any;
  - (i) details of building services, like air-conditioning system with position of fire dampers, mechanical ventilation system, electrical services, boilers, gas pipes, water/sewage treatment plants;
  - (j) details of exits including provision of ramps, etc. for hospitals and special risks;
  - (k) location of generator, transformer and switch gear room;
  - (l) smoke exhaustor system, if any;
  - (m) details of fire alarm system and network;
  - (n) location of centralized control, connecting all fire alarm system, built-in-fire protection arrangements and public address system, etc.;

- (o) location and dimensions of static water storage tank and pump room along with fire-service inlets for mobile pumps and water storage tank;
  - (p) location and details of fixed fire protection installations such as sprinklers, wet risers hose-reels, drenchers, carbon-di-oxide installations, and
  - (q) location and details of first aid fire-fighting equipment or installations.
- (3) **Additional Information in case of High Rise Buildings** - In respect of high rise buildings, the following additional information shall be given :-
- (a) **Urban Planning,-**
    - land use as per Development plan;
    - land use as per zonal plan (if any);
    - land use as per layout plan (if any);
    - proposed density;
  - (b) **Traffic Planning,-**
    - width of existing road;
    - width of proposed road;
    - provision of entry and exist;
    - provision of service road;
    - A comprehensive circulation plan of the plot and of its adjoining areas;
    - arrangements for parking vehicles;
  - (c) **Fire prevention, fighting and protection Planning,-**
    - details of fire detection and fire fighting arrangement.
  - (d) **Planning of Services,-**
    - internal water, sewerage, drainage, power, telecommunication,
    - garbage disposal and cleaning of common spaces;
    - peripheral water, sewerage, drainage, power;
    - trunk water, sewerage, drainage, power, tele-communication and garbage disposal.
  - (e) **Architecture,-**
    - plans of each floor;
    - necessary number of cross sections;
    - elevation of each sides;
    - details of toilet blocks and kitchen;
    - details of landscaping and tree plantation;
    - system of power connections from Electric poles, Telephone poles, Dust bins numbering, parking of different vehicles, covering of drains, over-head tanks, underground water tank.

(7) **Service Plan** - Plans, elevations and sections of water supply and sewerage disposal system, if any, shall also be indicated. In case of building having more than three stories, elevation and scheme of the services shall also be included.

(8) **Specification,-**

<sup>1</sup>[(i) Specifications both general and detailed, giving type and grade of materials being used, duly signed by the licensed Architect, Structural Engineer, Engineer, Supervisor, Town Planner, Fire Engineer or Lift Engineer, as the case may be, shall accompany the application.]

(ii) Every application for permission for sub-division of land shall also be accompanied by the following statements :-

- (a) a statement contained general specifications of all improvements proposed to be made within the area for example grading and paving of roads and lanes, provision of gutters, side drains, provisions for sufficient, safe and assured water supply, arrangement of sewage disposal, street lighting and development of parks and play-fields and public utility;
- (b) the purpose for which land is to be used and particulars of proposed distribution of land under different purposes;
- (c) general specifications of the material to be used, estimated cost of the proposed development of the area; and
- (d) any other statement required by the Authority.

<sup>2</sup>[(9) **Supervision** - The application shall be further accompanied by a certificate in form given in Appendix-B by the licensed Architect, Structural Engineer, Engineer, Supervisor, Town Planner, Fire Engineer or Lift Engineer, as the case may be, undertaking the supervision.]

(10) **Certificate of structural design** - In high rise buildings, a certificate about structural stability duly signed by a structural engineer along with all relevant calculations shall accompany the application.

(11) **Proof of title etc.** - Every application shall be accompanied by the following as evidence of applicant's right, title or interest in the land or plot, namely :-

- (a) attested copy of the sale deed, lease deed, or any other document under which right, title or interest in land or plot is claimed;
- (b) attested copy of the khasra plan (patwari aks) and khatauni record, if any,

<sup>1</sup> Subs. by Notification No. F-3-49/2020/18-5, dated 28th September, 2020 for clause (i). Published in M.P. Rajpatra (Asadharan) dated 28-9-2020 at pages 710(12-23).

<sup>2</sup> Subs. by Notification No. F-3-49/2020/18-5, dated 28th September, 2020 for sub-rule (9) Published in M.P. Rajpatra (Asadharan) dated 28-9-2020 at pages 710(12-23).



- (c) <sup>1</sup>[If the land applied is registered in the name of applicant in revenue records, then Authority shall write to the Nazul Officer within seven days of receipt of application, to issue Nazul NOC within a period of 30 days. If Nazul NOC/Objection is not received in the stipulated period, then further action shall be taken assuming the Nazul NOC has been issued, provided that, for the above reason, the time period fixed for granting the approval shall not be excluded.]

<sup>2</sup>[Provided that if the land applied is registered in the name of applicant in revenue records, then the Authority shall write and send email also to the Nazul Officer within 7 days of receipt of application, to issue Nazul NOC within a period of 30 days. If Nazul NOC/Objection is not received within the above said period, then further action shall be taken after ensuring the receipt of the office of Nazul Officer, assuming the Nazul NOC has been issued, but for the above reason, the time period fixed for granting the approval shall not be exclude :]

Provided further that No Objection Certificate from the concerned Nazul Authority shall be required only for the first application to erect, re- erect or construct a building. In no case shall a No Objection Certificate from the concerned Nazul Authority for construction of the upper floors be required if the ground floor has already been approved earlier by the Authority;

- (d) other document that may be considered necessary by the Authority. In case of lease hold plots, the lessee shall have to prove that he is entitled to construct on the lease hold plot; and
- (e) authorisation of owner, if applicant is not the owner.

(12) For buildings which need the approval of the Art Commission, if constituted under rule 35, such approval shall accompany the application.

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### COMMENTS

Application for grant of building permission rejected on the basis of lack of NOC from Housing Board -- Title of petitioner not disputed -- All other formalities are completed -- Respondents directed to sanction the building permission -- **Petition allowed. Entertainment World Developers Ltd., Indore and another Vs. Indore Municipal Corporation and another, 2018 (I) MANISA 114=2018 (1) MPLJ 313.**

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<sup>1</sup> Subs. by Notification No. F-3-112-2018-XVIII-5, dated 9th September 2019 for the words "attested copy of No Objection Certificate from Nazul". Published in M.P. Rajpatra Part IV(Ga) dated 20-9-2019 at page 964.

<sup>2</sup> Subs. by Notification No. F-3-112/18/18-5, dated 19th August, 2020. Published in M.P. Rajpatra Part IV(Ga) dated 28-8-2020 at page 890.

**17. Permission of farm House.-** In any area designated for agricultural use, Farm Houses shall be permissible subject to the following conditions and such other conditions as may be imposed by the authority :-

- (a) Minimum size of the plot shall be 0.40 hectare;
- (b) Maximum F.A.R. shall be 0.10;
- (c) The maximum height of structure shall be 7.5 meters with sloping roof;
- (d) Farm House shall have a minimum of 100 live trees per hectare on the plot before the application for building constructions is made to the Authority;
- (e) Farm House shall be accessible by road having width not less than 7.5 meters;
- (f) Farm House shall have minimum 7.50 meters open space (MOS) from all sides.

**<sup>1</sup>[17-a. "Agricultural tourist facility" in any area designated for agriculture use.-** Agricultural tourist facility shall be permissible subject to the following conditions and such other conditions as may be imposed by the authority:-

- (a) Minimum Size of the plot shall be 1.00 hectare.
- (b) Maximum Floor area ratio (F.A.R.) shall be 0.10.
- (c) The maximum height of the Structure shall be 7.5 meters with sloping roof.
- (d) Minimum marginal open space (M.O.S.) shall be 7.5 meters from all sides.
- (e) Plot shall be accessible by road having width not less than 7.5 meters,
- (f) Following activities shall be permissible under "Agricultural tourist Facility":-  
Agriculture farm, Flowers carriage, Fruits Carriage, Bee Keeping, Cattle breeding, Fisheries, Sericulture, Camping Facilities Stable, Art Exhibition Hall, Cottage for tourist, Restaurant, Yoga hall, Naturopathy Centre, Sport Facilities, Gift shop (maximum area not exceed from 50 sq. meter), Residential accommodation for maintenance staff, Swimming Pool, Open air theatre for Entertainment of in-house tourist.]

**18. Preparation and signing of plans.-** The architect, structural engineer, engineer, supervisor or town planner, as the case may be, shall prepare and duly sign any plan and shall indicate his name, address, qualifications and license number and it's validity. The plans shall also be duly signed by the owner/applicant indicating his address. The type of plans/buildings that can be undertaken by the licensed professionals shall be as provided in rule 26.

**19. Application for alteration.-** When the application is for making an alteration in the existing building, only such plans and statements, as may be necessary, shall accompany the application.

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<sup>1</sup> Ins. by Notification No. F-3-47-2016-XVIII-5, dated 26th November 2016.  
Published in M.P. Rajpatra Part 4 (Ga) dated 9-12-2016 at page 1157.

## COMMENTS

Application for grant of building permission rejected on the basis of lack of NOC from Housing Board -- Title of petitioner not disputed -- All other formalities are completed -- Respondents directed to sanction the building permission - Petition allowed. **Entertainment World Developers Ltd., Indore and another Vs. Indore Municipal Corporation and another, 2018 (1) MANISA 114 = 2018 (1) MPLJ 313.**

**20. Development where land adjoins Government Property.-** In case a Government agency requests the authority to provide copy of proposed development adjacent to the land owned by it, the same shall be provided.

**21. Fees--** (1) Every application referred to in rule 14 shall be accompanied by application fees as prescribed under sub-rule (2) and an attested copy of receipt of such payment shall be attached with the application. An application received without such receipt shall not be deemed valid and hence rejected.

(2) **Application Fee:** Application shall be accompanied by the fees which shall be as under :-

- (i) for the Development Permission Rs. 5000 per hectare or part thereof,
- (ii) for the Building Permission Rs 1.00 per Square meter of the proposed built-up area.
- (iii) application fee shall not be refunded in any case.

(3) **Permission Fee:** The applicant shall pay the following permission fee before the permission is issued :-

- (a) In case of application under sub-section (1) of section 29 of the Act [excluding application under sub-section (3) of section 29], the permission fee for development of any land shall be as under :

Item	For development in following land use zones	Where population of the planning area is		
		More than 10 lakhs	5 to 10 lakhs	Less than 5 lakhs
(1)	(2)	(3)	(4)	(5)
Permission fee payable (Rs./ Hectare)	Residential or Public and, semi Public or Industrial or Transportation	75,000	50,000	25,000
	Commercial	1,50,000	1,25,000	1,00,000
	Recreational or agriculture or other	30,000	20,000	10,000

## (b) In case of a building permission (other than high rise buildings)

Item No.	Type of construction	Built up area		Fees Chargeable in Rs.
		Sq.m.	To Sq.m.	
(1)	(2)	(3)	(4)	(5)
1.	A building intended to be used exclusively as residence	0	75	750
		76	125	1,250
		126	200	2,000
		201	300	3,000
		301	400	4,000
		401	600	6,000
		601	750	7,500
		751	1,000	10,000
		1,001	1,250	12,500
		1,251	1,500	15,000
		1,501	2,000	20,000
		2,001	2,500	25,000
		above 2500		50,000
2.	A building intended to be used as shops, store house, factory or carrying on trade or business or any other commercial or industrial purpose.	Fees as prescribed in item No. 1 together with additional charge of 50% of such amount of fees.		
3.	A building intended to be used as administrative block in a factory.	Fees as prescribed in item No. 1.		
4.	A building intended to be used for shops cum residence purpose.	Fees as prescribed in item No. 1 together with an additional charge of 50% of such amount of fees.		
5.	A building intended to be used as Cinema Theatres.	Upto 800 seating capacity Rs. 15,000.00 above 800 seating capacity Rs. 25,000.00		
6.	A building intended to be used for any Social, Charitable, culture, Educational purposes, Dharmshala and similar types of building and for any other purpose not specifically provided for.	Same as in item No. 1.		
7.	Addition or alteration in built up area of external addition or alteration which does not add to the built up area such as courtyard, compound wall, alteration in elevation or roofing such as tiles to A.C. Sheet of flat surface, additional opening or closing not covered by proviso to sub-rule (1) of rule 12.	Rs. 500.00		

8.	In case of addition or alteration in the proposed plan	Up to 10%	Rs. 500.00
		above 10%	Fresh application according to the rule shall be necessary
9.	Revalidation of the building permission	10% of the amount of permission fees charged originally in respect of the concerned building.	

(c) In case of building permission of high rise buildings :-

Item No.	Type of construction	Fees chargeable in rupees
(1)	(2)	(3)
1.	A building intended to be used exclusively for residence.	Rs. 10.00 per square meter of the built up area.
2.	A building intended to be used as shops, storehouse, factory or for carrying on trade or business or any other commercial or industrial purpose.	Fees as prescribed in item No. 1 with additional charges of 100% of amount of fees.
3.	A building intended to be used as administrative block in a factory.	Fees as prescribed in item No. 1.
4.	A building intended to be used for shop-cum-residence purposes.	Fees as prescribed in item No. 1 together with additional charges of 50% of such amount of fees.
5.	A building intended to be used for any special, charitable/cultural, educational purpose including hospital, school, club, dharmashala and similar type of building and for any other purpose not specifically provided for.	Fees as prescribed in item No. 1.

(d) The authority may reject the application if the applicant does not deposit the permission fee within 15 days of receiving the intimation to deposit such fees. Such intimation shall be sent by registered post to the applicant.

<sup>1</sup>[(4) **Standard plan permission** : Each authority/authorised Architect/Structural Engineer shall keep a set of approved standard building plan for plot sizes up to 300 square meters. If the owner's/applicant's plot is situated in an approved lay out, and he wishes to construct his house as per any one of the approved standard plans available with the Authority, he may apply to the Authority/authorised Architect Structural Engineer in the prescribed form indicating his choice of the approved standard alongwith the requisite fees and document of ownership. The receipt of payment of fees to the Authority in such case shall be considered as authorised building permission.]

(5) **Application for modification** : In case an application for modifying a permission, already granted under section 30 of the Act, is applied in compliance of an order of the State Government which requires or permits such modification, only the application fee prescribed in sub-rule (2) hereinabove shall be charged. No permission fee mentioned in clause (a) of sub-rule (3) shall be payable in such cases.

(6) **Withdrawal of application** : In case the applicant withdraws his application and plans at any time before sanction then such withdrawal shall terminate all proceedings with respect to such application. In the event of submission of a fresh application within a period of three months from the date of such withdrawal, the application fee paid earlier shall be adjusted towards fee payable for fresh application. In no case the fees once paid shall be refunded.

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### COMMENTS

Construction without permission -- If the construction was raised by the petitioner without permission and if petitioner applies for compounding of the same, without considering such application on merits in terms of the Compounding Rules, 2016, the demolition ought not to be made by the authorities. **Ramesh Verma Vs. Indore Municipal Corporation and another, 2019 (1) MPLJ 69 = 2018 (3) JLJ 366.**

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## 22. Merger and division.-

### (A) Merger of plot -

- (1) An application for merger of plot with another plot or land shall be made to the Director by the owners or a person authorized by the owner(s) of such plot or land, as the case may be, in Form-O given in Appendix K. The documents mentioned in the form shall also be submitted along with the application. The application fee shall be Rs. 5000/- and a copy of receipt of payment of such fee shall be submitted along with the application. In case the application of merger is allowed the applicant shall have to pay a permission fee equal to Rs. 25000/- at the time of the grant of such permission.

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<sup>1</sup> Subs. by Notification No. 3-26-2015-XVIII-5, dated 27th November 2015.  
Published in M.P. Rajpatra (Asadharan) dated 27-11-2015 at pages 960 (11-24).

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- (2) (1) In cases where land use premise is residential, merger of the plots shall be allowed subject to the following conditions-
- (a) plots for economically weaker sections and low income groups shall not be merged;
  - (b) only contiguous plots shall be merged and the size of such merged plots shall not exceed 500 sq.m.;
  - (c) the number of dwelling units permissible in the plot formed after merger shall not exceed the sum of the dwelling units permissible in the plots that were merged;
- (2) The merger of a residential plot with any land is prohibited.
- (3) (1) The contiguous plots with commercial land use premises may be merged.
- (2) The merger of a commercial plot with any land is prohibited.
- (4) The contiguous plots with Public and Semi Public land use premises may be merged. Such plot may also be merged with contiguous land of similar land use.
- (5) The contiguous plots with industrial land use premises may be merged. Such plot may also be merged with contiguous land of similar land use.
- (6) On receipt of an application for merger the Director shall issue a public notice in Form-P given in Appendix-K inviting objections and suggestions from persons likely to be affected, if any, by such merger. Notice shall also be served through speed post upon owners or occupiers of plots adjacent to those being merged. Such persons shall be provided an opportunity of hearing and they shall be informed at least 7 days prior to the date fixed for hearing. After the last day fixed for receiving the objections, Director shall proceed to examine the objections received if any. The Director may call for additional information from the applicant or the objector or any public Authority that he may consider necessary.
- (7) (1) After considering the objections and suggestions and hearing the persons interested, if any, the Director may either,-
- (a) accept the application; or
  - (b) reject the application; or
  - (c) accept the application with such conditions as considered appropriate.
- (2) However an application of merger shall not be accepted, if such merger,-

- (a) adversely affects in any manner the right of access of any person;
  - (b) violates the norms prescribed in the applicable Development Plan or the provisions of the Act or these rules.
- (8) No application of merger shall be considered in case of plot or land with mixed use.
- (9) Where the plot is part of a layout of a scheme developed by any State Government agency like the Housing Board, Special Area Development Authority, Town and Country Development Authority, merger may be permitted only if the applicant furnishes the No Objection Certificate of the concerned agency.

**(B) Division of the plot-**

- (1) An application for division of a plot shall be made to the Director in Form-Q Appendix-K. The documents mentioned in the form shall also be submitted along with the application.
- (2) The application fee shall be Rs. 5000/- and a receipt of payment of such fee shall be submitted along with the application. In case the application of division is allowed the applicant shall have to pay a permission fee of Rs. 25000 at the time of the grant of such permission.
- (3) Division of plot with only Public and Semi Public or industrial use premises shall be permissible. No application of division shall be considered in case of plot with mixed use or any other use.
- (4) On receipt of an application for division the director shall issue a public notice in Form-R given in Appendix-K inviting objections/ suggestions from persons likely to be affected by the division applied for. Notice shall also be served through speed post upon owners or occupiers of plots adjacent to the plot under division, who shall be given an opportunity of hearing and they shall be informed at least 7 days prior to the date fixed for hearing. After the last day fixed for receiving the objections/suggestions, the Director shall proceed to examine the objections received if any. The Director may call for additional information from the applicant or the objector or any Public Authority that he may consider necessary.
- (5) (1) After considering the objections and suggestions and hearing the persons interested, if any, the Director may either,-
  - (a) accept the application; or



- (b) reject the application; or
  - (c) accept the application with such conditions as considered appropriate.
- (2) However an application of the division of the plot shall not be accepted if such division,-
  - (a) adversely affects in any manner, the right of access of any person.
  - (b) violates the norms prescribed in the applicable development plan or the provisions of the Act or these rules.
- (6) Where the plot is part of a layout of a scheme developed by any State Government agency like the Housing Board, Special Area Development Authority, Town and Country Development Authority, division may be permitted only if the applicant furnishes the No Objection Certificate of the concerned agency.

**23. Duration of sanction.-** (1) In case of development permission under Section 30 of Madhya Pradesh Nagar Tatha Gram Nivesh Adhiniyam, 1973 the sanction once accorded shall remain valid up to three years.

(2) The permission shall be got revalidated if expires. Such revalidation may be permitted for two consecutive terms of one year each, after which proposals shall have to be submitted afresh. In case the application for revalidation is submitted after the expiry of the said period of three years, the Authority shall charge a permission fee equal to the fee prescribed under clause (a) of sub-rule (3) of rule 21 before revalidating the same. However no fee shall be charged if the application for revalidation is received before the expiry of its validity. The limitation of five years shall not be relaxed.

(3) In case execution of the project begins during the validity of the permission granted under Section 30 of the Act, the permission shall not be deemed to lapse thereafter at any time and no revalidation shall be required.

**24. Deviation from sanctioned plan.-** (1) No deviation from the sanctioned plan shall be permissible if the construction involved in such deviation,-

- (a) affects the front Marginal Open Space;
- <sup>1</sup>[(b) exceeds 30% of the permissible FAR;"]
- (c) is related to the parking area and public utility space;
- (d) comes within the boundary of road or the area affecting the alignment of public road;

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<sup>1</sup> Subs. by Notification No. F-3-27-2022-XVIII-5 Dated 22<sup>nd</sup> August 2022.  
Published in M.P. Rajpatra Part-4(ga) No. 34 dated 26<sup>th</sup> August 2022 Page No. 689-690.

- (e) comes in the area of any water body (talab), river or nallah or stream; and
- (f) comes within 30 meters or such distance from the bank of water bodies as may be prescribed in the respective development plan.

(2) For every floor constructed, an increase upto 0.15 meters in the height shall not be counted towards the height of the building.

(3) Where a deviation from the sanctioned plan takes place in the construction of the building, local authority may charge such compounding fee, as may be prescribed in the respective Act governing the functioning of such local authority or the rules made there under.

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### COMMENTS

Public Interest Litigation against grant of sanction for construction of shop over Nallah -- Said Nallah is not used as water body but for carrying sewage of town -- 200 shops already existed over Nallah -- Respondent No. 3 had recently constructed 35 shops over Nallah -- Even after said construction there is no obstruction in sewage Respondent No. 3 granted sanction for said construction -- Petitioner has taken no objection certificate for said shops -- No question of negative equality -- Petitioner has not violated any provisions of M.P. Municipalities Act, 1961 or M.P. Bhumi Vikas Rules, 2012 -- Petition filed to victimize respondent No. 4- No public interest involved -- Petition liable to be dismissed. **Motilal Rathore Vs. State of M.P. and others, 2016 (1) MPLJ 715.**

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**25. Revocation of permission.-** The Authority may suspend or revoke any permission granted by it under the provisions of these rules if it has reasons to believe that such permission has been obtained on the basis of a false statement or any misrepresentation of any material fact or that the conditions imposed in the permission have been violated or that the provisions of the Act or rules made thereunder have not been observed :

Provided that no such order shall be passed unless the person who obtained such permission has been given an opportunity of being heard:

Provided further that such order of revocation or suspension may be annulled if the applicant cures the violation of the Act or the rules or any conditions imposed in the permission. However where the permission has been obtained on the basis of a false statement or any misrepresentation of any material fact no such order of revocation shall be annulled.

<sup>1</sup>**[25(A). Appeal and revision.-** For an order passed under rule 25, the provisions of section 31 and 32 of Madhya Pradesh Town & Country Planning Act, 1973 shall apply mutatis mutandis for appeal and revision respectively.]

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<sup>1</sup> Ins. by Notification No. F 3-47-2020-XVIII-5, dated 28th September 2020.  
Published in M.P. Rajpatra (Asadharan) dated 28-9-2020 at page 708.

**26. Licensing of Engineer, etc.-<sup>1</sup>**[(1) The Authority may issue licenses in form given in Appendix-C to Structural Engineers, Engineers, Supervisors, Town Planners, Fire Engineers and Lift Engineers, who possess the minimum qualifications as laid down in the sub-rule (2).]

(2) The minimum Qualification prescribed for the issue of license to an Engineer etc. is given in column (2) :-

<b>Designation</b>	<b>Minimum Qualification</b>
<b>(1)</b>	<b>(2)</b>
1. Architect	An architect, who is duly registered with the council of Architect under the Architects Act, 1972. Such Architect shall not require any separate license from Director / Development Authority/Local Authorities.
2. Structural Engineer	Graduate in Civil Engineering of recognized Indian or Foreign University and Chartered Engineer or Associate Member in Civil Engineering Division of Institution of Engineers (India) or equivalent Overseas Institution with three years experience in Structural Engineering practice with designing and field work : Provided that the three years experience shall be relaxed to,- (a) two years in case of post-graduate degree of recognized Indian or Foreign University with branch of Structural Engineering. (b) one year in case of Doctorate in Structural Engineering.
3. Engineer	The Corporate Membership (Civil) of the Institution of Engineers (India) or such Degree or Diploma in Civil, Municipal or Structural Engineering which makes him eligible for such membership.
4. Supervisor	(a) three years Architectural Assistantship or Intermediate in Architecture or Diploma in Civil Engineering with two years experience or, (b) draftsman in Civil Engineering from Industrial Training Institute with five years of experience under an Architect or an Engineer.

<sup>1</sup> Subs. by Notification No. F-3-49/2020/18-5, dated 28th September, 2020 for sub-rule (1)  
Published in M.P. Rajpatra (Asadharan) dated 28-9-2020 at pages 710(12-23).

5. Town Planner	Graduate in Architecture or Civil engineering or physical planning with post graduation in Town Planning or Urban Planning or Regional Planning or Housing Planning or Transport Planning or Urban Design or Landscaping Architecture. <b>Note:</b> The qualifications recognized by Institute of Town Planners India in this regard shall also be accepted.
<sup>1</sup> [6. Fire Engineer	Graduate in Fire Engineering/Technology or equivalent from recognized Indian or foreign university with One years experience in the field of Fire Engineering / Technology.  OR (i) Bachelor's Degree in Science or equivalent from any recognized university, and (ii) Advance diploma in Fire Safety with 2 years experience."]
<sup>2</sup> [7. Lift Engineer	Graduate in Electrical/Mechanical Engineering from a recognized Indian or Foreign university with five years of experience, related to installation, erection, testing or audit of lift, escalator and moving walk.]

(3) Any person desirous of getting a license under this rule shall apply to the Authority with attested copies of :-

- (i) certificates on which the claim is based; and
- (ii) receipt in token of payment of license fee.

(4) The Authority granting a license shall maintain a register giving therein the details of the person to whom license is issued or renewed.

(5) The license shall be valid for a period of three year and shall be renewable for the like period.

(6) **Fee-** The fee for grant of license shall be as under :-

- (1) Structural Engineer, Engineer and Town planner Rs. 1500.00
- (2) Supervisor Rs. 750.00
- (3) Group or Agency Rs. 3600.00

(7) A license may be renewed for similar period after the expiry of the period of the original license on payment of fee prescribed in sub-rule (6).

<sup>1</sup> Subs. by Notification No. F-3-113/2021/XVIII-5, dated 1st March, 2023.  
Published in M.P. Rajpatra Part-4 (Ga) dated 03<sup>rd</sup> March 2023 Page No. 264-265.

<sup>2</sup> Ins. by Notification No. F-3-49/2020/18-5, dated 28th September, 2020.  
Published in M.P. Rajpatra (Asadharan) dated 28-9-2020 at pages 710(12-23).

(8) Licensee shall work in accordance with the terms of his license.

(9) An Architect or a licensed Structural engineer/Engineer/Supervisor/ Town Planner shall be competent to perform the duties indicated herein below :-

**(A) Architect-Competence :** The Architect who is registered with the council shall be competent to carryout the work related to the permission for building and shall be entitled to submit :-

- (a) all plans and information connected with permission for all building irrespective of size and height;
- (b) structural details and calculations for residential buildings on plot up to 500 square meters and up to three storey's or 11 meters in height;
- (c) certificate of supervision and completion of all buildings;
- (d) all plans and related information connected with permission for development of area up to 4 hectare; and
- (e) certificate of supervision for development of land area up to 4 hectare.

**(B) Structural Engineer-Competence :** The licensed Structural Engineer shall be competent to carry out the work relating to permission of building, and shall be entitled to submit :-

- (i) all plans and information connected with permission for residential buildings on plots up to 500 Sq. m. and up to three stories or 11 m. in height.
- (ii) the structural details and calculation for all buildings;
- (iii) certificate of supervision and completion of all buildings;
- (iv) all plans and related information connected with permission for development of area up to one hectare;
- (v) certificates of supervision for development of land area up to one hectare.

**(C) Engineer-Competence :** The licensed Engineer shall be competent to carry out the work related to the permission for building as given below and shall be entitled to submit :-

- (i) all plans and information connected with residential building on plot up to 300 sq. meter and up to two stories or 7.5 meter in height.
- (ii) structural details and calculation for all buildings on plots up to 500 sq. m. and height upto four Stories (15 m);
- (iii) certificate of Supervision and completion for all buildings;
- (iv) all plans and related information connected with permission for development of area up to 1 hectare; and
- (v) certificate of supervision for development of land area up to 1 hectare.

**(D) Supervisor-Competence :** The licensed Supervisor shall be entitled to submit:-

- (i) all plans and related information connected with the permission for residential buildings on plots up to 200 sq. m. and up to two stories or 7.5 meters height;
- (ii) certificate of supervision for buildings in (i) above.

**(E) Town Planner-Competence :** The licensed Town Planner shall be entitled to submit :-

- (a) all plans and related information connected with permission for development irrespective of the size of land; and
- (b) certificate of supervision for development of land as in (a) above.

<sup>1</sup>**[(F) Fire Engineer-Competence :** The Fire Engineer shall be competent to carry out work related to Fire Safety and Fire Audit in all types of buildings, which are covered under National Building Code Part-IV.]

<sup>2</sup>**[(G) Lift Engineer-Competence :** The Lift Engineer shall be competent to carry out all works related to installation, erection, testing, safety and audit of lift, escalator and moving walk of all types of buildings, which are covered under Section 5 of National Building Code Part-VIII.]

<sup>3</sup>**[(H) Group or Agency.-** When an agency or group of qualified Architects, Structural Engineers, Engineers, Town Planners, Fire Engineers, Lift Engineers is practicing, then the qualification and competence of work shall be equivalent to the highest competency of individual in the group or agency. The manufacturers of lifts, escalators or moving walks may also be issued license in this category.]

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### COMMENTS

Grant of licence to Civil Engineers and Architect -- Distinction made between scope of licence to be granted to them is discriminatory and hit by Article 14 of Constitution -- Highlighted portion of M.P. Bhumi Vikas Rule 26(9)(C) struck down and highlighted portion of Rule 26(9)(A) would apply proprio vigore to Engineers as in case of Architects. **Association of Civil Engineers of M.P. (Bhopal Unit) Vs. State of M.P. and another, 2014 (3) MPLJ 193.**

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<sup>1</sup> Subs. by Notification No. F-3-30/2020/18-5, dated 4th September, 2020 for clause (F). Published in M.P. Rajpatra Part 4(Ga) dated 18-9-2020 at pages 1010-1017.

<sup>2</sup> Subs. by Notification No. F-3-49/2020/18-5, dated 28th September, 2020 for clause (G). Published in M.P. Rajpatra (Asadharan) dated 28-9-2020 at pages 710(12-23).

<sup>3</sup> Ins. by Notification No. F-3-49/2020/18-5, dated 28th September, 2020. Published in M.P. Rajpatra (Asadharan) dated 28-9-2020 at pages 710(12-23).

<sup>1</sup>[**26.A.** (1) The Authority, may authorise such Architect/Structural Engineer to grant building permission who has minimum 10 years experience and who possess the minimum qualification as laid down in sub-rule (2), in table at serial number | and 2 after obtaining application from them prescribed in Appendix C-1. Authority shall keep their information in Appendix C-2.

(2) Term of authorised Architect/Structural Engineer shall be five years, which may be renewed after completion of five years subject to their work performance.

(3) Number of authorised Architect/Structural Engineer shall be such as may be prescribed by the Authority.

(4) In case of any misconduct by authorised Architect/Structural Engineer, their registration may be cancelled:

Provided that such cancellation shall not be made until a reasonable opportunity of being heard to the concern authorised Architect/Structural Engineer has not been given.

(5) The Authority shall issue Registration certificate to such authorised Architect/Structural Engineer in Appendix-C-3.

**26-B.** Responsibilities and conditions of authorised Architect/Structural Engineer, in respect of building permission shall be as under :-

- (1) Each authorised Architect/Structural Engineer shall issue building permission on the application submitted to them for erection/re-erection of building in accordance of the powers conferred on them within a period of not exceeding 30 days;
- (2) To accord such permission only to such buildings which are proposed to be constructed on such plot layout of which has been approved;
- (3) To scrutinize applications for building permission keeping in view the provisions of ongoing development plan and Madhya Pradesh Bhumi Vikas Rules, 2012 together with the guidelines issued in this behalf from time to time;
- (4) Not to prepare proposals of building permission in such cases in which he has scrutinized and approved the plan;
- (5) In respect of building permission issued, the licensee authorised Architect/Structural Engineer who has prepared plans to put their license number and name along with their seals, registration number and signatures on the map;

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<sup>1</sup> Ins. by Notification No. 3-26-2015-XVIII-5, dated 27th November, 2015.  
Published in M.P. Rajpatra (Asadharan) dated 27-11-2015 at pages 960 (11-24).

- (6) All the relevant information regarding building permission shall be maintained in the tables as provided in Appendix C-4;
- (7) Authorised Architect/Structural Engineer shall keep the copy of building permission in the office and shall furnish the details of applicant and the licensee who has prepared the plans alongwith the soft copy of details of sanction in two copies and the original application of the applicant and documents accompanied to it to the building permission office of the Authority;
- (8) For the purpose of building permission, to work out the fee to be deposited in the office of the Authority and to grant sanction only after ensuring that the requisite amount has been deposited;
- (9) To submit to the authority, the details of the building permission by the end of the first week of each month; and
- (10) In case of any difference in amount of fees to be paid to the Authority to pay or cause to be paid the balance amount failing which to intimate the Authority to cancel the building permission issued.]

**27. Grant of permission or refusal.-** (1) The Authority may either sanction or refuse the plans and specifications or may sanction them with such modifications or directions or conditions as it may deem appropriate and thereupon shall communicate its decisions to the applicant in Appendix-D. One set of Sanctioned Plan (ammonia prints/white print) shall be cloth mounted/laminated which shall be retained in the office of the Authority for record.

(2) If in the opinion of the Authority, the layout of plots or alignment of the street or access ways are not conducive to smooth movement of traffic or would detrimentally affect the layout or development of adjoining lands, the authority shall require the applicant to alter the layout as deemed necessary. The specifications of the development works like roads, sewage, water supply, electricity as prescribed by the respective state works departments shall be adhered to in the development works.

**28. Limitation period for grant or refusal of permission.-** If the Authority fails to intimate in writing its refusal of sanction to the applicant within the period prescribed in sub-section (5) of Section 30 of the Act, the permission shall be deemed to have been sanctioned. However nothing shall be construed to authorize any person to do anything in contravention of provisions of the Act and Rules made thereunder and against the provisions of Development Plan or Zoning Plan, or against the terms of lease and titles of the land or against the provisions of any other law operating on the site of the work:



<sup>1</sup>[Provided that in case of lapse of time in deciding application seeking building permission from authorised Architect/Structural Engineer, it shall not be deemed that the requisite permission has been granted.]

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### COMMENTS

Application for grant of building permission rejected on the basis of lack of NOC from Housing Board -- Title of petitioner not disputed -- All other formalities are completed -- Respondents directed to sanction the building permission -- Petition allowed. **Entertainment World Developers Ltd., Indore and another Vs. Indore Municipal Corporation and another, 2018 (1) MANISA 114 = 2018 (1) MPLJ 313.**

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**29. Reasons to be given when permission refused.-** In the case of refusal the Authority shall give the reasons for doing so. The Authority shall as far as possible point out all the objections on the application, plans, specifications and documents submitted in the first instance itself and ensure that no new objections are raised when they are resubmitted after compliance of earlier objections.

**30. Owner to resubmit plan complying with objections.-** Once the plan has been scrutinized and shortcomings/objections have been pointed out, the applicant shall modify the plan to comply with the shortcomings/objections raised and shall resubmit it. The Authority shall scrutinize the re-submitted documents/plan and if there be further objections, the application may be rejected.

**31. Responsibilities and duties of the Applicant/owner.-** (1) Neither the granting of the permission nor the approval of drawings and specifications nor inspections made by the Authority during erection of the building shall in any way relieve the applicant and owner of such building from full responsibility for carrying out the work in accordance with the requirements of these rules and the provisions of the applicable Development plan.

(2) Every Applicant or owner shall,-

- (a) permit the Authority or person authorized by it or the Building Officer or person duly authorized by him to enter the building or premises for which the permit has been granted at any reasonable time for the purpose of ensuring the compliance of these rules;
- (b) submit a document of ownership or right or interest in relation to the site;
- (c) obtain, where applicable, from the respective Authorities, permissions relating to building, zoning, grades, sewers, water-mains, plumbing, signs, blasting, street, occupancy, electricity, highways and all other permissions, required in connection with the proposed work;

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<sup>1</sup> Added by Notification No. 3-26-2015-XVIII-5, dated 27th November 2015.  
Published in M.P. Rajpatra (Asadharan) dated 27-11-2015 at pages 960 (11-24).

- (d) give notice to the Authority of the intention to start work on the building site in Appendix-E-1;
- (e) give notice, in writing to the Building Officer to arrange inspection when the work reaches plinth level in Appendix-E-2;
- (f) give written notice to the Authority regarding completion of work described in the permission in Appendix-E-3; and
- (g) obtain permission for occupancy in Appendix-E-4 from the Authority prior to any :-
  - (i) occupancy of the building or part thereof after construction or alteration of that building or part thereof, or
  - (ii) change in the class of occupancy of any building or part thereof,
- (h) upon the request of the owner, the authority will issue occupancy certificate of the building within 30 days from the receipt of such request. If such permission is not issued within 30 days from receipt of the application or suitable instructions for changes have not been issued by the authority within the said period the occupancy permission shall be deemed to have been issued.

(3) In case of applicant or owner failing in fulfilling the responsibilities and duties, the building officer will take action as per the relevant provisions of Madhya Pradesh Municipal Corporation Act, 1956 (No. 23 of 1956), Madhya Pradesh Municipalities Act, 1961 (No. 37 of 1961) and Madhya Pradesh Pachayati Raj Evam Gram Swaraj Adhiniyam, 1993 (No. 1 of 1994), as the case may be.

**32. Documents at site.-** (1) Where tests of any materials are made to ensure conformity with the requirements of these rules, records of the test data shall be kept available for inspection during the construction of the building and for such period thereafter as required by the Authority.

- (2) The person to whom permission is issued shall during construction keep:-
  - (a) posted in conspicuous place on the property in respect of which the permission was issued, a copy of the permission for building and or development, as the case may be; and
  - (b) a copy of the approved drawings and specifications referred to in rule 16 on the property in respect of which the permission was issued.

**33. Inspection by the Authorities.-** (1) Generally every construction or work for which permission is required or issued shall be subject to inspection by the Authority. The Authority may appoint special inspectors, if the construction involves hazards or require constant inspection.

(2) Inspection, where required, shall be made within 7 days following the receipt of notice. After the expiry of such period the applicant or owner shall be free to continue the construction according to the sanctioned plan. At the first inspection, the Authority shall determine to the best of its ability, whether the building has been located in accordance with the approved site plans. The final inspection of the completed work shall be made within 21 days following the receipt of notice.

(3) When inspection of any construction operation reveals any lack of safety precaution, the Authority shall have right to direct the applicant or owner to stop the work immediately until the necessary remedial measures are taken.

**34. Demolition of Building.-** Before a building is demolished, the applicant or owner shall notify the concerned service providers of various services like water, electric, gas, sewer, and other service connections. A permission to demolish a building shall not be issued until a release is obtained from the utilities stating that their respective service connections and appurtenant equipment, such as meters and regulators have been removed or sealed and plugged in a safe manner.

**35. Architectural control.-** (1) Compliance with the provisions of these rules is adequate for normal buildings. However, for major public buildings or complex of buildings coming up in any environmentally sensitive area or in the proximity of monuments and buildings of heritage importance, the aesthetics of the whole scheme may also have to be examined, vis-a-vis existing structures. In addition, any development which may affect the general characteristics and environment of historical, architectural, or other monuments should also be accordingly scrutinized and necessary modifications in the plans made.

**Note :-** This clause is intended to be used only in rare circumstances and the scrutiny shall be limited to the external architectural features only with the purpose of ensuring an aesthetic continuance of the existing structures with the new.

(2) The Authority may, with the prior approval of the Government, appoint an Art Commission for examining schemes of such buildings. This Commission may consist of persons who are specialized in the respective subject.

(3) The Commission may select only the important buildings as described in sub-rule (1) and examine the same. The owner and/or the Architect, Structural Engineer, Engineer or Town Planner as the case may be, who has signed the plan may be examined. A study of the plan, elevations, sections, models etc. may be made.

The Architect, Structural Engineer, Engineer or Town planner as the case may be, shall explain in general terms the purposes which the building have to serve and the main conditions which have influenced him in preparing the design. The Commission

may recommend a change in the whole scheme or suggest modifications in the scheme to the authority. The Authority shall thereafter take the final decision on granting building permission.

The time taken by the commission in submitting its recommendations shall not be taken into account while computing the period of sixty days under sub-section (5) of section 30 of the Act or the period within which the authority may have to grant the building permission under the Municipal Act.

(4) The Art Commission may also advise the Authority, on schemes which will beautify the areas and add to their cultural vitality.

#### ***PART-IV: DEVELOPMENT CONTROL***

**36. Land use classification.-** The land uses shall be broadly classified as indicated below :-

<b>S.N.</b>	<b>Land Use Zone</b>	<b>Land Use Sub-Zones</b>	<b>Nomenclature</b>
<b>(1)</b>	<b>(2)</b>	<b>(3)</b>	<b>(4)</b>
1.	Residential	Residential	(R <sub>1</sub> )
		Residential with shop lines at Ground Floor medium density	(R <sub>2</sub> )
		low density	(R <sub>3</sub> )
			(R <sub>4</sub> )
2.	Commercial Zone	City centre	(C <sub>1</sub> )
		Sub city centre	(C <sub>2</sub> )
		Community Centre	(C <sub>3</sub> )
		Local Shopping Centre	(C <sub>4</sub> )
		Convenience Shopping Centre	(C <sub>5</sub> )
		Mandi	(C <sub>6</sub> )
		Categorized Markets	(C <sub>7</sub> )
3.	Industrial Zone	Service Markets	(I <sub>1</sub> )
		General Industries	(I <sub>2</sub> )
		Special Industries	(I <sub>3</sub> )

4.	Recreation	Parks	(G <sub>1</sub> )
		Green Belts or Afforested area	(G <sub>2</sub> )
		Regional Parks (Zoological or Botanical Parks)	(G <sub>3</sub> )
		Preservation of Natural Areas or Landscape Areas	(G <sub>4</sub> )
		Play Grounds	(G <sub>5</sub> )
		Stadiums	(G <sub>6</sub> )
		Lake Front Development	(G <sub>7</sub> )
		Exhibition Grounds	(G <sub>8</sub> )
5.	Public & Semi-public	Public Institutions and Administrative Area / Education and Research / Health / Social / Cultural Institutional activities	(P)
6.	Special Purpose	Tourism Promotion Zone	(SP <sub>1</sub> )
		Conservation Zone	(SP <sub>2</sub> )
		Dry Port or Container Depots	(SP <sub>3</sub> )
		Oil Depots or Inflammables goods Depots	(SP <sub>4</sub> )
		Building Material Yards	(SP <sub>5</sub> )
		Obnoxious Industries	(SP <sub>6</sub> )
		SEZ	(SP <sub>7</sub> )
		Mining Areas	(SP <sub>8</sub> )
		Reserved Forest or National Parks or Wild Life Sanctuaries	(SP <sub>9</sub> )
		Others	(SP <sub>10</sub> )

7.	Transportation	Bus-Stands or Terminus	(T <sub>1</sub> )
		Bus Pick-up Stations	(T <sub>2</sub> )
		Roads	(T <sub>3</sub> )
		Railway Stations	(T <sub>4</sub> )
		Railway Lines	(T <sub>5</sub> )
		Bus Depot	(T <sub>6</sub> )
		Transport Nagar	(T <sub>7</sub> )
		Helipads / Airport	(T <sub>8</sub> )
		Metro Rail Stations	(T <sub>9</sub> )
8.	Public Utilities and Facilities	Water Treatment Plants	(PUF <sub>1</sub> )
		Sewerage Treatment Plant / Oxidation ponds	(PUF <sub>2</sub> )
		Electric Sub-stations	(PUF <sub>3</sub> )
		Trenching Grounds	(PUF <sub>4</sub> )
		Trunk line Corridor Water/Sewer/Extra Voltage Electric Lines/Gas or Oil Pipe Lines and related structures	(PUF <sub>5</sub> )
		Radio / TV Stations	(PUF <sub>6</sub> )
		Telephone Exchange	(PUF <sub>7</sub> )
		Fire Control Stations	(PUF <sub>8</sub> )
		Solid waste Disposal Plants / Decomposition Plans	(PUF <sub>9</sub> )
9.	Water bodies	River	(W <sub>1</sub> )
		Lakes / Ponds / Reservoirs	(W <sub>2</sub> )
		Nallah / Canal	(W <sub>3</sub> )
		Flood affected areas	(W <sub>4</sub> )
10.	Agriculture	Agriculture lands	(A <sub>1</sub> )
		Village abaadi extension	(A <sub>2</sub> )

**37. (1) Use premises permitted in land use classifications.-** Subject to other provisions of this rule following Industries are permitted in Residential R<sub>1</sub>, R<sub>2</sub> Zone and Commercial Zones,-

- (i) Industries listed in Part-1 Appendix-F may be allowed in Zone R<sub>1</sub>:

Provided that not more than 5 workers at a time are employed in such industry and it does not employ or use any steam, electricity, oil, water or any other mechanical power:

Provided further that the industries listed at Serial Number 1 to 38 of Appendix-F may be permitted with the use of electric power load of maximum 1.00 K.W.

- (ii) Industries listed in Part I and II of Appendix-F may be allowed in R<sub>2</sub>. Zone:

Provided that an industry in Part II uses only electricity with a maximum load of power indicated against each and as per conditions laid down therein;

- (iii) Industries listed in Part III of Appendix-F with a maximum power load of 5 K.W. may be allowed in commercial zone, in addition to industries listed in Part I and Part II.

**(2) Building use and occupancies to be according to Development plan.-** The various building uses and occupancies permitted in the various zones shall be as given in the development plan.

**(3) Uses to be in conformity with the zone.-** Where the use of building or premises is not specifically designated in the development plan, it shall be in conformity with the zone in which they fall.

**(4) Uses as specifically designated in development plan.-** Where the use of a site is specifically designated in the Development plan, it shall be used only for the purpose so designated.

**(5) Non-conforming uses.-** No plot shall be used for any use, occupancy or premises other than that are permitted under these rules or the development plan.

**38. Means of access.- (1) No Building to deprive any other building of means of access.-** No building shall be erected so as to deprive any other building of the means of access.

**(2) Building/plot to abut on a public/private means of Access.-** Every building/plot shall, as far as may be possible, abut on a public/private means of access like streets/roads.

(3) **Construction of building not to encroach upon an area set apart as means of access.-** Every person who erects a building shall not at any time erect or cause or permit to be erected any building which in any way encroaches upon or diminishes the area set apart as means of access required under these rules.

(4) **Width of means of Access:**

- (a) The residential plots shall abut on a public means of access like streets or road. Plots, which do not abut on a street or road, shall have access from spaces directly connected from the street or road. The minimum width for various lengths of means of access shall be as given in Table-3. No development on plots or land shall be permitted unless it is accessible by a public street of width not less than 7.5 meters. Public means of access for economically weaker sections or low-income groups shall be as mentioned in Appendix-J.

**TABLE 3**  
**WIDTH AND LENGTH OF MEANS OF ACCESS**  
[See Rule 38(4)(a)]

S.No.	Width of means of access in meters	Length of means of access in meters
(1)	(2)	(3)
1.	7.5	150
2.	9.0	250
3.	12.0	400
4.	18.0	1000
5.	24.0	Above 1000

**Note:** (1) The means of access shall be clear of marginal open spaces.

(2) If the development is only on one side of means of access, the prescribed width of the means of access may be reduced by 0.5 meters.

- (b) **Other Buildings:** For all industrial buildings, theatres, cinema houses, assembly halls, stadium, educational buildings, markets other buildings which attract large crowd, the means of access shall not be less than the following:-

Width of means of access in meters (1)	Length of means of access in meters (2)
12.0	200
15.0	400
18.0	600
24.0	above 600



(5) **Pathways:** The approach to the buildings from road/street or internal means of access shall, as far as may be, through paved pathway which shall not be less than 1.5 meters where the length of such pathway is not more than 30 meters.

(6) **Length of means of access:** Length of main means of access shall be determined by the distance from the farthest plot (building) to the public street. The length of the subsidiary access way shall be measured from the point of its origin to the next wider road on which it meets.

(7) Authority may require larger width of means of access in general interest. In the interest of general development of an area, the Authority may require the means of access to be of larger width than that required under sub-rule (4).

(8) Boundary of plots in existing built up area to be shifted with reference to control line of street. In areas which are already built up and where the plots face street/means of access less than 4.5 meters in width, the plot boundary shall be shifted from the central line of the street/means of access so as to ensure that the street/means of access achieves a width of 4.5 meters.

**39. Leveling etc. of means of access.-** (1) Means of access shall be levelled, metalled, flagged, paved, sewered, drained, channelled, lighted, laid with water supply line and provided with trees for shade to the satisfaction of the Authority. It should be free of encroachment by any structure or fixture so as not to reduce its width below the minimum requirement under sub-rule (4) of rule 38 and shall be maintained to the satisfaction of the Authority.

(2) If any private street or any other means of access to a building is not levelled, metalled, flagged or paved, sewered, drained, channeled, lighted or laid with water supply line or provided with trees for shade to the satisfaction of the Authority, it may by written notice require the owner or applicant or occupier of the premises situated in front of or adjoining the said street or other means of access or abutting thereon or to which access is obtained through such street or other means of access to fulfil the aforesaid requirements in such manner, as directed.

(3) If any structure or fixture is set upon a means of access reducing its width below the minimum required, the Authority may remove or cause it to be removed further and recover the expenses so incurred from the owner or owners or occupier.

**40. Access from Highways/Important Roads.-** No premises other than highway amenities like fuel pumps, motels shall have an access direct from highways and such other roads as may be specified, from time to time, by the Authority. The portion of such roads on which direct access may be permitted shall be as identified in the development plan. However, this clause shall not be applicable in case of existing development on highways/other roads referred above. These provisions shall however be subject to the

provisions of the Madhya Pradesh Highway Act, 1936 (XXXIV of 1936) and National Highway Act, 1956 (48 of 1956).

**41. Additional provisions for buildings other than residential buildings.-** For building other than residential buildings the following additional provisions of means of access shall be ensured :-

- (a) the width of the main street, on which the building abuts shall not be less than 12 meters and one end of this street shall join another street of width not less than 12 meters;
- (b) the approach to the building and open spaces on its sides shall be hard surfaced capable of taking the weight of fire engine. The side open space shall be kept free of obstructions and shall be motor-able;
- (c) main entrance to the plot shall be of adequate width to allow easy access to the fire engine and in no case it shall measure less than 4.5 meters. The entrance gate shall fold back against the compound wall of the premises leaving the exterior access way within the plot free for movement of fire service vehicles. If main entrance at boundary wall is built over, the minimum clearance shall be 4.5 meters.

**42. Additional provisions for buildings with height above 12.5 meters.-** (1) Planning Norms for the buildings having height above 12.5 meters and up to 30 meters shall be as given in Table No 4.

**TABLE No. 4**

[See Rule 42(1)]

**DEVELOPMENT NORMS FOR PLOTS / LANDS ON WHICH BUILDING(S)  
WITH HEIGHT ABOVE  
12.5 M AND UPTO 30 M IS PROPOSED:**

S. No.	Road Width in meters	Minimum plot/land (area in sq.m.)	Frontage in meters	FAR	<sup>1</sup> [Ground Coverage per-centage	Building Height in meters	Front M.O.S. in meters	Sides/ rear in MOS in meters
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
1.	12.0 m. and above	1000 sq. m.	18 m.	1:1.50	-	Up to 18 meters	7.5	6.0
2.	18 m. & above	1500 sq. m.	21 m.	1:1.75	-	Up to 24 meters	9.0	6.0
3.	24 m. & above	2000 sq. m.	30 m.	1:2.0	-]	Up to 30 meters	12.00 m.	7.5 m.

**Note:** [\*Deleted\*]

<sup>1</sup> In Rule 42, Column no. 6 and Note (1) of Table 4 of sub-rule (1) deleted by MP Rajpatra (Asadharan) No. 74 dated 06-03-2025 at page 147-148(5).

- (2) For High Rise Buildings as defined in rule 2(38). For high rise building Planning Norms shall be as given in Table No 5.

**TABLE No. 5**

[See Rule 42(2) above]

**DEVELOPMENT NORMS FOR PLOTS / LANDS ON WHICH  
HIGH RISE BUILDING(S) IS PROPOSED**

S. No.	Road Width	Minimum plot/land size (area in sq.m.)	Frontage in meters	FAR	Ground Coverage percentage	Building Height in meters	M.O.S. Front side in meters	MOS Sides/ rear
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
1.	30 m. and above	2500	30 m.	1:2.25	30	Up to 45 meters	15.00 m.	7.5 m.
2.	36 m. and above	3000	40 m.	1:2.50	30	Up to 60 meters	18.00 m.	9.0 m.
3.	45 m. and above	3500	45 m.	1:2.75	30	Up to 75 meters	21 m.	9 m.
4.	60 m. and above	4000	50 m.	1:3.0	30	Up to 90 meters	24.00	10 m.
5.	75 m. and above	4500	60 m.	1:3.0	30	Above 90 meters	30.00	12 m.

<sup>1</sup>[Note:

1. In commercial use premises of planning areas, the authority may allow maximum FAR of 1:5.0 through utilization of TDR FAR and Premium FAR for serial no. 4 and 5 mentioned in above table.

2. In commercial use premises under Central Business District and Transit Oriented Development Corridor, the authority may allow maximum FAR of 1:7.0 through utilization of TDR FAR and Premium FAR for serial no. 5 mentioned in above table. Central Business District and Transit Oriented Development Corridor shall be as mentioned in respective development plan.

3. The rate of premium FAR shall be as may be decided by the State Government.]

<sup>1</sup> Inserted by Notification No. F. UDH-3/0002/18-5/2024 dated 06<sup>th</sup> March 2025.  
Published in M.P. Rajpatra (Asadharan) S.N. 72 dated 06<sup>th</sup> March 2025 at pages 143-144(1).

(3) For building having height more than 12.5 meters the necessary drawings and details shall be submitted to the Authority incorporating all the fire fighting measures recommended in National Building Code Part-IV. The occupancy permit shall be issued only after ensuring that all fire fighting measures are physically in place.

(4) For all high rise buildings site clearance from Site clearance committee under sub-rule (2) of Rule 12 shall be necessary. After site clearance by the committee, planning permission from the Town and Country Planning and building permission from the Authority shall be necessary.

(5) The approach to the building and open spaces on its all sides shall be as hard as is required to bear the weight of fire engine. The said open space shall be kept free of obstruction and shall be motor-able.

(6) Main entrance to the plot shall be of adequate width to allow easy access to the fire engine and in no case it shall measure less than 4.5 meters. The entrance gate shall fold back against the compound wall of the premises, thus leaving the exterior access way within the plot free for movement of fire service vehicles. If the main entrance at the boundary wall is built over, the minimum clearance shall be 4.5 meters,

<sup>1</sup>**[42A. Norms for Information Technology.-** Information Technology (IT), Information Technology Enables Services (ITES) and Electronic System Design and Manufacturing shall be called Information Technology.

- (1) **Land required for plot :-** Minimum area of plot shall be 3000 sq.m.
- (2) **Information Technology (Investment) Planning Area :-** Such area shall be termed as Information Technology Investment Area which bears a minimum area of 2 Hectare (5 acre) and such area which shall be notified by Science and Technology Department, Madhya Pradesh Government.
- (3) **Floor Area Ratio (FAR):-** Plots for Information and Technology, and in Information and Technology Investment Area shall have maximum FAR of 1:2.50 or maximum FAR permissible in the relevant development plan, whichever is higher :

Provided that if the plot/building situated in the Information Technology Investment Area is being used for non IT purposes in excess of the percentage

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<sup>1</sup> Ins. by Notification No. F-3-48/2017/18-5, dated 13th December, 2017.  
Published in M.P. Rajpatra Part 4(Ga) dated 22nd December, 2017 at pages 666-667.

mentioned in the following table-5 A, then the FAR and land use of whole plot/building shall be accepted as per the relevant development plan.

**TABLE 5-A**

[See Rule 42(a)]

**Percentage of Plots/Building under MPIT, ITES and ESDM**

S. No.	Type of application	Type of Development	Percentage of Plots/F.A.R.	
			Plots used Minimum IT/ ITES/ESDM	Plots used Maximum Ancillary/ Commercial other Industry/ Residential
1.	IT unit/ITES/Unit	Plotted Development	85%	15%
	IT unit/ITES	Building Construction	60%	40%
2.	ESDM Units	Plotted Development	85%	15%
3.	Developers of an IT Investment Area	Building Construction	85%	15%
	Developers of an IT Investment Area	Building Construction	60%	40%]

**43. Cul-De-Sacs.-** Cul-de-sacs giving access to plots will be allowed provided that cul-de-sacs would be permissible only on straight roads and the turning space shall not be less than 121 square meters in area with no dimension being less than 11 meters.

**44. Alley.-** Alley may be provided where required. The width of the alley where provided shall not be less than 3 meters and no dead end alley shall be permitted unless provided with an adequate turn around facilities.

**45. Intersection of roads.-** (1) The layout for junctions of roads shall be in such a way that as far as possible all roads meet at right angle. Roads meeting at less than 30° should be avoided.

(2) For junctions of roads meeting at right angles or otherwise the rounding off or cut off or splay or similar treatment shall be done to the satisfaction of the Authority, depending upon the width of roads, the traffic generated, the sighting angle etc.

**46. Building Line.-** Subject to rule 56, building line shall be set back at least 3 meters from means of access.

**47. Community Open Spaces and Amenities.-** (1) The community open spaces shall be as follows :-

- (a) **Commercial Zones:** In any layout or sub-division of land measuring 0.2 hectare or more and situated in commercial zones, the community open spaces shall be reserved for recreational purposes. Such space shall as far as possible, be provided in one place or may be planned out in clusters or pockets for the use of the community.
- (b) **Community Open Spaces in Residential Zones:** In any Residential layout of plotted development or sub-division of land, Group Housing or Apartment Housing the community open spaces shall be reserved for recreational purposes. As far as possible these community open spaces shall be provided in one place or planned out in clusters or pockets, for the use of the community:

Provided that the minimum open spaces required may be notified by the State Government in the official Gazette and the same shall not be less than as mentioned in sub-rule (2) below.

- (2) **Minimum open area:** The minimum community open spaces shall be,-
  - (i) 10 per cent. of the area of the layout; and
  - (ii) in case of economically weaker sections and low income group as prescribed in Appendix-J.

(3) **Minimum average dimension of recreational space:** The length of such area shall generally not exceed two and half times of the average width. However, depending on the configuration of the site, common open spaces of different shapes may be permitted by the Authority as long as the open spaces provided, serve the needs of the immediate community contiguous to the open spaces.

(4) **Pavilion gymnasia:** In such recreational spaces, a single storied structure up to 25 square meters of built up area, which may be used as pavilion or gymnasia, may be permitted. Such area may be excluded from floor area ratio calculations. Where the area of the open space exceeds 2000 sq. mtrs. in one place, the built up area of such gymnasia may extend upto 75 sq. mtrs..

(5) **Independent means of access:** Each recreational area and the structure on it shall have an independent means of access. Independent means of access may not be insisted if recreational space is approachable directly from every building in the layout. Further the building line shall be at least 3 meters away from the boundary of recreational open space.

**48. Industrial Zones.- (1) Amenity open space in Industrial use:** In every industrial zone, 5 per cent of the total area shall be reserved as open space. These open space may be used for parking, banking, canteens, welfare centers and such other common purposes as approved by the Authority.

(2) **Open space in Industrial plots:** In industrial plots measuring 1000 square meters or more, 10 percent of the total area shall be provided as an amenity open space. Such an amenity open space shall have a means of access and shall be so located that it would be conveniently utilised by the persons working in the industry.

(3) Development norms for Industrial plot shall be as follows :-

**Norm for Industrial Plots**

Sr. No.	Minimum Plot Area	Max. Ground Coverage in %	Minimum MOS in meters			Max. Floor Area Ratio (FAR)
			Front	Side/Side	Rear	
1	2	3	4	5	6	7
1.	Upto 0.045 Hect.	60	3.20	2.10/2.10	2.10	1.25
2.	More than 0.045 Hect. and upto 0.10 Hect.	60	4.50	3.00/3.00	3.00	1.25
3.	More than 0.10 Hect. and upto 0.20 Hect.	60	7.50	3.75/3.75	4.50	1.00
4.	More than 0.20 Hect. and upto 0.50 Hect.	60	9.00	4.50/4.50	4.50	1.00
5.	More than 0.50 Hect. and upto 0.75 Hect.	60	12.0	6.00/6.00	6.00	1.00
6.	More than 0.75 Hect. and upto 1.00 Hect.	60	15	7.50/7.50	7.50	1.00
7.	More than 1.00 Hect. and upto 1.25 Hect.	60	18	9.00/9.00	9.00	1.00
8.	More than 1.25 Hect. and upto 2.00 Hect.	60	21	10.50/10.50	10.50	1.00
9.	More than 2.00 Hect.	60	24	12.00/12.00	12.00	1.00
<b>For Flatted Industries</b>						
<sup>1</sup> [10 .	Minimum Plot Area 1500 Sq.m. (0.15 Hect.)	50	12.00	6.00/6.00	6.00	2.00]

<sup>1</sup> Subs. by Notification No. F. UDH-3/0002/18-5/2024 dated 06<sup>th</sup> March 2025.  
Published in M.P. Rajpatra (Asadharan) S.N. 72 dated 06<sup>th</sup> March 2025 at pages 144-144(1).

**Note :-**

1. MOS mentioned in column No. 4, 5 and 6 are minimum. In case of industrial building of more than one floor, Front MOS shall be equal to half of the proposed height of building, similarly side MOS shall be equal to one third of the proposed height of building.
2. The State Government may relax above norms on the recommendation of the Industries Department after considering the merits of case.
3. Hazardous Industries / Polluting Industries or Industries which require sanction under Factory Act, clearances shall have to obtained under Industrial Health and Safety and/or under Environment Protection Act as the case may be.

<sup>1</sup>[4. Development norms for standalone Industrial buildings shall be as follows:-

**Norms for Standalone Industrial buildings**

Sr. No.	Land Area	Max. Ground Coverage in %	Minimum MOS in meters			Max. Floor Area Ratio (FAR)
			Front	Side/Side	Rear	
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1	0.50 Hect. and upto 0.75 Hect.	75	10.00	4.50/4.50	4.50	1.00
2	More than 0.75 Hect. and upto 1.00Hect.	75	12.00	5.00/5.00	6.00	1.00
3	More than 1.00 Hect. and upto 1.25 Hect.	75	15.00	6.00/6.00	7.50	1 00
4	More than 1.25 Hect. and upto 2.00 He Ct.	75	15.00	7.50/7.50	7.50	1.00
5	More than 2.00 Hect.	75	21.00	9.00/9.00	9.00	1.00
For Flatted Industries						
6	Minimum Land Area 1500 sq.m. (0 15 Hect.)	50	12.00	6.00/6.00	6.00	2.00

<sup>1</sup> Inserted by Notification No. F. UDH-3/0002/18-5/2024 dated 06<sup>th</sup> March 2025.  
Published in M.P. Rajpatra (Asadharan) S.N. 72 dated 06<sup>th</sup> March 2025 at pages 144-144(2).



**Note :-**

**1. The Note mentioned in sub-rule (3) of rule 48 shall be applicable here.]**

**49. Other Amenities.-** (1) In addition to common open spaces, the layouts shall provide for the minimum community facilities as laid down in Table 6 :-

**TABLE 6**

[See Rule 49(1)]

**COMMUNITY FACILITIES AND OTHER SUB-DIVISIONAL  
REQUIREMENTS**

S. No.	Facilities required		Scale of minimum provision	Minimum land area required and remark
	Main type	Sub-type		
(1)	(2)	(3)	(4)	(5)
1.	Educational Facilities	Nursery School (3 to 5 age group)	1 for population of 4000	1.0 hectare.
		Primary School (5 to 11 age group)	1 for population of 4000	0.6 hectare for density up to 250 persons per hectare
				0.5 hectare for density from 251 to 500 persons per hectare
				0.4 hectare for density of 501 persons per hectare and above
	Educational Facilities	High School (11 to 16 age group)	1 for population of 16,000	2.0 hectares for density up to 250 persons per hectare
				1.8 hectares for density from 251 to 500 persons per hectare
		Degree College	1 for population of 80,000	4 to 6 hectares

2.	Health Facilities	Health Center	1 for population of 16,000	1.0 hectare with residential staff quarters
		General Hospital	1 for population of 80,000	4.0 hectare for 200 beds with ancillaries and staff quarters
3.	Commercial facilities including shopping facilities	Convenience shop	1 for a population of every 100	0.05 to 0.1 hectare
		Local shopping centre	1 for population of 16,000	0.4 hectare
		Zonal shopping centre	1 for population of 80,000	2.5 hectare
4.	Communication facilities and essential services	Sub-post office	1 for population of 10,000	100 square meters
		Post and Telegraph Office cum Delivery and Booking including Telephone exchange of 1000 lines.	1 for population of 10,000	1.0 hectare
		Electric Sub-station	1 in all shopping centers	12 meters x 12 meters
	Communication facilities and essential services	Police Station with Staff quarters	1 for population of 50,000	0.8 hectare
		Police post with staff quarters	1 for population of every 20,000	0.4 hectare
		Fire Station with staff quarters	1 for every 5 kilo-meter radial distance	0.8 hectare

5.	Social and Cultural Facilities	Religious building	1 for population of every 15,000	0.8 hectare location not on a intersection of roads and 60 meters away from junctions.
		Community Hall and library	1 for population of every 15,000	0.3 hectare
		Cinemas	1 for population of every 25,000	0.3 hectare with parking location in Zonal shopping centers, business and commercial area not in residential zone or at the rate of 3 sq.m. per seat whichever is more.
6.	Facilities for industrial area	Labour Welfare Center	1 for every 40 hectare	0.2 hectare
		Convenience shops	5 shops of 10 square meters each	0.2 hectare
		Health center	1 for every 200 hectare	0.6 hectare
		Post Office		0.04 hectare
		Telephone exchanges		0.06 hectare
		Bank		200 square meters
		Petrol pump cum-service-station		30 meters x 35 meters
		Police Station with Staff quarters		0.4 hectare
		Fire station with staff quarters		0.8 hectare

**Note:** (1) The minimum land required for various amenities mentioned in column 5 above is only indicative. The size of the plot shall be, as may be prescribed, by the administrative department or any regulatory authority or any other authority competent to prescribe the minimum size of plot. This table shall stand modified accordingly.

(2) The requirements of essential amenities for EWS and Low Income Group Housing shall be as given in Appendix-J.

(3) Table 6 shall be the guideline to workout different requirements of sub division or layout plan. The density proposed in the Development Plan shall determine the actual population of an area. In areas where a Development Plan or a Zonal Plan has not been prepared, the density pattern for that area shall be determined by the Director.

(4) An application can be made to the Authority on prescribed form as given in Appendix - G to obtain proposals of Development Plan or Zoning Plan for the land to which an applicant may be interested. The Authority shall within thirty days from the date of receipt of such application, supply to the applicant such information, as may be necessary for him to prepare a sub-division or layout plan for his land in accordance with the Development Plan or zoning plan or any proposed land use or density pattern, as the case may be.

**50. Requirements of Site.-** No piece of land shall be used as a site for the construction of building, if the,-

- (a) Authority considers that the site is insanitary or that it is dangerous to construct a building on it;
- (b) site is within a distance of 9 meters of the highest water level of a water body/water course and 15 mtrs. in case of river or as prescribed in the development plan;
- (c) owner/applicant of the building has not shown to the satisfaction of the Authority all the measures required to safeguard the construction from constantly getting damp;
- (d) building is for assembly use like cinemas/theaters/public worship, and the applicant has not obtained necessary license or clearance from the competent officer of the concerned Authority;
- (e) building is proposed in an area filled up with carcasses, excreta filthy and offensive matter till the production of certificate from local authority to the effect that it is safe from the health and sanitary point of view and is fit to be built upon;
- (f) site is not drained properly or is incapable of being well drained;
- (g) site will be used for the purpose which in the opinion of the Authority will be a source of annoyance to the health and comfort of the inhabitants of the neighborhood;
- (h) plot has not been approved as a building site;

- (i) proposed occupancy of the building on the site does not conform to the land use proposals in the development plans or zoning regulations;
- (j) building adversely affects any public utility like a Municipal drain/sewer line or water main line or transmission line.

<sup>1</sup>[(k) If the site is within 30 meters of the railway premises, then the restricted distance shall apply only with reference to the railway station or railway limit along railway line. This may be relaxed with prior consent of the Railway Department.]

**51. Surface Water Drains.-** (1) Any land passage or other area within the cartilage of a building shall, if the Authority so requires, be effectively drained by surface water drain or other means.

(2) The written approval of the Authority shall be obtained for connecting any sub-soil drain to a sewer.

**52. Distance from electric lines.-** (1) The minimum distance between the building and any overhead electric supply line shall be as mentioned herein below or that mentioned in the applicable Electricity Rules, whichever is more. No verandah, balcony or the like shall be allowed to be erected or re-erected or any additions or alterations made to a building which violates this rule.

S.No.	Particulars	Vertically meters	Horizontally meters
(1)	(2)	(3)	(4)
(a)	Low and Medium voltage lines and service lines	2.5	1.2
(b)	High voltage lines up to and including 33000 volts	3.7	1.2
(c)	Extra high voltage lines beyond 33000 volts	(see note)	

**Note:** For building close to extra high voltage lines beyond 33000 volts, clear horizontal corridor of 15 meters (7.5 meter open both side of centre line), or as specified in the applicable Electricity Rules, whichever is more, shall be provided.

(2) The minimum clearance specified in sub-rule (1) above shall be measured from the maximum sag for vertical clearance and from maximum deflection due to wind pressure for horizontal clearance.

<sup>1</sup> Inserted by Notification No. F. UDH-3/0002/18-5/2024 dated 06<sup>th</sup> March 2025.  
Published in M.P. Rajpatra (Asadharan) S.N. 73 dated 06<sup>th</sup> March 2025 at pages 145-146(1).

**53. Size of plots and other norms.- (1) Residential :-**

- (i) Each plot shall have a minimum size and frontage corresponding to the type of development as given below:-

Type of Development	Plot size (Sq. meters)	Frontage (meters)
(1)	(2)	(3)
Detached building	above 225	above 12
Semi-detached building	125-225	8 to 12
Row type building	50-225	4.5 to 12

- (ii) the norms of plot size for EWS/ LIG shall be as provided in Appendix-J.

- (2) **Industrial:** The size of plot shall be such as approved by the Authority.

(3) **Other land uses:** The minimum size of plots for buildings for other uses like business, educational, mercantile, assembly, cinema/theatre, mangal karyalaya marriage garden, fuel filling stations etc., shall be as decided by the Authority subject to the clause (i) to (iv) below :-

- (i) **Assembly Halls/Theatres:** The Minimum size of plot for assembly building/theaters used for public entertainment with fixed seats shall be on the basis of seating capacity of the building at the rate of 3 Square meters per Seat.

- (ii) **Cinema Halls with one screen:** The norms shall be as under :-

1. Minimum area of the plot	- 2000 Square meter or 4 Sq. mt. per seat whichever is more
2. Ground coverage	- 33 per cent. of the total plot area. (on ground)
3. Floor Area Ratio	- 1.25
4. Minimum Open Spaces	- Front - Minimum 15 mtrs. Both sides - 6 Mts. Rear - 6 Mts.
5. Minimum width of road on which Cinema Plot should abut	18 mtrs.

**Note :** Commercial activities which is incidental to Cinema shall be permissible on 10 per cent. of the FAR.

- (iii) **Marriage Garden:**

Development Norms for Marriage Garden shall be as below :-

S. No.	Components	Planning area having population 2.0 to 5.0 lacs	Planning area having population above 5.0 lacs
(1)	(2)	(3)	(4)
1.	Minimum Plot / Land area	4000 Square meters	10000 Square meters
2.	Minimum Road width in front	12 meters	18 meters
3.	Minimum frontage	25 meters	40 meters
4.	Maximum FAR	0.10	0.10
5.	Maximum Ground Coverage	10 per cent.	10 per cent.
6.	Minimum Parking Area in the front	30 per cent. of plot / land area	40 per cent. of plot / land area
7.	M.O.S. : Front	6.0 meters after parking space	6.0 meters after parking space
8.	Permissibility in land use	Residential / Commercial / Agriculture / PSP	Residential / Commercial / Agriculture

(iv) **Fuel filling Station :**

- (a) **National highways :** For the site of Fuel filling station situated on the National Highways, norms as decided by the Ministry of Road Transport and Highways and or Ministry of Petroleum, Government of India shall be applicable.

- <sup>1</sup>[(b) **Roads Other than National Highways :** Norms for the site of the Fuel filling Station situated on the roads other than National Highways shall be as follows :-

S. No.	Population	Minimum Plot Size (in meters)		Frontage of the plot (in meters)	Minimum road width in front of the plot (in meters)	Permissibility in land used of approved development land
		Only Fuel Filling Station (FFS)	Fuel Filling Station with Service Facilities (FFSS)			
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.	Less than 0.5 lac	20×20	35×35	20 (FFS) 35 (FFSS)	15	Residential, Mixed, Commercial, Industrial,

<sup>1</sup> Subs. by Notification No. F. UDH-3/0002/18-5/2024 dated 06<sup>th</sup> March 2025.  
Published in M.P. Rajpatra (Asadharan) S.N. 73 dated 06<sup>th</sup> March 2025 at pages 145-146(2).

2.	0.5 lac to 5 lac	20×20	35×35	20 (FFS) 35 (FFSS)	18	Public and semi-Public, Transportation, Agriculture and Recreational. Agriculture and Recreational
3.	Above 5 lac	20×20	35×35	20 (FFS) 35 (FFSS)	24	

Note:-

- (1) No fuel filling station shall be permitted within the minimum buffer area from the highest water level of the water body as specified in rule 50(b).
- (2) In rural areas, the minimum size of the plot for Kisan Seva Kendra and fuel filling station shall be 20 X 20 meters and the width of the approach shall be minimum 15.00 meters.
- (3) Workshop shall not be permitted in the FFS mentioned in column (3).
- (4) For plot mentioned in column (4) maximum built up areas shall not exceed 15% of the total plot area which may include workshop and other services and facilities such as snacks stall, ATM, etc.
- (5) In case of plot size more than that mentioned in column (4), in addition to fuel filling station with services and amenities (FFSS), multi-level parking. Electric vehicle Charging station and/or battery swapping station may also be accepted. For this, it will be necessary to follow the norms issued by Administrative Department or Regulatory Authority.
- (6) Ladies and gents toilets, drinking water, equipments for fire fighting shall be necessarily provided in all fuel filling stations.]

**<sup>1</sup>[(C) The development norms for Electric Vehicle (EV) Charging and service centre :**

(1): Development norms for Electric Vehicle (EV) Charging and service centre shall be as per table below:-

<sup>1</sup> Inserted by Notification No. F. UDH-3/0002/18-5/2024 dated 06<sup>th</sup> March 2025.  
Published in M.P. Rajpatra (Asadharan) S.N. 74 dated 06<sup>th</sup> March 2025 at pages 147-148(9).



S.N.	Category	Permitted in	Land Requirement		Other Control
			Type of facility	Area requirement	
1	2	3	4	5	6
1	Electric Vehicle (EV) Charging and service centre	Permitted in: 1. Central District 2. Sub district central 3. District Centres 4. Community Centres (Only Filling Station) 5. Residential & industrial use Zone In urban Areas. 6. Along National & Highways State 7. Villages identified as growth centres. 8. Freight Complex 9. Proposed major roads. 10. Police/Security forces services (for captive use only)	<ul style="list-style-type: none"> <li>Public Charging Station (PCS)</li> <li>(Minimum requirement as per MoP Guidelines)</li> </ul>	Min 13.5m X 5.5 m	1. Shall not be located on road having Right of way less than 30 m. 2. Special cases in old city areas may. be considered based on the approval by statutory authorities. 3. Shall be approved by the explosives/fire department. 4. Charging Station and all equipment layout with respect nearest dispensing unit (DU)/fuel tank to be as per PESO rules. to 5. Equipped with Climate Control Equipment (CCE) and Liquid Cooled Cables (LCC) as required in addition to requirements of Public Charging Station (PCs). 6. Optional addition to PCs by the Service Provider (SP).
			Fluid Cooled battery Charging Station (FCB CS)	Min 15m X 7 m	
			1 Combined Charging System (CCS)  1 CHAdeMO (ADC fast charging standard)		
			Battery swapping station (optional)	Earmarking area for "Battery fitting"	

2	Compressed Natural Gas (CNG) filling centre	1. Permitted in All use(except zones in Regional Parks Developed District Parks) 2. Along National and Highways 3. Villages identified as growth centres 4. Freight Complex 5. Proposed major roads	CNG mother station (Including building component –control room/office /dispensing and room/store, pantry and WC.)	1080 sqm (36m x 30m)	1. Shall not be located on road having Right of Way less 30m. than 2. Shall be approved by the explosive/fire department
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(2): Development norms for Standalone Public Charging Stations (PCS) shall be as per table below:-

S. No	Category	Population served per unit	Land Requirement		Other Control
			Type of facility	Area requirement	
1	2	3	4	5	6
A	Public Charging Stations	Every 25 Kms, both Sides along the highways /roads	Public Charging Station (PCS) with charger ratio (minimum requirements of PCS, as per MoP) <ul style="list-style-type: none"> <li>• 1 Fast Charger (FC) for every 10 EVs</li> <li>• 1 Slow Charger (SC) for every 3 EVs</li> </ul>	Additional area as per total parking capacity at the Restaurants/ Eateries.	Equipped with Climate Control Equipment (CCE) and Liquid Cooled Cables (LCC), as may be required for fast charging

B	Fast Charging facility / Fluid Cooled battery Charging Station (FCB CS) (for Long, Distance & Heavy Duty EVs)	Every 100 Kms, both Sides along the highways/ roads	At least 2 chargers <ul style="list-style-type: none"> <li>• 1 CCC type</li> <li>• 1 CHAdeMO type (min 100KW each)</li> </ul>	Min.15m x 7m	May be coupled with PCS a item A above with CCE and LCC.
C	Battery Swapping Station	Optional provisions as per MoP Guidelines.	Standalone Provided along with FBC charging Stations	Min 5.5m x 2.75m	May be coupled with PCS at item A or FCB CS at item B above

## Notes:

- (1) Super Kerosene Oil/Light Diesel Oil storage for industrial uses shall be given separately.
- (2) To be organized by a service provider for connection and metering, available 24x7 for all users.
- (3) Provision of FCB CS & BS shall not be mandatory, and will be at the discretion of the service provider.
- (4) Size recommended for FCB CS is subject to variance as per technical specifications of the SP.
- (5) Fuel filling stations (including COCO outlets) shall conform to specifications and safety norms as per the amendment in Petroleum Rules or, PESO Act and obtain clearances as maybe necessary from the 'Competent Authority', for adding PCS to Retail outlets/ Fuel filling stations.

## For Standalone PCS:

- (6) The ratio of provision of charging points (FC/SC) with respect to total parking capacity will be considered for only 20% (i.e. 20% of total parking capacity will be considered EVs & ratio will be applied on them)
- (7) Land a/location is preferably to be contiguous/in close proximity to commercial land of the Mid-way Restaurant.

- (8) "General Conditions of Siting" of Standalone PCS shall follow clause 4.1-4.4 of IRC: 12 (latest revision) except for the distance between stations which shall be as per the Guidelines issued by MoP, dated Dec, 2018.

**Abbreviations:**

BS	Battery Swap
CCE	Climate Control Equipment
CCS	Combined Charging System
CHAdMo	A DC fast charging standard
CNG	Compressed Natural Gas
COCO	Company Owned Company Operated
EV	Electric Vehicle
FC	Fast Charger/ Fast Charging (DC and a few AC ones)
FCB CS	Fluid Cooled battery Charging Station
LCC	Liquid Cooled Cables
MoP	Ministry of Power
PCS	Public Charging Stations
PESO	Petroleum & Explosives Safety Organization
SC	Slow Charger / Slow Charging (AC)
SP	Service Provider]

***PART-V: GENERAL BUILDING REQUIREMENTS***

**(1) Classification**

**54. Classification of Buildings.-** Buildings shall be classified on the basis of occupancy as follows :-

- (a) Residential.
- (b) Educational.
- (c) Institutional.
- (d) Assembly.
- (e) Business.
- (f) Mercantile (including both retail and wholesale stores).
- (g) Industrial (including low, moderate and high fire hazards).
- (h) Storage.
- (i) Hazardous.

**(II) Open Spaces (within a Plot)**

**55. General.-** (1) Every room intended for human habitation shall abut on an interior or exterior open space or an open verandah open to such interior or exterior open space.

(2) **Open spaces to cater for lighting and ventilation requirement:** The open spaces inside or around building have essentially to cater for the lighting and ventilation requirements of the rooms abutting such open spaces and in the case of building abutting streets in the front, rear or sides, the open spaces provided shall be sufficient for the future widening of such streets.

(3) **Open spaces separate for each building or wing:** The open spaces shall be separate or distinct for each building and where a building has two or more wings, each wing shall have separate or distinct open spaces for the purposes of light and ventilation of the wings.

(4) Separation between accessory and main buildings of more than 7 meter in height shall not be less than 1.5 meters. For buildings up to 7 meters in height no such separation shall be required.

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### COMMENTS

Construction of commercial complex -- Leaving space of 4.5 meter as off-street parking and 4.5 meter as open space, these are two different requirements which are to be fulfilled and cannot be clubbed together. **Satish Nayak Vs. State of M.P. and others, 2018 (2) RN 1 (HC) 2018 Supreme 292 (MP).**

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**56. Residential Buildings.-Open Spaces,-** Exterior open spaces for buildings having height up to 12.5 meters.

(1) **Front open spaces,-**

- (a) Every Residential Building having height up to 12.5 meters, facing street shall have a front open space mentioned below and such open space shall form an integral part of the site :-

S.No.	Width of street facing the plot	Front open space Min.
(1)	(2)	(3)
1.	Up to 9.0 meters	3.0 meters
2.	More than 9.0 meters and up to 12 meters	3.6 meters
3.	More than 12.0 meters and up to 18 meters	4.5 meters
4.	Above 18 meters	6.0 meters

- (b) In existing developed areas with streets less than 6.0 meters in width, the distances of the building (building line) shall be at 6.0 meters from the center line of the street.

**(2) Rear Open Space,-**

- (a) Every Residential Building, having height up to 12.5 meters, shall have a Rear Open Space, as below:-

S.No.	Plot area in Square meters	Minimum Rear Open space in meters
(1)	(2)	(3)
1.	Up to 40.00	Nil
2.	Above 40.00 and up to 150.00	1.50
3.	Above 150 and up to 225.00	2.50
4.	Above 225.00	3.00

- (b) **Rear open space to extend upto the rear wall :** The rear open space shall be co-extensive with the entire face of the rear wall. If a building abuts on two or more streets, such rear open space shall be provided through-out the entire face of the rear wall. Such rear wall shall be the wall on the opposite side of the face of the building unless the Authority otherwise directs.

**(3) Side open space-**

Every semi-detached and detached building shall have a permanently open airspace on sides, forming integral part of the site as below :-

- (i) For detached buildings there shall be minimum side open spaces of 3 meters on both the sides :

Provided that for detached residential building up to 7 meters in height on plots with a frontage less than 12 meters, one of the sides open space may be reduced to 1.5 meters.

- (ii) For semi-detached building there shall be a minimum side open space of 3.0 meters on one side. For Semi-detached building up to 10 meters in height on plots with a frontage up to 10 meters, the side open space may be reduced to 2.5 meters.

- (iii) For row-type buildings, no side open space is required.

- (4) Notwithstanding anything contained in sub-rule (2) and (3) garage may be permitted at rear end of the side open space.

- (5) **Open space for building of more than 12.5 meters height -** For building of height above 12.5 meters the open spaces around building shall be as given in Table 4 and 5 of Rule 42.

- (6) **Interior open spaces for all buildings,-**

(a) **Inner Courtyard,-**

- (i) Every room (except bath, water closet and store room) that does not abut on either the front, rear or side open spaces shall abut on an inner courtyard, having minimum side of 3 meters.
- (ii) Further the inner courtyard shall have a minimum area, throughout its height, of not less than the square of one-fifth the height of the highest wall abutting the courtyard :

Provided that when any room (excluding staircase bay, bathroom and water closet) is dependent for its light and ventilation on an inner courtyard, its dimension shall be such as is required for each wing of the building.

- (iii) Where only water closet and bath room are abutting on the interior courtyard, the size of the interior courtyard shall be in line with the provision for ventilation shaft as given in clause (b).

- (b) **Ventilation Shaft -** For ventilating the spaces for water closet and bath room in all types and height of buildings, if not opening on the front or side or rear or interior open spaces, shall open on to the ventilation shaft, the size of which shall not be less than the values given below :-

Height of buildings in meters	Size of ventilation shaft in square meters	Minimum size of a side of shaft in meters
(1)	(2)	(3)
Up to 10	1.2	0.9
12.5	2.8	1.2
18	4.0	1.5
24	5.4	1.8
30	8.0	2.4
above 30	9.0	3.0

**Note 1:** For buildings above 30 meters mechanical ventilation system, shall be installed besides the provision of minimum ventilation shaft.

**Note 2:** For fully air-conditioned residential buildings the ventilation shaft need not be insisted:

Provided that the air-conditioning system is designed to work in an un-interrupted manner which means that there is an alternate source of power supply.

- (c) **Outer Courtyard-** The minimum width of outer courtyard (distinguished from its depth) shall be 2.4 meters. If the width of the outer courtyard is less than 2.4 meters, then it shall be treated as a notch and the provisions of outer courtyard shall not apply.

(7) **Joint open air space for buildings -**

- (a) Every interior or exterior open air space, unless the latter is a street, shall be maintained and shall lie entirely within the owner's own premises.
- (b) If such interior or exterior open air space is intended to be used for the benefit of more than one building belonging to the same owner, then the width of such open air space shall be equal to the one as specified for tallest building abutting on such open air space.
- (c) If such interior or exterior open space is jointly owned by more than one person, then its width shall be as per (b) above :

Provided that every such person agrees in writing to allow his portion of such joint open space to be used for the benefit of every building abutting on such joint open space and provided he submits his written consent to the Authority for record. Such common open space shall henceforth be treated as a permanently open space required for the purposes of these rules. No boundary wall between such joint open space shall be erected or raised to a height above 2.0 meters.

**57. Open spaces for other occupancies.-** In case where the development permission under section 29 or 16 is applied for the following occupancies/buildings :-

- (a) **Educational Buildings -** Except for nursery school, the open spaces around the building shall be not less than 6 meters.
- (b) **Institutional Building -** The open spaces around the building shall not be less than 6 meters.
- (c) **Assembly Building-** The open space at front shall not be less than 12 meters and other spaces around the building shall not be less than 6 meters.
- (d) **Business, Mercantile and Storage Buildings -** The open spaces shall not be less than 6 meters in the front and 4.5 meters on other three sides, Where these are situated in purely residential zone or residential with shops line zone, the open spaces may be relaxed.
- (e) **Industrial Buildings -** The open spaces around the building shall not be less than 4.5 meters for heights up to 16 meters with an increase of the open spaces of 0.25 meters for every increase of 1 meter or fraction thereof in height above 16 meters.
- (f) **Hazardous occupancies -** The open space around the building shall be as specified for industrial buildings mentioned in clause (e) above.



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### COMMENTS

Construction of commercial complex -- Leaving space of 4.5 meter as off-street parking and 4.5 meter as open space, these are two different requirements which are to be fulfilled and cannot be clubbed together. **Satish Nayak Vs. State of M.P. and others, 2018 (2) RN 1 (HC) = 2018 Supreme 292 (MP).**

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**58. Projections.-** (1) **Projection into open spaces** - Every minimum open space provided on the exterior side and every open space provided on the interior shall be kept free from any construction thereon and shall be open to the sky except as below :-

- (a) Cornice, roof or weather shade not more than 0.75 meter wide;
- (b) Sunshade over window/ventilators or other openings not more than 0.75 meters wide;
- (c) Projected balcony at first or higher floors extending upto 1.20 meters with clearance of 1.5 meters from plot boundary provided that such projected balcony shall not be constructed as a continuous projection on any side of the building,

(2) Projections mentioned above in sub-rule (1)(c) may be permitted on the inner courtyard, if the size of such courtyard is more than 9 meters x 9 meters.

(3) Projecting rooms at alternate floors may be allowed :

Provided that such projection,-

- (a) do not obstruct the air and light of the lower two floors;
- (b) do not project into the MOS; and
- (c) shall not be more than the height of the storey immediately below.

(4) **Accessory Building** - The following accessory buildings may be permitted in the open spaces :-

- (a) In existing building, sanitary block of 2.4 meters in height subject to a maximum of 4 square meters in the rear open space at a distance of 1.5 meters from the rear boundary may be permitted.
- (b) Private garages with an area not exceeding 25 square meters shall be permitted in the rear end of side open spaces.
- (c) Pump room and watchman hut each up to 6.0 square meter.

(5) **Sunshades over windows and ventilators** - Projections of sunshades over windows or ventilators in existing built-up or congested areas when permitted by the Authority shall fulfill the following conditions, namely :-

- (a) no sun-shade shall be permitted over the road or over any drain or over any portion outside the boundaries of the site below a height of 2.8 meters from the road level;
- (b) sunshades provided above a height of 2.8 meters from the ground level shall be permitted to project up to a maximum width of 60 centimeters, if the road over which they project exceeds 9 meters in width; and
- (c) no sunshade shall be permitted on roads less than 9 meters width or on roads having no footpath.

**59. Limitation to open spaces.-** (1) **Safeguard against reduction of open spaces** - No construction work on a building shall be allowed if such work operates to reduce an open space of any other adjoining building belonging to the same owner to an extent less than what is prescribed at the time of the proposed work or to reduce further such open space if it is already less than that prescribed.

(2) **Additions or Extensions to a building-** Additions or extensions of building shall be allowed provided that the open spaces for the additions or extensions would satisfy these rules after such additions or extensions are made.

**60. Group housing.-** Planning Norms for Group Housing shall be as below :-

- (1) The minimum land or plot area, ground coverage, minimum soft area and such other planning norms for group housing shall be as published by the State Government in the official Gazette.
- (2) The coverage and floor area ratio for various densities may be as provided in Table 7 unless otherwise provided in the development plan.

**TABLE 7**  
**FLOOR AREA RATIO AND COVERAGE FOR GROUP HOUSING**

[See Rule 60(2)]

S.No.	Gross residential density Persons/Hectare	Maximum coverage in per cent.	Floor Area Ratio
(1)	(2)	(3)	(4)
1.	125	25	0.75
2.	250	30	1.25
3.	425	33	1.50
4.	500	35	1.75
5.	625	35	2.00

**Note :** The coverage shall be calculated on the basis of the whole area reserved for group housing after deducting :-

- (i) the area of any highway or any road of width 18 mtrs. or more which falls within the area of Group Housing;
- (ii) the area of school (excluding sites for Nursery Schools) and other community facilities within the Group Housing Area; and
- (iii) the prescribed open space (playgrounds and tot lots of local nature shall be permitted in these open spaces).

### COMMENTS

Permission for high rise buildings challenged -- Except a bald allegation that density norms have not been followed, no violation of any statutory provision shown -  
 - Substantial question of public interest not involved in the case -- PIL dismissed.  
**Pradeep Hinduja Vs. State of M.P. and another, 2019 (2) MPLJ 668 = 2018 Supreme 942 (MP).**

### (III) Floor area and height limitation

**61. Floor Area Ratio** - The Floor Area Ratio (FAR) for different use group shall be as mentioned in Table 8 :-

**TABLE 8**  
 (See Rule 61)  
**FLOOR AREA RATIO FOR DIFFERENT USE GROUP**

S.No.	Use Group	FAR*	Category
(1)	(2)	(3)	(4)
1.	Residential	1.25	
2.	Commercial	2.50 2.00 1.75 1.50 1.25	City Centre Sub-city center Community Center Local Shopping Centre Convenience Shopping Centre
3.	Public Semi-public	1.00	Administrative Areas / Education and Research/ Health/Social/Cultural/ Institutional
4.	Industrial	as per rule 48	as per rule 48

\* F.A.R and Density may be adopted as provided in the Development Plans of respective towns.

**Note :** (1) In case where the owner surrenders a portion of his plot / land and vests its ownership in the Government/Authority for public purpose, an additional floor area calculated adding twice the area of plot/land surrendered by him may be allowed in the remaining area of the plot/land in lieu of the monetary compensation.

(2) In case of in-situ redevelopment of a slum, an additional FAR upto 0.50 may be allowed in addition to the permissible FAR in that area, however all other norms related to the development and building permission shall be observed.

(3) On plot admeasuring 200 to 500 sq. meters one servant quarter and on plot admeasuring more than 500 sq. meters two servant quarters may be permitted, The size of a servant quarter shall not exceed 25 sq. m. and the area of the servant quarter shall not be counted in the built up area or the covered area.

(4) Covered parking with a clear height of 2.4 meters may be provided within the permissible ground coverage on plots measuring <sup>1</sup>[200 sq.m.] or more. Such area of parking shall not be counted towards Floor Area Ratio and permissible height calculations.

(5) In case of redevelopment of areas in the old part of any city/town, the old and dilapidated structures may be reconstructed and if needed, an additional FAR up to an extent of 0.25 may be sanctioned over and above the permissible FAR of the area. However no other norm related to the development and building permission shall be relaxed.

(6) The total built up area of economically weaker section and low income group houses constructed to the extent provided for under the provisions of Madhya Pradesh Nagar Palik Nigam Adhiniyam 1956, Madhya Pradesh Nagar Palika Adhiniyam 1961 and Madhya Pradesh Panchayati Raaj Evam Gram Swaraj Adhiniyam 1993 and the rules made thereunder, shall not be counted towards the calculations of the floor area ratio. However such exemption shall be limited to the built up area of such EWS and LIG dwelling units as together constitute 15% of the number of dwelling units proposed to be developed in the same colony for other income groups.

<sup>2</sup>["(7) In addition to the FAR as mentioned in above said table, additional FAR as Premium Floor Area Ratio may be provided over and above which shall not exceed 25% of the Base FAR. The rate of such Premium FAR shall be as may be decided by the State Government."]

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<sup>1</sup> Subs. by Notification No. F. UDH-3/0002/18-5/2024 dated 06<sup>th</sup> March 2025.  
Published in M.P. Rajpatra (Asadharan) S.N. 73 dated 06<sup>th</sup> March 2025 at pages 146-146(2).

<sup>2</sup> Inserted by Notification No. F. UDH-3/0002/18-5/2024 dated 06<sup>th</sup> March 2025.  
Published in M.P. Rajpatra (Asadharan) S.N. 74 dated 06<sup>th</sup> March 2025 at pages 148(3)-148(10).

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## COMMENTS

Corporation took possession of petitioners, lands and demolished their buildings without acquiring same and without even making payment of compensation to them -- Petitioners not ready and willing to surrender their land/properties in favour of Corporation -- Unilaterally invoking Rule 61, Corporation cannot be permitted to take possession of properties of petitioners which would tantamount to violation of Article 300-A of Constitution -- Corporation cannot be permitted to take possession of lands in question without acquiring same and without making payment of compensation. - **Prem Narayan Patidar and others Vs. Municipal Corporation, Bhopal and others, 2014 (4) MPLJ 649.**

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**62. Norms for Podium.-** (1) Podium may be constructed,-

- (a) on a plot admeasuring at least 1000 sq.mtrs.;
- (b) in such manner that the clear height of each floor does not exceed 2.4 meters; and
- (c) with a maximum of three such floors above ground level.

(2) Podium shall not be counted in the calculation of the Floor Area Ratio and the building height. The uncovered roof top portion of the podium shall be counted towards the requirement of open spaces prescribed under rule 47 and rule 60.

(3) The restriction of 2.4 meters clear height mentioned in sub-rule 1 (b) may be relaxed according to the design needs of mechanized parking. The maximum permissible height of the podium in such cases shall not exceed 2.4 m x 3 Floors + designed thickness of beams and slabs in Podium Parking Floor.

(4) The uncovered roof top portion of the podium may be used for development of uncovered park, water / swimming pool, parking.

**63. Parking Floors.-** Where the plot size is not less than 1000 sq. mtrs. covered parking with a clear height of not more than 2.4 meters may be permitted on any floor of the building according to the requirement of the project. Such parking shall not be included in the calculation of the FAR. If such parking is provided on the entire floor area, then such parking floor would not be included in the height of the building.

**64. Service Floor.-** Service floor may be provided in the building on plots having area 1000 square meters or more. The clear height of such service floor shall not exceed 2 meters and the same shall not be counted for the purpose of calculating Floor Area Ratio and the building height.

**65. Height limit.-** (1) The maximum height of a building shall be determined by the provision of Table No. 4 and 5 of Rule No. 42 as the case may be.

(2) If a plot abuts on two or more streets of different widths, the building shall be deemed to face such street which has greater width and the height of the building shall be regulated by the width of that street. This height may be continued to a depth of 24 meters along the narrower street.

(3) In case the building is located in vicinity of aerodromes, the maximum height of such building shall be such as determined by the Airport Authority.

**66. Permission to build skyways and subways.-** (1) The Authority may permit the construction of skyway at different levels connecting two or more buildings:

Provided that no such skyway shall be built,-

- (a) below a height of 6.5 meters as measured from highest level of the ground immediately below the skyway. However, this may be relaxed by the Authority if the nature of the movement under the skyway so permits.
- (b) across any public street without obtaining the prior permission of the agency responsible for its construction and maintenance;
- (c) without obtaining prior permission of the Fire Authority and a certificate of structural safety from the licensed structural engineer;
- (d) in a manner that may obstruct any vehicular movement under it;
- (e) with a width of more than 4 meters; and
- (f) if the columns supporting such skyway do not harmonize with the surrounding architectural features.

(2) The Authority may permit the construction of a subway (an underground passage for pedestrian and/or vehicular use) with the object of connecting two or more points:

Provided that a subway for the use of pedestrians shall be built,-

- (a) sufficiently below the ground to enable safe passage of vehicular or pedestrian traffic over it;
- (b) across a public street after obtaining prior permission of the agency responsible for its construction and maintenance;
- (c) after obtaining prior permission of the Fire Authority and a certificate of structural safety from the licensed structural engineer;
- (d) in a manner that ensures that the lighting, drainage, ventilation, signage, utilities and services are comfortable and safe for the usage of the people; and
- (e) with a clear height and width of not less than 3.0 meters and 4.5 meters respectively.

**Note :** If the subway is expected to allow vehicular traffic, the design parameters shall be approved by the Authority on case to case basis keeping in view the safety and comfort of the users.

**67. Plantation.-** A plot having area of 100 square meters or more shall be planted with trees after the completion of construction of building. The number of trees planted shall be one tree for every 100 square meters of individual plot. The occupancy certificate for the building will be issued only when the authority is satisfied that the provisions of this rule have been complied with. Every effort shall be made to protect the existing trees on the plot.

#### **(IV) Requirements of parts of building**

**68. Plinth.-** (1) **Main Building :** The plinth or any part of a building or out house shall be so located with respect to surrounding ground level that adequate drainage of the site is assured. The height of the plinth shall be more than 45 centimeters from the surrounding ground.

(2) **Interior courtyard :** Every courtyard shall be raised to ensure satisfactory drainage.

**69. Habitable rooms.-** (1) **Height :** The height of all rooms for human habitation shall not be less than 2.6 Meters measured from the surface of the floor to the lowest point of the ceiling (bottom of slab). In case of pitched roof, average height of rooms shall not be less than 2.6 meters. The minimum clear head room under a beam, folded plates or caves shall be 2.4 meters. In case of air-conditioned rooms a height of not less than 2.4 meters measured from the surface of the floor to the lowest point of air-conditioning duct or the false ceiling shall be provided.

(2) The requirements of sub-rule (1) shall apply to residential, business and mercantile buildings. For educational and industrial building the following minimum requirements shall apply :-

(a) **Educational building -** Ceiling height 3.6 meters for all regions.

(b) **Industrial building -** Ceiling height 3.6 Meters but if air-conditioned, 3 meters (Factory Act, 1948 and rules made thereunder shall govern such height where applicable).

(3) **Size:**

(a) The area of habitable room, where there is only one room, shall not be less than 9.5 square meters and the minimum width shall be 2.4 meters. Where there are two rooms, one of these shall not be less than 9.5 square meters and the other be not less than 7.5 square meters with a minimum width of 2.1 meters. In the case of hostels in educational institutions the minimum size of a habitable room for single person shall be 7.5 square meters.

(b) However, in the case of special housing schemes for Economically Weaker Section of Society, Low Income Group Housing, the norms for the size of the rooms shall be as provided in Appendix-J.

**70. Kitchen.-** (1) **Height:** The height of a kitchen measured from the surface of floor to the lowest point in the ceiling (bottom slab) shall not be less than 2.6 meters except for the portion to accommodate floor trap of the upper floor.

(2) **Size :** The area of a kitchen where separate dining area is provided shall not be less than 5.0 square meters with a minimum width of 1.8 meters. Where there is a separate store, the area of kitchen may be reduced to 4.5 square meters. A kitchen, which is intended for use as a dining area also, shall have a floor area of not less than 7.5 square meters with a minimum width of 2.1 meters.

(3) **Other requirements :** Every room to be used as kitchen shall have,-

- (a) unless separately provided in a pantry, means for the washing of kitchen utensils which shall lead directly or through a sink to a grated and trapped connection to the waste pipe;
- (b) an impermeable floor;
- (c) a flue, if necessary; and
- (d) a window or ventilator or opening of size not less than as specified in note 3 of sub-rule (3) of rule 82.

**71. Bathroom and Water Closets.-** (1) **Height :** The height of a bathroom or water closet measured from the surface of the floor to the lowest point in the ceiling (bottom of slab) shall not be less than 2.2 meters.

(2) **Size :** (a) The size of a bathroom shall not be less than 1.5 square meters. The minimum floor area of water closet shall be 1.1 square Meters with a minimum width of 0.9 meter. If bath and water closet are combined, its floor area shall not be less than 2.4 square Meters with a minimum width of 1.2 meters. The area of Water Closet with wash basin shall not be less than 1.3 square meters;

(b) the minimum sizes of bathrooms/water closets shall be as follows:

- (i) Independent water closet 1.1 meter X 0.9 meter.
- (ii) Independent bathroom 1.3 meter X 1.1 meter.
- (iii) combined bathroom and closet - 2.0 square meters with, minimum width of 1.1 meters.
- (iv) Water closet with wash basin - 1.3 square meters.

(3) **Other requirements :** Every bathroom or water closet shall,-

- (a) be so situated that at least one of its walls shall open to external or internal open space;
- (b) not be directly over or under any room other than another water closet, washing place, bath or terrace, unless it has a water tight floor;
- (c) have the platform or seat made of watertight non-absorbent material;



- (d) be enclosed by wall or partitions and the surface of every such wall or partitions shall be finished with a smooth impervious material to a height of not less than 1 meter above the floor of such a room;
- (e) be provided with an impervious floor covering, sloping towards the drain with a suitable grade and not towards verandah or any other room; and
- (f) have a window or ventilator, opening to a shaft or open space, of area not less than 3 square Meters with side not less than 0.3 meter.

(4) No room containing water-closet shall be used for any purpose except as a lavatory and no such room shall open directly into any kitchen or cooking space by a door, window or other opening. Every room containing water-closet shall have a door completely closing the entrance to it.

**72. Ledge or Tand/Loft.-** (1) **Height :** It shall have a minimum head-room of 1.5 meters.

(2) **Size :** A ledge or "tand" in a habitable room shall not cover more than 25 per cent. of the area of the floor on which it is constructed and shall not interfere with the ventilation of the room under any circumstances.

(3) **Loft :** A loft, if provided, on a kitchen shall not exceed 25 per cent. of the area of kitchen and shall leave minimum height of 2.2 meters under the loft. On bathroom, water-closet and corridor, the loft may cover as much area as would allow a person to keep article there with reasonable space for body movement.

**73. Mezzanine (Entresol) Floor.-** (1) **Height :** It shall have a minimum height of 2.2 meters.

(2) **Size :** The size of the mezzanine floor, if it is to be used as a living room, shall not be less than 9.5 square meters. The aggregate area of such mezzanine floor in a building shall in no case exceed 1/3 of the plinth area of the room in which it is provided.

(3) **Other requirements :** A mezzanine floor may be permitted over a room or a compartment:

Provided that,-

- (a) it conforms to the standards of living rooms as regards lighting and ventilation in case the size of mezzanine floor is 9.5 square meters or more;
- (b) it is so constructed as not to interfere, under any circumstances, with the ventilation of the space over and under it;
- (c) such mezzanine floor is not sub-divided into smaller compartments;
- (d) such mezzanine floor or any part of it shall not be used as a kitchen; and
- (e) a mezzanine floor shall be kept open on at least one side.

**74. Store room.-** (1) **Height :** The height of a store room shall not be less than 2.2 meters.

(2) **Size :** The size of a store room, where provided in a residential building shall not be less than 3 square meters.

**75. Garage.-** (1) **Height :** The height of a garage shall not be less than 2.2 meters.

(2) **Size :** The size of garage shall not be less than as below :-

(a) Private Garage-2.5 meters X 5.0 meters.

(b) Public Garage- Based on the number of vehicles parked etc., (Refer rule 84 parking space).

**76. Basement.-** (1) Basement shall not be used for habitable purpose except in case mentioned in sub-rule 2 (c).

(2) The construction of the basement may be allowed in all the land uses subject to the following conditions, namely :-

(a) basement shall not extend into the prescribed MOS :

Provided that where minimum MOS are more than 12 meters in front or more than 7.5 meters on all other sides, in that case basement may be allowed leaving 12 meters distance in front and 7.5 meters on other sides;

(b) the plinth level of the building in which the basement is built shall not be more than 0.45 meters above the surrounding ground; and

(c) in certain cases, depending on the topography of the site the part of the building below the ground or reference level could also be called the basement and if such part is habitable, then it may be used accordingly and shall be added in the calculation of FAR.

(3) Basement can be used for only the following purposes, namely :-

(a) storage of noncombustible articles;

(b) strong rooms, bank cellars, radiation room (only for medical treatment and research);

(c) air-conditioning equipments and other machines used for services and utilities of the building;

(d) parking spaces;

(e) commercial activity only on the first basement level:

Provided that :

(i) the land use of the premises / plot is commercial;

(ii) the plot area is not less than 1.0 hectare; and

(iii) the building is detached.

**Note :** The basement area permitted for commercial use in sub-rule 3(e) shall be taken into account for the purpose of calculating FAR.

- (4) The basement shall have following requirement, namely :-
- (a) basement in every part shall have a clear height of at least 2.4 meters as measured from the floor to the underside of the beam. In case of clause 3(e) above, the minimum clear height as calculated above shall be 3.6 meters;
  - (b) adequate ventilation shall be provided for the basement, the ventilation requirements shall be the same as required by the particular occupancy according to these rules. Any deficiency may be met by providing adequate mechanical ventilation in the form of blowers, exhaust fans, air conditioning systems or the like;
  - (c) the maximum height of the ceiling of any basement shall be 0.45 meter above the surrounding ground level in such a fashion that vehicular movement in the MOS or around the buildings are not obstructed;
  - (d) adequate arrangements shall be made to prevent surface drainage from entering into the basement;
  - (e) the walls and floors of the basement shall be watertight and be so designed that the effect of the surrounding soil and moisture are taken into account in design and adequate damp proofing treatment done;
  - (f) the access to the basement shall be separate from the main entrance and in addition another staircase/ramp shall be provided for access to and exit from various floors of the basement. Where the staircase/ramp is continuous the same shall be of enclosed type serving as a fire separation from the basement floor and higher floors; and
  - (g) open ramps as means of access to the basement may be permitted in such a manner that they do not obstruct the MOS in any manner.

(5) A maximum of three levels may be allowed in the construction of multi-level basements. Such multi-level basement may be allowed only if,-

- (a) The minimum frontage of the plot is 21 meters and the minimum average depth 30 Meters and the plots abuts a road of width 18 meters or more; and
- (b) the building is detached.

(6) If the built form below the ground or reference level is used as habitable accommodation because of the existing topography such area may be permitted as habitable area and shall be counted in the Floor Area Ratio.

**77. Parapet.-** Parapet walls and handrails provided on the edges of roofs terraces, balcony, corridors/ lobbies/ foyers or verandah shall not be less than 1.05 meters in height from the finished floor level.

**78. Boundary Wall.-** The requirements of boundary wall are given below:-

- (a) The maximum height of the compound wall shall be 1.5 meters above the center line of the front street unless the Authority permits a higher wall.
- (b) The rear and side compound walls shall not have a height more than 3 meters above the central line of the service road in case it exists otherwise it shall be not more than 2 meters. It shall be measured above the central line of the front street. In case of a corner plot the height of the boundary wall abutting on the side road shall also not be more than 1.5 meters.
- (c) the provisions of (a) and (b) are not applicable to boundary walls of jails, electric sub-stations, transformer stations, institutional buildings, like sanatoria, hospitals, industrial buildings like work-shops, factories and educational buildings like schools, colleges, including the hostels and other uses of public utility undertaking, where height as required, may be permitted by the Authority.

**79. Septic Tanks -** Where a septic tank is used for sewage disposal, the location, design and construction of the septic tank shall conform to the following requirements:-

- (1) **Location of Septic Tanks and Sub-Surface absorption systems -** A sub-soil dispersion system shall not be located within 18 meters from any source of drinking water. It shall also be as removed from the nearest habitable building as economically feasible but not within 2 meters thereof so that there is no damage to the structures.
- (2) **Other Requirements,-**
  - (a) **Dimensions of septic tanks :** Septic tanks shall have minimum width of 75 centimeters and minimum depth of one meter below the surface level and a minimum liquid capacity of one cubic meter. Length of tanks shall be 2 to 4 times the width;
  - (b) septic tanks may be constructed of brick work /stone masonry/ concrete or other suitable materials as approved by the Authority;
  - (c) under no circumstances should effluent from a septic tank be allowed into an open channel drain or body of water without adequate treatment;
  - (d) minimum nominal diameter of pipe used shall be 100 millimeters. Further at junctions of pipes in manholes, direction of flow from a branch connection should not make an angle exceeding 45 degrees with the direction of flow in the main pipe;
  - (e) the gradients of land drains, under-drainage as well as the bottom of dispersion trenches and soak ways should be between 1:300 and 1:400;
  - (f) every septic tank shall be provided with ventilating pipe of at least 50 millimeters diameter. The top of the pipe shall be provided with a suitable

case of mosquito proof wire mesh. The ventilating pipe shall extend to a height, which would cause no smell nuisance to any building in the area. Generally, the ventilating pipe may extend to a height of 2 meters when the septic tank is located at a distance of 15 meters from the nearest building and to a height of 2 meters above the top of the building when it is located closer than 15 meters;

- (g) when the disposal of septic tank effluent is to seepage pit, the seepage pit may be of any suitable shape with the least cross-section dimension of 90 centimeters and not less than 100 centimeters in depth below the invert level of the inlet pipe. The pit may be lined with stone, brick or concrete blocks with dry open joints which should be backed with at least 7.5 centimeters of clean coarse aggregate. The lining above the inlet level should be finished with mortar. In the case of pits of large dimensions, the top portion may be narrowed to reduce the size of the reinforced cement concrete cover slabs. Where no lining is used, specially near trees, the entire pit should be filled with loose stones. A masonry ring may be constructed at the top of the pit to prevent damage by flooding of the pit by surface run off. The inlet pipe may be taken down to a depth of 90 centimeters from the top as an anti-mosquito measures; and
- (h) when the disposal of septic tank effluent is to a dispersion trench, the dispersion trench shall be 50 to 100 centimeters deep and 30 to 100 centimeters wide excavated to gradient and shall be provided with 10 to 25 centimeters of washed gravel or crushed stone. Open joints placed inside the trench shall be made of unglazed earthenware pipes clay or concretes and shall have minimum internal diameter of 75 to 100 millimeters. Each dispersion trench should not be longer than 30 meters and trenches should not be placed closer than 1.8 meters.

**80. Staircase.-** (1) The minimum clear width and maximum riser of staircases for buildings shall be as given in sub-rule (2) to (4).

(2) **Minimum Width :** The minimum width of staircase shall be as follows :-

- (i) Residential buildings (Dwellings) - 0.85 meters
- (ii) hotel buildings - 1.5 meters
- (iii) Assembly buildings like auditorium, theatres and cinemas - 1.5 meters
- (iv) Educational buildings :-
  - (a) up to 24 m. in height - 1.5 meters
  - (b) more than 24 m. in height - 2.0 meters
- (v) Institutional buildings :-
  - (a) up to 10 beds - 1.5 meters
  - (b) more than 10 beds - 2.0 meters
- (vi) All other buildings - 1.5 meters

(3) The landing width shall be a minimum of twice the tread plus 25 centimeters.

(4) **Minimum Tread :** The minimum width of tread without nosing shall be 25 centimeters for residential buildings. The minimum width of tread for other buildings shall be 30 centimeter.

(5) **Maximum Riser :** The maximum height of risers shall be 17 centimeters for residential buildings and 15 centimeters for other buildings and these shall be limited to 15 numbers per flight.

(6) **Head Room :** The minimum head-room in a passage under the landing of a staircase shall be 2.2 meters. The minimum clear head-room in any staircase shall be 2.2 meters.

**81. Roofs.-** (1) The roof of a building shall be so constructed or framed as to permit effective drainage of the rain water therefrom by means of sufficient rain- water pipes of adequate size, wherever required, so arranged, jointed and fixed as to ensure that the rain-water is carried away from the building without causing dampness in any part of the walls or foundations of the building or those of an adjacent building.

(2) The Authority may require rain-water pipes to be connected to a drain or sewer or a covered channel beneath the public footpath or in any other approved manner.

(3) Rain-water pipes shall be affixed to the outside of the external walls of the building or in recesses or chases cut or formed in such external walls or in such other manner as may be approved by the Authority.

(4) Rain/Roof water harvesting method shall have to be provided on all type of buildings having plot size more than 140 Square meter as per the options mentioned in APPENDIX- H-1, H-2 and H-3.

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### COMMENTS

Construction of commercial complex -- Leaving space of 4.5 meter as off-street parking and 4.5 meter as open space, these are two different requirements which are to be fulfilled and cannot be clubbed together. **Satish Nayak Vs. State of M.P. and others, 2018 (2) RN 1 (HC) = 2018 Supreme 292 (MP).**

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### (V) Lighting and Ventilation

**82. Lighting and Ventilation of Rooms.-** (1) Every room shall, for the admission of light and air, have one or more openings, such as windows and ventilators opening directly to the external air or into an open verandah.

(2) Where the light and ventilation requirements are not met through day lighting and natural ventilation, the same shall be ensured through artificial lighting and mechanical ventilation as per PART-VIII- Building Services Section 1. Lighting and Ventilation of the Code as revised from time to time.

(3) Notwithstanding the area of openings mentioned under sub-rule (2), the minimum aggregate area (see Notes 1 to 3) of such openings excluding doors inclusive of frames shall not be less than one-tenth of the floor area.

**Note 1 :** If a window is partly fixed, the openable area shall be counted.

**Note 2 :** No portion of a room shall be assumed to be lighted, if it is more than 7.5 meters away from the opening.

**Note 3 :** Area of openings as given in this sub-rule shall be increased by 25 percent in case of a kitchen.

### (VI) Lift

**<sup>1</sup>[83. Provision of Lifts, Escalators or Moving Walks.-** Provision for lifts shall be made for building more than 12.5 meters in height. Planning, design, installation, operation, maintenance and inspection of Lift, Escalator or Moving Walk to be installed in a building shall be in accordance with the provisions given in Section 5 of Part-VIII: of National Building Code (NBC). Following provisions shall apply to every owner of building:-

- (1) Every owner shall furnish details related to installation of lift, escalator or moving walk along with building permission application in Appendix A- 2(A) to the concerned authority.
- (2) Work completion report of erection of lift, escalator or moving walk shall be submitted by the owner in Appendix E-3 (A) at the time of obtaining completion certificate in rule 102. The Authority shall issue a unique registration number to each unit.
- (3) Every owner of a place in which a lift, escalator or moving walk has been installed before the commencement of this provision in the rule, shall, within six months from such commencement date inform the concerned Authority in Appendix A-2 (B) along with a fee of Rupees 500 per unit of lift, escalator or moving walk. The aforesaid period of six months may by order and for reasons to be recorded be further extended by six months on an application being made. The Authority shall issue a unique registration number to each unit.

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<sup>1</sup> Subs. by Notification No. F-3-49/2020/18-5, dated 28th September, 2020 for Rule 83. Published in M.P. Rajpatra (Asadharan) dated 28-9-2020 at pages 710(12-23).

However, the individual owner who is using lift, escalator or moving walk in his own residential premise shall be exempted from it.

- (4) Every owner shall get the lift, escalator or moving walk insured from recognized agency, along with the insurance of persons using them.
- (5) Every owner shall follow the instruction of maintenance provided by the Lift Engineer after installation.
- (6) Every owner shall be responsible for operation of lift, escalator or moving walk subject to the following terms and conditions:-
  - (a) The owner shall not use the lift, escalator or moving walk, which is not in a safe condition and he shall be solely responsible for it.
  - (b) When a lift erected at any place ceased to be used as such, the owner shall either remove it or maintain it in safe mechanical condition after disconnecting it entirely from the electric supply; all gates and doors shall be securely locked, so as to prevent the accidental entry to lift well and to prevent inadvertent use.
  - (c) The operation and maintenance shall be done as per provisions made in NBC by owner.
- (7) Every owner shall submit a six monthly periodical safety and audit report duly signed by the Lift Engineer as prescribed in Annex C (Clause 16.4), Annex D (Clause 15.5.1) as the case may be, of NBC Volume VIII to the concerned Authority and the authority shall issue a certificate in appendix- H 3(A) to the owner which shall be displayed in the lift, escalator or moving walk at a visible location. However, the individual owner who is using lift, escalator or moving walk in his own residential premise shall be exempted from it.
- (8) If the owner fails to comply with the provisions of clause (3) or clause (7) as mentioned above: in case of non-compliance for the first time, a warning will be issued to him with the direction to submit the same in the next two months. In case of non-compliance for the second time, a show cause notice stating as to why the operation of lift, escalator or moving walk should not be stopped, shall be issued to him. After giving a reasonable opportunity of being heard, a decision regarding sealing operation of lift, escalator or moving walk may be taken by the Authority.
- (9) If any accident occurs, the owner shall give full details of accident within 24 hours to the concerned Authority.



- (10) Every Authority shall maintain the inventory of the lifts, escalators or moving walks in physical and electronic format as given in Appendix-H 3(B).]

### **(VII) Parking Space**

**84. Parking Space.-** (1) The norms for providing parking on the plot and in areas other than the plot shall be in accordance with the norms given in the Appendix 1-1 and 1-2, respectively.

(2) Standalone multi-level public parking may be permissible in residential, commercial, PSP, Industrial, recreational, agriculture and transportation land use classification. 5% of the built up area of the parking structure may be used for commercial activity. Other planning norms for such stand alone parking buildings shall be as below :-

MOS (Front)	:	12 meters
All other sides	:	7.5 meters
Ground Coverage	:	maximum 80 percent.
Building Height	:	to be determined in each case by the Authority.

### **(VIII) Exits**

**85. Exit Requirements.-** The exit requirements of the building shall be in accordance with the provisions of the Code.

### **(IX) Fire, Structural Safety and Services**

**86. Fire and structural safety.-** (1) The fire and structural safety requirements of the building shall be determined by the provisions of the Code.

(2) Every public building shall provide for the special needs of the physically challenged in accordance with the provisions of the Code.

**87. Fire protection requirements.-** The fire protection of the building shall be determined by the following requirements :-

- (1) The Fire Authority shall be designated by the State Government.
- (2) Building permission of every high rise building shall be granted after the clearance from the Fire Authority has been obtained.
- (3) The fire safety measures mentioned in Part IV of National Building Code shall be applicable.

<sup>1</sup>[(4) The following provisions shall be binding on all building owners falling under the provisions of the National Building Code (NBC), namely :-

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<sup>1</sup> Ins. by Notification No. F-3-30/2020/18-5, dated 4th September, 2020.  
Published in M.P. Rajpatra Part 4(Ga) dated 18-9-2020 at pages 1010-1017.

- (a) No kitchen will be allowed on rooftops or basements. No cooking activity of any kind will be permitted on rooftop or basement,
  - (b) Storage of inflammable material will not be allowed on the rooftops.
  - (c) No temporary roofing over the roof or terrace using FRP or any inflammable material will be allowed.
  - (d) Flammable materials of construction will not be used in passage, corridors or staircase like wooden paneling, foam paneling, carpet etc.
  - (e) Gas Bank, if any will be installed conforming to the standards prescribed in the National Building Code (NBC).
  - (f) Main electrical panels like HT, LT & main power distribution, DG changeover and main supply panels of all types high rise buildings, buildings carrying on any type of commercial activity, offices, hospitals, nursing homes production, testing, educational, storage and godown etc. should be protected with in cabinet clean agent gas fire suppression system.
  - (g) Natural or mechanical arrangement be made for smoke ventilation of the all passages / corridors at each floor level and staircase.
  - (h) Fire Doors having fire resistance rating of not less than 1 hour at the entrance of staircases at each floor level be provided where number of occupants are more than 10 on each floor.
- (5) The fire audit of such buildings as mentioned in clause 4.10.1 of the National Building Code (NBC) shall be carried out once in a year and the owner of the building shall be responsible for the following:
- (a) Submission of Fire Audit report in prescribed Form-S given in Appendix-L by 30th of June of every financial year.
  - (b) If the owner fails to comply with the provisions of clause (a) as mentioned above: in case of non-compliance for the first time, a warning will be issued to him with the direction to submit the same in the next three months. In case of non-compliance for the second time, a show cause notice stating as to why the Fire NOC issued to him should not be cancelled, will be issued to him. After giving a reasonable opportunity of being heard, a decision regarding cancellation of Fire NOC may be taken by the Fire Authority.]

**88. Structural Design.-** The structural design of foundation, masonry, timber, plain concrete, rein-forced concrete, pre-stressed concrete and structural steel shall be carried out in accordance with Part-VI Structural Design, Section 1-Loads, Section 2-Foundation, Section 3 - Wood, Section 4 - Masonry, Section 5-Concrete, Section 6-Steel of National Building Code of India, taking into consideration all relevant Indian

Standards prescribed by Bureau of Indian Standards including the Indian Standards given below :-

For 15 Earthquake prone districts namely, Sidhi, Shahdol, Jabalpur, Damoh, Narsinghpur, Raisen, Hoshangabad, Betul, Sehore, Dewas, East Nimad, West Nimad, Indore, Dhar and Jhabua and such other districts, as may be notified from time to time as earthquake prone areas, the structural design must be in accordance with the following standards :-

1. For R.C.C. Construction and Pucca-brick construction-
  - (i) IS : 1893-1986
  - (ii) IS : 13920-1993 (to be read with IS : 456, IS : 1893)
  - (iii) IS : 4326-1993 (to be read with IS : 1893)
2. For low strength masonry or clay, mud and blocks-
  - (i) IS : 13827-1993
  - (ii) IS : 13828-1993 (b) For Repair and Strengthening
  - (iii) IS : 13935-1993
3. For other matters-
  - (i) IS : 1893-1984 “Criteria for Earthquake Resistance Design of Structures (Fourth Revision)” June, 1986.
  - (ii) IS : 13920-1993 “Ductile detailing of Reinforced Concrete Structure subject to Seismic Forces Code of Practice” November, 1993.
  - (iii) IS : 13828-1993 “Earthquake Resistance Design and Construction of Building Code of Practice (Second Revision)” October, 1993.
  - (iv) IS : 13828-1993 “Improving Earthquake Resistance of Low Strength Masonry Building-Guidelines” August, 1993.
  - (v) IS : 19827-1993 “Improving Earthquake Resistance of Earthen Building Guidelines” October, 1993.
  - (vi) IS : 13935-1993 “Repair and Seismic Strengthening of Building Guidelines” November, 1993.

**Note :** Whenever an Indian Standard of the National Building Code is referred the latest provision in the Standard or the relevant Codes of Practice should be adhered to.

**89. Quality of Materials and Workmanship.-** (1) **Quality of material :** All materials and workmanship shall be of good quality conforming generally to accepted standards of Public Works Department of the State or Indian Standards Specifications or as included in Part-V Building Materials and Part VII Constructional Practices and Safety of the Code as revised from time to time.

(2) **Quality of materials may be relaxed for LIG/EWS :** For housing schemes put up for economically weaker sections and low income groups the quality of materials to be used may be relaxed subject to the approval of the Authority :

Provided that the housing units constructed of combustible materials are properly segregated from fire protection point of view.

(3) **Used Material :** The use of old building material shall be allowed in construction :

Provided that the material so used shall conform to the standards of new materials as specified above.

(4) **Storage of materials :** All building materials shall be stored on the building site in such a way as to prevent deterioration or impairment of their structural and other essential properties. Further, the storage of materials shall be done exclusively within a building plot. If in congested area, it is not possible to store within building plot, temporary storage of materials like sand, stone, etc. may be permitted on the public roads by the Authority :

Provided that such storage does not cause serious traffic, nuisance both for pedestrian and vehicular traffic.

(5) **Burrow pits dug in the course of construction :** All burrow pits dug in the course of construction and repair of building, roads, embankments and the like shall be deep and connected with each other in the formation of drain directed towards the lowest level and properly sloped for discharge into a river stream, channel or drain and no person shall create any isolated burrow pit which is likely to cause accumulation of water which may breed mosquitoes.

(6) **Demolition :**

- (a) Before commencing any work of demolition, a careful and detailed study shall be made of the structure to be demolished including its surroundings. While working out the plan of demolition, safety of the adjoining structures shall be ensured and a certificate to that effect by the licensed technical personnel shall be produced. The final plan of sequence of operations shall have to be approved by the Authority.
- (b) Before commencing any demolition work, specific permission shall be obtained from the Authority, and the same shall be pasted prominently at the site.
- (c) If the structure to be demolished is one which may have hidden damages caused by fire, flood or earthquake, measures necessary to prevent accidental collapse, shall be provided to the satisfaction of the Authority.

- (d) Prominent danger signs shall be pasted all round the property and all openings giving access to the structures shall be barricaded and closed to all except the workmen. During night warning light shall be placed on or above all barricades.
- (e) All gas, water, electricity, steam and other service lines shall be shut off outside the property line after notifying the service companies and authorities concerned and obtaining their approval. Any temporary service connections required for the demolition work shall be separately taken and arranged in such a manner as to afford safety to the workmen.
- (f) When work is not in progress, watchman shall provide information to the public to prevent unauthorized entry of the public into the danger zone.
- (g) All necessary safety appliances shall be issued to all the workers before starting the work.
- (h) Safety distances to ensure the safety of the public shall be clearly marked and indicated by signs. Diversions for pedestrians shall be ensured, where necessary for safety.

**90. Building Services.-** The planning, design and installation of electrical installation, air conditioning and heating work shall be carried out in accordance with Part-VIII "Building Services", Section-2- "electrical installation", Section-3- "Air conditioning and Heating" of the Code, as revised from time to time.

**91. Plumbing Services.-** The planning, design, construction and installation of water supply, drainage and sanitation and gas supply system shall be in accordance with Part-IX "Plumbing Service" Section-1 "Water supply" Section-2, "Drainage and Sanitation" and Section-3, "Gas Supply" of the Code as revised, from time to time.

**92. Requirement of water and gas supply in buildings.-** The requirement of water and gas supply for various occupancies shall be as given in Part-IX of the Code.

**93. Requirements of drainage, sanitation including solid waste management.-** The drainage, sanitation including solid waste management for different occupancies shall be as given in Part IX of the Code.

<sup>1</sup>["93(a) Dual water piping system In Buildings/Projects requiring sewage/waste water treatment plant the plumbing arrangement shall be with dual water piping system, one for drinking water and another for non-potable purposes through treated water/rain water."

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<sup>1</sup> Inserted by Notification No. F. UDH-3/0002/18-5/2024 dated 06<sup>th</sup> March 2025.  
Published in M.P. Rajpatra (Asadharan) S.N. 74 dated 06<sup>th</sup> March 2025 at pages 148(3)-148(10).

- 93(b) Provisions for in-building solutions for Digital Communication Infrastructure Provisions of in-building solutions for Digital Communication Infrastructure may provided for this Addendum to Model Building Byelaws, 2016, Annexure III dated March 2022 may be referred."]

**(X) Special Requirement of Assembly Occupancies**

**94. Cinemas, Theatres and Public Assembly Halls.-** (1) No permission for construction of a building for cinema shall be granted by the Authority, unless it conforms to the provisions of the Madhya Pradesh Cinema (Regulations) Act, 1952 (No. XVII of 1952) and the rules made thereunder.

(2) **Set back from regular line of the street for Cinema/Assembly Building:** No person shall erect a building intended to be used as a cinema theatre or public assembly hall or convert the use of any existing building to any such purpose unless such building is set back at least 9 meters from the regular line of the street or from the street, if no such, line exists. Further the location for such building shall be governed by the provisions of rule 53 or the development plans (if any) and shall be subject to approval of the Authority.

**95. Provisions regarding multiplex.-** (1) Multiplex means a building which consist of two or more cinema halls with or without shopping area.

(2) Activities permissible in multiplex or in multiplex-cum-shopping centre, shall be as under :-

- (a) Entertainment area such as two or more screen cinema halls, concert hall, 3-D cinema hall, video games arcade, disco the que, go carting, 3 dimension arena, bowling alley and other activities which come in this category.
- (b) Food zone complex, restaurant, cafe bar, lounge, bar, pub, ice cream parlor and similar activities.
- (c) Lodging means areas like hotels, with rest rooms, suites etc.
- (d) Commercial establishment including shops, office complex etc.

(3) The activities mentioned in sub-rule 2(c) and 2 (d) shall be permissible in an area which does not exceed 50 per cent of the total built up area.

(4) Norms for establishment of new multiplex-cum-shopping centre and for conversion of old cinemas to multiplexes shall be as below :-

Permissibility and norms for establishment of new multiplex-cum-shopping and for conversion of old cinemas to multiplexes shall be as mentioned in the Development Plan. Where the norms for building new multiplex-cum-shopping and or norms of conversion of old cinemas to multiplexes are not explicitly mentioned in the

Development Plan of a town and in areas where Development Plan is not in force, the norms for establishing new multiplex-cum-shopping and for conversion of old cinemas to multiplexes shall be as below :-

<b>Sr. No.</b>	<b>Development Norms</b>		<b>Multiplex</b>	<b>Multiplex-cum shopping</b>	<b>To convert old Cinema halls into Multiplexes</b>
<b>1</b>	<b>2</b>		<b>3</b>	<b>4</b>	<b>5</b>
1.	F.A.R.		As per Rule No 42	As per Rule No 42	As per Rule No 42
2.	Minimum Plot area for Seating capacity of	Upto 300 seats	1200 sq.m.	1500 sq.m.	@ 4 sq.m. per seat
		Upto 500 seats	2000 sq.m.	2500 sq.m.	@ 4 sq.m. per seat
		Above 500 seats	@ 4 sq.m. per seat	@ 5 sq.m. per seat	@ 4 sq.m. per seat
3.	Maximum Ground coverage		40%	40%	40%
4.	(a) Minimum Open Spaces Front		12.0 meters	12.0 meters	12.0 meters
	(b) Minimum Open Spaces All Other Sides		As per rule 42	As per rule 42	6.0 meters
5.	Maximum Height [also see note (b)] below.		As per rule 42	As per rule 42	As per rule 42
6.	Parking Area for towns having population	Upto 3 lakhs	1 Car space for every 55 Sq. m. built up area	1 Car space for every 55 Sq. m. built up area	As per note (c) below.
		3.0 to 7.5 lakhs	1 Car space for every 50 Sq. m. built up area	1 Car space for every 50 Sq. m. built up area	As per note (c) below.
		Above 7.5 lakhs	1 Car space for every 45 Sq. m. built up area	1 Car space for every 45 Sq. m. built up area	As per note (c) below.

7.	Minimum Road width in front of plot for town having population	Upto 3 lakhs	18 m.	18 m.	12 m.
		3.0 to 7.5 lakhs	24 m.	24 m.	12 m.
		Above 7.5 lakhs	30 m.	30 m.	18 m.

**Note :-**

- (a) The clear height of the multiplex hall shall not be less than 8 meters.
- (b) The multiplex shall be so built that it remains within 30 meters of the building height. The Authority may allow other activities as per the permissibility of that use zone above this height.
- (c) If number of seats are not increasing due to conversion in multiplex, no additional parking shall be required. If numbers of seats are increasing due to conversion in multiplex additional parking shall be required @ of one car space for every 12 Seats,

**(5) Calculation of the parking area :** The total parking area provided in terms of equivalent car space shall be calculated by adding the sum of the following :-

- (i) basement in sq. mtrs. divided by 35 sq. mtrs;
- (ii) overground covered parking in sq. mtrs. divided by 30 sq. mtrs.;
- (iii) open spaces in sq. mtrs. divided by 25 sq. mtrs.; and
- (iv) no parking shall be allowed in marginal open spaces.

(6) Multiplex shall be fully air conditioned.

(7) Public facilities shall be provided in accordance with the provisions of these rules.

**96. Establishment of Shopping Malls.-** (1) Norms for establishment of Shopping Mall and Open Mall shall be as below :

Permissibility and norms for establishment of Shopping Mall and Open Mall shall be as mentioned in the Development Plan. Where the norms for building Shopping Mall and Open Mall are not explicitly mentioned in the Development Plan of a town and in areas where Development Plan is not in force, the norms for establishing Shopping Mall and Open Mall shall be as below :-



Sr. No.	Planning norms		Shopping Mall	Open Mall
(1)	(2)	(3)	(4)	(5)
1.	FAR when the plot abuts	Road width 18 meters	1.50	1.50
		Road width 24 meters	1.75	1.75
		Road width 30 meters and above	2.00	2.00
2.	Minimum plot area	For towns having population Upto 3 lakhs	1500 Sq. m.	5000 Sq. m.
		For towns having population 3 to 5 lakhs	2000 Sq. m.	7500 Sq. m.
		For towns having population Above 5 lakhs	2500 Sq. m.	10000 Sq. m.
3.	Maximum ground coverage		40 per cent.	40 per cent.
4.	Minimum MOS	Front	9.0 meters	12.0 meters
		Rear	6.0 meters	7.5 meters
		Sides	6.0 meters	7.5 meters
5.	Maximum height		As per Rule 42	As per Rule 42
6.	Minimum parking	Population upto 3 lakhs	One car space for every 60 sq. mtrs. built up area	One car space for every 60 sq. mtrs. built up area
		Population 3 to 5 lakhs	One car space for every 55 sq. mtrs. built up area	One car space for every 55 sq. mtrs. built up area
		Population Above 5 lakhs	One car space for every 50 sq. mtrs. built up area	One car space for every 50 sq. mtrs. built up area

7.	Maximum height	Population upto 3 lakhs	18 meters	18 meters
		Population 3 to 5 lakhs	24 meters	24 meters
		Population above 5 lakhs	30 meters	30 meters
8.	Minimum Road width in front of plot		18 meters	18 meters

**(2) Calculation of the parking area :-**

The total parking area provided in terms of equivalent car space shall be calculated by adding the sum of the following :-

- (i) basement in sq. mtrs. divided by 35 sq. mtrs.;
- (ii) overground covered parking (podium / stilt) in sq.mtrs, divided by 50 sq. mtrs.;
- (iii) open spaces in sq. mtrs. divided by 25 sq. mtrs.

(3) Public facilities shall be provided in accordance with the provisions of these Rules.

**97. Factories and Industrial structures.-Provisions of the Factories Act, 1948 (No. LXIII of 1948) to apply :** (1) The provisions of the Factories Act, 1948 (No. LXIII of 1948) and rules made thereunder shall be applicable in addition to these rules.

**(2) Location of Factory :** The location of the factory site shall be governed by the provisions of development plan, if any, for areas where no development plan is in force, the location shall be approved in consultation with the Director.

**(3) Disposal of Trade Waste and effluent :** In case the drainage system is proposed to be connected to the public sewerage system or natural water course nearby, prior approval of the arrangements shall be obtained from the Authority and the Madhya Pradesh State Pollution Control Board constituted under Water (Prevention and Control of Pollution) Act, 1974 (No. 6 of 1974).

**98. Signs and outdoor display structure.-** Provisions of Code to apply. The display of advertising signs on building and lands shall be in accordance with Part-X - Signs and Outdoor Display Structures of the Code, as revised from time to time.

**<sup>1</sup>[99. Special requirements of Affordable Housing including Low-income Housing Group:-** Notwithstanding anything contained in these rules, special requirements for affordable housing including low Income housing such as Economically Weaker Section and Lower Income Group Housing. schemes shall be as given in Appendix - J.]

**100. Plinth construction check survey.-** On completion of the plinth of a high rise building the owner of the building shall obtain from the Authority a certificate to the effect that the plinth has been constructed strictly in accordance with the permissible covered area. The owner shall give a notice to the Authority, which shall either issue the certificate or order suitable changes to be made as per the approved site plan. The owner shall carry out the instructions as given by the Authority in this regard, failing which the Authority will be competent to demolish such part of the plinth which may have been objected to. The Authority shall either grant the requisite certificate or order that suitable modifications be made within 15 days of the notice, failing which the certificate shall be deemed to have been issued.

**101. Issue of Service Certificate.-** On completion of the civil works of the building the owner shall give an application to the Authority for issue of a service certificate on the basis of which service connections, especially water, sewerage and power, shall be granted by the authorities concerned. The Authority shall either grant the requisite certificate or order that suitable modifications be made within 15 days of receiving the notice, failing which the certificate shall be deemed to have been issued.

**102. Completion Certificate.-** Every owner on completion of the building and before occupation of the building shall obtain from the Authority, a completion certificate to this effect that the building has been completed as per the sanctioned plan.

**<sup>2</sup>[103. Provisions of development plan to take precedence.-** The norms and regulations applicable in the plan area shall be such as prescribed in the relevant development plan :

Provided that if the norms and regulation as provided in the development plan are different or contrary to these rules, the Director shall examine and send his proposal to the Government. The decision taken by the Government in this regard shall be final and shall be integrated part of Development plan.]

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<sup>1</sup> Subs. (Inserted) by Notification No. F. UDH-3/0002/18-5/2024 dated 06<sup>th</sup> March 2025.  
Published in M.P. Rajpatra (Asadharan) No. 74 dated 06<sup>th</sup> March 2025 at pages 148(3)-148(10).

<sup>2</sup> Subs. by Notification No. F-3-98/2018/18-5, dated 24th September, 2018 for rule 103.  
Published in M.P. Rajpatra Part 4(Ga) dated 28-9-2018 at pages 971-972.

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### COMMENTS

Permission for high rise buildings challenged -- Except a bald allegation that density norms have not been followed, no violation of any statutory provision shown -  
- Substantial question of public interest not involved in the case -- PIL dismissed.  
**Pradeep Hinduja Vs. State of M.P. and another, 2019 (2) MPLJ 668 = 2018 Supreme 942 (MP).**

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**104. Removal of difficulties.-** If any difficulty arises in giving effect to these rules, the State Government may by order published in the Official Gazette, make such provision not inconsistent with the purposes of these rules, as appear to it to be necessary or expedient for removing the difficulty.

**105. Repeal and savings.-** (1) The Madhya Pradesh Bhumi Vikas Rules, 1984 and the amendments made therein, from time to time, hereby stand repealed :

Provided that,-

- (a) such repeal shall not affect the validity of the licences previously granted to engineers, town planners etc., the previous operation of the said rules, or anything done, or any action taken, thereunder;
- (b) any application submitted under the repealed rules, pending at the commencement of these rules shall be continued and disposed of in accordance with the provisions of these rules i.e. Madhya Pradesh Bhumi Vikas Rules, 2012;
- (c) nothing in these rules shall be construed as depriving any person to whom these rules apply of any right of appeal which had accrued to him under the rules hereby repealed.

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### COMMENTS

Building plan in a development area -- Must be sanctioned only by Municipal Authority -- Petitioners were given permission by Development Authorities on 18-3-2011 and colonizer permission also granted on 6-6-2011 but their application for building permission dated 23-5-2020 was not decided till Development Rules, 2012 came into force -- Held, their application for grant of building permission was to be considered only under Development Rules, 2012 by Municipal Corporation. **Ashish Kumar and others Vs. State of M.P. and others, 2015 (2) MPLJ 540.**

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