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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. (Ms.) No. 10/2014/LSGD. Dated, Thiruvananthapuram, 10th January, 2014.

S. R. O. No. 26/2014.—In exercise of the powers conferred by sections 235A, 235B, 235F, 235P, 235W read with section 254 of the Kerala Panchayat Raj Act, 1994 (Act 13 of 1994), the Government of Kerala hereby make the following Rules further to amend the Kerala Panchayat Building Rules, 2011 issued as G. O. (Ms.) No. 41/2011/LSGD dated the 14th February, 2011 and published as S.R.O. No. 127/2011 in the Kerala Gazette Extraordinary No. 351 dated the 14th February 2011, namely:—

RULES

1. *Short title and commencement.*—(1) These Rules may be called the Kerala Panchayat Building (Amendment) Rules, 2014.

(2) They shall come into force at once.

33/194/2014/DTP.

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

(1) In rule 2, sub-rule (1),—

- (a) in clause (y), after the words “area on any floor”, the words “above ground level” shall be inserted.
 - (b) in clause (ba), for the words, “the ground contiguous to the building or the centre line of the adjoining street,” the words “the centreline of the adjoining street in the case where the plot abuts the street and in all other cases average level of the adjoining ground.” shall be substituted.
 - (c) after the clause (bg), the following clause shall be added, namely:—
“(bga) ‘mechanised parking’ includes parking and retrieval of vehicles by mechanical means;”
 - (d) for clause (bl) the following shall be substituted, namely:—
“(bl) ‘owner’ includes a person who, for the time being, is receiving or is entitled to receive the amount of lease or the rent of any land or building, whether on his own account or on account of himself and others or as an agent, trustee, guardian or receiver for any other person or who shall so receive the amount of lease or the rent, if the land or building or part thereof were let to a lessee or a tenant on lease or rent;”
 - (e) in clause (cc), before the word “scheme”, the words “town planning” shall be inserted.
 - (f) after the clause (cc), the following clause shall be added, namely:—
“(cca) ‘road level’ means the officially established elevation of the centre line of the road upon which a plot abuts and if there is no officially established elevation, the existing elevation of the centre line of the road;”
 - (g) after clause (di), the following clause shall be inserted, namely:—
“(dia) ‘width of road’ means the right of way and includes medians, service roads, and flyovers;”
-

(2) For rule 3, the following rules shall be substituted, namely:—

“3. *Applicability.*—These rules shall apply to,—

(i) any public or private building as described below, namely:—

- (a) where a building is newly erected, these rules shall apply to the design and construction of the building;
- (b) where a building is altered, these rules shall apply to the altered portion of the building;
- (c) where the occupancy or use of a building is changed, these rules shall apply to all parts of the building affected by the change;
- (d) where addition or extension is made to a building or separate building/buildings in the same site is proposed, these Rules shall apply to the addition or extension or new block only:

Provided that, for calculation of floor area ratio and coverage and for arriving at the minimum required off- street parking area and width of access to plot as well as the width of street giving access to the plot from the main street, the whole building (existing to be retained and the proposed) shall be taken into account:

Provided further that the addition, extension or new building shall be permitted only if the site and existing buildings are authorised.

(ii) all land which is proposed to be developed or redeveloped for construction of buildings.

3A. *Conformity to Town Planning Schemes.*—Provisions or regulations in any Town Planning Scheme in force under the Kerala Town and Country Planning Ordinance, 2013 (Ordinance No. 51 of 2013) shall prevail over the respective provisions of these rules wherever such schemes exist.

3B. *Application of National Building Code of India.*—Wherever the provisions of National Building Code are mentioned in these rules, the provisions of the prevailing Code shall be applicable.

3C. *Exemption in certain cases.*—The Government may, in conformity with the provisions of the Act and in consultation with the Chief Town Planner, exempt any building when construction is made—

- (a) by Government/Local Self Government Institutions or Government Institutions for a public purpose, fully owned by Government and or Local Self Government Institutions;
- (b) by those who surrender land to Government or Local Self Government Institutions or Government Agencies for a public purpose, subject to the condition that the exemption shall be applicable to the remaining land in equal proportion to the surrendered land.

3D. *Categorisation of Village Panchayats.*—(1) The Government may, for the purpose of these Rules, by notification in the official gazette, categorise the Village Panchayats into two categories such as Category I and Category II.

(2) The Village Panchayat which,—

- (i) in the opinion of the Government has significant potential for urbanization and/or special characteristics which necessitate more regulatory intervention; or
- (ii) is either partially or fully covered by a Town Planning Scheme published or sanctioned as per the provisions contained in the Kerala Town and Country Planning Ordinance, 2013 (Ordinance No. 51 of 2013) in force, shall be categorized as Category I Village Panchayat.

(3) Those village panchayats which do not come under sub-rule (2) above shall be categorized as Category II Village Panchayat.

(3) In rule 5, after sub-rule (1), the following shall be added, namely:—

“(1a) Applications may also be submitted through e-filing system, as may be prescribed, if such system is in force in the Local Self Government Institution concerned and the Secretary may receive applications, in case they are found in order after a preliminary check.”

(4) In rule 6, —

(a) in sub-rule (1),

(i) for the words “as per the Kerala Land Utilisation Act” the words “from the authority concerned.” shall be substituted;

(ii) in clause (a), item (iv), after the words “in the plot”, the words “and the authorised building numbers issued by the Local Self Government Institution concerned” shall be inserted; and

(b) in sub-rule (3), after the words “All plans, drawings and specifications shall be”, the words “certified and” shall be inserted.

(5) In rule 7,—

(a) after sub-rule (1), the following shall be added, namely:—

“(1a) Application may also be submitted through e-filing system, as may be prescribed, if such system is in force in the Local Self Government Institution concerned;

(b) in sub-rule (2), for the words “development plan”, the words “Town Planning Scheme” shall be substituted;

(c) In sub-rule (8), the words “or make alteration or addition or extension” shall be omitted; and

(d) in sub-rule (11),—

(i) in clause (a), sub-clause (iv), after the words ‘ground level’ the words, ‘and their authorised building numbers issued by the Local Self Government Institution concerned’ shall be added;

(ii) after the clause (c) and before the Note the following clause shall be inserted, namely:—

“(f) In the case of high rise buildings, every application for approval shall be accompanied by a safety plan suitable for the proposed construction in accordance with the Health and Safety Manual published by the Labour Department.”;

(6) In rule 8, clause (d), sub-clause (i), after the word "auditorium," the mark and word, "stadium" shall be inserted.

(7) In rule 10,—

(a) for clause (xiii), the following shall be substituted, namely:—

"(xiii) Single family residential buildings in Category II Village Panchayats under Group A1—Residential occupancy with total built-up area on all floors up to 100 sq. metres, including existing and proposed within the plot, with number of storeys limited to two.";

(b) clause (xiv) shall be omitted.

(8) In rule 11, sub-rule (1), after the words, "approve the site and", the words "certify the same in the" shall be inserted.

(9) In rule 12, in sub-rule (7), the words "No construction shall be carried out above the ground level until the Secretary issues such concurrence as in Appendix C 1" shall be omitted.

(10) In rule 17,—

(a) in sub-rule (3), after the words "granting extension" the words "and which shall exclude the fee for additional Floor Area Ratio" shall be added.

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

"(4) The Secretary may, if he deems fit, grant renewal for a period of three years on application submitted after the expiry of the permit, subject to the condition that the total period of validity of permit from the date of issue of original permit shall not exceed nine years:

Provided that in case the permits need to be extended/ renewed beyond the period of nine years, the applicant shall submit an application in writing to the Committee constituted under Chapter X-A of these Rules and the committee may, after having satisfied with the genuineness of the application, recommend for extension or renewal of the permit, as the case may be, with or without condition(s) as it deems fit"

(11) In rule 25,—

(a) in the proviso to sub-rule (1), for the words “residential buildings up to two dwelling units”, the words “single residential units up to two floors with total floor area not exceeding 150 sq. metres” shall be substituted;

(b) in the first proviso to sub-rule (3),—

(i) after the words “mandatory open spaces/yards”, the words “other than the distance stipulated as per section 220(b) of the Act and rule 112 of these Rules” shall be inserted; and

(ii) for the figures “20”, the figures “25” shall be substituted.

(12) In rule 26,—

(a) after sub-rule (4), the following shall be added, namely:—

“(4a) In the case of buildings and construction projects having built-up area not less than 20,000 sq. metres and other activities as specified in the schedule to the Notification No. S.O. 1533 (E) dated the 14th September, 2006 and amendments thereto, issued by the Ministry of Environment and Forests, Government of India, which require prior environmental clearance from the State Level Environment Impact Assessment Authority (SEIAA), Kerala/ Ministry of Environment and Forests, the Local Self Government Institution shall not issue permit without ensuring a valid prior environmental clearance.”

(b) to sub-rule (5), the following proviso shall be added, namely:—

“Provided that, single storied buildings shall be allowed, even if the above mentioned clearance is not available, if the applicant produces a No Objection Certificate from the Chief Electrical Inspector or an officer authorised by him, before issuance of permit.”

(13) In rule 27,—

(a) in sub-rule (2), for the words “minimum 3 metres for buildings up to 10 metres in height” the words “minimum 2 metres for buildings up to 10 metres in height and 3 metres exceeding that height” shall be substituted.

(b) in sub-rule (5), in the first proviso,—

(i) for the figures and word “75 metres” the figures and word “75 centimetres” shall be substituted;

(ii) the figures and word “0.75 metres” shall be omitted.

(c) In sub-rule (8),—

(i) the words, “the minimum distance in between various blocks” shall be omitted;

(ii) after the words “ground level itself”, the words “or for the corresponding floors at their level” shall be added.

(14) Rule 29 shall be omitted.

(15) In rule 31, clause (ii), sub-clause (b) for the figure ‘7’, the figure ‘6’ shall be substituted.

(16) In rule 33,—

(i) the note under sub-rule (1) shall be omitted;

(ii) in sub-rule (2), for the words “the usage shall be determined by Secretary” the words “the usage of plot shall be as approved by the Chief Town Planner or an officer authorised by him.” shall be substituted.

(17) In rule 34,—

(a) for sub-rule (2) the following sub-rule shall be substituted, namely:—

“(2) All buildings whether existing or herein after proposed, shall be classified, in one of the following occupancies, according to the use or character of occupancy, namely:—

Residential	Group A1	Residential
	Group A2	Lodging Houses
Non-residential occupancies	Group B	Educational
	Group C	Medical/Hospital
	Group D	Assembly
	Group E	Office/Business
	Group F	Mercantile (Commercial)
	Group G1	Low and Medium Hazard Industrial
	Group G2	High Hazard industrial
	Group H	Storage
	Group I	Hazardous

Notes:—(i) Any building not specifically covered by any of the occupancies under sub-rule (2) shall be in the group, which most nearly resembles its existing or proposed use.

(ii) Minor occupancy incidental to operations in another type of occupancy shall be considered as part of the main occupancy and shall be classified under the relevant group for the main occupancy.

(iii) Any building which accommodates more than one use under sub- rule (2) shall be included under the most restrictive group.

(iv) The classification of buildings into occupancy groups are only for the purpose of these rules. The 'Occupancy group' is not synonymous with the use zones mentioned in the zoning regulations stipulated in Town Planning Schemes.

(b) in sub-rule (3),—

(i) in clause (f), the words “slaughter houses,” shall be omitted;

(ii) for clause (h) the following shall be substituted, namely:—

“(h) Group G1—Low and medium hazard industrial building shall include any building or part of a building or structure, in which products or materials of all kinds and properties are fabricated, assembled, manufactured or processed and the contents are of such comparative low combustibility and the industrial processes or operations conducted therein are—

(1) of such a nature that there are hardly any possibilities for any self propagating fire to occur; or

(2) liable to give rise to a fire which will burn with moderate rapidity or result in other hazardous situation and may give off a considerable volume of smoke, but from which neither toxic fumes nor explosions are to be feared in the event of fire.

Note.—Building under Group G1—Low and medium hazard industrial, shall generally, include Engineering workshops, Automobile service station, Automobile wash stalls, Electroplating works, Service garage with repairing facilities, Poultry farms with more than 20 birds, livestock farms with more than 6 animals, furniture making units, Cashew factories, Fish processing units, Coir factories, Water treatment/Filtration plants and Water pump houses, Clock and watch manufacturing units, Bakeries and biscuit factories, confectionaries, Food processing units, Electric lamps (incandescent and fluorescent) and T.V. tube manufacturing units, Dry cleaning, dyeing and laundry units, Flour mills, Manure and fertilizer works (blending, mixing and granulating only) units, Oxygen plants,

Plastic goods manufacturing and PVC Pipe Manufacturing units through injection/extrusion moulding, Printing press, Rubber goods manufacturing units, manufacture of synthetic leather, Spray painting units, and Textile mills; all up to 700 sq. metres total floor area.

(iii) for clause (i) and the Note thereunder the following shall be substituted, namely:—

“(i) Group G2—High hazard industrial building shall include any building or part of a building or structure, in which products or materials of all kinds and properties are fabricated, assembled, manufactured or processed in which the contents or industrial processes or operations conducted therein are liable to give rise to a fire which will burn with extreme rapidity or result in other hazardous situation or from which poisonous fumes or explosions are to be feared in the event of a fire.

Note (1):—Buildings under Group G2—High hazard industrial occupancy shall generally include Bituminized paper/hessian cloth/tar felt manufacturing, Cinema films and T.V. production studios, Cotton waste factories, Distilleries, Oil mills, tyre retreading and resolving factories, Petroleum refineries and LPG bottling plants.

Note (2):—For the purpose of these rules, all buildings with total floor area above 700 sq. metres total floor area under uses mentioned in item (h) above shall be included in Group G2—High hazard industrial occupancy.”

(iv) clause (k) shall be omitted.

(v) for clause (1) the following shall be substituted, namely:—

“(1) Group I—Hazardous building shall include any building or part of a building which is used for the storage, handling, manufacturing or processing of highly combustible or explosive materials or products which are liable to burn

with extreme rapidity and or which may produce poisonous fumes or explosions for storage, handling, manufacturing or processing which involve highly corrosive, toxic or noxious alkalis, acids or other liquids or chemicals producing flame, fumes and explosive, poisonous, irritant or corrosive gases; and for the storage, handling or processing of any material producing explosive mixtures of dust which result in the division of matter into fine particles subject to spontaneous ignition.

Any process or activity, where raw materials used therein or wastes or effluents there of would result in the pollution of the general environment are also included under this group.

Buildings under Group I—Hazardous occupancy shall generally include buildings and yards used for storage under pressure of more than 1kg/cm^2 and in quantities exceeding 70m^3 of acetylene, hydrogen, ammonia, chlorine, phosgene, sulphur dioxide, carbon monoxide, methyl oxide and all gases subject to explosion, fumes or toxic hazard; Godowns or warehouses (combustible/hazardous goods), storage and handling of hazardous and highly inflammable liquids, oil terminals/depots and bulk storage of flammable liquids, crematoria, burial grounds, vaults, garbage dumping yards, abattoirs (slaughter houses), sewage treatment plants except domestic treatment plants, stone crusher units, automobile fuel filling stations, coal, wood and timber yards, saw mills.”

(18) In rule 35, in sub-rule (2),—

(h) for Table 2, except the note thereunder, the following Table shall be substituted, namely:—

"TABLE 2

COVERAGE AND FLOOR AREA RATIO (F.A.R.)

Sl. No.	Occupancy	Maximum permissible coverage (percentage of plot area)		Maximum Permissible F.A.R.			
		Category I Village Panchayat	Category II Village Panchayat	Category I Village Panchayat		Category II Village Panchayat	
				Without additional Fee	With additional fee at the Rate of ₹ 3,000 per Sq. metres of additional floor area	Without additional Fee	With additional fee at the Rate of ₹ 5,00 per Sq. metres of additional floor area
(1)	(2)	(3a)	(3b)	(4a)	(4b)	(5a)	(5b)
1	Residential-A1						
	(a) Up to 300 sq. metres	65	60	3.00	4.00	2.50	..
	(b) More than 300 sq. metres	65	55	3.00	4.00	1.75	2.50
2	Lodging Houses-A2	65	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	40	35	2.00	3.00	1.50	1.75
5	Assembly- D	40	35	1.50	2.50	0.70	1.25
6	Office/Commercial- E	40	35	2.00	3.00	1.50	2.00
7	Mercantile/ Commercial- F	65	55	2.50	4.00	1.75	2.25
8	Low and medium hazard industrial-G1	60	55	2.50	3.00	1.75	2.25
9	High hazard-industrial-G2	40	35	1.50	..	1.20	1.50
10	Storage -H	70	65	2.50	3.00	1.75	2.25
11	Hazardous-I	25	25	0.70	..	0.70	..

(ii) in Note (i), under Table 2, after the words "building at any floor", the words "above ground level" shall be inserted;

(iii) after Note (i), the following shall be added, namely:—

"(ia) in category I Village Panchayat, for apartment houses/flats under Group A1- Residential occupancy by Government or Quasi Government agencies aimed at housing Economically Weaker Sections and/or Lower Income Groups and/or Middle Income Groups, a maximum F.A.R. of 5 shall be permitted without additional fee, if floor area of each and every dwelling unit in it is less than 100 sq. metres. Classification of income groups and matters related to the same shall be decided by the Government in consultation with the Committee constituted under the provisions of Chapter X-A of these Rules";

(iv) in Note (iv), for the figures '3.25', the figure '4' shall be substituted;

(19) in rule 36, in sub-rule (i), clause (a) for the figures '1.5', the figure '2' shall be substituted.

(20) In rule 37,—

(a) in sub-rule (1),—

(i) the words 'and plot' appearing after the words 'The minimum clear width of access to a building' shall be omitted;

(ii) for the words and figures "Table 3.1", the words and figures "Tables 3.1 and 3.2" shall be substituted.

(iii) for TABLE 3, the following Tables shall be substituted, namely:—

"TABLE 3.1

ACCESS FOR GROUP A1 OCCUPANCY

<i>Sl. No.</i>	<i>Occupancy</i>	<i>Total floor area of buildings in sq. metres</i>	<i>Minimum width of access required in metres</i>
1 (a)	Group A1 occupancy with total floor area up to 600 sq.metres	Up to 300; single Unit	No minimum
		Up to 300; Multiple Unit	1.2
		Above 300 up to 600	2
1 (b)	Group A1 occupancy with total floor area above 600 sq.metres	Above 600 up to 1000	3
		Above 1000 up to 4000	3.6
		Above 4000 up to 8000	5
		Above 8000 up to 18000	6
		Above 18000 up to 24000	7
		Above 24000	10

"TABLE 3.2

ACCESS FOR OTHER OCCUPANCY GROUPS

<i>Occupancy</i>	<i>Total floor area of buildings in sq. metres</i>	<i>Minimum width of access required in metres</i>
Any other occupancy	Upto 300	1.2
	Above 300 up to 1500	3.6
	Above 1500 up to 6000	5
	Above 6000 up to 12000	6
	Above 12000 up to 18000	7
	Above 18000	10

- (iv) in the third proviso, for the word and figures "Chapter XVI" the word and figures "Chapter XIX", shall be substituted;
- (v) after the fourth proviso, the following provisos shall be added, namely:—

"Provided also that in the case of a plot abutting two independent motorable roads each having width not less than 5 metres, the access width of the plot shall be treated as the sum of the width of both the roads abutting the plot:

"Provided further that in the case of all new Group B Educational buildings, the minimum width of access required as per Table 3.2 shall be limited to 5 metres:

Provided further that, in the case of all existing schools upto the level of Higher Secondary, including Vocational Higher Secondary, if the total floor area of the construction(s) including existing and the proposed, does not exceed 5000 sq. metres, 3.6 metres wide, clear motorable access shall be sufficient, provided fire and rescue operations can be freely executed in exigencies."

- (b) After sub-rule (6), the following sub-rule shall be added, namely:—

"(7) Waterway other than sea routes will be considered as an access to islands as per these Rules, if the following conditions are satisfied:—

- (a) Waterway which is considered as an access to the island shall be navigable;
- (b) Road access as per these Rules shall be provided up to the public boat landing/jetty area;
- (c) Approval shall be obtained from the Fire and Rescue Department".

- (21) In rule 38,—

- (a) in sub-rule (2),—

- (i) for Table 4A except the Note there under, the following Table shall be substituted, namely:—

TABLE 4A
OFF-STREET PARKING SPACE FOR GROUP A1
APARTMENT HOUSES/FLATS

<i>Carpet area per Dwelling Unit</i>	<i>Off-street parking spaces at the rate of</i>
Upto 60 sq. meters	1 for every 3 dwelling units
Above 60 sq. metres up to 150 sq. metres	1 for every dwelling units
Above 150 sq. metres up to 250 sq. metres	1.5 for every dwelling units
Above 250 sq. metres	2 for every dwelling units

- (ii) in Table 4B, in column 2, against serial No. 7, for the words "Group G1-Industrial building" the words "Group G1-Low and medium hazard industrial" and against Sl.No. 8, for the words "Group G2-Small Industrial" the words "Group G2-High hazard industrial" shall be substituted.
- (iii) Under the table, in the second proviso, for the words and figures "Table 5.1 and 5.2" the words and figures "Table 4A and 4B" shall be substituted.
- (b) in sub-rule (6), for the words, figures and marks "Group G1-Industrial, Group G2-Small industrial" the words, figures and marks "Group G1-Low and medium hazard industrial, Group G2-High hazard industrial" shall be substituted respectively.
- (c) after sub-rule (8), the following sub-rules shall be added, namely:
- "(9) Every building or floor for parking shall be provided with ramp having suitable slope, sufficient width and strength and/or lift of sufficient size and strength.
- (10) Of the mandatory off-street car parking requirement as per these Rules, fifty percent at the maximum may be provided for mechanised parking, on condition that, the owner/occupant shall ensure proper safety, structural stability and functioning of such mechanised vehicle parking system at all times."

- (22) In rule 39, for the word "family" the word and figure "Group A1" shall be substituted.
- (23) In rule 41, after the existing proviso the following proviso shall be added, namely:—
 "Provided further that, in the case of floors exclusively used for the parking of cars and two wheelers, it shall not be less than 2.2 metres."
- (24) In rule 43, sub-rule (1), after the words and figures "not less than 1.1. metres and the", the word "carpet" shall be omitted.
- (25) for rule 45 the following shall be substituted, namely:
 "45. *Ramps as substitute for stairways.*—If ramps are provided as a substitute for stairways they shall be in accordance with the specifications provided under sub-rule (3) of rule 104".
- (26) for rule 48, the following shall be substituted, namely:
 "48. *Travel distance to Emergency Exit.*—(1) Every building meant for human occupancy shall be provided with emergency exits sufficient to facilitate safe escape of occupants in case of fire or other emergencies.
 (2) Emergency exits shall be located in such a way that the travel distance on each floor shall not exceed 30 metres for every occupant.
 (3) Emergency exits may be either horizontal or vertical.
 (4) Emergency exits may be a doorway, corridor or passage to an internal staircase or external staircase, ramps to the street or to the roof of a building, which may be horizontal exit leading to an adjoining building at the same level:
 Provided that lifts and escalators shall not be considered as emergency exits."
- (27) In rule 51, in sub-rule (2), after the words and figures "National Building Code of India, 2005", the words "as amended from time to time" shall be added.
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- (28) In rule 52;—
- (i) sub-rule (4) shall be omitted;
 - (ii) in Table 5, in the heading of last column, after the words "Minimum width of Airshaft in" the word "metres" shall be added.
- (29) In rule 53, sub-rule (2),—
- (i) for the words, figures and marks "A minimum 50%", the words, figures and marks "A minimum 35%" shall be substituted.
 - (ii) after the words "shall be exclusive of", the words "mandatory open space," shall be inserted.
- (30) In rule 54, —
- (a) the words "to certain occupancy groups," wherever occur, shall be omitted; and
 - (b) for the figures and word "54 to 61", the figures and word "55 to 61" shall be substituted.
- (31) In rule 55,—
- (a) in sub-rule (1),—
 - (i) for the figures "50", the figures "75" shall be substituted;
 - (ii) for the figures "100", the figures "150" shall be substituted
 - (b) in sub-rule (2),—
 - (i) for the figures "3000", the figures "4000" shall be substituted;
 - (ii) for the figures "6000", the figures "10000" shall be substituted.
 - (c) in sub-rule (3), for the figures "150", the figures "300" shall be substituted.
- (32) In rule 56,—
- (a) in sub-rule (1), clause (b),—
 - (i) for the figures "3000", the figures "4000" shall be substituted;
 - (ii) for the figures "6000", the figures "10000" shall be substituted.
-

- (b) in sub-rule (2), in second proviso, after the figure and words "3 metres increase in height" the figures and words "subject to a maximum of 16 metres" shall be added.
 - (c) In Table 6, in the entries against Sl. No. 4.
 - (i) in column (2) for the words "Wash Basin" the word "Bath" shall be substituted;
 - (ii) the entries against Sl. No. 4 in columns (3), (4a), (4b), (4c), (6), (8) and (9) shall be omitted.
- (33) In rule 57.—
- (a) in sub-rule (2), in the second proviso, after the figure and words "3 metres increase in height", the words and figures "subject to a maximum of 16 metres" shall be added.
 - (b) (i) in sub-rule (11) for the words and figures, "Kerala Cinema Regulations 1988", the words and figures, "Kerala Cinemas (Regulation) Act, 1958 and the rules made thereunder" shall be substituted;
 - (ii) to sub-rule (11), the following proviso shall be added, namely:—

"Provided that in the case of addition, alteration, reconstruction or change in occupancy of the existing cinema theatres whether having existing valid licence or had a valid licence as per the Kerala Cinemas (Regulation) Act, 1958 and the rules made thereunder, building permit shall be issued, only if a cinema theatre having $\frac{1}{3}$ rd seating capacity of the existing theatre, or 200 seating capacity whichever is higher, is also proposed/retained."
 - (c) in sub-rule (13), for the words, marks and figures "sub-rule (6) of rule 55" the words, marks and figures, "sub-rule (7) of rule 56" shall be substituted.
- (34) In rule 58,—
- (a) in sub-rule (1),—
 - (i) for the figures "3000", the figures "4000" shall be substituted;
 - (ii) for the figures "6000", the figures "10000" shall be substituted.
 - (b) sub-rule (11) shall be omitted.
-

(35) in rule 59,

(a) at the heading, for the words, figures and marks "*Group G1-Industrial and Group G2- small industrial occupancy*" the words, figures and marks "*Group G 1- Low and medium hazard industrial occupancy and Group G2 - High hazard industrial occupancy*" shall be substituted.

(b) for sub-rule (1) to sub-rule (5), the following sub-rules shall be substituted, namely:—

(1) Location of any industry shall conform to the provisions contained in the Kerala Factories Rules, 1957 or any other Central or State Acts or Rules or Regulations in respect of industrial location and licensing in force.

(2) Approval of the District Town Planner shall be obtained for the usage of plot up to one hectare area and/or layout of buildings above 300 sq.metres and up to 1000 sq.metres in floor area under 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:

Provided that, approval for usage of plot and layout of buildings is not necessary for small industrial buildings for coir, weaving, blacksmithy, carpentry all up to 50 sq.metres of total floor area:

Provided further that, in the case of all livestock and poultry farms under Group G 1 occupancy, irrespective of the plot area, such approval is not required for buildings having total floor area up to 500 sq. metres, approval of District Town Planner shall be obtained, if the total floor area is above 500 sq. metres 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.

(3) The usage of plots proposed for development or redevelopment of land or construction of any building shall be governed by the provisions contained in the town planning scheme for the area:

Provided that where no such town planning scheme exists, the usage plot and/or building shall be decided by the Chief Town Planner or the District Town Planner, as the case may be.

- (4) All industrial buildings up to 10 metres in height from ground level with built up area exceeding 500 sq. metres or where the power used exceeds 30 H.P. or where the number of workers employed exceeds 20, shall have open spaces not less than that specified below:—

<i>Open space</i>	<i>Group G1</i>	<i>Group G2</i>
Front Yard	3.0 metres	7.5 metres
Yard on either side	3.0 metres	3.0 metres
Rear Yard	3.0 metres	7.5 metres

Provided that where more than one building is proposed to be constructed in the same plot, it shall suffice, if the open spaces under this sub-rule are provided from the plot boundaries with open yards/spaces in between the building not less than 3 metres for buildings up to 10 metres in height:

Provided further that in the case of small industrial buildings without any kind of nuisance and with height up to 10 metres, the width of open yard from all boundaries except front and that in between buildings shall be minimum 1.50 metres:

Provided also that where the height of the building exceeds 10 metres, the open yard from the boundaries and between buildings shall be increased proportionately at the rate of 0.50 metre for every 3 metres increase in height, subject to a maximum of 16 metres :

Provided also that structures for accessory uses may be permitted within the rear open space.

- (5) The minimum clear width of access to a building as well as the width of the street giving access to the plot from the main street shall be as given in Table 7 hereunder and shall be motorable:—

TABLE 7

ACCESS FOR GROUP G1 AND G2 OCCUPANCIES

Sl. No.	Total Floor Area	Width of access to the building as well as the width of the street giving access to the plot from the main street	
		Group G1 Occupancy	Group G2 Occupancy
01	Up to 300 sq. metres	3 metres	7 metres
02	Above 300 sq. metres up to 500 sq. metres	3.6 metres	
03	Above 500 sq. metres up to 700 sq. metres	5 metres	
04	Above 700 sq. metres	Not Applicable	

Provided that, in the case of Automobile Service Station, Automobile Wash Stalls and Service Garage with repairing facilities under Group G 1 occupancy, the width of access to the building as well as the width of the street giving access to the plot from the main street shall not be less than 7 metres:

Provided further that, in the case of all livestock and poultry farms, the above width shall be 1.2 metres, if the total floor area is up to 500 sq. metres, 3 metres if the total floor area is above 500 sq. metres but up to 1000 sq. metres; and 5 metres if the total area is above 1000 sq. metres.

- (36) In rule 60, in sub-rule (3), in the second proviso, after the figure and words "3 metres increase in height or part thereof", the words and figures "subject to a maximum of 16 metres" shall be added.
- (37) In rule 61,--
- (a) in the heading for the words, marks and figures "*Group I (1) and I (2) - Hazardous occupancy*", the words figures and mark "*Group I-Hazardous occupancy*" shall be substituted.

(b) for sub-rule (1) to sub-rule (4), the following shall be substituted, namely:—

- (1) "Approval of the District Town Planner shall be obtained for the usage of plot up to one hectare area and/or layout of buildings up to 1000 sq. metres in floor area under industrial occupancy 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:

Provided that, in the case of all livestock and poultry farms under Group I occupancy, irrespective of the plot area, such approval is not required for buildings having total floor area up to 500 sq. metres, approval of District Town Planner shall be obtained, if the total floor area is above 500 sq. metres and up to 1000 sq. metres, and approval of Chief Town Planner shall be obtained if total floor area is above 1000 sq. metres:

"Provided further that, in the case of Type C magazines as per the provisions contained in the Explosives Rules, 2008, such approval of the District Town Planner or Chief Town Planner is not necessary. However all other mandatory clearances applicable for such constructions shall be obtained.

- (2) The usage of plots proposed for development or redevelopment or construction of any building shall be governed by the provisions contained in the detailed town planning scheme or development plan for the locality:

Provided that where no such plan exists the usage of the plot and/or building shall be decided by the Chief Town Planner or an officer authorized by him in this behalf:

Provided further that, in the case of Type C magazines as per the provisions contained in the Explosives Rules, 2008, such approval of the District Town Planner or Chief Town Planner is not necessary. However all other mandatory clearances applicable for such constructions shall be obtained.

- (3) The minimum width of open yard all around the building shall be 7.5 metres:

Provided that, the minimum open yard mandated above shall not be made applicable for insisting setbacks between the gravestone/graveyard and any building, both within the plot, if the plot is partly or fully used for burial purpose.

- (4) The minimum clear width of access to a building as well as the width of the street giving access to the plot from the main street shall be 7 metres and shall be motorable:

"Provided that, in the case of building (s) with total floor area up to 300 sq.metres, crematoria or burial grounds, the width shall not be less than 3 metres and shall be motorable.

"Provided further that, in the case of Type C magazines as per the provisions contained in the Explosives Rules, 2008, such width shall not be less than 3.6 metres.

- (c) in sub-rule (6), the words, figures and marks "other than Group I (1)" shall be omitted.

- (d) in sub-rule (8), after item (c), the following Note shall be added, namely:--

Note: -- in cases where the total number of workers does not exceed five, at least one water closet shall be provided.

- (38) After Chapter X, the following Chapter shall be inserted, namely:--

"CHAPTER X A

SPECIAL PROVISIONS FOR LARGE-SCALE DEVELOPMENT PROJECTS APPROVED BY GOVERNMENT

- 76A. *Applicability of the Provisions.*—Provisions in this Chapter shall apply only to large scale development projects approved by Government, by order, and for availing benefit of higher Floor Area Ratio, the project shall have an area not less than 2 Hectares, an investment exceeding Rs. 100 crores including land value and which shall provide for employment, for not less than 500 persons after commissioning of the project.

76B. *Constitution and functioning of the Committee.* (1) The Government may accord sanction for the project mentioned above, based on the recommendation of a committee, to be constituted by the Government for this purpose, consisting of the following members:

- | | | |
|---|----|-------------|
| (a) The Principal Secretary,
Local Self Government | .. | Chairperson |
| (b) The Director, Department of
Panchayats | .. | Member |
| (c) The Chief Town Planner,
Department of Town and
Country Planning | .. | Convenor |
| (d) The District Officer of the
Department of Town and
Country Planning having
jurisdiction over the District
concerned | .. | Member |
| (e) Secretary(s) of the Local Self
Government Institution (s)
concerned. | .. | Member (s) |

- (2) The developer shall submit the project report, detailing the demand, feasibility and Environmental Impact Assessment aspects of the project, together with the approval, if necessary, obtained from the Ministry of Environment and Forests, Government of India to the Convenor of the committee and the Convenor shall make all arrangements for convening meeting of the committee at the earliest and the committee shall consider and dispose of the project report within a period of one month from the date of receipt of the same.
 - (3) The Convenor shall fix the venue, date and time of the meeting in consultation with the Chairperson and shall be responsible for safe custody of records and communications thereof.
 - (4) The meeting shall be presided over by the Chairperson or in his absence by a member to be authorised by him.
 - (5) The quorum of the meeting shall be majority of the total number of members of the committee for the project.
 - (6) The developer shall also produce before the committee, all required clearances from the State and Central Government agencies concerned.
-

- 76C. *Provisions for supporting infrastructure.*—(1) Adequate provision shall be made for supporting infrastructure such as water supply, sewerage, solid waste management, power supply etc.
- (2) Separate sewage treatment plant and systems for solid waste management shall be provided and maintained by the developer at his cost.
- 76D. *Memorandum of Understanding.*—(1) There shall be a Memorandum of Understanding between the developer and the Secretary of the Local Self Government Institution concerned with adequate provisions for bringing the project into effect.
- 76E. *The F.A.R. permissible for the project.*—The F.A.R. permissible for such projects shall be 1.50 times the maximum values stipulated in column (4c) or (5b) as the case may be of Table 2 under rule 35 and in conformity with the notes there under, subject to a maximum of 4 and the fee for the additional F.A.R. shall be as stipulated in Table 2.
- 76F. *Minimum width of access.*—The minimum width of access shall be fifteen metres.
- 76G. *Ceiling for Residential use.*—Area for residential uses, if any, included in the project shall not exceed 40% of the land area of the project and shall be incidental to the main use(s).
- 76H. *Period for completion.*—The project shall be completed within a period of 3 years, if not specified otherwise.”
- (39) In rule 77, after sub-rule (2), the following shall be added, namely:—
- “ (3) The Government may, either *suo motu* or at the request of the Panchayat concerned, formulate road widening scheme by free surrender of land with such conditions as it deems fit for the success of the scheme and it shall have overriding effect over other provisions of these Rules.”
- (40) In rule 79, sub-rule (1) shall be substituted with the following, namely:—
- “(1) Maximum coverage permissible by the committee constituted under rule 82 shall not exceed, 80 per cent for residential, special residential, mercantile or commercial and storage occupancy, 60 per cent for assembly, office and Low and medium hazard industrial occupancy (Group G1), 50 per cent for educational, medical or hospital and high hazard industrial occupancy (Group G2) and 40 per cent for hazardous occupancy (Group-I)”

- (41) In rule 80, in the third proviso to sub-rule (1), for the words and figures "buildings having more than four floors or 15 metres height" the words "high rise building" shall be substituted.
- (42) In rule 82, sub-rule (1), for the words "Municipality or *suo motu*" the words "Panchayat or *suo motu*" shall be substituted.
- (43) In rule 93, after the words "The well", the words "other than tube well" shall be added.
- (44) After rule 93, the following rule shall be added, namely:
 "93A. *Tube well.* (1) In the case of tube wells, clearance from the Ground Water Department shall be obtained and produced prior to the issuance of permit."
- (45) After Chapter XIV, the following chapter shall be inserted, namely:---

"CHAPTER XIV A

SPECIAL PROVISIONS FOR CERTAIN CONSTRUCTIONS

- 97 A. *Special provisions for addition etc. over existing buildings.* (1) Notwithstanding anything contained in these rules but without prejudice to the provisions in the Act, alteration or addition/extension of the first floor or the second floor or both and/or conversion or erection of roof, shutter or door shall be permitted to buildings existing before the commencement of the Act subject to sub-rules (2) to (10) of this rule, even though the existing building and proposed floor(s) or work does not satisfy the provisions under rules 27, 28, 36, 37 and the provisions under Chapter VI and Chapter VII:
- Provided that alteration of existing building shall be permitted for the limited purpose of constructing staircase of ramp or flight of steps for use as access to the proposed floors, if such alteration satisfies the provisions under rule 28:

Provided further that the owner shall have no right to claim cost or compensation for both the existing building and the proposed floor(s) or any portion thereof if the same is required to be demolished in future for any road widening, or development under any scheme approved by Government or an authority under them:

Provided further that the owner shall be responsible for the structural stability and other safety of the building, both the existing and the proposed:

Provided also that the alteration or addition/extension or other works mentioned herein shall be permitted, even if the existing building has one basement floor.

- (2) The proposed alteration or addition/extension shall satisfy the provisions regarding clearance from overhead electric lines specified under Table 1 of rule 26 and if such clearance is not available, no objection certificate issued by the Chief Electrical Inspector or an Officer authorised by him shall be produced for issuing permit.
- (3) The distance from the boundary of the plot abutting road to the proposed second floor over the existing building having ground floor and first shall be that of the first floor, if the said distance is less than that required under rule 28.
- (4) The distance from the boundary of the plot abutting road to the proposed first floor or first and second floors over the existing building having ground floor, shall be that of the ground floor, if the said distance is less than that required under rule 28.
- (5) In the case of residential or special residential or mercantile/commercial buildings alteration or addition/extension of floor(s) or conversion of roof shall be permitted only if the existing building and the proposed floor(s) have average 60 centimetres open space from the boundaries of all the plots on its sides including rear:

Provided that if any portion, or side of the building abuts the plot boundary or have an open space less than that specified above, a consent document issued by the owner

of the plot on the abutting portion/side shall be produced along with the application for permit:

Provided further that not more than two sides shall be permitted to abut the boundary even with such consent document.

- (6) In the case of occupancies other than that mentioned under sub-rule (5), alteration or addition (extension) of floor (s) or conversion of roof shall be permitted only if the existing building and the proposed floor(s) have average 1.00 metre open space from all the plots on its sides including rear:

Provided that no building under Group G 1 Low and Medium hazard Industrial, Group G2 High hazard Industrial and Group I Hazardous occupancies shall be permitted under this rule.

- (7) The maximum coverage permissible shall, if the proposed is for first and second floors, be that of the ground floor over which such floors are proposed and if the proposal is for second floor, be that of the first floor over which such floor is proposed:

Provided that the proposed floor(s) shall not extend beyond the limits of the existing building.

- (8) The maximum floor area ratio permissible under this rule shall be as in Table 2 under rule 35 and for calculating the maximum floor area ratio permissible, the floor area of the proposed floor(s) and floor area of the existing building shall be taken into account.

- (9) Off street parking shall be provided as in Table 4A and 4B under rule 38 for the proposed floor(s) irrespective of whether off street parking is available for the existing building or not:

Provided that where the carpet area of the building including the proposed floor(s) does not exceed 300 sq.metres, provisions regarding car parking shall not be insisted for permitting alteration or addition (extension) of floor(s).

- (10) In the proposed alteration or addition (extension) of first and second floor(s), door shall be permitted only on the side or portion having 1.00 metre open space, window shall be permitted only on the side or portion having 60 centimetres open space and no opening shall be permitted on the side or portion having less than 60 centimetres open space.

97B. *Special provision for addition, alteration etc. over buildings permitted under Kerala Building Rules, 1984.*—(1) Without prejudice to the provisions in the Act, alteration or addition/extension of first floor or second floor or both and or conversion or erection of roof, shutter or door shall be allowed to buildings permitted under orders of competent authority granting exemption from provisions of Kerala Building Rules, 1984, issued by Government subject to sub-rules (2) and (3) of this rule, whether the work has commenced or not or whether being carried on or completed:

Provided that the permitted building and the proposed alteration or addition/extension or other work mentioned in this rule shall have minimum 3 metres distance from the boundary abutting any National Highway, State Highway, District road or other road notified by the Grama Panchayat, and minimum 1.5 metres from the boundary of other road.

- (2) The provisions under rules 27, 28, 36, 37 and the rules under Chapter VI and VII shall not apply to the proposed floor(s) or work whether the permitted building satisfies the said provisions or not.
- (3) The provisions under sub-rules (2) to (10) of rule 97 A shall *mutatis mutandis* apply to both the permitted building and the proposed building.

97C *Special provisions/or extension in the ground floor, etc.*—(1) Without prejudice to the provisions in the Act, extension in the ground floor with or without floors above it shall be permitted to any building, if the proposed extension satisfies the provisions in this rule, irrespective of whether the building proposed to be extended conforms to the provisions in these rules or not:

Provided that for the purpose of calculating maximum coverage and floor area ratio permissible and for calculating the total off street parking requirements and width of access to the building as well as the width of street giving access to the plot from the main street, both the proposed extensions and the building proposed to be extended shall be taken into account.

- (2) Addition/extension of upper floors to any building shall be permitted if the proposed addition/extension satisfies the provisions in this rule, irrespective of whether the building proposed to be extended conforms to the provisions in these rules or not:


Provided that in the case of existing ground floor on the side of cul-de-sac not exceeding 250 metres length or pedestrian lanes or streets up to 3 metres width, first floor shall be permitted above, it if the existing ground floor and proposed first floor have minimum 1.50 metres distance from the boundary abutting such cul-de-sac, lane or street irrespective of whether it satisfies the provisions in rule 28 and rule 36:

Provided further that for the purpose of calculating maximum coverage and floor area ratio permissible and for calculating the total off street parking requirements both the proposed extension and the building proposed to be extended shall be taken into account.

- (3) Separate and independent building shall be permitted in a plot already having one or more buildings, if the proposed building satisfies the provisions of this rule, irrespective of whether the existing buildings in that plot satisfies the provisions of these Rules or not:

Provided that for the purpose of calculating maximum coverage and floor area ratio permissible and for calculating the total off street parking requirements both the proposed and the existing building in the plot shall be taken into account:

Provided further that the proposed building shall have minimum 1.50 metres distance from the other existing buildings, if the proposed building has not more than 3 floors and shall have minimum 3 metres distance, if the proposed building has more than three floors.



- (4) Conversion of roof with the same or a different material shall be permitted to any building, if not otherwise prohibited by these rules or main rules or the Act, irrespective of whether such building conforms to the provisions in these rules or not:

Provided that the clear distance of the roof edges from the plot boundaries shall not be reduced from the existing distance, but however where sufficient distance is available it can be reduced to such extent that the provisions regarding projections permissible into open space as provided in rule 27 shall be observed:

Provided further that no portion of the roof shall encroach or project into the street or the neighbouring plots and water from the roof shall not be allowed to fall into the street or the neighbouring plots or the plot boundaries:

Provided also that no permission shall be necessary for conversion of roof with grass, leaf or thatch.

- (5) Conversion of shutters or doors with the same or a different material or erection of shutters or doors shall be permitted in any building irrespective of whether such building conforms to the provisions in these rules or not:

Provided that the area or height of the building shall not be increased.

- (46) In rule 102,

(a) in sub-rule (1), item (ix) shall be omitted.

(b) in sub-rule (3),

(i) words "Group I(1) 25 litres/sq.m of floor area" shall be omitted

(ii) for the: words "floor area", wherever occur, the words "coverage area" shall be substituted.

(iii) for the proviso, the following Note shall be substituted, namely:—

"Note:— 'Coverage' means the area mentioned in item (y) of sub-rule (1) of rule 2."

- (47) In rule 103, after subrule (1) the following proviso shall be added, namely :—

“Provided that, there shall be provision for solar water heater system in the case of single family residential building having built-up area for more than 400 sq.metres.”

- (48) In rule 104,—

- (a) after sub-rule (1) the following sub-rule shall be inserted, namely:—

“(1a) Every part of a building within a floor shall be accessible by a wheel chair and in case of level difference between parts they shall be connected by ramp/slop ways with minimum specification as above.”

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

“(a) they shall be provided at the ground floor for A1, A2, B, C, D, E and F occupancies and at every floor in multiples of three for A2, B, C, D, E, and F occupancies”.

- (49) for rule 105 the following shall be substituted, namely:—

“105- *High rise building*.— For the purpose of this chapter, ‘high rise building’ means a building having a height of 16 metres or more.”

- (50) In rule 111, for the figure and word “7 metres”, the figure and word “5 metres” shall be substituted.

- (51) In rule 112,—

- (a) for sub-rule (1), the following shall be substituted, namely:

“(1) A clear motorable open space of minimum 5 metres width shall be provided for the building at the front side as well as at anyone of its sides contiguous to the road abutting it, so as to facilitate fire fighting, which shall be kept free of vehicle parking or any other erections or projections thereon, other than projections of roof or weather shade or cornices of not more than 75 centimetres width.”

- (b) sub-rule (2) shall be omitted.

- (c) in sub-rule (4), for the figure and word "7 metres", the figure and word "5 metres" shall be substituted.
- (52) In rule 130, in sub rule (4), after the words "Application fee shall be", the words "Rupees one thousand and permit fee shall be as follows" shall be inserted.
- (53) In rule 132, item (ii) shall be replaced as follows:
- (ii) Single family residential buildings in Category II Village Panchayats under Group A1—Residential occupancy with total built-up area on all floors up to 150 sq.metres which includes existing and proposed within the plot, with number of storeys limited to two.
- (54) In rule 141, (i) in sub-rule (5), for the words "three years", the words "four years" shall be substituted.
- (55) In rule 144, in sub-rule (8), after the words "disqualify him for future registration the following words shall be added, namely:—
- "and the matter may be published in the website of the Government/Department".
- (56) In Appendix A,—
- (a) in item 3, after sub item (vi), the following sub items shall be inserted, namely:—
- "(vi a) Hut
- (vi b) Compound wall"
- (b) in item 13, the following shall be substituted, namely:—
- "Details of ownership documents, drawings, certificates etc. as specified in these Rules"
- (57) in Appendix C-1, the reference to sub-rule (7) under rule 12 shall be omitted.

By order of the Governor,

JAMES VARGHESE,

Principal Secretary to Government.

Explanatory Note

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

As per G. O. (Ms.) No. 41/11/LSGD dated 14-2-2011, Government had issued the Kerala Panchayat Building Rules, 2011 and notified in the Kerala Gazette Extraordinary No. 351 dated 14-2-2011 as S. R. O. No. 127/2011. Consequent to the notification, Government received many suggestions from various stakeholders. It has also come to the notice of the Government that in the case of some constructions, the permit of which could not get renewed within the time limit prescribed in rule 17, thereby the parties concerned face practical difficulties in completing the constructions and getting occupancy certificate. Government desires to bring in modifications in the aforesaid Rules so as to facilitate large scale development. Also the Government, *inter alia*, desires to modify the provisions of F. A.R., coverage, access, height of building etc. in the Building Rules. Considering the various aspects detailed above, the Government have, therefore, decided to make necessary amendments to the Rules.

This notification is intended to achieve the above object.