



GOVERNMENT OF KERALA

Abstract

Local Self Government Department – Kerala Municipality Building Rules, 2019
Clarification as per Rule 109 – Orders issued.

LOCAL SELF GOVERNMENT (RD) DEPARTMENT

G.O.(Rt.)No.2137/2020/LSGD

Dated, Thiruvananthapuram 12/11/2020

- Read:-
1. G.O.(P)No.77/2019/LSGD dated 2/11/2019
 2. G.O.(P)No.57/2020/LSGD dated 24/09/2020

ORDER

The proceedings of the meeting chaired by Chief Secretary on 25/02/2020 in the subject matter of grant of NOC to 'Central Square Mall, Ernakulam situating in the jurisdiction of Cochin Corporation' is conveyed to this department calling for clarification in this subject under Rule 109 of the Kerala Municipality Building Rule, 2019 (KMBR 2019). In pursuance of the above decision, Home Department has simultaneously requested to clarify whether National Building Code guidelines are applicable to the height of Multiplex buildings.

2. The relevant issues in this subject have been examined, and in exercise of powers conferred under Rule 109 of KMBR 2019, the following clarification is issued to remove difficulties for implementation of the relevant provisions of KMBR 2019 for height restriction in 'multiplex complex buildings' for their general applicability and specific to the case of Central Square Mall in Ernakulam.

3. The KMBR 2019 is amended vide the Government order read 2 above. The amended extant Rule 25(2)(1) provides for the description of the occupancy of buildings according to the use of or character of the occupancy for multiplex

complex to “mean an integrated entertainment and shopping centre/shopping complex or a shopping mall, having more than one cinema hall/screens each with seating capacity of 300 or less. Apart from cinema halls, the entertainment area may have restaurants, cafeteria, fast food outlets, video games parlours, pubs, bowling alleys, health spa/centres, convention centres, hotels, other recreational activities and all other permissible uses under Group F. However, habitable areas like hotels and service apartments shall not be allowed in the same block where the multiplexes are set up and shall be allowed only as a separate block. Such a complex may spread over the site or be in one or more blocks which may be high rise buildings or normal buildings. The total built up area of multiplex complex shall not be less than 12,000 sq. metres and the height of building shall not exceed 50 metres. The height restriction of 30 meters for buildings for the same purpose under “Assembly Category” as prescribed in National Building Code of India, 2016 and subsequent amendments shall not be applicable for buildings under this occupancy group. The fire and safety norms/standards as decided by Fire and Safety department shall be applicable for the height beyond 30 meters”. The provisions in Rule 5(4)(12) has also been amended vide the Government order read 2 above to harmonise with provisions under Rule 25(2)(1) to state that “Provisions regarding the height of the buildings as specified in the National Building Code of India 2016 shall not apply to the multiplex complexes.”

4. In consideration of the extant applicable provisions of KMBR 2019, the following clarifications are conveyed for further necessary action:

- i. Rule 25(2)(1) provides for construction of building for occupancy for multiplex complex.
- ii. The permissible maximum height for multiplex complex building is 50 meters.
- iii. The restriction of 30 meters maximum for multiplex complex buildings which is covered under a subcategory of Assembly category in National Building Code 2016 and subsequent amendments (NBC 2016) is NOT applicable in the State because the specific provision has been inserted in KMBR 2019 to provide for height up to 50 meters in suppression of NBC 2016.
- iv. The NBC 2016 provides for fire & safety standards and norms for installation in multiplex complex building up to 30 meters only. As per amended provisions KMBR 2019 under Rule 25(2)(1), the Fire and Safety department in the State Government is responsible for

deciding the fire & safety standards and norms for the portion of the multiplex complex buildings beyond 30 meters.

(By order of the Governor)

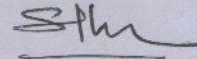
Bishwanath Sinha

Principal Secretary.

To

1. Additional Chief Secretary, Home & Vigilance Department, Government of Kerala.
2. The Director General of Fire and Rescue Services, Thiruvananthapuram.
3. The Chief Town Planner, Thiruvananthapuram.
4. The Chief Town Planner(Vigilance), Thiruvananthapuram.
5. The Executive Director, IKM, Swaraj Bhavan, Thiruvananthapuram (to publish in all Government website and Local Self Government Department website).
6. Director of Information & Public Relations Department
7. Home (F) Dept. (File No.19776/F2/2014/Home).
8. Stock File/Office Copy.

Forwarded/By order



Section Officer.