

## **CHAPTER – 1**

### **General Development Control Regulations**

#### **1. DEFINITIONS**

In these regulations, unless the context otherwise requires, the terms and expressions defined as below shall have the meaning indicated against each of them. The terms and expressions not defined in these regulations shall have the same meaning or spirit as defined in the Himachal Pradesh Town and Country Planning Act, 1977 and the rules framed there-under or as mentioned in the National Building Code (N.B.C.) as the case may be, unless the context requires otherwise.

##### **1.1 ABADI DEH**

Such areas as are recorded as Abadi deh or village abadis in the revenue records or as may be notified by general or special orders of the State Government or the District Collector or by the competent authority under these regulations for the purpose of these regulations.

##### **1.2 ACT**

Means the Himachal Pradesh Town and Country Planning Act, 1977 (Act No.12 of 1977).

##### **1.3 ADDITIONS AND ALTERATIONS**

Means any change in existing authorized building or change from one use to another use, or a structural change such as additions to the area or height, or the removal of part of a building, or a change to the structure such as the construction or cutting into or removal of any wall or part of a wall, partition, column, beam, joist, floor including a mezzanine floor or other support or a change to or closing of any required means of ingress or egress or a change to fixtures or equipments, as provided in these regulations. The addition to any existing structure shall only be permitted if it complies with the provisions of relevant regulations for structural safety.

##### **1.4 ADVERTISING SIGN/HOARDING**

Means any surface or a structure with character, letter or illustration, applied thereto and displayed in any manner whatsoever out of doors for the purpose of advertising, giving information regarding or to attract the people to any place, person, public performance, article or merchandise, and which surface or structure is attached to, forms part of, or is connected with any building or to the ground or to any pole, screen, hoarding or displayed at any space or in or over any water body included in the limits of Special Area.

##### **1.5 AIR-CONDITIONING**

Means the process of treating air to control simultaneously its temperature, humidity, cleanliness and distribution to meet the requirements of an enclosed space.

## 1.6 AMENITIES

Means roads, streets, open spaces, parks, recreational grounds, play-grounds, gardens, water supply, electric supply, street lighting, drainage, sewerage, public works and other utilities, communication network, services and conveniences.

## 1.7 APARTMENT/FLATS

“Apartment” whether called block, chamber, dwelling unit, flat, lot, premises, suite, tenement, unit or by any other name, means a separate and self-contained part of any property, including one or more rooms or enclosed spaces, located on one or more floors or any part or parts thereof, in a building, or in a plot of land, used or intended to be used for residence, office, shop, showroom, or go down or for carrying on any business, industry, occupation, profession or trade, or for any other type of independent use ancillary to the purpose specified above and with a direct exit to a public street, road or highway or to a common area leading to such street, road, or highway and includes any garage or room, whether or not adjacent to the building in which such apartment is located, provided by the promoter for the use by the allottee for parking any vehicle or, as the case may be, for the residence of any domestic servant employed in such apartment.

Explanation-I - If a basement, cellar, garage, room, shop or storage space is sold separately from any apartment, it shall be treated as an independent apartment and not as part of any other apartment or of the common areas and facilities;

Explanation-II.- Notwithstanding that provision is made for sanitary, washing, bathing or other conveniences as common to two or more apartments, the apartments shall be deemed to be separate and self-contained;

## 1.8 AUTOMATIC SPRINKLER SYSTEM

Means an arrangement of pipes and sprinklers, automatically operated by heat and discharging water on fire, simultaneously on an audible alarm.

## 1.9 BASEMENT OR CELLAR

Shall mean the lower storey of a building having at least half of the clear floor height of the basement or cellar below average ground level. It shall conform to requirements as mentioned in para 5.3

## 1.10 BUILDING

Building includes any structure or erection, or part of a structure or erection, which is intended to be used for residential, industrial, commercial or other purposes, whether in actual use or not. It means all types of permanent buildings defined in (a) to (r) below.

(a) "Assembly building" means a building or part thereof where groups of people congregate or gather for amusement, recreation, social, religious, patriotic, civil, travel and similar purposes.

Assembly building shall include buildings of drama and cinema theatres, city halls, town halls, auditoria, exhibition halls, museums, "marriage hall", "skating rings", gymnasias, stadia, restaurants, eating or boarding houses, place

of worship, dance halls, clubs, gymkhanas, road, air, sea or other public transportation stations and recreation piers.

- (b) "Business building" means any building or part thereof used for transaction of record therefor, offices, banks, all professional establishments, court houses classified as business buildings if their principal function is transaction of business and/or keeping of books and records.
- (c) "Detached building" means a building with walls and roofs independent of any other building and with open spaces on all sides.
- (d) "Semi-detached building" means a building having one or more side attached with wall and roof with other building.
- (e) "Educational building" means a building exclusively used for a school or college, recognised by the appropriate Board or University, or any other Competent Authority involving assembly for instruction, education or recreation incidental to educational use, and including a building for such other uses incidental thereto such as a library or a research institution. It shall also include quarters for essential staff required to reside in the premises, and a building used as a hostel captive to an educational institution whether situated in its campus or not.
- (f) "Hazardous building" means a building or part thereof used for, -
  - (i) storage, handling, manufacture or processing of radio-active substances or of highly combustible or explosive materials or products which are liable to burn with extreme rapidity and/or producing poisonous fumes or explosive.
  - (ii) storage, handling, manufacture or processing of, which involves highly corrosive, toxic obnoxious alkalies, acids, or other liquids, gases or chemicals producing flame, fumes, and explosive mixtures or which result in division of matter into fine particles and capable of spontaneous ignition.
- (g) "Industrial building" means a building or part thereof wherein products or, material are fabricated, assembled or processed, such as assembly plants, laboratories, power plants, refineries, gas plants, mills, dairies and factories.
- (h) "Institutional building" means a building constructed by Government, Semi-Government organisations, public sector undertakings, registered Charitable Trusts for their public activities, such as education, medical, recreational and cultural, hostel for working women or men or for an auditorium or complex for cultural and allied activities or for an hospital, care of orphans, abandoned women, children and infants, convalescents, destitute or aged persons and for penal or correctional detention with restricted liberty of the inmates ordinarily providing sleeping accommodation, and includes dharamshalas, hospitals, sanatoria, custodian and penal institutions such as jails, prisons, mental hospitals, houses of correction, detention and reformatories.
- (i) "Mercantile building" means a building or part thereof used as shops, stores or markets, for display and sale of wholesale or retail goods or merchandise, including office, storage and service facilities incidental thereto located in the same building.

- (j) "Low rise building" shall mean a building having height up to 15.0 m or having ground floor plus three floors, whichever is more. Height will be considered as defined in clause 1.49.
- (k) "High-rise building" shall mean building other than mentioned in 2.9 (j) i.e. "Low Rise Building" provided the maximum permissible height shall not exceed 30 mts, excluding the height of the sloping roof. Height will be considered as defined in clause 1.49.
- l) "Office building" means a building or premises or part thereof whose sole or principal use is for an office or for office purposes or clerical work, "Office purposes" includes the purpose of administration, clerical work, handling money, telephone, telegraph and computer operation; and clerical work" includes writing, book-keeping, sorting papers typing, filing, duplicating, punching cards or tapes, machines for calculations and drawing of matter for publication.
- (m) "Public building" means a building constructed by Government, Semi-Government organisations, public sector under-takings, registered Charitable Trust or such other organisations for their non-profitable public activities
- (n) "Residential building" means a building in which sleeping accommodation is provided for normal residential purposes, with or without cooking or dining facilities, and includes one or more family dwellings, lodging or boarding houses, hostels, dormitories, apartment houses, flats and private garages of such buildings.
- (o) "Special building" means
- (i) a building solely used for the purpose of a drama or cinema theatre, motion picture, a drive-in-theatre, an assembly hall or auditorium, town hall, lecture hall, an exhibition hall, theatre museum, stadium, community hall, marriage hall.
  - (ii) a hazardous building;
  - (iii) a building of a wholesale establishment;
  - (iv) centrally air-conditioned building which exceeds 14.5 m in height, in case where in building is constructed on stilt.
- (p) "Storage building" means a building or part thereof used primarily for storage or shelter of goods, merchandise and includes a building used as a warehouse, cold storage freight depot, transit shed, store house, public garage, hanger, truck terminal, grain elevator, barn and stable.
- (q) "Unsafe building" means a building which,
- (i) is structurally unsafe,
  - (ii) is insanitary,
  - (iii) is not provided with adequate means of egress,
  - (iv) constitutes a fire hazard,
  - (v) is dangerous to human life,

(vi) in relation to its existing use constitutes a hazard to safety or health or public welfare by reasons of inadequate maintenance, dilapidation or abandonment.

(r) "Wholesale establishment" means an establishment wholly or partly engaged in wholesale trade and, manufactures wholesale outlets, including related storage facilities, warehouses and establishments engaged in truck transport, including truck transport booking warehouses.

**1.11 BUILDING LINE**

Means the line up to which the plinth of a building adjoining a street or an extension of a street or on a future street may lawfully extend and includes the lines prescribed, in any sectoral plan and/or Development Plan or as prescribed by the Competent Authority.

**1.12 BUILT-UP AREA**

Means the area covered by a building on all floors including cantilevered portion, if any, but except the areas excluded specifically under these regulations.

**1.13 BUILT- UP HERITAGE**

It shall comprise of all the buildings both private and government falling within the heritage zone as well as the heritage building out side the heritage zone as declared by the competent authority.

**1.14 COMPETENT AUTHORITY**

Means the Chief Executive Officer, BBNDA or any person or persons or authority or authorities authorized by the Baddi-Barotiwala-Nalagarh Development Authority as the case may be to perform such functions as may be specified. Different persons or authorities may be authorized to perform different functions.

**1.15 CHIMNEY**

Means a construction by means of which a flue is formed for the purpose of carrying products of combustion to the open air and includes a chimney stack and the flue pipe.

**1.16 CHHAJJA / WEATHER SHED**

Means a structural overhang provided over opening on external walls for protection from the weather.

**1.17 CHOWK**

Means a fully or partially enclosed space permanently open to the sky within a building at any level, inner chowk being enclosed on all sides and an outer chowk having one unenclosed side.

**1.18 COMBUSTIBLE MATERIAL**

Means that material which when burnt adds heat to a fire when tested for combustibility in accordance with the IS: 3808-1966 Method of Test for Combustibility of Building Material, National Building Code.

**1.19 CONTIGUOUS HOLDING**

Means a contiguous piece of land in one ownership irrespective of separate property register cards /record of rights.

**1.20 CORRIDOR**

Means a common passage or circulation space including a common entrance hall.

**1.21 COURTYARD**

Means a space permanently open to the sky within the site around a structure.

**1.22 COMMON PLOT**

Shall mean a common open space exclusive of setbacks and approaches, at a height not more than ground level of the plot. The owner shall have to give an undertaking that the common plot shall be for the common use of all the residents or occupants of the plot, free of cost.

On sanction of the development permission, the common plot shall deem to have vested in the society/association of the residents/occupants. In case such society or Association is to be formed, the possession/custody of common plot shall remain with Competent Authority until such association/society is formed. The common plot shall not be sold to any other person and it shall not be put to any other use except for the common use of the residents/occupants.

**1.23 COTTAGE INDUSTRY**

It includes household industry that is activities which can be permitted in an ordinary residential house or farm house as it does not result into any air, water or noise pollution.

**1.24 DEVELOPER**

Means the person who is legally empowered to construct or to execute work on a building unit, building or structure, or where no person is empowered, the owner of the land/plot, building or structure.

**1.25 DHARAMSHALA**

Means a building used as a place of religious assembly, a rest house, a place in which charity is exercised with religious or social motives, or a place wherein a certain section of people have a right of, or are granted residence without payment or on nominal payment.

**1.26 DRAIN**

Means a system or a line of pipes, with their fittings and accessories such as manholes, inspection chambers, traps used for drainage of building or yards appurtenant to the buildings within the same cartilage. A drain includes an open channel for conveying surface water or a system for the removal of any liquid.

**1.27 DWELLING UNIT**

Means a shelter consisting of residential accommodation for one family. Provided that the minimum accommodation in a dwelling unit shall be one room of minimum carpet area of 9 sq.m with a minimum side of 2.4 M and a water closet.

**1.28 ENCLOSED STAIRCASE**

Means a staircase separated by fire resistant walls and doors from the rest of the building.

**1.29 EXISTING BUILDING**

Means an authorized building or a structure existing before the commencement of these regulations.

**1.30 EXISTING USE**

Means use of a authorised building or a structure existing before the commencement of these Regulations.

**1.31 EXIT**

Means a passage, channel or means of egress from any building, storey or floor area to a street or other open space of safety; horizontal exit, outside exit and vertical exist having meanings at (i), (ii) and (iii) respectively as under :

- (i) "HORIZONTAL EXIT":- means an exit which is a protected opening through or around at fire wall or bridge connecting two or more buildings.
- (ii) "OUTSIDE EXIT":- means an exit from a building to a public way, to an open area leading to a public way or to an enclosed fire resistant passage leading to a public way.
- (i) "VERTICAL EXIT":-means an exit used for ascending or descending between two or More levels, including stairways, smoke-proof towers, ramps, escalators and fire escapes.

**1.32 EXTERNAL WALL**

Means an outer wall of a building not being a party wall even though adjoining a wall of another building and also means a wall abutting on an interior open space of any building.

**1.33 ESCAPE ROUTE**

Means any well ventilated corridor, staircase or other circulation space, or any combination of the same, by means of which a safe place in the open air at ground level can be reached.

**1.34 FIRE AND/OR EMERGENCY ALARM SYSTEM**

Means an arrangement of call points or detectors, sounders and other equipment for the transmission and indication of alarm signals working automatically or manually in the event of fire.

**1.35 FIRE LIFT**

Means a special lift designed for the use of fire service personnel in the event of fire or other emergency.

**1.3 FIRE PROOF DOOR**

Means a door or shutter fitted to a wall opening, and constructed and erected with the requirement to check the transmission of heat and fire for a specified period.

**1.37 FIRE PUMP**

Means a machine, driven by external power for transmitting energy to fluids by coupling the pump to a suitable engine or motor, which may have varying outputs/capacity but shall be capable of having a pressure of 3.2 kg/cm<sup>2</sup> at the topmost level of multi-storey or high rise building.

**1.38 FIREPUMP-BOOSTER FIRE PUMP**

Means a mechanical/electrical device which boosts up the water pressure at the top level of a multi-storied/high-rise building and which is capable of a pressure of 3.2 kg/cm<sup>2</sup> at the nearest point.

**1.39 FIRE RESISTANCE**

Means the time during which a fire resistant material i.e. material having a certain degree of fire resistance, fulfils its function of contributing to the fire safety of a building when subjected to prescribed conditions of heat and load or restraint. The fire resistance test of structures shall be done in accordance with IS: 3809-1966 Fire Resistance Test of Structure.

**1.40 FIRE SEPARATION**

Means the distance in meter measured from any other building on the site or from another site, or from the opposite side of a street or other public space to the building.

**1.41 FIRE SERVICE INLET**

Means a connection provided at the base of a building for pumping up water through-in-built fire-fighting arrangements by fire service pumps in accordance with the recommendation of the Chief Fire Officer.

**1.42 FIRE TOWER**

Means an enclosed staircase which can only be approached from the various floors through landings or lobbies separated from both the floor area and the staircase by fire resisting doors.

**1.43 FLOOR**

Means the lower surface in a storey on which one normally walks in a building, and does not include a mezzanine floor. The floor at ground level with a direct access to a street or open space shall be called the ground floor; the floor above it shall be termed as floor 1, with the next higher floor being termed as floor 2, and so on upwards.

**1.44 FLOOR AREA RATIO (F.A.R.)**

Means quotient of the ratio of the combined gross floor area of the all floors including areas of all walls, except areas specifically exempted under these regulations, to the total area of the plot.

$$\text{Floor Area Ratio (FAR)} = \frac{\text{Total floor area including walls of all floors}}{\text{Plot Area}}$$



Provided that the following shall not be counted towards computation of F.A.R.

Features open to sky like well, park, rockery, water pool, swimming pool, platform for a tree, fountain, bench etc.

- I. Open air space required under these regulations in core area and Abadi deh.
- II. Drainage, culvert, conduit, catch-pit, chamber etc.
- III. Compound wall, gate, porch/portico (without construction above it), slides, swings, open ramp leading to basement or stilts.
- IV. Parking spaces without any enclosures and partitions of any kind, with maximum clear height of 2.4 m
- V. Area under cellar/basement exclusively used for required parking or other activities as per rules.
- VI. Interior open spaces and ducts required under these regulations subject to maximum 4 % of the built-up area .
- VII. Canopy and architectural projections not to be used for any other purpose
- VIII. One security cabin upto 2m x 2m only.
- IX. Weather shed up to 0.45 mt width.
- X. Lift, lift well with lift machine room/cabin, fire Escape stair cases, stairs and mummy there upon.
- XI. Stair cabin, lift landing of lift well and water tank.
- XII. Electric room as specified by Himachal Pradesh Electricity Board.
- XIII. Special uses/items permissible in industrial plots these regulations.
- XIV. Service floor as permissible under rules.
- XV. Generator room provided in a setback of minimum 9.0 m width and causing no obstruction to the free movement of fire tender or ambulance.
- XVI. Area surrendered for widening of roads, paths etc. in case no compensation is availed.

#### **1.45 FLOOR AREA**

Means built- up area including the area of walls.

#### **1.46 FRONT**

Front as applied to a plot; means the portion facing the road and in case of plot abutting on more than one road and or more than 18 M in width, the front shall be decided by the Competent Authority considering the existing and future development trend of the surrounding area.

#### **1.47 FOOTING**

Means a foundation unit constructed in brick work, stone masonry or concrete under the base of a wall column for the purpose of distributing the load over a large area.

#### **1.48 FOUNDATION**

Means that part of the structure which is in direct contact with and transmitting loads to the grounds.

#### **1.49 HEIGHT OF BUILDING**

Means the vertical distance measured from the average ground level/ high flood

level/plot level and up to the top of the finished level of the topmost floor slab in case of flat roofs and excludes the height of the slopping roof (if any), excluding the genuine stair cabin, water tank, parking basement/cellar and lift roof (but including the parking floor stilt). The space created under the sloping roof must be unusable. High rise and low rise buildings have been specified in para 1.10 above according to which a building having a height upto 15.0 meters or having ground floor plus three levels, whichever more, shall be a low-rise building. A building having more than these parameters shall be treated as a high-rise building. **Note :** High flood level shall be decided by Competent authority.

**1.50 GROUND LEVEL**

Shall mean the level of the crown of the existing nearest constructed road or existing ground level, high flood level whichever is higher as may be decided by Competent Authority.

Note :- High flood level shall be decided by Competent authority.

**1.51 GARRAGE-PRIVATE**

Means a building or a portion thereof designed and used for the parking of vehicles.

**1.52 GARRAGE-PUBLIC**

Means a building or portion thereof, designed other than as a private garrage, operated for gain, designed and/or used for repairing, servicing, hiring, selling or storing or parking motor-driven or other vehicles. It has synonymous meaning as workshop.

**1.53 HABITABLE ROOM**

Means a room occupied or designed for occupancy for human habitation and uses

Incidental thereto, including a kitchen if used as a living room, but excluding a bathroom, water closet, compartment, laundry, serving and storing, pantry, corridor, cellar, attic, store-room, pooja-room and spaces not frequently used. Height of such room shall not be less than 2.80 meter measured from finished floor to finished ceiling.

**1.54 HEIGHT OF A ROOM**

Means the vertical distance measured from the finished floor surface to the finished ceiling/slab surface. The height of a room with a pitched roof means the average height between the finished floor surface and the bottom of the eaves and the bottom of the ridge.

**1.55 HAZARDOUS MATERIAL**

- 1) Means radio active substances;
- 2) Material which is highly combustible or explosive and/or which may produce poisonous fumes, explosive emanations, or storage, handling, processing or manufacturing of which may involve highly corrosive, toxic, obnoxious alkalis or acids or other liquids;
- 3) Material defined as Hazardous under Hazardous Waste (Management and Handling)

Rules, 2004 (Amended) or under Hazardous Chemicals (Management and Handling) Rules.

- 4) Other liquids or chemicals producing flame, fumes, explosive, poisonous, irritant or corrosive gases or which may produce explosive mixtures of dust or fine particles capable of spontaneous ignition.

**1.56 LIFT**

Means a mechanically guided car, platform or transport for persons and materials between two or more levels in a vertical or substantially vertical direction.

**1.57 LOFT**

Shall mean an intermediate floor between two floors with a maximum depth of 1.0 M and which is constructed and adopted for storage purpose. The loft, if provided in a room shall not cover more than 30% of the floor area of the room and its bottom edge of slab should not be below 2.2 m floor level.

**1.58 MEZZANINE FLOOR**

Shall mean an intermediate floor between two floors overhanging or overlooking a floor beneath. The mezzanine floor, if provided shall not cover more one third of the area of floor beneath it and at clear height of 2.4 m.

**1.59 MULTIPLEX**

Shall mean an integrated entertainment and shopping complex/ center. It shall necessarily have cinema halls and may have theaters, auditorium, retail shops, commercial show rooms, restaurants and food plazas, health club and fitness center, clubs call center, corporate offices, convention hall, bank, cyber café, video games, parlors, pubs, bowling allies and recreational activities and all the area/building except cinema halls shall in the commercial category.

**1.60 NEIGHBOURHOOD CENTRE AND CIVIC CENTRE**

Neighborhood Centre and civic Centre shall include following activities such as shopping centre, market, office building, cinema, small hospital, playground, gardens, public squares, swimming pool, town hall, open air theatre, civic and cultural facilities, library, higher secondary school, parking plots, public utility and service building such as post office, fire station, police station, religious building and building of public uses.

**1.61 NATURAL HAZARD**

The probability of occurrence, within a specific period of time in a given area, of a potentially damaging natural phenomenon.

**1.62 NATURAL HAZARD PRONE AREAS**

Areas likely to have moderate to high intensity of earthquake, or cyclonic storm, or significant flood flow or inundation, or land slides/mud flows/avalanches, or one or more of these hazards.

Moderate to very high damage risk zones of earthquakes are as shown in Seismic Zones III, IV and V specified in IS:1893; moderate to very high damage risk zones of cyclones are those areas along the sea coast of India prone to having wind velocities of 39 m/s or more as specified in IS:875(Part 3;) and flood prone areas in river plains (unprotected and protected) are indicated in the Flood Atlas of India prepared by the Central Water Commission.

**1.63 NON-COMBUSTIBLE**

Means not liable to burn or add heat to a fire when tested for combustibility in accordance with the IS-3808-1966 Method of Test for Combustibility of Building Materials.

**1.64 OCCUPANCY OR USE**

Means the principal occupancy or use for which a building or a part of it is used or intended to be used, including contingent subsidiary occupancies; mixed occupancy building being those in which more than one occupancy are present in different portions of the building.

**1.65 OPEN SPACE**

Means an area forming an integral part of the plot, left permanently open to sky.

**1.66 OWNER**

Includes a mortgagee in possession, a person who for the time being is receiving or is entitled to receive, or has received, the rent or premium for any land whether on his own account or on behalf of or for the further benefit of any other person or as an agent, trustee, guardian or receiver for any other person or for religious or charitable institutions or who would receive the rent or be entitled to receive the rent or premium if the land were to be let and includes a head of a Government department, General Manager of a Railway and the Chief Administrator by whatever name designated, or a local authority, statutory authority, company, corporation or undertaking in respect of properties under their control.

**1.67 PARAPET**

Means a low wall or railing built along the top edge a roof or a floor.

**1.68 PARKING SPACE**

Means an enclosed or unenclosed covered or open area sufficient in size to park vehicles, including driveway connecting them with a street or alley and permitting ingress or egress of vehicles.

**1.69 PARTITION**

Means an interior non-load bearing divider wall one storey or part storey in height.

**1.70 PERMANENT OPEN AIR SPACE**

Means air space permanently open

- 1) if it is a street,
- 2) if it is free from encroachment is protected by any law or contract ensuring that the ground below it is either a street or is permanently and irrevocably

appropriated as an open space.

In determining the open air space required for construction of a building, any space occupied by an existing structure may, if it is ultimately to become a permanently open air space, be treated as if it were already such a place.

**1.71 PERMISSION**

Means a valid permission or authorization in writing by the Competent Authority to carry out development or a work regulated by these regulations.

**1.72 PLINTH**

Plinth shall mean the portion of the external wall between the level of the street and the level of the storey first above the street.

**1.73 PLINTH AREA**

Means the built-up covered area measured at the floor level of the basement or of any storey.

**1.74 PLOT**

Shall mean a land/plot or part of a land/plot or combination of more than one land/plot as approved by the Competent Authority. Provided however where an alignment has been fixed on any road by any Competent Authority, the plot shall mean and refer to the land excluding the portion falling in alignment.

**1.75 PORCH**

Means a covered surface supported on pillars or otherwise for the purpose of a pedestrian or vehicular approach to a building.

**1.76 PREMIUM F.A.R.**

This means F.A.R. to be permitted over and above the permissible F.A.R. for categories specified under these regulations. The premium F.A.R. shall be granted in full or in part as per the applicant's requirements on payment of fees/charges as notified by the competent authority.

**1.77 PUBLIC PURPOSE**

The expression "Public Purpose" includes-

- 1) The provision of village sites, or the extension, planned development or improvement of existing village sites ;
- 2) The provision of land for town or rural planning ;
- 3) The provision of land for planned development of land from public funds in pursuance of any scheme or policy of Government and subsequent disposal thereof in whole or in part by lease, assignment or outright sale with the object of securing further development as planned ;
- 4) The provision of land for a corporation owned or controlled by the state ;
- 5) The provision of land for residential purposes to the poor or landless or to persons residing in areas affected by natural calamities, or to persons displaced or affected by reason of the implementation of any scheme undertaken by Government, any local Authority or a corporation owned or controlled by the state ;
- 6) The provision of land for carrying out any educational, housing, health or slum

clearance scheme sponsored by Government or by any Authority established by Government for carrying out any such scheme or with the prior approval of the appropriate Government by a Local Authority or a society registered under the societies Registration Act, 1860 or under any corresponding law for the time being in force in a state, or a co-operative society within the meaning of any law relating to co-operative society for the time being in force in any state;

- 7) The provision of land for any other scheme of development sponsored by Government or with the prior approval of appropriate Government, by a local Authority ;

**1.78 REAL ESTATE DEVELOPMENT**

Shall mean development undertaken for sale to persons other than the one undertaking the development.

**1.79 REGISTERED ARCHITECT / ENGINEER / PLANNER / STRUCTURAL DESIGNER / DEVELOPER**

Means respectively a person registered as per requirement of rule 17 of HP Town and Country Planning Rules, 2014 and as amended from time to time.

**1.80 RETENTION ACTIVITY**

Means an activity or use which is allowed to continue, notwithstanding its non-conforming nature in relation to the use permitted in the adjoining or surrounding area.

**1.81 RESIDENTIAL USE**

Mean a use of any plot for the purpose of human habitation only except hotels and hostels like business.

**1.82 ROAD/STREET**

Means any highway, street, lane, pathway, alley, stairway, passageway, carriageway, footway, square place or bridge, whether a thoroughfare or not, over which the public have a right of passage or access or have passed and had access uninterruptedly for a specified period, whether existing or proposed in any scheme, and includes all bunds channels, ditches, storm-water drains, culverts, sidewalks, traffic islands, road-side trees, hedges, retaining walls, fences, barriers and railings within the street lines.

**1.83 ROAD/STREET-LEVEL OR GRADE**

Means the officially established elevation or grade of the centre line of the street upon which a plot fronts, and if there is no officially established grade, the existing grade of the street at its mid-point.

**1.84 ROAD/STREET LINE**

Means the line defining the side limits of a road/street.

**1.85 "ROAD WIDTH" OR "WIDTH OF ROAD/STREET"**

Means the whole extent of space within the boundaries of a road when applied to a new road/street, as laid down in the city survey or development plan or prescribed road lines by any act or law and measured at right angles to the course or intended

course of direction of such road.

**1.86 SELF- USE DEVELOPMENT**

Means Development undertaken by an owner for his use.

**1.87 SERVICE ROAD**

Means a road/lane provided at the front, rear or side of a plot for service purposes.

**1.88 SETBACKS**

Shall mean space fully open to sky provided at the plot level from the edge of the building wherein built-up area shall not be permitted except specifically permitted projections under this regulation.

**1.89 SHOPPING CENTRE OR COMMERCIAL CENTRE**

Means a group of shops, offices and / or stalls designed to form market-office complex.

**1.90 SMOKE-STOP DOOR**

Means a door for preventing or checking the spread of smoke from one area to another.

**1.91 STAIR COVER**

Means a structure with a covering roof over a staircase and its landing built to enclose only the stairs for the purpose of providing protection from the weather, and not to be used for human habitation.

**1.92 STOREY**

Means the portion of a building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between any floor and the ceiling next above it.

**1.93 SLUM**

As mentioned in National slum policy.

**1.94 TEMPORARY STRUCTURE:**

All structures of temporary nature like tents, hutment as well as shamianas erected for temporary purposes for ceremonial occasions, with the permission of the competent authority,

**1.95 TENEMENT**

Means an independent dwelling unit with a kitchen or a cooking space & toilet.

**1.96 TENEMENT BUILDING**

Means residential building constructed in a semi-detached manner in a building unit, each dwelling unit being designed and constructed for separate occupation with independent provision of bath, w.c. etc.



**1.97 TRAVEL DISTANCE**

Means the distance from the remotest point of a building to a place of safety be it a Vertical exit or an horizontal exit or an outside exit measured along the line of travel.

**1.98 WATER CLOSET (W.C)**

Means a privy with an arrangement for flushing the pan with water, but does not include a bathroom.

**1.99 WATER COURSE**

Means a natural channel or an artificial channel formed by draining or diversion of a natural channel meant for carrying storm water. It is synonymous to natural nullah.

**1.100 WATER COURSE, MAJOR**

Means a water course which carries storm water discharging from a contributing area of not less than 160 hectares, the decision of the Competent Authority on the extent of contributing area being final. A minor water course is one which is narrower/smaller than a major one.

**1.101 WATER TANKS OR TALAV OR POND OR LAKE**

Means a existing natural depression or low lying grounds forming a natural water body or wherein rain water gets collected and/or plots designated as Talav under the revised development plan or any other legitimate records.

**1.102 "WAREHOUSE" OR "GODOWN"**

Means a building the whole or a substantial part of which is used or intended to be used for the storage of goods.

**1.103 WINDOW**

Means an opening, other than a door, to the outside of a building, which provides all or part of the required ventilation.

**1.104 WIDTH OF STREET/ROAD**

Means the clear average width of the existing right of way on which the building or plot ine abuts. The average width shall be computed by taking length of street between two extreme points on plot abutting the street at right angles to the direction of such streets excluding the steps projections, forecourts, open areas of other spaces in front of the building erected or intended to be erected. However in case where a regular line of street is prescribed by the Competent Authority, such width shall be considered for the purpose of computing building height.

**1.105 NATURAL DISASTER**

Means a catastrophe, mishap, calamity or grave occurrence in any area arising from natural or man made causes, or by accident or negligence which results in substantial loss of the life or human suffering or damage to, and destruction of, property, damage to, or degradation of, environment, and is of such a nature or magnitude as to be beyond the coping capacity of the community of the affected area;



**1.106 MTIGATION**

Refers to the measures taken in advance of a disaster aimed at decreasing or eliminating its impact on a society and on a environment including preparedness and prevention.

**1.107 NATURAL HZARDS**

Means probability of occurrence, within a specified period of time in a given area, of a potentially damaging natural phenomenon.

**1.108 NATURAL HAZARD PRONE AREA**

Means areas to have (i) moderate to very high damage risk zone of the earthquakes, OR (ii) moderate to very high damage risk of cycles OR (iii) significant flow of or inundation, OR (iv) land slide potential or proneness, OR (v) one more of these hazards.

## CHAPTER – 2

### 2.1 Zoning and Sub-division Regulations

The type of development of land in each land use zone shall be regulated as per proposed land use in the Development Plan, sub-division regulations made for planned development as given in **Appendix-I** and the Use Zone Table. Sub-Division of land/plots shall be applied as per Rule 16(1) of Himachal Pradesh Town & Country Planning Rules 2014.

### 2.2 RELAXATIONS

#### 2.3.1 Exemptions in BBN villages

Henceforth no formal permission shall be required to be obtained by the residents of villages included within BBN Special Area where exemptions shall be applicable under H.P TCP Act, 1977.

- 1) Such an exemption shall also be applicable to the area falling within the proposed urbanisable areas of Barotiwala-pocket as Koti (partially), Kambawala(fully), Sheran (partially), accros Sarsa river Landewal (fully) and Daso Majra( partially) accross Sarsa. Such an exemptions shall be applicable only for 'pushtani' land owners as per the direction of Hon'ble High Court of H.P.
- 2) Following activities shall be covered under these exemptions:
  - (i) Residential activities such as farm-houses and residential houses upto three storeys, cattle shed, toilet, septic tank, kitchen, store, parking, shed or garage and rain shelter;
  - (ii) Commercial activities such as basic commercial activities like shops of general merchandise, cobbler, barber, tailoring, fruit, vegetable, tea or sweet, eating places and dhabas, chemist and farm produce sale depot;
  - (iii) Service Industries such as cottage or house-hold, service industries like carpentry, knitting, weaving, blacksmith, goldsmith, atta-chakki with capacity upto five horse-power, water mill, agriculture equipments or machinery repair, electrical, electronic and house-hold appliances;
  - (iv) Public amenities such as public amenities like panchayat offices, schools, mahila mandals, yuvak mandals, community halls, post offices, dispensaries and clinics (including health, veterinary and Indian System of Medicines) information technology kiosks, Patwar khana, guard huts, anganwaris, electricity and telephone installations and connections, roads and paths, ropeways, water tanks, rain harvesting tanks, overhead or underground water tanks, pump houses, check dams, temples, churches, mosques, graveyards, cemeteries, cremation grounds and other religious buildings, bathing ghats, cremation shelters, rest sheds, baths, drainage, toilets, latrines, urinals, sewerage installations, wells, tube wells, baulies, garbage disposal bins, depots and other installations;
  - (v) Agriculture and horticulture related activities including rain harvesting structure, mild chilling plant, farm level godowns, seeds and fertilizer stores, farm clinics, pre-cooling units, primary processing units, green houses and poly houses; and

- (vi) Heritage related activities such as lakes, reservoirs, dams, baulies, wild life sanctuaries, cemeteries, graveyards, railway lines.

## **2.4 REGULATIONS OF PRESCRIBED LIMITS FOR DEVELOPMENT ACTIVITIES EXEMPTED UNDER SECTION-30 A OF THE HIMACHAL PRADESH TOWN & COUNTRY PLANNING ACT,1977( ACT NO12 OF 1977). (See Rules 13,14 & 18)**

Consequent upon the substitution of the existing provision of section 30-A of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977) with a new provision, notified vide Notification No. LLR-D(6)-5/2009 dated 27-3-2009 (published in Govt. Gazette on 27-3-2009) regarding exemptions from development permissions under the Act ibid in Planning and Special Areas of Rural Areas of the State, the Govt. has decided to provide following parameters/norms for construction activities in rural areas:-

### **2.4.1 Residential Buildings**

- (i) Maximum floor area = 600.00 M<sup>2</sup>
- (ii) Maximum number of storeys = 3 Nos.
- (iii) Maximum number of storeys = 3 Nos +1 Parking floor wherever feasible.

**Note-** The applicant may have a maximum floor area of 600.00 M<sup>2</sup> distributed over not more than three storeys.

### **2.4.2 Commercial Use**

- (i) Maximum floor area = 100.00 M<sup>2</sup>
- (ii) Maximum number of storeys = 2 Nos.
- (iii) Minimum access = 3.00 Metre
- (iv) Parking = For loading, un-loading and parking purpose suitable community parking space has to be arranged by the shop owners.

**Note-** The applicant may have a maximum floor area of 100.00 M<sup>2</sup> distributed over not more than two storeys.

### **2.4.3 Service Industries**

- (i) Maximum floor area = 100.00 M<sup>2</sup>
- (ii) Number of storeys = 1 No.
- (iii) Minimum access = 3.00 Metre
- (iv) Parking = for loading, un-loading and parking purpose suitable community parking space shall have to be ensured by the Industrialists.

### **2.4.4 Public Amenities**

- (i) Maximum floor area =As per requirement of the particular amenity.
- (ii) Maximum number of storeys=3 Nos.

- (iii) Minimum access =3.00 Metre  
 (iv) Parking =@ 0.5. to 1.5. Equivalent car space per 100 M<sup>2</sup> of floor area.

- (v) Play fields in case of = 0.20 Hectare to 1.60 hectare educational buildings is desirable, however, as per Availability of land.

## 2.5 Other Imperatives

- Structural safety and seismic proofing should be ensured.
- Attic and basement shall be counted as a storey.
- Sloping roof shall have to be ensured.
- No construction shall be raised within a distance of 5.00 Metre from the centre of the roads in respect of all other village roads.
- No construction shall be raised within controlled width of major District roads.
- Minimum front set back of 3.00 Metre from controlled width of National Highways, State Highways and Scheduled Roads under the Himachal Pradesh Road Side Land Control Act shall be kept.
- Construction on valley side of National and State Highways has to be restricted upto 1.50 Metre above the road level.
- Minimum set back of 2.00 Metre from the adjoining property, Government land and 5.00 Meter from Forest land shall have to be maintained.
- Minimum horizontal and vertical clearance from HT/LT lines shall have to be maintained in accordance with provisions of Indian Electricity Rules, as provided in the National Building Code of India-2005, as under:-

**Table 2.1**

Electricity line	Vertical distance (Metre)	Horizontal distance (Metre)
Low and medium voltage lines and service lines	2.50	1.20
High voltage lines upto and including 11000V	3.70	1.20
High Voltage lines above 11000V and upto and including 33000V.	3.70	2.00
Extra High Voltage lines beyond 33000V	3.70 (Plus 0.30 M every additional 33000V or part thereof.	2.00 (Plus 0.30 M for every additional 33000V or part thereof.

- j. Hill side cutting may be done upto 3.50 Metre

height.

- k. Provision of Rain Water Harvesting System @ 20 litre per square metre of roof area should be made.
- l. Septic Tank and Soak Pit should be made.
- m. Preference shall be given for Solar Passive Building Design.
- n. Locational attributes, aesthetics, local building material, heritage and environmental aspects should also be taken into account.

## 2.6 List of villages where exemptions under TCP Act shall not be applicable

73 villages of BBN Special area has been fully exempted under HP Town & Country Planning Act, 1977(Act No of 1977) as the pace of development is low in these villages mentioned below in table. However development in these areas shall be governed by the prescribed Act and Rules.

**Table 2.2**

Sr. No.	Fully Exempted	
	Name of the village	Hadbast No.
1.	Akanwali	181
2.	Dhabni	179
3.	Rauntawala	166
4.	Raipur-Jhakoli	168
5.	Majru	169
6.	Nanowal	151
7.	Khokra	148
8.	Plasra Kalu	80
9.	Plasra Gharuan	81
10.	Plasra Nichla	79
11.	Plasra Ditu	82
12.	Kalyanpur	76
13.	Bhatoli	67
14.	Hatda	58
15.	Pater- Phaloo	57
16.	Kaulanwala	52
17.	Pater Miani	59
18.	Jhajra	56
19.	Sauri-Gujran	61
20.	Sauri- Rajputan	62
21.	Ambwala	63
22.	Palli	64
23.	Navan Nagar	65
24.	Aduwal-Jhandori	66
25.	Basowal-Sultani	41
26.	Kashmirpur Gujran	42
27.	Malwala Nichli	44
28.	Malpur	45
29.	Kharuni	49
30.	Sukedi-Jagir	26
31.	Taprian	33
32.	Bhoran	30
33.	Kotla- kalan	08
34.	Raipur	5
35.	Gharoti	9
36.	Khanoa	23

37.	Khilian	28
38.	Rampur	1
39.	Abhipur	2
40.	Gholowala	14
41.	Kali-Bari	15
42.	Kular	16
43.	Tikkri	17
44.	Bir-Palsi	101
45.	Palsi Nathoo	102
46.	Barsen	11
47.	Barampur	104
48.	Talliwala	105
49.	Ghihar	106
50.	Mainsan Tibba	112
51.	Garjewala	109
52.	Toranwala	108
53.	Lakhanpur	114
54.	Jhiran	113
55.	Chandanpur	110
56.	Barotiwala	107
57.	Dhang Uperla	89
58.	Kanganwal	88
59.	Dhundli Gopi	85
60.	Paswalan	100
61.	Palsi Mangla	94
62.	Bara Basot	98
63.	Palsi Buttal	93
64.	Palsi Kalan	92
65.	Rampur	99
66.	Kheri	116
67.	Nahar Singh	117
68.	Mandiarpur	118
69.	Kasjambhowal knaitan	155
70.	Kasjambhowal Gujran	131
71.	Majra	97
72.	Handa Kaundi	156
73.	Dolan	27

## 2.7 Partially Exempted village of BBN Special area.

The villages located along the major roads and where as development is going on has been exempted partially under which 78 villages are fall. The list of villages is given below in table

**Table 2.3**

Partially Exempted		
S. NO	Name of the village	Hadbast No.
1.	Lodhimajra	173
2.	Saneerh	84
3.	Dhabota	96
4.	Bhatian	86
5.	Dhanna	85
6.	Nangal Nihla	83

7.	Goyala Jamala	77
8.	Rehru Jhiriwala	74
9.	Rehru Upera	75
10.	Mahadeev	68
11.	Dolowal	69
12.	Bhanglan	72
13.	Bhogpur	73
14.	Nayagaram	55
15.	Majri	70
16.	Ratyur	71
17.	Panjhera	51
18.	Sobhan majra	54
19.	Pater-Bhaunkhoo	53
20.	Gulabpura	60
21.	Baglehr	50
22.	Kashmirpur Brahmana	40
23.	Kathiru Majra	39
24.	Malwala Uperli	43
25.	Androla Nichla	46
26.	Andorla Uperla	47
27.	Raiya	48
28.	Sukedi Khalsa	31
29.	Joghon	32
30.	Baniala	34
31.	Jagatpur	35
32.	Basowala Agri	36
33.	Nagal - Kuhal	37
34.	Kalyanpur	38
35.	Baruna	10
36.	Majra	11
37.	Phulahi	7
38.	Nangal Dhakka	19
39.	Baircha	21
40.	Mastanpura	22
41.	Bhatoli	3
42.	Karsoli	4
43.	Chak	13
44.	Deoli	12
45.	Kawanwali	25
46.	Baihli	24
47.	Bagheri	18
48.	Sainimajra	91
49.	Manganpura	120
50.	Dher-Majra	103
51.	Manjholi	119
52.	Gurumajra	182
53.	Chanal Majra	177
54.	Manakpur	176
55.	Shahpur	171
56.	Kaundi	180
57.	Dhela	178
58.	Jhattimajra	172
59.	Nandpur	170
60.	Banbirpur	174
61.	Doduwal	175
62.	Theda	165

63.	Thana	192
64.	Beli khol	162
65.	Dharampur	193
66.	Kishanpura	163
67.	Manpura	164
68.	Harraipur	183
69.	Nalka	158
70.	Dhana	159
71.	Tahliwala	160
72.	Saner	161
73.	Khera Nihla	150
74.	Khera Uprala	149
75.	Chak	152
76.	Beli diawar	153
77.	Brahanman Beli	154
78.	Nangal Uparla	78

**2.8 Exemptions shall not be applicable along Development Plan/Scheme roads within the limits prescribed as under:-**

1. Area up to 50 meters on both sides from the edge of the R.O.W. of proposed Bye Pass to NH 21-A from Baddi to Manjholi road.
2. Area up to 50 meters on both sides from the edge of the R.O.W. of Dhabota to Bhogpur road
3. Area up to 50 meters on both sides from the edge of the R.O.W. of Panjehra to Bagheri road
4. Area up to 50 meters on both sides from the edge of the R.O.W. of Ring road linking Ropar road to Ramshahar road via Souri
5. Area up to 50 meters on both sides from the edge of the R.O.W. of Kishanpura to Gurumajra to Thana road
6. Area up to 50 meters on both sides from the edge of the R.O.W. of Manpura to Dhela to Dabni road
7. Area up to 50 meters on both sides from the edge of the R.O.W. of Kharooni to Lodhimajra to Dabni road
8. Area up to 50 meters on both sides from the edge of the R.O.W. of Kishanpura to Ropar via Handa Kaundi road
9. Area up to 50 meters on both sides from the edge of the R.O.W. of Khera to Rajpura road
10. Area up to 50 meters on both sides from the edge of the R.O.W. of Peersthan to Khokhra chowk via Khera Uperla road



11. Area up to 50 meters on both sides from the edge of the R.O.W. of Goljamala to NH 21-A via Aduwal Janderi road
12. Area up to 50 meters on both sides from the edge of the R.O.W. of NH 21-A to Ramshahar road via Nangal Uperla
13. Area up to 50 meters on both sides from the edge of the R.O.W. of Panjhera to Bharatgarh via Navagram road
14. Area up to 50 meters on both sides from the edge of the R.O.W. of Baruna to Karsoli to Kiratpur road
15. Area up to 50 meters on both sides from the edge of the R.O.W. of Baruna to B

**Note:**

In addition to this all big projects shall have to take prior permission from the BBNDA irrespective of exempted area.

**Further provided as here under:**

- (i) Every project involving construction of industry, commercial complex, apartments, hotels, institutions etc. shall have to be got cleared from BBNDA like before. Similarly for all cases requiring permission under section 118 of the H.P. Tenancy & Land Reforms Act, 1974 prior N.O.C. of BBNDA shall be mandatory in exemptions areas.
- (ii) In case of any unauthorized activities beyond what is stated above, BBNDA shall have the right to initiate any action as and when such activities are brought or come to its notice.
- (iii) HPSEB and I&PH department shall also ensure the release of service connections in accordance with above mentioned scheme.
- (iv) That BBNDA may add or delete any road and stretch of road in the list given above.

**Remarks**

- (i) The benefit of above exemptions shall only be available to the residents and original inhabitants of the areas, who owned the property at the time of commencement of the Act and their natural heirs only and not to the persons who purchased land in rural areas.
- (ii) Any person intending to carry out development activities exempted under section 30-A of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977) shall give information on simple paper alongwith a copy of original jamabandi and original tatima to the concerned Panchayat before carrying out development activities. The concerned Panchayat after verifying the documents, shall grant No Objection Certificate (NOC) to the applicant under section 83-A of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977) for obtaining service connections.
- (iii) In case of any constraints as per the site conditions in maintaining set backs or any other Regulations, the concerned Officer vested with the powers of the Director may relax the same.

## 2.9. SELF CERTIFICATION OF PLANS

To facilitate common public as well as entrepreneurs, a scheme for self-certification of plans is being introduced in respect of Baddi-Barotiwala- Nalagarh Special Area. This scheme shall be applicable only in following cases: -

- 1) Plots within the approved layouts of HIMUDA, HPSIDC, Industries department, colonisers or developers etc. provided zoning has been cleared/approved in the sanctioned plan.
- 2) Proposals for constructions on individual plots provided a site plan with zoning regulations has been got approved along with change of land use from the competent authority.
- 3) The drawings shall be prepared by an Architect, Engineer, Town Planner or other professional duly licensed and registered with the Director, Town & Country Planning, H.P. under provisions of Rule 17 of H.P. Town & Country Planning Rules, 2014.
- 4) The case duly complete in following respects shall be submitted to the C.E.O., BBNDA EPIP –I Jharmajri at Baddi
  - a. Three sets for drawings for areas outside M.C. limits and four sets for areas inside M.C. limits. One of the prints shall go to the applicant, second to the guard/master file, third to the file concerned and fourth to the local body where so involved.
  - b. Fee for change of land use as well as planning permission. Details of the fee shall be worked out according to the area statement.
  - c. Latest revenue documents viz; tatima jamabandi .
  - d. Check list
  - e. Structural stability certificate
  - f. Any other document or documents essentially relevant with the case.
  - g. It shall be the responsibility of the owner as well as his/her architect or professional to ensure that the case has been submitted as per regulations applicable on the date of submission of the case.
  - h. Immediately after submission of the case, the owner shall have to wait for the construction/development work at site until case is not got approved from the BBNDA.
  - i. It shall be responsibility of the owner as well as his/her professional to ensure development/construction activity strictly as per rules and regulations and the submitted map.
  - j. Both the owners and his/her architect shall submit a joint undertaking for applying the case for development.
  - k. Intimation shall be given on simple paper to the effect that construction has

been raised up to plinth level at site where-upon the same shall be liable to be checked by the officials of BBND. There shall be boundary pillars fixed on all the corners and/or sides of the plot so as to check that the building envelope is being raised in accordance with the zoning regulations.

- l. The building plans shall be formally approved by the authority before commencing any construction beyond the plinth level. Any construction so done without the approval of authority shall be presumed to be in violation of Act & Rules and this scheme.
- m. In case the self-certification is found contrary to the ground realities, a complaint against the professional shall be sent to the concerned quarter and the professional wrongly certifying may be barred from practice. The concerned authority shall be the Council of Architecture in case of architects registered with it. In case of other professionals it shall be the Director, Town & Country Planning, H.P.
- n. The mere submission of a case under self-certification scheme does not confer any right upon an owner and/or his architect to undertake a construction/development in contravention of zoning regulations. It shall be the responsibility of the architect as well as the owner to confirm that the case has been prepared as per existing bye-laws.
- o. Upon completion of the building, the architect shall submit a revised-cum-completion plan where any changes have taken place. The construction shall as per the land use accorded.

## **2.10 Procedure for seeking Development Permission**

- 2.10.1 The application for development of land to be undertaken on behalf of the Union or State Government, under section 28 and under Section 29 by a local authority or any authority specially constituted under the H.P Town and Country Planning Act 1977 shall be accompanied by such documents as prescribed under Rule 11 of the H.P Town and Country Planning Rule, 2014.
- 2.10.2 The application for development of the land to be undertaken under Section 30 by any person not being the Union or State Government, Local Authority or any authority specially constituted under H.P Town and Country Planning Act, 1977 shall be in such forms along with the specifications sheet and schedule attached with these forms and containing such documents and with such fee as prescribed under Rule 16(2) of the H.P Town and Country Planning Rule, 2014.

## **2.11 Forms for Application**

Every person who apply for planning permission under relevant section of the Act shall furnish all information in forms and format prescribed under these regulations and as may be amended from time to time by the Competent Authority.

- 1) The applicant shall submit satisfactory documentary legal evidence of his right (Tatima/ Jamabandi) to develop or to build on the land in question including Register for city survey an extract from the record of rights for revenue lands or the copy of the index of registered deed as the case may be.

- 2) A certificate of the licensed Structural Engineer in regard to the proposed building shall be submitted under these Development Control Regulations as the case may be.
- 3) A Location plan (4 sets) with the following details wherever applicable in scale 1:1000
  - a) Plot boundaries
  - b) Name and location of street/approach to the plot.
  - c) Any important land mark building, public building or heritage structure located in neighborhood
  - d) Any public or government building, school, college or any other educational institution.
- 4) A site plan (4 sets) of the area proposed to be developed to a scale 1:200 showing:
  - i) The boundaries of the plot and plot level in relation to neighboring road level.
  - ii) The position of the plot in relation to neighboring streets.
  - iii) The name of the streets in which the plot is situated.
  - iv) All the existing buildings and other development existing on or under the site.
  - v) The position of buildings and of all other buildings and construction which the applicant intends to erect.
  - vi) The means of access with its width from the street to the buildings or the site and all other buildings and constructions which the applicant intends to erect.
  - vii) Yards and open spaces to be left around the buildings to secure free circulation of air, admission of light and access.
  - viii) The width of street in front and of the street at the side or rear of the building.
  - ix) The direction of north point relative to the plan of the buildings.
  - x) Any physical feature such as trees, wells, drains, oil & gas pipeline, high tension lines, railway lines etc.
  - xi)
    - a) Existing streets on all the sides indicating clearly the regular line for streets if any prescribed under the Act and passing through the plots.
    - b) The location of the building in the plot with complete dimensions.
    - c) The area within the regular line of the street not to be built upon but to be added to the street, hatched in green together with its measurements.
  - xii) Area classified for exemption of built-up area calculations.
  - xiii) A plan indicating parking spaces, as required under these regulations.
  - xiv) The positions of the plots immediately adjoining the proposed development.
  - xv) The position of every water closet, privy, urinal, bathrooms, cess pool, well or cistern in connection with the building other than those shown in the detailed plan.
  - xvi) The lines of drainage of the building, the size, depth and inclination of every drain and the means to be provided for the ventilation of the drains.
  - xvii) The position and level of the out fall of the drain.
  - xviii) The position of sewer, where the drainage is intended to be connected to sewer.
  - xix) Open spaces required under these Development Control Regulations.

- xx) Tree plantation required under these regulations.
- 5) The detailed building drawings (4 sets) showing the plans, sections and elevations of the proposed development work to a scale of 1:100 showing the following details wherever applicable:
- a) Floor plans of all floors together with the covered area; clearly indicating the size and spacing of all framing members and sizes of rooms and the position of staircases, ramps and lift wells.
  - b) The use of all parts of the building.
  - c) Thickness of walls, floor slabs and roof slabs with their materials. The section shall indicate the height of building and height of rooms and also the height of the parapet, the drainage and the slope of the roof. At least one section should be taken through the staircase. The position, form and dimensions of the foundation, wall, floor, roofs, chimneys and various parts of the building, means of ventilation and accesses to the various parts of the building and its appurtenances also should be shown in one cross section.
  - d) The building elevation from the major street.
  - e) The level of the site of the building, the level of lowest of building in relation to the level of any street adjoining the cartilage of the building in relation to one another and some known datum or crown of road.
  - f) Cabin plan.
  - g) The north point relative to the plans.
  - h) The forms and dimensions of every water closets, privy, urinals, bathrooms, cesspools, well and water tank or cistern to be constructed in connection with the building.
- 6) For high rise building and for special building like assembly, institutional, industrial storage and hazardous occupancy the following additional information shall be furnished/indicated in the following plans :
- a) Access to fire appliances/vehicles with details of clear motorable access way around the building and vehicular turning circle.
  - b) Size (width) of main and alternate staircase along with balcony approach, corridor, ventilated lobby approach as the case may be.
  - c) Location and details of lift enclosures.
  - d) Location and size of fire lift.
  - e) Smoke stops lobby/door, where provided.
  - f) Refuse chutes, refuse chamber, service duct etc. where to be provided.
  - g) Vehicular parking space.
  - h) Refuse area, if any.
  - i) Details of building services, air-conditioning system with position or dampers, mechanical ventilation system, electrical services, boilers, gas pipes etc. where provided.
  - j) Details of exits including provision of ramps etc. for hospitals.
  - k) Location of generator, transformer and switch gear room where required.
  - l) Smoke exhaust system, if any.
  - m) Details of fire alarm system network.
  - n) Location of centralized control, connecting all fire alarm, built-in fire

- protection arrangements and public address system etc. where required.
- o) Location and dimension of static water storage tank and pump room.
- p) Location and details of fixed fire protection installations such as sprinklers, wet risers, hose reels, drenchers, CO<sub>2</sub> installations etc.
- q) Location and details of first-aid fire fighting equipment /installations.
- r) Location for electric transformer.

(7) In case of plot is proposed to be sub-divided

- a) A location plan (4 sets) drawn to a scale not less than 1:1000 showing the surrounding lands and existing access to the land included in the layout plan.
- b) A site plan (4 sets) drawn to a scale of not less than 1:200 showing:
  - i) Sub-division of the land or plot or plot with dimension and area of each of the proposed sub-divisions and their use according to these regulations.
  - ii) Width of the proposed streets and internal roads.
  - iii) Dimensions and areas of open space provided under these regulations.

8) Certificate of undertaking:

9) The applicant shall also obtain copy of N.O.C. from relevant authority as per these regulations wherever applicable.

10) A copy of receipt in regard to the proof that the requisite fee has been deposited.

## 2.12 General Notation for Plan

The notation used for plans referred above shall be as under:

**Table 2.4**

Sr. No.	Item	Site Plan	Bldg. Plan
01.	Plot line	Yellow	Yellow
02.	Existing Street/Road	Black	Black
03.	Future Street, if any	Black dotted	-----
04.	Permissible lines	Thick Red dotted	-----
05.	Open space	No colour	No colour
06.	Existing work	Green	Green
07.	Work proposed to be demolished	Yellow Hatched	Yellow Hatched
08.	Proposed work	Red	Red
09.	Work without permission if started on site	Green	Green
10.	Drainage and sewerage work	Brown	Brown
11.	Water supply work	Blue dotted	Blue dotted

## 2.13 Plan and Specifications to be prepared by registered Architect/Engineer/Town Planner and Draftsman.

The plans and particulars prescribed under Rule 17 shall be prepared by a registered Town Planner/Architect/Engineer and draftsman. The details of registration

requirements are given in Appendix-IX.

## **2.14 Fees**

Any person not being the Union Government, State Government, a local authority or any other authority constituted under this Act, shall have to pay fees along with his application to the Competent Authority namely Baddi-Barotiwala-Nalagarh Development Authority at the rates as given Rule 16(2) and 35 (2) of Himachal Pradesh Town & Country Planning Rules 2014 or as revised time to time. For such purposes the area considered shall be the total built-up area even if part of such area is excluded from the calculation of FAR or ground coverage. The rates of premium F.A.R. shall be such as notified by the State Government.

## **2.15 Inspection**

### **i) Inspection at various stages:**

The Competent Authority may at any time during scrutiny of plan, erection of a building or the execution of any work or development, make an inspection thereof without giving prior notice of its intention to do so. Minimum two inspections first on completion of plinth level and second on completion of whole building shall be under taken by the Competent Authority through its authorized officer. Additionally, random checks shall be conducted.

### **(ii) Inspection by Fire Department:-**

For all multi-storeyed, high-rise and special building(s) the work shall also be subject to inspection by the Chief Fire Officer or the Fire Officer concerned.

### **(iii) Unsafe building:**

All unsafe buildings shall be considered to constitute danger to the public safety, hygiene and sanitation and shall be got restored by repairs or demolished or dealt with as otherwise directed by the Competent Authority as prescribed under the relevant clause on safety rules in National Building Codes.

### **(iv) Unauthorized development:-**

In case of un-authorised development, the Competent Authority shall take suitable action which may include demolition of un-authorised works as provided in The Himachal Pradesh Town and Country Planning Act, 1977 and HP Town & Country Planning Rules, 2014. Notices shall be issued to defaulter as per Forms are given annexure -

## **2.16 Rejection of Application**

If the plans and information given as per requirements of these regulation do not shown all the particulars necessary to deal satisfactorily with the development permission, the application shall be liable to be rejected, assigning the reasons of rejections in writing and communicated to the applicant by the competent authority.

## **2.17 Revocation of Permission**

The development permission if secured by any person by any misrepresentation or by producing false documents shall be liable to be treated as cancelled/revoked. Form is given at annexure-5

## 2.18 CONFORMITY WITH REGULATIONS

### 2.18.1 Development work to be Conformity with the Development Regulations

- a) All development works shall conform to the Development Plan proposals and the provisions made under these regulations. If there is a conflict between the requirements of these regulations and Panchayati Raj Act, Municipal Corporation and/or other acts, if any, in force the requirement of these regulations shall prevail. If there is a conflict between the requirements of these regulations and HP Town and Country Planning Rules 2014, if any, the requirements of these regulations shall prevail.
- b) Change of use: No building or premises should be changed or converted to a use other than the sanctioned use without prior permission of the Competent Authority in writing. Change of use not in conformity with these regulations shall not be permissible and shall be treated as illegal.
- c) In the public interest and in the interest of town design or any other specific consideration the Competent Authority may permit change of land use on specific ground(s) and may **relax** minimum size/area of plot, plot coverage & set backs. The decision of the Competent Authority shall be final.
- d) General land use in the Development Plan has been contemplated for specific uses. However, mixed land use shall not be prohibited unless otherwise a particular land use is hazardous in nature to the predominant use and fulfills the regulations fixed for the same at the time of coming into force of these regulations.
- e) No yard or plot existing at the time of coming into force of these regulations shall be reduced in dimension or area below the minimum requirement set forth herein. The yards or plots created after the effective date of these requirements shall meet at least the minimum requirements established by these regulations. All the plots registered prior to coming into force of these regulations shall be treated as plots irrespective of their size subject to the condition that 3.00 metres wide path abutting one side of the plot will be the basic requirement. If 3.00 metres wide path is not available at site and if it is lesser in width then the owner should surrender the remaining area from his plot to make the path 3.00 metres wide.
- f) The height limitations of these regulations shall not apply to all kinds of religious places e.g. temples, mosques, gurudwaras and churches etc. provided it is so designed and approved by the Competent Authority. The chimneys, elevators, poles, tanks and other projections not used for human occupancy may extend above the prescribed height limits. The cornices and window sills may also project into any required yard.

### 2.19 Conformity with other Acts, Rules and Regulations

- a) Buildings situated and abutting on any of the roads shall be regulated and controlled by the building line and control line prescribed by the NHAI, PWD or BBNDAs as the case may be. In the event of any conflict, the regulations prescribed under these regulations with regard to the proposed road width as well as control along road shall **prevail**.
- b) In restricted / critical zone near the Air Port, construction of buildings shall be regulated as per the provisions of Civil Aviation Department.
- c) Situated in the vicinity of the Railway Boundary shall be regulated and controlled according to the standing orders/instructions in force of the



Railway Authorities as amended from time to time.

- d) Situated anywhere in the development area shall be subject to provisions of Water (Prevention and Control of Pollution) Act, 1974.
  - e) Situated anywhere in the development area shall be subject to provisions of Air Pollution Control Act, 1981.
  - f) Situated in the vicinity of the Jail, shall be regulated and controlled according to the standing orders/ instructions / manual in force of the Jail Authority as amended from time to time.
  - g) Situated any where in the development area shall be subject to provisions of the acts related to telecommunication, specialized research organization, archaeology and conservation/ preservation of monuments.
  - h) Development permission granted by Competent Authority on the basis of any document/NOC received is not final and conclusive. It shall be considered in true sense and meaning of concerned issuing Authority. This Authority has no legal responsibility for such development permission.
  - i) Situated any where in the development area shall be subject to provisions of the act related to the protected monument or as per the proposals of the Development plan
- (d) Buildings situated in the vicinity of the grid lines laid by the Himachal State Electricity Board as per the Indian Electricity Act shall be regulated and controlled by the horizontal and vertical clear distances to be kept open to sky. The following minimum clearances from the LT/HT lines shall have to be maintained.

**Table 2.4**

<b>Voltages</b>	<b>Vertical clearance</b>	<b>Horizontal clearance</b>
1) Low and medium voltage and Service line.	8' (2.439m)	4' (1.219m)
2) a) For high voltage lines up to and including 11,000 volts	12' (3.658m)	4' (1.219m)
b) For high voltage lines 11,000 to and including 33,000 volts	12' (3.658m)	6' (1.829m)
3) For extra high voltage line (For every additional 33,000 volts or parts thereof)	+1' (0.305)	+1' (0.305)

## **2.20 REQUIREMENTS OF SITE:**

No land shall be used as a site for the construction of a building.

- a) if the Competent Authority considers that the site is insanitary or that it is dangerous to construct a building on it or no water supply is likely to be available within a reasonable period of time;
- b) if it falls within the flood prone area as identified by the Competent Authority.
- c) if the site is not drained properly or is incapable of being well drained;
- d) if the building is proposed on any area filled up with carcasses, excreta, filthy and offensive matter, till the production of a certificate from the Competent Authority to the effect that it is fit to be built upon from health and sanitary point of view;
- e) if the use of the said site is for a purpose which in the Competent Authority's opinion may be a source of danger to the health and safety of the inhabitants of

- the neighborhood,
- f. if the Competent Authority is not satisfied that the owner of the building has taken the required measures to safeguard the construction from constantly getting damp;
  - g. if the level of the site is lower than the datum Level prescribed by the Competent Authority depending on topography and drainage aspects.
  - h. for assembly use, for cinemas, theatres, places of public worship, residential hotels, lodging and boarding houses, unless the site has been previously approved by the Competent Authority;
  - i. unless it derives access from an authorised street/means of access described in these regulations;
  - j. for industrial use other than a cottage industry unless the application is accompanied by a no objection certificate from the appropriate officer of the Himachal Pradesh Industries Department and from HP State Pollution Control Board;
  - k. If the site is found to be liable to liquefaction by the Competent Authority under the earthquake intensity of the area, except where appropriate protection measures are taken to prevent the liquefaction.
  - l. No planning permission for development shall be granted unless the road/path on which land/plot abuts is properly demarcated and developed.
  - m. Where it is essential to develop a plot by cutting, it shall be the responsibility of the plot owner to provide according to the engineering specifications, retaining and breast walls so that such cutting of natural profile of the land may not harm the adjoining uphill side properties. However, cutting of natural profile shall not exceed more than one storey (3.50) metres in any case having a provision of diaphragm wall for step housing.

#### **2.20.1 SETBACK**

Any plan for the construction of any structure or building or any part thereof shall provide setback from the boundary of the plot.

#### **2.20.2 DOCUMENTS AT SITE**

The person to whom the development permission is issued shall during construction keep -

- (a) pasted in a conspicuous place, on the site for which permission has been issued a copy of the development permission and
- (b) a copy of the approved drawings and specifications on the site for which the permission was issued.

### **2.21 DECISION OF THE AUTHORITY**

#### **2.21.1 Grant or Refusal of the Permission for Development of Land**

The development permission shall be in prescribed format (and it should be issued by an officer authorised by the Competent Authority in this behalf. Every order granting permission subject to conditions or refusing permission shall state the grounds for imposing such conditions or for such refusal.

#### **2.22 LIABILITY**

Notwithstanding any development permission granted under the Act and these regulations, any person undertaking any development work shall

continue to be wholly and solely liable for any injury or damage or loss whatsoever that may be caused to any one in or around the area during such construction and no liability whatsoever in this regard shall be cast on the Authority.

## **2.23 RESPONSIBILITIES OF THE APPLICANT**

Neither the grant of development permission nor the approval of the plans, drawings and specifications shall in any way relieve the applicant of the responsibility from carrying out the development in accordance with requirements of these regulations.

## **2.24 DEVELOPMENT WITHOUT PRIOR LEGITIMATE PERMISSION**

In cases where development has already started/commenced on site for which development permission in writing of the Competent Authority is not obtained, the case shall be dealt as per provisions of H.P. Town and Country Planning Act (1977). For unauthorized construction notices shall be issued as per Act and Rules. Notice Forms are given in annexure 6 to 9

## **2.25 DEVIATION DURING COURSE OF CONSTRUCTION**

Notwithstanding anything stated in the above regulations it shall be incumbent on every person whose plans have been approved to ensure the construction as per approved plan. In case any deviation from approved plan noticed after work of construction started/commenced on site for which development permission in writing of the Competent Authority is not obtained, the case shall be dealt as per provisions of H.P. Town and Country Planning Act, (1977)

## **2.26 APPLICATION FOR COMPLETION CERTIFICATE**

The Competent Authority shall within thirty days from the date of receipt of the completion report communicate its decision after necessary inspection about grant of completion certificate. The concerned authority issuing completion certificate before doing so shall consult concerned designated Authority to inspect the building and issue a certificate that necessary requirements for the fire protection under these regulations have been fulfilled and if not so, the applicant shall be asked to carry out necessary additions, alterations or rectification to the satisfaction of the designated Authority before issuing completion certificate. The Authority issuing completion certificate before doing so shall seek proof from the applicant to ensure that

- (i) The trees as per the regulations are planted on site or ensure this by taking suitable deposits as decided from time to time for specific period by the Competent Authority.
- (ii) Parking space is properly paved & the lay-out of parking space is provided as per the approved plans.
- (iii) Proper arrangements are made for regular maintenance of lifts as provided in NBC and in these regulations
- (iv) The Certificate of Competent Authority and or fire department for completion and or fire requirements as provided in these regulations has been procured and submitted by the owner.
- (v) Proper arrangements are made for regular maintenance of fire protection services as provided in NBC and in these regulations

- (vii) There shall be a percolating well in a plot having area more than 1500 sq. m and a storage tank in a plot having area less than 1500 sq. mtr.
- (viii) If any project consists of more than one detached or semi detached building / buildings in a plot and any building / buildings there of is completed as per provisions these regulations (such as Parking, Common Plots, Internal Roads, Height of the Building, Infrastructure facilities, lift and fire safety measures), the competent authority may issue completion certificate for such one detached or semi detached building / buildings in a plot.  
The completion certificate shall not be issued unless the information is supplied by the owner and the Engineer / Architect / Planner / Developer concerned in this regard.

## **2.27 DEVELOPMENT OF LAND**

### **2.27.1 Amalgamation and/or Sub-division of Plot with Existing Structures**

In the case of plots with existing buildings, its sub-division or amalgamation shall not be approved unless it fulfils all the requirements under these regulations.

### **2.27.2 Internal Building Layout in a Plot**

In the case of a plot which is intended to be developed with internal roads, buildings, and other structures, no development permission shall be issued to the owner or the person who has right to develop it, unless the said owner or person who has right to develop has applied and has got the internal layout approved by the Competent Authority as per these Regulations.

### **2.27.3 Level of Plot**

The general level of the plot shall not be lower than the level of the crown of the road in front. Provided that in the case of plot, the level of which is lower than the crown of the road in front and which in the opinion of the Competent Authority, could be drained off in the storm water drainage and sewer, the competent Authority may permit a suitable lower level. Generally the plinth of a plot shall not be raised more than 0.45 meters from the level of the adjoining land or road.

### **2.27.4 REQUIREMENT OF ROAD WIDTH**

The Authority shall not approve any layout either for sub-division or for amalgamation unless it fulfils all the following requirements; (i) width of the internal roads in a layout for different purposes and the width of internal approaches for tenements and ownership tenement flats shall be regulated as under :-

**Table 2.5 Width of Road in Built Up area and Abadi Deh**

Sr. No.	Area	Road/Access Length in meters.	Width of Road in meters
01	Town/Walled City & Abadi Deh	Upto 50.00	3.5
		50 to 150	5.00
		Above 150	7.00

**Table 2.6 Width of Roads in new Areas**

Sr. No.	Road length	Width of road for residential use(mts)	Width of Road for commercial, industrial and other non residential use(mts)
1.	Upto 150 m	7.0 m	9.0 m
2.	Above 150 m and upto 300 m	9.0 m	12.0 m
4.	Above 300 m	12.0 m	18 .0 m

Provided that the decision of the authority shall be final in considering the length of the road. For the purpose of determining the width, if the road is in continuation with any private road in the adjoining estate or any public road continuous to the estate, the length of the adjoining road or public road as the case may be, shall be added to the length of road in question for the purpose of determining the width

(ii) The shape of the plots, the junction of the roads, curves at the corners shall be designed as directed by the Authority.

### **2.27.5 COMMON PLOT**

Common Plot for the development of residential, commercial, industrial and sub-division of plots/land shall be required as under:

1. **For Residential Use and Commercial Use:**
  - (a) In a plot of 2500 sq.m or more in area, the common plot shall be provided.
  - (b) The minimum area of the common plot shall be 15% of the total area of the plot(s).
  - (c) Common plot shall be provided in high rise building irrespective of the area of plot(s).
- 2) **For Industrial Use:**
  - (a) In a plot of more than 5000 Sq.M in area, the common plot shall be provided at the rate of 15% of the total area of the plot.
- 3) **Other than Residential, Commercial and Industrial.**

In a plot of 2500 sq.m or more in area, the common plot shall be provided at the rate of 20% of plot area.

### **2.27.6 General Requirements**

- a) The common plot area shall be exclusive of approaches & setbacks. No projection shall be permitted in the common plot.
- b) Minimum size of the common plot shall be 125 sq.mts with no side less than 10.00 M
- c) No construction shall be permitted on the common plot. Only electric sub station, over head water tank, under ground water tank, watchman room, community hall for occupier of respective sub plots or tenements or flats,

tube well and rain water recharge well shall be permitted subject to setbacks as per these regulations and maximum 10% of respective common plot area.

- d) The area of the common plot may be permitted to be sub-divided provided that the common plot has a minimum area of 125 Sq.Mts with no sides less than 10.00 M
- e) The area of this common plot shall not be deducted for the calculation of floor area ratio of a plot.
- f) Common plot can not be used for parking.

#### **2.27.7 MIXED DEVELOPMENT (Low Rise and High Rise)**

In case of mixed development of low rise buildings & high rise buildings the F.A.R. shall be computed on the basis of notional boundary between low rise building and high rise buildings subject to other regulations. Such notional plot boundary means imaginary boundary from building after leaving the required setbacks.

#### **2.27.8 Percolation well with Rain Water Harvesting System.**

In the case where the area of building unit exceeds 1500 Sq. m and up to 4000 Sq. m owner / developer has to provide / construct percolating well of prescribed design with rain water harvesting system in plot at the rate of one percolating well for every 4000.0 Sq. m or part thereof .

#### **2.27.9 SOAK PIT:**

In case where there is no drainage facility available to the land to be developed, the owner/ developer shall provide septic tank, soak pit/soak well for disposal of sewage and waste water having area at least 5 percent of total area.

- a) Septic tank/soak pit/soak well may be allowed in setbacks.
- b) Structural safety certificate from the licensed structural engineer should be required for location of soak pit to avoid damage to structures as well as soak pit/soak well/septic tank.
- c) General design and location criteria by considering local condition shall be in conformity with the general instructions as may be issued by competent authority from time to time.

#### **2.28.1 CONTROL OF SIGNS (HOARDINGS) AND OUTDOOR DISPLAY STRUCTURES AND PAGING TOWER AND TELEPHONE TOWER AND OUTDOOR DISPLAY STRUCTURES PERMISSION**

Only authorized signs (hoarding), paging tower, mobile communication towers and telephone towers will be permitted as per prescribed design and size (excluding prohibited signs) as per Himachal Pradesh Town & Country Planning Rules 2014 or as per requirements of National Building Code (revised from time to time).

#### **2.29 ENVIRONMENTAL PROTECTION**

- a) No sewage discharge/industrial effluent shall be disposed or exposed so as to cause nuisance and danger to public health.

- b) Without prejudice to the generality of the above provisions, the Competent Authority may stipulate certain conditions or measures to control the air borne emissions and liquid effluents from industrial units, commercial, hotel or any other development identified as polluting in nature. These measures shall be stipulated as conditions of the development permission.
- c) Industries in the special industrial zone which emit liquid and gaseous effluents shall not be allowed to emit such effluents unless they are purified and rendered harmless from the public health point of view by provision of purification plants, as may be prescribed by the Competent Authority and/or the Himachal Pradesh Pollution Control Board.
- d) Controls as prescribed from time to time by the pollution control board / Competent shall be applicable to all development and redevelopment.

### **2.30 TREE PLANTATION**

While applying for development permission, tree plantation at rate of 1 tree for every 100 sq.mts of plot (all uses) area or 1 tree per family (in case of residential uses), which ever is more, shall have to be shown on the site plan/layout plan and developed. The trees shall have to be guarded by the tree guards and shall be maintained (including watering) so that they survive.

### **2.31 MAP APPROVAL PROCESS**

- (i) The empanelled Private Practitioner (s) shall be registered by the Town and Country Planning Department.
- (ii) The empanelled Private Practitioner (s) shall be competent to approve maps and after certifying that maps are in accordance with the relevant regulations and also the bye laws of the Local Body if any, involved, they shall file these maps with the Competent Authority.
- (iii) The Competent Authority shall have the right to review maps submitted to it and if found contrary to any of the Regulations it may take action against the concerned practitioner (s)
- (iv) After construction, a certificate on a specified format from a empanelled Private Practitioner shall be sufficient for grant of Completion Certificate (CC) by the Competent Authority.
- (v) The Competent Authority shall have the right to review the certificate given by it penal action in relation to such structure and against empanelled Private Practitioner(s) as per law and these regulations.
- (vi) If empanelled Private Practitioner is found to have approved maps in violation of these regulations or issued wrong certificates for obtaining Completion Certificate, he shall be liable to have his registration cancelled on the recommendation of the competent authority under provisions of Rue 17 of the Himachal Pradesh Town and Country Planning Rules, 2014. In addition, the recommendation shall be made by the Town and Country Planning Department to respective professional institute for revoking the license of the empanelled Private Practitioner who is found in default of the prescribed norms.

## **2.32 DISTANCES FROM WATER COURSES:**

- a) No development ,whether by filling or otherwise, shall be carried out within **50 meters** from the edge of the bank of river Sirsa or any other river/ khad so specified by a separate order by the competent authority where there is no river embankment and within 25 Mts or such distance as may be prescribed under any other general or specific orders of the competent authority from river where there is river embankment, shall be carried out as per restricted / recreational zone mentioned in use zone table.
- b) In case of khads, nallahs and other streams it shall be 10 m.
- c) In case of talab, village tanks, lake, water bodies etc., the distance from the water body shall be as may be prescribed under any other general or specific orders of the competent authority.
- d) These restricted development zones and any other water courses, which pass through a land shall be developed and maintained according to the discharge of water.
- e) Provided that where a water course passes through a low lying land without any well defined bank, the applicant may be permitted by the competent authority to restrict or direct the water courses to an alignment and cross section determined by the competent authority.



## CHAPTER-3

### 3. SPECIAL DEVELOPMENT REQUIREMENTS FOR ABADI DEH AREA

#### 3.1 Minimum Plot

Minimum area of a plot when subdivided shall be 18 Sqm. with no side less than 3.00 M in width.

#### 3.2 Access to Buildings

Every person who erects a building shall provide as means of access to such building clear pathway from street to the door of such building. In case of existing pathway, the above provision shall not apply. Such pathway shall be paved and shall always be kept open to sky and no projection or overhang shall be permitted over such pathways.

#### 3.3 Height of Building

The height of building shall not exceed 3 storeys (i.e. Ground floor first floor & 2<sup>nd</sup> floor).

#### 3.4 Projections on Set Backs

In any setback, weather sheds (un-covered) shall be permitted up to 0.60 m at the height of 2.0 m and above from the floor level. No shutters of any doors or windows of any building shall be allowed to open on the street. Projections of steps shall not be permitted on set-backs, streets or roads.

#### 3.5 Maximum permissible Ground Coverage

The maximum permissible built-up area of a plot shall be subject to the limitations prescribed in the following table.

Table 3.5.1

Sr. No.	Plot in Sq. M	Maximum permissible ground coverage (in %)
01	Up to 90	nil
02	90 to 150	70%
03	150 to 500	60%
04	500 & above	50 %

#### 3.6 Form of application: Following information along with the application to be submitted for approval of the competent authority

- a) A single line drawing/plan for self residential house and self employment activities (upto 100 sq.m).
- b) Certificate or proof of possession of land issued by the revenue authority
- c) No fee for construction in Abadi deh shall be applicable for structures

**3.7** For any planning permission case not conforming to the regulations under this chapter, regulations specified in chapter 4 shall apply provided that the development so proposed shall strictly conform to the use zone table as annexure-I .

## CHAPTER – 4

### 4.1 DEVELOPMENT REQUIREMENT FOR CONTROLLED AREA

#### 4.2 RESIDENTIAL USE

#### 4.3 RESIDENTIAL USE LOW RISE BUILDINGS

##### 4.3.1 Minimum Area of a Plot

- (a) Minimum area of a plot shall be 60 Sq.M with no side to be less than 5 m in width. Plot with area of 60 Sqm. may be allowed on roads upto to 9 m width and less. Plot with area more than 60 to 200 sq.m may be allowed on roads upto 12 m width.
- (b) The plot shall have rectangular shape with length: breadth ratio not exceeding 3.

**Note :** This excludes the plots under land less, Indra Gandhi Awas Yojna other such housing schemes

##### 4.3.2 FLOOR AREA RATIO, SET BACKS AND GROUND COVERAGE

- a) The maximum permissible Floor Area Ratio (F.A.R.), minimum setbacks for low-rise residential use shall be as under

**Table 4.3.2.1 FAR, SET BACKS AND GROUND COVERAGE**

Plot size	Front Setback (road side)	Setbacks other than road side			Maximum ground coverage	Base permissible FAR	F.A.R. on premium
		Left setback	Right setback	Rear side	-----	-----	-----
Upto 150 sq.m.	3.0 m *	-	-	2.0 m	Nil	2.0	-
151 to 250 sq.m	3.0 m *	Nil		2.0 m	Nil	2.0	-
251 to 500 sq.m.	3.0 m *	2.0 m	2.0 m	2.0 m	Nil	1.75	0.25
More than 500 sq.m.	5.0 m *	3.0 m	3.0 m	3.0 m	50%	1.50	0.50

Note:

Maximum permissible coverage shall be subject to the fulfillment of prescribed setbacks.

- i) In case of corner plots, width of plot and side setback at one side of a plot shall be increased by 2.00 m for providing proper sight distance on the curve.
- ii) Maximum 60 % built-up area of proposed ground floor shall be permitted under mixed land use subject to these regulations.
- iii) Maximum number of storeys shall be 4+1. Parking height shall be 2.70mtr

below beam

2. i) up to 150sqm plot shall be considered in row housing.
- ii) up to 151-250sqm plot area shall be considered in semi-detached housing.
- iii) Above 251 sqm plot area shall be considered in detached building.

#### **4.4. Permissible Built Up Area in Setbacks.**

Notwithstanding anything contained in these regulations, construction such as w.c., bathroom, servant quarter, and parking garrage shall be permitted in one of the corners of a rear setbacks space of an individual or semidetached residential plot (except ownership flats /tenements) subject to following conditions:

- a) The maximum permissible area of construction shall be 16.50 sq.m which may be allowed for servant's quarter, bath-room, w.c. or closed parking having maximum dimensions 5.5 mt. x 3.00 mt.
- b) Porch shall be permitted in such plots as exceed 250 sq.m. in area and in the side setback of not less than 3m.
- c) The maximum height of construction shall be 3.0 M with maximum plinth of 45 cms.
- d) No first floor shall be permitted over such a construction.
- e) It shall be considered in calculation of maximum permissible built-up area and Floor Area Ratio.
- f) The location of the said construction can be alternatively permitted from the rear corner upto a maximum distance of half the length of the side.
- g) Openings doors, windows and any type of projections shall not be permitted over looking adjoining property. The slope of the roof of such structure shall be towards the inner side of the same plot and away from the adjoining plot.
- h) Under-ground water tank, well, tube well and pump-room as directed by appropriate authority shall be permitted in setbacks of a plot, provided that such elements keep the conformable circulation in case of emergency.

#### **4.5 Restriction on Development in Setbacks.**

- (a) The setback open spaces as provided in the above sub-clauses shall be kept permanently open at ground level and they shall not be used for stocking materials or loose articles for the purpose of trade or otherwise nor shall they be used for putting up fixed or movable platforms, over hanging or any other encroachments of any kind. The sunk-in-lower ground floor or semi-basement or basement shall not be provided in setbacks space. The boundary of the plot shall have to be demarcated by at least 0.6 m parapet/compound wall/railing.
- (b) The plot level may be permitted to be raised up to plinth level in cases of plots other than tenement buildings, ownership tenement flats, industrial and commercial units.
- (c) Security cabin with maximum size of 2.0 m. X 2.0 m. and a height not more than 2.4 m. shall be permitted in the roadside setbacks in case of plot with more than 500 sq.m. area.

#### **4.6 Projections in Setbacks**

- (i) In any setbacks open space, weather sheds projections shall be permitted up to 0.60 m at the height of 2.0 m from the floor level. However it shall not be allowed to be covered in any case so as to add to the usable floor area.

- (ii) Balcony measuring 1.0 m wide and upto 50 % of frontage of built-up area shall be allowed and shall not be counted in FAR and built-up area calculations.
- iii) Maximum projections shall be allowed 0.90mtr in case of set back more than 3mtr.
- (iv) In case of detached and semi-detached residential dwelling plot, 1.00mt. wide open cantilever stair with maximum 2.00 m landing space at floor level shall be permitted in the 3.00 m and above setbacks space except road side setbacks.

#### 4.7 Row Type Buildings

- a) The minimum area of plot on which row houses are to be constructed shall be 1000 sq.m.
- b) The minimum length of common wall between the two adjacent row houses shall be 50% of the depth of the row house.
- c) 5.0 m wide space open to sky shall be provided at the end of every such 10 continuous houses of row houses.
- d) Requirement for common plot shall be regulated as per the provisions of these regulations.

#### 4.8 RESIDENTIAL USE - HIGH RISE BUILDINGS:

Any residential building more than 15.0 m height from ground level shall be considered as a high rise building.

##### 4.8.1 Minimum plot area

For high rise building the minimum plot area shall be 4000 sq.mts and it shall abut on existing or Development Plan road or Development Scheme road having width at least 18 m and it shall regulate by prescribed setbacks as case may be.

##### 4.8.2 Floor Area Ratio, Setbacks and Built-up areas

The maximum permissible Floor Area Ratio (F.A.R.), minimum setbacks for high-rise residential use shall be as under

**Table 4.8.2.1**

Front Setback (road side)	Setbacks on other than road side	Maximum ground coverage	Base permissible F.A.R	Additional Permissible F.A.R. on premium
10 m	one third of building height	30%	1.5	0.25

#### 4.9 Internal Layout Regulation

The land use of high rise building complexes shall be regulated as per the following table:

**Table 4.9.1**

Land use type	Percentage of plot area
Residential	20-30
Roads and transport	10-15
Common plot, parks, open space,	10-20
Pavement, setbacks, plantation and landscaping	20-35

Commercial use and shops as per requirements of population to be provided  
The structural stability, sanitation, safety measures, infrastructure & services, building maintenance, rain water harvesting, parks and open spaces shall be regulated as per general building requirements/National Building Code

#### **4.10 General Building Requirements:**

The residential building shall meet the 'General Building Requirement' as prescribed in these regulations.

#### **4.11 Compound Wall and Gates**

- a) The drawings of gates and boundary walls shall be submitted along with the application for development permission.
- b) No cactus hedge shall be allowed along the boundaries of a plot in any portion of the development area.
- c) A road side compound wall not exceeding 1.5 mts .in height from the crown of the road shall be permitted while on the other side along the boundary of the another building unit, the maximum height of the compound wall shall be 1.8 m. Only a compound gate shall not be constructed or permitted on the curvature of the compound wall at the junction of the roads.
- d) Provided that in the case of plots having area of more than 2000 sq.mts gate-pillar (hollow) to an extent of 1.44 sq.mts internal area may be allowed up to the height of 2.4 M
- e) Provided further that in the case of plots at the junction of streets, no boundary wall below the fence grill (with at least 50% perforation) facing the streets shall be raised to the height more than 0.8 Mt. from the kerb for a length of 9 M from the junction of the streets.
- f) Except on the junction of the roads where heights shall be prescribed as per standard design of a compound wall approved by the competent Authority.
- g) No partition wall shall be allowed anywhere in the setbacks of plot.
- h) The plots of active burial-grounds and crematorium abutting on the main road in residential locality shall be provided by the owners with a compound-wall having a height not less than 1.5 M from the crown of the road in front.
- i) No gates of compound wall shall open outward and shall be provided with a contrivance which shall prevent the gate from opening outward on the foot-path or road.
- j) The entry or exit to the plot situated on the junction of the roads having a width of 12 meters or more shall be located at least 15 meters away from the corner point of the plot on such junctions.
- k) If the length of a side in such a plot is less than what is prescribed above, such entry or exit shall be provided at the farthest end of the plot from the junction.

#### **4.12 CORE AREA REGULATIONS**

##### **4.12.1 Existing Core Built up-Area**

The area defined as under shall be known as existing core built up area of Nalagarh bazar:-

- A) The horizontal distance upto 50.00 metres (measured from the centre of the road) on both sides of the Nalagarh bazar:-
- i) Starting from the main gate near the office of Municipal Council, Nalagarh and upto bifurcation point (Chowk) of Puarna bazaar and Naya Bazar).
  - ii) From the bifurcation point (Chowk of Purana Bazar and Naya Bazar) following Naya Bazar & upto Palace road near Gurudwara.
  - iii) Again from the bifurcation point (Chowk) of Purana Bazar and Naya Bazar following Purana Bazar & upto Ram Lila ground.
- B) The Competent Authority may identify any other area under its limit following due process.

**4.13. Following Regulations shall be applicable to the existing Core area.**

- i) Set backs shall not be compulsory in case of existing authorized buildings provided existing building line is maintained. However, front and rear set backs shall be determined by the existing building line whereas set backs on sides shall not be compulsory.
- ii) Number of storeys shall not exceed three in any case. Attic and mezzanine floor shall be counted as a storey.
- iii) F.A.R. shall not be applicable but the existing sky line shall be maintained.
- iv) Ground coverage shall not exceed 80% for plots upto 150 M sq., 70% for plots between 151 to 500 M. sq. and 60% for plots above 500 M. sq.
- v) In existing built up areas, commercial activities shall only be allowed in floor which comes at road level. This shall be allowed to the extent of 25 % of the coverage of the floor or 50 sq. mtr whichever is less. However, following activities shall not be allowed under mixed land use as these activities having non conforming environmental impacts. Such activities like retail shop of timber product, firework, coal, tyre retreading, battery charging, floor mills (more than 3 KW power load), fabrication and welding and alike, professional offices and the offices of commercial establishments shall be allowed on subsequent floors i.e. at floor above road level floor i.e. 1<sup>st</sup> & 2<sup>nd</sup> floor.

**4.14 INDUSTRIAL USES**

The layout and design of industrial area if any, shall be as per the requirements of the industry and shall be got approved from the C.E.O., BBNDA.

**4.14.1 Maximum permissible ground coverage, floor area ratio and setbacks**

The permissible coverage, setbacks, F.A.R., height of building for industrial use shall be as hereunder:

**Table 4.14.1**

S. No.	Type of industry	Plot area (sq.m)	Maximum permissible coverage	Set backs			Permissible F.A.R.	Premium F.A.R.	Max. Height of Building
				Front	Sides	Rear			
	****	*****	*****						*****
1.	Small scale industry	250-500	60%	3.00*	2.00	2.00	1.75	-nil-	15 mtr.
2.	Service/light industry	501-1000	60%	5.00*	2.00	3.00	1.50	0.25	15mtr.
3.	Medium industry	1001-5000	55%	10.00	5.00	5.00	1.25	0.25	20mtr.
4.	Large/heavy industry	More than 5000	50%	15.00	7.50	7.50	1.00	0.35	20mtr.

Premium F.A.R shall be applicable only in organised industrial lay outs.

- All Industrial Layouts plan shall be got approved by CEO, BBND in BBN Special area.

**Note:**

1. Maximum height of industrial shed/building shall be 20.0 m or depending upon the nature of requirements of particular industry. In case of roof trusses the height of shed/building may be adjusted / relaxed accordingly.
2. Minimum width of existing or proposed roads/path abutting one side of the plot shall be 9.00 m.
3. In case of pharmaceutical units, service floor shall be permissible as per requirements of G.M.P. (Good Manufacturing Practice). Such a floor shall be used exclusively for service ducts, plumbing, and mechanical and electrical pipes etc. Such a floor shall generally not exceed 3.0m in height and shall not be used for any storage or actual manufacturing activity. It shall be exempt from F.A.R.
4. A cellar as per requirements of these regulations and shall not be counted towards F.A.R.
5. Construction of security room, first aid room, retiring room and toilet shall be permitted in the front set back adjoining the entrance gate subject to the following conditions:-
  - a) Such activities shall not obstruct the movement of fire tender within the setback.
  - b) Only one security room 2.0mx2.0m shall be permissible in plots upto 1000 sq.m.
  - c) Only area upto 20 sq.m with maximum height of 2.4 mtr from ground level shall be permissible in plots between 1000 sq.m to 5000 sq.m.
  - d) Only area upto 30 sq.m with maximum height of 2.4 mtr from ground level shall be permissible in plots above 5000 sq.m.
  - e) No first floor shall be permitted over such a construction.
  - f) If required, to the satisfaction of competent authority, additional materials gate shall be allowed up to 3.0mx3.0m. However the security cabin for such gates shall not be free from F.A.R. calculations.
  - h) Canopy shall be allowed by 3mtr \*6 mtr .It shall not obstruct the free

- movement of fire and ambulance vehicle.
6. Under-ground water tank, well, tube well and pump-room as specifically approved by the appropriate authority shall be permitted in setbacks of a plot, provided that such elements keep the conformable circulation in case of emergency.
  7. In industrial shed/building the transformer room, sub-station and meter room as per norms of electricity board shall be permitted in the set backs. However adequate clearance shall be maintained between the building and the electrical installation so that fire tender could easily move in. In no case shall a transformer be installed in the public street/road outside the premises of an industrial unit.
  8. A road side compound wall as per these regulations.
  9. Fee shall be chargeable for all built-up area whether countable for F.A.R. or not.

#### **4.14.2 Restriction on development in Setbacks**

- (a) The setbacks as provided above shall be kept permanently open at ground level so that movement of fire tender and ambulance is not obstructed.
- (b) The setbacks shall not be used for construction of Water Treatment or Waste Water treatment plant or installation of related ducts, conduits or machinery in fixed or movable form.
- (b) The setbacks shall not be used for stocking materials or loose articles for the purpose of trade or otherwise nor shall they be used for putting up fixed or movable platforms, over hanging or any other encroachments of any kind provided that decorative advertisements boards or neon sign boards may be permitted in setbacks of a plot abutting on roads with prior permission of the Competent Authority.
- (c) The sunk-in-lower ground floor or semi-basement or basement shall not be provided in setbacks.
- (d) The plot level may be permitted to be raised up to plinth level in cases of Industrial shed/Building if competent authority is satisfied for such requirement.
- (e) 0.45 m projection shall be permitted in setbacks, which shall not be used for habitable purpose.

#### **4.14.3 Compound Wall and Gates.**

- a) Detailed drawings of gates and boundary walls shall be submitted along with the application for development permission.
- b) No cactus hedge shall be allowed along the boundaries of a plot in any portion of the development area.
- c) A road side compound wall not exceeding 2.0 m. in height from the crown of the road shall be permitted while on the other side along the boundary of the building unit, the maximum height of the compound wall shall be 2.0 m Only compound gate shall not be constructed or permitted on the curvature of the compound wall at the junction of the roads. Provided that in the case of plots having area of more than 2000 sq.m gate-pillar (hollow) to an extent of 1.44 sq.m internal area may be allowed up to the height of 2.4 M.



- d) Provided further that in the case of plots at the junction of streets, no boundary wall below the fence grill (with at least 50% perforation) facing the streets shall be raised to the height more than 0.8 Mt. from the kerb of the road for a length of 9 M from the junction of the streets.
- e) Partition wall shall be allowed anywhere in the setbacks of industrial unit.
- f) The plots of active burial-grounds and crematorium abutting on the main road shall be provided by the owners with a compound-wall having a height not less than 2.0 m from the crown of the road in front.
- g) No gates of compound wall shall open outward and shall be provided with a contrivance which shall prevent the gate from opening outward on the foot-path or road.
- h) The entry or exit to the plot situated on the junction of the roads having a width of 12 meters or more shall be located at least 15 meters away from the corner point of the plot on such junctions.
- i) If the length of a side in such a plot is less than what is prescribed above, such entry or exit shall be provided at the farthest end of the plot from the junction.

**4.14.4) STAFF HOUSING:**

- i. In case of industrial plots with an area of more than 4,000 sq.m. the workers housing may be provided as per requirements and regulations given hereunder.
- ii. The type of development for housing for workers should be such that the maximum permissible area under such use shall be limited to 20% of the total plot area. Out of this, 15% shall be for workers and 5 % for managerial staff.
- iii. The development of schemes for workers housing can be undertaken by the employing industry, if industry is non- hazardous or non-polluting.
- iv. Such housing shall be proposed after ensuring routine setback from industry as well as minimum safe distance from industrial building(s) of 5 m and as a compact pocket in one side or portion of the unit.
- v. Such housing should have separate gate.
- vi. The minimum and the maximum size of dwelling units shall be 18sq.m and 25 sq.m with W.C, toilet but without kitchen.
- vii. The maximum numbers of storeys should be ground plus three storeys only.
- viii. The common plot at the rate of 10% of the total areas under workers housing shall be provided for community open space which shall be exclusive of approach roads, path ways or setbacks.

**4.15 COMMERCIAL USES**

**4.15.1 Shops:**

Individual shops and service establishments can be located on roads of minimum width of 5.0 m and of minimum size 3.0m x 6.5 m. In case of shopping booth minimum area required is 2.5m x 3.5m. Front setback as per regulations applicable on the road shall have to be provided.

**4.15.2 Commercial Areas:**

This includes organized commercial centres, plazas, shopping centres and commercial complexes. The commercial uses are allowed depending on the abutting road width as given under:

**4.15.3) High Rise Commercial Development**

High rise commercial development shall be permitted in the plot with abutting road width of 18 m and above and minimum plot area of 4000 sq.m.

**4.15.4) Floor area ratio (F.A.R.), Setbacks and maximum Ground Coverage**

Maximum permissible floor area ratio (F.A.R.) of a plot shall be as under

**Table 4.15.4.1**

Commercial Use	Plot size	Ground Coverage	Front	Side	Rear	F.A.R.	F.A.R. on premium
Low rise structures	Up to 120 Sqm	Nil	3 mtr	Nil	Nil	2.0	
	121 to 250qm	65 %	3 mtr	Nil	2	2.0	
	251 to 500 sq.m.	60 %	3.0 *	2.0m	2.0 m	1.5	0.25
	501-2500 sq.m.	55 %	5.0 *	3.0 m in both side	3.0 m	1.5	0.50
High rise structures	More than 4000 sq.m.	30%	10.0	7.5 m both side	5.0 m	1.0	1.0

Provided in case of the plot having road on more than one side each road side margins shall be as per above table.

The high rise structures shall be constructed on road 18 mtr and above.

Note:

- If the site/plot abuts on two or more streets (path/roads) the building /plot shall be deemed for the purpose of this regulation to face upon the street (path/road) that has greater width.
- Twin parking floors may be permitted in plots of size more than 1500 sq.m.
- Cellar shall be permitted as per requirements of these regulations.
- Parking requirements shall be as per N.B.C.
- Other design considerations like safety, access for physically challenged persons etc. shall be as per N.B.C.
- Mix-land use shall be permitted after having requisite setbacks in plots more 250sqm. It shall also be permitted only area where mix land use has already been allowed by the competent authority or as per site condition. No mix-land shall be allowed where lay out is approved from the competent authority purely for commercial pursuits.

**4.16) Hotels****4.16.1 Floor area ratio (F.A.R.), setbacks and maximum built-up area**

The maximum permissible Floor Area ratio (F.A.R.) of a plot shall be as under.

**Table 4.5.4.1**

Sr. No.	Minimum Area (in sq. m)	Minimum abutting road	coverage	Minimum Set backs in mtrs				Base permissible FAR	Additional Permissible F.A.R. on premium
				Front Side	Left Side	Right Side	Rear Side		
1.	250-500	9 m	50%	3.0* m	2.0 m	2.0 m	2.0 m	1.75	-
2.	500-1000	12m	40%	5.0*m	3.0 m	3.0 m	3.0 m	1.75	-
3.	1000-4000	18m	35%	10.0 m	5.0 m	5.0 m	4.0 m	1.25	0.50
4.	Above 4000 (low rise /high rise)	30m	30%	10.0 m	7.5 m	7.5 m	5.0 m	1.25	0.50

Provided in case of the plot having road on more than one side the each road side margins shall be as per above table.

Note:-

- i) If the site/plot abuts on two or more streets (path/roads) the building /plot shall be deemed for the purpose of this regulation to face upon the street (path/road) that has greater width.
- ii) Parking space for cars, scooters etc. shall be compulsorily provided in case of Guest House/Hotel as per N.B.C.
- iii) Cellar shall be permitted as per requirement of these regulations
- iv) Service floor within maximum height of 2.0 m shall be permissible for the purpose of utilities, ducts, conduits, pipes and related machinery etc.
- vi) Starred hotels shall be permissible on roads more than 30m wide only. In case of other hotels, it shall be ensured that the same are not likely to cause any disturbance to the residential area nearby.
- vii) Other requirements like safety, access for physically challenged persons etc. shall be as per N.B.C.

#### **4.17 OTHER USES**

##### **4.17.1 (PUBLIC BUILDINGS AND GOVERNMENT BUILDINGS & INSTITUTIONS)**

This section shall be applicable to all Educational Buildings, Police Station/Fire Station, Medical Facilities, Community Hall, Library, Religious Building and Govt. and Semi-Govt. offices.

##### **4.17.2 MAXIMUM HEIGHT OF BUILDING**

The maximum height of public and semi- public buildings shall be 30.0 m. However the high rise structures shall be allowed on road having width at least 18 m and on a plot of more than 4000 m<sup>2</sup> only.

**Floor area ratio (F.A.R.), setbacks and maximum built-up area on any floor**

**Table 4.6.2.1**

Plot Size (in sq. m)	Minimu m abutting road	coverage	Minimum Set backs in mtrs				FAR	Additional Permissible F.A.R. on premium
			Front	Left	Right	Rear		
Upto 500	-	60%	3.0* m	2.0 m	2.0 m	2.0 m	2.00	-
500-1000	9 m	50%	5.0* m	2.0 m	2.0 m	2.0 m	2.00	-
1000-2000	12m	45%	7.5 m	2.50 m	2.50 m	2.50 m	1.50	0.50
2000-4000	18m	40%	7.5 m	2.50 m	2.50 m	2.50 m	1.25	0.75
Above 4000 (low rise /high rise)	30m	30%	7.5 m	2.50 m	2.50 m	2.50 m	1.00	1.00

Note:

1. Up to 50% of open area shall be utilized for open parking and roads and the rest shall be landscaped.
2. Parking space for cars, scooters etc. shall be compulsorily provided at the rate of 40% of built-up area out of which at least 20 % should be for visitors parking.
3. Parking shall be provided as per NBC norms

## **4.18 INTEGRATED TOWNSHIPS AND COLONIES**

### **4.18.1 Site Selection and Suitability**

In case the developer or promoter is also proposing the development of external infrastructure (access, water supply, sewerage system, power supply etc.), he is free to select the site subject to location as per the Development Plan for the proposed use and site suitability as per Development Control regulations. The proposal should not be located in non-conforming use or in the restricted development zone. Based on proposed uses, the scheme should be designed in such a manner that the optimum use of major roads i.e. National Highways, State Highways, arterial and other major roads is achieved and should not make ribbon development with several accesses. The authority shall provide guidance for preference to such areas where such external infrastructure is already developed or planned for development in future. All the big projects shall come under Apartment regulations and shall have take License, as the case may be.

The size and shape are not controlled, but expected to be such that its size and shape should not create haphazard or unplanned development of neighboring plots or pose constraint in the existing/ future infrastructure development. The site should be in harmony of nature and should not damage the slopes, hills, rivers/streams, water bodies, forests, plantations etc. for which the specific assessment needs to be carried out as per requirements of laws.

## **4.19 Government Support:**

### **4.19.1 External (Off-site) Infrastructure Development**

The government shall prefer to develop the external infrastructure in planned manner as per requirements of the Development plan through the professional government bodies or through Public private partnership basis. If such infrastructure is also provided in area where an integrated area development has been proposed or planned, the government shall levy the 'External Development Charges'.

In case the developer or promoter proposes the additional external infrastructure requirements broadly in line with approved Master Plan, the government shall support through the government bodies or public private partnership framework subject to the 'External Development Charges'. The developer or promoter shall also provide the cost towards the land requirements. The type of infrastructure in such scheme includes i) roads and parking ii) water supply iii) sewerage system iv) power supply v) street lights and services/amenities include i) solid waste management ii) health and education.

### **4.19.2 Fast track approval**

All applications for such development schemes shall be approved by the BBND and other relevant authorities as applicable and shall follow the procedure for securing development permission as per the regulations. All submitted documents should be as per requirements. The BBND shall also promote the following for speedy statutory clearances from various bodies and government agencies

1. Simplification of procedures
2. In-principle approvals
3. Time- bound approvals
4. Self- certification of layout and plans
5. Deposit of fee, charges and security in installments

## **4.20 Land use and Layout Guidelines**

The land use shall be depending upon the type of predominant uses the scheme is proposed to be for. However the following guidelines may be used for land use mix

### **4.20.1 Residential building complexes: (Area not below 10,000 sq.mtr.)**

[Colonies, Group Housing Societies and Apartment(s) Complexes]

**Table 4.20.1.1**

<b>Land use type</b>	<b>Percentage to plot area</b>
Residential	40-50
Roads and transport	10-15
Common plot, parks, open space,	10-20

Note:

- i. Commercial use and shops as per requirements to be provided
- ii. Parking as per N.B.C.
- iii. Common facilities as per the UDPFI Guidelines.

**4.20.2 ) Industrial Estate/Areas: (Area not below 20,000 sqmtr.)**

[IT & ITES Parks, Biotechnology parks, Textile and Apparel parks, Gems & Jewel]

**Table 4.20.2.1**

Land use type	% age of plot area
Industrial/Organized Commercial	35-50
Ancillary Housing	5-10
Roads, transport, logistics	15-20
Common plot, parks, open space, plantation and landscaping	10-15

**4.20.3) Tourism supportive activities (Area not below 10,000 sq.mtr.)**

[Handicraft villages, Food and Craft Bazars, Sports Trade and Exhibition Centers]

**Table 4.20.3**

Land use type	% of plot area
Built-up recreational	25-35
Ancillary housing	5-10
Roads and transport/parking	10-20
Common plot, parks, open space, plantation and landscaping	15-25

Note: Provisions of facilities as per NBC and UDPFI guideline

**4.20.4) Educational Complexes (Area not below 10,000 sq.mtr.)**

[Engineering, Medical, Technology Institute, School Colleges, Universities, Vocational Training Institutes]

**Table 4.20.4.1**

Land use type	Percentage of plot area
Educational/institutional	25-35
Residential/Hostels/Ancillary housing	5-15
Roads and transport	10-20
Common plot, parks, open space, plantation and landscaping	15-25

Note:

Other commercial establishments and shops as per requirements to be provided

Parking as per N.B.C.

Common facilities as per the UDPFI Guidelines.

#### **4.20.5 Commercial Hubs (Area not below 10,000 sqmtrs.)**

**Table 4.20.5.1**

Land use type	Percentage of plot area
Organised Commercial CBD	30-45
Ancillary housing	5-10
Roads and transport	15-20
Common plot, parks, open space, plantation and landscaping	15-20

### **4.21 GENERAL REGULATIONS**

#### **4.21.1 Access:**

The main external access to Area should be more than 30 m. The internal access to individual plot should be as per the following table

**Table 4.21.1 ROAD WIDTH**

Road length	Width of road for residential use(mts)	Width of Road for commercial, industrial and other non residential use(mts)
Upto 200 mts.	9.0 mts.	12.0 mts.
Above 200 mts. and upto 400 mts.	12.00 mts.	18.0 mts.
Above 400 mts.	18.0 mts.	24.0 mts.

#### **4.21.2 Setbacks, FAR, Ground Coverage:**

Block to block setback shall be one third to average height. Each subdivided plot has to follow the setbacks, FAR and Ground Coverage individually as per DCR.

#### **4.21.3. Permitted density**

The density control shall not be applicable, however Developer or promoter has to meet the FAR, Setbacks and Ground Coverage as per the norms of Development Control regulation.

#### **4.21.4 Building Regulations**

The buildings proposed in Integrated Areas Development Scheme shall meet the 'General Building Requirement' as prescribed in regulation '5' under this rules.

#### **4.21.5 Hazard and safety measures**

In case of building height of more than 14.5 m NOC from Chief Officer, Fire Services to be obtained. The Structural stability, Sanitation and Safety measures

shall be regulated as per General Building requirements/National Building codes.

**4.21.6 Infrastructure and amenities (on-site)**

Infrastructure & services, building maintenance, rain water harvesting, parks and open spaces shall be regulated as per general building requirements/National Building code. The developer or promoter shall provide the following on-site infrastructure and services within the scheme area:

- a) Roads, street lights
- b) Water supply including bulk receiving, storage and distribution network and other connection to users
- c) Parking for residents/owner and visitors
- d) Drainage, sewerage and recycling of treated waste water
- e) Electricity sub-station and internal lines with connection from HPSEB
- f) Spaces for solid waste management
- g) Educational facilities as per UDPFI guidelines
- h) Health facilities as per UDPFI requirements

The maintenance of buildings, infrastructure and services shall be responsibility of developer or promoter or may be done by Government agency on cost-plus basis.

**4.21.7 Economical Weaker Section provisions**

Each housing scheme should contain provision of at-least 5 % of built-up area for 5 % of dwelling units or plots for EWS section. In case of other type of schemes the ancillary housing should be provided with at least 20% for EWS section.



## **CHAPTER – 5**

### **GENERAL BUILDING REQUIREMENTS**

#### **5.1 ELEVATORS (LIFTS)**

- i) lift shall be provided in all buildings as prescribed hereunder:
- ii) In case of buildings having height more than 15.0 mts from ground level, lift shall be provided.
- iii) Lift shall be provided at the rate of one lift for 20 tenements (dwelling units) of all the floors, or part thereof for residential buildings and at the rate of one lift per 1000.00 sq.m or part thereof of built-up area for non-residential buildings.
- iv) The tenement (dwelling units) and built-up area on ground floor and two upper floors shall be excluded in computing the above requirement.
- v) Lift shall be provided from ground floor and shall have minimum capacity of six persons. On the basis of detailed calculations based on the relevant provisions of National Building Code, the number of lifts can be varied.
- vi) Notwithstanding anything contained in the Development Control Regulations in case of building with 21 meters or more in height, at least two lifts shall be provided.

#### **5.2 SAFETY REQUIREMENTS**

##### **5.2.1) Fire Protections:**

In case of high rise buildings, the provision shall be made for safety of buildings from fire and other hazards as per requirements of the National Building Code.

##### **5.2.2) Earthquake Resistance**

The provision shall be made for safety of buildings including special structural elements keeping in view the earthquake zone of the area as per requirements of the National Building Code.

#### **5.3 CELLAR**

The construction of cellar is to be regulated as here under:-

- i) A cellar shall not be counted as a storey.
- ii) A cellar is to be constructed within the prescribed set backs and prescribed building lines and subject to the maximum coverage on floor 1 (entrance floor) and may be put to only the following uses:
  - a) Storage of household or other goods of ordinarily combustible material.
  - b) Strong rooms, bank cellars etc.
  - c) Air-conditioning equipment and other machines used for services and utilities of the building and
  - d) Parking spaces.

##### **5.3.1) The cellar shall have the following requirements.**

- i) All the walls shall be kept dead and below the natural ground level except the portion kept for ventilation purpose.

- ii) Every cellar shall be, in every part, at least 2.40 m clear height from the floor to the underside of the roof slab or ceiling.
- iii) Adequate ventilation shall be provided for the cellar. Any deficiency in ventilation requirements may be met by providing mechanical ventilation in the form of blowers, exhaust fans, air conditioning systems, etc.
- iv) The minimum height of the ceiling of any cellar shall be 0.9m and the maximum, 1.20m above the average surrounding ground level.
- v) Adequate arrangements shall be made such that surface drainage does not enter the cellar.
- vi) The walls and floors of the cellar shall be watertight and be so designed that the effects of the surrounding soil and moisture, if any, are taken into account in design and adequate damp proofing treatment is given.
- vii) The access to the cellar shall be separate from the main and alternative staircase providing access and exit from higher floors. Where the staircase is continuous in the case of buildings served by more than one staircase, the same shall be of enclosed type, serving as a fire separation from the cellar floor and higher floors. Open ramps shall be permitted if they are constructed within the building line subject to the provision of point (e).
- viii) In case partition in the cellars is allowed by the Authority, no compartment shall be less than 50.0 sqm in area and each compartment shall have proper ventilation provision. The cellar partition shall however, conform to the norms laid down by Fire Services.

#### **5.4 Height of Floors**

Minimum clear height of floors in building at any point shall be 2.8 m for residential and commercial uses and 3.6 meters for industries or as per Factory Act or other relevant Act in case ground floor and upper-floors in a building used for offices for ancillary uses of factories, workshops, godowns and other industrial purposes.

#### **5.5 Number of Dwelling Units**

Not more than four dwelling units per floor shall be permissible in residential building constructed on plot having an area upto 250 sqm. For plot measuring more than 250 sq.m. an additional unit for every additional 100 sq.m shall be permissible in each floor.

#### **5.6 Water Closet and Bathroom**

In case of water closet, bath room and sanitary blocks, the open air space shall be provided as under:

At least one of the walls of a water closet or bath room or sanitary block shall have a opening of minimum 0.25 sq.mt. upon a minimum 0.9 M wide open space or upon a verandah not less than 1.5 M wide opening to air on one side.

#### **5.7 Open Space to be open to sky**

Every open space whether exterior or interior, provided in pursuance of any regulations, bye-laws or under an agreement lodged with the Competent Authority shall be kept free from any erection thereon and shall be kept open to sky.

Every such open space or chowk shall have suitable and sufficient access.

No open drain, except for rain water, shall be constructed in any open space required by these regulations.

No construction work of a building shall be allowed if such work operates to reduce an open air space of any other adjoining building belonging to the same owner to an extent less than what is prescribed by any of these regulations in force at the time of the proposed work to further reduce such open space if it is already less than what is prescribed.

## 5.8 LOFT

The loft at a minimum height of 2 m from floor level not exceeding 30% floor area of the room may be allowed in any room.

## 5.9 STAIRS, LIFTS, LOBBIES AND CORRIDOR

The width of lobbies or corridors in building shall be as under:

(a) In case of residential and non-residential building except individual detached building minimum clear width of corridor shall be as under:

**Table 5.9.1**

Length of Corridor (in meter)	<u>Minimum Clear Width of Corridor(in meter)</u>	
	Residential	Non-Residential
Upto 9	1.2	1.5
Upto 15	1.2	2.0
Above 15	1.5	2.5

### NOTE:-

- For every additional 9.00 m length or part there of the width of corridor shall be increased by 0.30 m upto a maximum of 3.00 m
- In case of starred hotels, the width of the corridor shall be as per the authorized standards of the starred hotels.
- Whereas in case of residential dwelling unit occupied by single family and constructed upto three floors width of the stairs shall not be less than 1.0 mtr.
- In case of all non-residential and high rise residential buildings, the clear width of stair and landing exclusive of parapet shall not be less than 1.5 M
- Minimum stair width for more than 6 tenements on each floor shall be 1.5 M
- The stair-case & lifts (elevators) shall be so located that it shall be within accessible distance of not more than 25 M from any entrance of tenement or an office provided on each floor.
- (f) The design of the lift & stair along with the tread and riser shall comply with the provisions of the National Building Code for that class of building.
- No winders shall be allowed except in case of individual dwelling unit.
- In case of commercial buildings of three or more storeys, provision of spiral stair case not less than 1.50 m diameter with adequate head height other then regular stair case shall be permissible as fire escape in addition to regular stair case.

**5.10 Sanitary Accommodation:**

All the buildings when erected or re-erected from foundation or when additions to the floors are made shall be provided with minimum sanitary accommodation.

Ventilation of rooms: Every room whether it is living room or a kitchen shall have an adequate provision for ventilation.

**5.11 Location of Openings:**

For sufficient air and light circulation the windows and ventilators provided should have a minimum area equivalent to  $1/6^{\text{th}}$  of the floor area and designed as per requirements of National Building Code.

**5.12 Stairways and Ramps for Pedestrians, ROOF DRAINAGE, TERRACE AND PARAPET**

The stairways and ramps for pedestrians, roof drainage, terrace, parapet and other building elements shall conform to requirements of National Building Code.

**5.13 DISCHARGE OF RAIN WATER:**

No roof or terrace abutting on a public street shall be constructed without providing sufficient number of down take pipes and such pipes shall be so fixed as to discharge the rain water at a level not higher than 0.6 metre above the street level.

**5.14 PARKING****5.14.1 Minimum parking space**

Off-street parking spaces for vehicles shall be provided for every new building constructed for the first use or when the use of old building is changed to any of the uses mentioned in the table below:

**TABLE FOR MINIMUM OFF STREET PARKING SPACES:****(In all areas excluding existing Abadi Deh areas)****Table 5.14.1**

<b>Sr. No</b>	<b>Occupancy</b>	<b>Parking area as percentage to the total permissible built-up area</b>	<b>Share of visitors' parking to be provided on the ground (% to total parking)</b>
1	Residential (Flats/Apartments)	30%	15%
2	Cinema theatre, public assembly hall, auditorium, stadium etc.	1 sq m per seat	NA
3.	Industrial	15%	25%

4	Commercial and business establishments including business offices, banks, hotels, Guest houses, restaurants, Institutional building, and health facilities including hospitals, nursing homes etc.	40%	25%
5	Community buildings such as community halls/marriage halls/community hall, recreational clubs, religious buildings, party plots, clubs etc.	50%	25%
6	Educational a) Primary b) Secondary and higher secondary c) Colleges and coaching classes	a) 500 sqm per 100 students b) 100 sqm per 100 students c) 150 sqm per 100 students	15%
7	Social building for uncommon uses a) Dedicated trading b) Grain market, and other commodity markets wholesale trades etc.	30%	25%

1. The parking provided as per the regulations on ground or at any other level is exempted from F.A.R. calculation.
2. 50% of the total parking space requirements shall be reserved for cars.

**NOTE:**

- 1) Parking requirements shall be calculated on the basis of maximum permissible F.A.R.
- 2) In cases where misuse of parking space is noticed, the use of entire building shall be discontinued and the use shall be permitted only after the parking spaces are made possible for parking use. High penalty as decided by Competent Authority from time to time shall be levied considering the period of misuse of the parking space and the benefit derived out of misuse.
- 3) (3) In cases where more parking space is requested, the Competent Authority may grant the request for providing parking in cellar or at upper floors with specific conditions to take care of genuine requirements.
- 4) Parking reserved for the visitors shall be provided at ground level only.

**5.14.2 THE PARKING LAYOUT SHALL FULFIL THE FOLLOWING CONDITIONS**

- I. The minimum width of access to street from parking space shall be 3.0 meters.
- II. The car parking space shall have two independent accesses leading to the street if its area exceeds 300 Sq.m. Provided that one such access may be permitted if its minimum width is 6 meters.

- III. (3) If the parking space is not provided at street level the gradient of ramp leading to parking space shall not be more than 1:8 i.e. the vertical rise shall not exceed more than 1 meter over a horizontal distance of 8 meters.
- IV. Clear head way of 3 meters, shall be provided on every access leading to parking space and at any point in parking space.
- V. (5) The general arrangement of parking layout shall be in conformity with the general instruction as may be issued by the Competent Authority from time to time.
- VI. Minimum width of ramp to the cellar shall be 3.00 m.

#### **5.15 CONSERVATION OF ARTIFACTS, AND PRECINCTS OF HISTORICAL AND/OR AESTHETICAL AND/OR ARCHITECTURAL AND/OR CULTURAL VALUE. (HERITAGE BUILDING AND HERITAGE PRECINCTS)**

No development or redevelopment or change of use or engineering operations or additions, alterations, repairs, renovations including the painting of buildings, replacement of special features or demolition of the whole or part thereof or plastering of heritage buildings and/or heritage precincts shall be allowed except with the written permission of the competent authority. The competent authority may notify premises, sites, features or buildings as heritage separately.

#### **5.16 Temporary structures:**

The concerned authority may grant permission for temporary construction for a period not exceeding 30 days at a time in the aggregate not exceeding for a period of three months as per provisions of TCP Act. Such structures shall be only for purpose of public entertainment or construction of project and shall be removed at the end of permitted period and shall in no case be permanently erected. The fee for permission of temporary structures shall be as determined by the Competent Authority.

#### **5.17 REGULATIONS FOR SPECIAL STRUCTURES**

##### **5.17.1 SPECIAL STRUCTURE**

Regulations for cinemas, theatres, meeting halls, lecture halls and town-halls.

In addition to the requirements specified under building regulations, the following regulations shall also be applicable.

- (a) **Location:** The building for the above purpose shall be located directly on a road of 18 m or more in width either existing or proposed subject to other regulations.

- (b) **Setbacks**

Front setback of 12 m width from the side abutting on the road shall be provided.

Such open spaces may be permitted to be covered up to 6 m from the building line with a projected cantilever structure at a height of not less than 3.00 m from the ground level.

Sides and rear open spaces of 6 m width shall be provided. In addition to the above, the cinema rules as adopted by the State Govt. for cinemas and Janata theatres as amended from time to time, will also be applicable.

- (c) **Other requirements**

Other requirements with regard to architectural and design considerations shall be as per the National Building Code.

## **CHAPTER – 6**

### **DEVELOPMENT OF LOW COST HOUSING**

#### **6.1 SCOPE:**

- i. These regulations shall be applicable to development of schemes for socially and economically weaker sections of the society and for low cost housing to be undertaken by public agencies, co-operative societies, Government or Semi Government bodies, registered developers.
- ii. These regulations shall also be applicable to development of schemes for workers undertaken by the employing industry or by registered developers on behalf of employing industry and where plot area of industry is more than 5000 sq.m.

#### **6.2 PLANNING:**

The type of development for such a housing shall be as a group housing.

(i) The minimum and the maximum plot size shall be between 18 sq.m and 40 sq.m respectively with built up area not exceeding 70% of the plot area leaving front as well as rear setbacks of 1.5 m.

- i. The minimum frontage of plot shall be 3.0 m in width.
- ii. After every 20 such continuous plots 3.0 m wide spaces open to sky shall be provided.
- iii. The maximum number of storeys in a building constructed on the plot shall be ground plus one storey only.
- iv. Common plot at the rate of 15% of the area of the total plot / land developed shall be provided for open space / community open space which shall be exclusive of approach roads, path ways, or setbacks.

#### **6.3 GENERAL BUILDING REQUIREMENTS:**

(1) The minimum height of the plinth shall be 30 cms. from the top surface of approach road or path way.

(2) The maximum Floor Area Ratio permissible shall be 2.

(3) (a) The size of living room, bed room shall not be less than 9 sq.m with minimum width of 2.5 m

(b) Size of independent bath-room and w.c. shall be 1.20 sqm with a minimum width of 1.0Sqm; and

© Size of combined bath room and w.c. shall be 1.80 sq.m with minimum width of 1.0 m

(4) (i) The minimum height of room shall be as under:-

LIVING ROOM	: 2.6 m
Kitchen	: 2.6 m
Bath /w.c.	: 2.1 m
Corridor	: 2.1 m

(ii) In case of the sloping roof, the average height of the roof for habitable rooms shall be 2.6 m and the minimum height at eaves shall be 2.0 m

(iii) The minimum slope of the slopping roof shall be 30<sup>0</sup> for G.I sheets, other sheets or tiled roof while for R.C.C sloping roof, the minimum slope shall be 12<sup>0</sup>.

- (5) The openings through windows, ventilators etc. for light and ventilation shall be as under:

- (i) One- tenth of the floor area of the room.

The width of stair case shall be 0.75 m minimum. The maximum height of the riser shall be 200mm, the minimum width of the tread shall be 22.5 cms. and the minimum clear head room of the stair case shall be 2.00 m

- (iii) There shall be one staircase for every 12 (twelve) dwelling units or part thereof.

#### **6.4 ROADS AND PATHWAYS:**

- (i) The area under the roads and pathways in such housing project shall normally not exceed 20 percent of the total area of the project.
- (ii) Access to the dwelling units where motorized vehicles are not normally expected shall be by means of paved foot paths with right of way of 6 m and pathways of 2 m only . The right of way shall be adequate to allow the plying of emergency vehicles and also for side drains and plantation.
- (ii) Where motorable access ways are not provided and pedestrian pathways are provided, the minimum width of such path way shall be 4.0 m which shall not exceed 50 m in length.

#### **6.5 MINIMUM REQUIRED ACCOMMODATION**

- (i) The minimum accommodation provided in every dwelling unit shall be one living room and a w.c. Where there is a drainage system , the agency developing the area shall install and maintain the internal drainage system. Where there is no drainage system the individual soak-pit shall be provided as per National Building Code.
- (ii) The loft, if provided in the room, shall not cover more than 30 % of the floor area of the room.



**APPENDIX-I**

(See rules 13 and 14)

**7.0 REGULATIONS FOR SUB-DIVISION OF LAND OR CHANGE OF LAND USE OR DEVELOPMENT OF LAND OR CONSTRUCTION OF BUILDING IN AREAS WHERE LAND USE IS FROZEN AND INTERIM DEVELOPMENT PLAN OR DEVELOPMENT PLAN HAS NOT BEEN PREPARED.****7.1. Application for permission:-**

After the boundaries of the land in question are marked, the applicant shall make an application on **Form 11** or **Form 12**, as the case may be, addressed to the Director and such application shall be accompanied by such documents as prescribed in **Form 11** or **Form 12** and accompanied by such fee as specified under sub-rule (2) of Rule 16 of the Himachal Pradesh Town and Country Planning Rules, 2014.

**7.2. The minimum Plot Area, minimum Setbacks and maximum Floor Area Ratio (FAR) shall be as under:-**

Sr No.	Description	Minimum Plot area	Minimum set backs				F.A.R	Height in mtr
01			front	Left	Right	Rear		
02	01	02	03	04	05	06	07	08
03	<b>Detached House</b>	150	2.00	1.50	1.50	1.50	1.75	21.00
04	<b>Semi-Detached House with common wall on one side</b>	200	2.00	2.00	2.00	2.00	1.75	21.00
05	<b>Row- Housing with common wall on two sides</b>	200	2.00	Nil	Nil	1.50	1.75	21.00
06	<b>Commercial use</b>							
07	<b>Booth</b>	8.75	1.00	Nil	Nil	Nil	---	5.00
08	<b>Shop</b>	19.50	2.00	Nil	Nil	Nil	---	5.00
09	<b>Hotel from 500sqm and up to 1500sqm.</b>	---	5.00	4.00	4.00	3.00	1.75	21.00
10	<b>Hotel above 1500sqm</b>	---	7.50	5.00	5.00	4.00	1.40	21.00
11	<b>Guest Houses</b>	250	3.00	2.00	2.00	2.00	2.00	21.00
12	<b>Public &amp; Semi-Public</b>							
13.	<b>Educational Buildings</b> 250-500sqm >500-1000sqm >1000-5000 >5000	As at column No-2	3.00 5.00 10.00 15.00	2.00 2.00 5.00 7.50	2.00 2.00 5.00 7.50	2.00 3.00 5.00 7.50	2.00 1.75 1.50 1.50	21.00
14.	<b>Police/Fire Station</b>	do	do	do	do	do	do	do
15	<b>Medical</b>	do	do	do	do	do	do	do
16	<b>Community Hall</b>	do	do	do	do	do	do	do
17	<b>Library/Religious Building</b>	do	do	do	do	do	do	do

18	<b>Govt &amp; Semi-Govt Building</b>	do	do	do	do	do	do	do
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### 7.3. General Regulations

The following Regulation shall be applicable in all areas where no specific mention is

made, namely:-

1. Maximum acceptable slope for development shall be 45 degrees.
2. Maximum height of plinth level shall be 2.00 M.
3. One parking floor shall be mandatory wherever feasible. Maximum height of parking floor shall be 3.00 M including depth of beam below the ceiling of the slab and it shall be over and above the permissible Floor Area Ratio limit. However, the fee as specified under sub-rule (2) of Rule 16 of the Himachal Pradesh Town and Country Planning Rules, 2014 shall have to be paid for parking floor. The shear walls shall be constructed on all the three sides of parking floor so that it is not a soft storey.
4. In case, space as per requirement for parking is available in open, over and above the setbacks, condition of parking floor shall not be insisted. The closed floors in a building at any level, if proposed and feasible for parking, shall be allowed over and above the permissible Floor Area Ratio (FAR), irrespective of height restriction, subject to structural stability. The fee as specified under sub-rule (2) of Rule 16 of the Himachal Pradesh Town and Country Planning Rules, 2014 shall have to be paid for parking floor. In case any person intends to construct parking floor, if feasible for parking, in addition to the number of storeys approved, will be allowed over and above the permissible Floor Area Ratio (FAR) subject to structural stability. The fee as specified under sub-rule (2) of Rule 16 of the Himachal Pradesh Town and Country Planning Rules, 2014 shall have to be paid for parking floor. The said parking floors shall be used exclusively for parking only.
5. Multilevel parking floors shall be allowed in Government & public undertaking buildings and in Commercial Uses wherever feasible. The Regulations of Public & Semi-Public Use shall be applicable for Government & public undertakings where multilevel parking floors are proposed. The Regulations of Commercial Uses shall be applicable for multilevel parking floors proposed in Commercial Uses. Though, one parking floor is mandatory yet, second parking floor can be constructed which will be optional.
6. Minimum and maximum height of floor shall be 2.70 M and 3.50 M respectively (for all uses) and variations in floor heights, if required for specific functional/operational requirement of an activity shall be permissible with restriction of overall height of the structure. The chimneys, elevators, poles, tanks and other projections not used for human occupancy may extend above the prescribed height limits. The cornices and window sills may also project into any required set backs.
7. Sloping roof shall be mandatory in hill areas. The CGI sheets on roof top and MS sheet 0.24 M wide Facia shall be painted in post office red or grey green colour or any other colour confirming to the natural roofing material. Height of sloping roof zero at eaves and maximum 2.70 M at centre shall be permissible. The continuous Dormer on any side of sloping roof shall not be allowed. Maximum 2 Dormers on the either side of sloping roof at a reasonable distance between eaves and ridge shall be allowed. The 1/3<sup>rd</sup> area of the top floor shall be allowed as open terrace wherever sloping roof is provided.
8. **Set backs:-**  
Minimum front set back from the line of controlled width of Highways and other

- Himachal Pradesh Public Works Department's scheduled roads falling within the Planning Area or Special Area limits (excluding the land, included in the inhabited sites of an village as entered and demarcated in the Revenue record or on sites in notified Municipal area that are already built up) shall be 3.00 M. Minimum front set back for non-scheduled roads and Municipal roads shall be 3.00 M.
9. For the plots abutting Highways, Bye-pass and other Himachal Pradesh Public Works Department's scheduled roads, No Objection Certificate from the Himachal Pradesh Public Works Department shall be mandatory, in the cases where plot is directly abutting to these roads and there is direct access through connecting bridge and by constructing ramps to such roads.
  10. Maximum hill cut of 3.50 M height shall be permissible.
  11. Submission of Structural Stability Certificate on completion of building shall be mandatory.
  12. Competency for preparation of structural design and its certification:-  
Registered Civil Engineer having experience in Engineering Structure practice with design and field work.
  13. Issuance of No Objection Certificate (NOC) for water supply and electricity connection
    - i) Temporary NOC -at plinth level
    - ii) Permanent NOC –on completion of dwelling unit/floor/whole building.
  14. Any subsequent deviations made in the building constructed after getting the plan approved and after grant of No Objection Certificate (NOC) issued by the Department shall entail the entire building unauthorized and NOC so issued shall be withdrawn and the services shall be disconnected.
  15. Adequate distance from the electric lines as per the requirement of Himachal Pradesh State Electricity Board Limited (HPSEB Ltd.) Rules shall have to be maintained. The No Objection Certificate (NOC) of the Competent Authority shall also be required, if HT/LT line is crossing through the site.
  16. Minimum permissible distance between two blocks constructed on a plot shall be 5.00 M.
  17. Distance from the Highest Flood Level (HFL) along Rivers, Khuds and Nullahs shall be as delineated in the Interim Development Plans / Development Plans. In other areas, no  
Construction shall be allowed in parcel of land prone to floods.
  18. No development shall be permissible on land having buildable width less than 5.00 M after leaving setbacks.
  19. No construction shall be allowed within a radius of 2.00 M from the existing tree and 5.00 M from the forest boundary measured from the circumference of an existing tree.
  20. Construction on sand witch plots shall be permissible as per existing building lines, only in existing built up areas.
  21. In new sub-division of land the matter of table is given in annexure-VI

#### **7.4 Change of Land Use:-**

Change of existing land use for Residential, Commercial, Public and semi-public and Industrial uses, shall be on existing pattern of development and site conditions subject to the conditions that where basic services like paved roads, drainage, water supply, sewerage disposal, electrical supply line, street lighting etc. do not exist, change of land use or development of land shall not be permitted unless the applicant undertakes that these services shall be provided at his own cost.

### **7.5. Relaxation:-**

In case of any constraints as per the site conditions in maintaining set backs or any other Regulations, the concerned Officer vested with the powers of the Director may relax the same.

## **APPENDIX-II (See rules 13 and 14) SOLAR PASIVE BUILDING DESIGN**

### **1. SCOPE:**

The Solar Passive Building Design shall be required in the following type of building:

1. All the Govt and Semi Govt buildings.
2. Public & Semi public Institutions including Education, Health Community Centre, Banquet Halls, Inns and building of Autonomous bodies.
3. Urban Local Bodies and Panchayat Raj Institutions.
4. Residential buildings in urban and urbanisable area.
5. Residential colonies and Apartments.
6. Commercial Complexes and buildings related thereto including Hotels, Resorts Lodges and Guest Houses.
7. Industrial Buildings and complexes thereof.
8. Transport buildings such as Airport Terminals, Bus Terminals Railway Station etc.
9. New Town Ships.

### **2 BUILDING MAP :**

The map for the building should accompany a statement giving details of solar passive heating/ cooling/ day lighting features alongwith technical specifications of solar space heating/ cooling system, solar photovoltaic, energy efficient and other renewal resource devices to be installed alongwith expected energy saving in the building.

### **3 SITE SELECTION:**

The site should preferably be selected on southern slopes/ side. Survey of the site has to be got done to determine adequate solar energy availability and solar access alongwith data on climatic conditions.

### **4 ORIENTATION:**

The longer axis of the building should lie along east/west directions to trap maximum solar energy.

## **5 PLANNING SPACES:**

The main habitable spaces of a building should be planned and designed in such a manner so that natural day light is available. The stair cases, garages, toilets and stores to be planned preferably in northern side. Minimise door and window openings on north side to avoid heat losses and maximize south facing glazing to capture maximum heat as per site and climate conditions.

## **6 INTERGRATING SOLAR SPACE HEATING SYSTEMS IN BUILDING DESIGN**

**6.1** Passive solar heating systems like solar air heating/ water heating/ sun space/ solar walls/ solar trombe wall etc. are to be integrated in the building design on southern side so as to allow maximum direct solar access to these systems.

**6.2** The suitability of space heating systems to be installed or incorporated in the design of a solar passive building is to be decided by the Architect/ solar expert as per the building site/ climate/ space heating requirements.

**6.3** All solar/ water heating systems should have an automatic electric backup system so as to function during cloudy/ non sunshine days.

**6.4** The solar water heating system is to be integrated preferably, in the roof of the building so that the panels become a part of the roof. The solar collectors on the roof inclined at angle of  $45^{\circ}$  to  $50^{\circ}$  for receiving maximum solar radiation, will be allowed in all part of the State.

**6.5** The sunspace/ solarium/ solar green house/ solar wall/ solar chimneys etc. will be allowed on the roof top for utilizing solar energy for heating of the building.

**6.6** Provision in the building design itself is to be kept for and insulated pipeline from the rooftop on the building to various distribution points where hot water/ hot air is required.

## **7 SOLAR PHOTOVOLTAIC PANEL (SPV) FOR LIGHTING:**

Solar photovoltaic panels are to be integrated preferably in the building design for lighting/ street lighting/ emergency lighting in order to reduce electricity usage and to save the energy.

## **8 SOLAR PASSIVE COOLING DESIGN FEATURES :**

The main habitable spaces of a building should be planned and designed in such a manner so that natural day light is available. The stair cases, garages, toilets and stores

**8.1** Cross Ventilation: Windows on opposite sides of rooms be provided for proper circulation and ventilation of fresh and cool air.

**8.1** South windows are to be fixed with overhangs to provide shade from summer.

**8.3** Colour and Shading: The external surface of the wall is to be painted with white/ light colours to reflect instant solar radiations.

- 8.4 Ground embankments: Ground floor be provided with earth beaming to a height of around 1.00 Metre for taking the advantage of constant temperature of the earth throughout the year.

- 8.5 Outside temperature be modified by land scaping.

**9 REDUCING THERMAL LOSSES:**

The building structure and materials are to be utilized to meet the heating and cooling requirements by means of storing warmth and cloth.

**10 OUTER WALL THICKNESS:**

Outer walls of the building should be made at least 0.24 Metre thick/ or with cavity/ or with insulation for thermal comfort and to avoid the transfer of heat from outer environment and vice-versa.

**11 INSTALLATION OF SOLAR ASSISTED WATER HEATING SYSTEM IN BUILDINGS:**

- 11.1** No new building plan in the following categories in which there is a system of installation for supplying hot water shall be cleared unless the system of the installation is also having an auxiliary solar assisted water heating system:-

- (a) Hospitals and Nursing Home.
- (b) Hotels, Lodges and Guest Houses, Group Housing with the plot area of more than 4000 Sqm.
- (c) Hostels of Schools, Colleges and Training Centres with more than 100 Students.
- (d) Barracks of Police.
- (e) Functional Buildings of Air Ports like waiting rooms, retiring rooms, rest room, inspection bungalows and catering units.
- (f) Community Centres, Banquet Halls and buildings for similar use.

- 11.2** (a) New buildings should have open space on the rooftop which receives direct sun light. The load bearing capacity of the roof should at least be 50 Kg. per Sqm. All new buildings of above categories must complete installation of solar water heating system before putting the same in use.

- (b) Installation of solar assisted water heating systems in the existing building shall be made mandatory at the time of change of use to above said categories, provided there is a system or installation for supplying hot water.

- 11.3** Installation of solar assisted water heating systems shall conform to BIS specification. The solar collectors used in the system shall have the BIS certification mark.

- 11.4** All Solar water heating system may have an automatic electric backup system so that the same is functional during cloudy or low / non sunshine days.

- 11.5** Provision in the building design itself may be kept for an insulated pipeline from the roof top in the building to various distribution points where hot water or hot air is required.

- 11.6 The Solar water heating system has to be integrated preferably in roof of the building, where ever possible, so that the panels become integrated part of the roof. The solar air/water collectors/green houses/sun spaces of the roof for receiving maximum solar radiation will be allowed.

### **APPENDIX-III**

(See rules 13 and 14)

## **9.0 HERITAGE REGULATIONS**

In view of historical importance of the town on one hand and need for preservation of its rich cultural heritage on the other, regulatory control especially for heritage buildings/sites, precincts etc shall be as per Heritage Report to be prepared and got approved the Government, separately. In Heritage Area façade of the of the building/ blocks shall be maintained internal changes shall be permissible in accordance with building Bye Law of local Authority for internal space allocation.

### **9.1 Forest Area**

Every efforts shall be made to preserve and protect the existing forest areas. While Government forests are expected to maintain their status-qua, the private forests shall also be preserved and protected.

Activities promoting afforesting, afforestation, wild life, picnic and tourism alone shall be permissible. Under tourism only such activities shall be allowed whereby tented, temporary, small and make shift accommodations are proposed with prior permission of the Forest Department. Felling of trees shall not be allowed for any of the of the activities mentioned above.

### **APPENDIX-IV**

(See rules 13 and 14)

## **INFORMATION TECHNOLOGY PARKS REGULATIONS**

### **1. Slope**

Buildings of Information Technology (IT) Park shall be allowed upto 30° slope. The infrastructural services including roads shall be developed in accordance with slope of the area.

### **2. Land Use structure of complex**

<b>Sr. No.</b>	<b>Land Use Structure</b>	<b>Maximum limit for covered area</b>
1.	IT related activities	50 %
2.	Commercial	22 to 44 %
3	Recreational(Indoor)	1 to 5 %
4.	Residential	1 to 3 %
5.	Parks & Tot Lots	9 to 15 %
6.	Traffic & Transportation	8 to 12 %

7.	Set backs & Open Space	20 to 24 %
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### 3. Means of Access

- (i) The access to the site of IT Park area shall not be less than 5 M wide.
- (ii) Provisions of internal roads shall be as under:-

Sr.No.	Length	Width
1.	Up to 1000 Metres	9.00 mtr.
2.	Above 1000 Meters	12.00 mtr

### 4. Parking Provision

- 1. Residential = @ one car space per 75 sqm floor area.
- 2. Commercial = @ 1.50 car space per 75 sqm floor area.
- 3. Office Use = @ 1.25 car space per 75 M2 floor area.
- 4. Hardware Manufacturing Unit = @ one car space per 60 M2 floor area.
- 5. Software development/ITES = @ one car space per 40 M2 floor area.

Maximum height of parking floor shall be 3.00 mtr including depth of beam below the ceiling of the slab.

### 5. Maximum Floor Area Ratio (F.A.R.)

- (i) Floor Area Ratio (F.A.R.) shall be 1.75.

### 6. Maximum Height of buildings

Maximum height of building for IT and related activities shall to be 21.00 mtr.

### 7. Set Backs

- (i) Block to Block distance shall be 2/3rd of average height of the Blocks.
- (ii) Distance of structures from the adjoining properties and side Set Backs shall not be less than 1/3rd of the height of the Blocks.
- (III) Minimum 3.00 Metre distance from internal roads shall have to be maintained.

### 8. Expansion Joints

The structures exceeding 45.00 M in length shall be divided by one or more expansion joints as per Structural Design calculations.

### 9. Structural Stability

The structural stability provisions shall be strictly adhered to, as enshrined in Section 31-A of the Himachal Pradesh Town and Country Planning Act, 1977.

### 10. Environment and Health

- (i) Proper air, light and ventilation to each dwelling unit shall have to be ensured. At least 3 hours sun may be available for each building during winters. In case of residential structures, kitchen and services shall have to be provided along the external walls. However, if the water closets and



bathrooms are not opening to the front, sides, rear and interior open spaces, these shall open to the ventilation shaft. The maximum size of ventilation shaft shall be 4.00 Sqm. with minimum 1 dimension of 1.5 M.

- ii) The Developer shall ensure prior environmental clearance under the provisions of Environment Protection Act, 1986 from the Competent Authority, besides consent of the State Environment Protection and Pollution Control Board under the Water Act, 1974 and the Air Act, 1981.

#### **11. Safety Measures**

- (i) In case of buildings above 15.00 M height, No Objection Certificate from the Director of Fire Services or Chief Fire Officer, as the case may be, shall be required.
- (ii) The provision of stair cases shall be as per clause 8.6.2 of Part-IV of the National Building Code of India i.e. minimum two stair case for floor area of more than 500 M<sup>2</sup>. At least one of the stair case shall be on external wall of the buildings and shall open directly to the exterior. Width of stair case shall not be less than 3.00 M i.e. 1.50 M in each flight.
- (iii) Provision for lift shall be optional upto 3 storeys and 1 parking floor. However, for more than 3 storeys and one parking floor, it shall be mandatory requirement. The Developer shall make provision of power back up for the lift and general lighting within and outside the building at his own cost.
- vi) Provision for proper Fire Hydrants shall be made in the Complex and the layout showing position and location of the same shall be made available to the nearest Fire Office.

#### **12. Potable Water Supply and Rain Water Harvesting**

- (i) No Objection Certificate from the Himachal Pradesh Irrigation and Public Health Department (IPH) regarding availability of adequate water supply and viability of design of rain water harvesting tank shall be furnished.
- (ii) Adequate provision for rain water harvesting tank, @ 20 Liters per M<sup>2</sup> of the roof top area, shall be made underground in the Parks and Open Spaces and the same shall be used for the purposes other than drinking and cooking.

#### **13. Parks and tot lots**

Area under parks and tot lots shall be properly organized in regular shape and amidst the Blocks. Proper landscaping of the IT Park area in accordance with the design shall be ensured by the Developer.

#### **14. Existing trees and plantation**

- (i) No construction shall be allowed within a radius of 5.00 M from the circumference of an existing tree.
- (ii) Plantation shall be ensured @ 125 trees per Hectare.

#### **15. Distance from Natural drainage**

Distance from highest flood level (HFL) along rivers, 'khuds' and 'nallahs' shall be as under:-

River	= 25.00 M
Khud	= 10.00 M
Nallah	= 05.00 M

#### **16. Distance from Roads**

Minimum distance of structures from National Highways, State Highways, Himachal Pradesh Public Works Department (PWD)'s Scheduled roads, Bye-Passes and other District roads shall be 15.00 M.

**17. Distance from Electric Lines**

Adequate distance from the electric lines as per the requirement of Himachal Pradesh State Electricity Board (HPSEB) Rules, 1956 shall be maintained. No Objection Certificate of the Competent Authority shall be required, if High Tention/ Low Tention (HT/LT) line is crossing through the Complex.

**18. Assessment of Power requirement**

In case power requirement assessment exceeds 50 KW, proper space for installation of electric Transformer and Transmission Lines of 11 KV shall be provided in the layout plan. The proposed space is to be got verified from the concerned Officer of the HPSEB and accordingly No Objection Certificate alongwith verification at site shall have to be furnished.

**19. Development of Infrastructure and its maintenance**

- (i) The Developer shall construct roads & drains, lay electric & sewerage lines and shall make provision for disposal of solid waste etc. suitable site shall be reserved for placement of dumpers. The provision of services infrastructure shall be made through a duct to be constructed on the sides of the internal roads.
- (ii) on both sides of the roads.
- (iii) The provision of Community over head water reservoir shall be made in the Complex.
- (iv) All the infrastructural services shall be maintained by the Developer, till such time when a Society is formed and got registered by the stakeholders and residents of the Complex or a Municipality or Nagar Panchayat or Gram Panchayat takes over the maintenance pursuits of the area.

**20. Supervision**

For supervision of development of land, the Town Planner, for design of building an Architect and for building construction, the Structural Engineer shall be competent, as per provisions of Annexure-A of part II of the National Building Code of India.

**21. Integration**

Proper integration of the IT park area shall be ensured with the surrounding uses and infrastructural provisions like roads, drainage, sewerage etc.

**22. Preservation of local Heritage and Hill Architecture**

As far as possible local Heritage and Hill Architecture imperatives shall have to be ensured and incorporated in the design in terms of façade, sloping roof, windows, dormers etc.

**23. Other Regulations and instructions as issued by the Government from time to time shall be adhered strictly.**

**APPENDIX-V**  
**(See rules 13 and 14)**

**11.0 BARRIER FREE ENVIRONMENT FOR THE PERSONS WITH DISABILITIES REGULATIONS.**

**(i) Site Planning**

Every public and semi-public building shall have at least one access to main entrance/exit to disabled which shall be indicated by proper signage. This entrance shall have approach through a ramp together with stepped entry. The ramp should have a landing after 9 M run and in front of the doorway. Minimum size of landing shall be 1000x2000 mm.

**(ii) Access path/walkway**

Access path from plot entry and surface parking to building entrance shall be minimum of 1800 mm wide having even surface without any step. Slope if any shall not be greater than 5%. Selection of floor material shall be made suitably to attract or to guide visually impaired persons (limited to floor material whose colour texture is conspicuously different from that of the surrounding floor material or the material that emit different sound to guide visually impaired persons). Finishes shall have a nonslip surface with texture traversable by a wheel chair. Curbs wherever provided should blend to common level.

**(iii) Parking Provision**

- (a) Surface parking for two equivalent car spaces shall have to be provided near entrance with maximum travel distance of 30 M from building entrance. Width of parking bay shall be minimum 3.60 M
- (b) Guiding floor materials shall be provided or a device, which guides visually impaired persons with audible signals, or other devices, which serves the same purpose, shall be provided.

**(iv) Approach to plinth level**

- (a) Ramp shall be provided with non-slip material to enter the building. Minimum clear width of ramp shall be 1800 mm with maximum gradient of 1:12 between top and bottom of the ramp. Length of ramps shall not exceed 9.00 Metres having 800 mm high handrail on both sides extending 300 mm beyond the ramp. Minimum gap from the adjacent wall to the handrail shall be 50 mm.
- (b) For stepped approach size of tread shall not be less than 300 mm and maximum riser shall be 150 mm. Provision of 800 mm high handrails on both sides of the stepped approach similar to the ramped approach shall be provided.

**(v) Entrance Door**

Minimum clear opening for the entrance door shall be 1000 mm.

**(vi) Corridor connecting the entrance/exit**

The corridor connecting the entrance/exit for handicapped leading

directly outdoors to a place where information concerning the overall views of the specific building can be provided to visually impaired persons either by a person or signs shall be provided as follows:-

- (a) Guiding floor materials shall be provided or devices that emit sound to guide visually impaired persons.
- (b) The minimum width shall be 1500 mm
- (c) In case there is a difference of level, slope ways shall be provided with a gradient of 1:12.
- (d) Handrails shall be provided for ramps/slope ways.

**(vii) Lift**

For the buildings with more than 15.00 M in height one lift shall be provided for the wheel chair user with the following clear dimensions:-

- (i) Clear internal depth 1100 mm
- (ii) Clear internal width 2000 mm
- (iii) Entrance door width 910 mm

A handrail not less than 600 mm long at 900 mm above floor level shall be fixed adjacent to the control panel. The lift lobby shall be of an inside measurement of 1800mx2000 mm or more. Operational details of lift shall conform to the National Building Code of India.

**(viii) Toilets**

One special toilet in a set of toilets shall be provided for use of handicapped with following specifications:-

- (a) Provision of washbasin near the entrance.
- (b) The minimum size shall be 1500 mm x 1750 mm
- (c) Minimum clear opening of the door shall be 900 mm and the door shall be swinging/sliding type.
- (d) Suitable arrangements for vertical/horizontal handrails with 50 mm clearance from wall shall be made in the toilet. The W.C. Seat shall be 500 mm from the floor.

**(ix) Refuge Area**

Refuge area shall have to be provided at the fire protected stair landing on each floor having doorways with clear opening width of 900 mm that can safely hold one or two wheel chairs. The alarm switch should be installed between 900 and 1200 mm from the floor level.

**APPENDIX-VI**

**(See rules 13 and 14)**

**12.0 REGULATIONS FOR COLLECTION OF RAIN WATER**

- 1. The collection of rain water from the roof tops of the buildings shall be compulsory where the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977) is in operation in the State as under :—
  - (a) For all the buildings existing or proposed for construction in future; and
  - (b) The Guidelines for capturing, storage, integration and distribution of rain water shall

be as under:—

- (i) The Rain Water Harvesting Structures are allowed to be constructed in set backs below ground level. If the storage is desired at any level above ground level, it has to be away from set backs within the permitted covered area.
- (ii) The community Rain Water Harvesting Structure shall also be permissible.
- (iii) Proper system for rain water capturing, storage as well as integration and distribution shall be ensured.
- (iv) The stored rain water shall be utilized regularly for non-drinking, usages including fire fighting, landscaping, gardening apart from domestic usages.
- (v) No water supply connection shall be given to any building till Rain Water Harvesting System is put in place and subsequently operationalised.
- (vi) The minimum capacity of Rain Water Harvesting Structure shall be worked out @ 20 Liters per square Metre of the roof top area.
- (vii) Rain Water Harvesting System Inspection Committee under the Chairpersonship of local Sub-Divisional Magistrate (S.D.M) shall be responsible for periodical inspection to ensure continual use of Rain Water Harvesting System.
- (viii) Violator shall be liable for disconnection of Public Water Supply connection.
- (ix) The owners of existing buildings without Rain Water Harvesting System shall have to install Rain Water Harvesting System within eighteen months after coming into the operation of these Regulations.
- (x) The Rain Water Harvesting System Inspection Committee shall be competent to allow any exemption and minor deviations from these Regulations in view of limitations for providing Rain Water Harvesting System in any existing building and any departure from the approved norms.
- (xi) The Deputy Commissioner shall be Appellate Authority to hear any appeal under these Regulations.

## **APPENDIX-VII**

**(See rules 13 and 14)**

### **REGULATIONS FOR DEVELOPMENT OF APARTMENTS AND COLONIES**

#### **1. Site selection**

The site may be selected in such area which is going to be proposed for Residential Use and the same is not having non- conforming uses like obnoxious uses,

industrial and dumping ground etc. in its vicinity.

## 2. Check List

A Check List showing Regulatory provisions and fulfillment thereof shall have to be submitted along with the proposal for Apartments as under :

Sr. No.	Descriptions	As per Regulation	As per proposed
01.	Scheme area		
02	Slope of area		
03	Means of Access		
04	Land use structure		
05	Coverage I-Under flats( Block wise) II-Under other uses( Block wise)		
06.	Total Built area		
07.	Floor Area Ratio(FAR)		
08.	No. of Storeys		
09.	Height of each floor		
10.	Total Height of Block		
11	No. of flats/dwelling units in each block		
12.	Total Population		
13	Density per Hectare		
14	Detail of facilities with respect to population		
15	Parking provision		
16.	Structural Stability Certification		
17.	Distance of structures from natural drainage		
18.	Distance of structures from Highways and other District Roads		
19.	Distance of structures from HT/LT lines		
20	No Objection Certificate of competent authority of the Himachal Pradesh State Electricity Board Limited incase HT/LT line is crossing over/ nearby proposed site		
21	No Objection Certificate of the competent authority of National Highway / Himachal Pradesh Public Works Department for approach as well as proposed construction		
22	Provision of Rain Water Harvesting Structure		
23	Arrangement for disposal and treatment of solid waste, sewerage, sullage and storm water		
24	Provision for street lighting/solar lights.		
25	Environmental Clearance from the Government of India and consent of the State Environment Protection and Pollution Control Board, Himachal Pradesh under the Water Act, 1974 and the Air Act, 1981 in case Colony is designed for more than 1000 persons.		
26	Name of the registered Architect/ Town Planner/		

	Engineer with full correspondence address, appointed for the job		
27	Name of the registered Structural Engineer with full correspondence address, appointed for the job.		
28	NOC of competent authority of H.P Forest department.		
29	NOC of competent authority of H.P Fire Services Department.		
30	NOC of competent authority of Urban Local Bodies /Panchayats.		

### 3. Size and shape of Scheme Area

The cases for permission of Apartments shall be considered in the form of complexes and not on ribbon development pattern along Highways/Major Roads. The minimum area for a Scheme for development of Apartments shall be 2500 square Metre. In general, overall length and width ratio of the site shall be up to 3:1.

### 4. Slope

Apartments shall be allowed upto 30 degree slope.

### 5. Land Use structure of Apartments in a Colony:-

Sr. No.	Land Use	% age to Total Area
01	Area under Apartments	30-35 %
02	Commercial	02-05 %
03	Public and Semi- Public	05-10%
04	Traffic and Transportation	20-30%
05	Parks and Open Spaces	10-15%
06	Area under Set Backs, pavement, plantation and landscaping etc.	12-25%

**Note.**—Under Commercial Use, convenient shops @ of one shop per 150 persons shall have to be provided. These will include service shops like vegetable, shoe repair, dry cleaning, tailor, barber, general merchandise etc. The purpose of these shops should clearly be mentioned in the plan and should be accordingly allotted after completion. In case Public and semi-Public amenities like schools, health centres etc. are available in the vicinity and the same are adequate to cater for the requirements of inhabitants, detail thereof shall have to be given in the **Check List** at Regulation 2. However, provision of toilets and urinals @ two toilets, one for ladies and one for gents, per 1000 persons and provision for Kindergarten/ tot lots etc. shall have to be made in every

### 6. Means of Access

- (i) The minimum access for an area of Apartments or Colony with a population of more than 1000 persons shall not be less than 5.00 Metres and for population above 1000 persons shall be less than 6.00mtr.
- (ii) Width and length of means of internal access for Colonies of more than 1000 person shall be as under:-

**(a) For plain areas:-**

Sr. No.	Width in metres	Length upto (in Metre)
01.	5.00	250.00
02	7.5	400.00
03	9	1000.00
04	12	Above 1000.00

**(b) For Hilly areas**

Sr. No.	Width in metres	Length upto (in Metre)
01.	5.00	400
02	7.50	1000
03	9.50	Above 1000

**7. Parking Provision**

Parking provision shall be @ one vehicle i.e. 18.00 square Metre area per 100 square Metre floor area. Maximum height of parking floor shall be 3.00 Metre including the depth of beam below the ceiling of the slab.

**8. Maximum Floor Area Ratio (FAR)**

- (a) Maximum permissible FAR shall be 1.75. However, the maximum FAR with respect to Apartments shall be 1.50. The rest 0.25 FAR shall, however be meant for Public and semi-public and Commercial purposes in view of the requirements of locality as well as surrounding areas.
- (ii) In case of a Colony where independent Plots, Apartments and Cottages are proposed to be developed and constructed, the calculation of FAR shall be as under:—
  - (a) For independent Plots-  
The FAR shall be calculated for whole of the Plot area.
  - (b) For Apartments -  
The FAR shall be calculated for the built up area available after leaving prescribed Set Backs.
  - (c) For Cottages -  
The FAR shall be calculated for whole of the land over which cottages are proposed to be constructed.

**9. Floor Height and Maximum Height of Building**

The floor height of Apartments may vary from 3.00 Metres to 3.50 Metres. However, the overall height of the building shall not exceed 30.00 Metres along the plains and 25.00 Metres including sloping roof in hilly areas. Maximum height of sloping roof shall be in accordance with the volume of structure and the same shall not be less than 30 degree slope of the roof. The height of Block shall be measured from plinth of the Block to the ridge of the roof including parking and roof. The



maximum slope of the roof/dormer shall not be less than 30 degree. The colour of the roof shall be in post office, read or grey green or any other colour conforming to the colour of the natural roofing material.

#### 10. Set Backs

Block to Block distance shall be 1/3rd of average height of Blocks subject to minimum of 6.00m. Distance of Apartments from the adjoining properties and side Set Backs shall not be less than 1/3<sup>rd</sup> and for hilly area 1/4<sup>th</sup> of the height of the respective adjacent Blocks subject to minimum of 3.00 M.

#### 11. Structural Stability

The structural stability provisions including Soil Investigation report have to be strictly adhered as ensured under 31-A of the Himachal Pradesh Town and Country Planning Act, 1977(Act No. 12 of 1977) and Rule 21 of the Himachal Pradesh Town & Country Planning Rules 2014. Monitoring of the same shall have to be ensured at each floor level and Completion Certificate in this regard shall be furnished to the Director, Town and Country Planning Department, Himachal Pradesh, Shimla.

#### 12. Environment and Health

(i) Proper air, light and ventilation to each dwelling unit shall have to be ensured. At least 3 hours sun may be available for each flat during winters. Kitchen and services shall have to be provided along the external walls. However, if the water closets and bathrooms are not opening on to front, side, rear and interior open spaces, these shall open on to the ventilation shaft, the minimum size of which shall be as under:

Height of Building (in mtr.)	Size of Ventilation Shaft ( in Sqm.)	Minimum one dimension of the ventilation shaft (in mtr.)
Up to 10.00	1.20	0.90
Up to 12.00	2.80	1.20
Up to 18.00	4.00	1.50
Up to 24.00	5.40	1.80

(ii) In view of Notification No. S.O. 801 (E) dated 7.7.2004 of Ministry of the Environment and Forests, Government of India, New Delhi and accordingly further directions of the State Government circulated vide letter No. STE-A (3)-11/2003 dated 28.3.2005, in case of population more than 1000 persons or discharging sewage more than 50 Killo Liter per Day ( KLD) or above or with an investment of Rs.50 Crores or above, the Promoter has to ensure, Environmental Clearance from the Government of India, besides consent of the State Environment Protection and Pollution Control Board Himachal Pradesh under the Water Act, 1974 and the Air Act, 1981.

#### 13. Safety Measures

- (i) In case of buildings above 15.00 Metre of height, No Objection Certificate (NOC) from the Director, Fire Services or Chief Fire Officer, as the case may be, shall be required.
- (ii) The provision of stair cases shall be as per clause 8.6.2 of Part-IV of National Building Code of India i.e. a minimum of 2 stair cases for floor area of more than 500 square Metre. Atleast one of the stair case shall be on external wall of the buildings and shall open directly to the exterior. Width of stair case shall not be

less than 3.00 Metre i.e.1.50 Metre in one flight.

- (iii) Upto 4 storeys and 1 parking floor, provision for a lift shall be optional. However, for or than 4 storeys and one parking floor, it shall be mandatory requirement. The Promoter has to make provision of power backup for the lift and general lighting within and outside the building at his own cost.

#### **14. Potable Water Supply and Rain Water Harvesting**

- i. No Objection Certificate (NOC) from the Himachal Pradesh Irrigation and Public Health Department, regarding availability of adequate water supply and viability of design of rain water harvesting shall have to be furnished.
- ii. Adequate provision for rain water harvesting @ 20 Liters per square Metre of the roof top area shall have to be made underground in the parks and open spaces and the same shall be used for the purposes other than drinking and cooking.

#### **15. Parks and Open Spaces**

Area under Parks and tot lots shall have to be properly organized in regular shape, amidst the Blocks. Proper landscaping of the Apartment area in accordance with the design shall be ensured by the Promoter.

#### **16. Existing Trees and Plantation**

- (i) No construction shall be allowable within a radius of 5.00 Metres from the circumference of an existing tree.
- (ii) The Promoter shall ensure plantation of trees at least equivalent to the anticipated population of the area and the same shall have to be monitored by the Director, Town and Country Planning Department, Himachal Pradesh, Shimla. Local varieties of trees with exotic impact and attraction shall have to be planted.

#### **17. Distance from Natural Drainage**

Distance from the Highest Flood Level (HFL) along Rivers, 'Khads' and 'Nallahs' shall be as under:—

- (i) River = 25.00 M.
- (ii) Khad = 10.00 M.
- (iii) Nallah = 5.00 M.

#### **18. Distance from Roads**

Distance of structures from roads shall have to be adhered as under:-

- (i) National/ State Highways/ Himachal Pradesh Public Works Department's Scheduled Roads and Bye-passes = 15.00 M.
- (ii) Other District Roads. = 10.00 M.
- (iii) Other roads = 5.00M

#### **19. Distance from Electric Lines**

Adequate distance from the electric lines as per the requirement of Himachal Pradesh State Electricity Board Limited Rules shall have to be maintained. The No Objection Certificate (NOC) of the competent authority shall also be required, if HT/LT line is crossing through the Scheme.

#### **20. Assessment of Power Requirement**

In case, power assessment exceeds 50 KW, proper space for installation of Transformer is required to be provided in the layout plan and provision has to be made for coming 11 KV line. The proposed space is to be got verified from the concerned Officer of the Himachal Pradesh State Electricity Board Limited and accordingly No Objection Certificate (NOC) along with verification of provision in the layout plan shall have to be furnished.

**21. Reservation for Economically Weaker Sections/ Low Income Groups of Society and Bonafide Himachalis**

The Promoter shall have to ensure the reservation for EWS and LIG of the society and bonofied Himachalis as prescribed in the Rules 56 of the Himachal Pradesh Town & Country Planning Rules,2014.

**22. Development of Infrastructure and its Maintenance**

The Promoter shall construct roads, drains, lay electricity lines, sewerage and make provision for disposal of solid waste etc. Suitable site has to be reserved for placement of dumpers. The provision of services infrastructure shall be made through a duct on sides of the road and the same have to be ascertained by the Director, Town and Country Planning Department, Himachal Pradesh, Shimla, during the course of development at site. The Promoter has to provide street light poles, each at a distance of 30.00 Metres on both sides of the roads. The provision of community overhead water reservoir has to be made in the Scheme. The infrastructural services shall be maintained till such time that a Society is formed and got registered by the residents of the Scheme or Municipal Corporation or Municipal Council or Nagar Panchayat or Special Area Development Authority (SADA) or Panchayat, undertakes the maintenance pursuits of the area.

**23. Control on Registration of Apartments and release of service connections**

The Sub-Registrar shall not register sale deed of a Flat/ Apartments which has been constructed in violation of an approved plan. Similarly, the Himachal Pradesh State Electricity Board Limited as well as Himachal Pradesh Irrigation and Public Health Department shall not release any service connection without obtaining No Objection Certificate (NOC) of the Director, Town and Country Planning Department, Himachal Pradesh, Shimla under provision of section 83-A of the Himachal Pradesh Town and Country Planning Act, 1977(Act No. 12 of 1977).

**24. Supervision**

The licensed Architect from the Indian Institute of Architects and Structural Engineer, Graduate in Civil Engineering with 3 years experience in Structural Engineering shall be competent for supervision of development of land upto 1.00 Hectare. For above 1.0 Hectare land, the Town Planner shall be competent, as per provision of Annexure-A of Part II of the National Building Code of India.

**25. Integration**

Proper integration of the Apartment area shall have to be ensured with the surrounding uses and infrastructural provisions like roads, drainage, sewerage etc.

**26. Projection of local Heritage**

As far as possible local Heritage imperatives shall have to be incorporated in the designs in terms of facades, sloping roof, windows, doors etc. Part provisions pertaining to sloping roof in Apartment along the plains and sloping roof in hilly

areas shall have to be ensured.

**27. Urban Development Plan Formulation and Implementation (UDPFI) Guidelines.**

In case of any clarification with reference to any proviso or if there is no any specific provision, the provisions as envisaged in the Urban Development Plan Formulation and Implementation (UDPFI) Guidelines of the Government of India or the National Building Code of India shall have to be adhered to.

**APPENDIX-VIII**

**(See rules 13 and 14)**

**14.0 REGULATIONS FOR INSTALLATION OF COMMUNICATION TOWERS**

**14.1. Definition**

Communication Tower- shall include Antenna, fabricated Antenna, Antenna fixtures, tower erected on ground to install the telephone lines including transmission lines. This will not include the Antennas installed for domestic purpose, namely Television Antennas or Dish Antennas or Cable Antennas.

**14.2. Application for Permission**

Any person or stakeholder who intends to erect any communication tower shall make an

application to the competent authority alongwith the following documents and requisite fee as prescribed:

- (i) Latest copy of Revenue documents namely tatima and jamabandi in original.
- (ii) Two copies of Location Plan in the scale of 1:1000 and Site Plan in the scale of 1:200. Location Plan should show the adjoining buildings and open spaces.
- (iii) Two copies of drawing of tower with complete details including the specifications of foundations and design parameters showing clearly the height of the tower alongwith its elevation.
- (iv) Affidavit from owner of the land containing his consent alongwith proof of ownership.
- (v) Structural Safety Certification of tower including its base by registered Civil Engineer, who should be Graduate in Civil Engineering from a recognized Indian or Foreign University or Corporate Member of Civil Engineering Division of the Institute of Engineers (India) with 3 years experience in Structural Engineering practice in designing and field work. The Soil Investigation Report from a registered Geologist.
- (vi) In case the tower is in the vicinity or adjoining to high or low voltage lines, then its horizontal and vertical distance from the same shall be clearly indicated in the drawings, which shall conform to the distances as prescribed in the National Building Code of India, 2005.
- (vii) Indemnity Bond to take care of any loss or injury due to accident caused by the tower to a person or property (including a declaration to the effect that the applicant shall take special precaution for fire safety and lightning and shall be solely responsible for paying all kinds of compensation and damages and would be responsible for any civil or criminal case arising therefrom) shall be submitted.

- (viii) Mobile Companies (duly registered) shall indicate the capacity of tower or Antennas in Mega Watt.
- (ix) In case the tower is proposed to be installed in the residential area or in vicinity thereof or near school or hospital or public or semi-public buildings, No Objection Certificate (NOC) from owners of adjoining buildings or the concerned Institution or requisite stakeholders, as the case may be, shall be submitted.
- (x) No Objection Certificate for noise pollution from the Himachal Pradesh State Environment Protection and Pollution Control Board shall be submitted.
- (xi) In case the Mobile tower is proposed to be installed in the vicinity of any Airport, No Objection Certificate from the Airport Authority of India shall be submitted.
- (xii) In the case of erection of towers in the border areas of the State, No Objection Certificate from the Defense or the Police Authorities as the case may be, shall be submitted.

#### **14.3. Fee**

Installation and renewal fee shall be deposited at the following rates:-

- (i) **Municipal Corporation, Areas:-** One time installation Fee @ Rs. 20,000/- per tower and Annual Renewal Fee @ Rs. 10,000/- per annum per tower.
- (ii) **Urban Areas:-** One time installation Fee @ Rs. 15,000/- per tower and Annual Renewal Fee @ Rs. 8,000/- per annum per tower.
- (iii) **Rural areas of Planning Areas and Special Areas:-** One time installation Fee @ Rs 10,000/- per tower and Annual Renewal Fee @ Rs. 5,000/- per annum per tower.
- (iv) **Areas located in Tribal or Difficult Areas:-** One time installation Fee @ Rs. 4,000/-per tower and Annual Renewal Fee @ Rs. 2,000/- per annum per tower.
- (v) There shall be an option for lump sum payment of renewal fee given in a block of 5 years (with 40% discount for upfront payment of the entire amount including renewal fees for 5 years).
- (vi) An additional amount @ 60% shall be levied for every additional Antenna which shares the same tower.

#### **Note:**

The renewal fee shall be increased by 25% after every five years. The period of five years shall be counted from the date of commencement of The Himachal Pradesh Town and Country Planning Rules, 2014.

#### **14.4. Location**

Location of communication towers is governed by the Radio frequency system. The Cellular Operators shall avoid residential areas for erection of the same. The location for erection of towers shall be decided as follows:-

- (i) First preference shall be given to the location of tower in the open or public areas away from the residential locations.
- (ii) Where it is not possible to avoid the location in residential area, the same shall be erected in open space or park, with prior consent of owners of adjoining residential houses.
- (iii) Erection of tower shall not be allowed within a radius of 100 M from residential buildings, schools and hospitals.

#### **14.5. Installations**

- (i) In order to avoid any eventuality due to thunder storm, lightning conductors have to be installed with proper earthing.
- (ii) Generator set installed at the tower site to cater to the power requirements of the Antenna shall conform to the noise and emission norms prescribed by the Himachal Pradesh State Environment Protection and Pollution Control Board.

#### **14.6. Set Backs**

- (i) The distance equivalent to the height of tower shall be left as set backs around the tower.
- (ii) The distance of communication tower from electric lines or poles or electric transmission towers thereof shall not be less than the height of tower plus requisite distance from respective high or low voltage lines. The horizontal and vertical distance from high or low voltage lines shall conform to the distances as prescribed in the National Building Code of India, 2005.

#### **14.7. Sharing of Towers.**

The Telecom Operators may share the towers for fixing their respective Antennas subject to structural safety to be certified by the registered Civil Engineer. The Telecom operators shall adhere to the prescribed technical requirements, so as to curtail multiplicity of towers as well as to optimize the use of the existing ones.

#### **14.8. Deemed Approval**

A final decision for allowing permission or rejection for erection of a communication tower shall be taken within 30 days from the date of submission of all the documents by the applicant. In case the documents submitted for permission are complete in all respects and decision is not conveyed within 30 days, deemed permission shall be assumed, provided

### **APPENDIX-IX**

(See rules 17)

## **REGISTRATION OF PRIVATE PROFESSIONALS NAMELY TOWN PLANNERS/ARCHITECTS/ENGINEERS/DRAUGHTSMEN/SURVEYORS, THEIR QUALIFICATIONS AND COMPETENCY**

### **1. Essential requirements-**

Every Plan / Design within the limits of Planning Area/ Special Area shall be prepared/ designed/ signed by the Town Planner/ Architect / Engineer/Draughtsman /Surveyor belonging to an appropriate class of Town Planner/Architect / Engineer/ Draughtsman/Surveyor duly registered by the Director.

### **2. Categorization**

The registered Town Planner/ Architect / Engineer/ Draughtsman/Surveyor for the purpose of preparation of Plans/Design/sign shall be classified into following 3 classes namely A, B and C. The classification being based on the plot area for which they will be eligible to prepare Plans/ Design and sign the same within Planning Area/Special Area. The limit of the plot area for the preparation of Plans /Design/sign by such class of the registered Town Planner/ Architect / Engineer/Draughtsman/Surveyor shall be as under.

<b>Class</b>	<b>Plot Area For Building Plan</b>	<b>Area for SubDivision Of Land</b>	<b>Class of Town where entitled to function</b>
A- Class	No limit	No limit	Municipal Corporation, Municipal Councils, Nagar Panchayats and Rural Areas
B- Class	500Sqm	5000Sqm	Municipal Councils, Nagar Panchayats and Rural Areas
C- Class	250 sqm	Nil	Nagar Panchayats and Rural Areas

### 3. Class wise Qualification-

The minimum qualification necessary for the registration of Town Planner/ Architect / Engineer/ Draughtsman/ Surveyor of an appropriate class shall be as under:-

#### (i) Class-A-

- (a) A Degree or equivalent qualification in Town Planning or Regional Planning from a recognized University or Institute making the holder eligible for the Associate ship or Fellowship of the Institute of Town Planners (India) or Royal Institute of Town Planners (London).
- (b) A Degree or equivalent qualification in Architecture from a recognized University or Institute, making the holder eligible for Associateship or Fellowship of the Royal Institute of British Architects or Institute of Architects (India) and registered with the Council of Architecture.
- (c) A Degree or equivalent qualification in Civil Engineering from a recognized University or Institute, making the holder eligible for the Associate Membership of the Institute of Engineers (India).

#### (ii) Class-B

Three years Diploma in Civil Engineering or equivalent or three years Diploma in Architectural Assistantship awarded by the State Board of Technical Education or Intermediate in Architecture or equivalent.

#### (iii) Class-C

Two years Diploma in Civil Draughtsmanship /Surveyor or equivalent from a recognized Polytechnic/ Industrial Training Institute and recognized for recruitment as a Civil Draughtsman/ Surveyor.

### 4. Registration Fee and Annual Renewal Fee

The non-refundable Registration Fee and Annual Fee for renewal of Registration shall be as under :—

<b>Sr. No.</b>	<b>Class Category</b>	<b>Registration Fee Rs. - P</b>	<b>Annual Renewal Fee Rs. - P</b>
--------------------	---------------------------	-------------------------------------	---------------------------------------

01.	Class-A		
	(a) TownPlanner/Architect/ Civil Engineer/ Structural Engineer	2000.00	2500.00
	(b) Group or Company of Town Planners / Architects/Engineers	6000.00	7500.00
02.	Class-B	1000.00	1250
03.	Class-C	600.00	750.00

The Renewal Fee shall be payable every 5 years after the initial Registration. Provided that the Architects registered with the Council of Architecture, New Delhi under the Architects Act, 1972 shall not require Registration under these Rules. However, such Architects shall require to be empanelled with the Director without paying any Fees. Such Architect once empanelled, shall not required any renewal of empanelment.

## 5.Cancellation of Registration

The Director may suspend or cancel the Registration of any Town Planner/ Architect/ Engineer/ Draughtsman/ Surveyor, who in the opinion of the Director is not carrying out the requirements of the Zoning Regulations framed under Interim Development Plan, Development Plan and the Guidelines issued under the Himachal Pradesh Town and Country Planning Act, 1977 and the Himachal Pradesh Town and Country Planning Rules, 2014.

Provided that before the Registration is cancelled, an opportunity of being heard shall be afforded to the concerned Town Planner/ Architect / Engineer/ Draughtsman/ Surveyor.

Provided further that three opportunities shall be given to a professional before finally cancelling the Registration.

By order,  
Pr. Secretary (TCP) to the  
Govt. of Himachal Pradesh.



**APPENDIX-X**  
**(Rules 16)**

**Sub- Division Regulations**

Sr. No	Components	Mandatory descriptions
1.	Land use	Only one use shall be allowed as residential, commercial and other uses as defined in Development Plan. No Mix -land use shall be allowed where land sub-division is approved by competent authority as the case may be. It shall also be governed from prescribed regulations.
2.	Road	7.5 mtr minimum wide road (with cul-de-sac) after having requisite set backs. Its length shall not be more than 100 mtr. In case of length increases 9 mtr wide road shall have to be kept.
3.	Basic amenities	5 % land reserved for it. However provision of toilets and urinal @ one toilets one for ladies and one for gents, plots more than 5 shall have to be made.
4.	Park/green space	10 % of total plot and it shall be provided at convenient location, in case of plots are less than 5 in numbers it shall 5 % as the case may be. Trees shall be planted where plots are more than 5 @ 20 plants for each plots
5.	Set backs	All the plots irrespective of use shall be provided routine set backs as per the prescribed in DCR Chapter-4 for all defined uses.
6.	Parking area	Parking provision shall be @one vehicle i.e 20 square meter per 100 square floor area.
7.	Plot orientation	It shall be provided in such a manner so as to be conformity with the integration of existing plots/infrastructure, wind direction, natural flow of surface drainage to allow un-obstructed rain discharge. The plots shall have rectangular shape with length : breadth ratio not exceeding -3. Land/plot area should not be in irregular shape.
8.	Gradient	Shall be allowed 30 degree by showing proper cross section of site and plot level

9.	Integration	Proper integration of the plots/area shall have to be ensured with the surrounding uses and infrastructural provisions like roads, drainage sewerage line etc.
----	-------------	--

**Note:**

1. Land Sub-Division shall also be governed by associated rules and regulations like number of storeys, ground coverage, rain water harvestings system, waste amangement, potable water supply and distnace from river, khud, and nallah.
2. The development of land shall not be permitted in area where basic services like paved roads, drainage, water supply, sewerage disposal, electrical supply line, street lighting etc do not exists or unless the applicant undertakes that these services shall be provided at his own cost.
3. The sub-division of land shall be permitted in accordance with natural profile/topography (shown on a contour map) along with drainage of land, access, road orientation wind direction and other environmental requirements. Natural flora and fauna shall be preserved.

**ANNEXURE-I**

**BADDI BAROTIWALA NALAGARH DEVELOPMENT AUTHORITY  
EPIP-I JHARMAJRI BADDI DISTT SOLAN H.P**

**FORM-1  
(See rule 16(1))**

**FORM OF APPLICATION FOR PERMISSION UNDER SUB-SECTION (2) OF SECTION 15-A OR CLAUSE (a) OF SECTION 16 OR SUB-SECTION (1) OF SECTION 30 OR SECTION 30-A (BEYOND PRESCRIBED LIMITS) OF THE HIMACHAL PRADESH TOWN AND COUNTRY PLANNING ACT, 1977 (ACT NO. 12 OF 1977) FOR SUB- DIVISION /DEVELOPMENT OF LAND.**

No.....

Dated.....

To

The Chief Executive Officer,  
Baddi Barotiwala Nalagarh Development Authority,  
EPIP-I Jharmahri Baddi Distt Solan H.P

Sir,

I/We hereby apply for permission to erect/ re-erect, to make addition or alteration, to undertake repairs to a building on a piece of land under Khasra No.....Hadbast No.....measuring .....square Metre, over which I/we possess the necessary ownership rights, situated at Street/Road/ Ward No.....Block No.....Plot No.....of  
Scheme,..... (Name of the Scheme, if any) /Village.....Post Office..... Tehsil..... District..... Himachal Pradesh.

I/We hereby submit the following documents:—

- (i) One copy of ownership documents i.e. latest Jamabandi in original or attested copy of sale deed.
- (ii) One copy of latest original Tatima showing Khasra number(s), description and area of land in question, abutting path with its width as well as adjoining Khasra number(s) falling on all the outer limits/ boundaries of the land in question. The land applied for is shown in red, in the Tatima.
- (iv) Three sets of Location Plan in the scale of 1:1000 showing North direction, indicating the land in question, showing main approach road(s), name of road(s) on which the property and boundaries abuts, important public buildings like hospital, school, cinema, petrol pump, existing land uses / building uses surrounding the land.
- (iv) Three sets of Site Plan in the scale of 1:200 showing North direction and all the boundaries of land in question, abutting path with its width, natural features

like nullahs, ponds, tress, slopes, contours at an interval of 5.00 Metres if the land is undulated, high tension lines passing through or adjoining the land, existing roads, highways showing the right of way, railway lines, airports with their specification(s) and boundaries, showing details of utilities and services like water supply, drainage, sullage, sewage, sewerage along with disposal of drainage, sullage, sewage, position of septic tank, soak pit, rain harvesting tank, electric and telephone poles, showing manner and site for muck disposal.

- (v) For construction of building, apartment, colony etc., three sets of Drawings in the scale of 1:100 showing North direction, dimensions and area of building, apartment, colony etc. and other architectural details and Specifications of proposed building, apartment, colony etc.(enclosed herewith) along with Schedule of area (enclosed herewith)including built up and open area, setbacks, structural stability certificate.
- (vi) A note indicating the type of development proposed i.e. land use or building use, namely residential or commercial or industrial or public and semi-public etc; and
- (vii) The name and address of the registered Town Planner/ Architect/ Engineer/Draughtsman/ Surveyor.
- (viii) I/We have deposited a fee of Rs.....only (Rupees.....only) in accordance with the scale as specified under sub-rule (2) of Rule 16 of the Himachal Pradesh Town and Country Planning Rules, 2014.

**Enclosers: As above.**

Yours faithfully,  
(Signature of the Applicant(s)),  
Address.....  
.....

**ANNEXURE-II**  
**BADDI BAROTIWALA NALAGARH DEVELOPMENT AUTHORITY**  
**EPIP-I JHARMAJRI BADDI DISTT SOLAN H.P**

**FORM-2**  
**(See rule 16(1))**

**FORM OF APPLICATION FOR PERMISSION UNDER SUB-SECTION (2) OF SECTION 15-A OR CLAUSE (a) OF SECTION 16 OR SUB-SECTION (1) OF SECTION 30 OR SECTION 30-A (BEYOND PRESCRIBED LIMITS) OF THE HIMACHAL PRADESH TOWN AND COUNTRY PLANNING ACT, 1977 (ACT NO. 12 OF 1977) FOR DEVELOPMENT OF LAND / CONSTRUCTION OF BUILDING.**

No.....

Dated.....

To

The Chief Executive Officer,  
Baddi Barotiwala Nalagarh Development Authority,  
EPIP-I Jharmahri Baddi Distt Solan H.P.

Sir,

I/We hereby apply for permission to erect/ re-erect, to make addition or alteration, to undertake repairs to a building on a piece of land under Khasra No.....Hadbast No.....measuring .....square Metre, over which I/we possess the necessary ownership rights, situated at Street/Road/ Ward No.....Block No.....Plot No.....of Scheme,..... (Name of the Scheme, if any) /Village.....Post Office..... Tehsil..... District..... Himachal Pradesh.

I/We hereby submit the following documents:—

- (i) One copy of ownership documents i.e. latest Jamabandi in original or attested copy of sale deed.
- (ii) One copy of latest original Tatima showing Khasra number(s), description and area of land in question, abutting path with its width as well as adjoining Khasra number(s) falling on all the outer limits/ boundaries of the land in question. The land applied for is shown in red, in the Tatima.
- (vi) Three sets of Location Plan in the scale of 1:1000 showing North direction, indicating the land in question, showing main approach road(s), name of road(s) on which the property and boundaries abuts, important public buildings like hospital, school, cinema, petrol pump, existing land uses / building uses surrounding the land.
- (iv) Three sets of Site Plan in the scale of 1:200 showing North direction and all the boundaries of land in question, abutting path with its width, natural features like nullahs, ponds, tress, slopes, contours at an interval of 5.00 Metres if the land is undulated, high

tension lines passing through or adjoining the land, existing roads, highways showing the right of way, railway lines, airports with their specification(s) and boundaries, showing details of utilities and services like water supply, drainage, sullage, sewage, sewerage alongwith disposal of drainage, sullage, sewage, position of septic tank, soak pit, rain harvesting tank, electric and telephone poles, showing manner and site for muck disposal.

- (vii) For construction of building, apartment, colony etc., three sets of Drawings in the scale of 1:100 showing North direction, dimensions and area of building, apartment, colony etc. and other architectural details and Specifications of proposed building, apartment, colony etc.(enclosed herewith) alongwith Schedule of area (enclosedherewith)including built up and open area, set backs, structural stability certificate.
- (vi) A note indicating the type of development proposed i.e. land use or building use, namely residential or commercial or industrial or public and semi-public etc; and
- (vii) The name and address of theregistered Town Planner/ Architect/ Engineer/Draughtsman/ Surveyor.
- (viii) I/We have deposited a fee of Rs.....only (Rupees.....only) in accordance with the scale as specified under sub-rule (2)of Rule 16 of the Himachal Pradesh Town and Country Planning Rules, 2014.

**Enclosers: As above.**

Yours faithfully,  
(Signature of the Applicant(s)),  
Address.....  
.....  
.....

## **SPECIFICATIONS**

1. Total plot area.....square Metre.
2. Total built up area of each floor:—
  - (i) Ground floor .....square Metre.
  - (ii) First floor .....square Metre.
  - (iii) Second floor .....square Metre.
  - (iv) Third floor .....square Metre.
  - (v) Fourth floor.....square Metre.
  - (vi) .....
3. The purpose for which it is intended to use the building.....
4. Specification to be used in the construction of:—
  - (i) Foundation.....
  - (ii) Walls.....
  - (iii) Floors.....
  - (iv) Roofs.....
5. Number of storeys of which the building will consist.....
6. Approximate number of persons proposed to be accommodated.....
7. The number of toilets proposed to be provided.....
8. Whether the site has been built upon before or not, if so, when did the previous building cease to be fit for occupation.....

9. Source of water to be used for purposed building .....

*Signature of Applicant(s).*

\_\_\_\_\_

#### **SCHEDULE OF AREA**

- (1) Schedule of Area:—  
Built up area. ....square Metre.  
Open area ....square Metre.  
Total plot area..... square Metre.
- (2) Schedule of Open Spaces:—  
Front Set Back.....Metres  
Left Side Set Back.....Metres  
Right Side Set Back.....Metres  
Rear Set Back ..... Metres  
.....

*Signature of Applicant(s).*

\_\_\_\_\_

**Registered Post/Speed Post**

**Annexure-III**  
**BADDI BAROTIWALA NALAGARH DEVELOPMENT AUTHORITY**  
**EPIP-I JHARMAJRI BADDI DISTT SOLAN H.P**

**FORM- 3**  
**(See rule-18 and 19)**

**FORM OF PERMISSION FOR DEVELOPMENT/ SUB-DIVISION OF LAND/  
CONSTRUCTION OF BUILDING**

No.....

Dated .....

**ORDER**

To

Sh./Smt./M/s.....  
.....  
.....

**Subject: Permission for development/Sub-division of land/ construction of building.**

**Reference: Your Application No..... Dated.....**

You are hereby granted permission under section 31 as applied by you under section 28 or section 29 or section-30 or section30-A (beyond prescribed limits) of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977) to carry out the development/ sub-division of land/ construction of building as mentioned in your Application under reference, subject to the following conditions, namely:—

1. Building permission shall be obtained from the local authorities concerned before the commencement of the development.
2. The building operations shall be carried on strictly in accordance with the approved building plan.
3. The permission is valid for a period of three years. After lapse of permission you shall have to apply for extension of permission.
4. You shall have to provide all basic amenities including Rain Water Harvesting/tank.
5. Two copies of the approved plan are enclosed herewith.  
Please acknowledge the receipt of this order.

**Enclosers: As above.**

Chief Executive officer  
BBNDA Baddi Distt Solan H.P



**Copy to:—**

1. Executive Officer, Municipal Council /Secretary, Nagar Panchayat.....alongwith a copy of the approved plan for information and further necessary action.
2. The Registrar/ Sub-Registrar, Sub-Tehsil/ Tehsil.....District.....Himachal Pradesh along with a copy of the approved plan for information and making necessary entries in the Revenue record.

Chief Executive officer  
BBNDA Baddi Distt Solan H.P

**Annexure-III**  
**BADDI BAROTIWALA NALAGARH DEVELOPMENT AUTHORITY**  
**EPIP-I JHARMAJRI BADDI DISTT SOLAN H.P**

**FORM- 4**  
**(See rule-20)**

**FORM OF REFUSAL FOR DEVELOPMENT/ SUB-DIVISION OF LAND/  
CONSTRUCTION OF BUILDING.**

No.....  
.....

Dated

**ORDER**

To

Sh./Smt./M/s.....  
.....  
.....

**Subject: Refusal for development of Sub-division of land/ construction of building.**

**Reference: Your Application No..... Dated.....**

You are hereby informed that the permission to carry out the development works as mentioned in your Application under reference, is refused under clause (c) of sub-section (1) of section 31 of the Himachal Pradesh, Town and Country Planning Act 1977, (Act No. 12 of 1977) on the following grounds:—

1. ....
2. ....
3. ....

Two copies of refused plan are enclosed herewith.

Please acknowledge the receipt of this order.

**Enclosers: As**

Chief Executive officer  
BBNDA Baddi Distt Solan H.P

**BADDI BAROTIWALA NALAGARH DEVELOPMENT AUTHORITY  
EPIP-I JHARMAJRI BADDI DISTT SOLAN H.P**

**FORM -5  
(See rule 25)**

**ORDER OF REVOCATION/ MODIFICATION OF DEVELOPMENT  
PERMISSION**

**No..... Dated .....**

Whereas, permission under sub-section (1) of section 31 of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977) to develop land was granted in favour of Shri/Smt./M/s.....vide Office Order No. ....dated.....; And, whereas it appears to the undersigned that it is expedient, having regard to the Development Plan prepared or under preparation for..... Planning/ Special Area and to other material considerations, that the permission for development should be revoked or modified;

Now, therefore, the undersigned in exercise of the powers vested under sub-section (1) of section 37 of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977), hereby revoke or modify the development permission granted vide Office Order referred to above, to the extent as given below:-

- 1.....
- 2.....
- 3.....

Chief Executive officer  
BBNDA Baddi Distt Solan H.P

Shri/ Smt./ M/s.....  
.....  
.....

**Registered (AD)/Speed Post**

**BADDI BAROTIWALA NALAGARH DEVELOPMENT AUTHORITY  
EPIP-I JHARMAJRI BADDI DISTT SOLAN H.P**

**FORM-6**

(See rule 27)

**NOTICE UNDER SECTION 38 OF THE HIMACHAL PRADESH TOWN AND  
COUNTRY PLANNING ACT, 1977 (ACT NO. 12 OF 1977)**

**No.....Dated, .....**

To

Shri /Smt./M/s .....

.....

.....

(Owner/Occupier)

**Subject:- Show Cause Notice under the provisions of section 38 of the Himachal Pradesh Town and Country Planning Act, 1977 (Act 12 of 1977).**

Whereas you have commenced/ carried on/ completed development of land or erection of building consisting of .....storeys and situated on Khasra No.....Ward/Mohal/Village.....Tehsil.....District.....Himachal Pradesh:-

(a) without the permission as required under sub-section (2) of section 15-A or clause (a) of

section 16 or sub-section (1) of section 28 or section 29 or sub-section (1) of section 30 or sub-sections (1) or (2) of section 30-A (beyond the limits as specified under section 30-A) of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No.12 of 1977).

OR

(b) in contravention of the permission granted under sub-section (2) of section 15-A or clause

(a) of section 16 or sub-section (1) of section 28 or section 29 or sub-sections (1) or (2) of

section 30-A (beyond the limits as specified under section 30-A) or sub-section (1) of section 31 of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No.12 of

1977) vide Order No.....dated.....

OR

- (c) in contravention of the permission duly modified under sub-section (2) of section 15-A or clause (a) of section 16 or sub-section (1) of section 28 or Section 29 or sub-sections (1) or (2) of section 30-A (beyond the limits as specified under section 30-A) or sub-section

- (1) of section 31 of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No.12 of 1977) vide Order No.....dated.....

OR

- (d) after the permission for development has been duly revoked under sub-section (1) of section 37 of the Himachal Pradesh Town and Country Planning Act, 1977 (Act

No.12 of 1977), vide Order No.....dated.....

.....

OR

- (e) in contravention to the provisions specified under sections 39, 39-A, 39-B and 39-C of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No.12 of 1977).

As such, you are hereby required to show cause either personally or through your duly authorized agent within thirty days from the receipt of this Notice, as to why action under

section 38 of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No.12 of 1977) be not initiated against you.

Chief Executive officer  
BBNDA Baddi Distt Solan H.P

(Strike out which is not applicable).

**Registered (AD)/Speed Post**

**BADDI BAROTIWALA NALAGARH DEVELOPMENT AUTHORITY  
EPIP-I JHARMAJRI BADDI DISTT SOLAN H.P**

(See rule 28)

**FORM-7**

**NOTICE UNDER SUB-SECTION (1) OF SECTION 39 OF THE HIMACHAL  
PRADESH**

**TOWN AND COUNTRY PLANNING ACT, 1977 (ACT NO. 12 OF 1977)**

**No..... Dated, .....**

To

Shri/Smt./M/s .....

.....

.....

(Owner/Occupier)

**Subject:- Notice under sub-section (1) of section 39 of the Himachal Pradesh Town  
and**

**Country Planning Act, 1977 (Act No. 12 of 1977).**

Whereas, it has been observed that you have commenced / carried  
out/carrying out the development on the land or you have changed or are changing the use  
of land

i.e.....(Description of Land) situated on Khasra

No.....Ward/Mohal/Village.....Tehsil.....District.....Himachal

Pradesh:-

(a) without the permission as required under sub-section (2) of section 15-A or clause  
(a) of

section 16 or sub-section (1) of section 28 or section 29 or sub-section (1) of section  
30 or sub-sections (1) or (2) of section 30-A (beyond the limits as specified under  
section 30-A) of the Himachal Pradesh Town and Country Planning Act, 1977 (Act  
No.12 of 1977).OR

(b) in contravention of the permission granted under sub-section (2) of section 15-A or  
clause

(a) of section 16 or sub-section (1) of section 28 or section 29 or sub-sections (1) or (2)  
of

section 30-A (beyond the limits as specified under section 30-A) or sub-section (1)  
of

section 31 of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No.12 of

1977) vide Order No.....dated.....

OR

(c) in contravention of the permission duly granted under sub-section (2) of Section 15-A or

clause (a) of section 16 or sub-section (1) of section 28 or section 29 or sub-sections (1) or

(2) of section 30-A (beyond the limits as specified under section 30-A) or sub-section (1) of section 31 of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No.12

of 1977) vide Order No.....dated.....

OR

(d) after the permission for development has been duly revoked under sub-section (1) of section 37 of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No.12 of 1977), vide Order No.....dated.....

OR

(e) in contravention to the provisions specified under sections 39, 39-A, 39-B and 39-C of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No.12 of 1977).

Now, therefore, you are directed:-

(a) to restore the land to the condition existing before the development took place.

OR

(b) to comply with the conditions of the permission granted or modified and conveyed to you vide Order No.....dated.....

OR

(c) to alter the development in conformity with the condition(s) subject to which permission has been granted to you as under:-

(i).....

(ii).....

(iii).....

(d) to stop and discontinue the development operations as under:-

(i).....

(ii).....

(iii).....

Within a period of fifteen days from the date of service of this Notice. If within the period as specified in this Notice, you fail to comply with the above direction(s), subject to the

provisions to sub-sections (3), (4) or (5) of section 39 of the Himachal Pradesh Town and Country

Planning Act, 1977 (Act No.12 of 1977), you shall be liable for action under sub-section (6) of

section 39 of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No.12 of 1977).

(Strike out which is not applicable).

Chief Executive officer  
BBNDA Baddi Distt Solan H.P

**Copy to:-**

1. District Public Relation Officer, District .....Himachal Pradesh for information and circulation of this news item so that public may not go for purchase

- of illegal plot / flat /apartment /building as referred to above.
2. The Executive Engineer, Division No. ..., Himachal Pradesh State Electricity Board Ltd..... with the request that service connection may not be released or to disconnect the service connection of the above said owner/ occupier immediately.
  3. The Executive Engineer, Division No..... , Himachal Pradesh Irrigation and Public Health Department, ..... with the request that service connection may not be released or to disconnect the service connection of the above said owner/ occupier immediately.
  4. Notice Board.

Chief Executive officer  
BBNDA Baddi Distt Solan H.P

Registered (AD)/Speed Post

**BADDI BAROTIWALA NALAGARH DEVELOPMENT AUTHORITY  
EPIP-I JHARMAJRI BADDI DISTT SOLAN H.P**

**Form No-8  
(See rule 29)**

**NOTICE UNDER SUB-SECTION (2) OF SECTION 39 OF THE HIMACHAL  
PRADESH  
TOWN AND COUNTRY PLANNING ACT, 1977 (ACT NO. 12 OF 1977)  
No..... Dated.....**

**Subject:- Notice under sub-section (2) of section 39 of the Himachal Pradesh Town  
and**

**Country Planning Act, 1977 (Act No. 12 of 1977)**

Whereas, a Notice was issued under rule 28 of the Himachal Pradesh Town  
and  
Country Planning Rules, 2014 to Shri/Smt./M/s .....; and Whereas, the  
directions issued vide aforesaid Notice have not complied with.....;  
Now, therefore, a Notice is served under sub-section (2) of section 39 of the  
Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977) to Shri  
Smt./M/s.....and he / she/ them is /are directed to stop or to seal the un-authorized  
development on the land situated on Khasra  
No.....Ward/Mohal/Village.....Tehsil.....District.....Himacha  
l  
Pradesh in the following manner:-

- 1.....
- 2.....
- 3.....

Chief Executive officer  
BBNDA Baddi Distt Solan H.P

Shri/Smt./M/s .....  
.....  
.....

(Owner/Occupier)

**Copy to:-**

1. District Public Relation Officer, District .....Himachal Pradesh for information and circulation of this news item so that public may not go for purchase of illegal plot / flat /apartment /building as referred to above.
2. The Executive Engineer, Division No. ..., Himachal Pradesh State Electricity Board Ltd..... with the request that service connection may not be released or to disconnect the service connection of the above said owner/ occupier immediately.
3. The Executive Engineer, Division No....., Himachal Pradesh Irrigation and Public Health Department,..... with the request that service connection may not be released or to disconnect the service connection of the above said owner/ occupier immediately.
4. Notice Board.

Chief Executive officer  
BBNDA Baddi Distt Solan H.P

**Registered (AD)/Speed Post**

**BADDI BAROTIWALA NALAGARH DEVELOPMENT AUTHORITY  
EPIP-I JHARMAJRI BADDI DISTT SOLAN H.P**

**FORM-9  
(See rule 31)**

**ORDER UNDER SUB-SECTION (1) SECTION 39-A OF THE HIMACHAL  
PRADESH**

**TOWN AND COUNTRY PLANNING ACT, 1977 (ACT NO. 12 OF 1977)**

**No..... Dated.....**

**Subject:- Order under sub-section (1) of section 39-A of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977) to discontinue or to stop the development on land bearing KhasraNo.....Ward/Mohal/Village.....Tehsil..... District..... Himachal Pradesh, situated in the..... Planning/Special Area.**

Whereas, it has been brought to the Notice of the undersigned, pursuant to the inspection conducted on dated.....,that un-authorized development is being or has been carried out by Shri/Smt./M/s.....on the above referred land, as detailed in **Annexure-A** to this order;

And, whereas the said un-authorized development falls within.....Planning /Special Area and is being or has been carried out in contravention of the Interim Development Plan/ Development Plan / Sectoral Plan/ Himachal Pradesh Town and Country Planning Rules, 2014 or without permission or approval or sanction as required under sub-section (2) of section 15-A or clause (a) of section 16 or sub-section (1) of section 28 or section 29 or sub-sections (1) or (2) of section 30-A (beyond the limits as specified under section 30-A) or sub-section (1) of section 31 of



the Himachal Pradesh Town and Country Planning Act, 1977 (Act No.12 of 1977) or in contravention of any conditions subject to which such permission, approval or sanction has been granted vide Order No.....dated.....; Now, therefore, in exercise of the powers vested under sub-section (1) of section 39- A of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977), it is hereby ordered that the said development be discontinued/stopped forthwith on the above referred land.

.....(Signature)  
..... (Designation)  
for on behalf of the State  
Government of Himachal Pradesh  
Shri/Smt./M/s.....  
Address.....  
.....

\_\_\_\_\_  
(Details of un-authorized constructions)

- 1.....
- 2.....
- 3.....
- 4.....

.....(Signature)  
..... (Designation)

for on behalf of the State\_\_

**FORM-10**  
**(See rule-21)**

**FORM OF STRUCTURAL STABILITY CERTIFICATE/ SOIL INVESTIGATION REPORT**

To

Chief Executive officer  
BBNDA EPIP-I Jharmajri Baddi Distt Solan H.P

**Subject: Structural Stability Certificate.**

I/We hereby certify that the building of Sh./ Smt./M/s..... proposed over Khasra number ..... Mauja /Ward No..... Tehsil..... District ..... Himachal Pradesh has been designed by me / us, as per the Indian Standards Codes for general structural safety against natural hazards including earthquake protections and after soil investigations. The building is structurally safe.

Name  
(Architect /Planner/ Engineer/ Draughtsman/Surveyor).

Registration No.....dated.....  
Address .....

I/We hereby certify that the soil and strata of the land over which building of Sh./ Smt./ M/s.....has been proposed to be constructed on Khasra number .....Mauja /Ward No..... Tehsil..... District ..... Himachal Pradesh has been geologically investigated by me / us, as per the Indian Standards Codes. The bearing capacity of soil and strata can sustain the load of the proposed building and is safe.

Name

(Geologist).

Registration No.....dated.....

Address .....

**FORM-11**  
**(See rule 35(1))**

**FORM OF APPLICATION FOR COMPOSITION OF OFFENCES UNDER SECTION 39-C READ WITH SUB-SECTION (3) OF SECTION 39 OF THE HIMACHAL PRADESH TOWN AND COUNTRY PLANNING ACT, 1977 (ACT NO. 12 OF 1977).**

No.....

Dated.....

To

The Chief Executive Officer,  
Baddi Barotiwala Nalagarh Development Authority,  
EPIP-I Jharmajri Baddi Distt. Solan H.P

**Subject:-** .....

**Reference:-** Your Notice No.....dated.....

Sir,

With reference to your Notice referred to above, I/we beg to submit that I/we may kindly be granted permission under section 39-C read with sub-section (3) of section 39 of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12, of 1977) for composition of offences i.e. deviations / un-authorized constructions/ developments having carried out on land bearing Khasra No.....Khata/Khatauni No.....measuring.....square Metre situated at Mauza.....Pargana.....Tehsil.....District.....Himachal Pradesh. My /our original map was approved vide order No.....dated..... (strike out if no map was approved).

The reasons for composition of offences i.e. deviations / un-authorized constructions/developments are as under:-

- 1.....
- 2.....
- 3.....
- 4.....

The details of offences i.e. deviations / un-authorized constructions/ developments are as under:-

1. In case of building where plan was approved and deviations have been carried out from the approved plan, beyond the prescribed limits, as specified under Rules and Regulations.

Details  
of deviations /developments carried out are as under:-

(I) Schedule of Area:

- (i) Built up Area = M2
- (ii) Open area = M2
- (iii) Total Plot Area = M2

(II) Schedule of Open Spaces:

- (i) Front Set Back = M
- (ii) Left Side Set Back = M
- (iii) Right Side Set Back = M
- (iv) Rear Set Back = M

(III) Number of storeys of the building = Nos.

(IV) Deviations in the Set Backs (Storey wise)

- (i) Ground Storey = M2
- (ii) First Storey = M2
- (iii) Second Storey = M2
- (iv) Third Storey = M2
- (v) Fourth Storey = M2
- (vi) Fifth Storey = M2
- (vii) ..... = M2

2. In case of building where plan was not approved and construction carried out is as per the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12, of 1977), the Himachal

Pradesh Town and Country Planning Rules, 2014 and Regulations of the Interim Development

Plan or Development Plan. Details of developments carried out are as under:-

(I) Schedule of Area:

- (i) Built up Area = M2
- (ii) Open area = M2
- (iii) Total Plot Area = M2

(II) Schedule of Open Spaces:

- (i) Front Set Back = M
- (ii) Left Side Set Back = M
- (iii) Right Side Set Back = M
- (iv) Rear Set Back = M

(III) Number of storeys of the building = Nos.

3. In case of building where plan was not approved and deviations have also been carried out plan,

beyond the prescribed limits, as specified under Rules and Regulations. Details of deviations /developments carried out are as under:-

(I) Schedule of Area:

- (i) Built up Area = M2
- (ii) Open area = M2
- (iii) Total Plot Area = M2

(II) Schedule of Open Spaces:

- (i) Front Set Back = M
- (ii) Left Side Set Back = M
- (iii) Right Side Set Back = M
- (iv) Rear Set Back = M

(III) Number of storeys of the building- = Nos.

(IV) Deviations in the Set Backs (Storey wise)

- (i) Ground Storey = M2
- (ii) First Storey = M2
- (iii) Second Storey = M2
- (iv) Third Storey = M2
- (v) Fourth Storey = M2
- (vi) Fifth Storey = M2
- (vii) ..... = M2

4. In case of building constructed on an under size plot i.e. less than the permissible plot size, as

specified under Rules and Regulations. Details of deviations/ development carried out are under:-

(I) Schedule of Area

- (i) Plot Area as specified under Rules and Regulations = M2
- (ii) Minimum Plot Area over which building has been constructed = M2

(iii) Total area of under size Plot (i)-(ii) = M2

(iv) Percentage of under size Plot Area = %

The following documents are enclosed herewith:

(i) A copy of title/ ownership documents i.e. latest jamabandi in original.

(ii) A copy of latest original tatima showing dimensions of plot and width of access to the plot.

(iii) Two sets of Location Plan in the scale of 1:1000 showing North direction, land/building in question, abutting path, approach road, important buildings.

(iv) Two sets of Site Plan in the scale of 1:200, clearly showing the building within tatima

dimensions and also showing all drainage lines, sewerage connection or location of septic tank, soak pit, rain water harvesting tank, solar passive arrangements and house drainage.

(v) Two sets of detailed architectural drawing of the existing building showing each storey with two cross- sections and two elevations of the building in the scale of 1:100. These

drawings are in the form of working drawing showing all the dimensions of rooms, openings, thickness of wall, floor and slab etc.

(vi) Two sets of photographs taken from all sides of the building, clearly showing the number of storeys.

(vii) A copy of Affidavit to the effect that building has been constructed on own land and has not encroached upon any Government or other's land.

(viii) A copy of Structural Stability Certificate as per Section 31-A of the Himachal Pradesh

Town and Country Planning Act, 1977 (Act No 12 of 1977).

(ix) A copy of No Objection Certificate (NOC) of competent authority. (In case building or a

part thereof abuts or falls within the controlled area of National Highways/ State Highways/ Scheduled Roads as per provisions of the Himachal Pradesh Road Side Land Control Act, 1968).

Certified that the Plans have been prepared, designed and signed by Sh./Smt./M/s ..... (Name and address of the registered Town Planner/Architect/ Engineer /Draftsman/ Surveyor), having Registration No.....dated..... and the Structural Stability Certificate has been issued by Sh./Smt./M/s.....(Name and address of the Registered Architect/ Planner/ Engineer /Draftsman), having Registration No.....dated.....

I/We have deposited a sum of Rs...../- only (Rs. ....only ) towards the Application Fee and a sum of Rs..... only ( Rs..... only), on account of Composition Fee in accordance with the scale as specified in sub-rule (3) of Rule 35 of the Himachal Pradesh Town and Country Planning Rules, 2014, vide Treasury Challan No....., dated.....(Original copy attached)/e-payment.

**Enclosures: As above.**

Yours faithfully,

Signature of applicant(s)

Address.....

.....

**BADDI BAROTIWALA NALAGARH DEVELOPMENT AUTHORITY  
EPIP-I JHARMAJRI BADDI DISTT SOLAN H.P**

**FORM-12**

(See rule 35(1))

**FORM OF PERMISSION FOR COMPOSITION OF OFFENCES**

**No..... Dated.....**

To

Sh./Smt./M/s.....

.....

.....

**Subject:- Permission for Composition of Offences.**

**Reference:- Your Application No. ....dated.....**

This is in reply to your Application under reference on above cited subject. You are hereby granted permission under sub-section (5) of section 39 of the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977) for Composition of Offences carried out on the land bearing Khasra No.....Mauja.....Tehsil.....District.....Himachal Pradesh.

A copy of map duly compounded is enclosed herewith.  
Please acknowledge the receipt of this Order.

**Enclosers: As above.**

Chief Executive officer  
BBNDA Baddi Distt Solan H.P

**Annexure- USE ZONE TABLE**

<b>Sr. No.</b>	<b>Zone</b>	<b>Type of development for which the zone is primarily intended</b>	<b>Type of development, which may be permitted by Competent Authority.</b>	<b>Type of development, which may not be permitted.</b>	<b>Remarks.</b>
<b>01</b>	<b>02</b>	<b>03</b>	<b>04</b>	<b>05</b>	<b>06</b>
1	Residential zone	<p>a) All type of residential dwellings, apartments, flats, tenements, play fields, gardens, gymnasium, swimming pool , etc.</p> <p>b) Pre-primary and primary schools, dispensary, clinic, maternity home, pathological laboratory , service establishment( residential)</p> <p>c) The part of residential building may be permitted to be used as an office in case of professional requirements such as advocates, doctors, architects, engineers, chartered accountants etc. bank, public buildings, educational institutions such as secondary, high school, college, technical and vocational educational institutions, research institutions, library, community hall, auditorium, town hall.</p> <p>(d) Cottage industries not involving use of or installation of any machinery driven by power of any kind and which do not create noise, vibration, fume, dust etc. provided that such home occupations and cottage industries shall not be permissible in the tenement dwellings or flats, service establishment (residential), lodging house, boarding house etc.</p> <p>(e) Commercial uses such as shopping /</p>	<p>a) LPG cylinder delivery centers for the domestic consumption, coal depot, etc. on ground floor of building used for permissible non-residential use, petrol pump with or without service station.</p> <p>b) Activities related to tourism sponsored / recommended by tourism Department of Government.</p> <p>c) Activities related to Information Technology.</p>	Obnoxious and hazardous uses, steel stock yard, truck terminal, saw mill, timber mart, ice factory and cold storage, junk yard, non-obnoxious and non-hazardous industries, wholesale market, ware houses, storage of perishable and inflammable goods, hospital for infectious and contagious diseases, mental hospital, jail, dying house, LPG cylinder godown etc.	<p>a) All permissible non-residential uses in residential zone may be permitted in a residential dwelling only on ground floor or any other floor with separate means of access/staircase from within the building or outside the building but not within the prescribed marginal space.</p> <p>b) Club house, party plot, community hall, auditorium, town hall, public assembly shall be permitted as specified in note under this table.</p>



Sr. No.	Zone	Type of development for which the zone is primarily intended	Type of development, which may be permitted by Competent Authority.	Type of development, which may not be permitted.	Remarks.
01	02	03	04	05	06
		commercial centre, restaurant, hotel, hostel, indoor hospital, nursing home, surgical hospital etc.			
2.	Abadi deh	<p>a) All type of self use residential dwellings, shops/service establishments for self-employment</p> <p>b) Pre-primary and primary schools</p> <p>c) Dispensary, Nursing home and rural related activities can be carried with permission of competent Authority.</p> <p>These activities can be carried out to without any formal plans and fee.</p>		a) All uses mentioned in Col. 5 of zone at Sr. No. 1	What ever mentioned in Sr. No. 2 at Col. 1.
3	Commercial zone	a) All uses mentioned in Col. 3 of zone at Sr. no. 1 use excluding residential.	a) Development activities related to tourism sponsored/recommended by	a) Obnoxious and hazardous uses, non-obnoxious and non-hazardous industries	Residential use is permitted but regulations of commercial zone shall be

Sr. No.	Zone	Type of development for which the zone is primarily intended	Type of development, which may be permitted by Competent Authority.	Type of development, which may not be permitted.	Remarks.
01	02	03	04	05	06
		b) Wholesale market and their ancillary uses, ice factory and cold storage, ware houses, godowns, transport terminal for goods and passengers, kerosene depot, steel stock yard, timber stock yard (lati), Junk yard (kabadi), saw mill  c) LPG cylinder storage depot and delivery centre, storage of perishable goods, petrol pump with or without service station, cinema, cinema video hall, coal depot, newspaper printing press.	tourism department.  b) Activities related to Information Technology	b) hospitals for infections and contiguous diseases, mental hospital, jail.	applicable.
4.	General Industrial Zone.	All Industries except obnoxious and hazardous industries as mentioned in Appendix-A.  All uses mentioned in col. 3 of zone at Sr. No 3 b & c.  d) Wholesale market and their ancillary uses, ice factory and cold storage, ware houses, godowns, transport terminal for goods and passengers, kerosene depot, steel stock yard, timber stock yard (lati), Junk yard (kabadi), saw mill, stone cutting and polishing industries.	a) Storage of inflammable goods such as petrol, diesel, crude oil and kerosene. Residential dwelling only for industrial workers and other public utility service staff working within the industrial premises, quarrying of gravel, sand, clay and stone. Dumping of solid industrial wastes (subject to N.O.C. and conditions laid down by HP Pollution Control Board).	Obnoxious and hazardous industries, mental hospital, hospital for infectious & contiguous diseases, jail, dwelling except mentioned in col. 4 of this zone.	If mixed development is asked regulations relating to industrial zone shall be applicable.

Sr. No.	Zone	Type of development for which the zone is primarily intended	Type of development, which may be permitted by Competent Authority.	Type of development, which may not be permitted.	Remarks.
01	02	03	04	05	06
5.	Obnoxious and hazardous industrial zone	All obnoxious and hazardous industries as mentioned in Appendix -A <sub>2</sub> storage of inflammable goods.	Dumping of solid industrial wastes, garbage disposal, treatment plant for solid or liquid industrial /domestic and hospital wastage (subject to N.O.C. and conditions laid down by Pollution Control Board)	Residential dwelling . Hospital for infectious and contagious diseases, mental hospital, jails.	
6.	Agricultural zone	a) Horticulture, poultry keeping subject to the N.O.C./approval and conditions laid down by the Department of Animal Husbandry and BBND. b) Farm house located in land of not less than 1500 sq. m., Camp for recreation of any type natural reserves and sanctuaries, race track, shooting range, zoo, nursery, stadium, botanical garden, agricultural equipment, repair of tools and equipment of agricultural use c) Un-mechanised uses pertaining to processing of agro/farm/milk products. d) Institutional uses, vocational training centre for agriculture purposes, wayside shops, restaurant	a) warehouses subject to N.O.C./approval & conditions laid down by warehousing corporation/ FCI/ Appropriate Govt., transport nagar and truck terminal. b) hospital for infectious and contagious diseases, mental hospital and sanitarium subject to NOC/Approval and conditions laid down by Civil Surgeon. c) Petrol pump with or without service station, garages, and workshop, Studio, roofing tiles and cement pipes, brick kiln, mining and quarrying, cemetery and burial ground, jail. Camp,	All other uses not mentioned in Col. 3 and Col. 4. All other uses not mentioned in Column. No.3 and 4.	1) Building to be constructed at a distance of not less than 30 mts. from the road, on which it abuts. 2) Permissible built-up area (ground coverage) a) For farm house it shall not exceed 200 sqm. Upto 2 storeys. b) Agro-based uses ground coverage shall not exceed 5% of the land area with maximum permissible height

Sr. No.	Zone	Type of development for which the zone is primarily intended	Type of development, which may be permitted by Competent Authority.	Type of development, which may not be permitted.	Remarks.
01	02	03	04	05	06
		1) Recreation of any type, Residential accommodation and shops incidental to recreation, aquarium, Natural reserve and sanctuary race track, shooting range, zoo, nursery, stadium, botanical garden, planetarium, amusement park, swimming pool, exhibition and mela, motion picture hall, cinema, restaurants, party plots, recreational use of water park, Resorts, hotels and Motels as per norms notified by the tourism corporation of Himachal Pradesh.	for recreation of any type, club, aquarium, planetarium, amusement park.  d) Slaughter house, cinema  e) Storage of inflammable materials and explosive goods subject to NOC/Approval and conditions laid down by concerned department/ authority dealing with such work. Dumping of solid industrial waste subject to N.O.C. and conditions laid down by Pollution Control Board.		7.5 mts.  In case of public and semi-public uses and buildings of charitable & religious purposes the competent authority may permit development activities to the extent of 15% of the land area with maximum permissible height 10 mts. The above restriction of built up area shall not apply to the following uses subject to maximum ground coverage of 15 % of the land with maximum permissible height 10 mts. i) Education, Hospital for infectious and contagious diseases, mental hospital, sanitarium. ii) Jail. iii) Transportnagar & truck terminal. iv) Slaughter house, cold storage. v) Govt./Semi-Govt./ FCI godowns and warehouses and Charitable Trust. vi) Activities related to tourism approved by tourism department Only basement, Ground floor, and first floor structure

Sr. No.	Zone	Type of development for which the zone is primarily intended	Type of development, which may be permitted by Competent Authority.	Type of development, which may not be permitted.	Remarks.
01	02	03	04	05	06
					<p>may be permitted, however, the structure for storage of inflammable material and explosive goods shall be single storied only.</p> <p>1) For poultry farm, sheds of floor height upto 10 mts. at the ridge level of the roof with perforated jali on all sides, maximum 25% ground coverage shall be permitted.</p>

## Sub- Division Regulations

Sr. No	Components	Mandatory discriptions
1.	Land use	Only one use shall be allowed as residential,commercial and other uses as defined in Development Plan. No Mix -land use shall be allowed in any use where land sub-division is approved by competetnt authority as the case may be.
2.	Road	7.5 mtr minimum wide road(with cul-de-sac)after having requisite set backs. Its length shall not be more than 100 mtr. In case of length incrases 9 mtr wide road shallhave to be kept.
3.	Basic amenities	5 % land reserved for it. However provision of toilets and urenial @ one toilets one for ladies and one for gents, plots more than 5 shall have to be made.
4.	Park/green space	10 % of total plot and it shall be provided at convenient location, in case of plots are less thane 5 in numbers it shall 5 % as the case may be. Trees shall be planted where plots are more than 5 @ 20 plants for each plots
5.	Set backs	All the plots irresepctive of use shall be provided routine set backs as per the prescribed in DCR Chapter-4 for all defined uses.
6.	Parking area	Parking provision shall be @one vehicle i.e 20 squer meter per 100 square floor area.
7.	Plot orientation	It shall be provided in such a manner so as to be confirmity with the integration of existing plots/infrastructre,wind directio, natural flow of surface drainage to allow un-obstructed rain discharge. The plots shall have rectangular shape with length : breadth ratio not exceding -3. Land/plot area should not be in irregular shape.
8.	Gradient	Shall be allowed 30 degree by showing proper cross section of site and plot level
9.	Integration	Proper integration of the plots/area shall have to be ensured with the suuounding uses and infrastructural provisions like roads,drainage sewearge line etc.

**Note:**

4. Land Sub- Division shall also be governed by associated rules and regulations like number of storeys, ground coverage, rain water harvestings system, waste amangement, potable water supply and distnace from river, khud, and nallah.
5. The development of land shall not be permitted in area where basic services like paved roads,drainage, water supplye,sewerage disposal,electrical supply line, street lighting etc do not exists or unless the applicant undertakes that these services shall be provided at his own cost.
6. The sub-division of land shall be permitted in accordance with natural profile/topography(shown on a countour map) anlog with drainage of land,access,road orientation wind direction and other environmental requirements. Natural flora and fauna shall be preserved.





