

¹The Punjab Capital (Development and Regulation) Building Rules, 1952

1. *Title and extent.* - (a) These Rules shall be called the Punjab Capital (Development and Regulation) Building Rules, 1952.

(b) These shall come into force at once.

²[(c) These shall extend to the whole of Chandigarh except the area of the revenue estate of the villages Manimajra, Burail, Attawa, Badheri, Buterla, Maloya, Dadu Majra, Palsora, Kajheri and Hallo Majra (including the area under Abadi Deh therein).]

PART I

Introductory

2. *Definitions.* - Unless there is anything repugnant in the subject or context, -

(i) "Abut" a building is said to abut on a street when the outer face of any of its external walls is on the street boundary.

(ii) "Act" shall mean the Capital of Punjab (Development and Regulation) Act, 1952.

(iii) "Applicant" shall mean a person who gives notice to the Chief Administrator of his intention to erect or re-erect a building and shall include his legal representatives.

³[(iii)(a) "Architect" shall have the same meaning assigned to it as in the Architects Act, 1972.]

(iv) "Architectural Control Sheets" shall mean sheets of drawing with directions signed by the Chief Administrator and kept in his office showing the measure of architectural control which shall be observed in the special areas.

(v) "Balcony" shall mean a cantilevered horizontal projection from the wall of a building not supported from the ground having a balustrade or railing and intended for human use.

(vi) "Barsati" shall mean a roofed structure above the roof of a building used as shelter during the rains.

(vii) "Base" applied to a wall or column, shall mean the underside of that part of the wall or of the column which immediately rests upon the footing or foundation or upon any bressummer or other structure by which such wall or column is carried.

1. Published by Punjab Govt. Notification No. C-9594-52/IC/598, dated 27.12.1952

2. Substituted by Chandigarh Adm. Gaz. (Extra) dated 16/17-11-2006 at page 1968

3. Added by Notification Published in Chandigarh Adm. Gaz. (Extra) dated 22-1-1993

4. Substituted by Punjab Re-organisation (Chd.) (Adaptation of Laws) Order, 1968

- (viii) "Basement Storey" shall mean the storey which is next below the ground storey or which is any part more than half of its height below the mean level of the street or ground adjoining the building.
- (ix) "Bressumer" shall mean a beam or a girder which carries a wall.
- (x) "Building" means any construction or part of a construction in Chandigarh which is transferred by the '[Central Government] under section 3 of the Act and which is intended to be used residential, commercial, industrial or other purposes, whether in actual use or not and includes any out-house, stable, cattle-shed and garage and also includes any building erected on any land transferred by the '[Central Government] under section 3 of the Act.
- (xi) "Building line" shall mean a regulatory line specified for each road street or lane shown on the zoning map, to define the position in which a building or wall may or may not be built.
- (xii) "Bungalow type house" shall mean a detached house standing within the boundaries of its own plot.
- (xiii) "Canopy" shall mean a projection from the top of the parapet wall or a continuation of a flat roof beyond the face of the outer wall designed to protect the wall from weather.
- (xiv) "Chhaja" shall mean a continuous cantilevered horizontal or sloping projection from the outer wall of the building primarily intended to give protection from weather.
- (xv) "Class of building" shall mean a building in one of the following four categories :—
 - (a) Residential building.
 - (b) Commercial building.
 - (c) Warehouse and Industrial building.
 - (d) Public building.
- (xvi) "Commercial building" shall mean a building used or constructed or adapted to be used wholly or principally for shops, offices, banks or other similar purposes or for industries other than factories (and shall include motor garage where general repairs are done).
- (xvii) "Courtyard" shall mean an area open to the sky but within the boundary of a plot, which is enclosed or partially enclosed by buildings, boundary walls or railings. It may be at ground floor level or any other level within or adjacent to a building.
- (xviii) "A duly qualified architect" shall mean a person possessing any of the qualifications mentioned in Schedule II of these Rules.
- (xix) "Erection or re-erection" of any building shall include, -
 - (a) any material alteration or enlargement of any building ;
 - (b) the conversion by structural alteration into a place for habitation of any building not originally constructed for human habitation ;
 - (c) the conversion into more than one place for human habitation of a building originally constructed as one such place ;
 - (d) the conversion of two or more places for human habitation into a greater number of such places ;
 - (e) such alterations of a building as effect an alteration of its drainage or sanitation arrangements, or materially affect its security ;
 - (f) the addition of any rooms, buildings, out-houses or other structure to any building ; and

- (g) the construction in a wall adjoining a street or a land not belonging to the owner of the wall, of a door opening on to such street or land.
- (xx) "External Wall" shall mean an outer wall or vertical enclosure of any building not being a party wall even though adjoining to a wall of another building and it also means a wall abutting on an interior open space of any building. It does not mean an outer verandah wall.
- (xxi) "Factory" has the same meaning as in the Factories Act (Act LXIII of 1948).
- (xxii) "Framed Building" shall mean a building the external walls of which are constructed of a frame of timber iron, reinforced cement concrete or steel and such framing consisting of posts or columns and beams, filled in, or wholly or partially covered with bricks, stones, iron plates or other materials and the stability of which depends upon such framing.
- [(xxii A) "Frame Control Area" shall mean the area shown as such in a Zoning Plan or indicated as such in Drawing No. 22, Job No. 2 dated the 26th August, 1967 issued by the Chief Administrator.
- (xxii B) "Frame Control Drawing" shall mean the numbered sheet of drawing signed by the Chief Administrator and kept in his office defining boundaries of building plots, compulsory building lines, permissible heights of buildings to be realised in prescribed stages, site and floor coverages, restrictions on treatment of external facades including the permissible sizes of opening and such other restrictions on the development of sites as may be prescribed.]
- (xxiii) "Front" as applied to a building shall mean generally the portion facing the street from which it has access and in case of doubt as determined by the Chief Administrator.
- (xxiv) "Gallery" shall mean a raised floor constructed within the height of the single storey.
- (xxv) "Garage" shall mean a building or portion thereof, used or intended to be used for shelter, storage or repair of a wheeled vehicle.
- (xxvi) "Ground floor" shall mean the storey which has its floor surface nearest to the ground, around the building.
- (xxvii) "Habitable room" shall mean a room constructed or adapted to be used by some person either as a living room in which a part of the day is spent or a room in which some person may pass the night and shall include a kitchen but shall not include a bathroom, water-closet, or store room.
- (xxviii) "Height" as applied to a building shall mean the vertical measurement of the building measured from the finished level of the centre of the street where such street exists, or from the mean level of the ground adjoining the outside of the external walls to half the height of the roof in the case of sloping roofs and to the highest level of the building in the case of buildings with flat roofs excluding the projected portions of chimneys, flues, ducts, minarets and parapets not exceeding three feet six inches in height and as applied to a room shall mean the vertical measurement from the upper surface of the floor to the under surface of the ceiling of the same room joist and beams being allowed to project beneath the ceiling; and in the case of a shopped or sloping ceiling, the height shall be the mean height of any such room.

- (xxix) "Licensed Plumber" shall mean a person registered by the Chief Administrator for the purpose of these rules.
- 1 [(xxix) (a) "Lower Ground Floor" shall mean a floor which is more than half of its height above the mean ground level and rest of the height below the mean ground level.]
- (xxx) "Mamti" shall mean a small structure erected on the roof of a building at the head of a staircase to protect such staircase from weather.
- (xxxi) "Material change of use" shall mean a change from one class of building to another.
- (xxxii) "Mazzanine floor" shall mean a floor of a room or of rooms constructed within the height of a single storey.
- (xxxiii) "Open Verandah" shall mean a verandah of which a minimum of 33 per cent of the outside face is open.
- (xxxiv) "Party Wall" shall mean a wall partly constructed on one plot of land, and partly on an adjoining plot and serving both structurally.
- (xxxv) "Plinth Level" shall mean the level of the ground floor of a building.
- (xxxvi) "Plinth height" shall mean the height of the ground floor above the street level measured from the level of the centre of the adjoining street.
- (xxxvii) "Premises" shall mean messuages, buildings, lands, easements and hereditaments or any tenure.
- (xxxviii) "Public building" shall mean a building used or constructed or adopted to be used, either ordinarily or occasionally as a place of public worship, or as a hospital, college, school, hotel, restaurant, theatre, public hall, public concert room, public lecture room, public exhibition, or as a public place of assembly or entertainment for persons admitted thereto by tickets or otherwise, or used or constructed or adapted to be used either ordinarily or occasionally for any similar public purpose.
- (xxxix) "Rain Water Pipe" shall mean a pipe or drain situated wholly above ground and used or constructed to be used solely for carrying off rain water directly from roof surfaces.
- (xl) "Rear" as applied to a building shall mean that portion which is on the opposite of "Front".
- 2 [(xli) Omitted.]
- 3 [(xli) (a) "Registered Surveyor" shall mean a person possessing any of the qualifications mentioned in schedule II (A) of these rules and registered as such by the Chief Administrator.]
- (xlii) "Residential Building" shall mean a building used or constructed or adapted to be used wholly or principally for human habitation and includes all garages, stables, or other out-buildings appurtenant thereto.
- (xliii) "Sector" shall mean a sector of the Master Plan of Chandigarh.
- (xliv) "Sewage Drain" shall mean a drain for conveying solid or liquid filth and waste liquids, such conduit or pipe being the property of or vested in the Government or public authority responsible for the disposal of such sewage.
- (xlv) "Special area" shall mean the areas shown as such on the zoning plans in which Architectural Control Sheets shall apply.

1. Added vide Chd. Notification No. 11/270/UTFI(4)/2998 dated 25.5.2007

2. Omitted by Chd. Notification No. GSR-12PA27/52 dated 1/9/1967

3. Substituted vide Chd. Notification No. GSR-12PA27/32 dated 1/9/1967

- (xlv) "Storey" shall mean any horizontal division of a building, so constructed as to be capable of use as a living apartment, although such horizontal division may not extend over the whole depth or width of the building but shall not include mezzanine floor.
- (xlvii) "Storm Water Drain" or "Rain Water Drain" shall mean a drain used or constructed to be used solely for conveying to any sewer (either directly or through another drain) any rain water of roofs or grounds surfaces either paved or unpaved but shall not include a rain water pipe.
- (xlviii) "Street" shall mean any road, foot way, square court, alley, or passage accessible whether permanently or temporarily to the public, and whether a thoroughfare or not and shall include every vacant space, notwithstanding that it may be private property and partly or wholly obstructed by any gate, post chain or other barrier whether of houses, shops, or other building abutting thereon, which is used by any person as a means of access to or from any public place or thoroughfare, whether such persons be occupiers of such buildings or not, but shall not include any part of such space which the occupier of any such building has a right at all hours to prevent all other persons from using as aforesaid, and it shall include also the drains or gutters therein, or on either side and the land, whether covered or not by any pavement, verandah or other erection, upto the boundary or any abutting property not accessible to the public.
- (xlix) "Structural Wall" shall mean a load bearing wall or a wall that carries load in addition to its own load.
- (i) "Sub soil Drain" shall mean a drain used or constructed to be used solely for conveying to any sewer (either directly or through another drain) any water that may percolate through the sub-soil.
- (ii) "Temporary Building" shall mean a building built of unburnt bricks, burnt bricks without mortar, corrugated iron, bamboo, thatch, wood boarding or plywood but shall not include a building built of burnt bricks, cement blocks or stones laid in mortar.
- (iii) "Topmost Storey" shall mean the uppermost storey in a building whether constructed wholly or partly in the roof or not, and whether used or constructed or adapted for human habitation or not but shall not include a harsati or a mamti.
- (iv) "Warehouse and Industrial Building" shall include a factory, a workshop or a motor garage.
- (v) "Water-borne Sanitary Installations" shall mean any urinal, latrine, water closet apparatus, bidet, slop sink, hospital sanitary fittings, such as, bed pan and urine bottle sink or other similar fittings, the solid or liquid filth from which is intended to be discharged by a flush of water, and shall include all manholes, traps, gullies, soil pipes, waste pipes, ventilating pipes, antisiphonage pipes and drains communicating with sewers.
- (vi) "Water closet room" shall mean a room which contains a soil-pan and shall also include any room which is partitioned or divided into two or more cubicles each containing a soil-pan if the partitions or divisions are so constructed as to allow the free circulation of air throughout the room.

- (lvi) "Zoning Plan" shall mean the numbered plan signed by the Chief Administrator and kept in his office defining the layout of any numbered sector of the Master Plan of Chandigarh showing the streets, boundaries of building plots, open spaces, position of protected trees or other features and showing in colour by other means the specified land use, building lines, permissible heights of buildings, site coverage and such other restrictions on the development of land or buildings as may be prescribed.

SECTION 2

Application of Building Rules

3. *Application.* - (a) A person who erects or re-erects ¹[or occupies] any building shall comply with these rules and in addition shall comply with the restrictions shown on the Zoning Plans.

(b) A person who erects or re-erects a building in special area listed in the Schedule I shall in addition to these rules also comply with the restrictions given in the "Architectural Control Sheet" and any other directions that may be issued by the Chief Administrator.

²[(bb) A person who erects or re-erects a building in a Frame Control Area shall, in addition to these rules also comply with the restrictions given in the Frame Control Drawings and any other directions that may be issued by the Chief Administrator.]

(c) These rules shall also be applicable if any material change of use is proposed in an existing building.

(d) A person who executes work or installs sanitary fittings in connection with a building shall comply with the requirements of rules included in Part V (relating to drainage control) in so far as they are applicable.

4. *Exemptions.* - These rules, except rule 5, and rule 7 in so far as it requires application to be made to the Chief Administration shall not apply to :-

³[(i) A building constructed to be used exclusively as a plant house, green house, if it is not more than 28.3 public meters in capacity and is constructed in conformity with the building lines shown on the zoning map of the area.]

(ii) a single storey temporary building for a builder's office, shed for storage of building materials and for setting an estate office ; to last for a limited period only in connection with and during the erection and re-erection of any building or for sale or letting of a building or a building plot in the course of development of the area.

⁴[(iii) A building, governed by frame control, if constructed in accordance with the standard design and conditions contained in Job No. 2542 Drawing No. 1, dated 5th August, 1997, is to be used exclusively as store/green house/plant house in marla type houses in Phase-I and Phase-II Sectors.]

⁵[(iv) A building, governed by frame control, if constructed in accordance with the standard design and conditions contained in Job No. 2542 Drawing No. 2, dated 7th February, 1999 is to be used exclusively as store/green house/plant house in Kanal type houses in the Union Territory, Chandigarh.]

1. Added by First Amendment Rules, 1968

2. Inserted by Chd. Notification No. 9/1/7FDI/73.5250 dated 23-4-1973

3. See Pb. Capital (Dev. & Reg.) Building (Amendment) Rules, 1993 (22-1-1993)

4. Added vide Chd. Administration Gaz. Notification No. 1056-UTFI(3)-98/2126 dated 26/2/1998

5. Added vide Chd. Admn. Gaz. Notification No. 880-UTFI(3)-99/8091 dated 13-7-1999 page 579

PART II**Procedure for Submission of Building Application**

5. Erection without permission. - No person shall commence to erect or re-erect any building without the previous sanction of the Chief Administrator.

COMMENTARY

Construction of upper storey - Landlady petitioner came in revision against order of lower Appellate Authority which reversed the order of trial court granting interim injunction against the respondent tenant - Respondent was preventing the petitioner/plaintiff from using terrace of ground floor for the purpose of 1st and 2nd floor of the house - After discussing various authorities on the subject and analyzing the disputed facts it was observed that tenant who is tenant of single storey building except "stair case" cannot stop the landlady from using the ground floor terrace for the purpose of raising construction of 1st and 2nd floor as per rules and regulations of Chandigarh - Impugned Order suffers from illegalities and cannot be sustained - Petition allowed - *Vinit Khara v. Sewa Singh*, 2011(1) Haryana Law Reporter 74

Plan sanction - Injunction - Plaintiff/petitioner advocate, owner of plot No. 1119 obtained temporary ad interim injunction restraining defendant, Gurdwara Sahib, from raising construction on the adjoining plot No. 1120 - Prayer was made to grant permanent injunction - The High Court directed defendant not to raise construction without sanction of plan from Administration which was got approved by defendant - But still construction was resisted by petitioner contending that plan sanctioned was in violation of Rule 20 of Punjab Capital Buildings Rules, 1952 and that no construction on common wall was permissible without consent of neighbour - The contention is without merit - Plan was sanctioned according to the Zoning Plan of Sector 8 - In case grant of injunction, defendant was suffering a daily loss of Rs. 3950/- as payment of interest on plot price and further plot could be resumed under clause 19 if construction could not be completed within 3 years from date of purchase - Balance of convenience lies in favour of defendant - Petition dismissed - *Balbir Sing Wasu, Advocate v. Parbandhak Committee Gurdwara Sahib Patsahi and anr.* 2001 H.R.R. 279

Resumption of Site - Petitioners were allotted site in question - Sites could be used for doing general trade as condition of allotment - As petitioners started misusing the sites restarted, Respondent ordered resumption of site giving rise to present petition - The main contention of the petitioner is that misuse of site was stopped before order of resumption - The plea is not tenable - Subsequent events should be taken into consideration - But same rule will apply if misuse of site is restarted - Respondent rightly passed the order of resumption by relying on reports of misuse of sites dated 13.11.2013 and 6.8.2014 - There is no illegality in the order - However, respondents are directed to issue necessary directions to occupier to use the allotted sites particularly the basement according to prescribed rules framed by the Administration in this regard - Petition dismissed with these observations - *Dr. Gurbinder Kaur v. Estate Officer, U.T., Chandigarh*, 2014(2) Haryana Law Reporter 195 D.B.

Resumption of site - Petitioner raised unauthorised construction on the allotted site in violation of Building Rules - Estate Officer ordered resumption of site, forfeiture of 10% of price and ordered to pay 6% interest and also a sum of Rs. 29928/- for use of unauthorised construction - Held, the order of said payment is maintained and the total sum should be deposited with 12% interest per annum within 3 months - Interest to be calculated from the date of order of appellate authority - (i) Petitioner should submit a revised building plan within 2 months and should apply for compounding of violation as permitted under Rules (ii) He should deposit compounding fee with 12% interest per annum from date of resumption (iii) Violations not compoundable to be removed within 2 months (iv) Order of forfeiture of 10% of price to be remain undisturbed - In case these directions are not complied with order of resumption shall be revived - *Smt. Balbir Kaur v. Union Territory Administrator, Chandigarh*, 1998 H.R.R. 68 See also *Vidya Sagar v. Union Territory Administration, Chandigarh*, 1998 H.R.R. 59.

Review - Power of review is not an inherent power but like the power of appeal it must be conferred by law or by necessary implication - Orders passed by C.C. on the review application of allottee were rightly ignored by Estate Officer being non est - Order passed by Estate Officer resuming the site for non-construction of hotel on allotted site does not suffer from any illegality - *Maharani Deepinder Kaur Burdwan v. Union Territory, Chandigarh*, 1996 HRR 495 D.B.

Resumption - Unauthorised construction - Petitioner constructed a pucca slab on Barsati floor on the portion to be kept open to sky - Rear Court-yard covered unauthorisedly with RCC slab - Violation is not so gross and flagrant as to call for extreme step of resumption - Basic ground giving rise to order of resumption removed - Violation of coverage of open courtyard with RCC slab can be regularised by Administration instead of passing resumption order - Petition allowed - *Hari Kishan v. Union Territory, Chandigarh*, 2001 H.R.R. 364 D.B.

Unauthorised partition of buildings - Lease of site cancelled by administration on the ground of making unauthorised partition in building in breach of Rule 5 - Partitions of other building of petitioner approved by authority - There is no basis for differential treatment about the building in question - Charge of discrimination stands established which violates Article 14 of Constitution - Petitioner cannot be penalised by imposing extreme step of cancellation of lease - Order of cancellation of lease upheld by appellate and revisional authority cannot be sustained as it suffers from voice of discrimination - *M/s. Rajinder Kumar and Sons v. Union Territory of Chandigarh*, 2000 H.R.R. 797 D.B.

Zoning Plan violation - Grievance of petitioners is that Chandigarh Administration has illegally allowed raising of make shit structures for sale of pre-used books in front of their houses - These structures are eye sores and are in complete violation of Zoning plan of the area and have resulted in traffic hazard - From perusal of zoning plans framed under Capital of Punjab (Dev. & Reg.) Rules, 1952 that zoning plans differ from sector to sector - As per latest and amended zoning plan of Sector 15, there is no violation of any legal provision - It is meant for use of "landscape, features, educational, public and community buildings and public amenities - Resettlement of booksellers approved - *Ashutosh Vermani v. Chandigarh Administration*, 2012(1) Haryana Law Reporter 193 D.B.

1[6. (a) An architect registered with the Council of Architecture India shall be allowed to undertake the design of any building in Chandigarh.

(b) A licenced supervisor enrolled as such by the Chief Administrator until the date of notification of these amended rules, shall be allowed to undertake only the supervision of construction of the buildings governed by the Frame Control. He shall not undertake the design of any building in Chandigarh. Further no person shall be enrolled as licenced supervisor/registered Surveyor.

(c) The licenced Engineers registered with Chandigarh Administration shall be allowed to continue their activities as structural engineers only.]

1[7. *Application to build.* - (i) Every person who intends to erect or re-erect any building shall make an application in writing to the Chief Administrator in the Form prescribed in Form A, annexed to these rules and shall at the same time submit in triplicate duly signed by himself or his legally authorised agent or attorney. (1) a site plan detailed in Rule 8, (2) Plan elevations and sections of the proposed structure detailed in Rule 9 or 10, (3) drainage plans detailed in rule 11 and (4) the specifications detailed in rule 12.

(ii) Every person who erects or re-erects any building shall get his building duly supervised during the period of construction by an Architect named by him in clause 3 of Form "A" and any change in the name of such Architect shall be intimated to the Chief Administrator within seven days of the date of change.]

1[8. *Site Plan.* - The site plan shall be drawn to a scale of not less than

- 1: 200 for sites upto 4000 sq.mts.
- 1:500 for sites above 4000 sq. mts. and under 40,000 sq.mts.
- 1:1000 for sites of 40,000 sq. mts. and above :

Provided that in the case of plot of not more than 2,000 meters in area, the site plan to be submitted shall be drawn to a scale of not less than 1 :100

The plans shall be prepared with accuracy sufficient to enable the site to be identified and shall show :-]

- (i) the boundaries of the site ;
- (ii) the direction of the north point relative to the plan of the building ;
- 1[(iii) the streets or roads adjoining to site with their width clearly dimensioned and names (if any given) also existing road side trees, electric poles or any other feature or structure likely to affect the approach to the buildings.]
- (iv) the outlines of the proposed building ;
- (v) the proposed levels of the site and of the plinths of the building in relation to those of the neighbouring road or roads by an elevation of a section.
- 1[(vi) The plot size, the maximum permissible coverage and details of the proposed covered area alongwith the area of the courtyard, if any.]
- (vii) all existing buildings or structures on or over or under the site or projecting beyond it ;
- 1[(viii) Proposed drainage arrangements from the building up to the public manhole including the size and position of every drain, manhole, gully trap, intercepting trap water tank or reservoir.

The plan shall be submitted in triplicate to the Chief Administrator, All the copies shall be mounted on cloth. All copies shall be distinct prints. Two copies shall be retained and the third copy returned to the applicant with the decision of the Chief Administrator, in form B annexed to these rules.]

9. *[Building Plans, Sections and Elevation.* - The building plans, sections and elevations shall be drawn to a scale of not less than 1.50 for plots up to 500 sq. mts. For plots beyond 500 sq. mts., the drawings shall be drawn to a scale of not less than 1.100. These shall be submitted in Duplicate to the Chief Administrator. All copies shall be distinct blue ferroes or other clear prints from the original. Two copies shall be retained by the Chief Administrator and the third returned to the applicant with the decision of the Chief Administrator in form "B" annexed to these rules.]

The building plans, sections and elevations shall show -

- ¹[(a) the plan of the ground floor and other floors of the proposed buildings, also front and all elevations and one typical section and another section through the staircase ;]
- (b) the plinth level of the building with reference to the level at the centre of the street or streets on which the proposed building is to front ;
- (c) the level of the courtyard and open spaces in the buildings in relation to the level of the centre of the street towards which the building is to be drained ;
- (d) the proposed building and the proposed method of draining it ; this includes the position form and dimensions of water closets, urinals, drainage of stables, dhobi ghats, dustbins, and other appurtenances ; also compound walls, gate pillars and gates and the method of disposal of sewerage sullage and storm water in detail ;
- (e) the sizes of the doors, windows, opening and other methods of ventilation of each room ;
- (f) the means of access to the building and its various floors ;
- ¹[(g) The signatures of the Architect in token of its preparation by him and the signature of the applicant.]
- ²[(h) A certificate in Form "J" annexed to these rules duly signed by the Owner, Architect and the Structural Engineer shall be submitted alongwith the building plans.]

10. *Government type design.* - In case the applicant wishes to follow the type designs for ³[buildings] prepared by Government for Government ³[buildings] in Chandigarh, he may obtain these at a fixed fee from the Chief administrator. This design nevertheless, shall be submitted alongwith a site plan in duplicate for identification. One copy of the site plan shall be retained and the other copy of the site plan and the building plan shall be returned with the decision of the Chief Administrator.

⁴[Where the applicant has to construct the building in accordance with the Standard Government Designs or Standard Architectural Controls, he may obtain in the Standard Government Designs or Standard Architectural Controls at a fixed fee from the office of the Chief Administrator or from the office of the Chief

1. See Pb. Capital (Dev. & Reg.) Building (Amendment) Rules, 1993 (22-1-1993)

2. Added vide Clid. Admn. Gaz. Notification No. 50/10/63-UTFI(5)-2001/4013 dated 16-5-2001 p. 1027

3. Substituted vide Notification No. C-7818-55/IV/6478 dated 7-9-1955

4. Added vide Notification No. 2367-UTFI-(3)-96/9253 dated 17-7-1996

Architect and Secretary, Department of Urban Planning, Chandigarh Administration. The design nevertheless shall be submitted along with a site plan in triplicate for identification. The owner shall also furnish a certificate that the construction of the said building shall be undertaken in accordance with the Standard Government Design/Architectural Control under the supervision of a registered Architect. The building design of the Standard Architectural Controls/Standard Government Design shall not further be scrutinised by the Plan Advisory Committee. After ascertaining the identification of the documents and correctness of the site plan, one copy of the plan shall be returned to the owner with the decision of the Chief Administrator, Chandigarh.]

11. Drainage plans and engineering drawings. - Every application and building plan shall be accompanied by its drainage, water supply and engineering drawings showing -

- (a) position of sanitary fittings, down pipes, spouts, vent pipes, waste pipes, gully traps, house sewers, manholes, upto their connection to the public sewer ;
- (b) position of taps, showers, storage tanks, supply pipes and distributing pipes ;
- (c) main reinforcement of cantilevers and of framed structures.

12. Specifications - Every application shall be accompanied by the specifications of the proposed structure in Form C annexed to these Rules.

13. Colouring of drawings in the case of additions and alterations or reinstatement of an existing building. - All new works shall be indicated by indelible distinctive colour or distinctive marking and a key to the colours of distinctive marking shall be given on the plan.

¹[**14. Specifications and drawing to be prepared by an Architect.** - Except in cases of Government type designs referred to in rule 10 and (frame control area), the Chief Administrator shall decline to accept any plans, section and elevations or specifications which do not bear the signatures of an Architect in token of its having been prepared by him or under his supervision.]

15. Information necessary to validate application under Rule 7. - No application under Rule 7 shall be considered to be valid until the information required by Rules 8, 9, 10, 11, 12, 13 and 14 has been furnished to the satisfaction of the Chief Administrator. In the case of failure of such compliance the application together with plans shall be returned to the applicant for re-submission in accordance with the rules.

16. Notice of commencement of work. - (i) A person who intends to erect or re-erect any building shall give to the Chief administrator not less than a week's notice in writing of the date and time at which the erection or re-erection of the building shall begin.

¹[(ii) When the construction work reaches at Plinth level, he shall inform the Chief Administrator for inspection of building at that stage. If the Chief Administrator neglects or omits to inspect and issue a certificate within a period of ²[fifteen days (including holidays)] from the date of such notice, the owner shall continue the super structure in accordance with sanctioned building plan :]

³[Provided that if a person does not inform the Chief Administrator for inspection of building at the stage when the construction work reaches at plinth level, he shall be liable to pay the following charges/fees namely :—

1. See Pb. Capital (Dev. & Reg.) Building (Amendment) Rules, 1993 (22-1-1993)

2. Subs. vide. Chd. Adm. Gaz. Notification No. UT/3436-UT/F(5)-2000/10589 dated 3-11-2000

3. Added vide Chd. Adm. Gaz. Notification No. 2780-UT/F(3)-97/11461 dt. 14-3-1997 at p. 891

Type of Building	Amount
1. Residential plots up to ten Marlas	Rs. 2,500
2. Residential plots more than ten Marlas Semi-industrial plots and Booths	Rs. 5,000
3. Religious, Cultural, Educational Institutions SCFs and Industrial plots upto 7.5 Marlas	Rs. 7,500
4. Industrial plots exceeding 7.5 Marlas Commercial sites i.e. Showrooms, S.C.O.s etc.	Rs. 10,000
5. All Societies, offices and other private buildings and other staff quarters of any Department.	Rs. 10,000 per half acre]

[16-A. (1). No person shall, without the written permission of the Estate Officer, open, break up, displace, take up or make any alteration in, or cause any damage to the soil or pavement or any wall, fence, post, chain or other material or thing forming part of any street, or road and deposit any building materials, debris or any other substance whatsoever in any street or road or a public place or set up thereon any scaffold or any temporary erection for the purpose of any work whatsoever, or any posts, bars, rails, boards or other things by way of an enclosure.

(2) Any permission granted under sub-rule (1) shall be terminable at the discretion of the Estate Officer on his giving not less than twenty-four hours notice of such termination to the person to whom such permission was granted.

(3) The Estate Officer may, without notice, cause to be removed any of the things referred to in sub-rule (1) which has been deposited or set up in any street without the permission specified in that sub-rule or which having been deposited or set up with such permission has not been removed within the period specified in the notice issued under sub-rule (2).

(4) Any of the things caused to be removed by the Estate Officer under sub-rule (3) shall unless the owner thereof turns up to take back such thing, and pays to the Estate Officer charges for the removal and storage of such thing within 15 days, be disposed of by the Estate Officer by public auction or in such other manner and within such time as the Estate Officer thinks fit. The sale proceeds of the things sold shall be paid to the owner, after deducting the charges for removal and storage of such thing, on a claim being made therefor within a period of one year from the date of sale, and if no such claim is made within the said period the sale proceeds shall be credited to government.

(5) (i) While seeking permission under sub-rule (1) above, or making an application for the erection or re-erection of a building under rule 7, the person concerned shall deposit with the Estate Officer a security of such sum of money as may be fixed by the Chief Administrator from time to time.

(ii) Different amount may be prescribed for different buildings depending upon situation of the site, size thereof, the type and extent of the proposed construction and other relevant factors.

(iii) Charges for the removal of debris and other unsaleable material, caused to be removed under sub-rule (3) or damages on account of any damages done to any street or road etc., shall be deducted by the Estate Officer from the security and the rest of the amount shall be refunded after the completion of the building.

(iv) The amount referred to in sub-rule (iii) above shall be determined by the Estate Officer or such other gazetted officer as he may authorise in this behalf.

(v) Any person feeling aggrieved by the order of the Estate Officer or of the authorised Officer passed under clause (iv) above shall be entitled to file an appeal to the Chief Administrator within 30 days of the passing of the order. The order passed by the Chief Administrator shall be final.]

¹[17. *Validity of the sanction plan.* - If a building is not completed within
²{five years} of the date of sanction, the sanction will be deemed to have lapsed.]

COMMENTS

Resumption of site - Lessee was to complete building within prescribed period of three years from the date of allotment - He could not complete construction within this period - Subsequently, plot was resumed by the Authority - Impugned Order cannot be sustained on the following grounds :-

- (i) Allottee spent Rs. 51 crores and had obtained a loan of Rs. 45 crores for completion of building, which proves bona fide intention of the allottee.
- (ii) Authority took 4 ½ years in sanctioning the revised plan.
- (iii) Authority has discretionary powers to grant exemption under the Rules.
- (iv) All the dues had already been paid by the allottee relating to the plot.
- (v) Under section 8A of the Act, resumption of plot is not a mandatory provision for breach of conditions.
- (vi) Allottee was given only a period of 11 ½ months whereas under Rule 16 of 1973 the limit is 3 years.
- (vii) Allottee had paid Rs. 3.90 crores as extension fee.
- (viii) As huge structure has already been raised, power of resumption ought not to be exercised though alternative power of penalizing the allottee can be exercised - *M/s. James Hotel Ltd. v. Union Territory, Chandigarh*, 2010(2) Haryana Law reporter 84 D.B.

18. Permission to occupy. - (i) No person shall occupy a new building without obtaining permission in Form F appended to these rules. He shall, before applying in Form D remove or destroy any temporary building mentioned in Rule 4 (ii) that might have been erected.

¹{(ii) No person shall occupy or allow any other person to occupy any part of a new building for any purpose whatsoever until such part has been certified by the Chief Administrator to be in his opinion in every respect complete according to the sanctioned drawings and permission has been intimated to him in form "F". Provided that in case where such permission is given, the applicant shall remove all temporary buildings within a period not exceeding three months from the date of grant of permission to occupy the building.

²{(iii) If no orders are communicated to the applicant within 60 days of the receipt of application in the case of buildings governed by Architectural Control and within 30 days in other cases, the occupation shall be deemed to have been granted.}

(iv) The Chief Administrator may decline to give permission unless a certificate in Form "E:" duly signed by a duly registered Architect has been submitted.]

(v) ³[The Chief Administrator may give partial completion and partial occupation of a building if:—

(a) In case of a commercial building, the construction of a particular floor has been completed truly in accordance with the sanctioned building plan and there are no building violations.

(b) In case of residential buildings, a minimum of 1 habitable room, one kitchen, one W.C., and one bath has been completed truly in accordance with the sanctioned building plan and there are no building violations or additional construction of any kind in the remaining part of the site.

1. See Pb. Capital (Dev. & Reg.) Building (Amendment) Rules, 1993 (22-1-1993)

2. Substituted vide Notification No. 2367-UTFI-(3)-96/9253 dated 17-7-1996

3. Substituted vide Notification No. 11/4/34/UTFI-(2)-99/12913 dated 30-11-1999 p. 1056

4. Substituted vide Notification No. 1990-UTFI-(3)-97/20545 dated 3-11-1997

(c) In other buildings, not covered under Clause (a) and (b) above, a block of the building, or a part of the building, is complete in all respects and can be used to meet the basic functional requirement of the land use, provided that it has been completed truly in accordance with the sanctioned plan and there are no building violations or additional construction of any kind in the remaining part of the site.]

(vi) Where permission to occupy a part of the building has already been given separate permission shall be necessary for occupation of such other parts as may be subsequently completed.

¹[(vii) A certificate in Form 'K' annexed to these rules duly signed by the Owner, Architect and the Structural Engineer shall be submitted at the time of applying for completion/occupation.]

²[18-A. *Procedure for dealing with applications for permission to occupy.* - Upon receipt of an application under Rule 18, the following procedure shall be followed :-

(i) If the building has been completed as per the sanctioned plan and there are no violations, the permission will be granted.

(ii) If inspection of the building reveals that the applicant has not completed the construction even to the extent qualifying for partial completion under rule 18(v), the permission shall be refused.

(iii) If, however, inspection reveals that construction has been completed to the extent required for partial or full completion but there are departures from the sanctioned plan, the following procedure shall be adhered to :-

(a) If the departures are within the applicable building rules and byelaws a revised plan will be sanctioned if required, on the payment of the prescribed fee and the permission for occupation given.

(b) If the departures are not as per building rules and byelaws, the applicant will be issued a notice specifying the compoundable and non-compoundable violations and asking him to compound or remove them, as the case may be, within the period specified in the notice. Permission will be granted after compliance with the notice.

(c) The time given in the notice referred to in sub-clause (b) above, may be extended up to a maximum period of one year. If compliance is not made during this period, the permission will be refused without prejudice to any other action provided in the law or rules for dealing with building violations.

(iv) The permission, when given, will be effective from the date of the receipt of the complete application in Form D under Rule 18, alongwith the certificate in Form E, and such other forms and plans as may be prescribed :

Provided that where a regular sewerage connection had been released to the premises on a date prior to the date of application, the permission for occupation would be effective retrospectively from the date of release of such connection:

Provided further that this rule shall apply to all those cases where notice of completion has been submitted in Form 'D' but Occupation Certificate has not yet been issued. However, it will not be open to persons to raise claims for refund in those cases where occupation certificate has already been issued.

(v) Refusal of permission will not bar a fresh application but in such cases the permission, will be effective from the date of receipt of the fresh application.

1. Inserted vide Chd. Gaz. Notification No. 50/10/63-UTFI(5)-2001/4013 dated 16-5-2001 p. 1027

2. Inserted vide Chd. Gaz. Notification No. 50/10/63-UTFI(5)-2001/4253 dated 14-5-2002 p. 1435

(vi) The Chief Administrator may, for reasons to be recorded in writing allow permission in Form 'F' to be effective from a date prior to the date of application in Form 'D' in case not covered by the proviso to clause (iv) above, if he is satisfied that the building had been completed and occupied on that date. For this purpose, he may take into consideration the date from which water supply, electricity or sewerage connection have been functioning or such other evidence as may be considered relevant.

(vii) The application in Form 'D' shall be accompanied by a revised building plan in all cases in which there are any deviation from the sanctioned building plan which are not purely of a minor cannot be shown conveniently by marking with different colours on the original sanctioned building plan.

Example-I: Where the dimensions of certain rooms have been changed and these can clearly be shown on the original sanctioned plan, there is no need to submit a revised building plan. A copy of the original sanctioned plan with the changes shown in different colour ink will be submitted along with the application in Form D and signed and authenticated by the Architect submitting the certificate in Form E.

Example-II: Where rooms have been added to the original building plan and the location of rooms has been changed so as to make it difficult to depict these changes on the original plan, a revised building plan shall be submitted showing all the changes whatsoever that may have been made and reflecting the structure as on the site.

(viii) Incorrect information or certification supplied by the Architect in Form 'E' would make him liable for a warning in the first such instance and for suspension of his registration with the Chandigarh Administration for a period of at least one year in the second such instance. In the case of a 3rd such instance or a subsequent instance the Chief Administrator may in addition, revoke the registration of the Architect and may impose a fine upto Rs. 10,000; and may also request the Council of Architecture to take suitable action.]

PART III

Planning and Architectural Control

19. Zoning Plan. - The erection or re-erection of every building shall comply with the restrictions of the zoning plan and the schedule of clauses appended thereto and the architectural control sheets, if applicable.

[20. Minimum Area of Courtyard. - For interior open space for light and ventilation, the whole or part of one side or one more intended for human habitation and not abutting on either the front, rear or side, open space, shall abut on an interior open space whose minimum widths in all directions shall be 3 meters in case of buildings not more than 10 meters in height and subject to the provisions of the increasing the same with increasing height as per table below :-

Sr.No.	Height of building upto	Interior open space to be left out on all sides (front, rear and sides in each plot)
1	2	3
1	10M	3M
2	15M	5M
3	18M	6M
4	21M	7M

1. See Pb. Capital (Dev. & Reg.) Building (Amendment) Rules, 1993 (22-1-1993)

5	24M	8M
6	27M	9M
7	30M	10M

Note. (i) No projection shall be allowed within the minimum width of the courtyard in any direction as mentioned in the table above.

¹ {(ii) The Chief Administrator may permit 'Pergola' in the buildings if light and ventilation of the building is not obstructed due to the Pergola.}

(iii) The table shall also be applicable in case of exterior open spaces permitted within the zoning regulations.]

21. Requirements regarding provision of kitchens, baths and water closets. - (i) Each residential building intended for the use of one family shall in addition to a living room or rooms, have at least -

(a) One kitchen ;

(b) One bathroom or an enclosed or open bathing platform ;

²[(c) Water borne drainage system and a water-closet or any other system approved by the Chief Administrator.]

(ii) Where a residential building is intended for use of more than one family such a block of flats, the aforesaid requirements shall be repeated for every one family.

(iii) Where community kitchens, bath-rooms, latrines or water closets are provided in a public building, the above requirements with regard to the provision of kitchens, bath-rooms, latrines and water-closets may be dispensed with. The standard of community bath-rooms and latrines shall be regulated by the provisions in this behalf in Part V of these Rules.

22. Minimum size of habitable rooms. - ²[(a) The minimum size of a habitable room excluding a kitchen shall be 9.3 sq.mts. floor space with a minimum width of 2.2 meter.]

²[(b) deleted]

²[(c) A habitable room shall have, for the admission of light and air one or more openings, such as windows and ventilators, opening directly to the external air or into an open verandah. The minimum aggregate area of such opening shall be one tenth of the floor area.]

²[(d) In case light and ventilation is derived from a verandah then the width of such a verandah shall not be less than 1.83 meters and depth not more than 3.66 meters.

(e) Where the lighting and ventilation requirements are not met through day lighting and natural ventilation, the same shall be ensured through artificial lighting and mechanical ventilation as per Part VIII Building Services Section 1 Lighting and ventilation of National Building Code of India published by the Indian Standard Institution.]

23. Gallery floors and mazzanine floors. - Where gallery floors and mazzanine floors are built, they shall comply with the following :-

²[(i) They shall not be built in any room the height of which is less than 4.9 M]

(ii) Gallery floor shall not cover more than one third, and mazzanine floor shall not cover more than one fourth of the floor area of the rooms in which they occur; and

1. Added vide Chd. Gaz. Notification No. 2367-UTFI(3)-96/9253 dated 17-17-1996

2. See Pb. Capital (Dev. & Reg.) Building (Amendment) Rules, 1993 (22-1-1993)

¹[(iii) They shall not be lower than 2.28 meters when measured from the surface of the floor to the under surface of the gallery or mazzanine floor.]

²[23-A. *Provision of Service Floor.*—Where service floor shall be planned in multi-storeyed buildings such as Hotels, Hospitals, Special Health Centres, Nursing Homes and other such buildings, they shall comply with the following:—

- (i) Its height shall not exceed 2.25 metre from floor to ceiling. It shall be exempted from Floor Area Ratio (FAR) and shall be within the prescribed height in the zoning;
- (ii) The height and facade shall not be changed in buildings governed by Architectural Control, for providing service floor;
- (iii) The service floor may be allowed only for laying of services such as Air Conditioning, Public Health, Rain Water Pipes, Electrical, Fire Fighting, Telephone/Internet wire, etc. and shall not be used for any other purpose.]

³[24. *Maximum height of a building.* - The maximum height to which any building may be built shall be in accordance with the Zoning Plan, Architectural Controls, Frame Controls etc.]

³[25. *Minimum height of a room verandah etc.* - The height of a habitable room shall not be less than 2.75 metres (9 feet) measured from the surface of the floor to the lowest point of the finished ceiling subject to joists, beams or rafters, if provided, being at a height not less than 2.26 metres (7 feet 6 inches) measured from the surface of the floor to the underside of the joists, beams or rafters. In the case of air-conditioned rooms, the minimum height can be 2.24 metres (8 feet) measured from the surface of the floor to the lowest point of the air-conditioning duct or the false ceiling;

Provided that the minimum height of a water closet, a bath-room, a store, a gallery, a verandah and a mazzanine floor can be 2.26 metres (7 feet 6 inches.)]

⁴[25-A. No basement shall be allowed to be constructed underneath any both site in Chandigarh.]

26. *Height of boundary wall or fence.* - The height of boundary wall or fence shall be in accordance with the provisions of the zoning plan, and shall conform to the pattern on boundary wall laid down for such a plot on the zoning plan both of design and specifications.

¹[27. *Projection and height of balcony of chhajja or canopy from the wall.* - (i) In the case of residential buildings, a cantilever may begin from a minimum height of 2.36 meter from plinth level provided its depth shall not be more than 1.83 meter from face of the wall.

(ii) A sun shade (chhajja) which is not a cantilever (i.e. supported on 3 sides) shall not be considered covered area provided its depth does not exceed 70 cms. Further no cantilever shall be permitted in front of such sun shade.

(iii) A cantilever projection if converted into enclosed habitable space at an upper level, will be counted towards covered area at the same floor only and not on a lower floor where it is not enclosed provided such a cantilever falls within the zoning lines.

(iv) In the case of buildings other than residential the cantilever projections shall be as specified in the Zoning Plan/Architectural Control/Frame Control.]

1. See Pb. Capital (Dev. & Reg.) Building (Amendment) Rules, 1993 (22-1-1993)

2. Inserted vide Chd. Gaz. Notification No. 11/2/70/UTFI(4)/2008/759 dated 1.2.2008

3. Substituted vide Chd. Admn. Gaz. Notification No. UT. 8401-F2-70-22229 dated 21-12-1970

4. See vide Chd. Admn. Gaz. Notification No. 8858-UTFI(2)-79-6973 dated 15-5-1980

¹[28. *Special provisions with regard to kitchens, bathrooms and water closets.* - (i) For the purpose of this rule a kitchen shall be deemed to be habitable room and all the afore-mentioned requirements regarding ventilation shall apply to it except insofar that the minimum area of the kitchen shall not be less than 4.5 sq. mts. with minimum width of 1.5 meter. A kitchen which is also intended to be used as Dining Room shall have a floor area not less than 9.5 sq. meters with a minimum width of 2.4 meter.

(ii) A kitchen shall have a minimum height of 2.75 meters except for the portion to accommodate floor trap of the upper floor. It shall have a fire place with a smoke flue or an exhaust fan.

(iii) The size of bathroom shall be not less than 1.85 sq. mts. with a minimum width of 1.2 meters. The minimum size of water-closet shall be 1.1 sq. meters with a width of 0.9 meter. If it is a combined bathroom and water-closet, the minimum area shall be 2.8 sq. metres with a minimum side of 1.2 mts.

(iv) Where the water-closet room in a building is not connected to exterior it shall be ventilated by mechanical means or through a duct of minimum area of 1 sq. meter with a minimum width of 0.9 meter.

(v) Soil or ventilating pipes shall not be allowed on the exterior face of any building. They shall either be embedded in the walls or pipe ducts to be provided to accommodate them.]

28-A. Basement Storey when Permissible. - The basement storey shall be permissible in any area other than the City Centre, i.e. Sector 17 unless expressly restricted in the Zoning Plan of such area.

(ii) In the case of building in the City Centre i.e. Sector 17, the erection or re-erection of the basement storey shall be compulsory, subject to the restrictions set out in the Architectural Control Sheets.

²[28-B. *Site coverage of Basement Storey.* - (i) Floor area of basement storey in residential building shall be governed by the following.

Area of plot	Permissible area in basement storey.
Upto 420 sq. mts.	50% of the site coverage of the building of which it forms a part.
More than 420 sq. mts.	50% of the site coverage up to 420 square meters and 25% of the site coverage of the building permissible in excess of 420 Sq. meters of which it forms a part.]

(ii) In the case of warehouse and Industrial Building the floor area of the basement storey shall not exceed 100% of the area of the site coverage of the building of which it forms a part.

(iii) In the case of Commercial buildings, the floor area of the basement storey shall not exceed the coverage as indicated in the Architectural Control Sheets.]

³[(iv) In the case of basement meant for parking only, the basement shall be permitted to be extended by additional 10% of the plot area beyond the permissible built up zone in plot measuring 2 kanals upto one acre in case of commercial and institutional buildings subject to the condition that the basement so extended

1. See Pb. Capital (Dev. & Reg.) Building (Amendment) Rules, 1993 (22-1-1993)

2. Substituted vide Chd. Admn. Gaz. Notification No. 398-UTFI(2)-2000/3733 dated 4-4-2000

3. Substituted vide Chd. Admn. Gaz. Notification No. 112/76/UTFI(4)/7070 dated 15-11-2007

shall be flushed with the ground and roof slab shall be designed to take the load of fire tender to be ensured by the registered structural engineer and other public safety/other emergency equipments as per the provisions of National Building Code:

Provided that the services shall be so arranged that these do not affect the free flow of vehicles/fire tender and shall be properly encased within the basement.]

¹[28-C. *Use of Basement Storey.* - The basement to be constructed within the prescribed coverage norms may be put to only the following uses :-

(a) Storage of household or other goods of ordinarily incombustible material;

(b) Storage rooms, bank-cellars etc ;

²{(c) Air conditioning equipment and other machines used for services and utilities of the building. Modern automated laundry shall be allowed only in the basement of Hotels, Lodging-cum-Restaurant sites and Hospitals/Nursing Home sites, as an ancillary service for the purpose for which the site has been sold and meant for in-house services only subject to the condition that the effluent of the laundry shall be properly pumped up to the ground floor Inspection Chambers and discharged to the main sewer;}

(d) Parking spaces.]

³{(e) Installation of Printing Press in respect of Press Sites in Sector 25.]

¹[28-D. *Lighting and Ventilation of Basement Storey.* - (i) An open area of a minimum width of 1.8 meter shall be provided across the full length and/or width of a basement storey. This area shall be within the limits of the site and shall be paved with impervious material above a concrete bed. It shall be completely unobstructed except that in this area steps may be allowed for access to it, if considered necessary :

Provided that the provision shall not apply to the basement storey in City Centre, i.e. Sector 17 or in such other area as may be specified by the Chief Administrator where it may not be possible to provide open areas, the access to the basement storey in such cases being provided through the ground floor of the building.

²{(ii) In the case of buildings governed by the Zoning, basement storey shall be lighted and ventilated by means of windows of a minimum area within 1/10th to 1/25th of the total floor area, at least half of which must open subject to the condition that the deficit of light and ventilation shall be made up by providing artificial lighting and mechanical ventilation as per provision of National Building Code.

In case of buildings governed by the Architectural control and the basement is used for storage/services, the provisions of light and ventilation shall be as shown on the control sheets. In case the basement is extended, the deficit in light and ventilation shall be proportionately increased subject to the fulfillment of fire safety norms and structural stability is ensured by the registered structural engineer.

In the second basement & basement below lower ground floor where it is to be used for parking/services, the provisions contained in National Building Code and Fire Safety Rules as applicable shall be followed.]

(iii) The basement storey for any other purpose conforming to the land use of the site can be allowed provided proper light and ventilation as required under

1. See Pb. Capital (Dev. & Reg.) Building (Amendment) Rules, 1993 (22-1-1993)

2. Subs. vide Chd. Admn. Gaz. Notification No. 11/2/70/UTFI(4)/1695 dt. 29-3-2007 at page 863

3. Added vide Chd. Admn. Gaz. Notification No. 691-UTFI(3)-99-5221 dated 7-5-1999

the rules is provided or proper air conditioning is made. The basement area of such uses shall be counted as part of the permissible covered area/ floor space index of the site.]

28-E. Damp Proofing of Basement Storey. - The walls of the basement storey shall be properly damp proofed and if in contact with the soil, they must be effectually secured against dampness from the soil with approved vertical and horizontal damp proof course.

¹[**28-F. Height of the basement storey.**—The minimum clear height of a basement storey shall be 2.29 metres (7'—6") and maximum height of the basement storey shall be up to 3.66 metres (12') from floor to ceiling subject to structural stability to be certified by the registered structural engineer.

However, in case of the services such as Printing Press, Lifts, A.C. Plants, Electrical Panels, Filtration Plants, Laundry Plants or Machines relating with the services relating to the use of the site and provision of automated/stack parking related with the services relating to the use of the site, the clear height up to 16'—6" shall be allowed by the Competent Authority subject to the condition that no mezzanine floor shall be permitted after ensuring the structural stability and provisions of the Fire Safety Rules.]

28-G. Structural Requirements of Basement Storey. - The wall of a basement storey shall have a thickness at the base or at any section of not less than 1/3rd the height of the base or the section below the ground level; unless the thickness has been determined by calculations of the wall acting as a retaining wall.

28-H. Drainage of Basement Storey. (i) Open area adjoining a basement storey, if any, shall be effectually drained to the satisfaction of the Chief Administrator.

²[(ii) Deleted.]

(iii) The responsibility for draining a basement storey and for protecting it from rain shall be that of the owner.

²[(iv) Deleted.]

29. Cattle-sheds and private wells. ²[(a) Deleted.]

²[(b) No cattle shed shall be constructed in an area other than specifically earmarked for the purpose.]

(c) No private wells, tube-wells and hand-pumps shall be constructed without the prior sanction of the Chief Administrator.

²[**30. Party Walls above roof at height of parapet.** - The party walls of all roof having access by means of staircase shall have a party wall of minimum height of 1.8 M throughout its length between the internal faces of outer parapet walls. Notwithstanding the above, terminal ends of these walls may be shaped for architectural considerations. In the case of multistorey flats this provision shall be optional. All parapet walls, balustrade or railings affording protection to roof terraces, balconies or verandahs at or above first storey level and having access thereto by staircase door or other opening shall have a height of not less than 0.75 M.]

²[**31. Garage.** - Where a garage adjoins a habitable room there shall not be opening in the common wall. However, a door connecting the garage with the main house shall be permitted.]

²[**32. Servant Quarters.** - Separate servant quarters not attached to the main house shall have water closet and bathroom attached thereto and separate courtyard of not less than 11 sq. meters in area.]

1. Substituted vide Chd. Gaz. Notification No. 11/2/70/UTFI(4)/2008/759 dated 1.2.2008
2. See Pb. Capital (Dev. & Reg.) Building (Amendment) Rules, 1993 (22-1-1993)

- (i) Only one servant room shall be built on a site of size 420 sq. mts. or more in area.
- (ii) For one dwelling unit, only one servant room shall be provided.
- (iii) If a servant room is built on a ground floor it shall have a separate courtyard of not less than 10 sq. mts.
- (iv) Separate servant room not built as part of the main house shall have a water closet and bathroom attached thereto.
- (v) The maximum covered area of a servant room shall not exceed 12 sq. mts. excluding water closet and bathroom.]

¹[33. *Advertisement stand and structure.* - No structure shall be constructed to carry on advertisement except in the area shown on the zoning plan/architectural control sheet/standard design.]

34. *Numbering of buildings.* - Each building shall bear a number in accordance with the type designs which shall be made available by the Chief Administrator and shall bear no other number.

¹[35. *Dust Bin.* - Every person who erects or re-erects a building, shall provide a dust bin which shall conform in size, shape, specifications and to a type of design to be made available by the Chief Administrator.]

PART IV

Material and Structural Control

Section 1

Materials

¹[36. All material to be used for the erection or re-erection of a building shall conform to the specification and standard laid down in part V of the National Building Code of India on Building Material.]

¹[37. Deleted.]

¹[38. Deleted.]

SECTION 2

Foundations and Walls

39. *Site.* - No person shall erect or re-erect any building on any ground which has been filled up with offal or offensive vegetable or animal matter or upon which any such matter is deposited, unless and until the Medical Officer of Health certifies that such matter has been properly removed by excavation or otherwise has become or been rendered innocuous.

²[40. *Structural Design.* - The structural design of foundation masonry timber plan concrete, reinforced concrete, pre-stretched concrete and structural steel, shall be carried out in accordance with part VI Structural Design, Section 1 - Loads Section-2 — Foundation, Section-3 — Wood, Section-4 — Masonry Section-5 — Concrete, Section-6 — Steel of the National Building Code of India, taking into consideration all relevant Indian Standards prescribed by the Bureau of Indian Standards including the Indian Standards given in Annexure 'A' for earthquake protection of building.]

¹[41. to 49. Deleted.]

¹[50. *Thickness of Walls.* - All structural, external and party walls exposed to weather/protected from weather built of bricks or blocks laid in horizontal beds or courses shall be constructed of thickness not less than 28 cms., upto three storied buildings with maximum height not more than 10.5 meter. The thickness of

1. See PB. Capital (Dev. & Reg.) Building (Amendment) Rules, 1993 (22-1-1993)

2. Subs. vide Chd. Admn. Gaz. Notification No. 50/10/63-UTFI(S)-2001/4013 dt. 16-5-2001 p.

walls shall be determined in accordance with the relevant provisions of National Building Code of India, in case buildings with height more than 10.5 M.]

[51. to 59 Deleted.]

[60. *Application.* (i) Chimneys where provided shall conform to the requirements of IS 1645 - 1960 Indian Standard Code of Practice for Fire Safety of Building (General) Chimney's flues, Flue pipes and Hearths.

(ii) Notwithstanding the provisions for clause (i) above a chimney shaft shall be built 1.8 M high above the roof in the case of approachable terraces used for sleeping purposes and within the heights of the parapet in other cases. In the case of sloping roofs, the chimney shaft shall not be less than 0.6 M above the ridge of the roof in which it penetrates.

(iii) Chimney shafts shall be provided with a set back of 0.9 M from the front and rear of the building in all cases and also from the external side in the case of corner plots.]

[61. to 69. Deleted.]

[70. *Floor.* - (i) All floors laid on ground shall be so constructed or treated as to prevent damp rising by capillary action into the floor. In all cases of layer or 10 Cms. of clear sand shall be provided between the earth and the hard crust.

(ii) Every kitchen, latrine, urinal, bathroom or a bathing platform, shall have impermeable floor and all kitchens, in addition to impermeable, shall have fire proof floors.

(iii) The walls of every water closet upto a height of not less than sixty centimetres (60 Cms.) above the floors shall be finished in an impervious material.]

[71. *Roofs.* - The roof of a building shall be so constructed as to be fire resisting, weather proof and non-erodable.]

[72. *Staircase in residential buildings, single family or two family residential buildings.* - Every building more than one storey high intended to be used as residential building shall be provided with atleast one staircase having minimum width of 85 cms. with rise of not more than 19 cms., limited to 15 Nos. per flight and tread not less than 25 cms. in width constructed of fire resisting materials.]

[73. *Residential buildings for more than two families.* - Every building intended to be used as residential building for more than two families shall be provided with atleast one staircase extending from ground floor level to the highest floor having minimum clear width in accordance with the following width in accordance with the following table :-

- | | |
|---|-------------|
| (a) Number of users upto 10 | 85 cms. |
| (b) Number of users upto 11 to 20 | 1.10 meters |
| (c) Number of users from 21 to 100 | 1.25 meters |
| (d) Increase 1" (2.5 cms.) for every additional 15 persons until a maximum of 2.75 m. is reached. | |

A single staircase of width mentioned above may be replaced by two staircase each of a width atleast equal to two-thirds the width prescribed for a single staircase provided neither of other two substituted staircases be less than 1.1 m in width. Staircase so provided shall be built in fire resisting materials.

(c) Occupant Load :

Sr.No. 1	Group of Category 2	Occupant load, floor area in m ² person 3
(i)	Residential	12.5
(ii)	Educational	4
(iii)	Institutional	15
(iv)	Assembly -	
	(a) with fixed or loose seats and dance floors	0.6
	(b) without seating facilities including dinning room	1.5
(v)	Mercantile -	
	(a) Street floor	3
	(b) Upper Sale floor	6
(vi)	Business and Industrial	10
(vii)	Storage	30
(viii)	Hazardous	10

Note. - The number of the users in any building of the occupant load shall be calculated on the actual number of occupants, but in no case less than that specified in the table above.]

¹[74. Deleted.]

¹[75. *Staircase in public buildings/commercial buildings, warehouse and Industrial buildings.* - (i) No staircase in a public or commercial building or warehouse and industrial building shall be of width less than that given below :-

(a) Number of users upto 200 1.4 m

(b) Number of users from 200 to 350 1.8m

(c) Increase by 2.5 cms for every additional 15 persons until a maximum of 9, is reached. A single staircase of the width mentioned in (c) above may be replaced by two staircases each of width of atleast 6 feet.

²{(d) In the case of Basement, there shall be two staircases preferably in opposite directions as per the provisions of the Fire Safety Rules and the National Building Code.

Where the basements are for parking only, passenger lift shall be allowed in the basement.}

(ii) The staircase in these buildings shall be of fire-proof materials. Notwithstanding the above, staircases in private portions of public buildings/commercial buildings or warehouse and industrial buildings, not open to general public may be of the sizes mentioned for the residential buildings, for more than two families and commercial buildings.

(iii) The minimum tread shall be 28 cms. and maximum rise 18 cms. All staircases and walls enclosing the staircase in public building warehouse and industrial buildings shall be of fire proof materials.

(iv) The stair data for the buildings governed by Architectural Control shall be in accordance with the stair data as shown in the Architectural Control or as per clauses (i), (ii) and (iii) above.]

76. Material. - All staircases and walls enclosing the staircases in public buildings and warehouse and industrial buildings shall be of fire-proof materials.

¹[77. Deleted]

1. See Pb. Capital (Dev. & Reg.) Building (Amendment) Rules, 1993 (22-1-1993)

2. Added vide Chd. Admn. Gaz. Notification No. 11/2/70/UTF1(4)/1695 dated 29-3-2007 at page 863

78. Uniformity in treads and risers in staircases. - Treads and risers of each flight of a staircase or of several flights in the same staircase in a public or a warehouse and industrial or a residential building shall be of uniform width and height except where prior dispensation is specifically obtained from the Chief Administrator for architectural effect.

¹[79. *Location of Staircase.* - The staircase in any building shall be so located that the travel distance on the floor shall not exceed 30 m.]

¹[80. Deleted.]

¹[81. *Head room in a Staircase.* - The minimum clear head room in a passage under the landing of a staircase and under the staircase shall be 2.1 m.]

¹[82. *Provision of hand rails.* - (a) In every staircase at least one hand rail shall be provided with a minimum height of 90 cms. from the centre of the tread.

(b) Where steps are provided from ground to the building hand rail may not be provided, if the step do not go above 1.37 m. in height and not less than 18m. in width.]

¹[83. Deleted.]

¹[84. *Residential buildings and commercial buildings.* - The minimum width of any lobby, corridor, passage or a balcony in a residential building or a commercial building shall be as given below :-

(a) Number of users upto 10 0.9 M

(b) Number of users from 11 to 20 1.1 M

(c) Number of users from 21 to 100 1.25 M

(d) Increase 25 cms. for every additional 15 persons until a maximum of 2.5 M is reached. Wall and roofs shall be of the resisting materials.]

¹[85. *Public buildings and warehouse buildings.* - The minimum width of any lobby, corridor, passage or balcony in a public building or a warehouse and industrial building to be used by the public shall be 1.4 M provided that in case of building where more than 20 persons are likely to work or assemble the minimum width shall be :-

(a) Number of users from 20 to 100 1.8 M

(b) Number of users from 101 onwards 2.3M. Occupancy shall be calculated on each floor. Walls and roof shall be of fire-resisting materials.]

86. General doors and barriers of Assembly Halls. - All doors or barriers for use by the public as exists in a public assembly place shall be made to open outwards.

¹[87. *Rules as to chhajjas and jhambs Projecting over public land.* - No chhajjas or jhambs shall be allowed to project over the metalled portion of any road. They may be allowed to project over, the pavement to a distance specified on the zoning map of the area, provided the previous permission of the Chief Administrator has been obtained and an agreement on the prescribed form has been executed with him. The minimum clear head room under chhajjas or jhambs shall be atleast 2.3 M measured from the top of the pavement to the most dependent portion.]

88. Responsibility for quality and workmanship. - The person who applies for permission to erect or re-erect a building under Rule 7 shall be responsible for ensuring that all the building materials used on the building are sound, of good quality and properly put together, and that the building is structurally stable.

PART V
Drainage Control
SECTION 1
Drainage

89. Application. - All premises shall be provided with suitable drainage, conforming to these rules in every way and connected to the city drainage in the manner laid down in these Rules.

90. First storey. - The first storey of a building (other than the basement) shall be at such a level or so constructed as to allow the construction of drains sufficient for the effectual drainage by gravity of that storey.

91. Sub-soil water drain. - Wherever the dampness of the site renders such a precaution necessary the site of building shall be effectually drained by means of sub-soil drains.

The sub-soil drains shall be formed of earthenware field or other suitable pipes; and shall be properly laid to an adequate and suitable fall, and shall be laid in such a manner or in such positions as not to communicate with any sewer or with any drain constructed or adapted to be used for conveying sewage.

[92. Roof and Site Drainage. - The roof of the building (whether flat or sloping) shall be constructed so as to drain effectually to a suitable and sufficient gutters, shoots or troughs, which shall be provided for receiving and conveying all rain water that may fall on the roof. Such gutters, shoots or troughs shall be connected to a sufficient numbers of suitable down pipes so as to carry away all such water without causing dampness in any part of the building or any adjacent building. Spout for discharge of rain water from roof may be used, provided the water from such spout falls within the applicant's property.

A down pipe of a minimum area of 77.0 sq. cms. shall be provided for every 46.5 sq. of the flat roof area (slope of roof being upto 1.80) or for every 93 sq. mts. of sloping roof area (slope of roof exceeding 1.80). The run off from the roof, paved area shall be drained into storm water sewer. Over-flow, if any, from the site shall be carried to a storm water sewer.

93. Construction of drains. - Every drain constructed in connection with a building shall comply with the following requirements :-

(i) **Materials.** - It shall be constructed of good sound pipes of suitable material conforming to relevant ISI specification.

(ii) **Size, fall and line of drain.** - Every drain shall :-

(a) be of a suitable size, and if it is intended for the conveyance of foul water shall have an internal diameter of not less than 10 cms.

(b) be laid with a suitable fall and where practicable in a direct line. The standard gradient shall be 1 in 40 for a 10 cms. drain and 1 in 80 for a 15 cms. drain. The maximum and minimum gradients shall respectively be 1 and 20 and 1 in 80 for a 10 cms. drain and 1 in 40 and 1 in 140 respectively for a 15 cms. drain.

(iii) **Joints** - Every joint in such drain shall be made in the manner and with suitable jointing materials prescribed in part IX on plumbing services of National Building Code of India.

(iv) **Drain to be laid on concrete.** - Every such drain, laid on or in the ground and if constructed of material other than cast iron, shall be laid on a bed of concrete atleast 7.5 cms. thick.]

- (v) *Concrete to be filled in.* - Concrete shall be filled in so that it shall extend to the full length of the concrete bed prescribed in clause (iv) and shall be launched up to not less than half the external diameter of the pipe.
- (vi) *Junctions.* - Every branch drain shall joint any other drain obliquely in the direction of the flow of that drain and as near as practicable to the invert thereof.
- (vii) *Drains within or under building.* - A sewage drain shall not be constructed so as to be within or under any building, except in a case where any other situation is impracticable.
Where any such drain or part thereof is constructed within or under a building, such drain or such part thereof shall :-
 - (a) be laid or fixed in a direct line, where be practicable and provided with adequate means of access ;
 - ¹[(b) be constructed of cast iron pipes, completely embedded in and covered with 1 : 3 : 6 cement concrete 15 cms. thick all round.]
- (viii) *Protection to drains beneath walls.* - Where any drain is laid under a wall, it shall be protected at the part under the wall by means of a relieving arch, flag stone, iron or any other support which shall not bear on the drain, and shall be of sufficient size and strength to prevent any disturbances or other injury to such drain.
- (ix) *Inlets to drains within buildings.* - A drain shall not be constructed in such a manner that there shall be within a building any inlet to such drain except such inter as may be necessary from any sanitary fitting or any sanitary installation connected directly to such drain.
- ¹[(x) *Inlets to drains to be trapped.* - Every inlet other than a ventilating pipe to such drain shall be properly tapped by a suitable and efficient trap and such trap shall be formed and fixed so as to be capable of maintaining a minimum water seal of 5 cms.]
- ¹[(xi) *Gully Traps.* - Every trapped gully shall be covered with a grating, the bars of which shall be not more than 10. Every such gully if of stoneware shall be placed on a bed of concrete at least 10 cms, thick. Such gully trap shall be so set that the water depth therein is atleast 30 cms.]
- (xii) *Trapping of drains from sewer.* - A suitable and efficient intercepting trap, with a water seal of at least 4 inches, at a point as distant as may be practicable from the building and as near as may be practicable to the point at which the drain may be connected with the sewer, shall be provided to such a drain before connecting it with the sewer. Such a trap shall be provided with raking or cleaning arm, fitted with a secure and, suitable stopper as a means of access to the drain between such trap and sewer, and shall be located within a manhole.
- ¹[(xiii) *Drains to be water tight.* - Such a drain shall be constructed so as to be water tight and to be capable of resisting a pressure of atleast 1.5 m. head of water.]
- (xiv) *Means of access to drains.* - Such a drains shall be provided with adequate means of access and every means of access shall be :-
 - (a) constructed so as to be water-tight ;
 - (b) fitted with a suitable cover at the level of adjoining ground surface ;

1. See Pb. Capital (Dev. & Reg.) Building (Amendment) Rules, 1993 (22-1-1993)

- (c) if placed within a building fitted with an air-tight manhole cover ;
- (xv) *Drain connection for industrial and Chemical or other trade affluent.* - Every drain and private sewer intended solely for conveyance of industrial or chemical or other trade affluent shall be constructed of good sound pipes of material unaffected by the chemical action of the affluent and shall be laid as described heretofore.

94. Ventilation of drains. - The drains intended for conveying foul matter from a building to a sewer through an intercepting trap shall be provided with two ventilating pipes, one connected to the drain at a point as near as practicable to and on the inlet side of the intercepting trap, and the other at a point as distant as practicable from the intercepting trap.

Every such ventilation pipe shall -

- (i) be furnished at the foot thereof with a suitable air-tight access cap or cover ;
- (ii) have an internal diameter of not less than two inches ; and
- (iii) be otherwise constructed in the same manner and of the same material and weight as if such pipe were a soil pipe.

The soil pipe or waste pipe or ventilating pipe of any sanitary installation where such pipe is connected direct to such drain and where the situation and diameter are in accordance with the requirements applicable to the pipe to be carried up from the drain, shall be deemed to provide the necessary means of ventilation.

The open end of every ventilating pipe or other pipe providing the necessary means of ventilation shall be fitted with a suitable grating or other cover having apertures of aggregate area not less than the sectional area of the pipe.

Materials, Accessibility and Protection

95. Soil pipe and soil ventilating pipe. - (i) A soil pipe or a soil ventilating pipe shall be -

- [(a) constructed of lead, copper, cast iron or other equally suitable materials approved by the Chief Administrator/Indian Standards Institution.]
- (b) easily accessible throughout its course and adequately protected where necessary from damage ;
- (c) circular ;
- [(d) of an internal diameter of not less than 10 cms.]
- (e) securely fixed without unnecessary bends or angles ;
- [(f) carried upwards to such a height and in such a manner so as to prevent any nuisance or injury or danger to health arising from emission of foul air from pipe. The minimum height shall be 1.8 m above the roof top, when it is used for sleeping purposes and 0.7 m in other cases.]
- (g) be fitted at the open end, with a suitable grating or cover admitting the free passage of air.

[(ii) *Joints.* - Every joint in such pipe shall be made in the manner and with the suitable joining materials as prescribed in Section IX on Plumbing Services of National Building Code of India.]

[96. Deleted.]

97. Waste pipe. - A waste pipe from a bath, sink (not being a slop sink), bidet or lavatory basin, and a pipe for carrying off dirty water from the kitchen shall -

- (i) discharge so as not to cause dampness in a building ;
- (ii) if it discharges into a drain, be disconnected from the drain by a trapped gully with a suitable grating above the level of the water in the trap ;
- (iii) if it is more than six feet in length, be provided with a suitable trap ;
- (iv) if it discharges into a soil pipe from a water closet or a waste pipe from a slop sink, be provided (whatever its length) with a suitable trap with minimum water seal of 2", adequately secured against destruction of the water seal by syphonage action.
- (v) be constructed in the same manner and of the same material and same weight as if such pipe were a soil pipe.

98. Overflow pipe. - An overflow pipe from a water cistern shall discharge in an exposed and conspicuous position so as not to cause dampness in any part of a building ;

99. Testing of pipes. - A ventilating pipe to a drain a soil, pipe and waste pipe shall be capable of withstanding after erection a smoke or air test under pressure.

SECTION 2

Water Closets

100. General - (i) As a minimum requirement every residential, commercial warehouse and industrial and public building shall be provided with at least one water closet unless specially exempted by the Chief Administrator. Additional fixtures shall be provided according to the requirements hereinafter prescribed.

Whenever more than one water closet is required in a public building intended to be used by both sexes, separate water closet rooms with separate entrance doors shall be provided for each sex and be clearly and properly indicated.

Whenever water closet rooms are provided for the exclusive use of males urinals may be substituted for one-half of the required number of water closets.

¹[(ii) Number of Water closets in residential building. - Every single family residential building shall be provided with not less than one water closet.]

¹[(iii) Commercial and Warehouse and Industrial Buildings. - Every commercial and warehouse and industrial building shall be provided with water closets in accordance with the requirements of the table given below :

No. of persons working	Minimum number of water closets	Minimum number of urinals or sinks
1	2	3
1 to 9	1	1
10 to 24	2	2
25 to 49	3	3
50 to 100	5	5
Over 100	One water closet for each additional 30 persons.	

(iv) *Public buildings.* - (a) In every school or college building, there shall be provided not less than one water closet for every twenty persons to be accommodated.

¹[(b) in every other public building, there shall be provided not less than one water closet for every one hundred person to be accommodated.

Note. - For the areas not covered under these bye-laws the provisions in the National Building Code of India shall be adhered to.]

¹ See Pb. Capital (Dev. & Reg.) Building (Amendment) Rules, 1993 (22-1-1993)

101. Receptacle. - (a) A water closet constructed in connection with a building shall comply with the following requirements :

The pan, basin or other receptacle (hereafter in this rule called "the pan" shall be non-absorbent material so constructed and fitted as to receive and contain, sufficient water and to allow any filth to fall free of the sides directly into the water.

The Indian type pan may be without pool of water. In such cases special cisterns for flushing each pan shall be employed.

[(b) An efficient syphon trap with minimum water seal of 7.5 cms, shall be fixed immediately beneath or in connection with such pan so that sufficient water seal between the pan and any drain or soil pipe is maintained. "D" trap shall not be fixed in connection with the water closets.]

(c) For the effectual flushing and cleaning of the pan, a special closed cistern with suitable ball cock and of not less than 3 gallons capacity shall be provided.

[102. *Communication with Supply pipes.* - Flushing cistern of a soil fitting shall be connected only through the over head storage tank.]

[103. *Reserve Tank.* - Every water closet shall be provided with a closed tank of not less than 40 gallons capacity for every set and 20 gallon for each subsequent set or urinal or slop sink.]

104. Automatic flushing. - No self-acting or automatic flushing apparatus shall be constructed or fixed except with the written permission of the Chief Administrator.

[105. *Ventilation of the traps.* - Where the water closet discharges into a soil pipe which also receives the discharge from another water closet, the trap of the water closet shall be ventilated by a pipe which acts as an antisiphonage pipe of an internal diameter of not less than 5 cms.]

SECTION 3

Slop Sinks and Urinal

106. Material. - (i) A slop sink and/or urinal shall be constructed of glazed earthenware, enamelled fire-clay or other equally suitable non-absorbent material and be of suitable shape with a flushing rim.

[(ii) A waste pipe from any slop or any urinal shall be constructed of material and in the manner prescribed for soil pipes :

Provided always that the internal diameter of the waste pipe or urinal may not be less than 5 cms. in the case of urinal having not more than two basins and 3.75 cms. in the case of a single urinals basin.]

(iii) No part of the urinal apparatus shall be directly connected with water-supply distribution pipe.

[(iv) If the urinal can be entered from within the building and is constructed to discharge into a soil pipe which also receives the discharge from another urinal or from water closet, bath, sink, bider or lavatory basin, the trap of the urinal shall be ventilated by a pipe which shall - (a) be of an internal diameter not less than that of the trap of 65 cms. whichever is less.

(b) be connected with the waste pipe from the urinal at a point not less than 7.5 cms. and not more than 30 cms. from the highest part of the trap on that side of water seal which is near to the waste pipe, and

(c) either have an open end as high as the top of soil pipe or be carried into a soil pipe at a point not less than 2.1 m. above the highest connection to the soil pipe.]

SECTION 4

General

¹[107. deleted.]

¹[108. *Tank for industrial chemical or other trade affluent.* - A tank intended for reception or disposal of industrial chemical or other trade affluent shall be so constructed and place as not to cause pollution to any well, spring or stream of water ; used or likely to be used for drinking or domestic purposes, or for the manufacturer or preparation of articles of food or drink for human consumption or for the cleaning of vessels with a view to the preparation or sale of such articles. Any affluent on any premises such as industrial plots or any other processing area shall be permitted only on the permission and approval of the appropriate Ante Pollution Board.]

¹[109. *Maintenance in state of repair.* - Any building or any installation in a building shall be maintained in such a manner that it does not cause any avoidable waste or does not cause any nuisance to the public in any manner whatsoever.]

¹[110. Deleted.]

¹[111. Deleted.]

¹[112. *Connection with sewer and use of Sanitary installation.* - No connection of any drain to any sewer or storm water drain shall be made or shall any water borne sanitary or drainage installation or any part thereof be taken into use until and unless the Chief Administrator under rule 18 grants permission to occupy the building.]

²[Provided that the Chief Administrator may allow temporary sewer connection at the time of sanction of the building plan for the Government building and the public building only, for the facility of labourers who would be engaged at work at the time.]

113. *Inspection.* - Every person by or for whom any water-borne sanitary installation or drainage installation or any work in connection therewith is carried out for any existing or new building or in any other premises shall at all reasonable time afford the Chief Administrator or any officer duly authorised by him free access to such water-borne sanitary installation or drainage installation or work in connection therewith for the purpose of inspections.

The officer shall see that these rules are complied with but no such supervision shall relieve the owner of the building from the duty of seeing that due care is taken in the supervision or execution of the work and providing good and sufficient material and workmanship.

¹[114. Deleted.]

115. *Carrying out work.* - All work required to be done for the installation or repair of sanitary fittings shall be entrusted to licensed plumbers only.

116. ³[*Licensing of plumber.* - A plumber who possesses any of the qualifications specified in Schedule IV appended to these rules may on his application be granted by the Chief Administrator a licence for doing the plumbing work :]

⁴[Provided that a plumber registered and licensed before the commencement of the Punjab Capital (Development and Regulation) Building Chandigarh Amendment Rules, 1973 who does not possess any of the qualifications specified in Schedule IV shall have to pass an oral practical test as prescribed in Annexure II.]

1. See Pb. Capital (Dev. & Reg.) Building (Amendment) Rules, 1993 (22-1-1993)

2. Subs. vide Notification No. 2367-UTFI(3)-96/9253 dated 17-7-1996

3. Vide Chd. Admn. Gaz. Notification No. 9/1/11/FDI/73/7098 dated 5-6-1973

4. Subs. Vide. Chd. Admn. Gaz. Notification No. 3526-UTFI(1)-77/15500 dated 12-9-1997

(2) Every application for a licence or renewal thereof shall be made to the Chief Administrator in Form "G".

(3) Every licence issued or renewed under these rules shall be in Form "H".

116-A. - (1) Every licence granted under rule 116 shall be valid upto 31st March of the year following the one in which it is issued and may be renewed for a period of one year at a time.

(2) The application for renewal of licence shall be made one month before the date of the expiry of the licence.

(3) When the application for renewal of such licence is not made within the period set out in sub-rule (2), the Chief Administrator may unless the applicant satisfied him that he had sufficient cause for not making the application in time, refuse to renew the licence.

116-B. - The Chief Administrator may, after giving the concerned plumber, an opportunity of stating his case and for reasons to be recorded in writing, refuse to grant or renew a licence.

116-C. - No plumber who holds a licence issued under rule 116 shall contravene any rules or bye-laws made under the Act or any of the terms or conditions of the licence, and if such plumber contravened any of the said rules and bye-laws or terms or conditions then without prejudice to any other action that may be taken against him, his licence may be cancelled or suspended by order in writing of Chief Administrator.

Provided that no order shall be made under this rule unless the licensee has been given a reasonable opportunity of stating his case against the proposed cancellation or suspension.

116-D. - A list of licensed plumbers shall be kept in the offices of the Chief Administrator and the Estate Officer for use and information of the General Public.

116-E. - Every licensed plumber shall notify complete address of his place of business and any change therein from time to time to the Chief Administrator and the Estate Officer, and shall not permit any other person to use his authority for the purpose of doing plumbing work under the licence.]

PART V

Administrative Control

117. Power of Chief Administrator to sanction or refuse erection or re-erection of building. - (1) The Chief Administrator shall refuse to sanction the erection or re-erection of any building in contravention of any of these rules, provided that the Chief Administrator shall have the authority to modify or waive, upon terms and conditions as thought fit ; any requirements of any of the rules, provided further that applications for such waivers are made to him in writing and accompany the application to erect or re-erect under Rule 7.

²[(2) The Chief Administrator may refuse to sanction the erection or re-erection of any building which is in contravention of any of these rules or for any other reason to be communicated to the applicant which seems to be just and sufficient as affecting such building. Further the Chief Administrator may also revoke the sanction of any building if such a sanction is in contravention of any of provisions of these rules, provided the building has not been completed.]

118. Presumption of sanction. - Notwithstanding anything contained in Rule 117, if the Chief Administrator neglects or omits, within sixty days of the receipt from any person of valid application of such persons' intention to erect or

1. Vide Chd. Admn. Gaz. Notification No. 9/1/11/PDI/73/7098 dated 5-6-1973

2. See Pb. Capital (Dev. & Reg.) Building (Amendment) Rules, 1993 (22-I-1993)

re-erect a building to pass orders sanctioning or refusing to sanction such erection or re-erection shall unless the land on which it is proposed to erect or re-erect such buildings, belongs to or vests in the Government, be deemed have been sanctioned, except in so far as it may contravene any rule.

¹[119. *Lapse of sanction after three years from the date of such sanction.* - Every sanction for the erection or re-erection of any building which shall be given or be deemed to have been given by the Chief Administrator shall remain in force for three years only from the date of such sanction or for such longer period as the Chief Administrator may allow under rule 117.]

¹[120. *Fire Protection Requirements.* - (i) The buildings shall be planned, designed and constructed to ensure the Fire safety and this shall be done in accordance with provisions laid down in National Building Code of India, Part IV on Fire Protection.

(ii) For buildings with minimum height of 15 Mtrs, the Chandigarh Fire Prevention and Fire Safety Rules, 1991 shall also be applicable.]

SCHEDULE I

Special areas in which Architectural Control Sheets shall operate

- (1) Areas along some V 2 roads where shown on the zoning plans.
- (2) Areas of shops and terraced houses along some V 4 roads where shown on the zoning plans.
- (3) Some areas of city centre as shown on the zonings plans.
- (4) Any other areas shown as special areas on the zoning plans.

¹[SCHEDULED II (Deleted)

¹[SCHEDULED II-A (Deleted)

¹[SCHEDULED III (Deleted)

¹[SCHEDULE IV (RULE 116)

Qualification for the Licensing of Plumbers

One of the following or higher qualifications shall be considered essential for the Licensing of Plumbers :-

- (1) Qualification approved by the Institutional Engineering for its associate memberships.
- (2) Diploma in Civil Engineering from any College or Institutions recognised by Government.
- (3) Licenced plumber having atleast five years working experience in a Municipal Corporation in India or in joint water and Sewerage Board in India.
- (4) Ten years practical experience in Sanitary Installation works with a firm which must have worked with the Public Health Department for five years as Class-1 Contractor or under a licenced plumber. Further also (i) he should be able to understand drawings. (ii) he should have the knowledge of the relevant rules and bye-laws (iii) he should be able to read and write preferably in the regional languages.]

1. See Pb. Capital (Dev. & Reg.) Building (Amendment) Rules, 1993 (22-1-1993)

FORM A
(Form of Application)
(Rule 7)

From
To

The Chief Administrator,
Chandigarh

Sir,

I/We apply for permission to erect/re-erect/add/alter a building/wall in accordance with the plans submitted herewith on the Plot No.....in the layout of Sector No.....

2. I/We attach,

- (a) A site plan showing the position of the plot proposed to be built upon as required by the rules;
- (b) Plans, elevations and sections in triplicate as required by the rules;
- (c) Drainage plans, engineering drawings (structural as required by the rules);
- (d) Specification of the proposed buildings;
- (e) Copy of Allotment letter;
- (f) Copy of possession letter;
- (g) Copy of letter showing extension in time limit for the construction of the building;
- (h) Copy of Power of Attorney if the plans are submitted by the Attorney.
- (i) Affidavit and Indemnity Bond;
- (j) Exemption under the Urban Land (Ceiling and Regulation) Act, 1976, if the area of the plot/proposed covered areas are not within the prescribed limits of the said Act.
- (k) Copy of the receipt for the Building Plan Security;

3. The construction of the building shall be supervised by.....

Architect/Licensed Supervisor as the case may be...

Dated

Signature (s)

Enclosures:

Received the Building plans and documents as above on.....The plans may be collected from this office after 6 weeks from this date.

Receipt Clerk,
for Estate Officer, Chandigarh

FORM B
Form for sanction (Rule 5)
REVISED FORM

From

The Chief Administrator,
Chandigarh

To

Memorandum No. Dated, the

Reference your application for permission to erect/re-erect/add to/ alter building on plot No.....in accordance with the plans submitted with it, your application is hereby -

(i) Sanctioned for the aforesaid construction under rule 5 of the Punjab Capital (Development and Regulation) Building Rules, 1952

.. See Pt. Capital (Dev. & Reg.) Building (Amendment) Rules, 1993 (22-1-1993)

(ii) rejected for reasons given below

Chief Administrator
Chandigarh**FORM C**
(Rule 12)
Specifications

The materials to be used in the construction to be clearly specified under the following heads :-

- | Items | Specifications |
|--|----------------|
| (a) Foundations. | |
| (b) Walls | |
| (c) Damp-Proof Course | |
| (d) floors | |
| (e) Roofs | |
| (f) Windows and Doors and other Woodwork | |
| (g) Steel Work | |
| (h) Internal finish | |
| (i) External finish | |

Signature of applicant
Signature of Architects**FORM D**
(Rules 17 and 18)**Notice of Completion/Permission to Occupy and for grant of permission for Sewer connection.**From
ToChief Administrator,
Chandigarh

Sir,

I/We hereby give you notice that the building described below and a part of the building sanctioned with your order No.....dated.....has been completed on.....in all respects according to the sanctioned plans and the suggested modifications have been carried out.

2. Completion certificate from the Architect who supervised the sanitary installation works of the building is submitted herewith.
3. Certificate from the Licenced Plumber who supervised the sanitary installation works of the building is also submitted herewith.
4. Kindly grant permission for sewerage connection and permit me to occupy the building/part of building as required under rule 18 of the Punjab Capital (Development and Regulation) Building Rules, 1952.

Description of Building

Sector	Sub Sector
Plot No.	House No. (If any)
Signature of Applicant	

FORM E

(Rule 18)

Completion certificate by an Architect

I do hereby certify that the following work.....(insert full particulars of work) has been supervised by me and has been completed to the satisfaction in accordance with the sanctioned plan, that the workmanship and the whole of the materials used are good, that no provisions of the Punjab Capital (Development and Regulation) Act, 1952, or the Building Rules made thereunder and no requisition made conditions prescribed or order issued thereunder has been transgressed in the course of the work. A certificate of the Licenced Plumber duly verified is attached.

Sector Sub-Sector

Plot No. House No.(if any)

Particulars of work.

Dated:-

Signature
(Architect)

FORM F

(Rules 18 and 77)

Permission for occupancy of use of the building and grant of sewer connection under rule 18 of the Rules.

From

The Chief Administrator,
Chandigarh

To

Memorandum No.

Dated

Whereas, has given notice of completion of the building described below, I hereby :-

(i) grant permission for sewer connection.

(ii) grant permission for the occupation and / or use of the said building.

OR

refuse permission for the sewer connection/occupation of the said building for reasons given below :-

Description of Building

Sector Sub Sector

Plot No. House No.(if any)

Chief Administrator,

Dated:-

Chandigarh.

FORM G

(Added vide Chandigarh Notification dated 22.5.1973)

Application for Grant of Licence to work as a Plumber

Refer Rule 113 [Punjab Capital (Development and Regulation) Building Rules, 1952]

To

The Chief Administrator,
Chandigarh

Sir,

I apply for the issue/renewal of licence to work as Plumber at Chandigarh as required under rule 116 of the Punjab Capital (Development and Regulation) Building Rules, 1952. Detailed particulars are given below :-

1. Name
2. Address
3. Father's name
4. Date of birth
5. Educational Qualification.
6. Particulars of Experience
7. Have you held a licence for doing plumbing work previously in Chandigarh. If answer is "Yes" give particulars of the same, in the following form :-

- (i) Number
- (ii) Year
- (iii) Period of commencement/expiry
- (iv) Was it ever cancelled/suspended, if so, give particulars

I solemnly declare that the information given above is correct.
 Dated _____ Signature of applicant

FORM H

Chandigarh Administration

Plumber Licence No. _____ of 19 ____

In pursuance of the provisions of the rule 116 of the Punjab Capital (Development and Regulation) Building Rules, 1952, the Chief Administrator, Chandigarh hereby grants a licence to Shri _____ renews the licence of s/o _____ to work as plumber in Chandigarh City.

2. This licence, unless revoked earlier, shall be valid upto 31st day of March, 19 ____
 Dated, Chandigarh, _____ Chief Administrator
 Chandigarh

FORM I

(Rule 116)

I do hereby certify that the following work.....(insert full particulars of work) has been supervised by me and has been completed to my satisfaction in accordance with the sanctioned plan, that the workmanship and the whole of the material used are good, that no provision of the Punjab Capital (Development and regulation) Act, 1952, or the Building Rules made thereunder and no requisition made, conditions prescribed or order issued thereunder has been transgressed in the course of the work.

Sector _____ Sub-Sector _____
 Plot No. _____ House No. (if any) _____

Dated _____
 Annexures I and II deleted.

Signature
 (Licenced Plumber)

FORM J

(Rule 9)

Certificate: To be submitted alongwith the building plans/drawings:-

1. Certified that the building plans submitted for approval satisfy the safety requirements as stipulated under Rule 40 of the Punjab Capital

1. See Pb. Capital (Dev. & Reg.) Building (Amendment) Rules, 1993 (22-1-1993)
 2. See Chd. Admn. Gaz. Notification No. 50/10/63-UTFI(5)-2001/4013 dated 16-5-2001 p. 1027

(Development and Regulation) Building Rules, 1952 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 natural hazards based on soil conditions has been duly incorporated in the design of the building and these provisions shall be adhered to during construction.

Signature of the
Owner with date

Signature of
Architect with
date

Signature of Structural
Engineer with date (As
defined in NBC of India)

Name in Block
Letters/Address

Name in Block
Letters/Address

Name in Block letters
Address

FORM K (Rule 18)

Certificate : To be submitted at the time of obtaining Form E (Rule 18) or at the time of obtaining Completion Certificate, whichever is obtained earlier:—

1. Certified that the building(s) has been constructed according to the Sanctioned Plan and Structural design (one set of structural drawings as executed is enclosed) which incorporates the provisions of structural safety as specified in relevant prevailing IS Codes/Standards/ Guidelines.
2. It is also certified that construction has been done under our supervision and guidance and adheres to the drawings submitted and the records of supervision has been maintained by us.
3. Any subsequent change from the completion drawings will be the responsibility of the owner(s).

Signature of the
Owner with date

Signature of
Architect with
date

Signature of Structural
Engineer with date
(As defined in NBC of India)

Name in Block
Letters and Address

Name in Block
Letters and Address

Name in Block Letters and
Address

ANNEXURE A (Rule 40)

LIST OF INDIAN STANDARDS/GUIDELINES FOR HAZARD SAFETY

For earthquake Protection

1. IS : 1893—1984 "Criteria for Earthquake Resistant Design of Structures (Fourth Revision)" June, 1986
2. IS : 13920-1993 "Ductile detailing of Reinforced Concrete Structures subject to Seismic Forces—Code of Practice" November, 1993.
3. IS : 13828—1993 "Earthquake Resistant Design and Construction of Buildings—Code of Practice (Second Revision)" October, 1993.
4. IS : 13828—1993 "Improving Earthquake Resistance of Low Strength Masonry Buildings—Guidelines" August, 1993.
5. IS : 13827—1993 "Improving Earthquake Resistance of Earthen Buildings—Guidelines" October, 1993.
6. IS : 13935—1993 "Repair and Seismic Strengthening of Buildings—Guidelines" November, 1993.]
