

Compliance Report on Business Reform Action Plan 2016: Bihar

Recommendation No.-70-Implement a system to allow approval based on third party certification (during construction and/or completion stage, as applicable) of structural design and architectural drawings by authorized structural engineers and architects respectively across all ULBs and IDCs

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

The screenshot shows the website of the Urban Development Department, Government of Bihar. The header includes the text 'नगर विकास एवं आवास विभाग' (Urban Development and Housing Dept., Govt. of Bihar) and 'URBAN DEVELOPMENT AND HOUSING DEPT., GOVT. OF BIHAR'. The address is 'Vikas Bhawan, Bailey Road, Patna - 800 001.' The page is designed and developed by NIC Bihar State Centre, Govt. of India.

The main content area features a 'RECRUITMENT NOTICE' for 'Online Recruitment of Professionals for City & State Level Mission Management Units for AMRUT' and 'Recruitment of Professionals for City Level Technical Cell for Housing for All in Bihar'. It also includes a 'Key Contacts' section listing several officials and their contact details.

The sidebar on the left contains a 'Site Index' with links to Home, Acts & Rules, Circulars/Sankalp, Notifications, Allotments, Office Orders, Transfers, Proceedings, Admin Approvals, Tender Status, TA/TS Status, Monthly Review Note, Urban Plan Docs, Best Practices, Notice Board, Scheme Guidelines, Citizen Charter, and Asset Declaration. It also shows 'Total Visits: 983953' and the website 'www.india.gov.in'.

The right sidebar contains 'Latest updates ...' with two items: 'Info: SECC 2011 Final List of all ULBs - 10-02-2016, NEW' and 'LN-1306: Regarding formation of Patna Capital Region Management Committee'. Below this is 'Contact Info' listing officers at Head-Quarters, Patna, Officers at Municipal Corporations, City Managers, Municipal Commissioners and Executive Officers, Executive Engineers (DUDA), and Chairman (Urban Local Bodies). The 'Useful Info' section includes links to a Database of Elected Representatives, Approval Procedure of Layout/Building Plan, Empanelled Architects with PMC, Guidebook on Application, Approval & Occupancy Procedure under Bihar Building Bye-Laws, 2014, Building Bye-Laws 2014 - In English | In Hindi (circled in red), Sanctioned Building Plans by PMC, Monthly Reporting Formats - 1700/27.3.15, and 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

.....
.....
.....

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.

- (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.

- (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.

Recommendation No-70:
Implement a system to allow approval based on third party certification (during construction and/or completion stage, as applicable) of structural design and architectural drawings by authorized structural engineers and architects respectively across all ULBs and IDCs .

FORM-II

BUILDING PLAN APPLICATION FORM

BYE LAWS NO.-5(4)

Application No.....

**APPLICATION FOR PERMISSION TO ERECT, REERECT, DEMOLISH OR TO
MAKE ANY ADDITIONS OR ALTERATION IN A BUILDING**

From:
Name and Address
(in Block letters)

For Office use only
Regd. No.

.....
.....
.....
.....

Signature of Authorised Person

Tel No/ Mobile No.....

Email Id

To

.....
.....
.....
.....

Madam/Sir

I/We hereby apply for permission to erect, re-erect, demolish or to make additions or alteration in any place in a building and carry out:-

- a) Construction ofstorey (Stories) building.
- b) Re-construction of an existing building
- c) Alteration/addition to the existing building;
- d) Revalidation/renewal of plan for construction of all..... storied building;
- e) Demolition
- f)(if any other please specify).

In respect of Plot No (CS).....Plot No (MSP)..... Khata No..... Holding No.
..... Village/Mohalla...../Ward No.....of..... Municipal Corporations/
Municipal Council/ Nagar Panchayats/ Metropolitan area/ Planning Area
under.....Planning Authority/ Gram Panchayat areas covered under.....
Development Plan/ Planning Authority/ or Planning Scheme notified under Bihar Urban Planning
and Development Act 2012, the said land shall be used for..... purpose.

I/We do enclose herewith the following plans (4 copies in case of privately owned plots/ 8 copies in case of Govt. leased Govt. plots) and specifications duly signed by me and Town Planner /Architect /Engineer /Supervisor /Group agency.....bearing Regd.No..... License/Empanelment No..... who has/have prepared the plans, designs etc. and who will supervise the developments. The parameters and checklist prepared by the Technical person is enclosed.

I/We the owner(s) of every part of the land/building to which this application relates, requests, permission for the above building plan may kindly be accorded.

Documents furnished.

1. Four/Eight sets of the building Plan:	Yes/No/Not applicable
2. Ownership document:	Yes/No/Not applicable
3. Supervision certificate in form-V:	Yes/No/Not applicable
4. Affidavit for peaceful possession of the land:	Yes/No/Not applicable
5. Structural stability certificate:	Yes/No/Not applicable
6. NOC from lessee in case of lease hold:	Yes/No/Not applicable
7. NOC from Fire Authority:	Yes/No/Not applicable
8. NOC from Airport Authority:	Yes/No/Not applicable
9. Environmental clearance:	Yes/No/Not applicable
10. Details of Fee	Yes/No/Not applicable
11. Checklist of the proposed building:	Yes/No/Not applicable
12. any other certificate/NOC (Please specify):	Yes/No/Not applicable.

Place:

Signature of Owner(s)

Date-

Name of Owner(s)

Recommendation No-70:
Implement a system to allow approval based on third party certification (during construction and/or completion stage, as applicable) of structural design and architectural drawings by authorized structural engineers and architects respectively across all ULBs and IDCs .

FORM-III

CERTIFICATE FOR EXECUTION OF WORK AS PER STRUCTURAL SAFETY REQUIREMENTS

BYE LAWS NO.-5(6) (VII)

From

.....

(Name and address of the applicant in block letters)

TO

.....

Recommendation No-70:
 Implement a system to allow approval based on third party certification (during construction and/or completion stage, as applicable) of structural design and architectural drawings by authorized structural engineers and architects respectively across all ULBs and IDCs .

With respect to the building work of erection, re-erection or for making alteration in the..... Khata No.building on in with respect of Plot No (CS).....Plot No (MSP)..... Khata No..... Holding No. Village/Mohalla...../Ward No.....of..... Municipal Corporations/ Municipal Council/ Nagar Panchayats/ Metropolitan area/ Planning Area under.....Planning Authority/ Gram Panchayat areas covered under.....Development Plan/ Planning Authority/ or Planning Scheme notified under Bihar Urban Planning and Development Act 2012 within the development plan area of within the Development Plan Area of I certify;

1. that the building has been constructed according to the sanctioned plan and structural design(copy of the drawings as executed enclosed),which incorporates the provisions of structural safety norms as specified in Part- 6 (Structural Design) of the National Building Code of India, 2005 and other relevant codes; and the design complies with the Earthquake Safety requirements as stipulated in the बिहार में, भूकम्पीय खतरों से न्यूनीकरण के लिये, भवनों के निरूपण एवं निर्माण का परिपत्र, बिहार राज्य आपदा प्रबंधन प्राधिकरण, पत्रांक-10/विविध/ अप०प्र०प्रा०-13/2011-2253/ आ०प्र०, बिहार सरकार, बिहार राज्य आपदा प्रबंधन प्राधिकरण (आपदा प्रबंधन विभाग) as in Appendix A.
2. That the construction has been done under my supervision and guidance and adheres to the drawings and specifications submitted and records of supervision have been maintained.

Any subsequent changes from the completion drawings shall be the responsibility of the owner

Signature of owner
 With date

Name and Signature of competent Technical Person
 with Registration No. and date---

Address:

FORM-IV

CERTIFICATE FOR STRUCTURAL STABILITY**BYE LAWS NO.-5(6) (viii) & 6(2) Note-2**

With respect to the building work of erection, re-erection or for making alteration with respect of Plot No (CS).....Plot No (MSP)..... Khata No..... Holding No. Village/Mohalla...../Ward No.....of..... Municipal Corporations/ Municipal Council/ Nagar Panchayats/ Metropolitan area/ Planning Area under.....Planning Authority/ Gram Panchayat areas covered under.....Development Plan/ Planning Authorities/ or Planning Scheme notified under Bihar Urban Planning and Development Act 2012 within the development plan area of....., I certify that the structural plans and details of the building submitted for approval satisfy the structural safety requirements for all situations including natural disasters like cyclone & earth quake etc., as applicable under the Byelaws and stipulated under Part- 6 (Structural Design) of the National Building Code of India, 2005 and other relevant codes; and the information given therein is factually correct to the best of my knowledge. I undertake responsibility with regard to supervision of the work at each stage of construction,(after laying of foundation &after casting of each floor) and submission of Periodic Progress Report to.....Authority regularly to the effect that the building is being constructed conforming to the approved plan and as per the structural plan prepared by me. I, will be responsible and liable for action by..... Authority/Government, if the plan/design contain misrepresentation or fraudulent information and the construction is made in deviation of approved plan or if there is any structural failure due to wrong /unsafe structural design, use of low quality material and/or poor workmanship endangering the in-mates/public.

Attached: Design Basis Report

Signature of owner
with Date

Name:

Address:

.....
.....
.....

Signature of the Registered
Engineer/Structural Engineer with
Date and Registration No.

Recommendation No-70:
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FORM-V

FORM FOR SUPERVISION

BYE LAWS NO.-5(6)(ix)

I hereby certify that the development/ erection/ re-erection/ demolition or material alteration in / of the building in respect of Plot No (CS).....Plot No (MSP)..... Khata No..... Holding No. Village/Mohalla...../Ward No.....of..... Municipal Corporations/ Municipal Council/ Nagar Panchayats/ Metropolitan area/ Planning Area under various Planning Authority/ Gram Panchayat areas covered under Development Plan/ Planning Authorities/ or Planning Scheme notified under Bihar Urban Planning and Development Act 2012 shall be carried out under my supervision and I certify that all the materials (type and grade) and the workmanship of the work shall be generally in accordance with the general and detailed specifications submitted along with and that the work shall be carried out according to the sanctioned plans.

Signature of Empanelled Technical Person

Name of the Technical Person with registration number.

Address.....
.....
.....

Date:

<p>Recommendation No-70: Implement a system to allow approval based on third party certification (during construction and/or completion stage, as applicable) of structural design and architectural drawings by authorized structural engineers and architects respectively across all ULBs and IDCs</p>

FORM VI**CHECK LIST**

BYE LAWS NO.-5(6) (x)

1. Name of the Applicant:
2. Name of the Owner:
3. Name of the Builder/Developer and Name of the Project:
4. Ownership documents: Established/Non established
5. Land Area

As per Document	As per Building Plan	As per Possession

6. Tenancy:- Lease hold/Free hold.

If lease hold:

- (i) Name of Lesser:
- (ii) Purpose of Lease:
- (iii) Duration of Lease:

7. Existing off site Physical Infrastructure:

- a) Road
- b) Sewerage
- c) Drainage
- d) Water facility
- e) Availability of drain
- f) Telephone
- g) Electricity

8. **Nature of Construction:** New
Construction/Reconstruction/Addition/Alteration

9. (i) Amount of fee deposited
- (ii) Covered area on all floors

- 10.

Use applied	Prescribed Land use in the development plan (if any)	Whether permissible/not permissible/special consideration

11. (i) Whether first permission/Revised permission/Revalidation.....

- (ii) No of floor(s).....

12. Contents of Building Plan:

- (i) Site Plan
- (ii) Lay out plan
- (iii) All floor plan
- (iv) Elevations Front/Rear/Right/Left/Cross section
- (v) Plan of foundation
- (vi) Septic tank and Soak pit
- (vii) Recharging pit & Rain Water harvesting Plan
- (viii) Drain Section

- (ix) Area statement
- (x) Schedule of doors and windows

13. Approach road:-

- (i) Nature of road
- (ii) Width of road:-

As per site /key plan	Site inspection report

- (iii) Whether the approach road as shown connected to an existing public road in the site plan.....
- (iv) Whether such connection is available in settlement sheets or Cadastral Map : Yes/No
- (v) If private , whether
 - a) transferred to the Authority: Yes/No
 - b) indicated in the final settlement plan: Yes/No
 - c) mentioned in the ownership document: Yes/No

14. Whether the plot is affected by proposed road/proposed drain/ proposed lake/any other public use.....

15. Whether the plot is within 100 meter/100-300 meter of State/A.S.I. protected monuments.....

Whether the plot is within 200 meter radius of important buildings (i.e. Governor House, High Court, State Secretariat, Legislative Assembly)

16. Building Parameters:

Category	Requirement as per norm	Approved building plan	Proposal	Remarks
1	2	3	4	5
Basement/stiltsqmt				
1st floorsqmt				
2 nd floorsqmt				
3 rd floorsqmt				
4 th floorsqmt				
Other Floors				
Society room				
Front set back				
Rear set back				
Left/Right side set back				
FAR				
Parking				
Height				
No. of dwelling unit				
Population density				
No. of staircase				
No. of lift				
Recharging pit				
Fee deposited				
Any other item				

Exemptions (i) height (ii) setback (iii) FAR				
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17. Whether falls in the Airport funnel zone.....
18. Provision of proposed on site physical infrastructure
 (i) Water Supply:-
 (ii) Sewerage:-
 (iii) Drainage:-
 (iv) Electrical Installation:-
19. Clearance/Certificate produced:
 (i) General Affidavit:-
 (ii) Structural Stability Certificate:-
 (iii) Form of Supervision:-
 (iv) NOC from Fire Authority:-
 (v) Undertakings with regard to quality construction/Water supply/Sewerage/Drainage/Waste disposal/firefighting (wherever applicable)

Any other (specify)

N:B: (RS: Required and Submitted, RNS: Required not Submitted, NR: Not Required)

20. Involvement of Technical Person & Builder:

(i) Architect/Engineer: -

Name:-CoANo

(for Architect)

Empanelment No:

(ii) Engineer/Structural Engineer:-

Name:

Empanelment No:

(iii) Builder:

(iv) Any other:

Name: Empanelment No:

Name-

Signature of Technical Person.

Recommendation No-70:
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FORM-XI

PERIODIC PROGRESS REPORT

(To be submitted by the Empanelled Structural Engineer/ Architect/Engineer)

BYE LAWS NO.-12, 13

From

To

Ref Authority approval letter No..... Dated.....

Recommendation No-70: Implement a system to allow approval based on third party certification (during construction and/or completion stage, as applicable) of structural design and architectural drawings by authorized structural engineers and architects respectively across all ULBs and IDCs

Madam/ Sir,

I/We hereby certify that the construction of the building up to plinth level/ground floor roof slab level/first floor roof slab level/second floor roof slab level/.....of the building with respect of Plot No (CS)..... Plot No (MSP)..... Khata No..... Holding No. Village.....Mohalla...../ Ward No.....of.....Municipal Corporations/ Municipal Council/ Nagar Panchayats/ Metropolitan area/ Planning Area under.....Planning Authority/ Gram Panchayat areas covered under.....Development Plan/ Planning Authorities/ or Planning Scheme notified under Bihar Urban Planning and Development Act 2012 within the development plan area of....., has been supervised by me/us and has been constructed strictly conforming to the sanctioned plan and structural design as per the provision of NBC, 2005. The work has been done to my/our best satisfaction. All the materials used in construction of this building are strictly in accordance with BIS/ISI specifications and norms conforming to National Building Code, 2005 covering all the safety factors including earthquake and cyclone. I/we will be responsible and liable for action by..... Authority/Govt. if there is any structural failure and fire endangering the inmates and public.

Yours faithfully
 Signature of the Architect/Engineer
 Name
 Empanelment No.
 Signature of Structural Engineer
 Name
 Empanelment No.

Name & Signature of Owner/Applicant