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കേരള ഗസറ്റ്
KERALA GAZETTE

അസാധാരണം
EXTRAORDINARY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്
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GOVERNMENT OF KERALA
Local Self Government (RD) Department
NOTIFICATION

G. O. (P) No. 81/2017/LSGD.

Dated, Thiruvananthapuram, 31st October, 2017.

S. R. O. No. 675/2017.—In exercise of the powers conferred under Sections 235A, 235B, 235F, 235P, 235W of the Kerala Panchayat Raj Act, 1994 (13 of 1994) read with section 254 thereof, the Government of Kerala hereby make the following rules further to amend the Kerala Panchayat Building Rules, 2011 issued by notification under G. O. (Ms.) No. 41/2011/LSGD dated 14th February, 2011 and published as S.R.O. No. 127/2011 in the Kerala Gazette Extraordinary No. 351 dated 14th February, 2011, namely:—

RULES

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

(2) They shall come into force at once.

2. *Amendment of the Rules.*—In the Kerala Panchayat Building Rules, 2011,—

(1) in rule 5, in sub-rule (1), after the words “the ownership on 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 (10), the following sub-rule shall be substituted, namely:—

“(10). If the application is for the approval of plots or building requirements and for usage of land/plots, the Secretary shall issue the permit if the applicant has obtained the approval from the District Town Planner by submitting a separate application directly to the District Town Planner which shall accompany the application and if the application would comply with the provisions of these rules and the Town Planning Scheme.”;

(b) the proviso to sub-rule (10) shall be omitted;

(3) in rule 11,—

(a) 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 authorised by the Secretary shall issue an acknowledgement to the applicant on the same day itself and inform the applicant whether any No Objection Certificate required from other authorities is/are not attached with the application.”;

(4) in rule 14, for the words “thirty days” the words “fifteen days” shall be substituted;

(5) in rule 15,—

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

(b) the proviso shall be omitted;

(6) in rule 16,—

(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 18, for the words “that the permit was issued by mistake or that a patent error has crept in it”, the words “that the applicant has violated any conditions prescribed in the permit or that the construction is carried out in deviation of the approved plans or that there is violation of any of the provisions of the Act or the rules made thereunder” shall be substituted;

(8) in rule 34, in sub-rule (3),—

(a) in clause (h) the words, figure and symbol “all up to 700 sq. metres total floor area” shall be omitted;

(b) for clause (i) the following clause shall be substituted, namely:—

(i) Group G2—High hazard industrial buildings shall include any building or part of a building or structure involving hazardous processes covered under the industries specified in the First Schedule to the Factories Act, 1948 (Central Act 63 of 1948) and such other industries as are added to the said Schedule from time to time.”;

(c) Note (2) under clause (i) shall be omitted;

(9) in rule 35, for TABLE 2 under sub-rule (2), the following TABLE shall be substituted, namely:—

TABLE 2

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

		Maximum permissible F.A.R.					
Sl. No.	Occupancy	Maximum permissible coverage (percentage of plot area)	Category I Village Panchayat		Category II Village Panchayat		4
			Category I Village Panchayat	Without additional fee	With additional fee at the rate of ₹ 5000 per sq. metres of additional floor area	Without additional fee	With additional fee at the rate of ₹ 5000 per sq. metres of additional floor area
(1)	(2)		(3a)	(4a)	(4b)	(5a)	(5b)
1	Residential A1						
	(a) Up to 300 sq. metres	65	60	3.00	4.00	2.5	2.5
	(b) More than 300 sq. metres	65	55	3.00	4.00	1.75	2.5

2	Lodging Houses A2	60	55	2.50	4.00	1.50	2.25
3	Educational B	35	35	2.50	3.00	1.50	1.75
4	Medical/Hospital C	60	55	2.50	3.50	2.50	2.5
5	Assembly D	40	35	1.50	2.50	0.70	1.25
6	Office/Commercial E	70	60	3.00	4.00	3.00	3
7	Mercantile/Commercial F	70	60	3.00	4.00	2.75	3.5
8	Low and Medium Hazard Industrial G1	70	60	3.50	..	2.75	..
9	High Hazard Industrial G2	55	50	3.00	..	2.50	..
10	Storage H	80	75	3.00	4.00	2.75	3.75
11	Hazardous I	45	45	2.00	..	2.00	..

(10) in rule 55,—

(a) in sub-rule (1),—

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

(ii) the words “but up to 150 units and the approval of the Chief Town Planner shall be obtained for the usage of plots and the layout of buildings with total number of dwelling units exceeding 100 units” shall be omitted;

(b) in sub-rule (2),—

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

(ii) the words but up to 10000 sq. metres and the approval of the Chief Town Planner shall be obtained for the usage of plots and the layout of buildings with the total floor area exceeding 10000 sq. metres.” shall be omitted;

(c) in sub-rule (4),—

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

(ii) after the words “building permit” the words “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 in Appendix O appended to these rules 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 submitted.”;

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

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

“(5B) 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 56,—

(a) in sub-rule (1),—

(i) in clause (a) 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 plot and layout of buildings with total floor area exceeding 2000 sq. metres under each such occupancy” shall be omitted;

(b) in clause (b),—

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

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

(c) in sub-rule (5),—

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

(ii) and 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 O 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.”;

(d) after sub-rule (7), 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 2500 sq. metres built up area special provision shall be made for in—situ liquid waste management treatment plant.”;

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

“(9) 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 57,—

(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 the usage of plot and the layout of buildings with the total floor area exceeding 1000 sq. metres” shall be omitted;

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

“(12A) Special provision shall be made for in—situ liquid waste management treatment plant on all buildings under assembly occupancies”;

(c) after sub-rule (12A) as so inserted, the following sub-rule shall be inserted, namely:—

“(12B) 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 58,—

(a) in sub-rule (1),—

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

(ii) the words "up to 10000 sq. metres and the approval of the Chief Town Planner shall be obtained for the layout of buildings and usage of plots with the total floor area exceeding 10000 sq. metres" shall be omitted;

(b) in sub-rule (12),—

(i) for the words "exceeding two floors above ground level" the words "exceeding 1000 sq. metres plinth area or exceeding 15 metres height" shall be substituted;

(ii) after the words "building 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 O 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 (15) below shall be submitted.";

(c) after sub-rule (16) the following sub-rule shall be inserted, namely:—

"(17) 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 (17) as so inserted the following sub-rule shall be added, namely:—

"(18) 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 59,—

(a) in sub-rule (2),—

(i) for the figure "300" the figure "1500" shall be substituted;

(ii) the words, figures and symbols "and up to 1000 sq. metres in floor areas in industrial occupancies and approval of the Chief Town Planner shall be obtained for usage of plot exceeding one hectare area and/or layout of buildings above 1000 sq. metres in floor area" shall be omitted;

(b) in the second proviso to sub-rule (2),—

(i) for the figure “500.” the figure “1000” shall be substituted;

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

(c) 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	3.0 metres	5.0 metres
Yard on either side	3.0 metres	3.0 metres
Rear Yard	3.0 metres	5.0 metres

(d) in sub-rule (5), for Table 7, the following table shall be substituted, namely:—

“TABLE 7

ACCESS FOR GROUP G1 AND G2 OCCUPANCIES

<i>Sl. No.</i>	<i>Total Floor Area</i>	<i>Width of access to the building as well as the width of the street giving access to the plot from the main street</i>	
		<i>Group G1 occupancy</i>	<i>Group G2 occupancy</i>
1	Up to 300 square metres	3 metres	6 metres
2	Above 300 square metres and up to 1500 square metres	3.6 metres	
3	Above 1500 square metres and up to 6000 square metres	5 metres	
4	Above 6000 square metres	6 metres	

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

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

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

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

(15) in rule 60,—

(a) in sub-rule (2),—

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

(ii) the words, figures and symbols “but up to 6000 sq. metres and the approval of the Chief Town Planner shall be obtained for the usage of plots and the layout of buildings with the total floor area exceeding 6000 sq. metres.” shall be omitted;

(b) in sub-rule (6),—

(i) for the words “irrespective of the 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 “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 form Appendix O 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 (7) below shall be submitted.”;

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

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

(d) after sub-rule (9), the following sub-rule shall be inserted, namely:—

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

(16) in rule 61,—

(a) in the first proviso in sub-rule (1),—

(i) for the figure “500” wherever it occur the figure “750” shall be substituted; the words, figures and symbols “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;

(b) after sub-rule (15), the following sub-rule shall be inserted, namely:—

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

(c) after sub-rule (16), the following sub-rule shall be inserted, namely:—

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

(17) after rule 61, the following rules shall be inserted, namely:—

“61A. Notwithstanding anything contained in the rule 55 to rule 61, 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) in rule 93A,—

(i) sub-rule (1) shall be substituted with the following sub-rule, namely:—

“(1) 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 96,—

(i) for the words “two years” the 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 Panchayat Raj 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 Panchayat Building Rules, 2011 suitably.

The notification is intended to achieve the above object.