

# Notifications and Orders

**(102) Optional scheme regarding passing of building plans of residential premises** - In exercise of the powers conferred under Section 4 of the Capital of Punjab (Development and Regulation) Act, 1952, the Chief Administrator, Union Territory, Chandigarh hereby makes the following scheme regarding passing of building plans of residential premises except group housing/apartments in the Union Territory, Chandigarh, which is an option to the existing procedure namely:-

1.1 Notwithstanding anything contained in the Punjab Capital (Development and Regulation) Building Rules, 1952, any person who intends to erect/ re-erect a residential building as defined in the Act can make a valid application which is optional, for self certification of residential building plans, in writing to the competent authority in prescribed form "A" alongwith receipt of the payment of building plan security, processing fee and other forms and documents mentioned at Annexure-L.

1.2 Such application shall not be considered until the applicant submits all forms and documents complete in all respect duly signed by owner, registered Architect, Registered Structural Engineer and licensed plumber registered with the Chandigarh Administration alongwith fees as mentioned in para 1.1 above.

1.3 In case of objections, if any, communicated within 30 days from the date of the receipt of the application, the applicant shall be allowed to re-submit the building plan after attending to the objections within a period of one year from the date of receipt of objection order. No fee will be charged at the time of this resubmission.

1.4 A person making application as mentioned in para 1.1 need not submit application under Rule 7, 16 and 18 of Punjab (Development and Regulation) Building Rules, 1952.

2. The applicant shall deposit building plan processing fee alongwith each application @ Rs. 1 per sq. ft. of plot area. This fee will be non- refundable and non transferable. However, in case of minor changes in the plan, fee will not be charged again.

4.1 If after submitting of application during the construction of building, the owner/ Registered Architect/Registered Structural Engineer/ Licensed Plumber is changed, he shall intimate the competent authority by registered letter that he is no longer responsible for the project from the date of actual dispatch of the letter. The intimation must be sent within seven days of occurrence of the change to the Estate Officer by the respective owner/Architect/Engineer/Plumber, construction work shall have to be suspended until the new owner/ Registered Architect/Registered Structural Engineer/Licensed Plumber as the case may be, undertakes the full responsibility of the project, - vide forms and documents submitted at the time of securing permission for erection/re-erection of the building.

1.2 The new owner/Registered Architect/Registered Structural Engineer/ Plumber, as the case may be, shall before taking responsibility as stated in para 4.1 check the work already executed in pursuance to the permission granted by competent authority. He may go ahead with the remaining work only after intimating the competent authority about the same within seven days of his taking over.

5.1 A person who applies for erection/re-erection of residential building after securing permission for erection or re-erection, if no objection is received within 30 days from receipt of the application, shall give to the Estate Officer not less than a week's notice in writing, of the date and time at which erection/re-erection of the building shall begin and shall annex an attested copy of the plinth level certificate, demarcation certificate and permission for stacking malba at site, and any other permission whichever is required in this regard from the competent authority.

5.2 The competent authority will ensure that the certificates and other documents needed by the applicant are easily made available at one place.

5.3 When the construction work reaches at plinth level, the Supervising Architect shall inform the Estate Officer regarding the progress on prescribed progress certificate.

6. If a building is not completed or completion certificate is not obtained within five years from the date of securing permission of erection/re-erection or within last date of construction, whichever is earlier, the secured permission will lapse. The applicant has to obtain extension in time limit before applying for revalidation of the same and the same may be revalidated at the discretion of Estate Officer on the justified request of the applicant and for each revalidation Rs. 1.000 will be charged.

7.1 On provision of rule 18 of Punjab (Development and Regulation) Buildings Rules, 1952 will be applicable except the forms and documents as detailed in Annexure IF, for applying for permission to occupy.

7.2 On submission of valid applications for permission to occupy with forms and documents as detailed at Annexure II, the Estate Officer shall give receipt thereto and process the application in accordance with Rule 18 of the Punjab (Development and Regulation) Building Rules, 1952. Occupation certificate shall be given within a period of 30 days from the date of receipt of such application. However, if the Estate Officer exercising the powers of Chief Administrator, fails to issue such occupation certificate within a period of 30 days from the date of receipt of valid completion report, the occupation certificate will be deemed to have been issued.

8.1 Notwithstanding anything contained in the Punjab (Development and Regulations) Building Rules, 1952, and further amendments made/ directions given in this regard for charging of composition fee for erection/re-erection of site the said rule shall be applicable in regard to composition fee for not seen ring/obtaining permission for erection/re-erection of building before execution at site.

8.2 If the owner fails to intimate the Estate Officer within a week's time, regarding commencement of work as per direction 5.1, the composition fee @ Rs. 1 per sq. ft the plot area will be levied subject to fulfillment of documents as mentioned in direction 5.1 above at the time of completion.

8.3 (i) If the supervising architect fails to submit the progress certificate at plinth level as per direction 5.3, he will be solely held responsible for such omission and his registration to work in Chandigarh Administration may be suspended/cancelled or any other penalty may be imposed as per decision of the committee constituted under the Chairmanship of Chief Architect after giving him an opportunity of being heard.

8.3 (ii) If the owner or registered Architect/Structural Engineer/Licensed Plumber as the case may be, submits a wrong report while making application under direction 1.1 and 72 or if any additional construction or violation is reported to exist at site or concealed any fact or falsely justifies or mis-states regarding completion at or before the completion of such report, he will be jointly and severally held responsible for such omission/commission and his registration license to Chandigarh Administration may be suspended or cancelled or any other penalty as decided by the committee constituted under the Chairmanship of the Chief Architect after giving an opportunity of being heard.

8.3 (iii) The unauthorized construction will either be demolished by the owner or by Estate Officer on the risk and cost of the owner, if the same is neither sanctionable nor compoundable.

*(See Chandigarh Administration Gaz. (Extra) dated 9.10.2005 at page 826)*

