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Administration of
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No. UD/DNH/105(24)/Ribbon Development Rules/2019/27

Dated : 21/10/2019

NOTIFICATION

In exercise of the powers conferred under Sections 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 and Diu and Dadra and Nagar Haveli, hereby makes the following rules namely "Dadra and Nagar Haveli Ribbon Development Rules, 2019" for the Union Territory of Dadra and Nagar Haveli.

1. Short Title, Extent and Commencement.

These rules shall be called as " Dadra and Nagar Haveli Ribbon Development Rules, 2019" 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:

- a) **Open and Field Land Area:** All area out of limit/boundary of any village site (Gauthan/Gamtal), town or city or industrial area. (The open area between construction area and nearby industrial area shall not be considered in such category).

b) Construction area: Construction area is an area which passes through limit of any village site (Gauthan/Gamtal), Nagar Panchayat, Nagar Palika, corporation and where building construction is done and area where rules and regulation ,related to construction, of any local body are in force. This area will be divided in two parts. And the distance to be maintained for these areas is shown in the table as 'A' and 'B'. These 'A' and 'B' areas are as under.

1. An area , on road-line of which fifty percentage or more construction has taken place or which is situated in an old boundary that is a boundary older than 5 years, is area 'A'.
2. Other area on road line of which less than fifty percentage construction has taken place and which is situated within any boundary that has been increased in last 5 years is area 'B'. The distances shown in table 'A' and 'B' are applicable to construction area. If industrial area is coming under construction area, these standards will also be applicable to such industrial area. Where industrial area falls outside Construction area then only standards mentioned in table 'B' shall apply to it.

In order to know whether the constructed area is more than 50% or less and belongs to category 'A' or 'B', length of open land on both sides parallel to the road and that of the constructed area is required to be measured. For example, ten plots of different length are situated parallel to the road and four plots therein are constructed and the remaining 6 plots are open. When the length of these four constructed plots is less than 50% of the length of the road, it is to be taken that less than 50% area is under construction. For this calculation length of road should be taken as 1.5 km. (1 mile).

- c) Industrial area:** The area which has been declared as Industrial Area by the Government, or an area which is under control of Industrial Development Corporation, or in which industrial estates of industrial directorate are situated, or cooperatives, or industrial estates of other companies are situated or all such other areas which are situated outside boundary of any village site(Gauthan/Gamtal), Nagar Panchayat, Nagar Palika and Municipal Corporation, and wherein permission for establishment of industries are given.
- d) Actual Boundary:** Such boundary which is within limits of village site(Gauthan/Gamtal), Nagar Panchayat, Nagar Palika or Municipal Corporation will be called Actual Boundary.
- e) Approach Roads:** After completion of the boundary of construction and industrial area, in three miles radius, first three miles part of every category of road, where there is some distance between village site(gauthan/gamtal), town or city and nearby industrial area, then such entire distance shall be counted under construction and industrial area, and remaining part of the approach road shall be considered outside this Construction and Industrial Area.
- f) Bypass or Diversion:** Road outside any village site(Gauthan/Gamtal), town or city, which is newly constructed will be called as ByePass or Diversion. Where construction of Diversion is remaining but Diversion road line is identified, then restrictions related to diversion will apply on such road line.
- g) Building Line:** The line outside which, residential houses and small centres, rooms, buildings related to agriculture are permitted to be constructed shall be called as Building line. Residential buildings, Commercial Buildings and Buildings related to agriculture will be permitted between building line and control line provided their carpet area does not exceed 30*12 meters.. Wherever there is a turn, then on inside of such turn, for constructions on such turn a distance of more than 20% from normal building line shall be kept. Such distance shall be calculated from the central point of the road.

h) Control line:

Factories/Industries, Cinema Halls, Hotels, Hospitals shall be kept outside control line. Moreover, Commercial/Residential buildings with carpet area more than 30*12 mts shall be kept outside the control line.

i) Road Boundary:

The land which is acquired for construction of a road and whose ownership is with Government or panchayat and all land between stone limits of a road ,on any road ,on both sides is known as road boundary. Under any circumstances, no construction work of any type shall be allowed to be carried out on Road Boundary.

j) Words, expressions or definitions used in these rules and not specifically defined shall have the same meaning assigned to them in 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.

3. Building Lines and Control Lines Standards :- All Construction or Development in Dadra and Nagar Haveli shall be subject to the provisions of these rules and shall be regulated by the standards of building line and control line mentioned in the table below.

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.

Table

Building Lines and Control Lines Standards

(Distances from middle of the roads in meter)

Category of roads	Open and Field Area		Within three miles of construction and Industrial Area		Within the Industrial area constructed Area			
	Building Line	Control Line	Building Line	Control Line	Building Line		Control Line	
					A	B	A	B
State Highways	40	75	40	60	10*	24*	36.5*	45*
Major District Roads	30	55	30	50	10*	24*	36.5*	40*
Other District Roads	20	35	20	30	10*	12*	20*	20*
Village Roads	12	24	12	24	9*	9*	14*	14*
(*) Or whatever is higher as per local administration rules and laws								

On roads passing through Municipal local body, only Rules and Byelaws of local municipal body- shall apply. Portion of village roads passing through a Gaothan/Gaothal(village site) shall not fall within purview of ribbon development guidelines.

4. About petrol pumps and constructions related to it:-

1. In case of petrol pumps, for each category of roads and each type of bye-pass or diversion, construction shall be permitted only after maintaining a distance of either 6 meters away from the road boundary or 30 meters away from the central line of the road, whichever is higher. This limit is only for place of pump. For Kiosk and underground tank of petrol/diesel additional distance of 4 meters (approximately 12 feet) or more shall be maintained. Other construction works related to pumps shall be at a distance more than this. Rules of Indian Road Congress related to layout plan shall be applicable to them.
2. For other constructions of petrol pumps on road like canteen, garage, restaurant, workshop, washing ramp, washing platform, lubricating etc, permission shall be given only after maintaining a minimum distance of 15 meters from the road boundary or 50 meters from the central line (whichever is higher).
3. For petrol pumps, a part of road boundary shall be used only for approaches and proper culverts below approaches shall have to be constructed by licensee. No board or advertisement shall be allowed to be displayed within road boundary.

5. On any part of road, and especially on turnings, if no obstruction is caused to line of vision of vehicles and if it does not obstruct vision of fast moving vehicles then a compound wall or wire fencing, or poles showing boundary line of a land of maximum height of 105 cm may be exempted from standards of ribbon development. However, no claim declaration should be obtained before permitting construction.

6. To ensure that the intent with which Ribbon Development Rules are being implemented is fulfilled, it is very important that all rules are strictly followed. Considering this reality, all District Collectors, District Officers, Revenue and Panchayat Officials, and other related officials are informed that they should take immediate actions to stop any unauthorized construction made on National Highways and State Highways, and other categorized roads which is done in violation of Ribbon Development Rules and if needed, after taking necessary actions to stop such construction, without delay, begin eviction proceedings whenever fact of such construction comes to their notice or is brought to their knowledge by Road and Building department or any report concerning it is submitted to them. All concerned officials may take note that action shall be initiated against such revenue officials, or Panchayat Officials, who don't take action on such information, or show negligence or take delayed action and they shall be personally responsible for it.

In these cases, Officers of Road and Building Department, shall submit a full report with clear map of such unauthorised constructed areas along with all necessary details to District Development Officer/Collector. So that, on that basis, such officer can take urgent action according to rules.

Government has resolved that Strict action shall be taken against officers who give permissions against the rules.

7. Government has resolved that the construction works like wells and rooms nearby for engine and pump and trough and basin and construction of bore or boring (being construction for agricultural purpose) may be given exemption as exception to ribbon development guidelines subject to following conditions.

- a. There should not be any obstruction to sight distance of traffic from construction of the room.
- b. Construction of room will be removed whenever Government passes an order.
- c. Construction of room should not be permanent but like temporary sheds. Generally works like basin etc. near well are constructed mainly in open lands of fields. There would be no objection if necessary margin is not maintained in such works. Therefore, the Government has resolved to exempt such constructions from requirements of margin.

8. Construction for agriculture purpose:

In case of farm building which is situated on land near public roads , all district collectors, District Development Officer, and other concerned officers are informed to have necessary vigilance to see that required distance from road is maintained according to standards of ribbon development.

9. At places where temple, mosque, buildings of public devotion are situated, movement of public takes place at a particular period in the morning and evening only. No significant movement of vehicle is found there. Further such buildings are generally constructed inside the city or Gamtal. And there are rare cases of such buildings constructed near roads. Due to such reasons, for such constructions for the purpose of public devotion, control line will not be applicable but building line will be applicable.

10. For constructions of schools and colleges, building line will not be applicable but control line will be applicable. It is informed to strictly implement this.

11. Government has resolved to give exemption to toilet water tank or other minor constructions on railway building existing now from rules of Ribbon Development. But in all such cases no claim declaration should be obtained in prescribed form from railway officers.

12. 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)