

Compliance Report on Business Reform Action Plan 2016: Bihar

Recommendation No. 63-Ensure that the building code/building bye-laws include provisions for risk-based classification of buildings.

The Bihar Building Bye-laws 2014 classifies all kinds of building into 11 categories basis the nature and use of the buildings. The use of building which in turn relates to the number of human life associated with it determines the level of risk associated with the building. The various 11 categories of buildings are as follow:

- i. Assembly Building,
- ii. Commercial Building,
- iii. Educational Building,
- iv. Hazardous Building,
- v. Industrial Building,
- vi. Institutional Building,
- vii. Mercantile Buildings,
- viii. Residential Building,
- ix. Public Utility Building,
- x. Storage Building and
- xi. Multi-Level Car Parking Building.

Furthermore buildings have been classified in three categories depending on their height.

1. Up to 10 m height
2. Up to 15 m height
3. More than 15 m height

This classification is also based on the amount of risk associated with the building. As per the building bye-laws various additional measures are stipulated in case of buildings with more than 15 m of height. Such buildings have to take NOCs from fire authority and airport authority for construction. As per the Article 16 (7) of the bye-laws, multi storied building (residential buildings greater than 15m in height) and other special building like educational, assembly, institutional, industrial, storage and hazardous and mixed occupancies with ground covered area more than 500 sq.mtr., periodic inspection is required by the authority.

The various provisions on account of the risk associated to the building based on their height as mentioned in the Bihar Building Bye-laws-2014 are as follow:

- (9) "Apartment" means a part of the property, provided by the promoter/developer in a multi-storied building intended for any type of independent use, including one or more rooms or enclosed spaces located on one or more floors or any part for the practice of any profession or for the carrying on of any occupation, trade or for business or such other type of independent use as may be prescribed, and with a direct exit to a public street, road or highway or to a Common area or room (whether or not adjacent to the multi-storied building in which such Apartment is located) Provided by the promoter for use by the owner of such Apartment for parking any vehicle or as the case may be for the residence of any domestic aide employed in such an Apartment.
- (10) "Addition/ Alteration" means structural change, such as addition to the covered area or height or the removal of part of a building or construction or cutting into or removal of any wall, partition, column, beam, joist, floor or other support, or a change to the fixture of equipment of the building;
- (11) "Applicant" means the person who is the owner of the land or building or has title to a land or building and includes :
- A. A trustee who is entrusted with or is concerned with any building;
 - B. 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; and
 - C. a mortgagee in possession;
- (12) "Art Commission" means The Bihar Urban Arts and Heritage Commission constituted under Section 77 of the Bihar Urban Planning and Development Act 2012;
- (13) "Authority" means the Designated Officer of the respective Planning Authority. In case of areas not covered under the Planning Authority, it shall be the Chief Municipal Officer of the respective Municipalities;
- (14) "Balcony" means a projection to serve as passage or sit out place including a hand rail or balustrade;
- (15) "Barsati" means a covered space of the roof used as a shelter during rain. It will have at least one side open and will not cover more than 20 % of the area of the roof and in no case such covered area will not exceed more than 20 sq m. Barsati shall be a common area of the building and shall not be sold out as a separate unit. In case construction is made in violation of the norms mentioned the barsati shall be treated and accounted for as a separate floor under these byelaws.
- (16) "Basement or cellar" means lower storeys of a building, below or partly below the ground level;
- (17) "Builder" means an applicant, land owner, contractor, holder of power of attorney of the land owner, partnership, trust or company which has responsibility for construction, leasing, selling or disposing otherwise of a building for residential and other purposes and duly registered by the Authority;
- (18) **"Building" means any structure or erection or part of a structure or erection which is intended to be used for residential, commercial, industrial or any other purpose whether in actual use or not, and in particular. The building shall be classified as below :**
- A. "Assembly Building" refers to a building or part of a building where group of people congregate or gather for amusement, recreation, social, religious, patriotic and similar purposes and includes theaters, assembly halls, auditoria, exhibition halls, museum, skating rinks, gymnasium, dance hall, clubrooms recreation piers and stadia;

- B. "Commercial Building" refers to a building or part of a building, which is used for transaction of business, keeping of accounts and records or for similar purposes and includes Banks and Commercial Offices and Corporate offices. It shall include mercantile buildings like shops, stores, market display and sale of merchandise either in wholesale or retail, or offices, storage or services facilities incidental to the sale of merchandise and includes Cinema Halls, Petrol Pumps, Hotels, Restaurants, Clinics, Pathology Labs, Nursing Homes, Lodge-cum-guesthouses & Dharma Kantas, etc.;
- C. "Educational Building" refers to a building used for school, college or daycare purpose for more than 8 hours per week involving assembly, instructions, education or recreation;
- D. "Hazardous Building" refers to a building or part of a building which is used for the storage, handling, manufacture or processing of highly combustible or explosive materials or products which are liable to burn with extreme rapidity and/or producing poisonous fumes, or the storage, handling, manufacturing or processing of which involves highly corrosive, toxic, obnoxious alkalis, acids or other liquids, gases or chemicals, producing flame, fumes and explosion, poisonous irritant or corrosive gasses and for the storage, handling or processing of any material producing explosive mixture of dust or which result in the division of matter into fine particles subject to spontaneous ignition. This shall include petrol filling stations;
- E. "Industrial Building" refers to a building or part of a building in which products or materials of all kind and properties are fabricated, assembled or processed such as assembly plants, laboratories, power plants, smoke houses, refineries, gas plants, mills, dairies or factories;
- F. "Institutional Building" refers to a building or part of a building which is used for purposes such as Research and Training Centre, Public/Semi Public offices, Hospitals, Dispensaries and Health Centers;
- G. Mercantile Buildings. - These shall include any building or part of a building which is used as shops, stores, market, for display and sale of merchandise, either wholesale or retail, office, stores, and service facilities incidental to the sale of merchandise and located in the same building shall be included under this group.
- H. Residential Building" refers to a building in which sleeping accommodation is provided for normal residential purpose with or without cooking or dining or both facilities and includes one or two or multi-family dwelling dormitories, apartment houses, flats and hostels;
- I. "Public Utility Building" means and includes Post Office, Police Station, Fire Station, Hospital, Dispensary, and Telephone Exchange, sub-station, water works, Taxi Stands, Bus Terminals, etc.;
- J. "Storage Building" refers to a building or part of building used primarily for the storage or sheltering of goods, storehouses, hangers, terminal depot, grain elevators, barn or stables;
- K. "Multi-Level Car Parking Building" means a building partly below ground level having two or more basements or above ground level, primarily to be used for parking of cars, scooters or any other type of light motorized vehicles;

materials and size and locations of doors, windows and other openings. The section shall indicate the heights of building and rooms and also the height of the parapet and the drainage and slope of the roof. At least one section should be taken through the staircase;

- (f) Show all street elevations (levels), finished ground level;
 - (g) Indicate details of compound walls (including height and sections) around the boundary;
 - (h) give dimensions of the permissible projected portions within open spaces;
 - (i) rain water harvesting system, terrace plan indicating the drainage and the slope of the roof;
 - (j) give indications of the north point relative to the plan and scale used; and
 - (k) any other particulars as desired by the Authority.
- (iii) **Services Plan-** Plans, elevations and sections of private water supply and sewerage disposal system independent of the municipal services (if any) drawn to a scale of 1:10 shall be included.
- (iv) **Specifications-** General specification giving type and grade of materials to be used shall accompany the application.
- (v) **Ownership Title-** Every application for building permit shall be accompanied by the following for verifying proof of ownership.
- (a) Attested copy of the original sale/lease deed, and
 - (b) Attested copy of the Revenue Survey sheet/Municipal Survey sheet with Khesra no. or mutation record.
- (5) **Building Plan for Multi-storied/special buildings:** For all multistoried buildings which are 15 m. or more in height and for special buildings like educational, assembly, institutional, industrial, storage, shopping complex and multiplex and hazardous and mixed occupancies with any of the aforesaid occupancies having ground covered area more than 500 sq.m. The following additional information shall be furnished/indicated in the building plan in addition to the items given in (4) as applicable:
- (a) Access to fire appliances/vehicles with details of vehicular turning circle and clear motorable access way around the buildings;
 - (b) Size (width) of main and alternative staircases along with balcony approach, corridor, ventilated lobby approach;
 - (c) Location and details of lift enclosures;
 - (d) Location and size of fire lift;
 - (e) Smoke stop lobby/door, where provided;
 - (f) Refuse chutes, refuse chamber, service duct, etc;
 - (g) Vehicular parking space, parking space for fire brigade and ambulance;
 - (h) Details of how the fire brigade/ ambulance will travel within the plot;
 - (i) Refuse area, if any;
 - (j) Details of building services- Air-conditioning system with position of fire dampers, mechanical ventilation system, electrical services, boilers, gas pipes, etc;
 - (k) Detail of exits including provision of ramps, etc., for hospitals and special risk buildings/uses ;
 - (l) Location of generator, transformer and switch gear room;
 - (m) Smoke exhauster system, if any;
 - (n) Details of fire alarm system network;
 - (o) Location of centralized control, connecting all fire alarm systems built-in-fire protection arrangements and public address system, etc.;
 - (p) Location and dimension of static water storage tank and pump room along with fire service inlets for mobile pump and water storage tank;

- (q) Location and details of fixed fire protection installations, such as sprinklers, wet risers, hose-reels, drenchers, etc; and
- (r) Location and details of first-aid firefighting equipment/ installations.
- (s) longitudinal cross section of the building including size of footings, basement and super structure framing members and details of building and room heights and of staircase.
- (i) **Services plans:** The services plan shall include all details of building and plumbing services, and also plans, elevations and sections of private water supply, sewage disposal system and rain water harvesting system.
- (ii) **Landscape Plan:** The landscape plan shall include the area to be developed as lawn, garden, plantation etc.
- (iii) **Specifications:** Specifications, both general and detailed, giving type and grade of materials to be used duly signed by the registered architect, engineer, structural engineer shall accompany the notice.
- (6) **Certificates/Clearances:**
- (i) Attested copy of original sale/ lease deed, attested copy of the revenue receipt/ municipal holding tax receipt/ holding number and mutation records.
- (ii) In case the applicant is a trust, group of persons, partnership or a company, a registered agreement between the holder of the right, title and interest and the applicant, valid under the Transfer of Properties Act, 1982 and Copies of the Agreement/ Article of Association/ Memorandum/ Bye-laws.
- (iii) No Objection Certificate from the Bihar State Housing Board / any Regional Development Authority, for the additional constructions, in case the house/ plot is delivered by the Board / Authority.
- (iv) Necessary environmental clearance from the appropriate authority wherever applicable. [refer to provisions laid down in the Environmental Impact Assessment Notification-2006 dated 14 September 2006, amended by subsequent notifications by Ministry of Environment and Forest, Government of India. The Department of Environment and Forest, Government of Bihar may also prescribe norms for environment clearance.
- (v) **For all buildings with a height of 15.0 meters and above or ground coverage more than 500 sq m, NOC from the authority to be notified under Chapter VI of the Bihar Fire Service Act 2014, shall be submitted.**
- (vi) **NOC from Airport Authority of India shall be furnished wherever applicable.**
- (vii) **A certificate from the registered Engineer that the building plan 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 / आ०प्र०प्रा०-13 / 2011-2253 / आ०प्र०, बिहार सरकार, बिहार राज्य आपदा प्रबंधन प्राधिकरण (आपदा प्रबंधन विभाग) as in Appendix A. For buildings above G+2 (maximum 10m height) the registered Engineer shall also supervise the construction of the building so that the provision mentioned in the above mentioned circular are complied with. (See Form-III)**
- (viii) **For buildings more 15m in height, structural stability certificate in the prescribed Form-IV with Design Basis Report, signed by the engineer /structural engineer and the owner jointly shall be furnished.**
- (ix) Supervision certificate in Form-V shall be furnished by the registered architect/ engineer/structural engineer/ supervisor/ town planner undertaking the supervision.
- (x) A check list in Form-VI shall be furnished by the empanelled/registered technical person.

- (b) Building height
- (c) External Setbacks
- (d) Building Line
- (e) Parking space provision
- (f) Abutting road width
- (g) FAR
- (h) Tree Cover
- (i) Water harvesting structures
- (j) Land if required to be surrendered.

The team shall record the deviations made from the approved plan.

- (5) Implementation of Life Safety provisions as mentioned in National Building Code 2005 (Group-1 Part-IV Fire and Life Safety-4) shall be complied wherever applicable.

16. Certificate for occupancy.-(1) The Authority shall issue a certificate for occupancy for all category of buildings, for part of a building during its construction or whole of the building after construction in Form-XIII or refuse occupancy, as the case may be, within 30 days from the date of application. The refusal of occupancy certificate shall be a speaking order clearly mentioning the reason for refusal of occupancy certificate. If the Occupancy Certificate is not issued within time limit mentioned above, the applicant shall submit a notice with an affidavit that the construction is strictly as per the approved plans and no dues in development charges or any other form of payment to be made to the Authority are pending and all the conditions for issuing of occupancy permission are complied with. In case of non compliance of such notice within 15 days, it will be deemed to have been granted. In case of any false statement the applicant shall be liable for punishment under the provisions of these Bye Laws and other suitable legal action.

- (2) Temporary occupancy - Upon the request of the licensed technical personnel, the Authority may issue a temporary certificate of occupancy for a building or a part thereof before the entire work covered by the building permit shall have been completed, provided such portion or portions may be occupied safely prior to full completion of building without endangering life or public welfare.
- (3) Development Certificate- No land or plot thereafter developed shall be given possession in whole or in part until the issue of a development certificate by the authority after affirming that such development is in accordance with the sanctioned plan and prescribed specification as per Performa given in Form-XIII. The Development Certificate shall be issued within 30 days of receipt of the application. The refusal of development certificate shall be a speaking order clearly mentioning the reason for refusal.
- (4) Before issuing occupancy certificate, the competent authority shall verify that the building complies with the provisions of life safety as mentioned in National Building Code 2005 (Group-1 Part-IV Fire and Life Safety-4) wherever applicable.
- (5) The department/line agencies dealing with electric power, water supply, drainage and sewerage shall not give connections to building unless such occupancy/development certificate is produced. Any violation by the department/ Authority/ Agencies in this regard shall be treated as an offence under the Bihar Municipal Act 2007 and the Act. However a limit connection of water supply and electricity for the purposes of construction can be given after the approval of the Building Plan.
- (6) The occupancy/development certificate shall also state the use/type of occupancy of the building. However, the applicant may apply for change of use/ occupancy permitted within the purview of the Development Plan/Zonal Plan/ Zoning Regulations, where so required.
- (7) **In case of multi storied building (residential buildings greater than 15m in height) and other special building like educational, assembly, institutional, industrial, storage and hazardous and mixed occupancies with ground covered area more than**

- (6) Before issuing the acknowledgement, the authorized representative of the Single Window Cell in the office of the Authority, shall satisfy that the application is complete in all respect;
 - (7) The relevant parts of the common application form shall be served on the respective authorities within three working days from the date of issuing the acknowledgment;
 - (8) The respective authority shall process the application and communicate the decision to the Nodal Authority within further 10 working days;
 - (9) In case of rejections of clearances or approvals with modification by the respective authority, the Nodal Authority shall examine the issues involved, may ask the applicant for such modifications as required by the respective authority for further consideration;
- 19. Art commission.**-(1) The Urban Art and Heritage Commission shall be constituted by the Government. In areas and zones specified by the Urban Art and Heritage Commission, where the building plan accompanying the application seeking permission, requires the clearance of the Urban Arts and Heritage Commission, Bihar, constituted under section 77 of the Act, the authority shall grant the permission only after the clearance is given by the said Commission. In all other cases, Architectural Control shall be regulated according to the provisions of these bye laws. The Commission may impose such conditions and restrictions as it may think necessary including enforcement of specific color code and architectural features.
- (2) The Authority, on the recommendation of the Urban Arts and Heritage Commission, may issue public notices, from time to time, prescribing the architectural norms in different zones.
- 20. Construction near protected monuments.**-(1) No construction or re-construction of any building, within a radius of 100 meters, or such other higher distance from any archaeological site, as may be decided by the Archaeological Survey of India and Bihar State Art, Culture and Youth Department from time to time, from the outer boundary of a declared protected monument shall be permitted.
- (2) (i) **No construction above 1st floor and above 7 (seven) meters shall be allowed beyond a radius of 100 meters and within a radius of 300 meters of such monuments.**
 - (ii) The construction or reconstruction of any building under sub-bye law (2) shall not be above 7 (Seven) meters of total height.
 - (3) Notwithstanding anything contained in the sub-bye law (1) & (2) above, construction/re-construction/addition/alteration shall be allowed on production of clearance from A.S.I./State Archaeology Department as the case may be.
 - (4) If a building or premises, not covered under The Ancient Monument Preservation Act, 1904, or The Ancient Monuments and Archaeological Sites and Remains Act, 1958, in the opinion of the Authority, is of historical or architectural interest, and is in danger of being demolished or altered or likely to be affected in its character by a development, the Authority shall not grant permission for construction over any land situated near the said building or premises. The matter shall be referred to the Art Commission, whose decision shall be final.
 - (5) These provisions shall apply mutatis mutandis in respect of archaeological sites notified by the Art Commission.
 - (6) An appeal against the decision under sub-bye law (4) shall lie with the respective Tribunal under the Act or the Municipal Act.
- 21. Construction near important buildings.**-**No building exceeding 10 meters height shall be permitted within 200 meters radius from the boundary of the Governor's House, Bihar State Secretariat, Bihar Legislative Assembly, High Court and such other buildings as may be decided by the Authority or the State Government from time to time.**
- 22. Construction near river front.**- (1) No construction or re-construction of any building, within a strip of land of 200 metres, or such other higher distance as may be prescribed from time to time by the State Government, from the outer boundary of the river of Ganges

- 25. Responsibility and Duty of the owner.**-(1) Neither granting of the permit nor the approval of the drawing and specifications, nor inspections made by the Authority during erection of the building shall in any way relieve the owner of such building from full responsibility for carrying out the work in accordance with the requirements of these bye laws.
- (2) Every owner/applicant shall:
- Permit the Authority to enter the building or premises, for which the permission has been granted at any reasonable time for purpose of enforcing the bye laws;
 - Obtain, where applicable, from the competent Authority permissions /clearance required in connection with the proposed work;
 - For buildings more than 12m in height, give written notice to the Authority before commencement of work on building site in Form-X and periodic progress report in Form-XI, notice of completion in Form-XII and notice in case of termination of services of Technical persons engaged by him and
 - Obtain an Occupancy Certificate from the Authority prior to occupation of building in full or part.
- 26. Responsibility of Authority.**-(1) Approval of plans and acceptance of any statement or document pertaining to such plan shall not exempt the owner or person or persons under whose supervision the building is constructed from the responsibilities imposed under these bye laws, or under any other law for the time being in force.
- (2) Approval of plan would mean granting of permission to construct under these bye laws only and shall not mean among other things:
- The title over the land or building;
 - Easement rights;
 - Variation in area from recorded area of a plot or a building;
 - Structural stability;
 - Workmanship and soundness of materials used in the construction of the buildings
 - Quality of building services and amenities in the construction of the building,
 - The site/ area liable to flooding as a result of not taking proper drainage arrangement as per the natural lay of the land, etc. and
 - Other requirements or licenses or clearances required for the site / premises or activity under various other laws.
- (3) The approval or permission shall not bind or render the Authority liable in any way with regard to the matter specified in sub-bye laws (2) (A.) to (H.) above.
- (4) **Maintenance of Register.**-A register in Form-XIV containing the necessary particulars including information as to the manner in which applications for permission have been dealt with by the Authority shall be maintained.

CHAPTER - III

LAND USE CLASSIFICATION AND PERMISSIBLE USES

- 27. Zoning.**-(1) In the Planning area or areas where various use zones viz, residential, commercial, industrial, administrative, institutional, open space uses, transport & communication, green belt, natural drainage channel and water bodies having their zonal boundaries have been indicated, they shall be regulated as per the Table 4. Except as otherwise provided no structure or land hereinafter shall be used and no structure shall be erected, re-erected or altered unless its use is in conformity with these bye laws.
- (2) For all non-confirming land use, no expansion shall be permitted. At the time of redevelopment, stipulated zoning regulations shall be followed.
- 28. Different use of land.**-(1) Permission for different uses shall be accorded outright for principal use earmarked in the different zones described in column (2) of table No 4.
- (2) Permission for different uses described in column-3 of the Table shall be permitted on special consideration and approval of Authority and reasons for such consideration shall be recorded in writing.

Petrol pumps / Filling stations	12.20	500
Restaurant	12.20	500
LPG storages	12.20	500
Places of congregation	12.20	500
Public libraries	12.20	300
Conference hall	18.30	1000
Community hall	12.20	500
Nursing homes/polyclinics	12.20	300
Hotel (below three star)	12.20	2000
Hotel (three star and above)	18.30	2000
R&D Lab	18.30	1500
Group Housing	12.20	4000

Note: (i) In exceptional cases the Authority may consider revising the minimum size of plot with the approval of the Government.

(ii) The above (requirement) area of minimum size of the plot may be relaxed by 5% while sanctioning the plan.

(2) No high rise building (building with a height of 15 meters and above) shall be allowed on a plot size less than 800 sq. meters.

35. **Minimum setbacks & Height for non-high rise buildings.**-(1)The minimum setbacks and height of buildings permissible in a given size/plot for residential in non-high rising category shall be as per Table 8 and 9. The minimum setback for commercial and mercantile buildings shall be as per Table 10 and 11.

Table - 8: **Minimum setbacks and height of residential buildings**

Sl. No.	Average Depth of plot (In meters)	Building Height Upto G+2 Maximum-10m		Building Height Upto G+3 Maximum-12m		Building Height Upto G+4 Maximum-15m	
		Minimum Front set back (m)	Minimum Rear Set back(m)	Minimum Front set back (m)	Minimum Rear Set back (m)	Minimum Front set back (m)	Minimum Rear Set back (m)
(i)	(ii)	(iii)	(iv)	(v)	(vi)	(vii)	(viii)
1	Upto 10m	1.5	0.90	No construction shall be permitted		No construction shall be permitted	
2	Exceeding 10m & upto 15 m	1.5	1.2	2.5	1.8	No construction shall be permitted	
3	Exceeding 15m & upto 21 m	1.8	1.5	3.6	2.0	4.0	3.0
4	Exceeding 21m & upto 27 m	2.5	1.8	4.0	2.5	4.5	3.6
5	Exceeding 27m & upto 33m	3.0	2.5	4.0	3.0	5.0	4.0
6	Exceeding 33m & upto 39m	3.0	3.0	4.5	4.0	5.5	4.0
7	Exceeding 39m & upto 45m	4.0	4.0	5.0	4.0	6.0	4.0
8	More the 45m	4.0	4.0	6.0	4.0	6.0	4.5

Table 9. Minimum side set backs for residential buildings

Sl no.	Average Width of plot (In meters)	Building Height Upto G+2 Maximum-10m		Building Height Upto G+3 Maximum-12m		Building Height Upto G+4 Maximum-15m	
		Minimum Side Set back(m)	Minimum Side Set back (m)	Minimum Side Set back (m)	Minimum Side Set back (m)	Minimum Side Set back (m)	Minimum Side Set back (m)
(i)	(ii)	(iii)	(iv)	(v)	(vi)	(vii)	(viii)
1	Upto 10m	NIL	NIL	No construction shall be permitted		No construction shall be permitted	
2	Exceeding 10m & upto 15 m	0.75	0.75	1.5	1.5	No construction shall be permitted	
3	Exceeding 15m & upto 21 m	1.0	1.0	1.5	1.5	2.0	2.0
4	Exceeding 21m & upto 27 m	1.5	1.5	2.0	2.0	2.5	2.5
5	Exceeding 27m & upto 33m	1.5	1.5	2.5	2.5	3.0	3.0
6	Exceeding 33m & upto 39m	2.0	2.0	3.0	3.0	3.66	3.66
7	Exceeding 39m & upto 45m	3.0	3.0	3.66	3.66	4.00	4.00
8	More the 45m	3.66	3.66	4.00	4.00	4.00	4.00

Table: 10 Minimum front and rear setback for commercial/mercantile buildings

Sl no.	Average Depth of plot (In meters)	Building Height up to 15 m	
		Minimum Front set back (m)	Minimum Rear Set back(m)
(i)	(ii)	(iii)	(iv)
1	Upto 10 m (height of the building shall be restricted to 10m)	4.5	2.0
2	Exceeding 10 m and up to 15 m	4.5	3.0
3	Exceeding 15m and up to 21 m	5.5	4.0
4	Exceeding 21 m and upto 27 m	6.0	4.0
5	Exceeding 27 m and upto 33 m	6.5	4.0
6	Exceeding 33 m and upto 39 m	7.0	4.5
7	Exceeding 39 m and upto 45 m	7.5	4.5
8	More than 45 m	8.0	4.5

Table 11 : Minimum side setbacks for commercial/mercantile buildings

Sl no.	Average Width of plot (In meters)	Building Height upto 15m	
		Minimum Left set back (m)	Minimum Right Set back(m)
(i)	(ii)	(iii)	(iv)
1	Upto 10 m (height of the building shall be restricted to 10 m)	Nil	Nil
2	Exceeding 10 m and upto to 15 m	2.0	2.0
3	Exceeding 15 m and upto 21 m	2.5	2.5
4	Exceeding 21 m and upto 27 m	3.0	3.0
5	Exceeding 27 m and upto 33 m	4.0	4.0
6	Exceeding 33 m and upto 39 m	4.0	4.0
7	Exceeding 39 m and upto 45 m	5.0	5.0
8	More than 45 m and upto 45 m	5.5	5.5

Table 12. Open spaces around industrial buildings

Sl. No.	Plot Size	Minimum Front set back (m)	Minimum Rear Set back (m)	Minimum Sides Set back (m)
(i)	(ii)	(iii)	(iv)	(v)
1	550 Sqm to 1000 Sqm.	9.0	4.5	4.5
2	1000 Sqm. to 5000 Sqm.	10.0	6.0	6.0
3	5000 Sqm. to 30000 Sqm.	12.0	9.0	9.0
4	Above 30000 Sqm.	15.0	12.0	10.0

Table 13. Minimum set back for industrial buildings constructed over plot size upto 550 sq m

Sl no.	Width of Plot	Minimum Front set back (m)	Minimum Rear Set back (m)	Minimum Sides Set back (m)
(i)	(ii)	(iii)	(iv)	(v)
1	Upto 10 mtrs.	3.0	3.0	1.5
2	Above 10 mtrs. & upto 12 mtrs.	4.0	3.0	2.0
3	Above 12 mtrs. & upto 15 mtrs.	5.0	3.0	3.0
4	Above 15 mtrs. & upto 18 mtrs.	6.0	4.0	4.0
5	Above 18 mtrs.	6.0	4.5	4.5

- I. **IT, ITES Buildings**-Abutting on 12 m R/W or more R/W the setback, height, number of floors and FAR shall be applicable as per commercial building in respect of corresponding road width.
- (3) The setbacks shall be calculated on the basis of highest provision of setback mentioned either in the above table or mentioned in these Bye Laws.
 - (4) The setbacks are to be left after leaving the affected area of the plot/site, if any, for road widening.
 - (5) Where a site abuts more than one road, then the front setback should be insisted towards the bigger road width and for the remaining side or sides, Side and rear setback shall be insisted.
 - (6) For Plots above 300 sq.m a minimum 1m wide continuous green planting strip in the periphery sides are required to be developed and maintained within the side or rear setback.
 - (7) For narrow plots having extent not more than 400 sq.m and where the length is 4 times of the width of the plot, the setbacks on sides may be compensated in front and rear setbacks so as to ensure that the overall aggregate setbacks are maintained in the site, subject to maintaining a minimum of side setback of 1m in case of buildings of height up to 10 m and minimum of 2m in case of buildings of height up to 12 m without exceeding overall permissible plinth area.
 - (8) The master plan/development plan/zonal plan shall also specify a building line for various areas. The setbacks shall accordingly be changed without reducing the minimum required setbacks under these bye laws.

38. Floor Area Ratio.-(1) The Floor Area Ratio (F.A.R) for buildings shall be decided on the basis of the road width on which the plot/site abuts as per Table 15 and 16.

Table - 15: Road width and FAR table for (OLD AREA).

Category	Road Width (in meter)	FAR		Floor	Maximum Height (in meter)	Conditions
		Residential	Non residential			
O-I	3.60 (12 ft.)	1.5	Nil	G+2	10	
O-II	4.80 (16 ft.)	1.8	Nil	G+2	10	
O-III	6.10 (20 ft.)	2.0	Nil	G+3, S+3	12	Parking shall be allowed on any floor. Under no circumstances the parking floors or provision for parking shall be used for any other purposes. Mezanine floors or any floor partition shall be computed under FAR and counted as a floor.
O-IV	9.10 (30 ft.)	2.5	Nil	S+5	18	
O-V	12.20 (40 ft.)	2.5	2.0	Maximum Height 24 meter		
O-VI	18.30 (60 ft.) and above	2.5	2.5	No restriction on height and number of floors however it may be regulated by the master plan/development plan/zonal plan.		

Table 16: Road width and FAR table (NEW AREA)

Category	Road Width (in meter)	FAR		Floors	Maximum Height (in meter)	Conditions
		Residential	Non residential			
N-I	6.10 (20 ft.)	2.0	Nil	G+3, S+3	12	Parking shall be allowed on any floor. Under no circumstances the parking floors or provision for parking shall be used for any other purposes. Mezzanine floors or any floor partition shall be computed under FAR and counted as a floor.
N-II	9.10 (30 ft.)	2.5	Nil	S+5	18	
N-III	12.20 (40 ft.)	2.5	2.0	Maximum Height 24 meter		
N-IV	18.30 (60 ft.)	2.5	2.5	No restriction on height and number of floors however it may be regulated by the master plan/development plan/zonal plan		
N-V	24.40 (80 ft.)	3.00	2.5			
N-VI	27.40 (90 ft.)	3.25	3.0			
N-VII	30.50 (100 ft.)	3.50	3.5			

- (2) While sanctioning the plans on building with a road width of 12 feet and 16 feet the Authority shall ensure that enough parking spaces for vehicles have been made within the building and that the vehicles shall not parked on the road. Provisions related to length of the road in Table 6 shall be adhered to.
- (3) Additional FAR up to 10% upto a maximum of 0.25 shall be allowed for dwelling units meant exclusively for LIG/EWS in a group housing scheme.
- (4) In case of Educational, Institutional and Assembly building the maximum permissible FAR shall be 1.50 for plots up to 1000 sq. m. and 1.75 for plots above 1000 sq. m.
- (5) In case of transport related activities such as; railway yards, railway station, bus stands, bus shelters, transport depot, airport, special warehousing, cargo terminals etc. the maximum permissible FAR shall be 1.50.
- (6) In case of Industrial buildings the maximum FAR shall be 0.5 for polluting and hazardous industries. In case of non-polluting and household industries the maximum FAR shall be 1.5.
- (7) The FAR and Height of the building may also be regulated by the master plan/development plan or the zonal plan.
- (8) In case the plot is affected by a road widening and the owner of the plot voluntarily surrenders the affected portion of his land to the Authority without any claim of compensation or through a TDR (Transferable Development Right) scheme implemented by the Government the owner shall be entitled to build on the remaining plot an area, calculated on the basis of the FAR as applied to the total area prior to such surrender. Provided that the surrender of the land shall be effected by a deed of transfer to be executed by the owner in favour of the Authority for widening of road.
- (9) Exclusive multistory parking blocks can be provided within the required setback area without reducing the driveway for the fire tender to the extent of minimum 6 meters. This will not be included in the calculation of FAR.
- (10) FAR shall not include
 - A. Basements or cellars and space under a building constructed on stilts and used only as a parking space, and air conditioning plant room used as accessory to the principal use;
 - B. Stilt Parking

may be construed as meeting the off-street parking requirement, however, subject to the approval of the Authority. The Authority may also decide to develop such parking spaces and charge property owners to bear proportionate cost.

- (5) Garage with locking facilities shall be included in the calculation of floor space for determining the requirement of parking space, unless this is provided in the basement of a building or under a building constructed on stilts with no external walls.
- (6) The parking spaces to be provided shall be in addition to the open spaces (setback) required around a building under these bye laws.
- (7) Misuse of the area specified for parking of vehicles for any other use shall be summarily removed / demolished by the Authority.
- (8) For parking spaces in basements and upper storey of parking floors, at least two ramps of minimum 3.6 m width or one ramp of minimum 5.4 m width and in maximum 1:10 slope shall be provided. Such ramps may be permitted in the side and rear setbacks after leaving 3.60 meter space for movement of fire-fighting vehicles. Access to these may also be accomplished through provisions of mechanical lifts. The slab over which the fire tender shall move shall be capable of taking the load of fire engine, fire vehicle of at least 45 tonnes.
- (9) Up to 10% of cellar may be utilized for utilities and non-habitation purpose like A/C plant room, Generator room, Electrical installations, laundry etc.
- (10) At least 15% of the parking space in group housing, apartment buildings shall be earmarked for visitors. Such parking space shall be indicated by painting "Visitor's Parking" on the floor. The Visitors parking facility shall be open to all visitors and shall not be settled with any occupant.
- (11) All buildings with a height of 15 m and above will have parking space earmarked for ambulance, fire tender and physically challenged persons. Such spaces shall be clearly indicated by painting on the floor the purpose for which the parking space is reserved.
- (12) Apart from use of Basement for Services/Parking/ Storage, it may be used for other activities like library, Study Room, Games Room and Laundry only in case of Residential and Institutional Buildings.

41. Requirement of Parts of Building.-The various parts of the buildings shall have the following minimum specifications.

(i) Plinth

- (a) Main Buildings: The plinth or any part of a building or outhouse shall be so located with respect to the surrounding ground level that adequate drainage of the site is assured. The height of the plinth shall be not less than 450 mm from the surrounding ground level.
- (b) Interior Courtyards and Covered Parking: Every interior courtyard shall be raised at least 150 mm above the determining ground level and shall be satisfactorily drained.

(ii) Habitable Rooms

- (a) Height: The height of all rooms for human habitation shall not be less than 2.75 m measured from the surface of the floor to the lowest point of the ceiling (bottom of slab). In the case of pitched roof, the average height of rooms shall not be less than 2.75 m. The minimum clear head room under a beam, folded plates or eaves shall be 2.4 m. In the case of air-conditioned rooms, a height of not less than 2.4 m measured from the surface of the floor to the lowest point of air-conditioning duct or the false ceiling shall be provided. These requirements shall apply to residential, business and mercantile buildings. For educational and industrial buildings, the following minimum requirements apply:

- Educational : Ceiling height 3.6 m for all Buildings regions;