

DRAFT
BIHAR BUILDING BYE-LAWS, 2013

URBAN DEVELOPMENT & HOUSING DEPARTMENT

GOVERNMENT OF BIHAR

NOTIFICATION

In exercise of the powers conferred by Section 321 of the Bihar Municipal Act and Section 81(2)(w) and Section 82(2)(e) of the Bihar Urban Planning and Development Act 2012 and in supersession of all the existing rules on the subject, the Government of Bihar hereby issue the following rules applicable to all Municipal Area and all Planning areas including Gram Panchayat Area under various Planning Authority. This shall also be applicable to all Metropolitan areas.

BYE LAWS
CHAPTER -I
DEFINITIONS

1. Short title, Extent and commencement.-(1) These byelaws may be called the Bihar Building Byelaws 2013.

(2) They shall apply to the building activities in the areas falling in;

- i. All Municipal Corporations
- ii. All Municipal Council
- iii. All Nagar Panchayats
- iv. All Metropolitan area
- v. All Planning Area under various Planning Authority
- vi. Gram Panchayat areas covered under various Development Plan/ Planning Authorities or any Planning Scheme notified under Bihar Urban Planning and Development Act 2012.
- vii. These bye laws shall apply to all building activity. All existing rules, regulation, byelaws, orders that are in conflict or inconsistent with these bye laws shall stand modified to the extent of the provision of these bye laws.

(3) They shall come into force on the date of their publication in the Bihar Gazette.

2. Definitions

(I) In these bye laws, unless the context otherwise requires:

- (1) "Act" means the Bihar Urban Planning and Development Act 2012;
- (2) "Municipal Act" means Bihar Municipal Act 2007;
- (3) "Advertising Sign" means any surface or structure with characters, letters or illustrations applied there to and displayed in any manner whatsoever outdoors for the purpose of advertising or giving information or to attract the public to any place, person, public performance, article, or merchandise, and which surface or structure is attached to, forms part of, or is connected with any building, or is fixed to the ground or to any pole, screen, fence or hoarding or displayed in space, or in or over any water body included in the jurisdiction of the Authority;

- (4) "Agricultural use" means use of land for the purpose of agriculture, horticulture, sericulture, animal husbandry, poultry farming, plant nursery, piggery, dairy farming, vegetable farming and any activity related to agriculture or milk chilling plant;
- (5) "Air-Conditioning" means the process of treating air so as to control simultaneously its temperature, humidity, cleanliness and distribution to meet the requirement of conditioned space;
- (6) "Air Port Reference Point" means a designated point, which is established in the horizontal plane at or near the geometric center of the landing area;
- (7) "Amenity" means roads, street, open spaces, parks, recreational grounds, play grounds, gardens, water supply, electric supply, streetlighting, sewerage, drainage, public works and other utilities, services and conveniences;
- (8) "Annexure" means an Annexure appended to these bye laws;
- (9) "Apartment or flat" means a dwelling unit in building;
- (10) "Apartment building" means a building having four or more dwelling units in a block;
- (11) "Approved" means approved by the Authority;
- (12) "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;
- (13) "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;
- (14) "Art Commission" means The Bihar Urban Arts and Heritage Commission constituted under Section 77 of the Bihar Urban Planning and Development Act 2012;
- (15) "Authority" means the Chairman of the respective Planning Authority. In case of areas not covered under the Planning Authority, it shall be the Municipal Commissioner, Executive

Officer of the respective Municipalities. The powers and responsibilities of the Authority under these bye laws cannot be delegated, unless specifically provided for in these bye laws, the Act, the rules or unless notified by the Government;

- (16) "Balcony" means a projection to serve as passage or sit out place including a hand rail or balustrade;
- (17) "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.
- (18) "Basement or cellar" means lower storey of a building, below or partly below the ground level;
- (19) "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;
- (20) "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.
 - 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, club rooms 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. 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;
- H. "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.;
- I. "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;
- J. "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;

- (21) "Building Accessory" means a subordinate building, use of which is incidental to that of a principal building, on the same plot such as garage, coal or fuel shed, peons, chowkidars, or domestic servants quarters, etc;
- (22) "Building Height" means the vertical distance measured in the case of flat roofs, from the average level of the center line of the adjoining street to the highest point of the building adjacent to the street; and in the case of pitched roofs, up to the point where the external surface of the outer wall intersects the finished surface of the sloping roof and in the case of gables facing the road, the mid-point between the eaves level and the ridges.

Explanation - If the building does not abut on a street, the height shall be measured above the average level of the ground around and contiguous to the building;

- (23) "Building line" means the line up to which the plinth of a building adjoining a street or an extension of a street or on a future street may lawfully extend and includes the lines prescribed in any development plan in operation for any area under the jurisdiction of the Authority or specification indicated in any Planning or Development Scheme, or in these Bye Laws;
- (24) "Built up Area" means the total covered areas on all floors of an immovable property;
- (25) "Canopy" means cantilevered projection at lintel level over any entrance;
- (26) "Carpet Area" means the net usable floor area of an immovable property, excluding the area covered by the walls and common area.
- (27) "Cornice" means a sloping or horizontal structural overhang usually provided over openings or external walls to provide protection from sun and rain;
- (28) "Chajja"/"Sun-Shade" means a sloping or horizontal structural overhang, usually provided for protection from sun and rain or for architectural considerations at lintel level;
- (29) "Chimney" means an upright shaft containing and encasing one or more flues provided for the conveyance to the outer air of any product of combustion; resulting from the operation of any heat producing appliance or equipment employing solid, liquid or gaseous fuel;

- (30) "Combustible materials" means a material, which burns or adds to a fire when used for combustibility in accordance with good practice;
- (31) "Conversion" means the change of occupancy to another occupancy or change in building structure or part thereof resulting in change of space or use requiring additional occupancy certificate;
- (32) "Corner plot" means a plot at the junctions of and fronting on two or more intersecting streets. Corner plot" means a plot facing two streets; the frontage would be on the street having larger width. In cases, where the two streets are of same width, then the larger side of the plot will decide the frontage. In such case, the location of a garage (on a corner plot) if provided, within the open space shall be located diagonally opposite the point intersection;
- (33) "Courtyard" means a space permanently open to sky, with or without pergola, enclosed fully or partially by buildings and may be at ground level or any other level within a building;
- (34) "Coverage" means percentage of covered area on the ground floor which is not open to sky excluding the chajja/roof projections upto 0.75 metre width overhanging the open space to the total plot area;
- (35) "Covered Area" means in respect of ground floor, area covered immediately above the plinth level by the building but does not include the open space covered by
- A. garden, rockery, well and well-structures, rainwater harvesting structures, plant nursery, water-pool (if uncovered), platform round a tree, tank, fountain, bench, chabutara with open top unenclosed on sides by walls, boundary wall, swing, and area covered by chhajja without any pillars etc, touching the ground;
 - B. 'drainage culvert conduit', catch-pit, gully pit, inspection chamber, gutter and the like; and
 - C. compound wall, gate, slide/ swing door, canopy, and areas covered by chajja or similar projections and staircases which are uncovered and open at least on three sides and also open to sky;
 - D. Watchmen booth, pump house, garbage shaft, electric cabin or substations, and such other utility structure meant for the services of the building under construction;
- (36) "Cul-de-sac" means such means of access having length up to 150 m. with an additional turning space not less than 81 square meters in area having no dimension less than 9 m.;

- (37) "Damp-Proof Course" means course consisting of some appropriate water proofing material provided to prevent penetration of dampness;
- (38) "Detached building" means a building whose walls and roof are independent of any other building with open spaces on all sides;
- (39) "Development Plan/ Comprehensive Development Plan" includes any development plan either interim or comprehensive or zonal plan in operation for the area under the jurisdiction of the Authority;
- (40) "Deviation" means any construction made in departure from the approved plan by way of alterations or additions, modifications in the total floor area, coverage, floor area ratio (FAR), setbacks, height, parking space, provision of public utilities etc.;
- (41) "Drain" means a line of pipes including all fittings and equipment such as manholes, inspection chamber, traps, gullies and floor traps, used for the drainage of a building or a number of buildings, or yards appurtenant to the buildings within the same cartilage and includes open channels used for conveying surface water;
- (42) "Drainage" means the removal of any liquid by a system constructed for purpose;
- (43) "Dwelling Unit" means an independent housing unit with facilities for living, cooking and sanitary requirements;
- (44) "EWS House" means a house or dwelling unit intended for Economically Weaker Sections with maximum built up area of 32 sq.mtr or as decided by the State Government;
- (45) "EWS Plot" means a residential plot intended for Economically Weaker Sections having maximum plot area of 48 sq.mtr or as decided by the State Government;
- (46) "Encroachment" means an act to enter into the possession or rights either of permanent or temporary nature on a land or buildup property of local body or state/ central Government;
- (47) "Existing Use" Use of a building or structure existing authorisedly with the approval of the Authority before the commencement of these Bye laws;
- (48) "Enclosed stair-case" means a stair-case, separated by fire resistant walls from the rest of the building;
- (49) "Existing Building or use" means a building, structure or its use as sanctioned/ approved/ regularized by the Competent Authority, existing before the commencement of these Bye laws;

- (50) "Exit" means a passage, channel or means of egress from any building, storey or floor area to a street or other open space of safety;
- (51) "External Wall" means an outer wall of a building even though adjoining to a wall of another building and also means a wall abutting on an interior open space of a building;
- (52) "Farm House" means a plot of land including construction thereon in the area designated for agricultural use by the Authority.
- (53) "Farm Shed" shall include permanent or temporary structures erected in the plot used for farmhouse;
- (54) "Fire Alarm System" means an arrangement of call points or detectors, sounders and other equipment for the transmission and indication of alarm and sometimes used as signals for testing of circuits and whenever required for the operation of auxiliary services. This device may be work automatically or manually to alert the occupants in the event of fire;
- (55) "Fire Lift" means lift specially designed for use by fire service personnel in the event of fire;
- (56) "Fire Proof Door" means a door or shutter fitted to a wall opening, and constructed and erected with the requirement to check the transmission of heat and fire for a specified period;
- (57) "Fire Resisting Material" means the material, which is normally used for fire resistance;
- (58) "Floor" means the lower surface in a storey on which one normally walks in a building;
- (59) "Floor Area Ratio (FAR)" means the quotient obtained by dividing the total covered area on all floors with the area of the plot;
- (60) "Footing" means the part of a structure, which is in direct contact with the ground and transmitting loads to the ground;
- (61) "Forms" means forms appended to these bye laws
- (62) "Foundation" means that part of a structure, which is indirect contact with and meant for transmitting loads to the ground;
- (63) "Gallery" means an intermediate floor or platform projecting from a wall of an auditorium or a hall providing extra floor area, additional seating accommodation, etc. It shall also include structures provided for seating in stadia;
- (64) "Garage-Private" means a building or a portion thereof designed for parking of privately owned motor vehicles or any other vehicles;

- (65) "Garage-Public" means a building or a portion thereof designed or used for repairing, servicing, hiring, selling or parking of motor driven or any other vehicles;
- (66) "Ground Floor" shall mean storey, which has its floor surface nearest to the ground around the building;
- (67) "Group Housing" means housing complex on plotted development of having multiple apartment blocks;
- (68) "Habitable room" means a room having area of not less than 9.0 sq.m., width 2.4 m. (min.), height 2.75 m. (min.) occupied or designed for occupancy by one or more persons for study, living, sleeping, eating, cooking if it is used as a living room, but does not include bathrooms, water closet compartments, laundries, serving and storage pantries, corridors, cellars, attics and spaces that are not used frequently or during extended periods;
- (69) "Hazardous material"
- A. Means radioactive substances;
 - B. Material which is highly combustible or explosive and/or which may produce poisonous fumes explosive emanations, or storage, handling, processing or manufacturing of which may involve highly corrosive, toxic, obnoxious alkalis or acids or other liquids;
 - C. Other liquids or chemicals producing flame, fumes, explosive, poisonous, irritant or corrosive gases or which may produce explosive mixtures of dust or fine particles capable of spontaneous ignition;
- (70) "Hazardous and obnoxious industry" means industry which creates nuisance to the surrounding development in the form of smell, smoke, gas, dust, air pollution, water pollution and other unhygienic conditions;
- (71) "Natural hazard prone areas" means areas likely to have moderate to high intensity earthquake, or cyclonic storm, or significant flood flow or inundation, or landslides/mud flows/avalanches, or one or more of these hazards;

NOTE: Moderate to very high damage risk zones of earthquakes are shown in Seismic Zones III, IV and V specified in IS: 1893 and flood prone areas in river plains (unprotected and protected) are indicated in the Flood Atlas of India prepared by the Central Water Commission, besides, other areas which can be flooded under conditions of heavy intensity rains, inundation in depressions, back flow in drains, inadequate drainage, etc. as identified through local

surveys in the development plan of the area and landslide prone areas as identified by State Government/Land surveys;

- (72) "Heritage Zone" means the area as delineated in Development Plan;
- (73) "Illuminated Exit Signs" means a device for indicating the means of escape during normal circumstances and power failure;
- (74) "Jhamp" means a downward vertical or sloping projection hanging below the balcony to provide protection from direct sun or rain. "
- (75) "Katra/Chawl" means a building so constructed as to be suitable for living in separate tenements each consisting a single room, or of two, but not more than two rooms and with common sanitary arrangements;
- (76) "Land Use" means use of the land proposed in the Development Plan/Zonal Plan;
- (77) "Latrine-connected" means a latrine connected to the municipal sewer system;
- (78) "Latrine-unconnected" means a latrine not connected to the municipal sewer system; it may be connected to a septic tank or suitable treatment or disposal system;
- (79) "Ledge / Tand" means a shelf-like projection supported in any manner whatsoever, except by means of vertical supports within a room it self but not having projection wider than 1.0 meter and at a minimum clear height of 2.1 meters from the floor level;
- (80) "LIG House" means a house or dwelling unit intended for low income groups with a built up area of maximum 48 sq.mtr or as specified by the State Government;
- (81) "LIG Plot" means a residential plot intended for low income groups with a plot area of maximum 60 sq.mtr or as specified by the State Government;
- (82) "Loft" means an intermediate floor between two floors or a residual space in a pitched roof, above normal floor level with a maximum height of 1.5 meters and which is constructed or adopted for storage purposes;
- (83) "Licensed Technical Person" means Architect registered with the Council of Architecture or Civil Engineer/Structural Engineer/Town Planner/Supervisor licensed by the Authority;
- (84) "Masonry" means an assemblage of masonry units properly bonded together with mortar;

- (85) "Mezzanine Floor" means an intermediate floor between two floors, above ground level, accessible only from the lower floor;
- (86) "Mixed Land Use" means mixed use of the building/premises consisting of more than one compatible use of which the principal use shall not be less than 2/3rd of total buildup area;
- (87) "Multi - Storey or High Rise Building" means a building whose height is 15 meters or more, measured from the average level of the centerline of the street on which the site abuts;
- (88) "Mumty or Stair Cover" means a structure with a covering roof over staircase and its landing built to enclose only the stairs for the purpose of providing protection from weather and not used for human habitation;
- (89) "Mitigation" means measures taken in advance of a disaster aimed at minimizing or eliminating its impact on society and on environment including preparedness and prevention;
- (90) "Non-Combustible Material" means a material, which does not burn nor add heat to a fire when tested for combustibility in accordance with good practice;
- (91) "Non -Conforming Use of a Building or Land" means the use of a building or land existing at the time of commencement of these Bye laws, and which does not conform to the Bye laws pertaining to the zone in which it is located;
- (92) "Occupancy or Use " means the principal occupancy for which a building or a part of a building is used or intended to be used;
- (93) "Open Space" means an area forming an integral part of the plot, left open to the sky;
- (94) "Owner" means a person, group of persons, a company, trust, Institute, Registered body, State or Central Government and its departments, undertakings and the like in whose name the property stands registered in revenue records.
- (95) "Parapet" means a low wall or railing built along the edge of a roof or a floor having a minimum height of 1.0 m
- (96) "Parking Space" means an area enclosed or unenclosed, covered or open, of sufficient size to park vehicles, together with a driveway connecting the parking space with a street or any public area and permitting ingress and egress of the vehicles;
- (97) "Partition" means an interior non-load bearing wall, one storey or part of a storey in height.

(98) "Performance Security" means a security deposit to be deposited with the Authority by the Builder/ Developer of an Apartment Building/ Group Housing/ Commercial Building/Real Estate Development at the time of approval of Plans.

However, no Performance Security is required for a commercial building having a covered area of less than 300 sq.mtr.

(99) "Permit" means a permission or authorization in writing by the Authority to carry out the work regulated by these Bye laws.

(100) "Plantation" means plantation of plants and trees.

(101) "Plinth" means the portion of a structure between the surface of the surrounding ground and the surface floor, immediately above the ground.

(102) "Plinth Area" means the built up area measured at the floor level of ground floor;

(103) "Porch" means a covered surface supported on pillar or otherwise for the purpose of pedestrian or vehicular approach to a building.

(104) "Public Utility service" means drainage, sewerage, electricity, water supply, solid waste disposal, sanitation, fire services, roads and any other support or infrastructure and the like for which a building has to depend on public bodies, authorities or agencies;

(105) "Ramp" means a passage with gradual slope joining two level surfaces.

(106) "Real Estate Development" means development undertaken for sale.

(107) "Registered Architect" means an Architect registered with the Council of Architecture and who has not been debarred by the Authority.

(108) "Registered Builder/ Developer" means a builder empanelled/ registered with the Authority

(109) "Road" means any access viz. highway, street, lane, pathway, alley, or bridge, whether a thoroughfare or not, over which the public have right of passage or access or have passed and had access uninterruptedly for a specified period and includes all bunds, channels, ditches, storm water drains, culverts, side tracks, traffic islands, road side trees and hedges, retaining walls, fences barriers and railings within the road line.

(110) "Road Width or Width of Road/Street" means the whole extent of space within the boundaries of a road when applied to a new road/street as laid down in the city survey or development plan or

prescribed road lines by any act of law and measured at right angles to the course or intended course of direction of such road.

While calculating the width of the street the thorough width will be taken into consideration. i.e. the minimum width of the road from the start of the road/street till the plot.

Every road shall have flanks on both sides of the road. The width of each flank shall be 15% of the road width unless and otherwise specified.

In case public land is not available for the road and its flanks, the plot owners on both sides of the road shall equally surrender their right over the land to the authority to accommodate the road width. The centre line of the road shall be taken as reference for such surrenders. 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.

- (111) "Row Housing" means a row of contiguous houses with only front, rear and interior open spaces.
- (112) "Room Height" means the vertical distance measured from the finished floor level to the finished ceiling.
- (113) "Schedule" means a Schedule appended to these bye laws.
- (114) "Section" means section of the Act and the Municipal Act
- (115) "Semi-Detached Building" means building detached on three sides (front, rear and side) with open spaces as specified under the Bye laws.
- (116) "Set back" means the distance between the plinth lines of the building and the boundary of the plot. The setback shall be measured at ground level.
- (117) "Setback line" means a line usually parallel to the plot boundaries and laid down in each case by the Authority beyond which nothing can be constructed towards the plot boundaries.
- (118) "Settlement" means a human settlement, whether urban or rural in character. It includes habited villages, towns, townships, cities and the areas notified under the control of the Authority.
- (119) "Site" means a parcel or piece of land enclosed by definite boundaries.
- (120) "Site with Double Frontage" means a site having frontage on two streets other than corner plot.

- (121) "Service Floor" means floor in hotel or commercial building above ground floor in case of more than four storied buildings.
- (122) "Service Lane" means a lane provided at rear or side of a plot for service purposes.
- (123) "Service Road" means a road/ lane provided at the front, rear or side of a plot for service purpose.
- (124) "Side Depth" means horizontal distance between the front and rear side boundaries.
- (125) "Smoke Stop Door" means a door for preventing or checking the spread of smoke from one area to another.
- (126) "Stilt floor" means a floor supported by pillars with all four sides open to be used for parking, switch room, generator room, society room & information room with minimum height of 2.4 meter.
- (127) "Storage Space" means a space where goods of non-hazardous nature are stored and includes cold storage and banking safe vaults.
- (128) "Store Room" means a room used as storage.
- (129) "Spiral Staircase" means a staircase forming continuous winding curve round a central point or axis provided in a open space having tread without risers.
- (130) "Storey" means the space between the surface of any floor and the surface of the floor next above it, or if there be no floor above it then the space between any floor and the ceiling next above it, but shall not include a mezzanine floor;
- (131) "Supervisor" means a person having Diploma in Architectural Assistantship/ Diploma in Civil Engineering/ equivalent qualification.
- (132) "Tenements" means room or rooms in the occupation of, or meant for the occupation of one tenement;
- (133) "To abut" means to abut on a road so that any portion of the building is on the road boundary;
- (134) "To erect" a building means:
- A. to erect new building on any site whether previously built upon or not;
 - B. to re-erect any building of which portions above the plinth level have been pulled down or destroyed.
- (135) "Tribunal" means Municipal Building Tribunal under Section 329 of the Municipal Act or Tribunal constituted under the Chapter XII of the Bihar Urban Planning and Development Act 2012.

- (136) "Unsafe Building" means buildings which are structurally and constructionally unsafe, or in-sanitary, or do not provide adequate means of egress, or which constitute fire hazard, or are otherwise dangerous to human life or property, or which in relation to existing use constitute a hazard to safety/health/public welfare by reason of inadequate maintenance, dilapidation or abandonment.
- (137) "Unauthorized Construction" means the erection or re-erection, addition or alternation which is not approved or sanctioned by the Authority.
- (138) "Underground/Overhead Tank" means an underground/ overhead water tank, constructed or placed to store water.
- (139) "Verandah" means space with at least one side open to the outside with the exception of one-meter parapet on the upper floors to be provided on the open side.
- (140) "Ventilation" means the supply of outside air into a building through window or other openings due to wind outside and convection effects arising from temperature, or vapour pressure differences (or both) between inside and outside of the building.
- (141) "Water Closet/ W.C." means a privy with arrangement for flushing the pan with water but does not include a bath room;
- (142) "Watercourse" means a natural channel or an artificial channel formed by draining or diversion of a natural channel meant for carrying storm and wastewater.
- (143) "Window" means an opening to the outside other than a door, which provides all or part of the required light or ventilation, or both to an interior space.
- (II) Words and expressions used in these bye laws, but not defined, shall have the same meaning as respectively assigned to them in the Act/Municipal Act/respective Rules and the National Building Code of India, 2005 amended from time to time.

CHAPTER - II

ADMINISTRATION

- 3. Applicability.**-Subject to the provisions of the Act and the Municipal Act, these bye laws shall apply:
- (1) To the planning, design and construction of building in case of erection of a building;
 - (2) To all parts of the building whether removed or not , and in case of removal of whole or any part of the building;
 - (3) To the remaining part of the building after demolition and work involved in demolition in case of demolition of whole or any part of a building;
 - (4) To the whole building whether existing or new building (except only to that part of the building, which is consistent with these bye laws) in case of alteration of a building;
 - (5) To all parts of the building affected by the change in case of change of occupancy of a building; and
 - (6) To use of any land or building where sub-division of land is undertaken or use of land or building is changed;
- 4. Deemed Permission.**-(1) The construction of any building in respect of which permission has been issued before coming into force of these bye laws, shall, so far as it is not inconsistent with the provisions of these bye laws, continue to be validly made and the said permission shall be deemed to have been issued under the corresponding provisions of these bye laws. It shall be the responsibility of the Owner/Builder/ Developer to ensure that the construction of any approved map is re-verified to be consistent with these bye laws.
- (2) Where any building has been constructed without an approved plan or with deviation of an approved plan, the provisions of these bye laws shall be insisted upon.
- 5. Application.**-(1) Any person who intends to erect, re-erect or make additions or alterations in any building or demolish any building shall apply to the Authority in Form-I Part-I. Based on this, the Authority may prescribe separate formats for different categories of buildings and group housing:
- (2) Such application shall be accompanied by the following documents.

Four copies of plans either computer prints, plain paper copies or ammonia prints, duly signed by the persons who have prepared them and the owner / applicant and a soft copy in the prescribe CAD format showing:

- i. Key plan: A key plan drawn to a scale of not less than 1:8000 shall be submitted along with the application for development/building permit showing the boundary and location of the site with respect to neighborhood landmarks and means of access. The minimum dimension of the key plan shall be not less than 75 mm.
- ii. Site plan: The site plan with the application for permit shall be drawn to a scale of not less than 1:200 for site up to 1000 sq. mtr., 1: 500 for a site up to 1 hectare and 1:1000 for site more than 1 hectare and shall show;
 - a. The boundaries of the site and of any contiguous land;
 - b. The position of the site in relation to neighboring streets;
 - c. The name of the streets in which the building is proposed to be situated, if any;
 - d. All existing buildings standing on, over or under the site including service lines;
 - e. The position of the building and of all other buildings (if any) which the applicant intends to erect upon his contiguous land referred to in (a) in relation to;
 1. The boundaries of the site and in case where the site has been partitioned the boundaries of the portion owned by the applicant and also of the portions owned by others;
 2. All adjacent streets, buildings(with no. of storey and height) and premises within a distance of 15 m. of the site and of the contiguous land (if any) referred to in (a.); and
 3. If there is no street within a distance of 15 m. of the site, the nearest existing street
 - f. The means of access from the street to the building, and to all other buildings (if any) which the applicant intends to erect upon his contiguous land referred to in(a);
 - g. Indicating space for utilities along both sides of the road;
 - h. Space to be left about the building to secure free circulation of air, admission of light and access for scavenging purposes;
 - i. The width of the street (if any) in front and of the street (if any) at the side / rear or near the buildings ;
 - j. The direction of north point relative to the plan of the building;
 - k. Any physical features, such as well, drains, etc. and

1. Such other particular as may be specified by the Authority.
- iii. Subdivision/ layout plan: In case of development work, the notice in Form-I Part-II shall be accompanied by the sub division/layout plan which shall be drawn on a scale or not less than 1:500 containing the following;
 - a. Scale and north point;
 - b. The location of all proposed and existing roads with their existing /proposed/prescribed widths within the land;
 - c. Dimensions of the plot along with building lines showing the setbacks with dimensions within each plot;
 - d. The location of drains, sewers, public facilities and services, and electrical lines etc.;
 - e. Table indicating size, area and use of all the plots in the subdivision/layout plan;
 - f. Statement indicating the total area of the site, area utilized under roads, open spaces for parks, playgrounds, recreation space and development plan reservations, schools, shopping and other public spaces along with their percentage with reference to the total area of the site proposed to be subdivided; and
 - g. In case of plots, which are subdivided into built up areas in addition to the above, the means of access to the subdivision from existing streets.
 - iv. Building Plan and details: The plans of the buildings and elevations and sections accompanying the notice shall be drawn to a scale of 1:100. The plans and details shall;
 - a. Include floor plans of all floors together with the covered area clearly indicating the size and spacing of all framing members and sizes of rooms and the position of staircases, ramps and lift wells;
 - b. Show the use or occupancy of all parts of the buildings;
 - c. Show exact location of essential services, for example, WC, sink, bath and the like;
 - d. Include at least one elevation from the front showing height of building and rooms and also the height of parapet;
 - e. Include at least one section through the staircase;
 - f. Include the structural arrangements with appropriate sections showing type/arrangements of footings, foundations, basement walls; structural load bearing walls, columns and beams, and shear walls; and arrangement/spacing of framing members, floor slabs and roof slabs with the material used for the same;
 - g. Show all street elevations;

- h. Give dimension of the projected portions beyond the permissible building line;
 - i. Include terrace plan indicating the drainage and slope of the roof; and
 - j. Give indications of the north point relative to the plan.
 - k. Statement and calculation sheets with regard to the plot area, floor wise details of spaces under various categories like apartments or office spaces, lobby circulation, staircase, lift, mezzanine , balconies and details of such area which are to be exempted from calculation of floor area ratio, and;
- v. 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 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 (iv) 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;
- h. Refuse area, if any;
- i. Details of building services- Air-conditioning system with position of fire dampers, mechanical ventilation system, electrical services, boilers, gas pipes, etc;
- j. Detail of exits including provision of ramps, etc., for hospitals and special risk buildings/uses ;
- k. Location of generator, transformer and switch gear room;
- l. Smoke exhauster system, if any;
- m. Details of fire alarm system network;
- n. Location of centralized control, connecting all fire alarm systems built-in-fire protection arrangements and public address system, etc.;

- o. Location and dimension of static water storage tank and pump room along with fire service inlets for mobile pump and water storage tank;
 - p. Location and details of fixed fire protection installations, such as sprinklers, wet risers, hose-reels, drenchers, etc; and
 - q. Location and details of first-aid firefighting equipment/ installations.
 - r. 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.
- vi. 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.
 - vii. Landscape Plan: The landscape plan shall include the area to be developed as lawn, garden, plantation etc.
 - viii. 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.

(3) 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 is delivered by the Board / Authority.
- iv. Necessary environmental clearance wherever applicable.
- v. For all buildings with a height of 15.0 meters and above, NOC from Fire Service shall be submitted.
- vi. NOC from Airport Authority of India shall be furnished wherever applicable.
- vii. In case of building more than 30 meters height, the Structural plan and the structural design shall have to be vetted by Indian Institute of Technology, National Institute of Technology or any State Resource Centre identified by Bihar State Disaster Management Authority.

- viii. Structural stability certificate in the prescribed Form-VII signed by the engineer /structural engineer and the owner jointly shall be furnished.
 - ix. Supervision certificate in Form-I Part-III shall be furnished by the registered architect/ engineer/structural engineer/ supervisor/ town planner undertaking the supervision.
 - x. A check list in Form-I Part-IV) shall be furnished by the empanelled/registered technical person.
- (4) Plans shall be shown as specified below. Where items of work are not identified, the coloring notation used shall be indexed.

TABLE-1: COLOURING NOTATION OF THE PLAN

SN	Item	Computer Plots / plain paper copies/ ammonia prints
1.	Plot lines	Thick Block
2.	Existing Street	Green
3.	Permissible building line	Thick Dotted Black
4.	Existing work (Outline)	Black
5.	Work Proposed to be demolished	Yellow Hatched
6.	Proposed (a) Additions and Alterations	Red filled in
	(b) Entirely New work	Not to be colored
7.	Drainage	Red Dotted
8.	Water Supply	Black Dotted Thin

6. Fees.-The Authority shall levy the following fees:

- (1) Every application for permission for building operation or development shall be accompanied by a scrutiny fee as specified by the respective Authorities.
- (2) In the event of approval, the applicant shall deposit a sanction fee as decided by the Authority from time to time.
- (3) Fees towards premium FAR as decided by the Authority from time to time.
- (4) Fees for retention of structures for temporary period as decided by the Authority from time to time.
- (5) Fees for change of occupancy as decided by the Authority from time to time.

(6) Fees for change of land use as decided by the Authority from time to time.

7. **Security Deposit.**-(1) The applicant shall deposit a refundable non-earning security deposit at the rate of Rs. 100/- per sq. m. of floor area for the following categories of buildings, namely:

- A. Group housing / apartment buildings
- B. Commercial buildings having 300 sq.m or more of floor area.

However the applicant shall have the option of paying security deposit in the form of Bank Guarantee.

(2) The security deposits shall be refunded within 60 days from the date on which completion certificate is produced. If the construction / development are not as per approved plan, this deposit shall be forfeited and separate action will be initiated against the builder / developer as per the provisions of the Act or the Municipal Act.

(3) The security deposit will be refunded with 2% interest if the building is constructed / development is carried out as per the approved plan/ lay out.

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

(2) All plans, drawings, statements, design details shall bear the signature of the applicant 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 Public Health Engineer.

Note: 1. The Empanelled Architect 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. 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-VII 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**.
- (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 plots less than 500 sq.m of area, 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 this bye law 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. After receipt of the show cause if any, the matter shall be placed before the Authority for a decision on such disqualification/ black listing. The decision of the Authority on disqualification/black listing shall be published in the notice Board of the Authority and in the Govt. Website.
- (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
- 9. Permission.**-(1) No permission shall be required for the works specified in clause-12.4.1, Part-2 of National Building Code -2005 and section-31 of the Act.

No notice and building permit is necessary for the following alterations and the like which do not otherwise violate any provisions regarding general building requirements, structural stability and fire and health safety requirements of the National Building Code 2005 :

- (a) Opening and closing of a window or door or ventilator;
- (b) Providing intercommunication doors;
- (c) Providing partitions;
- (d) Providing false ceiling;
- (e) Gardening;
- (f) White washing;
- (g) Painting;
- (h) Re-tiling and reproofing;
- (i) Plastering and patch work;
- (j) Re-flooring; and
- (k) Construction of sunshades on one's own land.

No permission shall be necessary for works carried out by Central Government and State Government Departments/ Bihar State Housing Board if the plans are signed by Government Architects.

- (2) All clarifications with respect to deficiency in the plan, documents will be sought for from the applicant within reasonable time.
- (3) Once the plan has been scrutinized and objections have been pointed out, the applicant shall modify the plan to comply with the objections raised and re-submit it. The Authority shall scrutinize the re-submitted plan and if there will be further objections, the plan shall be rejected.
- (4) The Authority shall communicate either approval in Form-II Part-I or refusal in Form-IX within 60 days from date of receipt of application under Bye Law-5.
- (5) If the Authority, does not communicate its decision either granting or refusing permission to the applicant within 60 days from the date of receipt of the application by the Authority, the applicant shall draw the attention of the Authority with regard to his application, in Form-III The Authority shall within the fifteen days from the date of receipt of notice in Form-III place the details of the case before the Executive Officer/ Municipal Commissioner/ Chairman Planning Authority.
- (6) For stilt+3 and above building, conditional permission shall be accorded directing the builder to develop the onsite and offsite infrastructure like connectivity of sewerage, drainage, water supply, road etc. as per the specification of the local Authority.

The builder/developer shall produce the NOC from the concerned Authorities. The local authority shall within 15 days of receipt of all such NOCs shall issue commencement of work order for construction of main building.

The Planning Authority/Authority shall establish a single window to process such NOCs and clearances.

- (7) A residential building may be constructed by the owner of the land without prior approval of the plan by the Authority if the size of the plot is not more than 300 sq m and if all the conditions mentioned below are satisfied:
- A. The coverage is not more than 60 percent,
 - B. The height is not more than 10 meters,
 - C. No basement/stilt is to be constructed,
 - D. The plan has been approved by a Registered Architect / Engineer empanelled with the Authority as defined under Bye Law 8 above,
 - E. The road, drainage, sewerage and other infrastructure have been developed as per the approved layout plan.
 - F. An application in Form-XII is submitted to the Authority, with a copy of the plan, and the Record of Rights, 60 days prior to commencement of construction; and
 - G. All other conditions of the bye laws;

Note:

- (a) The owner shall have to submit a copy of the completion certificate as required.
- (b) The owner and the builder shall remain responsible for any violation of the norms prescribed under the Bye laws. Nothing in this provision will enable the owner and the builder to violate any of the provisions of the Bye laws.
- (c) Detail guidelines in this regard shall be framed by the Authority from time to time.

- 10. Maintenance of Register.-**A register in Form-IV 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.
- 11. Single Window Clearance.-**The Planning Authority/ Authority shall set up a Single Window Clearance system to process all the NOCs and grant permissions. There shall be a Website through which all the applications/ documents/ forms shall be filed *online*. The approval shall also be communicated through the website.
- 12. Duration of Permission.-**Every permission granted under these bye laws shall remain valid up to three years from the date such a permission is granted. The completion certificate shall have to be submitted within this period. However in case of failure to submit the completion certificate within the prescribed period the permission shall have to be revalidated before the expiry of the above period on payment of such fee as may be prescribed by the authority and such revalidation shall be valid for another two years.

If the building/development works is not completed within the above mentioned five years period, the applicant shall make a fresh application for approval of building plan.

- 13. Construction not according to plan.**-(1) If the Authority finds at any stage that the construction is not being carried on according to the sanctioned plan or is in violation of any of the provisions of these bye laws, it shall notify the owner and no further construction shall be allowed until necessary corrections in the plan are made and the corrected plan is approved.
- (2) If the owner fails to comply with the requirements at any stage of construction, the Authority may cancel the building permission issued and shall cause notice of such cancellation to be pasted upon the said construction. If the owner is not traceable at the address given in the notice, pasting of such notice shall be considered as sufficient notification of cancellation to the owner thereof. No further work shall be undertaken or permitted upon such construction until a valid building permission is issued thereafter.
- (3) The notification under sub-bye law (2) shall also be published in as public notice and also on the Website.
- (4) The Authority will also be at liberty to forfeit whole or part of the security deposit obtained from the owner/ builder/ developer during sanction of the plan.
- (5) The above mentioned procedure shall also be followed in case of deviation of the layout.
- (6) An appeal against an order under sub-bye law (2) & (4) above shall lie with the respective tribunals under the Act and Municipal Act.
- 14. Information at the site of construction.**-(1) Whereas tests of any material are made to ensure conformity of the requirements of these bye laws, records of the tests data shall be kept available for inspection during the construction of building and for such period thereafter as required by the Authority.
- (2) The persons to whom a permit is issued during construction shall keep pasted in a conspicuous place on the property in respect of which the permit was issued ;
- A. A copy of the building permit; and
- B. A copy of approved drawings and specifications
- 15. Inspection.**-(1) As a matter of course all construction or work for which a permit is required shall be subject to inspection by the Authority at all reasonable hours with prior intimation.
- (2) Inspection, where required, shall be made within seven days following the receipt of notice in Form-V or Form-VIII, after which period the owner will

be free to go ahead with the construction according to the approved plan. At the first inspection, the Authority shall determine that the building construction has been taken up in accordance with approved site plans.

16. Completion of construction.-(1) The Authority shall permit an empanelled Architect/ Engineer to certify completion of building and issue of occupancy certificate for residential buildings designed by self or otherwise on a plot size up to 300 sq.m. The responsibility of compliance with respect to provisions of these bye laws shall rest with registered architect/engineer. However, the plans shall be required to be submitted to the Authority for information and record.

(2) The owner/concerned empanelled architect/engineer/structural engineer will serve a notice of completion certificate in Form VI (Part I and Part II) to the Authority that the building has been completed in all respects as per the approved plan. The said notice shall be accompanied by the following documents :

- (a) Three copies of completed building plans.
- (b) A fee of Rs.1000/-.
- (c) Record of Rights relating to ownership.
- (d) Copy of approved plan and approval letter.

(3) The deviations shall also be brought to the notice of the Authority (with relevant documents).

(4) The team of officials shall visit the site within 30 days and occupancy certificate shall be given. The team will verify the following facts

- (a) Number of floors
- (b) External Setbacks
- (c) Building Line
- (d) Parking space provision
- (e) Abutting road width
- (f) FAR
- (g) Tree Cover

17. Certificate for occupancy.-(1) The officer Authorized by the Authority shall issue a certificate for occupancy, for part of a building during its construction or whole of the building after construction in Form-X or refuse occupancy, as the case may be, within 30 days from the date of application.

(2) The department/line agencies dealing with electric power, water supply, drainage and sewerage shall not give connections to building unless such occupancy certificate is produced.

- (3) The occupancy 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.
- (4) In case of multi storied building and other special building like educational, assembly, institutional, industrial, storage and hazardous and mixed occupancies with covered area more than 500 sq.mtr., after completion of the building and obtaining the occupancy certificate, periodic inspection shall be made by the Fire Authority to ensure the fire safety of the building and compliance with the provision of fire and life safety requirements ('Fire and Life Safety', Part-4 of NBC). Periodic occupancy renewal certificate shall be issued by the Authority on the recommendation of the Fire Officer, which shall also include safe keep of fire fighting installations and equipment for such building.
- (5) All occupied buildings and buildings covered under sub-bye law (4) above shall also be subject to periodic physical inspection by a team of multi-disciplinary professionals of the Authority. This work may be outsourced by the Authority as may be deemed necessary. The team shall report compliance of bye-laws, natural lighting, and ventilation, besides structural and electrical safety. If any short comings/deficiencies or violations are noticed during inspection, the occupants shall ensure the compliance of the same within a specified time frame of six months. If not complied with, the building shall be declared unsafe. The period of inspection shall be usually three to five years but in any case not more than five years.
- (6) An appeal against the decision of the Authority shall lie with the respective Tribunal under the Act or the Municipal Act.

18. Art commission.-(1) 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.

19. Construction near protected monuments.-(1) No construction or reconstruction 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.

20. 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.

21. Construction near river front.-1. No construction or re-construction of any building, within the radius of 200 metres, or such other higher distance as prescribed from time to time by the State Government, from the outer boundary of the riverfront of Ganges shall be permitted except for repair and renovation work of heritage buildings.

2. No construction or re-construction of any building shall be allowed, within the radius of 100 metres, or such distances as prescribed by the State Government, from the outer boundary of the riverfront of any river other than the Ganges river. The State Government shall notify a list of such rivers.
3. Notwithstanding the above provision, any Planning Authority or Government Body shall be able to undertake development and

beautification work of riverfront, ghats or any other planned development on reclaimed lands with the approval of the Government.

- 22. Unsafe building.**-(1) All unsafe buildings shall be considered to constitute danger to public safety and shall be restored by repairs or demolished or dealt with otherwise as directed by the Authority.
- (2) The Authority shall examine or cause to be examined every building reported to be unsafe or damaged and shall make a written record of such examination.
 - (3) Whenever the Authority finds any building or portion thereof to be unsafe, it shall, in accordance with established procedure for legal notice, give to the owner or occupier of such building written notices stating the defects thereof. This notice shall require the owner or the occupier within a stated time either to complete specified repairs or improvements or to demolish and remove the building or portion thereof.
 - (4) The Authority may recording the reasons there for direct in writing that the building which in its opinion is dangerous, or has no provision for exit in the event of fire, shall be vacated immediately or within the period specified for the purpose.
 - (5) If any person does not comply with the orders of vacating a building, the Authority may with the help of police remove the person from the building.
 - (6) In case the owner or occupier fails, neglects or refuses to comply with the notice to repair or to demolish the said building or portion thereof, the Authority shall cause the danger to be removed either by demolition or repair of the building or portion thereof or otherwise.
 - (7) In case of emergency, which, in the opinion of the Authority involves imminent danger to human life or health, the decision of the Authority shall be final. The Authority shall forthwith or with such notice as may be possible promptly cause such building or portion thereof to be rendered safe by retrofitting/strengthening to the degree of safety or removed. For this purpose, the Authority may at once enter such structure or land on which it stands, or abutting land or structure, with such assistance and at such cost as may be deemed necessary. The Authority may also get the adjacent structures vacated and protect the public by appropriate fencing or such other means as may be necessary.
 - (8) Costs incurred under sub-by laws (6) & (7) shall be charged to the owner of the premises involved. Such cost shall be charged on the premises in respect of which or for the benefit of which the same have been incurred and shall be recoverable as provided under law.
- 23. Demolition of building.**-(1) Before a building is demolished, the owner shall notify all utilities having service connections within the building, such as water electricity, gas, sewer and other connections. A permit to demolish a building

shall not be issued until a release is obtained from the utilities departments stating that their respective service connections and appurtenant equipment, such as meters and regulators have been removed or sealed and plugged in a safe manner.

- (2) The owner shall take all precautionary measures to avoid noise and dust pollution and shall not create any inconvenience to the neighboring plot owners.
- (3) In case of semidetached building, no objection certificate from the neighbors shall be obtained.

24. 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 NBC 2005 and these bye laws.

- (2) Every owner/applicant shall:
 - A. 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;
 - B. Obtain, where applicable, from the competent Authority permissions /clearance required in connection with the proposed work;
 - C. Give written notice to the Authority before commencement of work on building site in Form-XII periodic progress report in Form-V or Form-VIII, notice of completion in Form-VI and notice in case of termination of services of Technical persons engaged by him and
 - D. Obtain an Occupancy Certificate from the Authority prior to occupation of building in full or part.

25. 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:
 - A. The title over the land or building;
 - B. Easement rights;
 - C. Variation in area from recorded area of a plot or a building;
 - D. Structural stability;
 - E. Workmanship and soundness of materials used in the construction of the buildings

- F. Quality of building services and amenities in the construction of the building,
 - G. 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
 - H. 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-byelaws (2) (A.) to (H.) above.

CHAPTER - III

LAND USE CLASSIFICATION AND PERMISSIBLE USES

- 26. 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 2. 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.
- 27. 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 2.
- (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.
- (3) The purposes specified in column (4) of the said Table shall not be permitted in the areas reserved for particular uses.
- (4) Residential buildings and others buildings may be permitted in the Urban Agriculture use zone if the following conditions are satisfied along with other conditions of these bye laws :
- A. The land is not a leasehold land;
- B. The coverage is not more than 20%;
- C. The height is not more than 7.0 (seven) meters; and at least 60% of land is used for plantation/ agriculture;
- (5) Projects of planned township development may be allowed in Urban Agriculture Zone by the authority. Such permission shall be accorded by the Authority with the approval of the Bihar Urban Planning and Development Board under the Act.
- (6) Mixed land use may be permitted in a particular zone on approval by Authority. However, the main use shall cover not less than 2/3rd of the total floor area and the ancillary use shall not exceed 1/3rd of the total area.

TABLE-2: LAND USES PERMITTED/PROHIBITED IN DIFFERENT USE ZONES

SN	Use Zone	Uses/Activities Permitted	Uses/Activities Permissible on approval by Authority	Uses/Activities Prohibited
	1	2	3	4
1	Residential Use Zone	1. Residence plotted (detached, semi-detached and row housing), apartment, group housing, work-cum-residential	1. Places of worship	1. Heavy, large and extensive industries, noxious, obnoxious and hazardous industries
		2. Hostels, boarding and lodging houses	2. Shopping centres	2. Warehousing, storage godowns of perishables, hazardous, inflammable goods, wholesale mandis, junk yards
		3. Night shelters, dharamshalas, guest houses	3. Municipal, state and central government offices	3. Workshops for buses
		4. Educational buildings (nursery, primary, high school)	4. Colleges and research institutions	4. Slaughter houses
		5. Neighborhood level social, cultural and recreational facilities with adequate parking provisions	5. Petrol filling stations	5. Hospitals treating contagious diseases
		6. Marriage and community halls	6. Places of entertainment, cinema halls, restaurants and hotels	6. Sewage treatment plants and disposal sites
		7. Convenience shopping, local (retail) shopping	7. Markets for retail goods	7. Water treatment plants, solid waste dumping grounds
		8. Community centers, clubs, auditoriums	8. IT and IT enabled services	8. Outdoor and indoor games stadiums, shooting range
		9. Exhibition and art galleries; Zoological garden, botanical garden,	9. Tourism related services	9. Bird Sanctuary
		10. Libraries and	10. Motor vehicle	10. International

		gymnasiums	repairing workshop, garages, storage of LPG cylinders	conference centers
		11. Health clinics, yoga centers, dispensaries, nursing homes and health centers (20 beds)	11. Burial grounds	11. District battalion offices, forensic science laboratory
		12. Public utilities and buildings except service and storage yards, electrical distribution depots and water pumping stations	12. Printing presses employing not more than 10 persons	12. All uses not specifically permitted in column (2) and (3)
		13. Nursery and green houses	13. Godowns /warehousing of non-perishables	
		14. Services for households (salon, parlours, bakeries, sweet shops, dry cleaning, internet kiosks etc.)	14. Bus depots without workshop	
		15. Banks and professional offices not exceeding one floor	15. Household industries if the area for such use does not exceed one floor and there shall be no public display of the goods	
		16. Bus stops, taxi stands, 3 wheeler/auto stands, rickshaw stands	16. Consulates	
		17. Police posts and post offices		
		18. Parks and tot-lots		
2	Retail Commercial and Business Use Zone	1. Retail business, mercantile	1. Associated residential uses	1. Polluting industries
		2. Commercial centers	2. Wholesale storage yards	2. Heavy, extensive, noxious, obnoxious, hazardous and extractive industrial units
		3. Banks, financial services and stock	3. Service garages provided they do not	3. Hospitals, research

		exchanges	directly about the main road, Stock exchanges	laboratories treating contagious diseases
		4. Perishable goods markets	4. Printing presses employing not more than 10 persons	4. Poultry farms, dairy farms, slaughter houses
		5. Business and professional offices	5. 20 bedded hospitals not treating contagious diseases and mental patients	5. Sewage treatment plants and disposal sites, solid waste treatment plants and dumping grounds
		6. Private institutional offices and semi government offices	6. Weigh bridges	6. Agricultural uses, storage of perishable and inflammable commodities
		7. Shops and shopping malls	7. Colleges, polytechnics and higher technical institutes	7. Quarrying of gravel, sand, clay and stone
		8. Commercial services	8. Sports complex and stadiums. Zoological gardens, botanical gardens	8. Bird sanctuary
		9. Restaurants and hotels	9. Transient visitor's homes	9. Sports training centers
		10. Hostels, boarding houses, social and welfare institutions, guest houses	10. Places of entertainment, recreational uses and museums	10. District battalion offices
		11. Convenience and neighborhood shopping centers, local shopping centers, weekly and formal markets, bakeries and confectionaries	11. Convention centers	11. Forensic science laboratory and all other related activities which may cause nuisance
		12. Cinema halls, theaters, banquet halls, auditoriums	12. Religious places	12. Court
		13. Marriage and community halls, night shelters	13. Public utilities, telephone exchanges	13. All uses not specifically permitted in the column (2) and (3)
		14. Clinics and nursing homes	14. Police posts and post offices	

		15. Petrol Pumps	15. Residential, apartment, group housing	
		16. IT and IT enabled services	16. Picnic Hut	
		17. Commercial institutes, research and training institutes		
		18. Parking lots		
		19. Taxi stands, 3 wheeler/auto stands, rickshaw stands		
3	Wholesale Commercial Use Zone	1. Wholesale and retail business	1. Truck terminal, bus depots and parking	1. Polluting Industries
		2. Wholesale and storage buildings	2. Freight terminal	2. Large scale storage of hazardous and other inflammable materials except in areas, specifically earmarked for the purpose
		3. Commercial and business offices and work places	3. Warehousing, storage godowns of perishable, inflammable goods, coal, wood, timber yards	3. All uses not specifically permitted in columns (2) and (3)
		4. Petrol pumps and service stations on roads of 12 meter or more ROW	4. Service centers, garages, workshops	
		5. Godowns, covered storage and warehousing	5. Non-polluting, non-obnoxious light industries	
		6. Weigh bridges	6. Junk-yards	
		7. Bus stops, taxi stands, 3 wheeler/auto stands, rickshaw stands	7. Gas installation and gas works	
		8. Parking spaces	8. Railway yards and stations, road freight stations	
		9. Restaurants	9. Banks and financial services	
		10. Public utilities	10. Associated residential uses,	

			residential, apartment, group housing	
		11. Police station/ posts, post offices	11. Government and Semi-government offices	
			12. Water treatment plants	
4	Industrial Use Zone	1. All kind of nonpolluting industries	1. Heavy, extensive and other obnoxious, hazardous industries subject to the approval of the Bihar Pollution Control Board	1. General business unless incidental to and on the same site with industry
		2. IT & ITES	2. Industrial Research Institute	2. Schools and colleges
		3. SEZs notified by government of India	3. Technical Educational Institutions	3. Hotels, motels and caravan parks
		4. Loading, unloading spaces	4. Junkyards, sports/ stadiums/ playgrounds	4. Recreational spots or centers
		5. Warehousing, storage and depots of nonperishable and non-inflammable commodities	5. Sewage disposal works, electric power plants, service stations	5. Other non-industrial related activities
		6. Cold storage and ice factory	6. Govt. semi-govt., private business offices	6. Religious buildings
		7. Gas godowns	7. Banks, financial institutions and other commercial offices	7. Irrigated and sewage farms
		8. Wholesale business establishments	8. Agro-based industries, dairy and farming	8. Major oil depot and LPG refilling plants
		9. Petrol filling station with garages and service stations	9. Gas installations and gas works	9. Social buildings
		10. Bus terminals and bus depots and workshops	10. Workshops garages	10. All uses not specifically permitted in columns (2) and (3)
		11. Parking, taxi stands, 3 wheeler/auto stands, rickshaw stands	11. Residential, apartment, group housing, hotels and guest houses	
		12. Residential buildings for essential staff and for watch and	12. Museum	

		ward		
		13. Public utilities	13. Helipads	
			14. Hospitals and medical centers	
5	Public & Semi-public Use Zone	1. Government offices, central , state, local and semi-government, public undertaking offices	1. Residential flats, residential plots for group housing and staff housing, Residential, apartment, group housing	1. Heavy, extensive and other obnoxious, hazardous industries
		2. Universities and specialized educational institutions, colleges, schools, research and development centers	2. IT services	2. Slaughterhouses
		3. Social and welfare centers	3. Defense quarters	3. Junkyard
		4. Libraries	4. Hostels, transit accommodation	4. Wholesale mandies
		5. Hospitals, health centers, dispensaries and clinics	5. Entertainment and recreational complexes	5. Dairy and poultry farms, farmhouses
		6. Social and cultural institutes	6. Nursery and kindergarten, welfare center	6. Workshops for servicing and repairs
		7. Religious buildings	7. Open air theater, playground	7. Processing and sale of farm products
		8. Conference halls	8. Residential club, guest house	8. All uses not specifically permitted in columns (2) and (3)
		9. Community halls, marriage halls, dharamashala	9. Bus and Truck terminals, helipads	
		10. Museums, art galleries, exhibition halls, auditoriums	10. Parking areas, taxi stands, 3 wheeler/auto stands, rickshaw stands	
		11. Police stations, police lines, jails		
		12. Local state and central govt. offices uses for defense purpose		
		13. Educational		

		and research institutions		
		14. Social and cultural and religious institutions		
		15. Local municipal facilities		
		16. Uses incidental to govt. offices and for their use		
		17. Monuments		
		18. Post offices, Telegraph offices, public – utilities and buildings		
		19. Radio and television station		
6	Utility and Services Use Zone	1. Post offices, Telegraph offices, public – utilities and buildings	1. Service industry	1. Any building or structure which is not required for uses related to public utilities and activities is not permitted therein.
		2. Water Treatment Plant, Sewage Treatment Plant, Solid waste Treatment Plant solid waste dumping grounds	2. Warehouse/storage godowns	2. Heavy, extensive and other obnoxious, hazardous industries
		3. Radio transmitter and wireless stations, telecommunication centers, telephone exchange	3. Health center for public and staff or any other use incidental to public utilities and services	3. All uses not specifically permitted in column (2) and (3)
		4. Water supply installations	4. Information/Payment kiosk	
		5. Sewage disposal works	5. Incidental/ancillary residential use	
		6. Service stations	6. Truck terminals, helipads	
		7. Cremation grounds and cemeteries/burial ground	7. Commercial use center	
		8. Power plants/ electrical		

		substation		
		9. Radio and television station		
		10. Fire stations		
7	Open Space Use Zone	1. Specialized parks/ maidans for multipurpose use	1. Building and structure ancillary to use permitted in open spaces and parks such as stands for vehicles on hire, taxis and scooters	1. Any building or structure, which is not required for open air recreation, dwelling unit except for watch and ward, and uses not specifically permitted therein.
		2. Regional parks, district parks, playgrounds, children's parks	2. Commercial use of transit nature like cinemas, circus and other shows	2. All uses not specifically permitted in column (2) and (3)
		3. Clubs	3. Public assembly halls	
		4. Stadiums, picnic huts, holiday resorts	4. Restaurants	
		5. Shooting range, sports training center	5. Parking areas, Caravan parks	
		6. Swimming pools	6. Open air cinemas/ theatre	
		7. Botanical/ zoological garden, bird sanctuary	7. Entertainment and recreational complexes	
		8. Green belts	8. Community hall, library	
		9. Bus and railway passenger terminals	9. Open air theater, theme parks, amphitheaters	
			10. Residential club, guest house	10. Public utilities and facilities such as police post, fire post, post and telegraph office, health center for players and staff
			11. Camping sites	11. Animal racing or riding stables
			12. Yoga and meditation centres	
			13. Commercial uses center	
			14. Special education areas	
			15. Incidental/ancillary	

			residential use	
8	Transportation Use Zone	1. All types of roads	1. Way side shops and restaurants	1. Use/activity not specifically related to transport and communication permitted herein.
		2. Railway stations and yards	2. Authorised/Planned Vending areas	2. All uses not specifically permitted in column (2) and (3)
		3. Airport	3. Incidental/ancillary residential use	
		4. Bus stops and Bus and Truck terminals	4. Emergency health care centre	
		5. Taxi stands, auto stands, rickshaw stands	5. Tourism related Activities	
		6. Ferry ghats	6. All ancillary (complimentary) uses for above categories (subject to decision of the Authority)	
		7. Parking areas		
		8. Multi level car parking		
		9. Filling stations		
		10. Transport offices, booking offices		
		11. Night shelter, boarding houses		
		12. Banks		
		13. Restaurants		
		14. Workshops and garages		
		15. Automobile spares and services, Godowns		
		16. Loading and unloading platforms (with/without cold storage facility), weigh bridges		
		17. Ware houses, Storage depots		
		18. Utility networks (drainage, sewage, power, tele-		

		communications)		
9	Agricultural and Forest Use Zone	1. Agriculture and Horticulture	1. Houses incidental to this use	1. Residential use except those ancillary uses permitted in agricultural use zone
		2. Dairy and poultry farming, milk chilling center	2. Parks and other recreational uses	2. Heavy, extensive, obnoxious, noxious and hazardous industries
		3. Storage, processing and sale of farm produce	3. Wayside shops and restaurants	3. Any activity which is creating nuisance and is obnoxious in nature
		4. Dwelling for the people engaged in the farm (rural settlement)	4. Hospital for infectious and contagious diseases, mental hospital after clearance from the Authority	4. All uses not specifically permitted in column (2) and (3)
		5. Farm houses and accessory buildings	5. Agro serving, agro processing, agro business	
		6. Afforestation	6. Cottage industries	
			7. Burial and cremation grounds	
			8. Service industries accessory to obnoxious and hazardous industries	
			9. Ice factory, cold storage	
			10. Godowns and ware houses	
			11. Soil testing lab	
			12. Normal expansion of land uses only in the existing homestead land	
			13. Solid waste management sites, Sewage disposal works	
			14. Electric sub station	
			15. Quarrying of gravel, sand, clay or stone	
			16. Building construction over plots covered under town	

			planning scheme and conforming uses	
			17. Brick kilns and extractive areas	
			18. Eco-tourism, camping sites, eco-parks, eco lodges	5. For notified forest lands only afforestation is permitted and Item no. 18 and 19 from column (3) are permissible by the competent authority
			19. Special outdoor recreations	
10	Water Bodies Use Zone	1. Rivers, canals	1. Fisheries	1. Use/activity not specifically related to Water bodies Use not permitted herein.
		2. Streams, water spring	2. Boating, water theme parks, water sports, lagoons	2. All uses not specifically permitted in column (2) and (3)
		3. Ponds, lakes	3. Water based resort with special by-laws	
		4. Wetland, aqua culture pond	4. Any other use/activity incidental to Water bodies Use Zone is permitted.	
		5. Reservoir		
		6. Water logged/marshy area		
11	Special Heritage Zone	1. Heritage interpretation center, art galleries & sculpture complex	1. Residential.	1. Use/activity not specifically related to Special Heritage Use Zone not permitted herein.
		2. Public –semi public.	2. Educational and research Institutions	2. Multistoried building
		3 Recreational.	3. Social and cultural institutions	3. Multiplex, Shopping Mall
		4. Theme Parks, Archeological Parks / Gardens.	4. Commercial.	4. Dumping ground
		5. Amphitheatres.	5. Commercial activities	5. Sewerage Treatment
		6. Open Air Museums.	6. Craft based cottage industries	6. All uses not specifically

				permitted in column (2) and (3)
		7. Restoration of protected and enlisted monuments and precincts by the concerned authority only (ASI / State Archeology)	7. Hotels, guest houses, lodges , resorts	
		8. Recreational.	8. Auditorium	
		9. Theme Parks, Archeological Parks / Gardens.	9. camping sites , special training camps	
			10. Hospitals & health centers	
			11. Multistoried Parking	
12	Environmentally Sensitive Zone			
		1. River front developments	1. Apartment Buildings, corporate type housing adopting modern technology.	1. Plotted housing
		2. Scenic value areas. Theme parks, yoga parks, sports centres and community recreational areas, International convention centre	2. Hospitals and health institutions	2. Small industries or small institutions
		3. River side green areas	3. Educational, technical, research institutes of higher order	3. Use/activity not specifically related to Environmentally Sensitive Use Zone not permitted herein
		4. Existing village settlements	4. Water Treatment Plant, Sewage Treatment Plant, Solid waste Treatment Plant solid waste dumping grounds	4. No development of any kind is permitted between the River/Canal/Stream and the embankment
		5. Art academy, media centres, food courts, music		5. All uses not specifically permitted in

		pavilions		column (2) and (3)
		6. Parking areas, visitor facilities		
		7. Boating , Picnic huts, Camping sites Special Training camps		
		8. Existing residential or other uses.		
		9. Resorts, sculpture complex, lagoons& lagoon resort, water sports.		
		10. Tourist and pilgrim related commercial activities, hotels and lodges		
		11. Non polluting, agro-based and processing industries, Storage or Godowns for food grains		
13	Urban Agriculture use zone	1. Independent residence, guest houses	1. Sewage treatment plants and disposal sites	1. Heavy, large and extensive industries, noxious, obnoxious and hazardous industries
		2. Educational buildings (nursery, primary, high school)	2. Water treatment plants, solid waste dumping grounds	2. Warehousing, storage godowns of perishables, hazardous, inflammable goods, wholesale mandis, junk yards
		3. Neighborhood level social, cultural and recreational facilities with adequate parking provisions	3. Outdoor and indoor games stadiums, shooting range	3. Workshops for buses
		4. Marriage and community halls	4. Zoological garden, botanical garden, bird sanctuary	4. Slaughter houses

		5. Community centers, clubs, auditoriums	5. Planned Township Development	5. Hospitals treating contagious diseases
		6. Exhibition and art galleries		6. International conference centers
		7. Public utilities and buildings except service yards, electrical distribution depots and water pumping stations		7. District battalion offices, forensic science laboratory
		8. Nursery and green houses		8. All uses not specifically permitted in column (2) and (3)
		9. Parks and tot-lots		
		10. All permitted activities in 'Agriculture Use Zone'		

CHAPTER - IV

GENERAL

- 28. Restriction on permission.**-Without prejudice to any other stipulation in these bye laws, no permission to construct a building on a site shall be granted:
- A. In areas of natural waterways or drains, as detailed in the Development Plan, and drainage plan as modified from time to time;
 - B. If the orientation of such building is not in harmony with the surroundings, as may be decided by the Art Commission;
 - C. If the use to which the site is proposed to be put does not conform to the use earmarked in the Development Plan;
 - D. If the building is to be constructed over or under a municipal drain, sewerage line, electrical line, water main, any other government or public land, or public utility services;
 - E. If the foundation of the external wall along a street is located at a distance less than 1 meters from the edge of the street or road margin including the drain;
 - F. As Bihar is located in Seismic Zone III, IV and V if all Structural Plans are not prepared taking this into account.
 - G. In case of areas which get flooded, the Structural Plans are not prepared taking this into account.
- 29. Distance from Electric lines.**-As provided in clause-6.4 of National Building Code-2005 no verandah, balcony or the like shall be allowed to be erected or re-erected or any additions or alterations made to a building within the distances quoted below in accordance with the Indian Electricity Rules between the building and any overhead electric supply line;

TABLE - 3: MINIMUM DISTANCE FROM THE ELECTRIC LINE

	Vertical distance in meters	Horizontal distance in meters
Low and medium voltage lines and service lines	2.5	1.2
High voltage lines up to and including 11, 000 Volt	3.7	1.2
High voltage lines above 11,000 volt and up to and including 33,000 Volt	3.7	2.0
Extra high voltage line beyond	3.7 (Plus 0.3 meters	2.0 (Plus 0.3

33,000 Volt	for every additional 33,000 volts or part thereof)	meters for every additional 33,000 volts or part thereof)
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30. Plantation.-In every building area, at least 10% of the land shall be covered by plantation, but in case of multi-storied buildings/ Group Housing / Apartment building/ Industrial/ Assembly/ Educational/ Institutional buildings, at least 20% of the land shall be covered by plantation.

31. Means of Access.-(1) Every building/ plot shall abut on a public/ private means of access like streets /roads of duly formed of width as specified in clause 4, Part-3 of NBC-2005. **(Annexure-II)**

(2) In no case, development of plots shall be permitted unless it is accessible by a public/private street of width not less than 8 meters. This includes a road with a width of 6 metres with flanks of 1 metre on both the sides. In case public land is not available for the road and its flanks, the plot owners on both sides of the road shall equally surrender their right over the land to the authority to accommodate the road width. The centre line of the road shall be taken as reference for such surrenders. 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.

(3) In case of institutional, administrative, assembly, industrial and other non-residential and non-commercial activities, the minimum road width shall be 16 meter. This includes a road with a width of 12 metres with flanks of 2 metres on both sides of the street/road. In case public land is not available for the road and its flanks, the plot owners on both sides of the road shall equally surrender their right over the land to the authority to accommodate the road width. The centre line of the road shall be taken as reference for such surrenders. 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.

(4) Every road/street mentioned in this bye laws shall have a flank. The width of the flank specified shall be in addition to the road width mentioned in these bye laws. Unless otherwise specifically mentioned, the minimum width of flank on either side of the road shall be 15% of the road width. The flank shall be used to construct drains and lay down utilities for planned development. The flank shall also be used as pavement. In case public land is not available for the flanks, the plot owners on both sides of the road shall equally surrender their right over the land to the authority to accommodate the road width. The centre line of the road shall be taken as reference for such surrenders. 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.

- (5) While calculating the width of the street the thorough width will be taken into consideration. i.e. the minimum width of the road from the start of the road/street till the plot.
- (6) In case of a private road, which gives access to one or more buildings, the owner of the said private road shall develop the road and storm water drain as required by the Local Authority, and transfer the same to the Registered Residents' Welfare Association for maintenance.

32. Minimum size of plots.-The minimum size of plots for different categories of building is given below:

TABLE - 4: CATEGORY WISE SIZE OF PLOTS

Category	Min. road width(m)	Min. size of plot in Sq. m.
Marriage Halls	12	1000
Cinema, game centers, Multiplex, convention centers	18	2000
Social clubs and amenities	12	1000
Multi storey car parking	12	1000
Office buildings	12	300
Primary/Upper Primary school	12	2000
High School , Residential school	12	6000
+2 College / Junior college	12	4000
Degree College	12	6000
Technical educational institution	12	10000
Petrol pumps / Filling stations	12	500
Restaurant	12	500
LPG storages	12	500
Places of congregation	12	500
Public libraries	12	300
Conference hall	15	1000
Community hall	12	500
Nursing homes/polyclinics	12	300
Hotel	18	2000
R&D Lab	15	1500

Note: In exceptional cases the Authority may consider revising the minimum size of plot on the approval of the Government.

33. Minimum setbacks & Height for non-high rise buildings.-(1) The minimum setbacks and height of buildings permissible in a given size/plot for residential and commercial building in non-high rising category shall be as follows;

TABLE - 5: PLOT SIZE WISE PERMISSIBLE SET BACKS AND HEIGHT OF BUILDINGS

Plot size (in Sq. Mts)	Maximum height of building permissible (in Mts)	Minimum Front setback (in Mts) Abutting road width					Minimum setbacks other sides(in Mts)	
		Less than 9 Mts	9 Mts and below 12 Mts	12 Mts and less than 18 Mts	18 Mts and less than 30 Mts.	Above 30 Mts.	Rear side	Other side
1	2	3(a)	3(b)	3(c)	3(d)	3(e)	4	5
Less than 100	7	2.0	2.0	2.5	3.0	4.5	1.0	~
100 & upto 200	10						1.5	1.0
Above 200 & upto 300	10						2.0	1.0
Above 300 & upto 400	12	3.0	3.0	3.5	4.5	6.0	3.0	1.5
Above 400 & upto 500	12						3.0	3.0
Above 500 & upto 750	15	4.5	4.5	4.5	4.5	6.0	3.5	3.5
Above 750	15						3.5	3.5

(2) In case of apartments, the minimum distance between two buildings will not be less than 1/3rd of the height of the taller building. However the minimum width of the internal road shall be 6 m.

In all other cases, the width of such open space between the buildings on a plot shall be the setback specified for the tallest building subject to a minimum of three metres.

(3) The setbacks/open spaces for other occupancies shall be as below;

A. Educational buildings - In case of educational buildings the open spaces around the building shall not be less than 6 meter. The front set back shall be 9 metres.

B. Institutional buildings - the open spaces around the building shall not be less than 6 m. The front setback shall be 9m.

C. Assembly buildings - the open space in front shall be not less than 12m and the other open spaces around the building shall not be less than 6m.

D. Commercial & Storage buildings - In case of plots with more than 500sq.mtr. area, the open spaces around the building shall not be less than 6.0m. The front setback shall be 9m.

- E. Industrial buildings –The front setback shall be 12m. The open spaces around the building shall not be less than 9 m for heights up to 15 meter, with an increase of 0.25 meter for every increase of 1 meter or fraction thereof in height.
- F. Hazardous occupancies - the open spaces around the building shall not be less than 9 m. The front set back shall be 12m.
- G. IT, ITES and other Corporate Buildings: - In case of plots up to 750sqm the minimum setbacks around the building shall not be less than 6mtr. The front setback shall be 9m, in case of plots above 750 sq.mtr. the minimum other setbacks around the building shall not be less than 6mtr.
- H. Slum Improvement- The setback norms shall not apply to slums taken up under an approved programme of the Government subject to the specific sanction of the Government.

34. Minimum setbacks for high rise buildings.-For high-rise/ multi-storied buildings, the open spaces around the building shall be as given in the Table below;

TABLE-6: PROVISION OF EXTERIOR OPEN SPACES AROUND THE BUILDINGS

SI. No.	Height of the Building Upto (m.)	Exterior open spaces to be left out on all sides in m. (front rear and sides in each plot)
1	More than 15 and upto 18	6
2	more than 18 and upto 21	7
3	More than 21 and upto 24	8
4	More than 24 and upto 27	9
5	More than 27 and upto 30	10
6	More than 30 and upto 35	11
7	More than 35 and upto 40	12
8	More than 40 and upto 45	13
9	More than 45 and upto 50	14
10	More than 50	15

In no case the minimum setbacks shall be less than those specified in 33(3) (A to G) for high rise buildings in the mentioned category.

Note:

- (i) On sides where no habitable rooms face, a minimum space of 9.0m shall be left for heights above 27.0 m.

(ii) In case of multi storied buildings the exterior open space around a building shall be of hard surface capable of taking load of fire engine weighting up to 45 tonnes.

- 35. Floor Area Ratio.**-(1) The Floor Area Ratio (F.A.R) for all buildings shall be decided on the basis of the road width on which the plot/site abuts.

TABLE - 7: FAR AS PER ROAD WIDTH.

Road width in m.	FAR
Up to 6	0.75
6 or more & less than 9	1.25
9 or more & less than 12	1.50
12 or more & less than 15	1.75
15 or more & less than 18	2.00
18 or more & less than 30	2.25
30 or more	3.00

- (2) However, to avail FAR above 1.5, the minimum plot size should be 1,500 sq.m or more otherwise the FAR will be 1.5 only.
- (3) In case of group housing the maximum permissible FAR shall be 2.00. However additional FAR up to 0.25 shall be allowed for dwelling units meant exclusively for LIG/EWS.
- (4) In case of 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 building the maximum FAR shall be 1.50.
- (7) In case a part of the plot is acquired / donated for public purpose like road, drain, etc., the Authority may allow additional FAR up to 1.0 for the area surrendered in the form of TDR (Transferable Development Right) as per the modality/ scheme approved by the State Government.
- (8) Exclusive multistorey 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 coverage and FAR.

- (9) 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 he 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. He will also be entitled to additional FAR as per the scheme mentioned in sub bye laws 7 above.

- (10) FAR shall not include
- A. Basements or cellars and space under a building constructed on stilts and used as a parking space, and air conditioning plant room used as accessory to the principal use;
 - B. Electric cabin or substation, watchman booth of maximum size of 3sq.m. with minimum width or diameter of 1.732 m., pump house, garbage shaft, space required for location of fire hydrants, electric fittings and water tank, society room of maximum 12 sq.mtr.
 - C. Projections and accessories buildings as specifically exempted from the open space/setback requirement.
 - D. Staircase room and lift rooms above the topmost storey, architectural features, and chimneys and elevated tanks of dimensions as permissible under the NBC; the area of the lift shaft shall be taken only on one floor.
- (11) Additional FAR may be allowed for Government Buildings/ Government Projects with the prior approval of the Government.

36. Height of a building.-(1) The height of the building shall be governed by the limitations of Floor Area Ratio, open space (setbacks), and the width of the street facing the plot described as detailed below:

- A. The maximum height of a building shall in no case exceed (1.5 times X the width of the road on which the plot abuts) + the front setback. However, higher height on account of premium FAR may be permitted by the Authority with the prior approval of the Government.
- B. If a building abuts on two or more streets of different widths, the building shall be deemed to face upon the street that has the greater width and the height of the building shall be regulated by the width of the street.

Provided that the roads on the other sides shall also conform to provisions made under bye law 31.

C. While calculating the width of the street the thorough width will be taken into consideration. i.e. the minimum width of the road from the start of the road/street till the building/plot.

(2) Notwithstanding anything contained in sub-bye law (1) the height restrictions with respect to approach Funnels and Transitional area of Airport as detailed in Table -8 & 9 shall be adhered to.

TABLE - 8: HEIGHT RESTRICTION WITH RESPECT TO APPROACH FUNNELS

Distance from nearest runway end (in metres)	Maximum Permissible height above the elevation of the nearest runway end (inmetres)
Up to 360	0
361 to 510	6
511 to 660	9
661 to 810	12
811 to 960	15
961 to 1110	18
1111 to 1260	21
1261 to 1410	24
1411 to 1560	27
More than 1560	30

TABLE - 9: HEIGHT RESTRICTION WITH RESPECT TO TRANSITIONAL AREA

Distance of the Inner Boundary of the Transitional Area (Outer Boundary of the Air Port) [Metres]	Maximum Permissible height above the elevation of the airport reference point [metres]
Up to 21	0
22 to 42	3
43 to 63	6
64 to 84	9
85 to 105	12
106 to 126	15
127 to 147	18
148 to 168	21
169 to 189	24
190 to 210	27
More than 210 M	30

(3) Notwithstanding anything contained in the Tables under sub- bye law(1),no Radio Aerial, T.V. Antenna, Cell phone tower or such similar

type of installations exceeding 52 metres in height shall be erected without prior permission of the concerned Civil Aviation Authority.

- (4) No building structure or installation exceeding the height indicated in the said Tables shall be permitted unless the applicant produces a 'No-Objection Certificate' from the Airport Authority.

- 37. Off Street Parking Space.**-(1) In all buildings including Apartment buildings/ Group Housing, Hotels, Restaurants and Lodges, business buildings, commercial buildings, Institutional buildings like hospitals, Educational buildings like schools and colleges, multi-storied buildings/complexes etc. and all other non-residential activities provision shall be made for parking spaces as per the following requirements.

TABLE -10: OFF STREET PARKING SPACE FOR DIFFERENT CATEGORY OF OCCUPANCIES

SI. No.	Category of building/ activity	Parking area to be provided as percentage of total built up area
(1)	(2)	(3)
1	Shopping malls, Shopping malls with Multiplexes/ Cineplexes, Cinemas, Retail shopping centre, IT / ITES complexes and hotels, marriage halls and banquet halls	50
2	Restaurants, Lodges, Other commercial buildings, Assembly buildings, Offices and High-rise buildings/ complexes	40
3	Residential apartment buildings, Group Housing, Clinics, Nursing Homes, Hospitals, Institutional and Industrial buildings.	30

N:B: Parking to be provided as percentage of total built up area may be in basement/stilt floor and setback/open spaces at ground level.

- (2) The parking spaces may be provided in (for all schemes)
- A. Basements or cellars
 - B. on stilt floor
 - C. open parking area
 - D. exclusive multi-level parking or
 - E. Roof top parking in case of commercial/IT/ITES and corporate building
 - F. A combination of any or all of the above.

- (3) Off-street parking spaces shall be provided with adequate vehicular access to a street and the area of drives, aisles and such other provisions required for adequate maneuvering of vehicles.
- (4) If the total off-street parking space required under these bye laws is provided by a group of property owners at a place for their mutual benefit, such parking spaces 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 6 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 cable of taking the load of fire engine, fire vehicle of atleast 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 in group housing, apartment buildings shall be earmarked for visitors. The Visitors parking facility shall be open to all visitors.
- (11) Every building except a residential building having less than four dwelling units will have parking space earmarked for ambulance, fire tender and physically challenged persons. Such spaces shall be clearly indicated by painting the purpose for which the parking space is reserved.
- (12) In respect of Apartment Complexes/Building/Block, in sites up to 750 sq m the parking requirement shall be deemed to be met if the entire stilt

floor is left for parking. A WC/Toilet facility shall be provided for watch and ward in the stilt floor.

- (13) 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.

38. Interior open space.-(1) At least one side of all the rooms intended for human habitation, if such room does not abut on the front or the rear or the side setbacks, shall abut on an interior open space whose minimum dimension shall be 3 meters X 3 meters in cases of buildings up to a height of 12-meters. In cases where the height of the building is more than 12-meters, the width of the interior open space shall be increased at the rate of one meter for every additional 3 (three) meters height. This provision shall be applicable to all categories of buildings, namely, residential, group housing, commercial, institutional, administrative, assembly.

- (2) For ventilating the spaces for water closets and bathrooms ventilation shafts shall be provided with size as provided under clause - 8.2.5(b), Group 1, Part-3 of National Building Code of India -2005 (Published by Bureau of Indian Standards) as by laws for ventilation shaft.

39. Height exemption of a building.-The following appurtenant structures shall not be included in the height of the building.

- A. Roof tanks and their supports (with support height not exceeding 1 m.)
- B. Ventilating, air conditioning, lift rooms and similar service equipment.
- C. Stair cover (mumty) not exceeding 3.0 m. in height and
- D. Chimneys, parapet walls and architectural features not exceeding 1.2m. in height.

40. Exemption in Open space.-(1) Every open space provided either in the interior or exterior in respect of any building shall be kept free from any erection thereon and shall be open to the sky and no cornice, roof, or weather shade of more than 0.75 m. in width shall overhang or project over such open space.

- (2) A portico of up to 2.5 m. width and 4.6 m. length with a minimum height of 2.4m from the plinth level may be permitted within the side setback. A garage is permissible at the rear end of side open space provided no openings are located on the side and rear boundary. Access to the top of the portico/garage should not affect the privacy of the neighboring plot.
- (3) The portico provided as above should not rest on the boundary wall and should be open to provide through access to the rear. In case the Portico is not a cantilevered one and supported by pillars the area shall be included in the FAR.

- 41. Basement Cellar.**-(1) Basements/cellars shall not be permitted in low lying area and without adequate drainage facilities to ensure drainage from the basement. Basement shall not be allowed in flood prone areas.
- (2) Construction of basements/cellars may be allowed by the Authority in accordance with the provisions contained in the development plan applicable to the concerned area.
- (3) The basements/cellars shall only be put to the following uses:
- A. Storage of household or other non-combustible material
 - B. Strong room, bank cellars etc;
 - C. Installation of air-conditioning equipments and other machines used for service and utilities of building;
 - D. Parking places.
- (4) Individual residential and small commercial buildings (plot size maximum 500 Sq. Meter) may have one basement. However maximum two basements/cellars may be permitted to be constructed for other buildings leaving the prescribed set back/ open space applicable to the building. Further, in case of apartment/ group housing/commercial/corporate & IT /ITES buildings the basements may be allowed to be constructed under the entire plot area leaving 3 meter space from the boundary of the premises subject to the following;
- (i) In all such cases the owners have to indemnify the Authority against any damage caused by her/him/them to the adjacent property. (Form-XI).
 - (ii) The portion of the basement projecting out of the building line shall flush with the ground.
- (5) The basements shall be used exclusively for parking/ services/storage.
- (6) The basement shall fulfill the following requirements:
- A. Every basement shall be in every part at least 2.5 m. in height from the floor to the soffit of the roof slab or ceiling;
 - B. Adequate ventilation shall be provided for the basement. The standard of ventilation shall be the same as required by the particular occupancy according to bye laws. Any deficiency may be met by providing adequate mechanical ventilation in the form of blowers, exhaust fans(one exhaust fan for 50 Sq.m. of basement area), air conditioning system etc;

- C. The minimum height of the ceiling of upper basement shall be 1.20 m. and the maximum, 1.5 m. above the average surrounding ground level;
- D. Adequate arrangement shall be made, so that surface drainage does not enter the basement;
- E. The walls and floors of the basement shall be water-tight and be so designed that the effect of the surrounding soil and moisture, if any, are taken in to account in design and adequate damp proofing treatment is given;
- F. The access to the basement shall be separate from the main and alternative staircase providing access and exit from higher floors shall be provided. Where the staircase is continuous in the case of buildings served by more than one staircase, the same shall be of enclosed type serving as a fire separation from the basement floor and higher floor.

Open ramps shall be permitted if they are constructed within the building line subject to provision of (D) above.
- G. The ramp providing access to basement to be used for parking shall have a gradient not steeper than 1:10 and this shall not obstruct the clear vehicular and pedestrian movement around the building including movement of fire tender (6 meter).

42. Provision of Lift.-(1) Lift shall be provided for buildings above 12 m. height in case of apartments, group housing, commercial, institutional and office buildings.

However, provision of lift for EWS/LIG houses in Apartment/Housing project building with a height less than 15 mtrs may not be insisted.

- (2) Lift shall be provided at the rate of one lift for twenty dwelling units, or part thereof for residential buildings and at the rate of one lift per one thousand Sq.m. or part thereof of built-up area per floor for non-residential buildings. Built-up area on ground floor and two upper floors shall be excluded in computing the above requirement.
- (3) Notwithstanding anything contained in these bye laws in case of building with 21 m. or more in height, at least two lifts shall be provided.
- (4) All lifts shall be inspected atleast once a year by the agency designated by the Authority. The Authority can also outsource the inspection of lifts.

43. Mezzanine.-Mezzanine floor may be permitted above any floor in all types of buildings up to an extent of one-third of the actual covered area of that floor. All Mezzanine floors shall be counted toward FAR calculation, except the mezzanine floor over the ground floor.

44. Heritage Zone.-(1) The Authority may notify the Heritage Zones in consultation with the Archaeological Survey of India, State Department of Art Culture and Youth and the Art Commission.

(2) Conservation of Heritage Buildings, Heritage Precincts and Natural features: Conservation of buildings, artifacts, structures, areas and precincts of historic and /or aesthetic and/or architectural and /or cultural significance (Heritage buildings and heritage precincts) and/or natural features of environmental significance shall be taken up by the Authority in accordance with the relevant provisions in-force and those framed from time to time.

45. Barrier free access for the physically challenged person.-Barrier free environment is one, which enables people with disabilities to move about safely and freely and to use all facilities within the built environment. The goal of barrier free design is to provide an environment that supports the independent functioning of individuals so that they can get into and participate in all activities without assistance.

The main purpose is to integrate disabled and elderly persons fully into the society. In view of the above, the Government of India has enacted the Disabilities Act, 1955. Section 44, 45 and 46 of the said Act stipulates that the appropriate Governments, local authorities to ensure provisions of barrier free facilities in all new Government buildings and public utilities roads and transport. Also, in 1996 Government of India enacted another person with Disabilities (Equal Opportunity, Protection of Rights and Full Participation) Act for the Barrier Free Environment for differently abled persons.

(1) Site development:

Level of the roads, access paths and parking areas shall be described in the plan along with specification of the materials.

(2) Access Path/ Walk Way:

Access path from plot entry and surface parking to building entrance shall be minimum of 1800 mm. wide having even surface without any steps. Slope, if any, shall not have gradient greater than 5%. Selection of floor materials shall be made suitably to attract or to guide visually impaired persons (Limited to coloured floor material whose colour and brightness is conspicuously different from that of the surrounding floor material or the material that emit different sound to guide visually impaired persons hereinafter referred to as "guiding floor material"). Finishes shall have non slip surface with a texture traversable by a wheel chair. Curbs wherever provided should blend to a common level.

(3) Parking:

For parking of vehicles of handicapped people the following provisions shall be made:

- A. Surface parking for two car spaces shall be provided near entrance for the physically handicapped persons with maximum travel distance of 30 meter from building entrance.
- B. The width of parking bay shall be minimum 3.6 meter.
- C. The information stating that the space is reserved for handicapped persons shall be conspicuously displayed.
- D. Guiding floor materials shall be provided or a device which guides visually impaired persons with audible signals or other devices which serves the same purpose shall be provided.

(4) Building requirements:

The specified facilities for the buildings for handicapped persons shall be as follows:

- A. Approach at plinth level: Every building must have at least one entrance accessible to the handicapped and shall be indicated by proper signage. This entrance shall be approached through a ramp together with stepped entry.
- B. Ramp Approach: Ramp shall be finished with non-slip material. Minimum width of ramp shall be 1800 mm. with maximum gradient 1:12, length of ramp shall not exceed 9 meter having 800 mm high hand rail on both sides extending 300mm beyond top and bottom of the ramp. Minimum gap from the adjacent wall to the hand rail shall be 50mm.
- C. Stepped Approach: For stepped approach width of tread shall not be less than 300 mm. and maximum riser shall be 150 mm. Provision of 800 mm. high hand rail on both sides of the stepped approach similar to the ramp approach shall be made.
- D. Exit/Entrance Door: Minimum clear opening of the entrance door shall be 900mm and it shall not be provided with a step that obstructs the passage of a wheel chair user. Threshold shall not be raised more than 12 mm.
- E. Entrance Landing: Entrance landing shall be provided adjacent to ramp with the minimum dimension 1800mm X 2000 mm. The entrance landing that adjoins the top end of a slope shall be provided with floor materials to attract the attention of visually impaired persons (limited to colored floor material whose color and brightness is conspicuously different from that of the

surrounding floor material or the material that emits different sound to guide visually impaired persons hereinafter referred to as "guiding floor material"). Finishes shall have a non-slip surface with a texture traversable by a wheel chair. Curbs wherever provided must blend to a common level.

- F. Corridor connecting the entrance/exit for the handicapped: The corridor connecting the entrance/exit for handicapped leading directly outdoors to a place where information concerning the overall use of the specified building can be provided to visually impaired persons either by a person or by signs, shall be provided as follows:
- i. Guiding floor materials, shall be provided or devices that emit sound to guide visually impaired persons,
 - ii. The minimum width shall be 1250 mm.
 - iii. In case there is a difference of level, slope ways shall be provided with a slope of 1:12
 - iv. Hand rails shall be provided for ramps/slope ways at a height of 800mm.
- (5) Stair ways: One of the stairways near the entrance/exit for the handicapped shall have the following provisions:
- A. The minimum width shall be 1350 mm.
 - B. Height of the riser shall not be more than 150mm and width of the tread 300mm. The steps shall not have abrupt (square) nosing.
 - C. Maximum number of risers on a flight shall be limited to 12.
 - D. Hand rails shall be provided on both sides and shall extend 30mm on the top and bottom of each flight of steps.
- (6) Lifts: Wherever lift is required as per bye-laws, provision of at least one lift shall be made for the wheel chair user with the following cage dimensions of lift recommended for passenger lift of 13 persons capacity by Bureau of Indian Standards.
- Clear internal depth: 1100mm
- Clear internal width: 2000mm.
- Entrance door width: 900 mm.
- A. A handrail not less than 600 mm. long at 1000mm. above floor level shall be fixed adjacent to the control panel.
 - B. The lift lobby shall be of an inside measurement of 1800 mm x 1800mm or more.

- C. The time of an automatically closing door shall be minimum 5seconds and the closing speed should not exceed 0.25 meter/sec.
 - D. The interior of the cage shall be provided with a device that audibly indicates the floor the cage has reached and indicates that the door of the cage for entrance/exit is either open or closed.
 - E. The control panel shall have marking in Braille to help visually impaired.
- (7) Toilets: One special Water Closet, in a set of toilets shall be provided for the use of handicapped with essential provision of washbasin near the entrance for the handicapped.
- A. The minimum size shall be 1500 x 1750 mm.
 - B. Minimum clear opening of the door shall be 900mm and the door shall swing out.
 - C. Suitable arrangement of vertical/horizontal handrails with 50mm clearance from wall shall be made in the toilet.
 - D. The Water Closet seat shall be 50mm from the floor.
- (8) Drinking Water: Suitable provision of drinking water shall be made for handicapped near the special toilet provided for them.
- (9) Designing for Children: In a building meant for the predominant use of the children, it is necessary to suitably alter the height of the handrail and other fittings and fixtures.

46. Rainwater harvesting system.-Provision of rainwater harvesting shall be mandatory for all sizes of plots--The dimension of recharging pits/trenches shall be at least 6 cubic meters for every 100 Sq. m. of roof area. Percolation Pits shall be filled with small pebbles or brick jali or river sand and covered with perforated concrete slabs. Apart from this, the following requirements are optional and may be provided depending on site conditions.

- A. Terrace Water Collection: The terrace shall be connected to a sump or the well through a filtering tank by PVC pipe. A valve system shall be incorporated to enable the first part of the rainwater collected to be discharged out or to the soil if it is dirty. A filtering tank measuring 0.36 Sq. m. can be constructed near the sump. The tank can be divided by a perforated slab and one part should be filled by small pebbles and other by brick jali. The bottom portion of the tank should have a slope to avoid stagnation of water.
- B. Open Ground: Where there is open ground, a portion of topsoil shall be removed and replaced with river sand to allow slow percolation of rain water. Any other method proved to be effective in conservation and

harvesting of rainwater may be adopted in each and every construction taken up.

47. **Signs and outdoor display structures.**-Signs and outdoor display structures shall be governed by the relevant provisions of the area where no specific guideline for the above structures is framed; the Authority shall prescribe the guidelines with approval of Government.
48. **Reference to the standards.**-The standards relating to water and sanitation requirements for various occupancies and uses, shall be referred to as per section-1 of part-9 of NBC of India, 2005 group-5, fire protection and fire safety requirements shall be referred to as per part-4 of NBC of India, 2005 group-1, construction of energy efficient building shall be referred to Energy Conservation Building Code, 2007 and Guidelines for installation of solar water heating system shall be referred to as **Annexure- III**.

CHAPTER -V
REQUIREMENT OF SPECIAL OCCUPANCY

- 49. Apartment.-**(1) No Apartment building shall be permitted on plots less than 800 Sq. m.in size.
- (2) In apartment building with joint ownership of land the owner /developer shall provide floor space for house owner's society Office /assembly at the rate of 1 Sq. m. per / flat provided that the minimum area shall not be less than 12 Sq. m..
- (3) One staircase for every 6 dwelling units or fraction thereof in a floor shall be provided.
- (4) The minimum width of approach road to the plot shall be 9 metres for non-high rise and 12 metres for high rise apartment buildings. There shall be space for flanks on both sides of the road as mentioned in bye law 31.
- 50. Group Housing.-**(1) The minimum size of site for group housing shall be 4000 sq. m.
- (2) In addition to other requirements the group housing schemes shall be accompanied by
- A. A services and Utilities plan as per standards for water supply system, drainage and storm water disposal system, sewerage system, rain water harvesting structures, and for other utilities.
- B. A landscape plan including rainwater harvesting / water recycling details.
- C. Parking & internal circulation plan along with Common pool parking area plan, if any. The above shall be drawn on suitable scale with relevant details.
- (3) The minimum abutting road width shall be 9 m. for non-high-rise and 18m. for high-rise building blocks and must be black topped. There shall be space for flanks on both sides of the road as mentioned in Bye Law 31.
- (4) Common facilities like shopping centre, community hall or centre/club etc. shall be provided in up to 5% of the built up area and shall be planned and developed in cases where the units are above 50 in number and not to be part of the residential blocks.
- (5) A black topped unhindered public access road of at least 7.5 meter width shall have to be developed on any one side of the periphery as per suitability

and feasibility for the convenience of accessibility of other sites and lands located in the interior.

- (6) In case of blocks up to 12 m. heights, access through pathways of 6 metres width would be allowed. All internal roads and pathways shall be developed as per standards.
- (7) Minimum 15% of site area shall be earmarked for organized open space and be utilized as greenery, tot lot or soft landscaping, etc. This space may be in one or more pockets.

51. Outhouse.-An outhouse with zero rear and one side set back may be permitted on a plot having an area not less than 400 sq.m, provided that:

- (1) The coverage of the outhouse shall not exceed 30 sq.m. and the height shall not exceed 3 m.;
- (2) The built up area of the outhouse and that of the main building together shall not exceed the permissible FAR for the concerned plot;
- (3) The outhouse shall not cover more than one third of the width and more than one fourth of depth of the plot and shall not about any public road;
- (4) A minimum 1.5 m. strip of land shall be kept open to the sky between the main building and the outhouse;
- (5) No opening either in the form of windows or doors or ventilators shall be provided to the adjoining properties;
- (6) Outhouses with sloping roof would only be permitted. In no case permission for outhouses would be granted with reinforced concrete cement flat roof.

52. Semi- detached and row housing.-(1) Owners of adjacent similar dimension plot abutting a road may be permitted to construct row or semi-detached buildings.

- (2) The orientation of the row or semi-detached building shall preferably be such that the prevailing summer breeze can be availed by each dwelling unit.
- (3) For semi-detached buildings over two adjacent plots, the setbacks, the height and the FAR shall be regulated by treating both the plots as one.
- (4) In case of row housing, the length of a row shall not exceed 50 m. along the road on which such houses abut. In case, the dwelling units in a row are scattered the maximum length of the road shall be 100 m.
- (5) For row houses the ground coverage shall not be allowed to exceed 60% and the FAR more than 1.75.

- (6) The minimum size of the plot on which a unit of a row housing may be allowed shall be 30 sq. m.

53. Shop cum residence.-Where plots are allotted in a row for shop-cum-residential purpose the Authority may allow construction of shop-cum-residential building without any side set backs up to a depth of 10 meters from the front exterior wall. Provided that no part of the building up to said depth is used for residential purpose on the ground floor. No building exceeding 11 meters in height shall be allowed to be constructed as a shop-cum-residential plot, unless so permitted under the zonal Development Plan, provided that the shop-cum-residence shall have 2/3rd of the total floor area used for shops. The FAR and other parameters shall conform to that specified for commercial buildings.

54. Cinema, Multiplex and Theatre building.-(1) The relevant provisions of the Bihar Cinemas (Regulation) Act, 1954 shall apply for planning, designing and construction of Cinema and Theatre buildings.

- (2) No permission for construction of a building to be used as a cinema hall, theatre or auditoria for cultural show shall be granted unless the construction of such buildings conforms to the provisions of the Bihar Cinemas (Regulation) Act, 1954 or any other law in the subject for the time being in force in the State.

- (3) No permission to construct a cinema hall on a site shall be given unless such site has been approved by the Authority for the purpose.

- (4) Excepting provision for restaurant and incidental facilities no other use shall be permitted in a cinema building.

- (5) All cinema, theatre or auditoria buildings shall conform to IS; 4898-1968 and acoustics design of such buildings shall adhere to the requirements of IS; 2526-1963.

- (6) Exits and fire safety requirements shall be in accordance with Part IV(Fire and life safety) of National Building Code of India, 2005.

55. Liquefied Petroleum Gas.-(1) Vacant space shall be maintained at all times, with the following distances for storage shed used for the storage of liquefied petroleum gas cylinders between any building, public space, public road or any adjoining property which may be built upon and the said storage shed.

TABLE - 11: MINIMUM DISTANCES REQUIRED FOR STORAGE SHED OF LIQUIFIED PETROLIUM GAS CYLINDERS

Quantity of Compressed Gas in Cylinders (Kg.)	Minimum Clear Distance to be Kept (metres.)
0-100	1
101 -1000	3
1001-4000	5
4001-8000	7
8001-12000	9
12001-30,000	12
Over 30,000	15

- (2) Notwithstanding anything contained in the conditions specified above, cylinders containing liquefied petroleum gas exceeding 100 Kilograms but not exceeding 300 Kilograms may be kept in a storage shed forming part of, or attached to building, if it is separated there from by a substantial partition and the only means of access to it is from outside. Such a storage shed shall not be situated under any staircase or near other entrances to or exits from the rest of the building or other buildings. A shed used for storage of liquefied petroleum gas cylinders shall be surrounded by a suitable fence to prevent unauthorized persons from having access to the shed.

56. Petrol Pump.-(1) Minimum distance from the road intersections shall be:

- A. For minor roads having less than 30 m. width - 50 m.
B. For major roads having width 30 m. or more -100 m.

- (2) The minimum distance of the property line of petrol pump from the centre line of the road shall not be less than 15 meters on roads having less than 30 m width. In case of roads having 30 m or more width, the width of the road shall be protected.

- (3) Plot size:

- A. Only for filling stations -30m X 20m
B. Filling-cum-service station 40 m X 30 m
C. Frontage of the plot shall not be less than 30 m

- (4) New petrol pump shall not be located on roads having less than 30 m width

- (5) Every petrol pump shall have public toilets with W.C. separately for men and women.

- (6) (A) Other controls

- i. Ground coverage - 20%
ii. FAR - 1.0
iii. Max. Height -7m

- iv. Canopy equivalent to permissible ground coverage within setback line,
- v. Front set back - minimum 9 m

(B) Other regulations

- i. NOC from Explosives/Fire Department
- ii. License from the District Magistrate
- iii. Ground coverage will exclude canopy area

(C) Compressed Natural Gas (CNG) mother station

- i. Plot size (Max)- 36 m X 30 m
- ii. Maximum ground coverage - 20%
- iii. Maximum height-7m (single storey)
- iv. Building component- control room/office/dispensary, store, pantry and W.C.

57. Farm House.-For construction of Farm House Building in Agriculture and Forest use Zone

- (1) Minimum size of plot- Minimum size of a plot for farmhouse shall not be less than 1.00 hectare.
- (2) Maximum coverage and FAR shall be as given in the table below-

TABLE - 12: MAXIMUM COVERAGE AND FAR

a	Maximum permissible ground coverage for all types of activity	10%
b	Maximum permissible FAR	0.20
c	Residential accommodation of watch and ward/maintenance staff	40 sq m.
d	Maximum height	7m.
e	Setbacks	Front/side abutting road 15.0 m. and all other sides 9.0

- (3) Other Provisions: Minimum 65% of the total area of the farmhouse shall be under plantation/cultivation. At least 100 trees per hectare shall be planted out of which at least 50 percent shall be evergreen trees.
- (4) Water supply, Sewerage and drainage:
 - A. In case of a plot for a farmhouse having dwelling units, the owner thereof shall be responsible to make lawful arrangements for potable water.
 - B. The owner shall be responsible to provide drains in the farm house to be used for rain water and in case of dairy farm open or closed sanitary drains to clean sheds, as may be required by the Authority.

- C. The owner shall be responsible to provide septic tank with necessary disposal trenches for disposal of human and animal waste in the farmhouse within his own premises.
- (5) Electrification - The owner of a farmhouse shall obtain electric connection directly from the appropriate authority authorized for distribution on such terms and conditions at his own cost as decided by the appropriate Authority from time to time.

CHAPTER- VI
INTEGRATED TOWNSHIP

58. Large Projects.-(1) Integrated Townships with minimum 10 Ha of land having access from minimum 30 m. R/W road shall be allowed. The road shall have adequate provision for cycle track, footpath, covered drain, plantation, street light and underground utilities.

(2) The integrated Township shall be permitted in Residential / Institutional/Retail Commercial and Business Zones.

(3) Permissible land use within the township (%)

A.	Residential	-	35-50
B.	Industrial (Non Polluting)	-	8-10
C.	Commercial	-	8-10
D.	Institutional	-	8-15
E.	Recreational	-	15-25

(4) Other bye laws for approval of Integrated Township

- A. At least 20% of the total area shall be reserved for parks and open space. It shall be developed and maintained by the developer.
- B. At least 5% of the site area shall be reserved for public and semi-public use and shall be handed over to the Authority free of cost and the same shall be allotted by the Authority for development either to the developer or others on lease basis.
- C. The FAR shall be calculated on the total area.
- D. Road shown in Development Plan shall be incorporated within the plan and shall be handed over to the Local Authority free of cost after development.
- E. The FAR and coverage shall be 3.0 and 30% respectively.
- F. At least 15% of the housing units developed will be earmarked for EWS/LIG category.
- G. At least one of the major interconnecting roads shall be 18 mtr R/W and shall be open ended.

CHAPTER - VII

MULTI-STOREYED BUILDINGS AND GROUP HOUSING SCHEMES/APARTMENTS: ADDITIONAL REQUIREMENTS

- 59. Restriction on construction of Multi-storied building.**-(1) Construction of multi-storied building shall not be permitted in villages/wards/municipalities/planning areas specified by the State Government. The Authority may include any other areas for prohibition of multi storied building from time to time.
- (2) The Authority may restrict construction of multistoried buildings in any other area on the basis of objective assessment of the available infrastructure and planning needs after obtaining due approval of the Government.
- (3) Before commencement of these bye laws, where permission has been granted conditionally, such cases shall be dealt with under corresponding provisions of these Bye laws without any major change, or removal of construction, subject to the condition where violation of Heritage Zone conditions has occurred, this relaxation shall not apply.
- (4) No multi-storied building with a height of 15m and more shall be allowed to be constructed :
- A. with approach road less than 18m. width;
 - B. on plot the size less than 2000 sq. m., and
 - C. within 100 meters, from the centre of the National High way on either side.
- 5) No Condonation in parking requirements, marginal open spaces, fire fighting provisions, health and structural safety requirements in case of development of Multi Storied buildings.
- 6) In addition to the provisions of Part 4 Fire and Life Safety of National Building Code of India 2005 (Group 1), the Planning Authority may insist on suitable provisions in building from fire safety and fire fighting point of view depending on the occupancy and height of buildings in the case of Multi Storied building.
- 60. Stages of Permission.**-Permission for construction of a multi-storied buildings & Group Housing Schemes shall be given with the approval of the Authority and as following stages, namely:-

- A. In the first stage permission shall be accorded conditionally to develop the infrastructure as per specification of Local Authority/ Planning Authority.
- B. After joint inspection, up to 75% of the proposed building height shall be allowed.
- C. After completion of construction up to 75% of the proposed building as per the approved plan and plantation of 20% of the plot area the remaining 25% construction shall be allowed.
- D. The above permission at various stages A, B and C shall be granted or refused within 30 days of such application. An order of refusal shall be a speaking order specifying the grounds of refusal. In case the Authority fails to pass orders within the prescribed time limits, the developer/applicant shall bring it to the knowledge of the Head of the Authority by issuing a notice.

The appeal against the order passed under this bye laws shall lie with the tribunal.

Note: The plantation shall not obstruct free movement of fire tenders around the building.

- 61. Commencement of Work.**-(1) Every applicant or builder/Developer or owner shall submit a notice regarding his intention to commence the foundation work of the proposed multi-storied building to the Authority through authorized technical persons. The said notice shall be accompanied by the approved plan and shall be in Form-V.
- (2) Soon after the receipt of the notice referred to in sub- clause (1) above, the Authority shall send a team of officers to the proposed building site and the layout for foundation of the proposed multi-storied building shall be verified by those officers. The team shall also submit a report to the Authority to the effect that the layout has been made as per the approved plan. The report shall be submitted within 7 days from the date of such application and a copy of the report shall also be made available to the applicant.
 - (3) During or soon after the construction of the foundation work of thematic-storied building, the representative of the Authority or independent Engineer/ Architect appointed by Authority shall inspect the construction to ensure that the setbacks, coverage, basement if any, and foundation standards are done according to the approved plan.
 - (4) The applicant/builder shall submit periodic progress report after casting of each floor slab in Form-VIII.

- 62. Liability of Defective Construction.**-(1) For defective constructions, the Authority shall sue the owners, builders, architects, and the engineers for both civil and criminal liabilities, besides taking action under these bye laws.
- (2) Without prejudice to the provisions of the Act, the actions to be taken by the Authority shall include stop construction notices, cancellation of permission, and removal of unauthorized constructions, which shall be notified.
- 63. Maintenance.**-(1) The main entrance to the premises shall not be less than 5 (five) meters in width in order to allow easy access to fire engine. The gate shall fold back against the compound wall of the premises, thus leaving the exterior access way, within the plot, free for the movement of fire service vehicles. If archway is provided over the main entrances, the height of the archway shall not be less than 5 (five) meters.
- (2) For multi-storied group housing scheme on one plot, the access way within the premises shall not be less than 7.5 (seven and half) meters in width and between individual building blocks, there shall be an open unbuilt space of 6 (six) meters.
- (3) The space set apart for providing access within the premises shall, in no case, be included in the calculation of requirements pertaining to parking spaces and other amenities required to be provided for the building.
- (4) Every access way shall be properly drained and lit to the satisfaction of the Authority. Manhole covers or any other fittings laid within the right of way of the access way shall be flushed with the finished surface level of it so as not to obstruct safe movement of men and vehicles.
- (5) Reconstruction, addition or alteration to any multi-storied building shall not be taken in a manner which shall reduce the width of the access way to a level below the minimum prescribed limit under these bye laws.
- 64. Exit.**-(1) Every multi-storey building meant for human occupation or assembly, shall be provided with exit sufficient to permit safe escape of the occupants in case of fire or other emergencies.
- (2) An exit may be a door-way, corridor, passage way to an internal or external staircase or to a verandah or roof or terrace having access to a street.
- (3) Exits shall be so arranged as to provide continuous means of access to the exterior of a building or exterior open space leading to a street without passing through any occupied unit.
- (4) Exits shall be so located that the travel distance on the floor shall not exceed twenty meters in case of residential, educational, institutional and hazardous occupancies and thirty metres in the case of assembly, business, mercantile,

industrial and storage occupancies. Wherever more than one exit is required for a floor of a building, exits shall be placed at a reasonable distance from each other as possible. All the exits shall be accessible from the entire floor area at all floor levels.

- (5) There shall be at least two exits serving every floor and at least one of them shall lead to a staircase.
- (6) The width of every exit shall not be less than one metre and shall be provided as per the following table.

TABLE - 13: NUMBER OF OCCUPANTS AS PER TYPE OF OCCUPANCY

SN	Type of Occupancy	Number of occupants per unit exit	
		Stair Case	Door
(1)	(2)	(3)	(4)
1	Residential	25	75
2	Educational	25	75
3	Institutional	25	75
4	Assembly	60	90
5	Business	50	75
6	Mercantile	50	75
7	Industrial	50	75
8	Storage	50	75
9	Hazardous	25	10

Explanation:

- A. Lifts and escalators shall not be considered as an exit.
- B. 'Travel distance' means the distance from any point in the floor area to any exit measured along the path or egress except that when the floor areas are sub-divided into rooms, used singly or of rooms and served by suite corridors and passage, the travel distance may be measured from the corridor entrance of such rooms or suites to the nearest staircase or verandah having access to the street.
- C) For the dormitory portions of homes for the aged, orphanages, mental hospitals, etc. these multipliers will be doubled.
- D) The plinth or covered area shall include, in addition to the main assembly rooms or space, any occupied connecting room or space in the same storey or in the storey above or below where entrance is common to such rooms

and space and they are available for use by the occupants of the assembly place.

- E) No deductions shall be made in the gross area of the corridors, closets or other sub-divisions; all space serving the particular assembly occupancy shall be reckoned.

65. ICT Landing Points.-Every multi storied building complex shall have provision for Information and Communication Technology (ICT) landing point in the form of a room near the main entrance gate of dimension not less than 3 m x 4 m. and having 3 m. clear height. The room shall have two fire proofs doors of 1.2 m. width opening outwards along with adequate ventilation in the form of windows/ventilators. Such room shall not be counted in coverage and FAR calculations.

66. Penal Action against Builders/ Technical Personnel.-(1) Notwithstanding anything contained in these bye laws, the Authority reserves the right to debar/black list the builder/ technical person who has deviated from the professional conduct or has made any fraudulent statement or has misrepresented/suppressed any material facts in his application/ plan or is involved in construction of the building deviating from the approved plan/norms of these bye laws.

- (2) Before taking any action under clause (1) specified above, the Authority shall issue a notice specifying the reasons thereof asking for a show-cause within 15 days as to why such builder/technical person shall not be debarred/black listed. After receipt of the show cause, if any, the same shall be placed before the Authority for a decision on debarring/black listing the technical person/builder. The decision of the Authority in this regard shall be published in the Notice Board of the Authority and the Govt. website.

- (3) An appeal against an order under sub-clause (2) above shall lie under section 79 of the Act and Section 329 of the Bihar Municipal Act 2007.

67. Occupancy of the Building.-In addition to the general provisions contained in bye law-16 and partial modification thereof the following provisions shall be followed in case of multi storied buildings, apartments and group housing schemes;

- (1) No person shall occupy or allow any other person to occupy any part of the multi-storied building for any purpose until such building or any part of it, as the case may be, is granted occupancy certificate by the Authority.
- (2) On receipt of completion certificate in Form-VI (Part-I & Part-II) the Authority shall issue a provisional occupancy certificate in Form-X to enable the builder/landowner to obtain service connections.

The authorities entrusted with the job of providing services like electricity, water supply and sewerage shall not provide such services without

provisional occupancy certificate by the Authority. However, temporary service connection may be provided for construction purpose.

- (3) The builder shall cause to register an Association of apartment owners as required under The Bihar Apartment Ownership Act 2006, before occupancy certificate for 50% or more of the floor area is given.
- (4) The Builder shall submit a copy of the agreement it has entered into with the apartment owners' society. This agreement shall contain the terms of maintenance of public utilities.
- (5) On satisfactory compliance of above & provision of the services the final occupancy certificate shall be issued by the Authority.

68. Completion of Construction.-Every applicant/ owner shall submit a notice in Form-VI (Part-I and Part-II) regarding completion of the construction of multi-storied building, to the Authority through the registered Architect/Structural Engineer, who has supervised the construction. The said notice shall be accompanied with the following documents:

- A. Three copies of plan of the completed building and soft copy of CAD Drawing Format
- B. A fee of Rs.5000.
- C. Record of Rights (ROR) relating to ownership.
- D. Evidence to the effect of all public utility services, and in particular, sewerage, drainage, water supply, and electricity have been linked to the main public utility system.
- E. No Objection Certificate from Fire Officer.

69. Issue of Occupancy Certificate.-(1) The Authority on receipt of the notice of completion, along with all the required documents, shall take a decision to either issue or refuse occupancy certificate in Form-X within 30 days from the date of receipt of such notice which shall be published in the Notice Board of the Authority and in the Govt. website.

- (2) If the occupancy certificate is not issued by the Authority within thirty days from the receipt of notice, the owner shall draw the attention of the Head of the Authority in this regard in the Form-XIII.
- (3) Where occupancy certificate is refused by the Authority, reasons recorded thereof shall be communicated to the applicant and the same shall be published. An appeal against such a decision will lie with the respective Tribunal under the Municipal Act and Act. The Appellate Authority shall be competent to seek the views of, and implead as parties, authorities in charge of public utility services, as provided under the Act, under the Bihar Apartment Ownership Act, 2006, and apartment owners. Where non-

provision of public utilities is likely to affect other residents, such residents may also be impleaded as parties.

- 70. Structural Safety Design, Standards and other Services requirements.-(1)**
Structural Design: The structural design of foundation, elements of masonry, timber, plain concrete, reinforced concrete, pre-stressed concrete and structural steel shall be carried out in accordance with Part-6 of Group-2 structural design and related aspects, section-1 loads, forces and effects] section-2 soils and foundations, section-3 Timber and bamboo, 3A timber, 3B bamboo, section-4 masonry, section-5 concrete, 5A plain and reinforced concrete, 5B pre stressed concrete and section-6 steel, section-7 prefabrication, systems building and mixed/composite construction, 7A prefabricated concrete, 7B systems building and mixed/composite construction of National Building Code of India, 2005 taking into consideration all relevant Indian Standards prescribed by Bureau of Indian Standards including the Indian Standard as given below for structural safety. A Certificate of Under Taking for Hazard Safety Requirement shall be submitted in Form-XIV.

For General Structural Safety

1. IS: 456:2000 “Code of Practice for Plain and Reinforced Concrete
2. IS: 800-1984 “Code of Practice for General construction in Steel
3. IS: 801-1975 “Code of Practice for Use of Cold Formed Light Gauge Steel Structural Members in General Building Construction
4. IS 875 (Part 2) : 1987 Design loads (other than earthquake) for buildings and structures Part 2 Imposed Loads
5. IS 875 (Part 3): 1987 Design loads (other than earthquake) for buildings and structures Part 3 Wind Loads
6. IS 875 (Part 4): 1987 Design loads (other than earthquake) for buildings and structures Part 4 Snow Loads
7. IS 875 (Part 5): 1987 Design loads (other than earthquake) for buildings and structures Part 5 special loads and load combination
8. IS: 883:1966 “Code of Practice for Design of Structural Timber in Building
9. IS: 1904:1987 “Code of Practice for Structural safety of Buildings: Foundation”
10. IS 1905:1987 “Code of Practice for Structural Safety of Buildings: Masonry Wall
11. IS 2911 (Part 1): Section 1: 1979 “Code of Practice for Design and Construction of Pile Foundation Section 1
Part 1: Section 2 Based Cast-in-situ Piles
Part 1: Section 3 Driven Precast Concrete Piles Based Cast-in-situ Piles
Part 1: Section 4 Based precast Concrete Piles
Part 2: Timber Piles
Part 3: Under Reamed Piles
Part 4: Load Test on Piles

For Earthquake Protection

12. IS: 1893-2002 “Criteria for Earthquake Resistant Design of Structures (Fifth Revision)”
13. Is: 13920-1993 “Ductile Detailing of Reinforced concrete Structures subjected to Seismic Forces – Code of Practice”
14. IS:4326-1993 “Earthquake Resistant Design and Construction of Buildings- Code of Practice (Second Revision)”
15. IS:13828-1993 “Improving Earthquake Resistance of Low Strength Masonry Buildings – Guidelines”
16. IS:13827-1993 “Improving Earthquake Resistance of Earthen Buildings – Guidelines”,
17. IS:13935-1993 “Repair and Seismic Strengthening of Buildings – Guidelines”

(2) **Quality of Materials and Workmanship:** All material and workmanship shall be of good quality conforming generally to the accepted standards of Public Works Department and Indian standard specification and codes as included in Part-5 of Group-1 Building Materials and Part-7 of Group-3 Construction practices and safety of National Building Code of India.

(3) **Alternative Materials, Methods of Design and Construction and Tests:** The provisions of these bye laws are not intended to prevent the use of any material or method of design or construction not specifically prescribed by these bye laws provided any such alternative has been approved. The building materials approved by B.I.S. or any statutory body will form part of the approved building material and technology as part of the bye laws.

(4) Building Services

- A. The Planning design and installation of electrical installations, air conditioning installation of lifts and escalators can be carried out in accordance with Part-8 of Group-4 Building Services, section-1- Lighting and Ventilation, section-2 Electrical and Allied Installations, section-3, Air conditioning and heating, section-4 acoustics, sound insulation and noise control, section-5 installation of lifts and escalators of National Building Code of India, 2005.
- B. The requirements of electric sub-station and the provision of electric sub-station shall also require approval from the concerned Authority.

(5) Plumbing Services

The planning, design, construction and installation of water supply, drainage and sanitation and gas supply system shall be in accordance with Part-9 of Group-5, Plumbing Services, section-1 water supply, drainage and sanitation (including solid waste management) section-2 gas supply of National Building Code of India 2005.

CHAPTER-VIII
DEVELOPMENT AND SUB-DIVISION OF LAND
REGULATIONS

- 71. Application.**-(1) Applications for subdivision of land for utilizing selling, leasing out or otherwise disposing it off shall be made to the Authority in Form-I Part-II.
- (2) The applications for subdivision shall be in addition to the requirements specified in regulation-5(2)(iii) accompanied by-
- i. A copy of the title deed of the land in question;
 - ii. An affidavit with regard to the right, title and interest of land and such other particulars as the Authority may require;
 - iii. An authenticated copy of the certificate with regard to the payment of development charges, if any.
 - iv. An authenticated copy of the receipt towards payment of the scrutiny fee to the Authority as prescribed under bye-laws-6(1) ;
 - v. A no-objection certificate, from the lessor in case the land is not leasehold unless the lease deed permits undertaking sub-division as applied for;
 - vi. A site plan traced out of revenue village settlement map in operation indicating therein in red colour the lands to which the application relates and surrounding plots;
 - vii. An index plan of the site showing adjoining areas within a radius of 150 m. round from the proposed site marking clearly therein the boundaries of the proposed layout in red colour, existing road, structures, burial ground and high tension or low-tension power line passing through the site of the layout plan and the level of the site;
 - viii. A detailed plan to a scale not less than 1:100 showing the proposed layout(sub-division)indicating size of plot width of the proposed road, open space and amenities provided;
 - ix. Land use analysis indicating the survey plot number, the bye-plot number, the detailed dimensions of all the plots, the area of each-plot and the use to which they are proposed to be put;

x. In case of land originally belonging to any religious endowments, a no-objection certificate from the endowment commissioner or wakf board as the case may be; and

(3) Where permission for sub-division of land is granted, such permission shall be communicated to the applicant in Form-II Part-II within 60 days from the receipt of the application.

(4) Where permission for sub-division of land is refused such refusal shall be communicated to the applicant in Form-IX.

72. Use in relation to Development Plans.-(1) Subdivision of land shall normally be permitted for the purpose for which the concerned land is earmarked in the development plan. Such sub division may be for residential, commercial industrial, institutional or combination of one or more of this purpose or such other purpose as may be considered conforming to the provisions in the development plan: provided that in every subdivision plan spaces for roads, community facilities and public utilities as specified in this part or such other facilities as the Authority may determine shall be incorporated.

(2) After a subdivision plan has been approved the Authority shall not permit construction of a building on any of the plot unless the owners have laid down and made street or streets and provided amenities as approved or transferred the land covered by roads, open spaces or other public purposes to the concerned local body.

(3) Subdivision of land for residential purpose in green-belt use zone shall not be permitted unless such sub-division in the opinion of the Authority forms apart of the normal expansion of existing human habitation.

(4) The sub division shall conform to the proposals of the CDP and other development plans.

73. Size of the plot and road width.- No sub divided plot will be less than 50 sq.m. However the Authority reserves the right to relax in special cases such as EWS housing. The size of the plot shall be according to the relevant sub-division of plot size in the zones.

TABLE-14: MINIMUM ROAD SUBDIVISION WIDTHS FOR RESIDENTIAL

sl.no.	Length of road in (m)	Min. width of road ** (m)
1	Up to 250	9.0
2	Above 250 up to 500	12.0
3	Above 500 to 1000	15.0

**For EWS housing scheme, the minimum road width may be relaxed.

- 74. Area for development.**-Apart from the provision for amenities and open spaces, the area for residential development shall be up to maximum of 50% of the total land area.
- 75. Park and Open Spaces.**-Parks and open spaces shall not be less than 10% of the total land area. This shall be relinquished to the Authority and if required, the Authority may handover area over for maintenance to the residents' welfare association or owner or developer. If the site is not utilized for which it is leased out within a prescribed period, it will be resumed back to the Authority.
- 76. Civic Amenities.**-Civic amenities space shall not be less than 5% of the total area. The site shall be relinquished to Authority and leased to the residents' welfare association or the developer on payment of necessary nominal fees as prescribed by the Authority from time to time. If the site is not utilized for which it is leased out within a prescribed period, it will be resumed back to the Authority.
- 77. Exemptions.**-(1) In case of developable area for residential development is less than 50% by providing for Master Plan roads or any other road or due to statutory reasons, prescribed by the Authority in a layout, the applicant may be exempted from complying with civic amenities reservation.
- (2) For layout over 10.0 ha, commercial land uses such as Business offices, shopping complexes and Retail up to 2-3% may be permitted, subject to provision of separate access.
- (3) For residential development upto 0.30 hectare of land, the requirement of open space may not be insisted on.
- 78. Security deposit for sub-division plan.**-(1) The applicant shall deposit a refundable non earning security deposit at the rate of Rs.100/- per Sq. m. of plot area for development of land for a plotted development scheme.
- (2) The security deposits shall be refunded within 60 days from the date on which completion certificate is produced. If the development is not as per approved plan, this deposit shall be forfeited and the amount will be transferred to the local authority for development of the site.
- (3) The security deposit will be refunded with 2% interest if the development is carried out as per the approved plan / lay out.

- (4) The applicant may deposit the security fee in the form of Bank Guarantee.

CHAPTER IX
COMPOUNDING AND PENALTIES

- 79. Restriction on Compounding.**-(1) Any deviation pertaining to unauthorized development shall not be compounded;
- A. Where construction has been undertaken on Government land or land belonging to local body or land not owned by the person undertaking such development;
 - B. Where FAR or height has been exceeded or front setback has been reduced from the prescribed norms under these bye laws.
 - C. Where development has been undertaken un-authorizedly within the prohibited limits of any ancient or archaeological monuments.
 - D. Where such developments interfere with the natural drainage of the locality;
 - E. Where development has been undertaken un-authorisedly over the area earmarked /approved for parking; and,
 - F. Where road or drain whether public or private, whether constructed or natural, has been encroached.
- (2) Subject to the provisions contained in sub bye law (1), the Authority shall have the power to determine such other circumstances under which compounding may be prohibited.
- (3) The Authority may, either before or after the institution of the proceedings under the provisions of the Act compound any offence:
- A. Where development has been undertaken without permission, but within the framework of use restrictions and the provisions of these bye laws applicable to the concerned plot;
 - B. Where development has been undertaken in deviation of the approved plan, but within the framework of the use restriction and the provisions, norms, and stipulations of these bye laws; and
 - C. The Authority may however compound deviations up to 10% (ten percent) beyond the permissible norms of these bye laws in respect of coverage, rear and side setback only.
- 80. Compounding Rate.**-Compounding Rates for various categories shall be as follows;

SN	Situations	Compounding fee per sq.ft. (inRs.)	
		Residential/ Institutional	Others
1.	Where development has been undertaken without permission, but within the frame work of use restrictions and the provisions of the Bye laws applicable to concerned plot	300	500
2.	Where development has been under taken in deviation to the approved plan, but within the framework of use, restrictions and the provisions of norms and stipulations of these bye laws.	300	400
3.	Constructions upto10% beyond the permissible norms of these Bye laws with respect to coverage, side and rear setback.	500	1000

- 81. Compounding amount.-**At least 50% of the compounding amount shall be utilized for development of public utility services and protection of heritage sites and structures.
- 82. Temporary retention.-**The Authority may allow retention of any unauthorized structure for temporary period on deposit of retention fee. The type of structure to be retained, the period of retention and the fees to be deposited shall be decided by the Authority from time to time.

CHAPTER -X
E-GOVERNANCE AND SERVICE DELIVERY

- 83. E-Governance.**-(1) The State Government shall set up a integrated E-Government system to be used by all the authorities. All the applications and the associated documents to be submitted to the various authorities under these byelaws shall be submitted through the E-Government system. Any application on paper shall be avoided under these byelaws.
- (2) All notices shall be issued through the E-Government system.
- (3) The E-Government system shall have an inbuilt reminder mechanism to approve applications wherever provisions have been made for approval within a specified time limit under these bye-laws.
- (4) The E-Government system shall periodically generate reports of occasions where the Authorities have failed to perform their statutory duties within the prescribed time. The Authorities shall with their comments forward these reports to the State Government at periodic intervals specified by the State Government.

CHAPTER-XI

SAVINGS / REPEALS AND INTERPRETATION

- 84. Repeal and Savings.**-(1) The Patna Planning Standards and Building Bye Laws 1981 with all its amendments and associated executive orders are hereby repealed.
- (2) Notwithstanding such repeal, anything done or any action taken under the bye laws so repealed shall be deemed to have been done or taken under these bye laws;
- 85. Interim Development Plan.**-(1) The Authority may prepare Interim Development Plans (IDP) for newly included development areas including rayati land within a reasonable time frame so that development may not be held up in the name of pendency of Interim Development Plan. Where such IDP has not been prepared, the general provisions of these bye laws shall apply without any zonal restrictions.
- (2) The Authority shall ensure that resources for land acquisition and cost of land are mobilized or are likely to be mobilized within the time frame projected for implementation of such Interim Development Plans.
- 86. Applicability of National Building Code.**-Where no express provision has been made in respect of any matter connected with planning and building standards by the Act, the Rules, the Development Plan, the Town Planning Schemes, or these Bye laws or by any resolution of the Authority, the provisions of the National Building Code of India, 2005 shall mutatis mutandis be applicable.
- 87. Prior Commitments.**-If any Department of Government/Statutory Authority has given any commitment for a project under PPP with the prior approval of Government, but the building plan of such project has not yet been approved by the Authority as on date of enforcement of these Bye laws, such commitment shall be treated to be made under these Bye laws.
- 88. Decision of the Government to be final.**-In case of any dispute in interpretation of these bye laws, the decision of the State Government shall be final.
- 89. Relaxation by the Government.**-The Authority may recommend to the Government for relaxation/modification of any of the clauses of these Bye laws in the general interest of the public pertaining to projects/schemes developed by the Govt. agencies and the decision of the Government in this regard shall be final.

ANNEXURE-I

QUALIFICATION, EXPERIENCE & COMPETENCE OF TECHNICAL PERSONNEL AND BUILDER

(Bye laws-8 (3))

(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 except engineering services of multistoried/special buildings given in 12.2.5.1 of NBC, 2005.
- ii) Certificate of supervision and completion of all buildings pertaining to architectural aspects.
- iii) Preparation of sub-division/layout plans and related information connected with development permit of area upto 2 hectare.
- iv) Certificate of supervision for development of land of area up to 2 hectare.

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.

(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 five storeys 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 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 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 Engineering 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 neighbourhood.

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 and experience

- i) The person/ firm engaged in construction activities/ building activities

in an urban area having proven merit and experience may be considered for registration as a builder. He/ She should have at least five years experience in the line.

- ii) A person or group of persons having a qualification of Civil Engineering, Architecture and Town Planning may be registered as builder.
- iii) The Authority may classify the builders into three classes namely, Class-A, Class-B and Class-C considering their experience, expertise and annual turnover.

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 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.

ANNEXURE-II

(Extract from NBC 2005 Clause 4 Part 3)

(Bye laws-31(1))

4. MEANS OF ACCESS

4.1. Every building/plot shall abut on a public/private means of access like streets/roads duly formed.

4.2. Every person who erects a building shall not at any time erect or cause or permit to erect any building which in any way encroaches upon or diminishes the area set apart as means of access required in the Code.

No buildings shall be erected so as to deprive any other building of the means of access.

4.3. Width of Means of Access

The residential plots shall abut on a public means of access like street/road. Plots which do not abut on a street/Road shall abut/Front on a means of access, the width and other requirements of which shall be as given in Table 1.

Table 1 Width and Length of Means of Access

(Clause 4.3)

Sl. No	Width of Means of Access m	Length of Means of Access m
(1)	(2)	(3)
(i)	6.0	75
(ii)	7.5	150
(iii)	9.0	250
(iv)	12.0	400
(v)	18.0	1000
(v)	24.0	above 1000

NOTE- If the developments only on one side of the means of access, the prescribed widths may be reduced by 1min each case

In no case, development on plots shall be permitted unless it is accessible by a public street of width not less than 6 m.

4.3.1 Other Buildings

For all industrial buildings, theatres, cinema houses, assembly halls, stadia, educational buildings, markets, other buildings which attract large crowd, the means of access shall not be less than the following:

Width of Means of Access m	Length of Means of Access m
12	200
15	400
18	600
24	above 600

Further, in no case shall the means of access be lesser in width than the internal access ways in layouts and sub division.

4.3.2 Pathways

The approach to the buildings from road/street/internal means of access shall be through paved pathway of width not less than 1.5 m, provided its length is not more than 30 m.

4.3.2.1 In the case of special housing schemes for low income group and economically weaker section of society developed up to two storeyed row cluster housing scheme, the pedestrian pathway width shall be 3 m subject to provisions of 36 (1) A The pedestrian path way shall not serve more than 8 plots on each side of the pathway; the length of the pathway shall be not more than 50 m.

4.3.3 The length of the main means of access shall be determined by the distance from the farthest plot (building) to the public street. The length of the subsidiary access way shall be measured from the point of its origin to the next wider road on which it meets.

4.3.4 In the interest of general development of an area, the Authority may require the means of access to be of larger width than that required under-4.3 and 4.3.1.

4.3.5 In existing built-up areas in the case of plots facing street means of access less than 4.5 m in width, the plot boundary shall be shifted to be away by 2.25 m from the central line of the street/means of access way to give rise to a new street means of access way of 4.5m width.

4.4 The means of access shall be levelled, metalled, flagged, paved, sewered, drained, channelled, lighted, laid with water supply line and provided with trees for shade to the satisfaction of the Authority free of encroachment by any structure or fixture so as not to reduce its width below the minimum required under 4.3 and shall be maintained in a condition to the satisfaction of the Authority.

4.4.1 If any private street or any other means of access to a building is not levelled, metalled, flagged or paved, sewed drained, channeled, lighted

or laid with water supply line or provided with trees for shade to the satisfaction of the Authority, who may, with the sanction of the Authority, by written notice require the owner or owners of the several premises fronting or adjoining the said street or other means of access or abutting there on or to which access is obtained through such street or other means of access or which shall benefit by worksexecuted, to carry out any or more of the afore said requirements in such manner as he shall direct.

4.4.2 If any structure or fixture is set upon a means of access so as to reduce its width below the minimum required, the Authority may remove the same further and recover the expenses so incurred from the owner.

4.5. Access from Highways/Important Roads No premises other than highway amenities like petrol pumps, motels, etc, shall have an access direct from highways and such other roads not less than 52 m in width, which the Authority with the approval of the Highway Authority shall specify from time-to-time.

The Authority shall maintain a register of such roads which shall be open to public inspection at all times during office hours. The portion of such roads on which direct access may be permitted shall be as identified in the Development Plan. However, in the case of existing development on highways/other roads referred to above, the operation of this clause shall be exempted.

These provisions shall, however, be subject to the provisions of the relevant State Highway Act, and National Highway Act.

4.6. For high rise buildings and buildings other than residential, the following additional provisions of means of access shall be ensured:

a) The width of the main street on which the building abuts shall not be less than 12 m and one end of this street shall join another street not less than 12 m in width;

b) The approach to the building and open spaces on all its sides up to 6 m width and the lay out for the same shall be done in consultation with the Chief Fire Officer of the city and the same shall be hard surface capable of taking the mass of fire engine, weighing up to 45 tonnes.

The said open space shall be kept free of obstructions and shall be motor able.

c) The main entrance to the plot shall be of adequate width to allow easy access to the fireengine and in no case shall it measure less than 6m. The entrance gate shall fold back against the compound wall of the premises, thus leaving the exterior access way within the plot free for movement of fire service vehicle. If

the main entrance at the boundary wall is built over, the minimum clearance shall be 4.5 m.

A turning radius of 9 m shall be provided for fire tender movement.

4.7. Cul-de-sacs giving access to plots and extending from 150 m to 275 m in length with an additional turning space at 150 m will be allowed only in residential areas, provided cul-de-sacs would be permissible only on straight roads and further provided the end of cul-de-sacs shall be higher in level than the level of the starting point of such dead end road. The turning space, in this case shall be not less than 81 m² in area, with no dimension less than 9 m.

4.8. Intersection of Roads

For intersection junctions of roads meeting at right angles as well as other than right angles, the rounding off or cut off or splay or similar treatment shall be done, to the approval of the Authority, depending upon the width of roads, the traffic generated, the sighting angle, etc., to provide clear sight distance.

4.9. The building line shall be set back at least 3m from internal means of access in a layout of buildings in a plot.

ANNEXURE-III

Guidelines for installation of solar water heating system

(Bye laws-48)

1. Installation of Solar Assisted Water Heating System in Buildings: to ensure the implementation of the guidelines issued by ministry of non-conventional energy sources on accelerated development and deployment of solar water heating systems in domestic, industrial and commercial sectors. No new building in the following categories in which there is a system of installation for supplying hot water shall be built unless the system of the installation is also having an auxiliary solar assisted water heating system:-
 - i) Hospitals and Nursing Home
 - ii) Hotels, Lodges, and Guest Houses, Group Housing with the plot area of 4000 sq m.
 - iii) Hostels of Schools, Colleges and Training Centres with more than 100 Students.
 - iv) Barracks of armed forces, paramilitary forces and police
 - v) Individual residential buildings having more than 150 sq m. plinth area
 - vi) Functional Buildings of Railway Stations and Air Ports like waiting rooms, retiring rooms, rest rooms, inspection bungalows and catering units
 - vii) Community Centres, Banquet Halls, Barat Ghars, Kalayana Mandaps and buildings for similar use.

A. Definitions

i)	“Solar Assisted Water Heating System	A device to heat water using solar energy as heat source.
ii)	“Auxiliary back up”	Electricity operated or fuel fired boilers/systems to heat water coming out from solar water heating system to meet continuous requirement of hot water.
iii)	“New Building”	Such buildings of above said categories for which construction plans have been submitted to the Authority for clearance.
iv)	“Existing building”	Such buildings, which are licensed to perform their respective business.

B. Guidelines for Installation of Solar Water Heating System

- i. New Buildings: Clearance of plan for the construction of new buildings of the aforesaid categories shall only be given if they have a provision in the building design itself for an insulated pipeline from the rooftop in the building to various distribution

points where hot water is required. The building must have a provision for continuous water supply to the solar water heating system. The building should also have open space on the rooftop, which receives direct sun light. The load bearing capacity of the roof should at least be 50 kg. per sq m. All new buildings of above said categories must complete installation of solar water heating systems before obtaining necessary license to commence their business.

- ii.** Existing Buildings: Installation of Solar Assisted Water Heating Systems in the existing building shall be made mandatory at the time of change of use to above said category provided there is a system or installation for supplying hot water.
- iii.** Capacity: The capacity of solar water heating system to be installed on the building of different categories shall be decided in consultation with the local body. The recommended minimum capacity shall not be less than 25 lt. per day for each bathroom and kitchen subject to the condition that maximum of 50% of the total roof area is provided with the system.
- iv.** Specifications: Installation of Solar Assisted Water Heating Systems shall conform to BIS specification IS 12933. The solar collectors used in the system shall have the BIS certification mark.
- v.** Auxiliary System: Wherever hot water requirement is continuous, auxiliary heating arrangement either with electric elements or oil of adequate capacity may be provided

FORM-I
PART-I
BUILDING PLAN APPLICATION FORM
BYE LAWS NO.-5 (1)

Form No.-.....
Authorised Signature

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

From:

Name and Address
(in Block letters)
.....
Tel No.....

For Office use only

Regd. No.
Scrutiny Fee

To

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

Madam/Sir

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

- a) Construction ofstoried 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.....of..... Municipal Corporations/ Municipal Council/ Nagar Panchayats/ Metropolitan area/ Planning Area under various Planning Authority/ Gram Panchayat areas covered under respective Development Plan/ Planning Authorities/ or any Planning Scheme notified under Bihar Urban Planning and Development Act 2012.

The said land building shall be used for..... purpose.

I/We enclosed 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 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 building parameters 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 sets of the building Plan: | Yes/No/Not applicable |
| 2. Ownership document: | Yes/No/Not applicable |
| 3. Supervision certificate in form-I, Part-III: | 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 ease hold: | Yes/No/Not applicable |
| 7. NOC from Fire Officer: | 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)

FORM-I
PART-II
PERMISSION FOR LAND DEVELOPMENT
BYE LAWS NO.-5(2) (iii) & 71

Form No.-_____

Authorised Signature

APPLICATION FOR DEVELOPMENT/ RE-DEVELOPMENT OF LAND FOR
OBTAINING DEVELOPMENT PERMIT

From:
Name and Address
(in Block letters)
Tel No.

For Office use only
Regd. No.
Scrutiny Fee

To

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

Madam/Sir

I/We hereby apply for permission to undertake development/ re-development of land. In respect of Plot No (CS)..... Plot No (MSP)..... Khata No..... Holding No. Village.....of..... Municipal Corporations/ Municipal Council/ Nagar Panchayats/ Metropolitan area/ Planning Area under respective Planning Authority/ Gram Panchayat areas covered under various Development Plan/ Planning Authorities/ or any Planning Scheme notified under Bihar Urban Planning and Development Act 2012. The said land building shall be used for purpose.

I/We enclosed 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 building parameters checklist prepared by the Technical person is enclosed.

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

Documents furnished.

- | | |
|---|------------------------|
| 1. Four sets of the layout Plan: | Yes/No/Not applicable |
| 2. Ownership document: | Yes/No/Not applicable |
| 3. Supervision certificate in form-I, Part-III: | 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 ease hold: | Yes/No/Not applicable |
| 7. NOC from State Fire Officer: | 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: | 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)

FORM-I
PART-III
FORM FOR SUPERVISION
BYE LAWS NO.-5(3)(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.....of..... Municipal Corporations/ Municipal Council/ Nagar Panchayats/ Metropolitan area/ Planning Area under various Planning Authority/ Gram Panchayat areas covered under respective Development Plan/ Planning Authorities/ or any 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

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

Date:

FORM I
PART-IV
CHECK LIST
 BYE LAWS NO.-5(3)(x)

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

As per Document	As per Building Plan	As per Possession

6. Tenancy:- Lease hold/Free hold/Stitiban.

If lease hold:

- (i) Name of Lessor:
- (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) Electric

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

9. (i) Amount of fee deposited

- (ii) Covered area on all floors

10

Use applied	Land use in the comprehensive development plan	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
- (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: Yes/No
- (v) If private , whether
 - a) transferred to the Municipality: 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.....

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

17. 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				
Scrutiny fee deposited				
Gates				
Exemptions (i) height (ii) setback (iii) FAR				

18. Whether falls in the Airport funnel zone.....

19. Provision of proposed on site physical infrastructure

- (i) Water Supply:-
- (ii) Sewerage:-
- (iii) Drainage:-
- (iv) Electrical Installation:-

20. Clearance/Certificate produced:

RS/RNS/NR

- (i) General Affidavit:-

- (ii) Structural Stability Certificate:-
- (iii) Form of Supervision:-
- (iv) NOC from Fire Prevention Officer:-
- (v) NOC from PHED:-
- (vi) Undertakings with regard to quality construction/Water supply/Sewerage/Drainage/Waste disposal/fire fighting
- (vii) Any other (specify)

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

21. Involvement of Technical Person & Builder:

- (i) Architect/Engineer :-
 - Name:-
 - C.A.No:
 - Empanelment No:
- (ii) Engineer/Structural Engineer:-
 - Name:
 - Empanelment No:
- (iii) Builder:
 - Name:
 - Empanelment No:
- (iv) Any other:

Signature of Technical Person

FORM-II
PART-I
FORM OF APPROVAL OF BUILDING PERMIT
BYE LAWS NO.-9(4)

Permission is hereby granted in favour of;

Smt./ Shri for

- a) Institution of change of the use of building
- b) Construction of a building
- c) Reconstruction of building
- d) Alteration of
- e) Alteration or additions in the existing building

..... (Specify) in respect of Plot No (CS)..... Plot No (MSP).....
Khata No..... Holding No. Village.....of..... Municipal
Corporations/ Municipal Council/ Nagar Panchayats/ Metropolitan area/ Planning
Area under respective Planning Authority/ Gram Panchayat areas covered under
various Development Plan/ Planning Authorities/ or any Planning Scheme notified
under Bihar Urban Planning and Development Act 2012 within the development plan
area of subject to following additions/ restrictions.

- a) The land/ Building shall be used exclusively for..... purpose and the uses shall not be changed to any other use without prior approval of this Authority.
- b) The development shall be undertaken strictly according to plans enclosed with necessary permission endorsement
- c) Parking space measuring..... sq. m. as shown in the approved plan shall be kept open and no part of it will be built upon.
- d) The land over which construction is proposed is accessible by an approved means of access of m. width.
- e) The land in question must be in lawful ownership and peaceful possession of the applicant.
- f) The applicant shall free gift m. wide strip of land in the..... Municipal Corporations/ Municipal Council/ Nagar Panchayats/ Metropolitan area/ Planning Area under respective Planning Authority/ Gram Panchayat areas covered under various Development Plan/ Planning Authorities/ or any Planning Scheme notified under Bihar Urban Planning and Development Act 2012 for the further widening of the road to the standard width.
- g) The permission is valid for period of three years with effect from the date of issue.
- h) Permission accorded under the provision cannot be construed as evidence in respect of right title interest of the plot over which the plan is approved.
- i) Any dispute arising out of land record or in respect of right/ title/ interest after this approval the plan shall be treated automatically cancelled during the period of dispute.
- j) Any other conditions.

By Order
Authorised Officer
.....

Memo No..... /.....,Dated.....

Copy along with..... copies of the approved plans to
Smt./ Shri.....

Authorised Officer/
Authority
.....

Memo No..... /.....,Dated.....

Copy with a copy approved plan forwarded to the Municipal Corporations/ Municipal Council/ Nagar Panchayats/ Metropolitan area/ Planning Area under respective Planning Authority/ Gram Panchayat areas covered under various Development Plan/ Planning Authorities/ or any Planning Scheme for information.

Authorised Officer/
Authority
.....

Memo No...../, Dated.....

Copy forwarded to Town & Country Planning Organization, Bihar, Patna,/
.....

Authorised Officer/
Authority
.....

FORM-II
PART-II
FORM OF APPROVAL OF LAND DEVELOPMENT PERMIT
BYE LAWS NO.- 71(3)

Permission is hereby granted in favour of;

Smt./ Shri for

- a) for layout plan of land development
- b) Institution of change of the use of land

..... (Specify) in respect of Plot No (CS)..... Plot No (MSP).....
Khata No..... Holding No. Village.....of..... Municipal
Corporations/ Municipal Council/ Nagar Panchayats/ Metropolitan area/ Planning
Area under respective Planning Authority/ Gram Panchayat areas covered under
various Development Plan/ Planning Authorities/ or any Planning Scheme notified
under Bihar Urban Planning and Development Act 2012 within the development plan
area of subject to following additions/ restrictions.

- a) The Land shall be used exclusively for..... purpose and the uses shall not be changed to any other use without prior approval of this Authority.
- b) The development shall be undertaken strictly according to plans enclosed with necessary permission endorsement
- c) Parking space measuring..... sq. m. as shown in the approved plan shall be kept open and no part of it will be built upon.
- d) The land over which construction is proposed is accessible by an approved means of access of m. width.
- e) The land in question must be in lawful ownership and peaceful possession of the applicant.
- f) The applicant shall free gift m. wide strip of land in the..... Municipal Corporations/ Municipal Council/ Nagar Panchayats/ Metropolitan area/ Planning Area under respective Planning Authority/ Gram Panchayat areas covered under various Development Plan/ Planning Authorities/ or any Planning Scheme notified under Bihar Urban Planning and Development Act 2012 for the further widening of the road to the standard width.
- g) The permission is valid for period of three years with effect from the date of issue.
- h) Permission accorded under the provision cannot be construed as evidence in respect of right title interest of the plot over which the plan is approved.
- i) Any dispute arising out of land record or in respect of right/ title/ interest after this approval the plan shall be treated automatically cancelled during the period of dispute.
- j) Any other conditions.

By Order
Authorised Officer

.....

Memo No..... /,Dated.....

Copy along with copies of the approved plans to
Smt./ Shri.....

Authorised Officer/
Authority

.....

Memo No..... /,Dated.....

Copy with a copy approved plan forwarded to the Municipal Corporations/ Municipal Council/ Nagar Panchayats/ Metropolitan area/ Planning Area under respective Planning Authority/ Gram Panchayat areas covered under various Development Plan/ Planning Authorities/ or any Planning Scheme for information.

Authorised Officer/
Authority

.....

Memo No...../, Dated.....

Copy forwarded to Town & Country Planning Organization, Bihar, Patna,/
.....

Authorised Officer/
Authority

.....

FORM-III
APPLICATION FOR DRAWING OF ATTENTION

BYE LAWS NO.-9(5)

From

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

(Name and address of the applicant in block letters)

TO

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

Subject: Statutory Notice.

Madam/Sir,

I/We do bring to your kind notice that I/We had applied for permission to the..... Authority on..... to undertake development with respect of Plot No (CS)..... Plot No (MSP)..... Khata No..... Holding No. Village.....of..... Municipal Corporations/ Municipal Council/ Nagar Panchayats/ Metropolitan area/ Planning Area under respective 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 My/our application was registered vide No..... Dated..... Two months have elapsed since the submission of my/our application and I/we have not received any communication with respect to the said application..... subject to following additions/ restrictions.

Please take notice that if within a further period of 15 (fifteen) days from the date of receipt of this notice by you no communication either granting or refusing permission is received by me/ us, I/ we shall presume that permission as applied for has been granted in my/ our favor.

Yours faithfully

Name & Signature of the applicant(s)

FORM IV
FORM OF REGISTER TO BE MAINTAINED
 BYE LAWS NO.-10

Sl. No.	Name and address of the applicant	Date of receipt	Date of permission with letter No.	Date of refusal with letter No.	Date of endorsement To Enforcement Branch	Date of return from Enforcement Branch	Date of sending to record room	Signature of the dealing Asst.	Signature of the S.O.
(i)	(ii)	(iii)	(iv)	(v)	(vi)	(vii)	(viii)	(ix)	(x)

FORM-V

PERIODIC PROGRESS REPORT

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

BYE LAWS NO.-15(2), 24(2)C& 61(1)

From

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

(Name and address of the applicant in block letters)

To

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

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

Madam/ Sir,

I/We hereby certify that the construction of the building up to foundation, Plinth/ground floor of the building with respect of Plot No (CS)..... Plot No (MSP)..... Khata No..... Holding No. Village.....of..... Municipal Corporations/ Municipal Council/ Nagar Panchayats/ Metropolitan area/ Planning Area under respective Planning Authority/ Gram Panchayat areas covered under respective 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.

FORM-VI
PART-I
COMPLETION CERTIFICATE
BYE LAWS NO.-16(2), 67(2) & 68

From

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

(Name and address of the applicant in block letters)

TO

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

Sir,

I hereby certify that the development, of erection, re-erection or for material alteration in with respect of Plot No(CS)..... Plot No (MSP)..... Khata No..... Holding No. Village.....of..... Municipal Corporations/ Municipal Council/ Nagar Panchayats/ Metropolitan area/ Planning Area under respective Planning Authority/ Gram Panchayat areas covered under various 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 and has been completed on according to the plans sanctioned vide No..... dated The work has been completed to my best satisfaction, the workmanship and all the materials (type and grade) have been used strictly, in accordance with the general and detailed specifications. No provisions of the code, conditions prescribed or orders issued there under have been transgressed in the course of the work. The land is fit for construction for which it has been developed or re-developed or the building is fit for use for which it has been erected, re-erected or altered, constructed and enlarged.

I hereby also enclose the plan of the building completed in all aspects.

Signature of Empanelled

Technical Person/Owner

Name of the Technical Person/Owner

Address.....

Date: _____

FORM VI
PART-II
CERTIFICATE FOR EXECUTION OF WORK AS PER STRUCTURAL SAFETY REQUIREMENTS
BYE LAWS NO.-16(2), 67(2), 68

From

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

(Name and address of the applicant in block letters)

TO

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

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.....of..... Municipal Corporations/ Municipal Council/ Nagar Panchayats/ Metropolitan area/ Planning Area under respective Planning Authority/ Gram Panchayat areas covered under respective Development Plan/ Planning Authorities/ 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
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

Signature of the Empanelled Engineer/
Structural Engineer with date and Empanelment

Name:

Address:

FORM-VII

CERTIFICATE FOR STRUCTURAL STABILITY

BYE LAWS NO.-5(3)(viii) & 8(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.....of..... Municipal Corporations/ Municipal Council/ Nagar Panchayats/ Metropolitan area/ Planning Area under respective Planning Authority/ Gram Panchayat areas covered under respective 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, as 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 submit the report toAuthority regularly to 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/Govt. 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.

Signature of owner
With date

Name:

Address:

.....

.....

.....

Signature of the Registered
Engineer/ Structural Engineer with date
and registration No.

FORM-VIII
PERIODIC PROGRESS REPORT
(To be submitted by the Empanelled Structural Engineer/ Architect/Engineer)
BYE LAWS NO.-15(2), 24(2)C & 61(4)

From

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

(Name and address of the applicant in block letters)

To

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

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

Madam/ Sir,

I/We hereby certify that the construction of the building up to floors of the building with respect of Plot No(CS)..... Plot No (MSP)..... Khata No..... Holding No. Village.....of..... Municipal Corporations/ Municipal Council/ Nagar Panchayats/ Metropolitan area/ Planning Area under respective Planning Authority/ Gram Panchayat areas covered under respective 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.

FORM-IX
FORM OF REFUSAL OF BUILDING PERMIT/ DEVELOPMENT PERMIT
BYE LAWS NO.- 9(4) & 71(4)

From,

.....
.....

To,

Smt/Sri.....
.....

Your reply to this office letter No.Dt..... has not been found satisfactory / You have failed to show any cause in response to this office letter No..... Dated

Hence, in exercise of the powers permission to undertake building/land development on Plot No (MSP)..... Khata No..... Holding No. Village.....of..... Municipal Corporations/ Municipal Council/ Nagar Panchayats/ Metropolitan area/ Planning Area under respective Planning Authority/ Gram Panchayat areas covered under various Development Plan/ Planning Authorities/ or any Planning Scheme notified under Bihar Urban Planning and Development Act 2012 is hereby refused on the following grounds.

- 1.....
- 2.....
- 3.....
- 4.....

Two copies of the plans are retained in this office for record and reference and the rest are returned herewith.

Authorised Officer/
Authority

.....

Copy with a copy approved plan forwarded to the Municipal Corporations/ Municipal Council/ Nagar Panchayats/ Metropolitan area/ Planning Area under respective Planning Authority/ Gram Panchayat areas covered under various Development Plan/ Planning Authorities/ or any Planning Scheme for information.

Authorised Officer/
Authority

.....

FORM-X
OCCUPANCY CERTIFICATE
BYE LAWS NO.-17(1), 67(2) & 69(1)

The work of erection, re-erection or for material alteration undertaken with respect of Plot No (CS)..... Plot No (MSP)..... Khata No..... Holding No.
Village.....of..... Municipal Corporations/ Municipal Council/ Nagar Panchayats/ Metropolitan area/ Planning Area under respective Planning Authority/ Gram Panchayat areas covered under respective Development Plan/ Planning Authorities/ or Planning Scheme notified under Bihar Urban Planning and Development Act 2012 within the development plan area of.....is completed under the supervision of Architect (Empanelment no..... Structural Engineer (Empanelment No...) Supervisor (Empanelment No.) as per the Completion certificate submitted. On inspection it is observed that the erection, re-erection or alteration undertaken with respect to above plot(s) conform/ do not conform the approved plan and the conditions imposed vide letter No..... dt..... The building is permitted/not permitted for occupation for occupancy subjected to the following

- 1.
- 2.
- 3.

One set of completion plans duly certified is returned herewith.

BY ORDER

Authorised Officer
Planning Authority

FORM-XI
INDEMNITY BOND FOR BASEMENT
BYE LAWS NO.-41.4(i)

This Indemnity Bond is executed by Shri/Smt..... S/O, D/O, W/O Shri/Smt.....
R/Oin favour of..... Authority.

Whereas the executant has submitted to the concerned Authority the plans for, sanction of basement over Plot No (CS)..... Plot No (MSP)..... Khata No..... Holding No. Village.....of..... Municipal Corporations/ Municipal Council/ Nagar Panchayats/ Metropolitan area/ Planning Area under respective Planning Authority/ Gram Panchayat areas covered under respective Development Plan/ Planning Authorities/ or Planning Scheme notified under Bihar Urban Planning and Development Act 2012 within the development plan area of..... under the provisions of the Building Bye laws made there under:-

And whereas the concerned Authority has agreed to sanction the aforesaid construction subject to the conditions that the owner shall indemnify the concerned Authority in the event of any loss or damage being cause to the adjoining building on account of the construction of the said basement either at the time of digging of its foundations or in the course of its construction or even thereafter and also against any claim of any concern thereto.

And whereas the executant has agreed to execute an indemnity bond to the above affect and also to abide by the terms imposed by the concerned Authority to the grant of sanction for construction of the basement.

Now this deed witnesses:

1. That in consideration of the sanction of the plans by..... Authority for construction of the basement the executant undertakes that he/she shall at all times keep..... Authority free from any liability, loss or damages/flowing from any injury or damage caused to the adjoining built-up properties or to any person as a consequence of the construction of at the time of digging of its foundations or during the course of its construction or at any time thereafter.
2. The owner agreed and undertakes that in the event of any claim being made by any person or persons against the concerned Authority either in respect of the sanction granted by the concerned Authority to the owner for the construction of basement or in respect of the construction or manner of construct ion of the basement by the owner of the consequences flowing from the said sanction the executant shall be responsible and liable and not..... Authority.
3. The executant agrees and undertake to indemnify the concerned Authority fully in respect of any amount which the concerned Authority may be required to pay to any person either by way of compensation or on any other account as a result of any claim or suit or any other proceedings concerning the sanctioning of the construction of the basement of the making thereof and also in respect

- of the costs and expenses which the concerned Authority may incur on defending any action.
4. Without prejudice to the above undertaking the executant hereby binds itself to pay to..... Authority to the full extent any amount which..... Authority may be required to pay to any person in connection with, relating to or concerning the sanctioning of the basement or the making thereof.
 5. The owner agrees and undertakes that this bond shall remain in full force and effect till the executant faithfully observes/performs the undertaking herein before contained. In witness whereof the executant above named has signed this bond on this..... of..... atday

Indemnifier

Witness:

(Signatures)_____

1. Name _____

Full Address _____

(Signatures)

2. Name _____

Full Address _____

(Signatures)

FORM-XII
FORM OF NOTICE FOR COMMENCEMENT OF WORK
(TO BE FURNISHED BY THE PLOT OWNER(S) AND THE BUILDER/ DEVELOPER)
BYE LAWS NO.-9(7)(F)

From

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

(Name and address of the applicant in block letters)

To

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

Sir,

I/We hereby give notice of the erection of building in with respect of Plot No(CS)..... Plot No (MSP)..... Khata No..... Holding No. Village.....of..... Municipal Corporations/ Municipal Council/ Nagar Panchayats/ Metropolitan area/ Planning Area under respective Planning Authority/ Gram Panchayat areas covered under various Development Plan/ Planning Authorities/ or Planning Scheme notified under Bihar Urban Planning and Development Act 2012 within the development plan area of to be commenced on as per the permission given in your letter no. dated..... Under the supervision of authority/ empanelled Architect/ Engineer/ Structural Engineer..... Regd. No. in accordance with the approved plan.

Yours faithfully,

Signature(s) of the Owner

FORM-XIII
APPLICATION FOR DRAWING OF ATTENTION TO OCCUPANCY CERTIFICATE
BYE LAWS NO.-69(2)

From

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

(Name and address of the applicant in block letters)

To

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

Subject: Statutory Notice.

Madam/Sir,

I/We do bring to your kind notice that I/We had applied for occupancy certificate to the..... Authority on..... to undertake development with respect of Plot No (CS)..... Plot No (MSP)..... Khata No..... Holding No. Village.....of..... Municipal Corporations/ Municipal Council/ Nagar Panchayats/Metropolitan area/ Planning Area under respective 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 My/our application was registered vide No..... Dated one months have elapsed since the submission of my/our application and I/we have not received any communication with respect to the said application.

Please take notice that if within a further period of 30 (thirty) days from the date of receipt of this notice by you no communication either granting or refusing permission is received by me/ us, I/ we shall presume that occupancy certificate shall be deemed to has been granted in my/ our favor.

Yours faithfully

Signature of the applicant(s)

FORM-XIV
CERTIFICATE OF UNDERTAKING
FOR HAZARD SAFETY REQUIREMENT

BYE LAWS NO.-70

To,

REF: Proposed work of (Title of project) C.S.No./R.S.No.
..... in Ward No. at Village
..... Mohalla/Tola Scheme No.
..... of Village/Town/City.

1. Certified that the building plans submitted for approval will satisfy the safety requirements as stipulated under Building Bye laws 70 and the information given therein is factually correct to the best of our knowledge and understanding.
2. It is also certified that the structural design including safety from hazards based on soil conditions shall be duly incorporated in the design of the building and these provisions shall be adhered to during the construction.

Signature of Owner with date
Name and Address in Block Letters
.....
.....

Signature of Structural Engineer on Record with date.....
Name and Address in Block Letters.....
.....
.....
.....