

**GOVERNMENT OF PUNJAB
DEPARTMENT OF LOCAL GOVERNMENT**

To

1. The Commissioners,
Municipal Corporations,
Amritsar, Jalandhar, Ludhiana, Patiala and Bathinda
2. Regional Deputy Director, Urban Local Bodies,
Amritsar, Jalandhar, Ludhiana, Ferozpur, Patiala & Bathinda

Memo No. CTP (LG) -2010 -471-481
Dated, Chandigarh, the 23rd April, 2010.

Subject: Amendments in the Municipal Building Byelaws

The Unified Building Byelaws for ULBs were formulated in 1997. The last decade has experienced tremendous advancement in technology and change in the socio-economic setup which has led to rapid urbanization, affecting the development of towns and cities putting pressure on the basic infrastructure facilities like road network, water supply and sewerage system etc. The increasing number of vehicles requires more parking spaces in future. Earlier in 2004, certain modifications were carried out in the Unified Building Byelaws incorporating the provisions regarding Multiplexes, Marriage Palaces, Nursing Homes / Hospitals, provisions for the Persons with Disabilities (Equal Opportunities, Protection of Rights & Full Participation) Act, 1995 and Rain Water Harvesting. Likewise, in 2007 the norms of Group Housing were modified in accordance with the parameters norms of NBC-2005.

Now further to cope up with the changing needs of society and the emerging urban development scenario, updating revision of the Building Byelaws has been felt necessary. So after deliberations with CMCs, DDRs and other technical officers of various ULBs, the Government has decided to make the following amendments in the Building Byelaws:

A. Chapter —II — DEFINITIONS:

The following additional definitions may be inserted in the Chapter:

1.	Sr. No. towards	The ramp provided for Persons with Disabilities may not be counted 18 (g) FAR and ground coverage.			
2	Sr. No. 34	Front Setback	<p>Shall mean area parallel to the street and directly abutting the street.</p> <table border="1" style="width: 100%;"> <tr> <td style="width: 50%; text-align: center;">Structure to be permitted in front setback area</td> <td style="width: 50%; text-align: center;">Gate post / security guard room adjoining main the gate in the front setback area which may be of maximum 50 square feet area & 8' — 6" in height free from ground coverage and FAR.</td> </tr> </table>	Structure to be permitted in front setback area	Gate post / security guard room adjoining main the gate in the front setback area which may be of maximum 50 square feet area & 8' — 6" in height free from ground coverage and FAR.
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3.	Sr. No.50	Mechanical Multilevel Parking System (MMPS)	<p>Multilevel Mechanical Parking System will be permissible in all uses, except plotted residential having area less than 1000 square yards subject to the provision of required clear floor to ceiling height and spaces to be used for installation of MMPS, proper circulation to the satisfaction of the Fire Authorities and in accordance with the requirements/conditions of NBC concerning Fire Safety.</p> <p>In case the MMPS is to be installed separately from the main building, the same will be counted towards ground coverage but will be free of FAR.</p>
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B. CHAPTER - III - PROCEDURE FOR SUBMISSION OF BUILDING APPLICATION AND OCCUPATION:

The following clause 3.10.1 has been added and clause 3.14 (i) has been amended as below:

3.10.1 Self-Certification of Building Plans — Residential building on a residential site located in the schemes of Improvement Trusts and the residential sites located in Urban Estates, Industrial Focal Points or Schemes prepared under any other Act and transferred to the Municipal Authorities.

1. The approval of Building Plans of residential building on a residential site located in the Schemes of Improvement Trusts and the residential sites located in Urban Estates, Industrial Focal Points or Scheme prepared under any other Act and transferred to the Municipal Authorities will be as CERTIFIED by the “Architect registered under the Architects Act, 1972”.
2. Sanction order in the form of Building Permit will not be necessary in the case of such plots where Building Plans are deemed sanctioned on the certification of an Architect registered under the Architects Act, 1972 that the Building Plans conform to the building bye-laws.
3. The owner of plot in such Scheme areas can appoint an “Architect registered under the Architects Act, 1972” as an “Architect on Record” for submission of the Building Plan and supervision of the construction thereof.
4. “Architect on Record” can make an application of self-certification, in writing to the Competent Authority that, the Building Plan submitted is in consonance with the applicable Building Byelaws / Regulations / Zoning / Schedule of. Clauses, as the case may be.
5. The following documents/information will be submitted by the “Architect on Record” along with application:
 - a. Proof of Registration under the Architects Act, 1972.
 - b. Proof of appointment as “Architect on Record” by the plot owner for submission of the Building Plan and supervision of the construction.
 - c. Building plan scrutiny/processing fee and other fees/taxes etc.
 - d. 4 (four) sets of the Building Plan.

- e. Period of construction required for completion of buildings
6. Concerned CMC or EO of the Municipal Authority or Improvement Trust on verification that the "Architect on Record" is registered under the Architects Act, 1972 and requisite fee has been deposited shall return a copy of the Building Plan duly stamped indicating the receipt number etc.
 7. The owner shall display at site the name of the "Architect on Record" along with Building Application number etc.
 8. The "Architect on Record" shall inform the concerned authority in writing about the completion of building to obtain Occupation Certificate.
 9. If after submission of application during the construction of building, the appointment of the "Architect on Record" is annulled, then:
 - a. The owner shall intimate the Competent Authority through registered post within seven days of annulment and also about the appointment of new "Architect on Record".
 - b. The "Architect on Record" shall intimate the Competent Authority through registered post within seven days of annulment and regarding the construction raised so far to be as per the Building Plan deemed sanctioned on the certification of the "Architect on Record".
 - c. The newly appointed "Architect on Record", shall intimate the Competent Authority within seven days of his appointment that the construction already raised is as per the Building Plan deemed sanctioned on the certification of the "Architect on Record".
 10. If the "Architect on Record" submits a wrong report while making building application or if any additional construction or violation is reported to exist at site or conceals any fact or falsely justifies or misstates regarding completion at or before the completion of such report, he will be held responsible for such omission/commission and can be penalized, as deemed fit by the Municipal Authority and intimation to Council of Architecture will be sent after giving an opportunity of being heard, under intimation to the Government.
 11. The unauthorized construction will either be demolished by the owner or by the concerned Authority at the risk and cost of the owner, if the same is neither sanctionable nor compoundable.

The applicants who do not wish to opt for Self Certification can get approval of the Commissioner/Executive Officer of the concerned ULB under the provisions of the Municipal Acts.

- 2.3.14 (i) To ensure enforcement of building and execution of works as per sanctioned building plans; construction activity shall be monitored from the stage of excavation, construction of foundation, plinth, first storey and each subsequent stories. The local authority shall monitor this activity as per the guidelines mentioned at Schedule — VIII (which will read as under) or as amended by the Government from time to time.

SCHEDULE VIII— Enforcement of Building Byelaws and monitoring of building activities as per sanctioned plans and checking of unauthorized construction activities

In order to monitor the building activities as per the sanctioned. building plans and to ensure checking of unauthorized construction activities within the municipal Limits, the enforcement of the building byelaws and the monitoring of building activities may be strictly carried out by the concerned officials / officers involved for the enforcement of the same. For this purpose, the following instructions may be followed and quarterly report submitted to the Govt. for proper review of this vital aspect concerning the ULBs:

All building works for which permission is required shall be subject to inspection by the enforcement authority of ULB.

- a. The applicant shall permit authorized officers of the concerned appropriate authority to enter the plot for which the building permission has been granted at any reasonable time for the purpose of ensuring development as per sanctioned building plans.
 - b. The applicant shall keep during carrying out of building construction, a copy of the approved plan on the premises where the development is permitted to be carried-out. -
 - c. The applicant shall keep a board at site of development mentioning the area, plot No. etc. Name of owner and name of architect/ engineer/owner/surveyor.
2. Recognized stages for progress certificate and inspection / checking:
- Following shall be the recognized stages in the erection of every building or the execution of every work: -
- I. Excavation
 - II. Construction of foundation
 - III. Plinth
 - IV. First Storey
 - V. Each subsequent stories
 - VI. Completion certificate/occupancy certificate.
3. The execution of construction of Multiplex Buildings, Shopping. Complexes more than 1000 square yards and Group Housing Projects shall be videographed at the recognized stages.
4. Before commencement of the erection or execution of work, the person concerned is to give a notice to the commissioner/EO/MC of the proposed date of commencement of the erection of the building of the execution of the work. Accordingly, it may be ensured that before commencement of the construction, demarcation as per sanctioned plan be given by the ULB to ensure that the set backs, spaces left for parking or otherwise shall be kept intact and excavation will be as per the sanctioned building plan. This shall be authenticated by the MTP/ATP or officer authorized for the purpose. The building inspector concerned shall submit a report on alternate days that the excavation is being done as per demarcation given / sanctioned plan.
5. At the time of laying layout/construction of foundations, the building inspector shall give a certificate that the foundations have been constructed as per the sanctioned plan. The Building Inspector shall submit a report on alternate days, that the construction of - foundations is going on as per the sanctioned plan/demarcation given at site. When the construction reaches up to plinth level, the building inspector shall give a certificate to this effect that the construction has been raised as per the sanctioned plan. This will also be authenticated by the MTP/ATP or officer authorized for the purpose.
6. Thereafter report shall be submitted by the building inspector once a week that the construction is going on as per the sanctioned plan/demarcation given at the site till the first storey is completed. On completion of first storey and each subsequent storey a certificate shall be given by the building inspector that the Construction has been raised as per the sanctioned plan. This will also be authenticated by the MTP/ATP or officer

authorized for the purpose and reported to the enforcement authority.

7. No building shall be allowed to be occupied without obtaining the completion certificate.
8. Since the set backs (sides, rear and front) and parking area of the individual building and FAR are of utmost importance, it may be ensured that no construction against the building byelaws/sanctioned plan is allowed to be raised where set backs and parking area covered or uncovered has not been provided as per the sanctioned plan/building byelaws and where the construction is going to be raised beyond the permissible building envelope; This monitoring be carried out and also supervised by the designated enforcement authority every month.
9. As far as detection of unauthorized building activities taking place in various areas/zones of the city is concerned enforcement staff and the Municipal Town Planners should regularly monitor and supervise their respective areas and as soon as any construction is noticed right in the beginning, it should be dealt in accordance with the provisions of the Municipal Acts. Unauthorized building construction activities should be personally monitored by the MTP's every week and also reviewed at the level of the designated enforcement authority fortnightly.
10. These instructions may be strictly adhered to and the commissioners of the Municipal Corporation / Executive Officers of the Municipalities, may kindly ensure that the enforcement staff is geared up for controlling all kinds of unauthorized construction activities taking place in the ULBs.

C. CHAPTER -IV - SITE, COVERAGE, MINIMUM FRONT SET BACK, HEIGHT AND F.A.R. FOR RESIDENTIAL PLOTTED DEVELOPMENT

4.1 RESIDENTIAL PLOTTED:

1. The existing category of plot area above 500 square yards may be replaced by plot area above 500 square yards to 1000 square yards and a new category above 1000 square yards may be inserted. The norms for these categories will be as under:

Plot Area	Site Coverage	Minimum front setback	Permissible Height	FAR
Above 500 square, yards to 1000	50%	20 feet	50 feet	1:1:50
Above 1000 square yards	40%	20 feet	50 feet	1:1:25

2. Site coverage of plots upto 150 square yards may be increased to 90% in place of 80% (for plots upto 100 square yards) and 75% (for plots above 100 to 150 square yards).
3. Maximum permissible height in all categories of residential plots may be increased to 50 feet in place of 38 feet 6 inches.
4. A note that "Clubbing of plots under single ownership for purpose of constructing one unit with provision of rain water harvesting system & provision of underground water storage tanks to ensure proper water pressure for supply to upper floors will be permissible" may be added to the Notes of 4.1.

4.2 GROUP HOUSING, MULTI-STOREVED BUILDING & APARTMENTS

Group Housing has been separately dealt in chapter X read with Schedule VII (which have been amended as under)

GROUP HOUSING (Chapter X & Schedule — VII):

1. Minimum plot size required for Group Housing may be reduced to 2500 square yards from 3500 square yards.
2. FAR may 'be increased to 1:1.75 (in place of 1:1.35 for sites abutting 40 feet to 60 feet) and 1:2.00 (in place of 1:1.65 for sites abutting roads having width 60 feet and above)

3. Net residential density of Dwelling Units per acre — No restriction.
4. No Restriction of Height subject to Air Safety Regulations, Traffic Circulation, Fire safety Norms. Fire preparedness and Equipments of ULBs.
5. In place of keeping setbacks equal to $1/3^{\text{rd}}$ of the total Height of the building, minimum setbacks may be governed by the following table:

Height (m)	Setback(m)	NOTES:
10	3	(i) Upto a height of 24 m with one setback, the open spaces at the ground level shall not be less than 6 m.
15	5	
18	6	(ii) For heights between 24 m & 37.5 m with one setback, the open spaces at the ground level, shall not be less than 9 m.
21	7	
24	8	(iii) For heights above/37.5 m with two setbacks, the open spaces at the ground level shall not be less than 12 m.
27	9	
30	10	(iv) The deficiency in the open spaces shall be made good to satisfy the above, table through the setbacks at the upper levels; these setbacks shall not be accessible from individual flats/ rooms at these levels.
35	11	
40	12	
45	13	
50	14	
55 & above	16	

6. Number and specification of Stairways shall depend upon the number of users. Minimum one stair of width 1.2 meters shall be provided for 100 users. Thereafter for every additional 15 users, the width of the staircase shall be increased by 0.025 meters until a maximum of 2.75 meters is achieved.

Single staircase of the width mentioned above may be replaced by two staircases each of a width at least equal to two third the width prescribed for a single staircase provided neither of the two substituted staircases shall be less than 1.2 m in width.

Note: For the purpose of above, one Dwelling Unit shall be deemed to be occupied by 4.5 persons.

7. The balconies upto maximum 6 feet (1.8 m) depth shall not be counted towards FAR. In case the depth of the balconies is more than 6 feet (1.8 m), then the remaining area beyond 6 feet (1.8 m) shall be counted towards ground coverage and FAR. (Provided that these will not project into the minimum required open space/setback area)

4.3.3 STAIRCASE

Number and specification of Stairways shall depend upon the number of users. Minimum one stair of width 1.2 meters shall be provided for 100 users. Thereafter for every additional 15 users, the width of the staircase shall be increased by 0.025 meters until a maximum of 2.75 meters is achieved.

Single staircase of the width mentioned above may be replaced by two staircases each of a width at least equal to two third the width prescribed for a single staircase provided neither of the two substituted staircases shall be less than 1.2 m in width.

4.7 PROVISION OF BASEMENT IN BUILDINGS

The following clauses have been amended:

- (ii) The roof level of the basement shall not be less than 3'-6" from the adjoining average ground level for adequate light and ventilation, if used for purpose listed at 4.7(iv).
- (iii) More than one storey basement will be allowed on plots having area more than 750 square yards in place of earlier requirement of plot more than 1000 square yards.
- (ix) In place of, only parking in Basement free of F.A.R, now storage in residential buildings and parking/ services in any building will be free of F.A.R.

D. CHAPTER - V - FIRE PROTECTION, ELECTRICAL INSTALLATIONS, MATERIAL AND STRUCTURAL CONTROLS

The following clause has been added:

5.6 Efficient Use of Energy:

Mandatory use of BIS marked solar water heating systems will be mandatory in the following categories of buildings:

- (i) Industries where hot water is required for processing;
- (ii) Hospitals & nursing Homes including Government Hospitals;
- (iii) Hotels, Motels & Banquet Halls;
- (iv) Group Housing;
- (v) Residential Buildings built on a plot of size 500 square yards & above;
- (vi) All Government Buildings, Residential schools, Educational Colleges, Hostels, Technical / Vocational Education Institutes, District Institutes of Education & Training, Tourism Complexes & Universities etc.

E. MULTIPLEXES (Chapter VIII & Schedule — V):

1. FAR maybe increased to 1:1.75 in place of 1:1.50.
2. No Restriction of Height subject to Air Safety Regulations, Traffic Circulation, Fire safety Norms. Fire preparedness and Equipments of ULBs
3. The front setback shall be 25% of the plot area or as per the following table, whichever is more and the rear and side setbacks shall be minimum 20 feet or as per the following table, whichever is more:

Height (m)	Setback (m)	Notes:
10	3	(i) Upto a height of 24 m with one setback, the open spaces at the ground level shall not be less than 6 m.
15	5	
18	6	(ii) For heights between 24 m & 37.5 m with one setback, the open spaces at the ground level, shall

21	7	not be less than 9 m.
24	8	(iii)For heights above 37.5 m with two setbacks, the
27	9	open spaces at the ground level shall not be less than
30	10	12 m.
35	11	(iv)The deficiency in the open spaces shall be made
40	12	good to satisfy the above table through the setbacks
45	13	at the upper levels; these setbacks shall not be
50	14	accessible from individual flats/rooms at these
55&above	16	levels

4. In place of parking provisions @ 2 ECS (Equivalent car space) for every 80 square yards of built up / covered area under commercial and cinema on all floors of a Multiplex, the parking requirements will be 2 ECS for every 120 square yards of built up area of commercial component and 2 ECS for every 80 square yards of built up area of cinema component.

F. COMMERCIAL (Schedule — I):

1. No Restriction of Height subject to Air Safety Regulations, Traffic Circulation, Fire safety Norms. Fire preparedness and Equipments of ULBs.
2. SETBACKS: For Buildings upto 70 feet 6 inches height — setbacks will be as per the provisions in the existing Building Byelaws.

For Buildings above 70 feet 6 inches height — front setback shall be as per the existing provisions in the Building Byelaws or as per the following table, whichever is more and the rear / side setbacks shall be as per the following table:

Height (m)	Setback (m)	Notes:
21	7	(i) Upto a height of 24 m with one setback, the open spaces at the ground level shall not be less than 6 m.
24	8	
27	9	(ii) For heights between 24 m & 37.5 m with one setback, the open spaces at the ground level, shall not be less than 9 m.
30	10	
35	11	(iii)For heights above 37.5 m with two setbacks, the open

40	12	spaces at the ground level shall not be less than 12 m.
45	13	(iv)The deficiency in the open spaces shall be made good to satisfy the above table through the setbacks at the
50	14	upper levels; these setbacks shall not be accessible
55&above	16	from individual flats/rooms at these levels

3. Parking required will be @ 2 ECS for every 120 square yards of built up area.
4. In Core City area 100% coverage and F.A.R. 1:1.50 shall be allowed for plots up to 50 square yards. However, single depth properties up to plot area 125 square yards can be considered for erection / re- erection of single depth shop / showroom with 100% coverage and F.A.R. 1:1.50.
5. The level of open areas for parking within the site shall be kept at ± 0 level in relation to crown level of the road except for the slopes required for natural drainage of the area subject to the condition that approach ramp would not be permitted in the road portion

G. CHAPTER — XI- MISCELLANEOUS.

1. The following note has been added to clause 10.2 (now 11.2):

Note: The concerned ULB while adopting the Model Building Byelaws will frame the wording of the clause appropriately.

2. The following clauses have been added to chapter — XI:

- 11.3 The provisions of these Building Byelaws shall have effect provided it is not inconsistent with any provisions contained in any other law for the time being in force.
- 11.4 The provisions of these Building Byelaws shall have effect provided it is not inconsistent with any provisions contained in Master Plan notified or to be notified under the PRTPD Act.

After incorporating the above mentioned amendments a set of composite Building Byelaws to be 'called 'Punjab Model Building Byelaws, 2010" has been drafted which is sent herewith for further necessary action. It is advised that the proposed amendments, may be adopted and submitted to the Government for notification, after completing due legal procedure including publication for inviting public objections / suggestions as provided in the Punjab Municipal Corporation Act, 1976 / Punjab Municipal Act, 1911.

For DDRs only:

It is requested that a copy of the above instructions may be sent to Executive Officers of all the Municipal Councils/Nagar Panchayats falling under your jurisdiction with the directions to adopt and submit the same to the Government for notification, after completing due legal procedure including publication for inviting public objections/suggestions as provided in the Punjab Municipal Act, 1911.