



Government Of Maharashtra

Business Reform Action Plan 2016 Response by Government of Maharashtra

Area 4a: Construction Permit Enablers

63: Ensure that the building code/building bye-laws include provisions for risk-based classification of buildings

Response: **Yes**

Remarks:

MIDC vide circular dated: 29.06.2016 (No. MIDC/CP/C01690/2016) has defined Risk based criteria for Buildings within MIDC area for issuance of construction permit and Building completion cum occupancy certificates.

The circular could be accessed at :

<http://oldsite.midcindia.org/NewCirculars/Risk%20Based%20Classification.PDF>

Supporting Documents:



Business Reform Action Plan 2016 Response by Government of Maharashtra

MAHARASHTRA INDUSTRIAL DEVELOPMENT CORPORATION
(A Government of Maharashtra Undertaking)

No. MIDC/CP/ C01690/2016
Date: 29/06/2016

CIRCULAR

Subject: Risk based classification of buildings within MIDC for construction permit and occupancy / building completion provisional and final fire NOC related approvals.

The Department of Industrial Promotion & Policy (DIPP) has recommended introducing the Risk Based Building Proposal approval process for granting the Construction permit for ease of Doing Business.

The intent of adopting a risk-based approach is to -

- (a) Provide a streamlined approach to the permitting process by proactively working in a collegiate fashion to ensure that essential design characteristics are managed before the permit is applied for.
- (b) Shift the risk, responsibility and liability back to the design sector for work that they have specifically designed and that they have the skills, competencies and experience to provide such designs.
- (c) Limit the risk to the MIDC to those elements of the permit application that it has the skills and competencies to make compliance decisions on.
- (d) Simplify the regulatory processes those govern business activities.

The step involves moving from inspections, licensing, and other regulatory tools that cover all business uniformly to an approach that tailors the instruments used for regulation and control, based on the level of risk. The higher the potential risk posed by a specific business activity, the stricter the control and greater the need for licensing /permitting and more frequent inspections. The low-risk activities shall not generally require a license/ permit and need rare inspection. As such, having a proper methodology and tools to classify enterprises or activities according to risk is thus particularly important.

The risk factors vary depending on the type of hazard envisioned, some factors used to classify establishments according to risk from technical safety perspectives. The ranges of factors tend to apply and are relevant across a large number of regulatory fields.

The risk criteria can have many parameters and it is not possible to create the exact soluble matrix for the achievable outcome. The risk matrix shall felt to be very short, incorporate only a small number of parameters, and include only parameters that are easily known about the business / activities. A typical risk matrix therefore felt to be short, simple, inclusive of least certain factors related to the activities such as-

- i. Type of activity
- ii. Type of process
- iii. Number of people occupying the premises



Business Reform Action Plan 2016 Response by Government of Maharashtra

- iv. Location
- v. Type of structure
- vi. Life hazards safety
- vii. Neighborhood hazard & nuisance
- viii. Structural, Hazard & safety etc.

MIDC is the Special Planning Authority to grant the construction permit for the proposed development in MIDC Industrial areas across Maharashtra. The regular building proposals are approved by the MIDC as per the provision of the Maharashtra Regional & Town Planning Act, 1966 and MIDC DCR-2009.

Therefore the process of granting the Building Permission / Occupancy Certificate (OC) / Building Completion Certificate, Provisional and Final Fire NOC approvals is categorized based on the risk involved in the structure, regulatory controls, life hazards, safety, neighborhood, etc. Accordingly, the various types of buildings are categorized based on Risk based matrix, annexed as **Annexure-A (Table A, B, C & D)**. Further for examining and classification of such proposal, an inspection format is annexed as **Annexure-B**.

The concerned SPA/Fire Department shall communicate the date of inspection to the plot holder, inspect the buildings on the said date and upload the Inspection Report mandatorily on MIDC website within 48 hours of inspection. It is directed to all SPAs/Fire Department that –

- i. Low risk industries will be exempted from inspections or allowed self-certification.
- ii. Medium risk industries will be allowed third-party certification such as Architect/Structural Engineer/Licensed Fire Agencies.
- iii. High risk industries will be selected for inspection by designated Inspection Officers on owner's application based on computerized randomization software.

In view of above, all SPA's/Fire Department shall grant the risk based Building Permission / Occupancy Certificate / Building Completion Certificate/Provisional and Final Fire NOC to the proposals categorized as Low, Medium and High.

This circular issues with the approval of Hon.CEO, MIDC and is available on MIDC's official website.

Enclosure:-
Annexure-A (Table A, B, C, D & Schedule-1)
Annexure-B


29/6/2016.
Chief Planner
MIDC, Mumbai-93

Copy submitted to Hon. CEO, MIDC for favour of information please.

Copy FWCs to all HODs, MIDC for information please.

Copy to all SEs / EEs / ROs, MIDC for information.

Copy to all SPAs/Fire Officers/Station Fire Officers, MIDC for information and necessary action.



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(Accompaniment to MIDC's Circular no. MIDC/CPID/1695/2016 dated 29/05/2016)

ANNEXURE-A

Table – A (For New Residential Buildings)

Sr. No.	Particulars	Low	Medium	High
1	Building Height	Upto 10 m	10 m to 15 m	Above 15 m
2	Residential use	Residential	Residential	Residential
3	Total Built Up Area	Upto 4000 sqm	4001 to 10000 sqm	Above 10000 sqm
4	Neighborhood hazard	Not permitted	Yes, partially	Yes, partially
5	Neighborhood Nuisance	Not permitted	Yes, partially	Yes, partially
6	Front open spaces	Adequate	1.5m to 4m	Less than 1.50 m
7	Side open spaces	Adequate	Up to 20% deficiency	More than 20% deficient
8	Width of access	upto 6m	9 to 12 m	more than 12 m
9	Basement	Not permitted	Single basement only for parking	Multilevel Basement for Parking, Ancillary users
10	Parking adequacy	Adequate	upto 20% deficient	More than 20% deficient
11	Tree cutting	Not permitted	upto 10 nos	More than 10 nos.
12	Tree plantation	Not permitted	upto 10 nos	More than 10 nos.
13	Reservations on plot	Shall not be affected	Yes	Yes
14	CPD compliance	Complete	Complete	Complete
15	Recreational space	Physically Fully developed	Physically more than 80% developed	Physically less than 80% developed
16	Type of structure RCC/Steel framed Load bearing	RCC	RCC / Steel framed	Load Bearing
17	Coastal Regulation Zone	Shall not be situated	CRZ-I	CRZ-II
18	Civil Aviation Height permissibility	As per CCZM plan	As per CCZM plan	As per CCZM plan
19	Heritage Structure/Heritage precinct	Shall not be affected	Yes	Yes
20	Prohibited, restricted, buffer zones/ regulations	Shall not be affected	Yes	Yes



Business Reform Action Plan 2016 Response by Government of Maharashtra

(Accompaniment to MIDC's Circular no. MIDC/CPY/001680/2016 dated 29/06/2016)

ANNEXURE-A

Table-B (For New Commercial Buildings)

Sr. No.	Particulars	Low	Medium	High
1	Building Height	Upto 10 m	10 m to 15 m	Above 15 m
2	Commercial use	Office	Mercantile and Mall	Mercantile and Mall
3	Total Built Up Area	Upto 1000 sqm	1001 to 5000 sqm	Above 5000 sqm
4	Neighborhood hazard	Not permitted	Yes	Yes
5	Neighborhood Nuisance	Not permitted	Yes	Yes
6	Front open spaces	Adequate	Adequate	Less than 4.50 mts
7	Side open spaces	Adequate	Up to 20% deficiency	More than 20% deficient
8	Width of access	Upto 5m	9 to 15 m	More than 15 m
9	Basement	Not permitted	Single basement only for parking	Multilevel Basement for Parking, Ancillary users
10	Parking adequacy	Adequate	upto 20% deficient	More than 20% deficient
11	Tree cutting	Not permitted	upto 10 nos	More than 10 nos
12	Tree plantation	Not permitted	upto 10 nos	More than 10 nos
13	Reservations on plot	Shall not be affected	Yes	Yes
14	CPO compliance	Complete	Complete	Complete
15	Recreational space	Physically Fully developed	Physically more than 80% developed	Physically less than 80% developed
16	Type of structure RCC/Steel framed/ Load bearing	RCC	RCC / Steel framed	RCC / Steel framed
17	Coastal Regulation Zone	Shall not be affected	CRZ-II	CRZ-II
18	Civil Aviation Height permissibility	As per CCZM plan	As per CCZM plan	As per CCZM plan
19	Heritage Structure/Heritage precinct	Shall not be affected	Yes	Yes
20	Prohibited, restricted, buffer zones/ regulations	Shall not be affected	Yes	Yes



Business Reform Action Plan 2016 Response by Government of Maharashtra

(Accompaniment to MDC's Circular no. MDC/CPY C01690/2016 dated 28/06/2016)

ANNEXURE-A

Table-C (For New Institutional Buildings)

Sr. No.	Particulars	Low	Medium	High
1	Building Height	Upto 10 m	10 m to 15 m	Above 15 m
2	Social Amenities/Entertainment Amenities	Social	Social Amenities/ Entertainment Amenities	Social Amenities/ Entertainment Amenities
3	Total Built Up Area	Upto 1000 sqm	1001 to 5000 sqm	Above 5000 sqm
4	Neighborhood hazard	Not permitted	Yes.	Yes.
5	Neighborhood Nuisance	Not permitted.	Yes.	Yes.
6	Front open spaces	Adequate.	Adequate.	Less than 4.50 mts.
7	Side open spaces	Adequate.	Up to 20% deficient.	More than 20% deficient
8	Width of access	25 m & more.	15 to 25 m	Less than 15 m
9	Basement	Not permitted.	Single basement only for parking.	Multilevel Basement for Parking, Ancillary users.
10	Parking adequacy	Adequate	upto 20% deficient.	More than 20% deficient.
11	Tree cutting	Not permitted.	upto 10 nos.	More than 10 nos.
12	Tree plantation	Not permitted.	upto 10 nos.	More than 10 nos.
13	Reservations on plot	Shall not be affected.	Yes.	Yes.
14	CFO compliance	Complete.	Complete.	Complete.
15	Recreational space	Physically Fully developed	Physically more than 60% developed.	Physically less than 60% developed.
16	Type of structure RCC/Steel framed/ Load bearing	RCC.	RCC.	RCC.
17	Coastal Regulation Zone	Shall not be affected.	CRZ-II	CRZ-II
18	Civil Aviation Height permissibility.	As per CCZM plan.	As per CCZM plan.	As per CCZM plan.
19	Heritage Structure/Heritage precinct.	Shall not be affected	Yes.	Yes.
20	Prohibited, restricted, buffer zones/ regulations	Shall not be affected.	Yes.	Yes.



Business Reform Action Plan 2016 Response by Government of Maharashtra

(Accompaniment to MDC's Circular no. MDC/CPY/001690/2016 dated 29/08/2016)

ANNEXURE-A

Table-D (For New Industrial, IT, BT, NT, Storage Uses/Buildings)

Sr. No.	Particulars	Low	Medium	High
1	Building Height	Upto 10 m	10 m to 15 m.	Above 15 m.
2	Industrial use	Warehouse, Godown and Industrial activities listed in B-1 of attached Schedule-1, IT, BT, NT & Service Industries.	Warehouse, Godown and Industrial activities listed in B-1 & B-2 of attached Schedule-1, IT, BT & NT.	Warehouse, Godown and Industrial activities listed in B-1, B-2 & B-3 of attached Schedule-1, IT, BT & NT.
3	Total Built Up Area	Upto 4000 sqm	4001 to 10000sqm	Above 10000sqm
4	Neighborhood hazard	Not permitted.	Yes	Yes
5	Neighborhood Nuisance	Not permitted.	Yes.	Yes
6	Front open spaces	Adequate	Adequate	Less than 4.50 mts.
7	Side open spaces	Adequate	Up to 20% deficiency.	More than 20% deficient.
8	Width of access	25 m & more.	15 to 25 m	Less than 15 m
9	Basement	Not permitted.	Single basement only for parking.	Multilevel Basement for Parking, Ancillary users.
10	Parking adequacy	Adequate.	upto 20% deficient.	More than 20% deficient.
11	Tree cutting.	Not permitted.	upto 10 nos.	More than 10 nos.
12	Tree plantation.	Not permitted.	upto 10 nos.	More than 10 nos.
13	Reservators on plot.	Shall not be affected.	Yes.	Yes.
14	CFR compliance	Complete.	Complete.	Complete.
15	Recreational space	Physically Fully developed.	Physically more than 80% developed.	Physically less than 80% developed.
16	Type of structure RCC/Steel framed/ Load bearing	RCC.	RCC / Steel framed.	RCC / Steel framed.
17	Coastal Regulation Zone	Shall not be affected.	CRZ-II	CRZ-II
18	Civil Aviation Height permissibility	As per CCZM plan.	As per CCZM plan.	As per CCZM plan.
19	Heritage Structure/Heritage precinct.	Shall not be affected.	Yes.	Yes.
20	Prohibited, restricted, buffer zones/ regulations	Shall not be affected.	Yes.	Yes.
21	Chief Controller of Explosives	Not permitted	Yes	Yes