

The  
Dadra And Nagar Haveli  
Gazette  
सरकारी राजपत्र  
संघ प्रदेश दादरा एवं नगर हवेली, प्रशासन



भारत सरकार / Government of India

असाधारण

EXTRAORDINARY

श्रेणी-१ / SERIES - I

प्राधिकरण द्वारा प्रकाशित

PUBLISHED BY AUTHORITY

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Vol. No. XXXIII SILVASSA Wednesday 17th October, 2018/ Ashwin 25, 1940 No. 135

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Administration of  
Dadra and Nagar Haveli, U.T.  
Urban Development Department  
Silvassa

No. UD/DNH/105(24)/Ribbon Development Rules/2018/26

Dated : 17/10/2018

**NOTIFICATION**

In exercise of the powers conferred under Section 140(1) and 140(2)(Y) of Goa, Daman and Diu Town and Country Planning Act, 1974 (Act 21 of 1975) as extended to the Union Territory of Dadra and Nagar Haveli vide Notification No. GSR-749 (E) dated 30.10.1984, by Ministry of Home Affairs, Govt of India and made applicable from 01.12.1990, vide Notification No ADM/Law/ATP/108(7)/90 Dated 29.11.1990, and the all other powers enabling in that behalf, the Administrator, Daman & Diu and Dadra and Nagar Haveli, hereby makes the following draft rules for the Union Territory of Dadra and Nagar Haveli. All suggestions and objections in this regard may be sent to Deputy Secretary Urban Development. No construction permission shall be given till these rules are finally published.

**1. Short Title, Extent and Commencement.**

These Rules shall be called as the "Dadra and Nagar Haveli Ribbon Development Rules, 2018" and shall be applicable to the entire planning area as declared under Section 18 of the Goa, Daman and Diu Town and Country Planning Act, 1974 as extended to Dadra and Nagar Haveli. It shall come in to force from the date of its publication in the Official Gazette.

## 2. Definitions

1. **“Act”** means the Goa, Daman and Diu Town and Country Planning Act, 1974 (Act 21 of 1975) as extended to UT of Dadra and Nagar Haveli
2. **“Administrator”** means the Administrator of the Union Territory of Daman and Diu and Dadra & Nagar Haveli appointed by the President under article 239 of the Constitution.
3. **“Authority”** means the Authority so appointed by the Administrator by notification in the Official Gazette to perform all or any of the functions under these rules.
4. **“Building”** includes any erection of whatsoever material and in whatsoever manner constructed (including a farm building for agricultural purposes) and also includes plinths, doorsteps, walls (including compound walls and fences) and the like.
5. **“Building line”** means a line on the either side of a road which is prescribed under these rules on which the plinth or building adjoining a present or future street may lawfully extend.
6. **“Bye Pass”** means any road constructed near the boundary of each city, town or village joining the outer ends of any major Highway or Arterial road passing through that city, town or village.
7. **“Collector”** means such officer as so appointed collector under the Land Acquisition Act, 1894 (and includes any other authority so appointed by the Government by notification in the Official Gazette, to perform all or any of the functions of the collector under this act).
8. **“Control Line”** means a line on either side of roads beyond the building line fixed in respect of such roads under these rules inside which the construction of any building is limited.
9. **“Government”** means the Administrator of the Union territory of Daman and Diu and Dadra and Nagar Haveli appointed under article 239 of the Constitution
10. **“Highway”** means any road or way over which the public have a right of way or are granted access and which is declared to be a highway for the purposes of this rules and includes:
  - i. any land acquired or demarcated with a view to construct a highway along it;
  - ii. the slopes, berms, borrow-pits, foot-paths, pavements, and side, catchandboundary drains attached to such road or way;
  - iii.all bridges, culverts, tunnels, causeways, carriageways and other structures, constructed on or across such road or way; and
  - iv.all trees, fences, posts, boundary, furlong and mile stones, and other highway accessories and materials stacked on the road or way or any land apartment to such highway;

11. **“Occupier”** includes:— (i) any person who for the time being is paying or is liable to pay to the owner rent or any portion of the rent of the premises in respect of which such rent is paid or is payable;
- (ii) an owner living in or otherwise using his premises;
- (iii) a rent-free tenant;
- (iv) a licensee in occupation of any premises; and (v) any person who is liable to pay to the owner damages for the use and occupation of any premises;
12. **“Official Gazette”** means the Dadra and Nagar Haveli Extra Ordinary Gazette
13. **“Owner”** means;— (1) when used with reference to any premises, the person who receives the rent of the said premises or who would be entitled to receive the rent thereof if the premises were let and includes;
- (i) an agent or trustee who receives such rent on account of the owner;
- (ii) an agent or trustee who receives the rent of, or is entrusted with, or concerned for, any premises devoted to religious or charitable purposes;
- (iii) a receiver, sequestrator or manager appointed by any Court of competent jurisdiction; and
- (iv) a mortgagee-in-possession.
14. **“Road”** includes any National Highway, State Highway, Major District Road, Minor District Road, Village Roads, bye pass or diversion, or any other roads except lanes or bye lanes declared by the Government under any law/rule/bye-law for the time being in force.
15. **“Road Boundary”** is the boundary of the road as mentioned in ROW declared by the Government or as mentioned in Table contained in Rule 3, whichever is higher.

**3. Building Lines and Control Lines:-** In the entire territory of Dadra and Nagar Haveli, the building line or control line for any road, whether highway, Major District Roads, Minor District road, Other District Road, Village Road etc. declared under any act/rules/notifications/bye-laws shall be as under:-

<b>Classification of Roads</b>	<b>Road Boundary</b>	<b>Building Line</b>	<b>Control Line</b>
State Highways	22.5	40	75
Major District Roads	12.5	25	50
Other District Roads	7.5	15	30
Village Roads	6	12	24

*\*All above distances are calculated from middle line of the road, on either side of State Highways, Major District Roads, Other District Roads and Village Roads.*

These Ribbon Development guidelines shall be applicable to all the roads except municipal roads. For roads of Municipalities standards of Building lines adopted by Municipality shall be applicable. In addition to it By-lanes and lanes cannot be considered as roads, so ribbon development guidelines shall not be applicable to it.

**Provided that, having regard to the situation of a road, or the local area from which such road passes, it shall be lawful for the Government to fix different building or control lines in respect of any road, or portions thereof.**

**4. No Construction Permitted within road boundary of any road.** No construction or reconstruction shall be permitted within road boundary of any road.

**5. Conditions applicable for Development along roads:-** (1) Notwithstanding anything contained in any law, custom, agreement or instrument for the time being in force, on and after the appointed day,

(1) No person shall, except for the reasons mentioned in these rules and after obtaining permissions specified herein, between the road boundary as mentioned in ROW and the building line.

(i) construct, form or layout any means of access to, or from, a highway, or

(ii) erect any building, or

(iii) materially alter any existing building, or

(iv) make or extend any excavation, or

(v) construct, form or layout any works.

(2) No person shall, without the previous permission in writing of the Authority, upon any land lying between the building line and the control line

(i) construct, form or layout any means of access to, or from, a highway, or

(ii) erect any building, or

(iii) materially alter any existing building;

(3) Use any building or alter the use of any building already erected in a manner which, in the opinion of the Authority, will, in any manner whatsoever, infringe any of the provisions of these rules or interfere with the use of a Road adjoining the land on which such building is erected

(4) Any person desiring to obtain permission from the authority under (Sub rule 1 and 2) shall apply in writing to the authority in such form and containing such information as may be prescribed by the authority.

(5) On receipt of such application, the Authority, after making such enquiries as it may consider necessary, shall, by order in writing, either—

a. grant the permission, subject to such conditions, if any, as may be specified in the order, or

b. refuse to grant such permission

Provided that—

- i. permission for making of any excavation or construction, formation or laying out of works in land for the purpose of repairing, renewing, enlarging or maintaining any underground sewer, drain, electric line, pipe, duct or other apparatus shall not be withheld nor be made subject to any conditions save such as may be necessary for securing that the sewer, drain, electric line, pipe, duct, or other apparatus shall be laid in such a manner and at such levels that the construction, maintenance, development or improvement of a road there over will not be prevented or prejudicially affected thereby;
- ii. permission for the erection or alteration of a building or laying out any means of access to a highway which conforms to the requirements of public health, and welfare and of safety and convenience of traffic on the adjoining road shall neither be withheld nor made subject to unreasonable conditions.

Provided further that, in the case of means of access required for agricultural purposes such permission shall neither be withheld nor be made subject to any conditions save such as may be necessary for securing that the means of access shall be used for agricultural purposes only.

(6) These rules shall not apply to the development outside control line.

**6. Guidelines to grant permission for doing constructions outside building line and inside control line:-** The authority as mentioned in rule 5 shall consider following principles while granting permission for construction within Control Line but outside Building Line.

- a) If, a request comes for construction of residential house, small centers, godowns or a building related to agriculture, permission shall usually not be denied unless for reasons to be recorded, it adversely affects the use of the land within building line.
- b) Permission to construct godowns as mentioned in sub rule 1(which are used seasonally) may be given provided size of such construction is limited to 30 \* 12 meters and construction does not result in increase of traffic or obstruction of vehicles passing in surrounding area.
- c) Wherever, a curve or turn is coming, the construction may be permitted beyond A. where  $A = A' + A' * 20\%$  ;  $A'$  = Distance of building line from middle of the road.
- d) No building within building line and control line shall be more than 15 meter high.
- e) The construction works like wells, and rooms nearby for engine and pump and trough, basin and construction of bore or boring being construction for agricultural purpose, may be permitted provided that there should not be any obstruction to sight distance of traffic from construction of room; and that it should be removed whenever Government passes an order in this regard and that the construction of room should not be permanent. It may only be constructed as a temporary shed.

**7. Restrictions on Construction of Factory, Godown, Cinema etc.** No factory, large godown, cinema, hotels, restaurants, school, dispensary, college, office building, staff quarters, sanitary blocks or all other constructions where movement of people & vehicles is more than 300 persons/vehicles per day shall be allowed within Control Line.

**8. The rules to be followed by all authorities giving NA permissions, Construction Permission and Occupancy Certificates.** Notwithstanding anything contained in any law for the time being in force, all the authorities of UT of Dadra and Nagar Haveli shall consider the provisions of these rules while giving Non Agricultural Permission, Construction Permission or Occupancy Certificate, or any other permission related to a building.

**9. Construction of Petrol Pumps along the roads:** Following conditions shall be applicable to Petrol pump and its related constructions.

- (1) Construction shall be permitted at the distance of 6 metres away from boundary of road (as defined by ROW declared by Administration or as mentioned in Rule 3 whichever is higher), or 30 meters from the middle of the road, whichever is more.
- (2) Underground tank and kiosk for petrol /diesel shall be constructed at the distance of 4 metres or more) from the line of petrol pump.
- (3) The construction of petrol pump and its related structures should be as per Indian Road Congress Guidelines and Development Control Rules of the Administration.
- (4) Other related constructions like canteen, garage, restaurant, workshop, washing ramp, washing platform, lubricating etc. shall be permitted after a minimum distance of 15 metres from the road boundary road or 50 metres (whatever is more) from central line of road.
- (5) A part of road limit for petrol pumps shall be allowed for approaches only, and proper culverts below approaches shall have to be managed by licensee. No board or advertisement shall be allowed to be displayed without the permission of the concerned authority within Road Boundary.

**10. The rules not to apply in certain cases:-**

- (1) Nothing contained herein shall apply to the erection or making of a building or excavation or to the construction, formation or laying out, of any means of access or works begun before coming into force of these rules, after obtaining the Construction Permission given to them by the lawful authority or which have already been given Occupancy/ Part Occupancy Certificate.
- (2) Signboards with maximum height of not more than 105 centimeter, and advertisements hoarding, after obtaining approval from competent authority, are allowed within building lines.

**11. Appeal.**— (1) If any applicant is aggrieved by any decision of the Authority under rule 5, of withholding permission, or imposing any condition, he may appeal to the Administrator within thirty days from the date on which such decision was communicated to him.

(2) The Administrator may, after giving an opportunity to the applicant to be heard, make such order as it thinks fit upon the appeal and the decision of the Administrator shall be final.

**12. Repeals:-** The following rules shall remain in force unless the Government withdraws, amends or renotifies them.

By order and in the name of  
Administrator, DD & DNH

(**Mohit Mishra**)  
Deputy Secretary (UD)

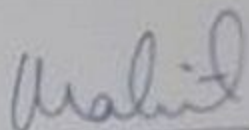
## PUBLIC NOTICE

The Urban Development Department, U.T. of Dadra and Nagar Haveli has, published Draft Ribbon Development Rules fixing Road Boundary, Building Line and Control Line with respect to State Highway, Major District Roads, Other District Roads and Village Roads on official website of Dadra and Nagar Haveli [dnh.nic.in](http://dnh.nic.in) and also on [smcdnh.nic.in](http://smcdnh.nic.in).

General Public are invited to submit their suggestions and objections within 30 days of publication of this notification to the Office of the Deputy Secretary (Urban Development), Dadra and Nagar Haveli, Silvassa and Office of Dadra and Nagar Haveli Planning and Development Authority, Silvassa.

No. UD/DNH/105(24)/Ribbon Development Rules/2018/01

Dated: 17/10/2018.



(Mohit Mishra)  
Deputy Secretary (UD)  
Dadra and Nagar Haveli  
Silvassa.