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PREFACE

Building Bye-Laws are tools used to regulate coverage, height, building bulk, and architectural design and construction aspects of buildings so as to achieve orderly development of an area. They are mandatory in nature and serve to protect buildings against fire, earthquake, noise, structural failures and other hazards. In India, there are still many small and medium sized towns which do not have building bye-laws and in the absence of any regulatory mechanism, such towns are confronted with excessive coverage, encroachment and haphazard development resulting in chaotic conditions, inconvenience for the users, and disregard for building aesthetics, etc. It is in this context, TCPO has made an effort to prepare “Model Building Bye-Laws” for the guidance of the State Govts, Urban Local Bodies, Development Authorities, etc. This will facilitate the local bodies to play effective role in enforcing the implementation of the Master Plans since Twelfth schedule of the 74th Constitutional Amendment Act, 1992 empowers such local bodies to prepare and enforce the Master Plan for orderly development of urban areas. These may be adopted with modifications in accordance with local requirements and conditions and should be made a part of the Master Plan document.

The Model Building Bye-Laws contain eight chapters. The important features of the Model Bye Laws are that there is a separate chapter (Chapter-3) on Development Code pertaining to residential and non-residential premises, which cover all types of uses. Another chapter (Chapter-5) highlights the need for structural safety and services. Further separate chapters have been devoted to Fire Protection and Safety (Chapter-7) and Conservation of Heritage Sites (Chapter-8). The Bye-Laws also provide for the facilities in the public buildings for handicapped persons.

It is hoped that the document will be prove useful for State Govts, Urban Local Bodies, Development Authorities, State Town Planning Departments and other Planning Agencies in various parts of the country.

New Delhi
July, 2004
Planner

(K.T.GURUMUKHI)
Chief

Chapter-1
DEFINITIONS

I GENERAL

1. In these Bye-Laws, unless the context otherwise requires the definition given shall have the meaning indicated against each term.
2. All mandatory Master Plan/Zonal Plan regulations regarding use, land use, coverage, FAR, set- back, open space, height, number of stories, number of dwelling units, parking standards etc. for various categories of buildings including modification therein made from time to time shall be applicable mutatis mutandis in the Building Bye-Laws regulations under this clause. All amendments /modifications made in the aforesaid regulations shall automatically stand deemed to have been included as part of these Bye-laws.

II DEFINITION

1. **“Act”**- The Act of the Local Body/Authority concerned.
2. **“Advertising Sign”**- Any surface or structure with characters, letters or illustrations applied thereto and displayed in any manner whatsoever outdoors for the purpose of advertising or giving information or to attract the public to any place, person, public performance, article, or merchandise, and which surface or structure is attached to, forms part of, or is connected with any building, or is fixed to a tree or to the ground or to any pole, screen, fence or hoarding or displayed in space, or in or over any water body included in the jurisdiction of the Authority.
3. **“Authority”**- The local body having jurisdiction over the matter referred to, hereinafter called the Authority.
4. **“Application”**- An application made in such form as may be prescribed by the Authority from time to time.

5. **“Area”**- In relation to a building means the superficies of a horizontal section thereof made at the plinth level inclusive of the external walls and of such portions of the party walls as belong to the building.
6. **“Air-conditioning”**- A process of treating air to control simultaneously its temperature, humidity, cleanliness and distribution to meet the requirement of an enclosed space.
7. **“Addition and/or Alteration”**- A structural change including an addition to the area or change in height or the removal of part of building, or any change to the structure, such as the construction or removal or cutting into of any wall or part of a wall, partition, column, beam, joist, floor including a mezzanine floor or other

- support, or a change to or closing of any required means of access ingress or egress or a change to fixtures or equipment" as provided in these Bye-Laws.
8. **“Amenity”**- Includes roads, street, open spaces, parks, recreational grounds, play grounds, gardens, water supply, electric supply, street lighting, sewerage, drainage, public works and other utilities, services and conveniences.
 9. **“Approved”**- As approved/sanctioned by the Authority under these Bye-Laws.
 10. **“Balcony”**- A horizontal projection, cantilevered or otherwise including a parapet" handrail, balustrade, to serve as a passage or sit out place.
 11. **“Barsati”**- A habitable room/rooms on the roof of the building with or without toilet / kitchen.
 12. **“Basement or Cellar”**- The lower storey of a building, below or partly below the ground level.
 13. **“Building”**- A structure constructed with any materials whatsoever for any purpose, whether used for human habitation or not, and includes:-
 - i) Foundation, plinth, walls, floors, roofs, chimneys, plumbing and building services, fixed platforms etc.
 - ii) Verandahs, balconies, cornices, projections etc.
 - iii) Parts of a building or anything affixed thereto;
 - iv) Any wall enclosing or intended to enclose any land or space, sign and outdoor display structures; etc.,
 - v) Tanks constructed or fixed for storage of chemicals or chemicals in liquid form and for storage of water, effluent, swimming pool, ponds etc.,
 - vi) All types of buildings as defined in (a) to (q) below, except tents, shamianas and tarpaulin shelters erected temporarily for temporary purposes and ceremonial occasions, shall be considered to be "buildings".
 - a. **“Assembly Building”**- A building or part thereof, where groups of people congregate or gather for amusement, recreation, social, religious, patriotic, civil, travel and similar purposes and this includes buildings of drama and cinemas theatres, drive-in-theatres, assembly halls, city halls, town halls, auditoria, exhibition halls, museums, "mangal karyalayas", skating rinks, gymnasia, restaurants, eating or boarding houses, places of worship, dance halls, clubs,

- gymkhanas and road, railways, air, sea or other public transportation stations and recreation piers.
- b. **“Business Building”**- Includes any building or part thereof used principally for transaction of business and/or keeping of accounts and records including offices, banks, professional establishments, court houses etc., if their principal function is transaction of business and/or keeping of books and records.
- c. **“Education Building”**- Includes a building exclusively used for a school or college, recognized by the appropriate Board or University, or any other Competent Authority involving assembly for instruction, education or recreation incidental to educational use, and including a building for such other uses as research institution. It shall also include quarters for essential staff required to reside in the premises, and building used as a hostel captive to an educational institution whether situated in its campus or outside.
- d. **“Hazardous Building”**- Includes a building or part thereof used for:
- i) Storage, handling, manufacture or processing of radioactive substances or highly combustible or explosive materials or of products which are liable to burn with extreme rapidity and/or producing poisonous fumes or explosive emanations;
 - ii) Storage, handling, manufacture or processing of which involves highly corrosive, toxic or noxious alkalis, acids, or other liquids, gases or chemicals producing flame, fumes and explosive mixtures etc. or which result in division of matter into fine particles capable of spontaneous ignition.
- e. **“Industrial Building”**- Includes a building or part thereof wherein products or material are fabricated, assembled or processed, such as assembly plants, laboratories, power plants, refineries, gas plants, mills, dairies and factories etc.,
- f. **“Institutional Building”**- Includes a building constructed by Government, Semi-Government Organizations or Registered Trusts and used for medical or other treatment, or for an auditorium or complex for cultural and allied activities or for an hospice, care of persons suffering from physical or mental illness, handicap, disease or infirmity, care of orphans, abandoned women, children and infants,

- convalescents, destitute or aged persons and for penal or correctional detention with restricted liberty of the inmates ordinarily providing sleeping accommodation and includes dharamshalas, hospitals, sanatoria, custodial and penal institutions such as jails, prisons, mental hospitals, houses of correction, detention and reformatories etc.,
- g. **“Mercantile Building”**- Includes a building or part thereof used as shops, stores or markets for display and sale of wholesale and or retail goods or merchandise, including office, storage and service facilities incidental thereto and located in the same building.
 - h. **“Multi-Storeyed Building or High Rise Building”**- A building above 4 stories, and/or a building exceeding 15 meters or more in height above the average level of front road.
 - i. **“Multi Level Car Parking Building”**- A building partly below ground level having two or more basements or above ground level, primarily to be used for parking of cars, scooters or any other type of light motorized vehicle.
 - j. **“Office Building (premises)”**- includes a building or premises or part thereof whose sole or principal use is for an office or for officer purposes or clerical work. "Officer purposes" include the purpose of administration, clerical work, handling money, telephone, telegraph and computer operation; and "clerical work" includes writing, book -keeping, sorting papers, typing, filling, duplicating, punching cards or tapes, machine calculations, drawing of matter for publication and editorial preparation of matter for publication.
 - k. **“Special Building”**- Includes assembly, industrial, hazardous buildings, buildings used for wholesale establishments, hotels, hostels, centrally air conditioned buildings and which exceed 15 meters in height and have a total built up area exceeding 600 sq m.
 - l. **“Storage Building”**- A building or part thereof used primarily for storage or shelter of goods, wares, merchandise and includes a building used as a warehouse, cold

storage, freight depot, transit shed, store house, public garage, hanger, truck terminal, grain elevator, barn and stables.

- m. **“Wholesale Establishment”**- An establishment wholly or partly engaged in wholesale trade and manufacture, wholesale outlets, including related storage facilities, warehouses and establishments engaged in truck transport, including truck transport booking agencies.
- n. **“Residential Building”**- includes a building in which sleeping and living accommodation is provided for normal residential purposes, with cooking facilities

- and includes one or more family dwellings, apartment houses, flats, and private garages of such buildings.
- o. **“Detached Building”**- Includes a building with walls and roofs independent of any other building and with open spaces on all sides within the same plot.
 - p. **“Semi-detached Building”**- A building detached on three sides with open space as specified in these regulations.
 - q. **“Mixed Land Use Building”**- A building partly used for non-residential activities and partly for residential purpose.
 - r. **“Unsafe Building”**- Includes a building which:
 - i) Is structurally unsafe, or
 - ii) Is insanitary, or
 - iii) Is not provided with adequate means of ingress or egress or
 - iv) Constitutes a fire hazard or
 - v) Is dangerous to human life or
 - vi) In relation to its existing use, constitutes a hazard to safety or health or public welfare by maintenance, dilapidation or abandonment.

Note: - All unsafe buildings /structure will require to be restored by repairs, demolition or dealt with as directed by the Authority. The relevant provisions of the Act shall apply for procedure to be followed by the Authority in taking action against such buildings.

- 14. **“Building Line”**- The line upto which the plinth of building adjoining a street or an extension of a street or on a future street may lawfully extend and includes the lines prescribed, if any, in any scheme and/or development plan.
- 15. **“Building Height”**- The vertical distance measured
 - i) In the case of flat roofs from the average level of the front road and continuance to the highest point of the building.
 - ii) In case of pitched roofs upto the point where the external surface of the outer wall intersects the finished surface of the sloping roof and
 - iii) In the case of gables facing the road. the mid point between the eaves level and the ridge. Architectural features serving no other function except that of decoration shall be excluded for the purpose of taking heights. The height

of the building shall be taken upto the terrace level for the purpose of fire safety requirement.

- 16. “Canopy”**-shall mean a cantilevered projection from the face of the wall over an entry to the building at the lintel or slab level provided that:
- i) It shall not project beyond the plot line.
 - ii) It shall not be lower than 2.3 m. or 7’- 6” when measured from the ground.
 - iii) There shall be no structure on it and the top shall remain open to sky.
- 17. “Chajja”**- A sloping or horizontal structural overhang provided over openings on external walls for protection from the weather.
- 18. “Cabin”**- A non-residential enclosure constructed of non-load bearing partitions.
- 19. “Chimney”**- A construction by means of which a flue is formed for the purpose of carrying products of combustion to the open air and includes a chimneystack and flue pipe.
- 20. “Conversion”**- The change from one occupancy to another occupancy or any change in building structure or part thereof resulting in a change of space and use requiring additional occupancy certificate.
- 21. “Courtyard”**- A space permanently open to sky, enclosed fully or partially by buildings and may be at ground level or any other level within or adjacent to a building.

- 22. “Covered Area”-** The Ground area covered immediately above the plinth level covered by the building but does not include the space covered by:
- a. Garden, rockery, well and well structures, plant nursery, waterpool, swimming pool (if uncovered), platform round a tree, tank, fountain, bench, chabutra with open top and unenclosed on sides by walls and the like;
 - b. Drainage culvert, conduit, catch-pit, gully-pit, chamber, gutter and the like; and
 - c. Compound wall, gate, slide/ swing door, canopy, and areas covered by chajja or similar projections and staircases which are uncovered and open at least on three sides and also open to sky.
- 23. “Cornice”-**means a sloping or horizontal structural overhang usually provided over openings or external walls to provide protection from sun and rain.
- 24. “Damp Proof Course”-** A course consisting of some appropriate water proofing material provided to prevent penetration of dampness or moisture.
- 25. “Drainage”-** A system constructed for the purpose of removal of wastewater.
- 26. “Drain”-** A system or a line of pipes, with their fittings and accessories, such as manholes, inspection chambers, traps, gullies, floor traps used for drainage of building or yards appurtenant to the buildings within the same cartilage; and includes an open channel for conveying surface water or a system for the removal of any waste water.
- 27. “Dwelling”-** A building or a portion thereof which is designed or used wholly or principally for residential purposes for one family.
- 28. “Encroachment”-** means an act to enter into the possession or rights either of permanent or temporary nature on a land or built up property of local body or state/ central Government.
- 29. “Empaneled Architect”-** A person empanelled by the Authority as per rules under the bye-laws as an authorized person to sanction building plans of residential

- buildings upto 15 m. in height and for plot sizes upto one hectare, forming part of any approved lay-out plan.
- 30. “Enclosed Staircase”**-means a staircase separated by fire resistant walls and doors from the rest of the building.
- 31. “Existing Building”**- A building or structure existing authorisedly with the approval of the Authority before the commencement of these Bye-Laws.
- 32. “Existing Use”**- Use of a building or structure existing authorisedly with the approval of the Authority before the commencement of these Bye-Laws.
- 33. “External Wall”**- An outer wall of a building not being a party wall even though adjoining to a wall of another building and also means a wall abutting on an interior open space of any building.
- 34. “Exit”**- A passage channel or means of egress from the building, its storey or floor to a street or, other open space of safety; whether horizontal, outside and vertical exits meaning as under:-
- i) Horizontal exit means an exit, which is a protected opening through or around a fire well or bridge connecting two or more buildings.
 - ii) Outside exit mean an exit from building to a public way to an open area leading to a public way or to an enclose a fire resistant passage leading to a public way.
 - iii) Vertical exit means an exit used for ascending or descending between two or more levels including stairway, fire towers, ramps and fire escapes.
- 35. “Fire and/or Emergency Alarm System”**-means an arrangement of call points or detectors, sounders and other equipment for the transmission and indication of alarm signals working automatically or manually in the event of fire.
- 36. “Fire Lift”**-Means a special lift designed for the use of fire service personnel in the event of fire or other emergency.
- 37. “Fire Proof Door”**-Means a door or shutter fitted to a wall opening, and constructed and erected with the requirement to check the transmission of heat and fire for a period.
- 38. “Fire Pump”**-Means a machine, driven by external power for transmitting energy to fluids by coupling the pump to a suitable engine or motor, which may have

- varying outputs/capacity but shall be capable of having a pressure of 3.2 kg/cm² at the topmost level of multi-storey or high rise building.
- 39. “Fire Pump-Booster Fire Pump”**-Means a mechanical/electrical device that boots up the water pressure at the top level of a multi-storeyed / high-rise building and which is capable of a pressure of 3.2 kg/cm² at the nearest point.
- 40. “Fire Resistance”**-Means the time during which a fire resistant material i.e. material having a certain degree of fire resistance, fulfills its function of contributing to the fire safety of a building when subjected to prescribed conditions

- of heat and load or restraint. The fire resistance test of structures shall be done in accordance with IS: 3809-1979 Fire Resistance Test of Structure.
- 41. “Fire Separation”**-Means the distance in meters measured from any other building on the site or from another site, or from the opposite side of a street or other public space to the building.
- 42. “Fire Service Inlet”**-Means a connection provided at the base of a building for pumping up water through in built fire-fighting arrangements by fire service pumps in accordance; with the recommendation of the Chief Fire Officer.
- 43. “Fire Tower”**-Means an enclosed staircase that can only be approached from the various floors through landings or lobbies separated from both the floor area and the staircase by fire resistant doors.
- 44. “Fire Hazard Industries”**-
- i) "Low Fire Hazard Industries" includes engineering industries using/processing or assembling non-combustible materials i.e. lathe machines, steel works, steel components etc.
 - ii) "Moderate Fire Hazard Industries" includes industries using / processing combustible materials but not flammable liquid etc., plastic industries, rubber, and PVC industries, textile, paper, furniture, flour mills etc.
 - iii) "High Fire Hazard Industries" includes industries using/processing flammable liquids, gases, chemicals petroleum products, plastic or thermo setting group etc.
- 45. “Fire Resisting Building”**- means a building in which material, which has, appropriate degree of fire resistance is used.
- 46. “Floor”**- The lower surface in a storey on which one normally walks in a building, and does not include a mezzanine floor. The floor at ground level with direct access to a street or open space shall be called the ground floor; the floor above it shall be

termed as floor- 1, with the next higher floor being termed as floor- 2, and so on upwards.

- 47. “Floor Area Ratio (FAR)”**- The quotient of the ratio of the combined covered area (plinth area) of all floors, excepting areas specifically exempted under these regulations, to the total area of plot, viz.: -

$$\text{Floor Area Ratio (FAR)} = \frac{\text{Total Covered Area on All Floors}}{\text{Plot Area}} \times 100$$

- 48. “Footing”**- A foundation unit constructed in brickwork, stone masonry or concrete under the base of a wall or column for the purpose of distributing the load over a larger area.
- 49. “Foundation”**- That part of the structure, which is in direct contact with ground and transmits loads over it.
- 50. “Front Air Plane”**- The plane contained between the ground in front of the building and the straight lines drawn downwards and outwards from the line of

intersection of the outer surface of any front wall of the building with the roof perpendicular to that line, and at an angle of 63-1/2 degrees to the horizontal;

Note: The 63-1/2 degrees angle has a tangent of 2:1 so that if the ground is the level, the air plane reaches the ground at a distance from the exterior wall equal to half the height of the above level of that ground.

51. **"Gallery"**- An intermediate floor or platform projecting from a wall of an auditorium or a hall providing extra floor area, and/additional seating accommodation and includes the structures provided for seating in stadia.
52. **"Garage-Private"**- A building or a portion thereof designed and used for the parking of vehicle.
53. **"Garage-Public"**- A building or portion there of, designed other than as a private garage, operated for gain, designed and/or used for repairing, servicing, using, selling or storing or parking motor driven or other vehicles.
54. **"Ground Floor"** shall mean storey, which has its floor surface nearest to the ground around the building.
55. **"Group Housing"** means a building unit constructed or to be constructed with one or more floors having more than two dwelling units having common service facilities.
56. **"Habitable Room"**- A room occupied or designed for occupancy for human habitation and incidental uses, but excluding kitchen, bath room, water closet

- compartment, laundry, serving and storing, pantry, corridor, cellar, attic, store room, pooja room and spaces not frequently used.
57. **“Illuminated Exit Signs”**- A device for indicating the means of escape during normal circumstances and power failure.
58. **“Jhamp”**- A downward, vertical or sloping projection hanging below any horizontal projection like balcony, canopy, verandah, passage etc, to provide protection from direct sun and rain.
59. **“Jhot”** -A strip of land permanently left open for drainage purposes. It is not to be used as an access way or a street and is not to be included as a part of setbacks.
60. **“Katra or Chawl”**- A building so constructed as to be suitable for living in separate tenements each consisting a single room, or of two, but not of more than two rooms and with common sanitary arrangements.
61. **“Ledge or Tand”**- A shelf-like projection supported in any manner whatsoever except by vertical supports within a room itself but without a projection of more than half a meter.
62. **“Licensed Architect / Engineer / Supervisor / Plumber”**- A qualified Architect, Engineer, Plumber who has been enrolled/licensed by the Authority.
63. **“Lift”**- A mechanically guided car, platform for transport of persons and materials between two or more levels in a vertical or substantially vertical direction.
64. **“Lobby”**- means a covered space in which all the adjoining rooms open.
65. **“Loft”**- An intermediate floor between two floors or a residual space in a pitched roof above normal level constructed for storage with maximum clear height of 1.5 meters.
66. **“Light Plane”**- The plane lying between the line of intersection of the floor of any room in a building with the outer surface or an exterior wall of the building and the straight lines drawn upwards and outwards from those lines drawn upward and
- Note:* for the purpose of the definition of light plane, the outer surface of any verandah abutting on an interior or side open space shall be considered to be the exterior wall of the building. outwards from lines perpendicular thereto at an angle of 63 1/2 degrees to the horizontal.
67. **“Masonry”**- An assemblage of masonry units properly bound together by mortar.

- 68. “Masonry Unit”** -An unit whose net cross-sectional area in every plane parallel to the bearing surface is 75% or more of its gross cross-sectional area measured in the same plane. It may be either of clay, brick, stone, concrete, sand lime brick or any other construction material.
- 69. “Master Plan”**- A Master Plan for town approved by the Government.
- 70. “Mezzanine Floor”**- An intermediate floor, not being a loft, between the floor and ceiling of any storey.
- 71. “Mumti or Stair Cover”**- A structure with a covering roof over a staircase and its landing built to enclose only the stairs for the purpose of providing protection from weather and not used for human habitation.
- 72. “Means of Escape”**- An escape route provided in a building for safe evacuation of occupants.
- 73. “MCB/ELCB”**- Devices for tripping of electrical circuits in event of any fault in the circuit / installation.
- 74. “Non Combustible Material”**- A material which is not liable to burn or add heat to a fire when tested for combustibility in accordance with the latest code of Bureau of Indian Standards Method of Test for combustibility of Building Materials.
- 75. “Occupancy or use”**- The principal occupancy or use for which a building or a part of it is used or intended to be used i.e. contingent/subsidiary occupancies.

- Mixed occupancy buildings being those in which more than one occupancy is present in different portions of the buildings.
- 76. “Open space”**- An area forming an integral part of a site left open to the sky.
- 77. “Owner”**- A person, group of persons, a company, trust, institute, registered body, state or central govt. and its attached sub-ordinate departments, and in whose name is vested the ownership dominion or title of the property and includes: -
- i) A receiver, executor or administrator or a manager appointed by any court of competent jurisdiction to have the charge of or to exercise the rights of the owner.
- 78. “Parapet”**- A low wall or railing built along the edge of a roof or a floor.
- 79. “Parking space”**- An enclosed or unenclosed covered or open area sufficient in size to park vehicles. Parking spaces shall be served by a driveway connecting them with a street or alley and permitting ingress and egress of vehicles.
- 80. “Partition”**- An interior divider of story or part storey in height.
- 81. “Permanent Open Air Space”**- Air space permanently open:
- i) If it is a street.
 - ii) If its freedom from encroachment is protected by any law or contract ensuring that the ground below it is either a street or is permanently and irrevocably appropriated as an open space.
- 82. “Permission or Permit”**- A valid permission or authorization in writing by the competent Authority to carryout development or a work regulated by the Bye-Laws.
- 83. “Party Wall” includes-**
- i) A wall forming part of a building and being used or constructed to be used in any part of the height or length of such wall for separation of adjoining

- buildings belonging to different owners or constructed or adopted to be occupied by different persons; or
- ii) A wall forming part of a building and standing in any part of the length of such wall, to a greater extent than the projection of the footing on one side or ground of different owners.
- 84. “Plinth”-** The portion of a structure between the surface of the surrounding ground and surface of the floor immediately above the ground.
- 85. “Plinth Area”-** The built up covered area measured at the floor level of the basement or of any storey.
- 86. “Plot”-** A parcel or piece of land enclosed by definite boundaries.
- 87. “Porch”-** A covered surface supported on pillars or otherwise for the purpose of a pedestrian or vehicular approach to a building.
- 88. “Road/Street”-** Any highway, street, lane, pathway, alley, stairway, passageway, carriageway, footway, square, place or bridge whether a thorough-fare or over which the public have a right of passage or access or have passed and have access uninterruptedly for specified period, whether existing or proposed in any scheme and includes all bends, channels, ditches, storm water drains, culverts sidewalks, traffic islands, roadside trees and hedges, retaining walls fences, barriers and railing within the street lines .
- 89. “Retention Activity”** -An activity or use which is allowed to continue, notwithstanding its non-conforming nature in relation to the use permitted in the adjoining or surrounding area.
- 90. “Road/Street Level or Grade”** – The officially established elevation or grade of the centerline of street upon which a plot fronts, and if there is no officially established grade, the existing grade of street at its mid-point.
- 91. “Road/Street Line”** – The line defining the side limits of a road/street.
- 92. “Road Width or Width of Road/Street”** – The whole extent of space within the boundaries of a road when applied to a new road/street as laid down in the city

- survey or development plan or prescribed road lines by any act of law and measured at right angles to the course or intended course of direction of such road.
- 93. “Row Housing”** – A row of houses with only front, rear and interior open spaces.
- 94. “Rear Air Plane”** – The plane contained between the ground behind the building and the straight line drawn downwards and outwards from the line of intersection of the outer surface of any rear wall of the building with the roof perpendicular to that line and at an angle 63-1/2 degree to the horizontal.
- 95. “Room Height”** – The vertical distance measured from the finished floor surface to the finished ceiling.
- 96. “Service Road”** – A road/lane provided at the front, rear or side of a plot for service purpose.
- 97. “Set-back Line”** – A line usually parallel to the plot boundaries or center line of a road and laid down in each case by the Authority or as per recommendations of

- Master/Zonal Plan, beyond which nothing can be constructed towards the plot boundaries excepting with the permission of the Authority.
- 98. “Settlement”**- A human settlement, whether urban or rural in character. It includes habited villages, towns, townships, cities and the areas notified under the control of the Authority.
- 99. “Site”**- A parcel or piece of land enclosed by definite boundaries.
- 100. “Site Corner”**- A site at the junction of and fronting on two or more roads or streets.
- 101. “Site Depth”**- The horizontal distance between the front and rear side boundaries.
- 102. “Site with Double Frontage”**- A site having frontage on two streets other than corner plot.
- 103. “Site, Interior or Tandem”**- A site, access to which is by a passage from a street whether such passage forms part of the site or not.
- 104. “Storey”**- The portion of a building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between any floor and the ceiling next above it.
- 105. “Spiral Staircase”**- A staircase forming continuous winding curve round a central point or axis provided in an open space having tread without risers.
- 106. “To abut”**- To be positioned juxtaposed to a road, lane, open space, park, building etc.
- 107. “To Erect”**- in relation to a building means:
- i) To erect a new building on any site whether previously built upon or not;
 - ii) To re-erect any building of which portions above the plinth level have been pulled down, burnt or destroyed; and
 - iii) Conversion from one occupancy to another.
- 108. “Unauthorised Construction”**-means the erection or re-erection, addition or alternations which is not approved or sanctioned by the Authority.
- 109. “Underground/Overhead Tank”**- An underground/overhead water tank, constructed or placed to store water.
- 110. “Ventilation”**- shall mean the supply of outside air into a building through window or other openings due to wind out side and convection effects arising from

- temperature, or vapour pressure differences (or both) between inside and outside of the building.
- 111. “Water Closet (W.C)”-** A privy with an arrangement for flushing the pan with water, but does not include a bathroom.
- 112. “Window”-** An opening to the outside other than a door, which provides all or part of the required natural light or ventilation or both to an interior space and not used as a means of egress/ingress.
- 113. “Zonal Plan”-** A plan detailing out the proposals of Master Plan and acting as a link between Master Plan and the Layout Plan. It may contain a site plan and land use plan with approximate location and extent of land uses such as public & semi public buildings/works, utilities, roads, housing, recreation, industry, business, markets, schools, hospitals open spaces etc. It may also specify standards of population density and various components of development of the zone.

Chapter-2

JURISDICTION AND APPLICABILITY OF THE BUILDING BYE-LAWS

- 2.10 The Building Bye-Laws shall apply to the building activity in the State/Urban Center/Town for which they are framed.
- 2.11 **DEVELOPMENT AND CONSTRUCTION:** Except hereinafter or otherwise provided, these Bye-Laws shall apply to all development, redevelopment, erection and/or re-erection of a building etc. as well as to the design, construction of, or reconstruction and additions and alterations to a building.

- 2.12 **PART CONSTRUCTION:** Where the whole or part of a building is demolished or altered or reconstructed, except where otherwise specifically stipulated, these Building Bye-Laws shall apply only to the extent of the work involved.
- 2.13 **CHANGE OF USE / OCCUPANCY:** Where use of a building is changed, except where otherwise specifically stipulated, these Building Bye-Laws shall apply to all parts of the building affected by the change.
- 2.14 **RECONSTRUCTION:** The reconstruction in whole or part of a building which has ceased to exist due to fire, natural collapse or demolition having been declared unsafe, or which is likely to be demolished by or under an order of the Authority as the case may be and for which the necessary certificate has been given by the Authority shall be allowed subject to these Bye-Laws.
- 2.15 **EXISTING APPROVED BUILDING:** Nothing in these Bye-Laws shall require the removal, alteration or abandonment, nor prevent continuance of the lawfully established use or occupancy of an existing approved building unless, in the opinion of the Authority such a building is unsafe or constitutes a hazard to the safety of adjacent property or to the occupants of the building itself.
- 2.16 **INTERPRETATION:** In these Bye-Laws, the use of present tense includes the future tense, the masculine gender includes the feminine and the neutral, the singular number, includes the plural and the plural includes the singular. The word person includes a corporation as an individual, writing includes printing and typing and signature includes thumb impression made by a person who cannot write, if her / his name is written near to such thumb impression.
- 2.17 **DEVELOPMENT**
- 2.17.1 **Development Permission:** No person shall carry out any development or redevelopment including sub-division on any plot or land (not forming part of any

- approved layout plan or scheme) or cause to be done without obtaining approval from the Authority for the layout plan.
- 2.17.2 **Building Permit:** No person shall erect, re-erect or make addition/ alterations in any building or cause the same to be done without, first obtaining a separate building permit for each such building from the Authority.
- 2.17.3 **Pre-Code Building Permit:** Where any building permit which has been issued by the Authority before the commencement of the Building Bye-Laws and where construction is in progress and has not been completed within the specified period from the date of such permit, the said permission shall be deemed to be sanctioned under these Bye-Laws and shall only be eligible for revalidation thereunder. Accordingly, where the validity of sanction has expired and construction has not commenced, construction shall be governed by the provisions of these Building Bye-Laws.

2.18 PROCEDURE FOR OBTAINING BUILDING PERMIT.

2.18.1 Notice: Every person who intends to erect, re-erect or make alternation in any place in a building or demolish any building shall give notice in writing to the Authority of his intention in the prescribed form (See Appendix A and A-1) and such notice shall be accompanied by plans and statements in sufficient copies. The plans may be ordinary prints on ferro-paper or any other type, one of them shall be cloth mounted. One set of such plans shall be released and the rest retained in the office of the Authority for record after the issue of permit or refusal as the case may be.

2.18.2 Copies of Plans and Statements: Normally 4 copies of plan and statement shall be made available along with the notice. In case of building schemes where the clearance is required from Chief Fire Officer, the number of copies of the plans and statements accompanying the notice shall be 6. In case of sites requiring the clearance of lessor, extra copies of the plan shall be made available.

2.18.3 Information Accompanying Notice: The notice shall be accompanied by the location plan, site plan, subdivision / layout plan, building plan, services plan, specifications and certificate of supervision, ownership title and other documents as prescribed by the Authority.

2.18.4 Documents:

Application for building permit shall be accompanied by the following documents:

- a) Ownership Documents-lease-deed/sale-deed etc. duly accompanied by an annexed site plan; giving the physical description of the plot/property. In such cases where lease- deed has not been executed, no objection certificate from the Authority/lessor. Also an affidavit/undertaking for handing over of the land required for road widening as in Appendix B.
- b) In case of any deviation from the terms and conditions stipulated in the lease deed/ ownership document, necessary clearance from the Authority.
- c) No objection certificate from the Authority regarding land use as per Master/Zonal Plan, if required.
- d) Approval from the Chief Inspector of Factories in case of Industrial Buildings; as well as from the Pollution Control Board, wherever required.

- e) Approval from Chief Controller of Explosives, Nagpur and Chief Fire Officer, in case of hazardous buildings.
- f) Indemnity Bond in case of proposal for the construction of a basement as given in Appendix-B-1.
- g) Approval from Chief Fire Officer, in case of building defined under clause 1.13. VI (a to m) shall be required.
- h) The notice shall also be accompanied by an attested copy of house tax receipt/NOC from the Assessment Department of the local body concerned.
- i) No objection certificate from the Civil Aviation Department wherever required.
- j) Undertaking as at Appendix A-5 on non-judicial stamp paper of the amount prescribed by the Authority.
- k) In case the site falls in the built-up area declared as slum under any Act no objection certificate from the Competent Authority, from slum clearance and land use points of view.
- l) In case the application is for a Farmhouse, Motel, approval/NOC from the Competent Authority from land acquisition point of view.
- m) In case of the leasehold plots, clearance from the lessor with regard to the lease conditions shall be obtained wherever required.
- n) For individual plot, wherever required, approval of the site from the Competent Authority, if not the part of already approved layout plan.
- o) Any other information/document, which the Authority may require in case of listed buildings or otherwise.

2.18.5 Size of Drawing Sheets and Colouring of Plans

The size of drawing sheets shall be any of those specified in Table 2.1.

Table 2.1 Drawing Sheet Sizes

Sl. No.	Designation	Trimmed Size, (mm.)
1	A0	841 x 1189
2	A1	594 x 841
3	A2	420 x 594

4	A3	297 x 420
5	A4	210 x 297
6	A5	148 x 210

2.18.6 **Colouring Notations for Plans:** The plans shall be coloured as specified in table

2.2. Further, prints of plans shall be on one side of paper only.

2.18.7 **Dimensions:** All dimensions shall be indicated in metric units.

Table –2.2 Colouring of Plans

Sl.No.	Type	Colour
1.	Proposed work including services	Red
2.	Existing construction proposed to be demolished.	Yellow
3.	Existing structure to be retained	Blue
4.	Work in progress duly sanctioned	Green
5.	Open Space	Not to be coloured

2.10 KEY/SITE PLAN

2.10.1 (i) Key Plan: A key plan drawn to a scale of not less than 1: 10,000 shall be submitted along with notice showing boundary and location of the site with respect of neighborhood land marks, in area where there is no approved layout plans.

(ii) Site Plan: The site plan to be sent along with the application for permit shall be drawn to a scale of 1 : 100 for plots upto 500 sq. mt. in size and on a scale of 1:500 for plots above 500 sq. mt. in size. The plan shall show as below:

- a) The boundaries of the site and any contiguous land belonging to the owner thereof.
- b) The position of the site in relation to neighboring street.
- c) The names of the streets on which the building is proposed to be situated, if any.
- d) All existing buildings standing on, over or under the site.
- e) The position of the building and of all other buildings, if any, which the applicant intends to erect upon his contiguous land referred to in (a) in relation to.

- i) The boundaries of the site and in case where the site has been partitioned, the boundaries of the portion; owned by the applicant and also of the portions owned by others.
 - ii) All adjacent streets / buildings (with number of storeys and height) and premises within a distance of 12m. of the site and of the contiguous land, if any, referred to in (a); and
 - iii) If there is no street within a distance of 12 mt. of the site, the nearest existing street.
- f) The means of access from the street to the building, and to all other buildings, if any which the applicant intends to erect upon his contiguous land, referred to in (a).
 - g) Space to be left about the building to secure a free circulation of air, admission of light and access.
 - h) The width of the street, if any, in front, at the sides or rear of building.
 - i) The direction of north point relative to the plan of the buildings.
 - j) Any existing physical features such as well, drains, trees, over head electric supply lines etc.
 - k) The ground area of the whole property and the breakup of covered area on each floor with the calculation for percentage covered in each floor in terms of the total area of the plot as required under the Bye-Laws governing the coverage of the area.
 - l) Parking plans indicating the parking spaces wherever required.
 - m) Such other particulars as may be prescribed by the Authority; and
 - n) Building number or plot number of the property on which the building is intended to be erected.

2.10.2 Layout Plan: The layout plan shall be formulated as per the norms of Master Plan and shall be approved as per the procedure followed by the Authority, under the provisions of relevant Act.

2.10.3 Landscape Plan: Landscape plan is to be to the scale of 1:100 for plot upto 500 sq.mt in size and for plots above 500 sq.m., the scale shall be 1:500, indicating the circulation and parking spaces, pathways (hard surface), greenery and plantation (soft area) etc.

2.10.4 Building Plan: The plans of the building, elevations and sections accompanying the notice with dimensions shall be drawn to a scale of 1: 50 for plots measuring upto 250 sq.m., for plots measuring above 250 sq.m. to a scale of 1: 100, and for plots measuring 2000 sq.m. and above to a scale of 1: 200 with details on a scale of 1:100 and shall:

- a) Include floor plans of all floors together with the covered area clearly indicating the size and spacing of all frame members and sizes of rooms and the position and width of staircases, ramps and other exit ways, lift ways, lift machine room and lift pit details.
- b) Show the use or occupancy of all parts of the building.
- c) Show exact location of essential services, for example W.C., Sink. Bath etc.
- d) Include sectional drawing showing clearly the sizes of the footings, thickness of basement wall, wall construction, size and spacing of framing members, floor slabs and roof slabs with their materials. The section shall indicate the heights of building and rooms and also the heights of the parapet and drainage and the slope of the roof. At least one section shall be taken through the staircase, kitchen and toilet, bath and W.C.
- e) Show all elevations.
- f) Indicate details of service privy, if any.
- g) Give dimensions of the projected portions beyond the permissible building line.
- h) Include terrace plan indicating the drainage and the slope of the roof.
- i) Give indications of the north point relative to the plan.
- j) Details of parking spaces provided.
- k) Give indication of all doors, windows and other openings including ventilators with sizes in proper schedule.
- l) Such other particulars as may be required to explain the proposal clearly and as prescribed by the Authority.

2.10.5 Building Plans for Multi-Storeyed/Special Buildings: For multi-storeyed buildings, which are above 4 storeyed and buildings above 15 m. in height and for special buildings like assembly, institutional, industrial storage and hazardous

occupancies as defined under clause 1.13. VI (a to m) the following additional information shall be furnished/indicated in the building plans in addition to the item (a) to (i) of Building Bye-Laws 2.10.4.

- a) Access to fire appliances/vehicles with details of vehicular turning circle/and clear motorable access way around the building.
- b) Size (width) of main and alternate staircase along with balcony approach, corridor, ventilated lobby approach.
- c) Location and details of lift enclosures.
- d) Location and size of fire lift.
- e) Smoke stop lobby/door where provided.
- f) Refuse chutes, refuse chamber, services duct, etc.
- g) Vehicular parking spaces.
- h) Refuge area if any.
- i) Details of building services-air conditioning system with position of dampers, mechanical ventilation system, electrical services, boilers, gas pipes etc.
- j) Details of exits including provision of ramps, etc. for hospitals and special risks.
- k) Location of generator, transformer and switchgear room.
- l) Smoke exhaust system if any.
- m) Details of fire alarm system network.
- n) Location of centralized control, connecting all fire alarm systems, built-in fire protection arrangements and public address system, etc.
- o) Location and dimension of static water storage tank and pump room.
- p) Location and details of fixed fire protection installations such as sprinklers, wet risers, hose reels, drenchers, CO² installation etc.
- q) Location and details of first aid fire fighting equipment/installation.
- r) The proper signs/symbols and abbreviation of all fire fighting systems shall be shown as per the relevant B.I.S. Codes.

2.10.6 Services Plan and Water Supply Provisions

- i) Plans, elevations and sections of private water supply, sewage disposal system and details of building services, where required by the Authority, shall be made available to a scale not less than 1: 100.
- ii) For residential plots more than 2000 sq.m. and non-residential plots more than 1 hectare in size, the following provisions shall be made:
 - a) Separate conveying system to be provided for sewerage and sullage to facilitate reuse of sullage water for gardening and washing purposes. This may require suitable storage facilities that are to be indicated on the building plans
 - b) For recharging ground water, rainwater-harvesting provisions are to be provided within the plot, which are to be indicated on the building plans.

2.10.7 Specifications : General specification of the proposed construction giving type and grade of material proposed to be used in the form given in Appendix A-2 duly signed by the Architect/Engineer/Supervisor may be shown accompanying the notice as the case may be.

2.10.8 Supervision and Execution of Drainage / Sanitary works: A certificate of supervision and execution of drainage/sanitary works shall further accompany notice in the prescribed form given in Appendix A-3, by the Architect/Engineer/Supervisor as the case may be.

2.11 SIGNING OF PLANS

2.11.1 Signing the Building Plans

All plans before submission to the Authority shall be signed by the owner(s) and by a qualified Architect who has valid registration with Council of Architecture.

2.11.2 Layout Plans

All layout plans before submission to the Authority shall be signed by the owner(s) and by one of the following:

- a) Architect holding a valid registration with the Council of Architecture for Layout Plans of plots measuring more than 1 Ha. and below 10 Ha.
- b) Town Planner holding valid registration with the Institute of Town Planners, India for plots measuring 10 Ha. and above.

2.12 NOTICE FOR ALTERATION

When the notice is only for an alteration of the building only such plans and statement as may be necessary, shall accompany the notice.

2.12.1 No notice and building permit, is necessary for the following alterations, which do not otherwise violate any provisions regarding general building requirements, structural stability and fire safety requirements of these Bye-Laws;

- a) Plastering and patch repairs;
- b) Re-roofing or renewals of roof including roof of intermediate floors at the same height;
- c) Flooring and re-flooring;
- d) Opening and closing of windows, ventilators and doors not opening towards other's properties and / or public road/property;
- e) Replacing fallen bricks, stones, pillars, beams etc.

- f) Construction or re-construction of sunshade not more than 75cms. in width within one's land and not overhanging over a public street;
- g) Construction or re-construction of parapet not more than 1.5 m. in height and also construction or re-construction of boundary wall as permissible under these Bye-Laws;
- h) White-washing, painting, etc. including erection of false ceiling in any floor at the permissible clear height provided the false ceiling in no way can be put to use as a loft etc;
- i) Reconstruction of portions of buildings damaged by storm, rains, fire, earthquake or any other natural calamity to the same extent and specification as existed prior to the damage provided the use conforms to provisions of Master Plan/Zonal Plan;
- j) Erection or re-erection of internal partitions provided the same are within the purview of the Bye-Laws.

2.13 BUILDING PERMIT FEES

Building fees for covered area in plotted development/group housing; additions/alterations/revised plan; revalidation of plans; plan submission fee; for NOC/occupancy; for use of city infrastructure during the construction and other charges may be as determined by the Authority.

2.14 SANCTION

2.14.1 a) Planning Permission/Norms with respect to the provisions of Master Plan/Development Plan : The Owner, if she / he so desires, may apply to the Authority in a format (Appendix -"C") for planning permission/Norms through his Architect submitting (i) title documents; (ii) Development Code/Zoning Regulations of Master Plan/Development Plan and (iii) Building Bye-Laws, which she / he intends to follow.

The Owner/Architect may indicate the Development Code interpretation of Master Plan/Development Plan and may support this through schematic drawings/sketches.

The Authority may verify the title document and scrutinize, the interpretation of Development Code / Zoning Regulations and accord planning permission within 60 days of submission of the application to the Owner/Architect. Procedure may however, be prescribed by the Authority in this behalf.

b) Sanction by Empanelled Architects : Architects empanelled under the rules shall be authorized to issue building permit subject to various provisions of the said rules.

c) Standard Building Plans: In case of standard building plans prepared by the Authority for residential plots upto 50 sq.mt. in size and forming part of the approved layout plan, the owner shall be entitled to sign such standard plans and the required documents for sanction. In such cases, Architect / licensed Engineer / licensed Supervisor certificate would not be necessary and the owner shall be bound to follow the standard plans.

2.14.2 Grant of permit or Refusal

- a) The Authority may either sanction or refuse sanction to the plans and specifications or may sanction them with such modification or directions as it may deem necessary and thereupon shall communicate its decision to the person giving the notice in the prescribed form given in Appendix " A-6" and Appendix " A- 7".
- b) The building plans for buildings identified in Bye-Laws no. 2.10.5. shall be subject to the scrutiny of the Chief Fire Officer and building permit shall be given by the Authority only after the clearance from the Chief Fire Officer is obtained.
- c) In case where the building scheme requires the clearance of Urban Art Commission, if constituted for the city then the Authority shall issue the building permit only after getting the clearance from the Urban Art Commission.

- d) If, within 60 days of the receipt of notice under 2.9.1 of the Bye-Laws, the Authority fails to intimate in writing to the person who has given the notice, of its refusal or sanction to the notice with its plans and statements, the same shall be deemed to have been sanctioned provide the fact is immediately brought to the notice of the Authority in writing by the person who has given notice and having not received any intimation from the Authority within 15 days of giving such notice subject to the conditions mentioned in these Bye-Laws, nothing shall be construed to authorize any person to do anything in contravention or against the terms of the lease or title of the land or against any regulations, Bye-Laws or ordinance operating at the time of execution of the work at site.
- e) Once the plan has been scrutinized and objections have been pointed out, the Owner who has given the notice under 2.9.1 shall modify the plan to comply with the objections raised and resubmit the modified plans. The Authority shall scrutinize the resubmitted plans and if, there are still some objections that shall be intimated to the applicant for compliance. Only thereafter the plans shall be sanctioned. It is further clarified that:
 - i) The above provision of deemed sanction shall only be applicable in those cases where construction is to be carried on plot forming part of an approved layout plan of the Authority.
 - ii) No notice under 2.9.1 shall be valid unless the information required by the Authority under these Bye-Laws or any further information which may be required has been furnished to the satisfaction of the Authority.
 - iii) The Owner/ Architect/Engineer/Supervisor and others shall be fully responsible for any violation of Master Plan/Zonal Plan/ Building Bye-Laws, architectural controls, lease deed conditions etc. In case of any default they shall be liable for action. Any construction so raised shall be deemed to be unauthorized.

2.14.3 Duration of Sanction/Revalidation : Once a building permit is sanctioned, it shall remain valid for three years from the date of sanction for residential, industrial and commercial buildings (4 storeyed) and for a period of four years from the date of sanction for multi-storeyed buildings of 15 m. and above in height. However, the validity period of sanction in case of additions/alterations in both the cases, shall be two years from the date of sanction. The building permit shall be got revalidated in the prescribed form (Appendix- A-8) before the expiry of this period on year-to-year basis. Revalidation shall be subject to the Master Plan/Zonal Plan regulation and building Bye-laws, as in force, for the area where construction has not started.

2.14.4 Revocation of Permit : The Authority may revoke any building permit issued under the provisions of the Bye-Laws, wherever there has been any false statement, misrepresentation of material facts in the application on which the building permit was based.

Or

If during construction it is found that the Owner has violated any of the provisions of the Building Bye-Laws or sanctioned plan or compoundable limits.

Fresh sanction of building plans and occupancy certificate shall be taken from the Authority after bringing the building within the framework of Master Plan/ Zonal Plan/ Building Bye-Laws.

2.14.5 Qualification and competence

Qualification and competence of Town Planner/Architect/Engineer/Supervisor/Plumber/Fire Consultant/Urban Designer are given in Appendix -"E".

2.14.6. Penal Action

- a) The Authority reserves the right to take action and to debar/black list the Town Planner, Architect, Engineer, Supervisor or Plumber, if found to have deviated from professional conduct or to have made any misstatement or on account of misrepresentation of any material fact or default either in authentication of a plan or in supervision of the construction against the building Bye-Laws and the sanctioned building plans.

- b) If the sanctioning Authority finds at any time any violation of the building Bye-Laws or misrepresentation of fact, or construction at variance with the sanction or building Bye-Laws, inclusive of the prescribed documents, the Authority shall be entitled to revoke the sanction and take appropriate action against such professional and such professional shall not be authorized to submit fresh plans till finalisation of the case. Before debarring or blacklisting such professional if found to be indulging in professional misconduct or where she / he has misrepresented any material fact the Authority shall give him a show cause notice with a personal hearing and shall pass a speaking order to debar her / him for submission and supervision of the construction with full justification for the same. An appeal against this speaking order shall lie with the Authority with whom she / he is registered.

2.14.7 Unauthorized Development

In case of unauthorized development, the Authority shall take suitable action, which may include demolition of unauthorized works, sealing of premises, prosecution and criminal proceeding against the offender in pursuance of relevant laws in force.

2.15 PROCEDURE DURING CONSTRUCTION WORK

2.15.1 a) Construction to be in conformity with Bye-Laws – Owners’ liability: Neither the granting of the permission nor the approval of the drawings and specification, nor inspection by the Authority during erection of the building, shall in any way relieve the Owner of the building from full responsibility for carrying out work in accordance with these Bye-Laws.

b) Notice for commencement of work: Before commencement of the building work at site for which building permit has been granted, the owner shall within the

validity period of sanction give notice to the Authority, of his intention to start the work at the building site in the proforma given in Appendix A-9.

The Owner may commence the work after seven days have lapsed from the date of such notice or earlier, if permitted.

2.15.2 Documents at Site : The person to whom a permit is issued shall during construction keep

- a) Posted in a conspicuous place on the property in respect of which the permit was issued, a copy of the building permit;
- b) A copy of the approved drawings and specifications referred in Bye-Laws 2.14 of the property in respect of which the permit was issued.
- c) Where tests of any materials are made to ensure conformity with the requirements of the Bye-laws, records of test data shall be kept available for inspection during the construction of the building and for such a period thereafter as required by the Authority.

2.15.3 Checking of Building During Construction

The Owner through his Architect /Engineer/Supervisor shall give notice to the Authority in the proforma given in Appendix-A-10 on completion of the work up to plinth level to enable the local body to ensure that work conforms to the sanctioned building plans and Building Bye-laws. It will be obligatory on the part of the local body to inspect the work and submit the objection, if any, to the owner and Architect/Engineer/Supervisor within 30 days from the receipt of such notice in Appendix A-11 failing which work will be deemed to be cleared for further construction. It will be the responsibility of the Owner/Architect/Engineer/Supervisor to ensure further construction of the building in accordance with the sanctioned building plan. .

It will also be obligatory on the part of the Authority to carryout periodic inspection as may be determined by the Authority during further construction. A report of each inspection shall be prepared in duplicate by the Authority in the proforma as per Appendix A-11 and a copy of the same duly signed by the Authority shall be given to the Owner or to his Architect/Engineer /Supervisor.

2.16 NOTICE OF COMPLETION

Every Owner shall submit a notice of completion of the building (prescribed in Appendix-A-12) to the Authority regarding completion of the work described in the building permit. The notice of completion shall be submitted by the Owner through the Architect/Engineer/Supervisor as the case may be who has supervised the construction, in the proforma given in Appendix- A -12 accompanied by three copies of completion plan (as in case of sanctioned plan including one cloth mounted copy) and the following documents along with the prescribed fee:

- i) Copy of all inspection reports of the Authority.
- ii) Clearance from Chief Fire Officer, whenever required.
- iii) Clearance from Chief Controller of Explosives, Nagpur, wherever required.
- iv) Clearance from Electricity Department (Municipal Council / Corporation for areas falling in the jurisdiction of Municipal Council / Corporation) regarding provision of transformers / sub-station / ancillary power supply system etc. wherever required.
- v) Structural stability certificate duly signed by the Architect / Engineer.
- vi) Certificate of fitness of the lift from concerned Department wherever required.
- vii) Two sets of photographs from all sides duly signed by Owner/ Architect/ Engineer, as the case may be.
- viii) Any other information/document that the Authority may deem fit.
- ix) A certificate by the Owner and Architect/Supervisor /Engineer for covering up the underground drain, sanitary and water supply work, under their supervision and in accordance with Building Bye-laws and sanctioned building plans stipulated in the Appendix A-13 as applicable.

- x) In case of large campus/complex, completion of individual block/building will be issued by the local body in accordance with the construction work completed phase wise in the proforma given in Appendix A-13.
- xi) The extension of time up to the date of applying for completion certificate. In case, if the completion certificate is refused due to deviation, which cannot be compounded, the completion will be rejected and extension of time will be required accordingly.
- xii) No Objection Certificate for regular water supply and electricity may be issued only after the completion certificate is obtained.

2.17 OCCUPANCY/ COMPLETION CERTIFICATE

2.17.1 The Authority on receipt of the notice of completion shall inspect the work and communicate the approval or refusal or objection thereto, in the proforma given in Appendix A-14 and A-15 within 30 days in case of plotted development and 60 days for Group Housing Schemes from the receipt of notice of completion. Approval to occupancy certificate shall not be refused for the residential buildings as defined under clause 1.12VI (n) unless the Authority is satisfied that major deviations have been carried out after the last inspection of the Authority. If nothing is communicated within this period, it shall be deemed to have been approved by the Authority for occupation provided the fact is immediately brought to the notice of Authority in writing by the person, who had given the notice and has not received any intimation from the Authority within 15 days. Where the occupancy certificate is refused, the reasons shall be intimated for rejecting in the first instance itself.

2.17.2 In case of buildings as defined in clause 1.12. VI (a) to (m), the work shall also be subject to the inspection of the Chief Fire officer, and the occupancy certificate shall be issued by the Authority only after the clearance from Chief Fire Officer regarding the completion of work from the fire protection point of view.

2.17.3 In case, where the building scheme requires the clearance of Urban Art Commission, then the Authority shall issue the occupation certificates only after getting clearance from Urban Art Commission.

2.17.4 Time limit of 30 days as described in 2.17.1 shall not apply to buildings as described in clause 2.17.2 & 2.17.3.

2.18 OCCUPANCY/COMPLETION CERTIFICATE (In Part)

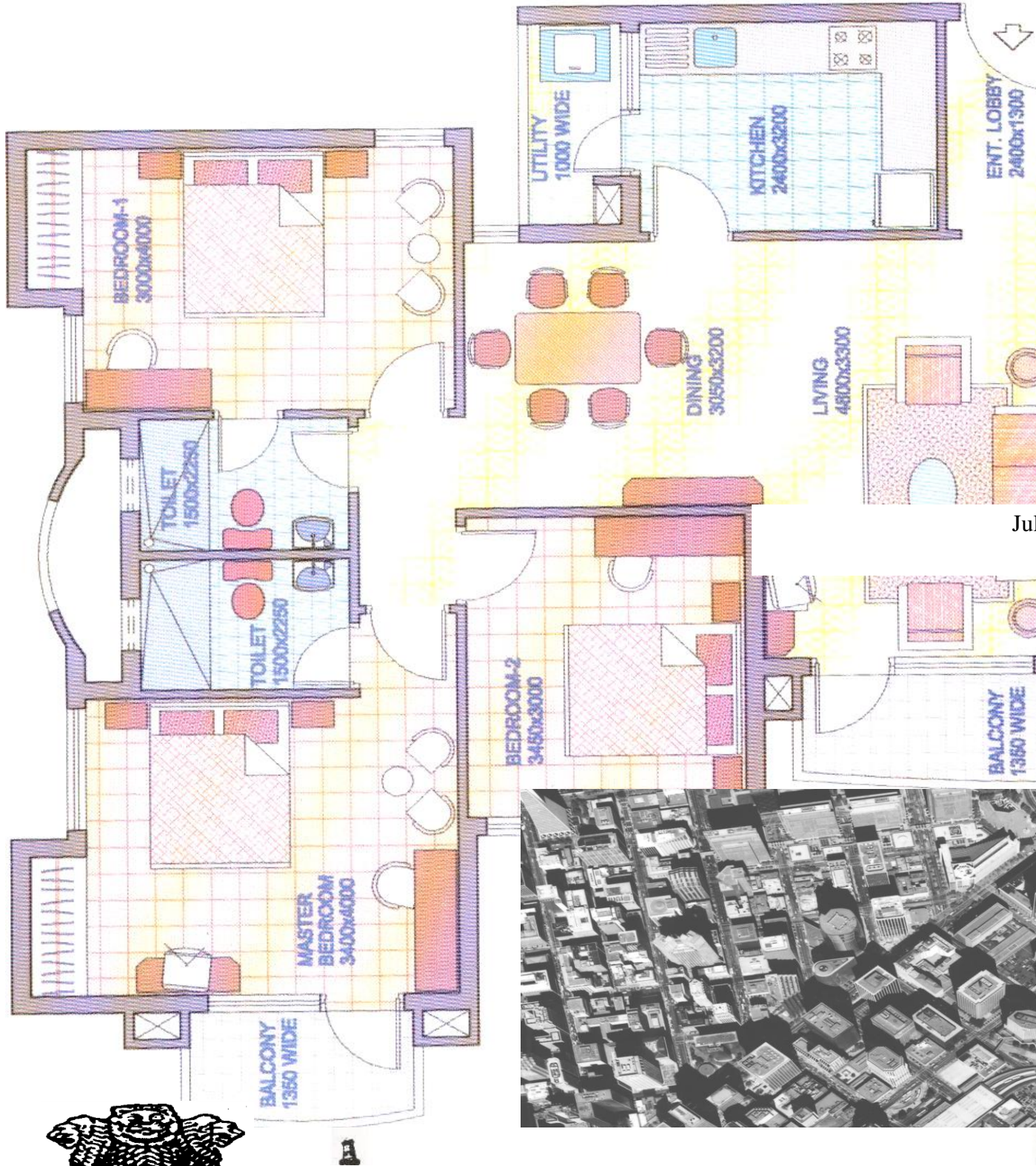
2.18.1 In such cases where a project has not been completed at one stretch but constructed in different stages, part occupancy/completion certificate for the building otherwise complete in all respects, may be issued subject to the condition that such a part occupancy/completion certificate would apply to an independent block/building of the sanctioned project. In case of a residential house part occupancy/completion may be issued for an independent floor.

2.18.2 For projects referred to in building Bye-Laws 2.18.1 the rest of the construction which forms part of the sanctioned plan/scheme shall be completed in the remaining sanctioned or extended period after revalidation as the case may be. Thus the remaining sanction will not lapse if the part completion certificate is issued. The remaining construction shall be completed in the validity period.

2.19 CONNECTION TO THE MUNICIPAL SEWER / WATER MAINS

- a) Temporary connection for water, electricity or sewer, permitted for the purpose of facilitating the construction, shall not be allowed to continue in the premises without obtaining completion/occupancy certificate.
- b) No connection to the Municipal water mains or to the Municipal sewer line with a building shall be made without the prior permission of the Authority and without obtaining occupancy /completion certificate.
- c) In case the use is changed or unauthorized construction is made, the Authority is authorized to discontinue such services or cause discontinuance of such services.

Model Building Bye-laws



1.1.1.1 Town & Country Planning Organisation
Ministry of Urban Development, Govt. of India