

Notifications and Orders

(45) Directions relating to construction of buildings - 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 issues the following directions regarding construction of buildings in the Union Territory, Chandigarh, namely:-

1. All the shop owners desirous of installing air conditioners in the verandah for their shops shall fix the same above the false ceiling in the verandah. The false ceiling shall be of any material/specification of their choice subject to a minimum clear height to be fixed by the Department of Urban Planning, Union Territory, Chandigarh. Every shop owner who is having shop without Air Conditioner on one or both sides shall have to close the suspended ceiling from the sides, as the case may be. The minimum height of suspended ceiling as approved by the Department of Urban Planning shall vary depending upon the height of public corridor in each case. However, design of the false ceiling in public verandah shall be based on the guidelines issued by the Department of Urban Planning, Union Territory, Chandigarh.

2. Small depression in floor level upto 3'-0" for all such shops where basement have not been provided shall be allowed in showrooms. Such depression should not lead to creation of an additional floor area by constructing mezzanine floors or otherwise. Small depressions as aforesaid shall be subject to the following conditions, namely*-

(b) Public Health Services and structural stability is not affected. Structural stability of adjoining SCF/SCO is also ensured. If the depression in floor is 3'-0" at least 2'-0" wide strip of floor space adjoining the common party wall on both the sides shall not be depressed. However, If the depressed floor level is restricted up to 1'-6" there is no need to exclude any such space adjoining the common party wall;

(c) The resultant clear height shall not be such that it qualifies for a mezzanine floor i.e. it shall be less than 16' 0" (4.9m);

(d) Minimum 2 Nos. risers area of shop in front of entrance doors shall not be depressed.

(e) Minimum 4' - 6" wide floor of shop in front of entrance doors shall not be depressed.

(Note: Item No 2 withdrawn vide Chandigarh Admn. Gaz. (Extra) dated 22-5-2003 page 0/75)

3. "Restaurant trade" shall be termed as General Trade subject to payment of conversion charges and on the condition that r.o cooking activity shall be carried out in the front of the Restaurant. "Dhabas" shall however be included in special trader.

"Dhabas" are defined as under:

"Dhabas" means a place where eatable products are stored and cooked in open and where visitors can have access to the same. These do not have a separate kitchen as the cooking is done in the mch which accommodates sitting and dining, with use of Tandoors fired with conventional energy resources such as wood and coal for cooking chapattis is in open in front of tin-, customers,

4. Restaurants shall be allowed on upper floor of commercial buildings (SCOs) which are designated as office space in architectural controls at present. However, other conditions as stipulated in Building Rules and fire safety norms shall be provided within the existing building lines.

Restaurants shall be allowed in General category sites irrespective of the floor of a SCO. In future, before auctioning the commercial sites (i.e. SCOs), necessary modifications to use any floor for restaurants/shops shall be incorporated in the terms and conditions governing the allotment including zoning. In case of already sold property, a sub-tabta composition fee as determined by the Administration would be required to be paid.

5. The brick cut work in plaster instead of exposed Brick work shall not be

allowed on major elevations. However, for smaller areas and internal surfaces, the same shall be considered during compound flag,

6. The printing press business with modern computerized machinery and equipment shall be allowed in the commercial buildings Only on the ground floor provided that there is no structure borne and air borne noise and vibration and the operation does not affect the structural safety of the building,

7. Relaxation for placing the glazing at clear depths 3'-0" on first and - second floors of Sector 22, Show Room Verandahs, both on front and rear side of shops shall be given to all the shops in the row, alongwith facade shall be retained as such in the architectural control until the owners come up with an alternative suggestion for the whole block/ row (parts) acceptable to the Department of Urban Planning, Union Territory, Chandigarh.

8. The courtyard coverage on top floor in Sector 7 and 26, Madhya Marg, Chandigarh and change of its use from residential to commercial purposes shall be allowed subject to the payment of conversion charges and cost of additional area fixed by the Chandigarh Administration. 50% coverage of the open central courtyard or the rear of the shops, courtyard shall be allowed for which the Department of Urban Planning shall prepare a fresh architectural control for the shopping centre in Sector 7 and 26, Madhya Marg, Chandigarh alongwith areas specified for additional coverage. The additional covered area shall be charged at prevailing market rates by the Chandigarh Administration. However, the rate of the additional covered area shall be designed in such a manner in shops so that construction above it, is not possible.

9. In Sector 7-C, Madhya Marg, Chandigarh, only those who fulfil all the criteria laid down, for the sub division of shops subsequent to payment of composition fee shall be regularized; whereas action shall be initiated against the rest of illegal construction/functioning of shops.

10. The mezzanine floors shall be allowed in Petrol Pumps within the zoning regulation and within the same single floor without increasing the height subject to the provisions of Building Rules and Fire Safety norms. The Mezzanine floor shall be accessible only from inside the building.

11. In Sector 17, City Centre in SCOs, office area shall be allowed to be used for shops also subject to the condition that no partition shall be allowed on upper floor and no sub-division in the shops shall be permitted on upper floors.

12. The supervising architect shall be responsible for proper construction activities till completion certificate is issued. Afterwards, the responsibility of maintaining buildings as per the sanctioned plans lies with owner. However, the architect shall be held responsible in case the certificate furnished by him with regard to construction as per the Building Rules is found to be false.

13. All owners who have connected their building to the public sewer illegally shall be given six months public notice to enable them to regularize their sewer connection by getting revised plans sanctioned and apply for completion certificate. The amount of penalty/ compounding fee to be imposed on the owner for illegal sewer connection shall be fixed by the Administration. The compounding fee as aforesaid is meant for the offence one has committed by unauthorized sewer connection. As far as the technical violation is concerned (that is of not getting Occupation Certificate), the same will have to be got rectified by taking due measures of rectifying/ getting revised plans sanctioned. A regular sewer connection will thereafter be allowed to the party. If an owner fails to get revised plans sanctioned and apply for completion even after the expiry of the six months grace period, his sewer connection shall be disconnected and criminal proceedings initiated against him. This relaxation shall be applicable to those, who obtained illegal sewer connections prior to the issue of these directions and shall not be treated as precedent for unauthorized sewer connection cases in future.

[See Chandigarh Admn. Gaz. (Extra) dated 15-6-2000 at page 608]