

Kerala Municipality Building Rules, 1999

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Kerala Municipality Building Rules, 1999

CHAPTER 1 DEFINITIONS

1. Short title, applicability and commencement :-

- (1) These rules may be called the Kerala Municipality Building Rules, 1999.
- (2) They shall apply to all Municipalities in the State.
- (3) They shall come into force at once.

2. Definitions :-

- (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 on 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 Municipality Act, 1994 (20 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 changing the roof to concrete slab or reconstruction of existing walls or construction of concrete beams and columns amounting to structural change or construction of internal walls for subdividing 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 and 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 drawing and statements submitted under these rules for obtaining development permit or building permit and duly approved by the secretary;
- (ia) balcony means a horizontal projection, including a handrail, or balustrade to serve as passage or sitting out place;
- (j) basement floor means the lower storey of a building below or partly below the ground floor. This word is synonymous with cellar;
- (k) bathroom means a room or cubicle for bathing;
- (l) building means 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 or anything affixed thereto or any wall enclosing or intended to enclose any land or space and signs and outdoor display structures;
- (m) building line means a line which is away from the street boundary and up to 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;
- (n) carpet area means the usable floor area excluding the area of staircases, lift wells, escalators, ducts, toilets, air condition plant room and electrical control, room. Note:- For calculating carpet area, twenty percent of the floor area, shall be deducted from the total floor area in each floor.
- (o) ceiling means the internal roof/lining of any room; in case there is not such lining, the roof membrane shall constitute the ceiling;
- (p) Chief Town Planner means the Chief Town Planner to the Government of Kerala;
- (q) chimney means an upright shaft containing and encasing one or more flues;
- (r) conversion means the change of one occupancy group into another occupancy group;
- (s) corridor means an exit serving as a passage way communicating with separate rooms or with different parts of a building or with different buildings;
- (t) 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 around 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;
- (u) depth of plot means the mean horizontal distance between the front and rear plot boundaries;
- (v) 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 or changing from the existing

former use of the land, layout of streets and foot paths, sub-division of land for residential plots or for other uses including layout of internal streets, 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.

(w) development plan means any general 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 Act in force;

(x) drain means 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;

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

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

(aa) 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; -

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

(ac) external wall means an outer wall of a building even though adjoining a wall of another building; it also means a wall abutting on an interior open space of any building;

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

(ae) 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;

(af) 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 floor at or wholly above ground level, the lowest floor in the building with direct entrance from road/street shall be called as ground floor and the other floors above the ground floor shall be called in sequence as first floor, second floor, third floor etc. with number increasing upwards.

(ag) floor area means the built up area of a- building at any floor level;

(ah) 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;

(ai) 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;

(aj) frontage means side or part of a side of a plot which abuts on a street;

(ak) front yard means an open space extending laterally along the front side (main ground floor 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 a ground floor shall be considered as the main entrance;

(al) 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.,

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

(an) ground floor means the lowest storey of a building to which there is an entrance from the adjacent ground or street.,

(ao) Government means the Central or State Government

(ap) 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 sortie beams shall determine the upper point of measurement;

(aq) 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 wall;

(ii) in the case of pitched roofs, to the point where the external surface of the outer wall intersects the finished surface of the slopping roof;

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

(iv) in the case. of dommed roofs, to the highest point of the dome. Provided that architectural features serving no other function except that of decoration shall be excluded for the purpose of taking heights.,

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

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

(at) 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;

(au) 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;

(av) mezzanine floor means an intermediate floor in any storey over - hanging and over - looking a floor beneath;

(ava) occupancy group means the principal occupancy for which a plot, a building or a part of a building is used or intended to be used; for the purposes 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;

(aw) open space means an area forming an integral part of the plot left open to the sky;

(ax) 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;

(ay) owner in respect of land or building, means the person who receives the 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;

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

(ba) 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;

(bb) passage way means a means of access;

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

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

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

(bf) plinth area means area of the building at the plinth level, does not include the area of open porch (not enclosed by wall) uncovered staircase and the like;

(bg) plot means a parcel or piece of land enclosed by definite boundaries;

(bga) plot corner means a plot abutting two or more intersecting streets;

(bgb) plot depth means the mean horizontal distance between the front and rear plot boundaries;

(bgc) plot double frontage means plot having a frontage on the two streets other than a corner plot;

(bgd) plot interior means a plot, access to which is by a passage from a street whether such a passage forms part of the plot or not;

(bh) Pollution Control Board means the Kerala State Pollution Control Board;

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

(bj) 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 rear if used as utility open space shall be deemed as rear yard;

(bk) 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 of population densities; the acquisition and clearance of deteriorated buildings, the repair, modernisation and provisions 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;

(bl) registered Architect/Engineer/Town Planner/Supervisor means an Architect/Engineer/Town Planner/Supervisor registered or deemed to have been registered as such under these rules;

(bm) road means any highway, street, lane, pathway, alley, passageway, carriageway, footway or bridge whether a thoroughfare 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);

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

(bo) Secretary means the Secretary of a Municipality;

(bp) section means a Section in the Act;

(bq) semi - detached building means a building detached on three sides;

(br) service lane means a lane provided at the rear or side of a plot for service purposes;

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

(bt) set back line means a prescribed building line drawn with reference to the central line of a street on the street side of which nothing can be erected or re-erected;

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

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

(bv) 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;

(bw) site means a plot and its surrounding precincts;

(bx) 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;

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

(by) storey means the portion of a building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between any floor and the ceiling next above it.;

(bz) Street means a private street or a public street, synonymous with .road and giving access to more than one plot or one building;

(ca) street line means the line defining the side limits of a street;

(cb) street level means the level at the centre line of the street;

(cc) 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 includes building;

(cd) sunshade or weather shade means a sloping or horizontal structural overhang usually provided over openings on provide protection from sun and rain;

(ce) tenement means part of a building intended or used or likely to be used as a dwelling unit;

(cf) to erect means-

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

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

(iii) conversion from one occupancy to another;

(cg) travel distance means the distance an occupant has to travel reach an exit.,

(cga) unconnected latrine means a latrine not connected to the public sewer system, it may be connected to a septic tank;

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

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

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

(cia) Village panchayath means a village panchayath constituted under section 4 of the Kerala Panchayath Raj Act, 1994 (13 of 1994)

(cj) 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 purposes but does not include a store room attached and used for the proper functioning of a shop;

(ck) 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;

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

(cm) water course means an artificial or natural drainage canal;

(cn) 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 Municipality Act, 1994 (Act 20 of 1994) shall have the same meaning assigned to them in that Act.

3. Applicability :-

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 designs

and construction of the building;

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

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

(d) where addition or extension is made to a building, the rules shall apply to the addition or extension only, but for calculation of floor area ratio and coverage permissible and for calculation of required off street parking area to be provided, the whole building [existing and proposed] shall be taken into account.

(ii) all lands which is proposed to be re developed or developed for construction or buildings;

(iii) all developments and constructions existing or proposed in any village panchayath area to which the provisions of these rules stand extended.

CHAPTER 2 PERMIT

4. Essentiality of permit :-

(1) No person shall develop or redevelop any parcel of land or cause the same to be done without first obtaining a permit for each such development or redevelopment from the Secretary.

(2) No person shall construct or reconstruct or make addition or extension or alteration to any building or cause the same to be done without first obtaining a separate building permit for each such work 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 in Appendix AA and such application shall be accompanied by plans and statements in duplicate as required under these rules and documents to prove the ownership of the land concerned and payment of application fee as specified in Schedule 1 (along with a copy of the certificate of registration of the Architect, Building Designer, Engineer, 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 or State Government Department, the officer authorized shall, before thirty days of commencement of the work, submit to the Secretary a set of layout plans or plans of the proposed plot subdivisions and all other details with a certificate issued by 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 plans prepared for the area.

(3) In the case of layout or plot sub-divisions by any defence organisation the officer in charge of the organisation shall submit to the Secretary a set of layout plans or plans of the proposed plot subdivisions 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 plot subdivisions by Municipality, the Secretary may approve the plans of the proposed work with his certificate on 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 redevelopment of any land within a distance of 100 meters from any property maintained by Defence establishment, the Secretary shall consult 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 the 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 redevelopment of any land within 30 meters from substituted by railway boundary, the Secretary shall consult the Railway Authority concerned before the permission is granted. Such Authority shall furnish his reply within thirty days from the date of receipt of the consultation letter if the authority 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 cases where final remarks are not received within the 30 days time from the Defense Officer or Railway Authority as in sub rule (5) or (6), the Secretary may delay final decision, if any interim reply is received from the concerned Defense/Railway Authority.

(8) The Secretary shall, if the lay out approval 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 for that area is required for any development, forward the application with his remarks to the District Town Planner or Chief Town Planner, as the case may be, before issuing development permit.

6. Site plan, Service plan, etc. to be submitted :-

(1) An application for a development permit shall be accompanied by site plan, service plan, 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 the owner thereof, including the revenue survey particulars in full;

(ii) the position of the site 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-sac, streets, or foot-paths within, adjoining or terminating at the site, existing, proposed to be widened or newly aligned;

(vii) the proposed plot subdivision, if any, and the areas and uses of each sub division thereof;

- (viii) the access to each plot subdivision, if any;
- (ix) the layout of any service roads or foot paths and public parking spaces proposed or existing, if any;
- (x) the area and location of any land within the plot that undevelopable such as rocky outcrops, steep terrains, marshes, etc.
- (xi) the area and location of any land within the plot that is not proposed to be developed or redeveloped;
- (xii) the area and location of any, land that is proposed to be reclaimed .
- (xiii) the area and location of any paddy fields and/or other agricultural land that are proposed to be reclaimed and /or converted for the said development or redevelopment;
- (xiv) the north direction and predominant wind direction in relation to the site.
- (xv) topographic contours (with contour interval not less than 1.5 m show the features of the plot clearly) of the site and any other relevant information of the plot not specially mentioned, but may be required by the Secretary.

Note:- The site plan shall be accompanied by a key map drawn to a scale /appropriate to a scale of 1 : 4000 giving full details of the location of the site with reference to all adjacent streets, premises and landmarks within a distance of 30m 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 plot sub-division, if any, and the uses of such sub- division;
- (ii) the layout of existing and proposed water supply, electricity, drainage and sewerage main lines from or to Which connections are proposed to be given with dimensions and specifications;
- (iii) the layout of existing and proposed water supply, drainage and sewerage lines within the plot, with dimensions, specifications 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 cms X 33 cms or A3.

(3) All plans, drawings and specifications shall be signed by a registered Architect or Engineer or Town Planner or Supervisor or Building Designer 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 the application shall be signed and submitted by any such person or by any legally authorized third person.

(5) If the application is for joint development or redevelopment of more than one adjoining plots owned by different persons, the application shall be submitted jointly and signed by all the persons or the application shall be signed and submitted by any such person or by any legally authorized third person.

(6) In case the development or redevelopment proposed is within 100 meters of any property maintained by Defense establishment or 30m from any railway

track boundary, the applicant shall submit sufficient number of drawings along with the application and the Secretary shall transmit the same to the officer in charge of the Defense establishment or Railway authority, as the case may be, for remarks as specified in sub-rules (5) and (6) of rule 5.

(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 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 duplicate as required under these rules and documents to prove ownership of the land concerned and payment of application fee as in Schedule 1 along with a copy of the certificate of registration of Architect, Building Designer, Engineer, Town Planner or Supervisor, as the case may be, who has prepared and signed the plans, drawings and statement.

(2) In the case of any construction of by Central or state government department, the officer authorized shall, before thirty days of commencement of the work submitted to the secretary, a set of plans of the proposed building along with the certificate issued by the chief architect or the engineer in charge of the works to the effect that the plans are in the conformity with the provisions of these rules, in all respects including conformity to any development plan prepared for the area.

(3) In case of construction by any Defense Organization, the Officer in charge of the Organization shall submit to the Secretary a set of building plans 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 case of any construction of building by the Municipality, 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 reconstruct a building or make alteration or addition or extension to a building or make or enlarge any structure within a distance of 100 meters from any property maintained by the Defence establishment, the Secretary shall consult the officer - in - charge of the said establishment, before the 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.

(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 meters from railway boundary, the Secretary shall consult the Railway Authority concerned before any permission is granted. Such Authority shall furnish his 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 cases where final remarks are not received within the 30 days time from the Defense Officer/Railway Authority as in sub rule (5) or (6) the Secretary may delay final decision in the application for permit, if any interim reply is received from the Defense/Railway Authority.

(8) If the application is for approval of plot or building requirements and for the usage of plot, the Secretary shall forward the same to the Chief Town Planner or the District Town Planner concerned with his remarks.

(9) The application for building permit shall be accompanied by documentary evidence of ownership of plot and the site plan, building plan, services plan, 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) boundaries of the plot intended for the proposed construction and any contiguous land belonging to the same owner.

(ii) the position of the plot in relation to neighboring 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;

(vi) the width of the street, if any in front, side or rear of the building;

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

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

(ix) spaces proposed as garden;

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

(xi) north direction in relation to the site;

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

Provided that when circumstances are such as to make a smaller plan necessary or sufficient, 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 of the buildings accompanying the application shall be accurately drawn to a scale of not less than 1 : 100, and shall, -

(i) include floor plans all floors together with the covered area, accessory buildings and basement floor, if any, and such drawings shall clearly indicate the sizes 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 height of rooms, building and parapet, thickness and spacing of structural members, floor slabs and roof and details of staircase.

(v) show all street elevation;

- (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 parking spaces, drive - ways and maneuvering 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 cms X 33 cms or A3.
- (10) All plans, drawings and design calculations shall be signed by a registered Architect, Engineer, Town Planner or Supervisor, unless otherwise specified.
- (11) All plans shall be signed by the owner /applicant also in all cases.
- (12) If the plot is owned by more than one person, the application shall be submitted jointly and signed by all the persons or shall be submitted by any such person or a third person if so legally authorized.
- (13) If the application is for construction or reconstruction of a single building or block of buildings in more than one adjoining plots 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.
- (14) Application for site approval and issue of permit shall be submitted in the form in Appendix A.
- (15) If the construction proposed is within 100 meters from any property maintained by Defense establishment or 30 meters from any property maintained by Railway Authority, the applicant shall submit sufficient number of drawings along with the application and the Secretary shall transmit the same to the officer in charge of the Defense establishment or Railway authority, as the case may be, for remarks as specified in sub-rule (5) or (6).

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 building shall be the sum total of floor areas at every floor including basement, if any;
- (ii) all internal sanitary shafts, air conditioning ducts and lifts shall be included in all the floor levels;
- (iii) The area of Barsati or penthouse at terrace floor level shall be included in the floor area; and
- (iv) towers, turrets, domes, etc., projecting above the terrace shall not be included in the floor area at terrace level.

(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 verandahs and balconies with at least one of its sides open (other than parapets) to exterior or interior open spaces, only fifty per cent 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 verandahs 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 should be taken into account for calculation of floor area.
- (d) Floor area of galleries, mezzanine floor and lofts:-
- (i) area of galleries i.e., 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.
- (e) area used for parking of vehicles within a building area of electrical room, room for airconditioning plant, generator room, internal sanitary, shafts and air conditioning ducts shall not be included in the floor area of any floor, however area occupied by lift shall be included in any one floor.

9. Certain operational constructions by Government to be exempted from these rules :-

The operational constructions of the Central or 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) Regional grid for electricity
- (h) 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 further that the following constructions, by the services do not come under the purview of operational constructions, 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 type of educational institutions and offices, shopping complexes, railway mail service offices, parcel offices; and
(j) Post offices, other type 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 general building requirements, structural stability and fire safety requirements of the rules, namely:-

- (i) Providing or removing of windows or doors or ventilators;
- (ii) Providing inter-communication doors;
- (iii) Providing or removing of partitions;
- (iv) Gardening excluding any permanent structures,
- (v) White or color washing;
- (vi) Painting;
- (vii) Petty repairs to the building and pitched roof
- (viii) Plastering and patch work; and
- (ix) Interior decoration without any structural alterations ;
- (x) Changing of the location of the building or construction within the plot:

Provided that the details of works under item (ix) shall be intimated to the Secretary at least ten days before the commencement of such work, with particulars regarding the existing conditions in full so as to enable him to make an assessment of the nature of work. If the Secretary has any objection it shall be communicated to the applicant within ten days.

Provided further that the changing of the location under item (x) 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, drawings and specifications conforms 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 conforms to the site and site plan, and is in accordance with these rules and bye laws made under the Act or any other law, 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, Secretary decides to refuse approval, the same shall be communicated in

writing specifying the reasons.

(5) 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 ten days from the date of receipt of such application or plan or document or information.

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

(ii) that 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) that any of the documents required to be signed by a registered Architect, Engineer, Town Planner or Supervisor or 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, Engineer, Town Planner or Supervisor or the owner/applicant;

(iv) that 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) that 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 with an existing public or private street while utilizing, 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) that the proposed building would be an encroachment upon a land belonging to the Government or the Municipality; and

(vii) that the land is under acquisition proceedings.

13. 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 information or 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 in rule 12 and intimate the same to the applicant.

14. Period within which 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 in rule 12 and intimate the same to the applicant; Provided that the said thirty days shall not being to run until the site has been approved under rule 13.

15. Reference to council where the Secretary delays to grant or refuse to approve or permit :-

(1) The Council shall, if the Secretary, neither approves nor disapproves 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 Council 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 there under.

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

15A. Extension and renewal of period of permits :-

(1) A development permit or a 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 further periods 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 per cent 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 a 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 the 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 a building permit issued before or after the commencement of the Kerala Municipality Building Rules, 1999 or these rules or under the Kerala Building Rules, 1984 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 for like periods as a permit issued under these rules.

(10) In case the period of validity stipulated in permit issued before the commencement of the Kerala Municipality Building Rules, 1999 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 legally authorized representative and in case the plot concerned has been transferred by the original owner, the transferee or his legally authorized 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 21 has been fully complied with.

16. Suspension and Revocation of permit :-

The Secretary shall 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 sufficient opportunity to explain and the explanation shall be duly considered by the Secretary.

CHAPTER 3 ACTION AGAINST UNAUTHORIZED CONSTRUCTIONS

17. 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 that position of rooms, stairs, lifts, windows, doors, or ventilators and 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; he 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 plan 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 does not show cause as aforesaid, he shall be bound to make the alterations specified in such notice.

(4) 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.

18. 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 Council; 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 there under or any direction or requisition lawfully given or made there under; 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. he 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 the person for whom such work is done together with a notice requiring him to show cause within a reasonable time to be specified in such notice why the order should not be confirmed.

(iii) that any alteration or addition to any building or any other work made or done for any

(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, the Secretary may himself cause the building or part thereof demolished or the well dismantled, as the case may be, and the expenses thereof shall be recoverable 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 provisions or specific conditions contained in the Act or these rules and has been regularized under the provisions in these rules.

(4) Notwithstanding anything 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, 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 the 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 Secretary, if convinced that the construction or reconstruction or alteration or addition of the building 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 demolish the construction or reconstruction or alteration or addition or fill up the well within a period to be specified in that direction.

(6) The Government may, if the Secretary fails to execute the direction issued under subrule (5) within the period specified therein, make necessary arrangements to demolish the building or structure or to fill up the well and may recover the expenses from the Municipality concerned.

19. Order of stoppage of building 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 Council or any provision in the Act or these rules or byelaws made there under or any lawful direction or requisition given or made under the Act or these rules or byelaws made there under, 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, 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 Municipality to watch the premises in order to ensure that the erection of the building or, 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 whom notice under sub rule (1) was given, and shall be recoverable from such person as an arrear of property tax under the Act.

20. Duties and responsibilities of the owner :-

(1) The granting of permit or the approval of the drawings and specifications or inspections made by the Secretary during the erection of the building or structure or digging of well shall not in any way relieve the owner of such building of 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 authorized by him 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 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 reconstruction or addition or alteration of building;

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

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

(g) 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 operation 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 authorized by him for inspection or demand.

(5) Every owner shall display the permit number 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 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.

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

(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.

21. Transfer of plots to be intimated :-

(1) Every person holding development or building permit shall, unless the work has been executed full and development or occupancy certificate obtained, inform the secretary, 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 or otherwise of the permit.

(2) Every person in whose favor any property is transferred along development 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, 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 anyway badly affect the development or construction, issue permission in writing transferring the permit and allowing the commencement or continuation of work, within 15 days from the date of receipt of the request.

22. Completion certificate, development certificated and occupancy certificate :-

(1) Every owner shall, on completion of the development 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 single residential units up to two floors with total floor area not exceeding 150 sq. meters, the completion certificate shall be certified and signed by the owner and registered architect or engineer 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 permit given, 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 permit given, 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 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 endanger life issue occupancy certificate in respect of the completed part.

CHAPTER 4 GENERAL PROVISIONS REGARDING SITE AND BUILDING REQUIREMENTS

23. General requirement regarding plot :-

(1) No land development or redevelopment shall be made 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 or building purpose for 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 on a plot liable to flood or on a slope forming an angle of more than 45 degrees with 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 for providing sewers, sanitation, water. supply or other public services.

(4) Any land development or redevelopment or building construction or reconstruction in any area notified by the Government of India as a coastal regulation zone under the Environment (Protection) Act, 1986 (29 of 1986) and rules made there under shall be subject to the restrictions contained in the said notification as amended from time to time.

(5) No building or part of a building shall be constructed or reconstructed or no addition or alteration shall be made to any existing building in the intervening spaces between the building and any overhead electric supply line as described in the Table 1 below and as specified in the Indian Electricity Rules as amended from time to time. Provided that single storied buildings shall be allowed even if the above mentioned clearance is not available, if the applicant produces a no objection certificate from the Chief Electrical Inspector or an officer authorized by him, before issue of permit

TABLE 1
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 additional 33000 volts or part thereof	1.85 plus 0.30m for every additional 33000 volts or part thereof

24. 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 owners 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, distance between the various blocks within this area shall be minimum 2 meters for building up to 10 meters height and 3 meters exceeding that height.

(3) Every building upto 10 meters in height shall have a minimum front yard

of 3 meters depth:

Provided that where 3 meters 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 3.0m with minimum depth at all points not less than 1.80 meters.

(4) Every building upto 10 meters in height shall have a minimum rear yard of 2 meters depth:

Provided that where 2 meters depth can not be maintained laterally throughout due to the peculiar shape of the plot, it shall suffice if the mean depth is not less than 2 meters with minimum depth at all point not less than 1.00 meter.

Provided further that in the case of buildings upto 7 meters height, it shall suffice if the mean depth is not less than 1.50 meters with minimum depth to at all points not less than 1.00 meter.

Provided further that in the case of buildings upto 7 meters height, the depth of rear yard may be reduced to not less than 75 cms without any opening such as door and window on that side, however ventilator opening may be made at a height of 2.20 meters from the corresponding floor level.

Provided also that in the case of buildings upto 7 meters height, the depth of rear yard may be reduced or even abut the plot boundary without any manner of opening on that side if the owner of the plot on that side voluntarily agrees for the same in writing.

(5) Every building upto 10 meters in height shall have a minimum side yard of 1.20 meters on one side and a minimum of 1.00 meter on the other side.

Provided that in the case of buildings upto 7 meters height, the depth of the side yard on one side may be reduced to not less than 75 cms without any opening such as door and window on that side, but however, ventilator opening may be made at a height of 2.10 metres from the corresponding floor level if the side yard on the other side have a minimum of 1.20 meters.

Provided further that in the case of building upto 7 meters height the depth of side yard on one side other than that having 1.20 meters may be reduced below 75 cms or even abut the plot boundary without any manner of opening on that side, if the owner of the plot on that side voluntarily agrees for the same in writing.

(6) Any room intended for human habitation and not abutting on either front, rear or side open air spaces shall abut on an interior open space whose width shall not be less than 2.4 meters:

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

(7) Sufficient land shall be kept unpaved or sufficient opening shall be provided in the land to allow percolation of rain water in the plot itself and rain water from a plot shall be connected with public drainage system only in case of plots with impermeable soil. (8) For buildings above 10 meters in height, in addition to the minimum front, rear and

side open spaces required for height upto 10 meters, there shall be provided proportionate increase in such minimum open space at the rate of 0.5 meter per every 3 meters height exceeding 10 meters:

Provided that such additional set back corresponding to increase in height may be provided, for the whole building at ground level or for corresponding floors

at their level.

(9) Omitted

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

(11) 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 not more than 0.60 meter width shall overhang or project over the said open space so as to reduce the width to less than the minimum required:

Provided that where the open space is minimum 0.60 meter the cornice, roof or weather shade shall be limited to 30 cms. and where the open space is less than 0.60 meter no projection whatsoever shall be permitted:

Provided further that where the open space has minimum 1.50 meters. cornice roof or weather shade upto 75cms shall be permitted and increase in the width of cornice roof of weather shade shall be permitted corresponding to increase in the open space:

Provided further that no door or window shall be permitted if the open space on that portion is less than 1 meter:

Provided further that open stair or flight of steps or ramps meant as access to upper or lower floors shall be permitted in the open space if such stair, step or ramp has minimum 60cms distance from the boundaries.

Provided also that the underneath of the ramp shall not be enclosed however pillars may be permitted for its support.

(12) The front, rear and side set backs for constructions below ground level (basement floor, etc) shall be the same as that required for a 10 meters height building of the same occupancy group constructed above ground level.

25. 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 4.5 meters and that between plot boundary abutting the street and building shall be 3 meters. Provided that in the case of cul-de-sac of whatever width but not exceeding 250metres length or pedestrian lanes and streets upto average 3m width or internal roads and streets of whatever width within or leading to any residential colony, it shall be sufficient if the distance between the plot boundary abutting the street and building is 2 meters for buildings upto 7 metres height irrespective of the distance from the central line of the road to the building.

Provided further that in the case of lanes not exceeding 75 meters length leading to one or more individual plots it shall be sufficient if the distance between the plot boundary abutting the lane and the building is 1.50 irrespective of the distance from the central line of the lane.

(2) Any restriction under street alignment or building line or both , if any fixed for area and restriction under any development plan or any town planning scheme or approved road widening proposal 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 yard abuts a street or gain access through a street.

26. Prohibition for constructions abutting public roads :-

No person shall construct any building other than compound wall within 3 metres, from any plot boundary abutting national highways, state highways or other roads-notified by Municipality:

Provided that open ramps or bridges or steps or similar structures with or without parapets or railings shall be permitted as access from the street to the building within that 3 meters and cornice roof or weather shade not exceeding 75 cms shall be permitted to project from the building into such 3 meters.

27. Developments including land subdivision and plot development for residential use :-

All new developments including land subdivisions and plot developments shall be subject to the following, namely:-

(i) the area of any newly subdivided plot, reconstituted plot or building plot shall be not less than 125 square meters with an average width of 6.00 meters:

Provided that for row housing where side open spaces are not required, it is sufficient if the plot has an average width of 4.50 meters.

(ii) every plot shall have a frontage of not less than 4 meters on any abutting street;

(iii) every street shall have not less than 7.00 meters width and shall be motorable: Provided that in the case of cul-de-sacs with length not exceeding 250 meters, it is sufficient if the street (cul-de-sac) has not less than 5.00 metres width and in the case of cul-de-sacs not exceeding 75 meters, it is sufficient if the street (cul-de-sac) has not less than 3.00 meters width:

Provided further that in residential areas where motorable street cannot made due to difficult terrain, the width of any new street shall be not less than 5.00 meters and where the length of such street does not exceed 250 meter it is sufficient if the street has not less than 3.00 meters width

(iv) when the area of the land under development work, layout or subdivision is 50 ares or more, ten percent of the total area shall be provided for recreational open spaces and shall be suitably located to be accessible to the residents of the layout. 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;

(v) the recreational open space to be provided under item (iv) shall have an access as if it were a separate plot and as far as possible it shall be in 1 piece and in no case less than 2 ares in area with a minimum width of 6 meters

(vi) the layout or subdivision proposal shall be in conformity with the provisions of published or sanctioned development plan 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;

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

(viii) in the case of lay out or sub division of land having an area of two hectares or more a suitable plot for an electric transformer shall be provided;

(ix) in the case of development permits, approval of the District Town Planner shall be obtained for land upto 0.5 hectares in area and approval of chief Town Planner shall be obtained for land exceeding that area.

(x) if the site forms part of approved layout, copy of sub division layout shall be enclosed along with the plans for approval; and

(xi) adequate arrangements for surface water drainage shall be provided.

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28. Development including land sub-division and plot development for mercantile (commercial) development :-

All new developments including land sub-divisions and plot developments shall be subject to the following:-

(i) the width of every new street, public or private, intended for use as 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 meters except in the case of cul-de-sac not exceeding 150 meters length, Where the the minimum width shall be 7 meters;

(ii) the frontage of every commercial plot abutting the street, shall have a minimum width of 6 meters;

(iii) no plot with a layout proposed for commercial development shall be an area less than 60 Sq. meters;

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

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

(vi) the approval of the Chief Town Planner or an officer authorized by him shall be obtained for the layout of all new commercial street and land sub-division exceeding five plots.

29. Development including land sub-division and plot development for industrial development :-

All new developments including land sub- divisions and plot developments shall be subject to the following:-

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

Provided that in the case of small industrial units or cul-de-sac not exceeding 150 meters length, the minimum road width shall be 7 meters.

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

Provided that the minimum plot requirement in item (ii) shall not 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 authorized by him;

(iv) the approval of the Chief Town Planner or an officer authorized by him shall be obtained for the layout of industrial streets and land sub-division 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 1 of the Factories Act, 1948.

CHAPTER 5 OCCUPANCY

30. 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 hereafter proposed, shall be classified in one of the following occupancies according to the use or character of occupancy, namely:-

Group AI Residential

Group A2 Special Residential

Group B Educational

Group C Medical/Hospital

Group D Assembly

Group E Office/Business

Group F Mercantile/Commercial

Group GI 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.,

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

(a) Group AI. - Residential Building shall include any building in which sleeping accommodation is provided for normal residential purposes, with or without cooking and or dining facilities. They shall include one or multifamily dwellings, apartment houses or residential flats. Small professional offices or spaces for advocates, doctors, engineers, architects, chartered accountants, beauticians, tailors, photographers, videographers, telephone booth operator, 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. Further, lodging or rooming houses, tourist homes, dormitories, hostels and hotels not exceeding 150 sq. metres

floor area are included in this group

(b) Group A2. - Special Residential building shall include all lodging or rooming houses, dormitories, tourist homes, hostels hotels exceeding 150 sq. metres floor area with or without conference halls, community halls, dining halls or assembly rooms Crèches, day care centres, childrens nursery, reading rooms libraries and educational buildings not exceeding 150 sq. metres 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 floor area, used for school, college, institution, education and or research.

(d) Group C. - Medical or Hospital Building shall including any building or part thereof exceeding 150 Sq. metres of built up area 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, clinic, homes for the aged and the infirm, convalescent homes, mental hospitals are included in this group.

(e) Group D.- Assembly building shall included any building or part of a building exceeding 300 sq. metres of total floor area where people, congregate or gather for amusement, recreation, social, religious, patriotic, civil, travel and similar purposes such as theatres, motion picture houses or cinemas, assembly halls for educational dramatic or theoretical presentation, 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 the keeping of records, accounts and similar purposes. Local, State and Central Government office and buildings for office purposes constructed by private sector and quasi government agencies and buildings for the use of defence, court houses, public utility buildings, jails and prisons are included in this group.

(g) Group F. - Mercantile or commercial building shall include any building or part of a building which is used for display and sale of merchandise such as shops, stores, markets, either wholesale or retail. Banking and financial institutions, public and private business houses, professional establishment of doctors, dentist, engineers, architects, lawyers, pathological laboratories, tailor shops, video shops, barbershop, beauty parlors, news stands, milk booths, restaurants and non-nuisance type of small establishment 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 buildings used exclusively for parking of vehicles (parking buildings, parking plazas etc.) are also included in this group.

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

(2) Minor merchandising operations in buildings primarily meant for other uses shall be covered by the group under which the predominant occupancy is classified.

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 include workshops, assembly plants, laboratories, dry cleaning plants, power plants, pumping stations, smoke houses, laundries, gas plants, refineries, dairies, saw mills, and the like.

(j) 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 a small scale industrial unit. 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 1 of the Factories Act, 1948.

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. Ware-houses, freight depots, transit sheds, store houses, garages, hangers, 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.

1) Group I (I).- 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 stalls, automobile service stations, service garages with repairing facilities, welding workshops, 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.

(m) Group I (2)- Hazardous building shall include any building or part of a building which is used for the storage, handling, manufacturing processing of highly combustible, explosive, poisonous, irritant, corrosive, toxic or noxious materials or products or any 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 70 m³ of acetylene, hydrogen, illuminating and natural gases, ammonia, chlorine phosgene, sulphur 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;

(v) crematoria, burial grounds, garbage dumping yards, abattoirs (slaughter houses), sewerage treatment plants, petrol filling stations, coal, wood and timber yards with saw mills;

31. 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:

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

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

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

Coverage and Floor Area Ratio (F.A.R)				
Sl.No.	Building use / Occupancy	Maximum Permissible Coverage (percentage of plot area)	Maximum permissible F.A.R without additional fee	Maximum permissible F.A.R with additional fee
(1)	(2)	(3)	(4)	(5)
1	Residential A1	65	3.00	4
2	Special Residential A2	65	2.50	4
3	Educational B	35	2.50	3
4	Medical/Hospital C	40	2.00	3
5	Assembly D	40	1.50	2.50
6	Office/Business E	40	2.00	3
7	Mercantile/Commercial F	65	2.50	4
8	Industrial G1	40	1.50	0
9	Small Industrial G2	60	2.50	3
10	Storage H	60	2.50	3
11	Hazardous I(1)	30	1.00	0
12	Hazardous I(2)	25	0.70	0

Note:- The Value of maximum permissible coverage of a building of a particular occupancy group shall be limited by the value given under column (3) and shall be the area covered by the building at any floor after accounting for the exterior open space (front, sides and rear) and interior open spaces.

(3) For permitting of FAR shown in column (5) of Table 2, an additional fee at the rate of Rs.1000 per square meter exceeding the area permissible under column (4) shall be paid.

32. 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 the building or part thereof shall not exceed twice the width of the street abutting the plot plus twice the width of the yard from the building to the abutting street and this height may further be increased proportionately at the rate of 3 metres for every 50 cms. by which the building or the corresponding portion or floor of 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 plot shall be deemed to abut the street that has the greater width for the purposes of this rule and the height of the building shall be regulated by the width of that street and shall 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 part of building coming within 12 metres of building line:

Provided further that appurtenant roof structures like staircase tower over head tanks, air conditioning rooms, lift 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: Provided also that architectural features serving no other function except that of decoration 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 as shown in Table 3. This shall be subject to any notification issued by Government of India under the Aircrafts Act 1, 1934.

Provided that buildings, structures and installations exceeding the height shown in Table 3 shall be allowed if no objection certificate from the concerned airport authority is obtained and produced before the Secretary for issuing the permit.

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Notes:- (1) No tree shall be allowed to grow above the height shown in column (4) within the distance shown in column (2) and (3) respectively.

(2) For calculation of permissible height as per this sub rule the highest point of the building without any exemption shall be considered.

33. Access :-

(1) The minimum clear width of access to a building and plots as well as the width of the street giving access to the plot from the main street shall be as shown in Table 4. Provided that wherever off street parking is required for the building as per these rules, motorable access width shall be provided to the plot. Provided further that the access width of any building shall be modified to be in accordance with the provisions in any detailed development plan for the area.

(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 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 manhole covers or other drainage, water or any other fittings laid in such access shall be flush with finished surface level so as not to obstruct safe travel over the same.

Table 4
Access

Sl. No.	Type of Building	Residential		Non Residential	
		Single Units	Multiple Units	Up to 300Sq. meter of carpet area in each floor	Above 300Sq. meter of carpet area in each floor
1.	Single storey	No minimum	1.20 metres	1.20 metres	3.60 metres
2.	Two storey	90 cms	2.00 metres	3.60 metres	5.00 metres
3.	Three storeys	1.20 metres	3.60metres	5.00 metres	5.00 metres
4.	Above three storeys	3.60 metres	5.00 metres	5.00 metres	7.00 metres

34. Parking, loading and unloading spaces :-

(1) Each of street parking space provided for parking motor cars shall be not less than 15 Sq. mts. area (5.5 mts. x 2.7mts.) and for scooters and cycles the area of each parking space provided shall be not less than 3 sq. mts. and 1.5 sq. mt. respectively.

(2) For buildings of different occupancies, off-street- parking spaces for motor cars shall be provided within the plot as specified in Table 5.

Table 5
off-street Parking Space

Sl. No	Occupancy	One parking space for every or fraction of
(1)	Group A1- Residential Apartment Houses/Flats	(a) 8 units (with each unit upto 100 sq. metres of carpet area) (b) 4 units (with each unit above101 sq. metres and upto 150 sq. meter of carpet area) (c) 2 units (with each unit above151 sq. metres and upto 200 sq. meter of carpet area) (d) Single unit (exceeding 200 sq metres of carpet area)
(2)	Group A2- Special Residential, Lodging and Rooming Houses, Tourist homes and hostels, Dormitories without any attached eating facility such as restaurant. Canteen, Cafeteria, mess or	(i) Rooms with attached bath and w.c. (a) 8 rooms (with each room upto 12 sq, metres carpet area) (b) 5 rooms (with each room above 12 sq. metres and upto 20 sq. metres carpet area) (c) 3 rooms (with each room above 20 sq, metres carpet area) (ii) Rooms without attached bath and w.c.

	dining	<p>(a) 18 rooms (with each room upto 5 sq, metres carpet area)</p> <p>(b) 12 rooms (with each room above 5 sq. metres and upto 12 sq. metres carpet area)</p> <p>(c) 6 rooms (with each room above 12 sq, metres carpet area)</p> <p>Note:- At the rate of one parking space for every 30 sq. metres carpet area of dining space/20 seats of dining accommodation shall be provided in addition to the above, in case of Special Residential. Buildings attached with eating facility.</p>
(3)	Group B-Educational (i) High Schools, Higher Secondary Schools, Junior Technical Schools, Industrial Training Institute etc. (ii) Higher educational institutes.	<p>(i) 300 sq metres of carpet area.</p> <p>(ii) 200 sq metres of carpet area.</p>
(4)	Group C- Medical/Hospital	100 sq metres of carpet area.
(5)	Group D- Assembly	<p>25 seats of accommodation</p> <p>Note:-</p> <p>(i) In case of wedding halls and community halls, for calculating the carpet area or seating accommodation, for the purpose of off street parking, the carpet area of either the auditorium or the dining hall, whichever ever is higher, alone need be taken.</p> <p>(ii) for the purpose of this rule 1.50 sq metres carpet area shall be considered as one seating accommodation.</p>
(6)	Group E- Business/Office Building	100 sq metres of carpet area.
(7)	Group F- Mercantile/ Commercial building exceeding 75 sq. metre carpet area	100 sq metres of carpet area.
(8)	Group G1- Industrial Building exceeding 100 sq. metres of carpet area.	200 sq metres of carpet area.
(9)	Group G2- Small Industrial exceeding 100 sq. metres of carpet area.	200 sq metres of carpet area.
(10)	Group H-Storage	200 sq metres of carpet area.

Provided that in Second Grade Municipalities and Third Grade Municipalities it shall suffice if 75 per cent and 50 per cent respectively of the above parking is provided in village panchayats where the provisions of the Kerala Municipality Building Rules, 1999 stand extended, off street parking shall be provided as in third grade municipalities.-

(3) Wherever any parking space is required under these rules, 25% of that area shall be provided additionally for parking scooters or cycles.

(4) 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 shall be provided in addition to the parking space.

(5) In addition to the parking space as in Table 5, in the case of Group F Mercantile or Commercial, Group G-Industrial and Group H storage occupancies, loading and unloading spaces each 30 sq. mts. shall be provided within the plot, at the rate of one such space for each 1000 sq. mts. of floor area or fraction thereof, exceeding the first 700 sq. mts. of floor area.

(6) Not exceeding fifty per cent of the area of mandatory open yard (space) shall be taken into account for calculating the required off street parking space if such open space has adequate vehicular access and area for maneuvering.

(7) The Government may, if adequate off street parking facility is available to their satisfaction near the site proposed for building, in any parking building or parking area provided by the Municipality or quasi-Government agency or private agency, permit the secretary by general or special order and subject to conditions specified there in to allow reduction in off street parking space in any or all buildings in that area to the extent not exceeding 50 per cent of the required number of off street parking space.

CHAPTER 6 PARTS OF BUILDING

35. Mezzanine floor :-

(1) The floor area of 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 2.2 mts.

36. Height of room :-

The height of room in a building other than residential occupancy shall be not less than 3.00 metres: Provided that in the case of air conditioned rooms it shall be not less than 2.4 metres.

37. Water closet :-

Every building shall be provided with at least one water closet.

38. Size of bathroom and latrine :-

(1) The area of bath-room shall not be less than 1.50 sq.m. with either side not less than 1.1m, carpet area of a latrine shall not be less than 1.10 square metres with one side not less than 1.0 metre:

Provided that the area of combined bathroom and latrine shall be not less than 2.2 square metres with one side not less than 1.1 metres:

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

39. Staircases :-

(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 a external stair which is wholly open and removed from the main building, such an external stair shall be removed and away from the main stairway.

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

(3) The minimum width of tread shall be 30 cms

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

(5) The height of handrail shall be not less than 90 cms.

(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.

40. Ramps :-

Ramps if provided as a substitute for stairways shall be laid with a slope not exceeding 1 in 10 and such ramp shall comply with all requirements of a stairway and shall be surfaced with approved non-slippery materials.

41. Corridor, verandahs and passageways :-

The clear width of any corridor, verandah or passageway in any building shall be not less than 1.0 metre at any point.

42. Fire escape staircase :-

(1) Fire escape stair case shall be provided for every buildings of,-

(a) residential occupancies 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 be not less than 75 cm, the width of fire escape stair tread shall be not less than 15 cm, the height of the fire escape stair riser shall not exceed 19 cms, and the number of riser shall not exceed 16 per flight of stairs.

(3) The height of handrail of a fire escape staircase shall not be less than 100cms.

(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 stair case shall be separated and removed from internal staircase.

43. Travel distance to emergency staircase :-

(1) Every building meant for human occupancy shall be provided with emergency exit 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 occupant.

44. Fire Protection requirements :-

All requirements in respect of fire protection shall be as in Part IV, Fire Protection in National Building Code of India, 1983 and amendment No. 3 under Fire Protection Annexure II.

45. Exit Width :-

(1) The unit of exit width used to measure the capacity of any exit shall be 50 cms., a clear width of 25 cms. shall be counted as an additional half unit and clear width less than 25 cms. shall not be counted for exit width.

(2) Occupants per unit exit width shall be as in Table 6.

TABLE 6
Occupants per unit exit width

Sl. No.	Group of occupancy	No. of Occupants per unit exit width of Stairway	Doors
(1)	(2)	(3)	(4)
1.	Group A1 Residential	25	75
2.	Group A2 Special Residential	50	50
3.	Group B Educational	25	75
4.	Group C Medical/Hospital	25	75
5.	Group D Assembly	60	60
6.	Group E	50	75
7.	Group F Mercantile (Commercial)	50	75
8.	Group G1 Industrial	50	75
9.	Group G2 Small Industrial	50	75
10.	Group H Storage (including Warehousing)	50	75
11.	Group I Hazardous	25	40

3) For determining the exit required, the number of persons in any floor area or the occupant load shall be based on the actual number of occupants but in case less than that specified in Table 7.

Sl. No.	Group of occupancy	Occupant Load (gross area in square meters per person)
(1)	(2)	(3)
1.	Group A1 Residential	12.5
2.	Group A2 Special Residential	4.0
3.	Group B Educational	4.0
4.	Group C Medical/Hospital	15.0
5.	Group D Assembly	1.5
6.	Group E Office	1.5
7.	Group F Mercantile (Commercial)	3 to 6
8.	Group G1 Industrial	10.0
9.	Group G2 Small Industrial	10.0
10.	Group H Storage (including Warehousing)	30.0

46. 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 cms in the case of residential and 1.2 metres in the case of all other occupancies.

47. Spiral stair fire escape :-

(1) 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.
(2) A spiral staircase shall be not less than 150 cm. in diameter and shall be designed to give adequate head room.

48. Lift :-

(1) Every building exceeding 3 storeys (excluding sunken floors) in the case of hospitals/medical occupancy and 4 storeys (excluding sunken floors) in the case of other occupancies having plinth area more than 2500 sq. metres shall be provided with one lift for every 2500 sq. metres or part thereof exceeding first 2500 sq. metres, in addition to the required number of staircases as per rule 39.
(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, 1983.
(3) Whenever more than one lift is required as per sub rule(1) or byelaws made under the Act, at least one lift shall be a higher capacity lift that can carry a stretcher

49. 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, 1983 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. Trellising, 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 sufficient light and ventilation.-

(6) Every bathroom or latrine shall have at least one of its walls abutting on an open space or open verandah or an air shaft if not centrally air conditioned; the size of air shaft shall not be less than that specified in Table 8.

TABLE 8
Size of Air Shaft

Sl. No.	No. of Storeys	Area of the airshaft in Square meter	Minimum width of Airshaft in meter
(1)	(2)	(3)	(4)
1.	Upto 3	1.08	0.9
2.	Upto 6	2.4	2.4
3.	Upto 10	3.0	1.5
4.	Above 10	5.0	2.0

50. Recreation space :-

(1) Any residential apartment having more than 12 dwelling units in a single plot or single building, shall be provided with a recreation space of suitable size.

(2) The recreation space as per sub rule(1) shall have not less than 7.5 per cent of the total carpet area of all the units taken together and may be provided either inside a building or outside a building or both and if it is provided outside a building it shall be exclusive of parking areas, drive ways and other utility areas.

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.

51. Certain Buildings exempted :-

Family residential buildings with not more than three floors shall be exempted from the provisions in this chapter.

CHAPTER 7 SPECIAL PROVISIONS FOR CERTAIN OCCUPANCY BUILDING,

52. Additional provisions to certain occupancy groups :-

The provisions in rules rules 23 to 51 shall apply to certain occupancy groups, subject to the additional provisions or modifications contained in rules 53 to 59.

TABLE 8

53. Residential occupancy :-

(1) Every floor of a flat, apartment house lodging or rooming house, dormitory, hostel or hotel with residential accommodation exceeding 150 sq. metres of floor area with a capacity for accommodating more than 20 persons shall have at least 2 door ways as remote as practicable from each other; such doorways shall provide access to separate exits or may open upon a common corridor, leading to separate exit in opposite direction.

(2) No hazardous use shall be permitted in residential buildings or part thereof. Provided that, in residential areas, the Secretary shall permit flour mills of area upto 30 Sq. metres with power upto 10.H.P. and may permit flour mills exceeding 30 Sq. metres area or power exceeding 10.H.P. or exceeding both with the prior sanction of the council: Provided further that Secretary shall permit hazardous use incidental to residential occupancy such as poultry, dairy or kennel in residential areas.

(3) 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 issue of the building permit.

(4) All other requirements in respect of fire protection shall conform to part IV, Fire Protection, National Building Code of India, 1983 and amendment No. 3, part IV.

54. Educational, Medical or Hospital and office or business occupancies :-

(1) Approval of the District Town Planner shall be obtained for the usage of plot upto 0.5 hectares and the layout of buildings upto 500 sq. metre area under educational, medical / hospital and official business occupancies and approval of the Chief Town Planner shall be obtained for the usage of plot exceeding 0.5 hectare area and layout of buildings with more than 500 sq. metres of area;

(2) 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 detailed town planning scheme or development plan for the area: Provided that where no such plan exists the usage of plot and or building shall be decided by the District Town Planner or Chief Town Planner, as the case may be.

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

(i) front yard-average 6 metres with minimum 4.5 metres

(ii) side yards-average 2 metres with minimum 1.5 meters (each side).

(iii) rear yard-average 3 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 spaces under this sub rule are provided from the plot boundaries with open yards (space) between two buildings not less than 1.5 metres for buildings upto 10 metres height and three metres exceeding that height: Provided further that where the height of the building exceeds 10 metres, the open yard (space) from the boundaries

shall be increased proportionately at the rate of 50 cms for every 3 metres increase in height.

(4) Every hospital shall be provided with incinerator for the disposal of hazardous and pathogenic wastes.

(4a) 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 the behalf shall be obtained and produced by the applicant before issuing permit.

(5) All other requirements in respect of fire protection shall conform to Part IV, Fire Protection, National Building Code of India, 1983, Amendment No. 3 and shall also be subject to any further condition laid down by the Secretary. -

(6) Sanitation facilities to be provided shall be computed at the rate of not less than 1 person per 4.75 Sq. m of carpet area of the building and shall be provided in numbers not less than those stipulated in Table 9 and Table 9A, as the case may be .

Table 9

(1)	(2)	(3)	(4a)	(4b)	(4c)
		Assembly occupancies	Assembly	Assembly	Assembly
Sl. No.	Fitments	Theatres, Auditorium, art Galleries, Libraries, Restaurants, wedding halls, Community halls	Bus Terminal	Railway Station	Railway Station
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 person and 1 for every subsequent 1000 persons or part thereof
2	Urinals	1 per 50 person or part thereof	1 per 50 person or part thereof	6 for first 1000 person and 1 for every subsequent 1000 persons or part thereof	6 for first 1000 person and 1 for every subsequent 1000 persons or part thereof
3	Wash Basin	1 for every 200 males and 1 for every 200 females	4 wash basin each in male and female toilet stalls	4 wash basin each in male and female toilet stalls	4 wash basin each in male and female toilet stalls
4	Bath				

Table 9 (Cont.)

			Educational	Educational		
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Sl.No.	Hotels	Storage occupancy	Boarding Institutions	Other Educational Institutions	Office/Mercantile Occupancies	Industrial Occupancies
	(5)	(6)	(7)	(8)	(9)	(10)
Water Closet	1 per 100 males and 1 per 100 females	1 per 50 males and 1 per 25 females	1 per 10 boys and 1 per every 8 girls	1 per 40 boys and 1 per every 25 girls	1 for every 25 males or part thereof and 1 for every 15 females or part thereof	1 per every 25 males and 1 per every 15 females
Urinals	1 per water closet for males	1 per 100 males or part thereof	1 per every 25 boys	1 per every 50 boys	1 for every 25 person or part thereof	1 for every 25 person or part thereof
Wash Basin	1 per water closet for males and 1 per water closet for females		1 per 10 boys and 1 per every 10 girls	1 per every 40 boys and 1 per every 40 girls	Preferably one on each floor	
Bath	1 per 100 persons		1 per 10 boys and 1 per every 8 girls			As required for particular trades or occupancies

TABLE-9A
Sanitation requirements for Medical/Hospital Occupancy

Sl. No.	Fitments	Hospitals with indoor patients ward	Hospitals with outdoor patients	For females	Administration Building	For female personnel
		For males and females	For males		For male 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	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		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	

		beds or part thereof	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 of part thereof 30 beds 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 & dish washers (where kitchen is provided)	One for each ward		
8	Urinals		One for every 50 persons or part thereof	Nil up to 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%.

55. Assembly occupancy :-

(1) Approval of the District Town Planner shall be obtained for the usage of plot upto 0.5 hectares and layout of buildings upto 500.Sq. metres area under assembly occupancy and approval of the Chief Town Planner shall be obtained for the usage of plot exceeding 0.5 hectares and layout of buildings with more than 500 sq. metres area.

(1a) In the case of buildings used exclusively for worship the maximum permissible coverage shall be 50 per cent of the plot area.

(2) Every building upto 10 metres height under assembly occupancy shall have the minimum open yard (spaces) as shown below:

Sl. No.	Total floor area	Minimum open space
1	Exceeding 300 sq. metres but not exceeding 500 sq. metres	(i) Front yard - Average 6 metres with minimum 4.5 metres (ii) Side yards, (each side)- Average 2 metres with minimum 1.5 metres. (iii) Rear yard-Average 2 metres with minimum 1.5 metres
		(i) Front yard-Average 7.50 metres with minimum 5.00

2	Exceeding 500 sq. metres but not exceeding 800 sq. metres	metres (ii) Side yard (each side)-Average 4 metres with minimum 1.5 metres (iii) Rear yard - Average 3 metres with minimum 1.50 metres.]
3	Exceeding 800 sq. metres	(i) Front yard -Average 10.5 metres with minimum 6 metres (ii) Side Yard (each side)-Average 5 metres with minimum 1.5 metres (iii) Rear yard-Average 3 metres with minimum 1.5 metres

Provided that in the case of building used exclusively for worship it shall suffice if a minimum of 3 metres width open yard is maintained in the front and a minimum of 1.50 metres width of open yard is provided in other sides including rear of the building upto 10 metres height:

Provided further 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 the building not less than 1.5 metres upto 10 metres height building and 3 metres exceeding that height:

Provided also that where the height of the building exceed 10 metres, the open yard from the boundaries shall be increased proportionately at the rate of 50 cms. 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 be not less than 3 metres.

(5)The headroom 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) The Standard of ventilation in assembly occupancy buildings shall be 28 cu.m. fresh air per scat per hour and shall be in accordance with part VIII Building Services, section 1, Lighting and Ventilation of National Building Code of India, 1983. (8a) In the case of assembly 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;

(9)[All Other requirements] in respect Of fire Protection in assembly buildings shall conform to Part IV, Fire Protection of National Building Code of India, 1983 and Amendment No.3.

(10) In the case of Cinema theatres, the location, size and building construction shall conform to the Provisions in the Kerala Cinema Regulations, 1988 as amended from time to time and the IS : 4878-1968, Byelaws for construction of Cinema Buildings.

(11) 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.

(12) 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 9 in sub rule (6) of rule 54.

56. Mercantile or commercial occupancy :-

(1) Side yards may not be provided for buildings in an area zoned exclusively for 4 [Group F]-mercantile or commercial purposes in the development plan or detailed town planning scheme:

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

(2) The rear yard shall be not less than 1.5 metre depth in [Group F]-mercantile or commercial building:

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

(3a) 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;

(3b) Not more than fifteen per cent of the total floor area of the parking building shall be permitted for shop or restaurant or hotel or office purpose;

(3c) Sanitation facilities shall be provided as that in mercantile occupancy buildings set out in table 9.

(3d) In the case of appurtenant buildings used exclusively for the 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 1:00 metre upto 10 metres height buildings and additional open space corresponding to height of the building shall be provided at the rate of 50 cms for 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.

(3e) The building under sub rule (3d) 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.

(3f) An area equivalent to twenty per cent of the open space actually provided in the plot other than the mandatory open space shall also be permitted to be covered by buildings for parking constructed for the use of main building.

(3g) In the case of independent parking buildings, the maximum coverage permissible shall be limited by the open space requirements and there shall be no limit to floor area with respect to plot area.

(3h) In the case of parking buildings there shall be no limit to height in relation to the width of road and the open yard abutting that road but the height restriction in the vicinity of airport shall be complied with.

(3i) Every building for parking shall be provided with ramp having suitable slope, sufficient width and strength and or lift of sufficient size and strength.

(3j) In the case of mercantile commercial occupancy buildings 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;

(4) Fish or meat stalls in a public market shall invariably be provided with a fly-proof enclosure.

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

(6) All other requirements in respect of fire protection in mercantile or commercial building shall conform to Part IV, Fire Protection of National Building Code of India, 1983 and Amendment No.3.

(7) Sanitation facilities to be provided shall be as in Table 9 referred in sub-rule (6) of rule 54.

57. Industrial and 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 0.5 hectares area and for layout of buildings upto 500 sq. metres area under industrial occupancy and approval of Chief Town Planner shall be obtained for the use of plot exceeding 0.5 hectares area and layout of buildings with more than 500 sq. metres 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 detailed town planning scheme or development plan for the area:

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

(4) All industrial buildings upto 10 metres in height from ground level with built up area exceeding 200 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 mts.	3.0 mts.
Yard on either side	3.0mts.	3.0 mts.
Rear yard	7.5 mts.	3.0 mts

Provided that in Industrial growth centers or industrial development areas or any declared industrial areas it shall suffice, if the building has an open space of not less than 3.0m in all sides. Provided further 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 buildings not less than 3 metres for buildings upto 10 metres in height;

Provided further that in the case of small industrial buildings with height upto 10 metres, the width of open yard from all the boundaries except front and that in between buildings shall be minimum 1.50 metres :

Provided further that where the height of the building exceeds 10 metres, the open yard from the boundaries and in between the buildings shall be increased proportionately at the rate of 50 cms for every 3 metres increase in height;

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

(5) The width of every access street in any development or redevelopment of land under industrial occupancy shall be not less than 7 metres and shall be motorable : Provided that in all existing developed areas other than industrial areas where small industrial use is permissible, the minimum width of approach to the plot shall be not less than 3 metres.

(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. mts. 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. mts.

(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, clockroom 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 Water Authority and in such cases the internal drainage system of a factory shall be connected by means of a suitable trap 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 the Pollution Control Board shall be obtained in all cases.

(11 a) 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 his behalf shall be obtained and produced for issuing building permit-

(12) All other requirements in respect of fire protection in industrial buildings shall conform to Part IV, Fire Protection,, National Building Code of India, 1983. amendment No. 3.

(13) The minimum sanitation facilities to be provided for industrial occupancy building shall be as described in Table 9 given in sub rule (6) of rule 54.

58. Storage and warehousing occupancy :-

(1) The Provisions in this rule shall apply to storage or warehousing occupancy buildings with area exceeding 300 sq. metres.

(2) Approval of District Town Planner shall be obtained for the usage of plot upto 0.5 hectares and layout of buildings upto 500 square metres area under storage and warehousing occupancy and approval of Chief Town Planner shall be obtained for the usage of plot exceeding 0.5 hectare area and layout of buildings exceeding 500 square metres area.

(3) The usage of plots proposed for development or redevelopment or for 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 by an officer authorised by him.

(3a) All the buildings under storage and warehousing occupancy with more than 300 square 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 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 1.5 metres for buildings upto 10 metres height:

Provided further that where the height of the building exceeds 10 metres, the open yard (space) from the boundaries and in between the buildings shall be increased proportionately at the rate of 50 cms for every 3 metres increase in height;

(4) 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 at least 60 cms. below ground level to at least 15 cms. above ground level or shall have a continuous floor of masonry or reinforced concrete or other quality ratproof- material.

(b) all openings in foundations or floors, windows and drains and all junctions between foundations and walls of the building 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 equally rat-proof-material.

(4a) 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;

(5) All other requirements in respect of fire protection in storage including warehousing building shall conform to part IV, Fire Protection, National Building Code of India, 1983, Amendment No. 3.

(6) The minimum sanitation facilities shall be as in Table 9 given in sub rule (6) of rule 54.

59. Hazardous occupancy :-

(1) Approval of District Town Planner shall be obtained for the usage of plot upto 0.5 hectares area and layout of building upto 500 sq. metres area under hazardous occupancy and approval of Chief Town Planner shall be obtained for the usage of plot exceeding 0.5 hectares area and lay out of buildings exceeding 500 sq. metres areas.

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 7.5 metres in the case of Group I

(2) hazardous occupancy.

(4) Omitted

(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 arrangement 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 tap so as to exclude volatile or other objectionable matters.

(5a) 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.

(6) All requirements in respect of fire protection in hazardous including warehousing buildings shall conform to Part IV, Fire Protection, National Building Code of India, 1983 and amendment No. 3.

(7) The Minimum sanitation facilities to be provided in hazardous buildings shall be as given below:

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

(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 person 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 per every 30 Sq. mts. of the gross floor area of the building.
- (8) 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 petrol filling stations and its layout.
- (9) The location and or construction of petrol tank and vent-pipe shall be governed by the provisions of the Petroleum Rules, 1976.
- (10) The retail dispensing unit of a petrol filling station shall be installed at a distance of 7.5 metres. from any point of the marked boundary of its premises.
- (11) The kiosk or sales office shall have a minimum open space of 1.00 metre from the plot boundaries other than that abutting the street.
- (12) The location and area limits of crematoria or burning and burial grounds including cemetery shall be as approved by the District Collector.
- (13) There shall be minimum 7.5 metres open space all round the crematorium.
- (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 traffic stations like municipal bus stands or inter State bus terminals and the construction of buildings shall conform to the provisions in these rules.

CHAPTER 8 BUILDINGS IN SMALL PLOTS

60. Special provisions for construction in small plots :-

The provisions in the Kerala Municipality Building Rules shall apply to construction of building under residential and or commercial occupancy, in plots not exceeding 125 sq. metres of area subject to the 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.

61. Number of floors to be limited :-

The number of floors allowed shall be three.

62. 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 municipality and the building other than a 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 detailed town planning scheme or

approved road widening proposal or any other rules or byelaws shall also apply simultaneously to all buildings in addition to the provisions contained in sub rule (1);(1 a) 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.

(2) Any one side shall have a minimum of 90 cms. and other side shall have a minimum of 60 cms.:Provided that no opening other than ventilator at a height of 2.20 metres from the floor level shall be provided on the side having only 60 cms open space:Provided further that the open space, on one side other than that having 90 cms width may be reduced or 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.](3) The rear side shall have an average of 1 metre with minimum 0.50 metre. (3a) The width of cornice roof, sunshade or weather shade shall be 30 cms in 60 cms wide open space and in other cases it shall be as in sub rule (11) of rule 24.

63. 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.

64. Application and its disposal :-

(1) The provisions for submission and disposal of application for permit and filing of completion certificate and extension and renewal of permits and similar matters shall be as described in Chapter II.(2) The application fee and permit fee shall be as in Schedule I and Schedule II respectively.

CHAPTER 9 ROW BUILDINGS

65. Row buildings to be allowed on declared streets :-

The Secretary shall permit the construction or reconstruction of row buildings only on the sides or part of a side or sides of any street, where the Municipality, has by declaration published, decided to allow row buildings.

66. Number of units that can be permitted :-

The Number of dwelling units in a row of buildings shall not exceed ten.

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

67. Plot Area :-

The area of plot for one unit shall not exceed 85 Sq. metres.

68. 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 Municipality and the building other than a compound wall or fence or outdoor display structure shall be 1.5 metres.

69. Maximum floors :-

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

70. Certain provisions not to apply :-

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

71. Submission of applications etc :-

(1) Application for permit and other matters required as per these rules may be submitted either jointly or individually.(2) The provisions for submission and disposal of application, filing of completion certificate, extension and renewal of permit and similar matters shall be as in Chapter II.(3) The application fee and permit fee shall be as in Schedule 1 and Schedule 11 respectively.

72. Reconstruction, etc. of existing row buildings :-

Notwithstanding anything contained in these rules, in the case of existing row buildings, reconstruction, repair, alternation or addition, both horizontal and vertical shall be permitted irrespective of whether it is on the side of a street where row buildings are permitted or not, and irrespective of the plot area, use and set backs provided.

CHAPTER 10 BUILDING CONSTRUCTION UNDER APPROVED SCHEMES

73. Provision for construction under approved Schemes :-

Provisions in this chapter shall apply to construction or reconstruction or addition or alteration of any building financed or built by Government, Municipality, Housing Board, Scheduled Castes and Scheduled Tribes Development Corporation, Fisherman Welfare Corporation, Matsyafed, Harijan Welfare Department, Social Welfare Department or any Government Department, Quasi Government Agency, or Housing Co-operative Societies under any Government approved Scheme for economically weaker sections. The provisions in this Chapter shall also apply to buildings financed or built by any Municipality or Panchayat at any level to its beneficiaries.

74. Area and floor restrictions :-

(1) Total plinth area of the building shall not exceed 50 Sq. mts.

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

75. Setback 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 municipality and the building, other than a compound wall or fence or outdoor display structure, shall be minimum 1.50 metres.

(2) Front yard shall have minimum 1.00 metre width.

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

Provided that door shall not be allowed if that portion does not have minimum 1.00 metre 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.

76. 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 dimensions with regard to building parts, light and ventilation shall not apply to building under this chapter.

77. Layout approval to be obtained :-

Layout approval shall be obtained by the Department, Corporation, Board, Agency, Local Body or Society concerned from the District Town Planner and the Secretary in all cases where building permit is not required.

78. 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 submitted 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) 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 reconstruction or addition or alteration is proposed to be done by the Department, Corporation, Board, Agency, Local body 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 11 CONSTRUCTION IN PLOTS PART OF WHICH HAVE BEEN SURRENDERED FOR ROAD DEVELOPMENT

79. Provisions to apply as modified for constructions in certain plots :-

(1) In the case of buildings 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 a Municipality, Development Authority, 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 Municipality Building Rules, 1999 shall apply subject to the modifications in this chapter

Provided that the applicants seeking benefit under this chapter shall apply in writing to the secretary in the prescribed form.

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

Provided further 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 further 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 exists.

Provided further that any deviation from the proposals of a town planning scheme in the new road formation or road widening or junction improvement or formation or development of any facility relating to road structure shall be carried out only affecting 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 proposals as per any town planning scheme or which falls 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 institutions 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 the land shall be made as per the relinquishing procedure of the government and the land shall be demarcated and taken in to 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.

80. Usage of Plot :-

The usage of plot proposed for the development or redevelopment of land construction of any building shall be governed by the provisions contained in the sanctioned or published town planning scheme for the area.

81. Coverage and floor area ratio :-

(1) Maximum coverage permissible by the committee constituted under rule 85 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 percent for hazardous Group I (2) occupancy.

(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 4 of table 2 in rule 31 for the extent of the plot prior to surrendering of the land plus an incentive floor area of twice the FAR permissible as per column 4 of the table 2 in rule 31 for the extent of land surrendered free of cost.

Provided that the maximum FAR permissible calculated in the above manner shall not exceed the FAR as per column 5 of table 2 for the entire land. Provided further that FAR of column 5 of table 2 in rule 31 for the entire land shall be permitted on payment of additional fee at the rate specified in subrule (3) of rule 31 for the difference area if any.

82. Set back, height, etc :-

(1) For buildings under various occupancies the mandatory open space/setback from the proposed road boundary to the building shall be reduced by the breadth of the land so surrendered from that side subject to the minimum of 3.0m from the boundary of the proposed road.

Provided that in the case of plots upto 125sqm of area left after surrendering the land for road schemes other than National Highways and State Highways the committee constituted under rule 85 may considering the width of the land surrendered and left behind shall permit reductions in the said distance to such extent that after such reduction there shall be a minimum of 1.50m distance from the abutting new road boundary. Provided further that the 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 of 15m height safety provisions for high rise buildings as provided in Chapter XVII of these rules shall apply.

2) In addition to the minimum front, rear and side open spaces required as per (1) above for height upto 10m proportionate increase in such minimum open space at the rate of 0.50m for every 3.0m height exceeding 10m shall be

provided.

(3) Notwithstanding anything contained in these rules in the case of buildings part of which has been demolished for the purposes specified in rule 79, construction or reconstruction of wall with or without doors, shutters 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 the urban design and heritage aspects and general provisions regarding the distance from centre 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.

83. Omitted :-

84. Parking :-

Parking requirements shall be reduced in proportion to the percentage of land surrendered to the extent that after such deduction a minimum of 75% of the parking required as per these rules shall be provided.

85. Constitution of Special Committees :-

(1) The Government may, on receipt of a request to that effect from any municipality or suo motu, if found necessary, by order, constitute a Special Committee for the purposes of any or all municipalities 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) Mayor of municipal corporation / Chairperson of the Municipality, 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 authorized.

(iv) Executive Engineer, Roads, Public Works Department having jurisdiction in the area or an officer not below the rank of assistant executive engineer authorized.

(v) Executive Engineer, Buildings, Public Works Department having jurisdiction in the area or an officer not below the rank of assistant executive engineer authorized.

(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 authorized.

(vii) Secretary of the Municipality concerned, shall be the convenor of the Committee.

(v) one or two representative 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 meetings 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 applications 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 status 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 what ever feasible to enable the implementation of the scheme in total

CHAPTER 12 ACCESSORY BUILDINGS AND SHED

86. 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 not more than twenty hens or ducks shall be exempted from the provisions of these rules: Provided that such building or shed shall have minimum one metre set back from the nearest boundaries and may abut the main building

87. Temporary hut or shed :-

(1) The Secretary may grant permission to a person to erect for a specified period huts or sheds of a purely temporary nature for stabling or similar purposes, on general conditions as may be fixed by the Council.

(2) The Secretary may, on the failure of the person to demolish or dismantle the shed or hut at the expiry of the period specified, cause it to be demolished or dismantled and the cost thereof shall be recovered from such person as if it were an arrear of property tax due under the Act

3) Application for permission to erect temporary hut or shed shall be submitted in white paper typed or written in ink, affixed with necessary court fee stamp and accompanied by document to prove ownership or consent of the owner, if the land is not owned by the applicant.

(4) The Secretary shall, if convinced of the ownership, issue permit with or

without condition and specifying the period beyond which the hut or shed shall not be retained.

88. Accessory building :-

1) Construction of 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 per cent of the open space.

(3) The height of the structure or cabin shall be limited to 2.5 Mts.

(4) The distance from the boundary abutting the road to the accessory building shall be equal to that necessary for a single storeyed residential building.

(5) The accessory building shall have minimum 1.00-meter distance from the boundaries: Provided that it may abut the main building

89. Certain provisions not to apply :-

Provisions regarding floor area ratio shall not apply to the constructions under this chapter.

CHAPTER 13 XXX XXX XXX

CHAPTER 14 WALL AND FENCE

96. Prohibition Of commencement of work :-

The Construction or reconstruction of any wall or fence or whatever height bounding or abutting on any public street or public property or public water course shall not be ,begun 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 into the adjace property or street.

97. 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, site plan

(3) The site plan shall clearly show all the streets, paths, lanes abutting or leading to the plot and also 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 genuineness of the ownership, issue permit not later than 30 days from the date of receipt of the application.

(5a) A wall or fence abutting a street junction shall be sufficiently splayed.

(6) The permit fee shall be as in Schedule - II.

98. Period of permit and its renewal :-

- (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 shall be submitted within the valid period of the permit and the renewal fee shall be fifty per cent of the permit fee.

99. 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 15 SPECIAL PROVISIONS FOR CERTAIN CONSTRUCTIONS

100. Special Provisions for addition etc. over existing buildings :-

(1) Notwithstanding anything contained in these rules, alteration or addition (extension) of the first floor or the second floor or both and or conversion or erection of roof, shutter or door shall be permitted to buildings existing on the 30th March, 2000 subject to sub rules (2) to (10) of this rule, even though the existing building and proposed floor(s) or work does not satisfy the provisions under rules 24, 25, 26, 32, 33 and the provisions under Chapter VI and Chapter VII:

Provided that alteration of existing building shall be permitted for the limited purpose of constructing staircase or ramp or flight of steps for use as access to the proposed floors, if such alteration satisfies the provisions under rule 25:

Provided further that the owner shall have no right to claim cost or compensation for both the existing building and the proposed floor(s) or any portion thereof if the same is required to be demolished in future for any road widening or development under any scheme approved by Government or an authority under them:

Provided further that the owner shall be responsible for the structural stability and other safety of the building, both the existing and the proposed:

Provided also that the alteration or addition (extension) or other works mentioned in this rule above shall be permitted even if the existing building have one basement floor.

(2) The proposed alteration or addition (extension) shall satisfy the provisions regarding clearance from overhead electric lines specified under table 1 of rule 23 and if such clearance is not available, no objection certificate issued by the Chief Electrical Inspector or an Officer authorised by him shall be produced for issuing permit.

(3) The distance from the boundary abutting road to the proposed second floor over the existing building having ground floor and first shall be that of the first floor, if the said distance is less than that required under rule 25.

(4) The distance from the boundary abutting a road to the proposed first floor or first and second floors over the existing building having ground floor, shall be that of the ground floor, if the said distance is less than that required under rule 25.

(5) In the case of residential or special residential or mercantile/ commercial buildings alteration or addition (extension) of floor(s) or conversion of roof shall be permitted only if the existing building and the proposed floor(s) have average 60 cms open space from the boundaries of all the plots on its sides including rear:

Provided that if any portion or side of the building abuts the plot boundary or have an open space less than that specified above, a consent document issued by the owner of the plot on the abutting portion/side shall be produced along with the application for permit: Provided further that not more than two sides shall be permitted to abut the boundary even with such consent document.

(6) In the case of occupancies other than that mentioned under sub rule (5), alteration or addition (extension) of floor (s) or conversion of roof shall be permitted only if the existing building and the proposed floor (s) have average 1.00 meter open space from all the plots on its sides including rear:

Provided that no industrial occupancy building under Group G1 and hazardous occupancy building under Group I (1) and Group I (2) shall be permitted under this rule.

(7) The maximum coverage permissible shall, if the proposed is for first and second floors, be that of the ground floor over which such floors are proposed and if the proposal is for second floor, be that of the first floor over which such floor is proposed: Provided that the proposed floor (s) shall not extend beyond the limits of the existing building.

(8) The maximum floor area ratio permissible under this rule shall be as in Table 2 under rule 31 and for calculating the maximum floor area ratio permissible the floor area of the proposed floor (s) and floor area of the existing building shall be taken into account.

(9) Off street parking shall be provided as in Table 5 under rule 34 for the proposed floor (s) irrespective of whether off street parking is available for the existing building or not: Provided that where the carpet area of the building including the proposed floor (s) does not exceed 300 sq. metres provision regarding car parking shall not be insisted for permitting alteration or addition (extension) of floor (s).

(10) In the proposed alteration or addition (extension) of first and second floor (s) door shall be permitted only on the side or portion having 1.00 metre open space, window shall be permitted only on the side or portion having 60 cms. open space and no opening shall be permitted on the side or portion having less than 60 cms open space.

101. Special provision for addition, etc. over buildings permitted under Kerala Building Rules, 1984 :-

(1) Alteration or addition/extension of first floor or second floor or both and or conversion or erection of roof, shutter or door shall be allowed to buildings permitted under orders granting exemption from provisions of Kerala Building Rules, 1984, issued by Government or District Collectors subject to sub rules (2) and (3) of this rule, whether the work has commenced or not or whether being carried on or completed:

Provided that the permitted building and that proposed alteration or

addition/extension or other work mentioned in this rule shall have minimum 3 meters distance from the boundary abutting any National Highway, State Highway, District road or other road notified by the Municipality and minimum 1.5 meters from the boundary of other road.

(2) The provisions under rules 24, 25, 32 and 33 and the rules under Chapter VI and VII shall not apply to the proposed floor (s) or work whether the permitted building satisfies the said provisions or not.

(3) The provisions under sub rules (2) to (10) of rule 100 shall mutatis mutandis apply to both the permitted building and the proposed building.

102. Extension in the ground floor, etc :-

(1) Extension in the ground floor with or without floors above it shall be permitted to any building, if the proposed extension satisfies the provisions in these rules, irrespective of whether the building proposed to be extended conforms to the provisions in these rules or not:

Provided that for the purpose of calculating maximum coverage and floor area ratio permissible and for calculating the total off street parking requirements both the proposed extensions and the building proposed to be extended shall be taken into account.

(2) Addition/extension of upper floors to any building shall be permitted, if the proposed addition/extension satisfies the provisions in these rules, irrespective of whether the building proposed to be extended conforms to the provisions in these rules or not: Provided that in the case of existing ground floor on the side of cul-de-sac not exceeding 250 meters length or pedestrian lanes or streets up to 3 meter width, first floor shall be permitted above it if the existing ground floor and proposed first floor have minimum 1.50 meters distance from the boundary abutting such cul-de-sac, lane or street irrespective of whether it satisfies the provisions in rule 25 and rule 32:

Provided further that for the purpose of calculating maximum coverage and floor area ratio permissible and for calculating the total off street parking requirements both the proposed extension and the building proposed to be extended shall be taken into account.

(3) Separate and independent building shall be permitted in a plot already having one or more 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 and for calculating the total off street parking requirements both the proposed and the existing building in the plot shall be taken into account:

Provided further that the proposed building shall have minimum 1.5 meters distance from the other existing buildings, if the proposed building has not more than 3 floors and shall have minimum 3 meters distance, if the proposed building has more than three floors.

(4) Conversion of roof with the same or a different material 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 24 shall be observed.

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

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

(5) Conversion of shutters or doors with the same or a different material or erection of shutters or doors shall be permitted in any building 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.

CHAPTER 16 WELLS

103. Essentially 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.

104. Set back :-

(1) The set back from any street shall be as that required for a building.

(2) There shall be 1.50 metres set back from other boundaries.

(3) The well may be located within or abutting or away from the building on the plot.

(4) No leech 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.

105. Wall and surrounding :-

The well shall be protected With brick wall with -minimum 1 mt. height

106. Fees :-

The application fee and permit fee shall be as in Schedule 1 and Schedule 2 respectively.

107. 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.

108. 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 fifty per cent of the permit fee.

109. 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 16A RAINWATER HARVESTING

109A. Roof top Rain Water harvesting Arrangements :-

(1) Unless otherwise stipulated specifically in a Town Planning Scheme, workable rainwater harvesting arrangements shall be provided as an integral part of all new building constructions for the following occupancies namely:-

(i) Group AI residential (with floor area of 100 sq.m or more and plot area of 200 or more)

(ii) Group A2 Special Residential

(iii) Group B Educational

(iv) Group C Medical/Hospital

(v) Group D Assembly

(vi) Group E Office/Business

(vii) G1 and 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)

(viii) Group GI hazardous (automobile wash stall, Automobile service Stations, Service Garages, with repairing facilities and any other occupancies notified by the Government from time to time.

Provide that the floor area to be considered shall be the total floor area in all floors..

Provided further that the rainwater harvesting arrangements is not mandatory for thatched roofed building.

(2) The components of workable rooftop rainwater harvesting arrangements as stipulated in Sub-rule (1) above shall include.

(i) Roof catchment area

(ii) Roof gutters

(iii) Down pipe and first flush pipe arrangement

(iv) Filter unit and

(v) Storage tank with provision for drawing water and spillover

(3) The minimum capacity of the storage tank as stipulated in Sub-rule (2) (v) of the rooftop rainwater harvesting arrangements shall be at the rates given below

Group A1 25 liters/sqm of total floor area.

Group A2 25 liters/sqm of total floor area

Group B 50 liters/sqm of total floor area

Group C 50 liters/sqm of total floor area

Group D 50 liters/sqm of total floor area

Group E 50 liters/sqm of total floor area

Group G1 & G2 50 liters/sqm of total floor area

Group I(1) 25 liters/sqm of total floor area

(4) The municipality shall enforce workable artificial groundwater recharging arrangements as an integral part of all new building construction through collection of rooftop rain water

(5) The component of workable artificial groundwater recharging arrangements as stipulated in sub-rule (iv) above shall include

(i) Roof catchment area

(ii) Roof gutters

(iii) Down pipe

(iv) Filter units

(v) Recharge well/percolation pit

(6) Where ever rooftop rain water harvesting arrangements as stipulated in sub rules (I) to (iii) above are provided, additional arrangements for carrying the spill over water from storage tanks to recharge well or percolation pit need only be provided.

(7) The owner(s)/occupier(s) shall maintain the roof top rain water harvesting arrangements and artificial ground water recharge arrangements in healthy working conditions.

(8) The municipality may, in exceptional cases such as water logging or impermeable subsoil conditions to considerable depths exempt constructions from the mandatory ground water recharging arrangements

CHAPTER 17 SAFETY PROVISIONS FOR HIGH RISE BUILDINGS

110. High rise building :-

For the purposes of this Chapter high rise building means a building having more than four floors and or 15 metres of height from ground level.

111. 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.

112. 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 cms. and if balusters are provided no gap in the balusters shall be more than 10 cms wide.

113. Guard rails or parapets :-

Every slab or balcony overlooking any exterior or interior open space which are 2 metres or more below 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 may also 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.

114. 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 public or 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 operations during an emergency.

(4) External fire escape staircase shall have straight flight not less than 75 cm wide, with 20 cm treads and risers not more than 19 cm. the number of risers shall be limited to 16 per flight.

(5) The height of handrails shall be not less than 100 cm and not more than 120 cm.

(6) The use of spiral staircase as external fire escape stairway shall be limited to buildings with height not exceeding 10 metres.

(7) A spiral fire escape stairway shall be not less than 150 cm in diameter and shall be so designed as to give adequate headroom.

115. Ducts :-

Every opening provided to ducts from the interior of a building shall be closed with strong materials.

116. Omitted :-

117. Open space for fire fighting :-

Every high rise building, if it does not abut on two or more motorable roads, shall be provided with a minimum of 5 metres wide open space on any one of its sides contiguous to the road abutting it to facilitate fire fighting:"

Provided that if a road is available on the side which can be made motorable by providing sufficient open space to make its width to not less than 5 metres wide and space on that side is kept open by not constructing any compound wall, fence or structure then no separate open space as specified above need be provided.

118. Lift for residential apartments :-

Every high rise apartment building having more than 16 dwelling units shall be provided with at least one lift capable of carrying a stretcher:

Provided that if only one lift is required for the building as per the rule 48, that lift shall be one capable of carrying a stretcher.

119. Parapets to terrace floor :-

Where access is provided over the terrace floor or to the terrace floor, the edges of the terrace floor shall be provided with parapet walls made of stable materials to a height of not less than 120 cms.

120. Structural design :-

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 a structural stability certificate prepared and issued by a registered engineer.

CHAPTER 18 HUTS

121. Prohibition for commencing work without permission :-

No person shall commence the construction of reconstruction or a hut without first obtaining a permit for such work.

122. Provisions regarding distance from road, etc :-

(1) The minimum distance between the plot boundary abutting any street other than National Highway, State Highways, or District roads or other roads notified by the Municipality and a hut shall be 1.00 metre.

(2) All sides including the front and rear shall have minimum 60 cms distance from all the boundaries other than that abutting a road.

123. Certain provisions not to apply :-

Provisions regarding FAR, coverage, distance from central line of road and dimension of building parts, light and ventilation shall not apply to huts.

124. Application for permit :-

(1) Any person intending to construct or reconstruct a hut shall submit an application in white paper, typed or written in ink and affixed with necessary court fee stamp to the Secretary along with a site plan showing the built up area and the boundaries of the plot and nearby street, if any, and also document to prove ownership.

(2) The application fee shall be as in Schedule I.

125. Disposal of Application :-

The Secretary shall verify the application, document and site plan and after being convinced of the boundaries and bonafides of ownership issue permit

within 14 days from the date of receipt of the application and necessary permit fee as shown in schedule II.

126. Council bound to decide on application :-

(1) The Council shall be bound to take a decision as to whether permit shall be given or rejected, if the applicant makes a request in writing after the expiry of fourteen days from the date of submission of application that the secretary has failed to dispose the application.

(2) The applicant may commence with the construction or reconstruction in conformity with the provisions contained in the Act and these Rules, as if the permit has been granted, if the Council fails to dispose of the application within 30 days from the date of submission of the request in writing.

127. Reasons for rejection to be specified :-

(1) Application for permit to construct or reconstruct a hut may be rejected on the following reasons:

(i) The construction or use of plot violates any provision of law or any rule or order or byelaw or proclamation;

(ii) the application for permit is not furnished with details or has not been prepared as required under these rules;

(iii) any detail or plan so required by Secretary under these rules has not been made available properly;

(v) the proposed hut is an encroachment to land owned by Government or Municipality. (2) The Secretary shall not reject an application for construction or reconstruction of hut without specifying the reasons for such rejection.

128. Period of permit and its renewal :-

The permit shall be valid for 2 years from the date of issue and may be renewed for further one year on submission of application in white paper, typed or written in ink, affixed with necessary court fee stamp, within its valid period, and payment of fifty per cent of the permit fee.

129. Completion report and occupancy certificate :-

(1) The applicant shall, on completion of the construction or reconstruction of the hut for which the permit was issued, report the matter in white paper typed or written in ink to the Secretary, specifying the date of completion.

(2) The Secretary shall, if satisfied that the construction or reconstruction is as per the permit granted, issue occupancy certificate not later than 10 days from the date of receipt of the report

CHAPTER 19 TELECOMMUNICATION TOWERS

130. 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 structures from the Secretary.

131. Distance from road and boundaries :-

(1) The base of the tower or poles shall have minimum 3 metres 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 distance from road boundary of the accessory rooms such as equipment rooms, shelters, or generator rooms proposed over a building shall be that of the 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) Distance from other boundaries of the plot to the base of the telecommunication tower Or Pole structure or accessory rooms shall be minimum 1.20 metres:

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; shall be that of the existing building;

Provided further that if the building abuts any plot boundary and the telecommunication tower or pole structures or accessory rooms are also proposed to abut that boundary then consent of the owner of the plot on the abutting side shall be obtained and produced along with the application for permit:

Provided also that no portion of the telecommunication tower pole structure or accessory room shall project or over hang into the neighboring plots

132. Provisions regarding FAR and height :-

The provisions regarding FAR, coverage, height restriction with regard to width of road and distance from the boundary abutting road, distance from central line of road and dimension 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 shown in Table 3 of sub rule (2) of rule 32 and for exceeding the height restriction specified under Table 3 of the said rule, clearance from the concerned airport authority shall be obtained and produced before issuing permit.

Provided further that additional distance from 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 structures or accessory rooms or for the building over which they are proposed

133. 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 the 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.mts.

(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 entry 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.

134. 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.

136. Protection from lightening :-

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.

137. 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 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 colors alternatively each with 5 meter band, starting straight with international orange at the top.

138. 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.

139. Building to be authorised :-

Erection of any telecommunication tower or pole structures or accessory rooms

shall be permitted only over authorised buildings.

140. 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 rail way, clearance from the concerned officer in charge or authority, as the case may be, shall also be obtained before issuing permit

140A. 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 service.

(2) Telecommunication towers or pole structures or accessory rooms shall be permitted in any zone or over any building irrespective of its occupancy.

141. 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 site plan, location, elevation, sections, [x x x x], structural stability certificate, copy of agreement executed with department of Telecommunications 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

(3) In case the telecommunication tower is proposed above any building, structural stability certificate shall be submitted in respect of that building also.

(4) 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.

(5) The structural stability certificate shall be one issued by an Engineer having post graduate degree in Civil Engineering or Structural Engineering, registered or employed in Central or State Government Service or Quasi-Government Organisation.

(6) Application fee shall be Rs. one thousand and permit fee shall be,-

(a) for towers of any height, rupees ten thousand;

(b) for pole structures (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.

(7) For the purpose of levying fee, the height of the tower shall be taken from the base of the tower and not from the base of the building.

(8) The secretary shall, if convinced of the boundaries and ownership of the plot, plan and drawings and genuineness of the certificates, issue permit, not later than 30 days from the date of receipt of application.

(9) The permit issued under sub rule (8) 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 structures shall be completed within one year from the date of issue of permit.

(10) 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.

(11) 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; original permit shall also be attached.

(12) No application fee shall be necessary for extension of period of permit but fee for extension shall be equal to fifty per cent of the fee for original permit in force at the time of extension.

142. Completion Certificate :-

(1) After completion of the work of the telecommunication tower or pole structure and accessory rooms as per permit, the applicant and the engineer shall submit to the Secretary completion certificate as in Form E and Form F respectively, along with a certificate of structural safety/stability of the tower and the building, if the tower or pole is constructed over a building.

(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 buildings, on the basis of which the authorities concerned may allow power connection, etc. for use of the service.

CHAPTER 20 REGULARISATION OF UNPERMITTED CONSTRUCTIONS AND DEVIATIONS

143. Power of the Secretary to regularise certain constructions :-

The Secretary shall have the power to regularise 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 work for which permission of the Secretary is necessary under this rule commenced, being carried on or 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 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 rules 15, 97, 126 or 141 and as per rules, such construction or work shall be considered as duly permitted and not one requiring

regularization.

144. 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 wherever 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.

145. Application fee :-

The application fee shall be as specified in schedule I.

146. Decision to be intimated :-

(1) The Secretary shall by written order either grant or refuse to grant regularization.

(2) The Secretary shall, if the decision is to grant regularization 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 documents 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 area so deviated or added shall be considered for the calculation of compounding fee].

(5) The Secretary shall, if the decision is to refuse regularisation, 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 grounds on which approval of site or permission may be refused.

147. Demolition of buildings not regularized :-

(1) Where the owner fails to demolish the building or structure 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 therefore 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 sub-rule (1), Secretary may also take prosecution proceedings against the owner.

CHAPTER 21 REGISTRATION OF ARCHITECTS, ENGINEERS TOWN PLANNERS, ETC.

148. 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.

149. Registering Authority :-

The Director Of Municipal Administration shall be the Registering Authority for the State.

150. 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 Registration 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 Building Rules, 1984 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 the same and shall be at the rates shown below:

Architect .. Rs.1000

Building Designer .. Rs.750
Engineer A .. Rs.1000
Engineer B .. Rs.750
Town Planner A .. Rs.1000
Town Planner B .. Rs.750
Supervisor A .. Rs.500
Supervisor B .. Rs.300

151. 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.

152. 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.

153. 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 Municipality 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 only be prepared after inspecting the site and 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 subrules (7) and (8)

(7) The Registering Authority may, on complaint by any person or on report from any Municipality or suo motu 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 one year 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 therefor, 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 authorized representative.

CHAPTER 22 ART AND HERITAGE COMMISSION

154. Constitution of the Commission :-

(1) Government may constitute an Art and Heritage Commission for the State.

(2) The Commission shall consist of :-

(i) Secretary, Local Self Governments Department who shall be the Chairman;

(ii) Director of Panchayats;

(iii) Director of Municipal Administration;

(iv) Chief Town Planner

(v) Director, Archaeology Department;

(vi) Chief Engineer (Building), PWD; and

(vii) Two persons having knowledge and experience in Art, Architecture or History, nominated by Government.

155. 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 building 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-a-vis the existing structures in a particular area or street;

(v) to advise Government or Municipality on any subject mentioned above and referred to it; and

(vi) to submit periodical reports.

(2) The Municipality may insist any particular architectural or aesthetic form of construction on any street or area if so advised by the Commission

CHAPTER 23 VIGILANCE, DANGEROUS AND DEFECTIVE WORKS, APPEAL, ETC.

156. 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 in 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 therefore;
- (iv) details of applications referred to the Council, by the applicant
 - (v) total number of applications received for regularization, of unauthorized or deviated constructions;
 - (vi) total number of applications for regularization disposed of specifying the number of applications sanctioned and or refused, if refused, details of further action taken;
 - (vii) number of applications for regularization 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.

157. Vigilance Squad :-

- (1) There shall be a vigilance squad in every District to detect, prevent and report on the illegal construction.
- (2) Regional Joint Director of Municipalities having jurisdiction in the District, Town Planner in the Town and Country Planning Department having jurisdiction in the District and the officer or officers who may be nominated by Government from time to time shall form the squad.
- 3) The District Police Officer shall render all assistance to the squad, if so requested, for discharging their duties.
- (4) 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.

158. Stoppage of dangerous or defective works :-

- (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 is a danger to 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 a 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

159. Penalty for unlawful building :-

- (1) The owner of a building or well or a person to whom notice is issued under these rules shall, where the construction or reconstruction of such building or tower or any structure 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 regularized 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 extent to one year.
(3) The Secretary may take prosecution proceedings under sub rule (1) or sub-rule

160. 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 canceling 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 erection of telecommunication tower or pole structure, conversion or erection of shutter or door, conversion of roof, etc. or rejecting such regularization; and
(vi) stopping erection of building or execution of work.
(vii) passed or action taken by the Secretary under these rules;
(viii) issued on the basis of the decision of the Special Committee;
(ix) passed by the Chief Town Planner or the District Town Planner.

161. Removal of doubts, etc :-

The Government shall have power, 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

