

GOVERNMENT OF KERALA

LOCAL SELF GOVERNMENT (RD) DEPARTMENT

NOTIFICATION

G.O.(MS) No.41/11/LSGD

Dated, Thiruvananthapuram 14/02/2011.

S.R.O.No.127/2011 – In exercise of the powers conferred by Sections 235A, 235B, 235F, 235P, 235W read with Section 254 of the Kerala Panchayat Raj Act, 1994 (13 of 1994) and in supersession of the notification issued under G.O.(Ms)No. 150/2007/LSGD Dated 6th June, 2007 and published as S.R.O.No.495/2007 in the Kerala Gazette Extraordinary No.1045 dated 6th June 2007, the Government of Kerala hereby make the following rules, namely:-

RULES

CHAPTER- I

DEFINITIONS

1. Short title, applicability, commencement.- (1) These rules may be called the Kerala Panchayat Buildings Rules, 2011.

(2) They shall apply to all Village Panchayats in the State.

(3) They shall come into force at once.

2. Definition.- (1) In these rules, unless the context otherwise requires,-

(a) '*access*' means the way to a plot or building;

(b) '*accessory building*' means a building attached or detached to a building in a plot, and containing one or more accessory uses;

(c) '*accessory use*' means any use of the premises, subordinate to the principal use and customarily incidental to the principal use;

(d) '*Act*' means the Kerala Panchayat Raj Act, 1994 (Act 13 of 1994);

(e) '*advertising sign*' means any sign either free, supported or attached to a building or other structure which advertises an individual, a firm, a society, an establishment or a product displayed on the said premises for identification purposes;

(f) '*alteration*' means a structural change, such as an addition to the area or height, or addition of floor/floors or mezzanine floor within any existing floor height, or change of existing floor or change of roof to concrete slab or re-construction of existing walls or construction of concrete beams and columns amounting to structural change, or construction of internal walls for sub-dividing the existing rooms with the intention of changing the use of the room/ rooms which amount to change in the occupancy group of the building under these rules, or closing of any required means of ingress or egress to the building ;

(g) '*apartment*' means a part of a building intended for any type of independent use including one or more rooms or enclosed spaces located on one or more floors or parts thereof in a building, intended to be used for residential purposes and with a direct exit to a public street, road or highway or to a common area, leading to such street, road or highway. This word is synonymous with residential flat;

(h) '*appendix*' means the appendix to these rules;

(i) '*approved plan*' means the set of drawings and statements submitted under these rules for obtaining development permit or building permit duly approved by the Secretary;

(j) '*balcony*' means a horizontal projection, including a handrail, or balustrade to serve as passage or sitting out place;

(k) '*basement floor*' means the lower storey of a building below or partly below the ground floor. This word is synonymous with cellar;

(l) '*bathroom*' means a room or cubicle for bathing;

(m) '*building*' includes any structure for whatsoever purpose and of whatsoever material constructed and every part thereof whether used for human habitation or not and includes foundations, plinth, walls, floors, roofs, chimneys, plumbing and building services, verandah, balcony, cornice or projections, part of a building, wells or anything affixed there to or any wall enclosing or intended to enclose any land or space and signs and outdoor display structures;

(n) '*building line*' means a line which is away from the street boundary and upto which the main wall of the building facing that street may lawfully extend; no portion of the building may extend beyond this line except as prescribed in these rules;

(o) '*built-up area*' means the covered area at any floor, covered by roof other than cornice, roof or weather shades permissible;

(p) '*carpet area*' means the usable floor area excluding staircases, lift wells, escalators, ducts, toilets and air conditioning plant room and electrical control room;

Note:- In calculating carpet area, for avoiding the area of wall, twenty percent of the floor area, shall be deducted from the total floor area in each floor.

(q) Category –I Village Panchayat means a Village Panchayat notified as Category I Village Panchayat by the Government under sub-rule (4) of rule 3.

(r) Category –II Village Panchayat means a Village Panchayat notified as Category II Village Panchayat by the Government under sub-rule (4) of rule 3.

(s) '*ceiling*' means the internal roof lining of any room; in case there is no such lining, the roof membrane shall constitute the ceiling;

(t) '*Centre line of road*' means the line along the middle of the entire width of land earmarked for the road;

(u) '*Chief Town Planner*' means the Chief Town Planner to Government of Kerala;

(v) '*chimney*' means an upright shaft containing and encasing one or more flues;

(w) '*conversion*' means the change of one occupancy group in to another occupancy group;

(x) '*corridor*' means an exit serving as a passageway communicating with separate rooms or with different parts of a building or with different buildings;

(y) '*coverage*' means the maximum area on any floor of the building excluding cantilevered open balconies; it does not include the spaces covered by,-

(i) garden, rockery, well and well structures, plant, nursery, water tank, swimming pool (if uncovered), platform round a tree, tank, fountain, bench and the like;

(ii) drainage, culvert, conduit, catch-pit, gully pit, drainage chamber, gutter and the like; and

(iii) compound wall, gate, slide, swing, uncovered staircase, areas covered by sunshade and the like;

(z) '*Cul de sac*' means a street with dead end having adequate maneuvering facility for vehicles;

(aa) '*depth of plot*' means the mean horizontal distance between the front and rear plot boundaries;

(ab) '*developer*' means any individual or group of individuals or any firm (by whatever name called) who undertakes any building activity including construction, reconstruction, repairs, additions or alterations of buildings or development or redevelopment of land on behalf of the owner who has obtained permit under the provisions of these rules, through an agreement executed between them;

(ac) '*development of land*' means any material change on the use of land other than for agricultural purpose brought about or intended to be brought about by filling up of the land and/ or water bodies, changing from the existing/former use of the land, layout of streets and footpaths, sub-division of land, conversion of wet land and developing parks, play grounds and social amenities of the like but does not include legal partitioning of family property among heirs ;

(ad) '*development plan*' means any general town planning scheme for the local area as a whole or any detailed town planning scheme for any specified area prepared under the Town and Country Planning legislation in force;

(ae) '*drain*' includes a sewer, pipe, ditch, channel, and any other device for carrying of sewage, offensive matter, polluted water, sullage, waste water, rain water or sub-soil water and any ejectors, compressed air means, sealed sewage mains and special machinery or apparatus for raising, collecting, expelling or removing sewage or offensive matter to the sewage outfall;

(af) '*drainage*' means the removal of any liquid by a system constructed for the purpose;

(ag) '*dwelling*' means a building or a portion thereof which is designed or used wholly or principally for residential purposes;

(ah) '*dwelling unit*' means a room or suites of rooms designed and intended for habitation by an individual or household in which facilities for cooking may or may not be provided;

(ai) '*exit*' means a passage, channel or means of egress from any building, storey or floor to a street or other open space of safety;

(aj) '*external wall*' means an outer wall of a building eventhough adjoining a wall of another building; it also means a wall abutting on an interior open space of any building;

(ak) '*factory*' means any premises including the precincts thereof used or proposed to be used for any purpose as defined under Factories Act, 1948 and which comes under the purview of the said Act;

(al) '*family*' means a group of individuals normally related in blood or connected by marriage living together as a single house- keeping unit and having common kitchen arrangements; customary resident domestic servants shall be considered as adjunct to the term '*family*';

(am) '*floor*' means the lower surface in a storey on which one normally walks in a building. The general term, ' floor 'unless otherwise specifically mentioned shall not refer to a 'mezzanine floor ';

Note:- The sequential number of floor shall be determined by its relation to the determining entrance level. For floors at or wholly above ground level, the lowest floor in the building with direct entrance from road / street adjoining the ground shall be termed as ground floor. The other floors above ground floor shall be called in sequence as first floor, second floor, third floor etc with number increasing upwards.

(an) '*floor area*' means the built up area of a building at any floor level;

(ao) '*floor area ratio* (F.A.R)' means the quotient obtained by dividing the total floor area on all floors by the area of the plot;

(ap) '*flue*' means a confined space provided for the conveyance to the outer air of any product of combustion resulting from the operation of any heat-producing appliance or equipment employing solid, liquid or gaseous fuel;

(aq) '*frontage*' means side or part of a side of a plot, which abuts on a street;

(ar) '*front yard*' means an open space extending laterally along the front side (main entrance side) of a building and forming part of the plot;

Note: - Where there are more than one entrance to a building, the entrance giving access to the major portion of the ground floor shall be considered as the main entrance;

(as) '*gallery*' means an intermediate floor or platform projecting from a wall of an auditorium or a hall providing extra floor area, additional seating accommodation etc;

(at) '*garage*' means a building or portion thereof, used or intended to be used for the shelter, storage or repair of any mechanically propelled vehicle;

(au) '*ground floor*' means the lowest storey of a building to which there is an entrance from the adjacent ground or street;

(av) '*Government*' means the Central or State Government;

(aw) '*Government Approved Private Information Technology Building*' means any Information Technology building constructed in the private sector and approved by the Information Technology Department of the Government of Kerala, which is not falling under the category of Government approved private Information Technology Park and Government owned Information Technology Park;

(ax) '*Government Approved Private Information Technology Park*' means any Information Technology Park promoted by a private entity, which is approved by the Information Technology Department of the Government of Kerala;

(ay) '*Government Owned Information Technology Park*' means any Information Technology Park promoted by an entity of the State Government or Central Government, which is approved by the Information Technology Department of the Government of Kerala;

(az) '*head room*' means the clear vertical distance measured from the finished floor surface to the finished ceiling surface; where a finished ceiling is not provided, the underside of the joists or beams or tie beams shall determine the upper point of measurement;

(ba) '*height of building*' means the vertical distance measured from the average level of the ground contiguous to the building or the centre line of the adjoining street, -

(i) In the case of flat roofs, to the highest point of the building adjacent to the street level;

(ii) In the case of pitched roof, to the point where the external surface of the outer wall intersects the finished surface of the sloping roof;

(iii) In the case of gabled roof, to the midpoint between the eaves level and the ridge and

(iv) In the case of domed roof, to the lowest point on the ceiling:

Provided that architectural features serving no other function except that of decoration shall be excluded for the purpose of taking heights;

Note:- For arriving at the 'average level of ground', the average of the levels of the lowest ground and that of the highest ground contiguous to the building shall be taken.

(bb) '*height of room*' means the vertical distance between the floor and the lowest point on the ceiling;

(bc) '*hut*' means any building constructed principally of wood, mud leaves, grass, thatch or such easily perishable material;

(bd) '*Information Technology building*' means a building occupied by industries and other business establishments, whose functional activities are in the field of Information Technology, Information Technology Enabled Services (IT/ITES) and Communications Technology. Of the total built-up area in such buildings, at least 70% of the area should be earmarked for this purpose and the remaining may be utilised for supporting activities like restaurants, food courts, meeting rooms, guest houses, recreational facilities;

(be) '*Information Technology Park*' means an integrated township, which would contain Information Technology buildings, as well as other buildings. The Information Technology buildings in the Information Technology Park shall be constructed for the purpose of carrying out the activities set out in the clause (bd) for Information Technology buildings and the remaining buildings in the Information Technology Park are meant to play a complementary role, supporting the activities in the Information Technology buildings. In the Information Technology Park, 70% of the land area is to be set aside for the construction of Information Technology buildings and the remaining land area may be utilised for all the supporting activities. The buildings for the supporting activities may include residential buildings, recreational facilities, educational facilities, convention centres, hospitals, hotels and other social infrastructure meant to support the activities in the Information Technology buildings and Information Technology Parks;

(bf) '*lift well*' means the unobstructed space within an enclosure provided for the vertical movement of the lift car(s) and any counter weight(s) including the lift pit and the space for top clearance;

(bg) '*loft*' means a residual space in a pitched roof, or any similar residual space, above normal floor level without any direct staircase leading to it, which may be constructed or adopted for storage purposes;

(bh) '*mezzanine floor*' means an intermediate floor in any storey overhanging and over looking a floor beneath;

(bi) '*occupancy group*' means the principal occupancy for which a plot, a building or part of a building is used or intended to be used; for the purpose of classification of a plot or building according to occupancy, an occupancy shall be deemed to include the subsidiary occupancies which are contingent upon it;

(bj) '*open space*' means an area, forming an integral part of the plot left open to the sky;

(bk) '*operational construction*' means a construction whether temporary or permanent which is necessary for the operation, maintenance, development or execution of any of the services essential to the life of the community or so declared by the Central or State Government from time to time;

(bl) '*owner*' in respect of land or building, means the person who receives rent for the use of the land or building or would be entitled to do so if they were let and includes,-

(i) an agent or trustee who receives such rent on behalf of the owner or is connected with any building devoted to religious or charitable purpose;=

(ii) 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;

(iii) mortgagee in possession; and

(iv) a lessee in possession;

(bm) '*Panchayat*' means a panchayat constituted under section 4 of the Kerala Panchayat Raj Act 1994 (13 of 1994);

(bn) '*parapet*' means a low wall not more than 1.2 m in height built along the edge of a roof or floor;

(bo) '*parking space*' means an area enclosed or unenclosed, sufficient in size to park vehicles, together with a drive way connecting the parking space with a street or alley and permitting ingress and egress of vehicles;

(bp) '*passageway*' means a means of access; and is synonymous with corridor;

(bq) '*pathway*' means an approach constructed with materials, such as bricks, concrete, stone, asphalt, or the like;

(br) '*permit*' means a permission or authorisation in writing by the Secretary to carry out the work;

(bs) '*Persons with disability*' means, persons with disability as defined in clause (t) of section 2 of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 (C.41 of 1996).

(bt) '*plinth*' means the portion of a structure between the surface of the surrounding ground and surface of the floor, first above the ground;

(bu) '*plinth area*' means area of the building at the plinth level, does not include the area of open porch not enclosed by walls, uncovered staircase and the like;

(bv) '*plot*' means a parcel or piece of land enclosed by definite boundaries;

(bw) '*plot corner*' means a plot abutting two or more intersecting streets;

(bx) '*pollution control board*' means the Kerala State Pollution Control Board;

(by) '*porch*' means a canopy supported on pillars or otherwise and used for the purpose of pedestrian or vehicular approach to a building;

(bz) '*rear yard*' means the utility open space extending laterally along the rear side of the plot and forming part of the plot; any side other than the rear if used as utility open space shall be deemed as rear yard;

(ca) '*re-development of land*' means the revision or replacement of an existing land use and population distribution pattern and the clearance and building of the area according to a development plan. It involves the reduction or increase in population densities; the acquisition and clearance of deteriorated buildings, the repair, modernisation and provision of sanitary facilities, water supply and electricity, provision of street, parks or other public improvements, and preservation of predominantly built up areas that are in good condition;

(cb) '*registered Architect/ Engineer/Building Designer/ Town Planner/ Supervisor*' means an Architect/Engineer/ Building Designer/ Town Planner/Supervisor registered or deemed to have been registered as such under these rules;

(cc) '*road*' means any highway, street, lane, pathway, alley, passageway, carriage way, footway or bridge whether a thorough fare or not, over which the public have a right of passage or access uninterruptedly for a specified period; whether existing or proposed in any scheme;

(cd) '*row building*' means a row of buildings with only front and rear open spaces with or without interior open spaces;

(ce) '*Secretary*' means the Secretary of a Village panchayat.

(cf) '*section*' means a Section in the Panchayat Raj Act 1994(13 of 1994);

(cg) '*Security Zone*' means any area, identified and delineated by the Home Department of the state government as Security Zone from time to time and notified and published in the government gazette by the Local Self Government Department. For the purpose of these rules, any area around compounds or sites which accommodate vital or strategic installations, offices, residences, institutions, landmarks, jail compounds, monuments, ports, shipyards, scientific and advanced research centres and the like, which in the opinion of the government, needs special security and necessitates regulations and/or restrictions for constructions and land developments around, can be delineated as security zone;

(ch) '*service road*' means a road or lane provided at the rear or side of a plot for service purposes;

(ci) *'service station'* means a place where no automobile repairing is done but only washing, cleaning and oiling of automobile take place;

(cj) *'set back line'* means a prescribed building line drawn with reference to the centre line or boundary of a street, on the street side of which nothing can be erected or re-erected;

(ck) *'sewer'* means a drain used or constructed to be used for conveying solid or liquid waste matter, excremental or otherwise to a sewer;

(cl) *'shop'* means a building or part of a building where articles of, food, personal, domestic and household use and consumption, and goods of any kind are ordinarily sold. It does not include a workshop;

(cm) *'side yard'* means an open space extending laterally between any side of a building and the boundary of the plot facing that side other than front and rear/utility yard and forming part of the plot;

(cn) *'site'* means a plot and its surrounding precincts;

(co) *'stair cover'* means cabin-like 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; it is synonymous with stair cabin or staircase room;

(cp) *'stall'* means any temporary structure other than a hut used solely for the display and sale of goods;

(cq) *'storey'* means the portion of a building 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;

(cr) *'street'* means a private street or a public street, synonymous with road and giving access to more than one plot or one building;

(cs) *'street line'* means the line defining the side limits of a street;

(ct) *'street level'* means the level at the centre line of the street;

(cu) *'structure'* means anything that is built or constructed or building of any kind or any piece of work, artificially built up or composed of parts joined together in some definite manner. The term *'structure'* shall include "building";

(cv) *'sunshade or weather shade'* means a sloping or horizontal structural overhang usually provided over openings on external walls to provide protection from sun and rain;

(cw) *'tenement'* means a part of a building intended or used or likely to be used as a dwelling unit for human habitation especially one that is rented to tenants

(cx) *'to erect'* means,-

(i) to erect a new building on any site whether previously built up or not;

(ii) to re-erect any building of which portions above the plinth level have been pulled down or destroyed; and

(iii) to convert from one occupancy to another;

(cy) *'travel distance'* means the distance an occupant has to travel to reach an exit;

(cz) *'tribal area'* includes an area declared as tribal settlement by Government from time to time;

(da) *'unconnected latrine'* means a latrine not connected to public sewer system; it may be connected to a septic tank;

(db) *'unsafe building'* means building which is structurally unsafe, insanitary or not provided with adequate means of egress or which constitute a fire hazard or is otherwise dangerous to human life or which in relation to existing use constitutes a hazard to safety or health or public welfare, by reason of inadequate maintenance, dilapidation or abandonment;

(dc) *'use group'* means the principal use for which a plot, a building or part of a building is used or intended to be used;

(dd) *'verandah'* means a covered area with at least one side open to the outside with the exception of a parapet, trellis, jally or grill work on the open side;

(de) *'Village panchayat'* means a village panchayat constituted under section 4 of the Kerala Panchayat Raj Act 1994(Act 13 of 1994) clause (a) of sub-clause (1);

(df) *'warehouse'* means a building, the whole or substantial part of which is used or intended to be used for the storage of goods whether for keeping or for sale or for any similar purpose but does not include a store room attached and used for the proper functioning of a shop;

(dg) *'Water Authority'* means the authority delegated by the Government of Kerala to be in charge of the management of water and sewerage installations in the area;

(dh) *'water closet' or 'WC'* means a latrine with arrangement for flushing the pan with water but does not include a bathroom;

(di) *'water course'* includes any natural or artificial drainage canal, river or stream;

(dj) *'yard'* means an open space at ground level between a building and the adjoining boundary lines of the plot unoccupied and unobstructed except by encroachment

of structures specially permitted by these rules on the same plot with a building. All yard measurements shall be the minimum distance between the front, rear and side yard plot boundaries as the case may be, and the nearest point of the building including enclosed porches. Every part of yard shall be accessible from every part of the same yard;

(2) Words and expressions used but not defined in these rules but defined in the Kerala Panchayat Raj Act, 1994 (13 of 1994) shall have the same meaning assigned to them in the Act.

3. *Applicability.*- (1) These rules shall apply to ,-

(i) any public or private building as described below, namely:-

(a) where a building is newly erected, these rules shall apply to the design and construction of the building;

(b) where a building is altered, these rules shall apply to the altered portion of the building;

(c) where the occupancy or use of a building is changed, these rules shall apply to all parts of the building affected by the change;

(d) where addition or extension is made to a building or separate building/buildings in the same site is proposed, these rules shall apply to the addition or extension or new block only:

Provided that, for calculation of floor area ratio and coverage and for arriving at the minimum required off-street parking area and width of access to plot as well as the width of street giving access to the plot from the main street, the whole building (existing to be retained and the proposed) shall be taken into account:

Provided further that the addition, extension or new block shall be permitted only if the site and existing buildings are authorised.

(ii) all land which is proposed to be developed or redeveloped for construction of buildings.

(2) *Conformity to Town Planning Schemes.*- Provisions or regulations in any Town Planning Scheme in force under Town Planning Acts shall prevail over the respective provisions of these rules wherever such schemes exist.

(3) *Application of National Building Code of India.*- Wherever the provisions of the National Building Code are mentioned in these rules, the provisions of the latest code shall be adopted.

(4) The Government may for the purpose of these Rules, categorise the Village Panchayats into Category-I Village Panchayat and Category- II Village Panchayat according to the criteria mentioned in sub-rule (5) and every such Village Panchayats, categorised under this sub-rule shall be notified by the Government in the official gazette.

(5) The Village Panchayat which,-

(i) in the opinion of the Government has significant potential for urbanization and/or special characteristics which necessitate more regulatory intervention; or

(ii) is either partly or fully covered by a Town Planning Scheme published or sanctioned as per the provisions contained in the Town Planning Act in force,

shall be categorised as Category-I Village Panchayat and the Village Panchayats which do not fall under Category-I Village Panchayat shall be categorised as Category-II Village Panchayat.

CHAPTER II

PERMIT

4. *Essentiality of permit.*- Unless otherwise specifically mentioned in these rules,-

(1) No person shall develop or re-develop any parcel of land without first obtaining a development permit for each such development or re-development from the Secretary;

(2) No person shall erect or re-erect a building or make alterations to any building or cause the same to be done without first obtaining a separate building permit for each such building from the Secretary;

(3) No person shall change the occupancy of an existing building from one group to another, without first obtaining the permit from the Secretary.

5. *Application for development permit.*- (1) Every person other than a Central or State Government Department who intends to develop or redevelop any parcel of land shall apply in writing to the Secretary in the form set out under Appendix AA and such application shall be accompanied by plans, drawings and statements in triplicate as required under these rules and documents to prove the ownership on land concerned and payment of application fee as specified in Schedule I, along with a copy of the certificate of registration of the Architect or Building Designer or Engineer or Town Planner or Supervisor as the case may be, who has prepared and signed the Plans, drawings and statements

(2) In the case of any development or redevelopment of land by Central Government or State Government Department, the officer authorised shall apply in writing to the Secretary in the form set out under Appendix AA and such application shall be accompanied by plans, drawings and statements in triplicate as required under these rules and documents to prove the ownership on land concerned, along with a copy of certificate issued by the Chief Architect or the Engineer in charge of the works to the effect that the plans are in conformity with the provisions of these rules in all respects including conformity to any Town Planning Scheme prepared for the area. Payment of application fee and permit fee as specified in schedule I and schedule II are not necessary in such cases. Signature and/or certificate by the registered Engineer / Architect / Town Planner etc as per these rules are also not necessary in such cases;

(3) In the case of layouts or land/plot subdivisions by Defence Organisations the officer in charge of the organisation may submit to the Secretary a set of layout plans or plans of the proposed land/plot sub divisions giving general indications whether the purpose is residential or otherwise for enabling the Secretary to estimate the requirements for providing services and infrastructure to that area;

(4) In the case of layouts or land/plot subdivisions by Panchayat, the Secretary may approve the plans of the proposed work, with his certificate on the plans to the effect that the proposed work is in conformity with the provisions of these rules.

(5) In the case of an application for development or re-development of any land within a distance of 100 metres from any property maintained by Defence establishment, the Secretary shall consult in writing, the Officer - in - charge of such establishment before the permission is granted. Such Officer shall furnish his reply within thirty days from the date of receipt of consultation letter if such establishment has any objection to the proposed development. The objection, if any, raised by the officer within the said thirty days shall be duly considered by the Secretary before issuing permit.

(6) In the case of an application for development or re- development of any land within 30 metres from the boundary of railway track land maintained by Railways, the Secretary shall consult in writing the Railway Authority concerned before the permission is granted. Such officer shall furnish his reply within thirty days from the date of receipt of the consultation letter if such establishment has any objection to the proposed development. The objection, if any, raised by the Railway Authority within the said 30 days shall be duly considered by the Secretary before issuing permit.

(7) In the case of an application for land development or redevelopment in sites, owned by central government, state government, autonomous bodies, quasi-governmental agencies, local self government institutions and Devaswom Boards, which are identified or advised by the Art and Heritage commission as heritage value, concurrence of the commission shall be obtained.

(8) In the case of an application for development or redevelopment of any land within the Security Zone, the Secretary shall consult the District Collector concerned before permission is granted. The District Collector, after getting specific recommendation from the Director General of Police, shall furnish his reply. The objection if any raised and/or restriction and/or regulation if any suggested by the District Collector shall be complied by the Secretary while issuing the permit:

Provided that, in the case of development or redevelopment for religious purpose or worship, prior approval or clearance or permission and concurrence as the case may be, of the District Collector concerned shall be obtained and also the conditions stipulated in the 'Manual of Guidelines to Prevent and Control Communal Disturbances and to Promote Communal Harmony' which is in force have to be complied with. Applications for renovation without involving additional built-up area or structural alterations of existing buildings for religious purpose or places of worship can be considered by the secretary after informing the District Collector in form in **Appendix - N** duly filled (in triplicate) by the applicant and verified by the Secretary. The permit shall be issued only after the receipt of the concurrence by the District Collector.

(9) In case where the final remarks are not received within 30 days time from the Defence Officer or Railway Authorities as in sub rule (5) or (6), the Secretary may delay final decision, if any interim reply is received from the Defence/Railway Authority concerned. If not the Secretary shall presume that there is no objection and proceed with the issue of permit as per rules.

(10) The Secretary shall, if any approval or concurrence from the District Town Planner or the Chief Town Planner either as per these rules or as per the provisions of the Town planning scheme of that area is required for any development, forward the application with his specific remarks to the District Town planner or the Chief Town Planner as the case may be, before issuing development permit:

Provided that, the Secretary shall forward only those applications to the District Town Planner or Chief Town Planner, as the case may be, which conform to these rules, including the provisions in the Town Planning Schemes.

6. Site Plan/ Service Plan, etc. to be submitted.- 1) An application for development permit shall be accompanied by site plan, service plan, together with details and specifications as described below. In the case of lands proposed to be excavated, filled up or reclaimed, necessary clearance as per Kerala Land Utilisation Act shall also be accompanied.

(a) the site plan shall be drawn to a scale of not less than 1:400 and it shall be fully dimensioned and shall show:

(i) the boundaries of the plot and of any contiguous land belonging to the owner thereof, including the revenue survey particulars in full;

(ii) the position of the plot in relation to the neighbouring street and its main access;

(iii) the name of such street, if any ; and its width, which shall be the width in between the plot boundaries on the opposite sides:

(iv) all existing structures in the plot;

(v) all existing streets or foot-paths within the plot;

(vi) the layout of cul-de-sacs, streets or foot-paths within, adjoining or terminating at the site, existing, proposed to be widened or newly aligned;

(vii) the proposed land/plot sub-division, if any, and the area and use of each sub division thereof;

(viii) the access to each land/plot, if any;

(ix) the layout of service road or foot-path and public parking space proposed or existing, if any;

(x) the area and location of any parcel of land within the plot that is undevelopable such as rocky outcrops, steep terrains, marshes etc;

(xi) the area and location of any parcel of land within the plot that is not proposed to be developed or redeveloped;

(xii) the area and location of any parcel of land that is proposed to be reclaimed.

(xiii) the area and location of any paddy field and/or other agricultural land that is proposed to be reclaimed and/or converted for the said development or re-development;

(xiv) the north direction and predominant wind direction in relation to the site;

(xv) topographic contours (with contour interval not less than 1.5 metre to show the features of the plot clearly) of the site and any other relevant information of the plot not specifically mentioned, but may be required by the Secretary.

Note: The land/plot sub division plan / site plan shall be accompanied by a key map drawn to a scale / appropriate to a scale not less than 1:4000 giving full details of the location of the site with reference to all adjacent streets, premises and landmarks within a distance of 30 metres of the plot together with the details of the land use of the adjoining premises, on all sides.

(2) The service plan shall be drawn to a scale not less than that of the site plan, and shall show-

(i) the proposed land/plot sub-division, if any, and the uses of such subdivision;

(ii) the layout of existing and proposed water supply, electricity, drainage and sewerage mains from or to which connections are proposed to be given;

(iii) the layout of existing and proposed water supply, drainage and sewerage lines within the plot, with dimensions, specification and description of installation;

(iv) any other relevant information not specifically mentioned but may be required by the Secretary; and

(v) the north direction and predominant wind direction in relation to the site;

Note: - The minimum size of the paper on which all site plans or service plans are drawn shall not be less than 24 cm X 33 cm or A3.

(3) All plans, drawings and specifications shall be signed by a registered Architect or Building Designer or Engineer or Town Planner or Supervisor as the case may be, as well as the applicant;

(4) If the plot is owned by more than one person, the application shall be submitted jointly and signed by all such persons or by any legally authorised representative of such person/persons.

(5) If the application is for joint development or re-development of more than one adjoining plot owned by different persons, the application shall be submitted jointly and signed by all the persons or by any legally authorised representative of such persons.

(6) If any approval and/or clearance other than that of the Grama Panchayat are required as per these rules and/or any other applicable statutes, the applicant shall submit sufficient number of drawings along with the application and the Secretary shall transmit the same to the authority /officer concerned.

(7) The Secretary shall, after considering the application, plans and drawings and other documents issue development permit in the form in Appendix-B.

7. *Application for building permit.*- (1) Every person other than a Central or State Government department who intends to construct or re-construct a building or make alteration or addition or extension to a building shall apply in writing to the Secretary in the form in Appendix A together with plans and statements in triplicate as required under these rules and documents to prove ownership of the land concerned and payment of application fee as in Schedule I along with a copy of the certificate of registration of the Architect or Building Designer or Engineer or Town Planner or Supervisor as the case may be, who has prepared and signed the plans, drawings and statements.

(2) In the case of any construction by Central or State Government Department, the officer authorised shall, before thirty days of commencement of the work submit to the Secretary a set plans of the proposed building along with a certificate issued by the Chief Architect or the Engineer in-charge of the works to the effect that the plans are in conformity with the provisions of these rules in all respects including conformity to any development plan prepared for the area.

(3) In the case of any construction by any Defence organisation, the officer-in-charge of the organisation may intimate the Secretary giving general indications whether they are residential or otherwise for enabling the Secretary to estimate the requirement of water, electricity and sewage disposal.

(4) In the case of any construction of building by the Panchayat, the Secretary may approve the plans with his certificate on the plans that the proposed building is in conformity with the provisions of these rules.

(5) In the case of an application to construct or re-construct a building or make alteration or addition or extension to a building or make or enlarge any structure within a distance of 100 metres from any property maintained by the Defence establishment, the Secretary shall consult in writing the officer in charge of the said establishment, before permission is granted. Such officer shall furnish his reply within 30 days from the date of receipt of the consultation letter if such establishment has any objection to the proposed construction. The objections raised by the officer within the said 30 days shall be duly considered by the Secretary before issuing permit. If no objection is received within the

stipulated time, the Secretary shall presume that there is no objection and proceed with the issue of permit as per rules.

(6) In the case of an application to erect or re-erect a building or make alteration or addition or extension to a building or to make or enlarge any structure within 30 metres from the boundary of railway track land maintained by Railways, the Secretary shall consult in writing the Railway Authority concerned before any permission is granted. Such authority shall, furnish the reply within 30 days from the date of receipt of the consultation letter if the authority has any objection to the proposed construction. The objection, if any, raised by the Railway Authority, within the said 30 days shall be duly considered by the Secretary before issuing permit.

(7) In the case of constructions or reconstructions in sites owned by central government, state government, autonomous bodies, quasi-governmental agencies, local self government institutions and Devaswom Boards, which are identified or advised by the Art and Heritage commission as having heritage value, concurrence of the commission shall be obtained, even if it involves only additions, alterations or demolition of existing buildings in the site.

(8) In the case of an application to construct or reconstruct a building or make alteration or addition or extension within any Security Zone, the Secretary shall consult the District Collector concerned before permission is granted. The District Collector, after getting the specific recommendations from the Director General of Police, shall furnish his reply. The objection if any raised and/or restriction and/or regulation if any suggested by the District Collector shall be complied by the Secretary while issuing the permit:

Provided, in the case of construction of new building or reconstruction or alteration or addition or extension of existing building for religious purpose or worship, prior approval or clearance or permission and concurrence as the case may be, of the District Collector concerned shall be obtained and the conditions stipulated in the 'Manual of Guidelines to Prevent and Control Communal Disturbances and to Promote Communal Harmony' which is in force have to be complied with. Applications for renovation without involving additional built-up area or structural alterations of existing buildings for religious purpose or places of worship can be considered by the secretary after informing the District Collector in form in **Appendix - N** duly filled by the applicant and verified by the Secretary. The permit shall be issued only after the receipt of the concurrence of the District Collector.

(9) In case where final remarks are not received within 30 days from the Defence officer /Railway Authority as in sub rules (5) or (6) the Secretary may delay final decision in the application for permit, if any interim reply is received from the Defence/Railway authority. If not the Secretary shall presume that there is no objection and proceed with the issue of permit as per rules.

(10) If the application is for approval of plot or building requirements and for the usage of land/plot the Secretary shall forward the same to the Chief Town Planner or the District Town Planner concerned with his specific remarks as provided in these Rules. The Secretary shall, if any approval from the District Town Planner or Chief Town Planner either as per these rules or as per the provisions of the Town Planning Scheme of that area is required for any construction, reconstruction, addition or alteration, forward the application

with his specific remarks to the District Town Planner or Chief Town Planner as the case may be, before issuing building permit:

Provided that, the Secretary shall forward only those applications to the District Town Planner or the Chief Town Planner, as the case may be, which comply with the provisions of these rules and the Town Planning Schemes.

(11) The application for building permit shall be accompanied by documentary evidence of ownership of plot and the site plan, building plan, service plan and parking plan wherever the building requires parking space as per rules, together with details and specifications as described below:-

(a) the site plan shall be drawn to a scale of not less than 1:400 and shall be fully dimensioned and shall show –

(i) the boundaries of the plot and of any contiguous land belonging to the owner thereof, including the revenue survey particulars;

(ii) the position of the plot in relation to the neighbouring street;

(iii) the name, if any, of the street along which the building is proposed and the width of the street which shall be the width in between the plot boundaries on opposite sides;

(iv) all existing buildings standing on, above or below the ground level;

(v) the width of street, if any in front, side or rear of the buildings;

(vi) free passage or way in front of the buildings;

(vii) space to be left around the building to secure free circulation of air and admission of light ;

(viii) spaces proposed as garden;

(ix) the position of external toilets, cattle sheds, stables, wells and other appurtenant structures

(x) north direction in relation to the site;

(xi) such other particulars as may be required by the Secretary:

Provided that when circumstances warrant so, the plan may be drawn to a scale of 1:800 with the permission of the Secretary.

(b) the plans, elevations and sections, in the building plan accompanying the application shall be accurately drawn to a scale of not less than 1:100, and shall,-

(i) include floor plans of all floors together with the covered area, accessory buildings and basement floors, if any, and such drawings shall clearly indicate the

size and spacing of all framing members, size of rooms, position of staircases, ramps and lift wells;

- (ii) show the use or occupancy of all parts of the buildings;
- (iii) show the exact location of essential services like water closets, sink and bath;
- (iv) include sectional drawings showing the lowest ground level contiguous to the building, highest ground level contiguous to the building, the height of rooms, building and parapet, thickness and spacing of structural members, floor slabs and roof and details of staircase
- (v) show all street elevations;
- (vi) give dimensions of the projected portions;
- (vii) include a terrace plan indicating the drainage and the slope of the roof;
- (viii) show the direction of north line relative to the plan of the building; and
- (ix) specify total floor area of building and carpet area of the building.

(c) service plan shall be drawn to the same scale as the site plan and shall include plans and sections of private water supply and sewage disposal system.

(d) parking plan shall be drawn to a scale not less than that of the site plan, in cases where parking is to be provided as per these rules, and shall show clearly the parking spaces, drive-ways and manoeuvring spaces.

(e) specification shall include specifications of both general and detailed nature giving type and grade of materials to be used.

Note:- The minimum size of paper on which all site plans, building plans, parking plans are drawn shall not be less than 24 cm. x 33 cm or A3.

(12) All plans, drawings and design calculations shall be certified and signed by a Registered Architect or Building Designer or Engineer or Town Planner or Supervisor, registered as provided for in these rules unless otherwise specified. However buildings of floor area up to 50sq:m. are exempted from this provision.

(13) All plans shall be signed by the owner / authorised signatory in all cases.

(14) If the plot is owned by more than one person, the application shall be submitted jointly and signed by all the persons or by any legally authorised representative of such persons.

(15) If the application is for construction or reconstruction of a single building or block of buildings in more than one adjoining plot owned by different persons, or to make addition or extension or alteration to such building the application shall be submitted jointly and signed by all the persons.

(16) Application for site approval and issue of permit shall be in the form in Appendix A.

(17) If any approval and/or clearance other than that of the Village Panchayat are required as per these rules and/or any other applicable statutes, the applicant shall submit sufficient number of drawings along with the application and the Secretary shall transmit the same to the authority /officer concerned.

8. *Parts to be included for calculating floor area.*- In the calculation of floor area of buildings the following shall be taken into account, namely:-

(a) General:

(i) the total floor area of a building shall be the sum of the floor areas in all floors, including basement floors if any;

(ii) all internal sanitary shafts, air conditioning ducts and lifts shall be excluded in all the floor levels; however area occupied by lift shall be included in any one floor;

(iii) the area of `Barsati' or penthouse at terrace floor level shall be included in the floor area;

(iv) towers, domes etc; projecting above the terrace shall not be included in the floor area at terrace level. ; and

(v) area used for parking of vehicles within a building, area of electrical room, room for air conditioning plant and generator room, shall not be included in the floor area of any floor.

(b) Floor area of ground floor:

(i) the floor area of ground floor shall be calculated at the plinth level excluding the plinth off- sets (if the off-set does not exceed 5 cm.);

(ii) in cases where the building consists of columns projecting beyond cladding, the floor area shall be taken up to the external face of the cladding and shall not include the projections of columns;

(iii) in the case of verandas and balconies with at least one of its sides open (other than parapets) to exterior or interior open spaces, only fifty percent of the area shall be taken into account for calculation of floor area, and

(iv) open platforms and terraces at ground floor and porches shall not be included in the floor area.

(c) Floor area of upper floor:

(i) the floor area of upper floors shall be calculated at the relevant floor levels; architectural bands, cornices etc., shall not be included in the floor area; vertical sun breakers or box louvers also shall not be included; and

(ii) in the case of verandas and balconies with at least one of its sides open (other than parapets) to exterior or interior open spaces, only fifty percent of the area shall be taken in to account for calculation of floor area.

(d) Floor area of galleries, mezzanine floors and lofts: -

(i) area of galleries, ie; upper floor of seats in an assembly hall, auditorium etc, shall be fully included in the floor area;

(ii) area of mezzanine floors shall be included in the floor area; and

(iii) the area of loft shall not be included in the floor area.

9. *Certain operational constructions by Government to be exempted from these rules.*-
The operational constructions of the Central / State Government, whether temporary or permanent which is necessary for the operation, maintenance, development or execution of any of the following services shall be exempted from these rules, namely:-

(a) Railway;

(b) National Highway;

(c) National Waterways;

(d) Major Ports;

(e) Airways and Aerodromes;

(f) Posts and telegraph, telephones, wireless, broadcasting and other like forms of communications;

(g) Roads, bridges and street furniture by the Central Government and/or state Government.

(h) Regional grid for electricity; and

(i) Any other service which the State Government may, if it is of opinion that the operation, maintenance, development or execution of such service is essential to the life of the community, by notification, declare to be a service for the purpose of this clause:

Provided that the following constructions, by the services do not come under the purview of operational construction namely:-

(i) New residential colonies, new residential buildings (other than temporary shelters which are used for essential operational quarters for limited essential operational staff and the like), roads and drains in railway colonies, community halls, hospitals, clubs, all types of educational institutions and offices, reservation counters, retiring rooms, shopping complexes, railway mail service offices, parcel offices; and

(ii) Post offices, other types of offices of Posts and Telegraphs Department, residential colonies.

10. Permit not necessary for certain works.- Notwithstanding anything contained in these rules no building permit shall be necessary for executing the following works which do not otherwise violate any provisions regarding applicable general building requirements, structural stability and fire safety requirements of the rules, namely:-

- (i) Compound Wall other than that abutting a street.
- (ii) Providing or removing windows, doors or ventilators without affecting structural stability;
- (iii) Providing inter - communication doors without affecting structural stability;
- (iv) Providing or removing partitions other than load bearing walls;
- (v) Gardening excluding any permanent structures;
- (vi) White or colour washing;
- (vii) Painting;
- (viii) Petty repairs to the building and pitched roof without affecting structural stability;
- (ix) Plastering and patch works;
- (x) Interior decoration without any structural alterations;
- (xi) Changing the location of the building or construction within the plot;
- (xii) Huts, except huts adjacent to roads mentioned in section 235P of the Kerala Panchayat Raj Act, 1994.
- (xiii) Buildings in Category –II Village Panchayats under Group A1-Residential occupancy with total built-up area on all floors upto 300 sq.metres (including existing and proposed within the plot) and the number of storeys limited to two and all single family Residential Buildings
- (xiv) Buildings in Category –II Village Panchayats under Group A2 and F occupancies, poultry farms, livestock farms, traditional coir works, handloom units, cashew processing units, lime kilns, carpentry and smithy units; all of which with total built-up area

on all floors upto 150 sq.metres (including existing and proposed within the plot) and the number of storeys limited to two, except those for religious purpose and /or worship.

Provided that the details of works under items (i), (xii), (xiii) & (xiv) shall be intimated to the Secretary at least ten days before the commencement of such works, with particulars regarding the existing conditions and proposals so as to enable to make an assessment of the nature of the work. If the Secretary has any objection it shall be communicated to the owner within ten days:

Provided further that, in the case of works under item (x), photographs of the existing building before the commencement of works showing all the locations where works are proposed shall also be furnished along with the above intimation to the Secretary:

Provided also that, in the case of works under item (x), photographs of the building after the completion showing all the locations where works are carried out shall be forwarded to the Secretary within ten days after completion of the works:

Provided also that the change of location under item (xi) shall be incorporated in the completion plan.

11. Approval of site and plans and issue of permit. - (1) The Secretary shall, after inspection of the site and verification of the site plan and documents, if convinced of the bonafides of the ownership of the site and that the site plan, drawing and specifications conform to the site and the provisions of these rules or bye laws made under the Act and any other law, approve the site and site plan.

(2) The Secretary shall, after approving the site and site plan verify whether the building plan, elevation and sections of the building and specifications of the work conform to the site and site plan, and are in accordance with these rules and bye laws made under the Act or any other law; and approve the plan and issue permit to execute the work.

(3) Approval of site and plans shall be intimated to the applicant in writing and the permit as in Appendix C shall be issued on remittance of the permit fee at the rates specified in Schedule II and submission of revised or modified plans, if approved with modifications or conditions.

(4) If after inspection of the site and verification of the plans and documents, the Secretary decides to refuse approval, the same shall be communicated in writing specifying the reasons.

(5) The secretary shall, if modification to any plan, drawing or specification is required or any further document or plan or information is required or fresh plan is required under these rules for taking a decision, intimate the same to the applicant in writing within 10 days from the date of receipt of such application or plan or document or information.

12. Approval of site and plans and issue of permit where excavations to a depth of more than 1.5 metres is involved.- (1) In the case of constructions/land developments which involve any earthwork excavation to a depth of more than 1.5 metres, if the depth of cutting is more than the horizontal distance of such cutting from the plot boundary, the following provisions shall apply:

Provided that, such provisions are not necessary in cases where such excavation is carried out for construction of structures such as wells, septic tank, recharge pits, drainage works, compound walls and the like.

(2) The application for Development and/or building permit shall be submitted by the applicant as per the provisions of these rules, along with a certificate of the Architect, Building Designer, Engineer, Town Planner, Supervisor as the case may be, who has prepared and signed the plans, drawings, statements etc as to whether permit as envisaged under rule 12 is required.

(3) The application for permit shall also include sufficient copies of.-

(i) dimensioned plan(s) and sectional drawing(s) showing the levels and depths of cutting at all places in respect of excavations for building construction and land development works;

(ii) drawings, specifications and details of temporary and permanent protective measures proposed; and

(iii) drawings, specifications and details of slabs, beams, columns, retaining walls etc. proposed at the ground floor level and below;

(iv) details of piles if any, including their drawings, specifications, erection methods and the like.

(4) The Secretary shall issue permit as laid down in these rules.

Provided that, if any changes or deviations are to be made, it shall satisfy the provisions of these rules and the same shall be intimated to the Secretary with revised drawings, specifications and details as the case may be.

(5) The Secretary shall supply copies of the details specified in sub rule (3) above and the permit to the adjoining land owners.

(6) Any written complaint received after the date of issue of the permit(s) from owners or occupants in the adjoining properties on the actual or possible damages to their life and property shall be acted upon by the Secretary as per the provisions in this rule.

(7) Once the earthworks and/or constructions upto the ground level are completed as per the approved plans, the applicant may in writing intimate the same to the Secretary and request for concurrence for carrying out rest of the works. No construction shall be carried out above the ground level until the Secretary issues such concurrence as in Appendix C1.

(8) The Secretary shall, if convinced that the works are carried out satisfactorily as per the permit(s) and provisions of this rule and no written complaint is received as in sub rule (6), issue concurrence as in Appendix C1 for carrying out the remaining works above the ground level as per approved plans within 7 days .

(9) If any complaint is received as in sub rule (6), the Secretary shall,-

(i) refer the matter within 5 days to the Technical Expert Committee constituted as per sub rule (13) and convene a meeting of the Committee,

(ii) intimate the nature of complaints to the applicant and call for details and explanation if so desired by the Committee,

(iii) arrange for site inspections, hearing of the applicants and/or petitioners, verification of records and arrange for tests if so required by the Committee and

(iv) take up further action as per the recommendations of the Committee.

(10) The applicant(s) and/or the petitioner(s) shall attend the hearing and shall also produce any details called for within the time specified, if so required by the Committee or the Secretary on its behalf.

(11) The Committee shall evaluate the damages and fix the compensation and/or suggest further protective measures, if any, to be taken by the applicant to solve the issues raised by the petitioner(s). The amount of compensation shall include the actual cost of restoration as decided by the Committee and an additional 30% as solatium.

(12) Concurrence shall be issued by the Secretary, after ensuring that the protective measures are carried out to the satisfaction of the Committee and the compensation is paid by the applicant as per the decision of the Committee. The actual expenses of the Committee as intimated by the Secretary shall be paid by the applicant.

(13) For the purpose of this rule, Government may, constitute Panchayat level Technical Expert Committee(s) comprising of the Secretary (convener), an officer not below the rank of an Assistant Engineer of the Engineering wing of Local Self Government Department having jurisdiction over the area and two experts, one each in Structural Engineering and Geotechnical Engineering (to be nominated by the Government) to assess the damage, suggest protective measures and fix the compensation. The process of the Committee shall be completed within 3 weeks.

13. Grounds on which approval of site or permission to construct or reconstruct building may be rejected.- The grounds on which approval of site for construction or reconstruction of a building or permission to construct or reconstruct a building shall be refused are the following:-

(i) the work or use of the site for the work or any particulars comprised in the site plan, building plan, elevations, sections or specifications would contravene the provisions of any law or order, rule, declaration or bye law made under such law;

(ii) the application for such permission does not contain the particulars or is not prepared in the manner required by these rules or bye law made under the Act;

(iii) any of the documents required to be signed by a registered Architect or Building Designer or Engineer or Town Planner or Supervisor and the owner/applicant as required under the Act or these rules or bye laws made under the Act has not been signed by such

Architect or Building Designer or Engineer or Town Planner or Supervisor and the owner/applicant;

(iv) any information or document or certificate required by the Secretary under these rules or bye laws made under the Act has not been duly furnished;

(v) the owner of the land has not laid down and made street or streets or road or roads giving access to the site or sites connecting an existing public or private street while utilising, selling or leasing out or otherwise disposing of the land or any portion or portions of the same site for construction of building:

Provided that if the site abuts on any existing public or private street no such street or road shall be laid down or made;

(vi) the proposed building would be an encroachment upon a land belonging to the Government or the Panchayat;

(vii) the land is under acquisition proceedings; and

(viii) non remittance of fee for development permit and building permit, as provided for in these rules as intimated by the secretary.

14. Period within which approval or disapproval shall be intimated.-The Secretary shall, within thirty days from the date of receipt of the application for approval of site plan, or any further information required under these rules or bye laws under the Act, by written order either approve or refuse to approve the site plan on any of the grounds mentioned under rule 13 and intimate the same to the applicant.

15. Period within which the Secretary is to grant or refuse permission to execute work.-The Secretary shall within thirty days from the date of receipt of an application for permission to execute any work or any information or document or further information or further document required under these rules or bye laws made under the Act, by written order either grant or refuse to grant such permission on any of the grounds mentioned under rule 13 and intimate the same to the applicant:

Provided that the said thirty days shall not begin to run until the site has been approved under rule 14.

16. Reference to Village Panchayat where the Secretary delays to grant or refuse to approve permission.- (1) The Panchayat shall, if the Secretary makes delay in granting or refusing approval for a building site, neither gives nor refuses permission to execute any work within thirty days from the date of receipt of the application, on the written request of the applicant, be bound to determine whether such approval or permission should be given or not.

(2) Where the Village Panchayat does not, within one month from the date of receipt of such written request, determine whether such approval or permission should be given or not, such approval or permission shall be deemed to have been given, and the applicant may proceed to execute work, but not so as to contravene any provision of the Act or these rules or bye-laws made thereunder.

Provided that such execution of work shall be considered as duly permitted and not one for regularisation and the permit shall be issued as per rules even if the work has been commenced or being carried on or completed if it otherwise complies with the provisions of rule.

17. Extension and renewal of periods of permit.- (1) A development permit or building permit issued under these rules shall be valid for three years from the date of issue.

(2) The Secretary shall, on application submitted within the valid period of the permit, grant extension twice for a further period of three years each.

(3) The fee for extension of period of permits shall be ten percent of the development permit fee or building permit fee as the case may be, in force at the time of granting extension.

(4) The Secretary shall, on application submitted within one year of the expiry of the permit, grant renewal, once, for a period of three years.

(5) The fee for renewal of permits shall be fifty percent of the development permit fee or building permit fee as the case may be, in force at the time of renewal.

(6) The application for extension or renewal of a development permit or building permit shall be submitted in white paper either typed or written in ink, specifying the name and address of the applicant, the number and date of issue of permit, the stage of development or construction, if already commenced.

(7) The application shall be affixed with necessary court fee stamp and shall contain the original of the permit and approved plan sought to be extended or renewed.

(8) The development work or construction work shall be commenced and completed within the valid period of the permit

Note:- Non commencement of any work within the period specified, if any, in a permit issued before the commencement of these rules shall not be considered as a ban for extension or renewal of permit.

(9) A development permit or building permit issued before or after the commencement of the Kerala Panchayat Building Rules, 2011 or issued under the Kerala Municipality Building Rules, including that under the orders of Government or District Collector granting exemption from rule provisions, shall be extended or renewed, on proper application, on like terms and or like periods as a permit issued under these rules.

(10) In case the period of validity stipulated in a permit issued before the commencement of Kerala Panchayat Building Rules, 2011 is different from that stipulated in sub rule (1), then the extension or renewal of the permit shall be granted in such a way that the total valid period of the permit shall not exceed nine years.

(11) The application for extension or renewal of a development permit or a building permit shall be signed and submitted by the original owner of the permit or his legal heir to whom the site devolves or his legally authorised representative and in case the plot concerned has been transferred by the original owner, the transferee or his legally authorised representative:

Provided that if the plot or a part of the plot concerned has been transferred, the application for extension or renewal of permit shall not be accepted and acted upon until provisions of rule 24 has been fully complied with.

18. Suspension and Revocation of permit .- The Secretary shall stay, suspend or revoke any permit issued under these rules if it is satisfied that the permit was issued by mistake or that a patent error has crept in it or that the permit was happened to be issued on misrepresentation of fact or law or that the construction if carried on will be a threat to life or property:

Provided that before revoking permit, the owner of the permit shall be given 7 days notice, and an opportunity of being heard to explain and the explanation shall be duly considered by the Secretary.

CHAPTER III

ACTION AGAINST UNAUTHORISED CONSTRUCTIONS

19. Deviation during construction and power of Secretary to require alteration in work.-

(1) The applicant shall, if he intends to make any deviation from the approved plan or specification during the execution of any development or redevelopment of land or construction or reconstruction or alteration of any building, submit revised plans and drawings showing the deviation and obtain revised permit:

Provided that no permit is necessary for effecting minor deviations such as shifting the position of access to plots in the case of layouts and shifting the position of rooms, stairs, lifts, windows, doors or ventilators and changing their sizes in the case of building constructions if they do not conflict with these rules:

Provided further that the deviations mentioned in the above proviso shall be incorporated in the completion plan and submitted along with completion certificate.

(2) Where it comes to the notice of the Secretary that a work,-

(a) is not in accordance with the plans or specifications approved;

(b) is in contravention of any of the provisions of the Act, these rules, bye-law or declaration made there under;

may, by notice, require the person for whom such work is done, -

(i) to make such alterations as may be specified in the notice with the object of bringing the work in conformity with the plans or specifications approved or the provisions so contravened; or

(ii) to show cause why such alterations should not be made within such period as may be specified in the notice:

Provided that any construction carried out in deviation of the approved plans or specific conditions shall not be required to be altered if such construction does not violate the provisions or specific conditions contained in the Act or these rules.

(3) Where the person to whom the notice under sub-rule (2) is issued shows sufficient cause as aforesaid, the Secretary may, cancel the notice and in other cases, by order confirm or modify the notice.

(3) Where the person to whom the notice under sub rule (2) is issued does not show cause as aforesaid, he shall be bound to make the alterations specified in such notice.

20. Demolition or alteration of work unlawfully commenced, carried on or completed.-

(1) Where the Secretary is satisfied-

(i) that the construction, reconstruction or alteration of any building or digging of any well,-

(a) has been commenced without obtaining the permission of the Secretary or in contravention of the decision of the Village panchayat; or

(b) is being carried on, or has been completed otherwise than in accordance with the plans or specifications on which such permission or decision was based; or

(c) is being carried on or has been completed in breach of any of the provisions contained in the Act or these rules or bye-law or order made or issued thereunder or any direction or requisition lawfully given or made thereunder; or

(ii) that any alteration required by notice issued regarding deviation has not been duly made; or,

(iii) that any alteration of or addition to any building or any other work made or done for any purpose in or upon any building has been commenced or is being carried on or has been completed in contravention of the provisions regarding accessory buildings and sheds, the secretary may make a provisional order requiring the owner or the person for whom the work is done, to demolish the work done or so much of it as, in the opinion of the Secretary, has been unlawfully executed or to make such alterations as may, in the opinion of the Secretary, be necessary to bring the work in conformity with the provisions of the Act, these rules, bye-laws, direction, order or requisition as aforesaid, or with the plans and specifications on which such permission or decision was based, and may also direct that until

the said order is complied with, the owner or such person shall refrain from proceeding with the work.

(2) The Secretary shall serve a copy of the provisional order made under sub-rule (1) on the owner or person for whom the work is done together with a notice requiring him to show cause within 7 days, why the order should not be confirmed.

(3) Where the owner or the person for whom the work is done fails to show cause to the satisfaction of the Secretary, the Secretary may confirm the order or modify the same to such extent as he may think fit to make, and such order shall then be binding on the owner or the person for whom the work is done; and on the failure to comply with the order, within thirty days the Secretary may himself cause the building or part thereof to be demolished or the well to be dismantled, as the case may be, within another thirty days and the expenses thereof shall be recovered from the owner or such person:

Provided that any construction or reconstruction or addition or alteration of any building or digging of any well, commenced, being carried on or completed without obtaining approved plan or in deviation of the approved plan shall not be directed to be altered or demolished if such construction or reconstruction or addition or alteration of building or digging of well does not violate any provision or specific condition contained in the Act or these rules and has been regularised under the provisions in these rules.

Note: A copy of the confirmation order shall be forwarded to the Director of Panchayats for information.

(4) Notwithstanding any thing contained in sub rule (2) or sub rule (3) the Secretary may also initiate prosecution proceedings against the owner or the person for whom the work has commenced, is being carried on or has been completed.

(5) The Government may, either suo-motu or on application made by any person aggrieved, after examining the records and hearing the applicant and / or person who has carried out the construction or reconstruction or alteration or addition of any building or any structure or digging of any well as in sub rule (1) and the Secretary ,if convinced that the construction or reconstruction or alteration or addition of building or the structure or digging of the well has been carried out violating the provisions contained in the Act or these rules or any other rules issued under the Act or any lawful direction issued by the Government or Secretary, direct the Secretary to revoke the permit and/or stop the work and/or require to modify the construction and/or demolish the construction or reconstruction or alteration or addition or fill up the well within a period to be specified in that direction. The government may also directly revoke the permit and/or stop the work in such cases.

(6) The Government may, if the Secretary fails to execute the direction issued under sub rule (5) to demolish a construction or reconstruction or alteration or addition or fill up the well within the period specified therein, make necessary arrangements for the same and recover the expenses from the Panchayat concerned.

21. Order of stoppage of building construction or works in certain cases.-(1)Where the erection of any building or the execution of any work has been commenced or is being carried on (but has not been completed) without obtaining the permission of the Secretary

or in contravention of any decision of the Village Panchayat or any provision in the Act or these rules or bye laws made thereunder or any lawful direction or requisition given or made under the Act or these rules or bye laws made thereunder, the Secretary may without prejudice to any other action that may be taken under these rules, by order require the person at whose instance the building or the work has been commenced or is being carried on, to stop the same forthwith.

(2) Where the order under sub-rule (1) is not complied with, the Secretary may require any police officer to remove such person and all his assistants and workmen from the premises within such time as may be specified in the requisition, and such police officer shall comply with the requisition accordingly.

(3) After the requisition under sub-rule (2) has been complied with, the Secretary may, if he thinks fit, require in writing the assistance of a police officer or depute by a written order an officer or employee of the Village Panchayat to watch the premises in order to ensure that the erection of the building or the execution of the work is not continued and the cost thereof shall be paid by the person at whose instance such erection or execution was being continued or to whom notice under sub rule(1) was given, and shall be recovered from such person as arrears of tax due to the Panchayat under the Act.

22. Duties and responsibilities of the owner.- (1) The granting of the permit or the approval of the drawings and specifications or inspections made by the Secretary during the erection of the building shall not in any way relieve the owner of such building of the responsibility for carrying out the work in accordance with the requirement of these rules.

(2) Every owner shall;-

(a) permit the Secretary or any person authorised by the Secretary or by the Government for this purpose to enter the plot or building or premises at any time between 7 a.m. and 6 p.m. normally or at any other time as may be deemed necessary for the purpose of enforcing the rules;

(b) submit a proof of ownership of the plot;

(c) obtain from the Secretary, sanction for any other allied matter connected with the development or redevelopment of land or construction or reconstruction or addition or alteration of building;

(d) give notice to the Secretary of the intention to start work in the form in Appendix D;

(e) give written notice to the Secretary regarding completion of work in the form in Appendix E; and

(f) obtain a development certificate from the Secretary prior to any sale or transaction of the plot subdivision or building construction in developed or redeveloped plots as given in Appendix G or obtain an occupancy certificate from the secretary prior to any occupancy of the building or part thereof, after construction or reconstruction or addition or alteration of the building or part thereof, or change of occupancy of any building or part thereof as given in Appendix H.

(3) Every owner shall, as soon as any development or redevelopment of land or construction or reconstruction or addition or alteration of building is completed, remove all rubbish, refuse or debris of any description from the plot or plots on which such operations have been carried out or from any adjoining land which may have been used for depositing of materials and debris.

(4) Every owner shall keep in safe custody the permit, approved plans and drawings and specifications and results of tests, if any, on any material used for construction and produce before the Secretary or any officer authorised by him or Government for inspection on demand.

(5) Every owner shall display the permit and approved drawings in the site in a visible place in a visible manner.

(6) Every owner shall take adequate safety precautions at all stages of construction or reconstruction or addition or alteration or repair or removal of the various parts of the building for safeguarding the life of workers and public against hazards consequent on any aspects of the work.

(7) Every owner shall ensure that all protective works carried out to safeguard the adjoining properties during construction are sufficient and in good order to ensure safety in the following,-

(a) In driven piles vibration is set up which may cause damage to adjoining structures or service lines depending on the nature of soil condition and the construction standard of such structures and service lines. Possible extent of all such damages shall be ascertained in advance, and operation and mode of driving shall be planned with appropriate measures to ensure safety;

(b) Where, in the vicinity of a site where bored or driven piling works are to be carried out there are old structures which are likely to be damaged, tell-tales shall be fixed on such structures to watch their behaviour and timely precautions taken against any undesirable effect;

(c) If the owner engages any developer(s) at any time for the construction, reconstruction, repairs, additions or alterations of buildings or development or redevelopment of land, the same shall be intimated to the Secretary within a week from the date of agreement (executed between the owner and the developer) along with the copy of such agreement by which the owner authorises the developer to undertake construction, reconstruction, repairs, additions or alterations of building(s) or development or redevelopment of land in that plot, on behalf of the owner;

(d) Every owner and developer shall include the following details as part of all advertisements through website pertaining to the building and/or land development,-

- (i) Name and address of the owner and developer,
- (ii) Number and date of lay out approval and/or approval of usage of plot and lay out of building wherever applicable,
- (iii) Number and date of the development and building permits,

- (iv) Name of the local self government institution issuing the permits,
- (v) Date till which the building permit is valid,
- (vi) Number of floors permitted,
- (vii) Conditions if any stipulated in the permits,
- (viii) Following details shall be furnished as against the respective provisions

of the rules:

- a) Coverage and FAR of the construction,
- b) Area of recreational space inside and outside the building with area in the case of Apartment houses/flats under Group A1 occupancy,
- c) Number of parking and loading and unloading spaces and area earmarked for such spaces,
- d) Minimum width of access to the site and building,

(ix) Any other occupancy other than Group A1 –Residential in the case of Apartment houses/flats, with details of floor area of such occupancy:

Provided that, if any such advertisements are made in contravention to the above, the secretary or the government may interfere in the matter.

(e) In the case of advertisements pertaining to building construction or land developments through visual - print media and hoardings, the owner or developer shall include the details mentioned in item (i) to (vi) in sub rule (7)(d) of rule 22 and the address of the website carrying details under in sub rule (7)(d) of rule 22;

(f) The secretary may also publish the details of the permits issued in the website of the Panchayat as required under the direction for public disclosure issued under Section 271B (3) of the Kerala Panchayat Raj Act, 1994;

(g) if any such advertisements are made in contravention to sub rules (d), (e) and (f) of this rule, the Secretary or the Government may interfere in the matter;

(8) Every owner shall be responsible for the loss or injury caused to any person or property due to the lapse on his part to provide safety precautions or protective measures or safeguards.

23. Duties and responsibilities of Officers concerned.- The officers responsible for approval of plan/specification and issue of permit shall ensure satisfaction of all rules and regulations in force, while issuing permit and approving plan/specification. They shall also ensure that the works are being carried out in accordance with the requirements of these rules. For any approval in violation of rules/regulations & constructions thereon the officers concerned will also be held responsible.

24. Transfer of plots to be intimated.-(1) Every person holding development permit or building permit shall, unless the work is executed in full and development or occupancy certificate obtained, inform the Secretary of every transfer of the whole or part of any property involved in the permit together with the name and address of the transferee and his intention to transfer the permit.

(2) Every person in whose favour any property is transferred along with a development permit or building permit by the transferor shall before commencing or continuing the work obtain permit of the Secretary in writing.

(3) The request for permission to commence or continue work shall be submitted in white paper affixed with necessary court fee stamp, together with document regarding the ownership and possession certificate and fee of Rs.25.

(4) The Secretary shall, if convinced that the transfer will not in any way badly affect the development or construction, issue permission in writing, transferring the permit and allowing the commencement or continuation of the work, within 15 days from the date of receipt of the request.

25. Completion certificate, development certificate and occupancy certificate.- (1) Every owner shall, on completion of the development or redevelopment of land or construction or reconstruction or addition or alteration of building, as per the permit issued to him, submit a completion certificate certified and signed by him, to the Secretary in the form in Appendix E:

Provided that in the case of buildings, other than residential buildings up to two dwelling units, the completion certificate shall be certified and signed by the owner and registered Architect or Building Designer or Engineer or Town Planner or Supervisor also as in Appendix F.

(2) The Secretary shall, on receipt of the completion certificate and on being satisfied that the development or redevelopment of land has been effected in conformity with the requirements of these rules, issue a development certificate in the form in Appendix G, not later than 15 days from the date of receipt of the completion certificate:

Provided that if no such development certificate is received within the said fifteen days, the owner may proceed as if such a development certificate has been duly issued to him.

(3) The Secretary shall, on receipt of the completion certificate and on being satisfied that the construction or reconstruction or addition or alteration has been carried out in conformity with the requirements of these rules, issue occupancy certificate in the form in Appendix H: not later than fifteen days from the date of receipt of the completion certificate:

Provided that, in case there is deficiency as per these rules in the minimum mandatory open spaces/yards after completion of the construction, the secretary may allow a tolerance upto 5% of the minimum mandatory open spaces/yards to be provided as per these rules or 20 centimetres whichever is less for the building constructed:

Provided also that if no such occupancy certificate is issued within the said fifteen days, the owner may proceed as if such occupancy certificate has been duly issued to him.

(4) The owner of a building may if he intends to occupy the building before its completion, apply to the Secretary for that purpose and the Secretary shall, on being satisfied that such occupancy will not in any way endanger life, issue occupancy certificate in respect of the completed part.

CHAPTER IV

GENERAL PROVISIONS REGARDING SITE AND BUILDING REQUIREMENTS

26. *General requirements regarding plot.*-(1) No land development or redevelopment shall be made, and/or no building shall be constructed on any plot on any part of which there is deposited refuse, excreta or other offensive matter, which in the opinion of the Secretary is considered objectionable, until such refuse, excreta or other offensive matter has been removed there from and the plot has been prepared or left in a manner suitable for land development, redevelopment or building purpose, to the satisfaction of the Secretary.

(2) No land development or redevelopment shall be made or no building shall be constructed on a plot, which comprises or includes a pit, quarry or other similar excavation or any part thereof unless such plot has been prepared or left in a manner or condition suitable for land development or redevelopment or building purposes to the satisfaction of the Secretary.

(3) No land development or redevelopment shall be made or no building shall be constructed in a plot liable to flood or on a slope forming an angle of more than 45 degrees with the horizontal or on soil unsuitable for percolation or on area shown as floodable area in any town planning scheme or in sandy beds, unless it is proved by the owner to the satisfaction of the Secretary that construction of such a building will not be dangerous or injurious to health and the site will not be subjected to flooding or erosion, or cause undue expenditure of public funds in the provision of roads, sewers, sanitation, water supply or other public services.

(4) Any land development or redevelopment of land or construction in any area notified by Government of India as Coastal Regulation Zone under the Environment (Protection) Act, 1986 (29 of 1986) and Rules made thereunder shall be subject to the restrictions that may be imposed by Government of India contained in the said notification as amended from time to time.

(5) No building or part of a building shall be constructed or re-constructed and no additions or alterations to any existing building shall be made in the intervening spaces between the building and any overhead electric supply line unless as described in Table I below and specified in the Indian Electricity Rules as amended from time to time

(6) The required permission/No Objection Certificates of any other Departments/Agencies as required under law may also be obtained for any land developments and constructions.

TABLE I
Clearance from Overhead Electric Lines

Sl.No	Type of Electric supply Line	Minimum Vertical clearance in metres	Minimum Horizontal clearance in metres.
1	Low and medium voltage lines	2.40	1.20
2	High voltage lines up to and including 33000 volts	3.70	1.85
3	Extra high voltage lines above 33000 volts	3.70 plus 0.30m for every additional 33000 volts or part thereof	1.85 plus 0.30m for every additional 33000 volts or part thereof

27. *Exterior and interior open air spaces.*- (1) Every room intended for human habitation shall abut on an exterior or interior open space or verandah open to such exterior or interior open space and such open space shall be maintained for the benefit of the building exclusively and shall be entirely within the owner's own premises and shall be open to the sky and is barred from being subdivided, partitioned or legally bifurcated or transacted in any manner whatsoever, till such date when the structure itself is demolished and shall be kept free from any erection thereon other than those specially allowed in these rules.

(2) In case a group of buildings are to be put up within any plot belonging to the same owner or by different owners of adjoining lands jointly the area of the land remaining after accounting for the mandatory front, rear and side yards from the boundary of the plot shall be considered as buildable area of the plot where the buildings may be constructed subject to the conditions regarding floor area ratio, coverage, access, light and ventilation, etc. for the whole plot. The distance in between the various blocks within this area shall be minimum 3 metres for buildings up to 10 metres in height.

(3) Every building up to 10 metres in height shall have a clear front yard of 3 metres depth:

Provided that where this depth cannot be obtained laterally through out due to the peculiar shape of the plot, it shall suffice if the mean depth is not less than 3 metres with minimum depth at all points not less than 1.80 metres.

(4) Every building up to 10 metres in height shall have a minimum rear yard of 2 metres depth:

Provided that where 2 metres depth cannot be maintained laterally throughout due to the peculiar shape of the plot, it shall suffice if the mean depth is not less than 2 metres with minimum depth at any point not less than 1 metre:

(5) Every building up to 10 metres in height shall have open air space of not less than 1.2 metres width on one of its sides other than the front and rear and not less than 1 metre on the other side:

Provided that in the case of buildings upto 7 metres height, if 1.20 metres open space is available on one side, the open space on the other side can be reduced and can even abut the boundary; and in case the building abuts the boundary or the open space is reduced to less than 75 metres the consent of the owner of the land on that side shall be obtained. However no openings such as windows, doors 0.75 metre etc; shall be permitted if the open space against them is, less than 1 metre. But ventilator openings above a height of 2.10 metres, from the corresponding floor level may be permitted if the open space against them is not less than 75cm:

Provided further that in the case of existing row houses the authority shall permit reconstruction, addition or construction of an upper floor for any of the dwelling units without any side set back on condition that the consent of the neighbouring owner concerned is obtained for the purpose.

(6) Any room intended for human habitation and not abutting on either the front, rear or side open spaces, shall abut on an interior open space whose width shall not be less than 2.5 metres for buildings up to 10 metres height.

Provided that in the case of buildings up to 7 metres height it shall be sufficient if such interior open space has a minimum width of 1.5 metres.

(7) The rainwater collected in a site shall not normally be allowed to flow in to the drain. It shall be retained in suitable pits of sufficient size taken within the site in order to allow the water to percolate in to the under ground. The pits shall be covered suitably, and arrangements shall be made to direct the water from all parts of the site in to the pit.

(8) For buildings above 10 metres in height, in addition to the minimum front, rear and side open spaces the minimum distance in between various blocks and the minimum width of interior open space required for height upto 10 metres, there shall be provided increase in such minimum open space at the rate of 0.5 metre for every 3 metres height or part thereof exceeding 10 metres. Such additional set back corresponding to increase in height shall be provided for the whole building from ground level itself.

(9) No construction or hanging of any sort shall be permitted to project outside the boundaries of the site.

(10) Every open space provided, either interior or exterior shall be kept free from any erection thereon and shall be open to the sky and only cornice, roof or weather shade projections to a maximum width of 0.60metre shall be permitted. However the width of these projections may be increased as required if the depth of the open space is increased to that extent.

Provided that the projections provided shall be so limited that the width of the remaining open space shall not be less than 0.50 metre:

Provided further that where the mandatory open space has minimum 1.5 metres depth cornice, roof or weather shade up to 0.75 metre. shall be permitted to project and increase in the width of cornice, roof or weather shade shall be permitted corresponding to the increase in the mandatory open space:

Provided further that open flight of steps or ramps meant, as access to upper or lower floors shall be permitted in the side or rear open spaces having a depth not less than 1.20 metres. Such stair, step or ramp shall have a minimum distance of 60cm. from the boundaries, for buildings up to 10 metres height from ground level; and for buildings above 10 metres height the open space shall be increased at the rate of 0.50 metres for every 3metres height or part thereof:

Provided further that where the ground is below or above street level, either open steps, or ramp or bridge having width not exceeding the minimum access required under these rules or 3 metres whichever is higher shall be permitted from the street, to the building as means of access:

Provided also that the underneath of such means of access shall not be enclosed; however pillars may be permitted for its support.

(11) The front, rear and side setbacks for constructions below the ground level (basement floor etc) shall be the same as that required for a 10 metre high building of the same occupancy group constructed above ground level.

28. Minimum distance between central line of a street and building.- (1) The minimum distance between the central line of a street and any building (other than a compound wall or fence or outdoor display structure) shall be 4.50 metres and the minimum distance between the street boundary and building shall be 2 metres for buildings upto 7 metres in height, in roads other than National Highway, State Highway, District Roads and roads notified by Panchayat; and it shall be 3 metres. for National Highway, State Highway, District Roads and notified roads; and for buildings more than 7 metres in height the set back shall be minimum 3 metres from the boundary of any street/road.

Provided that in the case of cul-de-sac not exceeding 150 metres length or pedestrian lanes or streets below 3 metres width it shall be sufficient if the distance between the plot boundary abutting the street and building is 1.50 metres for buildings upto 7 metres height irrespective of the distance from the central line of the road to the buildings.

(2) Any restriction under street alignment or building line or both, if any, fixed for the area and restriction under any Town Planning Scheme or any other rules or byelaws shall also apply simultaneously to all buildings in addition to the provisions contained in sub rule (1).

(3) The provisions contained in sub-rules (1) and (2) shall apply invariably to all buildings where the front, rear or side yards abut a street or gain access through a street.

29. Extension in the ground floor etc.- (1) Extension or addition to any existing authorised building, either horizontally or vertically or both shall be permitted, if the proposed extension/ addition satisfies the provisions in these rules, irrespective of whether the existing building conforms to the provisions in these rules or not:

Provided that for the purpose of calculating maximum coverage and floor area ratio permissible, for calculating the total off street parking requirements and for determining minimum width of access to a building and plot as well as the width of the street giving

access to the plot from the main street and fire fighting requirements, both the proposed extensions/additions and the existing building shall be taken into account.

(2) Separate and independent building shall be permitted in a plot already having one or more authorised buildings, if the proposed building satisfies the provisions of these rules, irrespective of whether the existing buildings in that plot satisfies the provisions of these rules or not:

Provided that for the purpose of calculating maximum coverage and floor area ratio permissible, for calculating the total off street parking requirements and for determining minimum width of access to a building and plot as well as the width of the street giving access to the plot from the main street and fire fighting requirements both the proposed and the existing buildings in the plot shall be taken into account:

Provided further that the distance between the proposed building and other existing buildings shall be governed by rule 27.

(3) Conversion of roof with the same or a different material or additional sheet roof for protection from sun and rain shall be permitted to any building, if not otherwise prohibited by these rules or main rules or the Act, irrespective of whether such building conforms to the provision in these rules or not:

Provided that the clear distance of the roof edges from the plot boundaries shall not be reduced from the existing distance, but however where sufficient distance is available it can be reduced to such extent that the provisions regarding projections permissible into open space as provided in rule 27 shall be observed.

Provided further that no portion of the roof shall encroach or project into the street or the neighbouring plots and water from the roof shall not be allowed to fall into the street or the neighbouring plots or the plot boundaries:

Provided also that no permission shall be necessary for conversion of roof with grass, leaf or thatch:

Note: When additional sheet roof protection is provided above existing terrace, if sufficient height is available between the terrace and sheet roof so as to make it usable space, provisions of sub rule (1) of rule 28 shall be applicable for non-residential buildings.

(4) Conversion of shutters or doors with the same or a different material or erection of shutters or doors shall be permitted in any building if not otherwise prohibited by these rules, irrespective of whether such building conforms to the provisions in these rules or not:

Provided that the area or height of the building shall not be increased.

30. *Waste disposal.* – There shall be provisions for safe disposal of waste.

31. *Development including land sub division and plot development thereof for residential use .-* All new developments including land subdivisions, plot developments and pooling of land owned by different owners shall be subject to the following namely:-

(i) Every plot shall have an average width of not less than 6.00metres with minimum frontage not less than 4.0metres; an average depth of not less than 12metres, and a minimum plot area of 125 square metres:

Provided that for row housing where side open spaces are not required, building plots shall have an average width of not less than 4.50 metres and an average depth of not less than 10 metres;

(ii) (a) The minimum width of the street giving access to the land proposed for subdivision from the main street shall be as given in Table 1-A.

TABLE 1-A
WIDTH OF STREET
[As per rule 31 (ii)(a)]

Sl. No:	Total extent of land	Minimum width required (in metres)
01	Upto 0.5 hectares and subdivided to 20 plots or less.	No minimum
02	Upto 0.5 hectares and subdivided to more than 20 plots.	3.00
03	More than 0.5 hectares upto 1 hectares	3.60
04	More than 1 hectare upto 2 hectares	5.00
05	More than 2 hectares	6.00

(b) Every street in the layout shall have a width of not less than 7 metres and shall be motorable.

Provided that in the case of cul-de-sac with length not exceeding 150 metres, the width shall not be less than 5 metres and for length not exceeding 25 metres the width shall not be less than 3 metres:

Provided further that in residential areas where motorable access street cannot be made in difficult terrain the width of any new access street shall not be less than 5 metres; and for cul-de-sacs, having length not exceeding 150 metres, the width of street shall not be less than 3 metres;

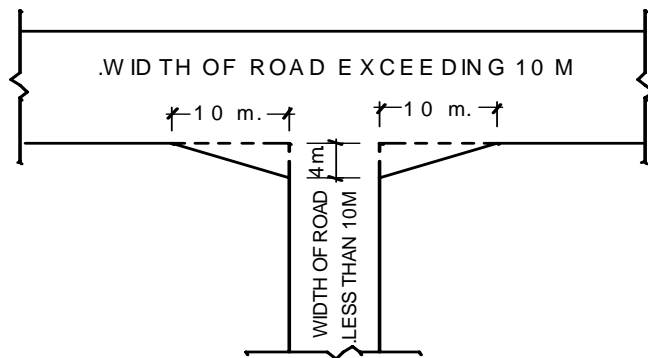
(iii) When the area of the land under development work, layout or subdivision (exceeding ten plots) is 50 ares or more, 10% of the total area shall be provided for recreational open spaces and shall be suitably located to be accessible to the residents of the locality: The open space shall be provided exclusive of streets, cul-de-sacs, water body or swimming pools:

Provided that while considering the area of the land, the area of any contiguous land belonging to the same owner, though not proposed for immediate development shall be taken into account;

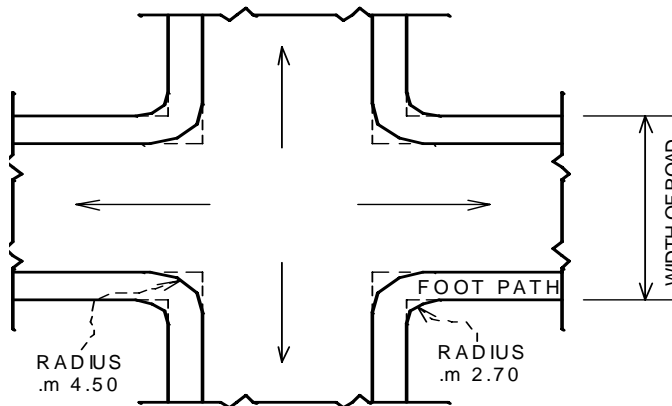
(iv) The recreational open space to be provided under item (iii) above shall have an access as if it was a separate plot and as far as possible it shall be in one piece and in no case less than 2 ares in area, with a minimum width of 6 metres:

(v) The layout or subdivision proposal shall be in conformity with the provisions of statutorily published or sanctioned town planning scheme for the area and if the land is affected by any reservation for a public purpose, the Secretary may agree to adjust its exact location to suit the development but not so as to affect its area;

(vi) The street junctions shall be splayed or rounded off to give sufficient turning radii and sight distance for vehicles. The side of the splay shall be minimum of 4 metres for roads up to a width of 10 metres and shall be a minimum of 10 metres for roads exceeding 10 metres width as shown in the figure below:



SPLAYING OF ROAD AT JUNCTIONS



ROUNDING OF CORNERS AT INTERSECTIONS

(vii) in the case of a layout or subdivision of land having an area of two hectares or more, a suitable plot for an electric transformer shall be provided;

(viii) In the case of layout for subdivision of plots, where the number of residential plots exceeds 20, approval of the District Town Planner shall be obtained if the area of the land is above 0.5 hectare and upto 2 hectares and approval of the Chief Town Planner shall be obtained if the area of land exceeds 2 hectares.

(ix) if the site forms part of an approved layout, copy of the subdivision layout shall be enclosed along with the plans for approval; and

(x) adequate arrangements for surface water drainage shall be provided by the developers.

(xii) Throughout the entire period of land development, the owner shall display the details of the permit near the entrance to the site in a board of size not less than 100 centimetres X 75 centimetres. The details to be displayed include name and address of the owner and developer with phone number, details of plots such as number, area and use, the area and location of recreational open spaces, road widths, Number and Date of the approval of District Town Planner/ Chief Town Planner, Number and date of the permit and the name of Local Self Government Institution.

32. Development including land sub-division and plot development thereof for mercantile (commercial) development.-All new developments including land sub-divisions and plot developments shall be subject to the following:-

(i) (a) the width of access/access street to the development area shall be minimum 10m;

(b) the width of every new street, public or private, intended for use as a cart or carriage way giving access to or through a commercial precinct consisting of a continuous row of shops exceeding ten in number shall not be less than 10 metres except in the case of cul-de-sac not exceeding 150 metres where the minimum width shall be 7 metres;

(ii) the frontage of every commercial plot abutting such streets shall have a minimum width of 6 metres;

(iii) no plot with a layout proposed for commercial development shall have an area less than 60 sq.metres;

(iv) for every plot within a layout for commercial development, building line from the street shall not be less than 3 metres;

(v) no plot intended to house a service garage or auto workshop within a layout for commercial development shall be of an area less than 300 sq.metres and an average plot width less than 12metres;

(vi) the approval of the District Town Planner shall be obtained for the layout of all new commercial streets and land subdivisions exceeding 10 plots.

33. Development including land sub-division and plot development thereof for industrial development.- (1) All new developments including land sub-divisions and plot developments shall be subject to the following:-

(i) (a) the width access/access street to the development area shall be minimum 10m.

(b) the width of every new street, public or private, intended for use as a cart or carriage way giving access to or through an organised industrial area with not less than six constituent units, shall be a minimum of 10 metres:

Provided that in the case of a small industrial unit or cul-de-sac not exceeding 150 metres in length the minimum road width shall be 7 metres;

(ii) the minimum size of industrial plots abutting the street shall be 400 sq.metres in extent with a width of not less than 15 metres:

Provided that the minimum plot requirements in item (ii) shall apply to small industrial units;

(iii) in industrial layouts a place for installation of transformer shall be provided in consultation with the Chief Electrical inspector or an officer authorised by him

(iv) the approval of the Chief Town Planner or an officer of the Department of Town and Country Planning not below the rank of a Town Planner authorized by him shall be obtained for the layout of industrial streets and land subdivision exceeding five plots;

Note:- For the purpose of these rules small industrial unit means an industrial unit classified as such by Government from time to time or an industrial unit not included in Schedule I of the Factories Act,1948.

(2) The usage of plots proposed for development or redevelopment and the occupancy of any building or part thereof shall be governed by the provisions contained in the town planning schemes prepared for the locality. Where no such scheme exists, the usage shall be determined by Secretary.

(3) Notwithstanding anything contained in the rules under this chapter the provisions contained in Town Planning Scheme if any published/sanctioned under Town and Country Planning legislation in force shall prevail over provisions in these rules.

CHAPTER V

OCCUPANCY

34. Occupancy of buildings .- (1) The Occupancy of any building or part thereof shall be governed by the usage of plots proposed for development or redevelopment according to the provisions contained in the development plan or detailed town planning scheme prepared for the area.

(2) All buildings whether existing or herein after proposed, shall be classified, in one of the following occupancies, according to the use or character of occupancy, namely:-

Non-residential occupancies	{	Group A1	Residential
		Group A2	Lodging Houses
		Group B	Educational
		Group C	Medical/Hospital
		Group D	Assembly
		Group E	Office/Business.
		Group F	Mercantile (Commercial)
		Group G1	Industrial
		Group G2	Small industrial
		Group H	Storage
Group I (1) and Group I (2)	Hazardous		

Notes: –

(i) Any building not specifically covered by any of the occupancies under sub-rule (2) shall be in the group, which most nearly resembles its existing or proposed use.

(ii) Any building which accommodates more than one use under sub rule (2) shall be included under the most restrictive group

(iii) The classification of buildings into occupancy groups are only for the purpose of these rules. The ‘Occupancy group’ is not synonymous with the zoning regulations stipulated in Town Planning schemes.

(iv) All occupancies other than Group A1-Residential shall be treated as Non-residential for the purpose of these rules.

(3) The description of occupancies are given below, namely:-

(a) *Group A1* – Residential Building shall include any building in which sleeping accommodation is provided for normal residential purposes, with or without either cooking, and dining facilities. They shall include one or multifamily dwellings, apartment buildings or residential flats. Small professional offices or spaces for advocates, doctors, engineers, architects, chartered accountants, beauticians, tailors, photographers, videographers, telephone booth operators, computer professionals, typists electrical or electronic equipment service professionals, not exceeding 50 sq: metres floor area and used as part of principal residential occupancy are also included in this group.

(b) *Group A2* - Lodging Houses shall include all lodging or rooming houses, seminaries/convents, orphanage, dormitories, tourist homes, tourist resorts (or by whatever name called), hostels, hotels with or without conference halls, dining halls or assembly rooms. Crèches, daycare centres, children’s nurseries, reading rooms, libraries and educational buildings not exceeding 150 sq. metres of floor area are also included in this group.

(c) *Group B*.- Educational building shall include all educational buildings or part thereof, exceeding 150 sq. metres of floor area, used for school ,college, institutions, education and /or research.

(d) *Group C* - Medical or Hospital Building shall include any building or part thereof, exceeding 150 sq. metres of floor area which is used for purposes such as medical or other treatment or care of persons suffering from physical or mental illness, disease or infirmity, care of infants, convalescents or aged persons. Hospitals, sanatoria, clinics, homes for the aged and the infirm, convalescent homes, mental hospitals etc, are included in this group.

(e) *Group D* - Assembly building shall include any building or part of a building exceeding 150 sq. metres of floor area where people congregate or gather for amusement, recreation, social, religious, patriotic, political, civil, travel and similar purposes such as theatres, motion picture houses or cinemas, assembly halls for educational, dramatic or theatrical presentations, auditoriums, wedding halls, community halls, exhibition halls, art galleries, museums, libraries, skating rings, gymnasiums, congregation, dance halls, club rooms, passenger stations or transport terminals, recreation piers, amusement park structures, viewing stands, grand stands, stadia and circus tents.

(f) *Group E* - Office or Business building shall include any building or part of a building having a total floor area of more than 300 sq: metres which is used for transaction of public or private business or for accommodating offices of public or private agencies or for keeping of records, accounts and similar purposes. Local, State and Central Government offices, buildings for office purposes constructed by private sector and quasi government agencies and buildings for the use of defense purposes, court houses, public utility buildings, slaughter houses, jails and prisons are included in this group. All Information Technology Buildings are also included in this group. Further, in the case of Government Owned Information Technology Parks, Government Approved Private Information Technology Parks and Government Approved Private Information Technology Buildings; all buildings or part of buildings intended for providing ancillary or support services, amenities and utilities such as offices, residences, social amenities, recreational facilities, commercial establishments etc shall also fall under this occupancy group.

(g) *Group F* - Mercantile or Commercial building shall include any building or part thereof which is used for display and sale of merchandise such as shops, stores, markets etc., either wholesale or retail. Banking and financial institutions, private business houses and professional establishments of doctors, dentists, engineers, architects, lawyers, pathological laboratories, tailor shops, video shops, barbershop, beauty parlours, news stands, milk booths, restaurants and non nuisance type of small establishments like armature winding shops using power motor or machine of capacity not exceeding 3 horse power are included in this group. Further, buildings or part of building used exclusively for parking of vehicles (parking buildings, parking plazas etc) are also included in this group.

Note; - (1) Any building with not more than 150 sq. metres built up area accommodating the use under Group C and D and with not more than 300 sq. metres built up area accommodating the use under Group E, and H shall be included in Group F.

(h) *Group G1* - Industrial building shall include any building or part thereof where products or materials of all kinds and properties are fabricated, assembled or

processed. It includes workshops, assembly plants, laboratories, dry cleaning plants, refineries, dairies, sawmills, and the like.

(i) *Group G2* - Small industrial building shall include any building or part thereof where products or materials of all kinds and properties are fabricated, assembled or processed by small scale industrial units.

Note: - Small scale industrial unit means an industrial unit carrying on small scale industry classified as such by Government from time to time for this purpose but does not include an industry included in schedule I of the Factories Act 1948.

(j) *Group H* - Storage building shall include any building or part thereof used primarily for the storage or sheltering (including servicing, processing or repairing incidental to storage) of goods, wares or merchandise (except those involving highly combustible or explosive products or materials), vehicles and the like. Warehouses, freight depots, transit sheds, storehouses, garages, hangars, grain elevators, barns and silos are included in this group. Minor storage incidental to other occupancies shall be treated as part of the predominant occupancy.

(k) *Group I (1)*- Hazardous building shall include any building or part of a building which is used for purposes which create air and sound pollution of minor nature and /or producing effluents which does not cause very adverse environmental effects. Automobile wash stall, automobile service stations, service garages with repairing facilities, welding work shops are included in this group. Poultry farms with more than 20 hens or ducks, dairy with more than 6 cattle, kennel with more than 6 dogs are also included in this group.

(l) *Group I(2)* -Hazardous building shall include any building or part of a building which is used for storage, handling, manufacturing or processing of highly combustible, explosive, poisonous, irritant, corrosive, toxic or noxious materials or products or materials producing dust. They shall include buildings and yards used for -

(i) Storage under pressure of more than 1 kg/cm² and in quantities exceeding 70m³ of acetylene, hydrogen, ammonia, chlorine, phosgene, sulphur dioxide, carbon monoxide, carbon dioxide, methyl oxide and all gases subject to explosion, fumes or toxic hazard.

(ii) Storage and handling of hazardous and highly inflammable liquids;

(iii) Storage and handling of hazardous and highly inflammable or explosive materials other than liquids, gas bottling plants, petrol and diesel storage tanks;

(iv) Manufacture of plastic goods, synthetic leather, ammunition, explosives and fire works; and

(v) Crematoria, burial grounds, vaults, garbage dumping yards, abattoirs (slaughter houses), sewage treatment plants, stone crusher units, automobile fuel filling stations, coal, wood and timber yards with saw mills.

35. *Coverage and Floor Area Ratio.*- (1) The maximum percentage of coverage permissible for each occupancy shall limit the maximum area at any floor of a building. The floor area ratio value shall limit the maximum buildable total floor area. Floor Area Ratio ie F.A.R shall be calculated as shown below:

$$\text{Coverage} = \frac{\text{maximum built up area at any floor}}{\text{Plot area}} \times 100 \%$$

$$\text{F.A.R.} = \frac{\text{Total floor area on all floors}}{\text{Plot Area}}$$

(2) The percentage of coverage and the F.A.R value of buildings under different occupancies shall not exceed the maximum specified in Table 2 below

TABLE 2
Coverage and Floor Area Ratio (F.A.R)

Sl.No:	Occupancy	Maximum permissible coverage (percentage of plot area)		Maximum permissible F.A.R.					
		Category I Grama Panchayats	Category II Grama Panchayats	Category I Grama Panchayats	Without additional fee	With additional fee at the rate of Rs. 500 per sq. metres of additional floor area	Grama	Without additional fee	With additional fee at the rate of Rs. 1000 per sq. metres of additional floor area
(1)	(2)	(3a)	(3b)	(4a)	(4b)	(4c)	(5a)	(5b)	(5c)
1	Residential A1	65	60	2.75	-	-	2.50	-	-
(a)	Upto 300 sq.metres	65	60	2.75	-	-	2.50	-	-
(b)	More than 300 sq.metres	60	55	1.75	2.25	2.75	1.75	2.50	2.50
2	Lodging Houses A2	60	55	1.50	2	2.50	1.50	2.25	2.25
3	Educational B	35	35	1.50	-	1.75	1.50	1.75	1.75
4	Medical/Hospital C	35	35	1.50	1.75	2.00	1.50	1.75	1.75
5	Assembly D	40	35	0.70	1.0	1.50	0.70	1.25	1.25
6	Office/Business E	40	35	1.50	2.0	2.50	1.50	2.00	2.00
7	Mercantile/Commercial F	60	55	2.00	-	2.50	1.75	2.25	2.25
8	Industrial G1.	40	35	1.20	-	1.50	1.20	1.50	1.50
9	Small Industrial G2	60	55	2.00	-	2.50	1.75	2.25	2.25
10	Storage H.	70	65	2.00	-	2.50	1.75	2.25	2.25
11	Hazardous I(1)	30	30	0.70	-	1.00	0.70	1.00	1.00
12	Hazardous I(2)	25	25	0.70	-	-	0.70	-	-

Note :-

(i) The maximum permissible coverage of a building of a particular occupancy group shall be limited by the value given in Table 2 and shall be the area covered by the building at any floor after accounting for the exterior (front, rear and sides) and interior open spaces.

(ii) Area used for parking of vehicles within a building, electrical room, room for air conditioning plant, generator room, area occupied by lifts except for one floor, internal sanitary shafts, air conditioning ducts etc; shall not be reckoned as floor area in F.A.R calculation.

(iii) In the case of a building / building complex which accommodates more than one occupancy from among the groups A1-Residential, A2-Lodging Houses, D-Assembly, E-Office or Business and F-Mercantile/ Commercial, the maximum permissible Floor Area Ratio and Coverage shall be the weighted average of the Floor Area Ratio and Coverage under the respective occupancies in Table 2, if the plot has an area more than 0.5 hectares.

Provided that, if the plot area is upto 0.5 hectares, the Floor Area Ratio and Coverage shall be that of the most restrictive occupancy.

(iv) In the case of Government Owned Information Technology Parks, Government Approved Private Information Technology Parks and Government Approved Private Information Technology buildings under Group E occupancy, the maximum permissible FAR shall be 3.25 and the maximum permissible coverage shall be 40%, irrespective of the category of the Grama Panchayat.

36. Height of buildings.- (1) The maximum height of any building or part thereof shall be limited according to the width of the street as follows:

(a) The maximum height of a building or part thereof shall not exceed 1.5 times the width of the street abutting the plot plus 1.5 times the width of the yard from the building to the abutting street and this height may be further increased at the rate of 3 metres for every 0.50 metre or part thereof by which the building is set back from the building line.

(b) If a building plot abuts on two or more streets of different width, the building shall be deemed to abut the street that has the greater width and the height of the building shall be regulated by the width of that street and may be continued at this height along the narrower street.

Provided that the height restriction as per this rule shall be compulsory only for buildings or parts of buildings coming within 12 metres of building line.

Provided further that appurtenant roof structures like staircase tower, over head tanks, air conditioning rooms, cellular telecommunication equipment or tower structures, cabin rooms, chimneys, parapet walls and similar roof structures other than pent houses shall not be included in the height of the building for the purpose of this rule:

(2) For buildings, structures and installations in the vicinity of airports, the stipulations with regard to height shall be further limited subject to any notification issued by Government of India under the Aircrafts Act, 1934 and its amendments from time to time.

(3) In the case of construction or reconstruction of buildings or alteration or addition to existing buildings within any Security Zone, the overall height of building upto its topmost point shall not exceed 10 metres or as specified by the District Collector as per sub rule (8) of rule 5 and/or sub rule (8) of rule 7, whichever is less:

Provided that, if the overall height of any existing building in the Security Zone is 10 metres or more upto its topmost point, further vertical extension of that building shall not be permitted:

Provided further that the height of building shall be measured from the average level of ground contiguous to the building.

37. Access .- (1) The minimum clear width of access to a building and plot as well as the width of the street giving access to the plot from the main street shall be as shown in Table 3. 1

**Table 3
ACCESS**

Sl. No	Type of building	Residential		Non-residential other than Group B and C occupancies		Group B and C occupancies	
		Single unit	Multiple unit	Upto 300 sq.m floor area in each floor	Above 300 sq.m floor area in any floor	Upto 300 sq.m floor area in each floor	Above 300 sq.m floor area in any floor
(i)	Single Storeyed	NA	1.2	1.2	3.6	3.6	5.0
(ii)	Two Storeyed	NA	2.0	3.6	5.0	5.0	5.0
(iii)	Three Storeyed	3.0	3.6	5.0	5.0	5.0	6.0
(iv)	Four Storeyed	3.6	5.0	5.0	6.0	6.0	6.0
(v)	Above four storeyed	8.0	8.0	8.0	8.0	8.0	8.0

Provided that the access width of any building shall be modified to be in accordance with the provisions in any Town Planning scheme for the area:

Provided further that, in case of a building having multiple occupancy, the whole building shall be treated as being occupied by the most restrictive occupancy for arriving at the access width:

Provided also that in the case of high rise buildings, the minimum width of access shall be the width as stipulated in Chapter XVI of these rules.

Provided also that, in the case of Government and aided schools upto higher secondary (including vocational higher secondary) level, the existing access and street shall be sufficient for carrying out the following constructions reconstruction, addition or alteration of building(s) in the plot, namely:

(i) any addition of toilet blocks and other sanitation arrangements;

(ii) other building works without increase in the total floor area of all the buildings put together in the plot prior to carrying out such works.

(2) No person shall at any time construct or cause or permit to construct or reconstruct any building which in any way encroaches upon or diminishes the area set apart as access to that building.

(3) No person shall construct a building or undertake construction work on a building, which reduces the access to any building previously existing, below the minimum width required under these rules.

(4) No building shall be constructed so as to deprive any other building of an existing access.

(5) The space so set apart as access shall be separately distinguishable from any house gully or open space required to be provided under any other rule.

(6) Every access shall be drained and lighted to the satisfaction of the Secretary, and man-hole covers or other drainage, water or any other fittings laid in such access shall be flush with the finished surface level so as not to obstruct safe travel over the same.

38. *Parking, Loading and Unloading Spaces.*- (1) Area of each off-street parking space provided for parking motor cars shall be not less than 15 sq.metres (5.5 metres x 2.7 metres). The area requirements for each off-street parking space for parking two-wheelers (other than cycles) and cycles are 3 sq.metres and 1.5 sq.metres respectively.

(2) For buildings of different occupancies, off-street parking spaces for motor cars shall be provided within the plot as specified in Tables 4A and 4B as the case be.

TABLE 4A
Off-street Parking Space for Group A1- apartment houses/ flats

Carpet area per dwelling unit	Off-street parking spaces at the rate of
upto 60 sq.metres	1 for every 4 dwelling units
above 60 sq. metres upto 100 sq.metres	1 for every 2 dwelling units
above 100 sq.metres upto 150 sq.metres	1 for every dwelling unit
above 150 sq.metres upto 250 sq.metres	1.5 for every dwelling unit
above 250 sq.metres	2 for every dwelling unit

Note:- Fractions if any in the total number of parkings worked out shall be rounded off to the next whole number.

TABLE 4B
Off-street Parking Space for occupancies other than Group A1 - apartment houses/ flats

Sl. No	Occupancy	One parking space for every or fraction of
1	Group A2- Lodging Houses - Lodging and rooming houses, Tourist homes and hostels, Dormitories etc. without any attached eating facility such as restaurant, Canteen, Cafeteria, mess or dining	<p>(i) Rooms with attached bath and W.C</p> <p>(a) 4 rooms (with each room upto 12 sq.metres of carpet area)</p> <p>(b) 2.5 rooms(with each room upto 12 Sq.metres and upto 20 sq.metres of carpet area)</p> <p>(c) 1.5 rooms (with each room above 20 sq.metres of carpet area)</p> <p>(ii) Rooms without attached bath and W.C</p> <p>(a) 9 rooms(with each room upto 5 sq.metres of carpet area)</p> <p>(b) 6 rooms (with each room above 5 sq.metres and upto 12 sq.metres of carpet area)</p> <p>(c) 3 rooms (with each room above 12 sq.metres of carpet area)</p> <p>Note:- Parking space at the rate of one for every 20 sq.metres carpet area of dining space or 10 seats of dining accommodation shall be provided in addition to the above, in the case of Lodging Houses buildings attached with eating facility.</p>
2	<p>Group B- Educational</p> <p>(i) High schools , Higher Secondary Schools, Junior Technical Schools, Industrial Training Institutes etc.</p> <p>(ii) Higher educational institutions</p>	<p>(i) 250 Sq.metres of carpet area</p> <p>(ii) 100 sq.metres of carpet area</p>
3	Group C-Medical /Hospital	75 Sq.metres of carpet area

4	Group D-Assembly	15 seats of accommodation Note :- (i) In the case of wedding halls and community halls, for calculating the carpet area or seating accommodation, for the purpose of parking area, the carpet area of either the auditorium or the dining hall, whichever is higher, alone need be taken. (ii) for the purpose of this rule, 1.50 sq.metres carpet area shall be considered as one seating accommodation.
5	Group E-Business /Office Building	75 Sq.metres of carpet area for buildings having total carpet area upto 1000 sq.metres and 50 Sq.metres of carpet area for the total carpet area in excess of 1000 sq.metres.
6	Group F –Mercantile /Commercial building exceeding 75 sq.metres of carpet area	75 Sq.metres of carpet area for buildings having total carpet area upto 1000 sq.metres and 50 Sq.metres of carpet area for the total carpet area in excess of 1000 sq.metres.
7	Group G1-Industrial Building	200 sq.metres of carpet area
8	Group G2-Small Industrial	200 sq.metres of carpet area
9	Group H-Storage	200 sq.metres of carpet area

Provided that in the case of Category II Village Panchayats, it shall suffice if 75% of the above parking is provided.

Provided further that in the case of a building / building complex accommodating more than one occupancy, parking as above shall be made available in the same plot itself, earmarking the occupancy wise parking areas as detailed in Table 5.1 and 5.2 for the respective occupancies:

Provided also that, in the case of Government Owned Information Technology Parks, Government Approved Private Information Technology Parks and Government Approved Private Information Technology Buildings under Group E occupancy, the off-street car parking requirement shall be at the rate of one parking space for every 40 sq. metres of carpet area or fraction thereof:

(3) Every off-street parking space shall be provided with adequate vehicular access to a street; area of drives, aisles and such other provisions required and adequate area for manoeuvring of vehicles in addition.

(4) Wherever any off-street parking space is required under these rules, 25% of that area shall be provided additionally for parking two- wheelers.

(5) In the case of apartment houses/ flats, 15% of mandatory off-street parking space as in Table 4A shall be provided additionally, earmarked and maintained exclusively to accommodate visitors' parking.

(6) In addition to the parking space as in Table 4B, in the case of Group F - Mercantile or Commercial, Group G1 – Industrial, Group G2 – Small industrial and Group H - Storage occupancies, loading and unloading spaces each 30 sq.metres shall be provided within the plot, at the rate of one such space for each 1000 sq.metres of floor area or fraction thereof, exceeding the first 700 sq.metres of floor area.

(7) Not exceeding fifty percent of the mandatory open yard (space) shall be taken into account for calculating the required parking space if such open yard (space) has adequate vehicular access and area for manoeuvring.

(8) The minimum mandatory open spaces around any building(s) as per these rules shall not be sold or let out for parking of vehicles.

CHAPTER VI

PARTS OF BUILDINGS

39. The provisions in this chapter shall apply to all buildings other than family residential buildings with not more than three floors and not more than six dwelling units, unless specified otherwise in these rules.

40. *Mezzanine floor* .-(1) The floor area of the mezzanine floor shall not exceed one third area of the main floor or room accommodating the mezzanine floor.

(2) The headroom measured from the surface of the floor to any point on the underside of the mezzanine floor shall not be less than 2.20 metres.

41. *Height of room*.-The height of room in any building other than residential occupancy and livestock/poultry farm under group I(1) hazardous occupancy, shall not be less than 3.00 metres:

Provided that in the case of air conditioned rooms it shall be not less than 2.4 metres.

42. *Water closet*.- Every building shall be provided with at least one water closet.

43. *Size of bathroom and latrine*.- (1) The area of a bath room shall not be less than 1.50 sq. metres with either side not less than 1.1metres and the carpet area of a latrine shall not be less than 1.10 sq. metres with one side not less than 1.0 metre:

Provided that the area of a combined bathroom and latrine shall not be less than 2.20 sq. metres with one side not less than 1.10 metres.

(2) The height of bathroom or latrine shall be not less than 2.20 metres.

44. *Stair cases.*- (1) Any building having more than four floors including basement or sunken floors, shall have at least two staircases, one of which may be an external stairway:

Provided that when the second staircase provided as external stair way conforms to the provisions of fire escape staircase, a separate fire escape stair need not be provided.

Note : An external stair is one which is connected to public areas and/or common areas on all floors and leads directly to ground, has at least two sides abutting external wall, these two sides being provided as open or with break open glass and has landing areas accessible from the external side or an external stair which is wholly open and remote from the main building. Such an external stair shall be remote and away from the main stairway.

(2) The minimum width of stair shall not be less than 1.20 metres

(3) The minimum width of tread shall be 30 cm.

(4) The height of the riser shall not exceed 15 cm. .

(5) The height of handrail shall be not less then 90 cm.

(6) The width of passages giving access to the staircase in any building shall not at any point, be less than the width of the stair

(7) The use of spiral staircase shall be limited to low occupant load and buildings upto 9 metres in height unless they are connected to platforms such as balconies and terrace to allow easy exit.

(8) A spiral staircase shall be not less than 1.50 metres in diameter and shall be designed to give adequate headroom.

45. *Ramps.*-(1) The maximum gradient of a ramp approach intended for the physically handicapped persons shall not exceed 1 in 10 and shall be finished with approved non-slippery materials. The minimum width of the ramp shall be 1.2metres and provided with handrails of height not less than 80cm.

(2) Every part of a building within a floor shall be accessible by a wheel chair and in case of level difference between parts they shall be connected by ramp/slope ways with minimum specifications as above.

46. *Corridors, Verandahs and passageways.*- The clear width of any corridor, verandah or passageway in any building shall not be less than 1.0 metre at any point

47. *Fire escape staircase.*- (1) Fire escape staircase shall be provided for every building of, -

(a) residential occupancy exceeding three storeys above ground level;

(b) occupancies other than residential exceeding two storeys above ground level.

(2) The width of fire escape staircase shall not be less than 0.75metre, the width of fire escape stair tread shall not be less than 15 cm, the height of the fire escape stair riser shall not exceed 19 cm, and the number of risers shall not exceed 16 per flight of stairs.

(3) The height of handrail shall not be less than 1 metre.

(4) Fire escape stair shall be constructed only in the exterior of the building and shall be connected directly to the ground.

(5) Fire escape stairs shall have a straight flight.

(6) Entrance to fire escape staircase shall be separated and remote from internal staircase.

(7) The use of spiral staircase shall be limited to low occupant load and buildings upto 9 metres in height unless they are connected to platforms such as balconies and terraces to allow easy exit.

(8) A spiral staircase shall not less than 1.50 metres in diameter and shall be designed to give adequate headroom.

48. Travel distance to emergency exit.- (1) Every building meant for human occupancy shall be provided with emergency exits sufficient to permit safe escape of occupants in case of fire or whenever other emergency occurs.

(2) Emergency exits shall be located in such a way that the travel distance on each floor shall not exceed 30 metres for every occupancy.

(3) Exits shall be either horizontal or vertical type.

(4) An exit may be a doorway corridor or passageway to an internal staircase or external staircase, ramps to the street or to the roof of a building; it may be a horizontal exit leading to an adjoining building at the same level:

Provided that lifts and escalators shall not be considered as exits.

49. Fire Protection requirements.- All requirements in respect of fire protection shall conform to Part IV, Fire and Life Safety, National Building Code of India, 2005 and amendment No.3 on Part IV under Fire Protection Annexure II, as amended from time to time.

50. Doorways.- (1) Every exit doorway shall open into an enclosed stairway or a horizontal exit or a corridor or passageway providing continuous and protected means of egress.

(2) No exit doorway shall be less than 75 cm., in the case of residential and 1.2 metres in the case of all other occupancies.

51. *Lift.*- (1) Any building exceeding three storeys in the case of Group C – Hospital / Medical occupancy and four storeys in the case of other occupancies shall have at least one lift:

Provided that, additional lift shall be provided:

- (a) at the rate of one lift for every 2500 sq.metres of the total floor area or part there of in excess of the first 4000 sq.metres;
- (or)
- (b) by adopting the provisions in the National Building Code for calculating the number of lifts, in which case, the respective registered engineer, architect etc. shall furnish certificate, design calculation and specifications all duly signed, along with the application for building permit. The certificate shall be to the effect that the lifts provided conform to the provisions of the National Building Code.

(2) The planning, design and installation of lifts shall be in accordance with Part VIII, Building services,, Section 5, Lift, Elevators and Escalators in National Building Code of India, 2005.

(3) Whenever more than one lift is required as per sub rule (1) or bye laws made under the Act, at least one lift shall be a higher capacity lift that can carry a stretcher.

52. *Lighting and ventilation.*- (1) Every habitable room shall be furnished with sufficient number of openings such as windows and ventilators affording effectual means of admission of light and air by direct communication with the external air as provided in the National Building Code of India 2005, as amended from time to time, or shall be sufficiently lighted and ventilated by artificial means.

(2) No portion of a room shall be assumed to be lighted if it is more than 7.5 metres away from the opening assumed for lighting that portion unless it is artificially lighted.

(3) Windows and ventilators which open into a verandah shall be deemed to communicate with the external air, if such verandah is not more than 3 metres wide and open throughout its entire length into an open space, open to the sky; the width of such open space being not less than 3.0 metres. Trellis, mesh, grill or net may, however, be provided on the open side of the verandah.

(4) Every kitchen shall be ventilated according to the standards stipulated for habitable rooms and shall have suitable flue for the escape of smoke and heated air unless it is provided with an approved form of smokeless installation.

(5) Every bathroom or latrine shall be provided with proper light and ventilation.

(6) Every bathroom or latrine shall have atleast one of its walls abutting on an open space or open verandah or an airshaft if not centrally air-conditioned; the size of airshaft being not less than that specified in Table 5.

Table 5
Size of Air Shaft

Sl.No.	No. of Storeys	Area of the airshaft in Square metres.	Minimum width of Airshaft in
1	Upto 3	1.08	0.9
2	Upto 6	2.40	1.2
3	Upto 10	3.00	1.5
4	Above 10	5.00	2.0

53. *Recreation space.*- (1) Any residential apartment under Group A1 – occupancy having more than 12 dwelling units in a single plot or single building, shall be provided with a recreational space of suitable size.

(2) The recreational space as per sub rule (1) shall have not less than 6% of the total floor area of all the units taken together. A minimum 50% of such recreational space shall be provided outside the building on the ground itself. Remaining recreational space may be provided either inside a building or outside or both. The recreational space, if provided outside a building on the ground, shall be exclusive of parking areas, driveways and other utility areas. If recreational space is partly provided on any open terrace, the recreational space so provided shall not be more than 25% of the open terrace area. Such space shall be enclosed all around either by walls or parapet walls made of stable materials to a height of not less than 150 centimetres with grill mesh of size not more than 10centimetres X 10centimetres over it upto further height of 150 centimetres. Such recreational space in open terrace shall be provided with safety measures including exits as per these rules.

Note :-

(1) Spaces like swimming pool, recreation hall or health club shall also be considered as recreation space for this purpose.

(2) The recreation space may be provided as a single unit or as different units.

CHAPTER VII

SPECIAL PROVISIONS FOR CERTAIN OCCUPANCY BUILDINGS

54. *Additional provisions to certain occupancy groups.*- The provisions in rules 26 to 53 shall apply to certain occupancy groups, subject to the additional provisions or modifications contained in rules 54 to 61.

55. *Group A1-Residential and Group A2 - Lodging Houses occupancy.*- (1)In the case of apartment houses/ flats under Group A1 Residential occupancy, approval of the District Town Planner shall be obtained for the usage of plot and lay-out of buildings with total number of dwelling units exceeding 50 units, but upto 100 units and approval of the Chief

Town Planner shall be obtained for the usage of plot and lay-out of buildings with total number of dwelling units exceeding 100 units:

Provided that, if the area is covered under any Town Planning Scheme, the usage of plot shall conform to the provisions contained in that scheme.

(2) In the case of group A2 Lodging Houses occupancy, approval of the District Town Planner shall be obtained for usage of plot and lay-out of buildings with total floor area exceeding 3000 sq. metres, but upto 6000 sq. metres and approval of the Chief Town Planner shall be obtained for the usage of plot and lay-out of buildings with total floor area exceeding 6000 sq. metres:

Provided that, if the area is covered under any Town Planning Scheme, the usage of plot shall conform to the provisions contained in that scheme.

(3) Every floor of a flat, apartment house, lodging or rooming house, dormitory, hostel or hotel with residential accommodation exceeding 150 sq. metre of floor area with a capacity for accommodating more than 20 persons shall have not less than 2 doorways as remote from each other as practicable; such doorways shall provide access to separate exits or may open upon a common corridor, leading to separate exits in opposite directions.

(4) In the case of buildings exceeding three storeys above ground level, a certificate of approval from the Director of Fire Force or an officer authorised by him shall be obtained before the issue of the building permit.

(5) All requirements in respect of fire protection shall conform to Part IV, Fire and Life Safety, National Building Code of India, 2005 and amendment No. 3 on Part IV.

56. Group B - Educational, Group C - Medical/Hospital and Group E - Office or Business Occupancies.- (1) In the case of,-

(a) Professional Educational Institutions under Group B occupancy and all buildings under Group C occupancy, approval of the District Town Planner shall be obtained for usage of plot and lay-out of buildings with total floor area exceeding 500 sq.metres, but upto 2000 sq.metres under each such occupancy and approval of the Chief Town Planner shall be obtained for the usage of plot and lay-out of buildings with total floor area exceeding 2000 sq.metres under each such occupancy:

Provided that, if the area is covered under any Town Planning Scheme, the usage of plot shall conform to the provisions contained in that scheme.

(b) In the case of Group B occupancy other than Professional Educational Institutions and Group E occupancy, approval of the District Town Planner shall be obtained for usage of plot and lay-out of buildings with total floor area exceeding 3000 sq.metres, but upto 6000 sq.metres under each such occupancy and approval of the Chief Town Planner shall be obtained for the usage of plot and lay-out of buildings with total floor area exceeding 6000 sq.metres:

Provided that, if the area is covered under any Town Planning Scheme, the usage of plot shall conform to the provisions contained in that scheme.

(2) All buildings upto 10 metres height under educational or medical/hospital or office/business with more than 300 sq.metres built up area shall have the minimum open (yards) spaces as shown below;-

- (i) Front yard average 6 metres with minimum 4.5 metres
- (ii) Side yard average 2 metres with minimum 1.5. metres (each side)
- (iii) Rear yard average 4.5 metres with minimum 2 metres

Provided that, where more than one building is proposed to be constructed in one plot it shall suffice if the open spaces in this sub rules are provided from the plot boundaries with open yards (spaces)between two buildings not less than 2 metres for buildings upto 10 metres height.

Provided further that where the height of the building exceeds 10 metres, the open (yards) space from the boundary and that in between buildings shall be increased proportionately at the rate of 0.5 metres for every 3 metres increase in height.

(3) Every hospital shall possess authorisation from the Kerala State Pollution Control Board under the Bio-medical Waste (Management and Handling) Rules 1998 as amended from time to time, for the disposal of bio-medical waste.

(5) In the case of buildings exceeding three floors from ground level under educational, medical/hospital or office/business occupancy, a certificate of approval from the Director of Fire Force or an officer authorised by him in this behalf shall be obtained and produced by the applicant before issuing permit.

(6) Requirements in respect of fire protection shall conform to Part IV, Fire and Life Safety, National Building Code of India, 2005, Amendment No.3 and shall also be subject to any further condition laid down by the Secretary.

(7) Sanitation facilities to be provided shall be computed at the rate of not less than 1 person per 4.75 sq. metres of carpet area of the building and shall be provided in numbers not less than those stipulated in Table 6 .

TABLE – 6

Sl No	Fitments	Assembly occupancies Theatres, Auditorium, Art Galleries, Libraries, Restaurants, Wedding Halls, Community Halls	Assembly Bus Terminal	Assembly Railway Stations	Assembly Airports
(1)	(2)	(3)	(4a)	(4b)	(4c)
1	Water Closet	1 per 200 males or part thereof and 1 per 100 females or part thereof.	4 for first 1000 persons and 1 for every subsequent 1000 persons or part thereof.	5 for first 1000 persons and 1 for every subsequent 1000 persons or part thereof.	5 for first 1000 persons and 1 for every subsequent 1000 persons or part thereof.
2	Urinals	1 per 50 persons or part thereof	6 for first 1000 persons and 1 for every subsequent 1000 persons or part thereof.	6 for first 1000 persons and 1 for every subsequent 1000 persons or part thereof.	6 for first 1000 persons and 1 for every subsequent 1000 persons or part thereof.
3	Wash Basin	1 for every 200 males or part thereof and 1 for every 200 females or part thereof.	4 wash basins each in male and female toilet stalls.	4 wash basins each in male and female toilet stalls.	4 wash basins each in male and female toilet stalls.
4.	Bath				

TABLE – 6 Contd...

Hotels	Storage occupancy	Educational Occupancy Boarding Institutions	Educational Occupancy Other educational institutions.	Office / Mercantile occupancy	Industrial Occupancies
(5)	(6)	(7)	(8)	(9)	(10)
1 per 100 males or part thereof and 1 per 100 females or part thereof.	1 per 50 males or part thereof and 1 per 25 females or part thereof.	1 per 10 males or part thereof and 1 per 8 females or part thereof.	1 per 40 males or part thereof and 1 per 25 females or part thereof.	1 for every 25 males or part thereof and 1 for every 15 females or part thereof.	1 per 25 males or part thereof and 1 per 15 females or part thereof.
1 per water closet for males.	1 per 100 males or part thereof.	1 per 25 males or part thereof	1 per 50 males or part thereof.	1 for every 25 persons or part thereof.	1 per every 25 persons or part thereof
1 per water closet for males and 1 per water closet for females.		1 per 10 males or part thereof and 1 per 10 females or part thereof.	1 per 40 males or part thereof and 1 per 40 females or part thereof.	Preferably one on each floor.	
1 per 100 persons or part thereof.		1 per 10 males or part thereof and 1 per 10 females or part thereof.			As required for particular trades or occupancies.

- NOTE:-
1. Sanitation facilities to be provided in assembly buildings shall in no case be less than that of 1 person per square metre of carpet area of the building and shall be provided in numbers not less than those stipulated in the table.
 2. The number of sanitation facilities provided in storage occupancy shall in no case be less than that of 1 person per 30 sq.metres of gross floor area and shall be provided in number not less than those stipulated in the table.
 3. It may be assumed that 2/3rd of the number is males and 1/3rd are females.

TABLE- 6A
SANITATION REQUIREMENT FOR MEDICAL/ HOSPITAL OCCUPANCY

Sl. No:	Fitments	Hospitals with indoor patients' ward	Hospital with outdoor patients		Administration Building	
		For males and females	For males	For females	For male personnel	For female personnel
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1	Water closet	One for every 8 beds or part thereof	One for every 100 persons or part thereof	Two for every 100 persons or part thereof.	One for every 25 persons or part thereof.	One for every 15 persons or part thereof.
2	Ablution Taps	One in each water closet plus one water tap with draining arrangement in the vicinity of water closets and urinals for every 50 beds or part thereof.	One in each water closet. One water tap with draining arrangements shall be provided for every 50 persons or part thereof in the vicinity of water closet and urinals.		One in each water closet. One water tap with draining arrangements shall be provided for every 50 persons or part thereof in the vicinity of water closet and urinals.	
3	Wash basins	Two upto 30 beds; add one for every additional 30 beds or part thereof.	One for every 100 persons or part thereof.		One for every 25 persons or part thereof.	
4	Baths with shower	One bath with shower for every 8 beds or part thereof			One on each floor	
5	Bed pan washing sink	One for each ward				
6	Cleaners' sink	One for each ward minimum	One per floor minimum		One per floor minimum	
7	Kitchen sink and Dish washers (where kitchen is provided)	One for each ward				
8	Urinals		One for every 50 persons or part thereof.		Nil - Upto 6 persons 1 - for 7 - 20 persons 2 - for 21 - 45 persons 3 - for 46 - 70 persons 4 - for 71 -100 persons From 101 to 200 persons, add at the rate of 3%. For over 200 persons, add at the rate of 2.5%.	

57. *Group D - Assembly occupancies* .- (1) In the case of Group D occupancy, approval of the District Town Planner shall be obtained for usage of plot and lay-out of buildings with total floor area exceeding 500 sq.metres, but upto 1000 sq.metres and approval of the Chief Town Planner shall be obtained for the usage of plot and lay-out of buildings with total floor area exceeding 1000 sq.metres:

Provided that, if the area is covered under any Town Planning Scheme, the usage of plot shall conform to the provisions contained in that scheme.

(2) Every building under assembly occupancy shall have open spaces as given below.

Total built up area	Required minimum open space	
Exceeding 300 sq m. and upto 500 sq m.	Front	Average 6m with minimum 4.5 m.
	Sides	Average 2m each with minimum 1.5 m.
	Rear	Average 2m with minimum 1.5 m.
Exceeding 500 sq m. and upto 800 sq m.	Front	Average 7.50m with minimum 4.5 m.
	Sides	Average 4m each with minimum 1.5 m.
	Rear	Average 3m. with minimum 1.5 m
Exceeding 800sq m.	Front	Average 10.5m with minimum 6 m
	Sides	Average 5m each with minimum 1.5 m
	Rear	Average 4.5m with minimum 2 m

Provided that, where more than one building is proposed to be constructed in a plot, it shall suffice if the open space under this sub-rule are provided from the plot boundaries with open yards (spaces) in between buildings not less than 2 metres upto 10 metres height.

Provided further that where the height of the building exceeds 10 metres, open yard from the boundaries and that between buildings shall be increased proportionately at the rate of 0.50 metre for every 3 metres increase in height.

(3) The height of room in assembly occupancy buildings shall be minimum 4 metres. Provided that in the case of air conditioned auditoriums/halls it shall be minimum 3 metres.

(4) The clear head room beneath or above the mezzanine or balcony shall not less than 3 metres.

(5) The head room shall not be less than 2.4 metres in air conditioned rooms.

(6) The height of store room, toilets, lumber and cellar rooms shall not be less than 2.4 metres.

(7) Balconies or galleries or mezzanines shall be restricted to 25 per cent of the total carpet area of assembly hall area and the maximum slope of the balcony or gallery or mezzanine shall not exceed 35 degrees.

(8) In the case of assembly occupancy buildings irrespective of the number of floors, a certificate of approval from the Director of Fire Force or an officer authorised by him in this behalf shall be obtained and produced for issuing building permit.

(9) The standard of ventilation in assembly occupancy buildings shall be 28 cu. metre fresh air per seat per hour and shall be in accordance with part VIII Building Services, section I, Lighting and Ventilation of National Building Code of India, 2005.

(10) All requirements in respect of fire protection in assembly buildings shall conform to Part VI, Fire and Life Safety, National Building Code of India, 2005 and Amendment No.3.

(11) In the case of cinema theatres, the construction shall also conform to the provisions of the Kerala Cinema Regulations 1988 as amended from time to time and IS 4878-1968 bye laws for construction of cinema buildings.

(12) In wedding halls where cooking and dining facilities are provided, proper and adequate arrangements for collection and hygienic disposal of solid and liquid waste shall be ensured to the satisfaction of the Secretary.

(13) Sanitation facilities to be provided in assembly buildings shall be computed at the rate of not less than one person per square metre of carpet area of the building and shall be provided in numbers not less than those stipulated in Table 6 in sub rule (6) of rule 55.

(14) The Secretary shall, after considering the access roads, traffic congestion in the locality and in consultation with the Chief Town Planner decide the location of the Transport terminals/stations like panchayat bus stands or inter state bus terminals etc. and the construction of buildings shall conform to the provisions in these rules.

58. Group F - Mercantile or commercial occupancy.- (1) Approval of the District Town Planner shall be obtained for usage of plot and lay-out of buildings with total floor area exceeding 3000 sq. metres, but upto 6000 sq. metres and approval of the Chief Town Planner shall be obtained for the lay out of buildings and usage of plot with total floor area exceeding 6000 sq. metres.

Provided that, if the area is covered under any Town Planning Scheme, the usage of plot shall conform to the provisions contained in that scheme.

(1a) Except for high rise buildings, side yards may not be provided for buildings under Group F Mercantile or Commercial occupancy in an area exclusively zoned for commercial use in any Town Planning Scheme under Town Planning Acts in force:

Provided that if any window or ventilator or such other opening is envisaged on any side of the building, that side shall have a minimum clear open yard of 1.5 metres.

(2) The rear yard shall not be less than 1.5 metre depth in Group F-mercantile or commercial building, of height upto 10m.

(3) Secretary shall permit parking building/plazas/towers in any zone, if it does not adversely affect the existing trend of development of that area

(4) Parking building/parking plazas/parking towers shall have minimum 5 metres open space all around the building

Provided that provisions regarding additional open space corresponding to increase in height shall not apply to parking building.

(5) Not more than fifteen percent of the total floor area of the parking building shall be permitted for shop or restaurant or hotel or office purpose

(6) Sanitation facilities shall be provided as in mercantile occupancy buildings set out in Table 6.

(7) In the case of appurtenant building used exclusively for parking purpose of the main building and constructed in the same plot, the open yard abutting the street shall have minimum 3 metres or that required for the main building whichever is less and other sides shall have minimum 1 metre upto 10 metres height buildings and additional open space corresponding to height of the building shall be provided at the rate of 50 cm for every 3 metres height till the open space around the building attains 5 metres and thereafter no further open space need be provided corresponding to height.

(8) The building under sub rule (7) may abut the main building but the light and ventilation of the main building shall not be reduced below the required minimum by such abutting

(9) An area equivalent to twenty percent of the open space actually provided in the plot other than the mandatory open space shall also be permitted to be covered by building for parking constructed for the use of the main building.

(10) In the case of parking buildings there shall be no limit to height in relation to width of road and the open yard abutting that road but the height restriction in the vicinity of air port shall be complied with.

(11) Every building for parking shall be provided with ramp having suitable slope, sufficient width and strength and/or lift of sufficient size and strength.

(12) In the case of mercantile/commercial occupancy building other than parking buildings exceeding two floors from ground level a certificate of approval from the Director of Fire Force or an officer authorised by him in this behalf shall be produced for obtaining building permit.

(13) Fish or meat stall in a public market shall invariably be provided with fly proof enclosure.

(14) The access passage to fish or meat stall shall have minimum width of 2 metres.

(15) All other requirements in respect of fire protection in mercantile or commercial building shall conform to Part IV, Fire and Life Safety, National Building Code of India, 2005 and Amendment No.3.

(16) Sanitation facilities to be provided shall be as in Table 6 referred in sub-rule (6) of rule 56.

59. *Group G1- Industrial and Group G2 - small industrial occupancy.*- (1) Location of any industry shall conform to the provisions contained in the Kerala Factories Rules, 1957 or any other Central or State Act or rules or regulations in respect of industrial location and licensing in force.

(2) Approval of District Town Planner shall be obtained for the usage of plot up to one hectare area and for lay out of buildings upto 1000 sq. metres in area under industrial occupancy and approval of Chief Town Planner shall be obtained for usage of plot exceeding one hectare area and buildings above 1000 sq. metres in area:

Provided that layout approval is not necessary for small industrial buildings for coir, weaving, black smithy, carpentry all upto 50 sq.metres of total floor area.

(3) The usage of plots proposed for development or redevelopment of land or construction of any building shall be governed by the provisions contained in the town planning scheme for the area:

Provided that where no such town planning scheme exist the usage of the plot and/or building shall be decided by the Chief Town Planner or the District Town Planner, as the case may be.

(4) All industrial buildings upto 10 metres in height from ground level with built up area exceeding 500 sq. metres or where the power used exceeds 30 H.P or where the number of workers employed exceeds 20, shall have open spaces not less than that specified below:-

Open Space	Group G1	Group G2
Front yard	7.5 metres	3.0 metres
Yard on either side	3.0 metres	3.0 metres
Rear yard	7.5 metres	3.0 metres

Provided that where more than one building is proposed to be constructed in the same plot, it shall suffice if the open spaces under this sub rule are provided from the plot boundaries with open yards (spaces) in between the building not less than 3 metres for buildings upto 10 metres in height:

Provided further that in the case of small industrial buildings without any kind of nuisance and with height upto 10 metres, the width of open yard from all boundaries except front and that in between buildings shall be minimum 1.50 metres:

Provided also that where the height of the building exceeds 10 metres, the open yard from the boundaries and between buildings shall be increased proportionately at the rate of 0.50 metre for every 3 metres increase in height:

Provided also that structures for accessory uses may be permitted within the rear open space.

(5) The minimum clear width of access to a building and plot as well as the width of the street giving access to the plot from the main street shall be as given in Table 7 and shall be motorable:-

Table 7
Access for Group G1 and G2 Occupancies

Sl. No:	Total Floor area	Width of access to the plot as well as the width of the street giving access to the plot in metres
(1)	(2)	(3)
1	Upto 300 sq.metres	3.0
2	Above 300 upto 700 sq.metres	3.6
3	Above 700 sq.metres	6.0

(6) All work rooms in buildings under industrial occupancy shall be provided with a carpet area computed at a rate, not less than 3.4 sq. metres per person employed in such rooms, exclusive of carpet area occupied by the machinery and breathing space of 15 cubic metres per worker:

Provided that the area of any work room shall be not less than 9.5 sq. metres

(7) The minimum height of work room shall depend upon the type of industry, the noxious gases which might be produced or the heat generated due to the process, the specification of room construction, the number of workers employed in any work area and the comfort conditions available through installation of mechanical ventilation or air conditioning system:

Provided that the height of any work room shall not be less than 3.6 metres measured from the floor level to the lowest point in the ceiling.

(8) Height of office, laboratory, entrance hall, canteen, cloak room etc. shall not be less than 3 metres.

(9) In the case of store rooms and toilets, the height shall not be less than 2.4 metres.

(10) Where the internal drainage system of a factory is proposed to be connected to the public sewerage system, prior approval of the arrangements shall be obtained from the Pollution Control Board and the Water Authority and in such cases the internal drainage system of a factory shall be connected by means of a suitable tap so as to exclude volatile or other objectionable matters.

(11) The industrial sewage effluents, if proposed to be discharged into nearby water bodies such as rivers, lakes, canals or sea, the dilution of such waste shall be such that the water bodies are not polluted. Such effluents shall be got tested as to its harmlessness to the satisfaction of the Pollution Control Board and as per the standards prescribed by the Bureau of Indian Standards for treatment of industrial waste and effluents. The approval of Pollution Control Board shall be obtained in all cases.

(11a) In the case of industrial occupancy buildings, irrespective of their number of floors, a certificate of approval from the Director of Fire Force or an officer authorised by him in this behalf shall be obtained and produced for issuing building permit.

(12) All requirements in respect of fire protection in industrial buildings shall conform to Part IV, Fire and Life safety, National Building Code of India, 2005.

(13) The minimum sanitation facilities to be provided for industrial occupancy building shall be as described in Table 6 given in sub rule (6) of rule 56.

60. Group H - Storage and Warehousing Occupancy.- (1) The provisions in this rule shall apply to storage or warehousing occupancy buildings with total floor area exceeding 300 sq. metres.

(2) Approval of the District Town Planner shall be obtained for usage of plot and lay-out of buildings with total floor area exceeding 3000 sq. metres, but upto 6000 sq. metres and approval of the Chief Town Planner shall be obtained for the usage of plot and lay-out of buildings with total floor area exceeding 6000 sq. metres:

Provided that, if the area is covered under any Town Planning Scheme, the usage of plot shall conform to the provisions contained in that scheme.

(3) All buildings under storage and ware housing occupancy with more than 300 sq:metres floor area shall have the minimum open yards (spaces) as shown below:-

- | | |
|----------------------------|--|
| (i) Front yard | Average 6 metres with minimum 4.5 metres |
| (ii) Side yard (each side) | Average 2 metres with minimum 1.5 metres |
| (iii) Rear yard | Average 3.00 metres with minimum 1.5 metres: |

Provided that where more than one building is proposed to be constructed in the same plot, it shall suffice if the open space under this sub rule are provided from the plot boundaries with open yard (spaces) between two buildings not less than 2 metres for buildings upto 10 metres height:

Provided further that when the height of building exceeds 10m. the open yard (space) from the boundaries and that in between buildings shall be increased at the rate of 50cm for every 3m. increase in height or part thereof.

(4) The minimum clear width of access to a building and plot as well as the width of the street giving access to the plot from the main street shall be 6 metres and shall be motorable.

(5) Every building or part thereof, designed or intended for the handling of storage of food stuffs shall conform to the requirements specified below:-

(a) every building unless supported on pillars shall have continuous foundation walls extending from atleast 0.60 metre below ground level to at least 0.15 metre above ground level or shall have a continuous floor of masonry or reinforced concrete or other quality rat-proof -material.

(b) all openings in foundations or floors, windows and drains and all junctions between foundations and walls of the buildings shall be effectively rat –proofed ; windows and doors shall be securely covered with rat proof screening or grillage or shall be tightly closed with metal sheeting, concrete or other quality rat -proof -material.

(6) In the case of storage or warehousing occupancy buildings, irrespective of their number of floors a certificate of approval from the Director of Fire Force or an officer authorised by him in this behalf shall be obtained and produced for issuing building permit.

(7) All other requirements in respect of fire protection in storage including warehousing building shall conform to part IV, Fire and Life Safety, National Building Code of India, 2005 and Amendment No.3

(8) The minimum sanitation facilities shall be as in Table 6 given in sub rule (6) of rule 56.

61. Group I(1) and I(2) - Hazardous occupancy.- (1) Approval of the District Town Planner shall be obtained for the usage of plot upto 0.5 hectares area and layout of buildings upto 1000 sq. metres in area under hazardous occupancy and approval of the Chief Town Planner shall be obtained for the usage of plot exceeding one hectare area and layout of buildings exceeding 1000 sq. metres in area:

Provided that, in the case of all livestock and poultry farms under Group I(1) occupancy, irrespective of the plot area such approval is not required for buildings having total floor area up to 500 sq.metres, approval of District Town Planner shall be obtained if the total floor area is above 500 sq.metres and up to 1000sq.metres, and approval of Chief Town Planner shall be obtained if the total floor area is above 1000sq.metres.

(2) The usage of plots proposed for development or redevelopment or construction of any building shall be governed by the provisions contained in the detailed town planning scheme or development plan for the locality:

Provided that where no such plan exists the usage of the plot and / or building shall be decided by the Chief Town Planner or an officer authorised by him in this behalf.

(3) The minimum width of open yard all round the building shall be 3 metres in the case of buildings under Group I (1) hazardous occupancy and 10 metres in the case of Group I(2) hazardous occupancy.

(4) The minimum clear width of access to a building and plot as well as the width of the street giving access to the plot from the main street shall be **7** metres and shall be motorable:

Provided that, in the case of building(s) under Group I(1) occupancy with total floor area upto 300 sq.metres and crematoria and burial grounds under Group I (2) occupancy, the above width shall not be less than 3 metres and shall be motorable:

Provided further that, in the case of all livestock and poultry farms under Group I(1) occupancy, the above width shall be 1.2 metres if the total floor area is upto 500 sq. metres, 3 metres if the total floor area is above 500 sq. metres but upto 1000 sq. metres and 5 metres if the total floor area is above 1000 sq. metres:

(5) Where the internal drainage system from a building under hazardous occupancy is proposed to be connected to the public drainage system, prior approval of the arrangements shall be obtained from the Pollution Control Board and Water Authority and in such cases the internal drainage system shall be connected by means of a suitable trap so as to exclude volatile or other objectionable matters.

(6) In the case of buildings under hazardous occupancy other than Group I(1), a certificate of approval from the Director of Fire Force or an officer authorised by him in this behalf shall be obtained and produced before issuing building permit.

(7) All other requirements in respect of fire protection in hazardous including warehousing buildings shall conform to Part IV, Fire and Life Safety, National Building Code of India, 2005 and amendment No.3.

(8) The minimum sanitation facilities to be provided in hazardous buildings shall be as shown below.

(a) at the rate of one water closet for the first 50 males or part thereof and two water closets for the first 50 females or part thereof and there after one water closet for every additional 70 persons or part thereof, males or females;

(b) at the rate of one urinal for every 100 males or part thereof;

(c) at the rate of one drinking water fountain for every 100 persons or part thereof;

(d) at the rate of one washing facility for 50 persons or part thereof; and

(e) the number of sanitation facilities like water closet, urinal, etc. to be provided shall in no case be less than as computed at the rate of one person for every 30 sq. metres of the gross floor area of the building.

(9) The Secretary shall, after considering the width of roads, traffic generated, location with respect to points of intersections and nearness to occupancies of educational, assembly, mercantile, storage and hazardous uses, in consultation with the District Collector and Chief Town Planner decide the location of automobile fuel filling stations and their layout.

(10) The location and construction of petrol tank and vent-pipe, shall be governed by the provisions of the Petroleum Rules, 1976.

(11) The retail dispensing unit of an automobile fuel filling station shall be installed at a distance of 7.5m from any point of the marked boundary of its premises.

(12) The canopy shall have a minimum set back of 3 metres from the existing or proposed road boundary, as the case may be.

(13) The kiosk or sales office shall have a minimum open space of 1 metre from the plot boundaries other than that abutting the street.

(14) The location and area limits of crematoria or burning and burial grounds including cemetery shall be as approved by the District Collector.

(15) There shall be minimum 7.5 metre open space all round the crematorium.

CHAPTER VIII

BUILDINGS IN SMALL PLOTS

62. *Provisions for construction in Small plots.*- Provisions in this Chapter shall apply to construction or reconstruction of residential or commercial buildings or a combination of both in plots not exceeding 1.25 ares or 125 sq. metres in area subject to modifications in this chapter:

Provided that permit shall not be granted under this chapter to one and the same person or with his consent to another person, for constructing different buildings, whether separately or abutting each other, in plots formed by division of one or more plots, he remaining as owner of more than one such divided plots or if that person has another plot abutting the proposed plot.

63. *Number of floors to be limited.*-The number of floors allowed shall be three and stair room.

64. *Conditions regarding set back.*- (1) The minimum distance between the plot boundary abutting any street other than National Highways, State Highways, district roads and other roads notified by the Grama Panchayat and the building other than compound wall or fence or outdoor display structure, shall be 2 metres:

Provided that any restriction under street alignment or building line or both, if any fixed for the area and any development plan or any other rules or byelaws shall also apply simultaneously to all buildings in addition to the provisions contained in sub rule (1)

(2) The front yard shall be minimum 1.80 metres depth.

Provided that if 1.80 metres depth cannot be maintained laterally through out due to the peculiar shape of the plot, it shall suffice if the mean depth is not less than 1.80 metres with minimum depth at all points not less than 1.20 metres.

(3) Any one side shall have a minimum of 0.90 metre and other side shall have a minimum of 0.60 metre:

Provided that no opening other than ventilator above a height of 2.0 metres from the floor level shall be provided on the side having only 0.60 metre open space. However openings shall be allowed if open space is 0.90 metre. on that side also.

Provided further that the open space, on one side other than that having 0.90 metre width may be reduced; or the building can even abut the plot boundary without any manner of opening on that side, if the owner of the plot on that side voluntarily agree for the same in writing

(4) The rear side shall have an average depth of 1m., with minimum 0.50 metre.

65. Certain provisions not to apply.- Provisions regarding FAR, coverage, distance from central line of road, access width, height restriction with regard to width of road and the yard abutting the road, car parking dimension with regard to building parts, light and ventilation shall not apply to buildings under this Chapter.

CHAPTER IX

ROW BUILDINGS

66. Row buildings to be allowed on declared streets.- The Secretary shall permit the construction or reconstruction of row buildings under Group A1 Residential occupancy only on the sides or part of a side or sides of any street or in any area, where the Panchayat has by declaration published or decided to allow row buildings.

67. Number of units that can be permitted.- The number of dwelling units in a continuous row of buildings shall not exceed ten.

Note:- A row building with separate entry and/or exit and separated by common wall from other row buildings abutting it shall be deemed to be one unit for this purpose.

68. Plot Area.- The area of plot for one unit shall not exceed 85 sq .m.

69. Distance from street, etc .- The minimum distance between the plot boundary abutting any street other than National Highways, State Highways, District roads and other roads notified by the Panchayat and the building other than compound wall or fence or out door display structure shall be 1.5 metre.

70. Maximum floors.- The maximum number of floors permitted shall be two and a staircase room.

71. Certain provisions not to apply.- Provisions regarding F.A.R., coverage, distance from central line of road, access width, height restriction with regard to width of road and the yard abutting the road dimensions of building parts, light and ventilation and parking contained in these rules shall not be applicable to row buildings.

CHAPTER X

BUILDING CONSTRUCTION UNDER SCHEMES FOR ECONOMICALLY WEAKER SECTIONS

72. *Provision for constructions under Schemes for economically weaker sections.*- Provisions in this chapter shall apply to construction or reconstruction or addition or alteration of any building under any Scheme for housing the economically weaker sections; other than in tribal areas and financed or built by Government, Panchayat, Housing Board, Scheduled Castes and Scheduled Tribes Development Corporation, Fisherman Welfare Corporation, Matsyafed, Scheduled Castes and Scheduled Tribes Development Department, Social Welfare Department or any Government Department, Quasi-Government Agency, or Housing Co-operative Societies or Non Governmental Organizations operating in on a non-commercial basis:

Provided that in the case of such constructions by Housing Co-operative Societies or Non Governmental Organizations, the prior approval of the Panchayat shall be obtained specifically for consideration of the scheme under this chapter. The Panchayat shall ensure that such scheme is intended for and occupied on completion by the economically weaker sections only.

Note: The provisions in this chapter shall also apply to buildings financed or built by the Panchayat at any level to its beneficiaries.

73. *Area and floor restrictions.*- (1) Total plinth area of each dwelling unit shall not exceed 60 sq. metre.

(2) Number of floors of a building shall be limited to two and a staircase room.

74. *Set back provisions.*- (1) The minimum distance between the plot boundary abutting any street other than National Highways, State Highways, District Roads and other roads notified by the Panchayat and the building, other than a compound wall or fence or outdoor display structure shall be minimum 1.50 m.

(2) Front yard shall have minimum 1.50 m depth.

(3) In the case of individual developed plots requiring no lay out approval from the District Town Planner, there shall be average 60 cm open space on the sides and rear:

Provided that door shall not be allowed if that portion does not have minimum 1.00 m open yard.

(4) In the case of buildings requiring layout approval of District Town Planner, the side yards and rear yard shall be provided as shown in the building layout:

Provided that no portion of the building shall encroach, project or overhang beyond the plot boundaries.

75. *Certain provisions not to apply.*- Provisions regarding FAR, coverage, off-street parking, distance from central line of road, access width, height restriction with regard to width of road and the yard abutting the road and dimensions with regard to building parts shall not apply to buildings under this chapter.

76. *Application for permit and its disposal.*- 1)Where the construction or reconstruction or addition or alteration is proposed to be done by individuals separately an application in white paper, typed or written in ink and affixed with necessary court fee stamp shall be supplemented by the individual concerned to the Secretary, along with a site plan and document to prove his ownership. The number of floors and the area in each floor shall be specified in the application.

(2) The Secretary shall, if convinced of the boundaries and bonafides of the ownership and that the building is in accordance with the rules in this chapter, issue permit.

(3) Where the construction or the reconstruction or addition or alteration is proposed to be done by the Department, Corporation, Board, Agency, Local Self Government Institutions or society themselves, layout for sub-division shall be obtained from the Secretary and no building permit is necessary.

(4) There shall be no application fee in the case of individual application and the permit fee in the case of individual application shall be as shown in Schedule II.

CHAPTER XI

CONSTRUCTION IN PLOTS PART OF WHICH HAVE BEEN SURRENDERED FREE OF COST FOR ROAD DEVELOPMENT

77. *Provisions to apply as modified for construction in certain plots.*- (1) In the case of buildings newly proposed or alteration or addition proposed on existing buildings, in plots left after part of the same plot has been surrendered free of cost to the Panchayat or Development Authority or Government Department or Quasi – Government organisation for new road formation or road widening or junction improvement or formation or development of any facility relating to road structure, other provisions in the Kerala Panchayat Building Rules, 2011 shall apply subject to the modification in this Chapter:

Provided that the applicants seeking benefits under this Chapter shall apply in writing to the Secretary in the prescribed form, as in Appendix A1

Provided further that the provisions under this chapter shall not apply to the roads envisaged in any layout as per these rules;

Provided also that the benefit under the provisions in this chapter shall not be allowed to the constructions in such plots, if the land is not surrendered for the implementation of the scheme in total:

Provided also that such road formation or road widening or junction improvement or formation or development of facility relating to road structure shall form part of the

annual plan or five year plan of the implementing agency concerned or shall have a budgetary allocation and shall form part of and conform to any published or sanctioned Town Planning Scheme, if any such scheme exist:

Provided also that, any deviation from the proposals of a Town Planning Scheme in the new road formation or road widening or junction improvement or development of any facility relating to road structure, shall be carried out only after effecting variation or revision, as the case may be, of the town planning scheme as per the Town Planning legislation in force:

Provided also that the surrendered land shall not be used for purposes other than that envisaged in the scheme.

(a) in the case of roads which have no widening proposal as per any Town Planning Scheme or which fall in areas which are not covered by any Town Planning Scheme, it shall be a project, proposed or taken up, with the prior approval of the Local Self Government Department in consultation with the Chief Town Planner of the State -

(i) by the Local Self Government Institution or development authority by resolution; or

(ii) sanctioned or undertaken by a Government Department, Quasi Government Organisation or institution; or

(iii) by registered Residents Association or a Social Welfare Organisation.

(2) The surrendering of land shall be made as per the relinquishing procedure of the Government and the land shall be demarcated and taken into possession by the authority concerned. The existing compound wall or fencing or any structure within the land so surrendered shall be demolished by the owner at his risk and cost and the new boundary shall be demarcated suitably by permanent demarcating structures. The building permit shall be issued only after completing the above procedure.

78. Usage of plot. - The usage of plot proposed for the development or redevelopment of land or construction of any building shall be governed by the provisions contained in the sanctioned or published Town Planning Scheme for the area.

79. Coverage and Floor Area Ratio. - (1) Maximum coverage permissible by the committee constituted under Rule 76F shall not exceed 80 per cent for residential, special residential, mercantile or commercial, small industrial and storage occupancy; 60 per cent for assembly, office and industrial occupancy; 50 per cent for educational, medical or hospital and hazardous occupancy under Group I(1) and 40 per cent for hazardous occupancy under Group I(2).

(2) The maximum floor area permissible based on the FAR values for various occupancies shall be calculated as follows:-

(a) Floor area based on FAR permissible as per column (4a) and (5a) of table 2 in rule 35 for the extent of the plot prior to surrendering of land + an incentive

floor area of twice the FAR permissible as per column (4a) and (5a) respectively of the table 2 in rule 35 for the extent of the land surrendered free of cost:

Provided that the maximum FAR permissible calculated in the above manner shall not exceed the FAR as per column (4b) or (4c) in the case of Category I Village Panchayats and as per column (5b) in the case of Category II Village Panchayats respectively of table 2 for the entire land:

Provided further that the FAR of column (4b) or (4c) in the case of Category I Village Panchayats and column (5b) in the case of Category II Village Panchayats respectively of table 2 for the entire land shall be permitted on payment of additional fee at the rate specified in Table 2, for the difference in area if any.

80. Set back, height, etc. – (1) For building under various occupancies the mandatory open space / set back from the proposed road boundary to the building shall be reduced by the breadth of the land so surrendered from that side, subject to a minimum of 3 metres from the boundary of the proposed road:

Provided that, in the case of plots up to 125 sq. metres of area left after surrendering land for road schemes other than National Highways and State Highways, the committee constituted under Rule 82 may, considering the width of the land, surrendered and left behind shall permit reduction in the said distance to such extent that, after such reduction, there shall be a minimum of 1.5 metres distance from the abutting new road boundary:

Provided further that set backs on all other sides shall be reduced in proportion to the percentage of the land surrendered subject to a maximum reduction of 50% of the mandatory open space required for the respective occupancies:

Provided also that, in the case of buildings having more than four floors or 15 metres height, safety provision for high rise buildings as provided in Chapter XIX of these rules shall apply.

(2) In addition to the minimum front, rear and side open spaces required as per (1) above for height up to 10 metres, proportionate increase in such minimum open spaces at the rate of 0.5 meter per every 3 metres height exceeding 10 metres shall be provided;

(3) Notwithstanding anything contained in these rules, in the case of buildings part on which has been demolished for the purposes specified in rule 77, construction or reconstruction of wall with or without door(s) or shutter(s) shall be permitted on the side abutting the road, without structural alteration:

Provided that the door, shutter shall not open outward.

(4) Building lines specified in Town Planning Schemes, other than special building lines prescribed considering urban design or heritage aspects, and general provisions regarding the distance from central line of road, restriction on height with respect to width of street and front set back shall not apply to the constructions under this chapter.

81. *Parking.*- Parking requirement shall be reduced in proportion to the percentage of land surrendered to the extent that after such deduction a minimum of seventy five percent of the parking required as per these rules shall provided.

82. *Constitution of Special Committees.* – (1) The Government may, on receipt of a request to that effect from any Municipality or sou motu, if found necessary, by order constitute a Special Committee, for the purposes of any or all Panchayats, to consider and decide on the application for building permits that may be submitted under the provisions of this Chapter.

(2) The Special Committee shall consist of the following members, namely:-

(i) President of the Panchayat, who shall be the Chairperson of the Committee;

(ii) Chairperson of the Development Authority, if any, constituted for the area;

(iii) Senior Town Planner/Town Planner of the district office of the Town and Country Planning Department or an Officer not below the rank of a Deputy Town Planner authorised;

(iv) Executive Engineer (Roads), Public Works Department having jurisdiction in the area or an Officer not below the rank of an Assistant Executive Engineer authorised;

(v) Executive Engineer (Buildings), Public Works Department having jurisdiction in the area or an Officer not below the rank of an Assistant Executive Engineer authorised;

(vi) Town Planner of the Development Authority, if any, constituted for the area or an Officer not below the rank of a Deputy Town Planner authorised;

(vii) Secretary of the Panchayat concerned shall be the Convenor of the Committee;

(viii) One or two representatives of the Department Authority, Institution, Association or organisation in charge of or responsible for carrying out or proposing or sponsoring the formation or widening of the road or improvement of the junction or other works envisaged under this Chapter, co-opted, if so desired by the committee.

(3) The quorum for the meeting shall be four including the Convenor and the Chairperson.

(4) The Convenor shall, considering the number of applications and urgency of the work to be executed, convene the meeting of the committee at such place and time, as may be fixed in consultation with the Chairperson, by giving at least seven clear days notice to all the members. Copies of plans pertaining to the application required under these rules, along with the agenda notes containing technical report on all the applications shall be forwarded to the members along with the notice.

(5) The Convenor shall place before the committee only such application included in the agenda notes circulated, which otherwise comply with all the provisions of these rules, Town Planning Schemes, if any, for that area and other relevant statutes, and shall issue permit as decided by the committee. The Convenor shall also maintain detailed registers for the minutes and for the land so surrendered.

(6) The Committee shall initiate and take actions to promote and monitor implementation of the road scheme in total. The Committee may also promote land-pooling scheme wherever feasible to enable the implementation of the scheme in total.

CHAPTER XII

ACCESSORY BUILDINGS AND SHEDS

83. *Certain buildings and sheds exempted.*- Any building constructed or used or intended to be constructed or used exclusively for the purposes of a plant house or metre house, not being a dwelling house and sheds for keeping fuel or firewood for the domestic use of its owner or for keeping agricultural Implements, tools, rubbish or other materials or for watching crops or kennel for keeping not more than six dogs or cattle shed for keeping not more than six cattle and their calves/or cage/aviary for keeping more than twenty hens or ducks shall be exempted from the provisions of these rules.

Provided that such building or shed shall have maximum one metre set back from the nearest boundaries and may abut the main building.

84. *Accessory building.*- Construction or accessory buildings such as bathrooms, toilets, storehouses, cattle sheds, kennels and cages or cabin for watch and ward shall be permitted in the open space of the main building, if the open space available is sufficient for such construction:

Provided that area of such structures shall be limited to fifteen percent of the open space.

(2) The height of the structure or cabin shall be limited to 2.5 metres.

(3) The distance from the boundary abutting the road to the accessory building shall be equal to that necessary for a single storeyed residential building

(4) The accessory building shall be at a minimum 1.00 metre distance from the boundaries:

Provided that it may abut the main building.

85. *Wells.*- No leach pit, sock pit, refuse pit, earth closet or septic tank shall be allowed or made within a distance of 7.5. metres radius from any existing well used for supply of water for human consumption or domestic purpose or within 1.20 metres distance from the plot boundaries.

86. *Certain provisions not to apply.*- Provisions regarding floor area ratio shall not apply to the constructions under this chapter.

CHAPTER XIII

WALL AND FENCE

87. *Prohibition of commencement of work.*- The construction or reconstruction of any wall or fence of whatever height bounding or abutting on any street, public property or public water course shall not be started unless and until the Secretary has granted permission for the execution of the work.

Provided that any gate or grill or door or other structure shall not open or project in to the adjacent property or street

88. *Submission and disposal of application.*- (1) An application to construct or reconstruct a wall or fence shall be submitted in white paper, typed or written in ink and affixed with necessary court fee stamp.

- (2) Application shall contain documents to prove ownership and site plan.
- (3) The site plan shall clearly show all buildings and structures in the plot and all the streets, paths, lanes abutting or leading to the plot and also a description of the materials used for the work.
- (4) Application fee shall be paid as in Schedule-I.
- (5) The Secretary shall, if convinced of the plan and drawings and genuineness of the ownership, issue permit within 30 days from the date of receipt of the application.
- (6) A wall or fence abutting a street junction shall be sufficiently splayed as laid down under rule 31 (vi).
- (7) The permit fee shall be as in Schedule-II.

89. *Period of permit and its renewal/extension.*- (1) The permit shall be valid for one year from the date of issue and may be renewed for further one year by filing an application in white paper, typed or written in ink and affixed with necessary court fee stamp.

(2) The application for renewal/ extension shall be submitted within the valid period of the permit and the renewal fee shall be fifty per cent of the permit fee.

90. *Completion report.*- The owner shall on completion of the work submit a completion report to the Secretary, in white paper typed or written in ink, specifying the date of completion.

CHAPTER XIV

WELLS

91. *Essentiality of permit.*- (1) No new well shall be dug without the permission of the Secretary

(2) Where any person intends to dig a well, he shall submit an application in the form in Appendix A to the secretary, together with a site plan and document to prove the ownership.

(3) The site plan shall show the position and dimension of the well and all existing and proposed buildings and structures in the site and within 7.5 metres radius from that well.

92. *Set back.*- (1) Set back from any street shall be as that required for a building.

(2) There shall be 1.50 metres setback from other boundaries.

(3) The well may be located within or abutting or away from the building on the plot.

(4) No leach pit, soak pit, refuse pit, earth closet or septic tank shall be allowed or made within a distance of 7.5 metres radius from any existing well used for supply of water for human consumption or domestic purpose or within 1.20 metres distance from the plot boundaries.

93. *Wall and surrounding.*- The well shall be protected with brick wall, with minimum 1 metre height.

94. *Fees.*- The application fee and permit fee shall be as in Schedule I and Schedule II respectively.

95. *Approval of plan and issue of permit.*- The Secretary shall, if convinced of the boundaries and plan and bonafides of the ownership approve the plan with or without modification and issue permit.

96. *Validity and renewal.*- (1) The permit once issued shall be valid for two years and may be renewed for a further period of one year by submitting an application in white paper, typed or written in ink, affixed with necessary court fee stamp.

(2) The application for renewal shall be submitted during the valid period of the permit and the renewal fee shall be 50% of the permit fee.

97. *Completion Report.*- The applicant shall submit a completion report to the secretary in white paper, typed or written in ink, specifying the date of completion.

CHAPTER XV

TRIBAL AREAS

98. When the Panchayat in which these rules are extended comprises Tribal Area Declared/notified by Government, the provisions in this chapter need only be made applicable to those constructions/developments intended for Tribal people or made by Tribal people, in Tribal areas.

99. In the case of construction/developments by authorised agencies for the welfare of Tribal people; the Engineer or Architect in charge of the project/scheme shall prepare layout and designs suitable for the area and life style of the Tribals, in consultation with their representatives including the "Mooppan" of the area; and get them approved by the Panchayat.

a) The minimum distance between the plot boundary abutting any street other than National Highways, State Highways, District roads and other roads notified by the Panchayat and the building other than compound wall or fence or out door display structure shall be 1.5 metres;

b) Number of floors shall be limited to two & a stair room;

c) The minimum distance between buildings shall not be less than 1.50 metres;

d) Minimum front open space of 1.50 metres shall be provided exclusively for each unit;

e) A toilet shall be provided for each unit; with necessary leach pit or septic tank, which may be common.

100. In the case of construction/developments other than huts made by Tribal people in their land inside or outside a cluster of houses/settlement; the Panchayat may provide necessary assistance and guide lines so as to conform to the guide lines in the rule 99, and also give necessary technical and infrastructural support as far as possible; and number the houses.

CHAPTER XVI

RAIN WATER HARVESTING

101. *Groundwater recharging arrangements.*- (1) Unless otherwise stipulated specifically in a Town Planning Scheme, workable groundwater recharging arrangement shall be provided as an integral part of all new building constructions through collection of rooftop rainwater:

Provided that, the groundwater recharging arrangements are not mandatory for thatched buildings and for single family residential buildings if the total floor area is upto 150 sq.metres and if the total plot area is upto 320 sq.metres;

(2) The components of workable groundwater recharging arrangements as stipulated in sub rule (1) above, shall include:

- (i) Roof gutters
- (ii) Down pipe
- (iii) Filter unit
- (iv) Recharge well or Recharge pond or Percolation pit:

Provided that, open well or pond within the plot can be used as recharge components as mentioned in item (iv) above:

Provided further that, filter unit as mentioned in item (iii) shall be mandatory only in situations where rainwater is recharged directly to the groundwater through open wells, ponds and the like.

(3) In exceptional cases such as water logging or impermeable subsoil conditions to considerable depths, the groundwater recharging arrangements for building constructions need not be made mandatory.

(4) The owner(s) /occupier(s) shall maintain the rooftops and the groundwater recharging arrangements in healthy working condition.

102. Rainwater storage Arrangements.- (1) Unless otherwise stipulated specifically in a Town Planning Scheme, workable rainwater storage arrangements shall be provided as an integral part of all new building constructions through the collection of rooftop rainwater for the following occupancies, namely:-

- | | |
|---------------|--|
| (i) Group A1 | Residential (In the case of single family residential buildings , if the total floor area of the building is upto 150 sq.metres and if the plot area is upto 320 sq.metres, the rainwater storage arrangements are not mandatory.) |
| (ii) Group A2 | Lodging Houses |
| (iii) Group B | Educational |
| (iv) Group C | Medical/Hospital |
| (v) Group D | Assembly |
| (vi) Group E | Office/Business |
| (vii) Group F | Mercantile/Commercial (If the total floor area of the building is upto 100 sq.metres and if the plot area is upto 200 sq.metres, the rainwater storage arrangements are not mandatory.) |

- (viii) Group G1 and Group G2 Industrial (only for workshops, assembly plants, laboratories, dry cleaning plants, power plants, Gas plants, refineries, dairies, food processing units and any other occupancies notified by the Government from time to time).
- (ix) Group I (1) Hazardous (Automobile wash stall, Automobile Service Stations, Service Garages with repairing facilities and any other occupancies notified by the Government from time to time):

Provided also that, the rainwater storage arrangements are not mandatory for thatched building.

(2) The components of a workable rainwater storage arrangement as stipulated in sub rule (1) above, shall include:

- (i) Roof gutters;
- (ii) Down pipe and first flush pipe arrangement;
- (iii) Filter unit; and
- (iv) Storage tank with provisions for drawing water and spill-over.

(3) The minimum capacity of the storage tank as stipulated in sub rule (2) (iv) of the rainwater storage arrangement shall be at the rate give below:

Group A1	25 litres/sq.m.of floor area
Group A2	25 litres/sq.m.of floor area
Group B	50 litres/sq.m.of floor area
Group C	50 litres/sq.m.of floor area
Group D	50 litres/sq.m.of floor area
Group E	50 litres/sq.m of floor area
Group F	25 litres/sq.m of floor area
Group G1 and Group G2	50 litres/sq.m.of floor area
Group I(1)	25 litres/sq.m.of floor area

Provided that, the floor area to be considered shall be the total floor area in all floors.

(4) The owner(s) / occupier(s) shall maintain the rooftops and the rainwater storage arrangements in healthy working condition.

(5) Additional arrangements for carrying the spillover water from storage tank to recharge well or recharge pond or percolation pit need be provided only if both groundwater recharging arrangements and rain water storage arrangements are provided as laid out in this chapter.

CHAPTER XVII

SOLAR ASSISTED WATER HEATING/ LIGHTING SYSTEM

103. Solar assisted water heating / lighting system in buildings.- (1) Either solar assisted water heating system or solar assisted lighting system shall be provided for buildings exceeding 500 sq.metre of plinth area under the following occupancy groups / categories, namely:-

- (i) Group A1 -Apartment Houses or Residential Flats
- (ii) Group A2- Lodging Houses
- (iii)Group C- Medical or Hospital Buildings
- (iv)Group D - Community Halls, Auditoriums, Wedding Halls

(2) Such buildings shall have open area on the rooftop, which receives direct sunlight, where the solar water heating system can be installed. There shall be provisions for continuous water supply to the solar water heating system and for distribution of hot water from the solar water heating system to various distribution points where hot water is required through insulated pipe lines.

(3) The water storage capacity requirement of the solar water heating system shall be decided on each case by the registered Architect/Engineer/Town Planner/Building Designer/Supervisor as the case may be.

(4) The Secretary shall, before issuing occupancy certificate, ensure that all new buildings mentioned in sub rule (1) have completed installation of solar assisted water heating system / solar assisted lighting system.

CHAPTER XVIII

SPECIAL PROVISIONS FOR PERSONS WITH DISABILITES

104. Facilities for Persons with Disabilities.- All buildings under occupancy groups A2, B, C, D, E and F which have access to the public and all Apartment buildings / residential flats under occupancy group A1 shall be provided with the following facilities for the persons with disabilities:

(1) Every such building shall have easy access to the main entrance through a ramp.

(2) Every public building exceeding 1000 sq.metres and residential flats exceeding 2500 sq.metres built up area shall have lift or separate approach through a ramp (intended for persons with disabilities) to each floor:

Provided that the entrance door width for each lift shall not be less than 90 centimetres.

(3) The maximum gradient of any ramp approach intended for the persons with disabilities shall not exceed 1 in 12 and shall be finished with no slippery material. The minimum width of ramp shall be 120 centimetres and provided with hand rail of 80 centimetres height. The slope of all such ramps shall be constant within a building.

(4) Toilets.- A minimum of one special water closet shall be provided for the use of persons with disabilities with essential provision of a wash basin at an easily accessible location with proper signages:

Provided that, in the case of such special toilets;

(a) they shall be provided at the ground floor and every floor in multiples of three;

(b) minimum size of toilet shall be 1.50m.x1.75m;

(c) minimum clear opening of the door shall be 90cm. wide and the door shall swing out or be sliding or folding type;

(d) suitable arrangements of vertical/horizontal handrails with 5 cm clearance from the wall shall be provided in the toilet;

(e) The water closet seat shall be 50 cm. above the floor level;

(f) at least one sink in each floor shall have a knee room of 70 cm height under the sink; and

(g) Locks of such toilet doors shall be of a type that can be opened from outside in case of emergency.

(5) Parking facilities: Surface parking for 2% of the required car parking as per these rules subject to a minimum of on car space, shall be provided near the entrance, exclusively for the persons with disabilities with maximum travel distance of 30 metres from the building entrance. The width of such parking bay shall be minimum of 3.6 metres.

(6) Walks and paths: Walks shall be smooth with hard level surface suitable for walking and wheeling. Avoid grates and manholes in walks. If grates cannot be avoided, then bearing bar shall be perpendicular to the travel path and opening between bars shall not be greater than 12 mm in width. The walkway shall not cross vehicular traffic.

(7) In Group A2 Lodging houses occupancies one room for every 25 rooms or part thereof shall be set apart for the persons with disabilities.

(8) The following Other Special Treatments shall be provided, namely:-

(a) All obstructions and projections up to a minimum of 2.1 metre height from the finished floor level shall be avoided;

(b) Recoil doors shall be avoided, wherever there is access to the general public; .

(c) Appropriate signages shall be provided at salient locations for facilitating the persons with disabilities

CHAPTER XIX

SAFETY PROVISIONS FOR HIGH RISE BUILDINGS

105. High rise building. - For the purposes of this Chapter, high rise building means a building having more than four floors or 15 metres of height. For the purpose of this rule, the word 'height' shall be the 'height of building' as defined in definition (ba) in sub rule (1) of rule 2.

106. Provisions to apply as modified for high rise buildings.- In the case of high rise buildings, the provisions in these rules elsewhere shall apply subject to modification in this Chapter.

107. Staircase.- (1) Every high-rise building shall have at least two staircases.

(2) The height of the handrail in the staircase shall not be less than 90 centimetres and if balusters are provided, no gap in the balusters shall be more than 10 centimetres wide.

108. Guard rails or parapets.- Every slab or balcony overlooking any exterior or interior open space which are 2 metres or more above ground level shall be provided with parapet walls or guard rails of height not less than 1.20 metres and such guard rails shall be firmly fixed to the walls and slabs and shall be of blank walls, metal grills or a combination of both:

Provided that if metal grills are used they shall not be made of continuous horizontal members to prevent climbing on them:

Provided further that guard rails shall not be made of glass or any similar material which are not reinforced to prevent breaking.

109. Fire escape stairway.- (1) Every high rise building shall be provided with a fire escape stairway.

(2) Fire escape stairway shall be directly connected with easily accessible common areas on all floors and shall lead directly to the ground.

(3) At least one side of the stairway shall be an external wall either with large openings or with break open glass to facilitate rescue operation during emergency.

(4) External fire escape staircase shall have straight flight not less than 75 centimetres. wide with 20 centimetres. treads and risers not more than 19cm. The number of risers shall be limited to 16 per flight.

(5) Hand rails shall be of height not less than 100 centimetres. and not exceeding 120 centimetres.

(6) The use of spiral staircase as external fire escape stairway shall be limited building not exceeding 10 metres in height.

(7) A spiral fire escape stairway shall not be less than 150 cm in diameter and shall be designed to give adequate head room.

110. Ducts.- Every opening provided to ducts from the interior of a building shall be closed with materials of suitable strength.

111. Access.- The width of access to a high rise building and plot as well as the width of street giving access to the plot from the main street shall be 7 metres or as prescribed elsewhere in these rules, whichever is greater.

112. Open spaces.- (1) A clear, motorable open space of minimum 5 metres width shall be provided all around the building. Such space shall be kept free of vehicle parking or any other erections or projections thereon other than projections of roof or weather shade or cornices of not more than 75 centimetres width.

(2) The minimum width of open space between plot boundary and a highrise building shall be 5 metres.

(3) In case a group of buildings are to be constructed within any plot belonging to the same owner or by different owners of adjoining lands jointly, the area of the land remaining after accounting for the mandatory front, rear and side yards from the boundary of the plot shall be considered as buildable area of the plot where the buildings may be constructed subject to the conditions regarding floor area ratio, coverage, access, light and ventilation etc. for the whole plot, distance between the various blocks within this area shall be a minimum of 5 metres.

(4) Adequate passageway and clearances required for fire fighting vehicles to enter the premises shall be provided at the main entrance; the width of such entrance shall be not less than 7 metres or as stipulated elsewhere in these rules, whichever is higher. If an arch or covered gate is constructed, it shall have a clear head room of not less than 5 metres.

113. Lifts for Residential apartments.- Every high-rise residential apartment having more than 16 dwelling units shall be provided with at least one lift capable of carrying a stretcher.

114. Parapets to terrace floor.- Where access is provided to the terrace floor, the edges of the terrace floor shall be provided with parapet walls which shall be made of stable material to a height of not less than 1.20 metres.

115. Structural design.- (1) Application for construction or reconstruction or addition or alteration of any high rise building shall be accompanied by one set of structural design including that regarding seismic forces as per the provisions contained in the National Building Code of India as amended from time to time and drawings and structural stability certificate prepared and issued by an engineer registered under these rules; having Post - Graduate Degree in Structural Engineering or Head of the Department concerned of any government or quasi government institutions offering post graduate degree in Structural Engineering.

(2) After completion of the work of the building(s), the applicant and the engineer shall submit to the Secretary a certificate of structural safety/ stability of the building, issued by an engineer registered under these rules having Post - Graduate Degree in Structural Engineering or Head of the Department concerned of any government or quasi government institution offering post graduate degree in Structural Engineering; along with completion certificates as in Appendix E and Appendix F respectively.

116. Site supervision.- (1) The owner shall appoint a person, registered or deemed to have been registered under the provisions of Chapter XXIII, competent to supervise such works as per Appendix L of these rules, as full time supervising professional at the site, from the commencement to completion of the work. Such person shall have a minimum of 3 years experience in supervising works of similar nature:

Provided that, no activities shall be undertaken at the site in the absence of such site supervising professional.

(2) The owner shall intimate the secretary, the details of the appointed supervising professional including his/her date of appointment, photo identity proof and proof of experience along with a copy of the acceptance of appointment duly signed by the supervising professional.

The owner shall also intimate the secretary in writing about replacement, if any, of such supervising professional together with all details specified above without any delay:

Provided that if the work is executed through any person(s) or agency/agencies like developer, the responsibility of appointment of supervising professional as stipulated in this rule shall be vested with such person(s) or agency/agencies.

(3) The supervising professional shall:

(i) ensure that the construction is carried out as per the approved plans, specifications and structural design;

(ii) take adequate safety precautions at all stages of construction or reconstruction or addition or alteration or repair or demolition or removal of the various parts of the building for safeguarding the life of workers and public against hazards consequent on any aspect of the work;

(iii) ensure that all protective works carried out to safeguard the adjoining properties during construction are sufficient and in good order to ensure safety;

(iv) ensure at every stage of construction, that the quality of construction and materials used for construction is as per the specifications for that work.;

(v) ensure that the debris, construction wastes or materials are safely and clearly disposed.

117. Display of the details of the permit etc. .- (1) For the entire period of construction, the owner shall display the details of the building permit near the entrance to the site in a

board of size not less than 100 centimetres X 75 centimetres. The details to be displayed include the date and number of building permit, name and address of the owner and developer with phone number, the occupancy group of the building, the number of floors, Coverage, FAR, area earmarked for parking in sq.metres, the use in each floor.

(2) Prior to commencement of the construction, all sides of the plot shall be covered with protective fencing and screen to ensure safety and convenience in the adjoining properties. Such protective fencing and screen shall be retained throughout the construction period.

(3) Adequate safety measures as in PART VII CONSTRUCTIONAL PRACTICES AND SAFETY in National Building Code of India, 2005 shall be ensured by the owner and the developer for protection against damage to health, life, buildings and property of the inhabitants around, during and after building construction and land development. The owner and the developer shall be solely responsible for any such damages.

CHAPTER XX

TELECOMMUNICATION TOWERS

118. Essentiality of permit.- No person shall erect or re-erect any non-governmental telecommunication tower or telecommunication pole structures or accessory rooms or make alteration or cause the same to be done without first obtaining a separate permit for each such tower or telecommunication pole structure from the Secretary.

119. Distance from road and boundaries.- (1) The base of the tower or poles shall have minimum 3 metres horizontal distance from the plot boundary abutting the road, whether it is proposed on land or over a building, even if the building is having less than 3 metres distance:

Provided that the minimum distance from road boundary of the accessory rooms such as equipment rooms, shelters, or generator rooms proposed shall be that applicable for a commercial building.

(2) In addition to the distance specified under sub-rule (1), set back required for road widening proposed in any Town Planning Scheme shall also be provided.

(3) Minimum horizontal distance from other boundaries of the plot to the base of the telecommunication tower or pole structure or accessory rooms shall be minimum 3 m.

Provided that, if the telecommunication tower or pole structures or accessory rooms are proposed over a building, the distance from the boundaries other than that abutting a road to the base of the tower shall be that applicable for a commercial building.

Provided also that no portion of the telecommunication tower pole structure or accessory room shall project or over hang in to the neighbouring plots.

120. Provisions regarding F.A.R. and height.- The provisions regarding F.A.R., coverage, height restriction with regard to width of road and distance from the boundary abutting road, distance from the central line of road and dimensions of parts of building shall not apply to telecommunication towers or pole structures or accessory rooms such as equipment rooms, shelters or generator rooms;

Provided that the height of the telecommunication towers or pole structure or accessory rooms, including the height of the building if they are proposed over a building, shall be restricted as stipulated in sub rule (2) of rule 36.

Provided further that additional distance from the boundary abutting the road and other boundaries of the plot proportionate to increase in height shall not be necessary for the telecommunication tower or pole structure or accessory rooms or for the building over which they are proposed.

121. Accessory rooms.- (1) Accessory rooms such as equipment rooms, shelters or generator rooms essential for the service shall be permitted along with a telecommunication tower or telecommunication pole structures or separately, if a request is made in the application and plans/drawings of rooms are attached either along with the application for permit or separately.

(2) The cabin may be made with any material but the area of such cabin shall not exceed 15 sq. metres.

(3) Installation of electricity generator may be allowed if the generator is covered with insulated sound-proof cabin.

(4) Every construction or installation, ancillary or necessary for the telecommunication system shall conform to the relevant rules applicable to such construction or installation and licence or permit required under such rules shall also be obtained.

(5) The telecommunication tower or ancillary structures shall not prevent or block the access, exit or reduce the width of such access, exit or entry of building or in no way badly affect the safety measures or amenities provided in the building in which it is erected.

122. Electrical line clearance.- Every tower or ancillary construction shall satisfy the minimum vertical and horizontal clearance from electrical lines as stipulated in the Indian Electricity Act, 1910 and Indian Electricity Rules, 1956 as amended from time to time and also any regulation issued by the State Electricity Board.

123. Protective Wall.- (1) Every tower erected on the ground and through which electric power is transmitted or passed shall be provided with protective wall or grill at a minimum distance of one metre from any point of the base.

(2) The wall or grill shall have a minimum of 1.20 metres height and shall be kept under lock and key, if provided with door.

124. Protection from lightning.- Every telecommunication tower shall be provided with sufficient protection against lightning, conforming to I.S.2303-1969-Code of Practice, as amended from time to time.

125. Warning lights and colour specifications.- (1) Every telecommunication tower shall be provided with two Aviation Warning Lights (ANL) each at 40 metres and 70 metres height from the ground level and one at the top, the two lights at 40 metres height shall be fixed in one set of opposite corners and that at 70 metres height shall be fixed at the other set of opposite corners.

(2) Every telecommunication tower shall be painted with international orange and international white colours alternatively each with 5 metres band, starting with international orange at the top.

126. Damage and liability.- The applicant/owner shall be responsible for the structural stability of the telecommunication tower and the building in which it is erected and for any damage caused due to inadequate safety measures.

127. Building to be authorised.- Erection of any telecommunication tower or pole structure or accessory rooms shall be permitted only over authorised buildings.

128. Clearance from Defence Establishment etc.- In case the erection of telecommunication tower is proposed within 200 metres from any property maintained by Defence Establishment or 100 metres from any Railway boundary, clearance from the officer in charge or authority concerned, as the case may be, shall also be obtained before issuing permit.

129. Site approval etc.- (1) No site approval shall be necessary for the construction of telecommunication towers, telecommunication pole structures or accessory rooms essential for such services

(2) Telecommunication towers or pole structures or accessory rooms shall be permitted over any building irrespective of its occupancy.

130. Submission of application and its disposal.- (1) Application for permit shall be submitted to the Secretary in the form in Appendix A along with two copies of the site plan, location plan, elevation, section, structural stability certificate, copy of the agreement executed with department of Telecommunication or license or permit issued by an authority approved by Government of India from time to time and document to prove ownership.

Note:- (1) Ownership document may be a sale deed or mortgage deed or deed of agreement or license or consent document, etc.

(2) No structural stability certificate shall be necessary in the case of telecommunication pole structures and accessory rooms. In case the telecommunication tower is proposed above any building, structural stability certificate shall be submitted in respect of that building also.

(2) The site plan shall show plot dimensions, access street width, details of existing structures within the plot with their uses, height, number of floors, set back from the plot boundaries and between them; proposed tower and ancillary structures.

(3) The structural stability certificate shall be one issued by an engineer registered under these rules; having Post - Graduate Degree in Structural Engineering or Head of the Department concerned of any government or quasi government institutions offering post graduate degree in Structural Engineering.

(4) Application fee shall be:-

(a) for towers of any height, rupees ten thousand;

(b) for pole structure(one unit with any number of poles) rupees two thousand and five hundred;

(c) no separate application fee shall be necessary for the accessory rooms essential for the use of telecommunication tower or pole structures but permit fee shall be remitted corresponding to their area as in the case of a pucca building.

(5) The Secretary shall, if convinced of the boundaries and ownership of the plot, plans and drawings and genuineness of the certificates, issue permit, not later than 30 days from the date of receipt of the application.

(6) The permit issued under sub rule (5) shall be a work permit and the construction or erection of telecommunication tower or telecommunication pole structures or accessory rooms essential for the use of such tower or pole structure shall be completed within one year from the date of issue of the permit.

(7) The period of the permit shall be extended for a further period of one year if an application for the same is submitted to the Secretary, within the valid period of the permit.

(8) The application for extension of the period of permit shall be submitted in white paper, typed or written in ink, affixed with necessary court fee stamp; along with original permit.

(9) No application fee shall be necessary for extension of period of permit but fee for extension shall be equal to fifty percent of the fee for original permit in force at the time of extension.

131. Completion Certificate.-(1) After completion of the work of telecommunication tower or pole structures and accessory rooms as per permit, the applicant and the engineer shall submit to the Secretary completion certificates in as in Appendix E and Appendix F respectively, along with a certificate of structural safety/ stability of the tower and the building, if the tower or pole is constructed over building; issued by an engineer registered under these rules; having Post - Graduate Degree in Structural Engineering or Head of the Department concerned of any government or quasi government institutions offering post graduate degree in Structural Engineering.

(2) The Secretary shall if satisfied that the work has been completed as per permit, issue use certificate as in Appendix H allotting a number, included in a different series

from that allotted to building, on the basis of which the authorities concerned may allow power connection etc. for use of the service.

CHAPTER XXI

SPECIAL PROVISIONS FOR HUTS AND CERTAIN OTHER CONSTRUCTIONS

132. Provisions for huts and certain other constructions .- Notwithstanding anything contained in these rules, provisions in this Chapter shall apply to the following constructions or reconstructions or additions or alterations and development or redevelopment of land pertaining to;

(i) Huts; mentioned in Rule 10 item (xii)

(ii) Buildings in Category –II Village Panchayats under Group A1-Residential occupancy with total built-up area on all floors upto 300 sq.metres (including existing and proposed within the plot) and number of storeys limited to two and all single family residential buildings.

(iii) Buildings in Category –II Village Panchayats under Group A2 and F occupancies, poultry farms, livestock farms, traditional coir works, handloom units, cashew processing units, lime kilns, carpentry and smithy units; all of which with total built-up area on all floors upto 150 sq.metres (including existing and proposed within the plot) and number of storeys limited to two, except those for religious purpose and /or worship.

133. Permit not necessary.- (1) For buildings as stipulated in rule 132, permit as per these rules is not necessary:

Provided that the owner shall intimate details of works to the Secretary in the proforma prescribed in Appendix A2 at least ten days before the commencement of such works.

(2) The Secretary shall communicate objections if any in the matter to the owner within ten days of receipt of the intimation in the prescribed form.

(3) The owner shall ensure that such construction or reconstruction or addition or alteration shall:

(i) conform to the provisions contained in rule 26;

(ii) have 3 metres as minimum distance between the construction and the street boundary in the case of National Highways, State Highways, District Roads and roads notified by Panchayat; and

(iii) have yards of width not less than 90 centimetres.

Provided that, any yard other than that abutting a street can be reduced upto a width of 60 centimetres and with the written consent of the owner of the land on any side, can even abut that boundary:

Provided further that no opening shall be provided on sides abutting the plot boundary and only ventilators (above a height of 2.20 metres above the floor level) shall be provided if the width of yard is less than 90 centimetres:

Provided further that, no construction or hanging of any sort shall project outside the boundaries of the site:

Provided also that that the projections like cornice roof, sun shade and weather shade shall be so limited that the width of the remaining open space shall not be less than 30 centimetres:

Provided further that, if the site is within a distance of 100 metres from any property maintained by Defence establishment and/or within 30 metres from the railway boundary and/or within any Security Zone, no work shall be commenced at site, until letter of intimation of the Secretary with regard to objections if any furnished by the authority or officer concerned as per sub rule (5), (6), (8) and (9) of rule 5 and sub rule (5), (6), (8) and (9) of rule 7 as the case may be, are received by the owner. In such cases, the Secretary shall carry out actions for obtaining objections if any from the respective officer/authority and the same shall be intimated to the owner in writing immediately.

CHAPTER XXII

REGULARISATION OF UNPERMITTED CONSTRUCTIONS AND DEVIATIONS

134. Power of the Secretary to regularise certain constructions.- The Secretary shall have the power to regularise construction or reconstruction addition or alteration of any building or digging of any well or telecommunication tower or any structure or land development or any work, for which permission of the Secretary is necessary under this rule commenced, being carried on completed without obtaining approved plan or in deviation of the approved plan:

Provided that such construction or reconstruction or addition or alteration of any building or digging of any well or telecommunication tower or any structure or land development or any such work shall not be in violation of any of the provisions of the Act or these rules:

Provided further that such power shall not relieve the Secretary of his responsibility in detecting and preventing such work and in taking other actions as per these rules:

Provided also that where the construction or work was commenced, being carried on or completed after the statutory period specified in these rules, such construction or work shall be considered as duly permitted and not one requiring regularization.

135. Submission of application and procedure for its disposal.- (1) Application for regularization shall be submitted in the form in Appendix A.

(2) The application for regularization shall be accompanied by documentary evidence of ownership of plot, site plan, elevation, building plan, service plan, parking plan in cases where the building requires parking, and other details and specifications as are necessary in the case of an application for new building permit; in the case of deviation from approved plan, the approved plan and permit already obtained shall also be submitted.

(3) The procedure for disposal of an application for regularization shall be that followed in the case of an application for new permit.

136. Application fee.- The application fee shall be as specified in Schedule I.

137. Decision to be intimated.- (1) The Secretary shall, by written order, either grant or refuse to grant regularisation.

(2) The Secretary shall, if the decision is to grant regularisation, intimate the fact to the applicant in writing, specifying the amount to be remitted as compounding fee and the period within which the amount has to be remitted.

(3) The Secretary shall, on receipt of the compounding fee and compliance of the condition, if any specified, issue order as in Appendix-I absolving the person from all liabilities and regularizing the construction and record the details thereof in a register to be kept as a permanent document in the form in Appendix-J.

(4) The compounding fee shall be double the amount of the permit fee in force.

Provided that in the case of deviated or additional construction, only the areas so deviated or added shall be considered for the calculation of compounding fee.

(5) The Secretary shall, if the decision is to refuse regularization, intimate the fact to the applicant specifying the reasons for such refusal and the period within which such building or part of building has to be demolished or the well, filled up:

Provided that, an application for regularisation shall be refused only on such ground on which approval of site or permission may be refused.

138. Demolition of buildings not regularised.- (1) Where the owner fails to demolish the building or part thereof or fill up the well as directed in the order refusing regularisation or fails to remit the compounding fee within the time specified, or fails to comply with any condition stipulated in the order granting regularisation within the time specified, the Secretary shall himself cause the building or structure or part thereof demolished or the well filled up as the case may be and the expenses thereof shall be recovered from the owner as if it were an arrear of property tax due under the Act:

Provided that in the case of an order refusing regularisation, the building or part thereof shall not be demolished or well filled up or prosecution initiated as in sub-rule (2) until and unless the time prescribed for filing appeal from such an order has not been expired.

(2) Notwithstanding anything contained in sub-rule (1), Secretary may also take prosecution proceedings against the owner.

CHAPTER XXIII

REGISTRATION OF ARCHITECTS, BUILDING DESIGNERS, ENGINEERS, TOWN PLANNERS, SUPERVISORS ETC.

139. Plans and drawings to be prepared and signed by Architect, etc.- In these rules, wherever it is required that a plan or drawing or specification shall be one prepared and signed by or a certificate shall be one so certified and signed by an Architect, Building Designer, Engineer, Town Planner or Supervisor such Architect, Building Designer, Engineer, Town Planner or Supervisor shall be a person registered or deemed to have been registered under the provisions in this chapter.

*140. Registering Authority.-*The Director of Urban Affairs shall be the Registering Authority for the State and the Registration is valid for practice in any panchayat in the state of Kerala.

141. Application and procedure for registration.- (1) Any person having the requisite qualification may submit an application for registration in the form in Appendix-K.

(2) A person employed in the service of Government or Quasi-Government or Government owned Corporation or Board, Authority or Government Companies or Banks are not eligible for registration.

Provided that paid Apprentices under the Apprentices Act are considered as not employed for this purpose.

(3) The application shall be affixed with necessary court fee stamp and shall be attached with true copy of certificate showing educational qualification and experience.

(4) The Registering Authority shall, if convinced of the genuineness of the documents, issue registration certificate in the form in Appendix-M after collecting the registration fee.

(5) The registration once made shall be valid for three years from the date of certificate and shall be renewable on payment of renewal fee with a request, in white paper affixed with necessary court fee stamp, made within the valid period of registration:

Provided that a licence issued under the Kerala Municipality Building Rules-1999 shall be deemed to have been issued under these rules and shall continue to be valid for the period for which that licence was issued and the holder of the said licence shall be eligible for registration under these rules.

(6) The fee for registration and renewal shall be at the rates as prescribed in The Kerala Municipality Building Rules, 1999 and as amended from time to time.

142. *Qualification for registration.*- No person shall be eligible for registration in the category in column (1) unless he possesses the qualification as in column (2) of Appendix-L.

143. *Registration in more than one category.*-A person shall be eligible for registration in more than one category if he possesses the requisite qualification and submits separate application and fee for registration in each such category.

144. *Responsibilities and functions of registered Architects, etc.* .- (1) Plans and drawings shall be prepared strictly in conformity with the provisions contained in the Act and the rules and any direction issued by Government or Panchayat and a certificate to that effect shall be recorded and signed in the plans and drawings.

(2) A certificate of verification of site shall be recorded and signed in the site plan.

(3) Plans and drawings shall be prepared only after inspecting the site and getting convinced of the boundaries.

(4) The person issuing the certificate or affixing signature on the plan, drawing or specification shall be responsible for the correctness or truthfulness of the recording in the certificate or plan, drawings or specifications.

(5) Function shall be restricted to the category on which registration is obtained.

(6) Any person violating the rules under this chapter shall be liable to action under sub rules (7) and (8).

(7) The Registering Authority or the Secretary of the panchayat may, on complaint by any person or on report from any Panchayat or suo moto take action against any person registered, for violating any of the provisions under these rules.

(8) The Registering Authority may, if convinced on enquiry that the person against whom action has been taken under sub rule (7) has violated any rule, provision or issued false certificate or recorded false information, suspend the registration for a period not exceeding three years or cancel the registration or disqualify him for future registration:

Provided that before finalizing the decision, the person concerned shall be given sufficient opportunity to explain and the explanation, if any, submitted shall be duly considered by the Registering Authority.

(9) Any person aggrieved by the decision of the Registering Authority under sub-rule (8) may appeal to Government within 30 days from the date of receipt of the decision.

(10) The appeal shall be submitted in white paper stating the reasons thereof, typed or written in ink, affixed with necessary court fee stamp, along with copy of the order of Registering Authority.

(11) Government shall dispose of the appeal within 60 days, after hearing the appellant in person or by authorised representative.

CHAPTER XXIV

ART AND HERITAGE COMMISSION

145. Constitution of Art and Heritage Commission.- (1) The Art and Heritage Commission constituted under Rule 154 of Kerala Municipality Building Rules 1999 shall have jurisdiction over all panchayats.

146. Functions of the Commission.- (1) Functions of the Commission shall be,-

- (i) to identify areas of heritage and monuments to be preserved;
- (ii) to identify areas of architectural importance and buildings to be preserved;
- (iii) to identify places or streets where a particular form of or group of architectural forms of buildings alone may be permitted and to prepare model plans, elevations etc; for that place or street;
- (iv) to examine architectural features in respect of any building or parts thereof or their aesthetic vis-à-vis the existing structures in a particular area or street;
- (v) to advise Government or Panchayat on any subject mentioned above and referred to it; and
- (vi) to submit periodical reports.

(2) (i) Notwithstanding anything contained in these rules and with due regard to the conservation of buildings, precincts and natural features of heritage value, the commission shall have powers to recommend to permit or recommend to decline land developments, uses and constructions including additions, alterations and demolitions etc., within the areas identified or advised by the commission as having heritage value;

(ii) The Panchayat shall seek such recommendations of the commission, and the recommendations of the commission shall be binding to the Panchayat including any particular architectural or aesthetic form of construction in the case of land developments and constructions in such areas.

CHAPTER XXV

VIGILANCE, DANGEROUS AND DEFECTIVE WORKS, APPEAL ETC.

147. Secretary to submit report.- (1) Secretary shall submit to Government every three months, report with respect to the following:-

- (i) total number of applications for building permit received during the period;

- (ii) total number of applications on which building permit was issued and or refused;
- (iii) details of applications in which decision was not taken within 30 days or 14 days as the case may be, from the date of receipt and the reasons thereof;
- (iv) details of applications referred to the Panchayat, by the applicant;
- (v) total number of applications received for regularisation of unauthorised or deviated constructions;
- (vi) total number of applications for regularisation disposed of specifying the number of applications sanctioned and or refused; if refused, details of further action taken;
- (vii) number of applications for regularisation pending disposal;
- (viii) total number of illegal constructions detected and action taken thereon; and
- (ix) details of Government directions received and action taken thereon.

(2) Government shall, after considering the report, take action as they deem proper.

148. Vigilance Squad.- (1) There shall be a vigilance squad in every District to detect, prevent and report on the illegal construction.

(2) Deputy Director, Panchayat having jurisdiction in the District, Town Planner in the Town and Country Planning Department having jurisdiction in the District (convenor) and the Secretary of Panchayat concerned and the officer or officers who may be nominated by the Government from time to time shall form the squad.

(2a) The district Police officer shall render all assistance to the squad, if so requested for discharging their duty.

(3) The vigilance squad shall send detailed report to Government regarding all the illegal constructions detected together with a description of the action taken thereon within a week.

(4) Government may also authorise any officer(s) to perform the functions entrusted to the Squad. Such officer(s) may also inspect site, verify records and/or conduct such enquiries as required and furnish report to the government. Such officer(s) may, at the time of inspection, inform the secretary, in writing, the major violations noted.

149. Stoppage of dangerous or defective work.- (1) Notwithstanding anything contained in these rules, the Secretary may, at any time stop the construction or reconstruction or alteration of any building, if in his opinion, the work in progress endangers human life.

(2) The Secretary shall have the power to condemn any work or material which in his opinion is unsatisfactory or is likely to constitute danger to health and any work or material so condemned shall be remedied, amended or made good or shall be removed in full or in part and replaced by new work or material, to the satisfaction of the Secretary.

150. Penalty for unlawful building.- (1) The owner of a building or a person to whom notice is issued under these rules shall, where the construction or reconstruction of such building or digging of such well-

(a) is commenced without the permission of the Secretary; or

(b) is carried on or completed otherwise than in accordance with the particulars on which such permission was based; or

(c) is carried on or completed in contravention of any lawful order or in breach of any provision contained in the Act or these rules, or bye-law made there under or any direction or requisition lawfully given or made; or

(d) about which any alteration or addition required by any notice issued by the Secretary under these rules, is not duly made; or

(e) about which a direction, if any, given by the Secretary under these rules is not complied with, be liable, on conviction by competent court, to a fine which may extend, in the case of building to ten thousand rupees and in the case of a well or hut to one thousand rupees and to a further fine which may extend in the case of a building to one thousand rupees and in the case of a well or hut to two hundred and fifty rupees for each day during which the offence is continued:

Provided that if any construction or reconstruction of a building or digging of a well unlawfully carried out by a person has been regularised by the Secretary, he shall not be punished.

(2) Where any building, erected in violation of any standard or condition or direction lawfully issued under the provisions of the Act or these rules, becomes a threat to public safety or to human life, the owner or builder of such building shall on conviction by a competent court, be punishable with imprisonment which may extend to one year.

(3) The Secretary may take prosecution proceedings under sub-rule (1) or sub-rule (2).

151. Appeal.- (1) Any person aggrieved by an order passed by the Secretary may submit an appeal to the Tribunal for Local Self Government Institutions constituted under section 271 S of the Kerala Panchayat Raj Act, 1994.

(2) Without prejudice to the provisions contained in the Act, an appeal may be filed against any order.-

(i) approving or disapproving building site;

(ii) granting or refusing permit to execute work;

(iii) confirming, modifying or cancelling the notice requiring alteration of work;

(iv) confirming the provisional order requiring demolition of building or part thereof or filling up of well;

(v) regularizing construction or reconstruction or alteration of building or digging of well or rejecting such regularisation; and

- (vi) stopping erection of building or execution of work;
- (vii) passed or action taken by the Secretary under these rules;
- (viii) passed by the Chief Town Planner or District Town Planner.

152. Removal of doubts etc..- The Government shall have powers, if any doubt arises with regard to the interpretation or otherwise of any provision or if any difficulty arises in the implementation of any provision, to clarify the doubt or to issue necessary direction for removing the difficulty.

APPENDIX - A
[see 7(1) and 134 (1)]

_____ Panchayat

APPLICATION FOR PERMIT / REGULARISATION

1. Name in Capital Letters :
2. Address :
 - (i) Permanent :
 - (ii) To which communication are to be sent :
3. Nature of development/construction :
 - (i) Division of plot
 - (ii) New construction
 - (iii) Reconstruction
 - (iv) Alteration
 - (v) Addition / Extension
 - (vi) Digging of well
 - (vii) Change in occupancy
 - (viii) Erection of Telecommunication tower /other structure
 - (ix) Demolition
4. Details of plot :
 - (i) Survey Number :
 - (ii) Extent :
 - (iii) Nature of ownership :
 - (iv) Number and date of deed / document :
 - (v) Registrar's Office :
 - (vi) Sub Division :
 - (vii) Ward Number :
 - (viii) No: of the nearest building :
 - (ix) Revenue Village :
 - (x) Taluk :
 - (xi) District :
5. Occupancy.
 - (i) Residential Group A1 : _____
(State the number of dwelling units also)

- (ii) Non residential/Others (Please specify:_____)
6. Whether Government or Quasi Government. :
7. (i) Plinth area of the proposed building :
- (ii) Details :

Floor	Area in sq.metres	
	Plinth Area	Carpet Area
Basement/Cellar floor		
.....		
Ground floor		
First floor		
.....		
.....		
.....		
Total Area		

8. Maximum height of building in metres [as per rule 2(1)(ba)] :
9. If the application is for regularisation :
- (i) Whether completed or not :
- (ii) If not completed, the stage of construction :
10. Details of Permit / Approved Plan already obtained :
11. Name and address of the Developer if any :
12. Details of fee paid :
- (i) Amount (in Rupees) :
- (ii) Number and date of receipt :
13. Details of documents, Plans, Certificates etc. enclosed :

DECLARATION

I, _____, hereby declare that, the measurements, specifications and other details and specifications mentioned above are correct, complete and true to the best of my knowledge and belief and that I shall abide by the approved plan and the provisions in the act and rules in undertaking the construction.

Signature of the Applicant with name

Place:

Date :

CERTIFICATE

Certified that, the site plan is prepared after verification of the ownership document and the site and the measurements shown are found to be correct.

Signature

Name:

Register Number:

Address:

(Registered Architect/ Building Designer / Engineer/ Town Planner/ Supervisor)

Place:

Date :

CERTIFICATE

Certified that the building plan is prepared in accordance with the provisions of the Kerala Panchayat Building Rules, 2011, Kerala Panchayat Raj 1994 and the provisions contained in the sanctioned Town Planning Schemes.

Signature

Name:

Register Number:

Address:

(Registered Architect/ Building Designer / Engineer/ Town Planner/ Supervisor)

Place:

Date :

UNDERTAKING

I, _____ hereby undertake that the building construction / land development will be carried on / being carried on/ was carried on as per the approved plan and permit in accordance with the rules in force.

Signature

Name:

Register Number:

Address:

(Registered Architect/ Building Designer / Engineer/ Town Planner/ Supervisor)

Place:

Date :

APPENDIX A1

FORM OF APPLICATION FOR CONSTRUCTION IN PLOTS PARTS OF WHICH HAVE BEEN SURRENDERED FREE OF COST FOR ROAD DEVELOPMENT

[See Rule 77 (1)]

(To be submitted along with the Application for permits)

..... Panchayat

1. Name of applicant (in capital letters) :
2. Address :
 - (i) Permanent :
 - (ii) To which communications are to be sent :
3. Details of land surrendered under Rule 77 (1) :
 - (i) Details of Town Planning Schemes as per rule 77 (1)(a) :
 - (a) Name of the Town Planning Scheme :
 - (b) Name of the Road Development Project :
 - (c) Present state of implementation :
 - (d) Zoning provisions of the Scheme :
 - (e) Other provisions of the Scheme :
 - (ii) (a) Name of Scheme applicable as per Rule 77 (1)(b)
 - (b) Implementing Agency : Local Self Government
Institution / Development
Authority / Government Dept./
Quasi Govt. Organisation /
Institution / registered
Residents Association/Social
Welfare Organisation
(please specify:.....)
 - (c) Present stage of implementation :
 - (iii) Extent of land in Sq. metres
(enclose sketch with all detailed measurements)

- (a) Total :
- (b) Required for implementation of the Scheme in total from the plot :
- (c) Surrendered free of cost for the scheme :
- (d) percentage of land surrendered :
- (iv) Survey No. of surrendered land :
- (v) Name of the owner of the land so surrendered :
- (vi) Details of relinquishment (enclose copies of relinquishment) :

4. Applicability of Special Provisions

<i>Item</i>	<i>Required /Permissible as per general provisions</i>	<i>Required/Permissible as per special provisions</i>	<i>Remarks of the special Committee</i>
Coverage			
F.A.R			
Set backs			
Height			
Parking			

DECLARATION

I.....hereby declare that the measurements, specifications and other details mentioned above are complete, correct and true to the best of my knowledge and belief and that I shall abide by the approved plan and the provisions in the Act and Rules in undertaking the construction.

Place:
Date :

Signature of the Applicant
Name of the Applicant

CERTIFICATE

Certificated that the site plan is prepared in accordance with the Kerala Panchayat Building Rules, 2011, Kerala Panchayatraj Act, 1994, provisions contained in the Town Planning Schemes and road development proposals of the implementing agency.

Place:
Date :

Signature
Name
Reg.No.
Address

Registered Architect/Engineer/
Town Planner/Supervisor)

APPENDIX - A2

[see rule 133]

PROFORMA

**Intimation of intention to carry out
construction/ reconstruction/ addition/ alteration**
(as per rule 133 of the Kerala Panchayat Building Rules, 2011)

_____ Grama Panchayat; _____ ward;
_____ village; _____ Taluk

1. Name of owner in Capital Letters :
2. Address :
 - (i) Permanent :
 - (ii) To which communication is to be sent :
 - (iii) Telephone/Mobile Number :
3. Nature of development/Construction (*please put \surd mark in the appropriate box*)
 - (i) Hut
 - (ii) New construction
 - (iii) Reconstruction
 - (iv) Alteration
 - (v) Addition / Extension
4. Details of plot :
 - (i) Survey Number: _____ of _____ village
 - (ii) Extent : _____
 - (iii) Nature of ownership : _____
 - (iv) Building No: of the nearest building : _____
 - (v) Nearest road junction or landmark :
5. Occupancy (*please put \surd mark in the appropriate box*).
 - (i) Residential Group A1
 - (ii) Non residential/Others

(Please specify: _____)

6. (i) Total built-up Area of the building in sq.metres
existing : _____
proposed: _____
Total : _____
- (ii) Total number of floors : _____
- (iii) (a) Whether the plot abuts National Highway, State Highway, District Road, or roads notified by Grama Panchayat under section 220(b) of the Kerala Panchayat Raj Act 1994(*please put ✓ mark in the appropriate box*): Yes / No
- (b) If yes, the distance of the construction from such highway/road: _____ metres
- (iv) Minimum Setbacks/yards: Front : _____ metres
Rear : _____ metres
Side(1): _____ metres
Side(2): _____ metres

7. Details to be included:

- (i) Copies of proof of ownership (*please put ✓ mark in the appropriate box*):
Registered deed Pattayam Possession Certificate
- (ii) Consent from the owner of neighbouring plot if the construction abuts that plot boundary.
- (iii) In case, NOC/clearances as specified in rule 133 of the Kerala Panchayat Building Rules 2011 are to be obtained, a site sketch not necessarily to scale signed by the owner, showing plot boundary, outline of the existing and proposed built-up area within the plot, abutting street and width of open yards around is to be enclosed.

DECLARATION

I, _____, hereby declare that, the details mentioned above and enclosed along with are correct, complete and true to the best of my knowledge and belief and that I shall abide by the provisions contained in rule 113B of the Kerala Panchayat Building Rules 2011.

(*Signature of the owner with name*)

Place:
Date :

APPENDIX AA

[See Rule 5 (1), 5(2)]

**APPLICATION FORM FOR PERMIT FOR
DEVELOPMENT/REDEVELOPMENT OF LAND.**

To

The Secretary,
..... Panchayat.

Sir,

I Intend to develop/redevelop the land in Survey Number
of Village in
Taluk..... owned by me. I forward herewith the site plan, service plan
and specification in triplicate duly signed by me and by
(Name in Block letter of the registered Architect/ Building Designer/Engineer/Town
Planner/ Supervisor) having Register No. together with the
required documents.

I hereby undertake to abide by the provisions of the Kerala Panchayat Building
Rules, 2011 in all respect.

I request that the development / redevelopment may be approved and development
permit granted to me.

Signature.
Name of owner:
(in Block letters)
Address :

Place:
Date:

APPENDIX - B

[see rule 6(7)]

DEVELOPMENT PERMIT

_____ Panchayat

No: _____

Date: _____

Ref: Application dt. _____ from Sri/Smt _____

Permission is hereby granted for the development / Redevelopment of land to the extent of _____ Ares/Hectares, comprised in Survey No: _____, Village: _____, Taluk: _____, District: _____, subject to the following conditions:

- (1) Existing trees shall be retained as far as possible and more number of trees shall be planted in the available space after development.
- (2) The permit is subject to the satisfaction of the provisions in the Land Utilisation Order and the permit issued thereunder.
- (3)
- (4)
- (..)

Signature and name of Secretary,

Place :

Date:

(Seal)

APPENDIX C

[See Rule 11 (3)]

BUILDING PERMIT

.....Panchayat

No.....

Dated.....

Ref:- Application dated from Sri./Smt.....

Permission is granted for the erection or re-erection/ addition/ /alteration /demolition of building/ digging of well/..... (specify the construction) in building No..... or near the building No. in Survey No.....Village....., Taluk....., District.....for(specify the occupancy) purpose, subject to the conditions stated below:

- (1)
- (2)
- (3)
- (4)

Plinth area of the building is as follows:-

Basement
 Ground Floor
 First Floor

Place:
Date:

Signature and name of Secretary

(Seal)

APPENDIX C-1
[See Rule 12 (7) and (8)]

CONCURRENCE

_____ Panchayat

No.....
Dated.....

Ref:- (1) Application dated.....from Sri./Smt
(2) Permit No..... Dated.....

Concurrence is granted for proceeding with the construction above the ground level as per the permit cited in ref (2) for..... (specify the construction) in building No..... or near the building No.....in Survey No Village.....Taluk..... District.....for(specify the occupancy) purpose subject to the conditions stated below:

- (1)
- (2)
- (3)
- (4)

Plinth area of the building is as follows:-

Basement
Ground Floor
First Floor
.....
.....
.....

Signature and name of Secretary

Place:
Date:

(Seal)

APPENDIX D

[See Rule 22 (2) (d)]

NOTICE REGARDING THE INTENTION TO START WORK

I hereby give notice that I intend to start the development or redevelopment of land/ construction or reconstruction or addition or alteration of building as per permit No.....dated.....on.....
...

Signature:

Name and address of owner or :
Architect/ Building Designer/ Engineer/
Town Planner/ Supervisor

Place:

Date:

APPENDIX E

[See Rule 22 (2)(e)]

COMPLETION CERTIFICATE BY THE OWNER

CERTIFICATE

Certified that the development or redevelopment of land/ construction or reconstruction or alteration or addition of building/erection of telecommunication tower or pole structure has been completed/ partially completed as per the approved plan and permit No..... dated.....

(Signature)

Name and address of owner:

Place:

Date :

APPENDIX F

[See Rule 25 (1)]

COMPLETION CERTIFICATE BY ARCHITECT, ENGINEER etc.

CERTIFICATE

Certified that the development or re-development of land/construction or reconstruction or alteration or addition of building/erection of telecommunication tower or pole structure or work has been supervised by me and has been completed as per the approved plan and permit No.....dated.....

Signature

Name and address of Architect or
Building Designer or Engineer or
Town Planner or Supervisor

Reg No.:

Place:

Date :

APPENDIX G

[See Rule 25 (2)]

DEVELOPMENT CERTIFICATE

Certified that the development or re-development of land under the permit No.....dated.....issued to Sri/Smt.....and supervised by.....has been inspected by me and that the work executed is in accordance with the permit and that the land is now fit for building construction.

Signature and name of Secretary

Place:

Date :

(Seal)

APPENDIX H

[See Rule 25 (3) and 131 (2)]

OCCUPANCY CERTIFICATE OR USE CERTIFICATE

Certified that the construction or reconstruction or alteration or addition of building or erection of telecommunication tower or pole structure or work under the permit No.....dated.....issued to..... and supervised by.....has been inspected by me and that the work executed is in accordance with the permit and that the building/tower or pole structure is now fit for occupation/use.

Signature
Name of Secretary

Place:
Date :

(Seal)

APPENDIX - I

[See 137 (3)]

..... **Panchayat**

BUILDING CONSTRUCTION WITHOUT PERMISSION OR DEVIATION FROM APPROVED PLAN – REGULARISATION GRANTED – ORDERS ISSUED

Ref:- Application dated.....from Sri/Smt.....
No.....Dated.....

ORDER

Whereas the application submitted by Sri/Smt..... for regularisation of a construction or reconstruction or alteration or addition of building, or wall or erection of telecommunication tower or pole structure or digging of well, conversion of roof, conversion or erection of shutter or door commenced, being carried/on completed in the land comprised in Sy.No.....in the building bearing No.....or near the building bearing No.....has been duly considered by me and decision to regularise the same has been communicated in letter No.....dated.....

And whereas the said Sri./Smt.....has remitted Rs.....as compounding fee.....vide No.....dated..... and has complied with the directions/conditions stipulated in the letter dated.....

Now, therefore, in exercise of the powers conferred by Rule 137 (3) of Kerala Panchayat Building Rules, 2011,(name) Secretary of thePanchayat hereby order that the said person has been absolved from the liabilities in respect of the construction or reconstruction or alteration or addition of building or wall or erection of telecommunication tower or pole structure or digging of well, conversion of roof, conversion or erection of shutter or door and that the construction or reconstruction or alteration or addition of building or wall or erection of telecommunication tower or pole structure or digging of well, conversion or erection of shutter or door has been regularized.

Signature of Secretary

(Seal)

APPENDIX - J

[See Rule 137 (3)]

REGISTER FOR REGULARISED CONSTRUCTIONS

Sl. No:	Name and address of the applicant/owner	Date of application with date of receipt	Details of amount etc . application fee paid	Details of area of building existing / regularised	Area of land survey number, village, Taluk etc	Date and number of intimation permitting regularisation with date of despatch	Amount etc regularisation fee paid	Details of regularisation order issued	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)

APPENDIX K

[See Rule 141 (1)]

Application for Registration as Architect/Engineer/Town Planner/Supervisor etc. under the Kerala Panchayat Building Rules, 2011



(One extra copy of the photo should be separately enclosed for issuing identity card)

1. Name of Applicant in capital letters :
2. Permanent Address :
3. Address to which communications are to be sent :
4. Educational Qualifications (Attested copies should be enclosed) :
5. Age and Date of Birth (with proof) :
6. Sex :
7. Experience (Attested copies should be enclosed) :
8. References of previous licences, if any :
9. Details of show cause notices received/ cancellation of licences, if any :
10. Whether employed or not (If employed Give particulars) :
11. Whether retired from service or not (If Retired, give details proof to be attached):

12. Specimen Signature :
- (i)
 - (ii)
 - (iii)

Declaration

I,hereby declare that the details furnished above are correct, complete and true to the best of my knowledge and belief.

Signature:

Name:

Place:

Date:

APPENDIX L

[See Rule 140]

QUALIFICATION AND FUNCTION OF ARCHITECT, ENGINEER, ETC.

Category	Qualifications	Function
(1)	(2)	(3)
Architect	Registration with the Council of Architecture, India as prescribed under Architect's Act 1972 (Central Act 20 of 1972)	<p>(i) To sign plans, drawings and specifications in connection with development permit for areas upto the extent of one hectare.</p> <p>(ii) To issue certificates of supervision in connection with development permit for areas upto the extent of one hectare pertaining to road work, water supply, drainage, sewerage and light installation.</p> <p>(iii) To prepare and sign all plans and information connected with the building permit.</p> <p>(iv) To prepare and sign structural design and calculations, for building on plots upto 500 sq.m. and up to 3 storeyes, or 11 metres height.</p> <p>(v) To issue certificate of supervision and competition for all buildings.</p> <p>Note:- A person registered under the Architects Act, 1972 as architect shall be deemed to be registered under this rule.</p>
Building Designer-A	<p>(i) Associate membership of the Indian Institute of Architects; or</p> <p>(ii) Any degree or diploma required for membership of the Indian Institute of Architects; or</p>	<p>(i) To sign plans, drawings and specifications in connection with development permit for areas upto the extent of one hectare.</p>

- (iii) Any of the qualifications included in the schedule to Architect's Act, 1972; or
 - (iv) Degree in Architectural Engineering
- (ii) To issue certificates of supervision in connection with development permit for areas upto the extent of one hectare pertaining to road work, water supply, drainage, sewerage and light installations.
 - (iii) To prepare and sign all plans and information connected with the building permit.
 - (iv) To prepare and sign structural design and calculations, for building on plots upto 500 sq.metres. and up to 3 storeyes, or 11 metres height.
 - (v) To issue certificate of supervision and competition for all buildings.

Building Designer-B

Any person retired from Government or Quasi Government service from a post not below the rank of Assistant Architect and not possessing the qualifications for registration as Building Designer A shall be eligible for registration as Building Designer B.

- (i) To sign plans, drawings and specifications in connection with development permit for area upto the extent of 0.5 hectares.
- (ii) To issue certificates of supervision in connection with development permit for areas upto the extent of 0.5 hectares pertaining to road work, water supply, drainage sewerage and light installation.
- (iii) To prepare and sign all plans and information connected with buildings up to 1000 sq.metres in area or upto 4 floors and stair cabin or 14.5 metres height, excluding the height of the stair cabin.
- (iv) To issue certificate of supervision and completion for all buildings coming under item (iii) above.

Engineer A	<ul style="list-style-type: none"> (i) Corporate membership (Civil) of the Institution of Engineers (India); or (ii) Any degree or equivalent qualification in Civil Engineering which is required for the corporate membership in the Institution of Engineers; or (iii) Any person having valid registration as Engineer under the Kerala Building Rules, 1984 shall be eligible for registration as Engineers A 	<ul style="list-style-type: none"> (i) To sign Plans, drawings and specifications in connection with development permit for area upto the extent of one hectare. (ii) To issue certificates of supervision in connection with development permit for areas upto the extent of one hectare pertaining to road work, water supply, drainage, sewerage and light installations. (iii) To prepare and sign all plans, information connected with building permit. (iv) To prepare and sign structural designs and calculations connected with all types buildings. (v) To issue certificates of supervision and completion for all types of buildings.
Engineer B	<p>Any person retired from Government or Quasi government service from a post not below the rank of Assistant Engineer and not possessing the qualifications for registration as Engineer-A shall be eligible for registration as Engineer B</p>	<ul style="list-style-type: none"> (i) To sign plans, drawings and specifications in connection with development permit for areas upto the extent of 0.5 hectare. (ii) To issue certificates of supervision in connection with development permit for an area upto the extent of 0.5 hectare pertaining to road work, water supply, drainage sewerage and light installations. (iii) To prepare and sign all plans, information connection with building permit for building upto 1000 sq.metres in area and upto 4 floors and stair cabin and 14.5 metres height excluding height of stair cabin. (iv) To issue certificates of supervision and competition for buildings coming under item (iii) above.

Town Planner A	<ul style="list-style-type: none"> (i) Associate membership of the Institute of Town Planners, India; or (ii) Any degree or diploma in Town and Country Planning which is required for the associate membership of the Institute of Town Planners, India. 	<ul style="list-style-type: none"> (i) To sign plans, drawings and specifications in connection with development permit of all areas. (ii) To issue certificate of supervision for development permit of all areas.
Town Planner B	<p>Any person retired from Government or Quasi Government service from a post not below the rank of Assistant Town Planner and not possessing the qualifications for registration as Town Planner-A shall be eligible for registration as Town Planner-B</p>	<ul style="list-style-type: none"> (i) To sign plans, drawings and specifications in connection with development permit for an area up to one hectare (ii) To issue certificate of supervision for development permit for an area up to one hectare.
Supervisor A	<ul style="list-style-type: none"> (i) Diploma in Civil Engineering and having completed 4 years experience as supervisor-B. Note:- For counting 4 years of experience, continuous practice as supervisor under Kerala Building Rules, 1984 shall also be taken into account; or (ii) Any person having eight years experience as supervisor B. Note:- For counting eight years of experience continuous practice as supervisor under Kerala Building Rules, 1984 shall also be taken into account, or (iii) Any person having valid registration as Supervisor (Special) under Kerala Building Rules, 1984 shall be eligible for registration as Supervisor A 	<ul style="list-style-type: none"> (i) To prepare and sign building plans and other specifications connected with buildings up to a total built up area of 750 sq. metres and upto 3 floors and stair cabin and 11 metres height, excluding the height of stair cabin. (ii) To issue certificate of supervision and completion for all types of buildings coming under (i) above. (iii) To prepare and sign layout plans up to one hectare.

- Supervisor B**
- (i) Three years Architectural Assistantship with two years experience under an Architect or Engineer; or
 - (ii) Diploma in Civil Engineering with two years experience under an Architect or Engineer; or
 - (iii) Draftsman in Civil Engineering from Industrial Training Institute with five years experience under an Architect or Engineer, or
 - (iv) K.G.C.E. in Civil Engineering Draftsmanship survey with 10 years experience under an Architect or Engineer; or
 - (v) Certificate in Building Technology approved by Government; or with 10 years experience under an Architect or Engineer.
 - (va) Any qualification equivalent to that in item (iii) with five years experience or that in item (v) with ten years experience, under an Architect or Engineer.
 - (vi) Any person having valid licence as Supervisor under Kerala Building Rules, 1984 is eligible for registration as Supervisor-B.
- (i) To prepare and sign plans and other specifications connected with buildings upto an area 300 sq.metres and up to two floors and stair cabin and 7.5 m height, excluding the height of stair cabin.
 - (ii) To issue certificates of supervision and completion for all types of buildings coming under (i) above.

APPENDIX M
[See Rule 141 (4)]

CERTIFICATE OF REGISTRATION

This is to certify thatSri/Smt.....(State the name and full address) has been registered as.....
(State the category) under the provisions of the Kerala Panchayat Building Rules, 2011.

Signature of
Registering Authority with name

Place:
Date:

(Seal)

APPENDIX - N
[See Rule 5(8) and 7(8)]

Panchayat

**DETAILS REGARDING APPLICATIONS FOR RENOVATION
WITHOUT INVOLVING ADDITIONAL BUILT-UP AREA
OR STRUCTURAL ALTERATIONS OF EXISTING BUILDINGS
FOR RELIGIOUS PURPOSE OR PLACES OF WORSHIP**

(To be submitted by the applicant to the Secretary in triplicate)

1. Name of Applicant :
2. Address :
3. Village & Survey Number :
4. Extent of land :
5. Details of Renovation works :
6. Nature of ownership :
7. Built-up Area of existing building(s):

Sl.No	Floor level (Basement/First/Second... etc.)	Built-up area in sq.metres

CERTIFICATE

Certified that the works for the above specified building(s) involve only renovation works without any structural alterations or addition in the existing built-up area.

(Signature)

Name and address of the owner

Place:

Date:

For Office Purpose:

Forwarded to District Collector along with verified drawings and other relevant details if any:

File/Application No:

Date of receipt of application:

(Signature of Secretary)

(office seal)

Acknowledgement of the receipt from District Collector:

(Signature)

Name and designation of the authorized signatory

Place:

Date:

Action taken by the Secretary:

SCHEDULE I

[See Rules 5 (1) and 7(1)]

APPLICATION FEE

Land Development (Rupees)	Building (Rupees)	Well (Rupees)	Compound wall (Rupees)	Conversion/ Erection of shutter or door (Rupees)	Conversion of roof (Rupees)
20.00	20.00	5.00	5.00	10.00	10.00

- Note: (1) No separate application or fee for land development is required along with application for building permit.
- (2) Separate application and fee is required only for the conversion or erection of shutters or doors or roof in an existing building.

SCHEDULE II
[See Rule 11(3)]

PERMIT FEE

Sl.No	Local Self Government Institution	land development (Rs. Per Ares)	Other land developments(Rs. Per Hectares of the land proposed for sub-division)	Pucca Building (Rupees per sq.metres of floor area)		Thatched or tiled buildings -Other than pucca (Rupees per sq.metres)	Residential units for Economically Weaker Sections funded by Government or Local Self Government Institutions (Rupees per dwelling unit)	Wells (Rupees per unit)	Compound wall (Rupees per metre length)	Shutter or door conversion or erection (Rupees per unit)	Roof conversion (Rupees per sq.metre)
				(i) In group AI Occupancy	(ii) In occupancies other than Group AI						
(1)	(2)	(3A)	(3B)	(4)	(4)	(5)	(7)	(8)	(9)	(10)	(11)
1	Village Panchayat Category I	500	500	5	7	1	NIL	15	2	200	2
2	Village Panchayat Category II	250	250	3	5	1	NIL	10	1	100	1

Provided that, in the case of residential buildings upto 150 sq.metres of total built-up area in Category I Village Panchayats, the permit fee shall be only 50% of the amount mentioned above.

Note:- (1) Area of accessory buildings such as car shed, toilet, cabin for watch and ward etc. shall be added to main building for calculating the permit fee. In the case of addition or alteration, only the area of the portion added or altered shall be taken into account.

(2) No fee for land development permit is required for obtaining building permit.

By order of the Governor,

S.M.VIJAYANAND
Additional Chief Secretary to Government.

Explanatory Note

(This does not form part of the notification, but is intended to indicate the general purport)

At present, there is no specific building rule for Village Panchayats. Therefore, in exercise of the powers conferred by Section 274 (1) of the Kerala Panchayat Raj Act, 1994 and in supersession of all previous notification issued in the subject matter, Government vide notification under G.O.(Ms)No.150/2007/LSGD dated 6th June, 2007 have extended the application of Kerala Municipalities Building Rule, 1999 and relevant provisions of the Kerala Municipality Act, 1994 (20 of 1994) to all Village Panchayats of the state.

Section 235A of the Kerala Panchayat Raj Act, 1994 empowers Government to make rules regarding various matters enumerated therein relating to site, building and all other structures. Government have now decided to make rules exclusively for Village Panchayats.

This notification is intended to achieve the above object.