

Bhopal, dated 11th March 2016

No. F 16-18/2015/B-11 : In exercise of the power conferred by sub-section (1) of section 33 of the Madhya Pradesh Investment Region Development and Management Act, 2013 (No. 24 of 2013) the State Government hereby makes the following rules, namely:-

CHAPTER 1

Preliminary

1. Short title and commencement

- (1) These rules may be called the Madhya Pradesh Investment Region Development and Management Rules, 2016.
- (2) They shall come into force with effect from the date of publication in the Madhya Pradesh Gazette.

2. Definitions.

In these rules unless the context otherwise requires:-

- (1). "Act" means the Madhya Pradesh Investment Region Development and Management Act, 2013 (No. 24 of 2013);
- (2). "Agency" means a body corporate or any Special Purpose Vehicle (SPV) or any organization registered / constituted under the applicable laws, this shall be authorized by the State Government for the purpose of development and management of the Investment Region and also to acquire, hold and dispose off land/ property and to contract by its own name;
- (3). "accessory use" means any use of the premises subordinate to the principal use and customarily incidental to the principal use;
- (4). "alteration" means a change from one occupancy to another or a structural change such as an addition to the area or height or the removal of part of a building or any change to the structure such as the construction of or cutting into or removal of any wall, partition, column, beam, joist, floor or other support or a change in or closing of any means of ingress or egress or a change of the fixtures or equipment;

- (5). "Appellate Authority" means the Madhya Pradesh Trade and Investment Facilitation Corporation Ltd. (MPTRIFAC) board;
- (6). "approved" means approval granted by the Agency having jurisdiction and power;
- (7). "Agency having jurisdiction" (hereinafter referred to in these rules as "Agency") in relation to development and building activities means,-
 - (a) The development of land includes,-
 - (i) making material change in land including its sub division and change in its use in terms of occupancy;
 - (ii) construction of any type of building.
 - (b) an officer authorized under the Madhya Pradesh Investment Region Development and Management Act, 2013 for granting permission for construction/ alteration, demolition of building in the Scheme area falling within the irrespective jurisdictions;
- (8). "Board", means the governing body or Board of Directors of the agency as the case may be;
- (9). "balcony" means a horizontal projection, including a handrail or balustrade, to serve as passage or a sitting out place;
- (10). "basement" means that part of the building which is constructed below the plinth level. However, in certain cases, where the topography of the site permits, the part of the building below the ground or reference level could also be called the basement;
- (11). "building activities" means-
 - (a) erection, re-erection, making material alteration and demolition of any building;
 - (b) development of land as a composite building scheme and corporate development;
 - (c) development and redevelopment of any tract of land which includes division and sub-division into plots or various land uses within the Scheme Area;

- (12). **"building height or height of a building"** means the vertical length of the building which shall be measured from a ground or reference level. Such ground or reference level would be at the centre point of frontage of the plot or land from which the access is being taken. If the site is sloping, the reference level will be taken at the centre line of the existing or proposed approach road or street in front of the plot or land from which the access is being taken or the average level of the plot, whichever is higher. The height of the Machine rooms, mumpree, stilt floors, podiums, service floors; refuse floor, parking floors shall not be included in the calculation of building height.

The following appurtenant structures shall not be included in the calculation of the height of a building if the aggregate area of such structures does not exceed one-third of the area of roof of the building upon which they are erected-

- (a) water tanks and their supports;
 - (b) chimneys, ventilating pipes, air-conditioning, lift rooms, cooling tower/shafts, heating equipments, pollution prevention equipments, weather equipments and similar service equipments;
 - (c) temporary shade for plants; and
 - (d) parapet walls and architectural features not exceeding 1.5 meter in height;
 - (e) structures erected to install solar pannels
- (13). **"building line"** means the line up to which the plinth of a building may lawfully extend on the side, which abuts the street or an extension of a street or a strip of land ear-marked or reserved for future construction of street and such line has been so prescribed in the approved plan or co-ordination plan or the scheme by the Agency;
- (14). **"chhajja"** means a sloping or horizontal structural overhang usually provided over opening on external walls to provide protection from sun and rain and includes architectural extension;
- (15). **"chimney"** means an upright shaft containing and encasing one or more flues provided for the conveyance to the outer air of any product of combustion resulting from the operation of any heat producing appliances or equipment, employing solid or liquid or gaseous fuel;
- (16). **"chowk or courtyard"** means a space permanently open to sky,

enclosed fully or partially by building and may be at ground level or any other level within or adjacent to a building;

- (17). "**chowk inner**" means a chowk enclosed on all sides;
- (18). "**chowk outer**" means a chowk where at least one of its sides is not enclosed;
- (19). "**clear height**" means the vertical distance measured from the finished floor surface to the underside of the beam that support the ceiling;
- (20). "**Code**" means the National Building Code of India (NBC) as published by the Bureau of Indian Standards (BIS);
- (21). "**conversion**" means the change of occupancy of premises to any other occupancy or use; which requires additional occupancy permit;
- (22). "**corner site**" means a site at the junction of two or more intersecting streets;
- (23). "**covered area or ground coverage**" means the area of the land covered by the plinth of the building at the ground floor level. This shall exclude the area of the plinth not covered by roof at top. Cantilevered projection equal to floor height, but restricted to the extent of 4.5 meters, at the slab level with clear height for vehicular / pedestrian movement shall not be included in the covered area. The areas covered by the porch, service ducts, private garage not exceeding 25 sq. meters on ground floor, podium, stilt, staircase, fire escapes, ramps, mechanized parking areas, refuse chutes, two watchmen huts and one pump room each not exceeding 6 sq meters, atrium if not used for commercial activities and lift wells shall not be included in the covered area;
- (24). "**Cul de Sac**" means a lane, one end of which terminates as a dead end providing no further access;
- (25). "**drain**" means a line of pipes including all fittings and equipments, such as manholes, inspection chambers, traps, gullies and floor traps, used for the drainage of a building or a number of buildings or yards appurtenant to building, within the same cartilage and shall include open channels used for carrying surface water;
- (26). "**drainage**" means the removal of any liquid by a system constructed for this purpose;
- (27). "**dwelling unit (tenement)**" means an independent dwelling unit with separate facilities for living, cooking and sanitary requirement;

- (28). **"exit"** means a passage, channel or means of egress from any building stories or floors, to a street or other open space of safety;
- (29). **"floor"** means the lower surface in a storey on which one normally walks in a building. The general term, "floor" unless otherwise specially mentioned shall not refer to a "Mezzanine Floor";

Note: The sequential number of floor shall be determined by its relation to the determining entrance level. For floors at or wholly above ground level with lowest floor in the building with direct entrance from the road or street shall be termed as ground floor. The other floors above floor 1 shall be numbered in sequence as floor 2, floor 3 and so on, with numbers increasing upwards.

- (30). **"Floor Area Ratio" (FAR)** means the ratio of total built up area in a building on all floors to the total plot area of the land in question. The built up area shall mean the total built up area on all floors excluding the area under lift wells, service ducts, machine room for lifts, water tanks, escalator, lift lobby, fire escapes, ramps, refuse chutes and service ducts, mezzanine floor, balcony (upto a width of 1.20 mtrs) parking areas, parking floors, mechanized parking areas, porch, service floors, podiums, refuse floor, private garage (not exceeding 25 sq. mtrs.), servant quarter(not exceeding 25 sq. mtrs.), basement subject to the provision of rule 92 (basement), corridors, arcades, lobbies, mump tee, staircases, entrance lobbies or foyers, atrium which is not used for commercial activity, pump room and two watchmen hut each not exceeding 6 sq. meters, but shall include covered projections exceeding the limits prescribed under rule 74 (projections).

Provided that in commercial use premises, the area of foyer(s) or entrance lobby(s) located on the ground floor which exceeds 20% of permissible ground coverage shall be counted in the FAR

Note: If the built form below the ground or reference level is used as habitable accommodation because of the existing topography such area may be permitted as habitable area and shall be counted in the Floor Area Ratio;

- (31). **"fire separation"** means the distance in meters measured from any other building on the site or from other site, or from the opposite side of a street or other public space to the building;
- (32). **"foundation"** means a part of structure which is in direct contact with and transmits loads to the ground;

- (33). **"front open space"** or **"front marginal open space (FMOS)"** means an open space across the front of a plot;
- (34). **"ground level"** means ground or reference level which would be at the centre point of frontage of the plot or land from which the access is being taken. If the site is sloping, the reference level will be taken at the centre line of the existing or proposed approach road or street in front of the plot or land from which the access is being taken or the average level of the plot, whichever is higher;
- (35). **"group housing"** means housing of a number of dwelling units on an undivided plot of land, built compositely and integrally where land and building (excluding individual units) are held jointly, building and services are maintained jointly and the construction is undertaken as one composite unit;
- (36). **"habitable purpose"** means a built space being occupied or designed for occupancy by one or more persons for study, living, sleeping, eating, cooking purpose but shall not include bath-rooms, water closet compartments, laundries, serving and storage pantries, corridors, cellars, attics and spaces that are not used frequently or during extended periods;
- (37). **"habitable room"** means a room occupied or designed for habitable purpose;
- (38). **"high rise building"** means a building-
- (a) which consists of more than ten stories; or
- (b) which has a height of more than 30 meters"
- Note:** The height of the building means the height defined and calculated in accordance with sub-rule (12) of rule 2 .
- (39). **"ledge or tand"** means a shelf like projection, supported in any manner whatsoever, except by means of vertical supports within a room itself but not having projection wider than one meter;
- (40). **"Licensed Architect/ Structural Engineer/Engineer/ Town Planner/ Supervisor Group or Agency"** means respectively a qualified Architect/ Structural Engineer/ Engineer/ Town Planner/ Supervisor Group or Agency who, where necessary, has been licensed as such under these rules by the Agency;
- (41). **"lift or escalator"** means an appliance designed to transport persons or materials between two or more levels in a vertical or substantially vertical direction by means of a guided platform;
- (42). **"loft"** means an intermediary floor between two floors which is constructed for storage purposes;

- (43). "**mezzanine floor**" means an intermediate floor, between ground floor and first floor;
- (44). "**multiplex**" means a building consisting of two or more cinema halls with or without shopping area;
- (45). "**occupancy or use group**" means the principal occupancy for which a building or a part of a building is used or intended to be used for the purpose of classification of a building according to occupancy. An occupancy shall be deemed to include subsidiary occupancies, which are contingent upon it;

Explanation. The occupancy classification shall be as under:-

(i) "**residential buildings**" include any building in which sleeping accommodation is provided for normal residential purposes with or without cooking or dining or both facilities. It includes single or multi-family dwellings, lodging or boarding houses, dormitories, apartment houses and flats;

(ii) "**educational buildings**" include any building used for school, college or day-care purposes involving assembly for instruction, education or recreation incidental to educational buildings;

(iii) "**institutional building**" include any building or part thereof which is used as hospitals, sanatoria, custodial institution, penal institutions like jails, prisons, Legislative Assembly Building, VIP residences, Universities, Embassy Buildings, Stock Exchange, Insurance Building, Banks, Society, Non Governmental Organisation, Financial Institutions, Social Institutions, Religious Institutions, Office Buildings (Government /Semi- Government/ Private) and such other purposes;

(iv) "**assembly building**" include any building or part of a building where groups of people congregate or gather for amusement, recreation, political, social, religious, civil, travel and similar purposes for example theatres, motion picture houses, assembly hall, auditoria, exhibition halls, museums, skating rinks, gymnasium, restaurants, place of worship, dance halls, club room, passengers stations and terminals of air, surface and other public transportation services, recreation piers, convention hall and stadium;

(v) "**mercantile Building**" means any land or building or part thereof which is used for the purpose of carrying on any trade, business or profession or sale or exchange of goods or services of any type whatsoever with a view to making profit and also includes the use of any land or buildings for storage of goods or as an office or as hotel and

includes any building or part of a building which is used as IT complex, software development centre, multiplex, shops, stores, markets, for display and sale of merchandise either wholesale or retail. Storage and service facilities incidental to the sale of merchandise and located in the same building shall be included under this group;

(vi) "**industrial building**" means any building or part of a building or structure, in which products or materials of all kinds and properties are fabricated, manufactured, assembled or processed and include assembly plants, laboratories, power plants, smoke houses, refineries, gas plants, dairies and factories;

(vii) "**storage building**" means any building or part of a building used primarily for the storage or sheltering of goods, wares or merchandise and includes warehouses, cold storages, freight depots, transit shades, store houses, public garages, hangers, truck terminals, grain elevators;

(viii) "**hazardous building**" means any building or part of a building which is used for the storage, handling, manufacture or processing of hazardous substances as defined under the applicable law;

- (46). "**open mall**" means a building or group of buildings where commercial activity is carried out along with storage, go-down, logistics, administrative facility, parking (open or covered);
- (47). "**open space**" means an area forming an integral part of the plot left open to sky;
- (48). "**parapet**" means a low wall or railing built along the edge of a roof or a floor;
- (49). "**parking floor**" means a floor designed for the use as a parking space;
- (50). "**parking space**" means an area enclosed or unenclosed, covered or open, sufficient in size to park vehicles together with a driveway connecting the parking space with a street or an alley and permitting ingress and egress of the vehicle ;
- (51). "**permission**" means an authorization in writing by the Agency to carry out work of development or building construction and regulated by these rules, which would be unlawful otherwise;
- (52). "**plinth**" means the portion of the structure between the surface of the surrounding ground and surface of the floor immediately above the ground;
- (53). "**plinth area**" means the built up covered area measured at the plinth level;
- (54). "**podium**" means the over-ground, covered or open parking/ open space

which may be built over and beyond the permissible ground coverage area but does not extend into the prescribed minimum open spaces of the plot-**Explanation.**- Such parking space shall be called a stilt if it is within the limits of ground coverage.

- (55). **"porch"** means a space that may be covered by cantilevered projection or simply supported structure at lintel level or slab level or podium level which is open from three sides and is intended to be used for parking of vehicles, picking/ dropping of passengers. Such area shall not be counted in ground coverage and F.A.R.;
- (56). **"private garage"** means a building not exceeding 25 sq. mtrs., whether permanent or temporary or a portion thereof designed and used for parking of privately owned mechanically propelled motor vehicles of any description or other vehicles, (in either case in private ownership);
- (57). **"public garage"** means a building or portion thereof other than a private garage, designed or used for repairing, servicing, hiring, selling or storing or parking of motor vehicles of any description or other vehicles;
- (58). **"Rear Open Space" or "Rear Marginal Open Space (RMOS)"** means an open space across the rear of a plot between the rear of the building and the rear boundary of the plot;
- (59). **"Refuge Floor"** means a floor area reserved in a building where people can take shelter in case of a fire. A refuge area will have to be provided at every 7th habitable floor after the first 24 m of the high rise building. The refuge area shall be provided within building line at floor level. In case of high rise buildings having height more than 30 m, the first refuge area shall be provided at 24 m or 1st habitable floor, whichever is higher. Thereafter, the refuge area shall be provided at every 7th habitable floor,".
- (60). **"room height"** means a vertical distance measured from the finished floor surface to the finished ceiling surface. Where a finished ceiling is not provided, the underside (bottom) of joists or beams or tie-beams shall determine the upper point of measurement;
- (61). **"row housing/ row type building"** means a row of buildings with only front and rear Marginal Open Space or interior open spaces;
- (62). **"sanctioned plan"** means the set of plans and specifications related to the development of land or construction of buildings which has been duly approved and sanctioned by the Agency with or without conditions;
- (63). **"semi-detached building"** means a building detached on three sides;
- (64). **"service floor"** means a covered floor specially provided for diverting/ repairing/ managing the building services like electricity/ sewage/ water

- supply/ drainage/ air conditioning lines and does not extend beyond the limits of the floor immediately below;
- (65). **"service lane"** means a road / lane provided at the rear or side of a plot for service purpose;
- (66). **"set back line"** means a line laid down in each case by the Agency usually parallel to the plot boundaries beyond which nothing can be constructed towards the site boundaries, except permissible projections, porch, garages;
- (67). **"Shopping Mall"** means integrated multi-storied shopping centre where commercial activity is carried out along with sufficient public spaces, amenities, security arrangements and parking as required in these rules;
- (68). **"Side Open Space" or "Side Marginal Open Space (SMOS)"** means an open space across the side of the plot between the side of the building and the side boundary of the plot;
- (69). **"Site"** means a parcel of land enclosed by definite boundaries proposed for definite purpose;
- (70). **"Site interior or tandem"** means site, access to which is by a passage from a street, whether such passage forms part of site or not;
- (71). **"skyway"** means a structure built overground, whether covered or uncovered, which connects two or more buildings and is used for pedestrian movement. The height of the skyway above the ground shall depend upon use of the passage underneath;
- (72). **"State Government"** for the purpose of these Rules it shall mean Commerce, Industry and Employment Department, Government of Madhya Pradesh;
- (73). **"storey"** means the portion of a building included between the surface of any floor and the surface of the floor next above it or if there be no floor above it, then the space between any floor and the ceiling next above it;
- (74). **"street"** means any means of access namely highway street, lane pathway, alley, stairway, passageway, carriageway, footway, square place or bridge, whether a thoroughfare or not over which the public have a right of passage or access, or have had access uninterruptedly whether existing or proposed in any sanctioned plan or co-ordination plan or Development/ Zoning Plan and includes all bunds, channels, ditches, storm water drains, culverts, sidewalks, traffic islands roadside trees and hedges retaining walls, fences barriers and railings within the street lines;
- (75). **"street level or grade"** means the officially established elevation or grade of the central line of the street upon which a plot fronts and if there is no officially established grade, the existing grade of the street at its mid-point;

- (76). **"street line"** means the line defining the side limits of a street;
- (77). **"subway"** means a passage constructed under the ground for the movement of the pedestrians or vehicles or both;
- (78). **"Scheme"** means Investment Region Development and Management Scheme prepared by the Agency;
- (79). **"to abut"** a plot or land or building is said "to abut" a road or a street, if a portion of the plot or land or building touches the road or street edge;
- (80). **"to erect"** or **"to erect a building"** means,-
- to erect a new building on any site whether previously built upon or not;
 - to re-erect any building of which portions above or below the plinth level have been pulled down, burnt or destroyed; and
 - conversion from one occupancy to another;
- (81). **"travel distance"** means distance from the remotest point on a floor of a building to a place of safety, whether it is vertical exit, or a horizontal exit to an outside exit measured along the line of travel;
- (82). **"verandah"** means covered area in residential building with at least one side open;
- (83). **"water closet (WC)"** means a privy with arrangement for flushing the pan with water;
- (84). **"window"** means an opening other than a door to the outside which provides all or part of the required natural light or ventilation or both to an interior space;
- (85). Words and expressions used in these rules and not defined but defined in the Act shall have the meanings respectively assigned to them in the Act.
- (86). words for the purpose of these rules which have not been defined in these rules shall have the same meaning as in the Madhya Pradesh Bhumi Vikas Niyam 2012 or National Building Code or Factories Act 1948 or Indian Standard Code in that order;

Note :- In these rules, whenever the population has to be considered, the data of the latest published census shall be taken;

3. **Applicability of the rules.-**

- Where an Investment Region Development and Management scheme has to be prepared and implemented, the rules shall apply to all the activities as mentioned in the Act;
- Where a building is erected, the rules shall apply to the design and construction of the building;

- (c) Where the whole or any part of the building is to be demolished, the rules shall apply to any remaining part and to the work involved in demolition;
- (d) Where a building is to be altered the rules shall apply to the whole building whether existing or new, except that the rules shall apply only to part if that part is completely self-contained with respect to facilities and safety measures;
- (e) Where the occupancy of a building is to be changed, the rules shall apply to all parts of the building affected by the change;
4. **Existing building-** Nothing in these rules shall require the demolition, alteration or abandonment of a building existing on the date on which the relevant provisions of these rules come into force nor prevent continuance of the use or occupancy of an existing building unless in the opinion of the Agency, such building or portion thereof constitute a hazard to the safety of the adjacent property or to the safety of the occupants of the building itself.
5. **Alternative materials, methods of design and construction and tests.-**
- (1) The provisions of these rules are not intended to prevent the use of a material or method of design or construction which have not been specifically prescribed by these rules or the Code, but any such alternative must be approved by the Agency.
- (2) **Green building:** The State Government may notify in the official gazette the norms and standards of energy efficient, environment friendly building designs and may direct the Agency to enforce the same.

CHAPTER 2

PREPARATION OF INVESTMENT REGION DEVELOPMENT AND MANAGEMENT SCHEME

6. **State Government to authorize an Agency**
- (1) State Government may authorize an Agency with its jurisdiction to implement the provisions of the Act.
- (2) The Agency shall be responsible for preparation of Investment Region Development and Management Scheme and to follow other provisions of the Act.

7. Selection of Draft Scheme Area, publication and objections;

- (1) The Agency shall identify the area in which the scheme shall be implemented and shall submit the proposal for preparing the Scheme on the identified land to the State Government. Such proposal shall be accompanied by the following documents and particulars, namely;
 - (a) Description of land (location with name of road/roads or/of which the land is situated and its boundaries).
 - (b) Khasra plan showing khasra numbers of the land in question and also adjoining khasra numbers lying within 200 mtrs. from the outer limit of the land. The land in question shall be shown in red in khasra map.
 - (c) Location plan, indicating the land in question showing main approach roads and any other important buildings in the vicinity.
 - (d) A tentative first stage estimate of development and financial feasibility of the project.
 - (e) A note indicating the type of development proposed namely, industrial/ commercial/ residential or mixed or any other development.
- (2) On receipt of the proposal of Draft Scheme Area, the State Government may approve with such modifications as it may consider appropriate.
- (3) The Draft Scheme Area, as approved by the State Government under sub-rule 2, herein above, within a period of 30 days of such approval, Agency shall publish a public notice in **Form-I** declaring its intention of making the Scheme in the Draft Scheme Area, inviting objections and suggestions from the owners of the land and such other persons as may be interested. The Public notice mentioned herein shall be published in, -
 - (a) the official gazette; and
 - (b) At least in two Hindi newspapers having wide circulation in the Draft Scheme Area. Copies of the notice shall also be affixed on the notice boards of the office of Agency.
- (4) The Agency shall consider all the objections and suggestions which may be received under sub rule (3), with respect to the said Draft Scheme Area. It shall give an opportunity of hearing to all objections and suggestions before deciding the final Scheme Area.
- (5) The Agency shall after deciding the objections and suggestions if any, made under sub-rule (4) herein above, may approve the

Scheme Area with such modifications as it may find appropriate. The approved Scheme Area shall be finally published by the Agency in the Madhya Pradesh Gazette.

8. Appeal by aggrieved person;

- (1) Any person aggrieved by any decision taken by the Agency under sub-rule (5) of Rule 7, may within 15 days of the publication of final Scheme Area in the Madhya Pradesh Gazette prefer an appeal to the Appellate Authority.
- (2) The Appellate Authority shall decide the appeal within 45 days from date of filing the appeal.
- (3) The Appellate Authority shall issue notice to the appellant and decide such appeal after giving reasonable opportunity of being heard to the appellant;
Provided that no order shall be passed by the Appellate Authority unless the person affected thereby and the Agency has been given a reasonable opportunity of being heard.
- (4) The Appellate Authority shall after examining the record and the witnesses if any, pass such order as he thinks fit and proper, the order passed shall be final and binding on both the parties.

9. Preparation of Draft Development Scheme, its publication, objections, final Development Scheme and appeal;

- (1) The Agency shall prepare the draft Development Scheme for such area as has been published in the Gazette under sub-rule (5) of Rule 7; having such contents as considered appropriate, within a period of 180 days from the date of final publication of Scheme Area under sub-rule (5) of Rule 7. The agency may authorize an officer / organization to carry out the survey of the area, prepare existing land use map and take such other activity as are necessary for preparation of such draft scheme.
- (2) The Draft Development Scheme prepared under sub-rule (1) of Rule 9 shall be published together with a notice in **Form-II** inviting objections and suggestions on the said draft Scheme within a period of 30 days from the date of publication of such notice in;
 - (a) The Madhya Pradesh Gazette; and
 - (b) Atleast in two Hindi newspapers having wide circulation in the area concerned stating that the draft Development Scheme has been prepared under section 7 and is available

for inspection of general public at the office of the Agency during office hours.

- (3) The Agency shall after considering the objections and suggestions, approve the final Development Scheme with such modifications as it may deem appropriate. The final Development Scheme so approved shall be finally published together with a notice in **Form-III** in the Madhya Pradesh Gazette and also in two Hindi newspapers having wide circulation in the area in which the Scheme is to be implemented, informing that the final Development Scheme has been approved by the Board of the Agency and the same shall be available for inspection, for general public at the office of the Agency during office hours.
- (4) Any person aggrieved by the decision of the Agency, may within 30 days from the date of publication of final Development Scheme in the official Gazette may prefer an appeal to the Appellate Authority. The Appellate Authority shall decide the appeal within 45 days from the date of filing of the appeal.
- (5) The Appellate Authority shall after giving reasonable opportunity of hearing to the owner of the land and other affected persons if any, shall after examining the record, pass such an order as it deems fit and proper and the order passed by the Appellate Authority shall be final.

Provided that no order shall be passed unless the person affected thereby and the Agency has been given a reasonable opportunity of being heard by the agency.

10. Acquisition of land;

- (1) The Agency may, if required, make an application to the Collector for the allotment of government land that may be situated within the boundaries of the scheme and the Collector shall allot and transfer the said land in favour of the Agency.
- (2) The Agency shall, within 3 months after the final publication of development scheme under sub-section 2 of section 8 of the Act, proceed to acquire the private land situated within the boundaries of the Scheme, through agreement with the owners.
- (3) The Agency, where the owner agrees, shall execute the agreement in **Form-IV**. The Board may permit such modifications in **Form-IV** as may be considered appropriate for that Development Scheme.
- (4) The Agency, where it is satisfied that the land parcels of private owners are small and not feasible for land sharing then agency it

may decide the rate of compensation based on market price and acquisition of these small parcel of lands can be done by paying the compensation amount to the land owners and make the registration of the land in favour of the Agency. The Agency shall also have full powers to negotiate the price of the land with the land owners.

- (5) (a) If the Agency is satisfied that acquisition by agreement is not possible it shall request the District Collector to acquire the said land under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (30 of 2013). All expenditure incurred in such acquisition shall be borne by the Agency.

In cases where the acquisition of land is not possible through agreement, the Agency can also opt to acquire the land from the land owners by adopting the provisions of "Consent Land Purchase Policy" as notified by the Revenue Department in the Gazette in November 2014 and its subsequent modifications, if any.

- (b) Notwithstanding any action that may have been taken for acquisition of land under clause (a) of sub rule 5 the Agency may, on application of the owner, enter into the agreement in **Form-IV**;

provided that on the date of such agreement proceedings under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013 (30 of 2013) have not been initiated by the competent authority.

- (6) The land acquired under sub rule (3), (4) & (5) hereinabove shall, on acquisition, vest free of all encumbrances in the Agency.

11. **Modification of Scheme;**

If it seems necessary in public interest to do so, the Agency shall suo-motto or under request from the land owner(s) shall prepare a factual report regarding the modification of the Scheme and with the prior approval of the Appellate Authority can do the necessary modifications.

CHAPTER 3**ORGANISATION SET UP AND POWERS****12. Department of building permission and inspection,-**

- (1) The Agency shall have a department of building permission and inspection which will be headed by the officer incharge of the said department shall be the person having minimum qualifications prescribed in rule 30 for an Engineer or Architect or Town Planner and shall be designated as Building Officer.
- (2) The Agency may designate suitable number of Building Inspectors and other technical officials, having qualifications not less than those prescribed for supervisors in rule 30 to assist the Building Officer. The Agency may also outsource this activity conforming to the qualifications mentioned in rule 30.

13. Duties of the Building Officer. -

- (1) The Building Officer shall be responsible for compliance of the provisions of these rules and all lawful orders or instructions issued pursuant thereto.
- (2) The Building Officer shall -
 - (a) receive all applications for permission under rule 20 and may issue permission;
 - (b) inspect the premises for which permissions have been issued and ensure compliance with these rules;
- (3) The Building Officer may as and when necessary issue all necessary notices or orders to, -
 - (a) remove illegal or unsafe construction;
 - (b) require necessary safeguards during development or construction;
 - (c) ensure compliance with the provisions of these rules.

14. Right of entry -- The Building Officer or his duly authorized representative may, after giving prior notice, enter at any reasonable time in any building or premises to perform any duty imposed upon him under these rules;

Provided that in case of any building being used as a dwelling house, or upon any enclosed part of garden attached to such building, no such entry shall be made except between the hours of sunrise and sunset and after giving its occupiers at least 24 hours' notice in writing of the intention to enter.

- 15. Inspection--** The Building Officer may make or cause to be made all the required inspections. All reports of inspections shall be in writing and duly certified by the inspecting officer. The Building Officer may, after obtaining the approval of the CEO, engage any such person as he may deem appropriate to advise and report upon any technical and/or legal issues that may arise.
- 16. Constructions not according to plan--**(1) if at any stage the Building Officer is of the opinion that construction is not proceeding according to the sanctioned plan or is in violation of any of the provisions of these rules or any other law for the time being in force, he shall notify the owner/ applicant/ occupier and thereupon all further construction that are not in conformity with these rules or any other law shall be stopped until correction has been effected and approved.
- (2) If the owner/ applicant/ occupier fail to comply with the requirements at any stage of construction, the Agency may suspend the permission for development and / or building construction and shall cause notice of such cancellation to be served to the owner / applicant / occupier. If the owner/ applicant / occupier is not traceable at his known address and there is no agent to receive the notice on behalf of the owner/ applicant/ occupier the notice may be securely pasted upon the said development and/ or construction. Pasting of such a notice shall be considered sufficient notice of cancellation of the said permission to the owner/ applicant/ occupier thereof.
- 17. Occupancy violations --** Whenever any building is being used by any person contrary to provisions of these rules, the Building Officer may by notice require discontinuance of such use of such building or portion thereof. Such person shall discontinue the use within ten days of the receipt of such notice comply with requirements of the rules. If the building does not discontinue the occupancy violation within 10 days, the building shall be declared as unauthorized by building officer and process for demolition shall be initiated and demolished. During this process, the occupants of this building shall be ordered to vacate the building within 3 days by giving a written notice to them and the whole building shall be vacated and sealed for demolition. If such person agrees to comply with requirements of the rules within a period of 45 days then the Agency may decide to unseal the building.

CHAPTER - 4 PERMISSION AND REGULATORY PROVISIONS

18. Permission for development or for construction. -

- (1) Development or construction with the permission of the Agency:-
No person shall carry out any development or erect, re-erect or make alterations or demolish any building or cause the same to be done without obtaining a prior permission in writing in this regard from the Agency;

Provided that no permission shall be required for,-

- (a) opening and closing of a window or door or ventilator;
- (b) providing inter-communication doors;
- (c) providing or removing internal partitions;
- (d) providing or removing false ceilings;
- (e) gardening;
- (f) white washing;
- (g) painting;
- (h) re-tiling and repairing of roof;
- (i) plastering and patch work;
- (j) re-flooring;
- (k) constructions of sun shades on one's own land;
- (l) re-erection of portions of buildings damaged by earthquake or other natural calamities, to the same extent and specifications as existed prior to such damage;
- (m) re-erection of portion of buildings damaged by any other calamity, notified by the District Collector with the previous approval of the State Government, to the same extent and specification as existed prior to damage.
- (n) carrying out works in compliance with any order or directions made by any Agency under any law for the time being in force;
- (o) carrying out works by any Agency in exercise of its powers under any law for the time being in force;
- (p) any work carried out by the Central or the State Government or any local Agency,-
 - (a) required for the maintenance or improvement of a highway, road or public street, being works carried out on land within the boundaries of such highway, road or public street;
 - (b) for the purpose of inspecting, repairing or renewing

any drains, sewers, mains, pipes, cables, telephone or other apparatus including the breaking open of any street or other land for that purpose:

Provided that no work which would entail breaking open any street shall be undertaken without prior intimation to the Agency.

- (q) the erection (including wells) made in the ordinary course of agricultural operation.
- (r) the construction of a road intended to give access to land solely for agricultural purpose;
- (s) the normal use of land which has been used temporarily for other purpose like marriage pandals or for festive occasions;
- (t) in case of land, normally used for no purpose or occasionally used for any purpose, the use of land for the other purpose or occasions not involving permanent diversion or diversion for substantial period.
- (u) In case of construction of boundary wall and or fencing in order to secure the periphery of land.

(2) In the case of a high rise development and/or building permission shall be granted by the Chief Executive Officer (CEO) of the Agency, after getting site clearance from the Site Clearance Committee, to be constituted by the State Government in this regard.

(3) Both the permission for development and also the permission for building shall be necessary for commencement of building activities involving development of land as a composite building scheme.

19. Development/ Building permission issued prior to these rules -- Any permission, sanction or approval given or order passed or any action taken or anything done in respect of the matters covered by these rules under any law or rule in force immediately before the commencement of these rules shall be governed in accordance with the provisions of law or rules under which such sanction or approval was given, order was passed or any action was taken or anything was done, as if these rules have not come into force:

Provided that at the time of application for renewal of such permission fresh sanction under these rules shall be required for that part of the work which was not started and the same may be granted.

- 20. Application for composite Building permission.-** (1) Every person who intends to develop the land, construct a building, erect, re-erect or make alterations in any land or building shall make an application in writing to the Agency in the form given in Appendix A-1 and it shall be the duty of the Agency or of the officer authorised by the Agency to issue required permissions within a period of 20 days of receiving the application as above. The period of delay in submitting the required documents by the applicant shall not be counted in the above time period of 20 days. Such notice shall be accompanied by the documents, plans and statements in quadruplicate. The plans shall be in ammonia print or white print. In addition an electronic copy shall also be submitted. The electronic copy shall be prepared in such software as may be directed by the Agency. One set of ammonia prints or white print shall be cloth mounted or laminated which may be retained in the office of the Agency for record. The application shall be accompanied by the documents, mentioned in **Appendix A-1** as the case may be along with copy of receipt of application fee. The application shall also be accompanied by a certificate duly signed by Structural Engineer/ Architect/ Engineer/ Supervisor of the building stating that all the provisions of rule 104 (for Earthquake prone areas) has been complied with.
- (2) The application for modifying a permission already granted under sub rule (1) above shall be submitted along with the detailed information and documents. The Building officer with approval from the CEO shall modify the permission already granted to such extend up to which it deems fit.
- 21. Earthquake proof.-** In addition to the document prescribed in rule 20, the certificates as indicated in **Appendix A-2, A-3, A-4, A-5, A-6 and A-7** shall be submitted duly signed by the Developer, Architect and Structural Engineer where the land is situated in earthquake prone areas. In case of larger buildings having more than 500 square meters built up area or in case of more than 3 storied buildings, the certificates as' per **Appendix A-8, A-9 and A-10** shall be submitted separately by the Architect, Developer and Structural Engineer respectively on the completion of the project concerned.
- 22. Information accompanying application. -** (1) The application in **Appendix A-1** shall be accompanied with application fee, Key Plan, Site Plans, Sub-Division/ Layout Plan, Service Plans, Project Report out lining the proposed development, documents showing proof of ownership or of

any legal right in relation to the site, proof of the applicant having been authorized by the owner to submit the application (if applicant is not the owner), parking plans along with parking calculations and certificate of supervision as prescribed in sub-rule (2) to (12) of this rule.

(2) Size of Drawing sheets.-

(a) the size of drawing sheets shall be any of those specified in Table-1.

TABLE – 1
SIZE OF DRAWING SHEETS
[See rule 22 (2) (a)]

S.No.	Designation	Trimmed size In mm.	Untrimmed Size In mm.
(1)	(2)	(3)	(4)
1.	A0	841X1189	980X1,230
2.	A1	594 X 841	625 X 880
3.	A2	420 X 594	450 X 625
4.	A3	297 X 420	330 X 450
5.	A4	210 X 297	240 X 330
6.	A5	148 X 210	165 X 240

(b) recommended notation for Colouring Plans:- The plans shall be coloured as specified in Table-2.

TABLE-2
COLOURING OF PLANS
[See rule 22(2) (b)]

S.No.	Item	Site Plan		Building Plan	
		White Plan	Ammonia Print	White Plan	Ammonia Print
(1)	(2)	(3)	(4)	(5)	(6)
1.	Plot Lines	Thick	Thick black	Thick black	Thick black
2.	Existing street	Green	Green	—	—

S.No.	Item	Site Plan		Building Plan	
		White Plan	Ammonia Print	White Plan	Ammonia Print
(1)	(2)	(3)	(4)	(5)	(6)
3.	Future street, (if any)	Green dotted	Green dotted	—	""
4.	Permissible building Lines	Thick dotted black	Thick dotted black	Thick	—
5.	Open spaces	No colour	No colour	No colour	No colour
6.	Existing work	Black (out line)	Blue	Black	Black
7.	Work proposed to be demolished	Yellow hatched	Yellow hatched	Yellow hatched	Yellow hatched
8.	Proposed work (see note-1)	Red filled in	Red	Red	Red
9.	Drainage and Sewerage Work.	Red dotted	Red dotted	Red dotted	Red dotted
10.	Water supply work	Black dotted Thin	Black dotted Thin	Black dotted Thin	Black dotted Thin

Note 1: Colouring of plans need not be done for entirely new construction. However for extension of an existing work this shall apply.

Note 2: For land development, sub-division, layout, suitable colouring notations duly indexed shall be used.

- (3) **Key Plan** -- A key plan drawn to a scale of not less than 1:10,000 shall be submitted along with the application for permission for a development/ building (composite building development) showing the boundary locations of the site with respect to neighbourhood landmarks. The minimum dimension of the key plan shall be not less than 75 mm.

- (4) Site Plan** – The site plan shall be drawn to a scale of not less than 1 : 1000 for site up to ten hectares and not less than 1 : 2000 for a site more than ten hectares and shall show:-
- (a) the boundaries of the site with dimensions and of any contiguous land belonging to the applicant indicating Khasra number or any other equivalent local denominations and in case the contiguous land owned by the applicant had been sub-divided earlier, public facilities provided in it and all streets within it opening out in the site for which the permission is being sought;
 - (b) the position of the site in relation to neighbouring street;
 - (c) the name of the street in which the building is proposed to be situated, if any;
 - (d) all existing buildings on, over or under the site including service lines;
 - (e) the position of the proposed building and of all other buildings (if any) which the applicant intends to erect upon his contiguous land referred to in sub-rule (a) in relation to,-
 - (i) the boundaries of the site and in case where the site has been partitioned, the boundaries of the portion owned by the applicant and also of the portions owned by others;
 - (ii) all adjacent streets, buildings (with number of storeys and height) and premises within a distance of 12 meters of the site and of the contiguous land (if any) referred to in sub-rule (a); and
 - (iii) if there is no street within a distance of 12 meters of the site, the nearest existing street.
 - (f) the means of access from the street to the building, and to all other buildings (if any) which the applicant intends to erect upon his contiguous land referred to in (a) above;
 - (g) space to be left about the building to secure a free circulation of air, admission of light;
 - (h) the width of the street (if any) in front and of the street (if any) at the side or rear side of the buildings;
 - (i) the direction of north point related to the plan of the buildings;

- (j) the position of all existing features like high tension line, telegraph and electrical poles / lines , underground pipe lines, trees, grave yards, religious buildings, railway lines, etc. within a distance of 30 meters from the nearest edge of the site, all major physical features of land proposed to be developed which include the approximate location and size of any water body, flood affected areas and contours at an interval of 0.3 meters in case of the site which has a slope more than 1:20;
- (k) present and proposed use of the land;
- (l) Area Statement in detail showing Total land area, Permissible Ground Coverage, Proposed Ground coverage, Permissible FAR, Proposed FAR, Open spaces, Parking Calculations; and
- (m) such other particulars, as may be prescribed by the Agency.
- (5) **Layout plan of composite building development work.** In case of development work, the application shall be accompanied by the layout plan of composite building development work, which shall be drawn on a scale of not less than 1: 500 containing the following particulars.-
- (a) scale used and north point;
- (b) the location of all proposed and existing roads with their existing/ proposed/ prescribed width within the land;
- (c) dimensions of plot along with building lines showing the setbacks with dimensions within each plot;
- (d) the location of drains, sewers, public facilities and services, and electrical lines, etc;
- (e) table indicating size, area and use of all the plots in the sub-division / layout plan, along with MOS, F.A.R., Ground Coverage, Building Height, Occupant load;
- (f) a statement indicating the total area of the site, area utilised under roads, open spaces for parks, playgrounds, recreation spaces and proposed layout-plan including reservations such as schools, shopping and other public places (if provided for) along with their percentage with reference to the total area of the site proposed to be sub-divided; and
- (g) The Plan, elevation and section of the building shall preferably be drawn to a scale of 1:100. The plan shall--
- (i) include floor plans of all floors together with the covered area clearly indicating the size and spacing of all framing members and size of rooms and the position of staircases, ramps and lift wells;

- (ii) show the use of occupancy of all parts of the building;
 - (iii) show exact location of essential services, for example, water closet, sink, bath including the water supply and drainage line;
 - (iv) include sectional drawing showing clearly the size of footings, thickness of basement wall, wall construction, size and spacing of framing members, floor slabs and roof slabs with their materials and size and locations of doors, windows and other openings. The section shall indicate the height of building and rooms and also the height of the parapets and the drainage and the slope of the roof. At least one section should be taken through the staircase;
 - (v) schedule showing calculations and designs in respect of RCC work, if any, involving structural engineering such as roof, slabs, columns, frame etc.
 - (vi) show elevation of front and sides;
 - (vii) indicate details of served privy, if any;
 - (viii) give dimensions of the projected portions beyond the permissible building line;
 - (ix) include terrace plan indicating the drainage and the slope of the roof;
 - (x) give indications of the north point relative to the plan, and the scale used;
 - (xi) schedule of built-up area floor-wise, F.A.R, proposed schedule of setbacks and coverage; and
 - (xii) for commercial building, indicate the placement and size of display boards.
- (h) **Building plan for high rise/ Special buildings.** For high rise buildings and for special buildings like educational, assembly, institutional, industrial, storage and hazardous and mixed occupancies having area more than 500 square meters the following additional information shall be furnished or indicated in the Building Plan :-
- (i) access to fire appliances/vehicles with details of vehicular turning circle and clear motorable access way around the building;

- (ii) size (width) of main and alternate staircase along with balcony approach, corridor, ventilated lobby approach;
 - (iii) location and details of lift enclosures;
 - (iv) location and size of fire lift;
 - (v) smoke stop lobby/door, if provided;
 - (vi) refuse chutes, refuse chamber, service duct;
 - (vii) vehicular parking space;
 - (viii) refuse area, if any;
 - (ix) details of building services, like air-conditioning system with position of fire dampers, mechanical ventilation system, electrical services, boilers, gas pipes, water/ sewage treatment plants;
 - (x) details of exits including provision of ramps, etc. for hospitals and special risks;
 - (xi) location of generator, transformer and switch gear room;
 - (xii) smoke exhauster system, if any;
 - (xiii) details of fire alarm system and network;
 - (xiv) location of centralized control, connecting all fire alarm system, built-in-fire protection arrangements and public address system, etc.
 - (xv) location and dimensions of static water storage tank and
 - (xvi) pump room along with fire service inlets for mobile pumps and water storage tank;
 - (xvii) location and details of fixed fire protection installations such as sprinklers, wet risers hose-reels, drenchers, carbon-di-oxide installations, and
 - (xviii) location and details of first aid fire fighting equipment or installations.
- (i) **Additional Information in case of High Rise Buildings:-** In respect of high rise buildings, the following additional information shall be given :-
- (i) **Urban Planning--**
 - land use as per Development plan;
 - land use as per zonal plan (if any);
 - land use as per layout plan (if any); proposed density.
 - (ii) **Traffic Planning--**
 - width of existing road;

- width of proposed road;
 - provision of entry and exist;
 - provision of service road;
 - A comprehensive circulation plan of the plot and of its adjoining areas;
 - arrangements for parking vehicles.
- (iii) **Fire prevention, fighting and protection Planning--**
- details of fire detection and fire fighting arrangement.
- (iv) **Planning of services--**
- internal water, sewerage, drainage, power, telecommunication, garbage disposal and cleaning of common spaces;
 - peripheral water, sewerage, drainage, power;
 - trunk water, sewerage, drainage, power, telecommunication and garbage disposal.
- (v) **Architecture--**
- plans of each floor;
 - necessary number of cross sections;
 - elevation of each sides;
 - details of toilet blocks and kitchen;
 - details of landscaping and tree plantation;
 - system of power connections from Electric poles, Telephone poles. Dust bins numbering, parking of different vehicles, covering of drains, over-head tanks and underground water tank.
- (6) **Service Plan** - Plans, elevations and sections of water supply and sewerage disposal system, if any, shall also be indicated. In case of building having more than three stories, elevation and section of the services shall also be included.
- (7) **Specification.**
- (i) Specifications both general and detailed, giving type and grade of materials to be used, duly signed by the licensed architect, structural engineer, engineer, supervisor or town planner, as the case may be, shall accompany the application.
- (ii) Every application for permission for sub-division of land shall also be accompanied by the following statements:-
- (a) A statement containing general specifications of all improvements proposed to be made within the area, for

example grading and paving of roads and lanes, provision of gutters, side drains, provisions for sufficient, safe and assured water supply, arrangement of sewage disposal, street lighting and development of parks and play-fields and public utility;

- (b) the purpose for which land is to be used and particulars of proposed distribution of land under different purposes;
- (c) general specifications of the material to be used, estimated cost of the proposed development of the area; and
- (d) any other statement required by the Agency.

(8) **Supervision:** The application shall be further accompanied by a certificate in form given in **Appendix-A-11** by the licensed architect, structural engineer, engineer, supervisor or town planner, as the case may be undertaking the supervision.

(9) **Certificate of structural design:** In high rise buildings, a certificate about structural stability duly signed by a structural engineer along with all relevant calculations shall accompany the application.

(10) **Proof of title etc.:** Every application shall be accompanied by the following as evidence of applicant's right, title or interest in the land or plot, namely :-

- (a) attested copy of the sale-deed, lease-deed, or any other document under which right, title or interest in land or plot is claimed;
- (b) attested copy of the khasra plan (patwariaks) and khatauni record, if any;
- (c) other document that may be considered necessary by the Agency. In case of lease hold plots, the lessee shall have to prove that he is entitled to construct on the lease hold plot; and
- (d) authorisation of owner, in case if applicant is not the owner.

23. **Preparation and signing of plans:-** The architect, structural engineer, engineer, supervisor or town planner, as the case may be, shall prepare and duly sign any plan and shall indicate his name, address, qualifications and license number and it's validity. The plans shall also be duly signed by the owner/ applicant indicating his address. The type of plans /

buildings that can be undertaken by the licensed professionals shall be as provided in rule 30.

- 24. Application for alteration:-** When the application is for making an alteration in the existing building, only such plans and statements, as may be necessary, shall accompany the application.
- 25. Development where land adjoins Government Property:-** In case a Government agency requests the Agency to provide copy of proposed development adjacent to the land owned by it, the same shall be provided.
- 26. Fees.-**
- (1) Every application referred to in rule 20 shall be accompanied by application fees as prescribed under sub rule (2) and an attested copy of receipt of such payment shall be attached with the application. An application received without such receipt shall not be deemed valid and hence rejected.
- (2) **Application Fee:** Application shall be accompanied by the fees which shall be as under:-
- (i) for the composite Building Permission Rs 1.00 per Square meter of the proposed built-up area;
- (ii) for development permission of land Rs. 5000/- per hectare.
- (iii) application fee shall not be refunded in any case.
- (3) **Permission fee:** The applicant shall pay the following permission fee before the permission is issued,-
- (a) In case of a building permission (including high rise buildings)

Item No.	Type of construction	Built up area		Fees Chargeable in Rs.
		from Sq m.	To Sq m.	
(1)	(2)	(3)	(4)	(5)
1.	A building intended to be used exclusively as residence	0	300	1,000
		301	600	4,000
		601	1,000	7,500
		1,001	1,500	10,000
		1,501	5,000	25,000
		5,001	10,000	50,000
Note: Rs. 10 /- Sq,mts, for every Sq,mts increase, above 10,000				

Item No.	Type of construction	Built up area		Fees Chargeable in Rs.
		from Sq m.	To Sq m.	
(1)	(2)	(3)	(4)	(5)
		Sq,mts		
2.	A building intended to be used as storehouse, factory or carrying on trade or business or any other commercial or industrial purpose.	Fees as prescribed in item No.1 together with additional charge of 25% of such amount of fees,		
3.	A building intended to be used as administrative block, any social, charitable, educational etc. purposes.	Fees as prescribed in item No.1		
4.	A building intended to be used for shops cum residence purpose or any other commercial purpose.	Fees as prescribed in item No.1 together with an additional charge of 50% of such amount of fees.		
5.	Addition or alteration in built up area (upto 10%) or external addition or alteration, in the approved plan, revalidation of the building permission. For more than 10% fresh application shall be submitted.	Rs. 500.00		

(b) In case of application under rule 20 of these rules the permission fee for development of land shall be as under :-

Item	For Development in following Land use Zones	Where population of the nearest town is		
		More than 10 lakhs	5 to 10 lakhs	Less than 5 lakhs
(1)	(2)	(3)	(4)	(5)
Permission fee payable (Rs./ Hectare)	Residential or Public and Semi public or Industrial or Transportation, commercial, recreational, agriculture etc.	75,000	50,000	25,000.
Re-validation	Residential or Public and	10% of the amount of permission		

Item	For Development in following Land use Zones.	Where population of the nearest town is		
		More than 10 lakhs	5 to 10 lakhs	Less than 5 lakhs
(1)	(2)	(3)	(4)	(5)
of the development permission	Semi public or Industrial or Transportation, commercial, recreational, agriculture etc.	fees charged originally in respect of the concerned development permission		

- (c) The Agency may reject the application if the applicant does not deposit the permission fee within 15 days of receiving the intimation to deposit such fees. Such intimation shall be sent by registered post to the applicant.
- (d) Agency shall keep a set of approved standard building plans for plot size upto 150 sq.mts. In case the owner's/ applicant plot is situated in approved layout, and he wishes to construct his residence as per one of the standard approved plans available with the Agency, he may apply to the Agency in the prescribed format indicating his choice of the standard approved plan along with the requisite fees and his ownership documents. The receipt of payment of fee to the Agency in such case shall be considered as authorized building permission.
- (4) Application for modification,- In case an application for modifying a permission already granted under proviso of the rules is applied, only the application fee prescribed in sub rule(2) hereinabove shall be charged. No permission fee mentioned in clause (a) of sub-rule (3) shall be payable in such cases.
- (5) Withdrawal of application: In case the applicant withdraws his application and plans at any time before sanction then such withdrawal shall terminate all proceedings with respect to such application. In the event of submission of a fresh application within a period of three months from the date of such withdrawal, the application fee paid earlier shall be adjusted towards fee payable for fresh application. In no case the fees once paid shall be refunded.

27. Merger and division

(A) Merger of plot

(1) An application for merger of a plot with another plot or land shall be made to the Agency by the owners or a person authorized by the owner(s) of such plot or land, as the case may be, in **Form- V**. The documents mentioned in the form shall also be submitted along with the application. The application fee shall be Rs 5000/- and a copy of receipt of payment of such fee shall be submitted along with the application. In case the application of merger is allowed the applicant shall have to pay a permission fee equal to Rs 25000/- at the time of the grant of such permission.

- (2) (i) The Agency may either,-
- (a) accept the application; or
 - (b) reject the application; or
 - (c) accept the application with such conditions as considered appropriate.
- (ii) However an application of merger shall not be accepted, if such merger.-
- (a) adversely affects in any manner the right of access of any person;
 - (b) violates the norms prescribed in the applicable Development Scheme or the provisions of the Act or these rules.

(B) Division of the plot

- (1) An application for division of a plot shall be made to the Agency in **Form-VI**. The documents mentioned in the form shall also be submitted along with the application
- (2) The application fee shall be Rs 5000/- and a receipt of payment of such fee shall be submitted along with the application. In case the application of division is allowed the applicant shall have to pay a permission fee of Rs 25000/- at the time of the grant of such permission.
- (3) (1) The Agency may either-
- (a) accept the application; or
 - (b) reject the application; or
 - (c) accept the application with such conditions as considered appropriate.
- (4) However an application of the division of the plot shall not be accepted if such division-

- (a) adversely affects in any manner/the right of access of any person.
- (b) Violates the norms prescribed in the applicable development Scheme or the provisions of the Act or these rules.

28. Duration of sanction:-

- (1) In case of permission under Rule 20 of the sanction once accorded shall remain valid up to five years.
- (2) The permission may be revalidated if it not expires. Such revalidation may be permitted for two consecutive terms of one year each, after which proposals shall have to be submitted afresh. In case the application for revalidation is submitted after the expiry of the said period of five years, the Agency shall charge a permission fee equal to the fee prescribed under clause (a) of sub-rule (3) of rule 26 before revalidating the same. However no fee shall be charged if the application for revalidation is received before the expiry of its validity. The limitation of seven years shall not be relaxed.
- (3) In case execution of the project begins during the validity of the permission granted under Rule 20, the permission shall not be deemed to lapse thereafter at any time and no revalidation shall be required.

29. Revocation of permission. -

The Agency may suspend or revoke any permission granted by it under the provisions of these rules if it has reasons to believe that such permission has been obtained on the basis of a false statement or any misrepresentation of any material fact or that the conditions imposed in the permission have been violated or that the provisions of the Act or rules made there under have not been observed.

Provided that, no such order shall be passed unless, the person who obtained such permission has been given an opportunity of being heard.

Provided further that such order of revocation or suspension may be annulled if the applicant cures the violation of the Act or the rules or any conditions imposed in the permission within the stipulated time as prescribed by the Agency. However where the permission has been obtained on the basis of a false statement or any misrepresentation of any material fact no such order of revocation shall be annulled.

30. Licensing of Engineer, etc:-(1) The Agency may issue licenses in form VII to the Structural Engineers, Engineers, Supervisors and Town Planner, who possess the minimum qualifications as laid down in sub-rule (2).

(2) The minimum Qualification prescribed for the issue of license to an Engineer etc. is given in column (2) :-

Designation (1)	Minimum Qualification (2)
1. Architect	An architect, who is duly registered with the council of Architect under the Architects Act, 1972. Such Architect shall not require any separate license from Agency.
2. Structural Engineer	Graduate in Civil Engineering of recognized Indian or Foreign University and/ or Chartered Engineer or Associate Member in Civil Engineering Division of Institution of Engineers (India) or equivalent Overseas Institution with three years experience in Structural Engineering practice with designing and field work: Provided that the three years experience shall be relaxed to,- (a) two years in case of post-graduate degree of recognized Indian or Foreign University with branch of Structural Engineering; (b) one year in case of Doctorate in Structural Engineering.
3. Engineer	The Corporate Membership (Civil) of the Institution of Engineers (India) or such Degree or Diploma in Civil, Municipal or Structural Engineering which makes him eligible for such membership.
4. Supervisor	(a) three years Architectural Assistantship or Intermediate in Architecture or Diploma in Civil Engineering with two years experience under an Architect or an Engineer; or,

Designation	Minimum Qualification
(1)	(2)
	(b) draftsman in Civil Engineering from Industrial Training Institute with five years of experience under an Architect or an Engineer.
5. Town Planner	Graduate in Architecture or Civil engineering or physical planning with post graduation in Town Planning or Urban Planning or Regional Planning or Housing Planning or Transport Planning or Urban Design or Landscaping Architecture

- (3) Any person desirous of getting a license under this rule shall apply to the Agency with attested copies of certificates on which the claim is based and also receipt in token of payment of license fees :-
- (i) certificates on which the claim is based; and
 - (ii) receipt in token of payment of license fee.
- (4) The Agency granting a license shall maintain a register entering therein the details of the person to whom license is issued or renewed.
- (5) The license shall be valid permanently unless cancelled by the Agency.
- (6) Fee - The fee for grant of license shall be as under:-
- | | |
|---|-------------|
| 1- Structural Engineer, Engineer and Town planner | Rs. 1500.00 |
| 2- Supervisor | Rs. 750.00 |
| 3 - Group or Agency | Rs. 3600.00 |
- (7) A license may be renewed for similar period after the expiry of the period of the original license on payment of fee prescribed in sub-rule (6).
- (8) Licensee shall work in accordance with the terms of his license.
- (9) An Architect or a licensed Structural engineer/ Engineer/ Supervisor/ Town Planner shall be competent to perform the duties indicated herein below.
- (A) **Architect-Competence.**-An Architect who is registered with the council shall be competent to carryout work related to the permission for building and shall be entitled to submit:-
- (i) all plans and information connected with permission for

- all building irrespective of size and height;
- (ii) structural details and calculations for residential buildings on plot up to 500 square meters and up to three storey's or 12.50 meters in height;
 - (iii) certificate of supervision and completion of all buildings;
 - (iv) all plans and related information connected with permission for development of area up to 4 hectare; and
 - (v) certificate of supervision for development of land area up to 4 hectare.
- (B) Structural Engineer-Competence.-** The licensed Structural Engineer shall be competent to carry out the work relating to permission of building, and shall be entitled to submit:-
- (i) all plans and information connected with permission for residential buildings on plots up to 500 Sq m. and up to three stories or 12.50 m in height.
 - (ii) the structural details and calculation for all buildings;
 - (iii) certificate of supervision and completion of all buildings;
 - (iv) all plans and related information connected with permission for development of area up to one hectare;
 - (v) certificates of supervision for development of land area up to one hectare.
- (C) Engineer-Competence.-** The licensed Engineer shall be competent to carry out the work related to the permission for building as given below and shall be entitled to submit :-
- (i) all plans and information connected with residential building on plot up to 300 sq meter and up to two stories or 7.5 meter in height.
 - (ii) structural details and calculation for all buildings on plots up to 500 sq m and height upto four Stories (15m);
 - (iii) certificate of Supervision and completion for all buildings;
 - (iv) all plans and related information connected with permission for development of area up to 1 hectare; and
 - (v) certificate of supervision for development of land area up to 1 hectare.
- (D) Supervisor-competence.-**The licensed Supervisor shall be

entitled to submit:-

- (i) all plans and related information connected with the permission for residential buildings on plots up to 200 sq m. and up to two stories or 7.5 meters height;
 - (ii) certificate of supervision for buildings in (i) above .
- (E) Town Planner-competence.** - The licensed Town Planner shall be entitled to submit:-
- (i) all plans and related information connected with permission for development irrespective of the size of land; and
 - (ii) certificate of supervision for development of land as in (i) above
- (F) Group** - When a group of qualified architects, engineers, town planners is practicing, then the qualification and competence of work shall be equivalent to the highest competency of individual in the group.

31. Grant of permission or refusal:-

The Agency may either sanction or refuse the building plans and specifications or may sanction them with such modifications or directions or conditions as it may deem appropriate and thereupon shall communicate its decisions to the applicant in **Form VIII**. One set of Sanctioned Plan (ammonia prints / white print) shall be cloth mounted/ laminated which shall be retained in the office of the Agency for record.

32. Limitation period for grant or refusal of permission. -

If the Agency fails to intimate in writing its refusal of sanction to the applicant within the period of 60 days, the permission shall be deemed to have been sanctioned. However nothing shall be construed to authorize any person to do anything in contravention of provisions of the Act and Rules made there-under and against the provisions of Development Scheme or against the terms of lease and titles of the land or against the provisions of any other law/ instructions issued by the Central or State Government, operating on the site of the work;

Provided that in computing the period of 60 days a period in between the date of requisitioning any further information or documents from the applicant and date of receipt of such information or documents from the applicant shall be excluded.

33. Reasons to be given when permission refused:-In the case of refusal the Agency shall give the reasons for doing so. The Agency shall as far as

possible point out all the objections on the application, plans, specifications and documents submitted in the first instance itself and ensure that no new objections are raised when they are resubmitted after compliance of earlier objections.

- 34. Owner to resubmit plan complying with objections:-** Once the plan has been scrutinized and shortcomings / objections have been pointed out, the applicant shall modify the plan to comply with the shortcomings / objections raised and shall resubmit it. The Agency shall scrutinize the re-submitted documents / plan and if there be further objections, the application may be rejected.
- 35. Responsibilities and duties of the Applicant / owner :-** (1) Neither the granting of the permission nor the approval of drawings and specifications nor inspections made by the Agency during erection of the building shall in any way relieve the applicant and owner of such building from its responsibility of carrying out the work in accordance with the requirements of these rules and the provisions of the applicable Development Scheme.
- (2) Every applicant or owner shall-
- (a) permit the Agency or person authorized by it or the Building Officer or person duly authorized by him to enter in the building or premises for which the permit has been granted at any reasonable time for the purpose of ensuring the compliance of these rules;
 - (b) submit a document of ownership or right of interest in relation to the site;
 - (c) obtain, where applicable, from the respective Authorities, permissions relating to building, zoning, grades, sewers, water-mains, plumbing, signs, blasting, street, occupancy, electricity, highways and all other permissions, required in connection with the proposed work;
 - (d) give notice to the Agency of the intention to start work on the building site in **Form IX**;
 - (e) give notice in writing to the Building Officer to arrange inspection when the work reaches plinth level in **Form X**;
 - (f) give written notice to the Agency regarding completion of work described in the permission in **Form XI** and;
 - (g) obtain permission for occupancy in **Form XII** from the Agency prior to any:-
 - (i) occupancy in the building or part there-of, after

- construction or alteration of that building or part thereof; or
- (ii) change in the class of occupancy of any building or part thereof;
- (h) upon the request of the applicant or owner, the Agency will issue occupancy certificate of the building within 30 days from the receipt of such request. If such permission is not issued within 30 days from receipt of the application or suitable instructions for changes have not been issued by the Agency within the said period the occupancy permission shall be deemed to have been issued.
- (3) In case of applicant or owner failing in fulfilling the responsibilities and duties, the building officer will take action as per the relevant provisions of Act and Rules, as the case may be.
- 36. Documents at site.** - (1) Where tests of any materials are made to ensure conformity with the requirements of these rules, records of the test data shall be kept available for inspection during the construction of the building and for such period thereafter as required by the Agency.
- (2) The person to whom permission is issued shall during construction keep:-
- (a) posted in conspicuous place on the property in respect of which the permission was issued, a copy of the permission for building and or development, as the case may be; and
- (b) a copy of the approved drawings and specifications referred to in rule 22 of the property in respect of which the permission was issued.
- 37. Inspection by the Agencies-** (1) Generally every construction or work for which permission is required or issued shall be subject to inspection by the Agency. The Agency may appoint special inspectors, if the construction involves hazards or require constant inspection.
- (2) Inspection, where required, shall be made within 7 days following the receipt of notice regarding start of work on the site. After the expiry of such period the applicant or owner shall be free to continue the construction according to the sanctioned plan. At the first inspection, the Agency shall determine to the best of its ability, whether the building has been located in accordance with the approved plans. The final inspection of the completed work shall be made within 21 days following the receipt of notice regarding completion of work at site.

(3) When inspection of any construction operation reveals any lack of safety precaution, the Agency shall have right to direct the applicant or owner to stop the work immediately until the necessary remedial measures are taken.

38. **Demolition of Building.**- Before a building is demolished, the applicant or owner shall notify the concerned service providers of various services like water, electric, gas, sewer, and other service connections. A permission to demolish a building shall not be issued until a release is obtained from the utilities stating that their respective service connections and appurtenant equipment, such as meters and regulators have been removed or sealed and plugged in a safe manner.

39. **Architectural control.** - (1) Compliance with the provisions of these rules is adequate for normal buildings. However, for major public buildings or complex of buildings coming up in any environmentally sensitive area or in the proximity of monuments and buildings of heritage importance, the aesthetics of the whole scheme may also have to be examined, vis-a-vis existing structures. In addition, any development which may affect the general characteristics and environment of historical, architectural, or other monuments should also be accordingly scrutinized and necessary modifications in the plans be made.

Note:-This clause is intended to be used only in rare circumstances and the scrutiny shall be limited to the external architectural features only with the purpose of ensuring an aesthetic continuance of the existing structures with the new.

(2) The Agency may, with the prior approval of the Government, appoint an Art Commission for examining schemes of such buildings. This Commission may consist of persons who are specialized in the respective subject.

(3) The Commission may select only the important buildings as described in sub-rule (1) and examine proposals of development / construction with respect to surrounding area. The owner and/or the Architect, Structural Engineer, Engineer or Town Planner as the case may be, who has signed the plan may be examined. A study of the plan, elevations, sections, models etc. may be made. The Architect, Structural Engineer, Engineer or Town planner as the case may be, shall explain in general terms the purposes which the building have to serve and the main conditions which have influenced him in preparing the design. The

Commission may recommend a change in the whole scheme or suggest modifications in the scheme to the Agency. The Agency shall thereafter take the final decision on granting development/ building permission.

The time taken by the commission in submitting its recommendations shall not be taken into account while computing the period of sixty days, within which the Agency may have to grant the building permission under the Rules.

- (5) The Art Commission may also advise the Agency, on schemes which will beautify the areas and add to their cultural vitality.

40. Completion Certificate and permission to occupy or use- Every owner/ applicant on completion of the development and/ or building and before occupation of the building shall obtain from the Agency, a completion certificate to this effect that the development and / or building has been completed as per the sanctioned plan.

(1) Every person who--

- (i) erects or re erects any building or
- (ii) make any material external alteration in or addition to any existing building; or
- (iii) construct or re-constructs any projecting portion of a building which the Building Officer is empowered to require to be set back or is empowered to give permission to construct or reconstruct;

shall within one month of the completion of the work delivered to the Building Officer at his office a notice in writing of such completion and shall give to the Building Officer all necessary facilities for the inspection of such work.

- (2) Within seven days after the receipt of the said notice the Building Officer shall depute an officer to commence the inspection of such work.
- (3) Within seven days from the date of commencement of such inspection the Building Officer shall-
 - (a) give permission for the occupation of the building erected or for the use of the part of the building re-erected; or
 - (b) refuse such permission in case such erection, construction or re-construction is in contravention of any provision of

this Act or any rule or byelaw made there under or any other enactment for the time being in force.

- (4) No person shall occupy or permit to be occupied any such building or use or permit to be used any part affected by the re-erection of such building--
- (a) until the permission referred to in clause (a) of sub-rule (3) has been granted in the manner prescribed by the rules or byelaws;
 - (b) unless the Building officer has failed for fifteen days after the receipt of notice of completion to intimate his refusal to grant the said permission.

41. Power of Building Officer to stop progress of building work unlawfully commenced or carried on-

- (1) In any case in which the erection commenced is being carried on unlawfully as mentioned in rule 46, the Building Officer may by written notice require the building operations to be discontinued from the date of service of such notice.
- (2) Any person failing to comply with the terms of such notice shall be punishable with a fine which may extend to five thousand rupees and if he fails to comply with the terms of such notice after the first day of his failure so to do, with a further fine which may extend to two hundred rupees for every such day after the first.

42. Power of Building Officer to direct removal of person from building in which works are unlawfully carried on or which are unlawfully occupied-

- (1) If any person contravenes any provision of sub-rule (4) of rule 40 or rule 41 or disobeys any direction of the Building Officer made there under, the Building Officer after giving twenty-four hours notice shall direct all persons engaged in any capacity in the work of erecting or re-erecting the building in question or part there of or constructing or re-constructing any projecting portion thereof or occupying or using such building or part thereof, to remove themselves and shall take such measures as will prevent any one of such persons from again entering into

or remaining upon such building or part thereof except with his permission;

Provided that any person occupying or using such building or part thereof either as tenant or as owner in contravention of sub-rule (4) of section 40 shall not be directed to remove himself unless he has been served by the Building officer with one week's notice in writing requiring to him vacate:

Provided further that if in the opinion of the Building officer there is imminent danger to human life, the Building officer may require such building or part thereof to be vacated immediately.

- (2) The Building officer shall, on the application of any person who has vacated any premises in pursuance of a notice under sub-rule (1), re-instate such person in the premises on the withdrawal of such notice, unless it is in his opinion impracticable to restore substantially the same terms of occupation by reason of any structural alteration or demolition.
- (3) All expenditure incurred in the enforcement of the provisions of this section may be recovered from the person offending.

43. Erection and use of temporary building to be approved by Building Officer.

- (1) No building shall be erected for a temporary purpose without the sanction of the Building Officer,
- (2) If any building erected for a temporary purpose is not used strictly for such purpose and in accordance with sanction granted under the provisions of sub rule (1) or is erected without the sanction of the Building Officer, the building may be demolished by the Building Officer at the expenses of the owner thereof, whether he is prosecuted under these rules or not.

44. Power to regulate line of buildings-

- (1) If any part of a building projects beyond the regular line of a public street, either as existing or as determined for the future or beyond the front of immediately adjoining buildings the Agency may-

- (a) if the projecting part is a verandah, step or some other structure external to the main building, then at any time, or
- (b) if the projecting part is not such external structure as aforesaid, then whenever the greater portion of such building or when ever any material portion of such projecting part has been taken down or burned down or has fallen down;

Require by notice either that the part of some portion of the part projecting beyond the regular line or beyond the front of the immediate adjoining building, shall be removed, or that such building when being rebuilt shall be set back to or towards the said line or front; and the portion of land added to the street by such setting back or removal shall henceforth be deemed to be part of the public street and shall vest in the Agency.

Provided that the Agency shall make reasonable compensation to the owner for any danger or loss he may sustain in consequence of his building or any part thereof being set back.

- (2) The Agency may, on such terms as it thinks fit, allow any building to be set forward for the improvement of the line of the street.

45. Compensation.-

- (1) No compensation shall be claimable by an owner for any damage which he may sustain in consequence of the prohibition of the erection of any building.
- (2) The Agency shall make reasonable compensation to the owner for any damage or loss which he may sustain consequence of the inclusion of his land in a public street but in assessing such compensation, regard shall be had to the benefits accruing to that owner from the development of the land belonging to him and affected by such street.

46. Power to require, removal or alteration of work not in conformity with rules or any scheme or any other requirement.-

- (1) If any building is erected or re-erected or any development of land is found in contravention of any scheme or of any building

/ development rules, the Building Officer without prejudice to his right to take proceedings for a fine in respect of the contravention, may by notice require the owner either to pull down or remove the work or, if he so elects, to effect such alterations therein as may be necessary to make it comply with the said scheme or byelaws.

- (2) If a building is erected or re-erected-
- (a) without any sanction as required under these Rules.
 - (b) when sanction has been refused, or
 - (c) in contravention of the terms of any sanction granted, or
 - (d) when sanction has lapsed,
- the Building Officer, shall-
- (i) by written notice, require the person who is erecting such building or executing such work or has erected such building or executed such work on or before such day as shall be specified in such notice, by a statement in writing subscribed by him or by an agent duly authorised by him in that behalf and addressed to the Building Officer, to show sufficient cause why such building or work shall not be removed, altered or pulled down, or;
 - (ii) shall require the said person on such day and at such time and place as shall be specified in such notice to attend personally or by an agent duly authorized by him in that behalf, and show sufficient cause why such building or work shall not be removed, altered or pulled down.
- (3) If such person shall fail to show sufficient cause, to the satisfaction of the Building Officer, why such building or work shall not be removed, altered or pulled down, the Building Officer may remove, alter or pull down the building or work and the expenses thereof shall be paid by the person.

47. Buildings or works commenced contrary to the Rules may be cut into and laid open for purpose of Inspection.-

- (1) If there shall be reasonable ground for suspecting that in the erection of any such building or in the execution of any such work as is referred to in rule 46 anything has been done, contrary to any provision of any rule or byelaw, or that anything required by any such provision, rule or bye byelaw to be done has been omitted to be

done; and if, on inspecting such building or work, it is found that the same has been completed or is too far advanced to permit of any such fact being ascertained, the Building Officer may, with the approval of the CEO of the Agency by a written notice require the person who has erected such building or executed such work or is erecting such building or executing such work to cause so much of the building as prevents any such fact being ascertained to be cut into, laid open or pulled down to a sufficient extent to permit of the same being ascertained.

(2) If it shall thereupon be found that in the erection of such building or the execution of such work nothing has been done contrary to any provision of these rules or byelaw, and that nothing required by any such provision, rule or bylaw to be done has been omitted to be done, compensation shall be paid by the Agency to the person aforesaid for the damage and loss incurred by cutting into, laying open or pulling down the building or work.

48. Deviation from sanctioned plan and compounding for deviation.- Notwithstanding anything contained in the Act or any other Act for the time being enforce or any rules or bye laws made there under, the Building Officer may compound the offence of constructing buildings without permission or contrary to the permission granted. If:-

- (1) No deviation and compounding, from the sanctioned plan shall be permissible if the construction involved in such deviation
 - (a) affects the front Marginal Open Space;
 - (b) exceeds 10% of the permissible FAR;
 - (c) is related to the parking area and public utility space;
 - (d) comes within the boundary of road or the area affecting the alignment of public road;
 - (e) comes in the area of any water body (talab), river or nallah or stream; and
 - (f) comes within 30 meters or such distance from the bank of water bodies as may be prescribed in the respective development scheme.
- (2) for every floor constructed, an increase upto 0.25 meters in the height shall not be counted towards the height of the building .

- (3) Agency may compound unauthorized development / construction as per the compounding charges ascertained by the State Government by the order.

49. Provisions regarding buildings unfit for human habitation.-

- (1) If it appears to the Building Officer that any land/ building intended or used for human habitation or human occupation for any purpose whatsoever is unfit for such habitation or occupation, he shall give notice in writing to the occupier or to the owner, if the building is not occupied, stating that the building is unfit and signifying his intention to prohibit the further use of such building for such purposes, and calling upon the occupier or owner to state in writing his objections to such prohibition within thirty days from the receipt of the notice. If no objection is stated by such occupier or owner within the said period, or if the objection stated appears to the Building Officer to be insufficient or not well founded, he may, with the previous approval of the CEO of the Agency prohibit by an order in writing the further use of such building for human habitation or occupation and shall affix a notice to that effect on a conspicuous part of such building.
- (2) Notice of such prohibition shall be served upon the owner of any land / building affected thereby and also upon every occupier or user thereof, specifying a period, not being less than ten days from the date of service of such notice, within which every such person shall remove himself and his removable property from the said land/ building; and if within the period so specified any such person fails to remove himself and his property as aforesaid, the Building Officer and in accordance may cause him and his property to be removed and may recover from him the cost of such removal.
- (3) When a land/ building has been vacated by removal under subsection (2), the Building Officer shall affix a notice to the land/ building in the manner prescribed by decided by the Chief Executive Officer of the Agency and no person except with the permission in writing of the Building Officer and in accordance with the terms and conditions of such permission, shall without sufficient cause enter into or remain in such land/ building.
- (4) Wherever the Building Officer is of opinion that any land/ building intended or used for human habitation is unfit for such habitation or occupation and the Building Officer considers that it can be rendered fit for human habitation or occupation by structural

alternations or repairs, he may by a notice in writing call upon the owner to execute within a period of three months from the date of receipt of such notice, such structural alternations or repairs as he deems necessary, and if at the expiry of the aforesaid period such alternations or repairs have not been executed to his satisfaction, he shall with provision approved issue to the owner a notice in writing ordering the demolition of such building within a period of thirty days from the receipt of the notice or such longer period as the Building Officer may specify.

- (5) Whenever the Building Officer is of the opinion that the land/ building cannot be rendered fit for human habitation or occupation, he may, with the previous approval of the CEO of the Agency, by a notice in writing call upon the owner to demolish it with a period of thirty days from the receipt of such notice or such longer period as the Building Officer may specify.
- (6) If at the expiry of the said period an order to demolish a building given under sub-section(4) or sub-section (5) has not been complied with, the Building Officer may with the previous approval of the CEO of the Agency, direct, by an order in writing, the demolition thereof by any officer, servant or contractor. The materials of the building so demolished shall thereupon be sold by public auction and the proceeds of the sale shall be made over to the owner after deducting the cost of demolition and sale. If the amount realized is not sufficient to cover the cost of the demolition and sale, the balance, if any shall be recovered from the owner:

Provided that before such an order is given the owner of the land/ building shall be given an opportunity of appearing before the CEO of the Agency in person or by agent, and of showing cause why such order should not be given.

- (7) any person aggrieved by the decision of the Building Officer under sub-sections (4), (5) or (6) may within a period of one month, appeal to the Appellate Authority.
- (8) If any land/ building in respect of which an order under this section has been given is held under a lease, the lease shall be avoidable at the option of the lessee with effect from the date on which the lessee has to remove himself and his property.

50. Removal of buildings in dangerous state.-

- (1) If, in the opinion of the Building Officer, any building , wall, structure including under this expression any building, wall,

parapet, pavement, floor, steps, railings, door or window frames or shutters or roof or other structure and anything affixed to or projecting from or resting on any building, wall, parapet or other structure, or any tree standing thereon is in dangerous state, the Building Officer may by a notice in writing, require the occupier or owner thereof forthwith either to demolish or remove the building, wall, structure or any such tree or cause such repairs to be made there to as he considers necessary for the public safety; and if the danger appears to him to be imminent, he may forthwith take such steps as may be required to avert such danger, including the forcible removal without notice from such building of all the occupiers thereof and their property.

- (2) Any expenses incurred by the Building Officer under sub-rule (1) shall be paid by the owner of the building, wall, structure, or anything affixed thereto.
- (3) Except with the permission in writing of the Building Officer no person shall without sufficient cause enter into or remain in any building from which the occupier and his property has been removed under sub-rule (1).

51. Abandoned or unoccupied premises.-

If it appears to the Building Officer that any building or structure has been abandoned or is un-occupied and has become a resort of disorderly person or is by reason of its condition seriously detrimental to the amenities of the neighborhood, the Building Officer may give a written notice to the owner of such building or structure if he is known and found to be a resident within the limits of the Scheme area, or to any person who is known or believed to claim to be owner, if such person is resident within the limits of the Scheme area and shall also affix a copy of the notice on some conspicuous part of the building or structure requiring all persons having any right or interest therein to take such order with the said building or structure as may, in the opinion of the Building Officer, be necessary to prevent the same from being resorted to as aforesaid or from being seriously detrimental to the amenities of the neighborhood.

CHAPTER 5 CONTROL OF DEVELOPMENT

52. Land use classification.-

The land uses in Investment Region Development and Management Scheme shall be broadly classified as residential, commercial, industrial, recreation, public and semi-public, special purpose, transportation, public utilities and facilities, water bodies, and or mixed land use. In case of mixed land use the permissible activities has to be mentioned and declared by the Agency while notifying the final scheme.

53. Uses to be in conformity with the notified Investment Region Development and Management Scheme –The land use in the final notified scheme shall be the same and in conformity with the uses as mentioned in final scheme layout.

54. Means of access.-

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

- (1) Building/plot to abut on a public/private means of Access : Every building/ plot shall, as far as may be possible, abut on a public/private means of access like streets/ roads.
- (2) Construction of building not to encroach upon an area set apart as means of access: Every person who erects a building shall not at any time erect or cause or permit to be erected any building which in any way encroaches upon or diminishes the area set apart as means of access required under these rules.
- (3) **Width of means of Access:**
 - (a) The residential plots shall abut on a public means of access like streets or road. Plots which do not abut on a street or road, shall have access from spaces directly connected from the street or road. The minimum width for various lengths of means of access shall be as given in Table-3. No development on plots or land shall be permitted unless it is accessible by a public street of width not less than 7.5 meters. Public means of access for economically weaker sections or low-income groups shall be as mentioned in **Appendix A-12.**

TABLE 3**WIDTH AND LENGTH OF MEANS OF ACCESS**

[See rule 54 (3)(a)]

S.No.	Width of means of access in meters	Length of means of access in meters
(1)	(2)	(3)
1.	7.5	150
2.	9.0	250
3.	12.0	400
4.	18.0	1000
5.	24.0	Above 1000

Note: (1) The means of access shall be clear of marginal open spaces

(2) If the development is only on one side of means of access, the prescribed width of the means of access may be reduced by 0.5 meters.

(b) **Other Buildings** : For all industrial buildings, theatres, cinema houses, assembly halls, stadium, educational buildings, markets other buildings which attract large crowd, the means of access shall not be less than the following –

Width of means of access in meters	Length of means of access in meters
(1)	(2)
12.0	200
15.0	400
18.0	600
24.0	above 600

- (4) **Pathways** : The approach to the buildings from road/street or internal means of access shall, as far as may be, through paved pathway which shall not be less than 1.5 meters where the length of such pathway is not more than 30 meters.
- (5) **Length of means of access** : Length of main means of access shall be determined by the distance from the farthest plot (building) to the public street. The length of the subsidiary access way shall be measured from the point of its origin to the next wider road on which it meets.
- (6) Agency may require larger width of means of access in general interest:- In the interest of general development of an area, the Agency may require the means of access to be of larger width than that required under sub-rule (3).
- (7) Boundary of plots in existing built up area to be shifted with reference to control line of street. In areas which are already built up and where the plots face street/means of access less than 4.5 meters in width, the plot boundary shall be shifted from the central line of the street/means of access so as to ensure that the street/means of access achieves a width of 4.5 meters.
- 55. Leveling etc. of means of access.-** (1) Means of access shall be leveled, metalled, flagged, paved, sewerred, drained, channeled, lighted, laid with water supply line and provided with trees for shade to the satisfaction of the Agency. It should be free of encroachment by any structure or fixture so as not to reduce its width below the minimum requirement under sub-rule (3) of rule 54 and shall be maintained to the satisfaction of the Agency.
- (2) If any private street or any other means of access to a building is not leveled, metalled, flagged or paved, sewerred, drained, channeled, lighted or laid with water supply line or provided with trees for shade to the satisfaction of the Agency, it may by written notice require the owner or applicant or occupier of the premises situated in front of or adjoining the said street or other means of access or abutting thereon or to which access is obtained through such street or other means of access to fulfill the aforesaid requirements in such manner, as directed.
- (3) If any structure or fixture is set upon a means of access reducing its width below the minimum required, the Agency may remove or

cause it to be removed further and recover the expenses so incurred from the owner or owners or occupier.

56. Access from Highways/Important Roads.-No premises other than highway amenities like fuel pumps, motels shall have an access direct from highways and such other roads as may be specified, from time to time, by the Agency. The portion of such roads on which direct access may be permitted shall be as identified in the development Scheme. However, this clause shall not be applicable in case of existing development on highways/other roads referred above. These provisions shall however be subject to the provisions of the Madhya Pradesh Highway Act, 1936 (No. XXXIV of 1936] and National Highway Act, 1956 (No. 48 of 1956).

57. Additional provisions for buildings other than residential buildings

For building other than residential buildings the following additional provisions of means of access shall be ensured :-

- (a) the width of the main street, on which the building abuts shall not be less than 12 meters and one end of this street shall join another street of width not less than 12 meters;
- (b) the approach to the building and open spaces on its sides shall be hard surfaced capable of taking the weight of fire engine. The side open space shall be kept free of obstructions and shall be motorable;
- (c) main entrance to the plot shall be of adequate width to allow easy access to the fire engine and in no case it shall measure less than 4.5 meters. The entrance gate shall fold back against the compound wall of the premises leaving the exterior access way within the plot free for movement of fire service vehicles. If main entrance at boundary wall is built over, the minimum clearance shall be 4.5 meters.

58. Additional provisions for buildings with height above 12.5 meters. -

- (1) Planning Norms for the buildings having height above 12.5 meters and up to 30 meters shall be as given in Table No 4.

TABLE No. 4
[See rule 58(1)]
DEVELOPMENT NORMS FOR PLOTS / LANDS ON WHICH
BUILDING(S) WITH HEIGHT ABOVE 12.5 M AND UPTO 30 M IS
PROPOSED :

Sr No.	Road Width (in meters)	Minimum plot/ land area (in Sq.m.)	Frontage (in meters)	FAR	Ground Coverage in percentage	Building Height (in meters)	Front M.O.S (in meters)	Sides / Rear MOS (in meters)
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
1.	12 m and above	1000 sq.m	18m	1:1.50	30	Up to 18 meter	7.5	6.0
2.	18m & above	1500 sqm	21 m	1:1.75	30	Up to 24	9.0	6.0
3.	24 m and above	2000 sqm	30m	1:2.00	30	Up to 30 meter	12.0 m	7.5m

Note: Where the use premises is commercial, the ground coverage mentioned in column 6 above shall be read as 40.

- (2) **For High Rise Buildings as defined in rule 2(38):** For high rise building Planning Norms shall be as given in Table No 5.

TABLE No. 5
[See rule 58 (2) above]
DEVELOPMENT NORMS FOR PLOTS / LANDS ON WHICH
HIGH RISE BUILDING(S) IS PROPOSED

S. No.	Road width in meters	Min. plot/land size (area in Sq. M.)	Frontage in meters	FAR	Ground Coverage in %	Building Height in meters	M.O.S front side in meters	MOS sides / rear
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
1.	30m and above	2500	30 m	1:2.25	30	Up to 45 meters	15.00 m	7.5 m

S. No.	Road width in meters	Min. plot/land size (area in Sq. M.)	Frontage in meters	FAR	Ground Coverage in %	Building Height in meters	M.O.S front side in meters	MOS sides / rear
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
2.	36m and above	3000	40 m	1:2.50	30	Up to 60 meters	18.00 m	9.0 m
3.	45 m and above	3500	45 m	1:2.75	30	Up to -75 meters	21.0m	9.0m
4.	60 m and above	4000	50 m	1:3.0	30	Up to 90 meters	24.00	10m
5.	75 m and above	4500	60 m	1:3.0	30	above 90 meters	30.00	12m

- (3) For building having height more than 12.5 meters the necessary drawings and details shall be submitted to the Agency incorporating all the fire fighting measures recommended in **National Building Code Part-IV**. The occupancy permit shall be issued only after ensuring that all fire fighting measures are physically in place.
- (4) For all high rise buildings site clearance under sub-rule (2) of Rule 18 shall be necessary. After site clearance by the committee composite building permission from the Agency shall be necessary.
- (5) The approach to the building and open spaces on its all sides shall be as hard as is required to bear the weight of fire engine. The said open space shall be kept free of obstruction and shall be motor-able.
- (6) Main entrance to the plot shall be of adequate width to allow easy access to the fire engine and in no case it shall measure less than 6.0 meters. The entrance gate shall fold back against the compound wall of the premises, thus leaving the exterior access way within the plot free for movement of fire service vehicles. If the main entrance at the boundary wall is built over, the minimum clearance shall be 4.5 meters.
59. **Cul-De-Sacs.-** Cul-de-sacs giving access to plots will be allowed provided that cul-de-sacs would be permissible only on straight roads and the turning space shall not be less than 121 square meters in area with no dimension being less than 11 meters.
60. **Alley.-**Alley may be provided where required. The width of the alley

where provided shall not be less than 3 meters and no dead end alley shall be permitted unless provided with an adequate turn around facilities.

- 61. Intersection of roads.**-(1) The layout for junctions of roads shall be in such a way that as far as possible all roads meet at right angle. Roads meeting at less than 30 degree should be avoided.
- (2) For junctions of roads meeting at right angles or otherwise the rounding off or cut of or splay or similar treatment shall be done to the satisfaction of the Agency, depending upon the width of roads, the traffic generated, the sighting angle etc.
- 62. Building Line.**-Subject to rule 72, building line shall be set back at least 3 meters from means of access.
- 63. Community Open Spaces and Amenities.**-(1) The community open spaces shall be as follows :-
- (a) **Commercial Zones.** In any layout or sub-division of land measuring 0.2 hectare or more and situated in commercial zones, the community open spaces shall be reserved for recreational purposes. Such space shall as far as possible, be provided in one place or may be planned out in clusters or pockets for the use of the community.
- (b) **Community Open Spaces in Residential Zones.** In any residential, composite development, Group Housing or Apartment Housing the community open spaces shall be reserved for recreational purposes. As far as possible these community open spaces shall be provided in one place or planned out in clusters or pockets, for the use of the community :
- Provided that the minimum open space's required may be notified by the agency in the official Gazette and the same shall not be less than as mentioned in sub-rule (2) below.
- (2) **Minimum open area;** The minimum community open spaces shall be-
- (i) 10 per cent, of the area of the layout; and
- (ii) in case of economically weaker sections and low income group as prescribed in **Appendix- A-12.**
- (3) **Minimum average dimension of recreational space;** The length of such area shall generally not exceed two and half times of the average width. However, depending on the configuration of the site, common open spaces of different shapes may be permitted by

the Agency as long as the open spaces provided, serve the needs of the immediate community contiguous to the open spaces.

- (4) **Pavilion gymnasia;** In such recreational spaces, a single storied structure up to 25 square meters of built up area, which may be used as pavilion or gymnasia, may be permitted. Such area may be excluded from floor area ratio calculations. Where the area of the open space exceeds 2000 sq. mtrs. in one place, the built up area of such pavilion/ gymnasia may extend upto 75 sq. mtrs.
- (5) **Independent means of access;** Each recreational area and the structure on it shall have an independent means of access. Independent means of access may not be insisted if recreational space is approachable directly from every building in the layout. Further the building line shall be at least 3 meters away from the boundary of recreational open space.

64. Industrial Zones.- (1) Amenity open space in Industrial use; In every industrial zone minimum 5 per cent open 3 per cent parking, 2 percent amenities of the total area shall be reserved as open space. Open spaces may be used for such purposes as may be approved by the Agency.

(2)^o Open space in Industrial plots; In industrial plots measuring 1000 square meters or more, 10 percent of the total area shall be provided as an amenity open space . Such an amenity open space shall have a means of access and shall be so located that it would be conveniently utilised by the persons working in the industry.

(3) Development norms for Industrial plot shall be as follows:-

Norm for Industrial Plots

Sr. No	Minimum Plot Area	Max. Ground Coverage in %	Minimum MOS in meters			Max. Floor Area Ratio (FAR)
			Front	Side/ Side	Rear	
1	2	3	4	5	6	7
1	Upto 0.045 Hect.	60	3.20	2.10 / 2.10	2.10	1.25
2	More than 0.045 Hect. and upto 0.10 Hect.	60	4.50	3.00 / 3.00	3.00	1.25
3	More than 0.10 Hect. and upto 0.20 Hect.	60	7.50	3.75 / 3.75	4.50	1.00

Sr. No	Minimum Plot Area	Max. Ground Coverage in %	Minimum MOS in meters			Max. Floor Area Ratio (FAR)
			Front	Side/ Side	Rear	
1	2	3	4	5	6	7
4	More than 0.20 Hect. and upto 0.50 Hect	60	9.00	4.50 / 4.50	4.50	1.00
5	More than 0.50 Hect. and upto 0.75 Hect	60	12.0	6.00 / 6.00	6.00	1.00
6	More than 0.75 Hect. and upto 1.00 Hect	60	15	7.50 / 7.50	7.50	1.00
7	More than 1.00 Hect. and upto 1.25 Hect	60	18	9.00 / 9.00	9.00	1.00
8	More than 1.25 Hect. and upto 2.00 Hect	60	21	10.50/ 10.50	10.50	1.00
9	More than 2.00 Hect.	60	24	12.00/ 12.00	12.00	1.00
For Flatted Industries						
10	Minimum Plot Area 1500 Sq.m (0.15 Hect.)	50	12	7.50 / 7.50	7.5	1.50

Note :-

1. MOS mentioned in column No. 4, 5 and 6 are minimum. In case of industrial building of more than one floor, Front MOS shall be equal to half of the proposed height of building, similarly other side MOS shall be equal to one third of the proposed height of building.
2. Hazardous Industries and/ Polluting Industries or Industries which require sanction under Factory Act, clearances shall have to be obtained under Industrial Health and Safety and/ or under Environment Protection Act as the case may be.
3. For electronic/ IT based industries maximum FAR permissible shall be 25% extra than the existing FAR.

65. Other Amenities. -(1)In addition to common open spaces, the Agency can plan to provide for the community facilities as laid down in Table 6.

TABLE 6
[See rule 65(1)]
**COMMUNITY FACILITIES AND OTHER SUB-DIVISIONAL
REQUIREMENTS**

S.No.	Facilities required		Scale of minimum provision	A minimum land area required and remark
	Main type	Sub-type		
(1)	(2)	(3)	(4)	(5)
1.	Educational Facilities. Educational Facilities.	Nursery School (3 to 5 age group)	1 for population of 4,000	0.1 hectare.
				0.6 hectare for density up to 250 persons per hectare
				0.5 hectare for density from 251 to 500 persons per hectare
		Primary School (5 to 11 age group).	1 for population of 4,000	0.4 hectare for density of 501 persons per hectare and above
		High School (11 to 16 age group).	1 for population of 16,000	2.0 hectares for density up to 250 persons per hectare 1.8 hectares for density from 251 to 500 persons per hectare
	Degree College	1 for population of 80,000	4 to 6 hectares.	
2.	Health Facilities	Health center	1 for population of every 16,000	1.0 hectare with residential staff quarters
		General Hospital	1 for population of every 80,000	2.0 hectare for 100 beds with ancillaries and staff quarters

S.No.	Facilities required		Scale of minimum provision	A minimum land area required and remark
	Main type	Sub-type		
(1)	(2)	(3)	(4)	(5)
3.	Commercial facilities including shopping facilities	Convenience shop	1 for a population of every 100	0.05 to 0.10 hectare
		Local shopping centre.	1 for population of 16,000.	0.40 hectare.
		Zonal shopping centre.	1 for population of 80,000.	2.50 hectare.
		Sub City Center	1 for population of 2,00,000	8.00 hectares
		City Center	1 for population of 5,00,000	20.00 hectares
4.	Communication facilities and essential services.	Sub-post office	1 for population of every 10,000	100 square meters
		Post and Telegraph Office cum Delivery and Booking including Telephone exchange of 1000 lines.	1 for population of every 10,000.	1,000 square meters

S.No.	Facilities required		Scale of minimum provision	A minimum land area required and remark
	Main type	Sub-type		
(1)	(2)	(3)	(4)	(5)
		Electric Sub-station	1 in all shopping centers.	45 meters, x 45 meters
		Police Station with staff quarters,	1 for population of every 50,000.	0.80 hectare.
		Police post with staff quarters	1 for population of every 20,000.	0.40 hectare
		Fire Station with staff quarters.	1 for every 5 kilo-meter radial distance.	0.80 hectare
5.	Social and Cultural Facilities	Religious building	1 for population of every 15,000	0.80 hectare location not on a intersection of roads and 60 meters away from junctions
		Community Hall and library.	1 for population of every 15,000.	0.30 hectare.
		Cinemas	1 for population of every 25,000	0.30 hectare with parking location in Zonal shopping centers, business and commercial area not in residential zone or at the rate of 3 Sq. m. per seat whichever is more
6.	Facilities for industrial area.	Labour Welfare Center.	1 for every 40 Hectare.	0.20 hectare
		Convenience shops	5 shops of 10 square meters each.	0.20 hectare

S.No.	Facilities required		Scale of minimum provision	A minimum land area required and remark
	Main type	Sub-type		
(1)	(2)	(3)	(4)	(5)
		Health center	1 for every 200 hectare.	0.60 hectare
		Post Office	-	0.04 hectare
		Telephone exchanges	-	0.06 hectare.
		Bank	-	200 square meters.
		Petrol pump cum-service-station.	-	30 meters x 35 meters.
		Police Station with staff quarters.	-	0.40 hectare
		Fire station with staff quarters.	-	0.80 hectare
		Public Utilities	-	300 Sq.mt.

Note: (1) The minimum land required for various amenities mentioned in column 5 above is only indicative. The size of the plot shall be, as may be prescribed, by the administrative department or any regulatory Agency or any other Agency competent to prescribe the minimum size of plot. This table shall stand modified accordingly.

(2) The requirements of essential amenities for EWS and low income group housing shall be as given in **Appendix A-12**.

66. Requirements of Site.- No piece of land shall be used as a site for the construction of building, if the,-

- (a) Agency considers that the site is insanitary or that it is dangerous to construct a building on it;
- (b) site is within a distance of 9 meters of the highest water level of a

water body/ water course and 15 mtrs in case of river or as prescribed in the development scheme;

- (c) owner / applicant of the building has not shown to the satisfaction of the Agency all the measures required to safeguard the construction from constantly getting damp;
- (d) building is for assembly use like cinemas/ theatres/public worship, and the applicant has not obtained necessary license or clearance from the competent officer of the concerned Agency;
- (e) building is proposed in an area filled up with carcasses, excreta filthy and offensive matter till the production of certificate from Agency to the effect that it is safe from the health and sanitary point of view and is fit to be built upon;
- (f) site is not drained properly or is incapable of being well drained;
- (g) site will be used for the purpose which in the opinion of the Agency will be a source of annoyance to the health and comfort of the inhabitants of the neighbourhood;
- (h) plot has not been approved as a building site ;
- (i) proposed occupancy of the building on the site does not conform to the land use proposals in the development scheme.
- (j) building adversely affects any public utility like a drain /sewer line or water main line or transmission line.

67. Surface Water Drains. - (1) Any land passage or other area within the cartilage of a building shall, if the Agency so requires, be effectively drained by surface water drain or other means.

(2) The written approval of the Agency shall be obtained for connecting any sub-soil drain to a sewer.

68. Distance from electric lines.- (1) The minimum distance between the building and any overhead electric supply line shall be as mentioned herein below or that mentioned in the applicable Electricity Rules, whichever is more. No verandah, balcony or the like shall be allowed to be erected or re-erected or any additions or alterations made to a building which violates this rule.

Sr. No.	Particulars	Vertically meters	Horizontally meters
(1)	(2)	(3)	(4)
(a)	Low and Medium voltage lines and service lines.	2.5	1.2

Sr. No.	Particulars	Vertically meters	Horizontally meters
(1)	(2)	(3)	(4)
(b)	High voltage lines up to and including 33,000 volts.	3.7	1.2
(c)	Extra high voltage lines beyond 33,000 volts.	(see note)	-

Note: For building close to extra high voltage lines beyond 33000 volts, clear horizontal corridor of 15 meters (7.5 meter open both side of centre line), or as specified in the applicable Electricity Rules, whichever is more, shall be provided.

- (2) The minimum clearance specified in sub-rule (1) above shall be measured from the maximum sag for vertical clearance and from maximum deflection due to wind pressure for horizontal clearance.
- (3) The provisions as mentioned in sub section (1) & (2) herein above shall be deemed to be sue motto modified as and when the revised parameters are issued from the Energy Department of the State from time to time.

9. Size of plots and other norms.-

(1) Residential.

- (i) Each plot shall have a minimum size and frontage corresponding to the type of development as given below :-

Type of Development	Plot size (Sq. meters)	Frontage (meters)
(1)	(2)	(3)
Detached building	above 225	above 12
Semi-detached building	125-225	8 to 12
Row type building	50-225	4.5 to 12

- (ii) the norms of plot size for EWS/LIG shall be as provided in **Appendix A-12.**

- (2) **Industrial :** The size of plot shall be such as approved by the Agency.

(3) **Other land uses :** The minimum size of plots for buildings for other uses like business, educational, mercantile, assembly, cinema/ theatre, mangal karyalaya/ marriage garden, fuel filling stations etc., shall be as decided by the Agency subject to the clause (i) to (iv) below :-

(i) **Assembly Halls /Theatres:** The Minimum size of plot for assembly building/theatres used for public entertainment with fixed seats shall be on the basis of seating capacity of the building at the rate of 3 Square meters per Seat.

(ii) **Cinema Halls with one screen:** The norms shall be as under:-

1. Minimum area of the plot	2,000 Square meter or 4 Sq. mt per seat whichever is more.
2. Ground coverage.	33 per cent of the total plot area, (on ground)
3. Floor Area Ratio	1.25
4. Minimum Open Spaces	Front: Minimum 15 Mts. Both sides: 6 Mts. Rear: 6 Mts.
5 Minimum width of road on which Cinema Plot should abut	18 mtrs.

Note : Commercial activities which is incidental to Cinema shall be permissible on 10 per cent, of the FAR

(iii) **Marriage Garden:**

Development Norms for Marriage Garden shall be as below

:-

Sr. No	Components	Scheme having population 1.0 to 2.0 lacs	Scheme area having population above 2.0 lacs
(1)	(2)	(3)	(4)
1.	Minimum Plot / Land area	4,000 Square meters	10,000 Square meters
2.	Minimum Road width in front	12 meters	18 meters.

Sr. No	Components	Scheme having population 1.0 to 2.0 lacs	Scheme area having population above 2.0 lacs
(1)	(2)	(3)	(4)
3.	Minimum frontage	25 meters	40 meters
4.	Maximum FAR.	0.10	0.10
5.	Maximum Ground Coverage	10 per cent.	10 percent.
6.	Minimum Parking Area in the front	30 per cent, of plot / land area	40 per cent, of plot / land area
7.	M.O.S.: Front	6.0 meters after parking space	6.0 meters after Parking space
	Sides and Rear	4.5 meters	6.0 meters
8.	Permissibility in land use	Residential/ Commercial / Agriculture/PSP	Residential/ Commercial / Agriculture

(iv) Fuel filling Station:

- (a) **National highways:** For the site of Fuel filling station situated on the National Highways, norms as decided by the Ministry of Road Transport and Highways and or Ministry of Petroleum, Government of India shall be applicable.
- (b) **Roads Other than National Highways:** Norms for the site of the Fuel filling Station situated on the roads other than National Highways shall be as follows:

S. No.	Population Of Scheme Area	Minimum Plot Size		Frontage of the Plot	Minimum road width in front of the plot	Minimum distance from road junction	Permissibility in land use of approved development Scheme
		Only Fuel Filling Station (FFS)	Fuel Filling Station with Service Facilities (FFSS)				
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

S. No.	Population Of Scheme Area	Minimum Plot Size		Frontage of the Plot	Minimum road width in front of the plot	Minimum distance from road junction	Permissibility in land use of approved development Scheme
		Only Fuel Filling Station (FFS)	Fuel Filling Station with Service Facilities (FFSS)				
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1.	Up to 1 lac	20x20	35x35	20 (FFS) 35(FFSS)	18	100	Residential, Commercial, Industrial, Public and semi Public,
2.	Above 1 lac	20x20	35x35	20(FFS) 35(FFSS)	24	100	Transport , Agriculture and Recreation

Note:-All dimensions are in meter.

1. Road junction as shown in the map of traffic and transportation plan enclosed with Development Scheme shall be accepted for column No.7 in the table above.
2. Provision for minimum distance from road junction may be ignored on roads of width of 18m. and above having service roads. However, the petrol pump owner shall have to construct service road and footpath in front of the fuel pump up to 250 meters on either sides of the fuel pump at his own cost.
3. Minimum plot size for retail outlet for farmer service center in rural areas shall be as per column (4)
4. Workshop shall not be permitted in the FFS mentioned in column (3)
5. For plot mentioned in column No.4, maximum built up areas shall not exceed 40 per cent, of the total plot area, which may include workshop and other services and facilities such as snacks, stall, drinking water, ATM, toilets etc.
6. Ladies and gents toilets, drinking water, equipments for fire fighting shall be necessarily provided in all fuel filling stations.

CHAPTER -6 GENERAL BUILDING PROVISIONS

(1) Classification

70. Classification of Buildings -Buildings shall be classified on the basis of occupancy as follows :-

- (a) Residential.
- (b) Educational.
- (c) Institutional.
- (d) Assembly.
- (e) Business.
- (f) Mercantile (including both retail and wholesale stores).
- (g) Industrial (including low, moderate and high fire hazards).
- (h) Storage.
- (i) Hazardous.

II Open Spaces (within a Plot)

71. General-(1) Every room intended for human habitation shall abut on an interior or exterior open space or an open verandah open to such interior or exterior open space.

- (2) **Open spaces to cater for lighting and ventilation requirement-** The open spaces inside or around building have essentially to cater for the lighting and ventilation requirements of the rooms abutting such open spaces and in the case of building abutting streets in the front, rear or sides, the open spaces provided shall be sufficient for the future widening of such streets.
- (3) **Open spaces separate for each building or wing-** The open spaces shall be separate or distinct for each building and where a building has two or more wings, each wing shall have separate or distinct open spaces for the purposes of light and ventilation of the wings.
- (4) Separation between accessory and main buildings of more than 7 meter in height shall not be less than 1.5 meters. For buildings up to 7 meters in height no such separation shall be required.

72. Residential Buildings. - Open Spaces -

Exterior open spaces for buildings having height up to 12.5 meters.

(1) **Front open spaces -**

- (a) Every Residential Building having height up to 12.5 meters,

facinrg street shall have a front open space mentioned below and such open space shall form an integral part of the site:-

S.N	Width of-street facing the plot	Front open space Min.
(1)	(2)	(3)
1.	up to 9.0 meters	3.0 meters
2.	More than 9.0 meters and up to 12 meters	3.6 meters
3.	More than 12.0 meters and up to 18 meters	4.5 meters
4.	Above 18 meters.	6.0 meters

(b) In existing developed areas with streets less than 6.0 meters in width, the distances of the building (building line) shall be at 6.0 meters from the center line of the street.

(2) **Rear Open Space -**

(a) Every Residential Building, having height up to 12.5 meters, shall have a Rear Open Space, as below :-

Sr. No.	Plot area in Square meters	Minimum Rear Open space in meters
(1)	(2)	(3)
1.	Up to 40.00	Nil
2.	Above 40.00 and Up to 150.00	1.50
	Above 150 and up to 225.00	2.50
4.	Above 225.00	3.00

(b) Rear open space to extend upto the rear wall. The rear open space shall be co-extensive with the entire face of the rear wall. If a building abuts on two or more streets, such rear open space shall be provided through-out the entire face of

the rear wall. Such rear wall shall be the wall on the opposite side of the face of the building unless the Agency otherwise directs.

(3) Side open space-

Every semi-detached and detached building shall have a permanently open airspace on sides, forming integral part of the site as below :-

- (i) For detached buildings there shall be minimum side open spaces of 3 meters on both the sides:

Provided that for detached residential building up to 7 meters in height on plots with a frontage less than 12 meters, one of the sides open space may be reduced to 1.5 meters.

- (ii) For semi- detached building there shall be a minimum side open space of 3.0 meters on one side. For Semidetached building up to 10 meters in height on plots with a frontage up to 10 meters, the side open space may be reduced to 2.5 meters.

- (iii) For row-type buildings/ housing, no side open space is required.

- (4) Notwithstanding anything contained in sub-rule (2) and (3) garage may be permitted at rear end of the side open space.

- (5) **Open space for building of more than 12.5 meters height-** For building of height above 12.5 meters the open spaces around building shall be as given in Table 4 and 5 of Rule 58.

(6) Interior open spaces for all buildings-

(a) Inner Courtyard-

- (i) Every room (except bath, water closet and store room) that does not abut on either the front, rear or side open spaces shall abut on an inner courtyard, having minimum side of 3 meters.

- (ii) Further the inner courtyard shall have a minimum area, throughout its height, of not less than the square of one-fifth the height of the highest wall abutting the courtyard.

Provided that when any room (excluding staircase bay, bathroom and water closet) is dependent for its light and ventilation on an inner courtyard, its dimension shall be such as is required for each wing of the building.

(iii) Where only water closet and bath room are abutting on the interior courtyard, the size of the interior courtyard shall be in line with the provision for ventilation shaft as given in clause (b).

(b) **Ventilation Shaft-** For ventilating the spaces for water closet and bath room in all types and height of buildings, if not opening on the front or side or rear or interior open spaces, shall open on to the ventilation shaft, the size of which shall not be less than the values given below :-

Height of buildings in meters	Size of ventilation shaft in square meters	Minimum size of a side of shaft in meters
(1)	(2)	(3)
Up to 10	1.2	0.9
12.5	2.8	1.2
18	4.0	1.5
24	5.4	1.8
30	8.0	2.4
above 30	9.0	3.0

Note 1 : For buildings above 30 meters mechanical ventilation system, shall be installed besides the provision of minimum ventilation shaft.

Note 2: For fully air-conditioned residential buildings the ventilation shaft need not be insisted :

Provided that the air-conditioning system is designed to work in an un-interrupted manner which means that there is an alternate source of power supply.

(c) **Outer Courtyard:** The minimum width of outer courtyard (distinguished from its depth) shall be 2.4 meters. If the width of the outer courtyard is less than 2.4 meters, then it shall be treated as a notch and the provisions of outer courtyard shall not apply.

(7) Joint open air space for buildings-

- (a) Every interior or exterior open air space, unless the latter is a street, shall be maintained and shall lie entirely within the owner's own premises.
- (b) If such interior or exterior open air space is intended to be used for the benefit of more than one building belonging to the same owner, then the width of such open air space shall be equal to the one as specified for tallest building abutting on such open air space.
- (c) If such interior or exterior open space is jointly owned by more than one person, then its width shall be as per (b) above :

Provided that every such person agrees in writing to allow his portion of such joint open space to be used for the benefit of every building abutting on such joint open space and provided he submits his written consent to the Agency for record. Such common open space shall henceforth be treated as a permanently open space required for the purposes of these rules. No boundary wall between such joint open space shall be erected or raised to a height above 2.0 meters.

73. Open spaces for other occupancies: -In case where the composite building permission is applied for the following occupancies/ buildings :-

- (a) **Educational Buildings-** Except for nursery school, the open spaces around the building shall not be less than 6 meters.
- (b) **Institutional Building-** The open spaces around the building shall not be less than 6 meters.
- (c) **Assembly Building-** The open space at front shall not be less than 12 meters and other spaces around the building shall not be less than 6 meters.
- (d) **Business, Mercantile and Storage Buildings-**The open spaces shall not be less than 6 meters in the front and 4.5 meters on other three sides. Where these are situated in purely residential zone or residential with shops line zone, the open spaces may be relaxed.
- (e) **Industrial Buildings -** The open spaces around the building shall not be less than as prescribed in Rule 64.
- (f) **Hazardous occupancies-** The open space around the building shall be as specified for industrial buildings mentioned in clause (e)

above.

- 74. Projections** (1) **Projection into open spaces:**—Every minimum open space provided on the exterior side and every open space provided on the interior shall be kept free from any construction thereon and shall be open to the sky except as below :-
- (a) Cornice, roof or weather shade not more than 0.75 meter wide;
 - (b) Sunshade over window/ventilators or other openings not more than 0.75 meters wide;
 - (c) Projected balcony at first or higher floors extending upto 1.20 meters with clearance of 1.5 meters from plot boundary provided that such projected balcony shall not be constructed as a continuous projection on any side of the building;
- (2) Projections mentioned above in sub-rule (1)(c) may be permitted on the inner courtyard, if the size of such courtyard is more than 9 meters x 9 meters.
- (3) Projecting rooms at alternate floors may be allowed :
Provided that such projection,-
- (a) do not obstruct the air and light of the lower two floors;
 - (b) do not project into the MOS; and
 - (c) shall not be more than the height of the storey immediately below.
- (4) **Accessory Building-** The following accessory buildings may be permitted in the open spaces: -
- (a) In existing building, sanitary block of 2.4 meters in height subject to a maximum of 4 square meters in the rear open space at a distance of 1.5 meters from the rear boundary may be permitted.
 - (b) Private garages with an area not exceeding 25 square meters shall be permitted in the rear end of side open spaces.
 - (c) Pump room and watchman hut each up to 6.0 square meter.
- (5) **Sunshades over windows and ventilators-** Projections of sunshades over windows or ventilators in existing built-up or congested areas when permitted by the Agency shall fulfil the following conditions, namely :-

- (a) no sun-shade shall be permitted over the road or over any drain or over any portion outside the boundaries of the site below a height of 2.8 meters from the road level;
- (b) sunshades provided above a height of 2.8 meters from the ground level shall be permitted to project up to a maximum width of 60 centimetres, if the road over which they project exceeds 9 meters in width; and
- (c) no sunshade shall be permitted on roads less than 9 meters width or on roads having no footpath.

75. Limitation to open spaces -(1) **Safeguard against reduction of open spaces-** No construction work on a building shall be allowed if such work operates to reduce an open space of any other adjoining building belonging to the same owner to an extent less than what is prescribed at the time of the proposed work or to reduce further such open space if it is already less than that prescribed.

- (2) **Additions or Extensions to a building-** Additions or extensions of building shall be allowed provided that the open spaces for the additions or extensions would satisfy these rules after such additions or extensions are made. .

76. Group housing.-Planning Norms for Group Housing shall be as below:-

- (1) The minimum land or plot area, ground coverage, minimum soft area and such other planning norms for group housing shall be as published by the agency.
- (2) The coverage and floor area ratio for various densities may be as provided in Table 7 unless otherwise provided in the development scheme.

TABLE - 7

FLOOR AREA RATIO AND COVERAGE FOR GROUP HOUSING

[See rule 76(2)]

S. No.	Gross residential density Persons/Hectare	Maximum coverage in per cent.	Floor area Ratio
(1)	(2)	(3)	(4)
1.	125	25	0.75
2.	250	30	1.25
3.	425	33	1.50
4.	500	35	1.75
5.	625	35	2.00

Note: The coverage shall be calculated on the basis of the whole

area reserved for group housing after deducting,-

- (i) the area of any highway or any road of width 18 mtrs. or more which falls within the area of Group Housing;
- (ii) the area of school (excluding sites for Nursery Schools) and other community facilities within the Group Housing Area; and
- (iii) the prescribed open space (playgrounds and tot lots of local nature shall be permitted in these open spaces).

(III) Floor area and height limitation

77. **Floor Area Ratio**-The Floor Area Ratio (FAR) for development of non-high rise buildings of different use group shall be as mentioned in Table 8.

TABLE 8
(See rule 77)

FLOOR AREA RATIO FOR DIFFERENT USE GROUP

S. No.	Use Group	FAR*	Category or level of activities
(1)	(2)	(3)	(4)
1.	Residential	1.25	
2.	Commercial	<ul style="list-style-type: none"> • 2.50 • 2.00 • 1.75 • 1.50 	City Centre Sub-city center Community Center Local Shopping Centre Convenience Shopping Centre
3.	Public Semi-public	<ul style="list-style-type: none"> • 1.00 	Administrative/ Education and Research/ Health /Social / Cultural/ Institutional
4.	Industrial	<ul style="list-style-type: none"> • as per rule 64 	as per rule 64

Note: (1) In case where the owner surrenders a portion of his plot / land and vests its ownership in the Agency for public purpose, an additional floor area calculated adding twice the area of plot/land surrendered by him may be allowed in the

remaining area of the plot/land in lieu of the monetary compensation.

- (2) In case of in-situ redevelopment of a slum, an additional FAR upto 0.50 may be allowed in addition to the permissible FAR in that area, however all other norms related to the development and building permission shall be observed.
- (3) On plot admeasuring 200 to 500 sq. meters one servant quarter and on plot admeasuring more than 500 sq meters two servant quarters may be permitted. The size of a servant quarter shall not exceed 25 sq. m. and the area of the servant quarter shall not be counted in the built up area or the covered area.
- (4) Covered parking with a clear height of 2.4 meters may be provided within the permissible ground coverage on plots. Such area of parking shall not be counted towards Floor Area Ratio and permissible height calculations.
- (5) The total built up area of economically weaker section and low income group houses constructed, shall not be counted towards the calculations of the floor area ratio. However such exemption shall be limited to the built up area of such EWS and LIG dwelling units as together constitute 15% of the number of dwelling units proposed to be developed in the same colony for other income groups.

78. Norms for Podium -(1) Podium may be constructed,-

- (a) on a plot admeasuring at least 1000 sq.mtrs.;
 - (b) in such manner that the clear height of each floor does not exceed 2.4 meters; and
 - (c) with a maximum of three such floors above ground level.
- (2) Podium shall not be counted in the calculation of the Floor Area Ratio and the building height. The uncovered roof top portion of the podium shall be counted towards the requirement of open spaces prescribed under rule 63, rule 71, 72, 73.
 - (3) The restriction of 2.4 meters clear height mentioned in sub rule 1(b) may be relaxed according to the design needs of mechanized parking.
The maximum permissible height of the podium in such cases shall not exceed { 2.4 m x 3 Floors } + designed thickness of

beams and slabs in Podium Parking Floor

- (4) The uncovered roof top portion of the podium may be used for development of uncovered park, water /swimming pool, parking.

- 79. Parking Floors-** Where the plot size is not less than 1000 sq. mtrs. covered parking with a clear height of not more than 2.4 meters may be permitted on any floor of the building according to the requirement of the project. Such parking shall not be included in the calculation of the FAR. If such parking is provided on the entire floor area, then such parking floor would not be included in the height of the building.
- 80. Service Floor-**Service floor may be provided in the building on plots having area 1000 square meters or more. The clear height of such service floor shall not exceed 2 meters and the same shall not be counted for the purpose of calculating Floor Area Ratio and the building height.
- 81. Height limit.-**(1) The maximum height of a building shall be determined by the provision of Table No 4 and 5 of Rule 58 as the case may be.
- (2) If a plot abuts on two or more streets of different widths, the building shall be deemed to face such street which has greater width and the height of the building shall be regulated by the width of that street. This height may be continued to a depth of 24 meters along the narrower street.
- (3) In case the building is located in vicinity of aerodromes, the maximum height of such building shall be such as determined by the Airport Agency.
- 82. Permission to build Skyways and subways -**(1) The Agency may permit the construction of skyway at different levels connecting two or more buildings. Provided that no such skyway shall be built,-
- (a) below a height of 6.5 meters as measured from highest level of the ground immediately below the skyway. However, this may be relaxed by the Agency if the nature of the movement under the skyway so permits.
- (b) across any public street without obtaining the prior permission of the agency responsible for its construction and maintenance;
- (c) without obtaining prior permission of the Fire Agency and a certificate of structural safety from the licensed structural engineer;

- (d) in a manner that may obstruct any vehicular movement under it;
 - (e) with a width of more than 4 meters; and
 - (f) if the columns supporting such skyway do not harmonize with the surrounding architectural features.
- (2) The Agency may permit the construction of a subway (an underground passage for pedestrian and /or vehicular use) with the object of connecting two or more points.

Provided that a subway for the use of pedestrians shall be built,-

- (a) sufficiently below the ground to enable safe passage of vehicular or pedestrian traffic over it;
- (b) across a public street after obtaining prior permission of the agency responsible for its construction and maintenance;
- (c) after obtaining prior permission of the Fire Agency and a certificate of structural safety from the licensed structural engineer;
- (d) in a manner that ensures that the lighting, drainage, ventilation, signage, utilities and services are comfortable and safe for the usage of the people; and
- (e) with a clear height and width of not less than 3.0 meters and 4.5 meters respectively.

Note: If the subway is expected to allow vehicular traffic, the design parameters shall be approved by the Agency on case to case basis keeping in view the safety and comfort of the users.

83. **Plantation**-A plot having area of 100 square meters or more shall be planted with trees after the completion of construction of building. The number of trees planted shall be one tree for every 100 square meters of individual plot. The occupancy certificate for the building will be issued only when the Agency is satisfied that the provisions of this rule have been complied with. Every effort shall be made to protect the existing trees on the plot.

IV Requirements of building components

84. **Plinth (1) Main Building** - The plinth or any part of a building or out house shall be so located with respect to surrounding ground level that adequate drainage of the site is assured. The height of the plinth shall be more than 45 centimetres from the surrounding ground.

(2) **Interior courtyard-** Every courtyard shall be raised to ensure satisfactory drainage.

85. Habitable rooms - (1) Height- The height of all rooms for human habitation shall not be less than 2.6 Meters measured from the surface of the floor to the lowest point of the ceiling (bottom of slab). In case of pitched roof, average height of rooms shall not be less than 2.6 meters. The minimum clear head room under a beam, folded plates or caves shall be 2.4 meters. In case of air-conditioned rooms a height shall not be less than 2.4 meters measured from the surface of the floor to the lowest point of air-conditioning duct or the false ceiling shall be provided.

(2) The requirements of sub-rule (1) shall apply to residential, business and mercantile buildings. For educational and industrial building the following minimum requirements shall apply:-

(a) **Educational building-** Ceiling height 3.6 meters for all regions.

(b) **Industrial building-** Ceiling height 3.6 Meters but if air-conditioned, 3 meters (Factory Act, 1948 and rules made there under shall govern such height where applicable).

(3) **Size :**

(a) The area of habitable room, where there is only one room, shall not be less than 9.5 square meters and the minimum width shall be 2.4 meters. Where there are two rooms, one of these shall not be less than 9.5 square meters and the other be not less than 7.5 square meters with a minimum width of 2.1 meters. In the case of hostels in educational institutions the minimum size of a habitable room for single person shall be 7.5 square meters.

(b) However, in the case of special housing schemes for Economically Weaker Section of Society, Low Income Group Housing, the norms for the size of the rooms shall be as provided in **Appendix A-XII**.

86. Kitchen.- (1) Height: The height of a kitchen measured from the surface of floor to the lowest point in the ceiling (bottom slab) shall not be less than 2.6 m meters except for the portion to accommodate floor trap of the upper floor.

(2) **Size :** The area of a kitchen where separate dining area is provided shall not be less than 5.0 square meters with a minimum width of 1.8 meters. Where there is a separate store, the area of kitchen may be reduced to 4.5 square meters. A kitchen, which is intended for

use as a dining area also, shall have a floor area of not less than 7.5 square meters with a minimum width of 2.1 meters.

- (3) **Other requirements-** Every room to be used as kitchen shall have,-
- (a) unless separately provided in a pantry, means for the washing of kitchen utensils which shall lead directly or through a sink to a grated and trapped connection to the waste pipe;
 - (b) an impermeable floor;
 - (c) a flue, if necessary; and
 - (d) a window or ventilator or opening of size not less than as specified in note 3 of sub-rule (3) of rule 98.

87. Bathroom and Water Closets.-(1) **Height:** The height of a bathroom or water closet measured from the surface of the floor to the lowest point in the ceiling (bottom of slab) shall not be less than 2.2 meters.

(2) **Size :** (a) The size of a bathroom shall not be less than 1.5 square meters. The minimum floor area of water closet shall be 1.1 square Meters with a minimum width of 0.9 meter. If bath and water closet are combined, its floor area shall not be less than 2.4 square Meters with a minimum width of 1.2 meters. The area of Water Closet with wash basin shall not be less than 1.3 square meters;

(b) the minimum sizes of bathrooms/water closets shall be as follows:-

- (i) Independent water closet -1.1 meter X 0.90 meter.
- (ii) Independent bathroom - 1.3 meter X 1.10 meter.
- (iii) combined bathroom and closet-2.00 square meters with, minimum width of 1.1 meters.
- (iv) Water closet with wash basin -1.3 square meters.

- (3) **Other requirements:** Every bathroom or water closet shall,—
- (a) be so situated that at least one of its walls shall open to external or internal open space;
 - (b) not be directly over or under any room other than another water closet, washing place, bath or terrace, unless it has a water tight floor;
 - (c) have the platform or seat made of watertight non-absorbent material;
 - (d) be enclosed by wall or partitions and the surface of every such wall or partitions shall be finished with a smooth impervious material to a height of not less than 1 meter above the floor of such a room;
 - (e) be provided with an impervious floor covering, sloping

towards the drain with a suitable grade and not towards verandah or any other room; and

(f) have a window or ventilator, opening to a shaft or open space, of area not less than 3 square Meters with side not less than 0.3 meter.

(4) No room containing water-closet shall be used for any purpose except as a lavatory and no such room shall open directly into any kitchen or cooking space by a door, window or other opening. Every room containing water-closet shall have a door completely closing the entrance to it.

88. Ledge or Tand / Loft-(1) Height : It shall have a minimum head-room of 1.50 meters.

(2) **Size :** A ledge or "tand" in a habitable room shall not cover more than 25 per cent of the area of the floor on which it is constructed and shall not interfere with the ventilation of the room under any circumstances.

(3) **Loft :** A loft, if provided, on a kitchen shall not exceed 25 per cent of the area of kitchen and shall leave minimum height of 2.2 meters under the loft. On bathroom, water-closet and corridor, the loft may cover as much area as would allow a person to keep article there with reasonable space for body movement.

89. Mezzanine (Entresol) Floor- (1) Height : It shall have a minimum Height of 2.2 meters.

(2) **Size:** The size of the mezzanine floor, if it is to be used as a living room, shall not be less than 9.5 square meters. The aggregate area of such mezzanine floor in a building shall in no case exceed 1/3 of the plinth area of the room in which it is provided.

(3) **Other requirements.** A mezzanine floor may be permitted over a room or a compartment:

Provided that,-

- (a) it conforms to the standards of living rooms as regards lighting and ventilation in case the size of mezzanine floor is 9.5 square meters or more;
- (b) it is so constructed as not to interfere, under any circumstances, with the ventilation of the space over and under it;
- (c) such mezzanine floor is not sub-divided into smaller compartments;
- (d) such mezzanine floor or any part of it shall not be used as a kitchen; and

(e) a mezzanine floor shall be kept open on at least one side.

- 90. Storeroom** -(1) **Height:** The height of a store room shall not be less than 2.2 meters.
- (2) **Size :** The size of a store room, where provided in a residential building shall not be less than 3 square meters.
- 91. Garage.**-(1) **Height.** The height of a garage shall not be less than 2.2 meters.
- (2) **Size :** The size of garage shall not be less than as below :-
- (a) Private Garage- 2.5 meters X 5.0 meters.
- (b) Public Garage- Based on the number of vehicles parked etc., (Refer rule 100 parking space).
- 92. Basement** -(1) Basement shall not be used for habitable purpose except in case mentioned in clause (c) of sub-rule 2 .
- (2) The construction of the basement may be allowed in all the land use activities subject to the following conditions, namely:-
- (a) basement shall not extend into the prescribed MOS :
Provided that where minimum MOS are more than 12 meters in front or more than 7.5 meters on all other sides, in that case basement may be allowed leaving 12 meters distance in front and 7.5 meters on other sides from the outer boundary of land / plot;
- (b) the plinth level of the building in which the basement is built shall not be more than 0.90 meters above the surrounding ground; and
- (c) in certain cases, depending on the topography of the site the part of the building below the ground or reference level could also be called the basement and if such part is habitable, then it may be used accordingly and shall be added in the calculation of FAR.
- (3) Basement can be used for only the following purposes, namely :-
- (a) storage of non-combustible articles;
- (b) strong rooms, bank cellars, radiation room (only for medical treatment and research);
- (c) air-conditioning equipments and other machines used for services and utilities of the building;
- (d) parking spaces;
- (e) commercial activity only on the first basement level, provided that:
- (i) the land use of the premises / plot is commercial;

- (ii) the plot area is not less than 1.0 hectare; and
- (iii) the building is detached,

Note : The basement area permitted for commercial use in sub rule 3(e) shall be taken into account for the purpose of calculating FAR.

(4) The basement shall have following requirement, namely :-

- (a) basement in every part shall have a clear height of at least 2.4 meters as measured from the floor to the underside of the beam. In case of clause 3(e) above, the minimum clear height as calculated above shall be 3.6 meters;
 - (b) adequate ventilation shall be provided for the basement, the ventilation requirements shall be the same as required by the particular occupancy according to these rules. Any deficiency may be met by providing adequate mechanical ventilation in the form of blowers, exhaust fans, air-conditioning systems or the like;
 - (c) the maximum height of the ceiling of any basement shall be 0.45 meter above the surrounding ground level in such a fashion that vehicular movement in the MOS or around the buildings are not obstructed;
 - (d) adequate arrangements shall be made to prevent surface drainage from entering into the basement;
 - (e) the walls and floors of the basement shall be watertight and be so designed that the effect of the surrounding soil and moisture are taken into account in design and adequate damp proofing treatment done;
 - (f) the access to the basement shall be separate from the main entrance and in addition another staircase/ramp shall be provided for access to and exit from various floors of the basement. Where the staircase/ramp is continuous the same shall be of enclosed type serving as a fire separation from the basement floor and higher floors; and
 - (g) open ramps as means of access to the basement may be permitted in such a manner that they do not obstruct the MOS in any manner.
- (5) A maximum of three levels may be allowed in the construction of multi-level basements. Such multi-level basement may be allowed only if,-
- (a) The minimum frontage of the plot is 21 meters and the minimum average depth 30 Meters and the plots abuts a road of width 18 meters or more; and

- (b) the building is detached.
- (6) If the built form below the ground or reference level is used as habitable accommodation because of the existing topography such area may be permitted as habitable area and shall be counted in the Floor Area Ratio.
- 93. Parapet-** Parapet walls and handrails provided on the edges of roofs terraces, balcony, corridors/ lobbies/ foyers or verandah shall not be less than 1.05 meters in height from the finished floor level.
- 94. Boundary Wall-**The requirements of boundary wall are given below:-
- (a) The maximum height of the compound wall shall be 1.5 meters for all the activities except industries for which max. height shall be permissible upto the height of 2 mtrs. above the center line of the front street unless the Agency permits a higher wall.
- (b) The rear and side compound walls shall not have a height more than 3 meters above the central line of the service road in case it exists otherwise it shall be not more than 2 meters. It shall be measured above the central line of the front street. In case of a corner plot the height of the boundary wall abutting on the side road shall also not be more than 2.0 meters
- (c) the provisions of (a) and (b) are not applicable to boundary walls of jails, electric sub-stations, transformer stations, institutional buildings, like sanatoria, hospitals, industrial buildings like workshops, factories and educational buildings like schools, colleges, including the hostels and other uses of public utility undertaking, where height as required, may be permitted by the Agency.
- 95. Septic Tanks-** Where a septic tank is used for sewage disposal, the location, design and construction of the septic tank shall conform to the following requirements :-
- (1) **Location of Septic Tanks and Sub-Surface absorption systems-**
A sub-soil dispersion system shall not be located within 18 meters from any source of drinking water. It shall also be as removed from the nearest habitable building as economically feasible but not within 2 meters thereof so that there is no damage to the structures.
- (2) **Other Requirements -**
- (a) **Dimensions of septic tanks-** Septic tanks shall have minimum width of 75 centimetres and minimum depth of

- one meter below the surface level and a minimum liquid capacity of one cubic meter. Length of tanks shall be 2 to 4 times the width;
- (b) septic tanks may be constructed of brick work /stone masonry/ concrete or other suitable materials as approved by the Agency;
 - (c) under no circumstances should effluent from a septic tank be allowed into an open channel drain or body of water without adequate treatment;
 - (d) minimum nominal diameter of pipe used shall be 100 millimetres. Further at junctions of pipes in manholes, direction of flow from a branch connection should not make an angle exceeding 45 degrees with the direction of flow in the main pipe;
 - (e) the gradients of land drains, under-drainage as well as the bottom of dispersion trenches and soak ways should be between 1: 300 and 1: 400;
 - (f) every septic tank shall be provided with ventilating pipe of at least 50 millimetres diameter. The top of the pipe shall be provided with a suitable case of mosquito proof wire mesh. The ventilating pipe shall extend to a height which would cause no smell nuisance to any building in the area. Generally, the ventilating pipe may extend to a height of 2 meters when the septic tank is located at a distance of 15 meters from the nearest building and to a height of 2 meters above the top of the building when it is located closer than 15 meters;
 - (g) when the disposal of septic tank effluent is to seepage pit, the seepage pit may be of any suitable shape with the least cross-section dimension of 90 centimetres and not less than 100 centimetres in depth below the invert level of the inlet pipe. The pit may be lined with stone, brick or concrete blocks with dry open joints which should be backed with at least 7.5 centimetres of clean coarse aggregate. The lining above the inlet level should be finished with mortar. In the case of pits of large dimensions, the top portion may be narrowed to reduce the size of the reinforced cement concrete cover slabs. Where no lining is used, specially near trees, the entire pit should be filled with loose stones. A masonry ring may be constructed at the top of the pit to prevent damage by flooding

of the pit by surface run off. The inlet pipe may be taken down to a depth of 90 centimetres from the top as an anti-mosquito measures; and

- (h) when the disposal of septic tank effluent is to a dispersion trench, the dispersion trench shall be 50 to 100 centimetres deep and 30 to 100 centimetres wide excavated to gradient and shall be provided with 10 to 25 centimetres of washed gravel or crushed stone. Open joints placed inside the trench shall be made of unglazed earthenware pipes clay or concretes and shall have minimum internal diameter of 75 to 100 millimetres. Each dispersion trench should not be longer than 30 meters and trenches should not be placed closer than 1.8 meters.

96. Staircase.- (1) The minimum clear width and maximum riser of Stair cases for buildings shall be as given in sub-rule (2) to (4).

(2) **Minimum Width:** The minimum width of staircase shall be as follows:-

(i)	Residential buildings (Dwellings)	0.90 meters
(ii)	hotel buildings.	1.50 meters
(iii)	Assembly buildings like auditorium, theatres, cinemas and other public buildings less than 24 mtrs. in height	1.50 meters
(iv)	Educational buildings-	
	(a) up to 24 m in height	1.50 meters
	(b) more than 24 m in height	2.00 meters
(v)	Institutional buildings	
	(a) up to 10 beds	1.50 meters
	(b) more than 10 beds	2.00 meters
(vi)	All other buildings	1.50 meters

(3) The landing width shall be a minimum of twice the tread plus 25 centimeters.

(4) **Minimum Tread.** The minimum width of tread without nosing shall be 25 centimetres for residential buildings. The minimum width of tread for other buildings shall be 30 centimetre.

(5) **Maximum Riser-**The maximum height of risers shall be 17 centimetres for residential buildings and 15 centimetres for other buildings and these shall be limited to 15 numbers per flight.

(6) **Head Room.** The minimum head-room in a passage under the

landing of a staircase shall be 2.20 meters. The minimum clear head-room in any staircase shall be 2.20 meters.

- 97. Roofs** -(1) The roof of a building shall be so constructed or framed as to permit effective drainage of the rain water there from by means of sufficient rain-water pipes of adequate size, wherever required, so arranged, jointed and fixed as to ensure that the rain-water is carried away from the building without causing dampness in any part of the walls or foundations of the building or those of an adjacent building.
- (2) The Agency may require rain-water pipes to be connected to a drain or sewer or a covered channel beneath the public footpath or in any other approved manner.
- (3) Rain-water pipes shall be affixed to the outside of the external walls of the building or in recesses or chases cut or formed in such external walls or in such other manner as may be approved by the Agency.
- (4) Rain/Roof water harvesting method shall have to be provided on all type of buildings having plot size more than 140 Square meter as per the options mentioned in **APPENDIX- A-13, A-14 & A-15**.
- (5) In the scheme area along with the composite building permission, a security deposit as mentioned below shall be deposited by the applicant based on the area of the plot to ensure roof top/ pebble bed / service well/ water harvesting :-

S.No.	Area of the plot (Sqmt.)	Rate (Rs.)
1.	0 to 1,000	25,000/-
2.	1,001 to 6,000	50,000/-
3.	Above 6,000	1,00,000/-

After the completion of building the applicant shall inform the building officer regarding the implementation of water harvesting. After physical verification if it is found that rain water harvesting system is installed effectively, in that case the above security deposit shall be returned to the applicant.

(V) Lighting and Ventilation

- 98. Lighting and Ventilation of Rooms** -(1) Every room shall, for the admission of light and air, have one or more openings, such as windows and ventilators opening directly to the external air or into an open verandah.

- (2) Where the light 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 the Code** as revised from time to time.
- (3) Notwithstanding the area of openings mentioned under sub-rule (2), the minimum aggregate area (see Notes 1 to 3) of such openings excluding doors inclusive of frames shall not be less than one-tenth of the floor area.

Note 1: If a window is partly fixed, the open-able area shall be counted.

Note 2: No portion of a room shall be assumed to be lighted, if it is more than 7.5 meters away from the opening.

Note 3.- Area of openings as given in this sub-rule shall be increased by 25 percent in case of a kitchen.

(VI) Lift

99. **Provision of Lifts.-** Provision for lifts shall be made for building more than 12.5 meters in height. Planning and designing of lifts shall be done in accordance with the provision given in **Part-VIII Building Services Section 5. Installation of Lifts and Escalators, of the Code** as revised from time to time.

(VII) Parking Space

100. **Parking Space.-**(1) The norms for providing parking on the plot and in areas other than the plot shall be in accordance with the norms given in the **APPENDIX A-16, A-17**, respectively.

- (2) Standalone multi-level public parking may be permissible to meet the additional parking requirement of residential, commercial, PSP, Industrial, recreational, agriculture and transportation and other activities. 5% of the built up area of the parking structure may be used for commercial activity. Other planning norms for such stand alone parking buildings shall be as below:

MOS (Front)	:	12 meters
All other sides	:	09 meters
Ground Coverage	:	maximum 75 percent.

Building Height : to be determined in each case by the Agency.

VIII -EXIT

101. Exit Requirements.- The exit requirements of the building shall be in accordance with the provisions of the Code.

(IX) FIRE, STRUCTURAL SAFETY AND SERVICES

102. Fire and structural safety.-(1)The fire and structural safety requirements of the building shall be determined by the provisions of the Code.

(2) Every public building shall provide for the special needs of the physically challenged in accordance with the provisions of the Code.

103. Fire protection requirements.-The fire protection of the building shall be determined by the following requirements:-

- (1) The Fire Agency shall be designated by the State Government.
- (2) Building permission of every high rise building shall be granted after the clearance from the Fire Agency has been obtained.
- (3) The fire safety measures mentioned in Part IV of National Building Code shall be applicable.

104. Structural Design -The structural design of foundation, masonry, timber, plain concrete, rein-forced concrete, pre-stressed 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 National Building Code of India**; taking into consideration all relevant Indian Standards prescribed by **Bureau of Indian Standards** including the Indian Standards given below:-

For 15 Earthquake prone districts namely, Sidhi, Shahdol, Jabalpur, Damoh, Narsinghpur, Raisen, Hoshangabad, Betul, Sehore, Dewas, East Nimad, West Nimad, Indore, Dhar and Jhabua and such other districts, as may be notified from time to time as earthquake prone areas, the structural design must be in accordance with the following standards:—

1. For R.C.C. Construction and Pucca-brick construction

- (i) IS : 1893 - 1986
 - (ii) IS : 13920 - 1993 (to be read with IS : 456, IS : 1893)
 - (iii) IS : 4326 - 1993 (to be read with IS : 1893)
2. For low strength masonry or clay, mud and blocks.
- (i) IS : 13827 - 1993
 - (ii) IS : 13828 - 1993 (b) For Repair and Strengthening
 - (iii) IS : 13935 - 1993
3. For other matters
- (i) IS : 1893-1984 "Criteria for Earthquake Resistance Design of Structures (Fourth Revision)" June, 1986.
 - (ii) IS : 13920 - 1993 "Ductile detailing of Reinforced Concrete Structure subject to Seismic Forces Code of Practice" November, 1993.
 - (iii) IS : 13828-1993 "Earthquake Resistance Design and Construction of Building Code of Practice (Second Revision)" October, 1993.
 - (iv) IS : 13828-1993 "Improving Earthquake Resistance of Low Strength Masonry Building-Guidelines" August, 1993.
 - (v) IS : 19827 - 1993 "Improving Earthquake Resistance of Earthen Building Guidelines" October, 1993.
 - (vi) IS : 13935 - 1993 "Repair and Seismic Strengthening of Building Guidelines" November, 1993.

Note: Whenever an Indian Standard of the National Building Code is referred the latest provision in the Standard or the relevant Codes of Practice should be adhered to.

105. Quality of Materials and Workmanship- (1) **Quality of material-** All materials and workmanship shall be of good quality conforming generally to accepted standards of Public Works Department of the State or Indian Standards Specifications or as included in **Part-V Building Materials and Part VII Constructional Practices and Safety of the Code** as revised from time to time.

(2) **Quality of materials may be relaxed for LIG/EWS-** For housing schemes put up for economically weaker sections and low income groups the quality of materials to be used may be relaxed subject to the approval of the Agency :

Provided that the housing units constructed of combustible materials are properly segregated from fire protection point of

- (3) **Used Material-** The use of old building material shall be allowed in construction :

Provided that the material so used shall conform to the standards of new materials as specified above.

- (4) **Storage of materials-** All building materials shall be stored on the building site in such a way as to prevent deterioration or impairment of their structural and other essential properties. Further, the storage of materials shall be done exclusively within a building plot. If in congested area, it is not possible to store within building plot, temporary storage of materials like sand, stone, etc. may be permitted on the public roads by the Agency :

Provided that such storage does not cause serious traffic nuisance both for pedestrian and vehicles.

- (5) **Burrow pits dug in the course of construction-** All burrow pits dug in the course of construction and repair of building, roads, embankments and the like shall be deep and connected with each other in the formation of drain directed towards the lowest level and properly sloped for discharge into a river stream, channel or drain and no person shall create any isolated burrow pit which is likely to cause accumulation of water which may breed mosquitoes.

- (6) **Demolition :**

- (a) Before commencing any work of demolition, a careful and detailed study shall be made of the structure to be demolished including its surroundings. While working out the plan of demolition, safety of the adjoining structures shall be ensured and a certificate to that effect by the licensed technical personnel shall be produced. The final plan of sequence of operations shall have to be approved by the Agency.
- (b) Before commencing any demolition work, specific permission shall be obtained from the Agency, and the same shall be pasted prominently at the site.
- (c) If the structure to be demolished is one which may have hidden damages caused by fire, flood or earthquake, measures necessary to prevent accidental collapse, shall be provided to the satisfaction of the Agency.
- (d) Prominent danger signs shall be pasted all round the property and all openings giving access to the structures shall be barricaded and closed to all except the workmen. During

- night warning light shall be placed on or above all barricades.
- (e) All gas, water, electricity, steam and other service lines shall be shut off outside the property line after notifying the service companies and authorities concerned and obtaining their approval. Any temporary service connections required for the demolition work shall be separately taken and arranged in such a manner as to afford safety to the workmen.
 - (f) When work is not in progress, watchman shall provide information to the public to prevent unauthorized entry of the public into the danger zone.
 - (g) All necessary safety appliances shall be issued to all the workers before starting the work.
 - (h) Safety distances to ensure the safety of the public shall be clearly marked and indicated by signs. Diversions for pedestrians shall be ensured, where necessary for safety.

- 106. Building Services.-** The planning, design and installation of electrical installation, air conditioning and heating work shall be carried out in accordance with **Part-VIII "Building Services", Section-2 - "electrical installation", Section-3 - "Air conditioning and Heating" of the Code**, as revised from time to time.
- 107. Plumbing Services.-** The planning, design, construction and installation of water supply, drainage and sanitation and gas supply system shall be in accordance with **Part-IX "Plumbing Service" Section-I "Water supply" Section-2, "Drainage and Sanitation" and Section-3, "Gas Supply" of the Code** as revised, from time to time.
- 108. Requirement of water and gas supply in buildings.-** The requirement of water and gas supply for various occupancies shall be as given in **Part-IX of the Code**.
- 109. Requirements of drainage, sanitation including solid waste management.** The drainage, sanitation including solid waste management for different occupancies shall be as given in **Part IX of the Code**.

(X) SPECIAL REQUIREMENTS OF ASSEMBLY OCCUPANCIES

- 110. Cinemas, Theatres and Public Assembly Halls. -** (1) No permission for construction of a building for cinema shall be granted by the Agency, unless it conforms to the provisions of the **Madhya Pradesh Cinema (Regulations) Act, 1952 (No. XVII of 1952)** and the rules made thereunder.
- (2) **Set back from regular line of the street for Cinema / Assembly Building :** No person shall erect a building intended to be used as a cinema theatre or public assembly hall or convert the use of any existing building to any such purpose unless such building is set back at least 9 meters from the regular line of the street or from the street, if no such, line exists. Further the location for such building shall be governed by the provisions of rule 69 or the development scheme and shall be subject to approval of the Agency.
- 111. Provisions regarding multiplex.-**(1) Multiplex means a building which consist of two or more cinema halls with or without shopping area
- (2) Activities permissible in multiplex or in multiplex-cum-shopping centre, shall be as under :-
- Entertainment area such as two or more screen cinema halls, concert hall, 3-D cinema hall, video games arcade, disco theque , go carting, 3 dimension arena, bowling alley and other activities which come in this category.
 - Food zone complex, restaurant, cafe bar, lounge bar, pub, ice cream parlour and similar activities.
 - Lodging means areas like hotels, with rest rooms, suites, working apartments or studio apartments etc.
 - Commercial establishment including shops, office complex etc.
- (3) the activities mentioned in sub rule 2(c) and 2(d) shall be permissible in an area which does not exceed 50 per cent of the total built up area;
- (4) Norms for establishment of new multiplex-cum-shopping centre:- the norms for establishing new multiplex-cum-shopping and conversion of old Cinema to multiplexes shall be as below :-

Sr No	Development Norms		Multiplex	Multiplex-cum shopping	To convert old Cinema halls into Multiplexes.
1	2		3	4	5
1	FAR.		As per Rule No 58	As per Rule No 58	As per Rule No. 58
2	Minimum Plot area for Seating capacity of	Upto 300 seats	1200 sq m	1500 sq m	@ 4sq m per seat
		Upto 500 seats	2000 sq m	2500 sq m	@ 4 sq m per seat
		Above 500 seats	@ 4 sq m per seat	@ 5 sq m per seat	@ 4 sq m per seat
3.	Maximum Ground coverage.		40%	40%	40%
4.	a) Minimum Open Spaces Front		12.0 meters	12.0 meters	12.0 meters
	b) Minimum Open Spaces All Other Sides		As per rule 58	As per rule 58	6.0 meters
5	Maximum Height (also see note (b) below.		As per rule 58	As per rule 58	As per rule 58
6	Parking Area for towns having population	Upto 3 lakhs	1 Car space for every 55 Sq. m. built up area.	1 Car space for every 55 Sq. m. built up area.	As per note (c) below.
		3.0 to 7.5 lakhs	1 Car space for every 50 Sq.m. built up area.	1 Car space for every 50 Sq. m. built up area.	As per note (c) below.
		Above 7.5 lakhs	1 Car space for every 45 Sq. m. built up	1 Car space for every 45 Sq. m. built up	As per note (c) below.

7	Mini- mum Road width in front of plot for town having populati on	Up to 3 lakhs	18 m	18 m	12 m
		3.0 to 7.5 lakhs	24 m	24 m	12 m
		Above 7.5 lakhs	30 m	30 m	18 m

Note :

- (a) The clear height of the multiplex hall shall not be less than 8 meters.
- (b) The multiplex shall be so built that it remains within 30 meters of the building height. The Agency may allow other activities as per the permissibility of that use zone above this height.
- (c) If number of seats are not increasing due to conversion in multiplex, no additional parking shall be required. If numbers of seats are increasing due to conversion in multiplex additional parking shall be required @ of one car space for every 12 Seats.
- (5) **Calculation of the parking area-**The total parking area provided in terms of equivalent car space shall be calculated by adding the sum of the following:-
 - (i) basement in sq. mtrs. divided by 35 sq. mtrs;
 - (ii) over-ground covered parking in sq. mtrs. divided by 30 sq. mtrs.;
 - (iii) open parking spaces in sq. mtrs. divided by 25 sq. mtrs.;
 - and
 - (iv) no parking shall be allowed in marginal open spaces.
- (6) Multiplex shall be fully air conditioned.
- (7) Public facilities shall be provided in accordance with the provisions of these rules.

112. Establishment of Shopping Malls.-(1) Norms for establishment of Shopping Mall and Open Mall shall be as below :

Permissibility and norms for establishment of Shopping Mall and Open Mall shall be as mentioned in the Development Scheme. Where the

norms for building Shopping Mall and Open Mall are not explicitly mentioned in the Development Scheme of an area, the norms for establishing Shopping Mall and Open Mall shall be as below:-

Sr. No	Planning norms		Shopping mall	Open Mall
(1)	(2)	(3)	(4)	(5)
1.	FAR when the plot abuts	Road width 18 meters	1.50	1.50
		Road width 24 meters	1.75	1.75
		Road width 30 meters and above	2.00	2.00
2.	Minimum plot area	For towns having population Upto 3 lakhs	1500Sq. mt.	5000 sq. mt.
		For towns having population 3 to 5 lakhs	2000 Sq. mt.	7500 sq. mt.
		For towns having population Above 5 lakhs	2500 Sq. mt.	10000 sq. mt.
3.	Maximum ground coverage		40 percent.	40 percent

Sr. No	Planning norms		Shopping mall	Open Mall
	(1)	(2)	(3)	(4)
4.	Minimum MOS	Front	9.0 meters	12.0 meters
		Rear Sides	6.0 meters/ 6.0 meters	7.5 meters/ 7.5 meters
5.	Maximum height		As per Rule 58	As per Rule 58
6.	Minimum parking	Population Upto 3 Lakhs	One car space for every 60 sq. mtrs. built up area.	One car space for every 60 sq. mtrs. built up area.
		Population 3 to 5 lakhs	One car space for every 55 sq. mtrs. built up area.	One car space for every 55 sq. mtrs. built up area.
		Population Above 5 lakhs	One car space for every 50 sq. mtrs. built up area.	One car space for every 50 sq. mtrs. built up area.
7.	Maximum height	Population up to 3 lakhs	18 meters	18 meters
		Population 3 to 5 lakhs	24 meters	24 meters
		Population above 5 lakhs	30 meters	30 meters

Sr. No	Planning norms		Shopping mall	Open Mall
(1)	(2)	(3)	(4)	(5)
8	Minimum Road width in front of plot		18 meters	18 meters

(2) **Calculation of the parking area :**

The total parking area provided in terms of equivalent car space shall be calculated by adding the sum of the following :-

- (i) basement in sq. mtrs. divided by 35sq. mtrs.;
- (ii) overground covered parking (podium / stilt) in sq.mtrs. divided by 30 sq. mtrs.;
- (iii) open spaces in sq. mtrs. divided by 25 sq. mtrs.

- (3) Public facilities shall be provided in accordance with the provisions of these Rules.

113. Factories and Industrial structures: - Provisions of the Factories Act, 1948 (No. LXIII of 1948) to apply.- (1) The provisions of the Factories Act, 1948 (No. LXIII of 1948) and rules made there under shall be applicable in addition to the these rules. However, provisions of these rules shall have over riding effect over the provisions of the Factories Act 1948 in case of any kind of ambiguity or overlapping of provisions.

(2) **Location of Factory:** The location of the factory site shall be governed by the provisions of development scheme.

(3) **Disposal of Trade Waste and effluent:** In case the drainage system is proposed to be connected to the public sewerage system or natural water course nearby, prior approval of the arrangements shall be obtained from the Agency and the Madhya Pradesh State Pollution Control Board constituted under **Water (Prevention and Control of Pollution) Act, 1974** (No. 6 of 1974).

114. Signs and outdoor display structure.- Provisions of Code to apply - The display of advertising signs on building and lands shall be in accordance with **Part-X - Signs and Outdoor Display Structures of the Code**, as revised from time to time.

115. Special requirements of Low-Income Housing Group.-Notwithstanding

anything contained in these rules, special requirements for low income housing such as Economically Weaker Section and Lower Income Group Housing Schemes shall be as given in **Appendix –A-12**.

- 116. Plinth construction check survey.**-On completion of the plinth of a high rise building the owner of the building shall obtain from the Agency a certificate to the effect that the plinth has been constructed strictly in accordance with the permissible covered area. The owner shall give a notice to the Agency, which shall either issue the certificate or order suitable changes to be made as per the approved site plan. The owner shall carry out the instructions as given by the Agency in this regard, failing which the Agency will be competent to demolish such part of the plinth which may have been objected to. The Agency shall either grant the requisite certificate or order that suitable modifications be made within 15 days of the notice, failing which the certificate shall be deemed to have been issued.
- 117. Issue of Service Certificate.**-On completion of the civil works of the building the owner shall give an application to the Agency for issue of a service certificate on the basis of which service connections, especially water, sewerage and power, shall be granted by the authorities concerned. The Agency shall either grant the requisite certificate or order that suitable modifications be made within 15 days of receiving the notice, failing which the certificate shall be deemed to have been issued.

CHAPTER 7

TAXATION, USER CHARGES AND RECOVERY

118. Imposition of Taxes and User Charges.-

- (1) The agency may, by a resolution, at the time of final adoption of the budget estimates for the next financial year, subject to the provisions of the Act and subject to such limitations and conditions, specific or general order as may be prescribed by the State Government in this behalf-
 - (a) Impose any of the taxes or user charge specified in the Act; or
 - (b) Increase the rates of taxes or user charge already imposed.
- (2) The resolution as referred to in sub-section (1) shall contain-
 - (a) in case of imposition of any tax or user charge, the provisions under which such tax or user charge is being imposed, class

- of persons or description of property to be taxed, the amount or rate of tax or user charge being imposed, system of assessment and collection to be adopted and the date from which imposition of such tax or user charges shall take effect;
- (b) in case of increase of rate of any tax or user charges, the prevailing rate of such tax or user charges, the proposed increased rate of such tax or user charges and the date from which increase of rate of such tax or user charge shall take effect.
- (3) The resolution, as passed, shall be conclusive evidence of the imposition of a new tax or user charge; or increase of rate of any tax or user charge, as the case may be:

Provided that prior approval of the State Government will be required for imposition of any tax and if the agency decides to have supplementary taxation during the financial year; it may do so from such date as the agency may resolve after getting approval from the State Government.

119. Imposition of Property Tax.-

- (1) Notwithstanding anything contained in this rule, the tax under clause (a) of sub-rule (1) of rule 118 shall be charged, levied and paid, at the rate, as may be determined by the agency for each financial year;

Provided that if the agency fails to determine the rate of the property tax by 31st March the rate as prevailing during the previous financial year shall be deemed to be the rate for that financial year.

120. Adoption of resolution by Agency :-

It shall be essential for every agency to adopt a resolution by including the following points, within maximum six months from the date of commencement of each financial year –

- (a) The determination of such rates of property tax which shall be payable on buildings/ lands.
- (b) To fix the date within which the return and the payment of the amount of property tax by the owners of building or land shall be essential, provided that such date shall not be earlier to four months from the beginning of the year.
- (c) Determination of general sanitation tax, general lightning tax and general fire tax.

121. Prevailing of the last year rates in case the resolution is not adopted –

If in any year the agency does not adopt the resolution under the

provisions of rule 120, the owners of buildings/ lands shall in a interim way deposit the amount of the tax along with the return in accordance with rule 123 on the basis of the last year's rates and on the declaration of the rates for the current year the revised return along with the amount of difference, if any, shall be deposited.

122. Publication of resolution.-

As soon as an agency adopts the resolution under rule 120, the resolution shall be published by the CEO in at least two daily newspapers which are in circulation in the scheme area concerned for the information of citizens and the copies of such resolution shall be kept in all the offices of the agency for the perusal of the citizens.

123. Self assessment of the property tax.-(1) Every owner of the building or land of the scheme area, shall himself calculate the amount of the property tax as per the rates described in resolution published by the agency by adding the amount of water tax and the consolidated amount of general sanitary tax/ cess, general lighting tax and general fire tax as determined in the amount of property tax payable and after indicating the information in the return appended as in the decided by the Agency form to these rules, deposit the consolidated amount of the aforesaid taxes in the agency within the prescribed time along with the return.

(2) If any person is the owner of more than one house or land in the scheme area, then every such owner shall pay the amount along with the separate return for each house or land.

(3) If the owner of the building or land finds any mistake in the return filed by him as above, then such owner of building or land may submit the revised return within thirty days from the date on which he had submitted the return and if the amount of property tax exceeds according to the revised return, then he shall deposit such amount in the agency along with the revised return;

Provided that if the amount of property tax deposited earlier exceeded according to the revised return, then he may demand to refund such excess amount and after scrutinizing of the demand is found to be correct, then the CEO concerned shall order to refund such excess amount.

124. To declare place for depositing the amount of tax.- Each agency shall declare the counter or the branch of the Bank as determined for depositing the amount of tax.

125. Scrutiny of the return.- If on the scrutiny of return received under rule 123, it is found by the agency officer that any information mentioned therein is not correct or is doubtful or he deems it necessary to re-assess

the tax due to any reason, then the CEO may take action for the re-assessment of the tax.

Provided that in the re-assessment, the variation upto ten per cent on either side shall be ignored but where the variation is more than ten per cent, the owner of land or building, as the case may be, shall be liable to pay such penalty which will be equal to five times of the amount of difference of self assessment made by such owner and the re-assessment made by the agency;

Provided further that against the order passed by the CEO under the first proviso, an appeal may be filed before the Board of the agency within thirty days from the date of passing the orders, on which the Board may, after hearing the parties concerned, shall give its decision, which shall be final;

Provided also that the scrutiny of the return deposited under rule 123, shall be completed within one year from the receipt of return or before the expiry of the next financial year, whichever is earlier. After the expiry of the said period the return shall not be scrutinized.

126. Procedure on non submission return.-(1) If any owner of building does not deposit the amount of tax in the agency along with the return, within the date fixed under clause (1) of rule 123, then the CEO shall calculate the property tax payable along with water tax and consolidated amount of general sanitary cess, general lighting tax and general fire tax and surcharge.

(2) Any amount of the tax recoverable under rule 126 and sub rule (1) of this rule, shall be recovered by the CEO in accordance with the procedure described in the rules along with the surcharge as mentioned under rule 127.

127. Surcharge.- If any owner of the land or building does not deposit the amount of the tax along with the return upto the date fixed under clause (1) of rule - 123, then apart from the taxable amount, the surcharge at the rate of 12% per annum shall be payable.

128. Repeal.-All rules, sub-rules, byelaws, orders etc., if any, enforced for the time being on this subject, shall be repealed on the date of publication of these rules in the Madhya Pradesh Gazette.

129. Exemptions.- The property tax levied under rule -119 shall not be livable in respect of the following properties, namely:-

- (a) Buildings and lands owned by or vesting in-
 - (i) the Union Government;
 - (ii) the State Government;
 - (iii) the Local Authority;

(iv) the agency;

130. Discount of Property Tax.-

- (1) Notwithstanding anything contained in rule 120 and 129, the agency may, if it thinks fit, direct by resolution that a discount not exceeding six and a quarter percent shall be allowed on the amount due from every person who pays the tax due before such date as the agency shall fix.
- (2) Provided that the discount shall be allowed at the same rate to all persons entitled thereto.
- (3) The agency may at any time revoke a resolution under this rule.

131. Determination of rate of property tax.-

- (1) Notwithstanding anything contained in the Act or any other law for the time being in force, rate of property tax of any building or land, shall be determined as per the resolution of the Agency adopted in this behalf on the basis of per square meter of the built up area of a building or land, as the case may be, taking into consideration the purpose for which it is used, its capacity for profitable user, quality of construction of the buildings and other relevant factors and subject to such directions as may be made by the State Government in this behalf.
- (2) The CEO shall prepare the draft resolution under sub-rule (1) for the next financial year and submit before the agency before 31st December of each financial year. In case the agency fails to adopt the resolution as required by sub-rule (1) by 31st March of each financial year then the draft resolution prepared by the CEO shall be deemed to be the resolution finally adopted by the agency;

Provided that if the agency does not approve the draft resolution prepared by the CEO by 30th April of the current financial year, then the draft resolution as prepared by the CEO shall be deemed to be the resolution finally adopted by the agency.

- (3) On the basis of the resolution adopted by the agency under sub-rule (1), every owner of land or building shall assess the annual property tax and other taxes of his land or building and deposit the amount of property tax along with a return in this behalf, in the prescribed form, on or before the date fixed by the agency failing which a interest in the form of surcharge at the rate, of 12% per year, shall be charged.
- (4) The land attached to the building (Marginal Open Space) shall be exempted for the purpose of calculation of property tax. For the

first three years after coming of these rules into force, the property tax for the building/ land shall be as below :-

(Rates in Rs. Per Sqmt.)

S.No.	Category	Construction in Building having wall made of RCC/ RBC/ Brick masonry /Stone masonry	Construction in Building having roof made of sheets of cement/ iron/ tiles	Other Constructions in semi pucca or kuchha buildings not falling within the category of col. 3 and 4.	Open land
1.	2.	3.	4.	5.	6.
1.	Residential	100	75	40	30
2.	Non-residential (commercial, public, semi-public, private hospitals/ educational institutions etc.)	150	100	70	50
3.	Industrial	30	20	10	30

After three years the agency shall adopt a resolution in each financial year for determination of the rates of property tax and may also fix separate criteria from the criteria prescribed in the above table.

- (5) The variation up to ten per cent on either side in the assessment made under sub-rule (3) shall be ignored. In case where the variation is more than ten percent, the owner of land or building, as the case may be, shall be liable to pay penalty equal to five times the difference of self assessment made by him and the assessment made by the CEO.
- (6) An appeal shall lie to the Appellate Authority against the orders passed under sub-rule (4),(5).

132. Requisition of name of owner,-

The CEO may, by written notice, require the occupier of any land or building to furnish him within fifteen days with the name and address of the owner of such land or building.

133. Treatment of property which is let to two or more persons in separate occupancies-

When any building or land is let to two or more persons holding in severally, the Assessing authority may, for the purpose of assessment or revision the assessment list or amending a current assessment list for such building or land to the property taxes, either treat the whole thereof as one property, or, with the written consent of the owner of such building or land, treat each several holding therein or any two or more of such several holdings together, or each floor or flat, as a separate property and a building or land so treated as a single property shall, for the purposes of property tax, be deemed to be a single tenement.

134. Responsibility for payment of property Tax.-

- (1) The property tax charged and levied upon any land or building under rule (120), shall be paid primarily by the owner thereof.
- (2) The property tax charged and levied on the owner may also be recovered from any occupier of land or building under the circumstances, in the manner as prescribed by the Agency.

135. Employment for the purpose of assessment-

- (1) The agency may, if it thinks fit, employ any person to determine the rent of property tax of lands and buildings.
- (2) Any person so employed shall have power, at all reasonable times and after giving due notice, and on production, if so required of authorization in that behalf from the CEO, to enter on, survey and value any land or building within the scheme area which the CEO may direct him to survey and value.
- (3) If any person willfully delays or obstructs any person in the exercise of any of his powers under this Section, he shall be liable to a fine not exceeding five thousand rupees.

136. Recovery of Taxes.-

Tax may be recovered by one or more of the following processes or in accordance with the byelaws made for the purpose:

- (1) by serving written notice of demand;

- (2) by distress sale of movable property of the person concerned;
- (3) by attachment and sale of his immovable property;
- (4) in the case of octroi or toll, by the attachment and sale of goods and vehicles;
- (5) in the case of property tax, by attachment of rent due in respect of the property.
- (6) by a suit.

137. Power of the agency in regard to taxes.-

- (1) The agency with the prior approval of the State Government may exempt from the payment of any tax in whole or in part for any period not exceeding one year, any person who by reason of poverty is in its opinion unable to pay the same, and may renew such exemption as often as it may consider necessary.
- (2) subject to the provisions of rule 119 the agency may with prior approval of the State Government :-
 - (a) abolish, suspend or reduce the rate of any tax; or
 - (b) exempt from the payment of any such tax in whole or in part any person or any class of persons or any property or class of property.

138. Power of the Government in regard to taxes.-

- (1) The Government may after giving the agency an opportunity of expressing its views, by order, exempt from the payment of any such tax in whole or in part any person or class of person or any property or description of property.
- (2) If any time it appears to the Government, on a representation made or otherwise, that any tax imposed by or under this Act is unfair and its incidence or that the levy thereof or of any part thereof is injurious to the interests of the general public; it may after giving the agency the opportunity of expressing its views, require the agency to take within a specified period measures to remove the objection; and if within that period the requirement is not complied with to the satisfaction of Government, the Government may by notification suspend the levy of the tax or of such part thereof until the objection has been removed.

139. Issue of notice of demand :-

- (1) When any amount declared by or under the provisions of these rules to be recoverable in the manner provided in this chapter, or

payable on account of any tax imposed within the limits of the city shall have become due, the CEO shall, with the least practicable delay cause to be presented to any person liable for the payment thereof a notice of demand for the sum claimed as due.

- (2) Contents of notice of demand -Every such demand shall specify-
- (a) the period for which: and
 - (b) the property, occupation or thing in respect of which the sum is claimed, and shall also give notice of-
 - (i) the liability incurred in default of payment; and
 - (ii) the time within which an objection may be preferred as against such claim.

140. Issue of warrant in case of non payment of notice of demand :-

- (1) If the person on whom a notice of demand is served under sub-rule (1) of rule 140 does not within thirty days of the service of such notice-
- (a) Pay the sum demanded in the notice; or
 - (b) show cause to the satisfaction of the CEO why he should not pay the same; or
 - (c) prefer an appeal to the appellate authority.

The CEO of the Agency shall be free to recover the sum with all cost of recovery under a warrant as below :-

- (i) by distress sale of the movable property belonging to such person; or
 - (ii) by attachment and sale of the immovable property belonging to him;
- (2) For every warrant issued under this sub rule, fee shall be charged at the rates specified by the agency and the said fee shall be included in the costs of recovery.

141. Power of agency to remit certain fees:-

The agency may in its discretion remit the whole or any part of any fee chargeable under rule 140.

142. Power of officer to break open door or window.-

The officer incharge of the execution of a warrant of distress issued under rule 140 may if authorized by a general or special order in writing by the CEO between sunrise and sun-set break open any outer or inner door or window of a building in order to levy distress-.

- (a) if he has a reasonable ground for believing that such building contains property which is liable to such distress; and
- (b) if after notifying his authority and purpose and duly demanding admittance, he cannot otherwise obtain admittance:

Provided that such officer shall not enter or break open the door or window of any apartment appropriated to the use of women until he has given the women a reasonable opportunity to withdraw.

143. Warrant how to be executed.-

Any officer charged with the execution of a warrant of distresses issued under rule-140 shall, if authorized by the warrant, distrain whenever it may be found, any movable property or attach any immovable property of the person named in the warrant subject to the following conditions, namely:-

- (a) the following property shall not be distrained –
 - (i) the necessary wearing apparel, cooking utensils and bedding of the defaulter and members of his family:-
 - (ii) the tools of artisans ;
 - (iii) when the defaulter is an agriculturists, his implements of husbandry, seed, grain, and such cattle as may be necessary to enable him to earn his livelihood;
- (b) the distress shall not be excessive, that is to say, the property distrained shall be as nearly as possible equal in value to the amount recoverable under the warrant, and if any property has been distrained which, in the opinion of the CEO or of the person to whom the warrant as addressed, should not have been so distrained, it shall forthwith be returned to then person from whom it was distrained;
- (c) the officer shall on distraining the property forthwith make in the presence of two witnesses an inventory of the property which he distrains under such warrant, and shall at the same time give a written notice in the prescribed form or in a form to the like effect along with a copy of such inventory to the person in possession thereof at the time of distrain that such property will be sold as therein mentioned;
- (d) when the property is immovable-
 - (i) the attachment shall be made by an order prohibiting the defaulter from transferring or charging the property

- in any way and all persons from taking any benefit from such transfer or charge;
- (ii) the order shall be proclaimed at some place on or adjacent to the property by beat of drummer other customary mode, and a copy of the order shall be fixed on a conspicuous part of the property and upon a conspicuous part of the agency office and also when the property is paying revenue to the Government in the office of the Collector;
- (e) any transfer of or charge on the property attached or any interest therein made subsequent to such attachment, and without the written permission of the CEO shall be void as against all claims of the agency enforceable under the attachment.

144. Sale of goods distrained in special cases.-

- (1) When the property seized is subject to speedy and natural decay, or when the expense of keeping it in custody together with the amount to be levied is likely to exceed its value, the CEO shall at once give notice to the person in whose possession the property was, when distrained, to the effect that it will be sold at once; and shall sell it accordingly unless the amount named in the warrant is forthwith paid.
- (2) On the expiry of time specified in the notice served by the officer executing the warrant, the property distrained or attached, or in the case of immovable property, a sufficient portion thereof, if not sold at once under sub-rule (1) may be sold by public auction under the orders of the CEO, unless the warrant is suspended by him or the sum due is paid by the defaulter together with all costs incidental to the notice, warrant, distress, attachment or detention of the property, as the case may be.
- (3) Where the sum due together with costs is paid by the defaulter as aforesaid, any attachment levied on his property shall be deemed to be removed and the property if immovable shall be returned.
- (4) After the sale of immovable property by auction as aforesaid the CEO shall put the person declared to be the purchaser in possession of the same and shall grant him a certificate to the effect that he has purchased the property to which the certificate refers.

- (5) No officer or servant in the service of the agency during the term of his office shall directly or indirectly purchase any property at any such sale.
- (6) The sale proceeds or such part thereof as may be sufficient shall be applied, first in discharge of any sum due to the Government in respect of such property and secondly, in discharge of the sum due to the agency and all such incidental costs as aforesaid.
- (7) The surplus proceeds shall be forthwith credited to the agency and notice of such credit shall be given to the person in whose possession the property was at the time of distrains or attachment. If such person claims the surplus by written application to the CEO within three years from the date of the notice given under this sub-section, the principal officer shall refund the surplus to him.
- (8) Any such surplus not so claimed shall be the property of the agency.

145. Attachment of rent due-

- (1) Where a bill for any sum due on account of any property tax or any other tax/ user charge is served upon on occupier of premises, the CEO may at the time of service or at any subsequent time cause to be served upon the occupier a notice requiring him to pay to the agency any rent due or falling due from him to the person primarily liable for the payment of the said tax to the extent necessary to satisfy the said sum due.
- (2) Such notice shall operate as an attachment of the said rent until the said sum due on account of property tax shall have been paid and satisfied and the occupier shall be entitled to credit in account with the person to whom the said rent is due for any sum paid by him to the agency in pursuance of such notice.
- (3) If the occupier shall fail to pay to the agency any rent due or falling due which he has been required to pay in pursuance of a notice served upon him as aforesaid the amount of such rent may be recovered from him by the agency as distress and sale of goods of the said person.

146. Notice of transfer of title for mutation in records of the Agency :-

- (1) Whenever the title in any land or building or in any part or share of any land or building is transferred, the transferor and the transferee, the transferor and the transferee shall, within three months of the registration of the deed of transfer, or it be not registered, within

three months of the execution of the instrument of transfer, or if no such instrument be executed, after the transfer is effected, give notice in writing of such transfer to the CEO.

- (2) Every person liable for the payment of a tax on any property whose transfers his title to or over such property without giving notice of such transfers to the agency as aforesaid, shall in addition to any other liability which he incurs through such neglect, continue to be liable for the payment of all such taxes payable in respect of the said property until he gives such notice or until the transfer is recorded in the books of the Agency.
- (3) In the event of the death of the person in whom title to any land or building or in any part or share of any land or building vests, the person who as an heir or otherwise takes the title of the deceased by descent or devise, shall, within three months from the death of the deceased, give notice of his title to the CEO in writing.
- (4) Nothing in this Section shall be deemed to affect the liability of the heir or devise for the said taxes or to affect the prior claim of the agency for the recovery of the taxes due thereupon.
- (5) (i) When any new building is erected, or when any building is rebuilt or enlarged, or when any building which has been vacant is re-occupied, the person primarily liable for the property taxes assessed on the building shall within fifteen days give notice thereof in writing to the CEO.
- (ii) The said period of fifteen days shall be counted from the date of the completion or the occupation, whichever first occurs, of the building which has been newly erected or rebuilt, or of the enlargement, as the case may be, and in the case of a building which has been vacant, from the date of the re-occupation thereof.

147. Writing off irrecoverable taxes.-

The Chief Executive Officer may, with the previous approval of the State Government may order to struck off the books any sum due on account of any tax or of the costs of recovering any tax, which may appear to him to be irrecoverable.

148. Civic amenities to be provided for by the Agency :-

The Agency shall make adequate required provisions and provide sufficient facilities in terms of manpower and equipments/ machinery / construction in order to provide civic amenities as mentioned in section 22 of the Act.

- 149. Provisions of Development Scheme to take precedence.-** The norms and regulations applicable in the Scheme area shall be such as prescribed in the relevant development Scheme and the provisions of these rules shall be deemed to have been modified mutatis mutandis in so far as their application to that Scheme area is concerned.
- 150. Removal of difficulties.-** If any difficulty arises in giving effect to these rules, the Department of Commerce, Industries and Employment may by order published in the Official Gazette, make such provision not inconsistent with the purposes of these rules, as appear to it to be necessary or expedient for removing the difficulty.

By order and in the name of the Governor of Madhya Pradesh,
MOHAMMED SULEMAN, Principal Secy.

APPENDIX A-1

[See rule 20]

**APPLICATION FORM FOR COMPOSITE BUILDING PERMISSION FROM
THE AGENCY**

To,

(Name and Address of the Agency)

Sir,

I intend to erect or re-erect or to develop or to make alteration in the building
No. _____
situated on Plot No. or khasra No.having
Area.....Square Meters or
.....Hectares..... situated
in..... Colony
.....or
Mohalla or Bazar Village or Town..... Tehsil.....
District for the purpose of constructing..... In accordance
with the rule 22 of the Madhya Pradesh Investment Region Development and
Management Rules, 2016, I submit the following documents, plans and
specifications in quadruplicate (in hard and softcopies) duly signed by me and

(Name in Block letters) the Architect or Structural Engineer or Engineer or Supervisor holding License No. who will supervise its erection.

1. Key Plan : -----
2. Site Plans : -----
3. Sub Division/Layout Plan : -----
4. Building Plans : -----
5. Service Plans : -----
6. Specifications, General and Detailed* : -----
Including project report mentioning
the development
7. Documents showing proof : -----
of ownership or of any legal
right in relation to the site
8. Copy of Receipt of Application Fee : -----
9. Proof of the applicant having been : -----
authorized by the owner to submit
this application (where the applicant

is different from the owner)

10. Parking Plans along with : -----
Parking Calculations
11. Electronic copy of item number 1 to 10 : -----

I request that the proposed composite construction may be approved and permission accorded to me to execute the work.

Signature of the applicant.....

Name of the applicant.....

Address of the applicant

Email ID

Phone.....

Date:.....

*A format may be prepared by the Agency for direct use.

APPENDIX A-2

[See rule 21]

**DECLARATION REGARDING ASSIGNING ARCHITECTURAL AND
STRUCTURAL DESIGN WORKS BY THE DEVELOPER
(IN EARTHQUAKE PRONE AREAS)**

(To be submitted along with appropriate building and structure drawings)

From :

(Name and Address of the Developer)

To,

(Name and Address of the Agency)

Sub: (Description of Work and it's address)

Dear Sir,

This is to certify that the Architectural work related to proposed construction of the building mentioned above submitted for approval was entrusted by me/us to Shri..... (Name of Architect and address).

And that the work of the structural Engineering Consultancy Services/ Design for the proposed Construction of building mentioned above and submitted for approval is entrusted by me / us to
(Name of the Structural Engineer and address)

Dated

Signature

Name of the Developer,

APPENDIX A-3
[See rule 21]

**DECLARATION REGARDING BUILDING PLANS AND
STRUCTURAL DRAWINGS SATISFYING THE SAFETY
REQUIREMENTS**

(The following certificate is to be submitted along with plans for obtaining permission for construction of building from the Local Authority)

1. Certified that the building plans submitted for approval regarding permission for construction of building satisfy the safety requirements as stipulated under rule 92 of the Madhya Pradesh Investment Region Development and Management Rules, 2016 and the information given therein is factually correct to the best of my /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 the construction.

**Signature of Owner/
Builder with date,
and address**

**Signature of Architect
name with date,
name & address**

**Signature of Engineer/
Structural Engineer with
date, name and address**

APPENDIX A-4
[See rule 21]

**DECLARATION BY THE STRUCTURAL ENGINEER REGARDING
ASSIGNMENT OF STRUCTURAL DESIGN WORK
(IN EARTHQUAKE PRONE AREAS/ FOR HIGHRISE BUILDINGS)**

(To be submitted along with proposal for construction of building)

From :
(Name and Address of Structural Engineer)

To,
The Agency
(Name and Address of the Agency)

Sub: (Description of work and its
address).

Dear Sir,

This is to certify that the work of Structural Engineer Consultancy Services/
Design for the construction of building mentioned above submitted for
approval was entrusted to me/us by ----- (Name and
Address of the Builder) and same satisfies the requirements of the Madhya
Pradesh Investment Region Development and Management Rules, 2016.

Signature of Structural Engineer
Date:

APPENDIX A-5
[See rule 21]

**DECLARATION BY THE ARCHITECT REGARDING ASSIGNMENT OF
ARCHITECTURAL WORK**

From

(Name and Address of Architect)

To,

The Agency
(Name and Address of the Agency)

Sub:(Description of work and it's address)

Dear Sir,

This is to certify that the Architectural work of the proposed construction of Building mentioned above submitted for approval was entrusted to me/us by (Name and Address of the Builder/Owner). This is to further certify that Building drawings prepared by me/us satisfies the requirements of the Madhya Pradesh Investment Region Development and Management Rules, 2016 and Special Construction Features on Configuration of IS-4326-1993.

Signature of Architect
Registration No:
Date:

APPENDIX A-6

[See rule 21]

**FORMAT OF PROVIDING STRUCTURAL ENGINEERING DESIGN FOR
REINFORCED CONCRETE STRUCTURE FOR A PROJECT**

(IN EARTHQUAKE PRONE AREAS)

1. Name and Address of the Structural Engineer. :.....
2. License No. :.....
3. Job Description :.....
4. Job Location :.....
5. Name and Address of the Owner/ Client :.....
6. Architectural Reference :.....

Drawings

The design parameters given in the following codes me/us in preparing structural design and drawings for the job mentioned above.

IS Codes of Practice-

1. IS 456-2000 Indian Standard for Plain and Reinforced Concrete.
2. IS 875-1978 Design Loads (Other than Earthquake).
3. IS 1893-2012 Indian Standard for Earthquake Resistance Design of Structure.

Signature of Structural Engineer.

License No:

Date :.....

APPENDIX A-7
[See rule 21]

**JOINT DECLARATION BY THE ARCHITECT, STRUCTURAL
ENGINEER / ENGINEER AND OWNER FOR OBTAINING
COMPLETION CERTIFICATE**

(On completion of a building and before occupation the Architect and the Structural Engineer along with owner will jointly inspect the building and submit a report of completion of the building to the agency stating that the work is done as per approved plans and design).

Declaration: The following declaration is to be made at the time of obtaining Completion Certificate from the agency by the builder/owner or authorized signatory:-

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

Signature of Owner/
Builder with date, name
and address

Signature of Architect
with date, name and
address

Signature of Engineer/
Structural Engineer with
date, name and address

APPENDIX A-8
[See rule 21]

**DECLARATION BY THE ARCHITECT FOR OBTAINING
COMPLETION CERTIFICATE (FOR BUILDINGS HAVING BUILTUP
AREA MORE THAN 500 SQM./ FOR BUILDING HAVING MORE
THAN THREE STORIES)**

The work sanctioned vide letter No dated.....
by (Name of Agency), supervised by me during construction and
it is certified that the work is completed as per approved plans.

Signature of Architect

Name

Address.....

Contact No.....

APPENDIX A-9**[See rule 21]****DECLARATION BY THE BUILDER FOR OBTAINING COMPLETION CERTIFICATE (FOR BUILDINGS HAVING BUILTUP AREA MORE THAN 500 SQM./FOR BUILDING HAVING MORE THAN THREE STORIES)**

I / We have completed the work as per plans approved vide letter No.
..... dated by Sanctioning Authority and
as per design finalised by the Architect and Structural Engineer.

(Note : Use form for submitting completion certificate)

Signature of Builder /Developer
Name.....
Address
Contact No.....

APPENDIX A-10

[See rule 21]

**DECLARATION BY THE STRUCTURAL ENGINEER FOR OBTAINING
COMPLETION CERTIFICATE**

**(FOR BUILDINGS HAVING BUILTUP AREA MORE THAN 500 SQM./FOR
BUILDING HAVING MORE THAN THREE STORIES)**

I / We have supervised the work, as per plans approved vide letter No.
dated..... by Sanctioning Authority during construction and certify that
the same is done as per design prepared by me / us.

Signature of Structural Engineer

Name & Address.....

Contact No.....

APPENDIX A-11
[Rule 22(8)]

FORM FOR SUPERVISION

I hereby certify that the development, erection, re-erection or material alteration in/of Building No. or the on/in Plot No..... in Colony/ Street mohalla/ bazar / road City shall be carried out under my supervision and I certify that all the materials (type and grade) and the workmanship of the work shall be generally in accordance with the general and detailed specifications submitted along with, and that the work shall be carried out according to the sanctioned plans.

- | | |
|--|--------------|
| 1. Signature of Architect/Structural Engineer/
Engineer/Supervisor/Town Planner | :.....:..... |
| 2. Name of Architect/Structural Engineer/
Engineer/Supervisor/Town Planner | :..... |
| 3. In case of Architect his Registration no.
with the Council | :..... |
| 4. License No. of Structural Engineer/
Engineer/Supervisor/Town Planner | :..... |
| 5. Address of Architect/Structural Engineer/
Engineer/Supervisor/Town Planner | :..... |
| 6. Date of validity of license/
Registration with council | :..... |

Date.....

Signature of Architect / structural
Engineer / Engineer/ Supervisor /
Town Planner with Address

APPENDIX A-12**[See rule 115]****SPECIAL PLANNING NORMS FOR LOW INCOME HOUSING****(ECONOMICALLY WEAKER SECTION AND LOWER INCOME GROUP)**

1. **GENERAL.**-(1) The planning and general building requirements in case of Low Income Housing (EWS and LIG] developed as clusters shall be as provided herein. These norms shall be applicable to all such housing projects undertaken by the Government departments and all Public/Private agencies.
 - (2) Such development should be as far as possible in clusters of 400 dwelling units, so distributed to maintain the overall densities of the Development Scheme for the area .
2. **PLANNING.**-(1) Type of Development. The type of development for low income housing may be:-
 - (a) plotted development;
 - (b) flatted /Group Housing.
 - (2) **Density.**- The maximum density in terms of dwelling units/hectare shall be as provided in the following table –

TABLE

**MAXIMUM DENSITIES OF ECONOMICALLY WEAKER SECTION
AND
LOW INCOME GROUP HOUSING**

[See clause 2 (2)]

S.No.	Density (dwelling Units/hectare)		No. of Storey's
	EWS	LIG	
(1)	(2)	(3)	(4)
(i)	130	85	1
(ii)	250	170	2
(iii)	300	225	3
(iv)	350	260	4

Note:-

1. Vertical incremental housing shall be permitted in single ownership plot.

2. These densities include provision for open spaces, convenient shopping, nursery and all internal roads and pathways, but do not include peripheral road around the cluster.
 3. The minimum density shall be 75 per cent of the above.
 4. The height of the building having four storeys as above shall not exceed 12.5 mtrs.
- (3) (i) **Size of Plot / built up Area :** The plot area or the built up area for Economically Weaker Section and Lower Income Group houses shall be such, as may be decided by the agency. The ground coverage may extend to a maximum of 75 per cent.
- (ii) **Minimum Frontage.-**The minimum frontage of the plot shall be 3.6 mtrs.
- (4) **Height of building:** The height of a building shall be as mentioned in clause of the Appendix 2 (note-4) above, which shall not exceed 12.5 mtrs. In case the height has to be increased beyond 12.5 mtrs. lifts shall be provided. The density in terms of dwelling units per hectare shall be accordingly determined.
3. **General building requirements.-**The following norms shall also be adhered
- (1) **Plinth.-** The minimum height of plinth shall be 30 centimetres from the surrounding ground level.
 - (2) **Size of room.**
 - (a) **Habitable Room-**
 - (i) In the case of one-roomed house, the size of the multipurpose room including space for cooking shall be not less than 10 square meters with a minimum width of 2.4 meters.
 - (ii) In the case of two roomed house, the size of a room shall not be less than 6.5 square meters with a minimum width of 2.1 meters:

Provided that total area of both rooms is not less than 15 square-meters. In case of incremental housing to be developed as a future two roomed house, the total area of rooms to be provided in the initial and later stages shall not be less than 16 square meters.
 - (b) **Water Closet/Bath Room.**
 - (i) Size of independent water closet shall be 0.9 x 1.0 meters.

- (ii) Size of independent bath shall be 1.0 x 1.2 meters.
- (iii) Size of combined bath and water closet shall be 1.0 x 1.8 meters and this may be permitted in one roomed house.
- (c) **Kitchen:** The size of cooking alcove serving as cooking space shall not be less than 2.4 square meters with minimum width of 1.2 meters. The size of individual kitchen provided in two- roomed house shall not be less than 3.3 square meters with a minimum width of 1.5 meters.
- (d) **Balcony** - The minimum width of individual balcony, where provided, shall be 0.9 meter
- (3) (a) **Minimum Height** -The minimum height of rooms/spaces shall be as follows:-
- (i) Habitable Room - 2.6 meters.
- (ii) Kitchen - 2.4 meters.
- (iii) Bath/Water Closet - 2.2 meters.
- (iv) Corridor-2.1 meters.
- (b) In the case of slopping roofs, the average height of roof for habitable rooms shall be 2.6 meters and the minimum height at eaves shall be 2.0 meters.
- (4) **Lighting and Ventilation.** The openings through windows, ventilators and other for lighting and ventilation shall be as provided in sub-rule (3) of rule 98.
- Note:** The window and other opening shall abut on to open spaces either through areas left open within the plot or the front, side and rear spaces provided in the layouts which shall be treated as deemed to be sufficient for light and ventilation purposes.
- (5) **Stairs:** The following criteria shall be adopted for internal individual staircase:-
- (a) Minimum Width
- | | |
|-------------------------------------|------------|
| (i) 2 storeyed – straight | 0.60 meter |
| (ii) 2 storeyed – winding | 0.75 meter |
| (iii) 3 or more storeyed – straight | 0.75 meter |
| (iv) 3 or more storeyed – winding | 0.90 meter |
- (b) Riser 20.0 cm max.
- (c) Tread
- | | |
|-------------------------|--------------|
| (i) 2 storeyed | 22.5 cm min. |
| (ii) 3 storeyed or more | 25.0 cm min. |

Note: This could be reduced to 20 centimetre as the clear tread between perpend with possibility of open rise as well as nosing and inclined riser to have an effective going of 22.5 centimetre.

(d) **Head Room.** The minimum clear head room shall be 2.1 meters.

(6) **Circulation Area** - Circulation area on any floor including staircase shall not exceed 2.0 square meters/unit where 4 dwelling units are grouped around a staircase and 4.0 square meters/unit where 2 dwelling units are grouped.

4. **Roads and pathways.-** (1) The area under roads and path-ways in such housing projects shall not ordinarily exceed 25 per cent, of the total land area of the project. Access to the dwelling units, particularly where motorised vehicles are not normally expected shall be by means of paved footpaths with right of way of 6 meters and paved-way of minimum 2 meters only. The right of way shall be adequate to allow for the plying of emergency vehicles and also for road side drains and plantation. Where motor able access-ways are not provided and pedestrian path-ways are provided, the minimum width of such pedestrian pathway shall be 3 meters with maximum length of 100 meters.

(2) The community open spaces shall not be less than 0.2 Hectares per thousand persons, one nursery school of 0.1 hectare shall be provided for a population of 1500 and shopping centers at 4 shops per thousand population will be provided.

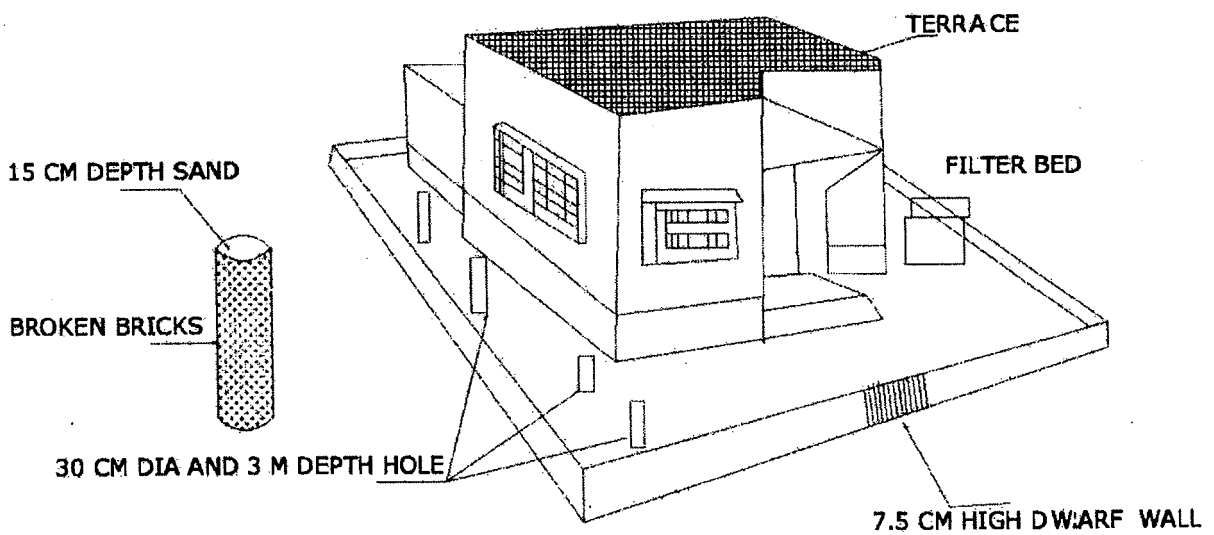
5. **Other requirements.-** (1) One water tap per dwelling unit may be provided where adequate drinking water supply is available. If supply is inadequate, public hydrants shall be provided. In the absence of piped water supply, it could be done through hand pumps.

(2) The infrastructural services shall be provided before the plots are handed over to the individual owners.

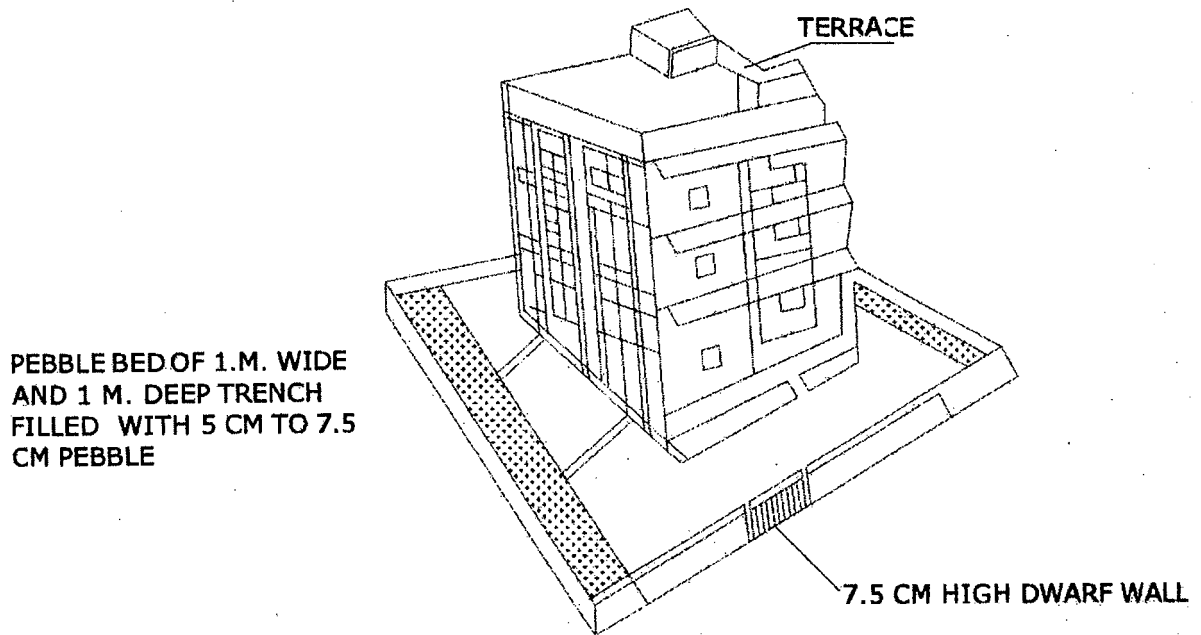
6. **Site and services schemes.-**(1). Services would have to be laid by the agency concerned as per the provisions of these rules.

(2) The agency may instead of building the houses provide for site and services schemes. Such scheme shall provide for the following :-

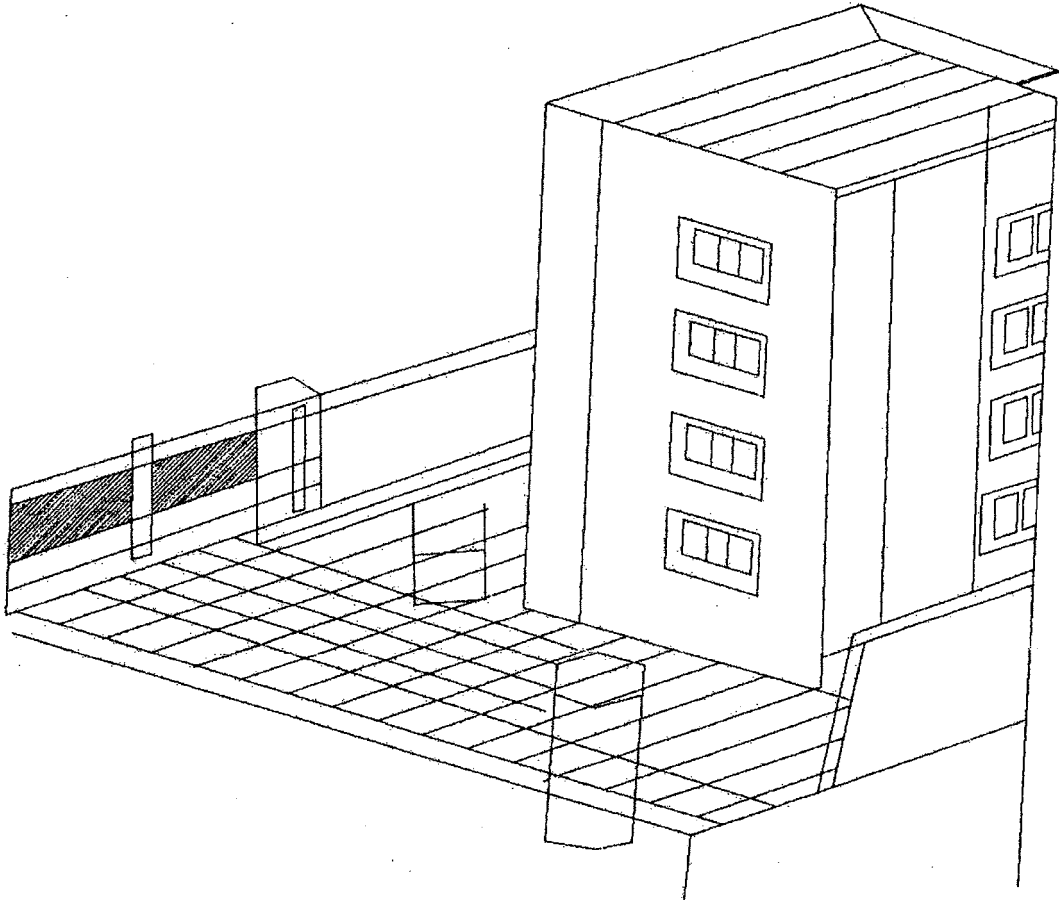
- (a) infrastructure needed for a permanent housing in accordance with the provisions hereinabove;
- (b) a service sanitary core in the plot; and
- (c) temporary construction on a developed plinth.

APPENDIX- A-13**[See rule 97 (4)]****RAIN WATER HARVESTING THROUGH PERCOLATION PITS****(Individual House)**

Dig a number of 3 mtr. deep and 30 cm dia percolation pits at an interval of 3 mtrs. around the plinth fill them up with broken bricks and pack the top 15 cm. with river sand. Erect 7.5 cm. high dwarf walls entrance to facilitate recharge.

APPENDIX- A-14**[See rule 97(4)]****RAIN WATER HARVESTING THROUGH PEBBLE BED (Building Complexes)**

On the three sides along the inner periphery adjoining the compound wall, dig 1m. wide pit to a depth of 1.5 m. and fill it with 5 to 7.5 cm. sized pebbles let the rain water falling on the terrace flow into this pebble bed.

APPENDIX- A-15**[See rule 97(4)]****RAIN WATER HARVESTING THROUGH SERVICE
WELL CUM RECHARGE WELL**

Provide well of 1.2 m dia for a depth of 10.0 m and divert the rainwater from the terrace into the well through rainwater down take pipes. Divert the rain water falling around the open space surrounding the building to the frontage where in a gutter is provided for a depth of 1.0 M and a width of 0.6 M with perforated slabs. The rain water collected in the gutter in front of the entrance is discharged into another recharge well of 1.2 M dia with 10.0 m. deep provided hereby through necessary piping arrangements.

APPENDIX- A-16
[Rule 100(1)]
On Plot Parking Spaces

- (A) (1) The spaces to be left out for on- plot parking as given in (B) to (I) shall be in additions to the open spaces left out for lighting and ventilation purposes as given in rule 98. However, one row of car parking may be provided in the front open space of 12 meters without reducing the clear vehicular access way to less than 6 meters.
- (2) Further 50 per cent of the open spaces required under these rules around buildings may be allowed to be utilized for parking or loading or unloading spaces, provided that minimum distance of 4.5 meters around the building shall be kept free from any parking, loading or unloading spaces.
- (B) Each On-Plot parking space provided for motor vehicles (car) shall not be less than 13.75 square meters area and for scooters and cycles the parking spaces provided shall not be less than 1.25 square meters and 1.00 square meter, respectively.
- (C) For buildings of different occupancies, On-Plot parking space for vehicles shall be provided as stipulated below:-
- (1) Motor Vehicles Equivalent car space shall be provided as specified in the following Table for parking motor vehicles (cars).

TABLE
On- Plot Parking Spaces
Clause - C(1)

Sr. No.	Occupancy	Population more than 7,50,001	Population 3,00,001 to 7,50,000	Population 50,001 to 3,00,000	Population less than 50,000
(1)	(2)	(3)	(4)	(5)	(6)
1.	Residential	@ 100 sq.m built up	@ 125 sq.m. built up	@ 150 sq.m. built up	@175 sq.m. built up
2.	Educational	@ 125 sq.m. built up	@ 150 sq.m. built up	@ 200 sq.m. built up	@ 200 built up

Sr. No.	Occupancy	Population more than 7,50,001	Population 3,00,001 to 7,50,000	Population 50,001 to 3,00,000	Population less than 50,000
(1)	(2)	(3)	(4)	(5)	(6)
3.	Institutional (Medical)	@ 75 sq.m. built up	@ 100 sq.m. built up	@ 125 sq.m. built up	@ 150 sq.m. built up
4	(i) Assembly Halls, Cinema	Every 15 seats	Every 20 seats	Every 30 seats	Every 50 seats
	(ii) Restaurant	@ 50 sq.m. built up	@ 75 sq.m. built up	@ 100 sq.m. built up	@ built up
	(iii) Marriage Halls, Community Hall	40% plot area in front	35% plot area in front	30% plot area in front	25% plot area in front
5.	Business office and firms for Private business.	@ 75 sq.m. built up	@ 100 sq.m. built up	@ 125 sq.m. built up	@ 150 built up
	(ii) Public/or semi-public offices	@ 75 sq.m. built up	@ 100 sq.m. built up	@ 125 sq.m. built up	@ 150 built up
6.	Mercantile	@ 50 sq.m. built up	@ 75 sq.m. built up	@ 100 sq.m. built up	@ 125 built up
7.	Industrial	@ 75 sq.m. built up	@ 100 sq.m. built up	@ 125 sq.m. built up	@ 150 built up
8.	Storage	@ 75 sq.m. built up	@ 100 sq.m. built up	@ 125 sq.m. built up	@ 150 built up

Note (1). The requirements for On-plot parking for city with a population of more than 7,50,000 shall be broadly based on column (3) and appropriately assessed keeping in view the increased traffic generated, the traffic pattern as well as the nature of vehicles in the city.

(2) Other type of vehicles. For non-residential building, in addition to the

parking areas provided in (a) above, 25 to 50 percent additional parking space may be provided for parking other types of vehicles keeping in view the nature of traffic generated in the city.

- (D) On-Plot parking space shall be provided with adequate vehicular access to street and the area of drives, aisles and such other provisions required for adequate manoeuvring of vehicles shall be exclusive of the parking space stipulated in these rules.
- (E) If the total parking space required by these rules is provided by a group of property owners, such use of this space may be construed as meeting the On-Plot parking requirements under these rules, subject to the approval of the Authority.
- (F) In case of buildings used for Mercantile, Commercial, Industrial and storage purpose, additional parking space of 3.5 meters x 7.5 meters for loading and unloading activity shall be provided at the rate of one such space for each 1000 square meters of floor area or fraction thereof.
- (G) Parking spaces shall be paved and clearly marked for different types of vehicles.
- (H) In the case of parking spaces provided in basements, at least two ramps of adequate width and slope shall be provided, located preferably at the opposite ends with a slop not more than 1:10 meters.
- (I) In case of plotted residential development parking requirement shall be calculated on the basis of one car space for every 101 to 199 Sq Meters built up area of houses.

APPENDIX- A-17
[See Rule 100(1)]
EQUIVALENT CAR SPACE (ECS)

- 1- **Planning of Parking Area.** While planning the parking, minimum 25 per cent, of the open space may be left for landscaping (soft surface) and the same shall not be counted towards the calculations of parking space.
- 2- **Calculation of the parking area.** The total parking area provided in terms of equivalent car space shall be calculated by adding the sum of the following:-
 - (a) basement in sq. mtrs. divided by 35 sq. mt.;
 - (b) overground covered parking (podium/stilt) in sq. mtrs. divided by 30 sq. mt.; and
 - (c) open spaces in sq. mtrs. divided by 25sq. mt.

APPENDIX – A-18
Return for the self-assessment of property tax
(Rule 123)

1. Name of the owner of the property (with father's Husband's name and permanent address Telephone No. if any) _____
2. Full address of the property, where it is situated. _____
3. Built up Constructed area : (Sqmt.) _____
4. Whether building is pakka or kachcha _____
5. Property is residential or commercial or industrial _____
6. Area of the open land which is in the use only for the commercial or industrial purpose. (Sqmr) _____
7. Per square meter rate of property tax as determined by the agency for calculation of property tax _____
8. Property tax payable on the annual letting value _____
9. Water tax (amount of percentage of property tax determined by the agency) _____
10. Consolidated amount of general sanitation tax, general lighting tax and general fire tax the amount of percentage of property tax determined by the _____
11. Amount of surcharge if payable _____
12. Total amount being paid to the agency fund (Total of 8+9+10+11 (In figures and words) _____

Note :- For each property separate return shall be filled in.

Signature of the owner of
the property

Verification

I..... Son of..... resident of..... do verify that the information given in the return is true and that I am the owner of the building/land for which I have given the return.

Signature of the owner of
Building/land

Receipt

Received the return along with the copy of the receipt of amount paid/challan relating to the year.....

Signature of the recipient
Officer/employee
(Indicate full name and designation)

Explanations :-

- 1) "Constructed area" means the built up constructed area of each floor of the house owned by the owner of buildings/land.
- 2) "Commercial or Industrial" means such building or land on which any business is carried-on, shop is being run, workshop is established, trade, business is being done or any other similar activities are being conducted or reserved for such activities.
- 3) (a) on the basis of quality of construction –
 - (i) Building having roof made by R.C.C., R.B.C. or stone.
 - (ii) Building having roof made by sheets of cement or iron or tiles;
 - (iii) Other semi-pakka or kuccha building which does not fall under sub-clause (i) or (ii).
- (b) on the basis of use –
 - (i) Building/lands for the purpose of commercial or industrial;
 - (ii) Building/lands for the purpose of residential;
- 4) The land where cultivation is going on and the vacant land attached to the building (Marginal open space) shall be exempted for the purpose of calculation of annual letting value.
- 5) Adoption of resolution by the Agency :- It shall be essential for every Agency to adopt a resolution as per provisions of rule 118 and 119, within maximum six months from the date of commencement of each financial year .

- 6) Self assessment of the property tax.- Every owner of the building or land of the scheme area shall himself calculate the amount of the property tax as per the rates in resolution published by the Agency as per provisions of rule-122 and by adding the amount of water tax and the consolidated amount of general sanitary cess, general lighting tax and general fire tax as determined under rule 131, in the amount of property tax payable and after indicating the information in the return appended to these rules, deposit the consolidated amount of the aforesaid taxes in the office of the Agency within the prescribed time along with the return.
- 7) (a) If any person is the owner of more than one house or land in the Scheme Area, then every such owner shall pay the amount along with the separate return for each house or land.
- (b) If the owner of the building or land finds any mistake in the return filed by him as above, then such owner of building or land may submit the revised return within sixty days from the date on which he had submitted the return and if the amount of property tax exceeds according to the revised return, then he shall deposit such amount in the agency along with the revised returns.

Provided that if the amount of property tax deposited earlier exceeded according to the revised return, then he may demand to refund such excess amount and after scrutinizing if the demand is found to be correct, then the agency officer shall order to refund such excess amount.

FORM-I
(See rule 7)

Notice for publication of Draft Scheme Area

Notice is hereby given that the draft scheme area for _____ (region) has been prepared in accordance with the provisions contained in Section-4 of the Madhya Pradesh Investment Region Development and Management Act, 2013 and a copy thereof is available for inspection at,-

1.
2.

(Mention names of the concerned district offices of agency, Divisional Commissioner(s) and District Collector(s) where copies are available)

during office hours. If there be any objection or suggestion with respect to the draft scheme area, it shall be submitted in writing to the (office of the Agency) mentioned hereinabove before the expiry of thirty days from the date of publication of this notice in the "Madhya Pradesh Gazette" for due consideration.

Date :.....

Chief Executive Officer
(Name of the Agency)

FORM-II

(See rule 9(2))

Notice of Publication of Draft Development Scheme

Notice is hereby given that the Draft of Development Scheme Area for (Name of scheme area) has been published in accordance with the provisions of sub-rule (2) of rule 9 of the Madhya Pradesh Investment Region Management and Development Rules, 2016, a copy thereof is available for inspection at,-

1.....

2.....

(Mention names of the concerned district offices of agency, Divisional Commissioner(s) and District Collector(s) where copies of the draft are available)

during office hours. If there be any objection or suggestion with respect to the said draft scheme, the same may be submitted in writing to the abovementioned district office (s) of (name of the agency) before the expiry of thirty days from the date of publication of this notice in the Madhya Pradesh Gazette for due consideration.

Place :

Date :

Chief Executive Officer
(Name of the agency)

FORM - III

[See rule 9(3)]

**Notice of Publication of Final Investment Region
Management and Development Scheme under Section 8(2) of
the Act**

NOTICE

The Investment Region Management and Development Scheme namely ----- for the area ----- as approved under Sub-Section 2 of Section 8 of the Madhya Pradesh Investment Region Management and Development Act, 2013 is hereby finally published under sub-rule 3 of Rule 9 of **The Madhya Pradesh Investment Region Development & Management Rules, 2016** for the information of the general public and copies of the said scheme are available for inspection during office hours for 90 days at the following offices :-

1.
2.

(Mention the names of the offices of the agency where such copies are available)

Chief Executive Officer

(Name of the agency)

FORM - IV
[See rule 10 (3)]

**(Name of the Agency) Form of agreement between the agency
and owner(s) to acquire land for the implementation of the
scheme.**

This Agreement (hereinafter called the Agreement) is made on the day of year, between, on the one hand Chief Executive Officer of name and address of the Agency (hereinafter called the agency which expression shall include its respective successors and permitted assigns, unless the context otherwise requires) and, on the other hand Sh./Smt/M/s..... (name and address of the owner) (hereinafter called the Owner which expression shall include their respective successors and permitted assigns unless the context otherwise requires).

Whereas

- (a) The Agency is duly established under the-----
- (b) Under Section 5 of the Act, the Agency is authorized to prepare Investment Region Management and Development schemes and accordingly it notified a Development Scheme, whose details are mentioned in Annexure-A.
- (c) After following the procedure prescribed, the Scheme under sub-section (2) of Section 8 of the Act was finally published in the Madhya Pradesh Gazette Partdated
- (d) According to the provisions of section 9 of the Act read with rule 10 of Madhya Pradesh Investment Region Management and Development Rules, 2016, the Agency has right to acquire the land lying within the scheme area through agreement or otherwise from the land owner.
- (e) The Agency vide its letter no. dated (Annexure-B) had asked the Owner to enter into this agreement on the terms and conditions mentioned therein.
- (f) The owner in response to recital (e) above has consented in writing vide his letter dated received at inward no. dated (Annexure-C) to surrender the title and peaceful possession of his land free from all encumbrances (hereinafter called the Surrendered land) in

favour of the Agency and the details of said land are given below:

(Describe the details of the surrendered land here)

- (g) The Agency in lieu of the surrendered land has agreed in writing vide its letter no. dated (Annexure-D) to transfer the title and peaceful possession free from all encumbrances the developed plot(s) as described herein below in favour of the owner (Hereinafter called the transferred plot).

[Describe the details of the transferred plot(s) here (i.e plot number, location, size/area of each of the transferred plots). In case either of the details cannot be mentioned for reasons to be recorded the total area of the transferred plot(s) should be mentioned]

.....

- (h) The owner has furnished an affidavit stating that no litigation of any kind or any civil or criminal case with respect to the surrendered land is pending in any court of law nor has it been encumbered in any manner whatsoever, in a format as prescribed by the agency.

Now, therefore, the parties hereto hereby agree as follows:

1. Definitions and Interpretation.- The words and expressions defined in this Agreement shall, unless the context otherwise requires, have the meaning hereinafter respectively assigned to them,-
 - (a) "Act" means the Madhya Pradesh Investment Region Management and Development Act, 2013;
 - (b) "applicable laws" means the laws and any other instruments having the force of law in India;
 - (c) "Agreement" means this Agreement, together with all the Annexures ;
 - (d) "dispute" shall have the meaning as set forth in clause 26 of this Agreement;
 - (e) "Government" means the Commerce, Industries and Employment Department, Government of Madhya Pradesh;
 - (f) "Party" means the agency or the Owner, as the case may be,
 - (g) "Parties" means both "the agency as well as the

Owner;

- (h) **"Third Party"** means any person or entity other than the agency and the Owner.
 - (i) **"development"** means all such works to be executed for completing the Scheme and shall include but not limit to construction of roads, sewerage, power supply, drainage, water supply etc. in the Scheme area.
 - (j) **"Scheme"** means as defined in the Act and described in Annexure-A hereinabove and shall include any amendments that may have been made from time to time.
 - (k) **"surrendered land"** means the land of the owner which falls within the Scheme boundaries whose peaceful title and possession the owner has agreed to transfer to the agency and the same has been described in recital (f) above.
 - (1) **"transferred plot"** means the plot whose peaceful title and possession the agency has agreed to hand over to the owner in lieu of the surrendered land and the same has been described in recital (g) above.
2. The development of the land situated in the Scheme boundaries, including the surrendered land, shall be undertaken by the agency in accordance with the lay out as finalised during the preparation of final scheme with subsequent amendments, if any.
 3. The transferred plot shall, as far as possible, be located on the surrendered land. However, the location will be determined solely by the agency in its wisdom and discretion and the same shall not be questioned by the Owner. However, the agency may, for reasons to be communicated in writing to the Owner, change the location and dimensions of the transferred plot.
 4. The agency shall have the first right to select the plots that it would retain in lieu of development done by it.
 5. The Owner shall not make demands regarding location and dimensions of the transferred plot and the same shall be the sole discretion of the agency.
 6. If subsequent to the execution of this agreement, any dispute with regard to the surrendered land is raised by any party in any court of law or if the agency discovers that any such

dispute existed at the time of execution of this agreement, it shall neither transfer the title nor handover the possession of the transferred plot to the Owner. Only after the agency is satisfied that no such dispute exists any longer, it shall execute the instrument necessary under the law to effect the transfer of the title of the transferred plot to the owner.

7. In case the owner intends to transfer, wholly or partly by registered deed, the title of his surrendered land before any action has been taken under clause 9 hereinbelow, he shall furnish the details of such proposed transfer to the Authority and obtain formal permission so to do. The agency may grant permission for such transfer only after the buyer furnishes his consent to continue to abide by the terms and conditions of this agreement which would be applicable to his share in the title of the surrendered land as the permitted assign of the owner. This agreement shall be deemed to have been accordingly modified. The agency may, in such case also enter into a separate agreement with regard to the surrendered land or its part thereof which has been sold off to such buyer as mentioned hereinabove.
8. The Owner shall not create any encumbrance of any kind on the surrendered land after the execution of this agreement.
9. The Owner shall transfer the title of the surrendered land in favor of the agency when so demanded by agency without fail or delay by executing the necessary instrument. He shall also assist the agency in getting the necessary mutation done in the land records.
10. The Owner shall not take recourse to any legal action against the agency with respect to the location or dimension of transferred plot or change in layout or delay in the transfer of the title of the surrendered land or the transferred plot mentioned in this agreement or any other matter connected therewith or incidental to.
11. Where the owner is a society the title and peaceful possession free of all encumbrances of transferred plot shall be handed over by the agency to the society and not to any of its members.
12. The cost of registration and stamp duty and all other incidental expenses involved in executing the necessary instruments for surrender of land to the agency and the

- transfer of transferred plot to the owner shall be borne by the agency.
13. The possession and title of the transferred plot shall be handed over to the owner by the agency after completing the development works around such plots or within a period of three years of execution of this agreement, whichever is earlier. However if the owner demands that the possession and title of the transferred plots be handed over earlier the agency in its discretion may, if it considers appropriate, do the same without either waiting for the development to complete or expiry of the said period of three years.
 14. **Effectiveness of Agreement.-** This Agreement shall come into force on the date on which it is signed.
 15. **Governing law and jurisdiction.-** This Agreement shall be construed and interpreted in accordance with and governed by the laws of India, and the courts at (name of the district in which the agency is situated) shall have exclusive jurisdiction over matters arising out of or relating to this Agreement.
 16. **Language.-** All notices required to be given by one Party to the other Party and all other communications, documentation and proceedings which are in any way relevant to this Agreement shall be in writing either in Hindi and/ or English language.
 17. **Notices.-** Any notice or other communication to be given by any Party to the other Party under or in connection with the matters contemplated by this Agreement shall be in writing and shall,-
 - (a) in the case of the Owner, be given by facsimile and by letter delivered by hand or by speed post at the address given and marked for attention of the Owner or to such other person as the Owner may from time to time designate by notice to the agency :

Provided that notices or other communications to be given to an address outside (name of the district in which the agency is situated) shall be sent by a registered acknowledgement due or speed post or facsimile to the Owner or to such other person as the Owner may, from time to time designate by notice to the agency;
 - (b) in the case of the agency, be given by facsimile and by

letter delivered by hand and be addressed to the agency with a copy delivered to the agency's representative or to such other person as the agency may from time to time designate by notice to the Owner :

Provided that, if the Owner stays out of (name of the district in which the agency is situated) it may send such notice by facsimile and by registered acknowledgement due or speed post; and

- (c) any notice or communication by a Party to the other Party, given in accordance herewith, shall be deemed to have been delivered in the normal course of post and it ought to have been delivered.

18. Authorized representatives.- (1) The agency may, from time to time, designate an official as the authorized representative of the agency who will be nominated by the Chief Executive Officer of the agency. Any action required or permitted to be taken and any document required or permitted to be executed under this Agreement by the Authority may be taken or executed by the officials so authorized.

(2) The Owner may designate its authorized representative who may take any action required or permitted to be taken, and any document required or permitted to be executed under this Agreement.

19. Entire Agreement.- This Agreement and the annexures together constitute a complete and exclusive statement of the terms of the agreement between the Parties on the subject hereof and no amendment or modification hereto shall be valid and effective unless such modification or amendment is agreed to in writing by the Parties and duly executed by persons especially empowered by the respective Parties. All prior written or oral understandings, offers or other communications of any kind pertaining to this Agreement are abrogated and withdrawn.

20. Termination of Agreement.- In case the Scheme is modified or abrogated by the orders of the State Government or by order of any court of law this agreement shall be terminated by the agency under intimation in writing to the Owner. In such event, the peaceful title and

possession of the surrendered land shall, as far as possible, be returned to the Owner and where this is not possible for reasons beyond the control of the agency, the owner shall be paid such compensation, as may be decided by the agency. The agency-while determining the compensation shall consider the claims of the Owner and provide him an opportunity of being heard.

21. **Modification of Agreement.**- Modification of the terms and conditions of this Agreement may only be made by written agreement duly executed by the agency and the Owner. The representatives mentioned in clause 18 hereinabove shall not be authorized to make any such modification.

22. **Force Majeure.** -

(1) **Definition.**

(a) "Force Majeure" means an event which is beyond the reasonable control of the agency and which makes the performance of its obligations hereunder impossible or so impractical as reasonably to be considered impossible in the circumstances and includes, but is not limited to war, riots, civil disorder, earthquake, fire, explosion, storm, flood or other adverse weather conditions, strikes, lockouts or other industrial action (except where such strikes, lockouts or other industrial action are within the power of the Party invoking Force Majeure to prevent), confiscation or any other action by Government agencies or courts of law.

(b) Force Majeure shall not include any event,-

- (i) which is caused by the negligence or intentional action of agency or its agents or employees; and
- (ii) any event which could reasonably have been expected to foresee (taken into account at the time of the conclusion of this Agreement).

(c) Force Majeure shall not include insufficiency of funds or failure to make any payment required hereunder.

(2) **No breach of Agreement.** The failure of agency to fulfil any of its obligations shall not be considered to be a breach of or default under this Agreement insofar as such inability arises from an event of Force Majeure :

Provided that the Party affected by such an event has taken all reasonable precautions, due care and reasonable alternative measures, with the objective of carrying out the

terms and conditions of this Agreement.

(3) **Measures to be taken.**

(a) The agency if affected by an event of Force Majeure shall take all reasonable measures to remove its inability to fulfil its obligations with minimum delay.

(b) The agency shall notify the Owner of such event as soon as possible, and in any event not later than 14 days following the occurrence of such event, providing evidence of the nature and cause of such event and shall similarly give notice of the restoration of normal conditions, as soon as possible.

(c) The Parties shall take all reasonable measures to minimize the consequences of any event of Force Majeure.

(4) **Extension of time.** Any period, within which the agency was liable to complete any action or task pursuant to this Agreement shall be extended for a period equal to the time during which it was unable to perform such action as a result of Force Majeure.

(5) **Consultation.** Not later than 30 days, the agency has, as a result of an event of Force Majeure, become unable to fulfil its obligations under this agreement, the Parties shall consult with each other with a view to agreeing on appropriate measures to be taken in the circumstances.

23. **Good Faith.-** The Parties undertake to act in good faith with respect to the rights of each other's under this Agreement and to adopt all reasonable measures to ensure the realization of the objectives of this Agreement.

24. **Operation of the Agreement.** The Parties recognize that it is not possible to provide for every contingency in this Agreement which may arise during the life of the Agreement, and the Parties hereby agree that it is their intention that this Agreement shall operate fairly between them, and without detriment to the interest of either of them and that, if during the term of this Agreement either of the Parties believes that this Agreement is operating unfairly, the Parties will use their best efforts to agree on such action as may be necessary to remove the cause of such unfairness, but failure to agree on any action pursuant to this Clause shall be subject to arbitration in accordance with clause 25 hereunder.

25. Dispute resolution. -

- (1) **Amicable settlement.-** The Parties shall use their best efforts to settle amicably all disputes arising out of or in connection with this Agreement or the interpretation thereof.
- (2) Any dispute, difference or controversy of whatever nature howsoever arising under or out of or in relation to this Agreement (including its interpretation) between the Parties, and so notified in writing by either Party to the other Party the "Dispute" shall, in the first instance, be attempted to be resolved amicably.
- (3) The Parties agree to use their best efforts for resolving all disputes arising under or in respect of this Agreement promptly, equitably and in good faith and further agree to provide each other with reasonable access during normal business hours to all non-privileged records, information and data pertaining to any dispute.

26. Arbitration.- Any dispute which is not resolved amicably by conciliation, shall be referred to the Board of the agency who shall give its decision within 60 days.

27. Right to acquire land.- If at any time before the title of the surrendered land is transferred to the agency under clause 9 hereinabove, the Owner fails to fulfil his obligations under this agreement, the agency may, notwithstanding anything contained in this agreement, send a notice of termination of the Agreement to the Owner asking him to fulfil the obligation within 15 days failing which the agreement shall stand terminated. Thereafter the agency may request the Collector to acquire the land in question under the Right To Fair Compensation And Transparency In Land Acquisition, Rehabilitation And Resettlement Act, 2013 (No. 30 of 2013).

In witness whereof, the Parties hereto have caused this Agreement to be signed in their respective names as on the day and year first above written.

SIGNED. SEALED AND DELIVERED

1. For and on behalf of agency (Give details of agency)

Signature:.....

Name:.....

Designation:.....

Address:

2. For and on behalf of owner

Signature:.....

Name:.....

Address:

In the presence of : (Witness)

Signature:..... Signature:

Name:..... Name:.....

Designation:..... Designation:.....

Address: Address:

FORM - V
[See rule 27 (A) (1)]
APPLICATION FORM FOR MERGER OF PLOTS.

To,

Sir,

I /we apply for permission to merge the following :-

Plot no. with use premises located in which forms a part of the final approved scheme notified on dated and whose owner is with :-

(i) Plot no. with use premises located in which forms a part of the final approved scheme notified on dated whose owner is

Or

(ii) land situated at (Khasra No.) (Village) (Area) (Town) with land use classification (strike out whichever is not applicable)

I, submit herewith the following documents duly signed by me/us and (Name in Block letters) the Architect / Structural Engineer / Engineer/ Supervisor/ Town Planner, License No.....

1. One Copy of Sanctioned Plan.
2. Site Plan.
3. Land Use as indicated in development Scheme.
4. Certified Khasra Aks of the land (showing boundaries and other adjoining lands on all sides).
5. Proposed Layout Plan showing merged plots (or plot merged with land).
6. Ownership documents of all plots/land involved.
7. An Affidavit (clearly stating intention, status of possession and that the plot/ land is not a subject matter of litigation in court of law).
8. Copy of the receipt of fee paid.

9. List of the owners of the adjacent plots.

I /we, request that the merger may be approved.

Signature of the Owner (s).....

Name(s) and

Addresses of the owner(s).....

Contact ..no.....

E-mail ID

Date :

FORM – VI
[See rule 27 (B)(1)]

APPLICATION FORM FOR DIVISION OF A PLOT.

To,

.....
.....

Sir,

I/we owner of plot No..... with land use premises of the final approved scheme notified on dated —— for development of on land bearing Khasra nos located at Town/locality /village, submit herewith the following documents duly signed by me and (Name in block letters) the Architect / Structural Engineer / Engineer / Supervisor / Town Planner, License No.....

1. One copy of sanctioned plan.
2. Site Plan.
3. Proposed Layout Plan after division of Plots.
4. Ownership /title documents.
5. Copy of receipt of fee paid.
6. An Affidavit clearly stating intention, status of possession and that the land is not a subject of litigation in any court of law.
7. List of the owners of the adjacent plots.

I/We, request that the division of the plot may be approved.

Signature of the Owner(s)
Name(s)
and Addresses of the owner(s)
Contact No.....
E-mail ID
Date:

FORM VII
(See rule 30)

(Name and Address of the Agency having jurisdiction)

**FORM FOR ISSUEING LICENSE UNDER MADHYA PRADESH
INVESTMENT REGION DEVELOPMENT AND MANAGEMENT
RULES, 2016 TO WORK AS STRUCTURAL ENGINEER/ ENGINEER
/SUPERVISOR/ TOWN PLANNER**

License No. _____

Date _____

This license is granted to Shri/ Smt./Ku. _____

(Name and address) _____

_____to perform the
duties of Structural Engineer/Engineer/Supervisor/Town Planner as laid
down in the Madhya Pradesh Investment Region Development and
Management Rules, 2016 within the jurisdiction of the
(Name of the agency having jurisdiction).

This license shall be valid for permanent period unless the license is cancelled
by the Agency. The licensee has paid the fee Rs. . vide Receipt No.

Book No. _____ Date _____

The license is subject to the conditions set forth hereunder.

Place :

Seal of Authority

**Signature & Designation
of the Authorised Officer
to grant license**

Date:

CONDITIONS

1. The license is non-transferable.
2. The licensee shall display the original copy of this license on a conspicuous place in his/their office and it shall be subject to inspection. by the authorised officers of (agency having jurisdiction) a tall reasonable times.
3. The licensee shall abide by the provisions of the Madhya Pradesh Investment Region Development and Management Rules, 2016 and work strictly within the terms of this license.
4. The competence of the licensee shall be determined by the provisions of the Madhya Pradesh Investment Region Development and Management Rules, 2016.
5. Group or Agency .-When an agency or a group of qualified architect or engineer or town planner is practicing then the qualification and competence of work shall be equivalent to the highest competency of individual in the group or agency.
6. The licensee shall keep all relevant records for the preparation of plans and of supervision work done by him. This record shall be subject to inspection by the authorised officers of the Authority having jurisdiction.
7. The licensee shall put up his signature, name and license number on each document prepared and submitted to the Authority having jurisdiction.
8. This license is subject to the conditions mentioned in the Madhya Pradesh Investment Region Development and Management Rules, 2016 and any breach of any of these conditions will entail cancellation of the license without prejudice to any other legal action against the licensee under any law for the time being in force.

**Signature and Designation
of the Authorised Officer
to grant license**

FORM VIII
(See rule 31)

**FORM FOR SANCTION OR REFUSAL OF PERMISSION FOR
DEVELOPMENT OR BUILDING**

No.....

Dt.

To,

Sir,

With reference to your application dated for
grant of permit for the development of land/building in Khasra No
.....on/in Plot No..... in colony/Street.....
Mohalla/BazarCity

I have to inform you that the sanction has been refused by the agency on the
following grounds/ granted by the agency subject to the following terms and
conditions :-

- 1.
- 2.
- 3.
- 4.
- 5.

Office (Communication) No.

Dated :

Office stamp

Signature of the Authority
Name and Designation,
address of Authority.

FORM -IX
[See rule 35 (2) (d)]

NOTICE FOR COMMENCEMENT OF WORK

To,

The.....

Concerned Agency,

Sir,

I hereby inform that in pursuance of the composite building permission no. dated granted to me, the work of erection/ re-erection/ material alteration shall commence on (date) under the supervision of (Name of the architect) /structural engineer etc.)

Dated :

Signature of Applicant or Owner

Name of Applicant or Owner

(in block letters)

Address of Applicant or Owner.....

FORM - X
[See rule 35 (2)(e)]

NOTICE FOR INSPECTION OF BUILDING AT PLINTH LEVEL

To,
The
Concerned Local Agency,
.....

Sir,

I hereby notify that the erection, re-erection or material alteration in / of building No..... or theon / in plot No in Colony / Street Mohalla / Bazar / Road City for which a notice of commencement was given on has reached plinth level.

You are, therefore, requested to inspect the work within seven days from the date of this notice where after I shall commence construction above plinth level.

The said work is covered vide your permission No..... dated and is being done under the supervision of licensed Architect /Structural Engineer/ Engineer/ Supervisor/ Town Planner (name) license No.....The work is done in accordance with the sanctioned plans.

Dated :

Signature of Applicant or Owner

Name of Applicant or Owner

(in block letters)

Address of Applicant or Owner

FORM – XI
[See rule 35 (2 (f))]

NOTICE REGARDING COMPLETION OF WORK

To,

The
 Concerned Agency,

Sir,

I hereby certify that the development of land, erection, re-erection or, material alteration in/or Building No. or theon / in Plot No in Colony / Street.. Mohalla/ Bazar/ Roadhas.....been supervised by me and has been completed on according to the plans sanctioned vide No dated.....The work has been completed to the best of my satisfaction, the workmanship and all the materials (type and grade) have been used strictly in accordance with general and detailed specifications. No provisions of Madhya Pradesh Investment Region Development and Management Rules, 2016, no requisition made, conditions prescribed or orders issued there under have been transgressed in course of the work. The land is fit for construction for which it has been developed or re-developed / the building is fit for use for which it has been erected or altered constructed and enlarged. I also enclose the plan of the building completed in all aspects.

I request that the COMPLETION CERTIFICATE may be issued .

Signature of Architect/Structural Engineer/
 Engineer/Supervisor/Town Planner.
 Name of Architect/Structural Engineer/
 Engineer/Supervisor/Town Planner
 (in block letters).....
 Registration No. of council of Architects or
 License No. of Structural Engineer/
 Engineer/Supervisor/Town Planner.
 Signature of the Applicant or owner

Name and Address of Applicant or owner
 (in block letters)

Date

FORM - XII
[See rule 35 (2) (g)]

APPLICATION FORM FOR OCCUPANCY PERMIT

To,

The.....

Concerned Agency,

.....

Sir,

The work of erection, re-erection or alteration in/of Building Noor the on / in Plot No in Colony / Street Mohalla / Bazar / Road City has been completed under the supervision of.....Architect/ Structural Engineer / Engineer / Supervisor, Registration /License No..... I may kindly be granted permission for occupancy of the said building.

Date:

Signature of the Applicant

**Name and Address of Applicant
or owner (in block letters)**