ગુજરાત સરકાર
શહેરી વિકાસ અને શહેરી ગૃહનિર્માણ વિભાગ,
હુકમ ક્રમાંકઃ પરચ-૧૦૨૦૦૯-૬૦૦૨-લ
સચિવાલય, ગાંધીનગર
તા. - 1 FEB 2016

આમુખઃ

રાજયમાં વેગથી થઇ રહેલ સર્વાંગી વિકાસ, વાયબ્રન્ટ ગુજરાતના માધ્યમ દ્વારા દેશ, વિદેશના રોકાણકારો દ્વારા ઔધૌગિક વિકાસ માટે થઇ રહેલ-રોકાણ, કૃષિ ઉત્પાદનોમાં રહેલ વધારો વિશ્વ વ્યાપી આરોગ્યલક્ષી સેવાઓની થનાર ઉપલબ્ધી તેમજ પ્રવાસ/પર્યટન પ્રવૃતિ વેગવાન બનવાને લઇ, રાજયમાં પધારનાર અતિથિઓને સુવિધાયુકત સગવડો વાળી હોટેલોમાં રોકાણ કરવાની વ્યવસ્થા થાય તે માટે હાલ હોટેલ પોલીસી-૨૦૧૧ અમલમાં છે. પરંતુ વિદેશોમાં હોટલ સાથે મીક્ષ પ્રકારના ઉપયોગો ટુરીઝમ એકટીવિટીને પ્રોત્સાહન આપવા મળવાપાત્ર થાય છે. જેથી અધતન જરૂરીયાતોને ધ્યાને લેતા હોટલ નિયમો-૨૦૧૧ ને સ્થાને જગ્યાનો કકસરયુકત ઉપયોગ, જાહેર સલામતી, પાર્કિંગ વિગેરે જેવા મુદાઓ ધ્યાને લેતાં શહેરી વિસ્તારોમાં પ્રવર્તમાન લાગુ નિયમોમાં ફેરફાર કરવા માટે જરૂરીયાત ઉપસ્થિત થયેલ છે. અને આથી પ્રવર્તમાન જી.ડી.સી.આર. અન્વયે હોટેલ સાથે મીકસડ યુઝ ડેવલોપમેન્ટ આપવા માટેના વિશિષ્ઠ નિયમો તૈયાર કરવાની બાબત સરકારશ્રીની વિચારણા હતી. સબબ બાબતે સરકારશ્રીની પુખ્ત વિચારણાના અંતે 'હોટેલ એન્ડ મીકસડ યુઝ ડેવલોપમેન્ટ વિનિયમો-૨૦૧૬' ઘડીને અમલ કરવા આથી હુકમ કરવામાં આવે છે.

:: હુકમ ::

આથી ગુજરાત નગર રચના અને શહેરી વિકાસ અધિનિયમ, ૧૯૭૬ ની કલમ-૧૨૨ની પેટા કલમ (૧) હેઠળ મળેલ સત્તાની રૂએ સરકાર "Regulation for Hotel & Mixed Used Development-2016" ને મંજુર કરેલ છે. આ સાથે સામેલ સદર નિયમો તમામ સત્તામંડળોની મંજુર/અમલી વિકાસ યોજનાના જી.ડી.સી.આર.માં સમાવેશ કરવા તથા આ નિયમોનો અમલ કરવા આથી હુકમ કરવામાં આવે છે. અને અગાઉ તા.૨૫.૦૪.૨૦૧૧ના હુકમ ક્રમાંકઃ પરચ-૧૦૨૦૦૯-

૬૦૦૨-લ થી પ્રસિદ્ધ કરાયેલ 'રેગ્યુલેશન ફોર હોટેલ-૨૦૧૦'ને રદ કરવામાં આવે છે.

ગુજરાતના રાજયપાલશ્રીના હુકમથી અને તેમના નામે,

(નીલા મુન્શી)

ખાસ ફરજ પરના અધિકારી અને હોદાની રૂએ સંયુકત સચિવ
શહેરી વિકાસ અને શહેરી ગૃહનિર્માણ વિભાગ

પ્રતિ,

- માન.મુખ્યમંત્રીશ્રીના સચિવશ્રી, માન.મુખ્યમંત્રીશ્રીનું કાર્યાલય, બ્લોક નં. ૧, ૫ મો માળ, સચિવાલય, ગાંધીનગર.
- સર્વે માન.મંત્રીશ્રીઓના અંગતસચિવશ્રી, સચિવાલય, ગાંધીનગર.
- મુખ્ય સચિવશ્રીના અંગત સચિવશ્રી, બ્લોક નં. ૧, ૪ થો માળ, સચિવલાય, ગાંધીનગર
- અગ્રસચિવશ્રીના રહસ્ય સચિવશ્રી, શહેરી વિકાસ અને શહેરી ગૃહનિર્માણ વિભાગ, સચિવાલય, ગાંધીનગર.
- સચિવાલયના તમામ વિભાગો તરફે
- મ્યુનિ.કમિશનરશ્રી, અમદાવાદ, વડોદરા, રાજકોટ, ભાવનગર, સુરત, જામનગર, જુનાગઢ.
- મુખ્ય કારોબારી અધિકારીશ્રી, તમામ શહેરી/વિસ્તાર વિકાસ સત્તામંડળ
- સર્વે કલેકટરશ્રીઓ/સર્વે જીલ્લા વિકાસ અધિકારીશ્રીઓ
- નગર પાલિકા નિયામકશ્રી ગુજરાત રાજય, ગાંધીનગર તરફે દરેક નગરપાલિકાઓને જાણ કરવાની વિનંતી સહ.
- મુખ્ય નગર નિયોજકશ્રી, ગુજરાત રાજય, ગાંધીનગર
- સીસ્ટમ મેનેજરશ્રી, શહેરી વિકાસ અને શહેરી ગૃહનિર્માણ વિભાગ, ગાંધીનગર તરફે વિભાગની વેબસાઇટ પર પ્રસિદ્ધિ અર્થે.
- નાયબ સેકશન અધિકારીશ્રીની સિલેકટ ફાઇલ
- લ-શાખા સિલેકટ ફાઇલ

REGULATIONS FOR HOTEL & MIXED USED DEVELOPMENT-2016

---

1. **SHORT TITLE, EXTENT AND COMMENCEMENT**

   1.1. These regulations may be called "Regulations for Hotel & Mixed Use Development – 2016"

   1.2. These regulations shall be applicable within the jurisdiction of the appropriate authority constituted under Gujarat Town Planning & Urban Development Act 1976.

   1.3. It shall come into force on such date as decided by order of the State Government.

2. **APPLICABILITY**

   2.1. These regulations shall apply to any Mixed Use buildings proposed under these regulations.

3. **DEFINITION**

   3.1. **"Act"** means the Gujarat Town Planning & Urban Development Act 1976.

   3.2. **"Appropriate Authority"** means authority as defined under Act

   3.3. **"Competent Authority"** means any person/ persons or authority or authorities; authorized by the Prescribed Officer as the case may be to perform such functions as may be specified under these regulations.

   3.4. **"Developer"** means and include a owner/person/persons/ registered society/ association/ firm/ company/ joint ventures/ institution/ trusts entitled to make an application to develop any hospitality project;

   3.5. **"Escape routes"** means any well ventilated corridor, staircase or other circulation space, or any combination of the same having, 2.5 mts minimum width, designed for the purpose of evacuation and by means of which, the occupants can reach to safe place in the open air at ground level.

   3.6. **"Fire escape stairways and routes"** means escape routes designed and placed as advised and approved by the fire officer;

   3.7. **"Fire Officer"** means the Chief fire officer of the Municipal corporation;

   3.8. **"GDCR"** means the prevalent General Development Control Regulations applicable for the relevant appropriate authority.

   3.9. **"Guest Drop off Canopy"** means the canopy at the main entrance.

3.10. **"Heritage Hotel"** means a hotel run in a fort, fortress, palace, haveli, castle, hunting lodge or residence with heritage features, built prior to January 1950 and approved by the Ministry of Tourism, Government of India. Such Heritage Hotels should also obtain necessary category certification from the competent authority.

3.11. **"Hotel & Mixed Use Development"** means any building or group of buildings of Hotel under Single Management with the minimum 50% of the total built-up area of plot used for the Hotel as a main activity and other allied activities like , recreation, entertainment, resorts, retail, tourist shopping, service apartment/apartment hotel, leisure activities and attached food services. Rest of the built up area can be used for other purposes like commercial, mall, multiplex, convention centre etc.

3.12. **"Refuge Area"** means an area designed and provided at various levels or floors in the building as per requirements in NBC, to hold occupants during a fire or any other emergency

3.13. **"Service Floor"** means a floor which shall be buffer to take care of structural transit, laying and looping of the service lines, and other service purposes only.

3.14. **"Atrium (plural atria)** "means a large open space, generally give the building a feeling of space and light, often several stories high and having a soft roofing / glazed roof and/or roofing of any material for safety from weather, but not to give a space/ support for any activity to be carried above it.

3.15. **"Global FSI"** means FSI permissible under these regulations irrespective of the zone.

3.16. **"Zone"** means the zone as designated in the prevalent sanctioned development plan of the appropriate authority

4. DUTIES OF THE COMPETENT AUTHORITY:

For the purpose of these regulations, the competent authority shall;

4.1. within 30 days from the receipt of the application, recommend to the State Government to approve or refuse the proposal;

4.2. may deny, after giving reasons in writing, if the proposal forms a part of any notified water body or any difficult area;

4.3. may recommend to the government to allow the benefits available under any scheme of the state or central government;

5. PROCEDURE FOR SECURING THE PERMISSION:

5.1. Subject to the provisions of these regulations and the GDCR, any developer intending to develop under these regulations, apply to the competent authority

under section 26 of the Act, along with the required documents and shall forward copy to the State Government.

5.2. With regard to procedure to be followed the manner of application, the documents to be submitted along with the applications, the protocols of drawings to be submitted, etc. unless otherwise prescribed, the provisions of GDCR of the appropriate authority shall apply mutatis mutandis.

6. PLANNING PROVISIONS

6.1 The Mixed use building having minimum area of 3500 sqmtr. abutting on road width 30 mts or more: (Except in the case of heritage hotel)

6.2 For the purpose of these regulations, irrespective of the Floor Space Index (FSI) prescribed in any zone, it shall be regulated as under:

Total FSI permitted on any plot shall be the sum of the Global FSI and Premium FSI where....

- Global FSI (GFSI) shall be.....
  - 0.6 in any area or
  - permissible FSI in a particular zone;
- Premium Floor Space Index (PFSI) shall be permitted at rate of 40% of the jantry.

6.3 The built up area of following shall be excluded from the computation of the FSI:

- Basement and other floors used for the parking;
- Refuge area as required as per NBC;
- Entrance Porch /Guest Drop Off Canopy area;
- Atrium;
- Fire escape stairways;
- Service floor;
- Ramps leading to parking spaces;
- Swimming pool on any floor
- Control room for security and Fire Control
- Sewerage Treatment Plant/ Effluent Treatment Plant
- Equipment /Air Handling Rooms (AHU) for air conditioning and ventilation requirements.

6.3.1 Guest Drop Off Canopy, Porch and Lift for the access to parking, at the ground level shall be permitted.

6.3.2 For safety and emergency exit, provide escape routes and refuge areas, on locations as required in the design.

The refuge and the escape area shall be regulated as under:

- to hold occupants during a fire or terror attack or any other emergency until rescued;

- Refuge Area shall be shall be regulated as under:
  - one or more refuge spaces, not necessarily be contiguous but connected with escape routes;
  - minimum area of 15 sq.mts and a minimum width of 3.0 mts
  - at least one refuge space be provided for every 6 floors or part thereof;
  - the refuge and the escape area shall be designed for safety of the occupants;
  - design of refuge area should comply with the provisions of NBC

6.3.3 Margins and Built-up area:

6.3.4 Notwithstanding anything contained in GDCR, margins shall be regulated as under:

a. Minimum clear margin of 9.0 mts in all sides shall be provided.

b. Nothing except cabin and structures related to security may be permitted in the margins;

6.3.5 Height of building:

Height higher than that permitted under the GDCR shall be known as additional height. The Additional height (AH) shall be regulated as under:

a. Up to 70 mts height shall be permitted on road width 30 mtr or more

b. more than 70 mtr height shall be permitted on road width 40 mtr or more

Provided that, in case of heritage hotel road width shall not be considered.

6.3.6 Parking:

a. Parking shall be permitted on any floor/ basements at any levels;

b. Parking in shall be allowed in one or more levels of basement;

c. Space for services which may include electric cabin, substation, a.c. plant room, Generator room, boiler room, hotel laundry, housekeeping, stores, lockers and rest room for the reserve staff. However such services shall only be permitted on one level of basement. Such uses shall strictly be ancillary to the principal use.

d. Mechanical parking shall be allowed at any level.

e. Minimum parking equivalent to 50 % of the consumed FSI shall be provided;

f. The parking can be provided in one or more lots. However it shall have to be provided within the same building unit;

6.3.7 Access for private cars, cyclists, pedestrians, service vehicles, emergency vehicles, physically challenged people, and public utility vehicles shall be designed for safety and convenience;

6.3.8 Access Points onto public roads should be located and designed in such a way as to minimise traffic hazards, queuing on public roads.

6.3.9 On each floor minimum of one service corridor of minimum 2.5 mts width, having access from each floor and is connected to the lift shall be provided;

6.3.10 Lifts – planning and design

The planning and design of lifts shall be in accordance with National Building Code of India.

7. MISCELLANEOUS PROVISIONS

7.1 There shall be no upper limit on Premium FSI & Height, subject to airport NOC, Structural Safety and NOC from Fire Department.

7.2 Where ever not mentioned, the provision GDCR shall apply mutatis mutandis.

7.3 Irrespective of any zone, uses proposed under these regulations shall be permitted. Provided that such permission can be denied by the government on account of safety.

7.4 Even after approval under these regulations, permissions from Airport Authority of India, Department of Forest and Environment for EIA clearance, NOC of Fire Department and all other relevant department, as required, shall be mandatory.

7.5 The structural safety of the building shall be the responsibility of the developer. and for the purpose of structural safety provision shall have to be made as per the Government order dated.11.12.14 No.NRY-142013-5116-L.

7.6 Deduction as decided by the competent authority shall be applicable in case where the plots are not the part of the Town Planning Scheme area.

8. GRANT / REFUSAL OF THE PERMISSION:

8.1 The State Government may on the receipt of the application under these regulations relax the GDCR and grant or refuse the proposal.

8.2 Validity and lapse of the permission shall be according to section 32 of the Act.

8.3 Development to be carried out in one year from the issue of the permission to construct or the issuance NA order, whichever is earlier;

---------- X ----------