

(iv) आवासीय एटिक का विकल्प निवासिया और अन्य उपयोगों के लिए उपलब्ध होगा। प्रत्येक ब्लॉक में आवासीय एटिक हेतु पृथक फीस प्रभार्य होगी।

(v) आवासीय आधारक को एक स्वतंत्र मंजिल के रूप में गिना जाएगा। “

4. परिशिष्ट-8 का संशोधन.—उक्त नियमों से सलग्न परिशिष्ट-8 की क्रम संख्या 5 ‘अन्य अनिवार्यताएं’ में, विनियमन (ii) के स्थान पर निम्नलिखित रखा जाएगा, अर्थात्:—

“(ii) एटिक और आधारक:

(क) हिमाचल प्रदेश नगर और ग्राम योजना अधिनियम, 1977 के वैधानिक उपबन्धों के अधीन अधिसूचित किसी योजना या विशेष क्षेत्र की बाबत यथा लागू तत्समय प्रवृत्त किसी विकास योजना/अन्तरिम विकास योजना के साधारण विनियमों के अधीन किसी बात के अंतर्विष्ट होते हुए भी, आवासीय उपयोग के लिए एटिक अनुज्ञेय होगा। आवासीय एटिक हेतु प्रीमियम एफ.ए.आर. 0.25 अनुज्ञेय होगा जिसके लिए नियम 16(3) के अधीन यथानिहित अतिरिक्त फीस संदेय होगी। तथापि, एटिक, यथा स्थिति, विकास योजना/अन्तरिम विकास योजना के ऐसे विनियमों के अधीन यथा उपबन्धित भवन की अधिकतम अनुज्ञेय उँचाई के अन्तर्गत होगा।

(ख) जहां कहीं आवासीय एटिक प्रस्तावित किया गया है ढलान वाली छत की उँचाई किनारों से 0 से 0.75 मीटर तक भिन्न हो सकेगी और केन्द्र में रिज की उँचाई भवन की अधिकतम अनुज्ञेय उँचाई के अध्यक्षीन सुनम्य (फ्लैक्सिबल) होगी।

(ग) आवासीय एटिक की दशा में केवल 2.1 मीटर की स्पष्ट उँचाई वाला क्षेत्र ही एफ.ए.आर. के हेतु गिना जाएगा।

(घ) आवासीय एटिक का विकल्प निवासिया और अन्य उपयोगों के लिए उपलब्ध होगा। प्रत्येक ब्लॉक में आवासीय एटिक हेतु पृथक फीस प्रभार्य होगी।

(ङ) आवासीय आधारक को एक स्वतंत्र मंजिल के रूप में गिना जाएगा।”

आदेश द्वारा,

देवेश कुमार,
प्रधान सचिव (नगर एवं ग्राम योजना)।

[Authoritative English Text of this Department Notification No. TCP-A(3)-5/2019-Loose, dated 04-07-2023 as required under clause (3) of Article 348 of the Constitution of India].

TOWN AND COUNTRY PLANNING DEPARTMENT

NOTIFICATION

Shimla-2, the 4th July, 2023

No. TCP-A(3)-5/2019-loose.—WHEREAS, the draft notification to carry out amendments in the Himachal Pradesh Town and Country Planning Rules, 2014, was notified *vide* this Department

Notification of even number dated 31st May, 2023 and published in the Rajpatra (e-Gazette), Himachal Pradesh dated 3rd June, 2023 for inviting objection(s) and suggestion(s) from the person(s) likely to be affected thereby within a period of thirty days from the date of publication of the said notification in the Rajpatra (e-Gazette) Himachal Pradesh;

AND WHEREAS, the objection(s)/suggestion(s) received in this behalf within the stipulated period have been duly considered and accepted/rejected;

NOW, THEREFORE, in exercise of the powers conferred by Section 87 of the Act, 1977 (Act No. 12 of 1977), the Governor, Himachal Pradesh is pleased to make the following rules further to amend the Himachal Pradesh Town and Country Planning Rules, 2014 notified *vide* this Department Notification No. TCP-A (3)-1/2014-I, dated 1st December, 2014 and published in the Rajpatra (e-Gazette), Himachal Pradesh on 1st December, 2014, namely:—

1. Short title and commencement.—(1) These rules may be called the Himachal Pradesh Town and Country Planning (Ninth Amendment) Rules, 2023.

(2) They shall come into force from the date of their publication in the Rajpatra (e-Gazette), Himachal Pradesh.

2. Amendment of Rule 16.—In Rule 16 of the Himachal Pradesh Town and Country Planning Rules, 2014 (hereinafter referred to as the ‘said rules’) after sub-rule (2), sub-rule (3), shall be added, namely:—

“(3) (a) In case of habitable attic, the following fee shall also be levied apart from fees payable under rule 16(2) for cases which involve premium F.A.R. upto 0.25 :—

Sl. No.	Area projection below portion of roof having height 2.1 m or more (in Sqm.)	Rates (Rs.) (for Residential)
1.	Upto 40 Sqm.	50,000/-
2.	40-60 Sqm.	75,000/-
3.	60-100 Sqm.	1,00,000/-
4.	More than 100 Sqm.	1000/- per Sqm.

(b) The rates for uses other than Residential Use including Real Estate Projects will be 1.6 times of above rates.”

3. Amendment of Appendix-1.—In Appendix-1 appended to the ‘said rules’, in serial number-III, General Regulations, for regulation 22 the following shall be substituted, namely :—

“22. Attic and Basement:

- Notwithstanding anything contained under the general regulations of any Development Plan/Interim Development Plan for the time being in force, as applicable in respect of any planning or special area notified under the statutory provisions of the Himachal Pradesh Town & Country Planning Act, 1977, the attic shall be permissible for habitable use. Premium F.A.R. of 0.25 shall be permissible for habitable attic for which additional fee as prescribed under rule 16(3) shall be payable. However, the attic shall be within the maximum

permissible height of the building as provided under such regulations of Development Plan/Interim Development Plan as the case may be.

- (ii) Wherever habitable attic is proposed, height of sloping roof at eaves may vary from 0 to 0.75 M and maximum height of ridge at centre shall be flexible subject to maximum permissible height of the building.
- (iii) In case of habitable attic only the area with clear height of 2.1 meters shall be counted towards F.A.R.
- (iv) The option of habitable attic shall be available for Residential and all other uses. Separate fee will be chargeable for habitable attic in each block.
- (v) The habitable basement shall be counted as independent storey.”

4. Amendment of Appendix-8.—In Appendix-8 appended to the ‘said rules’, in serial number 5 Other Imperatives, for regulation (ii), the following shall be substituted, namely :—

“(ii) Attic and Basement:

- (a) Notwithstanding anything contained under the general regulations of any Development Plan/Interim Development Plan for the time being in force, as applicable in respect of any planning or special area notified under the statutory provisions of the Himachal Pradesh Town & Country Planning Act, 1977, the attic shall be permissible for habitable use. Premium F.A.R. of 0.25 shall be permissible for habitable attic for which additional fee as prescribed under rule 16(3) shall be payable. However, the attic shall be within the maximum permissible height of the building as provided under such regulations of Development Plan/Interim Development Plan as the case may be.
- (b) Wherever habitable attic is proposed, height of sloping roof at eaves may vary from 0 to 0.75 M and maximum height of ridge at centre shall be flexible subject to maximum permissible height of the building.
- (c) In case of habitable attic only the area with clear height of 2.1 meters shall be counted towards F.A.R.
- (d) The option of habitable attic shall be available for Residential and all other uses. Separate fee will be chargeable for habitable attic in each block.
- (e) The habitable basement shall be counted as independent storey.”

By order,

DEVESH KUMAR,
Principal Secretary (TCP).