



GOVERNMENT OF KERALA

Abstract

Local Self Government Department - Applicability of the provision in Building Rules for minimum setback for construction below the ground level - Clarification - Orders issued.

LOCAL SELF GOVERNMENT (RD) DEPARTMENT

GO (Ms) No.160/2012/LSGD

Dated, Thiruvananthapuram, 11/06/2012

- Read: 1. Rule 117 and 24 of KMBR, 1999
2. Rule 112 and 27 of KPBR, 2011
3. Lr.No.E2-10233/11 dated 13/03/2012 from the Chief Town Planner, Thiruvananthapuram.

ORDER

Rule 117 of Kerala Municipality Building Rule stipulates provisions for open spaces around high rise buildings. The rule 117 (1) stipulates that a motorable open space of minimum 5 metre width has to be provided all round the buildings. Rule 117 (2) stipulates that the minimum width of open space between plot boundary and a highrise building shall be 5 metres. The intention of these provisions is to facilitate vehicular movement to reach the four sides of a highrise building in case of emergencies. Rule 112 (1) & (2) of KPBR also provide for similar provisions in Panchayat areas also.

However, the rule 24 (12) of the KMBR as well as 27 (11) of KPBR provide specific provisions with regard to setbacks for constructions below the ground level. As per these sub rules, the front, rear and side setbacks for constructions below the ground level shall be the same as that required for a 10 metres high building of the same occupancy group constructed above the ground level. Hence Government consider this need clarification on whether the setback rules for constructions beneath the ground are applicable for highrise buildings also.

In the circumstances, in exercise of powers conferred by Rule 161 of KMBR, 1999 and Rule 152 of KPBR, 2011 the Government hereby clarifies that the open space of minimum 5 metres width as envisaged in the rule 117 (1) & (2) of KMBR or rule 112 (1) & (2) of KPBR shall be provided for the portion above the ground level to facilitate vehicular movement around the highrise building. But, with regard to any part of the highrise construction which is below the ground level, the provisions for minimum setbacks stipulated in rule 24 (12) of KMBR or rule 27 (11) of KPBR (whichever is applicable) need only be considered.

By Order of the Governor,
JAMES VARGHESE
Principal Secretary

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To

The Chief Town Planner, Thiruvananthapuram
The Director of Urban Affairs, Thiruvananthapuram
The Director of Panchayats , Thiruvananthapuram
The Chief Town Planner, Thiruvananthapuram
All Mayors/Municipal Chairmen/Secretaries of Municipal Corporations
and Municipalities (through Director of Urban Affairs)
All Presidents/Secretaries of Grama Panchayats (through Director of Panchayats)
The Executive Director, IKM (for publishing in the website)
SF/OC.

Forwarded/By Order


Section Officer