

HARYANA GOVERNMENT
TOWN AND COUNTRY PLANNING DEPARTMENT

Notification

The 11th April, 2007

No. 10093.—In exercise of the powers conferred by sub-section (1) read with clause (f) of Sub-section (2) of section 25 and section 7 of the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963 (Punjab Act No. 41 of 1963), with reference to Haryana Government, Town and Country Planning Department, Notification No. PA(A)/2006/Misc-32/16024, dated the 9th/13th June, 2006, the Governor of Haryana hereby makes the following rules further to amend the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Rules, 1965, in their application to the State of Haryana, namely :—

1. These rules may be called the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development (Haryana Amendment) Rules, 2007.

2. In the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Rules, 1965 (hereinafter called the said rules), in rule 38,—

(i) in clause (iii), for the word “architect”, the words and sign “architect/engineer” shall be substituted;

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

‘(x) “building line” shall mean a fixed line, if any, specified for a site and shall include the setback line specified in the zoning plan, beyond which no building within that site other than the projections/structures, specifically permitted, shall project ;’;

(iii) after clause (xxix), the following clause shall be inserted, namely:—

‘(xxix-a) “proof consultant” shall be a person who is a Structural Engineer or a group/firm of structural engineers having post-graduate qualification in structural engineering with ten years experience in structural design and evaluation thereof, for multi-storeyed and specialized structure, and/r an institute of the following type, employed for evaluation/checking of the structural design of the buildings referred to in the relevant Form BR-V(A2) or Form BR-V(A1) :—

(a) National Council for Building Material (NBC), Ballabhgarh

(b) Institute of Structural Engineers (India)

(c) Central Building Research Institute, Roorkee

(d) Various engineering institutes, like-

(i) Indian Institute of Technology;

(ii) Punjab Engineering College, Chandigarh ;

(iii) National Institute of Technology;

(iv) Any other institute of repute;’;

(iv) after clause (xxxvii), the following clause shall be inserted, namely:—

‘(xxxvii-a) “Structural Engineer” shall be a person who is a graduate in Civil Engineering of a recognised Indian or Foreign University or corporate member of Civil Engineering Division of the Institute of Engineers of India or equivalent Institute with a minimum of three years experience in structural engineering practice in designing structures and field work and/or registered as such with the authority and/or registered as such with the Haryana Urban Development Authority (HUDA), employed for preparation of the structural design for residential and commercial buildings upto three storeys or 11 meters height. However, only the Structural Engineer possessing post graduate qualification in structural engineering along with a minimum of three years experience in the design of multi storey and specialised structure, and/or registered as such with the Haryana Urban Development Authority (HUDA), shall be employed to undertake and submit the structural design of buildings other than residential and commercial buildings upto three storeys or 11 meters height, as per the requirements of the relevant Form BRV(A1) or BRV (A2).’.

3. In the said rules, for rule 39, the following rule shall be substituted, namely:—

“**39.** *Application for erection or re-erection of building. Sections 8 and 25(2)(c).*— (1) Any person intending to erect or re-erect any building in a controlled area, shall make an application in writing to the Director in Form BR-I accompanied by the following documents:—

(i) a site plan as required by rule 40,

(ii) a building plan as required by rule 41,

- (iii) details of specifications of the work to be executed in Form BR-II,
- (iv) structural drawings (for record),
- (v) fire safety design as required under National Building Code,
- (vi) heating, Ventilation, Air-Conditioning (H.V.A.C.) service plan wherever required,
- (vii) certificate of conformity to regulation and structural safety for the relevant buildings (depending upon type and height) in the relevant Form BR-V (A1) or (BR-V(A2)),
- (viii) a demand draft in favour of Director, Town and Country Planning Haryana, Chandigarh or the person authorized by him drawn on any scheduled bank on account of scrutiny fee at the rate of Rs. ten per square meter of the covered area achieved.

(2) Every person giving notice under sub-rule (1) shall appoint an architect/engineer for the drawing up of plans/structural drawings and for the supervision of erection and re-erection of building. The supervision of erection or re-erection of residential and commercial buildings upto three storeys or 11 metres height may be undertaken by the architect and/or the engineer. However, in case of buildings other than residential and commercial buildings upto three storeys or 11 metres height, the supervision shall be undertaken both by the architect and the Engineer.

(3) The application, plans. Structural drawings, specifications and the certificates shall be signed by the applicant and the architect, Structural Engineer and proof consultant, as required in the relevant forms and documents. In case, where the supervising architect/ engineer is different from the one who has prepared the designs, the plan shall be signed by both of them.

Note.- The validity of the building plans shall be subject to the validity of the permission of change of land use or the licence granted under Act No. 8 of 1975 and any other encumbrances.”.

4. In the said rules, in rule 40, for sub-rule (1), the following sub-rule shall be substituted, namely:–

- “(1) The site plan shall be drawn to a scale of not less than:–
- (a) 1:200 for sites upto 1000 square meter;
 - (b) 1:400 for sites above 1000 and under 4500 square meter;
 - (c) 1:800 for sites of 4500 square meter and above.”.

5. In the said rules, in rule 41, for the words “one inch to every four feet”, the figures, signs and words “1:50 for sites upto 1000 square meter; for sites above 1000 square meter; 1:100 for sites above 1000 square meter but less than 2000 square meter; and 1:200 for sites above 2000 square meter” shall be substituted.

6. In the said rules, in rule 45, after the word and figures “rule 39”, the words “along with a set of sanctioned plans and prescribed scrutiny fee” shall be added at the end.

7. In the said rules, in rule 47, for sub-rule (2), the following sub-rule shall be substituted, namely:–

- “(2) Every person who intends to occupy such a building or part thereof shall apply for the occupation certificate in Form BR-VI (A) or, Form BR-IV (B) along with a set of approved plans, which shall be accompanied by certificates in relevant Form BR-V(1) or BR-V(2), duly signed by the architect and/or the engineer.”.

8. In the said rules, in rule 58,

- (i) in sub-rule (1), in clause (iii) –
 - (a) the words and figures “or 30 square feet whichever is greater” shall be omitted ; and
 - (b) the following sentence shall be added at the end, namely:–

“In case of centrally air-conditioned buildings, the provisions made in the National Building Code (NBC) shall be followed.”;
- (ii) in sub-rule (2), in note (2), in the proviso, after the word “chimney”, the words “or an exhaust fan” shall be added.

9. In the said rules, for rules 60 and 61, the following rules shall be substituted, namely:–

“60. *Materials.* Sections 8(2) and 25(2)(f).– All materials to be used for the erection or re-erection of a building shall conform to the specifications and standards laid down in the National Building Code and the relevant IS codes or as may be laid down by the Government from time to time.

61. *Site.* Sections 8(2) and 25(2)(f).– No person shall erect or re-erect any building on any ground which has been filled in with offal or offensive vegetable or animal matter, or upon which any such matter is deposited, unless the safety of structure including foundation has been duly certified by the Structural Engineer.”.

10. In the said rules, in rule 62, –

- (i) In sub-rule (1)–
 - (a) for the words and signs “The foundations of every building shall be so constructed as to sustain the combined dead load of the building and the superimposed load and to transmit those loads to the sub-soil in such a manner that the pressure on the sub-soil shall not exceed the safe pressures specified below:–“, the words, letters and signs

“The foundations of every building shall be designed and construction as per the requirements of National Building code and relevant Indian Standard Codes including codes for buildings resistant to earthquake and other natural hazards, and also keeping in view the safe bearing capacity of the soil and other local conditions, in the area where the building is to be erected or re-erected. The table given below provides only the guidelines for architect/Structural Engineer, however, the provision of National Building Code and Indian Standard code shall be followed for all structural designs” shall be substituted;

(b) the para appended to the table shall be omitted;

(ii) for sub-rule (3), the following sub-rule shall be substituted, namely :—

“(3) For building more than three storeys high, foundations shall be designed after making standard tests or establishing the safe bearing pressure of the soil and the foundations shall be taken down to such a depth or so constructed as to render the building immune from damage from upheaval and movements due to seasonal variations in the content of the moisture in the ground.”.

11. In the said rules, in rule 63,—

(i) For sub-rules (1) and (2), the following sub-rules shall be substituted, namely :—

“(1) Every wall of a public building or domestic building (including a pier forming a part of the wall or a compound wall) shall be provided with a damp-proof course, except when built of materials such as cement concrete with or without the addition of any commercial damp proofing material

(2) Materials specified as damp-proof course shall be as indicated in the Haryana Public Works Department Specifications, 1990 edition or as provided in National Building Code.”;

(ii) in sub-rule (4), for the words “bituminized bricks or cement concrete bricks laid in cement mortar or any other damp-proof materials”, the words “proper damp proof materials” shall be substituted.

12. In the said rules, for rule 64, the following rule shall be substituted, namely :—

“64. **Loads.** Sections 8(2) and 25(2)(f).— In addition to the dead load the building shall be designed for imposed loads including wind pressure and seismic load as per Indian Standard Code 800, the National Building Code and other relevant Indian Standard Codes, as amended from time to time, for structures resistant to earthquakes and other natural hazards.

13. In the said rules, in rule 65, after the words, letters, signs and figures “Haryana Public Works Department Specifications 1990”, the words and figures “or as laid down in the National Building Code” shall be added.

14. In the said rules, in rule 66,—

(i) in sub rule (1), after the words “Deodar wood” the words “as per Bureau of Indian Standard specifications for such work” shall be added at the end;

(ii) in sub-rule (2),—

(a) for the figures and signs “13-1/2” the figure “9” shall be substituted ;

(b) the following words, signs and brackets shall be added at the end, namely :—

“No drainage, sanitary pipes (including water supply pipes) shall be allowed in/abutting common walls, Niches shall also not be permissible in the common walls.”.

15. In the said rules, for rule 67, the following rule shall be substituted, namely :—

“67. **Thickness of walls.** Sections 8(2) and 25(2)(f).— Where walls of building are constructed of bricks, stones blocks or of other hard and incombustible material laid in horizontal beds of courses, every wall or part of wall shall be so designed and constructed as to be capable of safety, sustaining and transmitting the dead loading, the superimposed loading to which it may be subjected to (calculated in accordance with the National Building Code and relevant Indian Standard Codes) without undue settlement of deflection and exceeding the permissible pressure/stress on the materials prescribed by the National Building Code and relevant Indian Standard Code.”.

16. In the said rules, in rule 68,—

(i) in sub-rule (1), for the words “dead and live loads as prescribed in rule 64 above and prevailing wind pressure”, the words and signs “dead loads, imposed loads, seismic loads and wind pressure as per National Building Code and other relevant Indian Standard Codes, as amended from time to time” shall be substituted ;

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

17. In the said rules, after rule 122, the following rule shall be inserted, namely :—

- “122-A. Rain water harvesting. Sections 8(2) and 25(2)(f).—**(1) Arrangement of roof top rain water harvesting will have to be made by the plot-owners on the plots in the buildings constructed in the colonies for which licence has been granted under Act No. 8 of 1975, or where permission for change of land use has been permitted and where the area of the roof is 100 square meters or more.
- (2) The system of collection, conveyance and dispersion of rain water for harvesting shall be made in such a manner that only clear water is able to enter. No contaminated/waste water from the building or surrounding areas should find its way into the system.
 - (3) The entry points of the rain water for harvesting shall be designed in such a manner that in normal days these remain covered. Arrangement of segregation of the rain water from the first shower (containing the wash water) should also be provided.
 - (4) The arrangement for quick filtration of rain water shall also be made in the rain water harvesting well/tube-well, so that the rain water does not pollute or choke the strata.
 - (5) The complete system of rain water harvesting will be constructed within the area of the plot, defined in the zoning plan for the plot.
 - (6) The recharge well shall be located at a distance of not less than ten meters away from any structure handling sewage or industrial waste water (such as septic tank or effluent treatment plant). This minimum distance of ten meters will not be applicable to manholes or sewer lines, although it will be ensured that they are leak proof.
 - (7) The detail proposal of the system comprising of collection, conveyance and dispersion of rain water from the roof top to rain water harvesting well/tube-well will have to be shown on the building plan submitted for approval.
 - (8) Any engineer not below the rank of an Executive engineer so authorised by the Director, will have the powers to inspect the system whenever considered necessary and direct the owner of the building to affect any changes/improvement as deemed necessary and the owner of the building shall ensure compliance.
 - (9) Depending upon the underground water strata, the Government may notify certain areas where provision of such rain water harvesting system may not be required. Broad guidelines about the approximate depth of the recharge well and the sample strata chart will also be made available.
 - (10) The Water (Prevention and Control of Pollution) Act, 1974 (Act No. 6 of 1974) with all amendments made from time to time shall be applicable.

18. In the said rules, for Form BR-I, the following form shall be substituted, namely :—

“FORM BR-1

[See rule 39]

Form of application

Class of Building-Residential/Commercial/Institutional/Warehousing/Industrial

From

To

The Director,
Town and Country Planning, Haryana
Chandigarh.

Sir,

I/We apply for permission to erect/re-erect/add to alter a building/wall in accordance with the plans submitted herewith on the Site no. _____; Street no. _____ at _____.

2. I/We attach:

- (a) a site plan (in triplicate) showing the position of the site proposed to be built upon as required by the rules;
- (b) Plans, elevations and sections in triplicate as required by the rules;
- (c) Drainage plans in triplicate, as required by the rules ;
- (d) Structural plans (for record), as per Form BR-V(A1)/BR-V(A2), as may be applicable;
- (e) Fire Safety design as required in the National Building Code as approved by the State Fire Authority. Alternatively an undertaking to the effect that the fire safety plans duly approved by the State Fire Authority will be submitted within sixty days;
- (f) Heating, Ventilation, Air-conditioning (H.V.A.C) service plans, wherever required;

- (g) Specifications of the proposed building (in triplicate) in Form BR-II;
- (h) Certificate of conformity to regulation and structural safety for the relevant buildings (depending upon type and height) in Form BR-V(A1) or BR-IV(A2); and
- (i) Demand draft no. _____, drawn on _____ (Bank), favouring, Director, Town and Country Planning, Haryana for Rs. _____ as scrutiny fees, as prescribed under the rules.

3. The constructions of the building will be undertaken as per the approved building plan, structural design given by the Structural Engineer, fire safety design as approved by the competent authority and got supervised through the following Architect/Engineer:

A. Architect:

- (i) Name of Architect:
- (ii) Council of Architect Registration No. _____, valid upto _____.
- (iii) Complete Address

B. Engineer :

- (i) Name of Engineer:
- (ii) Registration No. (if any) _____,
- (iii) Qualification:
- (iv) Complete Address

Dated _____

Enclosures

Signature of applicant.”.

19. In the said rules, for Form BR IV, V and VI, the following forms shall be substituted, namely :—

“FORM BR-IV (A)

[See rule 47(2)]

For Residential and Commercial Building upto 3 storeys or less than 11 meter height
Application for permission to occupy

From

To

The Director,
Town and Country Planning, Haryana,
Chandigarh.

Sir,

I/We hereby give you notice that the building /part-of-building described below and sanctioned vide your order No. _____, dated _____, has been completed on _____ in all respect according to the sanctioned plans and the structural design made for the same and the suggested modifications have been carried out.

Description of Building

Plot No. _____, Sector _____, Colony _____

City/Town _____.

Name of the owner _____

Complete address of the owner _____

2. The modification made to the building plans and carried out at site during the course of construction are submitted herewith:

3. Corresponding to the above modifications made in the building plans, the necessary amendments were also carried out in the structural design and implemented at site.

4. Completion certificate from the architect/engineer who supervised the construction of the building is submitted herewith.

5. Kindly issue an occupation certificate as required by rule 47(1) of the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Rules, 1965.

Dated _____

Signature of the Architect/Engineer supervising
the construction at site

Signature of applicant.

FORM BR-IV (B)

[See rule 47(2)]

For Residential and Commercial Building upto 3 storeys or less than 11 meter height

Application for permission to occupy

From

To

The Director,
Town and Country Planning, Haryana,
Chandigarh.

Sir,

I/We hereby give you notice that the building /part-of-building described below and sanctioned *vide* your order No. _____, dated _____, has been completed on _____ in all respect according to the sanctioned plans and the structural design made for the same and the suggested modifications have been carried out.

Description of Building

Plot No. _____, Sector _____, Colony _____

City/Town _____.

Name of the owner _____

Complete address of the owner _____

2. The modification made to the building plans and carried out at site during the course of construction are submitted herewith:

3. Corresponding to the above modifications made in the building plans, the necessary amendments were also carried out in the structural design and implemented at site.

4. Completion certificate from the architect and engineer who supervised the construction of the building is submitted herewith.

5. Kindly issue an occupation certificate as required by rule 47(1) of the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Rules, 1965.

Dated _____

Signature of the Architect supervising the construction at site _____

Signature of the Engineer supervising the construction at site _____

Signature of applicant.

FORM BR-V (1)

[See rule 47 (2)]

For Residential and Commercial Buildings upto 3 storeys or less than 11 meter height

Completion certificate by an Architect/Engineer in respect of building on:

Plot No. _____, Sector _____, Colony _____

City/Town _____.

Name of the owner _____

Complete address of the owner _____

It is hereby certified that the above work has been supervised by us and has been completed to my satisfaction in accordance with the sanctioned building plans and its structural design. The workmanship and all the material used for construction meet the specifications laid down in the National Building Code. No provision of the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Rules, 1965, and no rules made, conditions prescribed or order issued thereunder has been transgressed in the course of the work.

Dated _____

Signature of the Architect

Signature of the Engineer.

FORM BR-V (2)

[See rule 47 (2)]

For Building other than Residential and Commercial Buildings upto 3 storeys or less than 11 meter height

Completion certificate by an Architect and Engineer in respect of building on:

Plot No. _____, Sector _____, Colony _____

City/Town _____.

Name of the owner _____

Complete address of the owner _____

It is hereby certified that the above work has been supervised by us and has been completed to our satisfaction in accordance with the sanctioned building plans and its structural design as checked and certified by the proof consultant. The workmanship and all the material used for construction meet the specifications laid down in the National Building Code. No provision of the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Rules, 1965, and no rules made, conditions prescribed or order issued thereunder has been transgressed in the course of the work.

Dated _____

Signature of the Architect

Signature of the Engineer.

FORM BR-V (A1)

[See rules 38(xxix-a) and 39(l)(g), para 2(d) of Form BR-I, 47(2)]

**Certificate of conformity to rules and structural safety
for Residential and Commercial Buildings
upto 3 storeys or less than 11 meter height**

Certificate to be submitted along with the building application in Form BR-1 duly signed by the Architect and the Structural Engineer.

Detail of the building for which the certificate is issued

Plot No. _____, Sector _____, Colony _____

City/Town _____.

Name of the owner _____

Complete address of the owner _____

A. Building Plan :

- (i) Name of Architect: _____
- (ii) Council of Architect Registration No. _____, valid upto _____
- (iii) Complete Address _____

B. Structural Design:

- (i) Name of Engineer : _____
- (ii) Registration No. (if any) _____
- (iii) Qualifications and experience _____
- (iv) Complete Address _____

Certificate

It is hereby certified that the plans submitted in Form BR-1 for the building detailed above, are in accordance with the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Rules, 1965, as amended from time to time and the approved zoning plan of the plot. The structure has been designed in accordance with the provisions the National Building Code and the relevant Indian Standard Codes (with latest amendments) including Indian Standard Codes for structures resistant to earthquakes and the other natural hazards. The local soil conditions, its load bearing capacity and the underground water table etc. have been kept in view while designing the same.

Dated _____

Signature of Owner

Signature of Architect

Signature of Structural Engineer.

FORM BR-V (A2)

[See rules 38(xxix-a) and 39(l)(g), para 2(d) of Form BR-I, 47(2)]

**Certificate of conformity to rules and structural safety for
Buildings other than Residential and Commercial Buildings
upto 3 storeys or less than 11 meter height**

Certificate to be submitted along with the building application in Form BR-1 duly signed by the Architect and the Structural Engineer and the Proof consultant.

Detail of the building for which the certificate is issued

Plot No. _____, Sector _____, Colony _____

City/Town _____.

Name of the owner _____

Complete address of the owner _____

A. Building Plan :

- (i) Name of Architect: _____
- (ii) Council of Architect Registration No. _____, valid upto _____
- (iii) Complete Address _____

B. Structural Design:

- (i) Name of Engineer : _____
- (ii) Registration No. (if any) _____
- (iii) Qualifications and experience _____
- (iv) Complete Address _____

Certificate

It is hereby certified that the plans submitted in Form BR-1 for the building detailed above, are in accordance with the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Rules, 1965, as amended from time to time and the approved zoning plan of the plot. The structure has been designed in accordance with the provisions the National Building Code and the relevant Indian Standard Codes (with latest amendments) including Indian Standard Codes for structures resistant to earthquakes and the other natural hazards. The local soil conditions, its load bearing capacity and the underground water table etc. have been kept in view while designing the same.

Dated _____

Signature of Owner

Signature of Architect

Signature of Structural Engineer.

The structural design has been checked by me and has been found to be in order. The design is in accordance with the provisions of the National Building Code and the relevant Indian Standard Codes (with latest amendments) including Indian Standard Codes for structures resistant to earthquakes and other natural hazards. The local soil conditions, its load bearing capacity and the underground water table etc. have been kept in view while designing the same.

Dated _____

Signature of Proof Consultant.”.

SHAKUNTLA JAKHU,

Financial Commissioner and Principal Secretary to
Government, Haryana, Town and Country Planning Department.