

ANNEXURE - A

SECTION - I

Differential Building Bye Laws for Hilly & Plane Areas.

I(a) The following Specifications shall be adopted for Residential, Commercial, Public & Semi public & Mixed use plots or part thereof located on a slope of 40* up to 50* in Hilly Areas and at plots at average altitude up to 250m (MSL).

1. These Byelaws shall be applicable to plots located on a slope of 40* up to 50* and plots located at average altitude up to 250m.
2. These byelaws shall be in addition to Meghalaya Building Byelaws 2021 or as amended wherever applicable.
3. No construction shall be permitted on a plot having a slope of more than 50*
4. Where the plot is located adjacent to a water body (stream or river), the building regulations shall be governed additionally as per the “Meghalaya Water bodies (Conservation & Protection) Amendment Guidelines, 2023” (copy enclosed at **Annexure-B, Part 1**)
5. Generally, earth cutting shall be limited to a maximum of 3.00m only. However, the Authority may relax the same owing to site conditions and the maximum earth cutting height shall be up to the crest of the RCC wall being limited to 6.00m only.
6. Retaining wall / protection walls shall be constructed as per site requirement.
7. The authority shall examine the proposals on a case to case basis and issue specific instructions to be adopted as per site conditions which should be as per relevant clauses of the Byelaws in force.
8. Parking requirements shall be provided as per the provisions of Section D of the Meghalaya Building Byelaws 2021

TABLE I (a)

1	Plot size	Maximum permissible F.A.R	Maximum permissible Plot Coverage	Maximum number of permissible floors	Maximum Building Height in meters	Minimum setbacks
1	Up to 1000 Sq.ft.	1.50	50%	G+2 (3 storey)	11	Front = 2.5m, Rear = 1.5m Sides = 1.0m
2	1000 Sq.ft. to 2000 Sq.ft.	1.50	50%	G+2 (3 storey)	11	Front = 3.0m, Rear = 1.8 m Sides = 1.2m
3	Beyond 2000 Sq.ft	1.50	50%	G+2 (3 storey)	11	As per Table D-3 of MBBL2021 or as amended.

Note:

- a. Cantilevered projections (closed or open) shall be as per Table B-1 of the MBBL2021 or as amended.

I(c) Special provision for small Residential plot or plot size of EWS/LIG category. The followings shall be adopted:

TABLE I (b)

S l. no	Plot area	Maximum permissible F.A.R	Maximum permissible Plot Coverage	Maximum number of permissible floors	Maximum Building Height in meters	Minimum setbacks
1	300 Sq.ft to 500 Sq.ft	1.0	50%	G+1	7	Front = 2.1m, Rear = 1.0m Sides = 1.0m
2	500 Sq.ft.to 750 Sq.ft.	1.5	50%	G+2 (3 storey)	10	Front = 2.1m, Rear = 1.0m Sides = 1.0m
3	750 Sq.ft.to 1000 Sq.ft.	2	50%	G+3 (4 storey)	14	Front = 2.5m, Rear = 1.5m Sides = 1.0m

Note:

- a. Projections on the front side shall be permitted as per Table B-1 of MBBL2021 or as amended. No cantilevered projection (closed or open) shall be permitted on the side and rear setbacks.
- b. Parking provision for plot up to 1000 Sqft. shall not be insisted.
- c. For non-motorable footpath, the minimum front setback shall be 1.80m

I(d) PROVISION FOR BUILDING CONSTRUCTION ON LOW ALTITUDE AND ON PLOT OR PART THEREOF WHERE SLOPE IS LESS THAN 15*:

1. These Byelaws shall be applicable to plots located at an altitude of not more than 250m from the mean sea level and where the plot or part thereof is located on land with slope less than 15 degree

Relaxation shall be given in terms of F.A.R. and number of floors and the proposed building construction shall be governed by the clauses under “**City Centre Zone**” as per Byelaw D8 of MBBL 2021 and as amended.

I(e) PROTECTIVE MEASURES IN NATURAL HAZARD PRONE AREAS

1. Buildings to be provided with good drainage facilities to prevent excessive saturation of sub-surface formations.
2. Construction should not obstruct existing surface drainage courses.
3. Reference shall also be made to good practice for guidelines relating to siting, design and selection of materials for construction of residential buildings in hilly areas.
4. Construct diversion ditches and swales to direct runoff away from sensitive areas and into designated sediment basins.

5. Install silt fences, sediment barriers, or basins around the construction site to trap sediment and prevent it from leaving the site.

I(f) DESIGN STRATEGIES FOR WATER LOGGED PLAINS

1. Implement measures like gravel or rock construction entrances/exits to prevent mud and sediment from being tracked onto public roads.
2. Use temporary mulching and erosion control blankets on disturbed soil areas to reduce erosion and promote vegetation growth.
3. Strategically plant vegetation to help absorb excess water and improve soil permeability. Establish vegetative buffers along watercourses and at the site's perimeter to filter and absorb runoff, reducing its velocity and trapping sediments.
4. **Storm water inlet protection:** Install sediment filters or protect storm water inlets with barriers to prevent sediment and debris from entering the storm water drainage system.

I(g) SUSTAINABILITY OF BUILDING MATERIALS

1. Traditional building materials should be promoted.

Sustainability of natural resources for building materials shall be ensured through Conservation of available natural resources and use of supplementary materials such as Industrial/agricultural by products, renewable resources, and factory-made building components and recycled construction and demolition waste. Supplementary building materials (derived or processed waste) shall be suitably used in combination with conventional resources offers dual advantages in purview of Health & environmental benefits.

2. Use of Factory made pre-fabricated/pre-cast and recycled components with Green benefits:

- (a) Panels, hollow slabs, hollow blocks – etc. - conservation of materials, less water requirement.
- (b) Fly Ash bricks, Portland Pozzolana cement, Fly ash concrete, phosphor gypsum-based walling & roofing panels, particle wood – recycled use of industrial/ agricultural by-products.
- (c) Fly ash/ AAC (Autoclaved aerated light weight concrete) panels/ CLC (Cellular light weight concrete) panels- ensures thermal comfort (significant reduction in air conditioning requirement)
- (d) Use of bamboo & rapidly growing plantation timbers- environmental benefits. Local materials are generally suitable for prevailing geo-climatic conditions & have advantage of low transportation cost & time. Sustainable use of building materials shall be encouraged which may combine certain mandatory provisions and incentives.

3. Incentives in the form of Rebate on building permission fee.

“Undertake building construction by using locally available materials:
10% rebate of building permission fees provided that minimum 20% of the building materials used are sourced locally.”

I(h) Buffer Zones along Rivers and Water Channels.

Where the plot is located adjacent to a water body (stream or river), the building regulations shall be governed additionally as per the “Meghalaya Water bodies (Conservation & Protection) Amendment Guidelines, 2023.

(copy enclosed at **Annexure-B, Part 1**)

**GOVERNMENT OF MEGHALAYA
FOREST AND ENVIRONMENT DEPARTMENT**

NOTIFICATION

The August, 2023

No. FOR/CC/29/2019/Pt/.....Whereas Meghalaya's natural heritage encompasses its sacred groves, captivating caves, ancient living root bridges, majestic waterfalls, serene lakes and rivers which add to the state's charm and ecological significance and not only offer breath-taking views and vistas for tourists and visitors but also provide essential resources for the local communities;

And whereas preserving and conserving this natural heritage is crucial for maintaining the ecological balance and sustaining the unique ecosystems and species found within the state and also to support and sustain nature based tourism in the State;

And whereas waterbodies are vital components of our planet's ecosystems and play a fundamental role in the water cycle, supporting diverse species, providing resources for human societies and offering recreational and aesthetic value;

And whereas many waterbodies in Meghalaya are threatened by discharge of untreated domestic and industrial effluents, use of chemical fertilizers and pesticides in catchment, disposal of solid waste, construction of buildings and other structures in close vicinity of their banks resulting in loss of biodiversity and disruption in flow of ecosystem services from the waterbodies;

And whereas threats to waterbodies have drawn attention of Hon'ble High Court of Meghalaya in proceedings held before them in Public Interest Litigation No. 10 of 2019 In Re.: Cleanliness of Umiam Lake vs State of Meghalaya;

And whereas the Hon'ble High Court of Meghalaya in a series of orders passed in the said Public Interest Litigation has directed the Government of Meghalaya to *inter-alia* formulate comprehensive guidelines for conservation and protection of waterbodies in Meghalaya;

Now therefore in compliance of directions issued by the Hon'ble High Court of Meghalaya and in supersession of the Meghalaya Waterbodies (Preservation and Conservation) Guidelines, 2023 notified by the Government of Meghalaya vide Notification No. FOR/CC/29/2019/Pt/637 dated 18th July 2023, the Government of Meghalaya makes the following guidelines for conservation and protection of water bodies, namely:-

1. Short title, extent and commencement. (1) These guidelines may be called the Meghalaya Waterbodies (Conservation and Protection) Guidelines, 2023.

(2) These guidelines shall extend to the whole of Meghalaya.

(3) These guidelines shall come into force on the date of their publication in Meghalaya Gazette. Construction activities, including works in progress of buildings granted permission under Meghalaya Building Bye-Laws, 2021 shall not come under the purview of these guidelines.

2. Definitions.- (1) In these guidelines, unless the context otherwise requires,-

- (a) **‘Government’** means State Government of Meghalaya;
- (b) **‘prescribed’** means prescribed by the Government by a Notification published in the Meghalaya Gazette;
- (c) **‘regulated zone’** means individual plots of land located in immediate vicinity of the no-construction zone where construction of building and other structures shall be regulated in the manner provided in paragraph 5 of these guidelines;
- (d) **‘urban areas’** means cantonments, census towns, master plan areas, municipal areas, scheme areas, district headquarters towns and such other areas as may be prescribed;
- (e) **‘waterbody’** means a certain clearly distinguishable part of surface water, such as a lake, a pond, a stream, a river or a part of a stream or a river, but does not include paddy fields, irrigation canals, human made water bodies specifically constructed for aquaculture, seasonal rivers and streams or parts thereof where the entire bed remained dry for a period not less than 240 days during each of the past ten calendar years and also the ponds, water tanks and lakes where the entire bed remained dry for a period not less than 240 days during each of the past ten calendar years;
- (f) **‘waterbody setback’** means an area located in immediate vicinity of the mean high flood level of a water body observed in the past ten years where no new construction of permanent nature except the structures and activities specified in paragraph 4 shall be permitted;

(2) The words and expressions used in these guidelines and not defined but defined in the Environment (Protection) Act, 1986 (No. 29 of 1986); the Wetlands (Conservation and Management) Rules, 2017 (Published in the Gazette of India: Extraordinary vide G.S.R. 1203 (E) dated 26.09.2017) and the Meghalaya Building Bye-Laws, 2021 (Published in the Gazette of Meghalaya vide Notification No. UAU.73/2016/Pt/402 dated 09.03.2021) shall have the meaning assigned to them in the afore-mentioned Act, Rules and Bye-Laws.

3. Activities prohibited in waterbodies. – The following activities shall be prohibited in waterbodies, namely:-

- (a) conversion for any other purpose including encroachment of any kind;
- (b) setting up of any industry or expansion of existing industries;
- (c) manufacture or handling or storage or disposal of construction and demolition waste covered under the Construction and Demolition Waste Management Rules, 2016; hazardous substances covered under the Manufacture, Storage and Import of Hazardous Chemical Rules, 1989 or the Rules for Manufacture, Use, Import, Export and Storage of Hazardous Microorganisms Genetically Engineered Organisms or Cells, 1989 or the Hazardous Waste (Management, Handling and Transboundary Movement) Rules, 2008; electronic waste covered under the E-Waste (Management) Rules, 2016;
- (d) dumping of solid waste and bio-medical waste;
- (e) discharge of untreated wastes and effluents from industries, cities, towns, villages and other human settlements.

4. Activities permitted in waterbody setback. – (1) The following activities and structures shall only be permitted in the waterbody setback, namely:-

(a) construction of boat jetties:

Provided use of cheap quality plastic materials, as specified by the Meghalaya State Pollution Control Board, which results in discharge of any harmful chemical substance or micro-plastic particles in the water body shall be prohibited in construction of boat jetties;

(b) erection of boundary pillars;

(c) perimeter fencing of a nature which does not hinder in any manner free flow of rain water to or from the waterbody;

(d) bank stabilization activities including construction of embankment and retaining wall;

(e) construction of jack wells, pump-house and such other similar structures required for drawl of water from the waterbody;

(f) construction of dam, weir and hydro power plant;

(g) construction of footpath for public use;

(h) construction of unmetalled approach roads to extract sand, boulder and other minerals as per a valid licence or permit issued by the concerned competent authority;

(i) temporary storage of sand, boulder and other minor mineral extracted from the waterbody as per a valid licence or permit issued by the concerned competent authority;

(j) repair of existing buildings and other structures;

(k) erection of tents and semi-permanent rain shelters, gazebos and structures required to store tools, equipments and machineries required for water sports activities in the waterbody:

Provided that all such structures shall be made up of bamboo, wood, thatch and such other renewable wood products without using cement and steel;

(l) temporary campsites, parks, gardens and playgrounds; and

(m) planting of trees, shrubs and other landscaping activities.

(2) The structures constructed in the waterbody setback shall have design features and colour scheme which blend with the surrounding landscape.

5. Afforestation of waterbody setback.-To prevent soil erosion and to enhance aesthetic beauty, dense plantation of native species shall be undertaken in the waterbody setback.

6. Extent of waterbody setback.- Extent of water body setback shall not be less than the same specified in column 3 of the Tables given in **Appendix** to these guidelines.

7. Regulation of activities in regulated zone.-(1) Plot coverage, floor area ratio, number of floors and heights of buildings constructed in regulated zone shall not be more than the same specified in the Tables given in

Appendix to these guidelines.

(2) All the buildings and structures located in the regulated zone shall install appropriate facilities to ensure that no untreated solid or liquid waste is discharged into the waterbody.

(3) In the buildings located in the regulated zone, septic tank, sewage treatment plant and effluent treatment plant shall be located from the waterbody setback at a minimum distance of 6 meter or half the depth of the plot, whichever is higher:

Provided that in the areas having steep slope where middle of the plot from the waterbody setback falls in the floor other than the ground floor, septic tank, sewage treatment plant, and effluent treatment plant shall be located at a minimum distance of 6 meter or three-fourth of the depth of the ground floor, whichever is higher.

8. Prohibition on the use of pesticides and chemical fertilizers. Pesticides and chemical fertilisers of such nature as may be prescribed shall not be used in the waterbody setback, regulated zone and such other areas located in vicinity of the regulated zone as may be prescribed.

9. Restriction on installation of hoardings, billboards, signage and certain built forms. Hoardings, billboards, signage and built forms of such size and such other specifications as may be prescribed shall not be installed in waterbody setback, regulated zone and such other areas located in vicinity of the regulated zone as may be prescribed to ensure unhindered view of waterbodies.

10. Implementation mechanism.- (1) In the areas where provisions of the Meghalaya Building Bye-Laws, 2021 extend, authorities responsible for implementation of these Bye-Laws shall be responsible for implementation of these guidelines.

(2) In the areas where provisions of the Meghalaya Building Bye-Laws, 2021 do not extend, these guidelines shall be implemented by such authorities in such manner as may be prescribed.

11. Monitoring Committee. (1) A Monitoring Committee under Chairmanship of Chief Secretary will be constituted to monitor implementation of these guidelines.

(2) The Monitoring Committee shall meet at least once every three months.

12. Guidelines not in derogation of any other law. -The provisions of these guidelines shall be in addition to and not in derogation of the provisions of any other law for the time being in force.

Table:1. SITING NORMS FOR BUILDINGS AND OTHER STRUCTURES FOR NON-RIVERINE WATERBODIES

Sl. No	Area of water body	Extent of Waterbody Setback	Parameters for Regulated Zone				
			Maximum Plot Coverage	Maximum F.A.R.	Maximum number of floors	Maximum building height	Type of building
1.	Up to 1ha.	10 m	40 %	1.00	2	7.6 m from any part of ground level	Residential
						8.2 m from any part of ground level	Non- Residential
2.	1 ha. to 500 ha.	20 m	40 %	1.00	2	7.6 m from any part of ground level	Residential
						8.2 m from any part of ground level	Non- Residential
3.	Above 500 ha.	50 m	40 %	1.00	2	7.6 m from any part of ground level	Residential
						8.2 m from any part of ground level	Non- Residential

Table 2: SITING NORMS FOR BUILDINGS AND OTHER STRUCTURES FOR RIVERINE WATERBODIES IN AREAS OTHER THAN URBAN AREAS

Sl. No.	Width of Riverine Waterbody	Size of Adjoining Plot	Extent of Waterbody Setback	Parameters for Regulated Zone				
				Maximum Plot Coverage	Maximum F.A.R.	Maximum Number of Floors	Maximum building height	Type of Building
1.	Up to 4m	Any size	10 m	50 %	1.00	2	7.6 m from any part of ground level	Residential
							8.2 m from any part of ground level	Non- Residential
2.	More than 4m	Up to 500 sqm	15 m	50 %	1.0	2	7.6 m from any part of ground level	Residential
							8.2 m from any part of ground level	Non- Residential
		500 -700 sqm	25 m	40 %	0.8	2	7.6 m from any part of ground level	Residential
							8.2 m from any part of ground level	Non- Residential
		Beyond 700 sqm	50 m	40 %	0.8	2	7.6 m from any part of ground level	Residential
							8.2 m from any part of ground level	Non- Residential

APPENDIX - 3

Table: 3.SITING NORMS FOR BUILDINGS AND OTHER STRUCTURES FOR RIVERINE WATERBODIES IN URBAN AREAS OTHER THAN MUNICIPAL AREAS AND CANTONMENTS

Sl. No.	Width of Riverine Waterbody	Extent of Waterbody Setback	Parameters for Regulated Zone			
			Maximum Plot Coverage	Maximum F.A.R.	Maximum Number of Floors	Maximum building height
1.	Up to 3 m	5m	As per the Meghalaya Building Bye-Laws, 2021			
.2.	More than 3 m	10 m	As per the Meghalaya Building Bye-Laws, 2021			

APPENDIX - 4

Table: 4.SITING NORMS FOR BUILDINGS AND OTHER STRUCTURES FOR RIVERINE WATERBODIES IN CANTONMENTS AND MUNICIPAL AREAS

Sl. No.	Width of Riverine Waterbody	Extent of Waterbody Setback	Parameters for Regulated Zone			
			Maximum Plot Coverage	Maximum F.A.R.	Maximum Number of Floors	Maximum building height
1.	Up to 3 m	3m	As per the Meghalaya Building Bye-Laws, 2021			
.2.	More than 3 m	6 m	As per the Meghalaya Building Bye-Laws, 2021			
