

Compliance Report on Business Reform Action Plan 2016: Bihar

Recommendation No.-64- Ensure that the building code/building bye-laws include accreditation programs and clear responsibilities and liabilities for professionals including architects and engineers engaged in the construction process.

Recommendation No.-69- Define mandatory qualifications for architects, structural engineers and contractors

(Ref: <http://urban.bih.nic.in>)

http://urban.bih.nic.in/ Urban Development Depart... X

नगर विकास एवं आवास विभाग

URBAN DEVELOPMENT AND HOUSING DEPT., GOVT. OF BIHAR

Designed and Developed by
NIC Bihar State Centre, Govt. of India

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Mareshwar Hazari
Hon'ble Minister

पटना कारपोरेशन
अपना पटना

Patna Master Plan 2031

नगर सेवा

नागरिक अधिकार-पत्र, बिहार

SECC 2011 ULB LIST

Online Application for Appointment on Contract Basis under BGCMS

RECRUITMENT NOTICE

Online Recruitment of Professionals for City & State Level Mission Management Units for AMRUT | Recruitment of Professionals for City Level Technical Cell for Housing for All in Bihar ^{NEW}

Key Contacts

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Latest updates ...

- Info: SECC 2011 Final List of all ULBs. - 10-02-2016. ^{NEW}
- LN-1306: Regarding formation of Patna Capital Basin Management Committee

Contact Info

- Officers at Head-Quarters, Patna
- Officers at Municipal Corporations
- City Managers
- Municipal Commissioners and Executive Officers
- Executive Engineers (DUDA)
- Chairman (Urban Local Bodies)

Useful Info

- Database of Elected Representatives
- Approval Procedure of Layout/Building Plan
- Empanelled Architects with PMC ^{NEW}
- Guidebook on Application, Approval & Occupancy Procedure under Bihar Building Bye-Laws 2014
- Building Bye-Laws 2014 - In English | In Hindi.**
- Sanctioned Building Plans by PMC
- Monthly Reporting Formats - 1700/27.3.15
- Org. Chart, Functions & List of Schemes



बिहार गजट

असाधारण अंक

बिहार सरकार द्वारा प्रकाशित

9 माघ 1936 (श0)

(सं0 पटना 213) पटना, वृहस्पतिवार, 29 जनवरी 2015

नगर विकास एवं आवास विभाग

अधिसूचना

8 दिसम्बर 2014

सं० 11न०वि०(मा०)-06/2013/577-न०वि० एवं आ०वि०—बिहार नगरपालिका 2007, की धारा-321 और बिहार शहरी आयोजना तथा विकास अधिनियम की धारा-81(2)(ब) के अन्तर्गत प्रदत्त शक्तियों का प्रयोग करते हुए तथा इस विषय पर विद्यमान सभी नियमों का अवक्रमण एवं संशोधन करते हुए बिहार सरकार एतद् द्वारा बिहार भवन उपविधि, 2014 अधिसूचित करती है जो नगरपालिका क्षेत्रों में प्रकाशन की तिथि से लागू होगा एवं आयोजना क्षेत्रों, महानगर क्षेत्र (घोषणा के उपरान्त) के अधीन ग्राम पंचायत क्षेत्रों में इस उपविधि में विहित रीति से लागू होगा।

अध्याय-I

परिभाषाएं

1. संक्षिप्त नाम, विस्तार और प्रारंभ।—(1) यह उपविधि बिहार भवन उपविधि, 2014 कहलाएगी।

(2) यह निम्नलिखित के क्षेत्रों में होनेवाले भवन संबंधी क्रियाकलापों पर लागू होगी :-

- (i) सभी नगर निगमों,
- (ii) सभी नगर परिषदों,
- (iii) सभी नगर पंचायतों,
- (iv) सरकार द्वारा घोषणा किए जाने पर सभी महानगर क्षेत्र (क्षेत्रों),
- (v) सरकार द्वारा इस उप-विधि के कार्यान्वयन की अधिसूचना के बाद सभी आयोजना क्षेत्रों,
- (vi) सरकार द्वारा इस उप-विधि के कार्यान्वयन की अधिसूचना के बाद, बिहार शहरी आयोजना एवं विकास अधिनियम, 2012 के अधीन अधिसूचित संबद्ध विकास योजना/आयोजना प्राधिकारों या किसी योजना स्कीम के अधीन आच्छादित ग्राम पंचायत क्षेत्रों, में होने वाले भवन संबंधी सभी क्रियाकलापों पर लागू होगी।
- (vii) इस उप-विधि के विरोधाभाषी या असंगत सभी विद्यमान नियमावली, विनियमावली, उप-विधि, आदेश इस उप-विधि के उपबंधों की हद तक उपान्तरित हो जाएंगे।

(3) राज्य सरकार स्वयं या आयोजना प्राधिकार या नगर पालिकाओं की अनुशंसा पर कतिपय क्षेत्रों को अधिसूचित कर सकेगी जहाँ यह उप-विधि लागू नहीं होगी।

फारम—XVI
जोखिम सुरक्षा की अपेक्षा के लिए
वचनबंध—प्रमाण—पत्र
उपविधि संख्या—59

सेवा में,

प्रसंग : ग्राम/शहर/नगर की (परियोजना का नाम), सी०एस०सं०/ आर०एस० सं०.....
, वार्ड सं०, ग्राम मुहल्ला/टोला स्कीम सं० का प्रस्ताविक
 कार्य।

1. प्रमाणित किया जाता है कि अनुमोदन के लिए प्रस्तुत भवन योजनाएं भवन उप विधि—59 के अधीन यथानियत सुरक्षा की अपेक्षाओं का समाधान करेगा तथा उसमें दी गई सूचनाएं हमारी सर्वोत्तम जानकारी तथा उसमें दी गई सूचनाएं हमारी सर्वोत्तम जानकारी एवं समझादारी के अनुसार तथ्यात्मक तौर पर सही है।
2. यह भी प्रमाणित किया जाता है कि जोखिमों से सुरक्षा सहित संरचनात्मक डिजाइन मिट्टी की स्थितियों पर आधिरित और उन्हें भवन के डिजाइन में सम्यक रूप से सम्मिलित किया जाएगा तथा निर्माण के दौरान इन उपबंधों का पालन किया जाएगा।

तारीख सहित स्वामी का हस्ताक्षर.....

नाम एवं पता बड़े अक्षरों में

.....

अभिलेख पर संरचना अभियंता का हस्ताक्षर

नाम एवं पता बड़े अक्षरों में

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बिहार—राज्यपाल के आदेश से,
 डॉ० बी० राजेन्द्र,
 सरकार के सचिव।

8 दिसम्बर 2014

सं० 11न०वि०(मा०)—06/2013—577 का निम्नलिखित अनुवाद बिहार राज्यपाल के प्राधिकार से इसके द्वारा प्रकाशित किया जाता है जो भारतीय संविधान के अनुच्छेद—348 के खण्ड (3) के अधीन अंग्रेजी भाषा में उसका प्राधिकृत पाठ समझा जायेगा।

बिहार—राज्यपाल के आदेश से,
 डॉ० बी० राजेन्द्र,
 सरकार के सचिव।

The 8th December 2014

No. 11न०वि०(मा०)—06/2013—578-UD&HD—In exercise of the powers conferred under section-321 of the Bihar Municipal Act, 2007 and section - 81 (2)(w) of the Bihar Urban Planning and Development Act, 2012 and in supersession and modification of the all the existing rules on the subject, the Government of Bihar do here by notify the Bihar Building Bye laws, 2014, which shall be enforceable to all the Municipal Areas, since the date of publication and to Gram Panchayat Areas lying within a Planning Area (s), Metropolitan Area (after declaration) in the manner prescribed in these Bye Laws.

6. Signing the Plans.-(1) All the plans shall be prepared and duly signed by a registered/empanelled technical person as specified in **Annexure-I** (viz. Architect, Engineer, Structural Engineer, Town Planner, Supervisor, Draftsman) and Builder who shall indicate their names, addresses, registration numbers on the body of the plan and in all other relevant documents. The concerned owner of the land shall also sign the plans.

(2) All plans, drawings, statements, design details shall bear the signature of the applicants and shall be duly countersigned by an empanelled Architect/Technical person. All documents and plans related to structural designs shall bear the full name and full signature of a Structural Engineer. Plans and documents related to sanitary arrangements shall bear the full name and full signature of a technical person.

Note: 1. The Empanelled Architect/Technical Person who has prepared the plan shall put the empanelment number/CoA Registration No. and seal on all plans and documents signed by him and shall also furnish a certificate to the effect that he shall supervise the construction of the building and shall be responsible for any deviation from the approved plan except if the Owner/Architect/Technical person intimates that their agreement has been terminated.

2. Wherever required under these bye-laws, the empanelled Structural Engineer, who has prepared the structural design, shall put his seal, and address on all the documents signed by him and shall also furnish a certificate to the effect that he shall supervise the structural part of the construction and shall be responsible for any structural failure except caused by unprecedented natural calamities in Form-IV and except if the owner intimates that his services have been terminated.

3. All aspects related to structural design, building surface, plumbing, electrical installation, sanitary arrangements, fire protection shall adhere to the specification, standards and code of practice recommended in the National Building Code of India, 2005 and any breach thereof shall be deemed to be a breach of the requirements under these Bye laws.

Recommendation No-69:
Define mandatory qualifications for architects, structural engineers and contractors.

(3) The technical personnel and builder as specified in sub-bye law (1) & (2) above shall have to be registered/empanelled with the Authority. Their qualifications and competence shall be as per **Annexure I**. The application form shall be as per **Form-VII A & Form-VII B**.

(4) No plans for construction of apartment building, group housing and commercial building shall be entertained unless the builder is registered by the Authority in accordance with the competence as specified in the Annexure I. However for built up area less than 500 sq.m, registration of builder is not mandatory.

Recommendation No-64:
Ensure that the building code/building bye-laws include accreditation programs and clear responsibilities and liabilities for professionals including architects and engineers engaged in the construction process.

(5) When it comes to the notice of the Planning Authority/ Municipalities/ Urban Local Bodies or any other person that a plan signed by technical personnel or builder referred to under sub-bye law (1) & (2) is in violation of the norms of these byelaws he shall bring this to the notice of the Authority.

(6) The Authority shall issue a notice asking for a show cause within fifteen days as to why such technical personnel or builder shall not be disqualified/ black listed and legal action taken against him. After receipt of the show cause if any, the matter shall be placed before the Concerned Authority for a decision on such disqualification/ black listing /legal action. The decision of the Concerned Authority on disqualification/black listing shall be published in the notice Board of the Authority.

(7) An appeal against an order under sub-clause (6) above shall lie with Municipal Building Tribunal under Section 329 of the Municipal Act or Tribunal constituted under the Act.

7. Fees.-(1) The Authority shall levy the following fees:

(1) Every application for permission for building operation or development shall be accompanied by a building fee as specified in these bye laws.

ANNEXURE-I**QUALIFICATION, EXPERIENCE & COMPETENCE OF TECHNICAL PERSONNEL AND BUILDER****Bye laws-6(1)****(1) ARCHITECT**

A) Qualification & Experience.—The minimum-qualification for an Architect shall be Degree in Architecture/ equivalent, registration with the Council of Architecture and not be in arrears of subscription.

B) Competence.—The Architect shall be competent to carry out the work related to the building permit as given below and shall be entitled to submit:

- i) All plans and information connected with the building permit,
- ii) Certificate of supervision and completion of all buildings,
- iii) Preparation of sub-division/layout plans and related information connected with development permit of area upto 4 hectare.
- iv) Certificate of supervision for development of land of area up to 4 hectare.

Recommendation No-69:
Define mandatory qualifications for architects, structural engineers and contractors.

C) Duties & Responsibilities.—

- i) She/ He shall be responsible for making adequate arrangements to ensure not only that the work is executed as per the approved plans but also in conformity with the stipulations of the National Building Code, 2005 and the BIS standards for safe and sound construction non-hazardous, functioning of the services incorporated in the building and for making adequate provisions for services and equipment for protection from the fire hazards as per the stipulations of the National Building Code, 2005 in the buildings and shall obtain N.o.C. from the Chief Fire Officer or concerned Authority/ before applying for occupation certificate.
- ii) He/She shall, on behalf of the owner, apply for the progress certificates completion certificates and the occupancy certificates and obtain the same as required under the bye laws.

Recommendation No-64:
Ensure that the building code/ building bye-laws include accreditation programs and clear responsibilities and liabilities for professionals including architects and engineers engaged in the construction process.

(2) ENGINEER

A) Qualification and Experience.—The minimum qualification for an Engineer shall be Degree in Civil Engineering/ equivalent, registration with the Institution of Engineers, India and not be in arrears of subscription.

B) Competence.—The Licensed Engineers shall be competent to carry out the work related to the building permit as given below and shall be entitled to submit:

- i) All plans and information connected with building permit.
- ii) Structural details and calculations of buildings on plot up to 500 square meters and up to three storeys structure excluding basement/stilt or below 15 meter in height.
- iii) Certificate of supervision and completion for all buildings.
- iv) Preparation of all service plans and related information.
- v) Issuing certificate of supervision for development of land for all area.

C) Duties & Responsibilities

- i) She/ He shall be responsible for making adequate provisions as per the approved plans but also is inconformity with the stipulations of the National Building Code 2005 and the BIS standards for safe and sound construction non-hazardous, functioning of the services incorporated in the building and for making adequate provisions for services and equipment for protection from the fire hazards as per the stipulations of the National Building Code of India in the buildings and shall obtain N.O.C. from the Chief Fire Officer or concerned Authority/ before applying for occupation certificate.
- ii) She or He shall, on behalf of the owner, apply for the progress certificates completion certificates and the occupancy certificates and obtain the same as required under the bye laws.

D) Registration

- i) The registration fees if any shall be payable as prescribed by the Authority from time to time.
- ii) If he/she is found negligent in his/her duties and responsibilities. The Authority may black-list an Engineer in case of serious defaults or repeated defaults and shall inform the Institution of Engineers, India to take suitable action against such person. The registration shall be liable to be revoked temporarily or permanently by the Authority in such cases of negligence and default.

(3) STRUCTURAL ENGINEER

A) Qualification & Experience.—The minimum qualifications for a structural engineer shall be degree in Civil Engineering/ equivalent, registration with the Institution of Engineers, India and not be in arrears of subscription with minimum 2 years experience in structural engineering practice.

NOTE - The 2 years experience shall be relaxed to one year in the case of Post Graduate degree in Structural Engineering/ higher qualification.

B) Competence.—The licensed structural Engineers shall be competent to submit the structural details and calculations for all buildings and undertake supervision.

In case of buildings having special structural features, as decided by the Authority, which are within the horizontal areas and vertical limits specified in chapter A-2.1.1(b), A-2.2.1(b) and A-2.4.1(a) of NBC 2005 they shall be designed only by structural engineers.

C) Duties and Responsibilities

- i) To prepare a report of the structural design.
- ii) To prepare detailed structural design and to prescribe the method and technique of its execution strictly on the basis of the National Building Code or relevant BIS specifications.
- iii) To prepare detailed structural drawings and specifications for execution indicating thereon, design live loads, safe soil bearing capacity, specifications of material, assumptions made in design, special precautions to be taken by contractor to suit the design assumptions etc. whatever applicable.
- iv) To supply copies of structural drawings to the site supervisor.
- v) To inspect the works at all important stages and certify that the work being executed is up to the satisfaction of the Architect.
- vi) To certify the structural safety and overall structural soundness of the building to the Architect.
- vii) To advise the Owner/Architect/Engineer for arranging for tests and their reports for soil, building material etc. for his evaluation and design consideration.
- viii) To prepare the revised calculations & drawings in case of any revision with reference to the earlier submission of drawing and design in a particular case.
- ix) To submit the certificate of structural safety and over all structural soundness of building to Authority.
- x) In case of multistoried buildings and buildings of a special nature as identified by the Authority from time to time, the Structural Calculations/ Drawings shall be got vetted by Indian Institute of Technology/National Institute of Technology or any organization empanelled by the State Disaster Management Authority or the Building Construction Department.

D) Registration

- i) The registration fees if any shall be payable as prescribed by the Authority from time to time.
- ii) If he/she is found negligent in his/her duties and responsibilities. The Authority may black-list a Structural Engineer in case of serious defaults or repeated defaults and shall inform the Institution of Engineers, India to take

suitable action against such person. The registration shall be liable to be revoked temporarily or permanently by the Authority in such cases of negligence and default

(4) TOWN PLANNER

- A) **Qualification & Experience.**—The minimum qualification for a town planner shall be recognized Post Graduate Degree/ Diploma in Town Planning/ Undergraduate Degree in Town Planning and registered membership of ITPI and not be in arrears of subscription.
- B) **Competence.**—The licensed town planner shall be entitled to submit:
- i) All plans and related information connected with development of land of all areas including integrated township.
 - ii) Certificate of supervision for development of land of all areas.
- C) **Duties and Responsibilities**—He/She shall be responsible for making adequate arrangements to ensure not only that the work is executed as per the approved plans but also in conformity with the stipulations of the National Building Code, 2005 and the BIS standards for safe and sound construction non-hazardous, functioning of the services incorporated in the building and for making adequate provisions for services and equipment for protection from the fire hazards as per the stipulations of the National Building Code of India 2005.
- D) **Registration**
- i) The registration fee if any shall be payable as prescribed by the Authority from time to time.
 - ii) The Authority may black list a Town Planner in case of serious defaults or repeated defaults and shall inform the Institute of Town planners, India. The registration shall be liable to be revoked temporarily or permanently by the Authority in such case of negligence or default.

(5) SUPERVISOR

- A) **Qualification and Experience**—The minimum qualifications for a supervisor shall be recognized Diploma in Civil or Architecture, or Draftsmanship in Civil or Architectural Assistantship plus 5 years experience in building design, construction and supervision.
- B) **Competence.**—The licensed supervisor shall be entitled to submit:
- i) All plans and related information connected with building permit for residential buildings on plot up to 100 sq. m. and up to two storeys,
 - ii) Certificate of supervision for buildings as per (i).
- C) **Duties and Responsibilities**
- i) To adhere strictly to the architectural and structural drawings/ specifications and written instructions of the structural Engineer and Architect/ Engineer.
 - ii) To follow the provisions of NBC, 2005 or BIS specifications as regards materials, components, quality control and the process of construction.
 - iii) To bring to the notice of the structural Engineer and Architect/Engineer/any situation or circumstances which in his opinion are liable to endanger the safety of structure.
 - iv) To deposit with the Authority one set of working drawings of the works executed along with the progress certificates before proceeding to the next stage of the work.
 - v) He shall be in charge of site and responsible for supervision of the work.
 - vi) He shall ensure that all the works under his charge are carried out in conformity with the approved drawings and as per the details and specifications supplied by the Architect/Engineer.
 - vii) He shall take adequate measures to ensure that no damage is caused to the work under construction and the adjoining properties.
 - viii) He shall also ensure that no undue inconvenience is caused in the course of his work in the people in neighborhood.

D) Registration

- i) The registration fees if any shall be payable as prescribed by the Authority from time to time.
- ii) If he/she is found negligent in his/her duties and responsibilities. The Authority may blacklist supervisor in case of serious defaults or repeated defaults. The registration shall be liable to be revoked temporarily or permanently by the Authority in such cases of negligence and default

(6) GROUP AGENCY

- i) When any Group or Agency comprising of qualified Architect/ Engineer/Town Planner is practicing, then the qualifications and experience, competence, duties and responsibilities and registration will be the combination of individual qualification and experience, competence, duties & responsibilities and registration as provided in Schedule 1 to 5.
- ii) The Authority may also empanel public undertakings/agencies engaged in development work for quick execution of Government/Private projects within its jurisdiction.

(7) BUILDER**A) Qualification**

- i) A person/ firm engaged in construction activities/ building activities in an urban area.
- ii) A person or group of persons having qualification of Civil Engineering, Architecture and Town Planning.
- iii) The Authority may classify the builders into different categories considering their experience, expertise and annual turnover.
Separate Guidelines for eligibility, criteria and classification of builder will be issued by the Urban Development and Housing Department.

B) Duties and Responsibilities of Builders

- i) He/she shall appoint a qualified Architect/ Engineer/ Town Planner to prepare plans, designs, drawings and specifications for execution of the works in accordance with the requirements of these bye laws.
- ii) He shall not cause or allow any deviations from the approved drawings in the course of the execution of the project and shall bear responsibility for any irregularity committed in the use and function of the building or its parts for which the approval has been obtained.
- iii) He shall not commence the use of building or shall not give the possession to occupy the building to any one before obtaining the occupancy certificate from the Authority.
- iv) He shall provide adequate safety measures for structural stability and protection against fire hazards likely from installation of services like electrical installation, plumbing, drainage, sanitation, water supply etc. wherever required under the bye laws.
- v) He shall submit the completion certificate and obtain occupancy permission from the authority.
- vi) He shall explain the construction / design and its intended use as per approved plan, to the prospective purchaser of the premises under construction.

C) REGISTRATION

- i) The builders shall have to be registered with the Authority on payment of such fees as decided by the Authority from time to time.
- ii) The Authority may debar or black list the builder as referred to in the Bye laws.

FORM-VII A

FOR EMPANELMENT OF TECHNICAL PERSON (ARCHITECT, ENGINEER, STRUCTURAL ENGINEER, TOWN PLANNER, SUPERVISOR)

BYE LAWS NO.-6(3)

Recommendation No-64:
Ensure that the building code/ building bye-laws include accreditation programs and clear responsibilities and liabilities for professionals including architects and engineers engaged in the construction process.

Self-Attested passport size photo of the applicant

Recommendation No-69:
Define mandatory qualifications for architects, structural engineers and contractors.

1. Name.....
(In block letters)
2. Father's/Husband's Name.....
3. Date of Birth..... 4. Nationality.....
5. Educational Qualification.....
6. Professional Experience.....
7. Registration No. With Council of Architecture, New Delhi.....
8. Registration with other relevant Institutions/ULBs.....
9. Details of other Academic & Professional Achievements.....
10. Details of Certificates relating to qualifications/ testimonials, if any as per column 5 & 6 with self attested copies.....
11. Details of Bank Draft/Postal Order (separately for empanelment Rs. 500/.....
12. Permanent Address-.....
13. Address for Correspondence-.....
14. Tel. No./Mob. No. -
15. Email id -

DECLARATION

I hereby solemnly affirm and declare that the information as furnished above are true and correct to the best of my knowledge and belief. I further undertake that if any information at any stage shall be found to be false, my empanelment shall be liable to be cancelled without any prior notice in that regard and I shall not claim any compensation etc. for such a default on my part. In case of any discrepancies found later, I shall be liable for punishment under the relevant provisions of law as also under Municipal Act and the Act.

Place.....

Date.....

Name and Signature of the Applicant

FORM-VII B

FOR REGISTRATION OF BUILDER

BYE LAWS NO.-6(3)

Self-Attested
passport size
photo of the
applicant

To,
The Authority

.....
.....

Recommendation
No-64:
Ensure that the
building code/
building bye-laws
include accreditation
programs and clear
responsibilities and
liabilities for
professionals
including architects
and engineers
engaged in the
construction
process.

1. Name of the Firm
2. Type of Firm-(Partnership/Company)
3. Name of Partners/Directors.....
(In block letters)
4. Father's/Husband's Name.....
5. Date of Birth..... 6. Nationality.....
7. Registration No.....
8. PAN / DIN.....
9. Sales Tax No.....
10. VAT No.....
11. Income Tax Statement of Last Three Consecutive Financial Year.....
12. Category applied for.....
13. Details of fee.....
14. Permanent Address-.....
15. Address for Correspondence-.....
16. Tel. No./Mob. No.....
17. Email id -

DECLARATION

I hereby solemnly affirm and declare that the information as furnished above are true and correct to the best of my knowledge and belief. I/we have not been barred for building construction activities by any competent authority and further undertake that if any information at any stage shall be found to be false, my registration shall be liable to be cancelled without any prior notice in that regard and I shall not claim any compensation etc. for such a default on my part. In case of any discrepancies found later, I shall be liable for punishment under the relevant provisions of law as also under Municipal Act and the Act.

Place.....

Date.....

Name and Signature of the Applicant