

The Patiala Municipal Corporation Building Bye-Laws, 1997

Published vide Punjab Gazette, (Extra.), dated 25.3.1998

✓ NOTIFICATION

The 25th March, 1998

No. 9/44/96-6LGI/2969. - The enclosed Bye-Laws namely the 'Patiala Municipal Corporation Building Bye-Laws 1998' made by the Municipal Corporation, Patiala under sections 258, 398 and 399 of the Punjab Municipal Corporation Act, 1976 and adopted by it, - vide Resolution No. 60, dated 10th December, 1997 having been confirmed by the Governor of Punjab as required under section 401 of the said Act and all other powers enabling him in this behalf are published for general information.

2. These Bye-Laws shall come into force with immediate effect.

Chapter I

1. Title and commencement. - (1) These building bye-laws may be called the Municipal Corporation (Erection and Re-erection of Building) Bye-laws, 1997.

- (2) These shall come into force at once.

(3) These building bye-laws shall apply to the entire area of Municipal Corporation or to such other areas, as the State Government may extend by notification in the Official Gazette.

Chapter II

2. Definitions. - (i) Abut: A building is said to abut on a street when the outer face of any of its external walls is on the street, road boundary.

- (ii) Act: means the Punjab Municipal Corporation Act, 1976.

(iii) Applicant: Applicant shall mean the person who gives a notice to the Commissioner/Administrator/Competent Authority of his intention to erect or re-erect a building and shall include his legal representatives.

(iv) Architect: Architect shall have same meaning assigned to it as in the Architects Act, 1992.

(v) Architectural Control: means control of horizontal/vertical projections from the walls of the building and to restrict the height on any site exposed to the view from the street/road. Similarly architectural control sheets shall mean sheets/drawings with directions as mentioned above and signed and retained by competent authority.

2 The Patiala Municipal Corporation Building Bye-Laws, 1997,

(vi) Area in relation to the Building: means the superficial or a horizontal section thereof made at plinth level inclusive of the external walls and of such portion of the party walls as being of the building.

(vii) Building: means walled and roofed structure built for temporary or permanent use either for habitation or for storage or for an industry or for business use or:

- (a) Addition to the Building: means addition to the cubic contents or to the floor area of the building.
- (b) Ancillary building in the residential area: shall mean a building attached to or serving the main residential building and shall include buildings such as garage, store, rooms, fuel store, servant quarters but shall not include annexe or a guest house capable of use as independent dwelling unit.
- (c) Ancillary building in an industrial area: shall mean a building ancillary to or serving the main industrial building and shall include administrative building, godowns, cycle-sheds, dispensary, canteen, electric sub-station and quarters for watch and ward staff, but shall not include residential accommodation for the superior staff.
- (d) Categories of building: shall mean a building in one of the following five categories:
 - (i) Residential building
 - (ii) Commercial building
 - (iii) Industrial or warehouse building
 - (iv) Public building/institutional building
 - (v) Mixed landuse building
 - (vi) Basement or Celler: shall mean the lower storey of the building immediately below or partly below the ground level.
 - (vii) Bressummer: shall mean the beam or a girder which carries load of wall or slab.
 - (viii) Balcony: shall mean a cantilevered horizontal projection at the roof level from the wall of a building without any vertical support and having a balustrade or railing not exceeding one metre in height and intended for human use.
 - (ix) Barsati: shall be a habitable space on the top roof of the building with/without toilet facility.
 - (x) Building Line: means a fixed line specified for a site beyond which no building within the site other than compound wall shall project.
 - (xi) Canopy: shall mean a cantilevered projection from the face of the wall over an entry to the building at the lintel level provided that :-
 1. It shall not project beyond the plot line.
 2. It shall not exceed 7 square metres or 75 square feet in area.
 3. It shall not be lower than 2.3 metres or 7'-6" when measured from the ground.
 4. It shall not be allowed at more than one entry.
 5. It shall not extend more than 1.8 metres or 6 feet beyond the building line.

6. There shall be no structure on it and the top shall remain open to sky.
- (xii) Chhaja or Sun Shade: shall mean a sloping or horizontal structural overhang, usually provided over openings or external walls to provide protection from sun/rain only upto 18" in width.
- (xiii) Compound/Compromise: means an act to settle amicably or adjust by agreement or to agree for consideration, but not prosecute for an offence of violations of building constructions or building bye-laws or to construct without permission of the competent authority or changing the prescribed use of land.
- (xiv) Conversion: means the change of occupancy of a premises, in character, form or function to a use, requiring additional permission from the competent authority.
- (xv) Conversion of landuse: means :-
- (a) the change or conversion from the existing landuse of any specific property or part of property to any other conforming landuse if allowed by competent authority, on the request of *bona fide* landowner who submits his appeal for the change of existing landuse, immediately before the submission of building application.
- (b) the change of landuse or conversion of landuse to be allowed after special appeal shall be as follows :-
- (i) from the residential use to commercial use.
- (ii) from the residential use to educational use.
- (iii) from residential use to religious use and public institution use.
- (iv) from residential use to public service use like dispensary, clinic or beauty parlour, etc.
- (v) from industrial/commercial to residential or any other compatible use.
- (xvi) Covered Area: means ground area covered by the building immediately above plinth level but does not include the space covered by:
- (a) Compound Wall, gate, canopy, uncovered or cantilevered staircase, area covered by chhaja upto 18" for all kinds of buildings except commercial building, cantilevered porch portico, slide-swing and the extensions alike.
- (b) Garden, rockery, well and well structures, plant, nursery, water pool, swimming pool (if uncovered), platform around a tree, tank, fountain, bench, Chabutra with open top and unenclosed on sides by walls.
- (c) Drainage, culvert, conduit, catch-pit, gully pit, chamber, gutter and the like.
- (d) Cantilevered roof projection upto 3'-0" projected from the finished level of the wall to the extent of maximum 50% of the circumstances of the covered area at each floor.
- (e) Cantilevered projection is allowed in commercial buildings upto 3'-0" and does not form part of covered area.
- (f) The porch/portico or garage shall be allowed in the side set-back area provided the width of the side set-back area is not less than 9 feet and shall cover only 1/3rd of the total depth of the plot, and shall have the clear height of 8'-3". However, it shall be counted as covered area.

- (xvii) Chimney: means an upright shaft containing or encasting one or more flues.
- (xviii) Commercial building: shall mean a building used or constructed or adopted to be used wholly or partly for shops, private offices, banks, nursing homes, hotels, restaurants, beauty parlours, boutiques, video libraries, marriage palaces, cinemas and Auditoriums or any other such building used for similar purpose engaged in trade and commerce, but shall not include industries.
- (xix) Damp Proof: means a course consisting of appropriate water proofing material provided to prevent penetration of dampness or moisture to any part of the structure from within or outside including tar felting, bitumen or any other aquaproof material.
- (xx) Drainage: means act, process, method or means of drainage, mode of discharge of water; the system of drains.
- (xxi) Dwelling: means a building or a portion thereof which is designed or used wholly or principally for residential purpose.
- (xxii) Encroachment: means an act to enter into the possession or rights either of permanent or temporary nature on a land or built up property of local body or state/central government.
- (xxiii) Engineer: shall mean a person holding any of the qualifications recognised by Civil Engineering Division of Institute of Engineers (India) for its associate membership and registered as such with the competent authority, for preparation of building plans, structural designs and for supervision of building constructions.
- (xxiv) Exit: means a passage, channel or means of access from any building, storey or floor area to a street or other open space.
- (xxv) External Air or Open Air Space: means space open to sky.
- (xxvi) External Wall: shall mean an outer wall or vertical enclosure of any building not being a party wall even though adjoining to wall of another building and shall include a wall abutting on an interior open space of any building, but shall not include an outer verandah wall.
- (xxvii) Re-erection/Addition and Alteration of Building: includes :-
- (a) any material alteration or enlargement of any building.
 - (b) the conversion by structural alteration into a place for human habitation of any building not originally constructed for human habitation.
 - (c) the conversion into more than one place for human habitation of a building originally constructed as one such place.
 - (d) the conversion of two or more places of human habitation into a greater number of such places.
 - (e) such alteration of building effecting change in its drainage or sanitary arrangements.
- (Note. - Other than the above shall be referred towards repair of a building).
- (xxviii) Fire Resisting Material: means material which has appropriate degree of fire resistance.
- (xxix) Floor: means the lower surface of a storey on which one normally walks in a building. The general term 'floor' unless specifically mentioned, shall not refer to a mezzanine floor.

(xxx) Floor Area Ratio (F.A.R.) : means the ratio derived by dividing the total covered area on all floors by the total area of plot:

F.A.R. = Total covered area of all floors / Plot area

(xxxii) Foundation: means the part of the structure which is in direct contact with the transmitting load to the ground.

(xxxiii) Gallery: means an intermediate floor or platform projecting from a wall of an auditorium or a hall providing extra floor area, additional seating accommodation, etc. It shall also include the structure provided for seating in stadia.

(xxxiv) Garage Private: means a building or a portion thereof, designed and used for parking of private vehicles.

(xxxv) Garage Public: means a building or portion thereof, other than a private garage designed or used for repairing/servicing of vehicles.

(xxxvi) Ground Floor: shall mean storey which has its floor surface nearest to the ground around the building.

(xxxvii) Group Housing: means a building unit constructed or to be constructed with one or more floors having more than two dwelling units having common service facilities.

(xxxviii) Habitable Room: means a room occupied or designed for occupancy by one or more persons for study, living, sleeping, eating, kitchen, if it is used as a living room, not including bath rooms, water-closet compartments, laundries, serving and storage pantries, corridors, cellars, attics and spaces that are not used frequently or during extended longer period.

(xxxix) Height: means the maximum distance measured from the bottom (the crown of the adjoining roads) to the top of the building/structure standing upright:

(a) the vertical distance measured in case of flat roof from the average level of the crown of the road or adjoining ground around and contiguous to the building or as decided by the competent authority to the highest point of the building.

(b) in case of pitched roof upto the point where the external surface of the outer wall intersects the furnished surface of the sloping roof.

(c) in case of gables roof facing the road the mid point between the level and the ridge.

(xl) Minimum Ceiling Height of Rooms: means every habitable room in any building shall be in every part atleast 9' in height from the floor to the underside of the roof slab or ceiling except where the building is to be air-conditioned the minimum ceiling height shall be 8' in every part.

(xli) Height of Mezzanine:

(a) a mezzanine or internal balcony shall not be permitted unless the height of the room is atleast 5.2 metres or 17' (total clear height of the room) and such mezzanine floor or balconies do not cover more than 1/3rd of the room area and accessible only from lower floor.

Mezzanine Floor: means a gallery, balcony, or loft or an interior floor not so constructed as to be capable of habitation, use for living, sleeping,

erected between the floor and the ceiling of any storey not less than seventeen feet in height.

- (b) the height of such mezzanine floor or internal balcony shall not be less than 2.3 metres or 7' and it shall not be lower than 2.3 metres above the floor area level.
- (xli) Lobby: means a covered space in which all the adjoining rooms open.
- (xlii) Loft: means an intermediate floor in between two main floors but not less than 4 feet in height which may be adopted or constructed for storage purposes, and at height of not less than 2.3 metres or 7' from ground floor at door level.
- (xliii) Mumti or Stair Cover: means a cabin like structure with a covering roof over a stair case and its landing built to enclose only the stairs for the purpose of providing protection from weather and not used for human habitation.
- (xliv) Material Change of use: means a change from one category of building to another.
- (xlv) Owner: is a person, group of persons, a company, trust, institute, registered body, state or central government and its subordinate departments undertakings and like in whose name the property stands registered in the revenue records.
- (xlvi) Parapet: means a low wall built along the edge of a road or a floor not more than 3 feet in height.
- (xlvii) Parking:
 - (a) Private Parking: if such parking is used/provided exclusively for private parking of vehicles.
 - (b) Public Parking: if such space is used exclusively for public parking for vehicles together with drive-way connecting the parking space with street or alley permitting safe and convenient ingress and egress of vehicles.
- (xlviii) Partition Wall: means a wall which supports no load other than its own weight.
- (xlix) Part Wall: means :-
 - (a) a wall forming part of building and being used or constructed to be used in any part of the height or length of such wall for separation of adjoining buildings belonging to different owners or occupied or constructed or adopted to be occupied by different persons, or
 - (b) a wall forming part of a building and standing in any part of the length of such wall, to a greater extent than the projection of the footing on one side on grounds of different owners.
- (l) Plinth: means the portion of a structure between the surface of the surrounding ground and surface of the floor, immediately above the ground.
- (li) Plinth Level: means the level of the ground floor of a building with respect to the adjoining ground.
- (lii) Plinth Height: means the height of the ground floor above the street level measured from the level of the centre of the adjoining street.

- (liii) Public Sewer: means a sewer constructed by the government or local body.
- (liv) Plot: means a parcel of land occupied or intended for occupancy by one main building together with its accessory buildings including the open spaces having frontage upon a public street/streets or upon a private street/streets and enclosed by definite boundaries.
- (lv) Porch: means a covered surface supported on pillars or otherwise for the purpose of pedestrian or vehicular approach to a building.
- (lvi) Setback Line: means a line usually parallel with the centre line of the road or street or to the boundary of the plot and laid down in each case by competent authority beyond which nothing can be constructed towards the road or the side walls.
- (lvii) Storey: 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.
- (lviii) Town Planner: means a person holding postgraduate degree or equivalent diploma in City/Town Planning or Regional Planning and recognised by the Institute of Town Planners' (India) for its associate membership.
- (lix) Unauthorised Construction: means the erection or re-erection, addition or alterations which is not approved or sanctioned by the competent authority.
- (lx) Ventilation: means the circulation of air in each and every habitable room of the building including toilets and kitchen.
- (lxi) Water Flush Latrine (Water Closet): means a latrine from which excreta are removed by water carriage, but it does not include a bathroom.
- (lxii) Window: means an opening to the outside other than a door which provide all or part of the required natural light and ventilation or both to an interior space.

Note. - words and expressions not defined in these bye-laws shall have the same meaning or the sense as are contained in the Punjab Municipal Corporation Act, 1976.

Chapter III

3. Procedure for submission and approval of Building Application and Occupation. -

3.1 Essential Requirements : Every building work within the Municipal limits shall be designed by Registered Architect/Building Designer/Supervisor.

3.2 Licensing of Architect, Building Designer and Supervisor, their Qualifications and Competency :-

3.2.1. Licensing : A licence as an Architect/Building Designer/Supervisor shall be granted by the local authority to any person who in its opinion is qualified for the work.

3.2.2. Qualifications : The minimum qualification necessary for licensed Architect/Building Designer/Supervisor shall be as follows :

‘A’ - Class : The minimum qualification for an ‘A’ Class Architect/Building Designer/Supervisor shall be the person holding requisite qualification and making them eligible to become :

Associate/Fellow of the Indian Institute of Architects.

OR

Associate/Fellow Member of the Institute of Town Planners (India)

OR

Associate/Fellow Member of the Institute of Engineers (India) - Civil Engineering.

‘B’-Class : Minimum qualification for a ‘B’ Class Building Designer and Supervisor shall be as follows :

Three years Diploma in Civil Engineering/Architecture from a recognised Institute making eligible for recruitment in the Punjab Engineering/Architecture Service Class-III and having 3 years minimum experience in Building Design/Supervision.

OR

Qualification as a Draftsman/Surveyor from a recognised Polytechnic/ITI having 5 years experience in building Design and Supervision.

‘C’-Class : The ‘C’-Class surveyors, where already registered under the existing Building Bye-Laws shall continue. However, there shall be no new registration under this category in future.

3.2.3. Competency of Class-A : The licensed Architect/Building Designer and Supervisor shall be competent to carry out the work related to the building permit as given below and shall be entitled to submit :

- (a) All plans/information connected with building permit.
- (b) Design and preparation of building plans, structural details and calculations for all or any type of buildings.
- (c) Certificate of supervision and completion.

Competency of Class-B :

- (a) All plans/information connected with building permit upto three storey structure on plots upto 250 square yards.
- (b) Design and preparation of building plans, structural details and calculations for all or any type of building upto three storey structure on plots upto 250 square yards.
- (c) Certificate of supervision and completion upto three storey structure on plots upto 250 square yards.

Competency of Class-C : Competency of already registered C-Class surveyor shall be the same as provided for the B-class.

3.3 Renewal of Registration : A Registration Certificate issued shall be renewable every year on the payment of such renewal fee as is determined by the competent authority from time to time.

3.4 Cancellation of Registration Certificate : A Registration Certificate granted or renewed shall liable to be cancelled by the competent authority if the holder thereof contravenes any of the provisions of the Act or the Rules or regu-

lations made thereunder or any direction issued thereunder by the competent authority. Provided that before cancelling the registration certificate reasonable opportunity of being heard will be offered to the holder of Registration Certificate.

3.5 Notice of Building Application : Every person intending to erect or re-erect any building shall give notice of such intention in writing in Form 'A' appended to these bye-laws along with ownership documents, four sets of Ferro Prints and two prints on tracing cloth/tracing film showing location plan, site plan and building plans to the Municipal Corporation and shall at the same time submit:

- (a) A location plan and a site plan of the land on which it is intended to erect or re-erect the building.
- (b) Plans of all the floors, elevations and typical cross-section of the building which he intends to erect or re-erect.
- (c) Detail of specifications of the work to be executed in Form 'B' appended to these bye-laws.
- (d) Subject to the provision of bye-laws every person erecting or re-erecting a building shall appoint an Architect, a 'Registered Building Designer and Supervisor' for drawing up of plans and supervision of erection and re-erection of the building.
- (e) The application, plans and specifications shall be signed by the applicant and the Licensed Architect/Building Designer and Supervisor.

3.6 Tax on Building Application : Every person who makes an application give notice to the Commissioner for sanction of a building plan shall pay along with the application/notice tax at such rate as may from time to time be specified by the government.

3.7 Location Plan : A Location Plan of the applicant's site indicating exact distance from the main approach road, prominent buildings/landmarks in the vicinity.

3.8 Site Plan : The Site Plan shall be a scale of 1" to 16' for exact identification and shall show :

- (a) The boundaries of the site and of any contiguous land belonging to the owner thereof;
- (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 standing on, over or under the site;
- (e) the portion of the building and of all other buildings (if any) which the applicant intends to erect upon his contiguous land referred to in (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 approximate height) and premises within a distance of 12 M of the site and of the contiguous land (if any) referred to in (a); and

10 The Patiala Municipal Corporation Building Bye-Laws, 1997,

- (iii) if there is no street within a distance of 12 M 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);
- (g) space to be left around the building to secure a free circulation of air, admission of light and access for scavenging purposes;
- (h) the width of the street (if any) in front and of the street (if any) at the side or rear of building.
- (i) the direction of north point relating to the plan of the building;
- (j) any existing physical features, such as wells, drains, trees, etc;
- (k) the ground area of the whole property and the break-up of covered area on each floor with the calculations for percentage covered in terms of the total area of the plot as required under the bye-laws governing the coverage of the area;
- (l) parking plans indicating the parking spaces for all buildings except for individual residential buildings;
- (m) area reserved for plantation, geenary and landscaping within site;
- (n) such other particulars/details as may be prescribed by the authority; and
- (o) building number or plot No. of the property on which the building is intended to be erected.

3.9 Building Plan : The plans of buildings and elevations and sections accompanying the notice shall be drawn to a scale not less than 1" to 8' for plots measuring above 200 square yards and 1" to 4' for plots measuring upto 200 square yards and shall:

- (a) 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 and width of staircases, ramps and other exit ways, liftwells, lift machine room and lift pit details.
- (b) show the use or occupancy of all parts of the building/buildings.
- (c) show exact location of essential services, for example W.C., Sink, Bath and the like;
- (d) include sectional drawings showing clearly the size of the footings, thickness of basement wall, wall construction, size and spacing of framing members, floor slabs and roof slabs with their materials. The section shall indicate the height of building and rooms and also the height of the parapet; and the drainage and the slope of roof. Atleast one section should be taken though the staircase, kitchen and toilet, bath and W.C.
- (e) show all street elevations;
- (f) indicate details of service privy, if any;
- (g) give dimensions of the projected portions beyond the permissible building line;
- (h) include terrace plan indicating the drainage and the slope of the roof;
- (i) give indications of the north point relative to the plan;

- (j) details of parking space provided;
- (k) give indication of all doors, windows and other openings including ventilators with sizes in proper schedule form; and
- (l) such other particulars as may be required to explain the proposal clearly and as prescribed by the authority.
- (m) Building plans as per model designs: In case applicant wishes to follow the model design prepared by the competent authority he may obtain the same from the competent authority and submit it along with the site plan in triplicate to the competent authority for identification and shall also comply with the requirements of the notice of Building Application.
- (n) Colouring the Plan: The colours to be used in the plans shall be as mentioned in the following table:

<i>Item</i>	<i>Site Plan</i>	<i>Building Plan</i>
Existing work	Green	Green
Proposed work	Red	Red
Drainage and Sewer	Red dotted	Red dotted
To be demolished	Yellow	Yellow

3.9.1 Building plans for Multistoreyed/Special Buildings : For multistoreyed buildings which are more than 15 metre height and for special buildings like marriage palace, Hotel, Group housing, Assembly, Institutional, Industrial, Storage and hazardous occupancies, etc. the following additional information shall be furnished/indicated in the building plans in addition to the item (a) to (1) of Bye-laws No. 3.9.

- (i) access to fire appliances/vehicles with details of vehicular turning circle and clear motorable accessway around the building;
- (ii) size (width) of main and alternate, staircases 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 where provided;
- (vi) refuse chutes, refuse chamber, service duct, etc.
- (vii) vehicular parking space;
- (viii) refuse area, if any;
- (ix) Details of Building Services - Air conditioning system with position of dampers, mechanical ventilation system, electrical services, boilers, gas pipes, etc.
- (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 net work;
- (xiv) location of centralised control, connecting all fire alarm system, built-in fire protection arrangements and public address system, etc.;

- (xv) location and dimension of static water storage tank and pump room;
- (xvi) location and details of fixed fire protection installations such as sprinklers, wet risers, hoss reels, drenchers, CO₂ installations, etc.;
- (xvii) location and details of first aid, fire fighting equipments/installations; and
- (xviii) An open staircase connecting all floors for fire safety.

3.10 Scrutiny and Approval of Building Plans : Scrutiny and approval of building plans shall be carried out by the Town Planning Wings of the local authorities or in the absence of such wings, by the officer authorised for this purpose. Every building application shall be either 'Approved' or 'Rejected' within a period of 60 days as provided in the Act.

Information necessary to validate notice under Bye-laws:

- (i) No notice of building application shall be considered to be valid until the information required under these bye-laws has been furnished to the satisfaction of the competent local authority or of any person authorised by it in this behalf. If the notice is not considered as valid, the application together with the plans, shall be returned to the applicant for re-submission in accordance with the bye-laws.
- (ii) If owing to certain objection, sanction is refused, but the objection is subsequently removed to the satisfaction of the local authority, it will not be necessary for the applicant to submit new plans provided the original plan can be suitably corrected.
- (iii) Where a minor alteration is subsequently applied for, it will not be necessary to submit fresh plans of the whole building for sanction. Such alteration may be applied for, in the form of correction slips on tracing cloth in duplicate with two ferro prints which can be incorporated as part of the originally sanctioned plans.

3.11 Notice of commencement of work :

- (i) A person who intends to erect or re-erect any building shall give to the local authority not less than a week notice in writing in form 'C' appended to these bye-laws of the date and time at which the erection or re- erection of the building will be commenced.
- (ii) If he neglects or refuses to give such notice he shall comply with a notice in writing by the local authority requiring him within a reasonable time to cut to, lay open or pull down so much of the building as prevents the local authority from ascertaining whether any of bye-laws have been contravened.

3.12 Permission to occupy :

- (i) No person shall occupy or allow other person to occupy any new building or part of a new building for any purpose whatsoever until such building or part thereof has been certified by the local authority or of any person authorised by it in this behalf to be in every respect complete according to the sanctioned plan and fit for the use for which it is erected.
- (ii) Every person who intend to occupy such a building or part thereof shall apply for permission in Form 'D' appended to these bye-laws.
- (iii) The local authority may decline to give permission unless a certificate in

Form 'E' appended to these bye-laws duly signed by a licensed Architect/Building Designer and Supervisor has been submitted.

- (iv) When permission to occupy a part of the building has been given, separate permission shall be necessary for occupation of such other parts as may be subsequently completed.
- (v) Applicant shall remove or destroy, any temporary building which might have been erected and the debris from the site and adjoining road or vacant site before the occupation certificate is issued.
- (vi) Partial occupation certificate may be granted for, partially constructed building with one habitable room, one water closet and one bath room.

3.13 Notice of Completion. - Every person newly erecting or re-erecting a building shall on its completion give notice of such completion to the local authority in Form 'F' appended to the Bye-laws. If the building is not completed within two years of the date of sanction, the notice shall be accompanied by a completion plan on tracing cloth in duplicate with two ferro prints of the part of the building completed, upto date.

3.14 Monitoring of execution of works and erection of building as per sanctioned plan and approval of revised plan wherever required :

- (i) To ensure enforcement of building and execution of works as per sanctioned buildings plans, construction activity shall be monitored from the stage of excavation, construction of foundation, plinth, first storey and each subsequent storeys. This activity shall be monitored by the local authority as per the guidelines issued by the Government or the competent authority from time to time.
- (ii) During the course of construction, in case of changed circumstances at site or otherwise, if substantial deviation from the sanctioned plans are necessitated, the owner shall not proceed further with the construction unless revised plan is submitted and got approved from the competent authority as per rules.

3.15 Compounding of deviations from the sanctioned plan :-

- (a) Residential Buildings:
 - (i) Violation of front set back shall not be compoundable.
 - (ii) Excess coverage above 5 per cent than the permissible shall not be compoundable.
- (b) Commercial and other buildings:
 - (i) Violation of front set back shall not be compoundable.
 - (ii) Excess F.A.R. than the sanctioned/permissible F.A.R. shall not be compoundable.
 - (iii) Decrease in parking area shall not be compoundable.

Note. - Only the minor deviations from the sanctioned plan without involving change of use, may be considered for compromise as per approved compromise schedule to be framed/approved by the competent authority from time to time.

Chapter IV

4.1 Site coverage, minimum front set back, height and FAR for residential plotted development: The proportion upto which a site may be covered with building including ancillary building along with FAR control shall be in accordance with the following slabs, the remaining portion being left open in the form of minimum front set back, and open spaces around the building and space at rear, sides or internal courtyard :-

Sr. No.	Plot Area (Sq.yds.)	Site coverage	Minimum front set back	Height permissible	F.A.R.
1.	Upto 100 sq. yds.	80%	5'-0"	38'-6"	1:2.00
2.	Above 100 to 150 sq. yds	75%	6'-0"	38'-6"	1:1.90
3.	Above 150 to 200 sq. yds.	70%	7'-0"	38'-6"	1:1.75
4.	Above 200 to 300 sq. yds.	65%	10'-0"	38'-6"	1:1.65
5.	Above 300 to 500 sq. yds.	60%	15'-0"	38'-6"	1:1.50
6.	Above 500 sq. yds.	50%	20'-0"	38'-6"	1:1.25

Note. - (i) Height permissible shall be excluding parapet, water tank and mumty only.

(ii) Minimum clear height for habitable rooms shall be 9'-0" in every part of the room.

(iii) Open balcony/projection not exceeding 3 feet in width at the 1st or higher floor levels shall not be included in the covered area.

(iv) The minimum area of a habitable room shall not be less than 100 square feet and one side not less than 8 feet and maximum area of a habitable room shall not be more than 500 feet and no side more than 30'-0".

(v) The arrangement of habitable rooms and other components of a residential dwelling unit shall be based on sound principles of planning and design of a residential building.

(vi) Construction of more than one dwelling unit on each floor in plotted development shall be allowed provided site coverage, FAR and height restrictions are adhered to.

(vii) No opening is allowed on party wall of properties.

(viii) Minimum width of staircase shall not be less than 2'-6".

(ix) Minimum ventilation should be 20% of the floor area.

(x) The front-set-back is exempted in core area: The core area shall mean the innermost or the most intimate innerpart of the old city having a gross density of 250 persons per acre or more, and shall include all such adjacent areas which are thickly and totally built up areas and which have assumed same and similar character and notified as such by the competent authority but shall not include any areas which are covered under any planned scheme.

(xi) Atleast 5% of the space to be left open in or around the building shall be used for plantation.

(xii) Professionals, consultants, doctors, advocates, Architects/Building Designer and Supervisor can use 10% of covered area for offering professional consultancy only.

(xiii) To facilitate parking and movement of the vehicles, two gates will be permitted along the accessible road in the front boundary wall of the residential buildings. In the residential houses the gate of the standard design and width will be permitted along the side boundary wall abutting on the accessible street/road.

(xiv) Car parking/porch covered with a fibre glass roof will be permitted in the front courtyard of the residential house.

(xv) In case of plots abutting on two streets other than corner plots, minimum front set back on both the roads shall be compulsory and permissible coverage shall be compensated in the form of FAR.

(xvi) Construction of access ramps within the street/road portion shall not be allowed. This will be applicable to all categories of buildings.

4.2 Group housing, Multi-storeyed Buildings/Apartments :

S. No.	Minimum plot size	Site coverage	Maximum F.A.R.	Maximum Height
1.	1000 sq.yds. (minimum size)	Not exceeding 50%	1:2.0	50'-6" (excluding parapet, water tank & mummy etc.)
2.	Above 1000 sq. yds. plots	Not exceeding 50%	1:2.0	70'-6" (excluding parapet, water tank & mummy etc.)

Note. - In Group Housing multistoreyed buildings combination of compatible mixed landuse is permitted.

4.3 Commercial:

4.3.1 Site coverage, parking, height and F.A.R. :

- (i) The commercial building activity shall be regulated in accordance with the provisions regarding site coverage, parking, height and FAR as per attached schedule-I.
- (ii) In case of commercial sites located in the Town Planning and Building Schemes coverage and zoning shall be in accordance with the schedule of clauses of the sanctioned scheme.
- (iii) In case of commercial sites located in the schemes of ITs, Urban Estates, Industrial Focal Points or scheme prepared under any other Act and stands transferred to the local bodies, the coverage shall be regulated by Zoning regulations and Architectural/Building control sheets applicable to that sanctioned scheme.

4.3.2. Basement: The construction of basement in commercial buildings shall be governed in accordance with detailed provisions contained in the Bye-laws No. 4.7.

4.3.3 Staircase: Minimum width of staircase in commercial buildings:

The minimum width of staircase shall be as follows:

Sr.No.	Number of Users	Width of staircase in feet
(a)	Upto 10 persons	3'-0"
(b)	Between 11 to 20 persons	3'-6"
(c)	Between 21 to 100 persons	4'-0"
(d)	Between 101 to 200 persons	5'-0"
(e)	Above 200 persons	6'-0"

4.4. Industrial: - Coverage, FAR, Height etc. :

- (a) Set back lines, ground coverage and height of industrial buildings in the government approved schemes/industrial focal points transferred to the local bodies shall be as per approved zoning plans/schedule of clauses.
- (b) In the non-scheme industrial landuse zones ground coverage, F.A.R. and

height shall be regulated in accordance with the schedule-II and other components shall be regulated as per the provisions of the Factories Act, 1948 and the rules made thereunder.

Note. - Residential component in the industrial plot/premises shall not exceed 10% of the area of the site and shall be within the maximum permissible covered area.

4.5 Institutional and other Public Buildings:

- (a) In institutional and other public buildings site coverage shall not exceed 40% of the total area of the site.
- (b) FAR in case of public buildings erected or re-erected for educational institutions shall be 1:10 and in case of other institutional/public buildings 1:1.50.

Note. - Residential component, as subsequent use in the institutional and other public buildings, shall not exceed 10% of the area of the site and shall be within the maximum permissible covered area.

- (c) Ground coverage, FAR and height restrictions as applicable to institutional and other public building sites located in approved schemes of ITs, Urban Estates and industrial Focal Points etc. transferred to the Local Bodies shall be in accordance with the approved zoning Plans/Schedule of Clauses.
- (d) In case of Institutional and other Public buildings, located in Town Planning and Building Schemes site coverage shall be in accordance with the schedule of clauses of the sanctioned scheme.

4.6 Height of buildings and set back:

- (i) The height of buildings for residential, group housing, commercial, industrial, institutional and other public purposes shall be regulated as per the permissible height and F.A.R. restrictions indicated for such like buildings in the bye-laws besides the Air Funnel height restrictions applicable in the area, if any.
- (ii) The width of front set back shall be regulated as per provisions indicated in respect of residential, commercial and industrial buildings and also in accordance with the provisions of ground coverage and F.A.R. restrictions in respect of group housing, institutional and other public buildings. The side set backs shall be optional. Where left it shall not be less than 2 metres or 1/6th of the height of the building whichever is more. The width of the rear set back, if left at any point of building, it shall not be less than 3 metres or 1/5th of the height of the building whichever is more.

4.7 Provision of Basements in Buildings:

- (i) Basement shall be the storey which is next below or immediate below the ground storey or which may be in any part of the plot within building envelope line and upto maximum coverage not more than coverage on ground floor. The minimum height of the basement for habitation purposes shall not be less than 9'-0" from the floor to the ceiling of the basement and in each part 8' clear height in case of beam structure or frame-structure or otherwise and minimum height of the basement for parking purposes shall not be less than 10' from the floor to ceiling of the basement and in each part 8'-6" clear height in case of beam or frame structure.
- (ii) The ground floor level of the basement shall not be less than 3'-6" from the adjoining average ground level for adequate light and ventilation.

- (iii) Single basement is allowed in all residential, commercial, industrial and group housing plots. However, on commercial and institutional plots having area more than 1000 sq. yds. more than one storey basement may be allowed, if all other conditions for structural stability are fulfilled and it shall be exclusively used for parking.
- (iv) Basement may be used for commercial purpose, Banquet Hall etc. if it is air-conditioned. It shall have minimum either two stair-cases for entry and exit or two approach ramps or one stair case and one ramp and total FAR not exceeding more than 1:2.00. In case in commercial building FAR is exceeded more than 1:20.0 then single basement shall be compulsory and shall be used for parking purpose only in addition to open space provided for parking on ground level.
- (v) However, 10% of the basement area would be increased to a depth of 14'-0" for the purpose of installation of electric-generator or air-conditioning plant or providing a room for lift to the basement storey.
- (vi) Applicant/Building Designer and Supervisor shall submit the certificate regarding its structural safety in relation to underground water table/spring level, etc.
- (vii) Adequate arrangement shall be made so that surface drainage does not enter the basement.
- (viii) Applicant/owner of the building shall install suitable pumps for pumping the waste water into the sewer in place of directly connecting it to the cover to avoid any risk of the sewerage or sullage heading back into the basement at any time.
- (ix) Basement for parking shall not be taken into account for FAR.
- (x) Indemnity Bond for basement as per Schedule-III shall be given by the applicant along with notice of building application to indemnify the local authority in case of any loss or damage caused to the adjoining properties on account of construction of basement either at the time of digging of its foundation or during the course of its construction or even thereafter and also against any claim of any concern thereto.
- (xi) In case on the side of the site there is single storey building then 5'-0" side space is required from the adjoining property.
- (xii) If on the side of the site there is double storey building then 7'-6" side space is required, and
- (xiii) If on the side of the site there is more than two storey building then 10'-0" side space is required.
- (xiv) If the applicant/owner does not leave side space according to above requirements he shall produce NOC from the owners of adjoining properties.
- (xv) The permissible covered area for basement will be the same as the permissible coverage on ground. However, permissible coverage can be increased in the basement to create parking space on the following conditions :
 - (a) The roof level of such part of the basement shall not be raised above the surrounding ground level.

- (b) Clear ceiling height of such part of the basement shall not be less than 7'-0"
- (c) Mechanical arrangement shall be made for exhaust.
- (d) Sufficient additional arrangements shall be made for fire safety to the satisfaction of Fire Officer.
- (xvi) Ramp in basement for parking purpose shall be of a minimum width of 9'-0" with gradient of 1 in 7.
- (xviii) Parking areas including basement and covered parking shall be exclusive public parking areas maintained by the builder/promoter upto the satisfaction of local authority.

Note. - In case of double basement side space requirements shall be double as detailed in xi, xii and xiii above.

4.8 Projection:

(1) Where there is an uncovered balcony or chhajja or cantilever from wall it shall not project more than two metres beyond the building line when measured at right angle to the outerface of the wall and it shall be within the boundaries of the site and in case of row houses or buildings adjoining each other the projection shall not be more than one metre in case the area of the site is less than 250 square metres :

Provided that projection on door and window shall not exceed 0.45 metres.

(2) No projection shall be at a lesser height than 2.25 metres clear above the plinth level of the building.

(3) The width of the projection shall not exceed the one fourth of the width of the set backs and side spaces.

(4) The area of projection upto 3' shall not be counted towards the covered area of the site.

4.9 Provision of Lifts in Buildings: 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 metre floor area above four storeys.

Chapter V

5. Fire protection, Electrical installations, Material and Structural controls:

5.1 Fire protection: All requirements of fire protection through classification of buildings based on occupancy, type of construction, and other requirements shall be in accordance with the IS-1642-1960 Code of Practice for safety of Buildings (General); material and details of construction, and other relevant provisions of the National Building Code with latest amendments.

5.2 Electrical Installations: The electrical installations in the buildings shall be carried out in conformity with the requirements of the Indian Electricity Act, 1910 and the Electricity Rules, 1956 as amended from time to time.

5.3 Structural Design: The structural design of all the buildings shall be in

accordance with the relevant provisions of the B.I.S. Code and shall be certified by a recognised Structural Engineer and shall be submitted along with Structural Safety Certificate for buildings having more than 3 storeyed structure and for buildings upto 3 storeys only a structural safety certificate shall be submitted.

5.4 Plinth Level: The plinth level shall not be less than 1'-6" or as may be specified by the competent authority from time to time.

5.5 Roof: The construction of every roof shall conform to the material and specifications as are specified in the Punjab Public Works Department specifications.

Note. - B.I.S. Code stands for Bureau of Indian Standards.

Chapter VI

6. Public Health - Water Supply, Drainage and Sewerage Disposal: The construction and installation of Public Health components i.e. water supply, drainage and sewerage disposal in a building shall be regulated as per bye- laws relating to water supply, drainage and sewage disposal framed by the respective local authorities under section 399(1)(B) of PMC Act, 1976 or as amended/revised from time to time.

Chapter VII

7. Miscellaneous:

7.1. Relaxation: Government may relax any of the provisions of these building bye-laws for reasons to be recorded in writing.

7.2 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 Corporation and by Government under Schedule 'D' of East Punjab Refugees (Rehabilitation and Building Sites) Rules, 1948 shall stand repealed.

FORM A

Notice to build under building bye-laws No. 3.5 framed by Municipal Corporation.

To
The Commissioner,
Municipal Corporation,
Patiala.

Sir,

I/We hereby apply for permission to execute work of erecting/re-erecting a building of the following description :-

20 The Patiala Municipal Corporation Building Bye-Laws, 1997,

2. The six copies of each of the following papers are accompanying the application:-

Site Plan _____

Building Plan _____

Service Plan _____

Specifications _____

3. The construction of the building will be supervised by _____ Registered Building Designer and Supervisor (Licence No. _____)

Yours faithfully

(Signature of owner, Son/Daughter/Wife/
Widow or his authorised agent)

Signature of Registered
Building Designer & Supervisor
Licence No. _____

Full Address :

(For Office Use Only)

1. Serial No. of building application.
2. Date of receipt of completed application.
3. Last date for final orders of sanction or rejection.
4. Applicant's name with parentage and full address.
5. Situation of building.
6. Particulars of building.

FORM B

Form for specifications of Proposed Buildings as required under Bye-Law No. 3.5 (C)

(a) The purpose (residence, office, godown, marriage-palace, restaurant, hotel, dharamshala, school, institution, hospital, hostel, cinema, shop, factory, stable, etc.) for which it is intended to be used.

(b) Details of coverage on respective floors as given below :-

	Existing	Proposed	Total
1. Basement floor			
2. Ground floor			
3. Mezzanine floor			
4. First floor			
5. Second floor			
6. Third floor			

(c) Approximate number of inhabitants proposed to be accommodated _____

(d) The number of latrine, urinals, kitchens, baths to be provided _____

(e) The source of water to be used in the construction _____

(f) Distance from public sewer _____

(g) The material to be used in construction :

Walls/Columns/Foundations _____

Roof _____

Floors _____

Signature of owner or his authorised agent.

FORM C

Form of Notice of commencement of the erection of building or the execution of work under Bye-law No. 3.1(1)

I hereby certify that the erection, re-erection of building or the execution of work _____ in plot No. _____ House No. _____ street/road _____ will be commenced on _____ as per your sanction, vide No. _____ dated _____ in accordance with the plans, elevations and section sanctioned, vide No. _____ dated _____.

Signature of Owner : _____

Name of Owner : _____

FORM D

(Of Building Bye-laws No. 3.12(II) framed by Municipal Corporation, Patiala)

APPLICATION FOR PERMISSION TO OCCUPY

To

The Commissioner
Municipal Corporation
Patiala

Sir,

I/We beg to apply for permission to occupy building/part of the building sanctioned vide your order No. _____ situated _____. The building/part of the building has been COMPLETED in all respects according to the sanctioned plan and is fit for use for which it had been erected.

2. Certificate in Form 'E' from the Registered Building Designer/Supervisor who supervised the construction of the building is submitted herewith.

Yours faithfully

Signature of the owner

Full address with parentage etc.

Description of building/part of building:

House No. _____

Road _____

Street _____

Description of Building _____

(For Office Use Only)

1. Date of receipt of notice _____

2. Date of issue of (a) permission to occupy _____

(b) refusal to occupy _____

FORM E

[Certificate required under building bye-laws No. 3.12 (iii)] framed by the Municipal Corporation, Ludhiana/Jalandhar/Amritsar).

I/We do hereby certify that the building/part of the building sanctioned, _____ vide your order No. _____ dated _____ has been supervised by me and has been completed to my satisfaction in accordance with the sanctioned plan, that the workmanship and the whole of the materials used are of the requisite quality; and that no provision of the Punjab Municipal Corporation Act or the bye-laws and no requisition made/conditions prescribed or orders issued thereunder, has been transgressed in the course of the work.

Registered Building Designer & Supervisor
(Licence No. _____)

FORM F

Form of Notice of Completion required under Bye-law No. 3.13

To
The Commissioner
Municipal Corporation
Ludhiana/Jalandhar/Amritsar

Sir,

I/We hereby give notice as required under sub-section (1) of section 272 of the Punjab Municipal Corporation Act, 1976, that I/we have completed the erection of the building/execution of the work in plot No. _____ House _____ Block No. _____ Street/Road _____ in pursuance of the sanction granted by the Commissioner, vide his No. _____ dated _____.

Permission to occupy or use the building as required under section 272 of the Punjab Municipal Corporation Act, 1976, may be granted.

Yours faithfully,

Signature of owner : _____

Schedule I

SCHEDULE REGULATING COMMERCIAL BUILDINGS

Sr. No.	Plot size	Site coverage	FAR	Provision of basement/parking on stilts	Total	Parking	
						On Front	On rear/side
1.	Upto 50 sq. yd.	80%	1:1.50	Optional	20%	-	20%
2.	Above 50 sq. yd. upto 125 sq. yd.	75%	1:1.50	-do-	25%	10%	15%
3.	Above 125 sq. yd. upto 250 sq. yd.	65%	1:1.75	-do-	35%	15%	20%
4.	Above 250 sq. yd. upto 500 sq. yd.	60%	1:2.0	-do-	40%	15%	25%
5.	Above 500 sq. yd.	50%	1:3.0	Compulsory for parking equivalent to permissible coverage on ground floor	50%	20%	30%
Sr. No				Height of building			
				Road width upto			

	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"	parapet,
3.	26'-6"	38'-6"	38'-6"	38'-6"	38'-6"	water tank,
4.	26'-6"	38'-6"	38'-6"	38'-6"	38'-6"	mumty etc.
5.	26'-6"	38'-6"	38'-6"	38'-6"	38'-6"	-do-

Note. - 1. In 'Core City' area 100% coverage and in other areas 80% coverage with FAR 1:1.50 shall be allowed for plots upto 50 sq. yds.

2. Parking on stilts shall not be counted towards FAR 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 opens spaces		
				Total	On Front	On Rear/side
1.	Upto 300 sq.yd.	1:1.50	60%	40%	25%	15%
2.	Above 300 sq. yd. upto 500 sq. yd.	1:1.25	55%	45%	30%	15%
3.	Above 500 sq. yd.	1:1.20	50%	50%	30%	20%

Sr. No	Road width upto					Remarks
	20 ft.	Above 20 to 40 ft.	Above 40 to 60 ft.	Above 60 to 100 ft.	Above 100 ft.	
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 bond is executed by Sh. _____ r/o _____ (hereinafter called the owner) in favour of Municipal Corporation (hereinafter called the Corporation).

Whereas the owner has submitted to the Corporation plans for sanction of basement over plot No. _____ under the provisions of P.M.C. Act 1976 and the Bye-laws made thereunder.

And whereas the Corporation has agreed to sanction the aforesaid construction subject to the condition that the owner shall indemnify the Corporation 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 thereto.

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 Corporation to the grant of sanction of the basement.

NOW THIS DEED WITNESSETH

1. That in consideration of the sanction of the plans of the owner for construction of the basement the owner undertake that he shall at all times keep the Corporation harmless and free from any liability, loss or damages following from any injury or damage caused to either properties adjoining basement or to any per-

24 The Patiala Municipal Corporation Building Bye-Laws, 1997,

son 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 Corporation either in respect of the sanction granted by the Corporation 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 flowing from the said sanction the owner shall be responsible and liable and not the Corporation.

3. The owner agrees and undertakes to indemnify the Corporation fully in respect of any amount which the Corporation may 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 sanctioning of the construction of the basement or the making thereof and also in respect of costs and expenses which the Corporation may incur on defending any action.

4. Without prejudice to the above undertaking the owner hereby binds itself to pay to the Corporation to the full extent any amount which the Corporation 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.

IN WITNESS WHEREOF THE owner above named has signed this bond on this _____ day of _____ at _____.

WITNESS

INDEMNIFIER

(Signature)

1. Name _____

Full Address _____

2. Name _____

Full Address _____