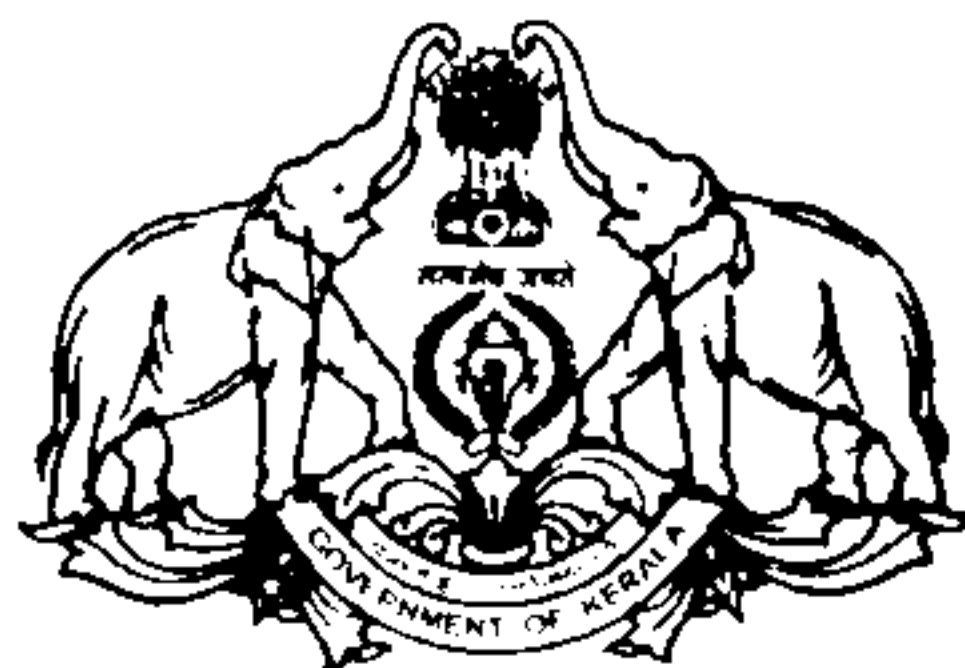


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Government of Kerala
2017



Regn. No. KERBIL/2012/45073
dated 5-9-2012 with RNI

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കേരള ഗസറ്റ്
KERALA GAZETTE

അസാധാരണം
EXTRAORDINARY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്
PUBLISHED BY AUTHORITY

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GOVERNMENT OF KERALA

Local Self Government (RD) Department

NOTIFICATION

G. O. (P) No. 82/2017/LSGD.

Dated, Thiruvananthapuram, 31st October, 2017.

S. R. O. No. 676/2017.—In exercise of the powers conferred under sections 381, 382, 387, 398 and 406 of the Kerala Municipality Act, 1994 (20 of 1994) read with section 565 thereof, the Government of Kerala hereby make the following rules further to amend the Kerala Municipality Building Rules, 1999 issued by notification under G. O. (Ms.) No. 188/99/LSGD dated 1st October, 1999 and published as S. R. O. No. 777/99 in the Kerala Gazette Extraordinary No. 1786 dated 1st October, 1999, namely:—

PRINTED AND PUBLISHED BY THE SUPERINTENDENT OF GOVERNMENT PRESSES
AT THE GOVERNMENT CENTRAL PRESS, THIRUVANANTHAPURAM, 2017.

RULES

1. *Short title and commencement.*—(1) These rules may be called the “Kerala Municipality Building (Amendment) Rules, 2017.”

(2) They shall come into force at once.

2. *Amendment of the Rules.*—In the Kerala Municipality Building Rules, 1999,—

(1) In rule 5, in sub-rule (1), after the words “the ownership of the land concerned”, the words “such as title deed proving the ownership of the applicant, land tax receipt issued by the village office and the possession certificate issued by the village office” shall be inserted;

(2) in rule 7,—

(a) for sub-rule (8) the following sub-rule shall be substituted, namely:—

“(8) The Secretary shall before issuing building permit shall ensure that applicant has obtained the approval from the District Town Planner either as per these rules or as per the provisions of the Town Planning Scheme of that area is required for any construction, reconstruction, addition, alternation or extension and submitted along with the application for building permit.”;

(b) The proviso to sub-rule (8) shall be omitted;

(3) in rule 11, after sub-rule (3), the following sub-rule shall be inserted, namely:—

“(3A) On receipt of the applications with the supporting documents attached thereto, the Secretary or the Officer duly authorized by the Secretary shall issue an acknowledgment to the applicant on the same day and inform the applicant whether any Non Objection Certificate required from other authorities is/are not attached with the application.”

(4) in rule 13, for the words “thirty days” the words “fifteen days” shall be substituted;

(5) in rule 14,—

(a) for the words “thirty days” the words “fifteen days” shall be substituted;

(b) the proviso shall be omitted;

(6) in rule 15,—

(a) in sub-rule (1) for the words “thirty days” the words “fifteen days” shall be substituted;

(b) in sub-rule (2) for the words “one month” the words “fifteen days” shall be substituted;

(7) in rule 16, for the words “the permit was issued by mistake or that a patent error has crept in it”, the words “that the applicant has violated any provisions of the Act or rules or any conditions stipulated in the permit or that the construction is carried out in deviation of the approved plan or Town Planning Scheme” shall be substituted;

(8) in rule 30,—

in sub-rule (3),—

(a) in clause (j), the following sentence shall be added at the end, namely:—

“Poultry farms with more than 20 hens or ducks, dairy farms with more than 6 cattle, kennel with more than 6 dogs are also included in this group.”;

(b) in clause (l), the words “Poultry farms with more than 20 hens or ducks, dairy farms with more than 6 cattle, kennel with more than 6 dogs are also included in this group”, shall be omitted;

(9) in rule 31,—

(i) for TABLE 2 under sub-rule (2), the following table shall be substituted, namely:—

TABLE 2

Coverage and Floor Area Ratio (F.A.R.)

<i>Maximum permissible F. A. R.</i>				
<i>Sl. No.</i>	<i>Occupancy</i>	<i>Maximum permissible coverage (percentage of plot area)</i>	<i>Without Additional Fees</i>	<i>With Additional Fee at the rate of ₹ 5,000 per square meters of additional floor area</i>
(1)	(2)	(3)	(4)	(5)
1	Residential A1	65	3.0	4.0
2	Special Residential A2	65	2.5	4.0
3	Educational B	35	2.5	3.0
4	Medical/Hospital C	60	2.5	3.5
5	Assembly D	40	1.5	2.5
6	Office/Business E	70	3	4.0
7	Mercantile/Commercial F	70	3	4.0
8	Industrial G1	65	2.5	..
9	Small Industrial G2	75	3.5	4.0
10	Storage H	80	3	4.0
11	Hazardous I(1)	45	2	..
12	Hazardous I(2)	40	1.5	..

(10) in rule 53,—

(a) in sub-rule (1),—

(i) for the figure “75” the figure “100” shall be substituted;

(ii) the words and figures “but up to 150 units and approval of the Chief Town Planner shall be obtained for the usage of plot and layout building with total number of dwelling units exceeding 150 units” shall be omitted;

(b) in sub-rule (1a),—

(i) for the figure “4000” the figure “8000” shall be substituted;

(ii) the words, figures and symbols “but up to 10,000 sq. metres and approval of the Chief Town Planner shall be obtained for the usage of plot and lay-out of buildings with total floor area exceeding 10,000 sq. metres.” shall be omitted;

(c) in sub-rule (3),—

(i) for the words “exceeding three storeys above ground level”, the words, figures and symbol “exceeding 1000 sq. metres plinth area or exceeding 15 metres height” shall be substituted;

(ii) The following sentence shall be added at the end, namely:—

“and in case of buildings exceeding 300 sq. metres and below 1000 sq. metres, as also in case of buildings not exceeding 15 metres height a self-declaration in the prescribed form from the applicant along with a certificate from the architect/engineer who had prepared the plan to the effect that the construction of the building shall conform to the fire and safety norms specified under sub-rule (4) below shall be added”;

(d) after sub-rule (4), the following sub-rule shall be inserted, namely:—

“(5) In the case of buildings exceeding 2500 sq. metres built up area, special provision shall be made for in—situ liquid waste management treatment plant.”;

(e) after sub-rule (5) as so inserted, the following sub-rule shall be inserted, namely:—

“(6) All buildings having a plinth area exceeding 1500 sq. metres there shall be special provision for recycling and reusing of waste water generated out of the use of water in the said building.”;

(11) in rule 54,—

(a) in sub-rule (1),—

(i) for the figure “500” the figure “1500” shall be substituted;

(ii) the words, figures and symbols “but up to 2000 sq. metres under each such occupancy and the approval of the Chief Town Planner shall be obtained for the usage of plots and the layout of buildings with total floor area exceeding 2000 sq. metres under each occupancy” shall be omitted;

(b) in sub- rule (1a),—

(i) for the figure “4000” the figure “8000” shall be substituted;

(ii) the words up to 10,000 sq. metres under each occupancy the approval of the Chief Town Planner shall be obtained for the usage of plot and the lay-out of buildings with total floor area exceeding 10,000 sq. metres.” shall be omitted;

(c) in sub- rule (4a),—

(i) in sub-rule (4a) for the words “exceeding three floors above ground level” the words “exceeding 1000 sq. metres plinth area or exceeding 15 metres height” shall be substituted;

(ii) after the words “issuing permit” the words, figures and symbols “and in case of buildings exceeding 300 sq. metres and below 1000 sq. metres, as also in case of buildings not exceeding 15 metres height a self-declaration in the prescribed form in Appendix P from the applicant along with a certificate from the architect/engineer who had prepared the plan to the effect that the construction of the building shall conform to the fire and safety norms specified under sub-rule (5) below” shall be added;

(d) after sub-rule (6), the following sub-rule shall be inserted, namely:—

“(7) All buildings in Group B (educational) and Group C (medical/hospital) occupancies, whatever may be its built-up area and other buildings in Group E (office or business occupancies) exceeding 2500 sq. metres built up area special provision shall be made for in—situ liquid waste management treatment plant.”

(e) after sub-rule (7) as so inserted, the following sub-rule shall be inserted, namely:—

“(8) All buildings in Group B (educational) and Group C (medical/hospital) occupancies, whatever may be its built-up area and other buildings in Group E (office or business occupancies) exceeding 1500 sq. metres built up area special provision shall be made for recycling and reusing of waste water generated out of the use of water in the said building.”

(12) in rule 55,—

(a) in sub-rule (1),—

(i) for the figure “500” the figure “1500” shall be substituted;

(ii) the words, figures and symbols “but up to 1000 sq. metres and the approval of the Chief Town Planner shall be obtained for usage of plot and the layout of buildings with total floor area exceeding 1000 sq. metres” shall be omitted;

(b) after sub-rule (12), the following sub-rule shall be inserted, namely:—

“(13) Special provision shall be made for in—situ liquid waste management treatment plant on all buildings under assembly occupancies”;

(c) after sub-rule (13) as so inserted, the following sub-rule shall be added, namely.—

“(14) There shall be a special provision for recycling and reusing of waste water generated out of the use of water in the said building.”;

(13) in rule 56,—

(a) in sub-rule (1),—

(i) for the figure “4000” the figure “8000” shall be substituted;

(ii) the words, figures and symbols “but up to 10000 sq. metres and the approval of the Chief Town Planner shall be obtained for lay out of buildings and usage of plot with total floor area exceeding 10000 sq. metres” shall be omitted;

(b) in sub-rule (3j),—

(i) for the words “exceeding two floors from ground level” the words, figures and symbol “exceeding 1000 sq. metres plinth area or exceeding 15 metres height” shall be substituted;

(ii) the following sentence shall be added at the end, namely:—

“and in case of buildings exceeding 300 sq. metres and below 1000 sq. meters as also in case of buildings not exceeding 15 meters height a self-declaration form in Appendix P from the applicant along with a certificate from the architect/engineer who had prepared the plan to the effect that the construction of the building shall conform to the fire and safety norms specified under sub-rule (6) below shall be submitted.”;

(c) after sub-rule (7) the following sub-rule shall be inserted, namely:—

“(8) In the case of buildings exceeding 2500 sq. metres built up area, special provision shall be made for construction of in—situ liquid waste management treatment plant.”;

(d) after sub-rule (8) as so inserted, the following sub-rule shall be inserted, namely:—

“(9) All building exceeding 1500 sq. meters plinth area there shall be a special provision for recycling and reusing of waste water generated out of the use of water in the said building.”;

(14) in rule 57,—

(a) in sub-rule (2),—

(i) for the words, figure and symbols “up to 0.5 hectares” the words, figure and symbol “exceeding 0.5 hectares” shall be substituted;

(ii) for the words, letters and figures “up to 500 sq. metres”, the words, figure and letters “exceeding 500 sq. metres” shall be substituted;

(iii) the words, letters and symbol “and approval of Chief Town Planner shall obtained for usage of plots exceeding 0.5 hectares area and/or layout of buildings with more than 500 sq. metres area” shall be omitted;

(b) in sub-rule (4), for the existing table, the following shall be substituted, namely:—

<i>Open Space</i>	<i>Group G1</i>	<i>Group G2</i>
Front Yard	5.0 metres	3.0 metres
Yard on either side	3.0 metres	3.0 metres
Rear Yard	5.0 metres	3.0 metres

(c) in sub-rule (5), for the existing Table 10, the following Table shall be substituted, namely:—

“TABLE 10

Access for Group G1 and G2 Occupancies.

<i>Sl. No.</i>	<i>Total Floor Area</i>	<i>Width of access to the plot as well as the width of the street giving access to the plot in metres</i>
01	Up to 300 square metres	3 metres
02	Above 300 square metres and up to 1500 square metres	3.6 metres
03	Above 1500 square metres and up to 6000 square metres	5 metres
04	Above 6000 square metres	6 metres

(d) in sub-rule (11a),—

(i) for the words “irrespective of their number of floors” the words, figures and symbol “exceeding 1000 sq. metres plinth area or exceeding 15 metres height” shall be substituted;

(ii) the following sentence shall be added at the end, namely—

“and in case of buildings exceeding 300 sq. metres and below 1000 sq. metres, as also in case of buildings not exceeding 15 metres height a self-declaration in the form appended as Appendix P from the applicant along with a certificate from the architect/engineer who had prepared the plan to the effect that the construction of the building shall conform to the fire and safety norms specified under sub-rule (12) below shall be submitted.”;

(e) after sub-rule (13), the following sub-rule shall be inserted, namely:—

“(14) For all buildings special provision shall be made for construction of in—situ liquid waste management treatment plant.”;

(f) after sub-rule (14) as so inserted, the following sub-rule shall be added, namely:—

“(15) For all buildings there shall be a special provision for recycling and reusing of waste water generated out of the use of water in the said building.”;

(15) in rule 58,—

(a) in sub-rule (2),—

(i) for the figure “3000” the figure “6000” shall be substituted;

(ii) the words, figures and letters “but up to 6000 sq. metres and the approval of the Chief Town Planner shall be obtained for the usage of plot and the lay-out of buildings with the total floor area exceeding 6,000 sq. metres” shall be omitted;

(b) in sub-rule (4a),—

(i) for the words “irrespective of their number of floors” the words, figures and symbols “exceeding 1000 sq. metres plinth area or exceeding 15 metres height” shall be substituted;

(ii) after the words “building permit” the words, figures, letters and symbols “and in case of buildings exceeding 300 sq. metres and below 1000 sq. metres, as also in case of buildings not exceeding 15 metres height a self-declaration in the form appended to these rules as Appendix P from the applicant along with a certificate from the architect or engineer, as the case may be, who had prepared the plan to the effect that the construction of the building shall conform to the fire and safety norms specified under sub-rule (5) below shall be submitted.”;

(c) after sub-rule (6), the following sub-rule shall be inserted, namely:—

“(7) For all buildings special provision shall be made for construction of in—situ liquid waste management treatment plant.”;

(d) after sub-rule (7) as so inserted, the following sub-rule shall be added, namely:—

“(8) For all buildings there shall be a special provision for recycling and reusing of waste water generated out of the use of water in the said building.”;

(16) in rule 59,—

(a) in sub-rule (1),—

(i) for the words, figure and symbol “up to 0.5 hectares” the words “up to one hectares” shall be substituted;

(ii) for the words, figure, letters and symbol “up to 500 sq. meter” the words, figure, letters and symbol “up to 1000 sq. meters” shall be substituted;

(iii) for the word, figures and symbol “0.5 hectare” the words “one hectare” and for the words “500 sq. meters” the words “1000 sq. meters” shall be substituted;

(b) in the proviso,—

(i) for the figure “500” wherever it occurs the figure “750” shall be substituted;

(ii) the words, figures, letters and symbol “and up to 1000 sq. metres and approval of Chief Town Planner shall be obtained, if the total floor area is above 1000 sq. metres” shall be omitted;

(c) after sub-rule (14), the following sub-rule shall be inserted, namely:—

“(15) for all buildings special provision shall be made for construction of in—situ liquid waste management treatment plant.”;

(d) after sub-rule (15) as so inserted, the following sub-rule shall be added, namely:—

“(16) For all buildings there shall be a special provision for recycling and reusing of waste water generated out of the use of water in the said building.”

(17) after rule 59, the following rule shall be inserted, namely:—

“59 A. Notwithstanding anything contained in the rule 52 to rule 59, if no order is communicated to the applicant under these rules by the District Town Planner within fifteen days from the date of receipt of application, the clearance/approval requested for shall be deemed to have been allowed by the District Town Planner and Secretary shall proceed with the processing of the application as if the approval of District Town Planner is obtained by the applicant”;

(18) after rule 105, the following rule shall be inserted, namely:—

“(105 A) In the case of tube wells, once the clearance from Ground Water Department is obtained by the applicant and furnished, the Secretary shall issue the permit on the same day of receipt of application along with prescribed fee”;

(19) in rule 108,—

(i) for the words “two years”, words “three years” shall be substituted;

(ii) for the words “one year” the words “three years” shall be substituted;

(iii) for the words “affix with court fee stamp” the words and figure “along with a fee of rupees 100” shall be substituted.

By order of the Governor,

T. K. JOSE,
Principal Secretary to Government.

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport.)

The Kerala Investment Promotion and Facilitation Ordinance, 2017 (22 of 2017) has been promulgated by Governor on 20th October, 2017 amending seven Acts including the Kerala Municipality Act, 1994 to avoid delay in granting various licences, permission, approvals and clearances required under various enactments.

Accordingly, Government have decided to amend the Kerala Municipality Building Rules, 1999, suitably.

The notification is intended to achieve the above object.