



Town Planning Directorate <dtpodisha@gmail.com>

item No.

1 message

TAMDA ANGUL <secretary.tamdaangul@gmail.com>
To: Town Planning Directorate <dtpodisha@gmail.com>

Wed, Aug 17, 2016 at 2:04 PM

Sir,

Please find herewith the item no 4-6/2002 of 6th Authority meeting.



Item NO 4-6-2002 TAMDA Angul.pdf

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ITEM NO.4-6/2002

Adoption of "Building Regulations-2001" of B.D.A, BBSR for TADA.

TADA has adopted "Building Regulations-1993" of B.D.A. vide item No.4-1/95 in its First Authority meeting and the same is being followed till date. Presently, the B.D.A., Bhubaneswar has formulated the "Building Regulation-2001" for itself. Authority may consider for adoption of "Building Regulations" of B.D.A. with the changes mentioned below:

The Authority considered the proposal and agreed unanimously to adopt Building Regulations - 2001 of the BDA, BBSR with effect from 1st March, 2002 with appropriate modifications as and when required.

Regulation7(4) shall be substituted by the following members.

- Secretary, H&UD or his nominee.
- Executive Engineer, Public Health, Sambalpur / Cuttack.
- Executive Engineer, R&B Div., Angul.

- Executive Officer, Talcher Municipality, Talcher / Executive Officer, N.A.C, Angul.;
- Executive Engineer, CESCO, Angul.
- Executive Engineer, Orissa Water Supply and Sewerage Board, Angul.
- Asst. Town Planner, Town Planning Unit, Angul.
- Vice Chairman, TADA, Member Convenor.

PART-III

(B) Regulation-50(1) shall be deleted.

PART-VII

(C) Regulation82(1) shall be substituted by the following members:

- Executive Officer, N.A.C, Angul / Talcher Municipality.
- Asst. Town Planner, Town Planning Unit, Angul.
- Chief Architect, B.D.A. or his nominee.
- Deputy Secretary, H&UD Department.
- Executive Engineer, P.H.D, Sambalpur / Cuttack.
- District Fire Officer, Angul.
- Pollution Control Officer, Dist. Pollution Board, Angul.
- Collector, Angul or his nominee.
- Secretary, TADA, Member Convenor.

(D) The word "TADA, Angul" shall be substituted for the words "Bhubaneswar Development Authority, Bhubaneswar" in the "Buildings Regulation-2001" of B.D.A, Bhubaneswar

Am 1/02

The Orissa Gazette



EXTRAORDINARY

PUBLISHED BY BHUBANESWAR DEVELOPMENT AUTHORITY

No 1988, CUTTACK, MONDAY, OCTOBER 29, 2001 / KARTIK 7, 1923

NOTIFICATION

No. 5726/BDA, the Bhubaneswar,

Dated 8th October, 2001

Whereas the draft Bhubaneswar Development Authority (Planning and Building Standard) Regulations, 2000 was published as required by sub-section (1) of Section 125 of the Orissa Development Authorities Act, 1982 (Orissa Act 14 of 1982), in the Extraordinary Issue No:-1318 of the Orissa Gazette, dated the 18th September 2000, inviting objections and suggestions from all persons likely to be affected thereby till the expiry of a period of thirty days from the date of publication of the said notification in the Orissa Gazette.

And whereas objections and suggestions received during the stipulated period in respect of the said draft have been duly considered by the State Government.

Now, therefore, in exercise of the powers conferred by sub-section (1) read with clauses (viii) to (xviii) of sub-section (2) of Section 124 of the Orissa Development Authorities, Act 1982 and with the previous approval of the State Government, the Bhubaneswar Development Authority do here by frame the following regulations, namely:-

REGULATIONS

PART - I

ADMINISTRATION

Short title
extent and
commencement

1. (1) These Regulations may be called the Bhubaneswar Development Authority (Planning and Building Standards) Regulations, 2001.
- (2) They shall extend to the whole of the area within the jurisdiction of Bhubaneswar Development Authority.
- (3) They shall come into force on the date of their publication in the Orissa Gazette.

Definitions

2. In these Regulations, unless the context otherwise requires:

- (1) "Act" means the Orissa Development Authorities Act, 1982;
- (2) "air-conditioning" means the process of treating air so as to control simultaneously its temperature, humidity, cleanliness and distribution to meet the requirement of conditioned space;

- (3) "Air Port Reference Point" means a designated point which is established in the horizontal plane at or near the geometric centre of the landing area;
- (4) "alteration" means a change from one occupancy to another, or a structural change, such as an addition to the area or height, or the removal of part of a buildings or any change to the structure such as the construction of, cutting into or removal of any wall, partition, column, beam, joint, floor or other support, or a change to or closing of any required means of ingress or egress, or a change to the fixtures or equipment ;
- (5) 'Appendix' means an appendix appended to these regulations;
- (6) "approved" means approved by the Authority;
- (7) "Art Commission" means the Commission constituted under sub-section (1) of section 88;
- (8) "Authority" means the Bhubaneswar Development Authority and does not include its employees acting individually; The powers and responsibilities of the Authority under this Regulation can not be delegated, unless specifically provided for in this Regulation, the Act, the Rules or, unless notified by the government;
- (9) "balcony" means a horizontal cantilevered projection, including a hand rail or balustrade, to serve as passage or sitting out place;
- ✓(10) "barsati" means a habitable room (including kitchen) on the roof of a building with or without toilet/ kitchen;
- (11) "basement or cellar" means lower storey of a building not less than 0.9 metres and not more than 1.2 metres above the ground level;
- (12) "basti area" means an area declared as such under a development plan and in the absence of such declaration, any area comprising old settlements covering such extent of lands as may be determined/ by the Authority in consultation with concerned Local Body; *Am. nky*
- (13) "basti plot" means a plot having a width ranging between 4.0 and 6.3 metres, the depth being more than three times the width, and located in a basti area;
- (14) "builder" means an applicant, land owner, contractor, holder of power of attorney of the land owner, the partnership, trust or company which has any responsibility in construction of a building for commercial purposes.

Note- The Bhubaneswar Development Authority will be the builder for its own construction.

- (15) "building" means any structure for whatsoever purpose and of whatsoever materials constructed and every part thereof whether used as human habitation or not and includes foundation, plinth, walls, floors, roofs, chimneys, plumbing and building services, fixed platforms, verandah, balcony, cornice or projection, part of a building or anything affixed thereto or any wall enclosing or intended to enclose any land or space and signs and outdoor display structures;

Explanation - Tents, shamianas, tarpaulins, shelters, etc., put up for not more than fifteen days, shall not be considered as building;

- (16) "building accessory" means a subordinate building use of which is incidental to that of a principal building, on the same plot such as garage, coal or fuel shed, peons, choukidars, or domestic servants quarters, etc.;

- (17) "building height" means the vertical distance measured in the case of flat roofs, from the average level of the centre line of the adjoining street to the highest point of the building adjacent to the street; and in the case of pitched roofs, up to the point where the external surface of the outer wall intersects the finished surface of the sloping roof and in the case of gables facing the road, the mid-point between the eaves level and the ridges;

Explanation - If the building does not abut on a street, the height shall be measured above the average level of the ground around and contiguous to the building;

- (18) "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 development plan in operation of any area under the jurisdiction of the Authority or specification indicated in any Town Planning or Development Scheme, or in these Regulations;

- (19) "chajja" or "sun-shade" means a sloping or horizontal structural overhang, usually provided over openings on external walls to protect it from sun and rain;

- (20) 'Chawl' means a building so constructed as to be suitable for letting out as separate tenements each consisting of not more than two rooms and with common sanitary arrangements;

- (21) 'Chinmey' means an upright shaft containing and encasing one or more flues provide for the conveyance to the outer air of any product of combustion resulting from the operation of any heat producing appliance or equipment employing solid, liquid or gaseous fuel;

- (22) 'Combustible materials' means a material, which burns or adds to a fire when used for combustibility in accordance with good practice;

- (23) "conversion" means the change of an occupancy to another occupancy or change in building structure or part thereof resulting in change of space or use requiring additional occupancy certificates ;
- (24) "corner plot" means a plot at the junctions of and fronting on two or more intersecting streets;
- (25) "courtyard" means a space permanently open to the sky, enclosed fully or partially by buildings and may be at ground level or any other level within or adjacent to a building ;
- (26) "covered area" means:
- (i) in respect of ground floor, ground area covered immediately above the plinth level by the building but does not include the open space covered by-
 - (a) garden, rookery, well and well-structures, rain water harvesting structures, plant nursery, water-pool (if uncovered), platform round a tree, tank, fountain, bench, chabutra with open top and unenclosed on sides by walls boundary wall, swing, and area covered by chaza without any pillars etc touching the ground;
 - (b) 'drainage culvert conduit', catch-pit, gully pit, inspection chamber, gutter and the like;
 - (ii) in respect of first and subsequent floors, all such areas which are not open to the sky;
- (27) "Cul-de-sac" means such means of access having length from 150 to 275 metres with an additional turning space at distance of at least 150 metres such turning space being not less than 81 square metres in area having no dimension less than 9 metres;
- (28) "detached building" means a building whose walls and roof are independent of any other building with open spaces on all sides;
- (29) "Development Plan" includes any development plan either interim or comprehensive or zonal plan in operation for any area under the jurisdiction of the Authority;
- (30) "Deviation" means any construction made in departure from the approved plan by way of internal alteration or additions, modifications in the total floor area, coverage, floor area ratio (FAR), setbacks, height, parking space, provision of public utilities etc.;
- (31) "Director, Town Planning" means the person appointed as Director of Town Planning under sub-section (1) of Section 3 of the Orissa Town Planning and Improvement Trust Act, 1956 (Orissa Act 10 of 1957);

- (32) "drain" means a line of pipes including all fitting and equipment, such as manholes, inspection chamber, traps, gullies and floor traps, used for the drainage of a building or a number of buildings, or yards appurtenant to the buildings within the same curtilage and includes open channels used for conveying surface water;
- (33) "drainage" means the removal of any liquid by a system constructed for this purpose;
- (34) "enclosed stair-case" means a stair-case, separated by fire resistant walls from the rest of the building;
- (35) "existing building or use" means a building, structure or its use as sanctioned/ approved/ regularised by the competent authority, existing before the commencement of these Regulations;
- (36) "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;
- (37) "external wall" means an outer wall of a building not being a part wall even though adjoining to a wall of another building and also means a wall abutting on an interior open space of a building;
- (38) "Fire alarm system" means an arrangement of call joints or detectors, sounders and other equipments for the transmission and indication of alarm and sometimes used as signals for testing of circuits and whenever required for the operation of auxiliary services. This device may be workable automatically or manually to alert the occupants in the event of fire;
- (39) "Fire lift" means one type of lift specially designed for use by fire service personnel in the event of fire;
- (40) "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;
- (41) "floor" means the lower surface in a storey on which one normally walks in a building.

Explanation - The general term "floor" unless otherwise specifically mentioned shall not refer to a "mezzanine floor";

Note - The sequential numbering of floor shall be determined by its relation to the determining entrance level. For floors at or wholly above ground level the lowest floor in the building with direct entrance from the road/street shall be termed as ground floor. The other floors above ground floor shall be numbered in sequence as floor-I, floor-II, etc. with number increasing upward ;

- (42) "floor area ratio (FAR)" means the quotient obtained by dividing the total covered area (plinth area) on all floors with the area of the plot;

$$\text{FAR} = \frac{\text{Total covered area of all floors}}{\text{Plot area}}$$

- (43) 'Form' means a form appended to these regulations;
- (44) 'Foundation' means that part of a structure which is in direct contact with and meant for transmitting loads to the ground;
- (45) 'Gallery' means an intermediate floor or platform projecting from a wall of an auditorium or a hall providing extra floor area, additional seating accommodation, etc. It shall also include the structures provided for seating in stadia;
- (46) 'Garage-private' means a building or a portion thereof designed or used for parking of private owned motor ^{Vehicle} driven or any other vehicles;
- (47) 'Garage-public' means a building or portion thereof, designed or used for repairing, servicing, hiring, selling or parking of motor driven or any other vehicles;
- (48) 'Group Housing' means, apartment, or multi-storeyed housing for more than three dwelling units, where land is owned jointly and the construction is undertaken by a single agency.
- (49) 'Habitable room' means a room occupied or designed for occupancy by one or more persons for study, living, sleeping, eating, cooking if it is used as a living room, but does not include bathrooms, water-closet compartments, laundries, serving and storage pantries, corridors, cellars, attics and spaces that are not used frequently or during extended periods;
- (50) 'height of the building' means the height measured from the average level of the centre line of that portion of the street on which the site abuts;
- (51) "Heritage Zone" means the area as delineated in Comprehensive Development Plan.
- (52) 'latrine-connected' means a latrine connected to the municipal sewer system;

- (53) 'latrine-unconnected' means a latrine not connected to the municipal sewer system; it may be connected to a septic tank or suitable treatment or disposal system;
- (54) 'ledge' means a shelf-like projection, supported in any manner whatsoever, except by means of vertical supports within a room itself but not having projection wider than 0.9 metre and at a minimum clear height of 2.2 metres from the floor level; •
- (55) 'loft' means an intermediary floor between two floors on a residual space in a pitched roof, above normal floor level, which is constructed or adopted for storage purposes;
- (56) 'masonry' means an assemblage of masonry units properly bonded together with mortar;
- (57) 'mezzanine floor' means an intermediate floor between two floors, above ground level, accessible only from the lower floor;
- (58) "multi-storey or high rise building" means a building whose height is more than 15 metres or more measured from the average level of the central line of the street on which the site abuts, or more than four floors excluding basement or still;
- (59) 'non-combustible material' means a material which does not burn nor add heat to a fire when tested for combustibility in accordance with good practice;

Explanation - All stair-case rooms, lift rooms, chimney and elevated tanks above the topmost floor and architectural features shall not be included in the number of floors in the calculation of the height of the building if the total height of such additional construction shall not exceed three metres.

- (60) 'non-conforming use of a building or land' means the use of a building or land existing at the time of commencement of these Regulations, and which does not conform to the Regulations pertaining to the zone in which it is situated;
- (61) (i) 'Occupancy or use group' means the principal occupancy for which a building or a part of a building is used or intended to be used;

Explanation-I - For the purposes of classification of a building according to occupancy, an occupancy shall be deemed to include the subsidiary occupancies which are contingent upon it.

Explanation-II - The classification of buildings according to occupancy are as follows:-

- (a) **Residential Buildings**
These shall include any building, in which sleeping accommodation is provided for normal residential purposes with or without cooking or dining or both facilities, including one or two or multi-family dwellings, lodging dormitories, apartment houses, flats and hostels.
- (b) **Institutional Buildings**
These shall include any building or part thereof which is used for purposes such as medical or other treatment or care of persons suffering from physical or mental illness, disease, infirmity, care of infants, convalescents or aged persons and for penal or correctional detention in which the liberty of the inmates is restricted and special training centres. Institutional buildings ordinarily provide sleeping accommodation for the occupants and specialised non-commercial training centres. It includes hospitals, sanatoria, custodial institutions and penal institutions like jails, prisons, mental hospitals and reformatories. These shall include any building used for school, college or day care purposes involving assembly for instruction education or recreation where it is a part of education.
- (c) **Assembly Buildings**
These shall include any building or part of a building where groups of people congregate or gather for amusement, recreation, special, patriotic, civil travel and similar purposes, for example - theatres, motion picture houses, assembly halls, auditoria, libraries, exhibition halls, museums, skating rinks, gymnasium, restaurants, dance halls, club rooms, passenger stations, and terminals of air, surface and other public transportation services, recreation parlours and stadia. These shall include any building used for religious purposes like prayers, puja, worship, religious or spiritual congregation, discourses, rituals and functions.
- (d) **Commercial Buildings**
These shall include any building or part of a building which is used as shop, stores, market for display and sale of merchandise either wholesale or retail, office storage or a service facilities incidental to the sale of merchandise and located in the same building shall be included under this group. These shall include any building or part of a building which is used for transaction of business for the keeping of accounts and records for similar purposes by any Government or local authority or a body corporate, or a company or a person or group of persons.
- (e) **Industrial Building**
These shall include any building or part of a building or structure, in which products or materials of all kinds and properties are fabricated, assembled or processed like assembly plants, laboratories, power plants, smoke houses, refineries, gas plants, mills, dairies, factories etc.

(f) Storage Buildings

These shall include any building or part of building used primarily for the storage or sheltering of goods, wires, merchandise, like warehouses, cold storages, freight depots, transit sheds, store houses, garages, hangers, truck terminals, grain elevators, barns and stables.

(g) Hazardous Buildings

These shall include any building or part of a building which is used for the storage, handling, manufacture or processing of highly combustible or explosive materials or products which may produce poisonous fumes or explosions for storage, handling, manufacturing or processing which involve highly corrosive toxic or noxious alkalis, acids or other liquids or chemicals producing flame, fumes and explosive poisonous, irritant or corrosive gases, and for the storage, handling or processing of any material producing explosive, mixtures or dust for which result in the division of matter in to fine particles subject to spontaneous ignition.

(62) "open space" or (setback) means an area forming an integral part of the plot, left open to the sky;

(63) 'Parapet' means a low wall or railing built along the edge of a roof or a floor;

(64) "Parking space" means an area enclosed or unenclosed, covered or open, of sufficient size to park vehicles, together with a driveway connecting the parking space with a street or any public area and, permitting ingress and egress of the vehicles;

✓ (65) 'Pent house' means a covered space on the roof of building used for shelter during rains. It will have at least one side open;

(66) "Plantation" means plantation of plants and trees;

(67) "Plinth" means the portion of a structure between the surface of the surrounding ground and of the surface floor, immediately above the ground;

(68) "Plinth Area" means the built up covered area measured at the floor level of the basement or of any floor;

(69) 'Porch' means a covered surface supported on pillar or otherwise for the purpose of pedestrian or vehicular approach to a building;

(70) "Public utility Service" means drainage, sewerage, electricity, water supply, garbage removal, solid waste disposal, sanitation, fire services, roads and any

other support or infrastructure and the like for which a building has to depend on public bodies, authorities or agencies;

- (71) "Registered architect" means a qualified architect registered by the Council of Architecture who under the Architect Act, 1972, who has paid the renewal fee of registration for the current year; and who has not been debarred by the Authority;
- (72) "Road" means any access namely: highways, streets, lane, pathway, alley, stair way, place or bridge, whether a thoroughfare or not, over which the public have right of passage or access or have passed and had access uninterruptedly for a specified period, and includes all bunds, channels, ditches, storm water drains, culverts, side tracks, traffic islands, road side trees and hedges, retaining walls, fences barriers and railing within the road line;
- (73) 'row housing' means a row of houses with only front, rear and interior open spaces;
- (74) "Rule" means the Orissa Development Authorities Rules, 1983;
- (75) 'Schedule' means a schedule appended to these regulations;
- (76) 'Section' means section of the Act;
- (77) 'Semi-detached building' means a building detached on three sides (front, rear and side) with open spaces as specified under regulations 30 to 33;
- (78) "Setback line" means a line usually parallel to the plot boundaries and laid down in each case by the Authority beyond which nothing can be constructed towards the plot boundaries and shall not apply to slums taken up under an approved programme of the Government subject to the specific sanction of the State Government, and subject to the conditions that there will not be more than 25 plots in one cluster, and the area of each plot in the cluster shall not exceed 250 square feet;
- (79) "Stair cover" means a structure with a covering roof over a stair-case and its landing, built to enclose only the stairs for the purpose of providing protection from weather and not used for human habitation;
- (80) "Storey" means the space 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, but shall not include a mezzanine floor;

- (81) "Supervisor" means a person having
- (a) Diploma in Architectural Assistantship or Intermediate in Architecture, or
 - (b) Diploma in Civil Engineering or
 - (c) Trade certificate in Civil draughtsmanship from I.T.I.
- (82) "Technical personnel/Group/ Engineer" means a person or a group of persons having qualifications, experiences and competency as provided in Schedule-I.
- (83) 'tenements' means room or rooms in the occupation of, or meant for the occupation of one tenement;
- (84) "to abut" means to abut on a road so that any portion of the building is on the road boundary;
- (85) "unsafe building" means the buildings which are structurally unsafe, or insanitary, or do not provide adequate means of egress, or which constitute fire hazard, or are otherwise dangerous to life or property, or which in relation to existing use constitute a hazard to safety/ health/ public welfare, by reason of inadequate maintenance, dilapidation or abandonment.
- (86) 'water closet' means a privy with arrangement for flushing the pan with water but does not include a bath room;
- (87) "Zoning Regulations" means any Regulations or plans governing the land use in any development plan or forming part of a development plan in operation;
- (88) Words and expressions used in these Regulations, but not defined, shall have the same meaning as respectively assigned to them in the Orissa Development Authorities Act, 1982, the Orissa Development Authorities Rules, 1983 and National Building Code of India amended from time to time.

Application

3. Subject to the provisions of the Act, these Regulations shall apply:
- (a) to the planning, design and construction of the building in case of erection of a building;
 - (b) to all parts of the building whether removed or not, and in case of removal of whole or any part of a building;
 - (c) to remaining part of the building after demolition and work involved in the demolition in case of demolition of whole or any part of a building;

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- (d) to the whole building whether existing or new building (except only to that part of the building, which is consistent with these Regulations) in case of alteration of a building;
 - (e) to all parts of the building affected by the change in case of change of occupancy of a building; and
 - (f) to use of any land or building where sub-division of land is undertaken or use of any land or building is changed.

Limitations

4. Except as otherwise provided in the Act, the rules and the development plan, nothing in these Regulations shall require the removal, alteration, abandonment, or prevention of the continuous use or occupancy of an existing approved building, unless in the opinion of the Authority, such building constitutes a hazard to the safety of the occupants of the building itself or to the adjacent property.

Deemed permission

5. (1) The construction of any building, in respect of which permission has been issued before the coming into force of these Regulations, shall, so far as it is not inconsistent with the provisions of these Regulations regarding provision of public utility services, and construction in heritage zone, continue to be validly made and the said permission shall be deemed to have been issued under the corresponding provisions of these Regulations.
- (2) Where any building has been constructed without an approved plan or with deviation of an approved plan, the provisions of these Regulations shall be insisted upon.

Application for Building Plan

6. Any person who intends to erect, re-erect or make alterations or additions in any building or demolish any building, shall apply to the Authority in Form-I. Basing on this form, the authority may prescribe separate formats for different category of buildings and group housing:

Such application shall be accompanied by the following documents.

- (a) Four copies of plans, duly signed by the persons who have prepared them, the builder and the applicant, showing, -
- (i) Site plan;
 - (ii) Layout plan with road(s);
 - (iii) Plan of all floors;
 - (iv) Four side elevations;
 - (v) Sections;
 - (vi) Area statement; and
 - (vii) Plan for sewerage/drainage disposal.
- (b) Evidence, like record of rights (ROR) or a civil court decree that the applicant has prima facie right, title and possession over the land on which the building is proposed to be constructed. In case of the building proposed to

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be constructed on land classified as agricultural in the ROR permission from the Revenue Authority for conversion to non agricultural purposes as provided under section 8A of Orissa Land Reforms Act, 1993.

- (c) In case the applicant is a trust, group of persons, partnership or a company, a registered agreement between the holder of the right, title and interest and the applicant, valid under the Transfer of Properties Act, 1982 and Copies of the Agreement/ Article of Association/ Memorandum/ Byelaw.
- (d) Evidence in support of deposit of cost of public utility services.
- (e) No Objection Certificate from the Orissa State Housing Board, for the additional constructions, in case the house is delivered by the said Board.
- (f) Additional charges payable by bank draft or account payee cheque [subject to realisation] proportionate to the floor area, and to be decided and notified by the Authority in advance.
- (g) A refundable fee for the likely cost of public nuisance payable to the urban local bodies under section 345 of the Orissa Municipal Act, 1950, in case debris or construction materials are stacked in public places leading to public nuisance, to be decided by the Committee constituted under Regulation 7 (3), proportionate to floor area.

Explanation- If no fees are decided under paragraphs (f) and (g), no fee will be payable.

Public utility service

7. (1) Where in a particular area, a number of plans for erection of buildings are coming up, and the authorities in charge of public utility services can not apportion the costs of such services from each building, the Vice-Chairman of the Authority may, in consultation with the competent authority in charge of that public utility service, make a total estimate for any public utility. The Vice-Chairman of the Authority may either take up such work or make arrangement for depositing the cost in respect of each such building with the authority in charge of the public utility service. This amount shall be kept in one or more separate joint accounts of Authority and the implementing agency of the public utility services, or in such manner as the Committee constituted under sub-clause [3] decides.

- (2) The pro-rata cost of any particular building shall be,-

Total infrastructure development Cost X

Floor area of the building

Anticipated total floor area in the area in the next five years.

(3) The pro-rata cost of, and the agencies to execute, public utility services shall be decided, from time to time, by a Committee consisting of the following members:

(4)

- | | | |
|----|---|-------------------|
| 1. | Secretary, Housing and Urban Development Department, or his nominee | - Chairman |
| 2. | Chief Engineer, Public Health | - Member |
| 3. | Chief Engineer, Public Works Department (Roads) | - Member |
| 4. | Executive Officers of Urban Local Bodies in the Development Area | - Members |
| 5. | Managing Director CESCO | - Member |
| 6. | Member Secretary, Orissa Water Supply and Sewerage Board | - Member |
| 7. | Director, Town Planning | - Member |
| 8. | Vice Chairman of the Authority | - Member convenor |

(5) The Committee may fix separate costs for separate areas and localities. In areas where public utilities are not likely to be made available within a reasonable time, the committee may decide not to charge any fees at all. The decision of the Committee as to what is reasonable time will be final.

Plans

8. (1) All the plans shall be prepared and duly signed by a technical personnel (Viz~ Architect, Engineer, Structural Engineer, Town Planner, Supervisor, Group, Agency and Builder who shall indicate his name, address, registration or licence number on the body of the plan and in all other relevant documents. The plans shall also be signed by the concerned owner of the land.

(2) The technical personnel and builder as specified in sub-clause(1) above shall have to be registered with the Authority. Their qualifications and competence shall be as per Schedule-1.

(3) When it comes to the notice of the Planning Member, Engineering Member, any Member of the Authority, or any other person that a plan signed by technical personnel or builder referred to under sub-clause (1), is in violation of the norms of this regulation he shall bring this to the notice of the Authority.

(4) The Vice Chairman of the Authority shall issue a notice asking for a show cause within fifteen days as to why such technical personnel or builder shall not be disqualified/ black listed. After receipt of the show cause, if any, the Vice Chairman shall place the matter before the Authority for a decision on such disqualification/ black listing. The decision of the Authority on disqualification/black listing shall be published under Regulation 12.

(5) An appeal against an order under sub-clause (4) above shall lie under section 103 of the Act.

Permission

9. (1) No permission shall be required for the following works relating to maintenance, repair, improvement or alteration of any building, provided such works do not otherwise violate any provision of these Regulations :-

- (a) plastering and patch repairs, re-roofing, flooring and re-flooring, internal partition, white washing;
- (b) opening and closing windows, ventilators and doors not opening towards other's property, replacing fallen bricks, stones, pillars, beams, etc.;
- (c) construction or reconstruction of sun-shades/parapets/ boundary walls, provided such construction does not exceed the maximum permissible covered area.
- (d) reconstruction of portions of buildings damaged by storm, rains, fire, earthquake or any other natural calamity to the same extent and specification as existed prior to the damage.

(2) All clarifications with respect to deficiency in the plan, documents will be sought for from the applicant at a time as far as practicable.

Decision of Authority

10. (1) The Authority shall communicate its decision on the plan including refusing permission within two months from the date of receipt of the application under Regulation 6 in Form-II or Form-X as the case may be.

(2) If the Authority, does not communicate its decision either granting or refusing permission to the applicant within two months from the date of receipt of the application by the Authority, the applicant shall draw the attention of the Vice-Chairman of the Authority with regard to his application, by registered post in Form-III.

(3) If, within a further period of one month from the date of receipt of the application drawing such attention as mentioned in sub regulation (2) above, the Authority does not communicate its decision, either granting or refusing permission, such permission shall be deemed to have been granted to the applicant on the date of immediately following the date of expiry of the three months period.

(4) A residential building may be constructed by the owner of the land of an approved layout without prior approval of the plan by the Authority if the following conditions are satisfied:

- (a) the plot size is not more than 120 square metres, of the approved layout.
- (b) The coverage is not more than 60 percent,
- (c) The height is not more than 6 metres,

- (d) The plan has been approved by a Registered Town Planner, Architect/Group/Engineer as defined under clause 2 above, and;
- (e) An application in plain paper is submitted to the Authority, by Registered post with a copy of the plan, and the Record of Rights, 60 days prior to commencement of construction;
- (f) All other conditions of the Regulation;

- Note-
- (a) If the planning Member does not raise any objection within sixty days, permission shall be deemed to have been granted u/s 15 of the act.
 - (b) The owner shall have to submit completion certificate as required under section 20 of the Act and as referred to in regulation 18 & 67.
 - (c) The owner and the builder shall remain responsible for any violation of the norms prescribed under the Regulation. Nothing in this provision will enable the owner and the builder to violate any of the other provisions of the Regulation.
 - (d) Detail guidelines in this regard shall be framed by the Authority from time to time.

Speaking order

11. The decisions of the Authority under Regulation 10 shall state the facts and grounds clearly along with the reasons for taking such decision.

Publication of the decision of the Authority

12. (1) On the 7th day of every month the Authority shall publish a public notice containing the cases of permission/objection/ rejection relating to the previous month by affixing a copy there of on the notice board of the Authority.

- (2) A copy of public notice as referred to in sub-Regulation (1) shall be placed by the Vice Chairman of the Authority in its web site, bda.bbsr.com.

- (3) This will be in addition to the notice to the applicant.

Maintenance of Register u/s 16(12) of the Act.

13. A register in Form-IV containing the necessary particulars including information as to the manner in which applications for permission have been dealt with by the Authority shall be maintained, which shall be verified by the Vice Chairman of the Authority every month by the 15th of the succeeding month.

Notice to start work

14. The applicant [hereinafter referred to also "as the owner"] under Regulation 6 shall give notice to the Authority of his intention to start work after receipt of permission under Regulation 10 in Form-V.

Deviation during construction

- 15.(1) Any alteration which exceeds the approved floor area, FAR, covered area, height, or reduces the approved parking space and the public utility services which amounts to deviation, and shall not be permissible.

- (2) Minor alterations like shifting and enlarging of doors and windows, non-structural pillars and partition walls, which do not affect structural stability, or which do not conflict with these Regulations, may be undertaken by the owner and shall be reported to the Authority from time to time. Such alterations shall be clearly stated in the completion certificate. The decisions, if any, of the Authority, regarding the alterations so made shall be final.
- (3) Subject to the provisions of sub-Regulation (2), any deviation from the approved plan of construction shall not be permitted.

Construction not according to plan

16. (1) If the Authority finds at any stage that the construction is not being carried on according to the sanctioned plan or is in violation of any of the provisions of these Regulations, it shall notify the owner and no further construction shall be allowed until necessary corrections in the plan are made and the corrected plan is approved.

(2) If the owner fails to comply with the requirements at any stage of construction, the Authority may cancel the building permission issued and shall cause notice of such cancellation to be pasted upon the said construction. If the owner is not traceable at his address given in the notice, pasting of such notice shall be considered as sufficient notification of cancellation to the owner thereof. No further work shall be undertaken or permitted upon such construction until a valid building permission is issued thereafter.

(3) The notification under sub-Regulation (2) shall also be published in the public notice in the manner as referred to in Regulation 12.

Information at the site of construction

17. The owner shall, during construction, affix the following in a conspicuous place on or near the construction site, in respect of which the permission was issued namely:

- (a) a copy of the building permission; and
- (b) a copy of the approved plans with all specifications.

Completion of construction

18. (1) Every person erecting or re-erecting a building shall, within one month after completion of such building, give a notice in writing to the Authority, which shall be published in the public notice in the manner referred to in Regulation 12.

(2) The Vice Chairman of the Authority may, if he so desires, inspect the work within one month of receipt of the notice under sub-Regulation (1), through the Engineering Member or the Planning Member, or both, or their authorised representative.

- Certificate for occupancy
19. (1) The Planning Member with the approval of the Vice Chairman shall issue a certificate of fitness for occupancy, for part of a building during its construction or whole of the building after construction.
- (2) Such certificate shall be issued only after all utility services for the entire building are physically provided and the authorities in charge of public utility services are paid for the said services. The Vice Chairman shall ensure that such cost has been properly paid.
- (3) Where despite payment of fees for the public utilities, the same is not provided, the deposit will be refunded to the applicant with interest. The rate of interest will be decided by the Committee constituted under Regulation 7. Pending a decision of the Committee on the interest rate, the original deposit will be refunded. In such cases, occupancy certificate will be issued, with the approval of the Vice Chairman subject to the condition that alternative arrangements for public utilities are made.
- (4) An appeal against the decision of the Vice Chairman shall lie under section 18/103 of the Act.
- Inspections
20. The Vice Chairman, and his authorised representatives shall be competent to inspect the building works at all reasonable hours during construction hours to satisfy themselves that such construction is consistent with the provisions of these Regulations and the approved plans.
- Hazardous Building
21. (1) If the Vice Chairman, after causing an inspection by himself, or his representative, is of the opinion that it is necessary to do so, may declare any building existing, completed, or under construction, hazardous.
- (2) Before such declaration, a show cause notice shall be issued giving 15 days' time to the last known owner[s] or occupant[s] of the building. A copy of the notice shall also be published through affixture at the site. Either of the notices shall be deemed to be adequate. The notice shall also be published under Regulation 12. The show-cause, if any, received, shall be considered before passing an order under sub clause (1) above.
- (3) Where action lies under section 91 of the Act, action shall be initiated forthwith.
- (4) After such declaration under sub-Regulation (1), the Vice Chairman of the Authority shall inform the matter, to the Sub-Divisional Magistrate having jurisdiction under section 133 or 144 of the Code of Criminal Procedure, to take appropriate action.
- (5) These facts shall be notified under Regulation 12.

Art
Commission

22. (1) Where the building plan accompanying the application seeking permission, require the clearance by the Art Commission, Orissa, constituted under section 88, the Authority shall grant the permission only after the clearance is given by the said Commission. In all other cases, Architectural Control shall be regulated according to the provisions of these Regulations.

(2) The Authority, on the recommendation of the Art Commission, may issue public notices, from time to time, prescribing the architectural norms in different zones, in the manner prescribed in Regulation 12.

Construction
near protected
monuments

23. (1) No construction or re-construction of any building, within a radius of 100 meters, or such other higher distance from any archaeological site, as may be decided by the Archaeological Survey of India and Orissa State Archaeology from time to time, from the outer boundary of a declared protected monument shall be permitted.

(2) No construction above 1st floor and above 7 (seven) metres shall be allowed beyond a radius of 100 metres and within a radius of 300 metres of such monuments.

(3) The construction or reconstruction of any building under sub-Regulation (2) shall not be above 7 (Seven) metres of total height.

(4) If a building or premises, not covered under The Ancient Monument Preservation Act, 1904, or The Ancient Monuments and Archaeological Sites and Remains Act, 1958, in the opinion of the Vice Chairman, is of historical or architectural interest, and is in danger of being demolished or altered or likely to be affected in its character by a development, the Authority shall not grant any permission for construction over any land situated near the said building or premises. He shall refer the plan to the Art Commission, whose decision shall be final for the Authority.

(5) These provisions shall apply mutatis mutandis in respect of archaeological sites notified by the Art Commission.

(6) An appeal against the decision under sub-clause (4) shall lie under section 18 of the Act.

Responsibility
under the
Regulations

24. (1) Approval of plans and acceptance of any statement or document pertaining to such plan shall not exempt the owner or person or persons under whose supervision the building is constructed from their responsibilities imposed under these Regulations, or under any other law for the time being in force.

(2) Approval of the plan would mean granting of permission to construct under these Regulations only and shall not mean among other things:

- (i) the title over the land or building ;
- (ii) easement rights;
- (iii) variation in area from recorded area of a plot or a building;
- (iv) structural stability ; and
- (v) workmanship and soundness of materials used in the construction of the buildings

(3) The approval or permission shall not bind or render the Authority liable in any way with regard to the matter specified in clauses (i) to (v).

- Deposit of
Cost of
public
utilities
service
25. The cost of public utility services shall be deposited before obtaining permission.

PART - II

GENERAL BUILDING REQUIREMENTS

- Restriction on
permission
26. Without prejudice to any other stipulation in these Regulations, no permission to construct a building on a site shall be granted :

- (i) in areas of natural waterways or drains, as detailed in the Development Plan, and the drainage plan prepared by WAPCOS, as modified from time to time;
- (ii) if the orientation of such building is not in harmony with the surroundings, as may be decided by the Art Commission;
- (iii) if the use to which the site is proposed to be put does not conform to the use earmarked in the Development Plan;
- (iv) if the building is to be constructed over or under a municipal drain, sewerage line, electrical line, water main, any other government or public land, or public utility services;
- (v) if the foundation of the external wall along a street is located at a distance less than 0.5 metres from the edge of the street or road margin including the drain;

- Distance
from
Electric
lines
27. No verandah, balcony or the like shall be allowed to be erected or re-erected or any additions or alterations shall be made to a building in a site within the distance specified below determined in accordance with the Indian Electricity Rules, 1956 between the building and any overhead electric supply line;

MINIMUM DISTANCE FROM THE ELECTRIC LINE

Table - 1

	Vertical distance in meters	Horizontal distance in meters
Low and medium voltage lines and service lines	2.5	1.2
High voltage lines up to and including 33,000 Volt	3.7	2.0
Extra High voltage lines beyond 33,000 Volt	3.7	2.0
	(Plus 0.3 meters for every additional 33,000 volt or part thereof)	(Plus 0.3 meters for every additional 33,000 volt or part thereof)

Plantation and Roads.

28. (1) In every building area, at least 10% of the land shall be utilised for plantation, but in case of multi-storeyed buildings, at least 20% of the land shall be used for plantation. The plantation shall be completed by the time, the construction of the building is completed.
- (2) Every building shall have a public road of at least 6 metres width.
- (3) In case of a private road which gives access to one or more buildings, the owner of the said private road shall by way of gift transfer the same to the Local Authority for its maintenance.

Minimum Plot area for multi-storey building

29. The minimum area of a site for construction of a multi-storeyed building shall not be less than 1000 square metres. The height of a multi-storeyed building shall be maintained according to the area of the site given in the table below:

MINIMUM PLOT AREA REQUIREMENT FOR MULTI-STOREYED BUILDING

Table - 2

Height of the building in metres.	Minimum area in square metres
15 to 21	1000
21 to 27	2000
above 27	3000

Residential building

30. (1) The Setbacks to be left in rear, left and right side around detached residential buildings up to two storeys shall be as per Table below.

**OPEN SPACES (SET-BACKS)
FOR RESIDENTIAL (DETACHED) BUILDINGS (UPTO TWO STOREYS)**

Table - 3

Sl. No.	Average depth or Width of site in metres	Minimum Open Spaces (Setback) in metres		
		Rear Side	Left Side	Right Side
1	Up to 10	1.0	1.0	1.0
2	Above 10 and up to 15	2.0	1.5	1.5
3	Above 15 and up to 25	2.0	1.5	2.0
4	Above 25	2.0	2.0	3.0

- (2) For every additional storey above two storeys, a further set-back of not less than 0.5 meter on the sides and in the rear shall be provided.
- (3) The conditions of minimum setback and maximum coverage shall not be applicable for a slum housing, rehabilitation of service population or for other housing scheme for economically weaker sections approved by Government, Housing Board and Authority.
- (4) The maximum Floor Area Ratio, the maximum plot coverage, maximum height of residential building and front setback with respect to the width of the street (approach road) shall be as given in Table below:

Front Setback Coverage F.A.R.
AREA AND HEIGHT LIMITATIONS FOR RESIDENTIAL BUILDINGS

Table - 4

Area of Plot in Square meters	Front Set back in meters	Maximum Coverage	Maximum F.A.R.	Minimum Road width in meters.
100 to 200	2	60%	1.5	6
201 to 300	2	60%	1.5	9
301 to 400	3	55%	1.75	12
401 to 500	3	55%	1.75	12
501 to 750	4.5	50%	2.00	12
751 to 1000	4.5	50%	2.00	12
Above 1000	6.00	50%	2.00	12

- (5) In addition to what has been stated in the table above, wherever the width of the road is less than 6 [six] metres, the FAR shall be limited to 1.0 and the coverage shall be limited to 50% of the plot, irrespective of the size of the plot.

Group housing

- (6) (a) The maximum Floor Area Ratio for Group Housing will be 2.00
- (b) The maximum permissible coverage in respect of group housing shall be 50%.
- (c) In group housing with apartment/joint ownership of land the owner/developer shall provide floor space for house owners society Office/assembly at the rate of 1 Sq. metre per household/flat provided that the minimum area shall not be less than 12 Sq. metre.
- (d) The area for community facility shall be provided as per Table-5 below :

PERCENTAGE OF AREA REQUIRED FOR COMMUNITY FACILITY

Table-5

Ultimate Population	Percentage of total area required for community facility
1000	5
3000	8
10000	10

Note- Provided that where the ultimate population is less than 1000, the above percentage of space shall not be insisted upon. The ultimate population will be arrived at by considering upper storey development within permissible F.A.R. and the total number of dwelling units accommodated in the Scheme. The household size occupying a dwelling unit is to be taken as five.

(e) One staircase for every 5 dwelling units or fraction thereof in a floor shall be provided.

Outhouse

(7) An outhouse with zero level rear and one side set back may be permitted on a plot having an area not less than 150sq.metres, provided that :

(a) the coverage of the outhouse shall not exceed 32.5sq.metre and the height shall not exceed 3.3metre;

(b) the coverage of the outhouse and that of the main building together shall not exceed the permissible coverage for the concerned plot;

(c) the outhouse shall not cover more than one third of the width and more than one fourth of depths of the plot and shall not abut any public road;

(d) a minimum of 1.5metre strip of land shall be kept open to the sky between the main building and the outhouse;

(e) no opening either in the form of windows or doors or ventilators shall be provided to the adjoining properties;

(f) outhouses with sloped roof would only be permitted. In no case permission for outhouses would be granted with reinforced concrete cement flat roof.

Requirements for Basti Area

(8) (i) In a Basti area, permission to erect a building may be given on the basis of the available width of means of access, provided that where the width of means of access is 4.5metre or less, the coverage shall be limited to 50% of the plot area and the maximum height of the building limited to two storeys and the F.A.R. limited to 1.0.

(ii) For plots with narrow width (7.5metres) zero setback may be allowed on one side with a passage of one metre on the other side.

(iii) The rear setback and front setback shall not be less than 3.0 metres and 1.5 metres respectively.

(iv) In each house on a Basti plot having one side setback, an internal courtyard of not less than 10 sq. metres in area and not less than 2.5

metres in width shall be provided in such a way that at least one wall of each living room abuts such court-yard or a verandah opening to such court-yard.

Residential density

(9) Density of population in residential area should be guided as per the infrastructure available. The spot density for particular plot(s) proposed for multi-family dwellings shall in no case exceed 400 persons per acre.

Row housing and semi-detached houses

(10)(i) Owners of adjacent similar dimension plot abutting a road may be permitted to construct row or semi-detached buildings.

(ii) The orientation of the row or semi-detached building shall preferably be such that the prevailing south-west summer breeze can be availed by each dwelling unit.

(iii) For semi-detached buildings over two adjacent plots, the coverage, setbacks, the height and the FAR shall be regulated by treating both the plots as one and in accordance with the requirements contained in Table 3 and Table 4 given in regulation 30 of these regulations.

(iv) In case of row-housing, the length of a row shall not exceed 30 metres along the road on which such houses about. In case, the dwelling units in a row are scattered the maximum length of the road shall be 100 metres.

(v) For row houses the ground coverage shall not be allowed to exceed 60% and the FAR more than 1.50.

(vi) The minimum size of the plot on which a unit of a row housing may be allowed shall be 30 square metres.

Commercial building

31. (1) Except as otherwise expressly provided in these Regulations, the open spaces (setbacks) to be left around, the maximum number of floors, the maximum percentage of coverage, the Floor Area Ratio and maximum height in respect of commercial buildings shall be as given in table below:

HEIGHT, COVERAGE, FAR FOR COMMERCIAL BUILDINGS
Table - 6

Area of the plot in Sq. mtrs.	Maximum % of Coverage	Floor area ratio	Minimum Road width in mtrs.	Minimum Front open space in mtrs.
Upto 100	75	1.5	9	1.5
101 to 200	70	1.5	9	1.5
201 to 300	70	1.75	12	1.5
301 to 400	65	1.75	12	2.0
401 to 500	55	2.0	18	2.0
501 to 1000	50	2.0	18	3.0
1001 to 2001	50	2.0	24	4.0
2001 & above	50	2.0	30	5.0 and above

- (2) The left side, the right side and the rear open spaces (setbacks) in respect of commercial plots specified in Table-under clause 31 (1) shall not be less than that indicated in Table below:

**SIDE AND REAR OPEN SPACES (SETBACKS)
FOR COMMERCIAL BUILDINGS**
Table - 7

Area of Plot in square meters	Minimum Right side open space in meters	Minimum Left side open space in meters	Minimum rear side open space in meters
Upto 100	Nil	Nil	1.5
101 to 200	1.0	1.0	1.5
201 to 500	2.0	2.0	2.5
501 to 1000	2.0	2.0	3.0
Above 1000	3.0	3.0	3.5

- (3) For every additional floor above two floors, the side and rear setbacks shall be increased by at least 0.5 metre.

Shop-cum-Residential Building

- (4) Where plots are allotted in a ^{road} for shop-cum-residential purpose the Authority may allow construction of shop-cum-residential building without any side set backs up to a depth of 10 metres from the front exterior wall. Provided that no part of the building up to said depth is used for residential purpose on the ground floor. No building exceeding 11 metres in height shall be allowed to be constructed as a shop-cum-residential plot, unless so permitted under the zonal Development Plan, provided that the shop-cum-residence shall have $\frac{2}{3}^{\text{rd}}$ of the total floor area used for shops. The FAR and other parameters shall conform to that specified for commercial buildings under clause(1) to (3) above.

FAR restriction for lesser road width

32. Where sites for residential and commercial buildings do not face or abut a road of the required width as specified in Regulation 30 (4) and 31(1), the front setback and the coverage of the building shall be regulated according to the size of the plot, but height and Floor Area Ratio shall be regulated according to width of the road along which the concerned site is located. The coverage shall be reduced to provide for roads of lower width.

Institutional building

33. (1) For buildings of less than 15 metres height to be used for institutional, religious, educational and assembly purpose, the open space, coverage and F.A.R. requirements shall be as per the provisions of Table below:

**OPEN SPACE REQUIREMENT FOR INSTITUTIONAL BUILDINGS (INCLUDING
RELIGIOUS EDUCATIONAL AND ASSEMBLY)
UPTO 15 METRES OF HEIGHT**

Min^m road width - 12 mtr - Table - 8

Area of the plot in square metres.	Minimum Open space Requirement			FAR	Maximum Coverage
	Front	Side	Rear		
Up to 500	6 M	3 M	3 M	1.50	40%
500-1000	9 M	3 M	3 M	1.50	35%
Above 1000	12 M	3 M	3 M	1.75	30%

- (2) All Institutional, Assembly, Commercial and Industrial Buildings shall contain at least two doors for entry and exit and shall provide adequate toilet facility separately for men, women and handicapped persons in each floor which shall be linked to main sewerage/drainage systems of the town wherever possible and shall be maintained clearly and properly by the builders/ tenants/ occupants of the building, as the case may be.

Cinema and
Theatre
building

34. (1) The relevant provisions of the Orissa Cinemas (Regulation) Rules, 1954 shall apply for planning, designing and construction of Cinema and Theatre buildings and plan and design shall be made as per Table below:-

**OPEN SPACE REQUIREMENT FOR CINEMA / THEATRE BUILDINGS
Table - 9**

Minimum Area of plot in square metres	Minimum Open Space requirement [metres]			FAR	Maximum Coverage
	Front	Rear	Sides		
2000	9	6	5	1.0	35 %
3000	12	6	5	1.5	35 %

- (2) No permission for construction of a building to be used as a cinema hall, theatre or auditoria for cultural show shall be granted unless the construction of such buildings conform to the provisions of the Orissa Cinema (Regulations Act, 1954 and the Orissa Cinematograph Rules, 1939 or any other law in force in the State.
- (3) No permission to construct a cinema hall on a site shall be given unless such site has been approved by the Authority for construction of a cinema hall thereon.
- (4) The open spaces (set-backs) to be left around a cinema building number of floors, coverage, FAR in respect of cinema hall, theatres or auditoria for cultural show shall be as per the Table 9 given under clause (1) above.

- (5) Buildings referred to in sub-clause (3) shall be permitted only on plots which abuts a street with a minimum right of way of 30 metres and where the width of the right of way is less than 30 metres if permissible under a zonal plan or a development scheme or a town planning scheme.
- (6) Excepting provision for restaurant and incidental facilities no other use shall be permitted in a cinema building.
- (7) All cinema, theatre or auditoria buildings shall conform to IS; 4898-1968 and acoustics design of such buildings shall adhere to the requirements of IS; 2526-1963.
- (8) Exits and fire safety requirements shall be in accordance with Part IV (Fire Protection) of National Building Code of India, 1970.

Industrial buildings

35. (1) The open space, F.A.R. and coverage for industrial buildings shall be as in Table below :

**OPEN SPACE (SETBACKS) AND THE F.A.R.
FOR INDUSTRIAL BUILDINGS**

Table - 10

Plot Size in Sqm.	Front Setback in metres	Rear Setback in metres	Side Setback in metres.	FAR	Maximum Coverage
Up to 500	4.0	3.0	3.0	0.6	50 %
+ 500 to 1000	6.0	4.5	4.5	0.6	50 %
+ 1000 to 5000	9.0	5.0	5.0	0.6	45 %
+ 5000 to 30,000	9.0	9.0	6.0	0.5	40 %
Above 30,000	15.0	15.0	10.0	0.4	40 %

- (2) Vacant space shall be maintained with the following distances for all time for storage shed used for the storage of liquified petroleum gas cylinder between any building, public space, public road or any adjoining property which may be built upon and the said storage shed.

**MINIMUM DISTANCES REQUIRED
FOR STORAGE SHED OF LIQUIFIED PETROLIUM GAS CYLINDERS**

Table - 11

Quantity of Compressed Gas in Cylinders (Kg.)	Minimum Distance to be kept clear (metres.)
0-100	1
101-1000	3
1001- 4000	5
4001-8000	7
8001-12000	9
12001-30,000	12
Over 30,300	15

(3) Notwithstanding anything contained in the conditions specified above, cylinders containing liquified petroleum gas exceeding 100 Kilograms but not exceeding 300 Kilograms may be kept in a storage shed forming part of, or attached to building, if it is separated there from by a substantial partition and the only means of access to it is from outside air. Such a storage shed shall not be situated under any stair-case or near other entrances to or exits from the rest of the building or other buildings.

(4) A shed used for storage of liquified petroleum gas cylinders shall be surrounded by a suitable fence to prevent unauthorised persons from having access to the shed.

Interior open space

36. (1) At least one side of all the rooms intended for human habitation, if such room does not abut on the front or the rear or the side setbacks, shall abut on an interior open space whose minimum dimension shall be 3 metres X 3 metres in cases of buildings up to a height of 12 metres. In cases where the height of the building is more than 12 metres, the width of the interior open space shall be increased at the rate of one metre for every additional 3 (three) metres height. This provision shall be applicable to all categories of buildings, namely, residential, group housing, commercial, public, semi-public and Industrial.

(2) In case any interior open space is intended to be used for the benefit of more than one building belonging to the same owner, the width of such open space shall be the one specified for the tallest building abutting on such open space provided that such open space shall not be less than three metres.

(3) In case of group housing, if the interior open space is used for providing access to the building blocks the same shall not be less than six metres in width.

Height of a building

37. (1) The height of the building shall be governed by the limitations of Floor Area Ratio, open space (setbacks), and the width of the street facing the plot described as detailed below:

(a) The maximum height of a building shall in no case exceed 1.5 X the width of the road to which the plot abuts + the front setback.

(b) If a building abuts on two or more streets of different widths, the building shall be deemed to face upon the street that has the greater width and the height of the building shall be regulated by the width of the street.

(2) Notwithstanding any thing contained in Sub-Regulation (1) & (2) the height restrictions with respect to approach Funnels and Transitional area of Airport as detailed in Table-12 & 13 shall be adhered to.

HEIGHT RESTRICTION WITH RESPECT TO APPROACH FUNNELS

Table - 12

Distance from nearest runway end (in metres)	Maximum Permissible height above the elevation of the nearest runway end (in metres)
Upto 360	0
361 to 510	6
511 to 660	9
661 to 810	12
811 to 960	15
961 to 1110	18
1111 to 1260	21
1261 to 1410	24
1411 to 1560	27
More than 1560	30

HEIGHT RESTRICTION WITH RESPECT TO TRANSITIONAL AREA

Table-13

Distance of the Inner Boundary of the Transitional Area (Outer Boundary of the Air Port) [Metres]	Maximum Permissible height above the elevation of the air port reference point [metres]
Up to 21	0
22 to 42	3
43 to 63	6
64 to 84	9
85 to 105	12
106 to 126	15
127 to 147	18
148 to 168	21
169 to 189	24
190 to 210	27
More than 210 M	30

- (3) Notwithstanding anything contained in the Tables under sub-Regulation (1), no Radio Ariel, T.V. Antenna or such similar type of installations exceeding 52 metres in height shall be erected without prior permission of the concerned Civil Aviation Authority.
- (4) No building structure or installation exceeding the height indicated in the said Tables shall be permitted unless the applicant produces a 'No-Objection Certificate' from the Airport Authority.

Height exemption of a building

38. Roof tanks and their supports, not exceeding 1 (one) metre in height, ventilation, air-conditioning, lift-room and similar service equipment, stair cover, not exceeding 3 (three) metres in height, chimney other than barsaties, parapet wall and architectural features including terrace, gardening, plants not exceeding 1.5 metres in height, shall not be included in the height of the

building, provided the aggregate area of such structures including barsati shall not exceed one third of the roof area of the building upon which they are erected.

Exemption in Open space 39. (1) Every open space provided either interior or exterior in respect of any building shall be kept free from any erection thereon and shall be open to the sky and no cornice, roof, or weather shade of more than 0.6 metre in width shall overhang or project over such open space.

(2) A portico of up to 2.4 metres width and 4.5 metres length with a height of 2.1 metres from the plinth level may be permitted within the side setback. A garage is permissible at the rear end of side open space provided no openings are located on the side and rear boundary. Access to the top of the portico/garage should not affect the privacy of the neighbouring plot.

(3) The portico provided as above should not rest on the boundary wall and should be open to provide through excess to the rear. In case the Portico is not a cantilevered one and supported by pillars the area shall be included in the coverage.

Building Line 40. The following building lines shall be maintained for construction of building abutting arterial roads: -

DISTANCE OF BUILDING LINES FROM ARTERIAL ROADS

Table - 14

Category of arterial roads	Minimum distance of the building line from R/W of the road.
92 metres (300 feet)	7.5 metres (25 feet)
65.5 metres (200 feet)	6.0 metres (20 feet)
46 metres (150 feet)	4.5 metres (15 feet)
30.8 metres (100 feet)	4.5 metres (15 feet)

Off Street Parking Space 41. (1) Each off-street parking space for one four wheeled vehicle shall not be less than 15 square metres. For scooters and cycles it shall not be less than 1.5 and 1.0 square meter respectively.

(2) One parking unit shall have parking space of at least 40 square metre.

(3) For buildings of different Category of occupancies, off-street parking space for vehicles shall be, as specified in the table below.

**OFF-STREET PARKING SPACE
FOR DIFFERENT CATEGORY OF OCCUPANCIES
Table - 15**

Sl. No.	Type of use	One parking unit shall be provided for every
(1)	(2)	(3)
1	Theatres, Auditoriums, Cinemas	40 seats or fraction thereof
2	Retail, General Business and Commercial	140 square metres of floor space or fraction thereof
3	Office buildings	140 square metres of office floor space or fraction thereof
4	Restaurant	40 seats or fraction thereof (Nil for first 20 seat)
5	Hotels	6 Guest-rooms or fraction thereof
6	Industrial buildings	140 square metres of office floor space or fraction thereof
7	Whole-sale and Ware-housing building	500 square metres and thereafter for every 200 square metres
8	Multi-family dwelling	4 dwelling units
9	Educational	140 square metres of floor space
10	Medical	140 square metres of floor space

- (4) Notwithstanding anything contained in sub-regulation (2) of this regulation, for shop plots up to 100 square metres, provision of parking space shall not be less than 20 square metres.
- (5) Off-street parking spaces shall be provided with adequate vehicular access to a street and the area of drives, aisles and such other provisions required for adequate manoeuvring of vehicles and shall be in addition to the parking space stipulated in these Regulations.
- (6) If the total off-street parking space required under these Regulations is provided by a group of property owners at a place for their mutual benefit, such parking spaces may be constructed as meeting the off-street parking requirement, however, subject to the approval of the Authority. In such cases, the cost of public utility services shall be deposited with the appropriate Authority by the said property owners.
- (7) In addition to the off-street parking spaces required to be provided for building to be used for commercial, industrial or storage purposes, additional parking space at the rate of one such space for each 1000 square metres of floor area or fraction thereof exceeding the first 200 square metres of floor area, shall be provided for loading and unloading activities.
- (8) Garage with locking facilities shall be included in the calculation of floor space for determining the requirement of parking space, unless this is provided in the basement of a building or under a building constructed on

stilts with no external walls. The parking spaces to be provided shall be in addition to the open spaces (setback) required around a building under these Regulations. However, one row of car parking may be provided in the front open space and one row of scooter or motor cycle parking may be provided in any one of the side open space without reducing the clear vehicular access way to less than 6.0 metres.

(9) The basement and ground [stilt] floor of multi-storied buildings shall be used exclusively for parking, and related activities like security of parking space and maintenance.

(10) Violation of any of the conditions relating to parking space under this regulation shall not be compounded or relaxed by the Authority.

Drainage and
Sewerage

42. (1) It shall be the responsibility of the builder or the owner of the building to ensure that the plinth is high enough to prevent drainage/sewerage water entering into the lowest floor at the highest recorded level of rainfall.

(2) No permission shall be granted for construction over the eleven drains identified by WAPCOS and incorporated in Comprehensive Development Plan.

(3) No permission shall be granted for construction over an existing tank after refilling, or a tank refilled within a period of one year prior to the date of notification of these regulations.

(4) Where any construction is taken up over any drain, or waterway, the Vice Chairman can, apart from taking action for removal of the constructions, take action for recovery of the cost of restoration of adequate drainage. The rates for this will be decided by the Committee constituted under sub-regulation (3) of Regulation 7.

Basement 43. (1) Basement shall not be permitted in low lying area and areas without adequate drainage facilities to ensure drainage from the basement.

(2) Construction of a basement may be allowed by the Authority in accordance with the provisions contained in the development plan applicable to the concerned area.

(3) Basement shall not be used for residence, institution and industries. However, it may be used for parking and other uses as specified below:-

(i) Storage of house-hold or other non-flammable materials;

(ii) Dark room.

(iii) Strong room, bank cellers etc;

(iv) Installation of air-conditioning equipments and other machines used for service and utilities of building;

- (v) Parking places and garages;
- (vi) Stack room for library;
- (vii) Offices or commercial purposes provided it is air-conditioned;

(4) In case, the basement is used for purposes other than parking, the total area of such floor shall be included for calculating floor area ratio subject to condition that such construction does not result in interference in the public utility system.

(5) The basement shall be permitted to be constructed within the prescribed set back and maximum coverage applicable to the building.

(6) The basement shall fulfil the following requirements:—

i) Every basement shall be in every part at least 2.4 metres in height from the floor to the underside of the roof slab or ceiling.

ii) Adequate ventilation shall be provided for the basement. The standard of ventilation shall be the same as required by the particular occupancy according to regulations. Any deficiency may be met by providing adequate mechanical ventilation in the form of blowers, exhaust fans (one exhaust fan for 50 sq.metres of basement area), air conditioning system etc;

iii) The minimum height of the ceiling of any basement shall be 0.9 metre and maximum 1.2 metres above the average surrounding ground level;

iv) Adequate arrangement shall be made to that surface drainage does not enter the basement;

v) The walls and floors of the basement shall be water-tight and be so designed that the effect of the surrounding soil and moisture, if any are taken in to account in design and adequate damp proofing treatment is given;

vi) The access to the basement shall be separated from the main and alternate staircase providing access and exit from higher floors. Where the stair-case serving as a fire separation from the basement floor and higher floors.

vii) In the case of basement of office and commercial occupancies, sufficient number exit ways and access ways shall be provided with a travel distance not more than 15 metres;

viii) The basement shall not be partitioned. In case the partitions in the basements are allowed by the Authority, no compartment shall be less than 45 square metres in area and each compartment shall have ventilation standards as laid down in sub-clause (ii) separately and

independently. The partitions shall, however, conform to the norms laid down by the Chief Fire Officer, Orissa.

ix) Kitchen, bath-room and toilet shall not be permitted in the basement;

x) The ramp providing access to basement to be used for parking shall have a gradient not steeper than 1:10 and this shall not disturb the minimum set-back area of the building.

Provision of Lift 44. Lift shall be provided for buildings above 10 metres height in case of apartments, Commercial, institutional and office buildings.

Mezzanine 45. Mezzanine floor may be permitted above any floor in all types of buildings up to an extent of one-third of the actual covered area of that floor. All Mezzanine floors shall be counted toward FAR calculation, except the mezzanine floor over the ground floor.

Heritage Zone 46. (1) (a) In 18 revenue villages as referred to in Regulation-50 which includes the Heritage Zone identified in the Comprehensive Development Plan area of Bhubaneswar, all multi-storeyed buildings are prohibited and maximum building height is limited to 10.0 metres with a maximum Floor Area Ratio of 1.5.

(b) The Authority may notify the Heritage Zone in consultation with the Archaeological Survey of India, State Department of Archaeology, Bhubaneswar Municipal Corporation and the Art Commission.

(2) In areas covered under the Heritage Zone the architectural features, facades, materials of walls, and of buildings shall be subject to the provision of Regulation 22.

(3) In case of sandstone structure with Kalinga style roofs, all fees other than the charges for public utility services shall be charged at half the rate. The Art Commission alone will be competent to decide what constitutes Kalinga style architecture and to decide whether a building conforms to such architecture.

Barrier free access for the disabled 47. Adequate provision for facilitating easy access of disabled persons shall be made in all public buildings in accordance with the provisions of National Building Code of India including the minimum facility to reach the staircase/lift without any barrier.

Precedent 48. The Authority may take into consideration, the information of an applicant for a building relating to cases of relaxations granted by the Authority in the same area, zone or in similar cases while deciding the cases under Regulation 10.

Quality
of work

49. The Vice Chairman of the Authority shall ensure, through inspections, that the quality of work is proper and the availability of public utilities is adequate, during and after construction.

PART - III

MULTI-STOREYED BUILDINGS : ADDITIONAL REQUIREMENTS

50. (1) Construction of multi-storeyed building shall not be permitted in the following villages of the Bhubaneswar Development Area, namely:-

1	Dhauri	10	Jagamara (Unit-20)
2	Kausalyaganga	11	Basuaghai,
3	Mahabhoisan	12	Kapilaprasad (Unit-23)
4	Sisupalgarh	13	Kapileswar (Unit-25)
5	Lingipur	14	Bhubaneswar (Unit-27)
6	Aiginia	15	Gautamnagar (Unit-28)
7	Dumuduma	16	BJB Nagar (Unit-29)
8	Baramunda (Unit-19)	17	Badagada (Unit-35)
9	Nuagaon	18	Rajarani (Unit-38)

- (2) The Authority may restrict construction of multistoreyed buildings in any other area on the basis of objective assessment of the available infrastructure facility and planning needs after obtaining due approval of the Government.
- (3) Before commencement of these Regulations, where permission has been granted conditionally, such cases shall be dealt with under these Regulations as far as possible, without any major change, or without removal of construction. However, where violation of Heritage Zone conditions has occurred, this relaxation will not apply.
51. No multi-storeyed building shall be allowed to be constructed:

- (a) With approach road less than 12 metres width;
- (b) Within 100 (One hundred) metres from the centre of a National Highway on either side;
- (c) Within 300 (three hundred) metres of the boundary line of any old temple or historical monuments or site of archaeological importance recognised by the Archaeological Survey of India, State protected monuments outside the Heritage Zone of the Comprehensive Development Plan;
- (d) Within 100 (hundred) metres from boundary of the Railway track of the Indian Railway; and;

Restriction on
Construction of
Multi-storeyed
Building

(e) Within the heritage zone:

(f) Within one kilometer from the reference point of an Airport without clearance from the Airport Authority.

(g) In low-lying areas as notified by the Authority.

Application for
construction of
Multistoreyed
building

52. (1) Every application for approval of the site and building plan and permission to construct or reconstruct or alter or add to, a multi-storeyed building shall, in addition to the prescribed scrutiny fee under the rules and other fees as prescribed by the Authority from time to time and the applicable particulars required, be accompanied with the following further particulars, namely :

(i) A key plan showing

(a) the means of access from the street or streets to all the buildings existing and proposed at the site, to the parking space and facilities provided at the site for scavengers and fire protection;

(b) the spaces to be left around the building for access, parking, circulation of air, light and other amenity;

(c) the disposal system of storm and domestic refuse water; and

✓(d) a rain water harvesting structure;

(ii) Building plans showing

(a) plan of all floors and covered area indicating clearly size and spacing of all framing members and sizes and arrangement of rooms and the position of stair-case, ramps, lift, wells and circulation spaces ;

(b) longitudinal cross section of the building including size of footings, basement and super structure framing members and details of building and room heights and of staircase;

(c) plans and sectional details of water supply, drainage and sewerage system of the building;

(d) internal electrical design;

(e) the general lay-out of the columns and load bearing walls; and;

(f) a landscape plan showing the area to be developed as lawn, garden, plantation etc.

(iii) No Objection Certificate

(a) In case of buildings having more than four floors or 15 [fifteen] metres and above height, from the Chief Fire Officer having jurisdiction to the effect that the applicant has agreed to provide the fire fighting measures for the building as prescribed in the National

Building Code and to the effect that the plan provides access for easy movement of fire service vehicles in case of a fire hazard in future; and

(b) In all multi-storied buildings, the Chief Officer of the Archaeological Survey of India in case of any portion of the plot or site of the building or its boundary exist within 300 (three hundred) meters of the boundary line of any old temple of historical monuments or site of archaeological importance, or heritage site.

(iv) Statement and calculation sheets with regard to the plot area, floor wise details of spaces under various categories like apartment or office spaces, lobby circulation, staircase, lift, mezzanine space, balconies and details of such area which are to be exempted from calculation of floor area ratio, and;

✓(v) Details of structural plan and structural design including soil test certificate from a structural engineer. Provided further that while preparing the structural plan /design following aspects should be taken into account :

✓(a) The loads and forces including seismic forces and wind loads which are to be taken into account for structural design of building shall be in accordance with the Section -I (Loads) of Part-VI (structural design) of the National Building Code of India, 1983.

(b) The structural design of foundations and elements in Sub-structure and super structure of wood, masonry, reinforced and pre stressed concrete and steel shall be in accordance with Section-2(foundation), Section-3 (wood), Section-4 (masonry), Section-5(concrete) and Section-6 (steel) of Part-VI (structural design) of the National Building Code of India, 1983.

(2) All plans, drawings, statements, design details shall bear the signature of the applicant and shall be duly countersigned by a registered Architect. All documents and plans related to structural designs, shall bear the full name and full signature of a Structural Engineer. Plans and documents related to sanitary arrangements shall bear the full name and full signature of a Public Health Engineer.

Note- (a) The registered Architect who has prepared the plan shall put the registration number and seal on all plans and documents signed by him and shall also furnish a certificate to the effect that he shall supervise the construction of the building and shall be responsible for any deviation from the approved plan.

(b) The Structural Engineer, who has prepared the structural design, shall put his seal, and address on all the documents signed by

him and shall also furnish a certificate to the effect that he shall supervise the structural part of the construction and shall be responsible for any structural failure except caused by unprecedented natural calamities in Form-VII.

(c) All aspects related to structural design, building surface, plumbing, electrical installation, sanitary arrangements, fire protection shall adhere to the specification, standards and code of practice recommended in the National Building Code of India, 1983 and any breach thereof shall be deemed to be a breach of the requirements under these Regulations.

Permission for construction of multi-storeyed building 53. Permission for construction of a multi-storeyed building shall be given in two stages, namely:-

- (i) initially for construction up to 75% of the proposed building height; and
- (ii) at the second stage, after proper compliance of the provisions contained in Regulation 25 and sub-Regulation (1) of Regulation-28.

Commencement of work 54.(1) Every applicant or builder or owner shall submit a notice regarding his intention to commence the foundation work of the proposed multi-storeyed building to the Authority through the authorised technical person. The said notice shall be accompanied by the approved plan and should be in Form-V.

(2) Soon after the receipt of the notice referred to in sub-clause (1) above, the Authority shall send a team of officer as decided by the Authority to the proposed building site and the layout for foundation of the proposed multi-storeyed building shall be made in presence of those officers. The team shall also submit a report to the Authority to the effect that the layout has been made as per the approved plan.

(3) During or soon after the construction of the foundation work of the multi-storeyed building, the Vice-chairman of the Authority or his authorised team of Officers shall inspect the construction to ensure that the set-backs, coverage, basement if any, and foundation standards are according to the approved plan.

(4) The applicant/builder shall submit periodic progress report after casting of each floor in Form-VIII.

Liability of defective construction 55. (1) For defective constructions, the Vice Chairman shall sue the owners, builders, architects, and the engineers for both civil and criminal liabilities, besides taking action under these Regulations.

(2) Without prejudice to the provisions of the Act, the actions to be taken by the Vice Chairman shall include stop construction notices, cancellation of