

The Municipal Council (Erection and Re-erection of Building) (First Amendment) Bye-laws, 2004

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Chapter I

1. Title and Commencement. - (1) These building Bye-laws may be called the Municipal Council (Erection and Re-erection of Building) (First Amendment) Bye-laws, 2004.

(2) These shall come into force at once.

(3) These building Bye-laws shall apply to the entire area of Municipal Corporations/Councils or to such other areas, as the State Government may extend by notification in the official gazette.

Chapter II

2. Definitions. - The existing Section 2(VII)(d) of the Punjab Municipal Corporations/Councils Building Bye-laws, 2004, shall now be replaced with the following definition :-

(d) *Categories of buildings* :

Shall mean a building in one of the following categories :-

- (i) Residential building.
- (ii) Commercial building.
- (iii) Industrial or Warehouse building.
- (iv) Public building/Institutional building.
- (v) Mixed landuse building.
- (vi) Nursing Homes/Hospital building.
- (vii) Marriage Palace building.
- (viii) Multiplexes building.

The existing Section 2(XX) shall be replaced with the following definitions :-

"Commercial Building" : Shall mean a building other than industrial building used or constructed or adopted to be used wholly or partially for shops, private offices, banks, hotels, restaurants, beauty parlours, boutiques, video parlours, cinemas and auditorium or any other such building used for similar purpose engaged in trade and commerce, but shall not include Nursing Home/Hospital, Marriage Palaces and Multiplexes, which have been specifically defined in Chapters VII, VIII and IX of these Bye-laws.

Chapter IV

4.7 Provisions for basement in building : The existing sub-clause (ii) shall be replaced with.

"The roof level of the basement shall not be less than 3' x 6" from the adjoining average ground level for adequate light and ventilation."

After existing Chapter No. VI, the following Chapters No. VII, VIII and IX shall be incorporated.

Chapter VII

(Marriage Palace)

7. Marriage Palaces - 1. (a) Definition. - A building used for holding social functions such as marriage and other such related activities.

(b) Applicability. - These Bye-Laws shall be applicable in all the Municipal areas including any provision made in any scheme hereinafter.

2. The marriage palaces building shall be in accordance with the Schedule III and the relevant provisions contained in Chapters II, III, IV, V, VI and X as far as they are not inconsistent with the provisions made in Chapter VII.

3. Provisions of Basement. - Basement may be used for Banquet Hall etc. If it is air-conditioned. It shall have minimum either two staircases for entry and exit or two approach ramps or one staircase and one ramp with additional staircases as per norms of fire safety and number of users. The twin basement may be allowed, if all other conditions regarding structural stability, fire safety, light and ventilation are fulfilled and the lower basement shall be used exclusively for parking.

4. The premises shall be kept neat and clean and all sanitary components shall provide adequate ventilation, suitable drainage, separate toilets for ladies and gents shall be provided/maintained to the entire satisfaction of Municipal Corporation/Municipal Council and Nagar Panchayat.

5. Minimum permissible noise level as prescribed by Punjab Pollution Control Board shall be ensured.

6. No marriage palaces shall be allowed directly abutting on the National, State Highways and major district roads except having access through a service road or where there is possibility of providing a service road so as to ensure safe and free flow of traffic.

7. Marriage Palaces should be atleast 500 sq. yds. away from schools/colleges/religious places/hospitals.

8. The use and occupancy of the building/structure approved as Marriage Palace shall be subject to issue of licence for the purpose under the relevant provisions of the PMC Act, 1976 and Punjab Municipal Act, 1911 and shall continue to function till the norms/conditions are fulfilled. However, in case, subsequently some hardship is felt in view of changed circumstances in the form of increased traffic

volume on a particular road/parking problems or other environmental considerations for the adjoining residential areas/general public, the use of the building/structure as marriage palace may be discontinued after cancellation of the licence or by not renewing the licence for the next year.

9. In case the terms and conditions of licence are not fulfilled including lifting/proper disposal of garbage, fire safety or if any alteration in the building is made without approval, the licence shall liable to be cancelled by the authorities as per rules.

10. Additional provision for fire safety :

- (a) The cooking space shall be segregated from the main building as per Schedule III.
- (b) Minimum four emergency battery illuminated exit points with additional one door for every 100 persons.
- (c) Line of travel to any exit point shall not be more than 15 metres from any point of the building.
- (d) The minimum width of doors shall not be less than 1.5 metre and shall open outward.
- (e) Own source of water supply along with water reservoir proportionate to the capacity and size of the hall to the satisfaction of the Fire Officer.
- (f) Fixed fire-fighting equipments throughout the building i.e. automatic water sprinklers, fire detectors, fire alarm system, wet risers, fire hydrants etc. to the satisfaction of the Fire Officer.
- (g) The door, window, false ceiling, decoration material and fixtures shall be made of fire resistant material.
- (h) Miniature electric circuit breakers for each component of the building.

11. Completion/occupancy certificate shall be issued only after submission of worthiness certificate for fire safety arrangements and electric installations from the Fire Officer and officer competent for certifying electric installations.

12. The provisions contained in "The Persons with Disability Equal Opportunities Protection of Rights and Full Participation Act, 1996", so far as this relates to planning, designing and construction of public buildings, guidelines and space standards for Barrier Free Environment for Disabled and Elderly Persons proposed under this Act, by CPWD, Ministry of Urban Affairs and Employment India, 1998 or as revised from time to time shall also be complied with.

Chapter VIII

(Nursing Home/Hospital)

8. Nursing Homes/Hospitals. - 1 (a) Definitions. - *Nursing home/hospital.* - A building where indoor patients are admitted and various types of clinical or surgical procedures are carried out.

(b) Applicability. - These Bye-laws shall be applicable in all the Municipal ar-

areas including on the sites to be reserved for Nursing Home/Hospital in the Schemes framed hereinafter.

2. The Nursing Home/Hospital shall be in accordance with the Schedule IV and the relevant provisions contained in Chapters II, III, IV, V, VI and X as far as they are not inconsistent with the provisions made in Chapter VIII.

3. **Provisions of Basement.** - The double basement may be allowed, if all other conditions for structural stability, fire safety, light and ventilation are fulfilled and one of the basements shall be used exclusively for parking.

4. **Provision of Lifts and Ramps.** - Every building having more than fifteen metres height shall be provided with a minimum of one lift and total number of such lifts shall be calculated on the basis of one lift for every 900 square metres floor areas having more than 15 metres height.

(i) The size of lift shall not be less than 5' x 8'.

(ii) *Ramp* - The width of the ramp for movement of patients and public shall not be less than 4'-6" and gradient shall not be less than 1:8.

5. **Water Storage Tank.** - Every such building shall have a water storage capacity of 200 litres per bed with an additional storage of 100 litres per bed where laundry facility is provided.

6. **Alternate Power Supply Facility.** - Every such building shall have a provision for an alternate power supply and proper area will be earmarked for installation of a silent generator or any other mode at such a place that it will not cause any inconvenience to the patients, public in general and the neighbourhood.

7. The provisions contained in "The Persons with Disability Equal Opportunities Protection of Rights and Full Participation Act, 1996", so far as this relates to planning, designing and construction of public buildings, guidelines and space standards for Barrier Free Environment for Disabled and Elderly Persons proposed under this Act by CPWD, Ministry of Urban Affairs and Employment India, 1998 or as revised from time to time shall also be complied with.

8. Adequate arrangements for disposal of hospital waste have to be made as per the Bio Medical Waste (Management and Handling) Rules, 1998, as amended from time to time along with the instructions/guidelines issued by the Punjab Pollution Control Board from time to time.

Chapter IX

(Multiplexes)

9. **Multiplexes. - 1(a) Definition.** - Multiplex shall mean an integrated entertainment and shopping complex/centre. It shall necessarily have Cinema Halls and may have Theatres, Auditorium, Retail Shops, Commercial Showrooms, Restaurants and Food Plazas, Health Club and Fitness Centre, Clubs, Call Centres, Corporate Offices, Covention Hall, Bank, Cyber Cafe, Video Games, Parlours, Pubs, Bowling Allies and Recreational Activities and all the areas/building except Cinema Halls shall fall in the commercial category.

(b) **Applicability.** - These Bye-laws shall be applicable in all the Municipal ar-

areas including on the sites to be reserved for Multiplex building in the Schemes framed hereinafter.

2. The Multiplex building shall be in accordance with the Schedule V and the relevant provisions contained in Chapters II, III, IV, V, VI and X far as they are not inconsistent with the provisions made in Chapter IX.

3. **Provision of Basement.** - The construction of double level basement shall be compulsory for parking and the entire area of the basement shall be used for parking purposes only, except the area used for Air-conditioning Plant and lift room which in no case shall exceed 10% of the area. Basement shall be permitted only under the built-up area at the ground level.

4. The provisions contained in "The Persons with Disability Equal Opportunities Protection Act, 1996", so far as this relates to planning, designing and construction of public buildings, guidelines and space standards for Barrier Free Environment for Disabled and Elderly Persons proposed under this Act by CPWD, Ministry of Urban Affairs and Employment India, 1998 or as revised from time to time shall also be complied with.

The existing Chapter No. VII (Miscellaneous) shall now be listed as Chapter No. X.

Chapter VI, Clause 6-A

6A (I) The Water Conservation. - For effective conservation of rain water, application for permission to construct or reconstruct or alter or add to a building on a plot having area more than 200 sq. yds. shall contain water conservation proposals as detailed below:-

(A) Ordinary Buildings (Ground + First Floor). - 1. Percolation pits of 30 to 45 centimetres diameter and a depth adequate, not less than 1 metre to recharge the ground shall be made. This pit shall be filled with suitable filter material such as well burnt broken bricks (or pebbles) up to 15 cm. from top. The top 15 cm. shall be filled up with coarse sand. The top of this pit shall be covered with perforated RCC slab or of any other material, wherever considered necessary. The number of such percolation pits shall be provided on the basis of 1 pit per 30 square metres of available open terrace area of plinth area. The cross distance between the pits shall be minimum 3 metres.

2. Wherever an open well or bore well is available within the building premises the rain water collected from the open terrace shall be collected through pipes of 150 mm. diameter or other suitable sizes and led to a filter pit of size : 60 cms. x 60 cms. (with appropriate filter materials) and then led into the open well through 150 mm. diameter or other suitable pipe after filling up a storage tank or sump.

3. Wherever existing water storage sumps are available, the rain water so collected after it passes through the filter shall be allowed to flow to the sump through closed pipes. An overflow pipe shall be provided to the storage sump so that the surplus water is led into the nearby open well or bore well or percolation pit.

(B) Ordinary Buildings (Ground +2 Floors and above). - 1. The specifica-

tions detailed in item "A" above for ordinary buildings (Ground +First Floor) is also applicable to building specified in this category.

2. In addition to the percolation of 30 cm. diameter to be provided at 3 m. interval, a pit of 1 to 1.5 m. width and appropriate depth, so as to recharge the ground, shall be provided all along the plinth boundary depending upon the soil classification below ground. This pit shall be filled with appropriate filter material namely, broken bricks, pebbles, broken stones etc. at the bottom and the top 15 to 25 cms. shall be filled with coarse sand. The ground or pavement surface around the building shall be sloped towards the percolation pit so that the surplus rain water from terrace and sides, open spaces etc. flow over this slopped surfaces and spread into the filter bed all around. Masonry dwarf walls of 5 to 7.5 cm. or of suitable height depending upon the site conditions shall be constructed. If, necessary at the entrance and exit gates to allow the surplus rain water collected within the compound to recharge the ground within the premises itself and from draining out to the road.

3. If the sub-soil is not a permeable one (namely clay or black cotton) appropriate recharge structures uses, namely recharge shaft or bore pit shall be provided below the filtration pits so as to recharge the ground.

(C) Group Development, Industries and Institutional Buildings. - 1. For buildings for Ground + First Floor or Ground + 2nd Floors and above located within group development industrial or institutional premises the specification detailed in item 'A' and 'B' above shall apply.

2. The surface run off rain water in the open spaces within the ground development or industrial or institutional premises shall be allowed to run towards collecting drains of suitable size and these drains shall be constructed as rain water friendly storm water drains. All the approach and access roads, to the buildings within the group development or industrial or institutional premises shall also be provided with rain water friendly storm water drains. These rain water friendly storm water drains shall not have paved bottom. If adequate spaces are available in low lying areas percolation ponds of suitable size shall be formed and these rain water friendly storm water drains shall be led into the percolation ponds for recharging the ground.

3. For the localized low lying areas, recharge pits of size of minimum 1 m. x 1 m. x 1 m. diameter shall be provided wherever needed, so as to prevent rainwater stagnation around the building. For other places catch water pit structures of size 30 cm. diameter and 30 cm. depth or higher depth as necessary shall be provided wherever necessary. For existing paved storm water drains, catch water pits of 30 cm. diameter and 30 cm. depth or higher depth as necessary shall be provided wherever necessary. For existing paved storm water drains, catch water pits of 30 cm. diameter and 30 cm. depth or higher depth as necessary, shall be provided at the bottom of these drains at 10 to 15 metres intervals. These catch water pits shall be filled with appropriate filter material as described in item 'A' above for ordinary building (Ground + First Floor).

Explanations. - For the purpose of these rules in regard to rain water harvesting structures are concerned any other modification, additional or alternative designs furnished by the applicant shall be considered for approval if it conforms to rain water harvesting concept to the satisfaction of the competent authority for building plan approval. Provision of water harvesting structures for reuse and used

water like water emanation from kitchen and bathrooms for flushing toilets, gardening shall be considered for approval on its merits.

6A(II). Separation of bath and washbasin water and reuse. - Notwithstanding anything contained in these rules, every building shall be provided with separate pipelines, one for collecting waste water from bath and washbasins and the other for connecting the toilets. The wastewater from the toilets along shed; be connected to the street sewer. The waste water from the bath and washbasins shall be disposed of as hereunder :-

(i) **Ordinary Buildings.** - (Ground + 1st Floor residential buildings not exceeding four dwelling units or commercial/industrial/institutional buildings not exceeding 300 square metres).

The wastewater from a bath and washbasins shall be used for ground water recharge by organic filtration (by providing suitable filter media) depending upon the soil suitability's or for recycling for toilet flushing as indicated for other buildings specified in item (ii) below :-

(ii) **Buildings other than the buildings specified in item (i) above.** - Each building shall have a separate downward pipeline to collect. Wastewater from bath and washbasin and the collected waste water shall be treated. Adequately by organic or mechanical recycling and taken to a sump for onward pumping to the exclusive overhead tank or to a separate compartment of over-head. Tank for exclusive use of toilet flushing through cisterns. The excess wastewater not used for toilet flushing shall be suitably connected to the rainwater recharge structures for ground water recharge.

Explanation. - For the purpose of these rules in regard to recycling system are concerned any other modifications, additional structures, alternative designs furnished by the applicant shall be considered for approval. If it conforms to recycling concept to the satisfaction of the competent authority for building plan approval.

6A(III) Provision of rain water harvesting structures in existing buildings. - Notwithstanding anything confirmed in this rules, rainwater harvesting structures as detailed in Rule 3 shall be provided in all the existing buildings, with incentives to the owners in a policy to be decided by the Government.

Chapter X

10. Miscellaneous.

10.1 Relaxation. - Government may relax any of the provisions of these buildings Bye-laws for reasons to be recorded in writing.

10.2 Repeal of existing Bye-laws and rehabilitation schemes Bye-laws. - From the date of coming into force of these building Bye-laws, the existing Bye-laws made by Municipal Council and by Government under Schedule 'D' of East Punjab Refugees (Rehabilitation and Building Sites) Rules, 1948 shall stand repealed.

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Schedule I

Schedule for Regulating Commercial Buildings

Sr. No.	Plot Size	Site Coverage	F.A.R.	Provision of basement/ parking on stilts	Total	Parking	
						On Front	On Rear/Side
1	Up to 50 sq. yds.	80%	1:1.50	Optional	20%	20%	-
2	Above 50 sq. yds. up to 125 sq. yds.	75%	1:1.50	Optional	25%	10%	15%
3	Above 125 sq. yds. up to 250 sq. yds.	65%	1:1.75	Optional	35%	15%	20%
4	Above 250 sq. yds. up to 500 sq. yds.	60%	1:2.00	Optional	40%	15%	25%
5	Above 500 sq. yds	50%	1:3.00	Compulsory for parking equivalent to permissible coverage on ground floor	50%	20%	30%

-----Height of Building-----

-----Road width upto -----

Sr. No.	20 ft.	Above 20 to 40 ft.	Above 40 to 60 ft.	Above 60 to 100 ft.	Above 100 ft.	Remarks
1	26'-6"	38'-6"	38'-6"	38'-6"	38'-6"	Excluding
2	26'-6"	38'-6"	38'-6"	38'-6"	38'-6"	Parpet,
3	26'-6"	38'-6"	48'-6"	48'-6"	48'-6"	Water Tank,
4	26'-6"	38'-6"	48'-6"	59'-6"	70'-6"	Mumty etc.
5	26'-6"	38'-6"	48'-6"	59'-6"	70'-6"	All do.

Notes. : 1. In 'core city' area 100% coverage and in other areas 80% coverage with F.A.R. 1:1.50 shall be allowed for plots up to 50 sq. yds.

2. Parking on stilts shall not be counted towards F.A.R. and maximum permissible height shall be 8'-6".

Schedule II

Schedule for Regulating Industrial Buildings

Sr. No.	Plot Size	F.A.R.	Site Coverage	Parking/Marginal Open Spaces		
				Total	On Front	On Rear/Side
1	Up to 300 sq. yds.	1:1.50	40%	40%	30%	15%
2	Above 300 sq. yds. up to 500 sq. yds.	1:1.25	55%	45%	30%	15%
3	Above 500 sq. yds.	1:1.20	50%	50%	30%	20%

-----Road width up to -----

Sr. No.	20 ft.	Above 20 to 40 ft.	Above 40 to 60 ft.	Above 60 to 100 ft.	Above 100 ft.	Remarks
1	26'-6"	38'-6"	38'-6"	38'-6"	38'-6"	

2	26'-6"	38'-6"	48'-6"	48'-6"	48'-6"
3	26'-6"	38'-6"	48'-6"	59'-6"	59'-6"

Schedule III
Indemnity Bond for Basement

This indemnity is executed by Shri _____ R/o (hereinafter called the owner) in favour of Nagar Council, Dhanoula.

Whereas the owner has submitted to the Nagar Council plans for sanctions of basement over Plot No. _____ under the provision of P.M.A. Act, 1911 and the Bye-laws made thereunder;

And whereas the Nagar Council has agreed to sanction the aforesaid construction subject to the condition that the owner shall indemnify the Nagar Council in the event of any loss or damage being caused to the adjoining buildings/properties on account of the construction of the said basement either at the time of digging of the foundation or in the course of its construction or even thereafter and also against any claim of any concern there etc.

And whereas the owner has agreed to execute an indemnity bond to the above effect and also to abide by the terms imposed by the Nagar Council to the grant of sanction of the basement.

Now this Deed witnessed

1. That in consideration of the sanction of the plans of the owner for construction of the basement the owner undertake that they shall at all times keep the Nagar Council harmless and free from any liability, loss or damages following from any injury or damage caused to either properties adjoining basement or to any person as a consequence of the construction or at the time of digging of its foundation or during the course of its construction or at any time thereafter.

2. The owner agrees and undertake that in event of any claim being made by any person or persons against the Nagar Council either in respect of the sanction granted by the Nagar Council to the owner for the construction of basement/s or in respect of the construction or the manner of construction of the basement by the owner or the consequences following the said sanction the owner shall be responsible and liable and not the Nagar Council.

3. The owner agrees and undertakes to indemnify the Nagar Council fully in respect of any amount which the Nagar Council be required to pay to any person either by way of compensation of damages or on any other account as a result of any claim or suit or any other proceedings concerning the sanctioned and of the construction of the basement or the making thereof and also in respect or costs and expenses which the Nagar Council at may incur on defending any action.

4. Without prejudice to the above undertaking the owner hereby binds itself to pay to the Nagar Council to the full extent any amount which the Nagar Council may be required to pay to any person in connection with, relating to or concerning the sanctioning of the basement or the making thereof.

5. The owner further agrees and undertakes that this bond shall remain in full force and effect till the owner faithfully observes and performs the undertaking herein before contained.

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In Witness Whereof the owner above named has signed this bond on this _____ day of _____ at _____.

Indemnifier

Witness :

(Signature)

1. Name _____

Full Address _____

2. Name _____

Full Address _____

Schedule

The following Schedule shall be added after Schedule No. II of the Punjab Municipal Corporation/Council Building Bye-laws, 1997 :-

Schedule III

(Marriage Palace)

Sr. No.	Min. Plot Size	Minimum width of the road in front	Site coverage	F.A.R.	Height	Provision of Parking	Minimum set back
1	2 Acres and above	80'-0" in case of Municipal Corporations/Class I towns and 60'-0" in case of Class II and other Municipal Towns	30%	1:0.60	38'-6"	(i) 10% of the open area on ground floor shall be used for land- scaping and remaining for parking as per norms; (ii) Parking area is to be provided @ 1.00 ECS for every 26.5 sq. yds. of built up/covered area on all floors;	Front set back 30% of the site. Side/rear set backs minimum 20'-0" all around the main building excluding kitchen and other ancillary buildings.

(iii) 1 ECS
(equivalent car
space) shall be
equivalent to
26.5 sq. yds. for
open parking,
33.5 sq. yds. for
parking under
stilts and 38.5 sq.
yds. for parking
in the basement;
(iv) In case,
required parking
area works out to
be less than the
area available at
all levels then the
covered area
should be scaled
down to the level
of available
parking as per
norms mentioned
at (ii) and (iii)
above.

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**Schedule IV
(Nursing Home/Hospital)**

Sr. No.	Min. Plot Size	Minimum Height width of the road in front	Site coverage	F.A.R.	Provision of Parking	Minimum set back	
1	1000 sq. yds. and above	60'-0"	As per Schedule-I of the building bye-laws 1997	40%	1:1.25	(i) Parking area is to be provided @ 1.00 ECS for every 80 sq. yds. of built up/covered area on all floors; (ii) 1 CES (equivalent car space) shall be equivalent to 26.5 sq. yds., for open parking. 32.5 sq. yds. for parking under stilts and 38.5 sq. yds for parking in the basement; (iii) In case, required parking area works out to be less than the area available at all levels then the covered area should be scaled down to the level of available parking as per norms mentioned at (i) and (ii) above.	25% of the site

**Schedule V
(Multiplexes)**

Mini- mum size of plot	Ground coverag e	F.A.R.	Height	% Share of use	Minimum No. of Cinemas	No. of Seats	Parking	Minimum set backs
1 Acre (4840 sq. yds.)	40%	1:1.50	59'-6" in case of plot abutting on road width 80'-0" to 100'-0"- 70'-6" in case of plot abutting on road width 100'-0" above	Floor area under Cinema shall not be less than 50% of the total permissibl e FAR	Three	Minimum 1000 for all the names	(i) 10% of the open area on ground floor shall be used for landscaping and remaining for parking as per norms. (ii) Parking area for commercial is to be provided @ 1 ECS for every 80 sq. yds. of built up/covered area on all floors and for cinemas/theaters 2 ECS for every 80 sq. yds. of built up covered area on all floors; (iii) 1 ECS (equivalent car space) shall be equivalent to 26.5 sq. yds. for open parking, 32.5 sq. yds. for parking under stilts and 38.5 sq. yds. for parking in the basement;	Front : 25% of the site

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(iv) In case, required parking area works out to be less than the area available at all levels then the covered area should be scaled down to the level of available parking as per norms mentioned at (ii) and (iii) above.
